



CITY OF PITTSBURG AGENDA

MONDAY, JULY 18, 2005

**CITY HALL COUNCIL CHAMBER
65 CIVIC AVENUE, PITTSBURG, CA**

**CLOSED SESSION
6:30 P.M.**

**REGULAR MEETINGS
7:00 P.M.**

**HOUSING AUTHORITY
REDEVELOPMENT AGENCY
CITY COUNCIL**

PRESIDING

**Nancy Parent, Mayor/Chair
Michael Kee, Vice-Mayor/Vice-Chair
Ben Johnson, Council Member/Board Member
Will Casey, Council Member/Board Member
William Glynn, Council Member/Board Member**

**For the Housing Authority:
Jerlean Mixon, Housing Authority Member
Cathy Wallen, Housing Authority Member**

Pittsburg City Council meetings are held the first and third Mondays of each month at 7:00 p.m. The Housing Authority meets in conjunction with the City Council on the third Monday of each month. The City Council meets regularly in the Council Chambers at 65 Civic Avenue, unless otherwise noted above.

AUDIENCE REMARKS – *The Audience Remarks period is for the public to comment on any items scheduled to be heard during the Closed Session portion of the meeting, if applicable.*

CONVENE IN CLOSED SESSION – 6:30 p.m.

- a. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Section 54956.8):

Property:

City of Pittsburg Property APN 086-100-024, 086-100-026 and a portion of Power Avenue

Agency Negotiator:

Marc Grisham, Garrett Evans

Negotiating Parties:

Discovery SPPI and Reynolds & Brown

Under Negotiation:

Both price and terms of negotiation

CONVENE IN OPEN SESSION – 7:00 p.m.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PRESENTATIONS

1. Pittsburg Library Presentation “The Business Connection”

COUNCIL MEMBER REPORTS/REMARKS – *Council Members may make brief announcements or informal comments at this time. Council members may ask questions for clarification from City staff, and make a report on their activities, including reports on committee assignments (see attached list of ad hoc committees and other public agencies in which Council members participate). (No Action Required)*

CITY MANAGER REPORTS/REMARKS – *The City Manager may make brief announcements or informal comments at this time and brief the Council on items of interest. (No Action Required)*

CITIZENS REMARKS – *Members of the audience who wish to address the City Council or Agency Boards on issues that are not scheduled for the agenda calendar should complete a Speaker’s Card available at the dais. Please read the card carefully in order to fill out the card properly. Submit the completed card to the City Clerk before the item is called, preferably before the meeting begins. Individuals will be given three minutes to address the Council unless additional time is allowed as provided for spokespersons. Prior to speaking, each member of the public shall state their name and business and City of residence in a clear and audible tone of voice. (No Action Required)*

PITTSBURG HOUSING AUTHORITY MEETING

CONSENT CALENDAR - *All matters listed under Consent Calendar are considered by the Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a number of the Council or the public prior to the time the Council votes on the motion to adopt.*

- a. **DISBURSEMENT LIST** Dated: June 30, 2005 (Recommend Approval)
- b. **MINUTES** Dated: June 20, 2005 (Recommend Approval)

ADJOURNMENT OF THE PITTSBURG HOUSING AUTHORITY To: August 15, 2005

REGULAR REDEVELOPMENT AGENCY MEETING

PUBLIC HEARING

1. **RESOLUTION 05-1059** Hearing on the Proposal to Designate a Unified Development Area at the East Third Street and Railroad Avenue Block (Recommend Adoption)

To further the goals and objectives of the Redevelopment Plan for the Los Medanos Community Development Project Area, staff has identified redevelopment activities that will alleviate blighting conditions and stimulate economic development within the Project Area. The proposal to adopt a Unified Development Area consisting of approximately 58,100 square feet generally located between Railroad Avenue and Marina Boulevard and between East Third Street and East Fourth Street will assist the Agency in addressing blight in the Project Area, and enhance the quality of residential life in Pittsburg.

CONSENT CALENDAR - *All matters listed under Consent Calendar are considered by the Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a number of the Council or the public prior to the time the Council votes on the motion to adopt.*

- a. **MINUTES** Dated: July 5, 2005 (Recommend Approval)
- b. **RESOLUTION 05-1060** Approval of the First Amendment to the Lease Agreement by and between the Redevelopment Agency and the City of Pittsburg and Dockside Market (Recommend Adoption)

The Redevelopment Agency of the City of Pittsburg approved a Lease Agreement on November 5, 2001 by and between the Agency and Dockside Market for the lease of the property located at 51 Marina Boulevard #B. Due to the Agency/City sponsored Bed and Breakfast Project which was approved on December 20, 2004 via Resolution No. 04-1017, there is a need to relocate the lessee. The Agency has entered into a lease agreement attached hereto as Exhibit A and incorporated herein with Mobile Modular for a thirty-six (36) month term which commenced on June 27, 2005. Attached to this staff report as Exhibit B and incorporated herein is the First Amendment to the Lease Agreement which will provide a mechanism for the Agency to sub-lease the modular unit to the lessee for a thirty-six (36) month

term. The existing agreement is attached as Exhibit C and incorporated herein.

- c. **RESOLUTION 05-1061** Authorizing the Executive Director to Execute a Right of Entry Agreement by and between the Redevelopment Agency of the City of Pittsburg and Olson Urban Housing LLC (Recommend Adoption)

The Redevelopment Agency of the City of Pittsburg has been negotiating with Olson Urban Housing LLC for the construction of approximately one hundred twenty (120) single-family residential units, including twenty (20) affordable units, and the relocation of an existing community park. A Right of Entry Agreement shall be executed by and between the Agency and the Developer, allowing the Developer to enter certain property for the exclusive purpose of performing certain tests and surveys, certain grading work, and certain construction of the new park.

ADJOURNMENT OF THE REDEVELOPMENT AGENCY To: August 1, 2005

REGULAR CITY COUNCIL MEETING

PUBLIC HEARING

1. **RESOLUTION 05-10331** Confirming the Engineer's Report, Diagram and Assessment and Levying the Annual Assessments for Landscaping & Lighting Assessment District 1988-01, Citywide (Fiscal Year 2005-06) (Recommend Adoption)

Landscaping and Lighting Assessment District 1988-01, Citywide has been in existence since 1988 and the funds collected are necessary for the City to maintain the public desired level of lighting and landscaping throughout the city. Each year, prior to ordering the improvements and levying the assessments, the City Council holds a public hearing.

2. **RESOLUTION 05-10332** Confirming the Engineer's Report, Diagram and Assessment and Levying the Annual Assessments for Landscaping & Lighting Assessment District 1988-02, Oakhills (Fiscal Year 2005-06) (Recommend Adoption)

Landscaping and Lighting Assessment District 1988-02, Oakhills has been in existence since 1988 and the funds collected are necessary for the City to maintain the public desired level of lighting and landscaping throughout the city. Each year, prior to ordering the improvements and levying the assessments, the City Council holds a public hearing.

3. **MINUTE ORDER** Approval and Adoption of the East Contra Costa Regional Fee Program Update Report, Adoption of an Urgency Resolution Establishing an Interim Regional Transportation Development Impact Mitigation Fee, and Adoption of an Ordinance Establishing a New Regional Transportation Development Impact Mitigation Fee Program (Recommend Open Public Hearing and Continue to August 1, 2005)

Due to staff's ongoing efforts to provide additional findings on the issue of establishing new Regional Transportation Development Impact Mitigation Fees, it is recommended that City Council open the Public Hearing noticed for tonight and continue it to the next regularly scheduled City Council meeting on August 1, 2005.

CONSIDERATION

1. **RESOLUTION 05-10333** Resolution of Intent to Y-Rate the City's Contribution Toward Retiree Medical Premiums (Recommend Adoption)

As of today, the City has 91 retirees participating in the retiree health insurance program. At the time of each individual's retirement, the City made certain promises as to its contribution (if any) toward the individual's post-employment (or retiree) health insurance premium. Over the years the City has changed what it contributes toward the retiree health insurance for new retirees and, although not obligated to do so, provided these same enhancements to the existing retirees. The City's duty is to maintain retiree health insurance contributions at the level promised when each individual retired. The discussion before the City Council is what level of enhancements should be maintained.

2. **RESOLUTION 05-10334** Calling for a Special Measure Election Consolidating with the Special Statewide Election to be Held on November 8, 2005 (Recommend Adoption)

Pursuant to Elections Code Section 10400 et seq., the City must, at least eighty-eight (88) days prior to the date of the election, file with the County Board of Supervisors, a resolution of the City Council requesting the consolidation of a special measure election with the special statewide election to be held on November 8, 2005. The City is submitting to the voters the questions of whether the positions of City Clerk and City Treasurer shall remain elected, or be appointed by the City Council.

CONSENT CALENDAR - *All matters listed under Consent Calendar are considered by the Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a number of the Council or the public prior to the time the Council votes on the motion to adopt.*

- a. **MINUTES** Dated: July 5, 2005 (Recommend Approval)
- b. **CLAIMS** #1643, Charles Brown; #1644 Luz Flores (Recommend Denial)

(Claims against the City which may cause expenditure of funds – on file in the Office of the City Clerk)
- c. **RESOLUTION 05-10335** Abolish Obsolete Job Classifications (Recommend Adoption)

The Human Resources Department requests the elimination of four classifications on behalf of the City Manager's Office, Housing and Community Programs, Engineering and Planning Departments.

- d. **RESOLUTION 05-10336** Collective Bargaining Agreement with the Police Officers' Association (Recommend Adoption)

The City of Pittsburg and the Pittsburg Police Officers' Association (POA) have met and conferred in good faith regarding wages, hours and other terms and conditions of employment and have reached agreement on a new collective bargaining agreement. The POA has ratified the collective bargaining agreement and the City Council is required to ratify the collective bargaining agreement for it to become effective.

- e. **RESOLUTION 05-10337** Accepting Donation of Automatic External Defibrillators (AED) (Recommend Adoption)

The Safety Committee recommended procuring AEDs for the Council Chamber at the Civic Center and for the Senior Center. In researching available grant funding for the project it was found that Contra Costa Health Services had an AED program for public agencies. Each County Supervisor was allocated eight (8) machines to donate to agencies within their jurisdiction. Supervisor Federal Glover had already submitted the Civic Center and the Senior Center as recipients of two of the machines allocated to him, including wall mounting units. This resolution accepts this generous donation.

- f. **RESOLUTION 05-10338** Add Senior Golf Cart Attendant to the Classification Plan and Reclassify One Position and Incumbent (Recommend Adoption)

The Human Resources Department has conducted an analysis of the work performed by the Maintenance Worker I at the Golf Course Pro Shop. The analysis determined the scope of work performed by the incumbent would be more appropriately classified as a Senior Golf Cart Attendant.

- g. **RESOLUTION 05-10339** Authorization of a Letter of Support to the Housing Authority of the County of Contra Costa for the Proposed Disposition of the El Pueblo Public Housing Development (Recommend Adoption)

The Housing Authority of the County of Contra Costa is submitting a Disposition Application to the United States Department of Housing and Urban Development seeking authorization to dispose of the El Pueblo Public Housing

Development. HUD regulations require that such intent be declared to the local jurisdiction in which the development is located, and that said local jurisdiction issue a letter of support for the Housing Authority's intended disposition.

ADJOURNMENT To: August 1, 2005

NOTICE TO PUBLIC

SPEAKER'S CARD

Members of the audience who wish to address the City Council on issues that are not scheduled for the agenda and on any items listed as part of the agenda should complete a Speaker's Card available at the dais. Please read the card carefully in order to fill out the card properly. Submit the completed card to the City Clerk before the item is called, preferably before the meeting begins. Individuals will be given three minutes to address the Council unless additional time is allowed as provided for spokespersons. Prior to speaking, each member of the public shall state their name and business and City residence in a clear and audible tone of voice.

PUBLIC HEARINGS

Persons who wish to speak on Public Hearings listed on the agenda will be heard when the Public Hearing is opened, except on Public Hearing items previously heard and closed to public comment. After the public has commented, the item is closed to public comment and brought to the Council/Agency level for discussion and action. Further comment from the audience will not be received unless requested by the Council/Agency.

There is a 90-day limit for the filing of a challenge in the Superior Court to certain City administrative decisions and orders which require a hearing by law, the receipt of evidence, and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge an action take by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting.

NOTICE TO THE DISABLED AND VISUALLY OR HEARING IMPAIRED

In compliance with the Americans with Disabilities Act, the City of Pittsburg will provide special assistance for disabled citizens. Upon request, an agenda for any meeting shall be made available in appropriate alternative formats. The Council Chamber is equipped with sound amplifier units for use by the hearing impaired. The units operate in conjunction with the Chamber's sound system. You may request the sound amplifier from the City Clerk for personal use during Council meetings. If you need special assistance to participate in this meeting, or are requesting a specially formatted agenda, please contact the City Clerk at 925-252-4850. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting or provide the requested agenda format. (28 CFR 35.102-35.104 ADA Title II)

DISRUPTIVE CONDUCT

The Council requests that you observe the order and decorum of our Council Chamber by turning off or setting to vibrate all cellular telephones and pagers, and that you refrain from making personal, impertinent, or slanderous remarks. Boisterous and disruptive behavior while the Council is in session, and the display of signs in a manner which violates the rights of others or prevents others from watching or fully participating in the Council meeting, is a violation of our Municipal Code and any person who engages in such conduct can be ordered to leave the Council Chamber by the Mayor.

City Council Outside Agency/Liaison/ Sub-Committees Assignments - 2005

Updated April 4, 2005

<u>OUTSIDE AGENCY BOARDS</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
ABAG	Nancy Parent / Michael Kee Alt.	Standing	Annual	B. Nail
BART Station Specific Plan	Michael Kee / William Glynn	Ad Hoc	As needed	M. Ayres
Bay Area Water Quality Dist.	Ben Johnson / Will Casey Alt.	Standing	As needed	M. Ayres
Contra Costa County Fire Dist.	Will Casey / Ben Johnson Alt.	Standing	2 nd Monday	M. Rodriguez
Delta Diablo Sanitation	Nancy Parent / Michael Kee Alt.	Standing	2 nd Wednesday	J. Fuller
East County Habitat Conserv.	Will Casey / Ben Johnson Alt.	Standing	Monthly	R. Jerome
East County Water Mgt.	Nancy Parent / Michael Kee Alt.	Standing	Annual	J. Fuller
E-PAC	William Glynn / Michael Kee Alt.	Standing	2 nd Thursday	J. Sbranti
Fee & Finance Authority/TRANSPLAN	William Glynn / Michael Kee Alt.	Standing	2 nd Thursday	J. Sbranti
Tri-Delta Transit	Nancy Parent & Michael Kee	Standing	Last Wednesday	M. Rodriguez
Water Transit Authority Comm.	Will Casey / Ben Johnson Alt.	Standing	Monthly/Thursdays	J. Fuller

<u>LIAISON TO</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
East Bay League of Calif. Cities	Nancy Parent / Michael Kee Alt.	Standing	3 rd Thursday	B. Nail
Library Commission	Nancy Parent / William Glynn	Standing	As needed	P. Flores
Mayor's Conference	Nancy Parent / Michael Kee Alt.	Standing	1 st Thursday	M. Grisham
School District Liaison	Nancy Parent & William Glynn/Ben Johnson Alt.	Standing	Quarterly	P. Flores

<u>SUBCOMMITTEE</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
CAC/CDBG	Ben Johnson & Will Casey	Standing	As needed	A. Landry
California Theatre Study	William Glynn & Will Casey	Ad Hoc	As needed	G. Evans
City/County Relations	Michael Kee / Ben Johnson Alt.	Standing	As needed	M. Grisham
Draft ULL Committee	Michael Kee & William Glynn	Ad Hoc	As needed	M. Grisham
Economic Development	Ben Johnson & Will Casey/Nancy Parent Alt.	Standing	Quarterly	B. Nail
Fee & Finance Review	William Glynn & Michael Kee	Ad Hoc	As needed	J. Sbranti
Finance Subcommittee	Ben Johnson & Will Casey	Ad Hoc	As needed	M. Simons
Land Use Subcommittee	Michael Kee & William Glynn	Ad Hoc	As needed	M. Ayres
Mallards Commemoration Signage	Michael Kee	Ad Hoc	As needed	P. Flores
Power Company Advisory	Nancy Parent & William Glynn	Standing	As needed	G. Evans
PEHDC	Will Casey & Bill Glynn	Standing	1 st Thursday	G. Evans
RDA Subcommittee	Nancy Parent & Michael Kee/William Glynn Alt.	Standing	Quarterly	G. Evans