



CITY OF PITTSBURG AGENDA

MONDAY, APRIL 4, 2005

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

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

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

**REDEVELOPMENT AGENCY
PITTSBURG POWER COMPANY
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**

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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Attorney

CONVENE IN OPEN SESSION – 7:00 p.m.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PROCLAMATION

1. Week of the Young Child
2. Commemorating the Fall of Bataan

PRESENTATION

1. National Library Week
2. Presentation by PG&E
3. New City Employee Introductions

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)*

REGULAR REDEVELOPMENT AGENCY MEETING

PUBLIC HEARING

1. **RESOLUTION 05-1041**
Combined w/CC 05-10269 Approval of the Redevelopment Agency List of Projects, Allocations, and Funding Sources (Recommend Adoption)

The Redevelopment Agency of the City of Pittsburg is engaging in various activities in its efforts to remove the blighting conditions that still remain in the Los Medanos Community Development Project Area. Due to the complexity of the projects and the varying funding sources, the Agency desires to establish a list of projects, their allocations, and their funding sources.

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: March 21, 2005 (Recommend Approval)
- b. **RESOLUTION 05-1042** Approval of a Relocation Impact Statement and Last Resort Housing Plan for the Cumberland and 10th Street Project Site (Recommend Adoption)

Properties along Cumberland Street, south of 10th Street, and on the south side of 10th Street east of Cumberland Street are aging, dilapidated and substandard. Therefore, the Agency is interested in redeveloping the site to eliminate blight and improve the supply of decent, safe and sanitary housing within the Project Area. Redevelopment of the site may include acquisition of the properties and relocation of the project's occupants. Pursuant to the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended* and the *California Code of Regulations, Title 25*, the Agency must approve a Relocation Impact Statement and Last Resort Housing Plan whenever a residential occupant is displaced due to Agency acquisition.
- c. **RESOLUTION 05-1043** Approval of the First Amendment to the Disposition and Development Agreement by and between the Redevelopment Agency of the City of Pittsburg and Adam and Associates Business Group, LLC (Recommend Adoption)

The Redevelopment Agency of the City of Pittsburgh approved a Disposition and Development Agreement on January 5, 2004 by and between the Agency and Adam and Associates Business Group, LLC for the sale and development of 415 Railroad Avenue. A notice of default letter, attached as Exhibit A, was given to the Developer on January 13, 2005. The Developer had sixty (60) days to cure the breaches and failures identified in the Notice or until March 14, 2005. As of Wednesday, March 23, the Developer has made significant progress toward remedying such breaches and failures; however, the Developer still has a few outstanding issues to cure in order to be compliant with the terms of the Agreement. Staff is recommending that the Agreement be amended to grant an additional extension of time so the Developer can cure the outstanding items and proceed with the development of the Property. The First Amendment also includes amending the Schedule of Performance, as the initial schedule is stale, associated with construction of the improvements which generally consist of rehabilitating the second floor to enable the second floor to be utilized as commercial office space.

d. **RESOLUTION 05-1044**
Combined w/CC 05-10266

Allocation of Redevelopment Funds and Authorizing Staff to Negotiate and Enter into an Agreement with Black & Veatch Corp. to Provide Engineering Services for the Southwest Hills Water Improvements Project (Recommend Adoption)

The Vista Del Mar development on the Alves Ranch site will require extensive water system improvements to meet the increased needs of water in the southwest hills of Pittsburgh. In order to address the complexities of this project, Engineering Department staff will need support from a consulting engineering firm with appropriate staff expertise. The staff proposes to contract with Black & Veatch Corporation (engineering consultants) to provide technical and management services needed for this project.

ADJOURNMENT OF THE REDEVELOPMENT AGENCY To: April 18, 2005

PITTSBURG POWER COMPANY MEETING

PUBLIC HEARING

1. **RESOLUTION 05-126** Approving the Gas and Electric Tariff Revisions for Service on Mare Island for the Pittsburg Power Company d.b.a. Island Energy (Recommend Adoption)

The gas and electric tariffs require revisions to make them consistent with the recently approved Gas and Electric Operations Agreements with the City of Vallejo. Changes to service connection and distribution line projects associated with developer applications for gas and electric service for new developments are also being made in the tariffs.

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- a. **MINUTES** Dated: March 21, 2005 (Recommend Approval)
- b. **RESOLUTION 05-127** Award Contract for the 2005 Patch Paving Program to AJW Construction (Recommend Adoption)

The Patch Paving Program is funded through the allocation of Neighborhood Improvement Program funds and from the Street Preventative Maintenance Account. The Patch Paving Contract involves removing failed asphalt concrete and base material, compaction of existing sub-base material, and replacing the same with an equivalent amount of asphalt concrete at various locations in the City.

ADJOURNMENT OF THE PITTSBURG POWER COMPANY

REGULAR CITY COUNCIL MEETING

PUBLIC HEARING

1. **RESOLUTION 05-10269** Approval of the Redevelopment Agency List of Projects, Combined w/RDA 05-1041 Allocations, and Funding Sources (Recommend Adoption)

See Executive Summary for RDA 04-1041.

CONSIDERATION

1. **RESOLUTION 05-10262** Support of the Community Development Block Grant Program (Recommend Adoption)

There is a proposal in President Bush's 2006 Budget to consolidate or eliminate the Community Development Block Grant (CDBG) Program.

2. **MINUTE ORDER** Urban Limit Line Update (Recommend Adoption)

On December 20, 2004, the City Council adopted a resolution in support of maintaining the current Urban Limit Line through 2011, with minor exceptions, provided other jurisdictions also supported maintaining the line. Other cities do not. The Council is asked to provide staff direction on its current position on the matter.

3. **RESOLUTION 05-10263** Resolution in Support of Creation of a National Cemetery at the Concord Naval Weapons Station (Recommend Adoption)

The United Veterans Council has requested support from the Pittsburg City Council for requesting the Department of Veterans Affairs to designate an appropriate portion of the former Concord Naval Weapons Station for a National Cemetery.

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- a. **MINUTES** Dated: March 21, 2005 (Recommend Approval)

- b. **CLAIMS** #1635 Jessie McKneely; #1636 Vickie Davis (Recommend Denial)

(Claims against the City which may cause expenditure of funds – on file in the Office of the City Clerk)

- c. **ORDINANCE 05-1240** Adoption of an Ordinance to Amend Overlay District Standards for 1.74 Acres at 1201 California Avenue (Hampton Inn and Suites AP-05-186 (RZ)) (Recommend Adoption)

On March 21, 2005, the Council introduced Ordinance No. 05-1240 amending the existing overlay zoning district development regulations governing 1.74 acres located at 1201 California Avenue, by increasing the maximum building height to 55 feet and amending the minimum off-street parking requirement for hotel uses, in order to allow development of a 96-room Hampton Inn and Suites hotel on the site. Ordinance No. 05-1240 is being brought back before the Council for adoption.

- d. **RESOLUTION 05-10264** Awarding Contract 2000-05, Phase II, Traffic Signal Installation, Route 4 Off-Ramp and San Marco Boulevard/Willow Pass Road to Steiny and Company, Inc. of Vallejo, California (Recommend Adoption)

Contract 2000-05, Phase II, Traffic Signal Installation, Route 4 Off-Ramp and San Marco Boulevard/Willow Pass Road, will provide for the installation of a fully actuated traffic signal at the existing all way stop controlled intersection. The goal of the Engineering Department is to complete the signal installation prior to the completion of the W. Leland Road extension project. The Engineering Department received sealed bids for Contract 2000-05, until 2:00 p.m. on March 15, 2005, at which time the bids received were opened and read aloud in public. Steiny and Company, Inc. of Vallejo, California submitted the low bid in the amount of \$121,907.

- e. **RESOLUTION 05-10265** Authorization to Pay Annual Fees for Animal Services Throughout the Life of the Agreement Between the City of Pittsburg and Contra Costa County Animal Services Entered into July 1, 1986 (Recommend Adoption)

Pursuant to the City of Pittsburg and Contra Costa County Animal Services Agreement effective July 1, 1986, and the Food and Agricultural Code Section 30501 and 30801, the City of Pittsburg shall make quarterly payments payable to the County to provide animal services to the City.

- f. **RESOLUTION 05-10266**
Combined w/RDA 05-1044 Allocation of Redevelopment Funds and Authorizing Staff to Negotiate and Enter into an Agreement with Black & Veatch Corp. to Provide Engineering Services for the Southwest Hills Water Improvements Project (Recommend Adoption)

See Executive Summary for RDA 05-1046.

- g. **RESOLUTION 05-10267** Award the 2004/05 CDBG Handicap Ramp Installation Project (Recommend Adoption)

The City was awarded funding by the Community Development Block Grant Program for the 2004/05 CDBG Handicap Ramp Installation Project. The project consists of installing approximately 50 Americans with Disabilities (ADA) compliant curb ramps at various intersections throughout the city.

- h. **RESOLUTION 05-10268** Award Consultant Contract for Engineering Services Associated with the Site Selection and Design of a New Municipal Well (Recommend Adoption)

The Public Works Department requested proposals for engineering consulting services for the site selection and design of a new municipal water production well. The Public Works Department has selected the consulting firm of Luhdorff & Scalmanini, Consulting Engineers to perform this work and recommends a consultant contract award.

ADJOURNMENT To: April 18, 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 March 21, 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	Vacant
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	Vacant
Fee & Finance Authority/TRANSPLAN	William Glynn / Michael Kee Alt.	Standing	2 nd Thursday	Vacant
Tri-Delta Transit	Nancy Parent & Michael Kee	Standing	Last Wednesday	Vacant
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