

**CITY OF PITTSBURG**  
**Special City Council Meeting Minutes**  
**October 25, 2006**

Mayor Michael Kee called the Special Meeting of the City Council to order at 9:33 A.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened into Closed Session at 9:05 A.M. for Conference with Legal Counsel – Initiation of Litigation Pursuant to Subdivision (c) of Section 54956.9 of the Government Code regarding one (1) case.

Mayor Kee advised that there was nothing to report from Closed Session.

**MEMBERS PRESENT:** Casey, Glynn, Johnson, Parent, Kee

**MEMBERS ABSENT:** None

**STAFF PRESENT** City Manager, Marc Grisham  
Assistant City Manager, Matt Rodriguez  
City Attorney, Ruthann Ziegler  
Deputy City Clerk, Alice Evenson  
Records Manager, Mary Ellen Overgaard  
Assistant City Engineer, Keith Halvorson  
City Engineer, Joe Sbranti

**PLEDGE OF ALLEGIANCE**

Mayor Kee led the Pledge of Allegiance.

**COUNCILMEMBER REPORTS/REMARKS**

There were no Council Member reports/remarks.

**CITY MANAGER REPORTS/REMARKS**

There were no City Manager reports/remarks.

**CITIZEN REMARKS**

There were no citizens remarks for items not on the agenda.

**CONSIDERATION**

1. **MINUTE ORDER/RESOLUTION** Report on Landslide Repairs at Santa Lucia Drive in the San Marco Subdivision and Possible Emergency Acquisition of Portions of Real Property (APN 097-620-018, 097-620-017, 097-620-016, 097-620-015, 097-620-014 and 097-620-013) for Repair and Stabilization

City Manager Marc Grisham asked the City Attorney to introduce the item to the Council.

City Attorney Ruthann Ziegler stated the issue on the agenda was consideration of a Resolution of Necessity for emergency acquisition for construction on four lots in the San Marco Subdivision in order to facilitate completion of repairs in the area, which would require 14 working days to complete.

City Engineer Joe Sbranti also gave a history of the situation on Santa Lucia Drive in the San Marco Subdivision and reiterated the risks should repairs not be completed prior to the winter rains.

Mr. Lee Archer, of the law firm of Archer Norris, representing Seecon Financial stated the only deal points that had not yet been met by William Lyon Homes is Seecon's request for indemnification and agreement with the design for stabilization presented by William Lyon Homes.

Mr. Tim Cotton, representing William Lyon Homes reiterated the two final deal points of the agreement.

City Attorney Ziegler summarized that the opportunity for the two parties to come to agreement was presented within the last week and it appears that, while ample opportunity was provided, there has been no agreement between the parties.

Council Member Parent stated that the interest of the City is protecting the public improvements that have been made and the homes that are already there, and occupied, may be affected by loss of public improvements. She stated that if this presented resolution passes, the parties will have 24 hours to produce a signed agreement before necessitating court action.

Mr. Robert Green, representing the Save Our Hills organization in Pittsburg questioned the amount of money and time that has gone into this event. He stated his shock and dismay that an environment has been created for developers to argue in a public forum, while the real issue is that the development in the hills must be stopped.

On motion by Council Member Parent, seconded by Council Member Glynn, with the correction to the Resolution of Necessity title to include the words "14 working days" for completion, carried by the following vote:

Ayes:	Casey, Glynn, Johnson, Parent, Kee
Noes:	None

## **ADJOURNMENT**

The Special Meeting of the City Council adjourned at 9:59 A.M. to November 6, 2006.

Respectfully submitted,

Alice E. Evenson, Deputy City Clerk