

CITY OF PITTSBURG
Housing Authority Minutes
August 21, 2006

Chair Michael Kee called the meeting of the Housing Authority to order at 7:58 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 5:00 P.M. into Closed Session for Conference with Legal Counsel – Existing Litigation pursuant to Section 54956.9(a) of the Government Code regarding Pittsburg Society for Preservation of Historical Resources, Susan Lopez, Thomas LaFleur, and Frank Gordon vs. City of Pittsburg, Contra Costa County Case No. 05-1861, and City of Pittsburg vs. Seecon Financial and Construction, Case No. CIVMS 06-01482; Conference with Legal Counsel – Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 regarding two cases; and Conference with Labor Negotiators pursuant to Section 54957.6 regarding AFSCME (Miscellaneous A Unit), AFSCME (Management/Professional/Confidential Unit), Teamsters and Unrepresented Employees; and at 6:33 P.M. for Workshop – Local Traffic Mitigation Fees.

Chair Kee advised that there was nothing to report from closed session.

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

MEMBERS ABSENT: Wallen

STAFF PRESENT Executive Director, Marc Grisham
Assistant Executive Director, Matt Rodriguez
Legal Counsel, Ruthann Ziegler
Deputy City Clerk, Alice Evenson
Director of Housing and Community Programs, Annette Landry
Director of Engineering and Building, Joe Sbranti
Director of Economic Development, Brad Nail
Director of Recreation, Paul Flores
Police Chief, Aaron Baker

CONSENT CALENDAR

On motion by Member Johnson, seconded by Vice Chair Glynn and carried unanimously to adopt the Consent Calendar, as follows:

a. **MINUTES** Dated: July 17, 2006

Approved minutes dated July 17, 2006.

ADJOURNMENT

The meeting of the Housing Authority adjourned at 8:00 P.M. to the next meeting set for September 18, 2006.

Respectfully submitted,

Lillian J. Pride, Secretary

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CITY OF PITTSBURG
Redevelopment Agency Minutes
August 21, 2006

Chair Michael Kee called the meeting of the Redevelopment Agency to order at 8:01 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 5:00 P.M. into Closed Session for Conference with Legal Counsel – Existing Litigation pursuant to Section 54956.9(a) of the Government Code regarding Pittsburg Society for Preservation of Historical Resources, Susan Lopez, Thomas LaFleur, and Frank Gordon vs. City of Pittsburg, Contra Costa County Case No. 05-1861, and City of Pittsburg vs. Seecon Financial and Construction, Case No. CIVMS 06-01482; Conference with Legal Counsel – Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 regarding two cases; and Conference with Labor Negotiators pursuant to Section 54957.6 regarding AFSCME (Miscellaneous A Unit), AFSCME (Management/Professional/Confidential Unit), Teamsters and Unrepresented Employees; and at 6:33 P.M. for Workshop – Local Traffic Mitigation Fees.

Chair Kee advised that there was nothing to report from closed session.

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

MEMBERS ABSENT: None

STAFF PRESENT

Executive Director, Marc Grisham
Assistant Executive Director, Matt Rodriguez
Legal Counsel, Ruthann Ziegler
Deputy City Clerk, Alice Evenson
Director of Housing and Community Programs, Annette Landry
Director of Engineering and Building, Joe Sbranti
Director of Economic Development, Brad Nail
Director of Recreation, Paul Flores
Police Chief, Aaron Baker

CONSENT CALENDAR

On motion by Member Parent, seconded by Member Casey and carried unanimously to adopt the Consent Calendar, as follows:

a. **MINUTES** Dated: August 7, 2006

Approved minutes dated August 7, 2006.

c. **RESOLUTION 06-1148** Approval of the Replacement Housing Plan for 60 Cornwall Street

Adopted Resolution 06-1148.

ADJOURNMENT

The meeting of the Redevelopment Agency adjourned at 8:02 P.M. to September 5, 2006.

Respectfully submitted,

Lillian J. Pride, Secretary

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CITY OF PITTSBURG
City Council Minutes
August 21, 2006

Mayor Michael Kee called the meeting of the City Council to order at 8:03 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 5:00 P.M. into Closed Session for Conference with Legal Counsel – Existing Litigation pursuant to Section 54956.9(a) of the Government Code regarding Pittsburg Society for Preservation of Historical Resources, Susan Lopez, Thomas LaFleur, and Frank Gordon vs. City of Pittsburg, Contra Costa County Case No. 05-1861, and City of Pittsburg vs. Seecon Financial and Construction, Case No. CIVMS 06-01482; Conference with Legal Counsel – Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 regarding two cases; and Conference with Labor Negotiators pursuant to Section 54957.6 regarding AFSCME (Miscellaneous A Unit), AFSCME (Management/Professional/ Confidential Unit), Teamsters and Unrepresented Employees; and at 6:33 P.M. for Workshop – Local Traffic Mitigation Fees.

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
- Director of Housing and Community Programs, Annette Landry
- Director of Engineering and Building, Joe Sbranti
- Director of Economic Development, Brad Nail
- Director of Recreation, Paul Flores
- Police Chief, Aaron Baker

Mayor Kee considered the following general City Council items at 7:15 P.M. prior to pursuing the Housing Authority agenda.

PLEDGE OF ALLEGIANCE

Mayor Kee led the Pledge of Allegiance.

PRESENTATIONS

1. CDBG Video

Director of Housing and Community Programs Annette Landry reported that members of the County consortium consisting of the cities of Antioch, Pittsburg, Concord, Walnut Creek and the urban County had partnered with some students from the Multi Media Department at Diablo Valley College to develop the Community Development Block Grant (CDBG) video. She presented the video which identified a small example of the kinds of services and projects used with CDBG funds. She also introduced some of the students from the City of Pittsburg's Recreation Department IRA Program, who had been featured in the video and who were present in the audience.

Ms. Landry added that if not for the CDBG funds being used in cities across the country, many services and programs would not be available to low-income citizens. She thanked the Council for its continued support.

2. Pittsburg Library Teen Volunteers Recognition

MARIAN PARTRIDGE, Pittsburg Librarian introduced Becky Borup, the new Youth Services Librarian at the Pittsburg Library.

BECKY BORUP introduced and thanked the teen volunteers who had committed his/her time during the summer. She highlighted the various activities the volunteers had facilitated during the summer. Certificates of appreciation in recognition of service to the Pittsburg Library were presented to Dana Cruz, Brandon Harris, Vivian Lee, Jazmin Lopez, Alexander Lubbe, Adrienne Mims, Briana Mims, Monique Perry and Sade Rogers.

COUNCILMEMBER REPORTS/REMARKS

Councilmember Parent thanked the Library and its volunteers for participating in the children's activities day at the Farmers Market each month. She reported that she had attended the 60th Anniversary of the Ambrose Park, the Scottish Renaissance, the Car Show, Hot Summer Nights, and Music at the Park at the Marina. She pointed out the basket of apples in the Council Chambers and commented that the apples were available to remind people to visit the Farmers Market on Saturdays. She also noted that some of the groups participating in Hot Summer Nights would also be appearing at the Seafood Festival next month.

Councilmember Johnson stated that he had attended the United Veterans Council meeting, the Car Show, and an American Legion meeting.

Vice Mayor Glynn advised that he had attended the TRANSPLAN Committee meeting, Hot August Nights, the American Legion meeting at the Veterans Hall, the Mayor's fundraiser at the Senior Center, the Car Show, the Farmer's Market, as well as the Pittsburg Historical Museum and Old Town Sounds at the Pittsburg Marina.

Councilmember Casey stated that he would be attending the Farmer's Market this coming Saturday.

Mayor Kee highlighted the Scottish Renaissance Festival hosted by the Mechanics Bank. He took this opportunity to point out a small replica of a sculpture of an anchor expected to be on display at the Civic Center sometime in the future. He reported that the anchor would be 24 feet in height and would rotate.

Mayor Kee stated that he had attended a Town Hall meeting hosted by the staff and teachers at Central Junior High School culminating in a block party at the school. He commended the teachers, administrators and parents who had volunteered to create the event which allowed a dialogue of issues of concern for both teachers and parents.

Mayor Kee also reported that there would be a delegation of nine students from Shimonoseki, Japan who would be visiting the City.

CITY MANAGER REPORTS/REMARKS

City Manager Marc Grisham commented that there had been 65 cars at the Car Show and that each show averaged over 50 cars. The next show would be Ford Mustang Night.

Mr. Grisham announced the dedication ceremony for the Leland Road Extension between San Marco Boulevard and Bailey Road to be held on Friday, August 25 at 12:00 Noon.

Mr. Grisham advised that a series of major projects had been or would be awarded in the City and would result in traffic delays, with new street pavement and rehabilitation, sewer, water, storm line improvements and traffic signal installations, which would be ongoing through the next year. He stated that updated information would be provided to residents by posting on the City's website and City E-News List Serve. He urged residents to subscribe to E-News, a helpful way to obtain information on street closures and the status of the ongoing projects.

CITIZENS REMARKS

JUNE FORSYTH, Pittsburg, noted her attendance at the groundbreaking of the Marina Promenade, which had been short given the heat of the day and the lack of shade trees. She urged the City to retain some of the mature shade trees in the Promenade project area. She commented that the proposed tall palm trees would not offer shade to pedestrians. She also requested that all tree trimming be kept to a minimum. She questioned the status of the redwoods in the Fourth Street public parking area in light of the Muniz/Seeno project and the large number of parking spaces proposed for that project. She suggested that the 44 spaces that had been proposed as part of that project were excessive.

Ms. Forsyth described the proposed elementary school in Old Town as fairly ordinary. She expressed a preference for the existing tall building with its large windows, which could be refurbished and painted in pastel colors.

Ms. Forsyth also took this opportunity to thank the City Engineer for his courtesy in requesting her input with respect to the new full-size soccer field to be set up in City Park. With respect to the landslide in the Bay Point development area, she urged that none of the City's funds be depleted over that situation.

Mayor Kee explained that the design and construction of the new school building would be entirely up to the Pittsburg Unified School District (PUSD).

MELODY BAUGH, Pittsburg, referred to a Matching Grant Challenge expected to be placed on the next Council agenda. With that in mind, she provided the status of the Creative Arts Building Corporation to date. She noted that since October 2004, the Corporation had been working on the restoration of the Creative Arts Building in partnership with individuals adopting seats, through grants, private support from Pittsburg businesses and through concerts, which had raised \$240,000 to date. She reported that all 242 seats in the Little Theater had been completely renovated.

Ms. Baugh added that the Corporation was now a non-profit corporation. She emphasized the strong focus and stated that the Corporation's efforts would be to renovate all seats in both theaters after which the other needs of both theaters would be addressed. She stated that the Corporation's volunteer committee had put in over 2,500 hours in the last two years as part of that process. She advised that Jefferson Starship would be at the Creative Arts Building on October 7. She noted that tickets had been purchased from an international group of people.

Councilmember Parent congratulated Ms. Baugh and commended the all volunteer group of residents working to rehabilitate the Creative Arts Building, which she suggested should be used as a model for the development of other projects in the community.

City Manager Grisham stated that staff would recommend that the Council consider a matching grant program for the Creative Arts Building Corporation given the all volunteer effort to date which had raised a significant amount of money.

Councilmember Johnson thanked the members of the Foundation for all the efforts.

Mayor Kee adjourned to the Housing Authority agenda at 7:58 P.M. and reconvened as the City Council at 8:03 P.M.

The agenda was taken out of order and Item 3 was considered at this time.

PUBLIC HEARING

3. **ORDINANCE 06-1271** Authorizing Notification to the Department of Housing and Community Development, State of California, for the Cancellation of Enforcement Responsibilities for the Mobilehome Parks Act and the Special Occupancy Parks Act

City Manager Grisham advised that the City of Pittsburg Building Division was presently the responsible Code Enforcement Agency within the City's two mobilehome parks; the Meadows at 1515 Polaris Drive and Delta Hawaii at 375 Stoneman Avenue. The ordinance, if approved, would return those responsibilities to the Department of Housing and Community Development, State of California. This is the first reading of the proposed ordinance.

The City had received \$34,253 since accepting enforcement responsibilities in 1992. The latest inspection of the two parks alone consumed 500 staff hours at a cost exceeding the amount of compensation received. There would be a positive impact as the cost of enforcement exceeded the compensation received.

Mr. Grisham recommended that the City Council adopt the ordinance and notify the Department of Housing and Community Development, State of California, of the City's intention to cancel its enforcement responsibilities under the Mobilehome Parks Act and the Special Occupancy Parks Act.

Mayor Kee opened the public hearing for Ordinance 06-1271

BERTHA STOBBS, Pittsburg, expressed concern for the ordinance given that it was something that had not been presented to the Community Advisory Commission (CAC) for review. Speaking as a resident of the Meadows Mobilehome Park and not as a member of the CAC, she stated that item should have been brought before the CAC prior to being placed on the City Council agenda, and should have been brought to the residents of both mobilehome parks in the City. She emphasized that residents of both mobilehome parks should have been notified of the situation. She noted that the residents of those parks had gone through the inspection process since 1989, from the State to the County and in some cases to the City, and ultimately nothing had been done.

Ms. Stobb emphasized that someone had to take the responsibility of addressing the mobilehome park issues given the possibility that slums could be created. She commented that the two parks were very different from one another. She stressed the need for code enforcement and for notification to the affected residents. She recommended that the item be pulled from the agenda and be referred to the CAC given the health and safety issues.

Mayor Kee closed the public hearing for Ordinance 06-1271.

Councilmember Parent clarified with Mr. Sbranti that the inspections had been done by his department and that there were insufficient funds to pay for the necessary inspections which were required every seven years.

City Engineer Joe Sbranti explained that over the past seven years less than \$8,000 had been collected from the State to compensate for the inspections. This year over 500 hours had been spent on the inspections at a dramatically higher cost. If continuing the process, he suggested that would create an additional burden on the general fund.

As to how much the State allotted per year per inspection per unit, Mr. Sbranti stated

that the State had compensated varying amounts over the past 14 years. The last few years the City had been compensated \$600 annually. He explained that the City had two parks with over 400 units for which the State had reimbursed \$600.

Councilmember Parent urged homeowners to lobby State Assemblymembers and State Senators to increase the amount allocated for inspections.

Mayor Kee verified with Mr. Grisham that it would be the Council's authority to determine code enforcement issues. He clarified that the State required the inspections once every seven years which involved inspections of the grounds more than the interior of the units themselves.

Mr. Sbranti clarified that the focus was the public area as well as the surrounding area of the units to ensure safety. He added that it had taken the City several months to go through the two parks consistent with specific State requirements which included public meetings. In some cases there were requirements where building permits had to be required if corrections were required, which fell to the City. He stated that the City had currently addressed all of the issues that had come out of the inspections.

Councilmember Johnson referred to the Mobilehome Permits Revenue Account and requested clarification of the State allotment, to which Mr. Sbranti described the State's payments and methods of payment to date.

Councilmember Casey clarified the intent that the City would no longer inspect mobilehome parks and would rely on the State to do those inspections with no guarantee that the State would conduct those inspections. He noted the potential for creating a slum in that case and he suggested that the Council should have more interest in every part of the City to ensure the quality of life for all residents.

Mr. Sbranti explained that the City would still have the ability to enter a mobilehome property to pursue code enforcement without being burdened by the State's stringent code enforcement requirements. He used the example of one of the State's requirements for notifications and public meetings to inform everyone in the entire park the requirement to inspect each and every unit. He added that the City's Building Division could conduct those inspections in conjunction with the Police Department Code Enforcement Division.

Vice Mayor Glynn expressed concern for the health and safety issues since the mobilehome parks were occupied primarily by senior citizens. He had a concern with the issue of just checking on the landscaping and items related to the exterior of the building as opposed to conditions inside the units. He did not want to rely on the State to ensure those types of inspections.

Mr. Sbranti affirmed that in general the State's requirements did not include an inspection of the interior of the units.

Councilmember Parent noted the issue of individual units and the interior of units

which were individually owned units. She did not see that the City should be mandated to inspect each and every unit. She noted that code enforcement was conducted on a complaint basis. If a mobilehome owner allowed his or her unit to degrade to the point of being deemed a slum, she emphasized that would be the responsibility of the owner and not the City.

Councilmember Johnson commented that the owners of mobilehomes in a mobilehome park did not own the land. The land was leased and most parks were managed internally. He suggested that was why the State had imposed the inspections to ensure that mobilehome park owners were operating appropriately, particularly since the inspections were more park inspections than inspections of the individual units.

Mr. Sbranti concurred that most of the State's inspection requirements related to general park issues, particularly fire related issues. He stated that many of those issues could be addressed through the code enforcement process or under the mobilehome park operation monitoring its own tenants.

Mayor Kee commented that he was relieved to learn that the City could conduct its own code enforcement of mobilehome parks regardless of what the State would do.

Councilmember Johnson agreed with the staff concerns and stated that since the inspections had already been made, it would be seven years before the State inspections would occur at which time it was his hope the State would be appropriately funded to conduct those inspections.

On motion by Councilmember Johnson, seconded by Councilmember Parent and carried unanimously to introduce Ordinance 06-1271 by title only and waive further reading.

1. **ORDINANCE 06-1268** Introduction of an Ordinance Approving a Faria South Annexation and Development Agreement (AP-06-349)

Mr. Grisham advised that Faria Land Investors, LLC filed an application requesting approval of an annexation and development agreement to preserve the Pittsburg voter approved Urban Limit Line (ULL) and the Pittsburg General Plan Land Use Map and policies as they currently applied to an approximately 607-acre site commonly known as the Faria South property located west of Bailey Road and east of the Concord Naval Weapons Station. The Planning Commission did not reach a formal recommendation on this application.

There would be no fiscal impact. The proposed agreement obligated the City to initiate annexation proceedings with the Local Agency Formation Commission (LAFCO) to bring the property into the City limits and to process future development applications consistent with the City's current General Plan and 2005 Pittsburg Voter approved urban limit line.

The agreement also obligated the applicant to pay the related application and processing fees in place at the time the applications were filed.

Mr. Grisham recommended that the public hearing be opened and that the item be continued to a date uncertain.

Mayor Kee opened the public hearing for Ordinance 06-1268.

CHRIS RICHARDSON, Pittsburg, opposed a rush to the development of the hills without appropriately addressing infrastructure issues such as improving the education in the community, the road infrastructure, and the widening of Highway 4 without increasing the population of the City.

WILSON WENDT, representing Faria Land Investors, Altec Homes, Inc. and Seecon Financial and Construction Co., the property owners of both Items 1 and 2 on the meeting agenda, supported the recommended continuance. He referenced the comment in the staff report that in order to modify the City's Sphere of Influence (SOI), a General Plan Amendment (GPA) would be required. He advised that he had written a letter to the City Attorney and the Planning Director with copies to the City Council that a GPA would not be necessary. He noted that a review of the SOI was to be done every five years and there was no requirement in the General Plan that the SOI not be changed until 2020.

Mr. Wendt expressed a desire to work cooperatively with the City and staff to do what was necessary under the General Plan. He noted a requirement under the Memorandum of Understanding (MOU) entered into prior to the passage of Measure P that the General Plan would be amended to include the stated provisions. He asked the Council to consider whether or not a GPA was necessary in order to change the SOI. He reiterated his opinion that a GPA would not be necessary.

DAVID REID, East Bay Field Representative for the Greenbelt Alliance, referred to a letter from Shute Mihaley and Weinberger, LLP, dated July 14, 2006, with the support of Save Mt. Diablo and the San Francisco Chapter of the Sierra Club. He noted that the Faria property was outside the City's SOI which was one of the issues raised by the letter which he quoted at this time. He stated that under California law, cities could only enter into development agreements with properties inside the SOI. As such, he suggested that the item should not be continued but be denied as being inappropriate and untimely.

MIKE DALEY, representing the San Francisco Chapter of the Sierra Club, concurred with Mr. Reid's comments. He opposed development in the hills and questioned the process. He suggested that the ordinances were premature and should be discontinued pending the completion of the other necessary processes.

DENNIS LINSLEY, Pittsburg, agreed with the primary remarks, preferred that the hills be retained as open space and suggested that the two proposals were premature. While he did not want to deny the developer his due, he supported a way to allow that to occur and still leave the hills as open space.

ROBERT GREEN, Pittsburg, objected to another continuance. He urged a no vote on the project due to the need to maintain the City's current quality of life, to save the hills

for future generations, and because checks and balances were required for all levels of government. He suggested that the proposal was premature and he questioned the completeness of the process. He also noted that the two properties, including the Thomas Ranch, could result in 3,924 more homes, 8,000 to 12,000 more cars and potentially 39,000 to 47,000 more car trips per day. He stated that the citizens of Pittsburg did not want nor need the projects. He urged the Council to deny the projects. He also noted that the City of Pittsburg had three major assets; its waterfront, its hills and its people and that each should be respected.

Councilmember Parent emphasized that the Council was also concerned for the hillsides. She stated that the Pittsburg citizenry had agreed at the polls with the need to have its control over the County. She also noted the need to be very concerned about how the property was developed, that the property needed to be inside the City's SOI prior to development, and that the property owner would have to ask LAFCO to include the property in the City's SOI. She stressed the need to look carefully at how to develop further, if at all, in the hills. She encouraged the members of the public to watch the items carefully. She emphasized the ongoing process for the development of a hillside subject to development guidelines and restrictions, items to be considered in the future. She urged those present to remain involved throughout that process.

On motion by Councilmember Parent, seconded by Vice Mayor Glynn and carried unanimously to continue Ordinance 06-1268 to a date uncertain.

Mayor Kee recused himself from the dais and left the Council Chambers given that his property was situated less than 300 feet away from the Montreux property, the subject of the next item.

Vice Mayor Glynn chaired the meeting at this time.

2. **ORDINANCE 06-1269** Introduction of an Ordinance Approving a Montreux Annexation and Development Agreement (AP-06-348)

Mr. Grisham advised that Altec Homes, Inc. and Seecon Financial and Construction Co., Inc. filed an application requesting approval of an annexation and development agreement to preserve the Pittsburg voter approved ULL and the Pittsburg General Plan Land Use Map and policies as they currently applied to an approximately 161-acre site commonly known as the Montreux property and located generally on the west side of Kirker Pass Road (6.4 acres located east of Kirker Pass Road) and south of the City limits.

There would be no fiscal impact. The proposed agreement obligated the City to initiate annexation proceedings with LAFCO to bring the property into the City limits and to process future development applications consistent with the City's current General Plan and 2005 Pittsburg Voter approved ULL, and obligated the applicant to pay the related application and processing fees in place at the time the applications were filed.

Mr. Grisham recommended that the public hearing be opened and that the item be continued to a date uncertain.

Vice Mayor Glynn opened the public hearing for Ordinance 06-1269.

DAVID REID, representing the Greenbelt Alliance, stated that the same concepts applied as related to the prior discussion of the Faria South property. He noted as stated by the staff report that the area in question in the General Plan did not indicate that the area in question would come into the City until 2020. He suggested that the Council deny the request. He also noted that he looked forward to participating in the City's process of revising the Hillside Ordinance. He encouraged everyone else to do the same.

MIKE DALEY, representing the San Francisco Chapter of the Sierra Club, stated that the Sierra Club opposed development in the Pittsburg hills and opposed the application.

DENNIS LINSLEY, Pittsburg, took the same position he had taken in opposition to the Faria South property.

CHRIS RICHARDSON, Pittsburg, waived his time.

ROBERT GREEN, Pittsburg, commented that he lived near the Montreux property. He opposed the process. He suggested that the public hearing notices were not descriptive of the process and looked more like junk mail. He urged the City to identify those notices as appropriately important.

TERESA ROEBUCK, Pittsburg, whose home was located close to the Montreux property, urged the Council to do the right thing for the City. She objected to the Planning Commission's action and suggested that once lost the hills would be no more. She did not want to see more children added to Pittsburg schools since those schools were some of the lowest academically in the East Bay. She stated that the proposals would increase the commute with the additional cars added to the roads and jeopardize the quality of life of Pittsburg residents.

Councilmember Parent stated with respect to notices that postmarks from Pittsburg mailings were almost always from Oakland. She encouraged residents who were concerned with the schools to start attending the meetings of the Pittsburg Unified School District which was responsible for the quality of Pittsburg schools.

On motion by Councilmember Parent, seconded by Councilmember Casey to continue Ordinance 06-1269 to a date uncertain carried by the following vote:

Ayes:	Casey, Johnson, Parent, Glynn
Noes:	None
Absent:	Kee [Recused]

Mr. Grisham advised that he would work with the Deputy City Clerk to ensure a clear public noticing process.

Mayor Kee rejoined the Council at this time.

CONSENT CALENDAR

On motion by Councilmember Johnson, seconded by Councilmember Parent and carried unanimously to adopt the Consent Calendar, as follows, with the removal of Item h.

- a. **MINUTES** Dated: August 7, 2006
Approved Minutes dated August 7, 2006.
- b. **CLAIMS** #1709, Marquita Shevell Arias
Denied Claim #1709, Marquita Shevell Arias.
- c. **ORDINANCE 06-1270** Adoption of an Ordinance Amending City Council Ordinance No. 93-1057 to Amend San Marco Development Park Requirements (AP-06-346 (RZ))
Adopted Ordinance 06-1270.
- d. **RESOLUTION 06-10619** Award the 2006 Cape/Slurry Seal Program Contract
Adopted Resolution 06-10619.
- e. **RESOLUTION 06-10620** Awarding Contract No. 2004-10, Old Town Infrastructure Project, for Construction of Water, Sewer and Storm Drain Improvements
Adopted Resolution 06-10620.
- f. **RESOLUTION 06-10621** Award the 2006 CDBG Curb Ramp Installation Project
Adopted Resolution 06-10621.
- g. **RESOLUTION 06-10622** Adopting the Negative Declaration for Construction of Contract 2006-09 City Park Soccer Field Project
Adopted Resolution 06-10622.
- l. **RESOLUTION 06-10624** Acceptance of the Park Improvements at the New Mariner Walk Park
Adopted Resolution 06-10624.

The following item was removed from the Consent Calendar for discussion.

Councilmember Johnson recused himself given that the location of his home within 300 feet of the Thomas Ranch property.

Mayor Kee recused himself given the proximity of his home to the subject property. Both Mayor Kee and Councilmember Johnson left the dais and the Council Chambers at this time.

Vice Mayor Glynn chaired the meeting.

- h. **RESOLUTION 06-10623** City Initiation of a General Plan Study Related to Sphere of Influence Boundaries and the Southern Foothills (Montreux, Faria South, Thomas Ranch and Norton Valley Areas), and Prezoning Study Related Generally to Unzoned Land Within the Urban Limit Line

Mr. Grisham expressed the importance of moving forward with the necessary steps to follow the mandate of Pittsburg voters related to Measure P which would result in making sure that the appropriate steps relating to SOI boundaries were done, which would involve a review of the General Plan to see how it would fit in with that mandate. He noted that SOI change applications had been received on the two projects previously discussed. He referenced a probable parallel processing in that regard.

DAVID REID, Greenbelt Alliance, requested that further items related to the issue of GPAs that would have major effects of hillsides in Pittsburg be placed on the regular agenda with appropriate noticing.

MIKE LENGYEL, Pittsburg, read a letter dated August 21, 2006 that he had submitted to the Council. He stated that the hills of Pittsburg defined the place, along with the river. He asked the Council to take steps to tighten the General Plan and Hillside Development District regulations to stop further destruction of the City's hills. He also questioned the reference to Measure P as a mandate of Pittsburg residents and suggested that there had been no mandate.

MIKE DALEY, Sierra Club, reiterated the comments that no one wanted to see the destruction of the Pittsburg hills. He too questioned whether or not there was a mandate to allow the development in the hills given the close vote in that special election. He also questioned whether or not the proposals were what the residents of the City wanted. He urged the Council to keep in mind what was best for the residents. He emphasized the Sierra Club's interest in being notified of the item when next considered by the Council.

ROBERT GREEN, Pittsburg, commented that Measure P had not indicated the SOI, the ULL, or what would be done with the land. He urged the Council to move slowly on the

item. He suggested that Measure P would again be placed on the ballot and be removed.

Councilmember Parent agreed with the need to proceed slowly and carefully, but to proceed. She stated that in order to make good decisions, adequate information and studies would have to be prepared to allow that to occur and allow the City appropriate information in the context of the General Plan specific items. She otherwise emphasized in response to comments that Measure P was very clear as to where the ULL would be placed. She agreed with the need to move forward with succinct information.

Councilmember Casey emphasized that the City Council had previously expressed its concern and continued to express its concern for the development of the hills.

On motion by Councilmember Parent, seconded by Councilmember Casey and carried unanimously to adopt Resolution 06-10623.

ADJOURNMENT

The City Council adjourned at 9:10 P.M. to a regular meeting of the City Council on September 5, 2006.

Respectfully submitted,

Lillian J. Pride, City Clerk

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