



# **CITY OF PITTSBURG AGENDA**

**MONDAY, MARCH 20, 2006**

**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  
SOUTHWEST PITTSBURG GEOLOGIC HAZARD  
ABATEMENT DISTRICT II (GHAD II)  
CITY COUNCIL**

**PRESIDING**

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

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

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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.

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**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:  
60 Cornwall Street

Agency Negotiator:  
Marc Grisham, Garrett Evans, Randy Starbuck

Negotiating Parties:  
New Century Center II

Under Negotiation:  
Both price and terms of payment

**CONVENE IN OPEN SESSION** – 7:00 p.m.

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**PRESENTATIONS**

1. 2006 School Litter Abatement Program Awards

**PROCLAMATIONS**

1. Arbor Day Celebration

**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 HOUSING AUTHORITY MEETING

### PUBLIC HEARING

1. **RESOLUTION 06-224** Approval of 2006 Annual Plan (Recommend Adoption)

The City of Pittsburg Housing Authority has completed the 2006 Annual Plan. This plan addresses the addition of the Section 8 First Time Home Buyer Program.

**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 member of the Council or the public prior to the time the Council votes on the motion to adopt.*

- a. **DISBURSEMENT LISTS** Dated: February 28, 2006 (Recommend Approval)
- b. **MINUTES** Dated: February 21, 2006 (Recommend Approval)

**ADJOURNMENT OF THE HOUSING AUTHORITY** To: April 17, 2006

## REGULAR REDEVELOPMENT AGENCY 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 member of the Council or the public prior to the time the Council votes on the motion to adopt.*

- a. **MINUTES** Dated: February 6, 2006 (Recommend Approval)
- b. **RESOLUTION 06-1113** Authorize Neighborhood Improvement Projects and Project Funding (Recommend Adoption)

Since the 2003/2004 fiscal year, the Redevelopment Agency of the City of Pittsburg has been supporting a Neighborhood Improvement effort with the allocation of funds to various projects and programs aimed at improving conditions in the Los Medanos Community Development Project Area. Approval of this resolution will authorize the allocation of the previously approved 2005-2006 Neighborhood Improvement Program funds to specific projects and programs developed by the Neighborhood Improvement Team.

**ADJOURNMENT OF THE REDEVELOPMENT AGENCY** To: April 3, 2006

**SOUTHWEST PITTSBURG GEOLOGIC HAZARD ABATEMENT DISTRICT  
(GHAD II) 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 member of the Council or the public prior to the time the Council votes on the motion to adopt.*

- a.     **MINUTES**                                     March 6, 2006 (Recommend Adoption)

**ADJOURNMENT OF THE SOUTHWEST PITTSBURG GEOLOGIC HAZARD  
ABATEMENT DISTRICT**

## REGULAR CITY COUNCIL MEETING

### PUBLIC HEARING

1. **RESOLUTION 06-10503** Approval of Community Advisory Commission (CAC) Funding Recommendations for the 2006-2007 Community Development Block Grant (CDBG) Program Year (Recommend Adoption)

The Department of Housing and Urban Development (HUD) has notified the City of Pittsburg of its intention to award the City a Community Development Block Grant in the amount of \$668,888 for program year 2006-2007. As required by HUD, the Community Advisory Commission (CAC) has prepared their funding recommendations for Council's review and approval.

2. **ORDINANCE 06-1262** Amendment of Chapter 1.08, Notice and Appeals, of the Pittsburg Municipal Code, to Allow the City Manager to Delegate Authority to Conduct Administrative Hearings (Recommend Introduction and Waive First Reading)

It is necessary to amend Chapter 1.08 of the Pittsburg Municipal Code to provide authorization for the City Manager to delegate authority to conduct administrative appeals hearings. Currently sections 1.08.050 through 1.08.080 require all actions resulting from a request for administrative appeal, when no other procedure is specified, to be conducted by the City Manager. This is not efficient or practical, therefore, the addition of language modifying these sections to include "the City Manager or his or her designee" is necessary.

**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 member of the Council or the public prior to the time the Council votes on the motion to adopt.*

- a. **MINUTES** Dated: March 6, 2006 (Recommend Approval)
- b. **CLAIMS** #1702 Alvin Semien (Recommend Denial)  
  
(Claims against the City which may cause expenditure of funds - on file in the Office of the City Clerk)
- c. **ORDINANCE 06-1261** Amending Municipal Code Chapter 15 and Sections Relative to the Adoption of Present California Construction Codes (Recommend Adoption)

It is necessary to adopt these California Codes as the Building Code of the City of Pittsburg in order to stay congruent with established California State Law. The City of Pittsburg currently utilizes these specific California Codes by default; therefore there is no impact upon City staff or the development community.

- d. **RESOLUTION 06-10505** Amend FY 2005/06 Fuel Supply Purchase Contract and Amend the Budgets for Fleet Maintenance and the Marina (Recommend Adoption)

The City of Pittsburg Public Works and Economic Development Departments each require large quantities of supplies to carry out their responsibilities. These required supplies include fuel supplies, which are necessary to maintain operations. Gasoline services were advertised for bid and a purchase contract for Fiscal Year 05/06 was issued. Because the price of fuel has stayed high this year, staff is requesting that the purchase contract be amended and the Fleet Maintenance and Marina budgets be adjusted.

- e. **RESOLUTION 06-10507** Approval of Justice Assistance Grant (JAG) Application (Recommend Adoption)

The Pittsburg Police Department is seeking City Council approval of the application to the U.S. Department of Justice for funding under the Edward J. Byrne Memorial Justice Assistance Grant (JAG) Program and authorization for the City Manager, or his designee, to act on behalf of the City in this application.

- f. **RESOLUTION 06-10508** Accepting Plans and Specifications, and Authorizing Bidding for Contract 2005-09, Marina Promenade (Recommend Adoption)

Contract 2005-09, Marina Promenade, will include the construction of a waterfront promenade with lighting, landscaping, and the two parking lots adjacent to the future Bed & Breakfast and Harbormaster buildings. Design of this project has recently been substantially completed by David Gates & Associates. The attached Resolution will accept the plans and specifications and authorize the City Engineer to initiate the bidding process for Contract 2005-09.

- g. **RESOLUTION 06-10509** Approving a List of Civil Engineering Firms for On-Call Professional Engineering Services as Required by City Staff and Authorizing the City Manager to Enter into Agreements with Selected Firms (Recommend Adoption)

The civil engineering on-call list will allow Staff to use pre-qualified civil engineering firms on an as-needed basis to perform design work and studies as required.

- h. **RESOLUTION 06-10510** Supporting a Constitutional Amendment to Preserve and Protect Transportation Funds - Proposition 42 (Recommend Adoption)

The City Manager herein requests City Council to support a constitutional amendment to preserve and protect transportation funding under Proposition 42 approved by California voters in 2002 to fund state and local transportation projects.

**ADJOURNMENT** To: April 3, 2006



## **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 of 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 taken 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 - 2006

Updated February 27, 2006

<u>OUTSIDE AGENCY BOARDS</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
ABAG	Michael Kee / William Glynn 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 <sup>nd</sup> Monday	M. Rodriguez
Delta Diablo Sanitation	Nancy Parent / William Glynn Alt.	Standing	2 <sup>nd</sup> Wednesday	J. Fuller
East County Habitat Conserv.	Will Casey / Ben Johnson Alt.	Standing	Monthly	M. Ayres
East County Water Mgt.	Michael Kee / William Glynn Alt.	Standing	Annual	J. Fuller
ePPAC	William Glynn / Ben Johnson Alt.	Standing	2 <sup>nd</sup> Thursday	J. Sbranti
Fee & Finance Authority/TRANSPLAN	William Glynn / Ben Johnson Alt.	Standing	2 <sup>nd</sup> Thursday	J. Sbranti
Tri-Delta Transit	Michael Kee & William Glynn	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	Michael Kee / William Glynn Alt.	Standing	3 <sup>rd</sup> Thursday	B. Nail
Library Commission	Nancy Parent / Will Casey	Standing	As needed	P. Flores
Mayor's Conference	Michael Kee / William Glynn Alt.	Standing	1 <sup>st</sup> Thursday	M. Grisham
School District Liaison	Nancy Parent & Ben Johnson/William Glynn Alt.	Standing	Quarterly	P. Flores

<u>SUBCOMMITTEE</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
CAC/CDBG	Will Casey & Nancy Parent	Standing	As needed	A. Landry
California Theatre Study*				
City/County Relations	Michael Kee / William Glynn Alt.	Standing	As needed	M. Grisham
Concord Naval Weapons Station	William Glynn / Ben Johnson	Ad Hoc	As needed	M. Rodriguez
Economic Development	Ben Johnson & Will Casey/Nancy Parent Alt.	Standing	Quarterly	B. Nail
Finance Subcommittee	Ben Johnson & Will Casey	Ad Hoc	As needed	M. Simons
Land Use Subcommittee	Ben Johnson & Nancy Parent	Ad Hoc	As needed	M. Ayres
Power Company Advisory	Nancy Parent & William Glynn	Standing	As needed	G. Evans
PEHDC	Will Casey & Ben Johnson	Standing	1 <sup>st</sup> Thursday	G. Evans
RDA Subcommittee	Michael Kee & Nancy Parent/William Glynn Alt.	Standing	Quarterly	G. Evans

\*Combined w/RDA Subcommittee