



**CITY OF PITTSBURG
AGENDA**

MONDAY, DECEMBER 4, 2006

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

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

**REDEVELOPMENT AGENCY
PITTSBURG POWER COMPANY
SOUTHWEST PITTSBURG GEOLOGIC HAZARD
ABATEMENT DISTRICT II
PUBLIC FINANCING AUTHORITY
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**

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.

CONVENE IN OPEN SESSION FOR REGULAR MEETING – 7:00 p.m.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

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)*

**REDEVELOPMENT AGENCY, CITY COUNCIL, PITTSBURG POWER COMPANY,
SOUTHWEST PITTSBURG GEOLOGIC HAZARD ABATEMENT DISTRICT II, PUBLIC
FINANCING AUTHORITY JOINT 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. **RESOLUTION 06-018** Initiating an Assessment Ballot Proceeding and Expressing
GHAD II Intent to Order an Assessment of a Portion of the Southwest Pittsburg Geological Hazard Abatement District II (Recommend Adoption)

Division 17 of the California Public Resources Code establishes legal standards for geologic hazard abatement district formation, GHAD financing and the scope of GHAD authority (Section 26500 *et seq.*). On October 12, 2006, the Board of Directors of the Southwest Pittsburg Geologic Hazard Abatement District II was presented with a petition for the annexation of Vista Del Mar to the GHAD. On October 16, 2006, the Board of Directors adopted Resolution No. 06-016, accepting the Petition and setting a hearing on the annexation of Vista Del Mar to the Southwest GHAD. Notice of the Hearing was given pursuant to the provisions of Public Resources Code Sections 26564 through 26566. On November 6, the Board of Directors approved the annexation of Vista Del Mar to the Southwest GHAD. There is currently no financing mechanism in place to pay for GHAD activities within Vista Del Mar. The adoption of the attached Resolution would initiate an assessment ballot proceeding for the portion of the Southwest GHAD located in the Vista Del Mar subdivision. If approved, a new assessment zone will be created within the Southwest GHAD to pay for GHAD activities in Vista Del Mar.

- b. **ORDINANCE 06-1279** Adoption of an Ordinance Amending the Pittsburg
CITY COUNCIL Municipal Code Sections Related to Hearing Officers (Recommend Adoption)

The City has the authority to abate a nuisance when the owner of the property, after notice, has failed to abate the nuisance. The City's authorization to abate a nuisance either comes from a Hearing Officer or from City Council. The attached ordinance, if approved, would allow a Hearing Officer to authorize nuisance abatement as long as the cost of abatement is \$50,000.00 or less. This is the first reading of the proposed ordinance.

- c. **RESOLUTION 06-10682** Acceptance of Contract 2000-05, Phase II, Traffic Signal
CITY COUNCIL Installation, Route 4 Off-Ramp and San Marco Blvd./Willow Pass Road as Complete (Recommend Adoption)

On April 4, 2005 the City Council adopted Resolution No. 05-10264 awarding Contract No. 2000-05, Phase II, to Steiny and Company, Inc., in the amount of \$121,907, for the installation of a traffic signal at the intersection of Route 4 Off-Ramp and San Marco Blvd. / Willow Pass Road. The project encompassed the installation of an underground electric system and the installation of City furnished traffic signal equipment. The traffic signal installation has been completed.

- d. **RESOLUTION 06-10683** Adopting a Revised Negative Declaration for Construction
CITY COUNCIL of Contract 2006-09, City Park Soccer Field Project (Recommend Adoption)

On August 21, 2006, the City Council approved Resolution 06-10622 adopting a Negative Declaration for construction of Contract 2006-09, City Park Soccer Field Project. This project includes construction of a lighted artificial turf soccer field. As design progressed it became apparent that the original Negative Declaration would need to be revised in order to accommodate conditions at the site.

- e. **RESOLUTION 06-10684** Certification of Election Results (Recommend Adoption)
CITY COUNCIL

A general Municipal Election was held and conducted in the City of Pittsburg, California, on Tuesday, November 7, 2006, as required by law. The Contra Costa County Elections Department has prepared the Certified Statement of Votes of the consolidated election. Election Code Sections 10262-10265 requires the City Council to adopt a resolution declaring the results of the election prior to installation of the new officers.

REMARKS FROM PRESENT MAYOR

1. Mayor Michael Kee

RECOGNITION

1. Mayor Michael Kee
2. Vice-Mayor William Glynn
3. City Clerk Lillian J. Pride

COUNCIL REORGANIZATION

1. Oath of Office:
 - Alice Evenson
 - Salvatore Evola
 - James Holmes
 - Michael Kee
 - Nancy Parent
2. Selection of Mayor/Chair
3. Selection of Vice-Mayor/Vice-Chair
4. Remarks from New Vice-Mayor
5. Presentations/Comments
6. Remarks for New Mayor/Chair

ADJOURNMENT To: December 18, 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 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.

LIVE MEDIA BROADCASTING ADVISEMENT

City Council meetings are video-taped for broadcast on Comcast Local Access Channel 26 typically the day after each meeting. For more information, please contact the City Clerk's office at 252-4850.

City Council Outside Agency/Liaison/ Sub-Committees Assignments – 2005-2006

Updated September 5, 2006

OUTSIDE AGENCY BOARDS

<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 nd Monday	M. Rodriguez
Delta Diablo Sanitation	Nancy Parent / William Glynn Alt.	Standing	2 nd 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 nd Thursday	J. Sbranti
Fee & Finance Authority/TRANSPLAN	William Glynn / Ben Johnson Alt.	Standing	2 nd 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

LIAISON TO

<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 rd Thursday	B. Nail
Library Commission	Nancy Parent / Will Casey	Standing	As needed	P. Flores
Mayor's Conference	Michael Kee / William Glynn Alt.	Standing	1 st Thursday	M. Grisham
School District Liaison	Nancy Parent & Ben Johnson/William Glynn Alt.	Standing	Quarterly	P. Flores

SUBCOMMITTEE

<u>SUBCOMMITTEE</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
Alternate Governance Structure	Michael Kee & William Glynn	Ad Hoc	As needed	M. Rodriguez/M. Fox
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/Will Casey Alt.	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 st Thursday	R. Starbuck
RDA Subcommittee	Michael Kee & Nancy Parent/William Glynn Alt.	Standing	Quarterly	R. Starbuck
Sister City Committee	Michael Kee & William Glynn	Ad Hoc	As Needed	B. Nail

*Combined w/RDA Subcommittee