



**CITY OF PITTSBURG  
AGENDA**

**MONDAY, AUGUST 21, 2006**

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

**CLOSED SESSION  
5:00 P.M.**

**WORKSHOP  
LOCAL TRAFFIC MITIGATION FEES  
6:00 P.M.**

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

**HOUSING AUTHORITY  
REDEVELOPMENT AGENCY  
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** – 5:00 p.m.

- a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Section 54956.9(a)):

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

City of Pittsburg vs. Seecon Financial and Construction, Case No. CIVMS 06-01482

- b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9:

Two (2) cases

- c. CONFERENCE WITH LABOR NEGOTIATORS (Section 54957.6):

Agency designated representatives:

Marc Grisham, Marc Fox, Bruce Heide

Employee organization:

AFSCME (Miscellaneous A Unit), AFSCME (Management/Professional/Confidential Unit), Teamsters

And

Unrepresented Employees

**WORKSHOP** – LOCAL TRAFFIC MITIGATION FEES – 6:00 p.m.

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

**CALL TO ORDER**

## **ROLL CALL**

### **PLEDGE OF ALLEGIANCE**

### **PRESENTATIONS**

1. CDBG Video
2. Pittsburg Library Teen Volunteers Recognition

**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)*

## HOUSING AUTHORITY

**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: July 17, 2006 (Recommend Approval)

**ADJOURNMENT OF THE HOUSING AUTHORITY** To: September 18, 2006

## 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: August 7, 2006 (Recommend Approval)
- b. **RESOLUTION 06-1148** Approval of the Replacement Housing Plan for 60 Cornwall Street (Recommend Adoption)

Pursuant to Health and Safety Code 33413(a), within four (4) years of a Redevelopment Agency removing dwelling units that house households of low or moderate income from the community's housing stock as a result of redevelopment, the Agency must make available an equal number of replacement dwelling units at a similar affordable housing cost within the City. The Redevelopment Agency of the City of Pittsburg acquired 60 Cornwall Street as part of a redevelopment program and is scheduled to demolish the substandard housing units in order to remove blighting conditions within the City of Pittsburg.

**ADJOURNMENT OF THE REDEVELOPMENT AGENCY** To: September 5, 2006

## CITY COUNCIL MEETING

### PUBLIC HEARING

1.     **ORDINANCE 06-1268**     Introduction of an Ordinance Approving a Faria South Annexation and Development Agreement (AP-06-349) (Recommend Open and Continue to a Date Uncertain)  
  
Faria Land Investors, LLC filed an application requesting approval of an annexation and development agreement to preserve the Pittsburg voter approved urban limit line and the Pittsburg general plan land use map and policies as they currently apply 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.
  
2.     **ORDINANCE 06-1269**     Introduction of an Ordinance Approving a Montreux Annexation and Development Agreement (AP-06-348) (Recommend Open and Continue to a Date Uncertain)  
  
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 urban limit line and the Pittsburg general plan land use map and policies as they currently apply 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 current City limits.
  
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 (Recommend Introduction and Waive First Reading)  
  
The City of Pittsburg Building Division is presently the responsible Code Enforcement Agency within the City's two mobilehome parks, The Meadows, 1515 Polaris Drive and Delta Hawaii, 375 Stoneman Avenue. The attached Ordinance, if approved, would return these responsibilities to the Department of Housing and Community Development, State of California. This is the first reading of the proposed Ordinance.

**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: August 7, 2006 (Recommend Approval)
- b. **CLAIMS** #1709, Marquita Shevell Arias (Recommend Denial)  
  
(Claims against the City which may cause expenditure of funds – on file in the Office of the City Clerk)
- 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)) (Recommend Adoption)  
  
On August 7, 2006 the City Council introduced and waived the second reading of Ordinance No. 06-1270 to amend the San Marco Planned Development (PD) District to consolidate four small "village" parks and one-half of an obsolete utility/trail corridor within the San Marco Development into the large community park planned at the southeastern corner of San Marco Boulevard and the future extension of West Leland Road. The amendment would also relocate the Parcel "D" park (3-acres in size) to a more centralized location in the western portion of the subdivision, and require that all future single-family homes in the subdivision, starting with Unit 6, be annexed into a new supplemental lighting and landscape maintenance district. The Council must now adopt the ordinance before it can become effective.
- d. **RESOLUTION 06-10619** Award the 2006 Cape/Slurry Seal Program Contract (Recommend Adoption)  
  
CAPE and Slurry Seals are preventative maintenance treatments used to extend the life of existing asphalt pavement. Public bids for this street maintenance contract have been received and Public Works staff recommends that this contract be awarded. The 2006 CAPE/Slurry Seal Contract is funded by the allocation of Traffic Congestion Relief Funds.
- e. **RESOLUTION 06-10620** Awarding Contract No. 2004-10, Old Town Infrastructure Project, for Construction of Water, Sewer and Storm Drain Improvements (Recommend Adoption)  
  
City Staff opened bids for Contract 2004-10, Old Town Infrastructure Project, on August 2, 2006. The project mainly consists of supplying and installing all products and materials for the construction of water, sewer and storm drain improvements located in several blocks of

residential infrastructure in the old town area. The low bidder for construction of the Old Town Water, Sewer and Storm Drain Improvements is JMB Construction, Inc., of South San Francisco, California. JMB Construction submitted a bid proposal in the amount of \$6,688,276.40.

- f. **RESOLUTION 06-10621** Award the 2006 CDBG Curb Ramp Installation Project (Recommend Adoption)

The City was awarded funding by the Community Development Block Grant Program for the 2006 CDBG Curb Ramp Installation Project. The project consists of installing approximately 100 ADA Compliant Curb Ramps at intersections throughout the city.

- g. **RESOLUTION 06-10622** Adopting the Negative Declaration for Construction of Contract 2006-09 City Park Soccer Field Project (Recommend Adoption)

The City currently has a shortage of soccer fields available for use by local residents. This is a request to adopt the Negative Declaration for construction of a new lighted artificial turf soccer field at City Park. The proposed soccer field will be constructed within the existing City Park boundaries. A Notice of Intent to Adopt a Negative Declaration for this project was filed with the County Clerk on June 22, 2006, and posted for 21 days.

- 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 (Recommend Adoption)

A Memorandum of Understanding approved by the Council on October 3, 2005 calls for the City to commence a General Plan study after the passage of Measure P (Pittsburg Voter Approved Urban Limit Line (ULL)) for the purpose of establishing a permanent greenbelt abutting the new urban limit line and areas beyond. With the passage of Measure P, the Council is now requested to initiate a General Plan study related to provisions in the MOU and to consider establishing a new proposed sphere of influence line consistent with the ULL. The Council is also requested to initiate a zoning study to consider prezoning generally unzoned properties within the ULL.



- i. **RESOLUTION 06-10624** Acceptance of the Park Improvements at the New Mariner Walk Park (Recommend Adoption)

The Developer has completed the public improvements within the northern portion of the public park and they are ready for acceptance.

**ADJOURNMENT** To: September 5, 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.

## City Council Outside Agency/Liaison/ Sub-Committees Assignments - 2005

Updated February 27, 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 <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

### 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 <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

### SUBCOMMITTEE

<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/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 <sup>st</sup> Thursday	G. Evans
RDA Subcommittee	Michael Kee & Nancy Parent/William Glynn Alt.	Standing	Quarterly	G. Evans
Sister City Committee	Michael Kee & William Glynn	Ad Hoc	As Needed	B. Nail

\*Combined w/RDA Subcommittee