



CITY OF PITTSBURG AGENDA

MONDAY, JUNE 26, 2006

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

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

**ADJOURNED REGULAR MEETING
6:00 P.M.**

REDEVELOPMENT AGENCY

PITTSBURG POWER COMPANY

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

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.

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

- b. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Manager

- c. CONFERENCE WITH LABOR NEGOTIATORS (Section 54957.6)

Agency Designated Representative: Mayor

And

Unrepresented Employee: City Manager

CONVENE IN OPEN SESSION – 6:00 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 MEETING

PUBLIC HEARING

1. **RESOLUTION 06-1136** Approval of the Mid-Term Budget Review for Fiscal Year 2006/2007 for the City of Pittsburg Redevelopment Agency and Appropriation of Funds for Fiscal Year 2006/2007 (Recommend Adoption)
Combined w/PPC 06-151
Combined w/GHAD 06-014
Combined w/CC 06-10582

On June 26, 2006 a Mid-Term Budget Review was held to review the Revised Operating Budget Plan for Fiscal Year 2006/2007. The annual budget must be appropriated for Fiscal Year 2006/2007 to provide on-going financing for the City of Pittsburg Redevelopment Agency activities during the next fiscal year.

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: June 5, 2006 (Recommend Approval)
- b. **RESOLUTION 06-1137** Approval of the Sale of Real Property by the City of Pittsburg to the Redevelopment Agency (Recommend Adoption)
Combined w/CC 06-10585

One of the Agency's priority projects is the development of a five story office building near the intersection of Power and Railroad Avenue in the southeast corner of the Civic Center Master Plan block. The City owns approximately 7.2 acres of right of way and associated parcels adjacent to existing Power Avenue (Exhibit A). This right of way is critical to the future development of the Mid-Rise project and the eventual development of the southern portion of the Civic Center block. The agency has budgeted \$2.1 million of tax increment funds to acquire Phase I of the Power Avenue right of way from the City. This action will direct staff to take the necessary steps for the City to sell this right of way to the Agency.

ADJOURNMENT OF THE REDEVELOPMENT AGENCY To: July 10, 2006

PITTSBURG POWER COMPANY MEETING

PUBLIC HEARING

1. **RESOLUTION 06-151** Approval of the Mid-Term Budget Review for Fiscal Year
Combined w/RDA 06-1136 2006/2007 for the Pittsburg Power Company and
Combined w/GHAD 06-014 Appropriation of Funds for Fiscal Year 2006/2007
Combined w/CC 06-10582 (Recommend Adoption)

On June 26, 2006, a Mid-Term Budget Review was held to review the Revised Operating Budget Plan for Fiscal Year 2006/2007. The budget must be appropriated for Fiscal Year 2006/2007 to provide on-going financing for the Pittsburg Power Company activities during the next fiscal year.

CONSENT

- a. **MINUTES** Dated: June 5, 2006 (Recommend Approval)

ADJOURNMENT OF THE PITTSBURG POWER COMPANY

CITY COUNCIL MEETING

PUBLIC HEARING

1. **REPORT** Receive Staff Report Regarding the Mid-Term Budget Review for Fiscal Years 2005/2006 and 2006/2007 (Recommend Adoption)

Staff has completed the Mid-Term Budget Review of both Fiscal Years 2005/2006 and 2006/2007. The attached schedules include Fiscal Year 2005/2006 year end projections and revised budgets proposed for Fiscal Year 2006/2007.

2. **RESOLUTION 06-10582** Approval of the Mid-Term Budget Review for Fiscal Year 2006/2007 for the City of Pittsburg and Appropriation of Funds for Fiscal Year 2006/2007(Recommend Adoption)
Combined w/PPC 06-151
Combined w/GHAD 06-014
Combined w/RDA 06-1136

On June 26, 2006 a Mid-Term Budget Review was held to review the Revised Operating Budget Plan for Fiscal Year 2006/2007. The annual budget must be appropriated for Fiscal Year 2006/2007 to provide on-going financing for the City of Pittsburg activities during the next fiscal year.

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: June 5, 2006 (Recommend Approval)
- b. **RESOLUTION 06-10584** Approval of Memorandum of Agreement between the City of Pittsburg and William Lyon Homes (Recommend Adoption)

The Development Agreement and Conditions of Approval for the Vista Del Mar subdivision require annexation of the Project Site to a Geologic Hazard Abatement District (GHAD), annexation to the citywide Landscaping and Lighting Assessment District (LLD), and payment of various traffic mitigation fees prior to final map approval. The attached Memorandum of Agreement will ensure that these conditions are fulfilled, while allowing William Lyon Homes the flexibility to begin construction of new homes in the subdivision as the GHAD structure, LLD configuration and relevant traffic mitigation fees are finalized.

- c. **RESOLUTION 06-10571** Approval of the Final Map, Improvement Plans, and Subdivision Improvement Agreement for Subdivision 8448, Vista Del Mar (Recommend Adoption)

The Final Map, Improvement Plans, and Subdivision Improvement Agreement for Subdivision 8448, Vista Del Mar are ready for approval.

- d. **RESOLUTION 06-10572** Approval of the Final Map, Improvement Plans, and Subdivision Improvement Agreement for Subdivision 9042, Vista Del Mar (Recommend Adoption)

The Final Map, Improvement Plans, and Subdivision Improvement Agreement for Subdivision 9042, Vista Del Mar are ready for approval.

- e. **RESOLUTION 06-10585**
Combined w/RDA 06-1137 Approval of the Sale of Real Property by the City of Pittsburg to the Redevelopment Agency (Recommend Adoption)

See Executive Summary for Redevelopment Agency Resolution No. 06-1137.

ADJOURNMENT To: July 10, 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 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>
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	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