



CITY OF PITTSBURG AGENDA

MONDAY, MAY 15, 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

PITTSBURG SOUTHWEST GEOLOGIC HAZARD ABATEMENT

DISTRICT II

PITTSBURG POWER COMPANY

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**

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 – 6:30 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. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Section 564956.8):

Property:

1. Antioch-Pittsburg Highway, APN 073-200-021-1
2. 1300 Loveridge Road, APN 073-200-015-3

Agency Negotiator:

1. Marc Grisham, Garrett Evans, Pittsburg Power Company
2. Marc Grisham, Garrett Evans, Pittsburg Power Company

Negotiating Parties:

1. USS Posco Industries
2. Contra Costa Waste Service Inc.

Under Negotiation:

1. Both Price and Terms of Payment
2. Both Price and Terms of Payment

CONVENE IN OPEN SESSION – 7:00 p.m.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

1. Affordable Housing Week
2. Anthony Baldazo, the Jr. NBA/Jr. WNBA Coach of the Year
3. National Public Works Week 2006

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

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: April 30, 2006 (Recommend Approval)
- b. **MINUTES** Dated: April 17, 2006 (Recommend Approval)
- c. **RESOLUTION 06-225** Approval of Housing Authority Administration Plan Revision (Recommend Adoption)

The City of Pittsburg Housing Authority (COPHA) has completed the revision process of the Administrative Plan. These revisions address the addition of the Section 8 First Time Home Buyer Program.

ADJOURNMENT OF THE HOUSING AUTHORITY To: May 15, 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: May 1, 2006 (Recommend Approval)
- b. **RESOLUTION 06-1128** Approval of a Consultant Agreement with Geovec Inc. to Provide and Web-Based Geographical Information System (GIS) and to Convert City's Backlog of Facilities and Parcel Data (Recommend Adoption)
Combined w/CC 06-10540

Geovec Inc. has proposed to provide the City with a fully functional web-based GIS at a hosted site with search tools for parcel and facility queries for an amount not to exceed \$14,995, and to convert City's backlog of facility and parcel data into a compatible GIS format for an amount not to exceed \$33,050. A 15% contingency is also included for a total authorized amount of \$55,252.

ADJOURNMENT OF THE REDEVELOPMENT AGENCY To: June 5, 2006

SOUTHWEST GEOLOGIC HAZARD ABATEMENT DISTRICT 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. **RESOLUTION 06-013** Annexation of Land to the Existing GHAD Area and Ownership of Land by the District (Recommend Adoption)

Staff is requesting that the Board provide guidance regarding two new subdivisions to be constructed within the City of Pittsburg in the area of the Southwest Pittsburg Geologic Hazard Abatement District II (GHAD). The developers are requesting that their subdivisions be annexed into the existing GHAD instead of creating a new district. One of the subdivisions, Vista Del Mar, has requested that the GHAD accept ownership of the land to be kept as open space and environmental mitigation areas rather than ownership by a homeowners association, a new district, or an existing district such as the East Bay Regional Park District.

ADJOURNMENT

REGULAR CITY COUNCIL MEETING

CONSIDERATION

1. **MINUTE ORDER** Council Recess for Summer Months (Recommend Adoption)

Historically, the City Council takes a recess during the summer months to allow for both staff and Council vacations. This recess has typically been taken during the period that would encompass the second meeting of August; however, a recess and/or the scheduled date is at the discretion of the Council.

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: May 1, 2006 (Recommend Approval)
- b. **CLAIMS** #1697 LaShawn Williams; #1704 Denise Rosalez; #1705 Anthony Ferrell; #1713 Michelle Bowerman & Brian Moliere (Recommend Denial)

(Claims against the City which may cause expenditure of funds – on file in the Office of the City Clerk)

- c. **RESOLUTION 06-10537** Request to Increase the Housing Rehabilitation Loan Program Annual Budget for 2005-06 by \$125,000 (Recommend Adoption)

The City of Pittsburg Housing Rehabilitation Loan Program is requesting a budget increase of \$125,000 for FY 2005-06 to cover several housing rehabilitation project commitments through June 30, 2006. The Housing Rehabilitation Loan Program is funded by program income and CDBG funds.

- d. **RESOLUTION 06-10538** Approval of the Final Map, Grading Plans, Improvement Plans, and Subdivision Improvement Agreement for Subdivision 8869, Mariner Walk (Recommend Adoption)

The Final Map, Improvement Plans, and Subdivision Improvement Agreement for Subdivision 8869, Mariner Walk are ready for acceptance.

- e. **RESOLUTION 06-10539** Approval of the Final Map, Grading Plans, Improvement Plans, and Subdivision Improvement Agreement for Subdivision 8406 Bailey Estates (Recommend Adoption)

The Final Map, Grading Plans, Improvement Plans, and Subdivision Improvement Agreement for Subdivision 8406 Bailey Estates are ready for approval.

- f. **RESOLUTION 06-10540** Approval of a Consultant Agreement with Geovec Inc. to Provide and Web-Based Geographical Information System (GIS) and to Convert City's Backlog of Facilities and Parcel Data (Recommend Adoption)
Combined w/RDA 06-1128

See Executive Summary for RDA 06-1128.

- g. **RESOLUTION 06-10541** Accepting Plans and Specifications and Authorizing Bidding for Contract 2005-08A, Leland Road Pavement Rehabilitation [Dover Way to Harbor Street] (Recommend Adoption)

Contract 2005-08A, Leland Road Pavement Reconstruction Project (Dover Way to Harbor Street) is for the rehabilitation of Leland Road from Dover Way to Harbor Street. Design of this project has recently been substantially completed by Azari Engineering. The attached Resolution will accept the plans and specifications and authorize the City Engineer to initiate the bidding process for Contract 2005-08A.

- h. **RESOLUTION 06-10542** Accepting Plans and Specifications, and Authorizing Bidding for Contract 2005-08B, Leland Road Pavement Rehabilitation [Harbor Street to West of Century Boulevard] (Recommend Adoption)

Contract 2005-08B Leland Road Pavement Reconstruction Project (Harbor Street to West of Century Boulevard) is for the rehabilitation of Leland Road from Harbor Street to West of Century Boulevard. Design of this project has recently been substantially completed by Azari Engineering. The attached Resolution will accept the plans and specifications and authorize the City Engineer to initiate the bidding process for Contract 2005-08B.

- i. **RESOLUTION 06-10543** Accepting Plans and Specifications and Authorizing Bids for Contract 2004-07 FY 2005/06 Sewer Improvement Projects (Recommend Adoption)

On July 19, 2004, the City Council adopted Resolution 04-10114 authorizing Brown and Caldwell Engineers to

provide closed circuit sewer system television inspection, sewer repair project design, and establishment of an ongoing sewer inspection and computer-based sewer collection management system. This Resolution will accept the plans and specifications for the replacement of 8,280 feet of replacement pipe and authorize the City Engineer to advertise for bids.

- j. **RESOLUTION 06-10544** Award 2005/06 Police Patrol Interceptor and Dump Truck Vehicle Purchase Contracts (Recommend Adoption)

The Department has requested, and received, bids from multiple vendors for replacement of vehicles that are past their useful life, have lower reliability and are requiring higher maintenance levels. These vehicles are necessary to maintain efficient operations of the City and purchase contracts are ready to be awarded. Some of the recommended bid awards exceed the \$50,000 threshold that requires approval of the City Council. Approval of this resolution will authorize the Public Works Department to purchase these replacement vehicles.

- k. **RESOLUTION 06-10545** Approving Workers' Compensation Incentive Program (Recommend Adoption)

The City of Pittsburg's workers' compensation claims self-insured premiums continue to increase. The Human Resources Department proposes establishing a workers' compensation incentive program for the two largest work groups – the Public Works Department and police safety employees. If either group achieves specific reductions in fiscal year 2006/2007 workers' compensation claims then the premium savings will be distributed to the group in August 2007 for expenditure.

- l. **RESOLUTION 06-10546** Approving a Request to the Metropolitan Transportation Commission for the Allocation of FY 2006/07 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding (Recommend Adoption)

The Metropolitan Transportation Commission (MTC) provides Transportation Development Act (TDA), Article 3 Funds to fund projects exclusively for the benefit and/or use of pedestrians and bicyclists. The City Council must approve a request to MTC for the allocation of TDA funds. The attached resolution approves the application for 2006-2007 TDA Article 3

Pedestrian/Bicycle Funds to provide a Class II/III bicycle facility on Power Avenue.

- m. **RESOLUTION 06-10547** Declaring the City Council's Intent to Abandon a 10' "School Walkway" Located between Lots 23 and 24 of Subdivision 2977, Mountain View [891 Cross Street and 201 Patricia Avenue] and Setting a Public Hearing for June 19, 2006 (Recommend Adoption)

On October 13, 1961 the final map for Subdivision 2977, Mountain View was recorded. Included on this map is a 10' "School Walkway" located between Lots 23 and 24. The City has a sanitary sewer and storm drain line located within the walkway area, and therefore, will retain an easement for maintenance purposes. The walkway was closed to pedestrian traffic more than ten years ago. The City has no present or prospective public use for the walkway and, therefore, desires to abandon its interest in it.

- n. **RESOLUTION 06-10548** Adopt the Resolution of Intention to Accept a Petition of the Property Owner, to Appoint the Financing Team, and to Approve a Deposit and Reimbursement Agreement for Assessment District No. 2006-01 [Bailey Estates] (Recommend Adoption)

Bailey Estates, LLC, has petitioned the City of Pittsburg to form an Assessment District to provide funding for certain public improvements by a future bond financing within the boundaries of the proposed Assessment District No. 2006-01 (Bailey Estates). By this resolution the City Council will direct staff to undertake the proceedings toward the establishment of an Assessment District and a bond financing by appointing the members of the Financing Team, and to approve the Deposit and Reimbursement Agreement between the City of Pittsburg and the Developer.

- o. **RESOLUTION 06-10549** Adopt the Resolution to Preliminarily Approve the Engineer's Report, to Set the Date for the Public Hearing of Protests, and to Provide for the Property Owner Ballot for Assessment District No. 2006-01 [Bailey Estates] (Recommend Adoption)

Bailey Estates, LLC (the "Developer"), has petitioned the City of Pittsburg to form an Assessment District to provide funding for certain public improvements by a future bond financing within the boundaries of the proposed Assessment District 2006-01 (Bailey Estates). By this resolution the City Council will direct staff to

undertake the proceedings toward the establishment of an Assessment District.

- p. **RESOLUTION 06-10550** Accepting Plans and Specifications, and Authorizing Bidding for Contract 2004-06, 2005/06 Citywide Pavement Rehabilitation Project (Recommend Adoption)

This Project is for the rehabilitation of Harbor Street, from Buchanan Road to State Route 4, Barrie Drive from Inverness to Campbell Drive, Campbell Drive from Lake Street to Buchanan Road, Suzanne Drive from Buchanan Road to 1410 South Diehl Way, Diehl Way from East Suzanne Drive to 720' East of Suzanne Drive, reconstructing West Boulevard, South Alley from Seeno Avenue to West Boulevard/Bell Drive and the East alley from West Boulevard to the South Terminus. The project includes a bid alternate for improvement on and along Balclutha Way, per Contract 2004-06, 2005/06 Citywide Pavement Rehabilitation Project 2004-06.

- q. **RESOLUTION 06-10551** Authorizing the City's Participation in a Regional Household Hazardous Waste Grant Application (Recommend Adoption)

The California Integrated Waste Management Board (CIWMB) has \$4.5 million in funding available to help local governments establish or expand HHW facilities or develop innovative collection program. Since 1996, the City of Pittsburg has participated in the regional Delta Household Hazardous Waste Collection Facility (DHHWCF) located at Delta Diablo Sanitation District. Approval of this resolution will support a regional Household Hazardous Waste Grant application for up to \$300,000 to help fund a facility expansion at the DHHWCF to accommodate the acceptance of electronic and other universal waste.

- r. **RESOLUTION 06-10552** Awarding Contract 2005-09, Marina Promenade to Bay Cities Paving & Grading Inc. of Concord, CA, and Allocating Additional Funding (Recommend Adoption)

City Staff received bids for Contract 2005-09, Marina Promenade on May 9, 2006. This project consists of the construction of a waterfront promenade with lighting, landscaping, and the two parking lots adjacent to the future Bed & Breakfast and Harbormaster buildings. The apparent low bidder is Bay Cities Paving & Grading, Inc. with a base bid in the amount of \$3,033,030.70.

ADJOURNMENT To: June 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 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 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
<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
<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