



CITY OF PITTSBURG AGENDA

MONDAY, APRIL 17, 2006

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

**CLOSED SESSION
6:00 P.M.**

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

**HOUSING AUTHORITY
REDEVELOPMENT AGENCY
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 – 6:00 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

b. CONFERENCE WITH LABOR NEGOTIATORS (Section 54957.6):

Agency designated representatives:

Marc Grisham, Marc Fox, Matt Rodriguez

Employee Organization:

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

And

Unrepresented

CONVENE IN OPEN SESSION – 7:00 p.m.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

1. National Sexual Assault Awareness Month

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: March 31, 2006 (Recommend Approval)
- b. **MINUTES** Dated: March 20, 2006 (Recommend Approval)

ADJOURNMENT OF THE HOUSING AUTHORITY To: May 15, 2006

REGULAR REDEVELOPMENT AGENCY MEETING

PUBLIC HEARING

1. **RESOLUTION 06-1118** Approval of an Amendment to a Disposition and Development Agreement By and Between the Redevelopment Agency of the City of Pittsburg and Olson Urban Housing LLC (Recommend Open and Continue Public Hearing to May 1, 2006)

The Redevelopment Agency of the City of Pittsburg and Olson Urban Housing LLC have executed a Disposition and Development Agreement (DDA) for the development of approximately 123 single family residential units, also known as Mariner Walk. The Agency and the Developer wish to amend the DDA. However, since the Amendment is directly linked to the Loan and Repayment Agreement by and between the City and Agency, it is necessary to continue the public hearing until such time as the City/Agency Agreement is considered.

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- a. **MINUTES** Dated: April 3, 2006 (Recommend Approval)
- b. **RESOLUTION 06-1119** Approving an Exclusive Negotiating Agreement between West Boulevard Development, LLC and the Redevelopment Agency of the City of Pittsburg for the Development of Home Ownership Affordable Housing on 6 and 14 West Boulevard (Recommend Adoption)

On February 21, 2006, the Agency Board approved the purchase and clearance of 6 West Boulevard. The adjacent property, 14 West Boulevard, had been purchased and cleared by the City in September, 1998. Both properties had extremely dilapidated, uninhabitable structures on them. Together, these properties total approximately 20,000 square feet. The Redevelopment Agency of the City of Pittsburg desires to enter into an Exclusive Negotiating Agreement with West Boulevard, LLC, a non-profit housing development partnership, which provides procedures and standards for the negotiation by the Agency and the Developer of a Disposition and Development Agreement for the development of affordable home ownership units on the development site.

- c. **RESOLUTION 06-1120** **Combined w/CC 06-10524** Accepting as Complete Contract 2004-05, Marina Center Parking Lot and Allocating Funding for PG&E Utility Relocation Costs (Recommend Adoption)

The City Council awarded Contract 2004-05, Marina Center Parking Lot, to Bay Cities Paving & Grading, Inc., on October 18, 2004. The project included constructing a new asphalt concrete parking lot with lighting, landscaping, and a new left turn lane on Marina Boulevard. The project was substantially complete on November 17, 2005. During the installation of the storm drain pipe, the contractor encountered a conflict with existing utilities. In order to complete the project, additional funding is required to pay PG&E under protest for relocating the utilities.

- d. **RESOLUTION 06-1121** Accepting as Complete Contract 2006-27, Abatement and Demolition of Buildings 600, 688 and 690 Railroad Avenue and 1049 Cumberland Street (Recommend Adoption)

The Redevelopment Agency of the city of Pittsburg awarded Contract 2005-27, Demolition of 600, 688, 690 Railroad Avenue and 1049 Cumberland Street to Keman & Son Inc. on February 2, 2006 for a total Bid value of \$79,394.00. The contract was completed on March 16, 2006. Staff recommends the acceptance of the abatement and demolition contract as complete.

- e. **RESOLUTION 06-1122** Award of Consultant Agreement by and between the Redevelopment Agency of the City of Pittsburg and SZFM Design Studio, Inc. and Allocating Funding for the Old Town Streetscape Master Plan (Recommend Adoption)

The Redevelopment Agency of the City of Pittsburg desires to have an Old Town Streetscape Master Plan created as part of the revitalization efforts of Old Town. The Agency would like to retain the services of SZFM Design Studio, Inc., in collaboration with Ralph Alexander Landscape Architect, to provide master planning for the Project and detail design for the four block area of Railroad Avenue between the north side of 5th Street to the south side of 8th Street. The Agency and the Consultant propose to enter into a Consultant Agreement to provide master planning and detail design services as outlined in the scope of services attached as Exhibit A to the Agreement.

ADJOURNMENT OF THE REDEVELOPMENT AGENCY To: May 1, 2006

PITTSBURG POWER COMPANY MEETING

CONSIDERATION

1. **RESOLUTION 06-146** Amending Pittsburg Power Company's Annual Budget for FY 2005-2006 to Provide for Increasing Trans Bay Cable Project Reimbursement Program Funding by \$190,000 for Environmental and Legal Consultants (Recommend Adoption)

The Pittsburg Power Company is requesting a FY 2005-2006 budget increase adjustment of \$190,000 to cover Reimbursable Expenses for the Trans Bay Cable Project for the remainder of FY 2005-2006. These Reimbursable Expenses include the expenditures of Environmental and Legal consultants retained by PPC in performing its obligations under the Project Development Agreement entered into with Trans Bay Cable, LLC.

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- a. **RESOLUTION 06-147** Approving and Authorizing the Funding for Power Development Projects (Recommend Adoption)

The Pittsburg Power Company is considering engaging in power development activities, including the acquisition of new generation, exploring partnership opportunities with Delta Diablo Sanitation District and Greenfield utility development in Contra Costa County. Establishing budgets for these power development activities will provide staff with the resources necessary to complete its due diligence.

- b. **RESOLUTION 06-148** Awarding Contract for the 2006 Patch Paving Program (Recommend Adoption)

The Patch Paving Program is funded through the allocation of Neighborhood Improvement Program funds and from the Street Preventative Maintenance Account. The Patch Paving Contract involves removing failed asphalt concrete and base material, compaction of existing material, and replacing the same with an equivalent amount of asphalt concrete at various locations in the city.

ADJOURNMENT OF THE PITTSBURG POWER COMPANY

REGULAR CITY COUNCIL MEETING

CONSIDERATION

1. **RESOLUTION 06-10520** Accepting Additional Studies for the Buchanan Road Bypass Project (Recommend Adoption)

This resolution would accept the Existing Buchanan Road Widening Feasibility Study, prepared for the City in January 2006 by RBF Consulting. The study documents the assessment of preliminary alignment studies to widen existing Buchanan Road from two to four lanes. It also includes a comparative traffic operations analysis for four project alternatives, 1) No Build, 2) 4-lane Existing Buchanan Road, 3) 2-lane Bypass Roadway, and 4) 4-lane Bypass Roadway. Preliminary cost estimates are also included. It would also authorize staff to petition the East Contra Costa Regional Fee and Financing Authority (ECCRFFA) for additional project development funds to advance a 2-lane bypass roadway project.

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- a. **MINUTES** Dated: April 3, 2006 (Recommend Approval)
- b. **ORDINANCE 06-1263** Amendment of Title 15, Chapter 15.08, Building Code, Adding Section 15.08.025 Permit – Applicant Qualifications (Recommend Adoption)

It is necessary to amend Title 15, Chapter 15.08 Building Code of the Pittsburg Municipal Code to add minimum requirements for persons engaging in work requiring building permits. Currently sections 15.16 Electrical Code, 15.28 Mechanical Code, and 15.32 Plumbing Code include sections which address minimum qualifications for applicants wishing to obtain the respective permit. No similar requirement exists regarding the issuance of building permits. This amendment would add clarification and bring the building code in alignment with the other construction codes.

- c. **RESOLUTION 06-10517** Consideration of Historical Society Water Bill Subsidy (Recommend Adoption)

The City of Pittsburg completed a comprehensive review of water and sewer rates and implemented new water and sewer rates based on its new rate structure beginning in August 2005. New fire line services charges adopted in 2005 were not implemented until February 2006. The Historical Society is financially unable to afford the fire line service charge attributed to its building. This action will consider if the Historical Society's benefit to the Old Town neighborhood is sufficient to warrant a water bill subsidy from the City of Pittsburg.

- d. **RESOLUTION 06-10518** Eliminate Seasonal Job Classifications and Revise Salary Schedule (Recommend Adoption)

As part of the Human Resources Department's current work plan, staff initiated a study of seasonal recreation classifications and pay ranges to ascertain if simplification of the existing structure was recommended. An outgrowth of the study was a review of the Clerical Aide and Maintenance Aide classifications.

- e. **RESOLUTION 06-10519** Receive Report and Adopt Resolution Approving the City of Pittsburg Investment Policy of Public Funds to be Effective April 17, 2006 (Recommend Adoption)

State law recommends that public agencies submit a Statement of Investment Policy to the legislative body on an annual basis for review and adoption. Eligible investments are those allowable by the State of California (Government Code Section 53600 et. seq.) and not restricted by the current investment policy for the City of Pittsburg. The City further restricts its permitted investments beyond the scope set forth by the State to provide additional safety in the management and investment of its public funds. It should be noted that the overall objective of the City's investment policy is safety of principal. The City's portfolio shall be designed in a manner responsive to the public trust and consistent with State and local law.

- f. **RESOLUTION 06-10521** Amend Resolution No. 05-10314 to Include the Consulting Firm Independent Code Consultants within Section 2 (Recommend Adoption)

It is necessary to amend Resolution No. 05-10134 by adding Independent Code Consultants to the list of approved consulting firms included in Section 2. This will assure an adequate pool of qualified consultants exists in order to provide engineering plan check services for the development community.

- g. **RESOLUTION 06-10522** Accepting Plans and Specifications and Authorizing Bidding for Contract 1999-03B, North Park Plaza/Century Boulevard Connector Road (Traffic Signal) (Recommend Adoption)

Contract 1999-03B, North Park Plaza/Century Boulevard (Traffic Signal), is for the installation of a traffic signal at the intersection of North Park Plaza and Century Boulevard. This Resolution will accept the plans and specifications and authorize bidding for the Project.

- h. **RESOLUTION 06-10523** Accepting Contract No. 2005-02, Westside Additional Pavement Rehabilitation Project as Complete and Authorizing the City Engineer to File a Notice of Completion (Recommend Adoption)

The City Council awarded Contract 2005-02, Westside Addition Pavement Rehabilitation Project, to Ghilotti Bros Inc. of San Rafael, California, on September 19, 2005. The project scope of work encompassed the rehabilitation of several streets in the Westside Addition Subdivision. The project was completed on March 3, 2006.

- i. **RESOLUTION 06-10524**
Combined w/RDA 06-1120 Accepting as Complete Contract 2004-05, Marina Center Parking Lot and Allocating Funding for PG&E Utility Relocation Costs (Recommend Adoption)

See Executive Summary for Redevelopment Agency Resolution No. 06-10529.

- j. **RESOLUTION 06-10525** Authorizing FY 2005/06 Capital Outlay for Information Technology Equipment (Recommend Adoption)

The City Manager herein requests City Council authorization to direct the City's informational technology (IT) contractor, CMC Americas, Inc. to proceed with acquisition and procurement of the annual capital outlay of sixty (60) PC desktops to replace non-warranty and outdated equipment in various City Departments as approved under the FY 2005/06 City Operating Budget, and as a service component of the City's Information Technology Agreement with CMC Americas, Inc.

- k. **RESOLUTION 06-10526** Authorizing an Expenditure Total of \$98,023 to Moreland & Associates, Inc. for Temporary Professional Accounting Assistance (Recommend Adoption)

Approve the payments for temporary professional accounting assistance required during Fiscal Year 2004/2005 and Fiscal Year 2005/2006 due to the

unforeseen vacancies of the Finance Division Manager of Accounting and the Finance Division Manager of Revenue and Collections. These services were necessary to provide assistance in meeting numerous routine accounting and financial reporting responsibilities within defined time constraints for the Finance Department.

ADJOURNMENT To: May 1, 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