



CITY OF PITTSBURG AGENDA

TUESDAY, JANUARY 17, 2006

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

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

**PITTSBURG POLICE DEPARTMENT PRESENTATION
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 – 5:00 p.m.

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

Ronald Huppert and Javier Salgado vs. City of Pittsburg, et al, United States District Court Case No. C05-1433

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

Shirley Vicala vs. City of Pittsburg et al, Contra Costa County Case No. CIVMSC05-01742

PITTSBURG POLICE DEPARTMENT PRESENTATION – 6:00 p.m.

1. 2005 Year in Review

CONVENE IN OPEN SESSION – 7:00 p.m.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PROCLAMATION

1. Volunteer Blood Donor Month – American Red Cross

PRESENTATION

1. Oasis Project - Riverside High School

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

CONSIDERATION

1. **RESOLUTION 06-222** Approval of Housing Authority Section 8 First Time Homebuyer's Pilot Program (Recommend Adoption)

The City of Pittsburg Housing Authority has the opportunity to offer qualified families the opportunity to purchase a home using their housing choice voucher subsidy as a part of their mortgage payment.

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: December 31, 2005 (Recommend Approval)
- b. **MINUTES** Dated: December 12, 2005 (Recommend Approval)
- c. **CLAIMS** #1676 Charles Colombo; #1677 Nicholas LaBelle (Recommend Denial)

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

ADJOURNMENT OF THE HOUSING AUTHORITY To: February 21, 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: January 3, 2006 (Recommend Approval)
- b. **CLAIMS** #1676 Charles Colombo; #1677 Nicholas LaBelle (Recommend Denial)
- (Claims against the City which may cause expenditure of funds - on file in the Office of the City Clerk)
- c. **RESOLUTION 06-1105** Objecting to the Sale of Tax Defaulted Properties by the County's Tax Office and Subsequently Purchasing Parcel No. 087-030-067 Pursuant to California Revenue and Taxation Code Section 3695 et seq. and Chapter 8 (Recommend Adoption)
- The City has received notice from the Tax Collector's Office that an approximate 2.2-acre retail pad (2156 Railroad Avenue) in the Albertson's Shopping Center may be auctioned for delinquent taxes on February 22, 2006. The Resolution before the Agency Board would state the Agency's objection to the tax sale and would authorize use of Agency funds to purchase the property, \$215,000 plus closing costs.
- d. **RESOLUTION 06-1106** Authorizing the Acquisition of 2.67 Acres of Real Property Commonly Referred to as 2105 Abbott Avenue and the Remainder of Contra Costa Assessor Parcels 087-030-008, 087-195-020, 087-193-001, 087-193-002, 087-193-035, 087-193-036 and 087-400-018 (Recommend Adoption)
- As part of the Highway 4 widening project the County of Contra Costa was left with several parcels along Crestview and Frontage Road which they have declared as surplus properties. Pursuant to Government Code Section 54222, the Redevelopment Agency of the City of Pittsburg would like to exercise the right to purchase these properties for One Million Sixty-Five Thousand Dollars (\$1,065,000).

ADJOURNMENT OF THE REDEVELOPMENT AGENCY To: February 6, 2006

PITTSBURG POWER COMPANY 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** January 3, 2006 (Recommend Approval)

ADJOURNMENT

REGULAR CITY COUNCIL MEETING

PUBLIC HEARING

1. **RESOLUTION 05-10372** Adopt Resolution Revising Sewer Facility Reserve Charge for Sewer Sub-Basins DS601-DS6212 and SW 109 (Recommend Adoption)

The Pittsburg City Council directed staff to conduct a complete review of both water and sewer rates to address major issues facing the water and sewer enterprises. The consulting firm of Brown and Caldwell, Engineers, was hired and completed a comprehensive study of water and sewer Facility Reserve Charges (development impact fees). The recommended Facility Reserve Charges (FRC) were first considered at a noticed public hearing on May 16, 2005. At the request of developers, final adoption of new FRCs was postponed to June 20, 2005. Of the 14 FRCs adopted on June 20, there were two FRCs established based on unresolved issues. This action will clarify and resolve the one unresolved Sewer FRC from June 20.

2. **RESOLUTION 06-10466** Approval of Proposed Rate Increases at the Pittsburg Delta View Golf Course (Recommend Adoption)

Title 3, Chapter 3.32 of the Pittsburg Municipal Code authorizes the City Council to establish by resolution the fees to be charged to users of the Pittsburg Delta View Golf Course and its related services. After conducting a Rate Comparison Study of the local golf courses, a number of Delta View's rates were found to be less than the local median. Staff recommends increasing rates at Delta View, allowing operations to produce a higher revenue level to further support Delta View's ability to fund operational costs and to continue to progress toward self-sustainability.

CONSIDERATION

1. **RESOLUTION 06-10467** Authorization to Develop a Pension Obligation Bond Financing Program and to Appoint the Members of the Financing Team (Recommend Adoption)

Pension obligation bonds (POB's) are bonds issued by a state, county or city to pay its obligation to the pension fund or system in which its employees are members. POB's are an increasingly popular way for state or local governments to accomplish a variety of financial

objectives such as reducing annual pension costs for budgetary relief and/or reducing an unfunded liability in a more effective way over time. The proposed City Council action would authorize staff to proceed with a pension obligation bond financing program and would appoint the member of the financing team.

2. **RESOLUTION 06-10468** Hillview Junior High School Request for Community Sponsorship (Recommend Adoption)

The Hillview Junior High School History Department is planning a student educational excursion to Washington, D.C. and Gettysburg, PA in May 2006. This excursion will include 41 students who have met excursion standards and required grade point averages. To assist with the funding of this excursion a Request for Community Sponsorship Funds in the amount of \$2,000 has been submitted to the Recreation Commission. The Commission has reviewed the request and recommends City Council approval.

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: January 3, 2006 (Recommend Approval)
- b. **CLAIMS** #1676 Charles Colombo; #1677 Nicholas LaBelle (Recommend Denial)

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

- c. **RESOLUTION 06-10469** Establishment of Annual Condominium Conversion Rate (Recommend Adoption)

Section 17.44.070 of the Municipal Code limits the number of apartments that can be converted annually to condominiums to an amount established by the City Council at the beginning of each calendar year. The Council is requested to establish the number for the year 2006.

- d. **RESOLUTION 06-10470** Initiating Proceedings for the Creation of Overlay Landscaping and Lighting Assessment District 2006-01 (Recommend Adoption)

The attached Resolution, if adopted by the City Council, will initiate proceedings pursuant to the Landscaping and Lighting Act of 1972 for the creation of an overlay landscaping and lighting assessment district for the San Marco and Vista Del Mar subdivisions.

- e. **RESOLUTION 06-10471** Authorizing Filing an Application for Surface Transportation Program Funding for Harbor Street Improvements (Recommend Adoption)

This resolution would authorize filing an application for federal STP funds to improve Harbor Street, from California Avenue to East 3rd Street, including an asphalt concrete overlay. The application requests \$540,000 and commits at least \$70,170, or 11.5%, in non-federal matching funds.

- f. **RESOLUTION 06-10472** Reclassify One Position and Incumbent from Administrative Assistant to Accounting Technician in the Public Works Department (Recommend Adoption)

Reclassify one Administrative Assistant at the Public Works Corporation Yard to Accounting Technician.

- g. **RESOLUTION 06-10473** Authorizing Funding Payments to Contra Costa County Pittsburg Library for Additional Hours of Service Not to Exceed a Cost Proposal of \$87,000 for Fiscal Year 2004/2005 (Recommend Adoption)

Approve funding the payment for additional hours of service at the Contra Costa County Pittsburg Library for Fiscal Year 2004/05 in the amount not to exceed \$87,000. The City of Pittsburg, along with most other Contra Costa cities, has been contributing towards the cost of providing additional hours of library service since Fiscal Year 1993/94. This additional funding allows the County to provide an increase to the hours of service over the base hours per week within respective communities (hours of service may vary from city to city based upon levels of service).

- h. **RESOLUTION 06-10474** Authorize Emergency and Appropriation of Funds for the Senior Center Storm Damage Repair (Recommend Adoption)

On the weekend of December 30-January 2, the City of Pittsburg experienced a severe storm accompanied by extraordinarily high rainfall. The Senior Center experienced flooding due to a blocked storm drain which damaged the floor and lower walls within the center. Emergency repairs to remove and replace the floor and dry out the building to prevent the growth of mold and health problems associated with mold growth are currently underway. This action will appropriate funds from the City's General Liability Reserve Fund to fund these emergency repairs.

ADJOURNMENT To: February 4, 2006 **Special Meeting at Environmental Center, 2573 Harbor Avenue, Pittsburg, 9:00 a.m. – 12:00 noon**

Next regularly scheduled meeting is February 6, 2006 at 7:00 p.m. in the Pittsburg Council Chamber.

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 January 3, 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	William Glynn / Ben Johnson 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	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

*Combined w/RDA Subcommittee