



**CITY OF PITTSBURG
AGENDA**

MONDAY, OCTOBER 15, 2007

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

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

**HOUSING AUTHORITY
REDEVELOPMENT AGENCY
PITTSBURG POWER COMPANY
CITY COUNCIL**

PRESIDING

**Ben Johnson, Mayor/Chair
Will Casey, Vice-Mayor/Vice-Chair
Nancy Parent, Council Member/Board Member
Salvatore Evola, Council Member/Board Member
Michael Kee, Council Member/Board Member**

**For the Housing Authority:
Jerlean Mixon, Housing Authority Member
VACANT, 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.

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

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PRESENTATIONS

1. Helen Putnam Award
2. Contra Costa Council's Delta Vision Statement of Principles
3. New Employee Introductions

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 and on any items listed as part of the Consent 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

CONFLICT OF INTEREST DECLARATION – *Housing Authority Members may make any conflict of interest declarations pertaining to Consent Calendar items at this time.*

CONSENT CALENDAR - *All matters listed under Consent Calendar are considered by the Council/Agency 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/Agency prior to the time the Council votes on the motion to adopt.*

- a. **DISBURSEMENT LIST** Dated: September 30, 2007 (Recommend Approval)
- b. **MINUTES** Dated: September 17, 2007 (Recommend Approval)

ADJOURNMENT OF THE HOUSING AUTHORITY To: November 19, 2007

REDEVELOPMENT AGENCY MEETING

CONSIDERATION

1. **MINUTE ORDER**

Authorizing the First Right to Negotiate for 500 School Street (Recommend Adoption)

The Redevelopment Agency of the City of Pittsburg and Community Estates LLC have entered into an Exclusive Negotiating Rights Agreement (ENRA) to negotiate the terms of a disposition and development agreement for the redevelopment of 500 School Street. The ENRA is set to terminate on October 15, 2007, and the Agency has provided the Developer the first right to negotiate if the Agency decides to move forward with redevelopment on the Property in the future.

CITY COUNCIL MEETING

PUBLIC HEARING

1. **ORDINANCE 07-1292** Ordinance Establishing New Municipal Code Chapter for Special Event Permit Program and Resolution Adopting Program Fees (Recommend Hold Public Hearing Open and Continue to November 5, 2007 to Introduce and Waive First Reading)

On October 1, 2007, the City Council opened and continued the public hearing until October 15, 2007 to introduce a new Ordinance regulating special event permit requirements, and adopt a resolution establishing fees for the City's newly proposed Special Event Permit Program. This evening, the City Manager requests the City Council open and continue the public hearing until November 5, 2007.

2. **ORDINANCE 07-1293**
Combined w/07-10898 Introduction of a Habitat Conservation Plan (HCP) Implementing Ordinance and Adoption of a Resolution Establishing HCP/Natural Community Conservation Plan (NCCP) Development Fee, Wetland Fee, Administration Fee and Fee Calculation Methodology (Recommend Introduction and Waive First Reading)

The City Council is requested to consider the adoption of a Habitat Conservation Plan (HCP) Implementing Ordinance and adoption of a resolution establishing HCP/Natural Community Conservation Plan (NCCP) Development Fee, Wetland Fee, and Administration Fee Calculation methodology in order to implement the HCP/NCCP approved by the Council on April 16, 2007.

3. **RESOLUTION 07-10898**
Combined w/07-1293 Establishing Habitat Conservation Plan/Natural Community conservation Plan (HCP/NCCP) Development Fee, Wetland Fee, Administration Fee and Fee Calculation Methodology (Recommend Adoption)

See Executive Summary for Ordinance No. 07-1293.

4. **ORDINANCE 07-1294** Amending Title 18 of the Pittsburg Municipal Code to Prohibit Parking in Residential Districts on Unpaved Surfaces (Recommend Introduction and Waive First Reading)

This is a public hearing on a City-initiated proposal to amend Sections 18.06, 18.50 and 18.78 of the Pittsburg Municipal Code (PMC) to define "paved" surface and to require that vehicles placed in the front or corner side yard

of residential lots be prohibited from parking on unpaved surfaces. This is a Citywide zoning amendment.

5. **ORDINANCE 07-1295**

Amending Chapter 10.16 of the Pittsburg Municipal Code, Entitled "Stopping, Standing and Parking-Generally" by Adding Section 10.16.115, "Parking on Unpaved Surfaces Prohibited" (Recommend Introduction and Waive First Reading)

It is necessary to establish standards regarding parking on unpaved surfaces on private residential property and to provide for a means to enforce this prohibition. The attached ordinance, if approved, will prohibit parking on unpaved surfaces and will subject violators to a financial penalty if the ordinance is violated. This is the first reading of the proposed ordinance.

- e. **RESOLUTION 07-10899** Approval of the Revised Affordable Housing Guidelines for
Combined w/RDA 07-1243 Appropriation of Funds to the Project (Recommend
Adoption)
- See Executive Summary for Redevelopment Agency
Resolution 07-1243.
- f. **RESOLUTION 07-170** Adoption of the Annual Energy Efficiency Saving Target of
Island Energy for the Next 10 Year Period (Recommend
Adoption)
- Assembly Bill 2021 requires the California Energy
Commission (CEC) to develop statewide energy efficiency
potential estimates and targets for California's private and
public utilities. The legislation requires, among other
mandates, that the public owned utilities identify all
potentially achievable cost-effective energy savings,
establish annual targets for energy efficiency savings and
demand reduction for the next 10-year period. Based on
the knowledge of Island Energy's service area and future
load growth forecast, Staff proposed an energy saving
target as 0.85% of forecasted consumption each year. The
total energy efficiency saving is 8.5% of existing load over
ten years.
- g. **RESOLUTION 07-171** Approval of Historical Museum Elevator Project and
Combined w/CC 07-10900 Appropriation of Funds to the Project (Recommend
Adoption)
- The Pittsburg Historical Society seeks to expand its display
space to the second floor of its museum at 515 Railroad
Avenue. The Americans with Disabilities Act (ADA) requires
that the space be accessible to persons in wheelchairs.
This project would install an elevator and an additional
exterior stairway as a secondary exit as required by the
California Building Code. This resolution will allocate
\$200,000 from Pittsburg Power Company Unallocated
Reserves to the Historical Museum Elevator Project.
- h. **RESOLUTION 07-10900** Approval of Historical Museum Elevator Project and
Combined w/PPC 07-171 Appropriation of Funds to the Project (Recommend
Adoption)
- See Executive Summary for Pittsburg Power Company
Resolution 07-171.
- i. **ORDINANCE 07-1289** Adoption of an Ordinance Pre-zoning Ambrose Park
(Recommend Adoption)

The City Council introduced an ordinance on August 20, 2007 to pre-zone Ambrose Park. The Council must now adopt the ordinance for the pre-zoning to take effect.

- j. **RESOLUTION 07-10901** Approve Membership in International Council for Local Environmental Initiatives (ICLEI) in Response to the California Global Warming Solutions Act (Recommend Adoption)

The City of Pittsburg intends to join the International Council for Local Environmental Initiatives (ICLEI), an international association of local governments dedicated to reducing their impact on global climate change. Participation in ICLEI will provide the City with assistance in completing its own greenhouse gas emission inventory in response to the California Global Warming Solutions Act of 2006 (AB 32).

- k. **RESOLUTION 07-10902** Allocating Funding for Contract 2007-34, El Dorado Heights Sewer Lateral Replacement Project (Recommend Adoption)

Contract 2007-34, El Dorado Heights Sewer Lateral Replacement Project is for the replacement of sanitary sewer laterals on selected streets located in the El Dorado Heights Subdivision. This project will replace the existing sewer laterals to residences and businesses in the project area. Sewer laterals will be replaced from the recently installed sewer cleanouts to the sewer main.

- l. **RESOLUTION 07-10903** Abandoning Proceedings in Community Facilities District No. 1999-01 (West Leland Road and San Marco Boulevard) (Recommend Adoption)

On September 20, 1999, the City Council adopted Resolution No. 99-9026 proposing to form the "City of Pittsburg Community Facilities District No. 1999-01, (West Leland Road and San Marco Boulevard)." The purpose of the district was to finance construction of public improvements on West Leland Road and on San Marco Boulevard. Since the creation of the district, no bonds have been issued nor any assessments made. Construction of West Leland Road and San Marco Boulevard has been completed using funding from other sources. On September 17, 2007, the City Council approved a resolution abandoning the proceedings for the "City of Pittsburg Community Facilities District No. 1999-01, (West Leland Road and San Marco Boulevard)." That resolution did not contain all of the technical language required of such measures. The attached resolution will replace the previous resolution and complete the abandonment of the above referenced District.

ADJOURNMENT To: November 5, 2007

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.

LIVE MEDIA BROADCASTING ADVISEMENT

City Council meetings are video-taped for broadcast on Comcast Local Access Channel 26 typically the day after each meeting. For more information, please contact the City Clerk's office at 252-4850.

City Council Outside Agency/Liaison/ Sub-Committees Assignments – 2007

Updated April 16, 2007

<u>OUTSIDE AGENCY BOARDS</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
ABAG	Ben Johnson / Will Casey Alt.	Standing	Annual	B. Nail
Bay Area Water Quality Dist.	Nancy Parent / Salvatore Evola Alt.	Standing	As needed	M. Ayres
Contra Costa County Fire Dist.	Michael Kee / Nancy Parent Alt.	Standing	2 nd Monday	M. Rodriguez
Delta Diablo Sanitation	Nancy Parent / Ben Johnson Alt.	Standing	2 nd Wednesday	J. Fuller
East Co. Co. County Habitat Conservancy	Will Casey / Michael Kee Alt.	Standing	Monthly	M. Ayres
East County Water Mgt.	Ben Johnson / Will Casey Alt.	Standing	Annual	J. Fuller
Fee & Finance Authority/TRANSPLAN/ ePPAC	Ben Johnson / Salvatore Evola Alt.	Standing	2 nd Thursday	J. Sbranti
Tri-Delta Transit	Michael Kee & Will Casey, Salvatore Evola Alt.	Standing	Last Wednesday	M. Rodriguez
Water Transit Authority Comm.	Michael Kee / Salvatore Evola 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	Ben Johnson / Will Casey Alt.	Standing	3 rd Thursday	B. Nail
Library Commission	Nancy Parent / Michael Kee	Standing	As needed	P. Flores
Mayor's Conference	Ben Johnson / Will Casey Alt.	Standing	1 st Thursday	M. Grisham
School District Liaison	Michael Kee & Salvatore Evola, Will Casey Alt.	Standing	Monthly	P.Flores/M.Rodriguez
<u>SUBCOMMITTEE</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
Alternate Governance Structure	Ben Johnson & Will Casey	Ad Hoc	As needed	M. Rodriguez/M. Fox
CAC/CDBG	Nancy Parent & Salvatore Evola	Standing	As needed	A. Landry
City/County Relations	Ben Johnson / Will Casey Alt.	Standing	As needed	M. Grisham
Concord Naval Weapons Station	Ben Johnson & Salvatore Evola	Ad Hoc	As needed	M. Rodriguez
Economic Development	Salvatore Evola & Nancy Parent/Will Casey Alt.	Standing	Quarterly	B. Nail
Finance Subcommittee	Michael Kee & Nancy Parent	Ad Hoc	As needed	M. Simons
Land Use Subcommittee	Michael Kee / Will Casey, Salvatore Evola Alt.	Ad Hoc	As needed	M. Ayres
Power Company Advisory	Nancy Parent & Salvatore Evola	Standing	As needed	G. Evans
RDA Subcommittee	Michael Kee & Salvatore Evola/Will Casey Alt.	Standing	Quarterly	R. Starbuck
Sister City Committee	Ben Johnson & Will Casey	Ad Hoc	As needed	B. Nail