



**CITY OF PITTSBURG  
AGENDA**

**MONDAY, MARCH 5, 2007**

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

**CLOSED SESSION  
5:30 P.M.**

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

**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**

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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** – 5:30 p.m.

a. CONFERENCE WITH LABOR NEGOTIATORS (Section 54957.6):

Agency designated representatives:

Marc Grisham, Marc Fox, Bruce Heid

Employee Organization:

Police Officers Association, Police Managers Group, AFSCME (Miscellaneous A),  
AFSCME (Miscellaneous/Professional/Confidential), Teamsters

And

Unrepresented

b. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Section 54956.9(b)):

Initiation of litigation pursuant to subdivision (b) of Section 54956.9:

One (1) case

c. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Section 54956.9(c)):

Initiation of litigation pursuant to subdivision (c) of Section 54956.9:

Ten (10) cases

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

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

## **PROCLAMATION**

1. Arbor Day

**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)*

## CITY COUNCIL MEETING

### PUBLIC HEARING

1. **RESOLUTION 07-10724** Resolutions of Necessity by the City to Acquire Easement on Assessor Parcel Numbers 094-080-026 and 094-080-040 for the Leland Reservoir Project (Recommend Adoption)  
**Combined w/07-10725**

The City of Pittsburg's Leland Reservoir Project seeks to improve public safety and provide reliable water services to the general public. The proposed Project includes the construction of a water storage tank and associated piping to serve the citizens of Pittsburg.

2. **RESOLUTION 07-10725** Resolutions of Necessity by the City to Acquire Easement Assessor Parcel Number 094-080-026 and 094-080-040 for the Leland Reservoir Project (Recommend Adoption)  
**Combined w/07-10724**

See Executive Summary for 07-10724.



It is the intention of the City of Pittsburg to utilize Pittsburg Municipal Marina reserve funds for a variety of unexpected, extraordinary purchases and services to include: 1) dredging of the Marina launch ramp; 2) thorough tune-up of the Riverview Basin docks; 3) construction of a new staging dock; 4) construction of a new gangway; and 5) completion of security gate wiring at Riverview Basin. In addition, the City intends to further amend the Marina's 2006-07 fiscal year operating budget to include an increase in the amount of \$250,000 to both the projected Gasoline Purchases expenditure account and the corresponding Gasoline & Oil Sales revenue account, adjusting budget projections to more accurately reflect current fiscal activity.

- e. **RESOLUTION 07-10728** Approval of Affordable Housing Agreement – Delta Hawaii Senior Condominiums (Recommend Adoption)

Delta Hawaii Apartments, LLC received tentative map approval for a senior-restricted condominium project. In order to satisfy the inclusionary housing ordinance requirement, an Affordable Housing Agreement must be entered into by the City of Pittsburg and Delta Hawaii Apartments, LLC, prior to acceptance of the final map.

- f. **RESOLUTION 07-10729** Give Always to Others Request for Community Sponsorship Funds (Recommend Adoption)

Give Always To Others is requesting community sponsorship in the amount of \$2,000.00. This funding will be utilized in the presentation of a community cultural event that will feature traditional Mariachi music, Ballet Folklorico performance, educational material and a tribute to Cesar Chavez. The Recreation Commission has reviewed the request within their December 2006 meeting and recommends funding approval.

- g. **RESOLUTION 07-10730** Approval of an Agreement Between the City of Pittsburg and Pittsburg Unified School District for the Maintenance of John S. Bryant Park (Recommend Adoption)

The City entered into a partnership with the Pittsburg Unified School District for the location and construction of John S. Bryant Park at the Heights Elementary School grounds on West Blvd. This maintenance agreement documents the understanding between the City and the District on the responsibilities for maintenance of the park.

- h. **RESOLUTION 07-10731** Approval of a Rate Increase at Contra Costa Waste Services Recycling Center and Transfer Station (Recommend Adoption)

Contra Costa Waste Services operates the Recycling Center and Transfer Station (RCTS) on Loveridge Road and is requesting authorization for a rate increase.

- i. **RESOLUTION 07-10732** Approving the Fourth Amendment of the Agreement Between Contra Costa Waste Services and the City of Pittsburg for the Operation of a Material Recovery and Transfer Station (Recommend Adoption)

Contra Costa Waste Services operates a material recovery and transfer station on Loveridge Road under agreement between Contra Costa Waste Services and the City of Pittsburg. If approved, this fourth amendment will initiate the collection of a Solid Waste Recycling and Inspection fee to support mandatory City programs associated with garbage collection, recycling and the transfer station's operation within the City of Pittsburg.

- j. **RESOLUTION 07-10733** Authorize Funding Payments to Contra Costa County Pittsburg Library for Additional Hours of Service in the Amount of \$89,800 for Fiscal Year 2006-2007 (Recommend Adoption)

Approve funding the payment for additional hours of service at the Contra Costa County Pittsburg Library for Fiscal Year 2006-2007 in the amount of \$89,800. 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).

- k. **RESOLUTION 06-10693** Disposition of Improvement Funds Related to City of Pittsburg Marina Park Assessment District No. 98-01 and the City of Pittsburg Century Plaza Auto Mall (Phase I) Assessment District No. 2001-03 (Recommend Adoption)

On December 18, 2006, the City Engineer stated that all public improvements related to the City of Pittsburg Marina Walk Assessment District (AD) No. 98-01 and Century Plaza Auto Mall (Phase I) Assessment District (AD) No. 2001-03 were completed. As of November 30, 2006, staff has determined that the Marina Walk AD No. 98-01 has an improvement fund balance of \$149,042.83 and the Century Plaza Auto Mall AD No. 2001-03 has an improvement fund balance of \$44,185.66. The City Engineer has identified additional improvements needed within the Marina Walk AD area, including installation of a security camera and construction of a basketball court and other amenities. The cost of these improvements will deplete the balance in the

assessment district. Staff has also confirmed one outstanding invoice related to improvements within the Century Plaza Auto Mall AD area that will deplete the funds for AD No. 2001-03.

**ADJOURNMENT** To: March 19, 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 December 18, 2006

<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 <sup>nd</sup> Monday	M. Rodriguez
Delta Diablo Sanitation	Nancy Parent / Ben Johnson Alt.	Standing	2 <sup>nd</sup> Wednesday	J. Fuller
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 <sup>nd</sup> 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 <sup>rd</sup> Thursday	B. Nail
Library Commission	Nancy Parent / Michael Kee	Standing	As needed	P. Flores
Mayor's Conference	Ben Johnson / Will Casey Alt.	Standing	1 <sup>st</sup> 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