



**CITY OF PITTSBURG
AGENDA**

MONDAY, JANUARY 29, 2007

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

**PRESENTATION
5:00 P.M.**

**WORKSHOP
6:00 P.M.**

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

**REDEVELOPMENT AGENCY
SOUTHWEST PITTSBURG GEOLOGIC HAZARD ABATEMENT
DISTRICT II (GHAD)
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**

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.

PRESENTATION – 5:00 p.m.

1. Priority Workplan Update
2. New Objectives

WORKSHOP – 6:00 p.m.

1. Citywide CIP and RDA Project List
2. Housing Bond Plan

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

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

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)*

REDEVELOPMENT AGENCY MEETING

CONFLICT OF INTEREST DECLARATION – *Redevelopment Agency 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 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 16, 2007 (Recommend Approval)

ADJOURNMENT OF THE REDEVELOPMENT AGENCY To: February 5, 2007

SOUTHWEST PITTSBURG GEOLOGIC HAZARD ABATEMENT DISTRICT II MEETING

CONFLICT OF INTEREST DECLARATION – *GHAD II Agency 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 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 07-019** Confirming the Assessment and Ordering the Levy and Collection Thereof for a Portion of the District (Recommend Adoption)

Division 17 of the California Public Resources Code establishes legal standards for geologic hazard abatement district (“GHAD”) formation, GHAD financing and the scope of GHAD authority (Section 26500 *et seq.*). On December 4, 2006, the Board of Directors of the Southwest Pittsburg Geologic Hazard Abatement District II adopted Resolution 06-018, expressing an intent to order an annual assessment for Southwest GHAD activities within Vista Del Mar, initiating an Assessment ballot proceeding and setting a public hearing on the Assessment for January 29, 2007. District staff thereafter mailed notices, balloting materials and instructions to each record owner of a parcel within Vista Del Mar, announcing the date and time of the Hearing and procedures for ballot tabulation. The adoption of the attached Resolution would confirm the Assessment and authorize the levy and collection thereof for the portion of the Southwest GHAD located in Vista Del Mar. If approved, an Assessment will be levied and collected annually for District improvements and activities that directly benefit the properties within the Vista Del Mar subdivision.

ADJOURNMENT OF THE SOUTHWEST PITTSBURG GEOLOGIC HAZARD ABATEMENT DISTRICT II

CITY COUNCIL MEETING

CONFLICT OF INTEREST DECLARATION – *City Council 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 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 16, 2007 (Recommend Approval)
- b. **CLAIMS** #1735 Betsey McQuarrie; #1755, Michelle Kehl (Recommend Denial)
- (Claims against the City which may cause expenditure of funds – on file in the Office of the City Clerk)
- c. **ORDINANCE 07-1282** Introduction of an Ordinance Approving Lawlor Estates Development Agreement AP-06-391 (DA) (Recommend Adoption)
- The City Council introduced an ordinance on January 16, 2007 to approve a development agreement for Lawlor Estates. The Council must now adopt the ordinance for it to become effective.
- d. **ORDINANCE 07-1283** Adoption of an Ordinance Levying a Special Tax for the Fiscal Year 2007-2008 and Following Fiscal Years Solely Within and Relating to the City of Pittsburg Community Facilities District No. 2007-1 (Park Maintenance Services) (Recommend Adoption)
- In accordance with the terms of the Development Agreement between the City of Pittsburg and William Lyon Homes, Inc., a Community Facilities District or other financing mechanism shall be formed to provide funding for Park Maintenance and related services in the Vista Del Mar Subdivision. On January 16, 2007 the City Council, in a public hearing took testimony on this subject, adopted a Resolution of Formation, Called for an Election, conducted the Election, adopted a Resolution Declaring the Results of the Election and introduced an Ordinance Levying Special Tax in Community Facilities District (CFD) No. 2007-1 (Park Maintenance Services). The purpose of the meeting on January 29, 2007 is to adopt the subject Ordinance No. 07-1283.

- e. **RESOLUTION 07-10705** Accepting Contract 2004-13, Highlands Ranch Park Project as Complete and Authorizing the City Engineer to File a Notice of Completion (Recommend Adoption)

Contract 2004-13 Highlands Ranch Park Project provided a new 10 Acre Community Park with multiple sport fields and two playgrounds in the Highlands Ranch Subdivision. Robert A. Bothman, Inc., of San Jose, California, has completed contract work for this Project. Robert A. Bothman, Inc. has also been contracted to perform maintenance on the Park for a period of one year with adoption of Resolution 06-10453. This Resolution will accept construction as complete and authorize the City Engineer to file a Notice of Completion for the Project.

- f. **RESOLUTION 07-10706** Accepting Contract 2005-24 John S. Bryant Park Project as Complete and Authorizing the City Engineer to File a Notice of Completion (Recommend Adoption)

Contract 2005-24 John S. Bryant Park Project provided a new neighborhood park on West Boulevard adjacent to Heights Elementary School. Blossom Valley Construction Inc., of San Jose, California has completed contract work for this project. This Resolution will accept construction as complete and authorize the City Engineer to file a Notice of Completion for the Project.

- g. **MINUTE ORDER** Approval to Extend the Fiscal Years 2005-2006 and 2006-2007 Two-Year Operating Budget Plan by One Additional Year for Fiscal Year 2007-2008 (Recommend Adoption)

For City Council review and approval, the City Manager is recommending that the Fiscal Years 2005-2006 and 2006-2007 Two-Year Operating Budget Plan be extended for one additional year into the 2007-2008 Fiscal Year. As the City Council is aware the City of Pittsburg's General Fund continues to operate with a forecasted \$3 million structural operating deficit that has been balanced by one-time revenues such as City land sales to the Redevelopment Agency. The purpose of the extension would be to give staff more time to develop and implement a comprehensive Budget Stabilization Plan that would be incorporated within the preparation of the future Two Year Operating Budget Plan for Fiscal Years 2008-2009 and 2009-2010.

- h. **RESOLUTION 07-10707** Field Use Agreement with Pittsburg Pony and National Little League (Recommend Adoption)

An exclusive agreement for usage of city baseball fields has been reached with the Pittsburg National Little League and Pittsburg Pony League. This agreement benefits all

concerned and ensures recreational baseball fields for the youth of Pittsburg.

- i. **RESOLUTION 07-10708** Beta Pi Sigma Sorority Request for Community Sponsorship Funds (Recommend Adoption)

Beta Pi Sigma Sorority is requesting \$2,000 in Community Sponsorship Funds. This funding will be applied to a cultural event that will include an art show, music and dance. This special event will be presented as the community celebrates Black History Month in February 2007. The applicant has presented their request to the Recreation Commission who recommends funding as requested.

- j. **RESOLUTION 07-10709** Trans Bay Cable Project EIR Addendum AP-04-157 (Recommend Adoption)

The Trans Bay Cable Project would transfer high-voltage electrical power from the Pittsburg area to a location in San Francisco via an underwater transmission cable approximately 56 miles in length running below the floor of San Francisco Bay. The Final EIR on the Trans Bay Cable Project was issued on October 16, 2006, and was certified by the Pittsburg City Council on November 6, 2006. Since certification of the EIR, new converter station technology that would further reduce the environmental effects of the project has become commercially available for use in the Trans Bay Cable Project. Refinements have been made to the Project, and the Addendum to the EIR has been prepared to evaluate any change in the potential environmental effects that may be associated with the incorporation of this new technology into the Project.

- k. **RESOLUTION 07-10710** Acceptance of Contract 2006-12, Pittsburg Launch Ramp and Storm Drain Maintenance Dredging Project (Recommend Adoption)

Maintenance dredging of the marina launch ramp and the storm drain outfall near the City's municipal marina, was required to remove the accumulation of silt and restore the facilities to proper operation. The City Council awarded the Marina Launch Ramp and Storm Drain Maintenance Dredging Contract on November 13, 2006, to Cooper Crane and Rigging, Inc. in the amount of \$140,000.

- l. **RESOLUTION 07-10711** Authorizing Adoption of the Fiscal Year 2007-08 Council Priority Workplan (Recommend Adoption)

Upon recommendation of the City Manager, the City Council will update the City Council Priority Workplan for the upcoming FY 2007/08 period. A revised version which

reflects all revisions of the Workplan is attached to the staff report for City Council review, with a final Workplan to be presented for City Council for adoption this evening. The proposed Workplan is designed to be a fluid and evolving policy document which lists by category all City Council and organizational priorities, projects, programs and services. The Workplan is a guideline as to the courses of action for the FY 2007-08 period. Nearly, three hundred (300+) policy items are contained within the Workplan and are intended to keep the organization on-track as an internal resource policy document should any re-prioritization occur, with any subsequent City Council amendments or milestones reached through the FY 2007-08 period. Terminology contained in the Workplan under STATUS are as follows: 1) Active = Ongoing implementation or under construction; 2) Completed = Project completed; 3) Completed; Active = Project completed, but additional final phase in process.

ADJOURNMENT To: February 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 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 nd Monday | M. Rodriguez |
| Delta Diablo Sanitation | Nancy Parent / Ben Johnson Alt. | Standing | 2 nd 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 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 |
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| <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 |