



**CITY OF PITTSBURG  
AGENDA**

**July 17, 2017**

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

**CLOSED SESSION  
5:15 P.M.**

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

**CITY COUNCIL  
HOUSING AUTHORITY  
PITTSBURG ARTS AND COMMUNITY FOUNDATION  
PITTSBURG POWER COMPANY  
SOUTHWEST PITTSBURG GEOLOGIC HAZARD ABATEMENT DISTRICT II  
SUCCESSOR AGENCY**

**PRESIDING**

**Marilyn “Merl” Craft, Mayor/Chair  
Dwayne “Pete” Longmire, Vice-Mayor/Chair  
Sal Evola, Council Member/Board Member  
Juan Antonio Banales, Council Member/Board Member  
Jelani Killings, Council Member/Board Member**

**FOR HOUSING AUTHORITY:**

**Michelle King, Housing Authority Member  
Annie Hill Herring, 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 Pittsburg City Council meets regularly in the Council Chamber at 65 Civic Avenue, unless otherwise noted above. The City Council also sits as the Board of Directors of several other City agencies. The stipends for all agency members conform to state statutes governing compensation amounts. All other Agencies meet on an as needed basis and will be listed above if applicable. Copies of the open session agenda packets, which are distributed to the City Council, are on file in the office of the City Clerk, 65 Civic Avenue, Pittsburg, California, and are available for public inspection, beginning 72 hours in advance, during normal business hours (8:00 a.m. – 5:00 p.m., Monday through Friday, except from noon to 1:00 p.m. and City holidays). The agenda and reports are also located on the City's website at [www.ci.pittsburg.ca.us](http://www.ci.pittsburg.ca.us). Additionally, if any reports or documents, which are public records, are distributed to the City Council less than 72 hours before the meeting, those reports and documents will also be available for public inspection in the City Clerk's Office and on the day of the meeting in the Council Chamber at the public counter area below the dais.

**NOTICE TO PUBLIC (Attached)**

**COUNCIL COMMITTEES LIST (Attached)**

**COMMISSIONS/COMMITTEES MEETING SCHEDULE (Attached)**

**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.

**5:15 P.M.**

**CONVENE IN CLOSED SESSION**

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Section 54956.8):

Property: 1037, 1049, 1073, and 1085 Cumberland Street; Negotiators for the Successor Agency: Joe Sbranti and Maria Aliotti; Negotiating Party: Erik Granberg (Granberg International) ; Under negotiations: both price and terms of payment

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION FOR THE SUCCESSOR AGENCY; Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9:

One (1) case

3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION FOR THE CITY OF PITTSBURG; Significant exposure to litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9:

Five (5) cases

4. CONFERENCE WITH LABOR NEGOTIATORS (Section 54957.6):

Agency designated representatives: Joe Sbranti, Garrett Evans; Employee organizations: Police Managers' Group (PMG) and Police Officers' Association (POA)

**7:00 P.M.**

**CONVENE IN OPEN SESSION FOR REGULAR MEETING**

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**



## **PROCLAMATION**

National Night Out

## **PRESENTATIONS**

Sister City Student Delegation

## **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**

### **COMBINED CITY COUNCIL AND HOUSING AUTHORITY CONSIDERATION ITEM**

5. Adoption of a Joint City Council and Housing Authority Minute Order Regarding the Proposed Project at Woods Grove Apartments

Reliant Group Management (RGM) approached the City of Pittsburgh (City) and the Housing Authority of the City of Pittsburgh (Housing Authority) for support of its proposed project at Wood Grove Apartments. The proposed project consists of improvements to the individual units and surrounding common area and an extension of the affordability restrictions (the "Project").

### **HOUSING AUTHORITY CONSENT CALENDAR**

6. Minutes

Minutes of June 19, 2017

7. Disbursement Lists

Disbursement List of June 30, 2017

8. Adoption of Housing Authority Resolution to Implement the Housing Rehabilitation Loan Program

The Housing Authority of the City of Pittsburgh is proposing to implement the housing rehabilitation loan program (Program). The Program provides low interest deferred

loans to eligible low to moderate income Pittsburg homeowners for various home improvements that fall under the category of health and safety, property maintenance, functional obsolescence, energy efficiency, or removal of architectural barriers for the disabled.

9. Adoption of Housing Authority Resolution to Implement the First Time Homebuyer Program

The Housing Authority of the City of Pittsburg (Housing Authority) is proposing to implement the First Time Homebuyer Program (Program). The Program provides down payment assistance in the form of low interest deferred loans to eligible low to moderate income borrowers purchasing a home in Pittsburg.

**ADJOURNMENT OF THE HOUSING AUTHORITY to August 21, 2017**

**CITY COUNCIL MEETING**

**PUBLIC HEARING**

10. Adoption of a City Council Resolution to Confirm the Engineer's Report, Diagram and Assessment and Levy the Annual Assessment for Landscaping & Lighting Assessment District 1988-01, Citywide (Fiscal Year 2017-2018)

Landscaping and Lighting Assessment District 1988-01 ("88-01 District"), has been in existence since 1988 and the funds collected are necessary for the City to maintain the public desired level of lighting and landscaping throughout the City. Each year, prior to ordering the improvements and levying the assessments, the City Council holds a public hearing.

11. Adoption of a City Council Resolution to Confirm the Engineer's Report, Diagram and Assessment and Levy the Annual Assessments for Landscaping and Lighting Assessment District 1988-02, Oak Hills (Fiscal Year 2017-2018)

Landscaping and Lighting Assessment District 1988-02, Oak Hills ("1988-02 District") has been in existence since 1988 and the funds collected are necessary for the City to maintain the public's desired level of lighting and landscaping in the Oak Hills area. Each year, prior to ordering the improvements and levying the assessments, the City Council holds a public hearing.

12. Introduction and Waive First Reading for an Ordinance Amending Title 18 of the Pittsburg Municipal Code Related to Permitting Small Recycling Facilities and Mail Order or Direct Selling Establishments in the M District, AP-17-1235 (RZ)

This is a public hearing on a request of a zoning text amendment to facilitate implementation of the Recycle Smart Program within the existing building located at 555 California Avenue in the M (Mixed Use) District, for Pittsburg Disposal / Mt. Diablo Recycling. While the purpose of this request is to facilitate a specific development proposal, the zoning text amendments would apply to the entire M District, with limitations. On June 13, 2017, the Planning Commission adopted Resolution No. 10064, recommending adoption of the ordinance as presented.

13. Introduction and Waive First Reading of an Ordinance Amending Title 18 of the Pittsburgh Municipal Code Related to Allowable Uses in the CP-1 District, AP-17-1245 (RZ).

This is a public hearing on a City-initiated proposal to consider potential amendments to Title 18 of the Pittsburgh Municipal Code in order to allow 'Personal Improvement Services' and 'Personal Services,' subject to limitations, within the CP-1 District. On June 27, 2017, the Planning Commission adopted Resolution No. 10069, recommending City Council approval of the amendments as proposed.

14. Introduction and Waive First Reading of an Ordinance Amending Title 18 of the Pittsburgh Municipal Code Related to Accessory Dwelling Units and Side Yard Setbacks, AP-17-1227 (RZ).

This is a public hearing on a City-initiated proposal to consider amendments to Title 18, "Zoning," of the Pittsburgh Municipal Code in order to: 1) bring the City's current Accessory Dwelling Unit (ADU) ordinance into conformance with recently-adopted state legislation; and 2) modify the interior side yard setback requirement for detached single-family dwellings within the RS-4 (Single Family Residential, 4,000 Square Foot Minimum Lot Size), RM (Medium Density Residential), and RM-D (Downtown Medium Density Residential) Districts. On June 13, 2017, the Planning Commission held a public hearing and subsequently adopted Resolution No. 10066, recommending City Council approval of the proposed amendments.

### **CONSIDERATION**

15. Adoption of a City Council Resolution to Create a Master Pay Schedule as Required by California Public Employees' Retirement System

To comply with CalPERS' interpretation of the requirements of Code of Regulations section 570.5 by affirming the single master pay schedule already on the City's website representing all previously approved actions on the individual classifications of the pay schedule. The single master salary schedule will be submitted to Council for approval each time any single MOU or compensation plan is brought to the City Council for approval.

16. Adoption of a City Council Resolution to Amend the Authorized Positions Salary Schedule, Senior Executive Team, and Management Team Salary and Benefits Schedule

A reorganization staffing plan has been developed by the City Manager to ensure continuity of City operations and personnel. In conformance with the City's Personnel Rules, this will require City Council's approval of authorized positions and approval of salary schedule changes effective July 2, 2017.

### **CONFLICT OF INTEREST STATEMENT**

|                                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------|
| City Council/Agency Members may make any conflict of interest declarations pertaining to Consent Calendar items at this time. |
|-------------------------------------------------------------------------------------------------------------------------------|

### **CONSENT CALENDAR**

**COMBINED CITY COUNCIL, PITTSBURG ARTS AND COMMUNITY FOUNDATION,  
PITTSBURG POWER COMPANY, SOUTHWEST PITTSBURG GHAD II, AND  
SUCCESSOR AGENCY CONSENT CALENDAR**

17. Minutes

Minutes of June 19, 2017

18. Adoption of a City Council Resolution to Approve the Business Improvement District Contract for Fiscal Year 2017-2018 by and Between the City of Pittsburg and the Pittsburg Chamber of Commerce

The City and the Pittsburg Chamber of Commerce (Chamber) propose to enter into a Business Improvement District (BID) contract for fiscal year 2017-2018 for specific services to be provided to the City by the Chamber.

19. Adoption of a City Council Resolution Designating a Voting Delegate at the League of California Cities Annual Conference in September 2017

The League of California Cities requires Council action no later than July 31, 2017 to appoint a voting delegate for the City of Pittsburg at their Annual Conference to be held September 13-15, 2017 in Sacramento, California.

20. Adoption of a City Council Resolution Approving the Fourth Amendment to the Contract with Raney Planning & Management, Inc. for the Preparation of the Southwest Hills/Faria Annexation Environmental Impact Report

In November 2013, the City contracted with Raney Planning & Management, Inc. (consultant) to prepare an Environmental Impact Report (EIR) for the Southwest Hills/Faria Annexation Project. In March 2014, February 2015, and March 2017, respectively, the City and the consultant executed first, second, and third contract amendments raising the consultant's budget to \$260,456. The consultant has now requested a fourth contract amendment for an additional \$143,291 which is needed to address concerns raised during the second Notice of Preparation (NOP) comment period related to aesthetics, biological resources, cultural resources, the previously prepared traffic study, hydrology/water quality, and recreation impacts.

21. Adoption of a City Council Resolution Accepting the Public Improvements Within Subdivision 9379, San Marco Unit 11 for Continuous Maintenance

All of the public improvements within Subdivision 9379 have been completed and are ready to be accepted for continuous maintenance.

22. Adoption of a City Council Resolution Approving the Final Map, Subdivision Improvement Agreement, and Improvement and Grading Plans for Subdivision 9380, San Marco Unit 12

The Final Map, Improvement Plans, and Subdivision Improvement Agreement for Subdivision 9380, San Marco Unit 12, are ready for approval. This Resolution will authorize the City Manager to execute the Subdivision Improvement Agreement and approve the Final Map and Improvement and Grading Plans for the Subdivision.

23. Adoption of a City Council Resolution Declaring the City's Intent to Vacate a Portion of Cumberland Street

The portion of Cumberland Street south of 10th Street has been unused and has not been maintained by the City for more than five years. Staff proposes the City vacate the portion of the street that was once used as a roadway, but reserve an easement for the continued maintenance of existing City water and sewer facilities.

24. Adoption of a City Council Resolution to Approve the Contract with Contra Costa County Office of the Sheriff for Police Dispatching Services

Staff recommends approval of the Interagency Agreement/Contract with the Contra Costa County Office of the Sheriff for Police Dispatching Services effective January 1, 2018 terminating on December 31, 2022.

25. Adoption of a City Council Resolution to Approve a Recognition Policy for Monuments and Plaques in Public Areas of the City

The City Council appointed an ad hoc Pittsburg Recognition Committee representing the City, local schools, the Pittsburg Historical Society, the Planning Commission and the Community Advisory Commission tasked with developing a policy and procedures for handling requests to place monuments, plaques and other markers in public areas of the City. The resolution would adopt and implement the policy attached to the report, and establish an ad hoc committee to review requests and make recommendations to the City Council.

26. Adoption of a City Council Resolution to Allocate Funds to the California Theatre Improvements Project

In 2009, the City and the Redevelopment Agency of the City of Pittsburg (the "Agency") entered into a Project Funding Agreement for construction of up to 27 identified projects to alleviate blighting conditions in the Project area. A majority of the projects were completed. Staff proposes allocation of up to \$200,000 of unspent funds from completed projects to construct improvements to the second floor at the California Theatre.

**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)

**ADJOURNMENT to August 7, 2017**

## **NOTICE TO PUBLIC**

### **GENERAL INFORMATION**

Copies of the open session agenda packets, which are distributed to the City Council, are on file in the office of the City Clerk, 65 Civic Avenue, Pittsburg, California, and are available for public inspection, beginning 72 hours in advance, during normal business hours (8:00 a.m. – 5:00 p.m., Monday through Friday, except City holidays). The full packets are also located on the City's website at [www.ci.pittsburg.ca.us](http://www.ci.pittsburg.ca.us). If any reports or documents, which are public records, are distributed to the City Council less than 72 hours before the meeting, those reports or documents will be available for public inspection in the City Clerk's Office and on the day of the meeting in the Council Chamber at the public counter area below the dais.

### **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. Speakers are not permitted to yield their time to another speaker. 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. Pursuant to the Brown Act, no action may be taken by the City Council on items not already scheduled on the agenda; however, the City Council may refer your comments/concerns to staff or request that the item be placed on a future agenda.

### **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 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 webcast live on the City's website at [www.ci.pittsburg.ca.us](http://www.ci.pittsburg.ca.us) on the Streaming Media page. Past meetings are also archived on that webpage. City Council meetings are also broadcast live on CCTV, Channel 24 also re-run at a later date. For more information, please contact the City Clerk's office at 252-4850.

## City Council Outside Agency / Liaison / Sub-Committees Assignments - 2017

Updated February 7, 2017

| <u>OUTSIDE AGENCY BOARDS</u>             | <u>COUNCIL MEMBER(S)</u>                            | <u>TYPE</u> | <u>MEETS</u>                         | <u>STAFF</u>         |
|------------------------------------------|-----------------------------------------------------|-------------|--------------------------------------|----------------------|
| ABAG                                     | Merl Craft / Pete Longmire Alternate                | Standing    | Annual                               | J. Sbranti           |
| SF Bay Regional Water Quality Board      | Merl Craft / Pete Longmire Alternate                | Standing    | As needed                            | J. Sbranti           |
| Contra Costa County Fire Dist.           | Pete Longmire / Jelani Killings Alternate           | Standing    | 2 <sup>nd</sup> Monday               | J. Sbranti           |
| Delta Diablo**                           | Pete Longmire / Juan Banales Alternate              | Standing    | 2 <sup>nd</sup> Wednesday            | F. McKinley          |
| East Co.Co.County Habitat Conservancy    | Sal Evola / Pete Longmire Alternate                 | Standing    | Monthly                              | F. McKinley          |
| East County Water Management             | Merl Craft / Pete Longmire Alternate                | Standing    | Annual                               | F. McKinley          |
| TRANSPLAN / ECCRFFA                      | Sal Evola / Juan Banales Alternate                  | Standing    | 2 <sup>nd</sup> Thursday             | F. McKinley          |
| Tri-Delta Transit (2 reps)***            | Pete Longmire&Merl Craft / Jelani Killings Alt.     | Standing    | Last Wednesday                       | F. McKinley          |
| <u>LIAISON TO</u>                        | <u>COUNCIL MEMBER(S)</u>                            | <u>TYPE</u> | <u>MEETS</u>                         | <u>STAFF</u>         |
| East Bay League of Calif. Cities         | Sal Evola / Merl Craft Alternate                    | Standing    | 3 <sup>rd</sup> Thursday             | *Rotational          |
| Mayor's Conference                       | Merl Craft / Pete Longmire Alternate                | Standing    | 1 <sup>st</sup> Thursday             | J. Sbranti/G. Evans  |
| School Districts Committee (2 reps)      | Merl Craft &Jelani Killings / Juan Banales Alt.     | Standing    | 4 <sup>th</sup> Thursday even months | J. Sbranti           |
| <u>SUBCOMMITTEES (2 reps)</u>            | <u>COUNCIL MEMBER(S)</u>                            | <u>TYPE</u> | <u>MEETS</u>                         | <u>STAFF</u>         |
| CAC/CDBG                                 | Juan Banales & Jelani Killings / Pete Longmire Alt. | Standing    | As needed                            | M. Aliotti           |
| Pittsburg Recognition Committee          | Merl Craft / Pete Longmire Alt.                     | Ad Hoc      | As needed                            | J. Hecht             |
| Economic Develop/Waterfront Subcommittee | Pete Longmire &Juan Banales / Sal Evola Alt.        | Standing    | Quarterly                            | G. Evans             |
| Finance Subcommittee                     | Sal Evola & Pete Longmire / Merl Craft Alt.         | Standing    | As needed                            | B. Farmer            |
| Land Use Subcommittee                    | Sal Evola &Juan Banales / Merl Craft Alt.           | Ad Hoc      | As needed                            | F. McKinley          |
| Local Contracting & Preference Policy    | Merl Craft & Sal Evola                              | Ad Hoc      | As needed                            | F. McKinley/B.Farmer |
| Pittsburg Arts & Community Foundation    | Merl Craft& Jelani Killings / Pete Longmire Alt.    | Standing    | As needed                            | J. Sbranti           |
| Pittsburg Police Activities League (PAL) | Banales / Killings Alt.                             | Standing    | Monthly                              | B. Addington         |
| Power Company Advisory                   | Pete Longmire & Juan Banales / Merl Craft Alt.      | Standing    | As needed                            | G. Evans             |
| Sister City Committee                    | Sal Evola&Merl Craft/ Pete Longmire Alt.            | Ad Hoc      | As needed                            | G. Evans             |
| Successor Agency Subcommittee            | Merl Craft &Jelani Killings / Pete Longmire Alt.    | Standing    | As needed                            | G. Evans             |

\*Rotational Staff as assigned by City Manager

\*\*Stipend of \$209 per month

\*\*\*Stipend of \$100 per month

## COMMISSION/SUBCOMMITTEE MEETING SCHEDULE

Following is a tentative list of currently scheduled Commission meetings for the upcoming month. For further information, please visit our website at [www.ci.pittsburg.ca.us](http://www.ci.pittsburg.ca.us) and click on the CALENDAR link for meetings, dates, times and locations.

| Commission                    | Tentative Meeting Dates                      |
|-------------------------------|----------------------------------------------|
| Planning Commission           | 2 <sup>nd</sup> and 4 <sup>th</sup> Tuesdays |
| Community Advisory Commission | 1 <sup>st</sup> Wednesday                    |
|                               |                                              |

Planning Commission meetings are regularly held the second and fourth Tuesdays of the month in the Pittsburg City Hall Council Chambers.

Community Advisory Commission meetings are regularly held the first Wednesday of the month in the Pittsburg City Hall Council Chambers.

In addition to the Commission Meetings listed above, there are several Council Member Subcommittees that meet on an “as needed basis”. For a list of subcommittees that Council Members and staff are assigned to, please see the “Council Committee List” attached to the agenda.

Subcommittee Meetings that are anticipated to occur in the coming month vary. The meeting dates, times and locations for these meetings are yet to be determined. This information will be posted on the City’s website, [www.ci.pittsburg.ca.us](http://www.ci.pittsburg.ca.us), as soon as it is determined. Please check the Calendar on the City’s website for information.

For further information, contact the City staff member assigned to that Commission or Subcommittee.





**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR  
65 Civic Avenue  
Pittsburg, CA 94565**

**DATE:** 7/6/2017

**TO:** Mayor/Chair and Council/Agency Members

**FROM:** Joe Sbranti, City Manager/Executive Director

**SUBJECT:** A Joint City Council and Housing Authority Minute Order Regarding the Proposed Project at Woods Grove Apartments

**MEETING DATE:** 7/17/2017

**EXECUTIVE SUMMARY**

Reliant Group Management (RGM) approached the City of Pittsburg (City) and the Housing Authority of the City of Pittsburg (Housing Authority) for support of its proposed project at Wood Grove Apartments. The proposed project consists of improvements to the individual units and surrounding common area and an extension of the affordability restrictions (the "Project").

**FISCAL IMPACT**

The Project poses potential adverse impacts to Pittsburg such as the potential loss of housing for its current residents or its current workers. Furthermore, there is a potential impact to the City's resources if RGM chooses to not participate in programs that would ensure the community's safety and quality of life.

**RECOMMENDATION**

City Council and Housing Authority oppose the Project. Also, City Council and Housing Authority deny, by this Minute Order, the Contra Costa County's ("County") request to adopt a Resolution to accept the County's project based voucher (PBV) program for Wood Grove.

**BACKGROUND**

Wood Grove Apartments (formerly Woods Manor) is located at 850 E. Leland Road and has been in existence for approximately 40 years. It consists of 80 units of one-, two-, three-, and four-bedroom apartments available to Low-, Very Low-, and Extremely Low- income households. Households earning less than 80% of the area median income (AMI) are considered Low Income. Households earning less than 50% of the AMI are considered

Very-Low Income. Households earning less than 30% of the AMI are considered Extremely-Low Income.

Due to the funding sources used to acquire and/or improve Woods Grove Apartments, the expirations of the affordability restrictions vary; for example, some are expiring in 2030 and others are expiring in 2065.

As of May 2017, 77 of the 80 units are occupied. Due to the constant wear and tear in the last 40 plus years, Wood Grove Apartments finds itself in need of a substantial makeover.

On May 5, 2017, RGM contacted the City to request a Tax Equity and Fiscal Responsibility Act (TEFRA) hearing. A TEFRA hearing is a public hearing where the community and governing body are provided a forum to provide testimony for or against a project within its jurisdiction. A TEFRA hearing is required by the Internal Revenue Service before tax-exempt bonds are issued. The issuance of tax-exempt bonds is one of RGM's funding sources.

Due to the items that are already on the City's agenda and the lead time required to prepare the necessary documents, conducting a TEFRA hearing was not possible in May or June. Preparation of the documents would require, at a minimum, staff meeting with RGM to discuss the project and a presentation of the Project to the Land Use Subcommittee before it can be presented to the City Council and Housing Authority. This challenge was conveyed to RGM on May 19, 2017. It was recommended that RGM meet with staff to get the process started for a future TEFRA hearing.

On June 1, 2017, RGM contacted staff and a meeting was scheduled for June 9, 2017. Key staff, RGM, and a representative from California Public Finance Authority (CalPFA) were scheduled to attend the meeting to discuss the details and concerns of the Project. On the date of the meeting, only key staff and the CalPFA representative were present at the meeting. Staff asked Project related questions and conveyed information about similar projects.

A follow-up conference call was scheduled by CalPFA for June 19, 2017. Only staff and CalPFA participated in the call; RGM was again absent. Therefore, the City's questions and concerns regarding the Project were not addressed.

On June 20, 2017 California Housing Finance Agency (CalHFA), a different financier, contacted the City requesting that the City complete the Conduit Issuer Program Local Review form (the "Questionnaire"). This Questionnaire was required to be completed and submitted by the City within 10 business days.

Prior to the submission of the Questionnaire, CalHFA conducted a conference call with staff on June 23, 2017 to ascertain the City's concerns. Staff explained that RGM had not held an open discussion and that questions and concerns had not yet been addressed. Therefore, before staff could take any steps, a meeting was necessary.

On June 27, 2017, RGM met with staff and concurrently conducted a conference call with CalHFA. According to RGM, the improvements of the 80 units will occur while tenants are in place, that the improvements will take approximately 11 months and its financing of the acquisition and improvements will consist of tax credit financing and participating in the Contra Costa County (County) Rental Assistance Demonstration (RAD) and project based voucher (PBV) programs. During this meeting, CalHFA informed staff that a TEFRA hearing

conducted by the local agency is not necessary nor is it even requested. CalHFA said that since it is a state bond issuer, it is authorized to conduct the TEFRA hearing at a state level. According to CalHFA, its TEFRA hearing is tentatively scheduled for late July or early August 2017. However, the actual date has not yet been finalized. Noticing will be done in a local newspaper and that a phone number and address will be provided if the community wants to call in or write in to provide testimony.

On June 28, 2017, the County explained that, as an issuer/administrator of the RAD and PBV programs, its tenants in the RAD program and applicants on the County's waiting list would have priority over the applicants on the Housing Authority's waiting list.

### **SUBCOMMITTEE FINDINGS**

Not Applicable

### **STAFF ANALYSIS**

Currently, the Pittsburg Housing Authority has 4,817 applicants on its waiting list. Out of the 4,817 applicants, 1,796 currently reside in Pittsburg and 1,411 are employed in Pittsburg. Approximately 67% of the applicants either live or work Pittsburg. Providing affordable housing for current Pittsburg residents or Pittsburg workers is not only a concern but a challenge.

RGM's proposed income matrix shows receiving funding from the County RAD and PBV programs. The RAD and PBV funds enable the County to have leasing priority on 24 units to house tenants in the RAD program or applicants on the County's waiting list. The only way that a Pittsburg resident or Pittsburg worker could compete for the RAD and PBV units at Woods Grove would be if the Pittsburg resident or Pittsburg worker applied to the County and is placed on the County's waiting list, presumably competing with many more applicants. Because of this priority, the Pittsburg residents or Pittsburg workers on the Housing Authority waiting list may be forced to move out of the community because they cannot find affordable housing in Pittsburg.

There is a significant concern when prospective tenants from other communities have priority over and essentially displace the Pittsburg Housing Authority applicants or Pittsburg workers who are already active members of the Pittsburg community.

Furthermore, in the last four years, there have been 827 public safety related calls of various types at Wood Grove; an average of approximately 207 per year. Some of these events may have been prevented by the use of on-site security and/or security cameras as a deterrent. The City and RGM discussed some security features that would benefit the community, neighborhood, and region. These security features may include, but are not limited to, participating in the Crime Free Housing Program and installation of cameras. RGM said that it would consider the installation and implementation of these security features. The most recent affordable housing project in the City also agreed to these security features.

If RGM chooses to not work with the City to address these concerns, it is likely that Woods Grove will continue to place a significant burden on the City's law enforcement resources.

Finally, maintenance of the Project is another concern. While the Project will provide much needed improvements to Woods Grove, how well it will be maintained is a concern. RGM

has assured the City of its dedication to maintaining its projects. The City proposed that RGM consider entering into a memorandum of understanding ("MOU") whereby if the management of Woods Grove fails to maintain the property in later years, the City may step in to complete the needed maintenance and invoice Woods Grove for the effort. This will ensure that the property does not become blighted and that the community, neighborhood, and region continue to benefit and thrive from RGM's renovation efforts. The City will not need to step in if RGM adequately maintains the property. The most recent affordable housing project in the City executed a similar agreement with the City.

The City and Housing Authority support efforts in the creation or preservation of affordable housing. However, until: 1) RGM has a plan on how to house Pittsburgh residents or Pittsburgh workers from the Housing Authority's waiting list; and 2) the City has confirmation, by an execution of an MOU with RGM, of RGM's commitment to adequate ongoing security and maintenance, the City and Housing Authority have no choice but to oppose the Project at this time. The City and Housing Authority support its community and wants developers to be a good neighbor by helping to ensure the community's safety and quality of life.

ATTACHMENTS:      Conduit Issuer Program Local Review

Report Prepared By: Maria M. Aliotti, Development Manager



California Housing Finance Agency

## Conduit Issuer Program

### Local Review

(PLEASE USE EXTRA SHEETS AS NECESSARY)

Please note that Local Review must be returned no later than 10 business days after receipt

Payment of \$500 will be provided only upon timely return of Local Review

Please see return instructions located after the signature block

Project Name: Woods Grove Apartments

Project Address: 850 E. Leland Road, Pittsburg 94565, Contra Costa County

Local Agency: City of Pittsburg

Agency Address: 65 Civic Ave., Pittsburg, CA 94565

Reviewer's Name: Joe Sbranti, City Manager

Telephone Number: 925-252-4923 jsbranti@ci.pittsburg.ca.us

### Site Information

- 1). Are there any further any state/local approvals still required from the Planning Commission, City Council, or Board of Supervisors for this project? Yes ☒ No ☐  
*If yes, please list:*

Prior to the commencement of the proposed project, a design review process will be required by the Planning Commission. Building, encroachment, and/or other types of permits may be required prior to the commencement of the improvements.

### Housing Need & Neighborhood Revitalization and Balanced Communities

- 2). Will the project benefit the community, region, and neighborhood? Yes ☒ No ☒  
*Please explain:*

The proposed project may benefit its tenants and the neighborhood since the apartment complex will be improved and will extend the availability of affordable housing. The amount of work generated by the proposed project may be of benefit to the region if Reliant Group Management ("RGM") hires local contractors, local subcontractors, and local service providers to perform the improvements and hires locally to assist in the management of the project after completion of the improvements.

In the last four years, there have been 827 public safety related calls of various types; an average of approximately 207 per year. Below is a list of the types of calls.

| DESCRIPTION                     | Total |
|---------------------------------|-------|
| 911 Abandoned Call              | 4     |
| 911 Error                       | 2     |
| 911 Unknown Emergency           | 11    |
| 911 Wireless Caller             | 2     |
| Accident w/Injury               | 2     |
| Accident w/Property Damage Only | 2     |
| Alarm                           | 4     |
| Animal Control                  | 4     |
| Assault with a Deadly Weapon    | 1     |
| Battery                         | 7     |
| Burglary                        | 1     |
| Civil Issue                     | 76    |
| Civil Standby                   | 2     |
| Court Order Violation           | 1     |
| Criminal Threats                | 1     |
| Death/Suicide                   | 1     |
| Dependent Children              | 2     |
| Deprivation of Child Custody    | 1     |
| Disturbing the Peace            | 92    |
| Domestic Battery                | 1     |
| Fire Information                | 49    |
| Follow Up                       | 2     |
| Forgery                         | 2     |
| Grand Theft                     | 1     |
| Grand Theft - Access Card       | 3     |
| Hit and Run                     | 1     |
| Lewd Acts with a Child          | 1     |
| Lost Property                   | 1     |
| Medical Call                    | 4     |
| Mental Health Evaluation        | 11    |
| Missing Juvenile                | 1     |
| Other Felony                    | 1     |
| Other Miscellaneous             | 15    |
| Other Misdemeanor               | 1     |
| Outside Assist                  | 20    |
| Patrol Request                  | 22    |
| Petty Theft                     | 8     |
| Possession of Methamphetamine   | 2     |
| Private Property Tow            | 134   |
| Probation Violation             | 1     |
| Promiscuous Shooting            | 1     |
| Public Intoxication             | 1     |
| Public Nuisance                 | 1     |
| Rape                            | 2     |
| Reckless Driving                | 1     |
| Resisting Arrest                | 3     |
| Robbery                         | 1     |

|                                |     |
|--------------------------------|-----|
| Runaway Juvenile               | 11  |
| Service to Citizen             | 90  |
| Shooting at Inhabited Dwelling | 1   |
| Stolen Vehicle                 | 36  |
| Stolen Vehicle - Recovery      | 14  |
| Supplemental Report            | 34  |
| Suspicious Circumstance        | 46  |
| Suspicious Person Stop         | 10  |
| Suspicious Vehicle Stop        | 11  |
| Tampering with a Vehicle       | 1   |
| Theft by False Pretenses       | 1   |
| Trespassing                    | 7   |
| Unknown                        | 1   |
| Vandalism                      | 11  |
| Vehicle Code Violation         | 29  |
| Vehicle Repossession           | 6   |
| Warrant Arrest                 | 8   |
| Welfare Check                  | 3   |
| (blank)                        |     |
| Grand Total                    | 827 |

Some of these events may have been prevented by the use of on-site security and/or security cameras as a deterrent. During the meeting with RGM on 06/27/17, the City and RGM discussed some security features that would benefit the community, neighborhood, and region. These security features may include but are not limited to participating in the Crime Free Housing Program and installation of cameras. RGM said that it would consider the installation and implementation of these security features. The most recent affordable housing project in the City agreed to these matters.

If RGM chooses to not work with the City to address these concerns, it is likely that Woods Grove will continue to place a significant burden on the City's law enforcement resources.

3). Are there community concerns regarding the project?

Yes ☒

No ☐

*Comments:*

Maintenance of the project is another concern. While the proposed project will provide much needed improvements to Woods Grove, how well it will be maintained is a concern. RGM has assured the City of its dedication to maintaining its projects. The City proposed that RGM consider entering into a memorandum of understanding ("MOU") whereby if the management of Woods Grove fails to maintain the property in later years, the City may step in to complete the needed maintenance and invoice Woods Grove for the effort. This will ensure that the property does not become blighted and that the community, neighborhood, and region continue to benefit and thrive from RGM's renovation efforts.

The City will never need to step in if RGM adequately maintains the property. The most recent affordable housing project in the City executed a similar agreement with the City.

Finally, providing affordable housing for current Pittsburg residents or Pittsburg workers is not only a concern but a challenge. Currently, the Pittsburg Housing Authority has 4,817 applicants on its waiting list. Out of the 4,817 applicants, 1,796 currently reside in Pittsburg and 1,411 are employed in Pittsburg. Approximately 67% of the applicants either live or work in Pittsburg.

RGM's proposed income matrix shows receiving funding from the Contra Costa County Housing Authority's ("County") Rental Assistance Demonstration (RAD) and project based voucher (PBV) programs. The RAD and PBV funds would enable the County to have leasing priority on 24 units to house tenants from the County's RAD program or applicants on the County's waiting list. The only way that a Pittsburg resident or Pittsburg worker could compete for the RAD and PBV units at Woods Grove would be if the Pittsburg resident or Pittsburg worker applied to the County and was placed on the County's waiting list, presumably competing with many more applicants.

There is a significant concern when prospective tenants from other communities have priority over and essentially displace the Pittsburg Housing Authority applicants or Pittsburg workers who are already active members of the Pittsburg community.

#### **Development Costs and Local Assistance**

- 4). Is your agency providing financial assistance to the project? Yes ☐ No ☒

If so, do the amounts in the application reflect the municipality/agency's contract/commitment amount?

Yes ☐ No ☐

*If no, please explain:*

#### **Developer and Management Experience**

- 5). Has this developer (See application) built in your community? Yes ☐ No ☒  
*Comments:*

Was the developer's performance satisfactory?  
*Comments:*

Yes ☐ No ☐

- 6). Is the management company (See Application) currently managing in your community? Yes ☐ No ☒  
*Comments:*

Has the management company's performance been satisfactory?  
*Comments:*

Yes ☐ No ☐

#### **Support:**

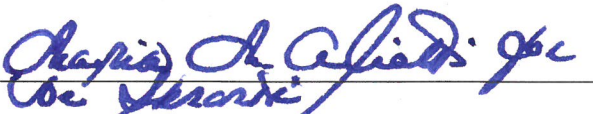
- 7). Do you support this project?



☐ Strongly support   ☐ Support   ☐ No position   ☒ Oppose   ☐ Strongly oppose

*Please explain:*

The City supports efforts in the creation or preservation of affordable housing. However, until the City has confirmation, by an execution of an MOU with RGM, of RGM's commitment to adequate ongoing security and maintenance, plus that RGM has a plan on how to house Pittsburg residents or Pittsburg workers, the City is not able to support the proposed project at this time. The City supports its community and wants developers to be a good neighbor by helping to ensure the community's safety and quality of life.

Signature:   
Print Name: Maria M. Aliotti for Joe Sbranti  
Date: July 3, 2017

Please return Local Review via e-mail to:

- Kevin Brown , Multifamily Programs
- Email address: kbrown@calhfa.ca.gov
- Phone: 916-326-8808
- Fax: 916-327-5115

**Attached: CalHFA Conduit Application**

**CITY OF PITTSBURG  
HOUSING AUTHORITY MEETING MINUTES**

**DATE:** June 19, 2017

**LOCATION:** Council Chamber, City Hall, 65 Civic Avenue, Pittsburg, CA 94565

**CITY COUNCIL/AGENCY MEMBERS**

Marilyn Craft, Mayor/Chair  
Dwaine "Pete" Longmire, Vice-Mayor/Chair Member  
Sal Evola, Council/Agency Member  
Juan Antonio Banales, Council/Agency Member  
Jelani Killings, Council/Agency Member  
Michelle King, Agency Member  
Annie Hill Herring, Agency Member

**APPOINTED OFFICIALS**

Joe Sbranti, City Manager/Executive Director  
Ruthann Ziegler, City Attorney/Legal Counsel  
Alice E. Evenson, City Clerk/Agency Secretary (elected)  
Nancy Parent, City Treasurer (elected)

**CALL TO ORDER**

Chair Craft called the meeting of the Housing Authority to order at 7:15 P.M. in the City Council Chamber at City Hall, 65 Civic Avenue, Pittsburg, California.

**ROLL CALL**

All Members were present.

**CONSENT CALENDAR**

On motion by Vice Chair Longmire, seconded by Member King, to adopt and carried unanimously.

2. Minutes of May 15, 2017
3. Disbursement List of May 31, 2017
4. Adoption of a Housing Authority Resolution for Approval of the Operating Budget Plan for Fiscal Year 2017-18 for the City of Pittsburg Housing Authority and Appropriation of Funds for Fiscal Year 2017-18
5. Adoption of a Housing Authority Resolution to Approve the Pittsburg Chamber of Commerce 2017-2018 Lease and Common Area Maintenance

## **ADJOURNMENT**

The Housing Authority was adjourned at 7:16 P.M. to July 17, 2017.

Respectfully submitted,

Alice E. Evenson, Secretary

# PITTSBURG HOUSING AUTHORITY

## Disbursement List Summary

For the month of June 2017

| VOUCHERS | Ck#                                  | Amount              | HAP <sub>1</sub>    | VASH <sub>1</sub> | UR <sub>3</sub> | Portability      | Admin. Fee      | TOTAL                  |
|----------|--------------------------------------|---------------------|---------------------|-------------------|-----------------|------------------|-----------------|------------------------|
|          | 146020 -146144<br>60117001- 60117486 | 1,274,447.61        | 1,104,770.89        | 136,561.00        | 9,184.62        | 17,575.00        | 6,356.10        | 1,274,447.61           |
|          | 146145-146152<br>61517001-61517056   | 42,414.90           | 26,544.00           | 2,058.00          | 189.00          | 13,286.00        | 337.90          | 42,414.90              |
|          | <b>TOTAL</b>                         | <b>1,316,862.51</b> | <b>1,131,314.89</b> | <b>138,619.00</b> | <b>9,373.62</b> | <b>30,861.00</b> | <b>6,694.00</b> | <b>\$ 1,316,862.51</b> |

<sup>1</sup>Housing Assistance Payment

<sup>2</sup>Veterans Affairs Supportive Housing

<sup>3</sup>Utility Reimbursement

| ADMINISTRATIVE EXPENSES   | Amount            | Description                                 | TOTAL             |
|---------------------------|-------------------|---------------------------------------------|-------------------|
| Paid to                   | \$ 53,176.20      | Full Time salaries                          | \$ 53,176.20      |
| City of Pittsburg         | \$ -              | Stipend                                     | -                 |
| (6/17 Operating Expenses) | -                 | Part Time salaries                          | -                 |
|                           | -                 | Overtime salaries                           | -                 |
|                           | 7,157.40          | Retirement                                  | 7,157.40          |
|                           | 8,958.25          | Retirement-Pension bonds                    | 8,958.25          |
|                           | 17,225.19         | Health Insurance                            | 17,225.19         |
|                           | 118.12            | Life Insurance                              | 118.12            |
|                           | 1,460.70          | Dental Insurance                            | 1,460.70          |
|                           | 3,011.58          | Workers Comp                                | 3,011.58          |
|                           | 314.03            | Unemployment Insurance                      | 314.03            |
|                           | 140.74            | Disability Ins.                             | 140.74            |
|                           | 4,038.02          | FICA                                        | 4,038.02          |
|                           | 1,005.00          | Deferred Compensation                       | 1,005.00          |
|                           | 606.58            | Allocated Retiree/Med/Vac Buy-Bk/Empl Term  | 606.58            |
|                           | 2,687.50          | Retiree OPEB Costs                          | 2,687.50          |
|                           | 934.66            | Office Supplies                             | 934.66            |
|                           | -                 | Textbooks                                   | -                 |
|                           | 538.24            | Postage                                     | 538.24            |
|                           | -                 | Misc Equip & Furniture < \$5,000            | -                 |
|                           | -                 | Other Special Departmental Supplies         | -                 |
|                           | 1,266.72          | Utilities (Gas, Electric & Water)           | 1,266.72          |
|                           | 714.47            | Telephone - Regular                         | 714.47            |
|                           | 82.00             | Telephone - Other                           | 82.00             |
|                           | -                 | Membership Dues & Subscriptions             | -                 |
|                           | 483.18            | Travel, Training, & Conference              | 483.18            |
|                           | 1,312.91          | Insurance - Alloc Chgs                      | 1,312.91          |
|                           | -                 | Legal Fees                                  | -                 |
|                           | -                 | Auditing Expense                            | -                 |
|                           | -                 | Settlement Hearing                          | -                 |
|                           | 1,198.70          | Other Contractual & Professional Service    | 1,198.70          |
|                           | -                 | Advertising & Promotion                     | -                 |
|                           | 4,152.70          | Maintenance Agreements                      | 4,152.70          |
|                           | -                 | Maintenance & Repairs                       | -                 |
|                           | 310.36            | Equipment Rental                            | 310.36            |
|                           | 2,375.00          | Building Rental                             | 2,375.00          |
|                           | 571.91            | Fleet Maintenance Alloc Chgs                | 571.91            |
|                           | 1,276.16          | Building Maintenance Alloc Chgs             | 1,276.16          |
|                           | 2,655.41          | Information Systems Alloc Chgs              | 2,655.41          |
|                           | 9,122.83          | Bad Debt Expense                            | 9,122.83          |
|                           | 4,376.66          | Admin overhead paid to city                 | 4,376.66          |
|                           | 548.44            | Legal - Non Retainer/Non Reimbursable       | 548.44            |
|                           | 65.63             | Utilities (Gas, Electric, & Water) - Rental | 65.63             |
|                           | -                 | Advertising & Promotion                     | -                 |
|                           | 225.00            | Maintenance & Repairs - Rental              | 225.00            |
|                           | -                 | Property Tax payment - Rental               | -                 |
|                           | 120.35            | Other fees - Rental                         | 120.35            |
|                           | -                 | Lighting & Landscape Assessment - Rental    | -                 |
|                           | 30,982.00         | CCCERA Interfund Loan Payback               | 30,982.00         |
|                           | 1,465.91          | Transfer-Out to OPEB (Unfunded Liabilities) | 1,465.91          |
| <b>TOTAL</b>              | <b>164,678.55</b> |                                             | <b>164,678.55</b> |

| VOIDED CHECKS & ADJUSTMENTS | Ck#          | Amount          | Reason                   | TOTAL              |
|-----------------------------|--------------|-----------------|--------------------------|--------------------|
|                             | 146007       | (598.58)        | Voided - absorbed tenant | (598.58)           |
|                             | <b>TOTAL</b> | <b>(598.58)</b> |                          | <b>\$ (598.58)</b> |

**NET of Issued and Voided \$ 1,480,942.48**

*Dianna* 7/5/17  
*B* 7/6/17

# Check Summary

June 1, 2017

| Check<br>Number       | Check Date | Payee Tax ID | Payee                | Amount |
|-----------------------|------------|--------------|----------------------|--------|
| <b>Choice Voucher</b> |            |              |                      |        |
| * 146020              | 6/1/17     | *****2494    | Amana K Cornish      | 171.00 |
| 146021                | 6/1/17     | *****1508    | Angela N Taylor      | 183.00 |
| 146023                | 6/1/17     | *****6117    | Athena A Ruiz        | 136.00 |
| 146024                | 6/1/17     | *****8598    | Cheryl A Edwards     | 43.00  |
| 146025                | 6/1/17     | *****5232    | Danielle M Thomas    | 83.00  |
| 146026                | 6/1/17     | *****6061    | Denise R Ford        | 44.00  |
| 146027                | 6/1/17     | *****6094    | Devon D Cravanas     | 24.00  |
| 146028                | 6/1/17     | *****7930    | Donald R Watson, Sr. | 344.89 |
| 146029                | 6/1/17     | *****2940    | Donnette L Terrell   | 103.00 |
| 146030                | 6/1/17     | *****2521    | Erica W Kelley       | 179.00 |
| 146031                | 6/1/17     | *****8921    | I'Janae D Elder      | 78.00  |
| 146032                | 6/1/17     | *****7375    | Johnnie B Hayes      | 1.00   |
| 146033                | 6/1/17     | *****6990    | Kaylah J Ward        | 19.00  |
| 146034                | 6/1/17     | *****6519    | Krystal M Williams   | 82.00  |
| 146035                | 6/1/17     | *****0262    | Lalinda M Reyna      | 27.00  |
| 146036                | 6/1/17     | *****9706    | Lenaye A Lee-Carter  | 7.00   |
| 146037                | 6/1/17     | *****6385    | Marcia Price         | 85.00  |
| 146038                | 6/1/17     | *****7280    | Mareece M Harrison   | 19.00  |
| 146039                | 6/1/17     | *****5133    | Mary P Grigsby       | 16.00  |
| 146040                | 6/1/17     | *****4119    | Pashenia D Sanders   | 158.00 |
| 146041                | 6/1/17     | *****6216    | Ricola N Tiger       | 23.00  |
| 146042                | 6/1/17     | *****6935    | Samaiyah A Warren    | 131.00 |
| 146044                | 6/1/17     | *****1512    | Shawn A Prince       | 4.00   |
| 146045                | 6/1/17     | *****3058    | Sherlina R Reed      | 75.00  |
| 146046                | 6/1/17     | *****3542    | Starr C Bronson      | 11.00  |
| 146048                | 6/1/17     | *****5605    | Tomicka M Brumfield  | 66.00  |
| 146051                | 6/1/17     | *****7492    | Yeong P McMorris     | 154.00 |
| 146052                | 6/1/17     | *****1418    | Patricia A Blocker   | 51.00  |
| 146053                | 6/1/17     | *****8240    | Vanna L Warga        | 172.00 |
| 146055                | 6/1/17     | *****2890    | Raquel E Miller      | 30.00  |
| 146056                | 6/1/17     | *****0864    | Rochelle Scurlock    | 88.00  |
| 146057                | 6/1/17     | *****8623    | Kimberly A Limas     | 138.00 |
| 146058                | 6/1/17     | *****7724    | Carla R Fortenberry  | 3.00   |
| 146059                | 6/1/17     | *****4208    | Ono c Rothschild     | 171.00 |

|        |        |           |                           |        |
|--------|--------|-----------|---------------------------|--------|
| 146060 | 6/1/17 | *****2184 | Evelyn Smith              | 295.00 |
| 146061 | 6/1/17 | *****1433 | Tamiesha S Smith          | 83.00  |
| 146062 | 6/1/17 | *****2077 | Samantha L Reed           | 3.00   |
| 146063 | 6/1/17 | *****6624 | Cyndie I Bliss            | 62.00  |
| 146064 | 6/1/17 | *****8683 | Angel M Gulley            | 81.00  |
| 146065 | 6/1/17 | *****4785 | Kanya D Ridley            | 214.00 |
| 146066 | 6/1/17 | *****6527 | Brandi N Davis            | 176.00 |
| 146067 | 6/1/17 | *****5753 | Kevin j Hernandez         | 218.00 |
| 146068 | 6/1/17 | *****6015 | Sherron A Camp            | 133.00 |
| 146069 | 6/1/17 | *****7911 | Jackie I Haywood          | 172.00 |
| 146070 | 6/1/17 | *****2405 | Christina M Torres-Turner | 172.00 |
| 146071 | 6/1/17 | *****6241 | Felisha L Lee             | 145.00 |
| 146072 | 6/1/17 | *****2941 | Sadrina Sims              | 214.00 |
| 146073 | 6/1/17 | *****4353 | Linda S Killion           | 11.00  |
| 146074 | 6/1/17 | *****3256 | Melanie M Brooks          | 14.00  |
| 146075 | 6/1/17 | *****5492 | Michelle m Williams       | 89.00  |
| 146076 | 6/1/17 | *****3136 | Sheree M Nessler          | 119.00 |
| 146077 | 6/1/17 | *****0046 | Letta D Christian         | 91.00  |
| 146078 | 6/1/17 | *****7135 | Michele N Nichols         | 96.00  |
| 146079 | 6/1/17 | *****5626 | Lashawn P Fields          | 42.00  |
| 146080 | 6/1/17 | *****4702 | Tracey S Russell          | 14.00  |
| 146081 | 6/1/17 | *****4331 | Mildred L Edwards         | 151.00 |
| 146082 | 6/1/17 | *****4559 | Julie A Young             | 44.00  |
| 146083 | 6/1/17 | *****4831 | Valencia M Griffin        | 51.00  |
| 146084 | 6/1/17 | *****0248 | Abdul A Wardak            | 25.00  |
| 146085 | 6/1/17 | *****1715 | Chantal L Bolden          | 154.00 |
| 146086 | 6/1/17 | *****1015 | Jessica D Parker          | 214.00 |
| 146087 | 6/1/17 | *****2695 | Monique Thompson          | 27.00  |
| 146088 | 6/1/17 | *****1686 | Jasmine J Jackson         | 46.00  |
| 146089 | 6/1/17 | *****5298 | Gloria F Nelson           | 14.00  |
| 146090 | 6/1/17 | *****6507 | Melissa R Griffin         | 14.00  |
| 146091 | 6/1/17 | *****3602 | Michelle R Moorehead      | 8.00   |
| 146092 | 6/1/17 | *****3869 | Charlene M Best           | 87.00  |
| 146093 | 6/1/17 | *****4721 | Ebony N Manning           | 66.00  |
| 146094 | 6/1/17 | *****2217 | Camille A Lascano         | 1.00   |
| 146095 | 6/1/17 | *****8078 | Lisa E Gordon             | 12.00  |
| 146096 | 6/1/17 | *****4136 | Sheiliece e Johnson       | 92.00  |
| 146098 | 6/1/17 | *****7191 | Marcelene Brooks          | 68.00  |
| 146099 | 6/1/17 | *****3065 | Amber S Beshears          | 4.00   |
| 146100 | 6/1/17 | *****1391 | Cynthia L Walters         | 151.00 |
| 146101 | 6/1/17 | *****1606 | Tamika Brown              | 35.00  |

|        |        |           |                                                         |          |
|--------|--------|-----------|---------------------------------------------------------|----------|
| 146102 | 6/1/17 | *****3905 | Avisha c Augustus                                       | 106.00   |
| 146103 | 6/1/17 | *****5083 | Crystal j Houston                                       | 131.00   |
| 146104 | 6/1/17 | *****3183 | Sonja I Campos                                          | 40.00    |
| 146105 | 6/1/17 | *****5072 | Chawnette D Sneed                                       | 47.00    |
| 146106 | 6/1/17 | *****3490 | Tameca L Reese                                          | 155.00   |
| 146107 | 6/1/17 | *****8818 | Lisa n Macpheators                                      | 129.00   |
| 146108 | 6/1/17 | *****2559 | Amira C Smith                                           | 35.00    |
| 146109 | 6/1/17 | *****8566 | Twyla M Lumsey                                          | 29.00    |
| 146110 | 6/1/17 | *****3277 | Stacie J Hogan                                          | 41.00    |
| 146111 | 6/1/17 | *****6969 | Judy J Nelum                                            | 9.00     |
| 146112 | 6/1/17 | *****3349 | Iris S Randall                                          | 37.00    |
| 146113 | 6/1/17 | *****0840 | Dalisha L Bernstine                                     | 101.00   |
| 146114 | 6/1/17 | *****7242 | Johnisha K Downs                                        | 100.00   |
| 146115 | 6/1/17 | *****1238 | Ramonda A Carlos                                        | 141.00   |
| 146116 | 6/1/17 | *****6995 | Graciela Arroyo                                         | 56.00    |
| 146117 | 6/1/17 | *****7390 | Masuda Nawabi                                           | 28.00    |
| 146118 | 6/1/17 | *****1951 | Vinisha D Thornton                                      | 214.00   |
| 146119 | 6/1/17 | *****5549 | Jessica L Williams                                      | 9.00     |
| 146120 | 6/1/17 | *****7822 | Daudi K Edmond                                          | 36.00    |
| 146121 | 6/1/17 | *****5758 | Monique c Chaves                                        | 113.00   |
| 146122 | 6/1/17 | *****3226 | Riquel A Neal                                           | 190.00   |
| 146123 | 6/1/17 | *****1164 | Michelle M Balestrieri                                  | 144.00   |
| 146124 | 6/1/17 | *****6095 | Leilani S Gomez                                         | 39.00    |
| 146125 | 6/1/17 | *****7882 | Deja L Horton                                           | 158.00   |
| 146126 | 6/1/17 | *****8167 | ABJ Enterprises, Inc. dba Blue Line Property Management | 2,000.00 |
| 146127 | 6/1/17 | *****9326 | Western Addition Apartments, LLC                        | 1,463.00 |
| 146128 | 6/1/17 | *****8574 | Alamo Square Apartments LLC                             | 2,014.00 |
| 146131 | 6/1/17 | *****3423 | Sally Lea Hickman                                       | 1,234.00 |
| 146132 | 6/1/17 | *****6180 | K. E. M. Group LLC                                      | 1,934.00 |
| 146133 | 6/1/17 | *****0978 | King County Housing Authority                           | 1,414.58 |
| 146134 | 6/1/17 | *****6908 | Haiyan Lan                                              | 2,076.00 |
| 146135 | 6/1/17 | *****1494 | Xiangwen Lu                                             | 2,086.00 |
| 146136 | 6/1/17 | *****3848 | Leticia Carasi Malasig                                  | 204.00   |
| 146137 | 6/1/17 | *****3124 | Dante McDonald                                          | 1,036.00 |
| 146138 | 6/1/17 | *****2593 | Ba Nguyen<br>Thu Thi Ngo                                | 1,741.00 |
| 146139 | 6/1/17 | *****9618 | Oklahoma Housing Finance Agency                         | 598.58   |
| 146140 | 6/1/17 | *****6230 | Effie R. Page                                           | 1,730.00 |
| 146141 | 6/1/17 | *****9182 | Lorene Paysinger                                        | 1,790.00 |
| 146142 | 6/1/17 | *****7243 | Linda Phon                                              | 932.00   |



|            |        |           |                                                 |         |           |
|------------|--------|-----------|-------------------------------------------------|---------|-----------|
| 146143     | 6/1/17 | *****4614 | Vincenzo Signorino                              |         | 1,341.00  |
| 146144     | 6/1/17 | *****0126 | Marina West 10 LLC                              |         | 1,450.00  |
| * 60117001 | 6/1/17 | *****2626 | 9th Street Associates, LP                       | DD - ES | 3,945.00  |
| 60117002   | 6/1/17 | *****0229 | Meerwais Abdiani                                | DD - ES | 877.00    |
| 60117003   | 6/1/17 | *****6825 | A Classey Corp.<br>DBA: ACL Property Management | DD - ES | 5,630.00  |
| 60117004   | 6/1/17 | *****3963 | Rohit V Aggarwal                                | DD - ES | 1,251.00  |
| 60117005   | 6/1/17 | *****6232 | Rosario Aguilar                                 | DD - ES | 885.00    |
| 60117006   | 6/1/17 | *****5759 | Rosa Aguirre                                    | DD - ES | 1,875.00  |
| 60117007   | 6/1/17 | *****9530 | Demetrius Alexander                             | DD - ES | 1,365.00  |
| 60117008   | 6/1/17 | *****2539 | Ida Alfaro                                      | DD - ES | 368.00    |
| 60117009   | 6/1/17 | *****3510 | Altisource Residential Corporation              | DD - ES | 1,049.00  |
| 60117010   | 6/1/17 | *****9681 | Dale Alvarez                                    | DD - ES | 1,489.00  |
| 60117011   | 6/1/17 | *****0387 | James or Brenda Anderson                        | DD - ES | 1,783.00  |
| 60117012   | 6/1/17 | *****5255 | Linda S Anderson                                | DD - ES | 2,734.00  |
| 60117013   | 6/1/17 | *****2467 | Waheed Arabshahi                                | DD - ES | 1,822.00  |
| 60117014   | 6/1/17 | *****8701 | Mariteresa Arenson<br>c/o Select 1 Realty       | DD - ES | 1,955.00  |
| 60117015   | 6/1/17 | *****0707 | Sergeant or Sima Austin                         | DD - ES | 1,318.00  |
| 60117016   | 6/1/17 | *****3967 | Ajay Banga                                      | DD - ES | 2,800.00  |
| 60117017   | 6/1/17 | *****2764 | Mel L. Banagan                                  | DD - ES | 1,369.00  |
| 60117018   | 6/1/17 | *****4138 | Carlos G. Barraza                               | DD - ES | 820.00    |
| 60117019   | 6/1/17 | *****7446 | Bay Burg Property, LLC                          | DD - ES | 1,031.00  |
| 60117020   | 6/1/17 | *****5979 | John Bedford                                    | DD - ES | 376.00    |
| 60117021   | 6/1/17 | *****9093 | Holly Beech                                     | DD - ES | 3,953.00  |
| 60117022   | 6/1/17 | *****8439 | Frank Belleci                                   | DD - ES | 1,379.00  |
| 60117023   | 6/1/17 | *****8614 | Charles Bell and Camino Johnson-Bell            | DD - ES | 1,668.00  |
| 60117024   | 6/1/17 | *****2521 | Belmont Apartments                              | DD - ES | 16,897.00 |
| 60117025   | 6/1/17 | *****2521 | Belmont Apartments                              | DD - ES | 16,896.00 |
| 60117026   | 6/1/17 | *****2521 | Belmont Apartments                              | DD - ES | 16,880.00 |
| 60117027   | 6/1/17 | *****2521 | Belmont Apartments                              | DD - ES | 17,438.00 |
| 60117028   | 6/1/17 | *****2521 | Belmont Apartments                              | DD - ES | 7,070.00  |
| 60117029   | 6/1/17 | *****5996 | Alex Benjamen                                   | DD - ES | 898.00    |
| 60117030   | 6/1/17 | *****7889 | Tennyson Berry                                  | DD - ES | 2,882.00  |
| 60117031   | 6/1/17 | *****0044 | Teresita R. Berdiago                            | DD - ES | 783.00    |
| 60117032   | 6/1/17 | *****8634 | Bethel Global Development LLC                   | DD - ES | 1,334.00  |
| 60117033   | 6/1/17 | *****7075 | Som N Bhatia                                    | DD - ES | 1,743.00  |
| 60117034   | 6/1/17 | *****0602 | Pinakin Bhatt                                   | DD - ES | 2,103.00  |
| 60117035   | 6/1/17 | *****8470 | Joseph B. Bachir                                | DD - ES | 1,064.00  |
| 60117036   | 6/1/17 | *****3895 | Anthony L. Blackburn                            | DD - ES | 1,425.00  |
| 60117037   | 6/1/17 | *****3502 | Black Diamond Management                        | DD - ES | 1,384.00  |



|          |        |           |                                              |         |          |
|----------|--------|-----------|----------------------------------------------|---------|----------|
| 60117038 | 6/1/17 | *****7357 | Shanxia Yang Bolton                          | DD - ES | 477.00   |
| 60117039 | 6/1/17 | *****5924 | Steven Booras                                | DD - ES | 1,477.00 |
| 60117040 | 6/1/17 | *****3037 | Kelly Ann Bradford                           | DD - ES | 1,545.00 |
| 60117041 | 6/1/17 | *****3015 | Michael Brady                                | DD - ES | 499.00   |
| 60117042 | 6/1/17 | *****5829 | Brian Carter                                 | DD - ES | 1,588.00 |
| 60117043 | 6/1/17 | *****0658 | Earlean Brown                                | DD - ES | 2,331.00 |
| 60117044 | 6/1/17 | *****6215 | Janet Brown                                  | DD - ES | 715.00   |
| 60117045 | 6/1/17 | *****7469 | Jessica G. or Sean Brophy                    | DD - ES | 1,188.00 |
| 60117046 | 6/1/17 | *****9783 | Lauren H Brown                               | DD - ES | 1,324.00 |
| 60117047 | 6/1/17 | *****9954 | Blue Sapphire Homes, Inc.                    | DD - ES | 1,902.00 |
| 60117048 | 6/1/17 | *****2142 | Huong T. Bui                                 | DD - ES | 2,699.00 |
| 60117049 | 6/1/17 | *****3080 | Vu Manh Bui                                  | DD - ES | 1,540.00 |
| 60117050 | 6/1/17 | *****3187 | Burga Family California Trust                | DD - ES | 1,975.00 |
| 60117052 | 6/1/17 | *****5586 | John R. Burk or Carla Burk                   | DD - ES | 1,565.00 |
| 60117054 | 6/1/17 | *****3026 | Jerome Busby                                 | DD - ES | 2,021.00 |
| 60117055 | 6/1/17 | *****7349 | Xuelong Cao                                  | DD - ES | 764.00   |
| 60117057 | 6/1/17 | *****4042 | Donnell I. Carson                            | DD - ES | 1,715.00 |
| 60117058 | 6/1/17 | *****5079 | Castle Creek Company, Inc.                   | DD - ES | 1,207.00 |
|          |        |           | Trust Account                                |         |          |
| 60117059 | 6/1/17 | *****8164 | Ricardo C. Cayabyab                          | DD - ES | 1,387.00 |
| 60117060 | 6/1/17 | *****6869 | Cora Ann Chambers                            | DD - ES | 1,542.00 |
| 60117061 | 6/1/17 | *****6228 | Gayle Chamberlain                            | DD - ES | 1,712.00 |
| 60117062 | 6/1/17 | *****0398 | Kan Chuen Chan                               | DD - ES | 1,950.00 |
| 60117063 | 6/1/17 | *****5571 | P. M. Chaobal                                | DD - ES | 2,600.00 |
| 60117064 | 6/1/17 | *****1853 | Hong Chen                                    | DD - ES | 1,745.00 |
| 60117065 | 6/1/17 | *****8946 | Jienlin Chen                                 | DD - ES | 2,017.00 |
| 60117066 | 6/1/17 | *****0128 | Ping Chen                                    | DD - ES | 1,359.00 |
| 60117067 | 6/1/17 | *****2680 | Sherry Chen                                  | DD - ES | 569.00   |
| 60117068 | 6/1/17 | *****5473 | Hwa-Yoong Chiu                               | DD - ES | 1,704.00 |
| 60117069 | 6/1/17 | *****3211 | Ada Choi                                     | DD - ES | 1,851.00 |
| 60117070 | 6/1/17 | *****2454 | Chun Ok Choi                                 | DD - ES | 1,502.00 |
| 60117071 | 6/1/17 | *****0310 | City of Pittsburg Housing Authority          | DD - ES | 4,433.00 |
| 60117072 | 6/1/17 | *****3591 | Juan F. Clara                                | DD - ES | 1,523.00 |
| 60117073 | 6/1/17 | *****7054 | Ping Cao                                     | DD - ES | 1,427.00 |
| 60117074 | 6/1/17 | *****1362 | College Park Housing Authority               | DD - ES | 1,140.58 |
| 60117075 | 6/1/17 | *****8060 | Betty Conner                                 | DD - ES | 958.00   |
| 60117076 | 6/1/17 | *****3394 | Kim Cortesi                                  | DD - ES | 1,700.00 |
| 60117084 | 6/1/17 | *****7194 | Maria G. Costa                               | DD - ES | 739.00   |
| 60117085 | 6/1/17 | *****1944 | Melonie C. Miles - Trustee                   | DD - ES | 1,684.00 |
|          |        |           | Phillip Cotton and Freddie Cotton 2005 Trust |         |          |
| 60117086 | 6/1/17 | *****9808 | Yolo County Housing Authority                | DD - ES | 445.58   |

|          |        |           |                                                                  |         |           |
|----------|--------|-----------|------------------------------------------------------------------|---------|-----------|
| 60117087 | 6/1/17 | *****3772 | Creekside Apartment Investors LLC<br>DBA Creekside Village       | DD - ES | 16,595.00 |
| 60117088 | 6/1/17 | *****3772 | Creekside Apartment Investors LLC<br>DBA Creekside Village       | DD - ES | 20,446.00 |
| 60117089 | 6/1/17 | *****3772 | Creekside Apartment Investors LLC<br>DBA Creekside Village       | DD - ES | 14,900.00 |
| 60117090 | 6/1/17 | *****6569 | Jeannette D. Crespo                                              | DD - ES | 2,269.00  |
| 60117091 | 6/1/17 | *****4259 | Junie Varela Crosby                                              | DD - ES | 1,230.00  |
| 60117092 | 6/1/17 | *****9605 | Michelle D. Crosby                                               | DD - ES | 1,226.00  |
| 60117093 | 6/1/17 | *****7900 | Patricia Crosby                                                  | DD - ES | 1,225.00  |
| 60117094 | 6/1/17 | *****3327 | Jorge Robert Dagys Delevan<br>Catty Leticia Pajoluk              | DD - ES | 1,365.00  |
| 60117095 | 6/1/17 | *****2942 | Mary F Dahlquist                                                 | DD - ES | 4,428.00  |
| 60117096 | 6/1/17 | *****6248 | Justin Dailey                                                    | DD - ES | 1,255.00  |
| 60117097 | 6/1/17 | *****1622 | Dam Quang To                                                     | DD - ES | 3,126.00  |
| 60117098 | 6/1/17 | *****8853 | Antoinette Davis                                                 | DD - ES | 364.00    |
| 60117099 | 6/1/17 | *****2963 | Audrey Davis                                                     | DD - ES | 911.00    |
| 60117100 | 6/1/17 | *****0396 | Kesha E. Davis                                                   | DD - ES | 1,257.00  |
| 60117101 | 6/1/17 | *****8929 | Kevin Davidson                                                   | DD - ES | 847.00    |
| 60117102 | 6/1/17 | *****4961 | Paulette Davis                                                   | DD - ES | 1,319.00  |
| 60117103 | 6/1/17 | *****6115 | Roshan M. Davis                                                  | DD - ES | 1,377.00  |
| 60117104 | 6/1/17 | *****9068 | Jagdeep or Shashi Dayal                                          | DD - ES | 2,500.00  |
| 60117105 | 6/1/17 | *****8370 | Charles Dellamore                                                | DD - ES | 140.00    |
| 60117106 | 6/1/17 | *****5882 | David De La Torre                                                | DD - ES | 1,231.00  |
| 60117108 | 6/1/17 | *****1004 | Brigitte P. Doan                                                 | DD - ES | 4,200.00  |
| 60117109 | 6/1/17 | *****9716 | JoAnn or Larry Domina                                            | DD - ES | 1,141.00  |
| 60117110 | 6/1/17 | *****5043 | Alex Dongallo                                                    | DD - ES | 500.00    |
| 60117111 | 6/1/17 | *****4930 | Tuan Do                                                          | DD - ES | 2,050.00  |
| 60117112 | 6/1/17 | *****3109 | Doniki Dudley                                                    | DD - ES | 1,733.00  |
| 60117113 | 6/1/17 | *****6538 | Linda Duong                                                      | DD - ES | 689.00    |
| 60117114 | 6/1/17 | *****3406 | Mercy Housing California XXXVIII<br>East Leland Court Apartments | DD - ES | 7,177.00  |
| 60117115 | 6/1/17 | *****0372 | Doris Engle Family Ltd Partnership<br>c/o Select 1 Realty        | DD - ES | 1,114.00  |
| 60117116 | 6/1/17 | *****3757 | Alma B Espiritu                                                  | DD - ES | 1,702.00  |
| 60117117 | 6/1/17 | *****6095 | Rosario Espejo                                                   | DD - ES | 939.00    |
| 60117118 | 6/1/17 | *****0484 | Pedro Amaya Estrada                                              | DD - ES | 1,528.00  |
| 60117119 | 6/1/17 | *****7154 | Elham Falahat                                                    | DD - ES | 1,875.00  |
| 60117120 | 6/1/17 | *****6027 | Jianxin Fang<br>Jia Liu                                          | DD - ES | 3,828.00  |
| 60117121 | 6/1/17 | *****3835 | Michael Mao<br>C/O Jing Feng                                     | DD - ES | 2,054.00  |
| 60117122 | 6/1/17 | *****8236 | Anthony Ferrell                                                  | DD - ES | 1,506.00  |

|          |        |           |                                             |         |           |
|----------|--------|-----------|---------------------------------------------|---------|-----------|
| 60117123 | 6/1/17 | *****2790 | Barbara J. Fierner                          | DD - ES | 1,097.00  |
| 60117124 | 6/1/17 | *****9447 | Joseph Field                                | DD - ES | 1,262.00  |
| 60117125 | 6/1/17 | *****7691 | Hernan Roberto Figueroa                     | DD - ES | 961.00    |
| 60117126 | 6/1/17 | *****0962 | Tochia D. Brewster Fleeton                  | DD - ES | 937.00    |
| 60117127 | 6/1/17 | *****5773 | Alexander Flowers                           | DD - ES | 1,478.00  |
| 60117128 | 6/1/17 | *****1547 | HomeForward (Housing Authority of Portland) | DD - ES | 1,349.16  |
| 60117129 | 6/1/17 | *****4032 | Fox Creek Apartments                        | DD - ES | 19,779.00 |
| 60117130 | 6/1/17 | *****4032 | Fox Creek Apartments                        | DD - ES | 9,508.00  |
| 60117131 | 6/1/17 | *****0284 | Monica Fraga                                | DD - ES | 1,775.00  |
| 60117132 | 6/1/17 | *****6894 | Rejois O. Frazier or Leroy Myers            | DD - ES | 1,058.00  |
| 60117133 | 6/1/17 | *****8997 | Fan Fuller                                  | DD - ES | 908.00    |
| 60117134 | 6/1/17 | *****9634 | Gialene Gaines                              | DD - ES | 1,450.00  |
| 60117135 | 6/1/17 | *****8306 | Bao Wen Gao                                 | DD - ES | 1,809.00  |
| 60117136 | 6/1/17 | *****6981 | Adraine Gardner                             | DD - ES | 1,834.00  |
| 60117137 | 6/1/17 | *****4278 | Antoinette L Garcia                         | DD - ES | 1,226.00  |
| 60117138 | 6/1/17 | *****7036 | David Gardner                               | DD - ES | 2,876.00  |
| 60117139 | 6/1/17 | *****0785 | Rupesh Garg<br>Samantha Garg                | DD - ES | 2,218.00  |
| 60117140 | 6/1/17 | *****2931 | William H. Gardiner                         | DD - ES | 1,746.00  |
| 60117141 | 6/1/17 | *****5111 | Gateway Apartments                          | DD - ES | 5,047.00  |
| 60117142 | 6/1/17 | *****5298 | Parvindokht Ghaboulidashti                  | DD - ES | 835.00    |
| 60117143 | 6/1/17 | *****2770 | Eva Gholson                                 | DD - ES | 2,666.00  |
| 60117144 | 6/1/17 | *****1145 | Vernon or Eva Gholson                       | DD - ES | 2,315.00  |
| 60117145 | 6/1/17 | *****5958 | Jacqueline Gill                             | DD - ES | 1,041.00  |
| 60117146 | 6/1/17 | *****8187 | Sukpran Gill                                | DD - ES | 1,626.00  |
| 60117147 | 6/1/17 | *****3032 | Jesse Gonzaga                               | DD - ES | 923.00    |
| 60117148 | 6/1/17 | *****6940 | Frances Greene                              | DD - ES | 2,630.00  |
| 60117149 | 6/1/17 | *****4872 | Rodney Green                                | DD - ES | 1,177.00  |
| 60117150 | 6/1/17 | *****3361 | Rupinder Grewal                             | DD - ES | 1,925.00  |
| 60117151 | 6/1/17 | *****7325 | Patricia Gridley                            | DD - ES | 835.00    |
| 60117152 | 6/1/17 | *****6305 | Italo Grossi                                | DD - ES | 1,581.00  |
| 60117153 | 6/1/17 | *****6721 | Amparo Guardado<br>Cesar Q. Guardado        | DD - ES | 1,370.00  |
| 60117154 | 6/1/17 | *****0940 | Krystle Guan                                | DD - ES | 6,701.00  |
| 60117155 | 6/1/17 | *****1575 | Bob Gunson Real Estate<br>C/O Julie Hang    | DD - ES | 1,357.00  |
| 60117156 | 6/1/17 | *****5267 | Abhilash Gupta                              | DD - ES | 6,598.00  |
| 60117157 | 6/1/17 | *****7930 | Donald R. Watson, Sr.                       | DD - ES | 1,291.11  |
| 60117158 | 6/1/17 | *****2314 | Nicole Hackett                              | DD - ES | 1,407.00  |
| 60117159 | 6/1/17 | *****6176 | Asharfun Nisha Hafiz                        | DD - ES | 4,588.00  |
| 60117160 | 6/1/17 | *****0457 | Jeffrey Paul Hagler                         | DD - ES | 1,311.00  |
| 60117161 | 6/1/17 | *****9827 | Delores Jane Hall                           | DD - ES | 1,371.00  |

|          |        |           |                                         |         |          |
|----------|--------|-----------|-----------------------------------------|---------|----------|
| 60117162 | 6/1/17 | *****1584 | Christian L. Hanson                     | DD - ES | 1,325.00 |
| 60117163 | 6/1/17 | *****1769 | Lawrence Harrold                        | DD - ES | 4,654.00 |
| 60117164 | 6/1/17 | *****3902 | Yogesh Chamdra Hari<br>Sadita Devi      | DD - ES | 1,328.00 |
| 60117165 | 6/1/17 | *****7423 | Delta Hawaii Garden Apartments LLC      | DD - ES | 4,164.00 |
| 60117166 | 6/1/17 | *****5859 | Chuanhu He                              | DD - ES | 1,593.00 |
| 60117167 | 6/1/17 | *****6728 | David T. Hennigan                       | DD - ES | 6,671.00 |
| 60117168 | 6/1/17 | *****3097 | Silvester C. Henderson                  | DD - ES | 3,061.00 |
| 60117169 | 6/1/17 | *****7408 | Serene Herrmann                         | DD - ES | 2,035.00 |
| 60117170 | 6/1/17 | *****1057 | Diamond Hillside Apartments             | DD - ES | 1,005.00 |
| 60117171 | 6/1/17 | *****1603 | Marva Hill                              | DD - ES | 455.00   |
| 60117172 | 6/1/17 | *****6255 | Carl E. Hoard II                        | DD - ES | 1,629.00 |
| 60117173 | 6/1/17 | *****7386 | Hanh Huu Hoang                          | DD - ES | 1,776.00 |
| 60117174 | 6/1/17 | *****4106 | Albert Ho                               | DD - ES | 1,848.00 |
| 60117175 | 6/1/17 | *****2084 | Annie Ho<br>The Annie Ho Living Trust   | DD - ES | 1,307.00 |
| 60117176 | 6/1/17 | *****8576 | Joyce Ann Hoffman                       | DD - ES | 1,304.00 |
| 60117177 | 6/1/17 | *****7451 | Gloria H. Holbrook                      | DD - ES | 1,750.00 |
| 60117178 | 6/1/17 | *****4543 | Ronald G. Holmes                        | DD - ES | 1,229.00 |
| 60117179 | 6/1/17 | *****5700 | Tony Ho                                 | DD - ES | 1,322.00 |
| 60117180 | 6/1/17 | *****3787 | Howard County Housing Commission        | DD - ES | 1,187.58 |
| 60117181 | 6/1/17 | *****1535 | Fanny Kao Huang                         | DD - ES | 1,984.00 |
| 60117182 | 6/1/17 | *****8816 | Ming Zin Huang                          | DD - ES | 2,691.00 |
| 60117183 | 6/1/17 | *****7984 | Tao Huang                               | DD - ES | 8,019.00 |
| 60117184 | 6/1/17 | *****7179 | Ya Jing Huang                           | DD - ES | 2,228.00 |
| 60117185 | 6/1/17 | *****9084 | Nancy Xiu Zhen Hu                       | DD - ES | 2,365.00 |
| 60117186 | 6/1/17 | *****6229 | Thinh Trieu Huynh                       | DD - ES | 1,379.00 |
| 60117187 | 6/1/17 | *****0778 | IGreen House Inc.                       | DD - ES | 1,193.00 |
| 60117188 | 6/1/17 | *****8007 | 2015-1 IH2 Borrower LP                  | DD - ES | 3,187.00 |
| 60117189 | 6/1/17 | *****4320 | IH2 Property West, L.P.                 | DD - ES | 1,420.00 |
| 60117190 | 6/1/17 | *****7951 | IH5 Property West LP                    | DD - ES | 2,400.00 |
| 60117191 | 6/1/17 | *****7013 | Eugene G. Imperato                      | DD - ES | 1,173.00 |
| 60117192 | 6/1/17 | *****2726 | IH4 Property West LP                    | DD - ES | 1,979.00 |
| 60117193 | 6/1/17 | *****8323 | Keyee Investment LLC                    | DD - ES | 577.00   |
| 60117194 | 6/1/17 | *****1017 | LaShon D Irving                         | DD - ES | 2,176.00 |
| 60117195 | 6/1/17 | *****0911 | Mario Isidro                            | DD - ES | 1,552.00 |
| 60117196 | 6/1/17 | *****6821 | Michael or Kay Isola                    | DD - ES | 1,413.00 |
| 60117197 | 6/1/17 | *****2036 | Brandi Jackson<br>C/O Perry Realty Team | DD - ES | 1,820.00 |
| 60117198 | 6/1/17 | *****4910 | Sameer Jain                             | DD - ES | 1,800.00 |
| 60117199 | 6/1/17 | *****1349 | Jason Le                                | DD - ES | 1,694.00 |
| 60117200 | 6/1/17 | *****0833 | Alonzo D. Johnson                       | DD - ES | 939.00   |



|          |        |           |                                                                     |         |          |
|----------|--------|-----------|---------------------------------------------------------------------|---------|----------|
| 60117201 | 6/1/17 | *****8569 | Ronita Johnson                                                      | DD - ES | 1,230.00 |
| 60117202 | 6/1/17 | *****8867 | James Jones                                                         | DD - ES | 1,374.00 |
| 60117203 | 6/1/17 | *****2434 | Sharon Jones                                                        | DD - ES | 1,729.00 |
| 60117204 | 6/1/17 | *****9670 | Cheryl D Joseph                                                     | DD - ES | 1,797.00 |
| 60117205 | 6/1/17 | *****4905 | Mostaeen B Jouya                                                    | DD - ES | 1,862.00 |
| 60117206 | 6/1/17 | *****5704 | Jaynee Walton Separate Property Trust                               | DD - ES | 1,650.00 |
| 60117207 | 6/1/17 | *****5647 | Om Parkash Kalra                                                    | DD - ES | 2,585.00 |
| 60117208 | 6/1/17 | *****8425 | Wei Kang                                                            | DD - ES | 1,673.00 |
| 60117209 | 6/1/17 | *****1731 | Deepinder Kaur                                                      | DD - ES | 2,355.00 |
| 60117210 | 6/1/17 | *****7429 | Navkirandeep Kaur                                                   | DD - ES | 1,038.00 |
| 60117211 | 6/1/17 | *****9411 | Anthony Keslinke                                                    | DD - ES | 2,406.00 |
| 60117212 | 6/1/17 | *****4095 | Nadeem Khan                                                         | DD - ES | 4,101.00 |
| 60117213 | 6/1/17 | *****0839 | Alan T. Kilpatrick                                                  | DD - ES | 1,591.00 |
| 60117214 | 6/1/17 | *****5113 | Michelle King                                                       | DD - ES | 1,960.00 |
| 60117215 | 6/1/17 | *****0888 | KW Kirker Creek, LLC                                                | DD - ES | 2,926.00 |
| 60117216 | 6/1/17 | *****7475 | Qi Yun Kuang                                                        | DD - ES | 1,950.00 |
| 60117217 | 6/1/17 | *****8506 | Simon Kailiang Kuang                                                | DD - ES | 1,321.00 |
| 60117218 | 6/1/17 | *****9316 | Zdzislaw Kujawa                                                     | DD - ES | 780.00   |
| 60117219 | 6/1/17 | *****2585 | Daniel Kwan                                                         | DD - ES | 1,644.00 |
| 60117220 | 6/1/17 | *****6229 | Simon Chuen-Sang Kwong                                              | DD - ES | 1,533.00 |
| 60117221 | 6/1/17 | *****8326 | Thomas LaFleur                                                      | DD - ES | 1,888.00 |
| 60117222 | 6/1/17 | *****7845 | Chow Kang Lam                                                       | DD - ES | 1,833.00 |
| 60117223 | 6/1/17 | *****6520 | Shirley Manly-Lampkin                                               | DD - ES | 1,029.00 |
| 60117224 | 6/1/17 | *****6102 | Maria Lara                                                          | DD - ES | 1,608.00 |
| 60117225 | 6/1/17 | *****7975 | Peter C. Larsen                                                     | DD - ES | 933.00   |
| 60117226 | 6/1/17 | *****2401 | Kevin Lassair                                                       | DD - ES | 1,828.51 |
| 60117227 | 6/1/17 | *****4732 | Latif, LLC                                                          | DD - ES | 2,095.00 |
| 60117228 | 6/1/17 | *****0938 | Ingrid Lau                                                          | DD - ES | 1,382.00 |
| 60117229 | 6/1/17 | *****8224 | Kai Man Lau                                                         | DD - ES | 1,299.00 |
| 60117230 | 6/1/17 | *****9373 | Delphia M. or Clarence Lawson                                       | DD - ES | 1,093.00 |
| 60117231 | 6/1/17 | *****8227 | George Van and Fannie Mae Lawson Trust<br>Sharon Kay LaShon Trustee | DD - ES | 726.00   |
| 60117232 | 6/1/17 | *****2293 | LCSTAR, LLC                                                         | DD - ES | 5,844.00 |
| 60117233 | 6/1/17 | *****0984 | Dao Tran Le                                                         | DD - ES | 743.00   |
| 60117234 | 6/1/17 | *****8548 | Jack Wai Lee                                                        | DD - ES | 1,862.00 |
| 60117235 | 6/1/17 | *****1755 | Siu Wan Windytiti Lee                                               | DD - ES | 1,338.00 |
| 60117236 | 6/1/17 | *****2527 | Steven Lee                                                          | DD - ES | 1,125.00 |
| 60117237 | 6/1/17 | *****5289 | Yuhjen Juang Lee                                                    | DD - ES | 1,564.00 |
| 60117238 | 6/1/17 | *****1860 | Lena Le                                                             | DD - ES | 1,072.00 |
| 60117239 | 6/1/17 | *****9382 | Luigi Leoncio, LLC                                                  | DD - ES | 1,396.00 |
| 60117240 | 6/1/17 | *****3782 | Joseph C. Lerma                                                     | DD - ES | 1,076.00 |

|          |        |           |                                                            |         |           |
|----------|--------|-----------|------------------------------------------------------------|---------|-----------|
| 60117241 | 6/1/17 | *****3555 | Yiping I. and Frederic Leroudier                           | DD - ES | 2,819.00  |
| 60117242 | 6/1/17 | *****3410 | John M. Leung                                              | DD - ES | 5,426.00  |
| 60117243 | 6/1/17 | *****8951 | Kin or Siu F. Leung                                        | DD - ES | 1,406.00  |
| 60117244 | 6/1/17 | *****3743 | May Leung or Rodney Chen                                   | DD - ES | 1,383.00  |
| 60117245 | 6/1/17 | *****2110 | Peter Leung                                                | DD - ES | 1,994.00  |
| 60117246 | 6/1/17 | *****5185 | Fortunee Lichaa                                            | DD - ES | 1,654.00  |
| 60117247 | 6/1/17 | *****3386 | Crestview Apartments                                       | DD - ES | 718.00    |
| 60117248 | 6/1/17 | *****0416 | Faqiang Li                                                 | DD - ES | 791.00    |
| 60117249 | 6/1/17 | *****7827 | Jinhuan Li                                                 | DD - ES | 1,044.00  |
| 60117250 | 6/1/17 | *****5495 | Jian S Lin                                                 | DD - ES | 1,456.00  |
| 60117251 | 6/1/17 | *****1849 | Jie Lin                                                    | DD - ES | 1,702.00  |
| 60117252 | 6/1/17 | *****2649 | Tim Lindstrom<br>c/o AAA Property Management               | DD - ES | 975.00    |
| 60117253 | 6/1/17 | *****6076 | Chingyao J Liu<br>Wei Chen                                 | DD - ES | 1,578.00  |
| 60117254 | 6/1/17 | *****3881 | Vivian Y Li                                                | DD - ES | 2,453.00  |
| 60117255 | 6/1/17 | *****1547 | Paul Livson                                                | DD - ES | 1,402.00  |
| 60117256 | 6/1/17 | *****0050 | Wei Min Li                                                 | DD - ES | 1,570.00  |
| 60117257 | 6/1/17 | *****9003 | Ying Hong Li                                               | DD - ES | 1,799.00  |
| 60117258 | 6/1/17 | *****1646 | Paul Long                                                  | DD - ES | 1,795.00  |
| 60117259 | 6/1/17 | *****1474 | Los Medanos Village Apartments                             | DD - ES | 22,936.00 |
| 60117260 | 6/1/17 | *****2131 | Tiffinee L Loud                                            | DD - ES | 1,539.00  |
| 60117261 | 6/1/17 | *****7531 | Tony or Yvonne Louie                                       | DD - ES | 1,393.00  |
| 60117262 | 6/1/17 | *****4218 | Lorenzo Love                                               | DD - ES | 1,356.00  |
| 60117263 | 6/1/17 | *****1790 | Valerie Love                                               | DD - ES | 1,829.00  |
| 60117264 | 6/1/17 | *****5602 | Marshall & Sonya Lowe                                      | DD - ES | 1,112.00  |
| 60117265 | 6/1/17 | *****0153 | Ariston Laurito Loyola                                     | DD - ES | 829.00    |
| 60117266 | 6/1/17 | *****7720 | Jose Loza                                                  | DD - ES | 1,913.00  |
| 60117267 | 6/1/17 | *****2354 | Andrew Kin Lui                                             | DD - ES | 4,925.00  |
| 60117268 | 6/1/17 | *****4658 | Wei Liu<br>Guangxin Frank Liu                              | DD - ES | 1,544.00  |
| 60117269 | 6/1/17 | *****7843 | The Entrust Group, Inc. FBO Theodore Lum IRA (acct #34892) | DD - ES | 1,822.00  |
| 60117270 | 6/1/17 | *****1821 | Curtis H. Lundberg                                         | DD - ES | 577.00    |
| 60117271 | 6/1/17 | *****3474 | Edward Luna                                                | DD - ES | 727.00    |
| 60117272 | 6/1/17 | *****1596 | Kenneth Luong                                              | DD - ES | 1,579.00  |
| 60117273 | 6/1/17 | *****5430 | Kiet A. Ly                                                 | DD - ES | 1,061.00  |
| 60117274 | 6/1/17 | *****4009 | Yolanda McDonald                                           | DD - ES | 677.00    |
| 60117275 | 6/1/17 | *****5865 | Rakesh Madra                                               | DD - ES | 2,300.00  |
| 60117276 | 6/1/17 | *****2191 | Radha Mahesram                                             | DD - ES | 1,170.00  |
| 60117277 | 6/1/17 | *****4372 | Jennifer Leung Ma                                          | DD - ES | 1,350.00  |
| 60117278 | 6/1/17 | *****1989 | Jeff Mann                                                  | DD - ES | 4,598.00  |

|          |        |           |                                                     |         |           |
|----------|--------|-----------|-----------------------------------------------------|---------|-----------|
| 60117279 | 6/1/17 | *****5378 | Glenn Marshall                                      | DD - ES | 1,341.00  |
| 60117280 | 6/1/17 | *****2875 | Marla Y Harrison                                    | DD - ES | 513.00    |
| 60117281 | 6/1/17 | *****3389 | Steadfast Marina Heights, L.P.                      | DD - ES | 13,842.00 |
| 60117282 | 6/1/17 | *****3389 | Steadfast Marina Heights, L.P.                      | DD - ES | 13,549.00 |
| 60117283 | 6/1/17 | *****3389 | Steadfast Marina Heights, L.P.                      | DD - ES | 14,712.00 |
| 60117284 | 6/1/17 | *****3389 | Steadfast Marina Heights, L.P.                      | DD - ES | 8,146.00  |
| 60117285 | 6/1/17 | *****5287 | Louie W. Maruri<br>El Dorado Apartments             | DD - ES | 802.00    |
| 60117286 | 6/1/17 | *****3065 | Tanya Martha                                        | DD - ES | 1,837.00  |
| 60117287 | 6/1/17 | *****6768 | Matrixone Realty                                    | DD - ES | 1,132.00  |
| 60117288 | 6/1/17 | *****3048 | Rita J. McCrystle                                   | DD - ES | 1,146.00  |
| 60117289 | 6/1/17 | *****7174 | Samuel McCree                                       | DD - ES | 1,166.00  |
| 60117290 | 6/1/17 | *****6494 | Dorothy McDonald                                    | DD - ES | 1,841.00  |
| 60117291 | 6/1/17 | *****6342 | James & Diana Gail McDonald<br>c/o Yolanda McDonald | DD - ES | 971.00    |
| 60117292 | 6/1/17 | *****1925 | Veronica R. McElroy                                 | DD - ES | 2,093.00  |
| 60117293 | 6/1/17 | *****1152 | Janice K McLean                                     | DD - ES | 1,103.00  |
| 60117294 | 6/1/17 | *****4675 | Meadow Glen Apartments                              | DD - ES | 2,720.00  |
| 60117295 | 6/1/17 | *****9866 | Tatung Mei                                          | DD - ES | 3,217.00  |
| 60117296 | 6/1/17 | *****4316 | Joel Mejia                                          | DD - ES | 428.00    |
| 60117297 | 6/1/17 | *****5245 | Jinyu Meng                                          | DD - ES | 2,051.00  |
| 60117298 | 6/1/17 | *****4885 | Sabine Menzel                                       | DD - ES | 3,972.00  |
| 60117299 | 6/1/17 | *****0133 | Mercedes P. Johnson                                 | DD - ES | 653.00    |
| 60117300 | 6/1/17 | *****8272 | Hector Meza                                         | DD - ES | 785.00    |
| 60117301 | 6/1/17 | *****7437 | Perchak Properties for Carol Miller                 | DD - ES | 1,864.00  |
| 60117302 | 6/1/17 | *****9782 | Maryann Miller                                      | DD - ES | 1,142.00  |
| 60117303 | 6/1/17 | *****2618 | Carlos J Miranda                                    | DD - ES | 793.00    |
| 60117304 | 6/1/17 | *****0772 | Hassan Mirabedi                                     | DD - ES | 7,368.00  |
| 60117305 | 6/1/17 | *****6741 | Gwendolyn Mitchell                                  | DD - ES | 1,655.00  |
| 60117306 | 6/1/17 | *****7083 | Ronnie Eric Moffett Estate                          | DD - ES | 1,735.00  |
| 60117307 | 6/1/17 | *****6340 | Moe Mojaddidi                                       | DD - ES | 4,833.00  |
| 60117308 | 6/1/17 | *****0985 | Rodney Montgomery<br>or Sharon Montgomery           | DD - ES | 1,059.00  |
| 60117309 | 6/1/17 | *****6975 | Joseph Nelson Morin                                 | DD - ES | 1,660.00  |
| 60117310 | 6/1/17 | *****7725 | Ricardo Moran Gonzalez                              | DD - ES | 1,110.00  |
| 60117311 | 6/1/17 | *****4997 | Saleem Rashid Muhammad                              | DD - ES | 1,859.00  |
| 60117312 | 6/1/17 | *****3642 | Eva Munn                                            | DD - ES | 641.00    |
| 60117313 | 6/1/17 | *****8820 | Brien Brothers, LLC<br>C/O Mynd Management, IC.     | DD - ES | 1,238.00  |
| 60117314 | 6/1/17 | *****0105 | Ehsan Nabkel                                        | DD - ES | 2,608.00  |
| 60117315 | 6/1/17 | *****9276 | Fariba Naji                                         | DD - ES | 1,800.00  |
| 60117316 | 6/1/17 | *****6234 | Shinder Paul Narabut                                | DD - ES | 4,000.00  |

|          |        |           |                                            |         |          |
|----------|--------|-----------|--------------------------------------------|---------|----------|
| 60117317 | 6/1/17 | *****9518 | Farida Nawabi                              | DD - ES | 2,098.00 |
| 60117318 | 6/1/17 | *****0054 | NC Associates, Inc.                        | DD - ES | 8,265.00 |
| 60117319 | 6/1/17 | *****6959 | Joy Neal                                   | DD - ES | 1,562.00 |
| 60117320 | 6/1/17 | *****5257 | Guy Nesbeth                                | DD - ES | 2,870.00 |
| 60117321 | 6/1/17 | *****4114 | James or Margaret Nevis                    | DD - ES | 1,162.00 |
| 60117322 | 6/1/17 | *****3516 | New Way Management Services                | DD - ES | 5,315.00 |
| 60117323 | 6/1/17 | *****6613 | Ivy Kit Fan Ngan                           | DD - ES | 1,876.00 |
| 60117324 | 6/1/17 | *****1072 | Dominic Y Ng                               | DD - ES | 2,765.00 |
| 60117325 | 6/1/17 | *****3604 | Knowland Ging Ng                           | DD - ES | 4,176.00 |
| 60117326 | 6/1/17 | *****8594 | Patrick Ng<br>Mike Perry, Property Manager | DD - ES | 2,045.00 |
| 60117327 | 6/1/17 | *****9319 | Sunny S Ng                                 | DD - ES | 1,357.00 |
| 60117328 | 6/1/17 | *****0738 | Hieu Nguyen                                | DD - ES | 1,495.00 |
| 60117329 | 6/1/17 | *****7154 | Huy Quang Nguyen                           | DD - ES | 2,161.00 |
| 60117330 | 6/1/17 | *****4366 | Quyen Nguyen                               | DD - ES | 1,610.00 |
| 60117331 | 6/1/17 | *****8241 | Tieu Nguyen                                | DD - ES | 1,027.00 |
| 60117332 | 6/1/17 | *****7265 | Ernest Nichols III                         | DD - ES | 3,101.00 |
| 60117333 | 6/1/17 | *****9886 | Northstar Financial Group, LLC             | DD - ES | 763.00   |
| 60117334 | 6/1/17 | *****8129 | Kevin Nord<br>Nord Investment Real Estate  | DD - ES | 900.00   |
| 60117335 | 6/1/17 | *****2286 | North State Financial, Inc.                | DD - ES | 1,535.00 |
| 60117337 | 6/1/17 | *****5572 | Dwight J Owens                             | DD - ES | 713.00   |
| 60117338 | 6/1/17 | *****7606 | Juanita Olayo                              | DD - ES | 1,514.00 |
| 60117339 | 6/1/17 | *****4543 | Esosa A. Omokaro                           | DD - ES | 2,386.00 |
| 60117340 | 6/1/17 | *****0588 | Orange County Housing Authority            | DD - ES | 2,115.58 |
| 60117341 | 6/1/17 | *****3741 | Sandra L Ortiz                             | DD - ES | 1,827.00 |
| 60117342 | 6/1/17 | *****2915 | Tony Jose Ortiz                            | DD - ES | 1,440.00 |
| 60117343 | 6/1/17 | *****1081 | Chinenye Osuagwu                           | DD - ES | 1,907.00 |
| 60117344 | 6/1/17 | *****3324 | Mutlu Ozer                                 | DD - ES | 1,439.00 |
| 60117345 | 6/1/17 | *****4083 | Pacific Living, LLC                        | DD - ES | 2,080.00 |
| 60117346 | 6/1/17 | *****1176 | John Mario Pascuzzi                        | DD - ES | 1,403.00 |
| 60117347 | 6/1/17 | *****7811 | Hemangini & Vijendra Patel                 | DD - ES | 2,100.00 |
| 60117348 | 6/1/17 | *****0885 | Kokila Patel                               | DD - ES | 1,102.00 |
| 60117349 | 6/1/17 | *****8684 | Virendra M. Patel                          | DD - ES | 1,841.00 |
| 60117350 | 6/1/17 | *****8047 | Jason Pauline                              | DD - ES | 1,707.00 |
| 60117351 | 6/1/17 | *****3189 | Loycell Peacock                            | DD - ES | 1,013.00 |
| 60117352 | 6/1/17 | *****5165 | Scott Pease                                | DD - ES | 945.00   |
| 60117353 | 6/1/17 | *****2788 | Jade Penarelli                             | DD - ES | 1,534.00 |
| 60117354 | 6/1/17 | *****5889 | Douglas B Perry                            | DD - ES | 817.00   |
| 60117355 | 6/1/17 | *****3278 | Maria Del Carmen Perez                     | DD - ES | 264.00   |
| 60117356 | 6/1/17 | *****6784 | Lowde Y. Perkins                           | DD - ES | 901.00   |



|          |        |           |                                             |         |           |
|----------|--------|-----------|---------------------------------------------|---------|-----------|
| 60117357 | 6/1/17 | *****8225 | Shiv Pertab                                 | DD - ES | 1,401.00  |
| 60117358 | 6/1/17 | *****0958 | Pittsburg Park Apartments                   | DD - ES | 4,621.00  |
| 60117359 | 6/1/17 | *****7605 | Portofino Apartments                        | DD - ES | 8,332.00  |
| 60117360 | 6/1/17 | *****4031 | Principle Capital, LLC                      | DD - ES | 1,163.00  |
| 60117361 | 6/1/17 | *****8826 | Prime Metropolis Properties, Inc.           | DD - ES | 3,993.00  |
| 60117362 | 6/1/17 | *****2849 | IH5 Property West, LP                       | DD - ES | 1,837.00  |
| 60117363 | 6/1/17 | *****3398 | Marples Property Management                 | DD - ES | 2,655.00  |
| 60117364 | 6/1/17 | *****4650 | A. Meadows Property Management              | DD - ES | 2,395.00  |
| 60117365 | 6/1/17 | *****7789 | Stokley Properties LLC Harbor               | DD - ES | 2,392.00  |
| 60117366 | 6/1/17 | *****8055 | Property Upsurge, Inc.                      | DD - ES | 12,827.00 |
| 60117367 | 6/1/17 | *****0782 | Amjad Qaqish                                | DD - ES | 921.00    |
| 60117368 | 6/1/17 | *****9542 | Sam or Sonia Quinones                       | DD - ES | 1,796.00  |
| 60117369 | 6/1/17 | *****4029 | Amos Radford                                | DD - ES | 1,400.00  |
| 60117370 | 6/1/17 | *****1397 | Balraj Singh Rai                            | DD - ES | 725.00    |
| 60117371 | 6/1/17 | *****2261 | Paramjit K. Raju                            | DD - ES | 3,167.00  |
| 60117372 | 6/1/17 | *****3452 | Christopher Ramirez                         | DD - ES | 1,379.00  |
| 60117373 | 6/1/17 | *****8489 | Enrique or Stacy Ramirez                    | DD - ES | 419.00    |
| 60117375 | 6/1/17 | *****5276 | Rizal Ramos, Jr.                            | DD - ES | 1,161.00  |
| 60117376 | 6/1/17 | *****2283 | Rohini Ram                                  | DD - ES | 1,075.00  |
| 60117377 | 6/1/17 | *****6068 | David Raughton                              | DD - ES | 2,500.00  |
| 60117379 | 6/1/17 | *****8227 | Croskey Real Estate, Inc.                   | DD - ES | 2,997.00  |
| 60117380 | 6/1/17 | *****7349 | Eric Franklin Remson                        | DD - ES | 1,095.00  |
| 60117381 | 6/1/17 | *****1078 | Cora Lee Rice<br>Anderson Rice              | DD - ES | 905.00    |
| 60117383 | 6/1/17 | *****5935 | Marie Rice                                  | DD - ES | 1,267.00  |
| 60117384 | 6/1/17 | *****9321 | Roger Riley                                 | DD - ES | 1,735.00  |
| 60117385 | 6/1/17 | *****4115 | Tamara Rivas<br>Douglas Rivas               | DD - ES | 121.00    |
| 60117386 | 6/1/17 | *****6917 | Ronald D. Shelly or<br>Julie Crowder        | DD - ES | 1,080.00  |
| 60117387 | 6/1/17 | *****4579 | Elvira Ruiz                                 | DD - ES | 1,132.00  |
| 60117388 | 6/1/17 | *****5248 | Constance Russell                           | DD - ES | 1,593.00  |
| 60117389 | 6/1/17 | *****0759 | Sacramento Housing And Redevelopment Agency | DD - ES | 3,380.16  |
| 60117390 | 6/1/17 | *****3871 | Maridel P Santos                            | DD - ES | 1,150.00  |
| 60117391 | 6/1/17 | *****3011 | Alicia Saucedo                              | DD - ES | 1,387.00  |
| 60117392 | 6/1/17 | *****7615 | Gregory Paul Schulz                         | DD - ES | 1,443.00  |
| 60117393 | 6/1/17 | *****9954 | Richard M. Sciortino                        | DD - ES | 728.00    |
| 60117394 | 6/1/17 | *****7031 | Jacqueline Selinger                         | DD - ES | 1,658.00  |
| 60117395 | 6/1/17 | *****5346 | Young Sook Seroy                            | DD - ES | 1,898.00  |
| 60117397 | 6/1/17 | *****1446 | Mohinder Sharma                             | DD - ES | 1,001.00  |
| 60117398 | 6/1/17 | *****7239 | Shailesh & Bela Patel                       | DD - ES | 3,755.00  |
| 60117399 | 6/1/17 | *****4900 | Paul Shatswell                              | DD - ES | 1,460.00  |

|          |        |           |                                                        |         |           |
|----------|--------|-----------|--------------------------------------------------------|---------|-----------|
| 60117400 | 6/1/17 | *****1370 | James Shipe, c/o<br>Richard Grijalva, East Cty Brokers | DD - ES | 1,837.00  |
| 60117401 | 6/1/17 | *****5981 | Yihui Shi                                              | DD - ES | 1,618.00  |
| 60117402 | 6/1/17 | *****7789 | Siena Court Apartments                                 | DD - ES | 8,561.00  |
| 60117403 | 6/1/17 | *****7396 | Sierra Pacific Properties<br>Peppertree Apartments     | DD - ES | 3,778.00  |
| 60117404 | 6/1/17 | *****7396 | Sierra Pacific Properties<br>Woodland Hills Apartments | DD - ES | 11,228.00 |
| 60117405 | 6/1/17 | *****6650 | Frank M. Siino                                         | DD - ES | 1,200.00  |
| 60117406 | 6/1/17 | *****8035 | Joseph Michael Siino                                   | DD - ES | 1,137.00  |
| 60117407 | 6/1/17 | *****5399 | Gloria Silva                                           | DD - ES | 853.00    |
| 60117408 | 6/1/17 | *****7250 | 2012-C Property Holdings LLC                           | DD - ES | 4,692.00  |
| 60117409 | 6/1/17 | *****3639 | Raman Singh                                            | DD - ES | 1,925.00  |
| 60117410 | 6/1/17 | *****6058 | Son Singh                                              | DD - ES | 1,338.00  |
| 60117411 | 6/1/17 | *****4970 | Molly Smith                                            | DD - ES | 2,000.00  |
| 60117412 | 6/1/17 | *****9092 | Sherritta M Smith                                      | DD - ES | 959.00    |
| 60117413 | 6/1/17 | *****2032 | Cinthia Sosa                                           | DD - ES | 1,576.00  |
| 60117414 | 6/1/17 | *****2985 | Gloria Spahn                                           | DD - ES | 1,250.00  |
| 60117415 | 6/1/17 | *****6977 | Angela E. Robinson-Spencer                             | DD - ES | 1,143.00  |
| 60117416 | 6/1/17 | *****3465 | Ramzi D Srouji                                         | DD - ES | 1,810.00  |
| 60117417 | 6/1/17 | *****5343 | Deborah Steppe                                         | DD - ES | 1,656.00  |
| 60117418 | 6/1/17 | *****1601 | George W. Stephens                                     | DD - ES | 1,641.00  |
| 60117419 | 6/1/17 | *****5308 | R R Rentals                                            | DD - ES | 1,527.00  |
| 60117421 | 6/1/17 | *****6314 | Amad Sultan                                            | DD - ES | 2,511.00  |
| 60117422 | 6/1/17 | *****1235 | Summit Venture Group, LLC                              | DD - ES | 1,819.00  |
| 60117423 | 6/1/17 | *****6168 | Kamaljeet Surila                                       | DD - ES | 1,364.00  |
| 60117424 | 6/1/17 | *****0399 | Joyce Hui Sy                                           | DD - ES | 5,988.00  |
| 60117425 | 6/1/17 | *****1242 | Hamed Tafaghodi<br>Alexis Tafaghodi                    | DD - ES | 1,525.00  |
| 60117426 | 6/1/17 | *****9558 | Edward C Tan                                           | DD - ES | 532.00    |
| 60117427 | 6/1/17 | *****5832 | Mohammad Tapus                                         | DD - ES | 2,743.00  |
| 60117428 | 6/1/17 | *****5480 | Tasia La Vonda Johnson                                 | DD - ES | 1,980.00  |
| 60117429 | 6/1/17 | *****6283 | Yun Teng<br>Weijie Zhang                               | DD - ES | 1,680.00  |
| 60117430 | 6/1/17 | *****2164 | Quyen Minh Thai                                        | DD - ES | 1,431.00  |
| 60117431 | 6/1/17 | *****9314 | Silvia Thein and Ada Choi                              | DD - ES | 1,554.00  |
| 60117432 | 6/1/17 | *****4049 | ChingJen Tong                                          | DD - ES | 3,468.00  |
| 60117433 | 6/1/17 | *****1405 | Lourdes or Raymond Tovar                               | DD - ES | 1,598.00  |
| 60117434 | 6/1/17 | *****2094 | Raphael Minhtuyen Tran                                 | DD - ES | 4,948.00  |
| 60117435 | 6/1/17 | *****6035 | Tam Van Tran                                           | DD - ES | 1,226.00  |
| 60117436 | 6/1/17 | *****1327 | Thuy Tran                                              | DD - ES | 1,234.00  |
| 60117437 | 6/1/17 | *****6165 | Thanh Van Trinh                                        | DD - ES | 1,466.00  |

|          |        |           |                                             |         |          |
|----------|--------|-----------|---------------------------------------------|---------|----------|
| 60117438 | 6/1/17 | *****3572 | Nhan Chi Truong                             | DD - ES | 961.00   |
| 60117439 | 6/1/17 | *****5313 | Sean Thuyet Truong                          | DD - ES | 1,423.00 |
| 60117440 | 6/1/17 | *****9321 | Van Truong                                  | DD - ES | 1,795.00 |
| 60117441 | 6/1/17 | *****8392 | Xavier Van Truong                           | DD - ES | 7,635.00 |
| 60117442 | 6/1/17 | *****5553 | David Tseng                                 | DD - ES | 1,559.00 |
| 60117444 | 6/1/17 | *****4582 | Lidia Valladares                            | DD - ES | 1,573.00 |
| 60117445 | 6/1/17 | *****0250 | Victor D Valenzuela                         | DD - ES | 1,416.00 |
| 60117446 | 6/1/17 | *****5853 | Tu Van                                      | DD - ES | 1,541.00 |
| 60117447 | 6/1/17 | *****3371 | Gary D. Vasconcellos                        | DD - ES | 1,091.00 |
| 60117448 | 6/1/17 | *****8457 | Sareena Lata Velu                           | DD - ES | 1,640.00 |
| 60117449 | 6/1/17 | *****9682 | Nuno G Vieira                               | DD - ES | 1,475.00 |
| 60117450 | 6/1/17 | *****6074 | Fazal U. Wafadar                            | DD - ES | 1,584.00 |
| 60117451 | 6/1/17 | *****2720 | Stephen Cordell Wafer                       | DD - ES | 876.00   |
| 60117452 | 6/1/17 | *****2768 | Huan Rong Wang                              | DD - ES | 997.00   |
| 60117453 | 6/1/17 | *****6924 | Lining Wan                                  | DD - ES | 3,191.00 |
| 60117454 | 6/1/17 | *****6945 | Wei Wang                                    | DD - ES | 1,502.00 |
| 60117455 | 6/1/17 | *****1634 | Yu Ruo Wang                                 | DD - ES | 1,410.00 |
| 60117456 | 6/1/17 | *****5502 | Mildred Lucille Washington                  | DD - ES | 1,996.00 |
| 60117458 | 6/1/17 | *****4384 | Wenying Chang                               | DD - ES | 1,535.00 |
| 60117459 | 6/1/17 | *****5014 | Nubia P. or David West                      | DD - ES | 1,560.00 |
| 60117460 | 6/1/17 | *****4908 | Lewis White & Ruth White<br>Elma Ruth White | DD - ES | 1,600.00 |
| 60117462 | 6/1/17 | *****5057 | Kathleen and John Wilson                    | DD - ES | 874.00   |
| 60117463 | 6/1/17 | *****8702 | Kathy D. Williams                           | DD - ES | 1,953.00 |
| 60117464 | 6/1/17 | *****5026 | Windeler Development Group, Inc.            | DD - ES | 1,357.00 |
| 60117465 | 6/1/17 | *****1769 | Alan York Lun Wong<br>Alan York Lun Wong    | DD - ES | 116.00   |
| 60117466 | 6/1/17 | *****1862 | Danny Ching-Yam Wong                        | DD - ES | 1,477.00 |
| 60117467 | 6/1/17 | *****1157 | Har Pan Wong                                | DD - ES | 6,251.00 |
| 60117468 | 6/1/17 | *****6356 | Joanne Wong                                 | DD - ES | 1,309.00 |
| 60117469 | 6/1/17 | *****1060 | Kinney Ming Wong                            | DD - ES | 1,399.00 |
| 60117470 | 6/1/17 | *****5451 | Mei-Yuk Yu Wong<br>Vincent Wong             | DD - ES | 1,581.00 |
| 60117471 | 6/1/17 | *****7094 | Bridge-Regional Partners Inc                | DD - ES | 7,258.00 |
| 60117472 | 6/1/17 | *****5565 | Yuk Lin Woo                                 | DD - ES | 678.00   |
| 60117473 | 6/1/17 | *****1853 | WR Properties, Inc.                         | DD - ES | 3,702.00 |
| 60117474 | 6/1/17 | *****3962 | Hong Wu                                     | DD - ES | 3,189.00 |
| 60117475 | 6/1/17 | *****5388 | Jian Ai Xuan                                | DD - ES | 1,807.00 |
| 60117476 | 6/1/17 | *****3880 | Ping Ping Xu<br>Keming Wang                 | DD - ES | 3,576.00 |

|          |        |           |                                      |         |          |
|----------|--------|-----------|--------------------------------------|---------|----------|
| 60117477 | 6/1/17 | *****2366 | Karl Yick<br>C/O Teresita D. Pereira | DD - ES | 1,228.00 |
| 60117478 | 6/1/17 | *****6779 | Sally Yip                            | DD - ES | 814.00   |
| 60117479 | 6/1/17 | *****6178 | Chris Kui You                        | DD - ES | 1,876.00 |
| 60117480 | 6/1/17 | *****7622 | Yee Yue Cheung                       | DD - ES | 755.00   |
| 60117481 | 6/1/17 | *****8664 | Mohammad Zalmaiyyar                  | DD - ES | 2,323.00 |
| 60117482 | 6/1/17 | *****2940 | Wei Bin Zhang or Gao Wei             | DD - ES | 1,500.00 |
| 60117483 | 6/1/17 | *****3259 | Xirong Zhao                          | DD - ES | 1,387.00 |
| 60117484 | 6/1/17 | *****4367 | Xiang Yang Zheng                     | DD - ES | 1,809.00 |
| 60117485 | 6/1/17 | *****7805 | Shengguo Zhu                         | DD - ES | 4,710.00 |
| 60117486 | 6/1/17 | *****6132 | Ying Zhu                             | DD - ES | 2,500.00 |

### Choice Voucher

|                               |                       |
|-------------------------------|-----------------------|
| HAP                           | 1,122,345.89          |
| UR                            | 8,830.62              |
| Damage Claim                  |                       |
| Vacancy Claim                 |                       |
| Administrative Fee            | 675.80                |
| FSS Escrow Account            |                       |
| Shelter Plus Security Deposit |                       |
| Other                         | 0.00                  |
| <b>All Payments</b>           | <b>\$1,131,852.31</b> |

## Check Summary

June 1, 2017

| Check Number | Check Date | Payee Tax ID | Payee                                      | Amount           |
|--------------|------------|--------------|--------------------------------------------|------------------|
| <b>VASH</b>  |            |              |                                            |                  |
| 146022       | 6/1/17     | *****6041    | Anthony L Johnson                          | 23.00            |
| 146043       | 6/1/17     | *****1136    | Shannon O Murphy                           | 30.00            |
| 146047       | 6/1/17     | *****2982    | Timothy P Harrington                       | 23.00            |
| 146049       | 6/1/17     | *****7845    | Troy Mills                                 | 81.00            |
| 146050       | 6/1/17     |              | Vacaville Housing Authority                | 1,041.58         |
| 146054       | 6/1/17     | *****3447    | David S Loesch                             | 80.00            |
| 146097       | 6/1/17     | *****7574    | Joseph A Newman                            | 73.00            |
| 146129       | 6/1/17     | *****9810    | Housing Authority of the County of Alameda | 2,184.16         |
| 146130       | 6/1/17     | *****0331    | Fairfield Housing Authority                | 1,665.16         |
| 60117024     | 6/1/17     | *****2521    | Belmont Apartments                         | DD - ES 1,159.00 |
| 60117033     | 6/1/17     | *****7075    | Som N Bhatia                               | DD - ES 1,579.00 |

|          |        |           |                                                                  |         |           |
|----------|--------|-----------|------------------------------------------------------------------|---------|-----------|
| 60117051 | 6/1/17 | *****8860 | Joe Burns                                                        | DD - ES | 1,200.00  |
| 60117053 | 6/1/17 | *****8764 | William Joseph Burgoyne                                          | DD - ES | 1,884.00  |
| 60117056 | 6/1/17 | *****2513 | Clara Beatriz Cardenas                                           | DD - ES | 1,080.00  |
| 60117077 | 6/1/17 | *****0746 | Contra Costa County Housing Authority                            | DD - ES | 11,698.22 |
| 60117078 | 6/1/17 | *****0746 | Contra Costa County Housing Authority                            | DD - ES | 8,076.80  |
| 60117079 | 6/1/17 | *****0746 | Contra Costa County Housing Authority                            | DD - ES | 11,736.80 |
| 60117080 | 6/1/17 | *****0746 | Contra Costa County Housing Authority                            | DD - ES | 8,725.80  |
| 60117081 | 6/1/17 | *****0746 | Contra Costa County Housing Authority                            | DD - ES | 9,699.38  |
| 60117082 | 6/1/17 | *****0746 | Contra Costa County Housing Authority                            | DD - ES | 8,735.80  |
| 60117083 | 6/1/17 | *****0746 | Contra Costa County Housing Authority                            | DD - ES | 10,101.80 |
| 60117087 | 6/1/17 | *****3772 | Creekside Apartment Investors LLC<br>DBA Creekside Village       | DD - ES | 7,848.00  |
| 60117088 | 6/1/17 | *****3772 | Creekside Apartment Investors LLC<br>DBA Creekside Village       | DD - ES | 4,802.00  |
| 60117089 | 6/1/17 | *****3772 | Creekside Apartment Investors LLC<br>DBA Creekside Village       | DD - ES | 6,355.00  |
| 60117107 | 6/1/17 | *****9507 | Olga M. Disney                                                   | DD - ES | 1,191.00  |
| 60117114 | 6/1/17 | *****3406 | Mercy Housing California XXXVIII<br>East Leland Court Apartments | DD - ES | 604.00    |
| 60117130 | 6/1/17 | *****4032 | Fox Creek Apartments                                             | DD - ES | 449.00    |
| 60117141 | 6/1/17 | *****5111 | Gateway Apartments                                               | DD - ES | 2,926.00  |
| 60117156 | 6/1/17 | *****5267 | Abhilash Gupta                                                   | DD - ES | 1,650.00  |
| 60117255 | 6/1/17 | *****1547 | Paul Livson                                                      | DD - ES | 1,338.00  |
| 60117281 | 6/1/17 | *****3389 | Steadfast Marina Heights, L.P.                                   | DD - ES | 575.00    |
| 60117282 | 6/1/17 | *****3389 | Steadfast Marina Heights, L.P.                                   | DD - ES | 860.00    |
| 60117283 | 6/1/17 | *****3389 | Steadfast Marina Heights, L.P.                                   | DD - ES | 1,789.00  |
| 60117284 | 6/1/17 | *****3389 | Steadfast Marina Heights, L.P.                                   | DD - ES | 802.00    |
| 60117333 | 6/1/17 | *****9886 | Northstar Financial Group, LLC                                   | DD - ES | 5,378.00  |
| 60117336 | 6/1/17 | *****0758 | Oakland Housing Authority                                        | DD - ES | 1,465.58  |
| 60117364 | 6/1/17 | *****4650 | A. Meadows Property Management                                   | DD - ES | 407.00    |
| 60117374 | 6/1/17 | *****6230 | Leonardo Christopher Ramirez                                     | DD - ES | 1,979.00  |
| 60117378 | 6/1/17 | *****2414 | Tanya Nicole Ray                                                 | DD - ES | 1,860.00  |
| 60117379 | 6/1/17 | *****8227 | Croskey Real Estate, Inc.                                        | DD - ES | 1,619.00  |
| 60117382 | 6/1/17 | *****2935 | RICHMOND HOUSING AUTHORITY                                       | DD - ES | 4,480.90  |
| 60117396 | 6/1/17 | *****6840 | Christopher Sha                                                  | DD - ES | 1,143.00  |
| 60117402 | 6/1/17 | *****7789 | Siena Court Apartments                                           | DD - ES | 772.00    |
| 60117420 | 6/1/17 | *****0437 | Suisun City Housing Authority                                    | DD - ES | 782.58    |
| 60117443 | 6/1/17 | *****0447 | Solano County Housing Authority                                  | DD - ES | 2,099.74  |
| 60117457 | 6/1/17 | *****4563 | Isidoro Weitzman                                                 | DD - ES | 1,924.00  |
| 60117460 | 6/1/17 | *****4908 | Lewis White & Ruth White<br>Elma Ruth White                      | DD - ES | 3,221.00  |
| 60117461 | 6/1/17 | *****9380 | Tracy J. Whitehead                                               | DD - ES | 2,002.00  |

**VASH**

|                               |                     |
|-------------------------------|---------------------|
| HAP                           | 136,561.00          |
| UR                            | 354.00              |
| Damage Claim                  |                     |
| Vacancy Claim                 |                     |
| Administrative Fee            | 5,680.30            |
| FSS Escrow Account            |                     |
| Shelter Plus Security Deposit |                     |
| Other                         | 0.00                |
| <b>All Payments</b>           | <b>\$142,595.30</b> |

**Grand Total**

|                               |                       |
|-------------------------------|-----------------------|
| HAP                           | 1,258,906.89          |
| UR                            | 9,184.62              |
| Damage Claim                  |                       |
| Vacancy Claim                 |                       |
| Administrative Fee            | 6,356.10              |
| FSS Escrow Account            |                       |
| Shelter Plus Security Deposit |                       |
| Other                         | 0.00                  |
| <b>All Payments</b>           | <b>\$1,274,447.61</b> |

6/1/17 Check Summary

0.\*

DD - 1,235,486.66 +

Cks - 38,960.95 +

1,274,447.61 \*

pse 5/25/17

|                       |                        |
|-----------------------|------------------------|
| HAP (Regular)         | \$ 1,104,770.89 ✓      |
| HAP (VASH)            | 136,561.00 ✓           |
| HAP (Port-In)         | 6,619.00 ✓             |
| HAP (Port-Out)        | 10,956.00 ✓            |
| Utility Reimbursement | 9,184.62 ✓             |
| Admin Fee             | 6,356.10 ✓             |
| <b>Total</b>          | <b>\$ 1,274,447.61</b> |

  
 5/25/17



# Check Summary

June 15, 2017

| Check<br>Number       | Check Date | Payee Tax ID | Payee                                                      | Amount           |
|-----------------------|------------|--------------|------------------------------------------------------------|------------------|
| <b>Choice Voucher</b> |            |              |                                                            |                  |
| * 146145              | 6/15/17    | *****6193    | Chanel J Brown                                             | 96.00            |
| 146146                | 6/15/17    | *****1073    | Ebony M Kennedy                                            | 19.00            |
| 146147                | 6/15/17    | *****7724    | Carla R Fortenberry                                        | 6.00             |
| 146148                | 6/15/17    | *****3065    | Amber S Beshears                                           | 14.00            |
| 146149                | 6/15/17    | *****1696    | Angela M Lenzi                                             | 29.00            |
| 146150                | 6/15/17    | *****7822    | Daudi K Edmond                                             | 15.00            |
| 146151                | 6/15/17    | *****9810    | Housing Authority of the County of Alameda                 | 5,448.74         |
| 146152                | 6/15/17    |              | Los Angeles County Housing Authority                       | 3,109.58         |
| * 61517001            | 6/15/17    | *****0707    | Sergeant or Sima Austin                                    | DD - ES 22.00    |
| 61517003              | 6/15/17    | *****2521    | Belmont Apartments                                         | DD - ES 2,329.00 |
| 61517004              | 6/15/17    | *****8634    | Bethel Global Development LLC                              | DD - ES 15.00    |
| 61517006              | 6/15/17    | *****2672    | Damon F. Bozeman                                           | DD - ES 1,916.00 |
| 61517007              | 6/15/17    | *****7349    | Xuelong Cao                                                | DD - ES 30.00    |
| 61517008              | 6/15/17    | *****0310    | City of Pittsburg Housing Authority                        | DD - ES 552.00   |
| 61517009              | 6/15/17    | *****9873    | Angel Contreras                                            | DD - ES 2,394.00 |
| 61517011              | 6/15/17    | *****3772    | Creekside Apartment Investors LLC<br>DBA Creekside Village | DD - ES 1,497.00 |
| 61517012              | 6/15/17    | *****1004    | Brigitte P. Doan                                           | DD - ES 2,300.00 |
| 61517013              | 6/15/17    | *****0055    | Gabe Essoe                                                 | DD - ES 1,689.00 |
| 61517014              | 6/15/17    | *****4032    | Fox Creek Apartments                                       | DD - ES 281.00   |
| 61517015              | 6/15/17    | *****5111    | Gateway Apartments                                         | DD - ES 10.00    |
| 61517016              | 6/15/17    | *****5298    | Parvindokht Ghaboulidashti                                 | DD - ES 10.00    |
| 61517017              | 6/15/17    | *****5958    | Jacqueline Gill                                            | DD - ES 24.00    |
| 61517018              | 6/15/17    | *****5267    | Abhilash Gupta                                             | DD - ES 42.00    |
| 61517019              | 6/15/17    | *****6176    | Asharfun Nisha Hafiz                                       | DD - ES 36.00    |
| 61517020              | 6/15/17    | *****7423    | Delta Hawaii Garden Apartments LLC                         | DD - ES 28.00    |
| 61517021              | 6/15/17    | *****5859    | Chuanhu He                                                 | DD - ES 15.00    |
| 61517022              | 6/15/17    | *****7408    | Serene Herrmann                                            | DD - ES 1,701.00 |
| 61517023              | 6/15/17    | *****0833    | Alonzo D. Johnson                                          | DD - ES 14.00    |
| 61517024              | 6/15/17    | *****8867    | James Jones                                                | DD - ES 117.00   |
| 61517025              | 6/15/17    | *****8506    | Simon Kailiang Kuang                                       | DD - ES 20.00    |
| 61517026              | 6/15/17    | *****7975    | Peter C. Larsen                                            | DD - ES 24.00    |
| 61517027              | 6/15/17    | *****0938    | Ingrid Lau                                                 | DD - ES 20.00    |
| 61517028              | 6/15/17    | *****9382    | Luigi Leoncio, LLC                                         | DD - ES 14.00    |
| 61517029              | 6/15/17    | *****3410    | John M. Leung                                              | DD - ES 22.00    |

|          |         |           |                                |         |          |
|----------|---------|-----------|--------------------------------|---------|----------|
| 61517030 | 6/15/17 | *****4372 | Jennifer Leung Ma              | DD - ES | 2,125.00 |
| 61517031 | 6/15/17 | *****1989 | Jeff Mann                      | DD - ES | 21.00    |
| 61517032 | 6/15/17 | *****3389 | Steadfast Marina Heights, L.P. | DD - ES | 1,153.00 |
| 61517034 | 6/15/17 | *****3189 | Loycell Peacock                | DD - ES | 24.00    |
| 61517035 | 6/15/17 | *****2261 | Paramjit K. Raju               | DD - ES | 33.00    |
| 61517036 | 6/15/17 | *****8489 | Enrique or Stacy Ramirez       | DD - ES | 12.00    |
| 61517037 | 6/15/17 | *****2162 | Erika Ramirez                  | DD - ES | 2,215.00 |
| 61517038 | 6/15/17 | *****6068 | David Raughton                 | DD - ES | 379.00   |
| 61517039 | 6/15/17 | *****8337 | RayCaro Inc.                   | DD - ES | 2,923.00 |
| 61517041 | 6/15/17 | *****7349 | Eric Franklin Remson           | DD - ES | 21.00    |
| 61517042 | 6/15/17 | *****4579 | Elvira Ruiz                    | DD - ES | 1,056.00 |
| 61517043 | 6/15/17 | *****9954 | Richard M. Sciortino           | DD - ES | 14.00    |
| 61517044 | 6/15/17 | *****7789 | Siena Court Apartments         | DD - ES | 430.00   |
| 61517045 | 6/15/17 | *****8407 | Marc J. Simpson                | DD - ES | 370.00   |
| 61517046 | 6/15/17 | *****9092 | Sherritta M Smith              | DD - ES | 148.00   |
| 61517047 | 6/15/17 | *****6977 | Angela E. Robinson-Spencer     | DD - ES | 21.00    |
| 61517048 | 6/15/17 | *****8534 | Suma Aryaei                    | DD - ES | 2,212.00 |
| 61517049 | 6/15/17 | *****5480 | Tasia La Vonda Johnson         | DD - ES | 0.00     |
| 61517050 | 6/15/17 | *****9314 | Silvia Thein and Ada Choi      | DD - ES | 460.00   |
| 61517051 | 6/15/17 | *****4582 | Lidia Valladares               | DD - ES | 245.00   |
| 61517052 | 6/15/17 | *****5853 | Tu Van                         | DD - ES | 1,435.00 |
| 61517053 | 6/15/17 | *****6074 | Fazal U. Wafadar               | DD - ES | 14.00    |
| 61517055 | 6/15/17 | *****1157 | Har Pan Wong                   | DD - ES | 36.00    |
| 61517056 | 6/15/17 | *****1853 | WR Properties, Inc.            | DD - ES | 1,083.00 |

**Choice Voucher**

|                               |                    |
|-------------------------------|--------------------|
| HAP                           | 39,830.00          |
| UR                            | 189.00             |
| Damage Claim                  |                    |
| Vacancy Claim                 |                    |
| Administrative Fee            | 270.32             |
| FSS Escrow Account            |                    |
| Shelter Plus Security Deposit |                    |
| Other                         | 0.00               |
| <b>All Payments</b>           | <b>\$40,289.32</b> |



# Check Summary

June 15, 2017

| Check Number | Check Date | Payee Tax ID | Payee                                 | Amount           |
|--------------|------------|--------------|---------------------------------------|------------------|
| <b>VASH</b>  |            |              |                                       |                  |
| 61517002     | 6/15/17    | *****7492    | Adrienne Kelly Belton                 | DD - ES 1,160.00 |
| 61517005     | 6/15/17    | *****7075    | Som N Bhatia                          | DD - ES 21.00    |
| 61517010     | 6/15/17    | *****0746    | Contra Costa County Housing Authority | DD - ES 639.58   |
| 61517032     | 6/15/17    | *****3389    | Steadfast Marina Heights, L.P.        | DD - ES 63.00    |
| 61517033     | 6/15/17    | *****9886    | Northstar Financial Group, LLC        | DD - ES 206.00   |
| 61517040     | 6/15/17    | *****8227    | Croskey Real Estate, Inc.             | DD - ES 21.00    |
| 61517054     | 6/15/17    | *****4563    | Isidoro Weitzman                      | DD - ES 15.00    |

## VASH

|                       |               |                               |                   |
|-----------------------|---------------|-------------------------------|-------------------|
| HAP (Regular)         | \$ 26,544.00✓ | HAP                           | 2,058.00          |
| HAP (VASH)            | 2,058.00✓     | UR                            |                   |
| HAP (Port-In)         | 8,040.00✓     | Damage Claim                  |                   |
| HAP (Port-Out)        | 5,246.00✓     | Vacancy Claim                 |                   |
| Utility Reimbursement | 189.00✓       | Administrative Fee            | 67.58             |
| Admin Fee             | 337.90✓       | FSS Escrow Account            |                   |
| Total                 | \$ 42,414.90  | Shelter Plus Security Deposit |                   |
|                       |               | Other                         | 0.00              |
|                       |               | <b>All Payments</b>           | <b>\$2,125.58</b> |

## Grand Total

DD- 33,677.58+  
 CKS- 8,737.32+/  
 42,414.90\*

|                               |                    |
|-------------------------------|--------------------|
| HAP                           | 41,888.00          |
| UR                            | 189.00             |
| Damage Claim                  |                    |
| Vacancy Claim                 |                    |
| Administrative Fee            | 337.90             |
| FSS Escrow Account            |                    |
| Shelter Plus Security Deposit |                    |
| Other                         | 0.00               |
| <b>All Payments</b>           | <b>\$42,414.90</b> |

hso 6/9/17  
 6/9/17

# Voided Payment Report From Payment History

June 6, 2017

| Check #                  | Check Date | Payee Name                      |                                 | Amount           |
|--------------------------|------------|---------------------------------|---------------------------------|------------------|
| 146007                   | 5/1/2017   | Oklahoma Housing Finance Agency | Voided                          | 531.00           |
| 146007                   | 5/1/2017   | Oklahoma Housing Finance Agency | Voided                          | 67.58            |
| 146007                   | 5/1/2017   | Oklahoma Housing Finance Agency | Voided Payment Offsetting Entry | -531.00          |
| 146007                   | 5/1/2017   | Oklahoma Housing Finance Agency | Voided Payment Offsetting Entry | -67.58           |
| Total Voided Payments    |            |                                 |                                 | <u>\$598.58</u>  |
| Total Offsetting Entries |            |                                 |                                 | <u>-\$598.58</u> |

Voided - Absorbed tenant Sylvia Shaw



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR  
65 Civic Avenue  
Pittsburg, CA 94565**

**DATE:** 6/16/2017

**TO:** Chair and Agency Members

**FROM:** Joe Sbranti, Executive Director

**SUBJECT:** Adoption of Housing Authority Resolution to Implement the Housing Rehabilitation Loan Program

**MEETING DATE:** 7/17/2017

**EXECUTIVE SUMMARY**

The Housing Authority of the City of Pittsburg is proposing to implement the housing rehabilitation loan program (Program). The Program provides low interest deferred loans to eligible low to moderate income Pittsburg homeowners for various home improvements that fall under the category of health and safety, property maintenance, functional obsolescence, energy efficiency, or removal of architectural barriers for the disabled.

**FISCAL IMPACT**

There is no fiscal impact on the City's general fund for the Program. Community Development Block Grant (CDBG) and Housing Successor Agency (HSA) funds have been allocated for the Program. It is a self-sufficient Program that can be funded by CDBG and HSA as loan repayments are received.

**RECOMMENDATION**

Housing Authority adopt the Resolution approving the implementation of the Program.

**BACKGROUND**

Since 1979 the City of Pittsburg has operated the Program. Several funding sources have been used over the past years for the Program such as CDBG, HOME, State CDBG, and Redevelopment Agency monies. However, since the downturn in the economy in 2008 and the decrease in the City's annual CDBG entitlement award from the Federal government, City staff was reduced and funding for this Program was eliminated after fiscal year (FY) 2009-2010. Though the Program was eliminated, the demand for the Program continues.

As of FY 2014, the City re-established the Program using CDBG and HSA funds. At the time, it was not feasible for the City to administer the Program. Therefore, the City and HSA contracted with Contra Costa County since it had the capacity to administer the Program.

### **SUBCOMMITTEE FINDINGS**

Not applicable.

### **STAFF ANALYSIS**

As of FY 2017-2018, the County will no longer have the capacity to administer the Program on behalf of the City and HSA. Preserving the existing housing stock continues to be a goal for the City and due to high demand, the City and HSA will continue funding the Program. City staff will administer the Program internally. Funds allocated to the Program may be used directly to fund the loans and pay for the related administrative fees associated with its implementation.

The Program will be directed to low to moderate income owner-occupied, single family residences. According to the 2017 income limits set by the Department of Housing and Urban Development, for a family of four, a low income residence could earn up to \$ 80,400. For a family of four, a moderate income residence could earn up to \$116,900. The Program will provide loans to eligible applicants in amount not to exceed \$30,000 and require an executed loan agreement, promissory note, and a recorded deed of trust to secure the loan. The loan may be used to improve the living conditions of qualified households who, without the Program, will not have the resources to complete the needed improvements. Common repairs permitted under the Program include, but are not limited to, new roof and gutters; electrical and plumbing upgrades; lead based paint remediation to address health and safety concerns; and the installation of ramps, grab bars, and energy efficient windows.

ATTACHMENTS:     Resolution

Report Prepared By: Melaine Venenciano, Administrative Analyst II

BEFORE THE HOUSING AUTHORITY OF THE CITY OF PITTSBURG

In the Matter of:

Adoption of a Housing Authority of the City of )  
Pittsburg Resolution Approving the )  
Implementation of the Housing Rehabilitation ) RESOLUTION NO. 17-  
Loan Program )

The Pittsburg Housing Authority DOES RESOLVE as follows:

WHEREAS, since 1979 the City of Pittsburg has operated the Housing Rehabilitation Loan Program (Program). Several funding sources have been used over the past years for the Program such as Community Development Block Grant (CDBG), HOME, State CDBG, and Redevelopment Agency monies; and

WHEREAS, since the downturn in the economy in 2008 and the decrease in the City's annual CDBG entitlement award from the Federal government, City staff was reduced and funding for this Program was eliminated after fiscal year (FY) 2009-2010; and

WHEREAS, though the Program was eliminated, the demand for the Program continues and as of FY 2014, the City re-established the Program using CDBG and Housing Successor Agency (HSA) funds;and

WHEREAS, in FY 2014, it was not feasible for the City to administer the Program. Therefore, the City and HSA contracted with Contra Costa County since it had the capacity to administer the Program; and

WHEREAS, as of FY 2017-2018, the County will no longer have the capacity to administer the Program on behalf of the City and HSA; and

WHEREAS, preserving the existing housing stock continues to be a goal for the City and due to high demand, the City and HSA will continue funding the Program. City staff will administer the Program internally. Funds allocated to the Program may be used directly to fund the loans and pay for the related administrative fees associated with its implementation; and

WHEREAS, the Program will be directed to low to moderate income owner-occupied, single family residences. According to the 2017 income limits set by the Department of Housing and Urban Development, for a family of four, a low income residence could earn up to \$ 80,400. For a family of four, a moderate income residence could earn up to \$116,900; and

WHEREAS, the Program will provide loans to eligible applicants in amount not to exceed \$30,000 and require an executed loan agreement, promissory note, and a recorded deed of trust to secure the loan. The loan may be used to improve the living conditions of qualified households who, without the Program, will not have the resources to complete the needed improvements. Common repairs permitted under the Program include, but are not limited to, new roof and gutters; electrical and plumbing upgrades; lead based paint remediation to address health and safety concerns; and the installation of ramps, grab bars, and energy efficient windows.

NOW, THEREFORE, the Pittsburg Housing Authority finds and determines as follows:

Section 1.

All the recitals above are true and correct and incorporated herein.

Section 2.

The Housing Authority hereby adopts this Resolution to implement the Program.

Section 3.

There is no fiscal impact on the City's general fund for the Program. CDBG and HSA funds have been allocated for the Program. It is a self-sufficient Program that can be funded by CDBG and HSA as loan repayments are received.

Section 4.

The Executive Director is hereby authorized to take such further actions as may be necessary or appropriate to carry out the Housing Authority's obligations pursuant to this Resolution

Section 5.

The Agency Secretary shall certify to the adoption of this Resolution

Section 6.

This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the Housing Authority of the City of Pittsburg at a regular meeting on the 17<sup>th</sup> day of July, 2017, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

---

Marilyn Craft, Mayor

ATTEST:

---

Alice E. Evenson, Agency Secretary



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR  
65 Civic Avenue  
Pittsburg, CA 94565**

**DATE:** 6/29/2017  
**TO:** Chair and Agency Members  
**FROM:** Joe Sbranti, Executive Director  
**SUBJECT:** Adoption of Housing Authority Resolution to Implement the First Time Homebuyer Program  
**MEETING DATE:** 7/17/2017

**EXECUTIVE SUMMARY**

The Housing Authority of the City of Pittsburg (Housing Authority) is proposing to implement the First Time Homebuyer Program (Program). The Program provides down payment assistance in the form of low interest deferred loans to eligible low to moderate income borrowers purchasing a home in Pittsburg.

**FISCAL IMPACT**

There is no fiscal impact to the City's general fund for the Program. CalHome and Housing Successor Agency (HSA) loan repayments and interest earned are funding the Program. Currently, there is approximately \$143,000 in fund number 245 and 248 allocated for the Program.

**RECOMMENDATION**

Housing Authority adopt the Resolution approving the implementation of the Program.

**BACKGROUND**

On November 30, 2007, the City entered into an agreement (Standard Agreement) with the Department of Housing and Community Development (HCD) for CalHome funds to be used to operate the Program. In executing the Standard Agreement, the City agreed to abide by the provisions of the CalHome Statutes and Regulations (Regulations). The Regulations provide that all revenue generated from use of CalHome funds, including loan repayments, if any, are to be deposited into a local reuse account and used as provided for in the Regulations and as described in the local reuse account plan approved by HCD. In addition, the City agreed to service loans made with CalHome funds in accordance with a loan servicing plan approved by HCD.

On July 28, 2009, HCD approved the City's reuse account and loan servicing monitoring agreement (Reuse and Servicing Agreement). A Reuse and Servicing Agreement was necessary because the City's obligation for the administration of its local reuse account and loan servicing extend beyond the term of the Standard Agreement. The term of the Reuse and Servicing Agreement remains in full force until November 30, 2027 unless terminated by HCD.

Prior to the dissolution of the Redevelopment Agency (Agency) in 2012, the Program was also funded using Agency Housing Set-Aside funds. As Agency funded loans are paid off, the proceeds are set aside for reprogramming by the Housing Authority.

### **SUBCOMMITTEE FINDINGS**

Not applicable.

### **STAFF ANALYSIS**

According to the 2017 State Income Limits set by HCD, the median income in Contra Costa County for a family of four is \$97,400. American FactFinder identified the City's median income as \$56,311. Bay East Association of Realtors shows that the median home price in Pittsburg between May 2016 and May 2017 was \$382,387.

The City and the Housing Authority recognize the need to provide down payment assistance for persons/families to obtain affordable housing. The Program will provide up to \$20,000 in down payment assistance that bears three percent (3%) interest with a term of 30 years. Repayment of the loan is deferred until the property changes title or is refinanced for cash out. The borrower will be required to pay at least 1 percent (1%) of the down payment. Program eligibility will be based on income requirements. Additionally, each participant shall execute a promissory note secured by a deed of trust recorded against the home receiving the assistance to secure the City or HSA contribution.

The Program provides home ownership opportunities to those who may not have been able to purchase a home because of income limitation. The Program will strengthen the community by providing residents a long term stake in their neighborhoods.

ATTACHMENTS: Resolution

Report Prepared By: Melaine Venenciano, Administrative Analyst II



BEFORE THE HOUSING AUTHORITY OF THE CITY OF PITTSBURG

In the Matter of:

Adoption of a Housing Authority of the City of )  
Pittsburg Resolution Approving the )RESOLUTION NO.17-  
Implementation of the First Time Homebuyer )  
Program )

The Pittsburg Housing Authority DOES RESOLVE as follows:

WHEREAS, on November 30, 2007, the City entered into an agreement (Standard Agreement) with the Department of Housing and Community Development (HCD) for CalHome funds to be used to operate the First Time Homebuyer Program (Program); and

WHEREAS, in executing the Standard Agreement, the City agreed to abide by the provisions of the CalHome Statutes and Regulations (Regulations); and

WHEREAS, the Regulations provide that all revenue generated from use of CalHome funds, including loan repayments, if any, are to be deposited into a local reuse account and used as provided for in the Regulations and as described in the local reuse account plan approved by HCD; and

WHEREAS, in addition, the City agreed to service loans made with CalHome funds in accordance with a loan servicing plan approved by HCD. On July 28, 2009, HCD approved the City's reuse account and loan servicing monitoring agreement; and

WHEREAS, prior to the dissolution of the Redevelopment Agency (Agency) in 2012, the Program was also funded using Agency Housing Set-Aside funds. As Agency loans are paid off, the proceeds are set aside for reprogramming by the Housing Authority of the City of Pittsburg (Housing Authority); and

WHEREAS, according to the 2017 State Income Limits set by HCD, the median income in Contra Costa County for a family of four is \$97,400. American FactFinder identified the City's median income as \$56,311. Bay East Association of Realtors shows that the median home price in Pittsburg between May 2016 and May 2017 was \$382,387.; and

WHEREAS, the City and the Housing Authority recognizes the need to provide down payment assistance for persons/families to obtain affordable housing; and

WHEREAS, there is approximately \$143,000 to fund the Program; and

WHEREAS, the Program will provide up to \$20,000 in down payment assistance that bears three percent (3%) interest with a term of 30 years. Repayment of the loan is deferred until the property changes title or is refinanced for cash out. The borrower will be required to pay at least 1 percent (1%) of the down payment; and

WHEREAS, Program eligibility will be based on income requirements. Additionally, each participant shall execute a promissory note secured by a deed of trust recorded against

the home receiving the assistance to secure the City or Housing Successor Agency (HAS) contribution; and

WHEREAS, the Program provides home ownership opportunities to those who may not have been able to purchase a home because of income limitation. The Program will strengthen the community by providing residents a long term stake in their neighborhoods

NOW, THEREFORE, the Pittsburg Housing Authority finds and determines as follows:

Section 1.

All the recitals above are true and correct and incorporated herein.

Section 2.

The Housing Authority hereby adopts this Resolution to implement the Program.

Section 3.

There is no fiscal impact to the City's general fund for the Program. CalHome and HSA Agency loan repayments and interest earned are funding the Program. Currently, there is \$142,899 to fund the Program.

Section 4

The Executive Director is hereby authorized to take such further actions as may be necessary or appropriate to carry out the Housing Authority's obligations pursuant to this Resolution.

Section 5.

The Agency Secretary shall certify to the adoption of this Resolution.

Section 6.

This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the Housing Authority of the City of Pittsburg at a regular meeting on the 17<sup>th</sup> day of July, 2017, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

---

Marilyn Craft, Mayor

ATTEST:

---

Alice E. Evenson, Agency Secretary



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR  
65 Civic Avenue  
Pittsburg, CA 94565**

**DATE:** 7/6/2017

**TO:** Mayor and Council Members

**FROM:** Joe Sbranti, City Manager

**SUBJECT:** Adoption of a City Council Resolution to Confirm the Engineer's Report, Diagram and Assessment and Levy the Annual Assessment for Landscaping & Lighting Assessment District 1988-01, Citywide (Fiscal Year 2017-2018)

**MEETING DATE:** 7/17/2017

**EXECUTIVE SUMMARY**

Landscaping and Lighting Assessment District 1988-01 ("88-01 District"), has been in existence since 1988 and the funds collected are necessary for the City to maintain the public desired level of lighting and landscaping throughout the City. Each year, prior to ordering the improvements and levying the assessments, the City Council holds a public hearing.

**FISCAL IMPACT**

The District will collect \$3,009,621 in assessments, \$105,000 in Measure J contributions, and \$979,758 in General Fund contributions (\$31,153 in general benefit cost plus \$948,605 gap funding) for a total of \$4,094,379 in FY 17-18. This includes school district subsidies of \$59,843, City assessments of \$60,337, Housing Authority assessments of \$3,739, and unpaid assessments of \$4,990 for properties identified by the State Board of Equalization. The Public Works Department estimates that the City will expend \$4,094,379 during FY 17-18 to manage the District. No funds are expected to be carried over from FY 16-17 for the 88-01 Citywide Landscaping and Lighting District. Without the District, the General Fund would be responsible for the entire amount. On June 19, 2017, the City Council approved the Budget for FY 17-18 that included a \$250,000 reduction in the originally proposed spending on landscape and park maintenance. The expense budget above reflects the reduction approved by the City Council.

**RECOMMENDATION**

Adopt a City Council resolution confirming the diagram and assessments and levying the annual assessment for the 88-01 District, for FY 2017-18.

## **BACKGROUND**

On May 15, 2017, the City Council adopted Resolution 17-13319, directing the Engineer of Work, Francis P. McKinley, to file an annual report for Fiscal Year 2017-18 in accordance with the Landscaping and Lighting Act of 1972.

On June 1, 2017, the Engineer of Work filed the annual report with the City Clerk. All interested persons were referred to that report for a full and detailed description of the improvements, the boundaries of the assessment district and the proposed assessments upon assessable lots and parcels of land within the district.

On June 19, 2017, the City Council adopted Resolution 17-13326 approving the Engineer's Report and declared its intent to order improvements in the 88-01 District, for FY 2017-18. That resolution also set this evening's meeting as the public hearing on this matter.

## **SUBCOMMITTEE FINDINGS**

n/a

## **STAFF ANALYSIS**

FY 2017-2018 is the thirtieth fiscal year of the District's operation. For each parcel of land in the 88-01 District, the report recommends assessments, which, when combined with a contribution from the General Fund, are sufficient to fund the projected FY 2017-18 costs for operation, maintenance, servicing, replacement and installation of District improvements. The recommended assessments are proportional to the Engineer's estimates of relative benefits received by each parcel from the 1988-01 District improvements.

The Public Works Department has implemented maintenance level reductions in the past by eliminating feature planting bed areas, reducing water usage by using recycled water and implementing a Central Irrigation Control System. The Public Works Department has also reduced maintenance costs by reducing part-time labor and using additional custody alternative and community services works, eliminating street name sign lighting at major intersections and the use of LED's for City street lights in an attempt to reduce PG & E costs. These strategies have been effective at cutting maintenance costs and preventing a large increase in the General Fund subsidy even with the additional responsibilities of John Buckley Square and Ray Giacomelli Community Park. Without the 88-01 District, the General Fund would be responsible for the entire amount.

ATTACHMENTS:     Engineer's Report  
Resolution

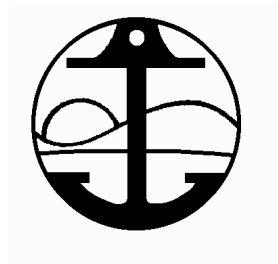
Report Prepared By: Gina Haynes  
Civil Engineer II

**City of Pittsburg  
Contra Costa County, California**

***ENGINEER'S REPORT***

***CITY OF PITTSBURG  
LANDSCAPING & LIGHTING  
ASSESSMENT DISTRICT 1988-01***

***FISCAL YEAR 2017-18  
June 1, 2017***



**Prepared By:**

**Francis P. McKinley  
City Engineer  
City of Pittsburg, California**

EXHIBIT "A"

# Landscaping & Lighting Assessment District 1988-01

## TABLE OF CONTENTS

|                                                              |          |
|--------------------------------------------------------------|----------|
| Certificates                                                 | i        |
| <b>Section I-Introduction</b>                                | <b>1</b> |
| <b>Section II- Engineer's Report</b>                         |          |
| Part A –Description of Improvements                          | 2        |
| Table 1: Parks and Facilities                                | 4        |
| Table 2: Medians                                             | 5        |
| Table 3: Rights-of-Way                                       | 6        |
| Table 4: Feature Planting Areas                              | 7        |
| Part B-Estimate of Costs                                     |          |
| 1. Estimate of Revenue and Costs                             | 8        |
| Table 5: Total Assessment by Land Use Categories             | 9        |
| Part C-Method of Apportionment of Assessment                 |          |
| 1 Calculation of Assessments & Assessment of New Parcels     | 10       |
| Table 6: City Land Use Categories                            | 13       |
| Table 7: Contra Costa County Land Use Codes                  | 14-15    |
| 2. Residential Benefit                                       | 16       |
| 3. Commercial and Industrial Benefit                         | 16       |
| 4. Mathematical Benefit Calculation                          | 16       |
| 5. Assessment Calculation                                    | 17-18    |
| A. Calculation of Multi Family & Residential Benefit Factors | 18-24    |
| B. Calculation of Commercial and Exceptions                  | 25-26    |
| C. Calculation of Industrial and Exceptions                  | 26-28    |
| Part D-Assessment District Diagram                           | 29       |
| Part E-Property Owner List and Assessment Roll               | 29       |

CITY OF PITTSBURG  
CITYWIDE LANDSCAPING AND LIGHTING  
ASSESSMENT DISTRICT 1988-01

FISCAL YEAR 2017-18

The undersigned respectfully submits the enclosed Engineer's Report as directed by the City of Pittsburg.

Dated: \_\_\_\_\_

By \_\_\_\_\_

Francis P. McKinley, PE  
RCE No. C59574

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached, was filed with me on the \_\_\_\_\_ day of \_\_\_\_\_,

Alice E. Evenson, City Clerk  
City of Pittsburg  
Contra Costa County, California

By \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached was approved and confirmed by the City Council of the City of Pittsburg, Contra Costa County, on the \_\_\_\_\_ day of \_\_\_\_\_ 2017.

Alice E. Evenson, City Clerk  
City of Pittsburg  
Contra Costa County, California

By \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached was filed with the County Auditor of the County of Contra Costa, on the \_\_\_\_\_ day of \_\_\_\_\_ 2017.

By \_\_\_\_\_

Francis P. McKinley, Community Development  
Director/City Engineer

## **SECTION I: INTRODUCTION**

In June 1988, the City Council confirmed the Engineer's Report, ordered improvements and levying the first annual assessment for Landscaping and Lighting District 1988-01. The assessment was originally set at \$69.24 per benefit factor, increased to \$77.18 per benefit factor in FY 1990-01, and was affirmed by voters in the 1996 General Election.

This report is for Fiscal Year 2017-18, the thirtieth fiscal year of the District's operation. For each parcel of land in the District, the report recommends assessments, which, when combined with a contribution from the general fund, are sufficient to fund the projected FY 2017-18 budget for operation, maintenance, servicing, replacement and installation of District improvements.

The Citywide Landscaping and Lighting Assessment District 1988-01 includes all of the incorporated City of Pittsburg, except Oak Hills Landscaping and Lighting Assessment District 1988-02 (located along West Leland Road and Bailey Road). The assessment diagram depicting the boundaries of District 1988-01 is on file in the Office of the City Clerk of the City of Pittsburg, and is incorporated herein.

For FY 2007-08 and all years thereafter, the City increased the assessment for a residential land use, (City category codes 01, 21, 22, 23, 24, 25 and 29), for a total assessment of \$102.18 per benefit factor. All other parcels including commercial, institutional, industrial, churches and non-profit will continue to pay the current assessment of \$77.18 per benefit factor. In accordance with Proposition 218, the City conducted a mailed ballot election for the assessment increase.

## **SECTION II: ENGINEER'S REPORT**

PREPARED PURSUANT TO THE PROVISIONS OF THE  
LANDSCAPING AND LIGHTING ACT OF 1972 SECTION 22500 THROUGH 22679  
OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

LANDSCAPING AND LIGHTING DISTRICT 1988-01  
FY 2017-18

This Preliminary Engineer's Report for the Pittsburg Landscaping and Lighting Assessment District 1988-01 is submitted, pursuant to Resolution 16-13181 of the Pittsburg City Council and under the provisions of the Landscaping and Lighting Act of 1972 (Part 2 Division 15 of the Streets and Highways Code of the State of California, commencing with Section 22500). I, Francis P. McKinley, the duly appointed Engineer of Work, Assessment Engineer for the Citywide Landscaping and Lighting District 1988-01, submit the following Report consisting of Section I and Section II consisting of the following five (5) parts:

### **PART A: DESCRIPTION OF IMPROVEMENTS**

This part describes the improvements in the District. For a more detailed description of the improvements, refer to the listing of improvements incorporated within this report.



## **PART B: ESTIMATE OF COST AND REVENUE**

This part contains an estimate of the costs to maintain the assets of the District that are supported by the assessment revenues proposed for FY 2017-18. The estimate of cost and revenue are on file in the Office of the City Clerk of the City of Pittsburg, and are incorporated herein.

## **PART C: METHOD OF APPORTIONMENT OF ASSESSMENT**

This part describes the method of apportionment of assessments, based upon parcel classification of land within the District in proportion to the estimated special benefit to be received.

## **PART D: ASSESSMENT DISTRICT DIAGRAM**

This part incorporates a Diagram of the District showing the exterior boundaries of the District, and the boundaries of Landscaping and Lighting District 1988-02 which is also located within the 1988-01 District boundaries. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Contra Costa for the fiscal year when this Report was prepared.

## **PART E: PROPERTY OWNER LIST & ASSESSMENT ROLL**

This part contains a list of the Assessor Parcel numbers of Contra Costa County, and the net amount to be assessed upon the benefited lands within the District for FY 2017-18. The Assessment Roll is filed in the Office of the Pittsburg City Clerk and incorporated in this Report by reference. The list is keyed to the records of the Contra Costa Assessor Parcel Map Numbers.

## **PART A: DESCRIPTION OF IMPROVEMENTS**

The Pittsburg Landscaping and Lighting Assessment District 1988-01 provides for the levy and collection of assessments to pay for maintenance of parks, street trees and the landscaping along public rights-of-way, in street median islands and around public buildings, in neighborhood and community parks, as well as sidewalk repair related to street tree damage and maintenance and utility bills. Other incidental costs included in District operations are the cost of preparation of the report, cost payable to the County for collection of assessments, cost for compensation of any engineer or attorney employed to render services and any cost associated with any elections held for the approval of a new or increased assessment.

### **Street Lights**

The street lighting system includes all street lights within the public right-of-way, easement, and public parks. There are a total of 4,283 street lights of which 1973 are City owned and 2,232 are PG & E owned within the 1988-01 Citywide Landscaping and Lighting District.

### **Street Trees**

Maintenance of all street trees located within the public right-of-way or a street tree maintenance easement.

#### Concrete

Replacement of sidewalks damaged by street trees and/or sidewalks adjacent to city owned property.

#### Landscaping

Maintenance and servicing of public parks and facilities, medians, right-of-ways and feature planning areas which are located within the District and described in Tables 1, 2, 3, and 4 of this Report. Improvements include but are not limited to trimming, pruning, weeding, fertilizing, irrigation, trash removal, sprinkler repair, plant replacement and other necessary maintenance programs.

## Table 1 Parks & Facilities

|                                                                                |                                                                                                             |
|--------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| <b>Marina Center</b> ; 340 Marina Blvd                                         | <b>Riverview Park</b> ; 2 River Park Drive                                                                  |
| <b>City Hall</b> ; 65 Civic Avenue                                             | <b>Marina Walk Park</b> ; 200 West 7 <sup>th</sup> St                                                       |
| <b>Santa Fe Linear Park</b> ; Columbia to Harbor Street                        | <b>Riverview Park</b><br>4 River Park Drive                                                                 |
| <b>Central Harbor</b> ; Pittsburg Marina                                       | <b>Community Youth Center</b> ; 60 Civic Ave                                                                |
| <b>Mariner Walk Park</b> -Herb White Way                                       | <b>De Anza Park</b> ; Trident Drive                                                                         |
| <b>City Park</b> ; Civic and Railroad Avenues                                  | <b>Environmental Center</b> ; 2581 Harbor Street                                                            |
| <b>Small World Park</b> ; 2581 Harbor Street                                   | <b>California Seasons Park</b> ; 1951 Seasons Way                                                           |
| <b>Highlands Ranch Park</b> ; Rangewood Drive                                  | <b>Stoneman Park North</b> ; 790 West Leland Road                                                           |
| <b>Sr. Citizens' Center</b> ; 300 Presidio Ln                                  | <b>Americana Park</b> ; 110 Salinas Ct                                                                      |
| <b>Stoneman Park South</b> (undeveloped); 2255 John Henry Johnson Parkway      | <b>Hillsdale Park</b> ; 2240 Daffodil Drive                                                                 |
| <b>Woodland Hills Park</b> ; 315 Alta Vista                                    | <b>Buchanan Park</b> ; 4150 Harbor Street                                                                   |
| <b>Highlands Park</b> ; 4215 St. Paul Circle                                   | <b>Central Park/POSCO</b> ; East of Columbia Street @ Central Avenue                                        |
| <b>East Bay M.U.D. Trail</b> ; EBMUD R/W Railroad Ave to East City Limits      | <b>Village At New York Landing</b> ; 240 Pebble Beach Loop                                                  |
| <b>Stoneman Trailhead</b> ; John Henry Johnson Parkway                         | <b>Harbor Street Trailhead</b> ; Harbor Street @ EBMUD Right-of-Way                                         |
| <b>Oakhills Park</b> ; Southwood and Woodhill Drives                           | <b>Heritage Plaza</b> ; 120 East 4 <sup>th</sup> Street                                                     |
| <b>City Hall (North)</b> ; 65 Civic Avenue                                     | <b>John Buckley Square</b> ; Railroad Ave/5 <sup>th</sup> Street/6 <sup>th</sup> Street & Black Diamond St. |
| <b>8<sup>th</sup> Street Linear Park</b> ; Harbor to Herb White Way            | <b>San Marco Park</b> ; West Leland Road                                                                    |
| <b>Columbia Street Linear Park</b> ; Pittsburg/ Antioch Highway to Central Ave |                                                                                                             |

## Table 2 Medians

|                                                                |                                                                       |
|----------------------------------------------------------------|-----------------------------------------------------------------------|
| <b>East Third Street;</b> Marina Boulevard to East Street      | <b>Marina Boulevard;</b> Bayside Drive to East Third Street           |
| <b>Harbor Street;</b> East Third Street To Stoneman Avenue     | <b>Power Avenue;</b> Andrew Avenue to West Catamaran Circle           |
| <b>Civic Avenue;</b> Davi Street to Railroad Avenue            | <b>Railroad Avenue;</b> East Fifth Street to South City Limits        |
| <b>Range Road;</b> Willow Pass Road to Southerly Terminus      | <b>East Leland Road;</b> Railroad Avenue to Century Boulevard         |
| <b>Century Boulevard;</b> East Leland Road to Somersville Road | <b>Loveridge Road;</b> Buchanan Road to State Route 4                 |
| <b>Gladstone Drive;</b> Loveridge Road To Arlington Circle     | <b>Meadowbrook Avenue;</b> Stoneman Avenue to Fallenleaf Way          |
| <b>Ventura Drive;</b> At Buchanan Road                         | <b>McFaul Drive;</b> At Buchanan Road                                 |
| <b>McDermott Avenue;</b> At Buchanan Road                      | <b>Suzanne Drive;</b> At Buchanan Road                                |
| <b>Santa Anna Drive;</b> At Buchanan Road                      | <b>Inverness Drive;</b> At Buchanan Road                              |
| <b>Campbell Drive;</b> At Buchanan Road                        | <b>Railroad Avenue;</b> At Buchanan Road                              |
| <b>West Buchanan Road;</b> Railroad Avenue to Crestview Drive  | <b>Bailey Road;</b> West Leland Road to State Route 4                 |
| <b>Capitola Place;</b> Capitola Drive to Cumberland Street     | <b>Loveridge Road;</b> North of Hwy 4                                 |
| <b>Ventura Drive;</b> S/O Buchanan Rd                          | <b>San Marco Blvd;</b> Highway 4 to South Terminus                    |
| <b>Meadows Avenue;</b> S/O Buchanan Rd                         | <b>West Leland Road Extension-</b> Southwood Drive to San Marco Blvd. |
| <b>West Tenth Street:</b> Railroad Avenue to Beacon Street     |                                                                       |

### Table 3 Rights-of-Way

| <b>George Lowy Marina</b>                                              | <b>Central Waterfront Basin III</b>                                            |
|------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| <b>East Third Street</b> ; Marina Boulevard To East Street Tree Wells  | <b>Historical District</b> (Railroad Ave); East Eighth to East Third Streets   |
| <b>Marina Boulevard</b> (South Side); Bayside Drive to West Street     | <b>Marina Boulevard</b> ; At East Fifth Street (Lapori Building Parking Lot)   |
| <b>PG&amp;E Berm</b> (West Side); Perimeter of Bayside Knolls          | <b>Bayside Drive</b> (West Side); Marina Boulevard to River Park Drive         |
| <b>East Sixth Street</b> ; At Railroad Avenue Parking Lot              | <b>East Third Street</b> ; @ Marina Boulevard Parking Lot                      |
| <b>Harbor Street</b> ; East Side Between School Street and Army Street | <b>Harbor Street</b> ; East Santa Fe Avenue to East Third Street               |
| <b>Central Harbor Parkway</b> ; Launch Ramp and Parking Lot            | <b>Willow Pass Road</b> ; Dory Road to West City Limits                        |
| <b>Railroad Avenue</b> ; California Avenue to East Tenth Street        | <b>Polaris Drive</b> ; East Catamaran Circle to Trident Drive                  |
| <b>Power Avenue</b> (North Side); At River Run Subdivision             | <b>Range Road</b> ; Willow Pass Road to Southerly Terminus                     |
| <b>East Catamaran Circle</b> (East Side)                               | <b>Frontage Road</b> ; Burton Avenue to Dover Way                              |
| <b>Range Road</b> ; Northerly Terminus to West Leland Road             | <b>Railroad Avenue</b> (West Side); Frontage Road to Alvarado Avenue           |
| <b>West Leland Road</b> ; Burton Avenue to San Marco Blvd.             | <b>East Leland Road</b> ; (South Side) At Leland Court and At Stoneridge Drive |
| <b>East Leland Road</b> ; (North Side) At Freed Circle                 | <b>Buchanan Road</b> (North Side); Harbor Street to Ventura Drive              |
| <b>Loveridge Road</b> ; Stoneman Avenue to Ventura Drive               | <b>Buchanan Road</b> (South Side); Quercas Lane to East City Limits            |
| <b>Stoneman Avenue</b> ; At Harbor Street                              | <b>Cumberland Street</b> ; E 3 <sup>rd</sup> to E 8 <sup>th</sup> St           |
| <b>E. Eighth St</b> ; Harbor to Cumberland Sts                         | <b>Railroad Ave</b> ; N/E Corner of E 17 <sup>th</sup> St                      |
| <b>Capitola Pl</b> ; Capitola Dr to Cumberland                         | <b>Willow Avenue @ Bailey Road</b>                                             |
| <b>California Ave</b> ; East of Loveridge Road                         | <b>Ventura Drive</b> ; @ Buchanan Road                                         |
| <b>Railroad Ave &amp; Buchanan Rd</b> ; N/W Corner                     | <b>West 8<sup>th</sup> St</b> ; Mitigation Project @ Herb White Way            |
| <b>Pittsburg-Antioch Hwy</b> ; Mitigation Project @ Kirker Creek       | <b>California Ave</b> ; East of Loveridge Road                                 |
| <b>North Parkside Drive</b> ; @ Cannery Ave                            | <b>San Marco Blvd</b> ; S/O Highway 4                                          |
| <b>Railroad Avenue</b> (East Side) California Avenue to Victory Avenue | <b>Alves Ranch Road</b> ; south of West Leland Road                            |

## Table 4 Feature Planting Bed Areas

|                                                                             |                                                                                 |
|-----------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| <b>Fisherman Monument;</b> East Third Street At Railroad Avenue             | <b>Raised Planter Beds;</b> Railroad Avenue at East Third Street                |
| <b>City Hall Planter Beds;</b> 65 Civic Avenue                              | <b>Fishing Boat Monument;</b> Marina Boulevard at East Third Street             |
| <b>Small World Park Entry Sign;</b> Harbor Street                           | <b>Leland Road and Railroad Avenue;</b> All Corners                             |
| <b>Buchanan Park Entrance;</b> Harbor Street                                | <b>Buchanan Park Sign and Planter;</b> Harbor Street                            |
| <b>East Leland Road;</b> Easterly City Limits                               | <b>Veterans &amp; Stoneman Memorial;</b> Small World Park (Harbor Street)       |
| <b>City Park Entrance Sign;</b> Railroad Ave                                | <b>City Park Memorial;</b> Railroad Avenue                                      |
| <b>Small World Park Feature Areas;</b> Pond, Railroad Track & Circular Beds | <b>Marina District Sign;</b> East Eighth Street and Railroad Avenue             |
| <b>Plaza Fountain;</b> East Fifth Street @ Black Diamond Street             | <b>Muniz Plaza;</b> West Side Railroad Ave Between E. Third & E. Fourth Streets |
| <b>Marina Boulevard;</b> At E. Fourth Street                                | <b>Marina Center;</b> 340 Marina Boulevard                                      |
| <b>Harbor Street;</b> At Presidio Lane                                      | <b>Pelican Loop Entry;</b> @ Marina Blvd                                        |
| <b>Harbor Street Trailhead;</b>                                             | <b>Railroad Avenue;</b> at Seventeenth Street                                   |
| <b>East Leland Road;</b> @ Easterly City Limit                              | <b>Railroad Ave @ East Fifth St;</b> Steel Worker Statue                        |
| <b>Meadows Avenue;</b> S/O Buchanan Rd                                      | <b>Oakhills South Entry Monument;</b> Woodhill Drive                            |
| <b>San Marco Blvd;</b> S/O Highway 4                                        | <b>Oakhills Unit 5;</b> Oakpoint Drive                                          |
| <b>Railroad Avenue;</b> At Alvarado Avenue                                  |                                                                                 |

## **PART B ESTIMATE OF COST**

### **A. Projected Revenue and Expense FY 2016-17**

|                                       |                        |           |
|---------------------------------------|------------------------|-----------|
| Fund Balance, July 1, 2016            |                        | \$187,760 |
| Assessment Posted to Roll             | \$2,826,877            |           |
| Less Refunds                          | 0                      |           |
| Other Revenue                         | \$23,493               |           |
| Projected General Fund Contribution   | \$1,019,970            |           |
| Projected Measure C                   | \$145,278              |           |
| Projected Expense July 2016-June 2017 | less (\$4,187,648)     |           |
| Collection Cost July 2016-June 2017   | <u>less (\$15,700)</u> |           |
| Projected Fund Balance, June 30, 2017 |                        | \$0       |
| Less Set Aside Reserves of            |                        |           |

### **B. Estimate of Cost FY 2017-18**

#### **Street Light Operation & Maintenance**

|                                |               |               |
|--------------------------------|---------------|---------------|
| Energy                         | \$ 355,000.00 |               |
| Reserve for New Lights         | -0-           |               |
| Rate Increases                 | -0-           |               |
| Repair & Equipment Maintenance | \$ 376,059.00 |               |
| Total Street Light O & M       |               | \$ 731,059.00 |

#### **Landscaping Operation & Maintenance**

|                                                                                                   |              |              |
|---------------------------------------------------------------------------------------------------|--------------|--------------|
| Maintenance, Repair, Materials,<br>Supplies, Water Contracts, Etc.<br>for Parks and Facilities    | \$ 1,779,765 |              |
| Maintenance, Repair, Materials,<br>Supplies, Water Contracts, Etc.<br>for Medians & Rights-of-Way | \$ 593,252   |              |
| Contingency for Maintenance,<br>Repair & Replacement of<br>Vehicles and Equipment                 | \$ 187,612   |              |
| Total Landscaping O & M                                                                           |              | \$ 2,560,620 |

#### **Street Trees & Concrete Repair**

|                                                   |            |            |
|---------------------------------------------------|------------|------------|
| Maintenance & Replacement of<br>Trees & Equipment | \$ 652,063 |            |
| Concrete Repair                                   | \$ 77,330  |            |
| Total Repair & Replacement                        |            | \$ 729,393 |

#### **Administration** \$ 73,307.00

TOTAL COSTS \$ 4,094,379.00

|                                                     |                              |
|-----------------------------------------------------|------------------------------|
| LESS FUND BALANCE (as of June 30, 2017)             | (\$0)                        |
| LESS ESTIMATED GENERAL FUND CONTRIBUTIONS           | (\$948,604.52)               |
| LESS MEASURE C FUNDS                                | (\$ 105,000.00)              |
| LESS GENERAL BENEFIT                                | <u>(\$ 31,153.00)</u>        |
| <b>NET COST AND TOTAL AMOUNT TO BE ASSESSED (1)</b> | <b><u>\$3,009,621.48</u></b> |

(1) This amount includes the General Fund subsidy for Public School Parcels (\$59,842.98), General Fund contributions for City assessments (\$60,337.14), General Fund subsidy and General Fund contributions for the Housing Authority assessments (\$3,739.46, State Board of Equalization Properties \$4,990.42).

## **TABLE 5. TOTAL ASSESSMENTS BY LAND USE CATEGORY**

| Category Code | Land Use Category<br>(From Table 1)                                                      | Parcel Count  | Benefit Factors  | Assessment            |
|---------------|------------------------------------------------------------------------------------------|---------------|------------------|-----------------------|
| 01            | Single Family Residential                                                                | 16,233        | 16,233.00        | 1,658,687.94          |
| 21            | 2 Units, Residential                                                                     | 277           | 412.18           | \$42,115.08           |
| 22            | 3 Units, Residential                                                                     | 16            | 34.83            | \$3,559.44            |
| 23            | 4 Units, Residential                                                                     | 68            | 199.27           | \$20,361.92           |
| 24            | Combo With More Than 1 Residence                                                         | 17            | 39.95            | \$4,082.00            |
| 25            | Multi-Family 5 or More Residence                                                         | 51            | 2,679.73         | \$272,895.36          |
| 29            | Condos, Co-ops, Clusters                                                                 | 397           | 297.75           | \$30,426.08           |
|               | <b>Total Residential</b>                                                                 | <b>16,734</b> | <b>19,887.71</b> | <b>\$2,032,127.82</b> |
|               |                                                                                          |               |                  |                       |
| 25/60         | Multi-Family/Commercial                                                                  | 2             | 126.15           | \$10,388.30           |
|               | <b>Total Mixed Use</b>                                                                   | <b>2</b>      | <b>126.15</b>    | <b>\$12,890.02</b>    |
|               |                                                                                          |               |                  |                       |
| 39            | Vacant Commercial & Institutional                                                        | 77            | 789.37           | \$60,923.98           |
| 50            | Developed Industrial                                                                     | 157           | 4,098.77         | \$316,344.00          |
| 59            | Vacant Industrial                                                                        | 64            | 978.34           | \$75,508.74           |
| 60            | Developed Commercial & Institutional                                                     | 377           | 6040.65          | \$466,219.02          |
| 71            | Churches                                                                                 | 54            | 216.00           | \$16,670.88           |
| 85            | Parking Lots                                                                             | 47            | 338.93           | \$26,158.54           |
| 90            | Non-Profit Organizations                                                                 | 9             | 36.00            | \$2,778.48            |
|               | <b>Total Commercial, Institutional, Industrial, Churches Parking Lots and Non-Profit</b> | <b>785</b>    | <b>12,498.06</b> | <b>\$964,603.64</b>   |
|               | <b>Totals</b>                                                                            | <b>17,846</b> | <b>32,511.92</b> | <b>\$3,009,621.48</b> |

## **PART C-METHOD OF APPORTIONMENT OF ASSESSMENT**



## 1. CALCULATION OF ASSESSMENT AND ASSESSMENT OF NEW PARCELS

The City Engineer has proposed/developed an equitable method for distributing the costs of maintaining the City lighting, landscaping and parks. That method:

1. Determines the relative benefit received by each parcel based on type and intensity of land use;
2. Derives a numerical expression to determine the special benefit (benefit factor);
3. Determines the costs for maintenance of the District improvements;
4. Derives an **actual** cost per unit of benefit (unit cost) by dividing the total estimated costs (based on actual maintenance costs) to cover all District cost by the total benefit factors; and
5. Derives an **applied** assessment for each parcel based on an assessment per benefit factor of \$102.18 for residential parcels and \$77.18 for commercial, institutional, churches, parking lots and non profit parcels.
6. Analyzes the actual costs per unit benefit for each parcel and the applied assessment for each parcel and calculates a City General Fund subsidy for all uses between actual District costs and applied assessment.

The assessment method asserts that: 1) all assessable parcels in the District benefit from the improvements because they are similarly distributed throughout the district; 2) the benefit for each property varies according to the use of the property and the intensity of that use, and for a given intensity of use, similar land uses will derive similar benefits; 3) the subsidy currently provided by the City is based on the actual maintenance cost to the District; 4) the subsidy currently provided to both residential and non-residential property is consistent with the goals of the community and City Council by offering a larger subsidy to commercial and industrial uses to increase economic development and generate and/or maintain jobs in the City; 5) The general benefit for the public at large is far less than the amount the City is currently contributing.

Newly developed areas within Citywide Landscaping and Lighting District 1988-01 will be assessed if a final map has been recorded and the parcel has been created by the date established by the County Assessor's Office for inclusion on the Assessment Roll. Vacant residential parcels are currently not assessed, therefore, an assessment will be levied once a structure is declared final by the Engineering Department, Building Division.

The establishment of the LLAD and its assessment methodology occurred prior to passage of Proposition 218. The provisions of Proposition 218 require that all parcels, including those that are owned by any agency (local, state or federal) that benefit from the improvements within the District cannot be exempt from assessments "*unless the agency can demonstrate by clear and convincing evidence that those publicly owned parcels in fact receive no special benefit.*" Proposition 218 also requires that all existing, new or increased assessments shall comply with the provisions of Proposition 218. Therefore, as a result, the following changes are proposed to make the assessments consistent, current and in conformance with state law.

### 1. Assessment of Public Parcels

The City has however, committed to subsidize 100% of the assessments to be levied on public school parcels in the City of Pittsburg. The subsidy for the public school parcel assessment is \$59,842.98. In addition, the General Fund will also pay the City assessments, which totals \$60,337.14, Housing Authority assessments totaling \$3,739.46. This public parcel list included in the Lighting and Landscaping District 88-01 includes but is not limited to the following agencies; City of Pittsburg, Contra Costa County, EBMUD, Contra Costa County Fire Protection District, BART, and the State of California.

## **2. GENERAL BENEFIT STREET LIGHTING AND PARK MAINTENANCE AND OPERATIONS**

The City may only assess property owners for that portion of the costs which provide a special and direct benefit to the properties located within the boundaries of the District. General benefits are not assessable and the City must fund that portion of the improvements which provides a general benefit to the public at large with some other funding source, such as the general fund. The 1972 Act does not specify a formula or method to use when determining the amount of general versus special benefit. The Engineer of Work is responsible for conducting the general versus special benefit analysis and then making a recommendation to the City Council, which makes the final determination. The general benefit analysis is summarized below.

### **Street Lighting**

The City recognizes that a portion of the maintenance, operation and servicing of the City's street lights on arterial streets that are funded by the District provides a general benefit to the public at large. Therefore, the City contribution to the District for any general benefits incurred by the maintenance, operation and services on arterial roadways is estimated to be 3% of the operation and maintenance cost. This estimate was derived by determining the percentage of arterial roadway included in the district and multiplying that by the percent benefit assumed for traffic operations. This amount totals \$20,332.00 for this FY 2017-18

### **Park Maintenance**

The District provides operation and maintenance for approximately 250 acres of City owned neighborhood and community parks, open space and recreation facilities. For the purpose of calculating general benefit, it was assumed that casual park use by non-residents (park users not participating in a scheduled program) is de minimus because of the local nature of park use and the condition and popularity of parks in adjacent communities. Therefore, the general benefit derived for park and facility operation and maintenance is based solely on programs currently offered by the Pittsburg Recreation Department. It was estimated that 24% of the park area and facilities in the District have recreation programs offered. Based on data sampled, 15% of the participants registered for these programs for this year are non-residents. Lastly, it was estimated that 14% of the yearly daylight hours are being used by recreation programs offered by the Recreation Department. Therefore, the estimated general benefit for operation and maintenance for parks and facilities is .5%. This amount totals \$9,160.00 for FY 2016-17. For FY 16-17 the general benefit is less than 1% of the total cost to maintain the District. This amount totals

\$29,492.00 and will be paid out of the General Fund. It is anticipated that the general benefit will remain consistent each fiscal year and will be reassessed in 4 years to determine if any significant changes in estimates exist.

**TABLE 6**      **LAND USE CATEGORIES**

| <b>Category Code*</b> | <b>Land Use Category Description</b>                                                                                                    |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| 00                    | Non-assessable Parcels Including: Undeveloped Residential Parcels, Non-buildable Parcels, District Open space, Parks, Playgrounds, etc. |
| 01                    | Single Family Residential                                                                                                               |
| 21                    | Two Units, Residential                                                                                                                  |
| 22                    | Three Units, Residential                                                                                                                |
| 23                    | Four Units, Residential                                                                                                                 |
| 24                    | Combinations With More Than One Residence                                                                                               |
| 25                    | Multi-Family Residential, Five or More Units                                                                                            |
| 29                    | Condo, Co-Op, Cluster, P.U.D. Attached                                                                                                  |
| 39                    | Vacant Commercial and Institutional                                                                                                     |
| 50                    | Developed Industrial                                                                                                                    |
| 59                    | Vacant Industrial                                                                                                                       |
| 60                    | Developed Commercial and Institutional                                                                                                  |
| 71                    | Churches                                                                                                                                |
| 85                    | Parking Lots                                                                                                                            |
| 90                    | Nonprofit Organizations                                                                                                                 |

\*Category Codes Were Created for the Purpose of this Assessment District.

## **CONTRA COSTA COUNTY USE CODES**

Page 1 of 2

### **Use Code**

### **Description**

- 1      Residential
- 10     Vacant, unbuildable
- 11     Single family, 1 residential on 1 Site and Duets w/o minor common areas
- 12     Single family, 1 residential on 2 or more sites
- 13     Single family, 2 or more residential on 1 or more sites

|    |                                                                                  |
|----|----------------------------------------------------------------------------------|
| 5  | <b>Industrial</b>                                                                |
| 50 | Vacant Land                                                                      |
| 51 | Industrial Park (with structures)                                                |
| 52 | Research and Development, with or without structures                             |
| 53 | Light industrial                                                                 |
| 54 | Heavy industrial                                                                 |
| 55 | Mini-warehouse (public storage)                                                  |
| 56 | Miscellaneous improvements, including trees & vines on light or heavy industrial |
| 59 | Pipeline rights-of-way                                                           |
| 6  | <b>Land</b>                                                                      |
| 61 | Rural, residential improved; 1 to 10 acres                                       |
| 62 | Rural, with or without miscellaneous structures, 1 to 10 acres                   |
| 63 | Urban acreage, 10 to 40 acres                                                    |
| 64 | Urban acreage, more than 40 acres                                                |
| 65 | Orchards, vineyards, row crops, irrigated pastures, 10 to 40 acres               |
| 66 | Orchards, vineyards, row crops, irrigated pastures, over 40 acres                |
| 67 | Dry farming, grazing and pasturing, 10 to 40 acres                               |
| 68 | Dry farming, grazing and pasturing, over 40 acres                                |
| 69 | Agricultural preserves                                                           |
| 7  | <b>Institutional</b>                                                             |
| 70 | Convalescent hospitals and rest homes                                            |
| 71 | Churches                                                                         |
| 72 | Schools & colleges, public or private, with or without improvements              |
| 73 | Hospitals, with or without improvements                                          |
| 74 | Cemeteries, mortuaries                                                           |
| 75 | Fraternal and service organizations, group homes, shelters                       |
| 76 | Retirement housing complex                                                       |
| 77 | Cultural uses (libraries, museums)                                               |
| 78 | Parks and playgrounds                                                            |
| 79 | Government-owned, with or without buildings (federal, state, city, BART)         |
| 8  | <b>Miscellaneous</b>                                                             |
| 80 | Mineral rights (productive/nonproductive)                                        |
| 81 | Private roads                                                                    |
| 82 | Pipelines and canals                                                             |
| 83 | State board assessed parcels                                                     |
| 84 | Utilities, with or without buildings (not assessed by SBE)                       |
| 85 | Public and private parking                                                       |
| 86 | Taxable municipally-owned property                                               |
| 87 | Common area parcels in PUD's (open spaces, recreational facilities)              |
| 88 | Mobile home                                                                      |
| 89 | Other; split parcels in different Tax Code Areas                                 |

## **5. Residential Benefit**

For residential parcels, the measure of the intensity of land use is based on the number of dwelling units on a parcel. Multiple dwelling unit residences receive increased benefits as the number of units on a parcel increases. However, the incremental benefit per unit decreases as the number of units increase. In other words, a single family home's Benefit Factor is 1.00, a condominium's benefit factor is 0.75, a four-plex's Benefit Factor is 2.95. A four-plex does not have four times the special benefit of a single family home, but its benefit is larger than that of a single family home. Each additional unit in a residential complex adds benefit, but less benefit than the previous unit added.

## **6. Commercial and Industrial Benefit**

For nonresidential parcels, the intensity of use is based on the parcel's area and its frontage along public streets. Benefits from District improvements are estimated to rise with increasing parcel area and frontage. Once again, however, the incremental benefit per unit of area or frontage decreases with increasing parcel size or frontage.

Two separate land use categories are used for nonresidential parcels; "industrial" and "commercial/institutional". These two nonresidential categories are further divided according to whether a parcel is developed or vacant. The assessment methodology estimates that the benefit to a vacant parcel is fifty (50) percent of the benefit to a developed one. Parking lots are defined as vacant commercial/institutional parcels and are thus assessed at the fifty (50) percent benefit level.

## **7. Mathematical Benefit Calculation**

The total benefit estimate for a given benefit measure can be calculated from formulas determined by the Engineer of Work that closely estimate the special benefit. Those formulas, charts denoting benefit given parcel use and size, and sample calculations are on pages 17 through 28 of this document.

## **8. Assessment Calculation**

After estimating the special benefits received by each parcel, the assessments are calculated. A parcel's assessment is determined by multiplying that parcel's benefit factors times the applied assessment per benefit factor. The applied assessment per benefit factor is \$102.17 for residential uses and \$77.18 for all others.

Cost estimates for FY 2016-17 operation, maintenance, and administration of the District are listed in Section II Part B, above. The assessment amount for each benefit factor for residential and other is determined as follows:

## A. ACTUAL ASSESSMENT PER BENEFIT FACTOR:

### ALL USES

|                                                                     |                 |
|---------------------------------------------------------------------|-----------------|
| Total Cost to Maintain the District                                 | \$ 4,360,495    |
| Divided By                                                          |                 |
| Total Benefit Factors                                               | 32,511.92       |
| Equals                                                              |                 |
| <b>Actual Assessment Per Benefit Factor</b>                         | <b>\$134.12</b> |
| <b>To Cover All District Cost Based on Current Maintenance Cost</b> |                 |

## B. APPLIED ASSESSMENT PER BENEFIT FACTOR:

### RESIDENTIAL:

|                                                         |                 |
|---------------------------------------------------------|-----------------|
| Total Amount to Be Assessed                             | \$2,032,127.82  |
| Divided By                                              |                 |
| Total Benefit Factors                                   | 19,887.71       |
| <b>Equals-Assessment Per Benefit Factor Residential</b> | <b>\$102.18</b> |
| (Shortfall from Actual Cost \$25.44 per benefit factor) |                 |

### COMMERCIAL, INSTITUTIONAL, INDUSTRIAL, CHURCHES AND NON-PROFIT ("OTHER")

|                                                         |                  |
|---------------------------------------------------------|------------------|
| Total Amount to Be Assessed:                            | \$977,493.66     |
| Divided By                                              |                  |
| Total Benefit Factors                                   | <b>12,624.21</b> |
| Equals                                                  |                  |
| <b>Assessment Per Benefit Factors (Other)</b>           | <b>\$77.18</b>   |
| (Shortfall from Actual Cost \$50.44 per benefit factor) |                  |

## C. CITY SUBSIDY PER BENEFIT FACTOR

### RESIDENTIAL

|                        |                            |
|------------------------|----------------------------|
| (\$162 minus \$102.18) | \$25.44 per benefit factor |
|------------------------|----------------------------|

### COMMERCIAL, INSTITUTIONAL, INDUSTRIAL, CHURCHES AND NON-PROFIT ("OTHER")

|                          |                            |
|--------------------------|----------------------------|
| (\$127.62 minus \$77.18) | \$50.44 per benefit factor |
|--------------------------|----------------------------|

For each land use category, Table 5 summarizes the number of parcels, the subtotal benefit factors and the applied assessment per benefit factor. The applied assessment for a residential land use, (City category codes 01, 21, 22, 23, 24, 25 and 29), is \$102.18 per benefit factor and all other parcels including commercial, institutional, industrial, churches

and non-profit will pay \$77.18 per benefit factor. This amount is still less than the actual assessment per benefit factor to cover all District costs based on actual maintenance costs (which equals \$127.43). Therefore, the City will continue to subsidize residential uses by \$25.44 per benefit factor and non-residential by \$50.44 per benefit factor. This is consistent with the goals of City Council and the community to encourage economic development and create and/or maintain jobs in the City of Pittsburgh.

The resulting assessments for each parcel are listed on the assessment roll, on file in the Office of the City Clerk of the City of Pittsburgh. This list is available for review.

## **A: CALCULATION OF MULTI-FAMILY RESIDENTIAL ASSESSMENT**

The assessment for each parcel with a multi-family residential building is determined by multiplying the Unit Assessment (\$102.18) by the parcel Benefit Factor. The parcel's Benefit Factor is determined by the number of dwelling units on the parcel. The Engineer uses one of two formulas for the Benefit Factor Calculation,  $B_1$  or  $B_2$  (below).  $B_1$  is used to calculate the benefit for twenty-five (25) or fewer residential units and  $B_2$  is used for parcels with more than twenty-five residential units.

Below are 1) The formulas used to calculate the Benefit Factors, and 2) Examples of the calculation.

Using these formulas, tables showing the number of residential units and the corresponding Benefit Factors have been constructed (see Appendix "A".)

Residential Benefit Factor calculation uses either:

$$\begin{aligned} \text{Formula } B_1 &= RO \times M + (S_1 \div 2) \times M^2 && \text{or} \\ \text{Formula } B_2 &= RO \times MB + (S_1 \div 2) \times MB^2 + RB \times (M-MB) + (S_2 \div 2) \times (M-MB)^2; \end{aligned}$$

where

$$\begin{aligned} M &= \text{Number of Dwelling Units} \\ MB &= 25 \\ RO &= 0.75 \\ RB &= 0.60 \\ S_1 &= -0.006 \\ S_2 &= -0.00038 \end{aligned}$$

where,

$$\begin{aligned} B_1 &= \text{benefit for a parcel with benefit measure falling within the first line segment of incremental benefit curve} \\ B_2 &= \text{benefit for a parcel with benefit measure falling within the second line segment of incremental benefit curve} \\ M &= \text{benefit measure (eg, number of dwelling units on a parcel)} \end{aligned}$$

MB = value of benefit measure at the point where two line segments meet (eg, number of dwelling units on a parcel)

RO = incremental benefit at benefit measure of 0 (ie, the y-intercept for incremental benefit curve) (eg, SFR/dwelling unit)

RB = incremental benefit at point where the two line segments meet (eg, dwelling unit number or parcel area or parcel frontage)

S<sub>1</sub> = slope of first line segment of incremental benefit curve (eg, dwelling unit number or parcel area or parcel frontage)

S<sub>2</sub> = slope of second line segment of incremental benefit curve (eg, dwelling unit number or parcel area or parcel frontage)

Substituting the above numbers for the letters, the formulas may be simplified to read:

$$B_1 = RO \times M + (S_1 \div 2) \times M^2$$

$$B_1 = 0.75M - (0.006 \div 2) \times M^2$$

$$B_1 = 0.75M - 0.003 \times M^2$$

$$B_2 = RO \times MB + (S_1 \div 2) \times MB^2 + RB \times (M-MB) + (S_2 \div 2) \times (M-MB)^2$$

$$B_2 = 0.75 \times 25 - (0.006 \div 2) \times 625 + 0.60 \times (M-25) - (0.00038 \div 2) \times (M-25)^2$$

$$B_2 = 18.75 - (0.003) \times 625 + 0.60 \times (M-25) - 0.00019 \times (M-25)^2$$

$$B_2 = 18.75 - 1.875 + (0.60 \times M) - 15 - 0.00019 \times (M-25)^2$$

$$B_2 = 1.875 + 0.60M - 0.00019 \times (M-25)^2$$

Calculation examples are on the next page.

**EXAMPLE 1.** Find the Benefit Factors for a residential complex with sixteen (16) units.

16 units are less than twenty-five, so Formula B<sub>1</sub> "RO x M + (S<sub>1</sub> ÷ 2) x M<sup>2</sup>" is used. That formula has been simplified for this example.

$$B_1 = 0.75M - 0.003 \times M^2$$

$$M = 16$$

$$B_1 = (0.75)(16) - (0.003)(16^2)$$

$$B_1 = 12 - 0.768$$

$$B_1 = 11.232 \text{ Benefit Factors}$$

The Assessment Amount = Benefit Factors Times the Unit Assessment

$$\text{The Assessment Amount} = 11.232 \times \$102.18 = \$1147.69 = \$1147.70$$

**EXAMPLE 2.** Find the Benefit Factors for a residential complex with one hundred



twenty units.

120 units are more than 25, so Formula B<sub>2</sub> ( $RO \times MB + (S_1 \div 2) \times MB^2 + RB \times (M-MB) + (S_2 \div 2) \times (M-MB)^2$ ) is used. That formula has been simplified for this example.

$$\begin{aligned} B_2 &= 1.875 + 0.60M - 0.00019 \times (M-25)^2 \\ M &= 120 \\ B_2 &= 1.875 + 0.60 \times 120 - 0.00019 \times (120-25)^2 \\ B_2 &= 1.875 + 72 - 0.00019 \times 9025 \\ B_2 &= 73.875 - 1.71475 \\ B_2 &= 72.160 \text{ Benefit Factors} \end{aligned}$$

The Assessment Amount = Benefit Factors Times the Unit Assessment  
The Assessment Amount =  $72.160 \times \$102.18 = \$7,373.31 = \$7,373.32$

**APPENDIX A-  
Residential Benefit Factors**

| Number<br>Of<br>Units | Benefit<br>Factors | Number<br>Of<br>Units | Benefit<br>Factors | Number<br>Of<br>Units | Benefit<br>Factors |
|-----------------------|--------------------|-----------------------|--------------------|-----------------------|--------------------|
| 2                     | 1.488              | 54                    | 34.115             | 106                   | 64.228             |
| 3                     | 2.223              | 55                    | 34.704             | 107                   | 64.797             |
| 4                     | 2.952              | 56                    | 35.292             | 108                   | 65.366             |
| 5                     | 3.675              | 57                    | 35.880             | 109                   | 65.934             |
| 6                     | 4.392              | 58                    | 36.468             | 110                   | 66.502             |
| 7                     | 5.103              | 59                    | 37.055             | 111                   | 67.070             |
| 8                     | 5.808              | 60                    | 37.642             | 112                   | 67.637             |
| 9                     | 6.507              | 61                    | 38.229             | 113                   | 68.204             |
| 10                    | 7.200              | 62                    | 38.815             | 114                   | 68.770             |
| 11                    | 7.887              | 63                    | 39.401             | 115                   | 69.336             |
| 12                    | 8.568              | 64                    | 39.986             | 116                   | 69.902             |
| 13                    | 9.243              | 65                    | 40.571             | 117                   | 70.467             |
| 14                    | 9.912              | 66                    | 41.156             | 118                   | 71.032             |
| 15                    | 10.575             | 67                    | 41.740             | 119                   | 71.596             |
| 16                    | 11.232             | 68                    | 42.324             | 120                   | 72.160             |
| 17                    | 11.883             | 69                    | 42.907             | 121                   | 72.724             |
| 18                    | 12.528             | 70                    | 43.490             | 122                   | 73.287             |
| 19                    | 13.167             | 71                    | 44.073             | 123                   | 73.850             |
| 20                    | 13.800             | 72                    | 44.655             | 124                   | 74.413             |
| 21                    | 14.427             | 73                    | 45.237             | 125                   | 74.975             |
| 22                    | 15.048             | 74                    | 45.819             | 126                   | 75.537             |
| 23                    | 15.663             | 75                    | 46.400             | 127                   | 76.098             |
| 24                    | 16.272             | 76                    | 46.981             | 128                   | 76.659             |
| 25                    | 16.875             | 77                    | 47.561             | 129                   | 77.220             |
| 26                    | 17.475             | 78                    | 48.141             | 130                   | 77.780             |
| 27                    | 18.074             | 79                    | 48.721             | 131                   | 78.340             |
| 28                    | 18.673             | 80                    | 49.300             | 132                   | 78.900             |
| 29                    | 19.272             | 81                    | 49.879             | 133                   | 79.459             |
| 30                    | 19.870             | 82                    | 50.458             | 134                   | 80.018             |
| 31                    | 20.468             | 83                    | 51.036             | 135                   | 80.576             |
| 32                    | 21.066             | 84                    | 51.614             | 136                   | 81.134             |
| 33                    | 21.663             | 85                    | 52.191             | 137                   | 81.692             |
| 34                    | 22.260             | 86                    | 52.768             | 138                   | 82.249             |
| 35                    | 22.856             | 87                    | 53.345             | 139                   | 82.806             |
| 36                    | 23.452             | 88                    | 53.921             | 140                   | 83.362             |
| 37                    | 24.048             | 89                    | 54.497             | 141                   | 83.918             |
| 38                    | 24.643             | 90                    | 55.072             | 142                   | 84.474             |
| 39                    | 25.238             | 91                    | 55.647             | 143                   | 85.029             |
| 40                    | 25.832             | 92                    | 56.222             | 144                   | 85.584             |
| 41                    | 26.426             | 93                    | 56.796             | 145                   | 86.139             |
| 42                    | 27.020             | 94                    | 57.370             | 146                   | 86.693             |
| 43                    | 27.613             | 95                    | 57.944             | 147                   | 87.247             |
| 44                    | 28.206             | 96                    | 58.517             | 148                   | 87.800             |
| 45                    | 28.799             | 97                    | 59.090             | 149                   | 88.354             |
| 46                    | 29.391             | 98                    | 59.662             | 150                   | 88.906             |
| 47                    | 29.983             | 99                    | 60.235             | 151                   | 89.459             |
| 48                    | 30.574             | 100                   | 60.806             | 152                   | 90.010             |
| 49                    | 31.166             | 101                   | 61.378             | 153                   | 90.562             |

|    |        |     |        |     |        |
|----|--------|-----|--------|-----|--------|
| 50 | 31.756 | 102 | 61.948 | 154 | 91.113 |
| 51 | 32.347 | 103 | 62.519 | 155 | 91.664 |
| 52 | 32.936 | 104 | 63.089 | 156 | 92.214 |
| 53 | 33.526 | 105 | 63.659 | 157 | 92.764 |

| Number<br>Of<br>Units | Benefit<br>Factors | Number<br>Of<br>Units | Benefit<br>Factors | Number<br>Of<br>Units | Benefit<br>Factors |
|-----------------------|--------------------|-----------------------|--------------------|-----------------------|--------------------|
| 158                   | 93.314             | 210                   | 121.372            | 262                   | 148.403            |
| 159                   | 93.863             | 211                   | 121.902            | 263                   | 148.913            |
| 160                   | 94.412             | 212                   | 122.431            | 264                   | 149.422            |
| 161                   | 94.961             | 213                   | 122.960            | 265                   | 149.931            |
| 162                   | 95.509             | 214                   | 123.488            | 266                   | 150.440            |
| 163                   | 96.057             | 215                   | 124.016            | 267                   | 150.948            |
| 164                   | 96.604             | 216                   | 124.544            | 268                   | 151.456            |
| 165                   | 97.151             | 217                   | 125.071            | 269                   | 151.963            |
| 166                   | 97.698             | 218                   | 125.598            | 270                   | 152.470            |
| 167                   | 98.244             | 219                   | 126.124            | 271                   | 152.977            |
| 168                   | 98.790             | 220                   | 126.650            | 272                   | 153.483            |
| 169                   | 99.335             | 221                   | 127.176            | 273                   | 153.989            |
| 170                   | 99.880             | 222                   | 127.701            | 274                   | 154.495            |
| 171                   | 100.425            | 223                   | 128.226            | 275                   | 155.000            |
| 172                   | 100.969            | 224                   | 128.751            | 276                   | 155.505            |
| 173                   | 101.513            | 225                   | 129.275            | 277                   | 156.009            |
| 174                   | 102.057            | 226                   | 129.799            | 278                   | 156.513            |
| 175                   | 102.600            | 227                   | 130.322            | 279                   | 157.017            |
| 176                   | 103.143            | 228                   | 130.845            | 280                   | 157.520            |
| 177                   | 103.685            | 229                   | 131.368            | 281                   | 158.023            |
| 178                   | 104.227            | 230                   | 131.890            | 282                   | 158.526            |
| 179                   | 104.769            | 231                   | 132.412            | 283                   | 159.028            |
| 180                   | 105.310            | 232                   | 132.934            | 284                   | 159.530            |
| 181                   | 105.851            | 233                   | 133.455            | 285                   | 160.031            |
| 182                   | 106.392            | 234                   | 133.976            | 286                   | 160.532            |
| 183                   | 106.932            | 235                   | 134.496            | 287                   | 161.033            |
| 184                   | 107.472            | 236                   | 135.016            | 288                   | 161.533            |
| 185                   | 108.011            | 237                   | 135.536            | 289                   | 162.033            |
| 186                   | 108.550            | 238                   | 136.055            | 290                   | 162.532            |
| 187                   | 109.089            | 239                   | 136.574            | 291                   | 163.031            |
| 188                   | 109.627            | 240                   | 137.092            | 292                   | 163.530            |
| 189                   | 110.165            | 241                   | 137.610            | 293                   | 164.028            |
| 190                   | 110.702            | 242                   | 138.128            | 294                   | 164.526            |
| 191                   | 111.239            | 243                   | 138.645            | 295                   | 165.024            |
| 192                   | 111.776            | 244                   | 139.162            | 296                   | 165.521            |
| 193                   | 112.312            | 245                   | 139.679            | 297                   | 166.018            |
| 194                   | 112.848            | 246                   | 140.195            | 298                   | 166.514            |
| 195                   | 113.384            | 247                   | 140.711            | 299                   | 167.011            |
| 196                   | 113.919            | 248                   | 141.226            | 300                   | 167.506            |
| 197                   | 114.454            | 249                   | 141.742            | 301                   | 168.002            |
| 198                   | 114.988            | 250                   | 142.256            | 302                   | 168.496            |
| 199                   | 115.523            | 251                   | 142.771            | 303                   | 168.991            |
| 200                   | 116.056            | 252                   | 143.284            | 304                   | 169.485            |
| 201                   | 116.590            | 253                   | 143.798            | 305                   | 169.979            |

|     |         |     |         |     |         |
|-----|---------|-----|---------|-----|---------|
| 202 | 117.122 | 254 | 144.311 | 306 | 170.472 |
| 203 | 117.655 | 255 | 144.824 | 307 | 170.965 |
| 204 | 118.187 | 256 | 145.336 | 308 | 171.458 |
| 205 | 118.719 | 257 | 145.848 | 309 | 171.950 |
| 206 | 119.250 | 258 | 146.360 | 310 | 172.442 |
| 207 | 119.781 | 259 | 146.871 | 311 | 172.934 |
| 208 | 120.312 | 260 | 147.382 | 312 | 173.425 |
| 209 | 120.842 | 261 | 147.893 | 313 | 173.916 |

| Number<br>Of<br>Units | Benefit<br>Factors | Number<br>Of<br>Units | Benefit<br>Factors | Number<br>Of<br>Units | Benefit<br>Factors |
|-----------------------|--------------------|-----------------------|--------------------|-----------------------|--------------------|
| 314                   | 174.406            | 366                   | 199.382            | 418                   | 223.330            |
| 315                   | 174.896            | 367                   | 199.852            | 419                   | 223.780            |
| 316                   | 175.386            | 368                   | 200.322            | 420                   | 224.230            |
| 317                   | 175.875            | 369                   | 200.791            | 421                   | 224.680            |
| 318                   | 176.364            | 370                   | 201.260            | 422                   | 225.129            |
| 319                   | 176.852            | 371                   | 201.729            | 423                   | 225.578            |
| 320                   | 177.340            | 372                   | 202.197            | 424                   | 226.027            |
| 321                   | 177.828            | 373                   | 202.665            | 425                   | 226.475            |
| 322                   | 178.315            | 374                   | 203.133            | 426                   | 226.923            |
| 323                   | 178.802            | 375                   | 203.600            | 427                   | 227.370            |
| 324                   | 179.289            | 376                   | 204.067            | 428                   | 227.817            |
| 325                   | 179.775            | 377                   | 204.533            | 429                   | 228.264            |
| 326                   | 180.261            | 378                   | 204.999            | 430                   | 228.710            |
| 327                   | 180.746            | 379                   | 205.465            | 431                   | 229.156            |
| 328                   | 181.231            | 380                   | 205.930            | 432                   | 229.602            |
| 329                   | 181.716            | 381                   | 206.395            | 433                   | 230.047            |
| 330                   | 182.200            | 382                   | 206.860            | 434                   | 230.492            |
| 331                   | 182.684            | 383                   | 207.324            | 435                   | 230.936            |
| 332                   | 183.168            | 384                   | 207.788            | 436                   | 231.380            |
| 333                   | 183.651            | 385                   | 208.251            | 437                   | 231.824            |
| 334                   | 184.134            | 386                   | 208.714            | 438                   | 232.267            |
| 335                   | 184.616            | 387                   | 209.177            | 439                   | 232.710            |
| 336                   | 185.098            | 388                   | 209.639            | 440                   | 233.152            |
| 337                   | 185.580            | 389                   | 210.101            | 441                   | 233.594            |
| 338                   | 186.061            | 390                   | 210.562            | 442                   | 234.036            |
| 339                   | 186.542            | 391                   | 211.023            | 443                   | 234.477            |
| 340                   | 187.022            | 392                   | 211.484            | 444                   | 234.918            |
| 341                   | 187.502            | 393                   | 211.944            | 445                   | 235.359            |
| 342                   | 187.982            | 394                   | 212.340            | 446                   | 235.799            |
| 343                   | 188.461            | 395                   | 212.864            | 447                   | 236.239            |
| 344                   | 188.940            | 396                   | 213.323            | 448                   | 236.789            |
| 345                   | 189.419            | 397                   | 213.782            | 449                   | 237.118            |
| 346                   | 189.897            | 398                   | 214.240            | 450                   | 237.556            |
| 347                   | 190.375            | 399                   | 214.699            | 451                   | 237.995            |
| 348                   | 190.852            | 400                   | 215.156            | 452                   | 238.432            |
| 349                   | 191.330            | 401                   | 215.614            | 453                   | 238.870            |
| 350                   | 191.806            | 402                   | 216.070            | 454                   | 239.307            |
| 351                   | 192.283            | 403                   | 216.527            | 455                   | 239.744            |
| 352                   | 192.758            | 404                   | 216.983            | 456                   | 240.180            |
| 353                   | 193.234            | 405                   | 217.439            | 457                   | 240.616            |

|     |         |     |         |     |         |
|-----|---------|-----|---------|-----|---------|
| 354 | 193.709 | 406 | 217.894 | 458 | 241.052 |
| 355 | 194.184 | 407 | 218.349 | 459 | 241.487 |
| 356 | 194.658 | 408 | 218.804 | 460 | 241.922 |
| 357 | 195.132 | 409 | 219.258 | 461 | 242.357 |
| 358 | 195.606 | 410 | 219.712 | 462 | 242.791 |
| 359 | 196.079 | 411 | 220.166 | 463 | 243.225 |
| 360 | 196.552 | 412 | 220.619 | 464 | 243.658 |
| 361 | 197.025 | 413 | 221.072 | 465 | 244.091 |
| 362 | 197.497 | 414 | 221.524 | 466 | 244.524 |
| 363 | 197.969 | 415 | 221.976 | 467 | 244.956 |
| 364 | 198.440 | 416 | 222.428 | 468 | 245.388 |
| 365 | 198.911 | 417 | 222.879 | 469 | 245.819 |

| Number<br>Of<br>Units | Benefit<br>Factors | Number<br>Of<br>Units | Benefit<br>Factors | Number<br>Of<br>Units | Benefit<br>Factors |
|-----------------------|--------------------|-----------------------|--------------------|-----------------------|--------------------|
| 470                   | 246.250            | 522                   | 268.143            |                       |                    |
| 471                   | 246.681            | 523                   | 268.554            |                       |                    |
| 472                   | 247.111            | 524                   | 268.956            |                       |                    |
| 473                   | 247.541            | 525                   | 269.375            |                       |                    |
| 474                   | 247.971            | 526                   | 269.785            |                       |                    |
| 475                   | 248.400            | 527                   | 270.194            |                       |                    |
| 476                   | 248.829            | 528                   | 270.603            |                       |                    |
| 477                   | 249.257            | 529                   | 271.012            |                       |                    |
| 478                   | 249.685            | 530                   | 271.420            |                       |                    |
| 479                   | 250.113            | 531                   | 271.828            |                       |                    |
| 480                   | 250.520            | 532                   | 272.113            |                       |                    |
| 481                   | 250.967            | 533                   | 272.520            |                       |                    |
| 482                   | 251.394            | 534                   | 272.926            |                       |                    |
| 483                   | 251.820            | 535                   | 273.332            |                       |                    |
| 484                   | 252.246            | 536                   | 273.738            |                       |                    |
| 485                   | 252.671            | 537                   | 274.143            |                       |                    |
| 486                   | 253.096            | 538                   | 274.548            |                       |                    |
| 487                   | 253.521            | 539                   | 274.952            |                       |                    |
| 488                   | 253.945            | 540                   | 275.356            |                       |                    |
| 489                   | 254.369            | 541                   | 275.760            |                       |                    |
| 490                   | 254.792            | 542                   | 276.163            |                       |                    |
| 491                   | 255.215            | 543                   | 276.556            |                       |                    |
| 492                   | 255.638            | 544                   | 276.968            |                       |                    |
| 493                   | 256.060            | 545                   | 277.370            |                       |                    |
| 494                   | 256.482            | 546                   | 277.772            |                       |                    |
| 495                   | 256.904            | 547                   | 278.173            |                       |                    |
| 496                   | 257.325            | 548                   | 278.574            |                       |                    |
| 497                   | 257.746            | 549                   | 278.975            |                       |                    |
| 498                   | 258.166            |                       |                    |                       |                    |
| 499                   | 258.587            |                       |                    |                       |                    |
| 500                   | 259.006            |                       |                    |                       |                    |
| 501                   | 259.426            |                       |                    |                       |                    |
| 502                   | 259.844            |                       |                    |                       |                    |
| 503                   | 260.263            |                       |                    |                       |                    |
| 504                   | 260.681            |                       |                    |                       |                    |
| 505                   | 261.099            |                       |                    |                       |                    |

|     |         |  |  |  |  |
|-----|---------|--|--|--|--|
| 506 | 261.516 |  |  |  |  |
| 507 | 261.933 |  |  |  |  |
| 508 | 262.350 |  |  |  |  |
| 509 | 262.766 |  |  |  |  |
| 510 | 263.182 |  |  |  |  |
| 511 | 263.598 |  |  |  |  |
| 512 | 264.013 |  |  |  |  |
| 513 | 264.428 |  |  |  |  |
| 514 | 264.842 |  |  |  |  |
| 515 | 265.256 |  |  |  |  |
| 516 | 265.670 |  |  |  |  |
| 517 | 266.083 |  |  |  |  |
| 518 | 266.496 |  |  |  |  |
| 519 | 266.908 |  |  |  |  |
| 520 | 267.320 |  |  |  |  |
| 521 | 267.732 |  |  |  |  |

## **B: CALCULATION OF COMMERCIAL ASSESSMENTS**

The assessment for each parcel with a commercial use building is determined by multiplying the Unit Assessment (\$77.18) by that parcel's Benefit Factors. The parcel's Benefit Factors are determined by its area and street frontage. The formula for calculating a parcel's Benefit Factors is a detailed formula which places frontage and area on a curve corresponding to a special benefit factor rating. Separate formulas are used for calculating the number of benefit factors earned by the parcel's frontage and by its area.

Below are the formulas used to calculate the Benefit Factors for frontage and for area, and an example of the calculation.

In the following formulas and example, please note:

F = Actual Parcel Frontage X .75  
A = Parcel Area (In Acres)  
B = Benefit Factor

FB<sub>1</sub> Frontage Benefit Formula 1 (when frontage is ≤ 230')

$$FB_1 = 0.062 \times F - (0.0002391304 \div 2) \times F^2$$

FB<sub>2</sub> Frontage Benefit Formula 2 (when frontage is > 230')

$$FB_2 = 7.935 + 0.007 \times (F-230) - (0.0000022472 \div 2) \times (F-230)^2$$

AB<sub>1</sub> Area Benefit Formula 1 (when parcel area is ≤ 1.25 acres)

$$AB_1 = 28.0 \times A - (21.6 \div 2) \times A^2$$

AB<sub>2</sub> Area Benefit Formula 2 (when parcel area is > 1.25 acres)

$$AB_2 = 18.125 + 1.0 \times (A - 1.25) - (0.012903226 \div 2) \times (A-1.25)^2$$

**EXAMPLE** Find the assessment for an inside lot; 75' x 100'

Step 1. Define the parameters:

F = 75' (Actual Parcel Frontage) X .75 (Multiplier)  
A = 75' x 100' = 7500 square feet ÷ 43,560 = 0.172 acre  
(1 Acre = 43,560 square feet)

Step 2. Calculate frontage benefit factors using Formula FB<sub>1</sub>: (frontage is < 230')

$$FB_1 = 0.062 \times F - (0.0002391304 \div 2) \times F^2$$

$$\begin{aligned}
F &= 56.25' \\
FB_1 &= 0.062 \times 56.25 - 0.0001195652 \times 56.25^2 \\
FB_1 &= 3.49 - 0.0001195652 \times 3164 \\
FB_1 &= 3.49 - 0.369 \\
FB_1 &= 3.121 \text{ Benefit Factors}
\end{aligned}$$

Step 3. Calculate area benefit factors using Formula AB<sub>1</sub> (area is < 1.25 acres)

$$\begin{aligned}
AB_1 &= 28.0 \times A - (21.6 \div 2) \times A^2 \\
A &= 0.172 \text{ acre} \\
AB_1 &= 28.0 \times 0.172 - 10.8 \times 0.172^2 \\
AB_1 &= 4.816 - 10.8 \times 0.030 \\
AB_1 &= 4.816 - 0.324 \\
AB_1 &= 4.492 \text{ Benefit Factors}
\end{aligned}$$

Step 4. Find the total Benefit Factors earned by the parcel.

$$\begin{aligned}
\text{Benefit Factors} &= FB_1 + AB_1 \\
\text{Benefit Factors} &= 3.121 + 4.492 = 7.613 \text{ Benefit Factors}
\end{aligned}$$

Step 5. Determine the Landscaping and Lighting Assessment.

$$\begin{aligned}
\text{Assessment} &= \text{Unit Assessment Times Benefit Factors} \\
\text{Assessment} &= \$77.18 \times 7.613 = \$587.58
\end{aligned}$$

The above example assumes the parcel is developed. If the parcel is not developed, the Assessment is 50% of the above figure.

## **EXCEPTIONS**

Individually-owned parcels and common area parcels of commercial and industrial condominiums are assigned a proration of the area and frontage, if applicable, to accommodate for the common area parcel.

## **C. CALCULATION OF INDUSTRIAL ASSESSMENTS**

The assessment for each parcel with an industrial use building is determined by multiplying the Unit Assessment (\$77.18) by that parcels Benefit Factors. The parcel's Benefit Factors are determined by its area and street frontage. The formula for calculating a parcel's Benefit Factors is a detailed formula which places frontage and area on a curve corresponding to a predetermined benefit factor rating. Separate formulas are used for calculating the number of benefit factors earned by the parcel's frontage and by its area.

Below are the formulas used to calculate the Benefit Factors for frontage and for area and an example of the calculation.



In the following formulas and example, please note:

F = Actual Parcel Frontage X .75

A = Parcel Area (In Acres)

BF = Benefit Factor

FB<sub>1</sub> Frontage Benefit Formula 1 (when frontage is ≤ 1,000')

$$FB_1 = 0.026 \times F - (0.000017 \div 2) \times F^2$$

FB<sub>2</sub> Frontage Benefit Formula 2 (when frontage is > 1,000')

$$FB_2 = 17.5 + 0.009 \times (F-1000) - (0.0000032 \div 2) \times (F-1000)^2$$

AB<sub>1</sub> Area Benefit Formula 1 (when parcel area is ≤ 5.32 acres)

$$AB_1 = 14.75 \times A - (2.678572 \div 2) \times A^2$$

AB<sub>2</sub> Area Benefit Formula 2 (when parcel area is > 5.32 acres)

$$AB_2 = 40.565 + 0.5 \times (A - 5.32) - (0.007032 \div 2) \times (A-5.32)^2$$

**EXAMPLE** Find the assessment for an inside lot; 250' x 400'

Step 1. Define the parameters:

F = 250' (Actual Parcel Frontage) X .75 (Multiplier)

A = 250' x 400' = 100,000 square feet ÷ 43,560 = 2.30 acres  
(1 Acre = 43,560 square feet)

Step 2. Calculate frontage benefit factors using Formula FB<sub>1</sub>: (frontage is < 1,000')

$$FB_1 = 0.026 \times F - (0.000017 \div 2) \times F^2$$

$$F = 187.5'$$

$$FB_1 = 0.026 \times 187.5 - 0.0000085 \times 187.5^2$$

$$FB_1 = 0.026 \times 187.5 - 0.0000085 \times 35,156$$

$$FB_1 = 4.875 - 0.299$$

$$FB_1 = 4.576 \text{ Benefit Factors}$$

Step 3. Calculate area benefit factors using Formula AB<sub>1</sub> (area is < 5.32 acres)

$$AB_1 = 14.75 \times A - (2.678572 \div 2) \times A^2$$

$$A = 2.30 \text{ acres}$$

$$AB_1 = 14.75 \times 2.30 - 1.339286 \times 2.30^2$$

$$AB_1 = 14.75 \times 2.30 - 1.339286 \times 5.29$$

$$AB_1 = 33.925 - 7.085$$

$$AB_1 = 26.8402 \text{ Benefit Factors}$$

Step 4. Find the total Benefit Factors earned by the parcel.

$$\text{Benefit Factors} = FB_1 + AB_1$$

$$\text{Benefit Factors} = 4.576 + 26.8402 = 31.4162 \text{ Benefit Factors}$$

Step 5. Determine the Landscaping and Lighting Assessment.

$$\text{Assessment} = \text{Unit Assessment Time Benefit Factors}$$

$$\text{Assessment} = \$77.18 \times 31.4162 = \$2,424.70$$

The above example assumes the parcel is developed. If the parcel is not developed, the Assessment is 50% of the above figure.

### **EXCEPTIONS**

Each industrial parcel that has an area greater than seventy-six (76) acres are assigned, for purposes of assessment, an acreage of 76 acres, this being the point before the parcel area formula curve goes downward. Without such an assignment, the assessment for these parcels would have been less than for parcels of a smaller size.

### **PART D: ASSESSMENT DIAGRAM DESCRIPTION**

The boundary of District 1988-01 coincides with the City of Pittsburg boundary, except that the Oakhills District 1988-02 is not included in District 1988-01. Also depicted on the diagram are the book limits for the Contra Costa County Assessor's Parcel Map Books.

The Contra Costa County Assessor's Parcel Maps are hereby incorporated by reference into this report. The County Assessor's Maps shall govern for all details concerning the lines and dimensions of lots or parcels. The County Assessor's Parcel Number is hereby adopted as the distinctive number identifying each parcel for purposes of this assessment.

### **PART E: PROPERTY OWNER LIST AND ASSESSMENT ROLL**

The assessment roll is a computerized list of each parcel within the District. The list includes the assessment number (Assessor's Parcel Number), owner of record, situs address, category code and the assessment for each parcel. This roll may be examined in the Office of the City Clerk of the City of Pittsburg.

***ASSESSMENT DIAGRAM FOR THE  
CITY OF PITTSBURG  
LANDSCAPING & LIGHTING  
ASSESSMENT DISTRICT 1988-01  
  
IS ON FILE IN THE  
OFFICE OF THE CITY CLERK***

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In The Matter Of:

|                                                  |   |                   |
|--------------------------------------------------|---|-------------------|
| Confirming the Engineer's Report, Diagram and    | ) | RESOLUTION NO 17- |
| Assessments and Levying the Annual Assessments   | ) |                   |
| for Landscaping and Lighting Assessment District | ) |                   |
| <u>1988-01, Citywide for Fiscal Year 2017-18</u> | ) |                   |

The Pittsburgh City Council DOES RESOLVE as follows:

WHEREAS, California Streets and Highways Code § 22500 et seq., also known as the Landscaping and Lighting Act of 1972 ("1972 Act"), authorizes the creation of assessment districts to perform certain functions, including the installation, construction, and maintenance of landscaping, lighting, and park and recreational facilities; and

WHEREAS, in accordance with the 1972 Act, the City of Pittsburgh created the Citywide Landscaping and Lighting District 1988-01 ("88-01 District") for the purpose of performing certain functions, including the improvement and maintenance of the landscaping and lighting of City parks and facilities, medians, rights of way and streets; and

WHEREAS, Pursuant to Chapter 3 of the 1972 Act, the City Council directed the Engineer of Work for the 88-01 District to prepare and file an annual report for FY 2017-18; and

WHEREAS, the Engineer of Work filed his annual report on June 1, 2017, and the City Council adopted Resolution 17-13326 approving the Engineer's Report and declaring its intent to levy and collect assessments 88-01 District for FY 2017-18. The City Council also set a public hearing to be held on July 17, 2017, in the meeting place of the City Council, City Hall, 65 Civic Avenue, Pittsburgh. A notice of the hearing was given in the time and manner required by law; and

WHEREAS, at the public hearing, the City Council afforded to every interested person an opportunity to protest the annual report either in writing or orally.

NOW, THEREFORE, the City Council finds and determines as follows:

- Section 1. The City Council hereby finds and determines that the above recitals are true and correct and have served as the basis, in part, for the findings and actions of the City set forth below.
- Section 2. The Council orders the improvements, generally described as landscaping and lighting installation, maintenance and repair, described in detail in the Report, and orders the levy and collection of the assessment for the FY 2017-18.
- Section 3. The Council hereby confirms the diagram and increased Assessment for the 88-01 District on file with the City Clerk.

Section 4. City Staff is hereby directed to collect the Assessment described in the Report for FY 2017-2018 from each record owner of a parcel within the 88-01 District.

Section 5. The City Clerk shall certify the adoption of this Resolution.

Section 6. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 17th day of July, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

---

Marilyn Craft, Mayor

ATTEST:

---

Alice E. Evenson, City Clerk



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR  
65 Civic Avenue  
Pittsburg, CA 94565**

**DATE:** 7/4/2017

**TO:** Mayor and Council Members

**FROM:** Joe Sbranti, City Manager

**SUBJECT:** Adoption of a City Council Resolution to Confirm the Engineer's Report, Diagram and Assessment and Levy the Annual Assessments for Landscaping and Lighting Assessment District 1988-02, Oak Hills (Fiscal Year 2017-2018)

**MEETING DATE:** 7/17/2017

**EXECUTIVE SUMMARY**

Landscaping and Lighting Assessment District 1988-02, Oak Hills ("1988-02 District") has been in existence since 1988 and the funds collected are necessary for the City to maintain the public's desired level of lighting and landscaping in the Oak Hills area. Each year, prior to ordering the improvements and levying the assessments, the City Council holds a public hearing.

**FISCAL IMPACT**

Landscaping and Lighting District 88-02 collects \$33,960 annually in revenue for the Oak Hills area. The Public Works Department estimates that it will expend \$34,622 during Fiscal Year 2017-18 in managing the district. The City contribution to the District for general benefits incurred by the operation of higher wattage street lighting on the arterial roadway is estimated to be \$663 or 13% of the electrical cost for FY 2017/18.

Without the District, the General Fund would be responsible for the entire cost of maintaining the improvements located within the Oak Hills area.

**RECOMMENDATION**

City Council adopt a resolution confirming the diagram and assessments and levy the annual assessment for the 88-02 District for FY 2017-18.

**BACKGROUND**

On June 6, 1988, the City Council confirmed the Engineer's Report, ordered improvements and levied the first annual assessment for the 88-02 District, Oak Hills. Since then the funds collected annually by this district go to support the City's landscaping and lighting operations in the Oak Hills area.

On May 15, 2016, the City Council adopted Resolution 17-13320, directing the Engineer of Work, Francis P. McKinley, to file an annual report for Fiscal Year 2017-18 in accordance with the Landscaping and Lighting Act of 1972. That report has been prepared and is on file in the Office of the City Clerk.

On June 19, 2017, by adoption of Resolution 17-13327 the City Council approved the Engineer's Report and declared its intent to order improvements in Landscaping and the 1988-02 District for FY 2017-18. That resolution also set this evening's meeting as the public hearing on this matter.

### **SUBCOMMITTEE FINDINGS**

n/a

### **STAFF ANALYSIS**

FY 2017-18 is the thirtieth year of the District's operations. The funds collected are necessary for the City to maintain its current level of lighting and landscaping in the Oak Hills area.

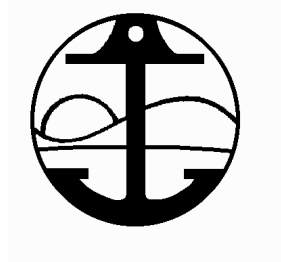
There have been no changes made in either the formula or benefit factor value as approved last year.

ATTACHMENTS:     Engineer's Report  
Resolution

Report Prepared By: Gina Haynes  
Civil Engineer

**City of Pittsburg  
Contra Costa County, California**

***ENGINEER'S REPORT FOR THE  
  
CITY OF PITTSBURG  
LANDSCAPING & LIGHTING  
ASSESSMENT DISTRICT 1988-02  
AND THE  
LEVY OF THE ANNUAL ASSESSMENT  
FOR THE 2017-18 FISCAL YEAR***



**Prepared By:**

**Francis P. McKinley  
City Engineer  
City of Pittsburg**



# **Table of Contents**

|        |                                         |   |
|--------|-----------------------------------------|---|
| I.     | Introduction                            | 1 |
| I I.   | Description of Improvements             | 3 |
| I I I. | Estimate of Costs                       |   |
| A.     | Projected Revenue & Expense, 2016-17 FY | 4 |
| B.     | Estimate of Costs & Revenue 2017-18 FY  | 5 |
| I V.   | Assessment Method                       | 6 |
| V.     | General Benefit                         |   |
| V I.   | Assessment Roll Description             | 7 |
| V I I. | Assessment Diagram Description          | 7 |

CITY OF PITTSBURG  
OAKHILLS LANDSCAPING AND LIGHTING  
ASSESSMENT DISTRICT 1988-02

FISCAL YEAR 2017-18

The undersigned respectfully submits the enclosed Engineer's Report as directed by the City of Pittsburg.

Dated: \_\_\_\_\_

By \_\_\_\_\_  
Francis P. McKinley, PE  
RCE No. C59574

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached, was filed with me on the \_\_\_\_\_ day of \_\_\_\_\_,

Alice E. Evenson, City Clerk  
City of Pittsburg  
Contra Costa County, California

By \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached was approved and confirmed by the City Council of the City of Pittsburg, Contra Costa County, on the \_\_\_\_\_ day of \_\_\_\_\_ 2017.

Alice E. Evenson, City Clerk  
City of Pittsburg  
Contra Costa County, California

By \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached was filed with the County Auditor of the County of Contra Costa, on the \_\_\_\_\_ day of \_\_\_\_\_ 2017.

By \_\_\_\_\_

Francis P. McKinley, City Engineer

## INTRODUCTION

This Engineer's Report for the Pittsburg Landscaping and Lighting Assessment District 1988-02 is being submitted pursuant to Resolution 17-13320 of the Pittsburg City Council, under the provisions of Part 2, Division 15 of the California Streets and Highways Code, Sections 22500 through 22679 (The Landscaping and Lighting Act of 1972).

The boundaries of the Assessment District are depicted on the Assessment Diagram on file in the office of the City Engineer. Landscaping and Lighting District 1988-02 (Oak Hills) is separate and distinct from Landscaping and Lighting District 1988-01 (Citywide).

This report is for Fiscal Year 2017-18, the thirtieth fiscal year of the District's operation. For each parcel of land in the District, this report recommends assessments sufficient to fund the projected Fiscal Year 2017-18 budget for operation, maintenance, servicing, replacement and installation of District improvements. These recommended assessments are proportional to the Engineer's estimates of relative benefits received by each parcel from District improvements.

This report is based upon the report that the City Council commissioned, for the formation of the District, FY 1988-89 and subsequent reports prepared for Fiscal Years 1989-90 through 2017-18 inclusive. The method of assessment and diagram (incorporated herein by this reference) are based upon the 2017-18 Engineer's Report for Landscaping and Lighting District 1988-02 and the 2017-18 FY projected budget.

## II. DESCRIPTION OF IMPROVEMENTS

Pittsburg's "Landscaping and Lighting Assessment District 1988-02" provides for the levy and collection of assessments to pay for the following types of improvements:

1. Street Lights

Maintenance of eighty three (83) street lights. A list of street light locations is on file with the City Clerk.

2. Street Trees

Maintenance all street trees within the District.

3. Concrete

Replacement of sidewalks damaged by street trees.

4. Landscaping

Maintenance of facilities, rights-of-way and medians.

5. Future Capital Improvements

- a. Removal and replacement of damaged or unhealthy trees and plants located on eroded slope areas;
- b. Stabilization and soil replacement of eroded slopes;
- c. Installation of a neighborhood entry feature.

### Landscape Improvement Locations

Oakhills Drive Right-of-Way  
West Leland Road to Southwood Drive

West Leland Road Right-of-Way  
Oakhills Drive to Westerly Terminus

Oakhills Pump Station  
1703 Bridgeview Street (Corner of Southwood Drive)

III. ESTIMATE OF COST

A. PROJECTED REVENUE & EXPENSE, FY 2014-15

|                                     |           |                  |
|-------------------------------------|-----------|------------------|
| Fund Balance, June 30, 2016         |           | \$ 14,142        |
| Projected Revenue, 2015-16          |           |                  |
| Assessments Posted to Roll          | \$ 33,959 |                  |
| Interest Income                     | \$ 0      |                  |
| Other                               | \$ 0      |                  |
| Subtotal Projected Revenue, 2016-17 |           | <u>\$ 33,959</u> |
| Less Projected Expense, 2016-17     |           | \$ (31,280)      |
| Less Collection Costs               |           | \$ ( 200)        |
| Projected Balance, June 30, 2017    |           | \$ 16,621        |

**B. ESTIMATE OF COST, 2016-17 FY**

The following cost estimates for operation, maintenance and administration of the District for FY 2016-17 are provided by the City of Pittsburgh:

**STREET LIGHT**

|                           |    |        |
|---------------------------|----|--------|
| Operation and Maintenance | \$ | 14,258 |
|---------------------------|----|--------|

**LANDSCAPING**

|                        |    |        |
|------------------------|----|--------|
| Maintenance and Repair | \$ | 16,888 |
|------------------------|----|--------|

**ADMINISTRATION**

\$.....

|                  |    |       |
|------------------|----|-------|
| Collection Costs | \$ | 3,476 |
|------------------|----|-------|

|            |    |        |
|------------|----|--------|
| TOTAL COST | \$ | 34,622 |
|------------|----|--------|

|                                     |    |  |
|-------------------------------------|----|--|
| LESS CONTRIBUTION FROM RESERVE FUND | \$ |  |
|-------------------------------------|----|--|

|                      |    |       |
|----------------------|----|-------|
| LESS GENERAL BENEFIT | \$ | (663) |
|----------------------|----|-------|

|                                 |    |     |
|---------------------------------|----|-----|
| LESS INTEREST INCOME FY 2017-18 | \$ | (0) |
|---------------------------------|----|-----|

|                                          |    |        |
|------------------------------------------|----|--------|
| NET COST AND TOTAL AMOUNT TO BE ASSESSED | \$ | 33,959 |
|------------------------------------------|----|--------|

#### IV. ASSESSMENT METHOD

Estimated costs and expenses for FY 2017-18 are apportioned to each parcel on the basis of relative benefits estimated to be received by the parcel from District improvements. This apportionment constitutes the recommended assessment amount for each parcel, listed in the assessment roll.

Benefits from the District are enjoyed by all assessable parcels in the District. The degree of benefit is estimated from the type and intensity of land use for each parcel, which determined the number of pedestrians generated the extent of street light illumination and increased security, and the enhanced aesthetics and enjoyment from maintenance of landscaped areas and street trees. It is reasoned that, for a given intensity of use, similar land uses will derive similar benefits.

The City may only assess property owners for that portion of the costs which provide a special and direct benefit to the properties located within the boundaries of the District. General benefits are not assessable and the City must fund that portion of the improvements which provides a general benefit to the public at large with some other funding source, such as the general fund.

The 1972 Act does not specify a formula or method to use when determining the amount of general versus special benefit. The Engineer of Work is responsible for conducting the general versus special benefit analysis and then making a recommendation to the City Council, which makes the final determination. The general benefit analysis is summarized below.

## Street Lighting

The City recognizes that a portion of the City's street lights on West Leland Road (9 street lights), an arterial street that is included in the District, provides a general benefit to the public at large. Therefore, the City contribution to the District for general benefits incurred by the operation of higher wattage street lighting on this arterial roadway is estimated to be \$663 or 13% of the electrical cost for FY 2017/18. This estimate was derived by determining a per wattage rate for all street lighting in the district and multiplying that by the additional wattage required to operate these 9 street lights located along the arterial roadway.

Of the 443 parcels in the District 440 are used as residences, two are open space (non-assessable) and one City owned pump station. Benefits to family residences and the City Pump Station are estimated to be uniform throughout the District. Therefore, each residential parcel and the City's pump station are assessed an equal amount, simply calculated by dividing the District's net cost of the improvements by the number of assessable parcels (441).



The assessment amount for each assessable parcel is determined as follows:

|                                         |           |
|-----------------------------------------|-----------|
| Net Amount to Be Assessed               | \$ 33,959 |
| Assessment Per Parcel (\$33,959.00/441) | \$ 77.18  |

V. ASSESSMENT ROLL DESCRIPTION

The assessment roll is a computerized list of each parcel within the District. The list includes the assessment number (Assessor's Parcel Number), owner of record, situs address and the assessment amount for each parcel. The list is on file in the Office of the City Engineer.

VI. ASSESSMENT DIAGRAM DESCRIPTION

The Assessment Diagram is on file in the Office of the City Engineer and shows the boundary for Landscaping and Lighting Assessment District 1988-02 (Oak Hills).

The Contra Costa County Assessor's Parcel Maps are hereby incorporated by reference into this report. The County Assessor's Maps shall govern for all details concerning the lines and dimensions of lots or parcels. The County Assessor's Parcel Number is hereby adopted as the distinctive number identifying each parcel for purposes of this assessment.

***ASSESSMENT ROLL FOR THE  
CITY OF PITTSBURG  
LANDSCAPING & LIGHTING  
ASSESSMENT DISTRICT 1988-02  
FISCAL YEAR 2017-18  
IS ON FILE IN THE  
OFFICE OF THE CITY ENGINEER***

***ASSESSMENT DIAGRAM FOR THE***

***CITY OF PITTSBURG  
LANDSCAPING & LIGHTING  
ASSESSMENT DISTRICT 1988-02***

***FISCAL YEAR 2017-18***

***IS ON FILE IN THE  
OFFICE OF THE CITY ENGINEER***

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In The Matter Of:

|                                                   |   |                |
|---------------------------------------------------|---|----------------|
| Confirm the Engineer's Report, Diagram and        | ) | Resolution 17- |
| Assessments and Levy the Annual Assessments       | ) |                |
| for Landscaping and Lighting Assessment District  | ) |                |
| <u>1988-02, Oak Hills for Fiscal Year 2017-18</u> | ) |                |

The Pittsburg City Council DOES RESOLVE as follows:

WHEREAS, California Streets and Highways Code § 22500 et seq., also known as the Landscaping and Lighting Act of 1972 ("1972 Act"), authorizes the creation of assessment districts to perform certain functions, including the installation, construction, and maintenance of landscaping, lighting, and park and recreational facilities; and

WHEREAS, in accordance with the 1972 Act, the City of Pittsburg created the Oak Hills Landscaping and Lighting District 1988-02 ("1988-02 District") for the purpose of performing certain functions, including the improvement and maintenance of the landscaping and lighting of facilities, medians, rights of way and streets; and

WHEREAS, Pursuant to Chapter 3 of the 1972 Act, the City Council directed the Engineer of Work for the 1988-02 District to prepare and file an annual report for Fiscal Year 2017-18; and

WHEREAS, the Engineer of Work filed his annual report on June 1, 2017, and the City Council adopted Resolution 17-13327 approving the Engineer's Report and declaring its intent to levy and collect assessments 1988-02 District for FY 2017-18. The City Council also set a public hearing to be held on July 17, 2017, in the meeting place of the City Council, City Hall, 65 Civic Avenue, Pittsburg. A notice of the hearing was given in the time and manner required by law; and

WHEREAS, at the public hearing, the City Council afforded to every interested person an opportunity to protest the annual report either in writing or orally.

NOW, THEREFORE, the City Council finds and determines as follows:

- Section 1. The City Council hereby finds and determines that the above recitals are true and correct and have served as the basis, in part, for the findings and actions of the City set forth below.
- Section 2. The Council orders the improvements, generally described as landscaping and lighting installation, maintenance and repair, in detail in the Engineer's Report, and orders the levy and collection of the assessment for the FY 2016-17.
- Section 3. The Council hereby confirms the diagram and Assessment for the 88-02 District on file with the City Clerk.

Section 4. City Staff is hereby directed to collect the assessment described in the Report for fiscal year 2017-18 from each record owner of a parcel of property within the 88-02 District.

Section 5. The City Clerk shall certify the adoption of this Resolution.

Section 6. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 17th of July, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

---

Marilyn Craft, Mayor

ATTEST:

---

Alice E. Evenson, City Clerk



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR**  
**65 Civic Avenue**  
**Pittsburg, CA 94565**

**DATE:** 7/6/2017

**TO:** Mayor and Council Members

**FROM:** Joe Sbranti, City Manager

**SUBJECT:** Introduction and Waive First Reading for an Ordinance Amending Title 18 of the Pittsburg Municipal Code Related to Permitting Small Recycling Facilities and Mail Order or Direct Selling Establishments in the M District, AP-17-1235 (RZ)

**MEETING DATE:** 7/17/2017

**EXECUTIVE SUMMARY**

This is a public hearing on a request of a zoning text amendment to facilitate implementation of the Recycle Smart Program within the existing building located at 555 California Avenue in the M (Mixed Use) District, for Pittsburg Disposal / Mt. Diablo Recycling. While the purpose of this request is to facilitate a specific development proposal, the zoning text amendments would apply to the entire M District, with limitations. On June 13, 2017, the Planning Commission adopted Resolution No. 10064, recommending adoption of the ordinance as presented.

**FISCAL IMPACT**

There is no fiscal impact on the City from the proposed ordinance. Standard business license fees would be collected on an annual basis for businesses in the City of Pittsburg.

**RECOMMENDATION**

City Council move to introduce, waive further reading, and pass to second reading the attached ordinance amending Pittsburg Municipal Code (PMC) Title 18 related to the permitting of small recycling facilities and mail order or direct selling in the M District.

**BACKGROUND**

Pittsburg Disposal / Mt. Diablo Resource Recovery purchased the vacant building located at 555 California Avenue several years ago. The Pittsburg Disposal office (a permitted use according to the zoning code) recently relocated from their downtown location into this new location, and now the applicant is requesting a zoning amendment in order to allow the

establishment of a “small recycling facility” and “mail order or direct selling establishment,” as defined by PMC sections 18.08.080.27.b and 18.08.080.26.e, in order to facilitate implementation of the Recycle Smart Program on site (see attached for more information on this program).

## **SUBCOMMITTEE FINDINGS**

On March 5, 2015, a proposal was first presented to the Land Use Subcommittee (LUS) by the applicant to request input on the potential use of the site as a recycling center which would include warehousing of reusable items with a retail component. The subcommittee concurred with staff’s recommended approach that the business owner submit a request for a zoning code amendment to allow a recycling facility ancillary to a secondhand clothing and appliance store within the M district, subject to approval of a use permit. During this meeting the subcommittee voiced concerns about safety, security, outdoor storage/debris, and noise. Specific recommendations were made to address each of these issues and the applicant was in agreement with all LUS recommendations discussed.

On April 3, 2017, the applicant filed Zoning Text Amendment Application No.17-1235 for the project. The project concept was modified from its 2015 iteration to include a small recycling facility and mail order or direct selling establishment (rather than a “secondhand clothing and appliance store”) in order to better match the best fit land use classification as defined in PMC section 18.08.080. The current proposal includes a zoning text amendment to allow both uses in the M District, but only in areas north of California Avenue and east of Harbor Street and also subject to use permit approval.

On April 10, 2017, the application was presented to the LUS for consideration. During this meeting the subcommittee continued to be supportive of the process as proposed by staff; however, they raised some additional concerns related to grocery carts that could accumulate in the area, scavengers picking through garbage bins in the nearby neighborhoods, and they suggested the zoning text amendments be limited to the commercial areas north of California Avenue east of Harbor Street. The applicant again agreed to suggested operational conditions, including a limit on the days and hours of operation to minimize any nearby scavenging. At the conclusion of the LUS meeting, the subcommittee recommended that the zoning text amendment be taken to Planning Commission and then to the City Council for review, as appropriate.

On June 13, 2017, the Planning Commission held a public hearing to consider the zoning text amendments. Following close of the public hearing, the Planning Commission voted five to zero, with two abstentions, to recommend approval of the amendments as presented by staff.

## **STAFF ANALYSIS**

With the locational limitations proposed, the only area that the proposed amendments would apply to would include the stretch of land located on the north side of California Avenue, between Harbor Street and approximately 100 feet west of Edward Avenue. This area has been designated by the Railroad Avenue Specific Plan (RASP) as Transit Oriented Development (TOD) Medium. Allowable land uses in TOD Medium and TOD High Districts are the same as those of the M District as specified in Title 18 of the PMC.

The Mixed Use designation was originally established to allow for greater flexibility of land uses around and accessible by transit (General Plan, page 2-18). The RASP boundaries encompasses a half-mile radius around the new Pittsburg Center BART Station (currently under construction), and the project site as defined above, is within these boundaries, but located very near the edge of the RASP's half-mile border.

Prior to the adoption of the RASP, the General Plan and zoning designations for all of the currently designated M District parcels located along California Avenue east of Harbor Street, was Community Commercial which allowed for "Small Recycling Facilities" subject to zoning administrator approval, and "Mail Order or Direct Selling Establishments" as permitted uses.

Because the current proposal would essentially be reverting back to allowable land uses in place prior to the adoption of the RASP, but under the same General Plan land use designation, it can be concluded that the proposed zoning text amendment would remain consistent with the General Plan.

Staff believes that the City Council can make the necessary findings to approve the proposed amendment to the M District which would revise the existing Land Use Regulations table to allow small recycling facilities and mail order or direct selling establishments on M District parcels located north of California Avenue and east of Harbor Street, subject to approval of a use permit. The amendment would support a community need for continued recycling efforts that would keep items out of the landfill. The proposed amendment would also provide resident's with additional environmentally-beneficial recycling options while supporting the City's reuse, redeem and recycle goals by providing new avenues to divert useable items from the waste stream.

By requiring a use permit for new establishments and limiting the locations to M District areas north of California Avenue and east of Harbor Street, the City would further retain site development and operational controls to ensure that new businesses do not become a nuisance for the surrounding neighbors and the City as a whole.

- ATTACHMENTS:
1. Proposed Ordinance
  2. Adopted Planning Commission Resolution No. 10064
  3. June13, 2017 PC Staff Report with Attachments
  4. Public Hearing Notice

Report Prepared By: Christine Gregory, Contract Planner



BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Ordinance of the City of Pittsburgh )  
Amending Title 18 of the Pittsburgh )  
Municipal Code as it Relates to Permitting )  
for Small Recycling Facilities and Mail )  
Order or Direct Selling Establishments in )  
the M District, AP-17-1235 (RZ)

ORDINANCE NO. 17-\_\_\_\_\_

SECTION 1. Recitals

- A. This is a Pittsburgh Disposal initiated proposal to consider an amendment to Title 18, Zoning, of the Pittsburgh Municipal Code (PMC) in order to facilitate a small recycling facility and mail order or direct selling in the M District, subject to limitations.
- B. On March 5, 2015, a proposal was first presented to the Land Use Subcommittee (LUS) by the applicant to request input on the potential use of the site as a recycling center which would include warehousing of reusable items with a retail component. The subcommittee concurred with staff's recommended approach that the business owner submit a request for a zoning code amendment to allow a recycling facility ancillary to a secondhand clothing and appliance store within the M district, subject to approval of a use permit. During this meeting the subcommittee voiced concerns about safety, security, outdoor storage/debris, and noise. Specific recommendations were made to address each of these issues and the applicant was in agreement with all LUS recommendations discussed.
- C. On April 3, 2017, the applicant filed Zoning Text Amendment Application No. 17-1235 for the project. The project concept was modified from its 2015 iteration to include a "small recycling facility" and "mail order or direct selling establishment" (rather than a "secondhand clothing and appliance store") in order to better match the best fit land use classification as defined in PMC section 18.08.080. The proposal includes a zoning text amendment to allow both uses in the M District, but only in areas north of California Avenue and east of Harbor Street, subject to use permit approval.
- D. On April 10, 2017, the revised concept was presented to the LUS for consideration. During this meeting the subcommittee continued to be supportive of the process as proposed by staff; however, they raised some additional concerns related to grocery carts that could accumulate in the area, scavengers picking through garbage bins in the nearby neighborhoods, and they suggested the zoning text amendments be limited to the commercial areas north of California Avenue east of Harbor Street. The applicant again agreed to suggested operational conditions, including a limit on the days and hours of operation to minimize any nearby scavenging.

- E. On June 13, 2017, the Planning Commission held a public hearing to consider the draft amendments related to small recycling facilities and mail order and direct selling in the M District. Following close of the public hearing, the Planning Commission voted five to zero, with two abstentions, to recommend City Council approval of the amendments as presented by staff.
- F. Before adoption of an ordinance, the City Council shall make findings that the proposed regulation is consistent with the policies of the general plan and the notice and hearing provisions of PMC Title 18, in accordance with PMC section 18.48.030.
- G. On or prior to July 3, 2017, notice of the July 17, 2017, public hearing to consider this application was posted at City Hall and on the 'public notices' page of the City's website; was delivered to the Pittsburg Library; was published in the local newspaper (East Contra Costa County Times); and was mailed via first class mail or electronic mail to interested parties and individuals and organizations that requested such notice, in accordance with PMC sections 18.14.010, and Government Code section 65091.
- H. On July 17, 2017, the City Council held a public hearing on the proposed zoning text amendments, at which time oral and/or written testimony was considered.

## SECTION 2. Findings

- A. Based on the City Council Staff Report entitled, "Introduction and Waive First Reading of an Ordinance Amending Title 18 of the Pittsburg Municipal Code as it Relates to Permitting for Small Recycling Facilities and Mail Order or Direct Selling Establishments in the M District, AP 17-1235" and based on all the information contained in the Planning Division files, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the City Council finds that:
  - 1. All recitals above are true and correct and are incorporated herein by reference.
  - 2. The proposed amendment is consistent with the objectives, policies, general land uses and programs in the General Plan as the new uses are allowable uses within the *Community Commercial* General Plan land use designation that is applicable to all M District designated sites north of California Avenue and east of Harbor Street.
  - 3. The proposed land use regulations are compatible with uses and regulations of the land use district for which they are proposed, in that they will provide the community with additional recycling and retail options while still providing site development and operational controls through the use permit process to ensure that new businesses do not become a nuisance for the surrounding neighbors, nor the City as a whole.

4. There is a community need for the change proposed as the proposed project fulfills the community's need for environmentally beneficial recycling options and keeping usable items out of the landfill, while further promoting the general welfare of the City by supporting the City's reuse, redeem and recycle goals by diverting useable items from the waste stream.
5. The change will be in conformity with the public convenience as it would provide residents with additional easily accessible recycling and retail options within the M District designated areas located north of California Avenue and east of Harbor Street.

### SECTION 3. CEQA

This project is exempt from the requirements of the California Environmental Quality Act under the general rule of applicability of the state CEQA Guidelines, section 15061, in that there is no possibility that the activity in question would have a significant negative physical impact on the environment. The amendments proposed are procedural in nature and consistent with the General Plan land use designations for the sites in question.

### SECTION 4. Decision.

A. Based on the findings and the authority set forth above, the City Council hereby amends Title 18 of the PMC, as identified below:

1. The schedule in PMC section 18.53.020 is amended to add the following land use category under the "Recycling collection facility" heading, as follows (new text shown with underlines):

|                                  |              |
|----------------------------------|--------------|
| Recycling collection facility    |              |
| Reverse vending machine          | P            |
| <u>Recycling facility, small</u> | <u>L-148</u> |

2. PMC section 18.53.020 "M District – Additional Use Regulations," Limitation L-148, is amended to read as follows (new text shown with underlines):

Permitted above ground floor level, except for small recycling facilities. Use permit required for any establishment occupying the ground floor level of a building constructed on a lot with frontage on Railroad Avenue, or California Avenue east of Harbor Street. Otherwise, prohibited.

SECTION 5. Severability

If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 6. Effective Date

This Ordinance shall be in full force and effective thirty (30) days after its adoption.

SECTION 8. Publication

The City Clerk shall either (a) have this ordinance published once within 15 days after adoption in a newspaper of general circulation or (b) have a summary of the ordinance published twice in a newspaper of general circulation, once 5 days before its adoption and again 20 days after its adoption.

The foregoing ordinance was introduced at a meeting of the City Council of the City of Pittsburg held on July 17, 2017, and was adopted and ordered published at a meeting of the City Council held on August 7, 2017, by the following vote:

AYES:

NAYES:

ABSTAIN:

ABSENT:

---

Marilyn Craft, Mayor

ATTEST:

---

Alice E. Evenson, City Clerk

## BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

|                                              |   |                      |
|----------------------------------------------|---|----------------------|
| Resolution Recommending that the City        | ) |                      |
| Council Amend Title 18 of the Pittsburgh     | ) |                      |
| Municipal Code as it Relates to Small        | ) |                      |
| Recycling Facilities and Mail Order or       | ) | Resolution No. 10064 |
| Direct Selling Establishments in the Mixed   | ) |                      |
| Use District, for "Pittsburgh Disposal / Mt. | ) |                      |
| Diablo Recycling, AP-17-1235 (RZ)." )        | ) |                      |

The Planning Commission DOES RESOLVE as follows:

### Section 1. Background

- A. On March 5, 2015, a proposal was first presented to the Land Use Subcommittee (LUS) by the applicant to request input on the potential use of the site as a recycling center which would include warehousing of reusable items with a retail component. The subcommittee concurred with staff's recommended approach that the business owner submit a request for a zoning code amendment to allow a recycling facility ancillary to a secondhand clothing and appliance store within the M district, subject to approval of a use permit. During this meeting the subcommittee voiced concerns about safety, security, outdoor storage/debris, and noise. Specific recommendations were made to address each of these issues and the applicant was in agreement with all LUS recommendations discussed.
- B. On April 3, 2017, the applicant filed Zoning Text Amendment and Use Permit Application No.17-1235 for the project. The project concept was modified from its 2015 iteration to include a "small recycling facility" and "mail order or direct selling establishment" (rather than a "secondhand clothing and appliance store") in order to better match the best fit land use classification as defined in the Pittsburgh Municipal Code (PMC) section 18.08.080. The proposal includes a zoning text amendment to allow both uses subject to use permit approval within the existing building, and ancillary to the Pittsburgh Disposal offices.
- C. April 10, 2017, the revised concept was presented to the LUS for consideration. During this meeting the subcommittee continued to be supportive of the process as proposed by staff; however, they raised some additional concerns related to grocery carts that could accumulate in the area, scavengers picking through garbage bins in the nearby neighborhoods, and they suggested the zoning text amendments be limited to the commercial areas north of California Avenue east of Harbor Street. The applicant again agreed to suggested operational conditions, including a limit on the days and hours of operation to minimize any nearby scavenging.



- D. The proposed project is governed by the policies and development standards in the Pittsburg General Plan, Railroad Avenue Specific Plan (RASP), and Pittsburg Municipal Code (PMC).
- E. This project is exempt from the requirements of the California Environmental Quality Act under the general rule of applicability of the state CEQA Guidelines, section 15061, in that there is no possibility that the activity in question would have a significant negative physical impact on the environment. The amendments proposed are procedural in nature and consistent with the General Plan land use designations for the sites in question.
- F. On or prior to June 3, 2017, notice of the June 13, 2017 public hearing to consider this application was posted at City Hall and on the 'public notices' page of the City's website; was delivered to the Pittsburg Library; was published in the local newspaper (East County Times) as a 1/8 page advertisement; and was mailed via first class mail or email to the property owner, all property owners within 300 feet of the project area, and all interested parties and individuals and organizations that requested such notice, in accordance with PMC sections 18.14.010, and Government Code section 65091.
- G. Pittsburg Municipal Code (PMC) section 18.48.030.A specifies that the following determinations must be made in order to recommend approval of an amendment to the Zoning Ordinance:
  - 1. the amendment is consistent with the objectives, policies, general land uses and programs in the General Plan;
  - 2. the land use regulation is compatible with uses and regulations of the land use district for which it is proposed;
  - 3. there is a community need for the change proposed; and
  - 4. the change will be in conformity with the public convenience, general welfare, and good zoning practice.
- H. On June 13, 2017, the Planning Commission held a public hearing on Planning Application No. 17-1235, at which time oral and/or written testimony was considered.

## Section 2. Findings

- A. Based on the Planning Commission Staff Report entitled "Recommendation on a Zoning Text Amendment for Pittsburg Disposal / Mt. Diablo Resource Recovery Park, AP-17-1235 (RZ)," and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based



on all written and oral testimony presented at the meeting, the Planning Commission finds that:

1. All recitals above are true and correct and are incorporated herein by reference.
2. The proposed amendment is consistent with the objectives, policies, general land uses and programs in the General Plan as the new uses are allowable uses within the *Community Commercial* General Plan land use designation that is applicable to all M District designated sites north of California Avenue and east of Harbor Street.
3. The proposed land use regulations are compatible with uses and regulations of the land use district for which they are proposed, in that they would provide the community with additional recycling and retail options while still providing site development and operational controls through the use permit process to ensure that new businesses do not become a nuisance for the surrounding neighbors, nor the City as a whole
4. There is a community need for the change proposed as the proposed project fulfills the community's need for environmentally beneficial recycling options and keeping usable items out of the landfill, while further promoting the general welfare of the City by supporting the City's reuse, redeem and recycle goals by diverting useable items from the waste stream.
5. The change will be in conformity with the public convenience as it would provide residents with additional easily accessible recycling and retail options within the M District designated areas located north of California Avenue and east of Harbor Street.

### Section 3. Decision

- A. Based on the findings and the authority set forth above, the Planning Commission hereby recommends that the City Council adopt an ordinance amending PMC section 18.53.020 "Land use and development regulations," as identified below:
  1. The schedule in PMC section 18.53.020 is amended to add the following land use category under the "Recycling collection facility" heading, as follows (new text shown with underlines):

|                                  |              |
|----------------------------------|--------------|
| Recycling collection facility    |              |
| Reverse vending machine          | P            |
| <u>Recycling facility, small</u> | <u>L-148</u> |

Small Recycling Facility on the north side of California Avenue and east of Harbor Street, allowed with a use permit

2. PMC section 18.53.020 "M District – Additional Use Regulations," Limitation L-148 is amended to read as follows (new text shown with underlines):

Permitted above ground floor level. Use permit required for an establishment occupying the ground floor level of a building constructed on a lot with frontage on Railroad Avenue, or California Avenue east of Harbor Street. Otherwise, prohibited.

#### Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner Croskey, seconded by Commissioner Foster, the foregoing resolution was passed and adopted the 13<sup>th</sup> day of June 2017, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES: Coniglio, Croskey, Foster, Gargalikis, Guerrero

NAYES: None

ABSTAIN: None

ABSENT: Patrice Belleci-Shipe, Fardella

I hereby certify that the above Resolution No. 10064 was adopted by the Planning Commission of the city of Pittsburg on June 13, 2017.



HECTOR ROJAS, AICP, ACTING SECRETARY  
PITTSBURG PLANNING COMMISSION



**CITY OF PITTSBURG  
PLANNING COMMISSION  
STAFF REPORT**

**ITEM: No. 3 – Recommendation on a Zoning Text Amendment for Pittsburg  
Disposal / Mt. Diablo Resource Recovery Park, AP-17-1235 (RZ)**

ORIGINATED BY: Robert Hammonds, Mt. Diablo Recycling - Garaventa Properties,  
PO Box 5397, Concord, CA, 94520

SUBJECT: This is a public hearing on a request for a recommendation for City Council approval of a zoning text amendment to facilitate implementation of the Recycle Smart Program within the existing building located at 555 California Avenue in the M (Mixed Use) District, for Pittsburg Disposal / Mt. Diablo Recycling; APN 073-270-089. While the purpose of this request is to facilitate a specific development proposal, the zoning text amendments would apply to the entire M District, with limitations.

RECOMMENDATION:

Staff recommends that the Commission adopt Resolution No. 10064, recommending that the City Council approve an amendment to Title 18 of the Pittsburg Municipal Code as it relates to small recycling facilities and mail order or direct selling establishments in the Mixed Use District, as presented.

BACKGROUND:

The primary project site at 555 California Avenue was constructed in 1994 and is the former location of Wonder Bread and California Carpets. The site was vacated in 2012. Attachment 2 of this report includes a map showing the existing surrounding uses.

On March 5, 2015, a proposal was first presented to the Land Use Subcommittee (LUS) by the applicant to request input on the potential use of the site as a recycling center which would include warehousing of reusable items with a retail component. The subcommittee concurred with staff's recommended approach that the business owner submit a request for a zoning code amendment to allow a recycling facility ancillary to a secondhand clothing and appliance store within the M district, subject to approval of a use permit. During this meeting the subcommittee voiced concerns about safety, security, outdoor storage/debris, and noise. Specific recommendations were made to address each of these issues and the applicant was in agreement with all LUS recommendations discussed (see Attachment 3 of this report for a full list of the draft use permit conditions, which would be subject to formal review at a later date).

On April 3, 2017, the applicant filed Zoning Text Amendment and Use Permit Application No.17-1235 for the project, as presented below. The project concept was modified from its 2015 iteration to include a "small recycling facility" and "mail order or direct selling establishment" (rather than a "secondhand clothing and appliance store") in order to better match the best fit land use classification as defined in the Pittsburg

## Planning Commission Staff Report

Municipal Code (PMC) section 18.08.080. The proposal includes a zoning text amendment to allow both uses subject to use permit approval within the existing building, and ancillary to the Pittsburg Disposal offices.

April 10, 2017, the revised concept was presented to the LUS for consideration. During this meeting the subcommittee continued to be supportive of the process as proposed by staff; however, they raised some additional concerns related to grocery carts that could accumulate in the area, scavengers picking through garbage bins in the nearby neighborhoods, and they suggested the zoning text amendments be limited to the commercial areas north of California Avenue east of Harbor Street. The applicant again agreed to suggested operational conditions, including a limit on the days and hours of operation to minimize any nearby scavenging (see Attachment 3). At the conclusion of the LUS meeting, the subcommittee recommended that the zoning text amendment be taken to Planning Commission and then to the City Council for review, as appropriate.

### PROJECT DESCRIPTION:

The applicant has proposed a zoning text amendment to facilitate a “small recycling facility” and “mail order or direct selling establishment” (as defined by PMC sections 18.08.080.24.B and 18.08.080.26.E, respectively), auxiliary to the Pittsburg Disposal Offices. This project requires amending the M District’s land use and development regulations (PMC section 18.53.020) to include and designate the two use classifications, which are required for the implementation of the Recycle Smart Program ancillary to the Pittsburg Disposal Office, upon approval of a conditional use permit.

As proposed, “small recycling facilities” and “mail order or direct selling establishments” would be allowed on M District parcels located north of California Avenue and east of Harbor Street, subject to approval of a use permit.

Details related to the site specific development proposal at 555 California Avenue have been submitted by the applicant and are attached to this report for information purposes only (see Attachment 4 - 555 California Avenue Proposal). Upon City Council approval of the requested zoning text amendment, a use permit application would be processed and reviewed by the Planning Commission for use of the specific site, as presented in Attachment 4.

### GENERAL PLAN/CODE COMPLIANCE:

General Plan / Railroad Avenue Specific Plan: On November 2, 2009, the Pittsburg City Council adopted the Railroad Avenue Specific Plan (RASP) Ordinance No. 09-1309 and Resolution 09-11303, which designated the project site as Transit Oriented Development (TOD) Medium. Allowable land uses in TOD Medium and TOD High Districts are the same as those of the M (Mixed Use) District as specified in Title 18 of the PMC.

The Mixed Use designation was established to allow for greater flexibility of land uses around and accessible by transit (General Plan, page 2-18). The RASP boundaries encompasses a half-mile radius around the new Pittsburg Center BART Station (currently under construction), and the project site is within these boundaries, but located very near the edge of the RASP's half-mile border.

Prior to the adoption of the RASP, the General Plan and zoning designations for all of the currently designated M District parcels located along California Avenue east of Harbor Street, was Community Commercial (refer to Attachment 5 - Railroad Avenue Specific Plan and PMC sections) which allowed for "Small Recycling Facilities" subject to zoning administrator approval, and "Mail Order or Direct Selling Establishments" as permitted uses.

Because the current proposal would essentially be reverting back to allowable land uses in place prior to the adoption of the RASP, but under the same General Plan land use designation, it can be concluded that the proposed zoning text amendment would remain consistent with the General Plan.

Zoning: Pursuant to PMC sections 18.16.020 and 18.48.030, the Planning Commission shall include written findings to support any recommendation it makes to the City Council to amend the Municipal Code.

Required Findings: In order to recommend approval of an amendment to the Zoning Ordinance, the Commission must find (in accordance with PMC Section 18.48.030) that:

1. The changes proposed are consistent with the objectives, policies, general land uses and programs specified in the General Plan.
2. In the case of a base district, the change proposed is compatible with the uses authorized in, and the regulations prescribed for, the land use district for which it is proposed.
3. A community need is demonstrated for the change proposed.
4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice.

Environmental: This project is exempt from the requirements of the California Environmental Quality Act under the general rule of applicability of the state CEQA Guidelines, section 15061, in that there is no possibility that the activity in question would have a significant negative physical impact on the environment. The amendments proposed are procedural in nature and consistent with the General Plan land use designations for the sites in question.

## Planning Commission Staff Report

Public Notice: On or prior to June 3, 2017, notice of the June 13, 2017 public hearing to consider this application was posted at City Hall and on the 'public notices' page of the City's website; was delivered to the Pittsburg Library; was published in the local newspaper (East County Times) as a 1/8 page advertisement; and was mailed via first class mail or email to the property owner, all property owners within 300 feet of the project area, and all interested parties and individuals and organizations that requested such notice, in accordance with PMC sections 18.14.010, and Government Code section 65091.

### ANALYSIS:

Staff believes that the Commission can make the necessary findings to recommend approval of the proposed amendment to the M District in order to revise the existing Land Use Regulations table to allow small recycling facilities and mail order or direct selling establishments on M District parcels located north of California Avenue and east of Harbor Street, subject to approval of a use permit.

The amendment would support a community need for continued recycling efforts that will keep items out of the landfill. The proposed amendments would also provide resident's with additional environmentally-beneficial recycling options while supporting the City's reuse, redeem and recycle goals by providing new avenues to divert useable items from the waste stream.

By requiring a use permit for new establishments and limiting the locations to M District areas north of California Avenue and east of Harbor Street, the City will further retain site development and operational controls to ensure that new businesses do not become a nuisance for the surrounding neighbors and the City as a whole.

### ACTION REQUIRED:

Move to adopt Resolution No. 10064, recommending City Council approval of an amendment to Title 18 of the Pittsburg Municipal Code as it relates to small recycling facilities and mail order or direct selling establishments in the Mixed Use District, as presented.

### ATTACHMENTS:

1. Draft Resolution No. 10064
2. Surrounding Uses Map
3. Draft Use Permit Conditions of Approval
4. 555 California Avenue Proposal
5. Railroad Avenue Specific Plan and PMC Sections
6. Public Hearing Notice & Vicinity Map
7. Public Comments Received as of June 6, 2017

## Planning Commission Staff Report

Prepared by: Christine Gregory, Contract Planner

PROPOSED  
BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

|                                             |   |                      |
|---------------------------------------------|---|----------------------|
| Resolution Recommending that the City       | ) |                      |
| Council Amend Title 18 of the Pittsburgh    | ) |                      |
| Municipal Code as it Relates to Small       | ) |                      |
| Recycling Facilities and Mail Order or      | ) | Resolution No. 10064 |
| Direct Selling Establishments in the Mixed  | ) |                      |
| Use District, for "Pittsburg Disposal / Mt. | ) |                      |
| Diablo Recycling,AP-17-1235(RZ)." )         | ) |                      |

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

- A. On March 5, 2015, a proposal was first presented to the Land Use Subcommittee (LUS) by the applicant to request input on the potential use of the site as a recycling center which would include warehousing of reusable items with a retail component. The subcommittee concurred with staff's recommended approach that the business owner submit a request for a zoning code amendment to allow a recycling facility ancillary to a secondhand clothing and appliance store within the M district, subject to approval of a use permit. During this meeting the subcommittee voiced concerns about safety, security, outdoor storage/debris, and noise. Specific recommendations were made to address each of these issues and the applicant was in agreement with all LUS recommendations discussed.
  
- B. On April 3, 2017, the applicant filed Zoning Text Amendment and Use Permit Application No.17-1235 for the project. The project concept was modified from its 2015 iteration to include a "small recycling facility" and "mail order or direct selling establishment" (rather than a "secondhand clothing and appliance store") in order to better match the best fit land use classification as defined in the Pittsburgh Municipal Code (PMC) section 18.08.080. The proposal includes a zoning text amendment to allow both uses subject to use permit approval within the existing building, and ancillary to the Pittsburgh Disposal offices.
  
- C. April 10, 2017, the revised concept was presented to the LUS for consideration. During this meeting the subcommittee continued to be supportive of the process as proposed by staff; however, they raised some additional concerns related to grocery carts that could accumulate in the area, scavengers picking through garbage bins in the nearby neighborhoods, and they suggested the zoning text amendments be limited to the commercial areas north of California Avenue east of Harbor Street. The applicant again agreed to suggested operational conditions, including a limit on the days and hours of operation to minimize any nearby scavenging.

- D. The proposed project is governed by the policies and development standards in the Pittsburg General Plan, Railroad Avenue Specific Plan (RASP), and Pittsburg Municipal Code (PMC).
- E. This project is exempt from the requirements of the California Environmental Quality Act under the general rule of applicability of the state CEQA Guidelines, section 15061, in that there is no possibility that the activity in question would have a significant negative physical impact on the environment. The amendments proposed are procedural in nature and consistent with the General Plan land use designations for the sites in question.
- F. On or prior to June 3, 2017, notice of the June 13, 2017 public hearing to consider this application was posted at City Hall and on the 'public notices' page of the City's website; was delivered to the Pittsburg Library; was published in the local newspaper (East County Times) as a 1/8 page advertisement; and was mailed via first class mail or email to the property owner, all property owners within 300 feet of the project area, and all interested parties and individuals and organizations that requested such notice, in accordance with PMC sections 18.14.010, and Government Code section 65091.
- G. Pittsburg Municipal Code (PMC) section 18.48.030.A specifies that the following determinations must be made in order to recommend approval of an amendment to the Zoning Ordinance:
  - 1. the amendment is consistent with the objectives, policies, general land uses and programs in the General Plan;
  - 2. the land use regulation is compatible with uses and regulations of the land use district for which it is proposed;
  - 3. there is a community need for the change proposed; and
  - 4. the change will be in conformity with the public convenience, general welfare, and good zoning practice.
- H. On June 13, 2017, the Planning Commission held a public hearing on Planning Application No. 17-1235, at which time oral and/or written testimony was considered.

## Section 2. Findings

- A. Based on the Planning Commission Staff Report entitled "Recommendation on a Zoning Text Amendment for Pittsburg Disposal / Mt. Diablo Resource Recovery Park, AP-17-1235 (RZ)," and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based

on all written and oral testimony presented at the meeting, the Planning Commission finds that:

1. All recitals above are true and correct and are incorporated herein by reference.
2. The proposed amendment is consistent with the objectives, policies, general land uses and programs in the General Plan as the new uses are allowable uses within the *Community Commercial* General Plan land use designation that is applicable to all M District designated sites north of California Avenue and east of Harbor Street.
3. The proposed land use regulations are compatible with uses and regulations of the land use district for which they are proposed, in that they would provide the community with additional recycling and retail options while still providing site development and operational controls through the use permit process to ensure that new businesses do not become a nuisance for the surrounding neighbors, nor the City as a whole
4. There is a community need for the change proposed as the proposed project fulfills the community's need for environmentally beneficial recycling options and keeping usable items out of the landfill, while further promoting the general welfare of the City by supporting the City's reuse, redeem and recycle goals by diverting useable items from the waste stream.
5. The change will be in conformity with the public convenience as it would provide residents with additional easily accessible recycling and retail options within the M District designated areas located north of California Avenue and east of Harbor Street.

### Section 3. Decision

- A. Based on the findings and the authority set forth above, the Planning Commission hereby recommends that the City Council adopt an ordinance amending PMC section 18.53.020 "Land use and development regulations," as identified below:
1. The schedule in PMC section 18.53.020 is amended to add the following land use category under the "Recycling collection facility" heading, as follows (new text shown with underlines):

|                                  |              |
|----------------------------------|--------------|
| Recycling collection facility    |              |
| Reverse vending machine          | P            |
| <u>Recycling facility, small</u> | <u>L-148</u> |



Small Recycling Facility on the north side of California Avenue and east of Harbor Street, allowed with a use permit

2. PMC section 18.53.020 “M District – Additional Use Regulations,” Limitation L-148 is amended to read as follows (new text shown with underlines):

Permitted above ground floor level. Use permit required for an establishment occupying the ground floor level of a building constructed on a lot with frontage on Railroad Avenue, or California Avenue east of Harbor Street. Otherwise, prohibited.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner , seconded by Commissioner \_\_\_\_\_, the foregoing resolution was passed and adopted the 13<sup>th</sup> day of June, 2017, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES:

NAYES:

ABSTAIN:

ABSENT:

I hereby certify that the above Resolution No. 10064 was adopted by the Planning Commission of the city of Pittsburg on June 13, 2017.

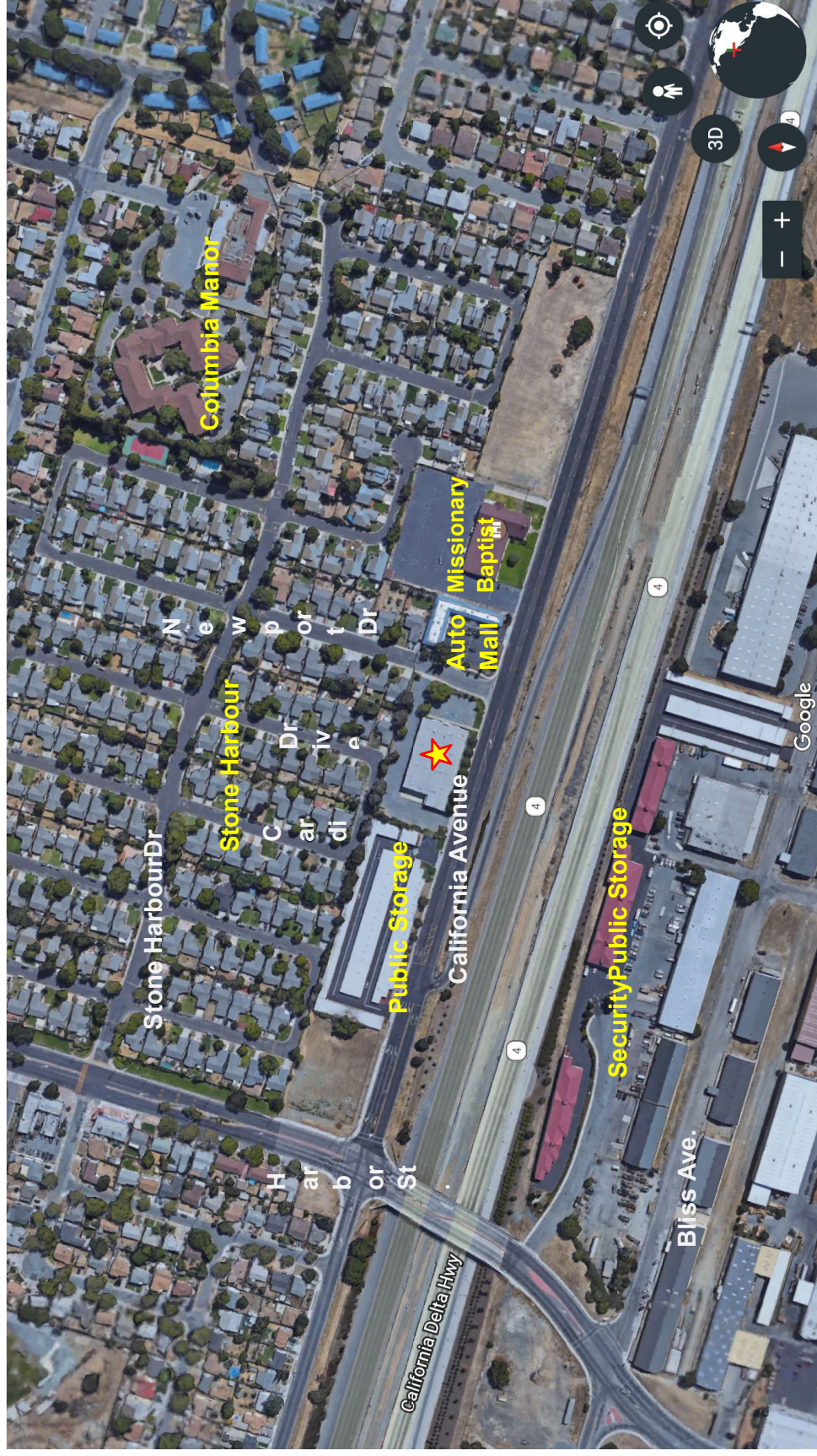
\_\_\_\_\_  
KRISTIN POLLOT, AICP, SECRETARY  
PITTSBURG PLANNING COMMISSION

**Attachment2**  
**Surrounding Uses**

Pittsburg Disposal / Mt Diablo Recycling, AP-17-1235 (Zoning Text Amendment)



**Project Site**



## **Attachment 3Draft Use Permit Conditions of Approval**

### *Standard Conditions*

1. **Sales Tax:** The applicant or their subcontractor(s) shall record with the California Board of Equalization a nexus or additional location within the City of Pittsburg to ensure any and all sales tax paid shall be recorded and paid to the City of Pittsburg. Applicant or subcontractors shall add a new location to an existing account or ensure the seller of goods and materials subject to sales tax have registered a location within the City of Pittsburg with the Board of Equalization.
2. **Standard Conditions of Development:** The Standard Conditions of Development as adopted by the Pittsburg Planning Commission by Resolution No. 8931 shall apply as conditions of approval for this project as applicable. Where there is a conflict between the Standard Conditions of Development and the project-specific conditions identified in this resolution, the specific conditions of this resolution shall govern.
3. **Other Agency Requirements:** The applicant shall comply with all the requirements of the City's Community Development Department, Contra Costa County Fire Protection District, and all other applicable local, state and federal agencies. It is the responsibility of the applicant to contact each local, state, or federal agency for requirements that may pertain to this project.
4. **Indemnification:** Applicant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person challenging the validity of this project approval, subsequent project approval, or other action arising out of, or in connection with, this project approval. The parties shall cooperate in defending such action or proceeding. The parties shall use reasonable efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel at applicant's sole cost and expense. Applicant may select its own legal counsel to represent applicant's interests at applicant's sole cost and expense. Applicant shall pay for City's costs of defense, whether directly or by timely reimbursement to City on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent responding to and defending the claim, action or proceeding.

### *Recycle smart and Buyback Use Permit Conditions*

5. The small recycling facility may accept only glass, aluminum cans, plastic containers, papers and reusable items.

6. The small recycling facility may not use power-driven processing equipment.
7. The small recycling facility must be located in the existing building a minimum of 20 feet from the California Avenue Sidewalk.
8. The project shall be:  
500 SF maximum area small recycling facility  
1,805 SF maximum Retail Secondhand Sales area
9. No outside storage or sorting of materials is allowed.
10. Recycling Buy-back shall be closed on the day the surrounding neighborhood trash and collection occurs.
11. Public business hours shall be 9:00 a.m. to 5:00 p.m. (maximum hours) weekdays.
12. Loading and delivery of materials shall be prohibited outside of hours 7:00 a.m. to 5:00 p.m. weekdays and Saturday.
13. It shall be the business owner's responsibility to ensure that all possible measures are taken to avoid large trucks on site outside of 8:00a.m to 5:00 pm.
14. No idling of trucks onsite is allowed.
15. The facility may not exceed noise levels of 60 dBA as measured at the property line of residentially zoned or occupied property, or otherwise not exceed 70 dBA.
16. No vehicle traffic is allowed to block California Avenue.
17. Signage shall be submitted for review and approval:
  - a. No Grocery Carts allowed on premises
  - b. gate at California Avenue: NO PUBLIC ENTRY
  - c. gate to rear of building off Newport Drive: NO PUBLIC ENTRY
  - d. existing pylon sign
18. Add Permanent, fixed bicycle racks or lockers for 8 bicycles.
19. Plant one (1) tree minimum at project entry off Newport Drive in island between parking and entry. The tree species shall be selected for energy efficiency and drought tolerance, and adaptability and relationship to the city's climatic, soil, geological and topographical conditions.
20. Repair sections of missing gate lattice on existing trash structure.
21. Repair, and finish (match existing) chipped or broken portions of sound wall bordering Stone Harbor subdivision.

22. The site shall be kept clean and free of all litter, debris and refuse, and all landscaping on site shall be kept weed free and maintained in a healthy condition.

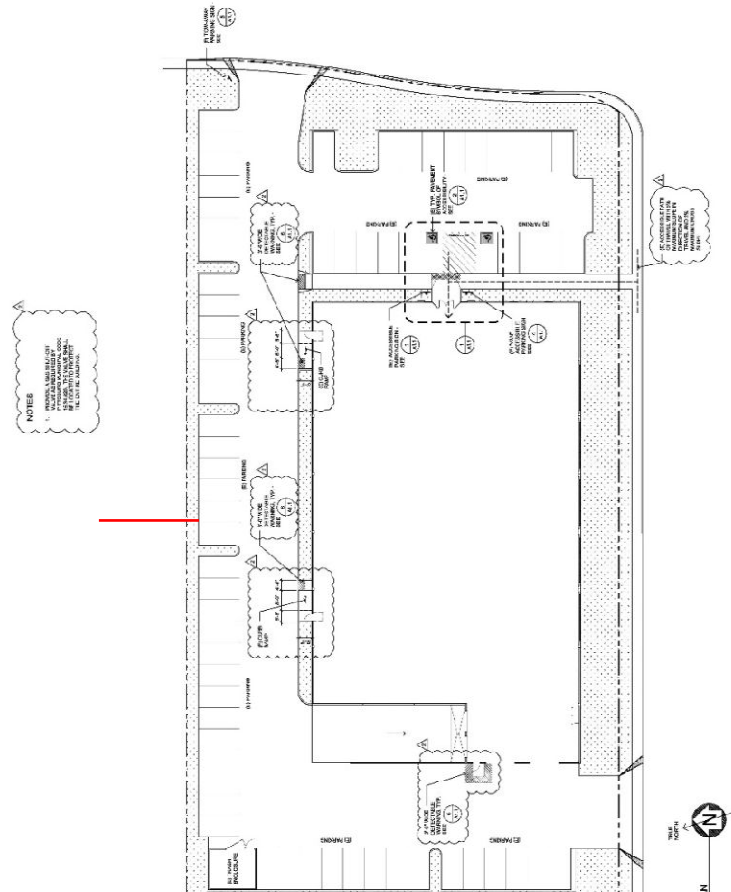
*Railroad Avenue Specific Plan Community Facilities District:*

23. The subject property has been previously annexed into the Railroad Avenue Specific Plan (RASP) Community Facilities District 2014-1, The rate of the CFD is subject to City Council Ordinance No. 14-1383, if applicable.



## Attachment 4:555 California Avenue Proposal

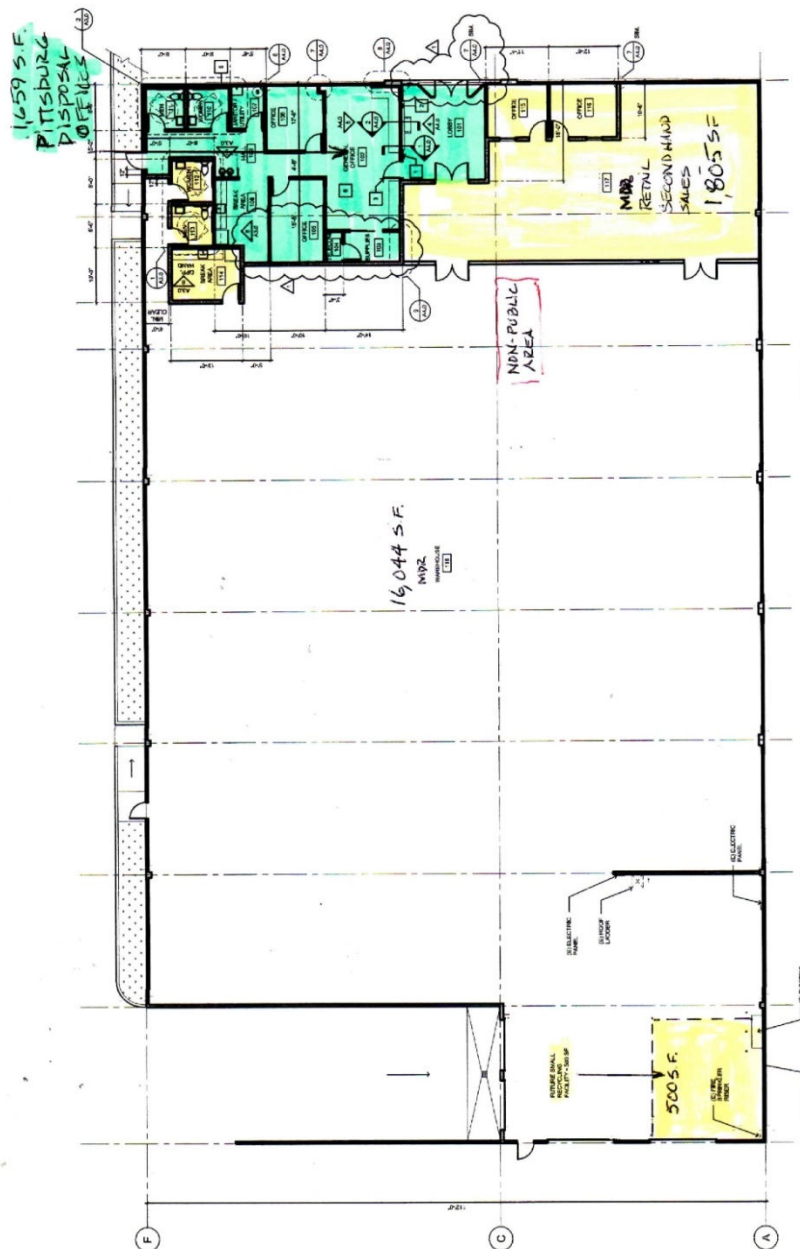
### 1. SITE PLAN (N



ode)

The project is gated to prohibit public entry to the employee and truck delivery area (shown as 2 red lines on the plan). The access to the public is the front doors. Within the gated area, only vehicular traffic relating to the Recycle Smart program implantation and occasional escorted recycle buy-back patrons.

## 2. PROJECT PLAN



20,008 SF Building Constructed in 1994. 1,659 SF is for Pittsburg Disposal offices; 16,044 SF Main Warehouse area used as receiving and sorting re-use items; 500 SF recycling and buy-back area (Maximum allowed for small recycling facility); and 1,805 SF is offices and showroom for public sales of reuse items (10% max of area per ordinance) ancillary to Pittsburg Disposal Services

### 3. PHOTOS

Looking northwest across California Avenue and Newport Drive to project site



**SIGNAGE:** The only signage currently planned will be on the building main entry doors on the east side which will received vinyl window signage on the glass door identical to that of the 981 Railroad Ave office (Pittsburg Disposal) along with the standard ADA parking warning signage. No Plans have been received regarding the building's existing pylon sign.

Photo 2 Looking north towards across Newport Drive at project entry and Stone Harbour Residential Subdivision





Photo 3 Looking west at gated access and wall along Stone Harbour residential to north



Photo 4 looking easterly along California Avenue.



#### **4. Site Operations Information**

The proposed project utilizes an existing building and parking plan constructed in 1993. The building's primary use is now Pittsburg Disposal office, which is an allowable use. In addition to the Pittsburg Disposal Offices, a recycling buy-Back and direct and online sales are proposed:

##### **A. Mt Diablo Recycling buy-back:**

The proposed 500 SF Mt Diablo Buy-Back recycling consists of an area inside the southwestern end of the building, where recycling bins and a small scale would be located.

**Odor:** Recyclable material inside the building would be moved out daily to control any odor issues.

**Noise:** There would be no outside storage and trucks would be stored at the Loveridge Road facility. Noise levels would not exceed 60 decibels.

**Expected walk-in volume:** Due to the current low price of the recycled materials market, the initial customer-per-day count (both walk-in and drive in) will likely be low; likely no more than a few per day. Should recycling material prices rise in the future, the customer count could be as much as 20 to 30 per day.

**Operating Hours:** The operating hours are specifically defined in the City's Recycling Collections Facility Conditions PMC 18.84.575, Proposed facility to be open M-F 9am – 3:30pm. It should be noted that Mt. Diablo Recycling is proposing an additional condition whereby the buy-back operations would remain closed on the day the surrounding neighborhood trash and recycling collections occurs (included in Conditions).

**Recycled materials bin pick up:** Weekly to start, more often should demand increase.

**Hours of workers and trucks outside normal business hours:** Infrequently a recycling container service pick up may be scheduled outside of normal business hours. Typically, the recycling container pickups would occur during the same service schedule as the curbside recycling services for the adjacent neighborhood.

**California Avenue Gate operation:** This gate will remain closed, and will be opened as necessary for receiving re-use delivery items.

**Circulation of traffic:** All customer traffic would enter and exit the eastern driveway off of Newport Street.

**Bin Sizes:** PCM 18.84.575 Sets criteria and standards for Small Recycling Facility

The containers used would be 2 – 3 yard bins. This facility will not be accepting recycled motor oil at this location.

**Recycle bins** No Bins will be outside the building. Bins will be on wheels. Staff will push the recycling container to where the recycling truck will empty it and return it to inside the warehouse.

**How many employees?** Up to nine (9) onsite

**Recycling buy-back access:** The overhead (rollup) doors at the truck dock and one of the two doors on the west would be open during normal business hours as necessary to receive re-use material or for access to bring the recycling containers to and from the recycling truck..

**Foot versus auto traffic expectation:** 75% cars and 25% pedestrian.

**Grocery cart full of recyclables discouraged:** No purchases of recycling materials from anyone utilizing stolen shopping carts to transport recycling materials and all customers will be required to provide a valid Driver's License or ID"

**Facility is closed on days when recyclables are picked up in adjacent areas** The Buy Back would not be open on the same day as the local neighbor trash and recycling collection occurs.

**Loveridge facility closure to the public:** The recycling facility at Loveridge Rd has been closed due to the concerns of public safety within the high truck traffic areas on site.

**Buy-back safety:** Payment for recycled materials will be accessed only from within the building's main lobby and payments will only be issued from the secured pay windows. Access through the gates to the buy-back recycling area will be by staff direction.

#### **B. Mail Order and Direct Selling Use:**

The proposed direct selling Use is an 1805 SF (meeting the 10% allowed) area of enclosed warehouse on the eastern end of the building which will have display tables. It includes 2 new offices for the sales person who handles the E-sales and future walk-in customers, and one for the warehouse manager. Also included are 2 restrooms and a break room that serve only the Mt Diablo Recycling staff (non-public area).

Mt. Diablo Recycling, working in partnership with Recycle Smart, Republic Services and the Contra Costa County Solid Waste Authority operates the Re-Use program whereby reusable items destined for the landfill are collected, transported, sorted and redistributed. These re-usable items include household electronics and appliances, gardening and outdoor sporting equipment, furniture, home décor and accessories, clothing, shoes, books, toys, office and school supplies.

The main focus and intent of the Re-Use program is to provide as many non-profit charitable programs and organizations with free access to these re-use items as possible with the co-objective of reducing and redirecting as many of these re-use items

from winding up in the local landfills as possible. The ability to sell those re-use items (which are not claimed by the non-profit organizations) to the local community would provide low cost access of these items to the local community, while further promoting waste diversion goals. In addition to the local retail sales, internet marketing such as E-Bay and Craigslist assist in broadening the area of marketing to the public. In the future, as the more re-use items that can be diverted from the landfill, the more successful this re-use program will be.

The majority of these reusable items are given directly to charitable organizations such as St. Vincent DePaul, Good Will Industries, and many other donation oriented charitable organizations. Through this programs re-use operations, in fiscal year 2016, more than 1,100 tons of re-use items were successful diverted from the local landfill.

The intent of the Mt. Diablo Re-Use Retail store will be to provide the local community (as well as internet sales) the opportunity to purchase those reusable items which have not been claimed by the other non-profit charities. Proceeds from the sale of these items will help to defray some of the cost of operations as well continuing to support Opportunity Junction and its job skills assistance programs.

The current office at 981 Railroad Ave (approx. 1,157 SF office) serves strictly as the business office for Pittsburg Disposal Service and has not been utilized for retail sales.

**Operation hours:** Proposed 7:00 am to 3:30 pm Mon thru Fri for receiving and shipping of re-use items; 9:00 am to 3:30 pm for the retail sales of re-use items.

## 5. Recycle Smart Brochure

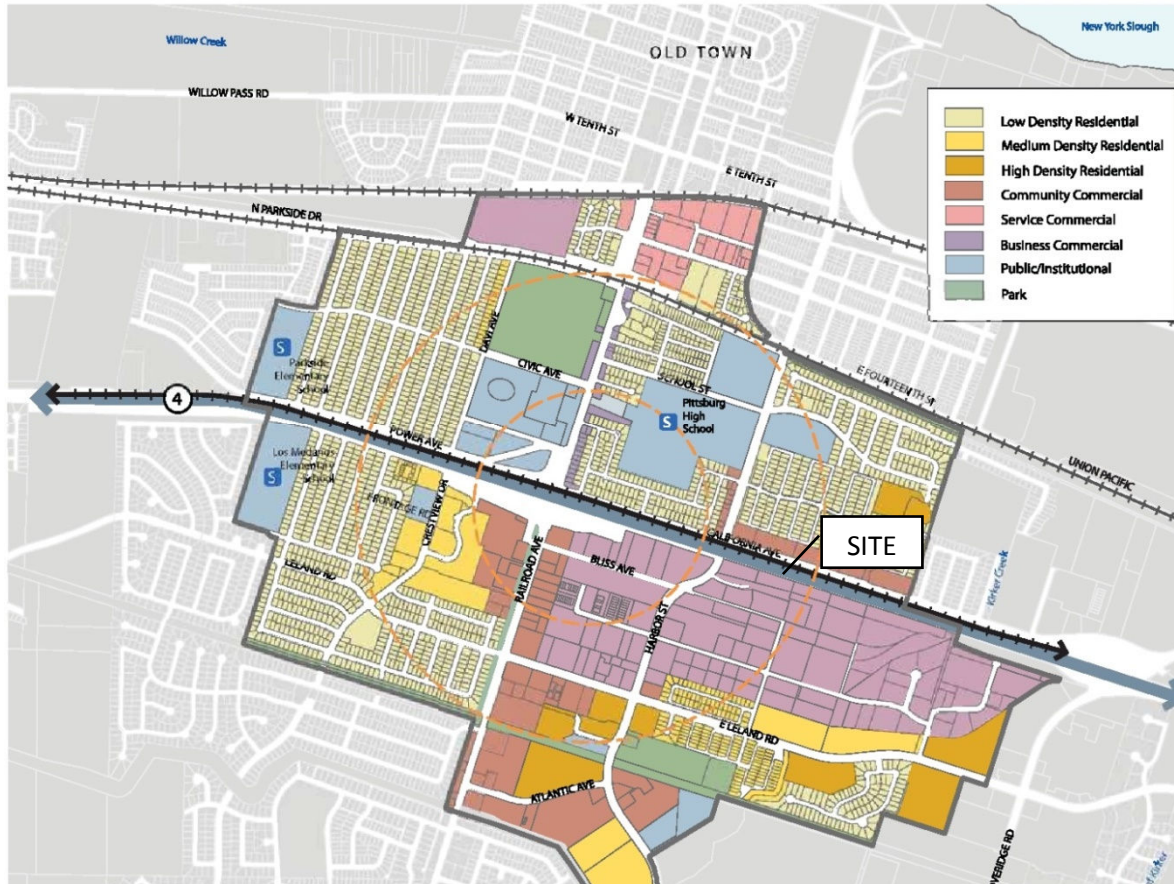






## Attachment 5 Railroad Avenue Specific Plan and PMC Sections

Figure 2.1 General Plan Land Use Map



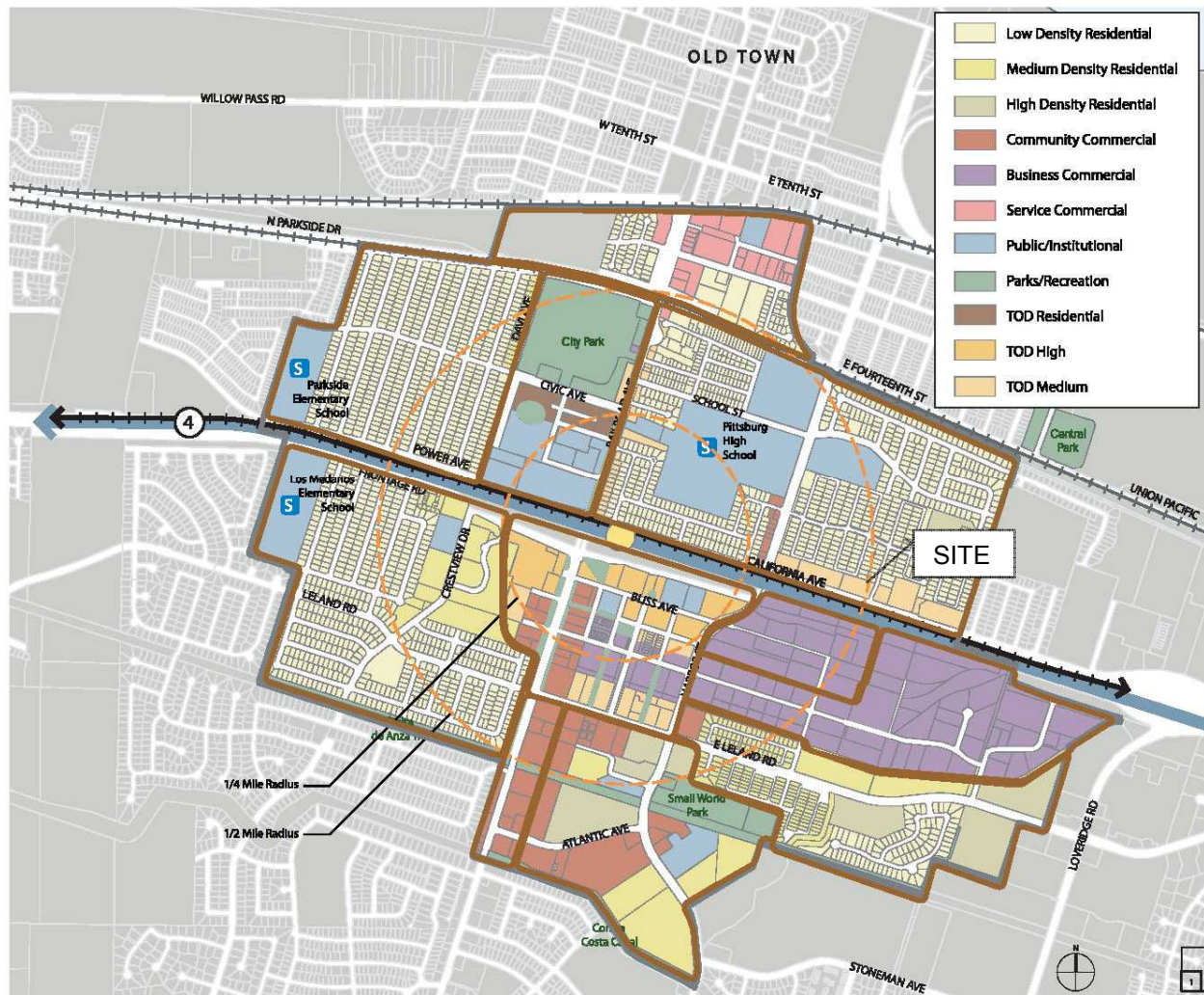
1. **Figure 2.1 Railroad Avenue Specific Plan (RASP)** depicts the General Plan land use designations prior to the adoption of the RASP. The project site was designated Community Commercial.

18.52.005.B.3 Community Commercial District (CC). To provide for commercial centers and individual structures on sites that are located within reasonable distance of high densities of residences or that are served by local and regional transportation and transit systems. These sites typically host a wide variety of local- and regional-serving commercial establishments, including businesses selling home furnishings, apparel, durable goods, and specialty items. Support facilities such as personal services, entertainment, eating-and-drinking establishments and institutional uses are also allowed, subject to certain limitations to avoid adverse effects on adjacent uses;

A Small Recycling facility is an allowed with a Use Permit, Zoning Administrator in the CC District. A Mail order or direct selling establishment is a permitted use in the CC District

While the previous businesses at 555 California did not did not have a small recycling facility, California Carpets and Wonder Bread did have a retail element of new goods.

Figure 4.5 Land Use Plan with Sub-area Boundaries



**2. Railroad Avenue Specific Plan** Figure 4.5 Shows the project site located in the Transit Oriented Development (TOD) Medium district. Allowable land uses in TOD Medium District are the same as those of the M (Mixed Use) District as specified in Title 18 of the PMC. The Mixed Use land designation is established to allow for greater flexibility of land uses around and accessible by transit. (General Plan, page 2-18).

The goals of the TOD District is to create a vibrant, mixed-use, transit-oriented development district nearest the eBART Station; foster an engaging and active street environment; provide additional housing opportunities, including multifamily and affordable housing, within one-half mile of the eBART Station; and provide services and amenities that meet the needs of transit riders, local residents, employees, students and visitors such as childcare, education and job skills services, community centers, healthcare services, and neighborhood serving retail in close proximity to the eBART Station.



This project is a reuse, restore and renovate project of an existing vacant structure built in the early 90's.

### **3. PCM SECTIONS (REFERENCE)**

#### **Chapter 8.06 COLLECTION OF RECYCLABLE WASTE MATERIALS<sup>1</sup>**

##### **8.06.010 Findings and purpose.**

A. Existing landfill space for the disposal of municipal solid waste is rapidly diminishing. The California Integrated Solid Waste Management Act now mandates 25 percent landfill diversion by 1995 and 50 percent landfill diversion by the year 2000. (Public Resources Code Section 41780). The recycling of recyclable materials will help postpone the need for new landfill capacity, help the city meet its mandatory landfill diversion quotas and also reduce pollution and loss of resources which occurs when perfectly usable materials are discarded.

##### **8.06.030 Definitions *(select)***

"Recyclables" do not include household hazardous waste as defined by PMC [18.84.297](#), or refuse as defined by PMC [8.04.030](#).

"Recycle" or "recycling" means the process of separating and collecting used materials which would otherwise become solid waste, for the purpose of reprocessing them to create new materials to be returned to the economic mainstream.

"Recycling collection facility" means a center for the acceptance by donation, redemption, or purchase of recyclable waste materials from the public and includes the facilities regulated by Chapter [18.84](#) PMC.

##### **18.06.215 Collection facility.**

"Collection facility" is a building, structure or facility used for the acceptance by donation, redemption or purchase of recyclable material from the public and which, except for a reverse vending machine and as may be allowed for a large recycling facility, does not use power-driven processing equipment. Collection facility includes, but is not limited to, a mobile recycling unit, a kiosk type unit which may include a permanent structure, unattended containers placed for the donation of recyclable material, and bulk reverse vending machine. [Ord. 07-1284 § 3 (Exh. B), 2007; Ord. 1060 § 3, 1993; Ord. 979 § 2 (Exh. A), 1990.]

##### **18.08.080 Commercial use classifications**

Collection facility (defined in PMC [18.06.215](#)) established as a principal or accessory use or device.

- a. Reverse Vending Machine. An automated or mechanical device which accepts at least one or more types of empty beverage containers including, but not limited to,

aluminum cans, glass and plastic bottles and issues cash refund or a redeemable credit slip. Typically, this type of vending machine does not cover an area larger than 50 square feet.

b. Small Recycling Facility. Collection facility established as an accessory use to a principal use, not exceeding 500 square feet in size. This facility may include: mobile recycling units (truck, trailer, van, boxes, bins, containers transported by truck, car or train), reverse vending machines, or grouping of reverse vending machines (more than three machines), kiosk type units (may be permanent), and unattended container placed for donation of recyclable materials.

26.e Retail and Wholesale Sales / **Mail Order or Direct Selling Establishment.** Retailing of merchandise outside of a fixed retail location or store. Uses in this classification include those businesses that store merchandise on-site within an enclosed building; accept orders transmitted by mail, telephone or the Internet; and distribute merchandise from an on-site office/point-of-sale desk through vending machines, person-to-person sales, or shipment directly to the consumer. Businesses within this use classification generally do not provide on-site retail opportunities to consumers, **but may dedicate up to 10 percent of the total building floor area to walk-in retail sales.**

### **Article XIII. Recycling Collection Facilities**

#### **18.84.575 Criteria and standards for collection facilities.**

B. Small Recycling Facility. Before approving a zoning administrator permit for a small recycling facility as indicated in PMC [18.84.560](#), the zoning administrator must make each of the findings set forth in PMC [18.16.040](#), and find that the facility meets the following standards as applicable:

1. The facility must be established in conjunction with an existing commercial or industrial use which is in compliance with the zoning, building and fire codes of the city;
2. The facility must be no larger than 500 square feet and occupy no more than three parking spaces not including space that will be periodically needed for removal of materials or exchange of containers;
3. The facility must be set back at least 20 feet from the closest public right-of-way or public sidewalk and not obstruct pedestrian or vehicular circulation;
4. The facility may accept only glass, aluminum cans, plastic containers, papers and reusable items. Used motor oil may be accepted with approval from the chief building official and Contra Costa County fire protection district;
5. The facility may not use power-driven processing equipment except for reverse vending machines;

6. The facility must use containers that are constructed and maintained with durable waterproof and rustproof material, covered when site is not attended, secured from unauthorized entry or removal of material, and be of a capacity sufficient to accommodate materials collected;
7. Multiple collection containers at one location must be all the same color (white or some other subdued color);
8. The facility must store all recyclable material in containers or in the mobile unit vehicle, and not leave materials outside of containers when attendant is not present;
9. The facility must be maintained free of litter and any other undesirable materials; mobile facilities, at which truck or containers are removed at the end of each collection day, must be swept and left clean at the end of each collection day;
10. The facility may not exceed noise levels of 60 dBA as measured at the property line of residentially zoned or occupied property, or otherwise not exceed 70 dBA;
11. Attended facilities located within 100 feet of a property zoned or occupied for residential use may operate only during the hours between 9:00 a.m. and 7:00 p.m.;
12. Containers for the 24-hour donation of materials must be at least 30 feet from any property zoned or occupied for residential use;
13. A trash receptacle must be included with the recycling facility and collection arrangements made with Pittsburg Disposal;
14. Containers must be clearly marked to identify the type of materials which may be deposited; the facility must be clearly marked to identify the name and telephone number of the facility operator and the hours of operation, and display a notice stating that no material may be left outside the recycling enclosure or containers;
15. The facility may not impair any landscaping required by this title;
16. No additional parking spaces are required for customers of a facility located at the established parking lot of a principal host use unless otherwise determined by the zoning administrator;
17. The facility must be located on the site to be visually in the least conspicuous area to the general public or it must be screened with landscaping, fencing or walls in a manner to provide an aesthetic quality compatible with surrounding structures.

## Attachment 6 Public Hearing Notice& Vicinity Map



# City of Pittsburg

Community Development Department – Planning Division

65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

## NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the **PLANNING COMMISSION** of the City of Pittsburg will conduct a public hearing on:

**DATE:** June 13, 2017  
**TIME:** 7:00 p.m.  
**PLACE:** City Council Chamber at City Hall  
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

---

### **Pittsburg Disposal / Mt. Diablo Resource Recovery Park, AP-17-1235.**

This is a public hearing on a request for a recommendation for City Council approval of a Zoning Text Amendment and Use Permit application to allow implementation of the Recycle Smart Program within the existing building located at 555 California Avenue in the M (Mixed Use) District for Pittsburg Disposal / Mt. Diablo Recycling.

**PROJECT PLANNER:** Christine Gregory (925) 252-4824 or [cgregory@ci.pittsburg.ca.us](mailto:cgregory@ci.pittsburg.ca.us)

---

**Why am I receiving this notice?** You are receiving this notice because you have either previously requested notifications from the Planning Division, or a project has been proposed in your neighborhood and all property owners within a minimum 300-foot radius of the project site are required to be notified under the Pittsburg Municipal Code.

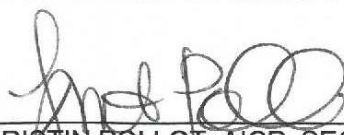
**Where can I get more information about this project?**

The complete file for this project is available for public inspection at the Planning Division, weekdays during the hours of 8:00 AM to 12:00 PM and 1:00 PM to 5:00 PM. You can also find out more about the project by contacting the project planner listed above.

**What can I do if I have comments on the project?**

Comments or objections to the project can be made by writing or through oral testimony during the public hearing. Written comments citing the project name may be emailed to the project planner listed above, or may be mailed or delivered to: Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565. You may also register your comments or objections by attending the public hearing on the date and time listed above.

Pursuant to Section 65009 of the California Government Code, if you challenge this matter in court, you may be limited to those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on the matter delivered to this agency at, or prior to the public hearing. Any written correspondence delivered to the Planning Division before the hearing body's action on the matter will become a part of the administrative record.

  
KRISTIN POLLOT, AICP, SECRETARY  
PITTSBURG PLANNING COMMISSION





# City of Pittsburg

Community Development Department – Planning Division

65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

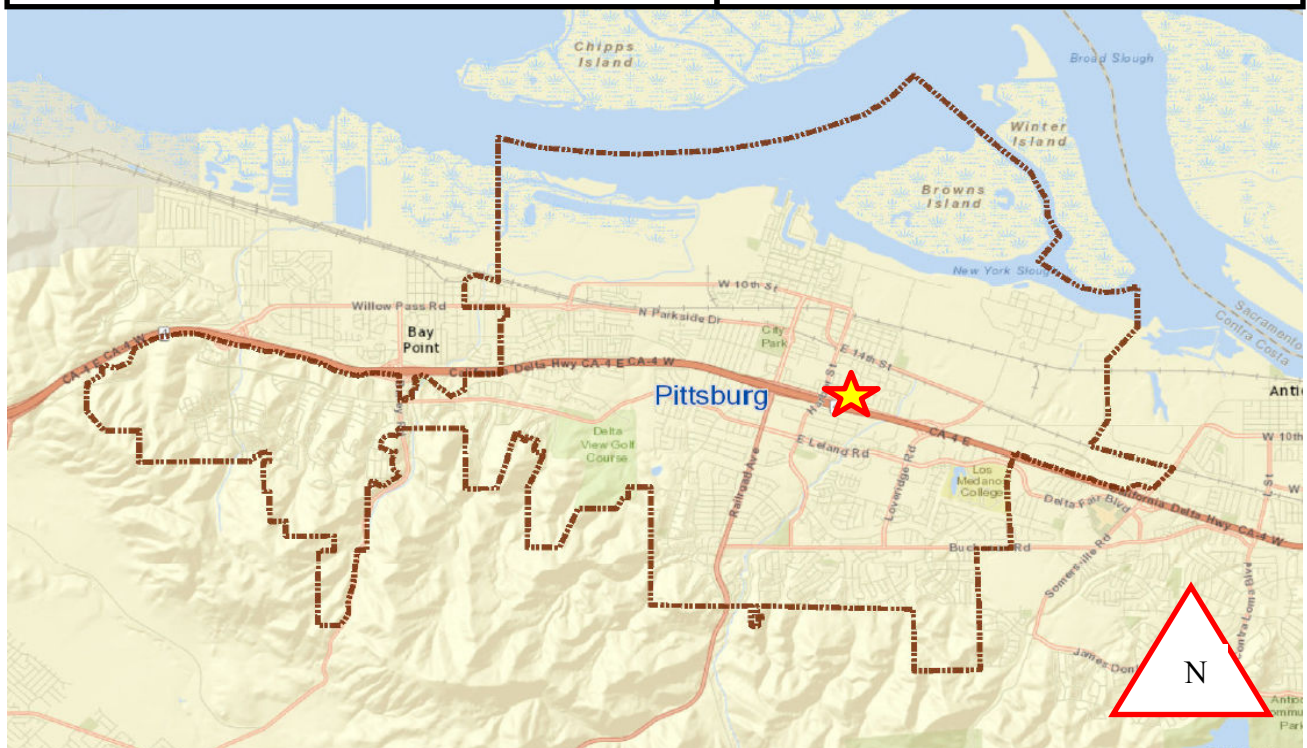
## Public Hearing Notice

Page 2 of 2



**Project Title:** Pittsburg Disposal / Mt. Diablo  
Resource Recovery Park  
AP-17-1235

**Location:** 555 California Avenue  
APN: 073-270-089



## Attachment 7 Responses to Public Hearing Notice

From: Claude Battaglia<claudedude1@yahoo.com>  
Sent: Saturday, June 3, 2017 5:34 PM  
To: Christine Gregory  
Subject: No to Recycle Center  
Hi Christine,

I am a home owner in Stone Harbor and I am totally against having a recycle center in the old Wonder Bread Building. This will bring some shady characters in and around our neighborhood. It will bring shopping carts to our area, which people will just leave lying around. It will draw more traffic to our back gate and probably a lot of garbage as well. I think the City of Pittsburg can find a different place to put their recycle center.

Sincerely,

Claude J. Battaglia

From: Kathy Stevens <kassienutchen@gmail.com>  
Sent: Saturday, June 3, 2017 5:30 PM  
To: Christine Gregory  
Subject: California Ave. Recycle Center  
Dear Ms. Gregory,

I would like to take this opportunity to state my opposition to the proposed recycle center in the old Wonder Bread Store.

My main concern in the additional traffic added to an already congested California Ave as well as additional traffic at the entrance to our homeowner's association. I do not think we should be subjected to the noise and litter recycle centers produce either.

Pittsburg Disposal needs to find somewhere that is not next to a residential area.

I hope the City Council thinks of the citizens they serve instead of a business when they make their final decision.

Sincerely,

Kathy Kemp

Stone Harbour



# City of Pittsburg

## Community Development Department – Planning Division

65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

### NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the **CITY COUNCIL** of the City of Pittsburg will conduct a public hearing on:

**DATE:** July 17, 2017  
**TIME:** 7:00 p.m.  
**PLACE:** City Council Chamber at City Hall  
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

---

#### **Introduction and Waive First Reading of an Ordinance Amending Title 18 of the Pittsburg Municipal Code Related to Permitting Small Recycling Facilities and Mail Order or Direct Selling Establishments in the Mixed Use District, AP-17-1235 (RZ)**

This is a public hearing on a zoning text amendment request to facilitate implementation of the Recycle Smart Program within the existing building located at 555 California Avenue in the M (Mixed Use) District, for Pittsburg Disposal / Mt. Diablo Recycling; Assessor's Parcel No. 073-270-089. While the purpose of this request is to facilitate a specific development proposal, the zoning text amendments would apply to the entire M District, with limitations.

On June 13, 2017, the Planning Commission adopted Resolution No. 10064, recommending adoption of the ordinance as presented.

**PROJECT PLANNER:** Christine Gregory (925) 252-4824 or [Cgregory@ci.pittsburg.ca.us](mailto:Cgregory@ci.pittsburg.ca.us)

---

**Why am I receiving this notice?** You are receiving this notice because you have either previously requested notifications from the Planning Division, or a project has been proposed in your neighborhood and all property owners within a minimum 300-foot radius of the project site are required to be notified under the Pittsburg Municipal Code.

**Where can I get more information about this project?**

The complete file for this project is available for public inspection at the Planning Division, weekdays during the hours of 8:00 AM to 12:00 PM and 1:00 PM to 5:00 PM. You can also find out more about the project by contacting the project planner listed above.

**What can I do if I have comments on the project?**

Comments or objections to the project can be made by writing or through oral testimony during the public hearing. Written comments citing the project name may be emailed to the project planner listed above, or may be mailed or delivered to: Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565. You may also register your comments or objections by attending the public hearing on the date and time listed above.

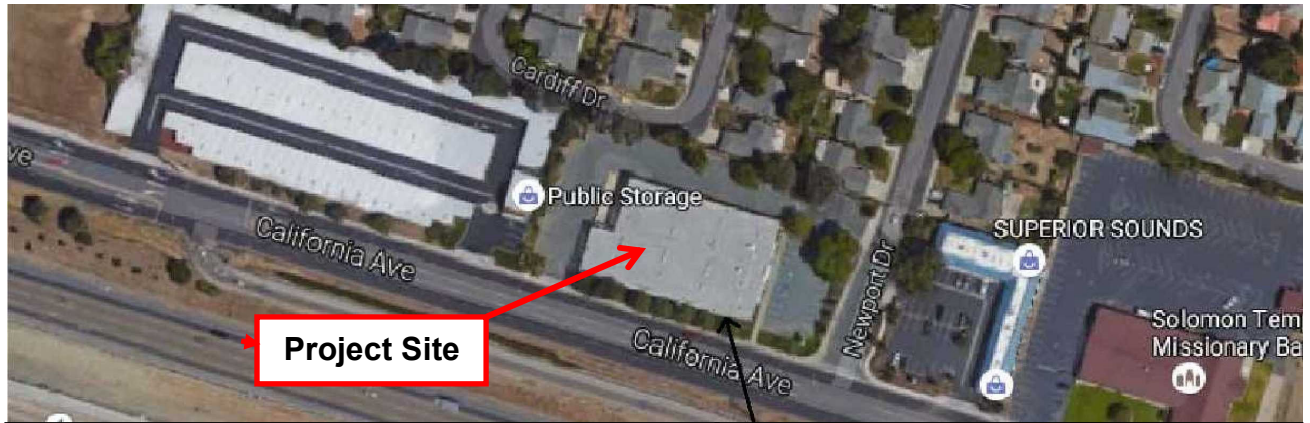
Pursuant to Section 65009 of the California Government Code, if you challenge this matter in court, you may be limited to those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on the matter delivered to this agency at, or prior to the public hearing. Any written correspondence delivered to the Planning Division before the hearing body's action on the matter will become a part of the administrative record.

/ S /

---

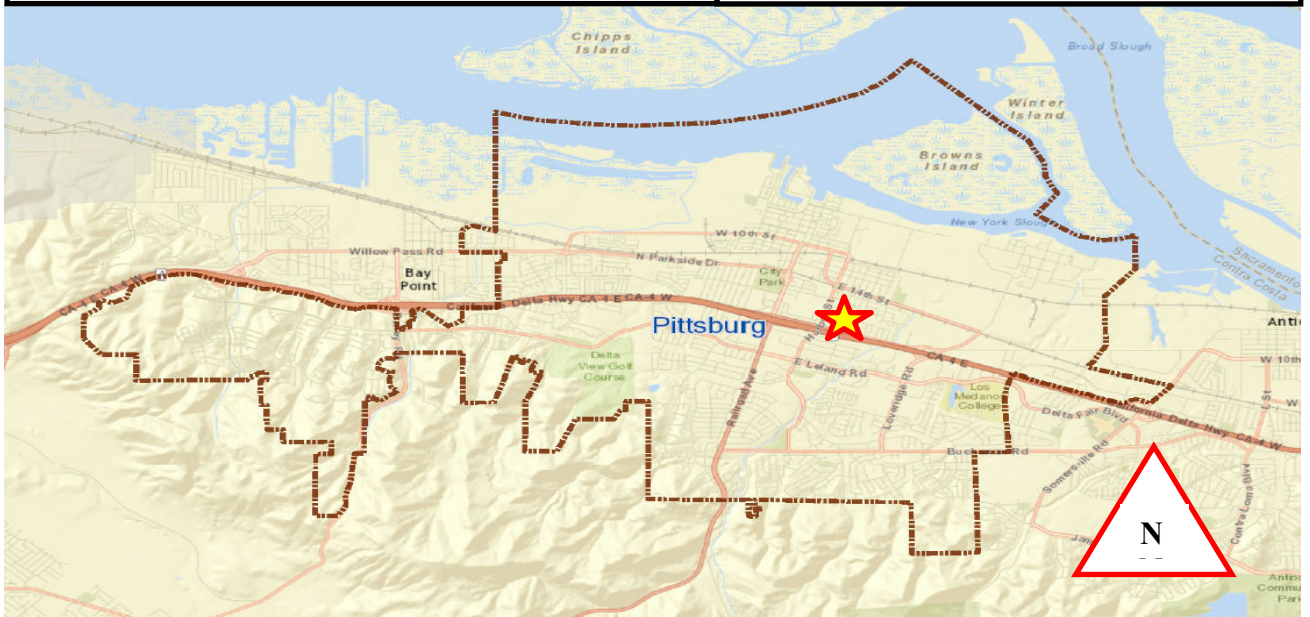
ALICE E. EVENSON, CITY CLERK  
CITY OF PITTSBURG





**Project Title:** Pittsburg Disposal / Mt. Diablo  
Resource Recovery Park  
AP-17-1235

**Location:** 555 California Avenue  
APN: 073-270-089



**City of Pittsburg**

**Community Development Department – Planning Division**  
65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

**NOTICE OF PUBLIC HEARING**





**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR  
65 Civic Avenue  
Pittsburg, CA 94565**

**DATE:** 7/6/2017

**TO:** Mayor and Council Members

**FROM:** Joe Sbranti, City Manager

**SUBJECT:** Introduction and Waive First Reading of an Ordinance Amending Title 18 of the Pittsburg Municipal Code Related to Allowable Uses in the CP-1 District, AP-17-1245 (RZ).

**MEETING DATE:** 7/17/2017

**EXECUTIVE SUMMARY**

This is a public hearing on a City-initiated proposal to consider potential amendments to Title 18 of the Pittsburg Municipal Code in order to allow 'Personal Improvement Services' and 'Personal Services,' subject to limitations, within the CP-1 District. On June 27, 2017, the Planning Commission adopted Resolution No. 10069, recommending City Council approval of the amendments as proposed.

**FISCAL IMPACT**

There would be no negative fiscal impact on the City from the proposed amendments relating to new allowable uses in the CP-1 District; rather, the proposed amendments would provide more flexibility for new businesses, which should help to fill vacant spaces and generate additional business license revenues for the City.

**RECOMMENDATION**

City Council move to introduce, waive further reading, and pass to second reading the attached ordinance amending Pittsburg Municipal Code (PMC) Title 18 related to allowable uses in the CP-1 District.

**BACKGROUND**

In 2013, the Land Use Subcommittee began discussing and reviewing potential options for modification of the zoning regulations within the city's downtown core, in order to help decrease commercial vacancies. The downtown core is generally located along the Railroad Avenue corridor between 3rd Street and 10th Street, and the CP-1 zoning

designation is specifically applied to those spaces located on the ground floor and fronting onto Railroad Avenue.

The original intent of the CP-1 zoning district was to “consist primarily of pedestrian-oriented retail, entertainment, restaurants, and galleries,” according to section 18.52.005(B)(7) of the Pittsburgh Municipal Code (PMC). Since the zoning district was implemented in 2006, the City has seen positive growth of the restaurant industry in the downtown core, along with several recreational/entertainment amenities including the construction of a new downtown park with flexible space for events and community gatherings. During this time the City has also implemented a significant investment in infrastructure including improved roadways with raised intersections, angled parking, new street lighting, furniture and landscaping, as well as new sidewalks with an increased width in order to help facilitate better pedestrian flow and provide space for other ancillary amenities such as outdoor dining and/or retail displays. However, since these efforts were implemented there still has been little to no successful retail growth, and there are a number of prime tenant spaces on Railroad Avenue that have been vacant for many years.

### **SUBCOMMITTEE FINDINGS**

On April 19, 2017, the Land Use Subcommittee met and specifically discussed some potential zoning changes related to a recent proposal for a karate studio to locate at 760 Railroad Avenue, in the CP-1 District. During this meeting, the subcommittee directed staff to review potential changes to the CP-1 District as a whole, that could allow for “Personal Improvement Services,” and possibly, “Personal Services” (as defined by PMC 18.08.080.21 and .22), subject to approval of a use permit.

On April 25, 2017, the Planning Commission unanimously moved by minute order to initiate a zoning study related to allowable uses in the CP-1 District.

On May 9, 2017, the Planning Commission conducted a study session to review the first draft of the proposed amendments. During this session, suggestions were made to ensure that, 1) home electronic equipment repair is not excluded as an allowable use, subject to a use permit; and 2) the required additional finding for new “personal improvement services” and “personal services” in the downtown core should be expanded to include an economic component.

On June 27, 2017, the Planning Commission held a public hearing and subsequently adopted Resolution No. 10069, recommending approval of the amendments as proposed.

### **STAFF ANALYSIS**

Project Description: The zoning text amendments proposed would revise the allowable uses in the CP-1 District in order to allow “Personal Improvement Services” and “Personal Services” with limitations that would: 1) specifically exclude self-service laundry facilities, which is typically included as a personal service; 2) require a use permit to be approved by the Planning Commission prior to establishment of a new use; and 3) require an additional finding to be made to ensure that “the use will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging pedestrian oriented atmosphere along the primary downtown corridor.” In addition, staff is proposing the removal of Chapters 18.96 “Land Use Regulations” and Chapter 18.98 “Property

Development Regulations,” as they both contain information that is inaccurate or that is repetitive of the base district regulation chapters found earlier in the same Title.

General Plan Consistency: The proposed amendments would be consistent with the objectives, policies, general land uses and programs in the General Plan, as they relate to the downtown. The boundaries of the CP-1 zoning district include land located within two different General Plan land use categories: Downtown Commercial and Mixed Use. The definition provided in the General Plan for ‘Downtown Commercial’ uses specifically include “personal services” in addition to retail, restaurants, offices, financial institutions, and other businesses serving the daily needs of downtown residents. The definition for ‘Mixed Use’ is less clear on the specific types of uses that area allowed; however, the General Plan states that the designation is intended to allow for greater flexibility of land uses. In addition, General Plan policies 2-P-32, 5-P-3, 5-P-6 and 5-P-38, all support the proposed amendments in that they encourage a concentration of commercial activity in the downtown (including personal services) and pedestrian oriented commercial activities in ground-level storefronts within the downtown core.

Analysis: Staff believes that the City Council can make the required findings to approve the amendments as presented.

As previously mentioned, downtown Pittsburg has a large number of storefronts that have been vacant for many years and the land use subcommittee has continually expressed a desire for finding new ways to help decrease commercial vacancies. The lack of a good retail market in the area has been a long standing problem for Pittsburg and the brick and mortar retail markets, more specifically, have been declining at the national level, indicating that the problem is not likely to go away anytime soon.

As discussed during the May 2017 Planning Commission study session on this topic, the most important indicators for a successful downtown are having good pedestrian activity (feet on the ground) and engagement. Historically, retail and restaurants have always been thought of as the best way to foster pedestrian activity and keep storefronts engaging for shoppers; however, there are a number of new service business models coming forward that are placing more emphasis on experiences, rather than simply providing a necessary service where people are in the store and then out. With this in mind, staff believes that new service related businesses can be operated in a manner that fosters further interest and engagement by its patrons, while adding to the overall pedestrian activity in the downtown. The zoning changes proposed would provide more flexibility for potential new businesses locating in existing vacant ground floor storefront spaces, while also allowing the Planning Commission to retain some control over the specific business operations through the proposed use permit process. The added finding related to the downtown goal of fostering a strong pedestrian oriented atmosphere would add a further mechanism for oversight to ensure that new businesses are doing their part to be creative, innovative and to fit in with the unique character that the City has been striving for in the downtown.

Staff believes that if the City shifts the regulatory emphasis to focus more on how downtown businesses interact with their surrounding environment, rather than just the types of businesses allowed, then the goal of creating a vibrant pedestrian activity center can still be met without relying solely on traditional retail activities. The zone changes proposed would ensure appropriate control and oversight related to new, and perhaps non-traditional, downtown core uses, while also fostering creativity from the business owners by requiring them to engage more actively with their immediate surroundings.

- ATTACHMENTS:
1. Proposed Ordinance
  2. Adopted Planning Commission Resolution No. 10069
  3. CP District Map
  4. Public Hearing Notice

Report Prepared By: Kristin Pollot, AICP, Planning Manager

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Ordinance Amending Title 18 of the )  
Pittsburg Municipal Code Related to )  
Allowable Uses in the CP-1 District., AP- )  
17-1245 (RZ) )

---

ORDINANCE NO. 17-\_\_\_\_\_

SECTION 1. Recitals

- A. This is a City-initiated proposal to consider potential amendments to Title 18 of the Pittsburg Municipal Code (PMC) in order to allow 'Personal Improvement Services' and 'Personal Services,' subject to limitations, within the CP-1 District.
- B. In 2013, the Land Use Subcommittee began discussing and reviewing potential options for modification of the zoning regulations within the city's downtown core, in order to help decrease commercial vacancies.
- C. On April 19, 2017, the Land Use Subcommittee met and specifically discussed some potential zoning changes related to a recent proposal for a karate studio to locate at 760 Railroad Avenue, in the CP-1 District. During this meeting, the subcommittee directed staff to review potential changes to the CP-1 District as a whole, that could allow for "Personal Improvement Services," and possibly, "Personal Services" as well (as defined by PMC 18.08.080.21 and .22), subject to approval of a use permit.
- D. On April 25, 2017, the Planning Commission unanimously moved by minute order to initiate a zoning study related to allowable uses in the CP-1 District.
- E. On May 9, 2017, the Planning Commission conducted a study session to review the first draft of the proposed amendments. During this session, suggestions were made to ensure that, 1) home electronic equipment repair is not excluded as an allowable use, subject to a use permit; and 2) the required additional finding for new "personal improvement services" and "personal services" in the downtown core should be expanded to include an economic component.
- F. On June 27, 2017, the Planning Commission held a public hearing and subsequently adopted Resolution No. 10069, recommending approval of the proposed amendments.
- G. Before adoption of an ordinance, the City Council shall make findings that the proposed regulation is consistent with the policies of the general plan and the notice and hearing provisions of PMC Title 18, in accordance with PMC section 18.48.030.
- H. On or prior to July 7, 2017, notice of the July 17, 2017, public hearing to consider this proposal was posted at City Hall and on the 'public notices' page of the City's website; was delivered to the Pittsburg Library; was published in the local

newspaper (East Contra Costa County Times) as a 1/8<sup>th</sup> page advertisement; and was mailed via first class mail or electronic mail to interested parties and individuals and organizations that requested such notice, in accordance with PMC sections 18.14.010, and Government Code section 65091.

- I. On July 17, 2017, the City Council held a public hearing on the proposed zoning amendments, at which time oral and/or written testimony was considered.

## SECTION 2. Findings

- A. Based on the City Council Staff Report entitled, "Introduction and Waive First Reading of an Ordinance Amending Title 18 of the Pittsburg Municipal Code Related to Allowable Uses in the CP-1 District, AP-17-1245 (RZ)," and based on all the information contained in the Planning Division files, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the City Council finds that:
  1. All recitals above are true and correct and are incorporated herein by reference.
  2. The proposed amendments are consistent with the objectives, policies, general land uses and programs in the General Plan, in that they would apply to land within both the Downtown Commercial and Mixed Use land use designations. The definition provided in the General Plan for 'Downtown Commercial' uses specifically includes "personal services" in addition to retail, restaurants, offices, financial institutions, and other businesses serving the daily needs of downtown residents. The definition for 'Mixed Use' is less clear on the specific types of uses that are allowed; however, the General Plan does state that the designation is intended to allow for greater flexibility of land uses. In addition, General Plan policies 2-P-32, 5-P-3, 5-P-6 and 5-P-38, all support the proposed amendments in that they encourage a concentration of commercial activity in the downtown (including personal services) and pedestrian oriented commercial activities in ground-level storefronts within the downtown core.
  3. The proposed amendments are compatible with uses and regulations of the land use district for which they are proposed, in that "personal services" and "personal improvement services" are already allowable uses in the CP-2 District, and they would only be allowed in the CP-1 District with some additional controls including a use permit and an additional finding related to the goal of creating a vibrant pedestrian activity center in the downtown core.
  4. There is a community need for the change proposed in that there are a large number of storefronts in downtown Pittsburg that have been vacant for many years, providing evidence that the retail market in the area is struggling. The increase in major retail bankruptcies in the first quarter of 2017, further indicate that the retail markets are struggling on a much larger scale (and not just at the local level). The proposed amendments would shift the regulatory emphasis to focus more on how downtown businesses interact with their surrounding

environment, rather than just the types of businesses allowed, thereby furthering the economic development goals without sacrificing the pedestrian oriented character that is needed for a successful downtown.

5. The proposed change would be in conformity with the public convenience, general welfare, and good zoning practice, in that “personal services” and “personal improvement services” are already allowable uses in the CP-2 District, and they would only be allowed in the CP-1 District with some additional controls including a use permit and an additional finding related to the goal of creating a vibrant pedestrian activity center in the downtown core.

### SECTION 3. CEQA

This project is exempt from the requirements of the California Environmental Quality Act under the general rule of applicability of the state CEQA Guidelines, section 15061, in that there is no possibility that the activity in question would have a significant negative physical impact on the environment. The amendments proposed are procedural in nature and the two land use classifications that would be added to the CP-1 District are already allowable uses within the CP-2 District, which in many cases would apply to a separate portion of the same building. Allowing “personal services” and “personal improvement services” in tenant spaces that front onto Railroad Avenue within the downtown core would not result in any new impacts beyond those that could exist without the change, specifically as they may relate to aesthetics, air quality, transportation, noise, hazards, utilities and/or public services.

### SECTION 4. Decision.

- A. Based on the findings and the authority set forth above, the City Council hereby amends the PMC Title 18, as identified below:

1. The schedule in PMC section 18.52.010 related to “Land use regulations” is amended as follows (new text shown in underline font and text proposed for deletion is shown in ~~strikethrough~~ font):

|                               | CO    | CN    | CC    | CS    | CSD   | CW              | CP                                                    |
|-------------------------------|-------|-------|-------|-------|-------|-----------------|-------------------------------------------------------|
| Personal Improvement Services | L-117 | L-117 | L-117 | L-117 | L-117 | L-109,<br>L-117 | L-115,<br><del>L-132,</del><br>L-133,<br><u>L-165</u> |
| Personal Services             | L-12  | P     | P     | P     | P     | L-12            | L-134,<br><u>L-165</u>                                |

2. The schedule in PMC section 18.52.010 related to “Additional use regulations,” is amended to add a new limitation, in appropriate numeric order, as follows (new text shown with underlines):

|              |                                                                                                                                                                                                                                                                                                                                           |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>L-165</u> | <u>Conditional use permit required in the CP-1 area.* In approving the use permit, the planning commission must make an additional finding that the use will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging pedestrian oriented atmosphere along the primary downtown corridor.</u> |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

3. The schedule in PMC section 18.52.010 related to “Additional use regulations,” is amended to modify the text of limitations L-133 and L-134, as follows (new text shown in underline font and text proposed for deletion is shown in strikethrough font):

|       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| L-133 | <u>Permitted in CP-2 area.*</u> Driving school classrooms and drivers’ training permitted in the CP-2 area*; provided, that no more than two training vehicles are used by the business <u>and vehicles are stored off-street.</u><br><del>Dance studios are permitted in the CP-2 area,* and permitted in the CP-1 area* with a conditional use permit. Classroom uses, including language learning schools and test preparation facilities, are permitted in the CP-2 area* only.</del>                                                                                                                                          |
| L-134 | <u>Permitted in CP-2 area.*</u> Self-service laundry permitted in the CP-2 area* only when ancillary <u>to an</u> eating or drinking establishment or indoor commercial entertainment. <u>Self-service laundry prohibited in CP-1 area.*</u> <del>Barber shop, beauty shop, tanning salon, and similar services are permitted in the CP-2 area.* Watch and jewelry repair, engraving, picture framing, tailoring, and shoe repair are permitted in the CP-2 area* and permitted in the CP-1 area* when ancillary to watch and jewelry retail. Dry cleaning, locksmiths, and film developing are permitted in the CP-2 area.*</del> |

4. Chapter 18.96 “Land Use Regulations” and Chapter 18.98 “Property Development Regulations” shall be removed in their entirety.



SECTION 5.Severability

If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 6.Effective Date

This Ordinance shall be in full force and effective thirty (30) days after its adoption.

SECTION 8.Publication

The City Clerk shall either (a) have this ordinance published once within 15 days after adoption in a newspaper of general circulation or (b) have a summary of the ordinance published twice in a newspaper of general circulation, once 5 days before its adoption and again 20 days after its adoption.

The foregoing ordinance was introduced at a meeting of the City Council of the City of Pittsburg held on July 17, 2017, and was adopted and ordered published at a meeting of the City Council held on August 7, 2017, by the following vote:

AYES:

NAYES:

ABSTAIN:

ABSENT:

---

Marilyn Craft, Mayor

ATTEST:

---

Alice E. Evenson, City Clerk

BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

|                                           |   |                      |
|-------------------------------------------|---|----------------------|
| Resolution Recommending that the City     | ) |                      |
| Council Amend Title 18 of the Pittsburgh  | ) |                      |
| Municipal Code as it Relates to Allowable | ) | Resolution No. 10069 |
| Uses in the CP-1 District, AP-17-1245     | ) |                      |
| (RZ)                                      | ) |                      |

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

- A. This is a City-initiated proposal to consider potential amendments to Title 18 of the Pittsburgh Municipal Code (PMC) in order to allow 'Personal Improvement Services' and 'Personal Services,' subject to limitations, within the CP-1 District.
- B. In 2013, the Land Use Subcommittee began discussing and reviewing potential options for modification of the zoning regulations within the city's downtown core, in order to help decrease commercial vacancies.
- C. On April 19, 2017, the Land Use Subcommittee met and specifically discussed some potential zoning changes related to a recent proposal for a karate studio to locate at 760 Railroad Avenue, in the CP-1 District. During this meeting, the subcommittee directed staff to review potential changes to the CP-1 District as a whole that could allow for "Personal Improvement Services," and possibly, "Personal Services" as well (as defined by PMC 18.08.080.21 and .22), subject to approval of a use permit.
- D. On April 25, 2017, the Planning Commission unanimously moved by minute order to initiate a zoning study related to allowable uses in the CP-1 District.
- E. On May 9, 2017, the Planning Commission conducted a study session to review the first draft of the proposed amendments. During this session, suggestions were made to ensure that, 1) home electronic equipment repair is not excluded as an allowable use, subject to a use permit; and 2) the required additional finding for new "personal improvement services" and "personal services" in the downtown core should be expanded to include an economic component.
- F. In order to recommend approval of an amendment to the Zoning Ordinance, the Commission must find (in accordance with PMC section 18.48.030) that:
  - 1. the amendment is consistent with the objectives, policies, general land uses and programs in the General Plan;

2. the land use regulation is compatible with uses and regulations of the land use district for which it is proposed;
  3. there is a community need for the change proposed; and
  4. the change will be in conformity with the public convenience, general welfare, and good zoning practice.
- G. This project is exempt from the requirements of the California Environmental Quality Act under the general rule of applicability of the state CEQA Guidelines, section 15061, in that there is no possibility that the activity in question would have a significant negative physical impact on the environment. The amendments proposed are procedural in nature and the two land use classifications that would be added to the CP-1 District are already allowable uses within the CP-2 District, which in many cases would apply to a separate portion of the same building. Allowing “personal services” and “personal improvement services” in tenant spaces that front onto Railroad Avenue within the downtown core would not result in any new impacts beyond those that could exist without the change, specifically as they may relate to aesthetics, air quality, transportation, noise, hazards, utilities and/or public services.
- H. On or prior to June 16, 2017, notice of the June 27, 2017, public hearing to consider this application was posted at City Hall and on the ‘public notices’ page of the City’s website; was delivered to the Pittsburg Library; was published in the local newspaper (East Contra Costa County Times); and was mailed via first class mail or electronic mail to interested parties and individuals and organizations that requested such notice, in accordance with PMC sections 18.14.010, and Government Code section 65091.
- I. On June 27, 2017, the Planning Commission held a public hearing to consider possible amendments to PMC Title 18 related to allowable uses in the CP-1 District, AP-17-1245 (RZ).

## Section 2. Findings

- A. Based on the Planning Commission staff report entitled, “Recommendation on Amendments to the Pittsburg Municipal Code Title 18 Related to Allowable Uses in the CP-1 District, AP-17-1245 (RZ).,” dated June 27, 2017, and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Planning Commission finds that:
1. All recitals above are true and correct and are incorporated herein by reference.

2. The proposed amendments are consistent with the objectives, policies, general land uses and programs in the General Plan, in that they would apply to land within both the Downtown Commercial and Mixed Use land use designations. The definition provided in the General Plan for 'Downtown Commercial' uses specifically includes "personal services" in addition to retail, restaurants, offices, financial institutions, and other businesses serving the daily needs of downtown residents. The definition for 'Mixed Use' is less clear on the specific types of uses that are allowed; however, the General Plan does state that the designation is intended to allow for greater flexibility of land uses. In addition, General Plan policies 2-P-32, 5-P-3, 5-P-6 and 5-P-38, all support the proposed amendments in that they encourage a concentration of commercial activity in the downtown (including personal services) and pedestrian oriented commercial activities in ground-level storefronts within the downtown core.
3. The proposed amendments are compatible with uses and regulations of the land use district for which they are proposed, in that "personal services" and "personal improvement services" are already allowable uses in the CP-2 District, and they would only be allowed in the CP-1 District with some additional controls including a use permit and an additional finding related to the goal of creating a vibrant pedestrian activity center in the downtown core.
4. There is a community need for the change proposed in that there are a large number of storefronts in downtown Pittsburg that have been vacant for many years, providing evidence that the retail market in the area is struggling. The increase in major retail bankruptcies in the first quarter of 2017, further indicate that the retail markets are struggling on a much larger scale (and not just at the local level). The proposed amendments would shift the regulatory emphasis to focus more on how downtown businesses interact with their surrounding environment, rather than just the types of businesses allowed, thereby furthering the economic development goals without sacrificing the pedestrian oriented character that is needed for a successful downtown.
5. The proposed change would be in conformity with the public convenience, general welfare, and good zoning practice, in that "personal services" and "personal improvement services" are already allowable uses in the CP-2 District, and they would only be allowed in the CP-1 District with some additional controls including a use permit and an additional finding related to the goal of creating a vibrant pedestrian activity center in the downtown core.

### Section 3. Decision

- A. Based on the findings and the authority set forth above, the Planning Commission hereby recommends that the City Council adopt an ordinance amending the PMC Title 18, as identified below:

1. The schedule in PMC section 18.52.010 related to “Land use regulations” is amended as follows (new text shown in underline font and text proposed for deletion is shown in ~~strikethrough~~ font):

|                               | CO    | CN    | CC    | CS    | CSD   | CW              | CP                                                               |
|-------------------------------|-------|-------|-------|-------|-------|-----------------|------------------------------------------------------------------|
| Personal Improvement Services | L-117 | L-117 | L-117 | L-117 | L-117 | L-109,<br>L-117 | L-115,<br><del>L-132,</del><br><del>L-133,</del><br><u>L-165</u> |
| Personal Services             | L-12  | P     | P     | P     | P     | L-12            | L-134,<br><u>L-165</u>                                           |

2. The schedule in PMC section 18.52.010 related to “Additional use regulations,” is amended to add a new limitation, in appropriate numeric order, as follows (new text shown with underlines):

|              |                                                                                                                                                                                                                                                                                                                                           |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>L-165</u> | <u>Conditional use permit required in the CP-1 area.* In approving the use permit, the planning commission must make an additional finding that the use will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging pedestrian oriented atmosphere along the primary downtown corridor.</u> |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

3. The schedule in PMC section 18.52.010 related to “Additional use regulations,” is amended to modify the text of limitations L-133 and L-134, as follows (new text shown in underline font and text proposed for deletion is shown in ~~strikethrough~~ font):

|       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| L-133 | <u>Permitted in CP-2 area.*</u> Driving school classrooms and drivers’ training permitted in the CP-2 area*; provided, that no more than two training vehicles are used by the business and <del>vehicles are stored off-street.</del> <del>Dance studios are permitted in the CP-2 area,* and permitted in the CP-1 area* with a conditional use permit.</del> Classroom uses, including language learning schools and test preparation facilities, are permitted in the CP-2 area* only.                                                                                                                                  |
| L-134 | <u>Permitted in CP-2 area.*</u> Self-service laundry permitted in the CP-2 area* only when ancillary to an eating or drinking establishment or indoor commercial entertainment. <u>Self-service laundry prohibited in CP-1 area.*</u> <del>Barber shop, beauty shop, tanning salon, and similar services are permitted in the CP-2 area.*</del> Watch and jewelry repair, engraving, picture framing, tailoring, and shoe repair are permitted in the CP-2 area* and permitted in the CP-1 area* when ancillary to watch and jewelry retail. Dry cleaning, locksmiths, and film developing are permitted in the CP-2 area.* |

4. Chapter 18.96 "Land Use Regulations" and Chapter 18.98 "Property Development Regulations" shall be removed in their entirety.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner Croskey, seconded by Commissioner Guerrero, the foregoing resolution was passed and adopted the 27<sup>th</sup> day of June, 2017, by the Planning Commission of the City of Pittsburg, California by the following vote:

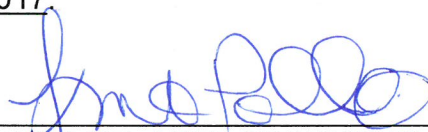
AYES: Coniglio, Croskey, Foster, Guerrero

NAYES: Gargalikis

ABSTAIN:

ABSENT: Belleci-Shipe, Fardella

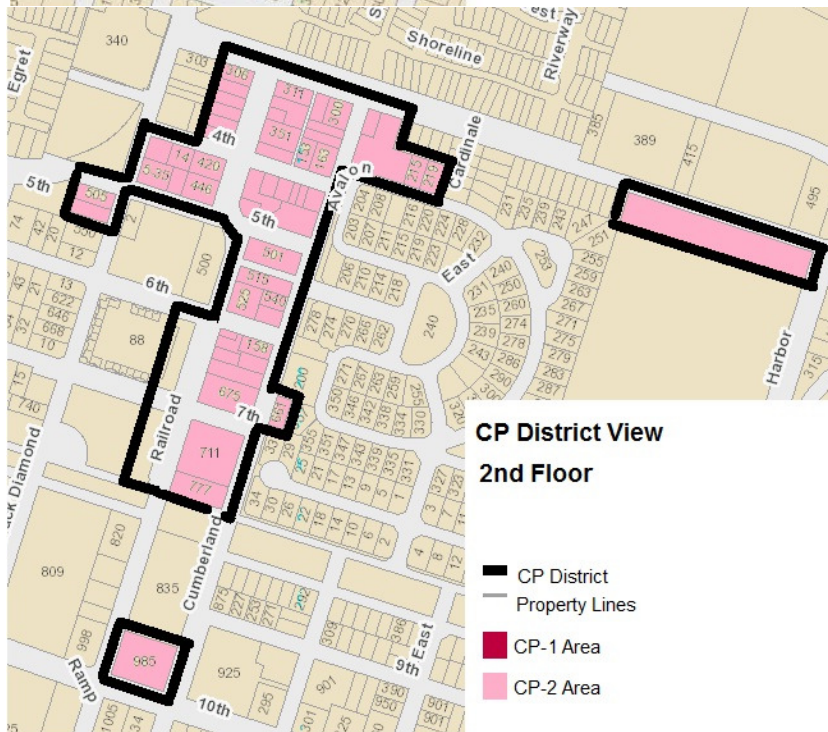
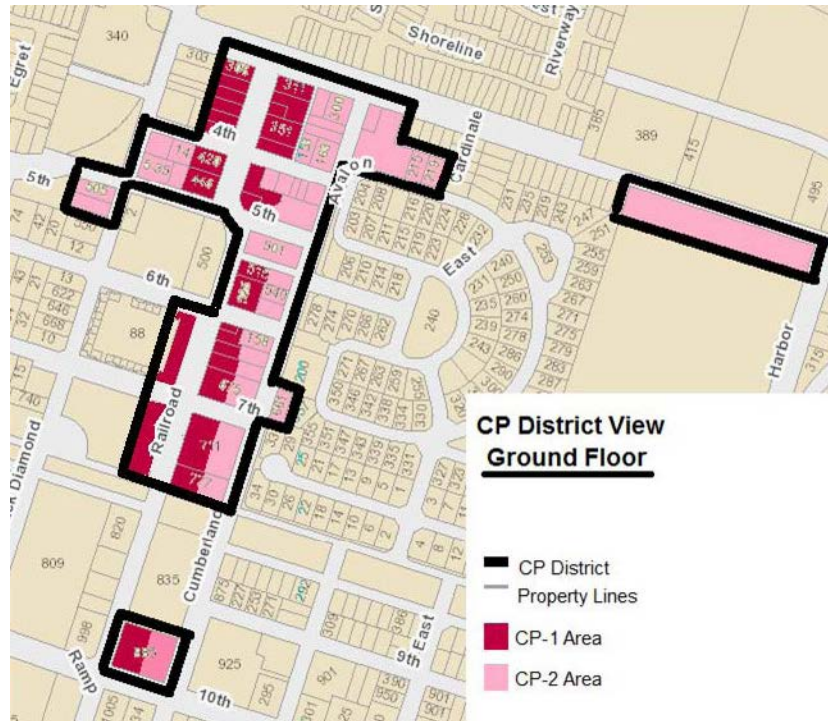
I hereby certify that the above Resolution No. 10069 was adopted by the Planning Commission of the City of Pittsburg on June 27, 2017.



KRISTIN POLLOT, AICP, SECRETARY  
PITTSBURG PLANNING COMMISSION



# CP District Boundaries



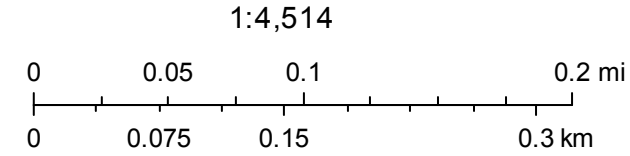


# Pittsburg: Downtown Core



May 4, 2017

- Parcel
- City Limits
- CCC Housing Authority



CCC





# City of Pittsburg

**Community Development Department – Planning Division**

65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

## NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the **CITY COUNCIL** of the City of Pittsburg will conduct a public hearing on:

**DATE:** July 17, 2017  
**TIME:** 7:00 p.m.  
**PLACE:** City Council Chamber at City Hall  
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

---

### **Introduction and Waive First Reading of an Ordinance Amending Title 18 of the Pittsburg Municipal Code Related to Allowable Uses in the CP-1 District, AP-17-1245 (RZ).**

This is a public hearing on a City-initiated proposal to consider potential amendments to Title 18 of the Pittsburg Municipal Code in order to allow 'Personal Improvement Services' and 'Personal Services,' subject to limitations, within the CP-1 District.

On June 27, 2017, the Planning Commission adopted Resolution No. 10069, recommending City Council approval of the amendments as proposed.

**PROJECT PLANNER:** Kristin Pollot, (925) 252-6941, or [kpollot@ci.pittsburg.ca.us](mailto:kpollot@ci.pittsburg.ca.us)

---

**Why am I receiving this notice?** You are receiving this notice because you have either previously requested notifications from the Planning Division, or a project has been proposed in your neighborhood and all property owners within a minimum 300-foot radius of the project site are required to be notified under the Pittsburg Municipal Code.

**Where can I get more information about this project?**

The complete file for this project is available for public inspection at the Planning Division, weekdays during the hours of 8:00 AM to 12:00 PM and 1:00 PM to 5:00 PM. You can also find out more about the project by contacting the project planner listed above.

**What can I do if I have comments on the project?**

Comments or objections to the project can be made by writing or through oral testimony during the public hearing. Written comments citing the project name may be emailed to the project planner listed above, or may be mailed or delivered to: Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565. You may also register your comments or objections by attending the public hearing on the date and time listed above.

Pursuant to Section 65009 of the California Government Code, if you challenge this matter in court, you may be limited to those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on the matter delivered to this agency at, or prior to the public hearing. Any written correspondence delivered to the Planning Division before the hearing body's action on the matter will become a part of the administrative record.

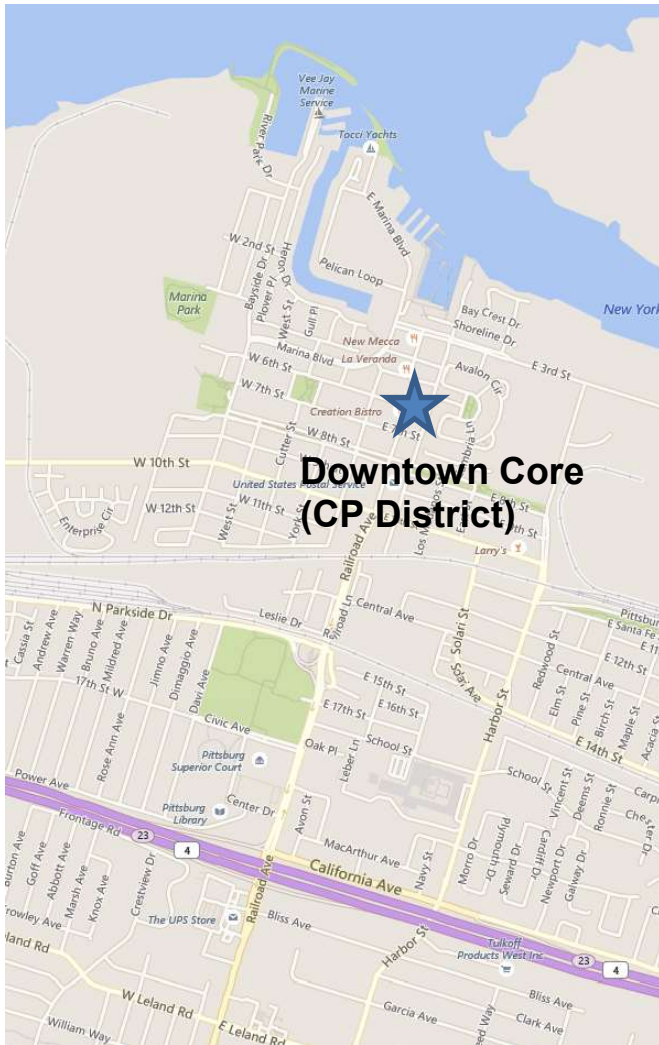
/ S /

---

ALICE E. EVENSON, CITY CLERK  
CITY OF PITTSBURG

**Project Title:** Introduction and Waive First Reading of an Ordinance Amending Title 18 of the Pittsburg Municipal Code Related to Allowable Uses in the CP-1 District

**Location:** CP-1 District, Downtown Pittsburg





**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR**  
**65 Civic Avenue**  
**Pittsburg, CA 94565**

**DATE:** 7/6/2017

**TO:** Mayor and Council Members

**FROM:** Joe Sbranti, City Manager

**SUBJECT:** Introduction and Waive First Reading of an Ordinance Amending Title 18 of the Pittsburg Municipal Code Related to Accessory Dwelling Units and Side Yard Setbacks, AP-17-1227 (RZ).

**MEETING DATE:** 7/17/2017

**EXECUTIVE SUMMARY**

This is a public hearing on a City-initiated proposal to consider amendments to Title 18, "Zoning," of the Pittsburg Municipal Code in order to: 1) bring the City's current Accessory Dwelling Unit (ADU) ordinance into conformance with recently-adopted state legislation; and 2) modify the interior side yard setback requirement for detached single-family dwellings within the RS-4 (Single Family Residential, 4,000 Square Foot Minimum Lot Size), RM (Medium Density Residential), and RM-D (Downtown Medium Density Residential) Districts. On June 13, 2017, the Planning Commission held a public hearing and subsequently adopted Resolution No. 10066, recommending City Council approval of the proposed amendments.

**FISCAL IMPACT**

There is no fiscal impact on the City from the proposed amendments regarding ADUs, as the ordinance would not allow for development of these dwellings in any zone district in which they are not already permitted, nor would the ordinance result in any indirect changes to existing impact fees. The proposed amendments regarding side yard setbacks would provide additional flexibility and promote development of long-standing vacant parcels in neighborhoods with existing infrastructure, and would increase the City's residential property tax base, and increase the values of neighboring properties.

**RECOMMENDATION**

City Council move to introduce, waive further reading, and pass to second reading the attached ordinance amending Pittsburg Municipal Code (PMC) Title 18 related to accessory dwelling units and side yard setbacks.

## **BACKGROUND**

Currently, the City's Zoning Ordinance (PMC Title 18) permits one ADU on each lot that has a single-family dwelling in any residential (R) or planned development (PD) district. Each ADU constructed is subject to the base-district development standards established under PMC section 18.50.105, as well as additional design and development standards specifically established for ADUs under PMC section 18.50.315.

In September 2016, Governor Jerry Brown signed into law Senate Bill (SB) 1069 and Assembly Bill (AB) 2299, intended to streamline the approval process for ADUs. These bills are highlighted by the elimination of parking requirements for units in certain instances, an increase in the maximum allowable unit size, and a mandate that development fees be generally equitable to the impact of the ADU. Both pieces of legislation went into effect January 1, 2017.

## **SUBCOMMITTEE FINDINGS**

On April 19, 2017, the Land Use Subcommittee met and discussed potential updates, including those required to bring the City's current ADU ordinance into conformance with state law, as well as additional measures proposed by staff to promote development of quality ADUs. The Subcommittee voiced general support for the use of ADUs to help the City meet its housing goals, but raised specific concerns regarding the current lack of a minimum ADU size, the need for ADUs to commit to the City's Residential Rental Inspection Program (RRIP), and the proposed definition and allowance of "efficiency kitchens" within a newly proposed Junior Accessory Dwelling Unit (JADU) classification. Direction was given to staff to proceed with work associated with potential amendments to the PMC, which also address the Subcommittee's concerns.

On May 9, 2017, the Planning Commission adopted Resolution No. 10063, initiating a zoning study as it relates to ADUs, as well as a study of the current transportation impact and facility reserve fee rates to ensure they are charged at a rate proportionate to the burden of the proposed ADU, as mandated by state law. Staff's analysis of these issues resulted in a determination that the current fee rates are proportionate to the burden of the ADU (therefore, no changes were proposed). In addition, staff found no clear benefit to creating a new JADU zoning classification, as the traffic mitigation fees would not be reduced as a result of a potential limited occupancy for the smaller units. Since the creation of JADUs is optional under state law, it was eliminated from the project proposal.

On June 13, 2017, the Planning Commission held a public hearing to formally consider a recommendation to the City Council on the proposed amendments. Following close of the public hearing, the Planning Commission voted 5-0 to adopt Resolution No. 10066, recommending City Council approval of the amendments as presented.

## **STAFF ANALYSIS**

In response to SB 1069 and AB 2299 (see above), the recommended amendments include the following changes to ensure conformance with state law:

- Increasing the maximum allowable attached ADU size from the lesser of 750 square feet or 50 percent of the primary dwelling heated floor area, to the lesser of 1,200 square feet or 50 percent of the legally-established primary dwelling floor area (lot coverage maximums would still apply); and

- Eliminating parking requirements for ADUs which are either: 1) located within one-half mile of a public transit stop (staff is proposing that in such cases, the one-half mile standard would be based on the actual walking route between the ADU and the transit stop rather than on a straight line between the two points); 2) located within an architecturally and historically significant historic district; 3) located entirely within the existing principal residence or an existing habitable accessory structure, resulting in no net addition of habitable floor area on the property; 4) in an area where on-street parking permits are required but not offered to the occupant of the ADU; or 5) when there is a car share vehicle located within one block of the ADU.

Key additional changes proposed that are beyond those required to meet state law include:

- Allowing detached ADUs a maximum 1,200 square feet, regardless of the size of the primary dwelling (lot coverage maximums would still apply);
- Establishing a minimum ADU size of 200 square feet;
- Requiring a minimum private storage area of 200 cubic feet, which is in line with existing requirements for new residential units in multi-family districts;
- Outlining requirements for conversion of lawfully established nonconforming structures;
- Specifically requiring all ADUs provide kitchen and sanitation facilities separate from the main dwelling unit; and
- Requiring all new ADUs be registered to the RRIP.

ADUs offer a variety of benefits to communities. They help increase housing supply, provide an affordable housing option for many low- and moderate-income residents, allow elderly and/or disabled persons live independently yet close to family members or caregivers, and benefit homeowners by providing extra income that can assist in mitigating the cost of living. Furthermore, ADUs do not require new infrastructure, since ADUs can be created within existing buildings and connected to the existing utilities of a primary dwelling.

Aligning the City's current ordinance with state regulations would create a more streamlined review process, which would help to eliminate uncertainty and/or inconsistencies that can sometimes occur when local regulations conflict with state mandates. The additional items being considered beyond state law requirements, such as minimum ADU sizes, required private storage area, and requirements for conversion of existing structures, would help the City ensure quality development consistent with the intent and existing development patterns of residential neighborhoods. Requirement of separate kitchen and sanitation facilities, as well as registration of ADUs in the RRIP, would help ensure these additional units provide adequate facilities for independent living and are properly maintained.

In addition, the City's Zoning Ordinance currently specifies the minimum interior side yard setback for detached single-family dwellings within the RS-4, RM, and RM-D Districts as five feet, which is the same as the RS-5 and RS-6 Districts. Since the RS-4, RM, and RM-D Districts are generally intended to be denser than the RS-5 or RS-6 Districts, staff has included a slightly reduced side yard setback requirement contingent on the lot width, to allow for more flexibility in designing marketable single-family structures within these districts, which may or may not include ADUs. The proposed amendments regarding side

yard setbacks for detached single family dwellings in the RS-4, RM, and RM-D Districts would not allow for increased density above what was considered in the General Plan. The modification to the side yard setback requirement would provide additional flexibility (contingent on the lot width) that could help to promote development of long-standing vacant parcels in older, predominantly single-family neighborhoods with new detached single-family structures. The RS-4, RM and RM-D districts already include slightly reduced front yard setbacks, smaller minimum lot areas (2,500-4,000 square feet), and reduced lot widths (30-40 feet), from what is required for the RS-5 and RS-6 Districts, so the proposed reduction in side yard setback requirements would be in character and appropriate for the RS-4, RM and RM-D districts.

ATTACHMENTS:      1. Proposed Ordinance  
2. Proposed Ordinance Exhibit A – Proposed PMC Changes  
3. Adopted Planning Commission Resolution No. 10066  
4. Public Hearing Notice

Report Prepared By: Jordan Davis, AICP, Associate Planner

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Ordinance of the City of Pittsburgh )  
Amending Title 18 of the Pittsburgh )  
Municipal Code as it Relates to Accessory )  
Dwelling Units and Side Yard Setbacks, )  
AP-17-1227 (RZ) )

ORDINANCE NO. 17-\_\_\_\_\_

SECTION 1. Recitals

- A. This is a City-initiated proposal to consider amendments to Title 18, "Zoning," of the Pittsburgh Municipal Code in order to: 1) bring the City's current Accessory Dwelling Unit (ADU) Ordinance into conformance with recently-adopted state legislation; and 2) modify the interior side yard setback requirement for detached single-family dwellings within the RS-4 (Single Family Residential, 4,000 Square Foot Minimum Lot Size), RM (Medium Density Residential), and RM-D (Downtown Medium Density Residential) Districts.
- B. In September 2016, Governor Jerry Brown signed into law Senate Bill (SB) 1069 and Assembly Bill (AB) 2299, intended to streamline the approval process for ADUs. Both pieces of legislation went into effect January 1, 2017.
- C. On April 19, 2017, the Land Use Subcommittee met and discussed potential updates, including those required to bring the City's current ADU ordinance into conformance with state law, as well as additional measures proposed by staff to promote development of quality ADUs. The Subcommittee voiced general support for the use of ADUs to help the City meet its housing goals, but raised specific concerns regarding the current lack of a minimum ADU size, the need for ADUs to commit to the City's Residential Rental Inspection Program (RRIP), and the proposed definition and allowance of "efficiency kitchens" within a newly proposed Junior Accessory Dwelling Unit (JADU) classification. Direction was given to staff to proceed with work associated with potential amendments to the PMC, which also address the Subcommittee's concerns.
- D. On May 9, 2017, the Planning Commission adopted Resolution No. 10063, initiating a zoning study as it relates to ADUs, as well as a study of the current transportation impact and facility reserve fee rates to ensure they are charged at a rate proportionate to the burden of the proposed ADU, as mandated by state law.
- E. Staff's research determined that the current transportation impact and facility reserve change fee rates are proportionate to the burden of the ADU, and therefore, proposed no changes. In addition, staff found no clear benefit to creating a new JADU zoning classification, as the traffic mitigation fees would not be reduced as a result of a potential limited occupancy for the smaller units. Since the creation of JADUs is optional under state law, it was eliminated from the project proposal.



- F. On June 13, 2017, the Planning Commission held a public hearing and subsequently adopted Resolution No. 10066, recommending approval of the proposed amendments.
- G. Before adoption of an ordinance, the City Council shall make findings that the proposed regulation is consistent with the policies of the general plan and the notice and hearing provisions of PMC Title 18, in accordance with PMC section 18.48.030.
- H. On or prior to July 7, 2017, notice of the July 17, 2017, public hearing to consider this proposal was posted at City Hall and on the 'public notices' page of the City's website; was delivered to the Pittsburg Library; was published in the local newspaper (East Contra Costa County Times) as a 1/8<sup>th</sup> page advertisement; and was mailed via first class mail or electronic mail to interested parties and individuals and organizations that requested such notice, in accordance with PMC sections 18.14.010, and Government Code section 65091.
- I. On July 17, 2017, the City Council held a public hearing on the proposed zoning amendments, at which time oral and/or written testimony was considered.

## SECTION 2. Findings

- A. Based on the City Council Staff Report entitled, "Introduction and Waive First Reading of an Ordinance Amending Title 18 of the Pittsburg Municipal Code Related to Accessory Dwelling Units and Side Yard Setbacks, AP-17-1227 (RZ)," and based on all the information contained in the Planning Division files, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the City Council finds that:
  - 1. All recitals above are true and correct and are incorporated herein by reference.
  - 2. The proposed amendments regarding ADUs are consistent with the objectives, policies, general land uses and programs in the General Plan, and would help ensure consistency with state law. Most specifically, Housing Element Policy P-1.5 encourages the construction of accessory dwelling units, or "second units," that allow extended families to live near each other, increase the affordable and rental housing stock, and provide income assistance to homeowners. The proposed amendments would also be consistent with the following additional General Plan goals/policies: 1) Housing Element (HE) Goal G-1 (Land Use Goal 2.g.5), which promotes a variety of housing types, densities, and prices to balance the City's housing stock and meet Pittsburg's regional fair share housing needs for people of all income levels; 2) HE Goal G-2, to promote the expansion of the City's affordable housing stock, including that which accommodates special needs households; 3) HE Goal G-4, which promotes preserving the existing housing stock including affordable housing units where feasible and appropriate; 4) HE Goal G-5, which states the intent of the City to enhance the visual quality of Pittsburg's residential neighborhoods; 5) HE Policy P-2.2, which encourages accommodating the development of housing that is accessible to disabled persons and facilitates aging in place; and 6) HE Policy



P-2.5, which encourages increasing the supply of rental housing available and affordable to extremely low-, very low-, low-, and moderate-income households and in particular large families.

The proposed amendments regarding side yard setbacks for detached single family dwellings in the RS-4, RM, and RM-D Districts would affect properties with General Plan land use designations of Downtown Low Density, Medium Density, and Downtown Medium Density, which allow for detached single-family residences, at average densities of 8-16 units per gross acre. While the proposed amendment would not allow for increased density above what was considered in the General Plan, it would provide additional flexibility that could help to promote development of long-standing vacant parcels on older, predominantly single-family neighborhoods with new detached single family structures.

3. The proposed amendments are compatible with uses and regulations of the land use district for which they are proposed, in that the proposed amendments would not permit the establishment of new uses or ADUs in any zoning district in which they are not currently allowed, or provide for increased residential densities. Regarding side yard setbacks, the RS-4, RM and RM-D districts already include slightly reduced front yard setbacks, smaller minimum lot areas (2,500-4,000 square feet), and reduced lot widths (30-40 feet), from what is required for the RS-5 and RS-6 Districts, so the proposed reduction in side yard setback requirements would be in character and appropriate for the RS-4, RM and RM-D districts.
4. There is a community need for the proposed changes regarding ADUs, in that ADUs help increase housing supply, provide an affordable housing option for many low- and moderate-income residents, allow elderly and/or disabled persons live independently yet close to family members or caregivers, and benefit homeowners by providing extra income that can assist in mitigating the cost of living. Furthermore, ADUs do not necessarily require new infrastructure, since ADUs can be created within existing buildings and connected to the existing utilities of a primary dwelling. There is also a community need for the proposed amendments related to side yard setbacks for detached single family dwellings in the RS-4, RM, and RM-D Districts, as these amendments would provide additional flexibility that could promote development of long-standing vacant parcels on older, predominantly single-family neighborhoods with new single-family structures, ensuring a consistent neighborhood character.
5. The proposed changes would be in conformity with the public convenience, general welfare, and good zoning practice, in that the proposed amendments regarding ADUs would help ensure consistency with state law, streamline the approval process, encourage the use of ADUs to help the City meet its housing goals, and ensure quality development in the City's residential neighborhoods. The proposed changes regarding setbacks for detached single-family dwellings in the RS-4, RM, and RM-D Districts would reduce required side yard setbacks to be generally in line with existing reduced front yard setbacks, smaller

minimum lot areas, and reduced lot widths for parcels in those districts. The reduced setbacks will help to facilitate construction of larger market-rate single-family homes on smaller lots, similar to other residential developments recently approved by the Planning Commission and/or City Council.

### SECTION 3. CEQA

This project is exempt from the requirements of the California Environmental Quality Act (CEQA) under the general rule of applicability of the state CEQA Guidelines, section 15061, in that there is no possibility that the activity in question would have a significant negative physical impact on the environment. The amendments proposed are procedural in nature, and do not allow for additional residential density or residential uses which are not currently allowed in the affected zone districts by state law.

### SECTION 4. Decision.

Based on the findings and the authority set forth above, the City Council hereby amends the regulations outlined in PMC Chapter 18.50, Article II, Schedule 18.50.105, "RR, RS-40, RS-10, RS-6, RS-5, RS-4, RM, RMD, RH and RHD Districts – Property Development Regulations," Article IV, "Accessory Dwelling Units," sections 18.50.300 through 18.50.315, and Chapter 18.84, Article I, "Accessory Structures," section 18.84.005(D), as identified in the attached "Exhibit A."

### SECTION 5. Severability

If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

### SECTION 6. Effective Date

This Ordinance shall be in full force and effective thirty (30) days after its adoption.

### SECTION 8. Publication

The City Clerk shall either (a) have this ordinance published once within 15 days after adoption in a newspaper of general circulation or (b) have a summary of the ordinance published twice in a newspaper of general circulation, once 5 days before its adoption and again 20 days after its adoption.

The foregoing ordinance was introduced at a meeting of the City Council of the City of Pittsburg held on July 17, 2017, and was adopted and ordered published at a meeting of the City Council held on August 7, 2017, by the following vote:

AYES:

NAYES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Marilyn Craft, Mayor

ATTEST:

\_\_\_\_\_  
Alice E. Evenson, City Clerk

*Amend the PMC Chapter 18.50, Article II, Schedule 18.50.105, “RR, RS-40, RS-10, RS-6, RS-5, RS-4, RM, RMD, RH and RHD Districts – Property Development Regulations,” Article IV, “Accessory Dwelling Units,” and Chapter 18.84, Article I, “Accessory Structures,” section 18.84.005(D), as follows (new text shown in underline font, and text proposed for deletion is shown in ~~strikethrough font~~):*

## **Chapter 18.50**

### **Article II. Development Standards**

#### **Schedule 18.50.105:RR, RS-40, RS-10, RS-6, RS-5, RS-4, RM, RMD, RH AND RHD DISTRICTS – PROPERTY DEVELOPMENT REGULATIONS**

| <b>Minimum side yard (ft.)</b>    |    |       |       |      |      |                        |                        |                        |    |     |
|-----------------------------------|----|-------|-------|------|------|------------------------|------------------------|------------------------|----|-----|
| <b>Development Classification</b> | RR | RS-40 | RS-10 | RS-6 | RS-5 | RS-4                   | RM                     | RMD                    | RH | RHD |
| Single-family dwellings, detached | 15 | 10    | 7.5   | 5    | 5    | <u>3-5<sup>d</sup></u> | <u>3-5<sup>d</sup></u> | <u>3-5<sup>d</sup></u> | –  | –   |

<sup>d</sup> Interior side yard setbacks shall be a minimum 10% of the lot width, with a 3-foot minimum and a 5-foot maximum required. This section shall not be construed as to disallow side yard setbacks greater than 5 feet. If, in applying the requirements of this section, a fractional number is obtained, the required setback shall be rounded to the nearest half-foot increment.

### **Article IV. Accessory Dwelling Units**

#### **18.50.300 General.**

This article is intended to implement the general plan housing policy on ~~second~~accessory dwelling units, adopted in part in response to Government Code Section 65852.1 et seq., by allowing an accessory dwelling unit in residential districts, subject to approval by the city planner.

#### **18.50.302 Definition.**

An “accessory dwelling unit” shall mean an attached or detached residential dwelling that is subordinate to a primary dwelling on the same lot, and that provides complete independent and permanent facilities for living, sleeping, eating, cooking, and

sanitation on the same parcel as the primary dwelling. An accessory dwelling unit may include a prefabricated or manufactured home on a permanent foundation.

A “primary dwelling” refers to the main single family dwelling unit on site, absent the space devoted to or designated as the accessory dwelling unit.

**18.50.305 Where permitted.**

An accessory dwelling unit is permitted in any residential district or planned development district on each lot that has a single-family dwelling.

**18.50.310 Administrative review.**

An application for an accessory dwelling unit meeting the following development standards shall be processed ministerially and shall be accompanied by plans and elevations showing the proposed accessory dwelling and its relation to the principal dwelling, description of building materials, landscaping and exterior finish to be used, parking to be provided, and any other information required to determine whether the proposed unit conforms to the requirements of this article. In accordance with PMC 18.32.010(B), an accessory dwelling unit shall be approved if the unit complies with all of the following:

- A. The unit is not intended for sale and may be rented;
- B. The lot is zoned for single-family or multifamily residential use;
- C. The lot contains a maximum of one single-family dwelling;
- D. The dwelling conforms to the design and development standards for an accessory dwelling unit established in PMC 18.50.315;
- E. The accessory unit structure is compatible with the design of the primary dwelling unit in terms of building materials, colors and exterior finishes, and architectural style;
- F. Public and utility services including emergency access are adequate to serve both dwellings;
- G. ~~The accessory dwelling unit complies with the development standards applicable to the residential or planned development district in which the primary residence is located, except as allowed by PMC 18.50.315(B); and~~ The accessory dwelling unit complies with the development standards applicable to “single-family dwellings, detached,” within the residential or planned development district in which the primary dwelling is located, except as allowed by PMC 18.50.315.  
Accessory dwelling units proposed within RH or RHD Districts shall comply with

the development standards established for “single-family dwellings, detached,” within the RM District;

- H. The primary dwelling and accessory dwelling units shall not be occupied by two separate households under two separate leases. The primary dwelling and accessory dwelling units built on the property shall be separately occupied only if the owner occupies one of the units. This rental restriction shall be recorded with the Contra Costa County recorder, on a form prepared by the city planner, and shall be a covenant running with the land. No certificate of occupancy shall be issued or no final inspection shall be conducted for the accessory dwelling unit unless the owner has submitted to the city planner a copy of the recorded restriction required by this subsection. Owner-occupancy shall not be required if the owner is a governmental agency, land trust, or housing organization.
- I. The property owner must file an application with the Planning Division, which shall include:
- a. Plans and elevations showing the proposed accessory dwelling unit and its relation to the primary dwelling, all existing or proposed structures onsite, and all property lines;
  - b. Description of building materials;
  - c. Landscaping and exterior finish to be used;
  - d. Location of required parking pursuant to PMC 18.50.315(D);
  - e. Footprint (in square feet) of all existing and proposed structures, as well as the total lot coverage;
  - f. Any other information required to determine whether the proposed unit conforms to the requirements of this article.
- J. The property owner must register the accessory dwelling unit with the City of Pittsburg Residential Rental Inspection Program.

**18.50.315 Design and development standards.**

- ~~A. Unit Size. The size of an accessory dwelling unit shall not exceed 50 percent of the total finished heated floor area of the primary dwelling unit, or 750 square feet, whichever is less.~~
- ~~B. Location. An accessory dwelling unit is not permitted in a required front yard. An accessory dwelling that is constructed within or attached to the primary dwelling unit shall comply with the minimum side and rear yards applicable to the~~

~~residential or planned development district in which the primary residence is located. A detached accessory dwelling unit must be located at least five feet from a side or rear property line, and must be located at least five feet from the walls of the primary dwelling unit or an accessory structure.~~

~~C. Lot Coverage and Building Height. The lot coverage requirements of this chapter apply unless modified by an overlay or planned development district. The maximum height of an accessory dwelling unit shall not exceed the maximum height of the zoning district in which the accessory dwelling unit is located, except that no portion of an accessory dwelling unit that is located within a required rear yard shall exceed 10 feet in height, or 12 feet in height if the roof of the accessory dwelling unit has a pitch of 3:12 or greater.~~

~~D. Parking. A minimum of one uncovered offstreet parking space must be provided on site, in addition to any parking required on site for the primary dwelling unit. The parking space may be in tandem with required parking for the primary dwelling unit.~~

~~E. Design. The exterior design must be in harmony with the primary dwelling unit. Building materials, colors and exterior finish must be substantially the same as those on the primary dwelling unit.~~

~~F. The property retains the appearance of a single-family residence from adjoining right(s)-of-way.~~

Schedule 18.50.315 prescribes specific design and development standards for accessory dwelling units. The column beneath each accessory dwelling unit classification heading establishes basic requirements for accessory dwelling unit development. Additional land use-specific development regulations are identified in sections 18.50.310 and 18.50.320 of this article.

**Schedule 18.50.315: Accessory Dwelling Units – Development Regulations**

| <b><u>ADU Classification</u></b> | <b><u>Attached</u></b>                                                                                                                                                                                                                                                                                                                                                                           | <b><u>Detached</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Maximum Unit Size</u>         | <u>Lesser of 50 percent of the primary dwelling floor area, or 1,200 square feet.</u>                                                                                                                                                                                                                                                                                                            | <u>1,200 square feet</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <u>Minimum Unit Size</u>         | <u>200 square feet</u>                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <u>Minimum Length/Width</u>      | <u>10 feet</u>                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <u>Height and Setbacks</u>       | <p><u>Shall comply with the height and setback standards applicable to “single-family dwellings, attached,” within the R or PD district in which the primary dwelling is located; however, accessory dwelling units proposed within RH or RHD Districts shall comply with the development standards established for “single-family dwellings, attached,” as outlined in the RM District.</u></p> | <p>(1) <u>Shall comply with the height and setback standards applicable to “single-family dwellings, detached,” within the R or PD district in which the primary dwelling is located; however, accessory dwelling units proposed within RH or RHD Districts shall comply with the development standards established for “single-family dwellings, detached,” as outlined in the RM District.</u></p> <p>(2) <u>Not permitted within any portion of an established front yard, as defined by PMC 18.06.745(B).</u></p> <p>(3) <u>Must be located at least 5 feet from the walls of the primary dwelling unit or an accessory structure.</u></p> <p>(4) <u>May encroach up to five feet into a required rear yard, provided the maximum height does not exceed 10 feet, or 12 feet with a roof having a pitch of 3:12 or greater.</u></p> |
| <u>Lot Coverage</u>              | <u>Shall comply with standards applicable to “single-family dwellings, attached,” within the R or PD district in which the primary dwelling is located.</u>                                                                                                                                                                                                                                      | <u>Shall comply with standards applicable to “single-family dwellings, detached,” within the R or PD district in which the primary dwelling is located.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |



|                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                   |
|----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Minimum Private Storage Area</u>                | <u>200 cubic feet.<sup>a</sup></u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                   |
| <u>Exterior Appearance</u>                         | <p><u>The accessory dwelling unit must be compatible with the design of the primary dwelling unit in terms of building materials, colors and exterior finishes and architectural style. The entrance of an attached accessory dwelling unit shall not be visible from the public right-of-way.</u></p>                                                                                                                                                                                                                                                                                                                                                                                                                | <p><u>The accessory dwelling unit must be in harmony with the primary dwelling unit or convey the appearance of a single family home.</u></p>                     |
| <u>Conversion of Existing Accessory Structures</u> | <p>(1) <u>An accessory structure lawfully established that does not conform to one or more of the development standards contained in this section may be converted to an accessory dwelling unit, provided the structure: a) meet the criteria established in PMC 18.50.310; b) is not altered or reconstructed so as to increase the discrepancy between the existing nonconforming conditions and the standards contained in PMC 18.50.315; and 3) any walls within setback areas comply with applicable building and fire codes.</u></p> <p>(2) <u>An existing garage may only be converted to an accessory dwelling unit if the garage conversion conforms to the standards established in PMC 18.50.130.</u></p> |                                                                                                                                                                   |
| <u>Building Foundation</u>                         | <u>Permanent foundation required.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                   |
| <u>Unit Access</u>                                 | <p><u>Separate unit access required. The exterior entry shall not be visible from the public right-of-way. If the exterior entry is on the second floor, the stairway shall not be located in the front of the primarydwelling. Interior access between an attached accessory dwelling unit and the primarydwelling may be provided and may be a door equipped with a double lock.</u></p>                                                                                                                                                                                                                                                                                                                            | <p><u>Separate unit access required. If the exterior entry is on the second floor, the stairway shall not be located in the front of the primarydwelling.</u></p> |
| <u>Kitchen Facilities</u>                          | <u>Separate kitchen facilities required.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                   |
| <u>Sanitation Facilities</u>                       | <u>Separate sanitation facilities required.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                   |
| <u>Home Occupations</u>                            | <u>Not permitted.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                   |

|                         |                                                                                                                           |
|-------------------------|---------------------------------------------------------------------------------------------------------------------------|
| <u>Utility Meters</u>   | <u>Separate gas and electric meters may be permitted if approved by the Chief Building Official and utility provider.</u> |
| <u>Required Parking</u> | <u>1 space<sup>b</sup></u>                                                                                                |

<sup>a</sup> Each private storage space required by this section shall have minimum horizontal area of 24 square feet, and shall consist of enclosed, weather-proofed and lockable private storage space in addition to clothes closets customarily provided. The space for each unit may be provided in a location approved by the city planner, but must not be divided into two or more locations.

<sup>b</sup> Required parking space(s) may be in tandem with required parking for the primary dwelling unit. No additional parking shall be required for an accessory dwelling unit which meets one or more of the following: (a) is located within one-half mile of a public transit stop (in such cases, the one-half mile standard shall be based on the actual walking route between the accessory dwelling unit and the transit stop rather than on a straight line between the two points); (b) is located within an architecturally and historically significant historic district; (c) is located entirely within the existing primary dwelling or an existing habitable accessory structure and results in no net addition of habitable floor area on the property; (d) when on-street parking permits are required but not offered to the occupant of the accessory dwelling unit; or (e) when there is a car share vehicle located within one block of the accessory dwelling unit.

## **Chapter 18.84**

### **Article I. Accessory Structures**

#### **18.84.005 In R districts.**

- D. Size. The total gross floor area of all nonresidential accessory structures more than four feet in height may not exceed 800 square feet or six percent of the lot area, whichever is more. The gross floor area is included in computing lot coverage.

BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Recommending that the City )  
Council Amend Title 18 of the Pittsburgh )  
Municipal Code as it Relates to Accessory )  
Dwelling Units and Side Yard Setbacks, )  
AP-17-1227 (RZ) )

Resolution No. 10066

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

- A. This is a public hearing on a City-initiated proposal to consider amendments to Title 18, Zoning, of the Pittsburgh Municipal Code (PMC) in order to: 1) bring the City's current Accessory Dwelling Unit (ADU) ordinance into conformance with recently-adopted state legislation; and 2) modify the interior side yard setback requirement for detached single-family dwellings within the RS-4 (Single Family Residential, 4,000 Square Foot Minimum Lot Size), RM (Medium Density Residential), and RM-D (Downtown Medium Density Residential) Districts.
- B. On September 27, 2016, Governor Jerry Brown signed into law Senate Bill (SB) 1069 and Assembly Bill (AB) 2299, intended to streamline the approval process for ADUs. Both pieces of legislation went into effect January 1, 2017.
- C. On April 19, 2017, the Land Use Subcommittee met and discussed potential updates, including those required to bring the City's current ADU ordinance into conformance with state law, as well as additional measures proposed by staff to promote development of quality ADUs. Included in staff's proposal was the creation of criteria and permitting Junior Accessory Dwelling Units (JADUs) as a separate ADU classification. The Subcommittee voiced general support for the use of ADUs to help the City meet its housing goals, but raised specific concerns regarding the current lack of a minimum ADU size, the need for ADUs to commit to the City's Residential Rental Inspection Program (RRIP), and the proposed definition and allowance of "efficiency kitchens" within JADUs. Direction was given to staff to proceed with work associated with potential amendments to the PMC, which also address the Subcommittee's concerns.
- D. On May 9, 2017, pursuant to PMC section 18.48.020, the Planning Commission adopted Resolution No. 10063, initiating a study to amend Title 18, Zoning, of the Pittsburgh Municipal Code (PMC) as it relates to ADUs.
- E. In order to recommend approval of an amendment to the Zoning Ordinance, the Commission must find (in accordance with PMC section 18.48.030) that:



1. the amendment is consistent with the objectives, policies, general land uses and programs in the General Plan;
  2. the land use regulation is compatible with uses and regulations of the land use district for which it is proposed;
  3. there is a community need for the change proposed; and
  4. the change will be in conformity with the public convenience, general welfare, and good zoning practice.
- F. This project is exempt from the requirements of the California Environmental Quality Act under the general rule of applicability of the state CEQA Guidelines, section 15061, in that there is no possibility that the activity in question would have a significant negative physical impact on the environment. The amendments proposed are procedural in nature, and do not allow for additional residential density or residential uses which are not currently allowed in the affected zone districts by state law.
- G. On or prior to June 3, 2017, notice of the June 13, 2017, public hearing to consider this application was posted at City Hall and on the 'public notices' page of the City's website; was delivered to the Pittsburg Library; was published in the local newspaper (East Contra Costa County Times); and was mailed via first class mail or electronic mail to interested parties, individuals, and organizations that requested such notice, in accordance with PMC sections 18.14.010, and Government Code section 65090.
- H. On June 13, 2017, the Planning Commission held a public hearing to consider possible amendments to PMC Title 18 related to relating to accessory dwelling units and side yard setbacks.

## Section 2. Findings

- A. Based on the Planning Commission staff report entitled, "Recommendation on Amendments to Pittsburg Municipal Code Title 18 Related to Accessory Dwelling Units and Side Yard Setbacks, AP-17-1227 (RZ)," dated June 13, 2017, and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Planning Commission finds that:
1. All recitals above are true and correct and are incorporated herein by reference.
  2. The proposed amendments regarding ADUs are consistent with the objectives, policies, general land uses and programs in the General Plan, and



would help ensure consistency with state law. Most specifically, Housing Element Policy P-1.5 encourages the construction of accessory dwelling units, or “second units,” that allow extended families to live near each other, increase the affordable and rental housing stock, and provide income assistance to homeowners. The proposed amendments would also be consistent with the following additional General Plan goals/policies: 1) Housing Element (HE) Goal G-1 (Land Use Goal 2.g.5), which promotes a variety of housing types, densities, and prices to balance the City’s housing stock and meet Pittsburg’s regional fair share housing needs for people of all income levels; 2) HE Goal G-2, to promote the expansion of the City’s affordable housing stock, including that which accommodates special needs households; 3) HE Goal G-4, which promotes preserving the existing housing stock including affordable housing units where feasible and appropriate; 4) HE Goal G-5, which states the intent of the City to enhance the visual quality of Pittsburg’s residential neighborhoods; 5) HE Policy P-2.2, which encourages accommodating the development of housing that is accessible to disabled persons and facilitates aging in place; and 6) HE Policy P-2.5, which encourages increasing the supply of rental housing available and affordable to extremely low-, very low-, low-, and moderate-income households and in particular large families.

The proposed amendments regarding side yard setbacks for detached single family dwellings in the RS-4, RM, and RM-D Districts would affect properties with General Plan land use designations of Downtown Low Density, Medium Density, and Downtown Medium Density, which allow for detached single-family residences, at average densities of 8-16 units per gross acre. While the proposed amendment would not allow for increased density above what was considered in the General Plan, it would provide additional flexibility that could help to promote development of long-standing vacant parcels on older, predominantly single-family neighborhoods with new detached single family structures.

3. The proposed amendments are compatible with uses and regulations of the land use district for which they are proposed, in that the proposed amendments would not permit the establishment of new uses or ADUs in any zoning district in which they are not currently allowed, or provide for increased residential densities. With regard to side yard setbacks, the RS-4, RM and RM-D districts already include slightly reduced front yard setbacks, smaller minimum lot areas (2,500-4,000 square feet), and reduced lot widths (30-40 feet), from what is required for the RS-5 and RS-6 Districts, so the proposed reduction in side yard setback requirements would be in character and appropriate for the RS-4, RM and RM-D districts.
4. There is a community need for the proposed changes regarding ADUs, in that ADUs help increase housing supply, provide an affordable housing option for many low- and moderate-income residents, allow elderly and/or disabled



persons live independently yet close to family members or caregivers, and benefit homeowners by providing extra income that can assist in mitigating the cost of living. Furthermore, ADUs do not necessarily require new infrastructure, since ADUs can be created within existing buildings and connected to the existing utilities of a primary dwelling. There is also a community need for the proposed amendments related to side yard setbacks for detached single family dwellings in the RS-4, RM, and RM-D Districts, as these amendments would provide additional flexibility that could promote development of long-standing vacant parcels on older, predominantly single-family neighborhoods with new single family structures, ensuring a consistent neighborhood character.

5. The proposed changes would be in conformity with the public convenience, general welfare, and good zoning practice, in that the proposed amendments regarding ADUs would help ensure consistency with state law, streamline the approval process, encourage the use of ADUs to help the City meet its housing goals, and ensure quality development in the City's residential neighborhoods. The proposed changes regarding setbacks for detached single-family dwellings in the RS-4, RM, and RM-D Districts would reduce required side yard setbacks to be generally in line with existing reduced front yard setbacks, smaller minimum lot areas, and reduced lot widths for parcels in those districts. The reduced setbacks will help to facilitate construction of larger market-rate single-family homes on smaller lots, similar to other residential developments recently approved by the Planning Commission and/or City Council.

### Section 3. Decision

Based on the findings and the authority set forth above, the Planning Commission hereby recommends that the City Council adopt an ordinance amending the regulations outlined in PMC Chapter 18.50, Article II, Schedule 18.50.105, "RR, RS-40, RS-10, RS-6, RS-5, RS-4, RM, RMD, RH and RHD Districts – Property Development Regulations," and Article IV, "Accessory Dwelling Units," section 18.50.300 through 18.50.315, as identified in the attached "Exhibit A."

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner Foster, seconded by Commissioner Coniglio, the foregoing resolution was passed and adopted the 13<sup>th</sup> day of June, 2017, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES: Coniglio, Croskey, Foster, Gargalikis, Guerrero

NAYES:

ABSTAIN:

ABSENT: Belleci-Shipe, Fardella

I hereby certify that the above Resolution No. 10066 was adopted by the Planning Commission of the City of Pittsburg on June 13, 2017.

  
\_\_\_\_\_  
HECTOR ROJAS, AICP, ACTING SECRETARY  
PITTSBURG PLANNING COMMISSION





# City of Pittsburg

Community Development Department – Planning Division

65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

## NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the **CITY COUNCIL** of the City of Pittsburg will conduct a public hearing on:

**DATE:** July 17, 2017  
**TIME:** 7:00 p.m.  
**PLACE:** City Council Chamber at City Hall  
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

---

### **Introduction and Waive First Reading of an Ordinance Amending Title 18 of the Pittsburg Municipal Code Related to Accessory Dwelling Units and Side Yard Setbacks, AP-17-1227 (RZ).**

This is a public hearing on a City-initiated proposal to consider amendments to Title 18, "Zoning," of the Pittsburg Municipal Code in order to: 1) bring the City's current Accessory Dwelling Unit (ADU) ordinance into conformance with recently-adopted state legislation; and 2) modify the interior side yard setback requirement for detached single-family dwellings within the RS-4 (Single Family Residential, 4,000 Square Foot Minimum Lot Size), RM (Medium Density Residential), and RM-D (Downtown Medium Density Residential) Districts.

On June 13, 2017, the Planning Commission held a public hearing and subsequently adopted Resolution No. 10066, recommending approval of the proposed amendments.

**PROJECT PLANNER:** Jordan Davis, (925) 252-4015 or [jdavis@ci.pittsburg.ca.us](mailto:jdavis@ci.pittsburg.ca.us)

---

**Why am I receiving this notice?** You are receiving this notice because you have either previously requested notifications from the Planning Division, or a project has been proposed in your neighborhood and all property owners within a minimum 300-foot radius of the project site are required to be notified under the Pittsburg Municipal Code.

#### **Where can I get more information about this project?**

The complete file for this project is available for public inspection at the Planning Division, weekdays during the hours of 8:00 AM to 12:00 PM and 1:00 PM to 5:00 PM. You can also find out more about the project by contacting the project planner listed above.

#### **What can I do if I have comments on the project?**

Comments or objections to the project can be made by writing or through oral testimony during the public hearing. Written comments citing the project name may be emailed to the project planner listed above, or may be mailed or delivered to: Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565. You may also register your comments or objections by attending the public hearing on the date and time listed above.

Pursuant to Section 65009 of the California Government Code, if you challenge this matter in court, you may be limited to those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on the matter delivered to this agency at, or prior to the public hearing. Any written correspondence delivered to the Planning Division before the hearing body's action on the matter will become a part of the administrative record.

  
ALICE E. EVENSON, CITY CLERK  
CITY OF PITTSBURG





**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR  
65 Civic Avenue  
Pittsburg, CA 94565**

**DATE:** 6/14/2017

**TO:** Mayor and Council Members

**FROM:** Joe Sbranti, City Manager

**SUBJECT:** Adoption of a City Council Resolution to Create a Master Pay Schedule as Required by California Public Employees' Retirement System

**MEETING DATE:** 7/17/2017

**EXECUTIVE SUMMARY**

To comply with CalPERS' interpretation of the requirements of Code of Regulations section 570.5 by affirming the single master pay schedule already on the City's website representing all previously approved actions on the individual classifications of the pay schedule. The single master salary schedule will be submitted to Council for approval each time any single MOU or compensation plan is brought to the City Council for approval.

**FISCAL IMPACT**

The affirmation of previously approved separate pay schedules as a single master pay schedule has no fiscal impact to the City for preparation or distribution, as the actions already occur.

**RECOMMENDATION**

The City Council adopt a resolution creating and affirming the City of Pittsburg's master pay schedule for all employee classifications so the City is in compliance with the requirements of the California Code of Regulations section 570.5 and the California Public Employees' Retirement System (CalPERS) relating to publically available pay schedules for purposes of determining the amount of "compensation earnable" pursuant to Government Code Sections 20630, 20636, and 20636.1.

**BACKGROUND**

CalPERS, pursuant to their interpretation of California Code of Regulations section 570.5, recommends all CalPERS employers to maintain their compensation levels in one publicly available document, approved and adopted by the governing body, which must meet all of the following requirements:

- Has been duly approved and adopted by the employer's governing body in accordance with requirements of applicable public meetings laws;
- Identifies the position title for every employee position;
- Shows the pay rate for each identified position, which may be stated as a single amount or as multiple amounts within a range;
- Indicates the time base, including, but not limited to, whether the time base is hourly, daily, bi-weekly, monthly, bi-monthly, or annually;
- Is posted at the office of the employer or immediately accessible and available for public review from the employer during normal business hours or posted on the employer's internet website;
- Indicates an effective date and date of any revisions;
- Is retained by the employer and available for public inspection for not less than five years; and
- Does not reference another document in lieu of disclosing the pay rate.

Currently, the City attaches salary schedule information by represented bargaining group to the memorandum of understanding (MOU) governing each bargaining group, and for unrepresented employees includes such salary information in compensation plans approved by City Council. Following City Council approval of these various salary schedules, the approved schedules are incorporated into one master salary schedule. However, this master salary schedule has customarily not been approved by Council as a single document, even though it contains the collective salary information derived from individual MOUs which have been approved by Council. As such, the recommendation to list compensation levels for all positions on one document duly approved and adopted by the Council has not been satisfied consistent with CalPERS' interpretation of California Government Code of Regulations section 570.5.

## **SUBCOMMITTEE FINDINGS**

Not applicable.

## **STAFF ANALYSIS**

The adoption of the resolution will comply with CalPERS' interpretation of the requirements of Code of Regulations section 570.5 by affirming the single master pay schedule already on the City's website representing all previously approved actions on the individual classifications of the pay schedule.

ATTACHMENTS: Resolution  
Salary Schedule 7/2/17

Report Prepared By: Griselda Clift, Senior Human Resources Analyst



PASSED AND ADOPTED by the City Council of the City of Pittsburgh at a regular meeting on the 17<sup>th</sup> day of July, 2017, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

---

Marilyn Craft, Mayor

ATTEST:

---

Alice E. Evenson, City Clerk

| CLASSIFICATION                                            | RANGE                                                                                   | START    | STEP A | STEP B | STEP C | STEP D | STEP E | STEP F | STEP G | UNIT                |
|-----------------------------------------------------------|-----------------------------------------------------------------------------------------|----------|--------|--------|--------|--------|--------|--------|--------|---------------------|
| Account Clerk (Part 1 of 2)                               | 109                                                                                     | 07/02/17 | 3,542  | 3,719  | 3,905  | 4,100  | 4,305  |        |        | AFSCME              |
| Account Clerk (Part 2 of 2)                               | 170                                                                                     | 07/02/17 | 4,100  | 4,305  | 4,520  | 4,746  | 4,983  |        |        | AFSCME              |
| Accountant I                                              | 350                                                                                     | 07/02/17 | 5,370  | 5,639  | 5,921  | 6,217  | 6,528  |        |        | MPC                 |
| Accountant II                                             | 500                                                                                     | 07/02/17 | 6,011  | 6,312  | 6,628  | 6,959  | 7,307  |        |        | MPC                 |
| Accounting Technician                                     | 220                                                                                     | 07/02/17 | 4,744  | 4,981  | 5,230  | 5,492  | 5,767  |        |        | AFSCME/MPC          |
| Administrative Analyst I                                  | 390                                                                                     | 07/02/17 | 5,549  | 5,826  | 6,117  | 6,423  | 6,744  |        |        | MPC                 |
| Administrative Analyst II                                 | 700                                                                                     | 07/02/17 | 6,425  | 6,746  | 7,083  | 7,437  | 7,809  |        |        | MPC                 |
| Administrative Assistant (Part 1 of 2)                    | 100                                                                                     | 07/02/17 | 3,534  | 3,711  | 3,897  | 4,092  | 4,297  |        |        | AFSCME              |
| Administrative Assistant (Part 2 of 2)                    | 160                                                                                     | 07/02/17 | 4,092  | 4,297  | 4,512  | 4,738  | 4,975  |        |        | AFSCME/MPC          |
| Administrative Assistant to Director                      | 290                                                                                     | 07/02/17 | 5,070  | 5,324  | 5,590  | 5,870  | 6,164  |        |        | MPC                 |
| Administrative Officer                                    | 860                                                                                     | 07/02/17 | 8,702  | 9,137  | 9,594  | 10,074 | 10,578 |        |        | MPC                 |
| Assistant City Engineer                                   | 920                                                                                     | 07/02/17 | 10,484 | 11,448 | 12,020 | 12,621 | 13,252 |        |        | MPC                 |
| Assistant City Manager                                    | 950                                                                                     | 07/02/17 | 14,033 |        |        |        | 17,908 |        |        | Sr. Exec Team       |
| Assistant Director of Economic Development and Recreation | 887                                                                                     | 07/02/17 | 10,184 |        |        |        | 12,378 |        |        | Mgmt Group          |
| Assistant Director of Finance                             | 887                                                                                     | 07/02/17 | 10,184 |        |        |        | 12,378 |        |        | Mgmt Group          |
| Assistant Director of Public Works                        | 895                                                                                     | 07/02/17 | 10,662 | 11,195 | 11,755 | 12,343 | 12,960 |        |        | MPC                 |
| Assistant Planner                                         | 450                                                                                     | 07/02/17 | 5,916  | 6,212  | 6,523  | 6,849  | 7,191  |        |        | MPC                 |
| Assistant to the City Manager                             | 835                                                                                     | 07/02/17 | 9,782  |        |        |        | 11,890 |        |        | Mgmt Group          |
| Associate Planner                                         | 740                                                                                     | 07/02/17 | 6,849  | 7,191  | 7,551  | 7,929  | 8,325  |        |        | MPC                 |
| Business Development Manager                              | 860                                                                                     | 07/02/17 | 8,702  | 9,137  | 9,594  | 10,074 | 10,578 |        |        | MPC                 |
| Business License Coordinator                              | 315                                                                                     | 07/02/17 | 5,238  | 5,500  | 5,775  | 6,064  | 6,367  |        |        | AFSCME              |
| Chief Building Official                                   | 895                                                                                     | 07/02/17 | 10,662 | 11,195 | 11,755 | 12,343 | 12,960 |        |        | MPC                 |
| Chief of Police                                           | 955                                                                                     | 07/03/16 | 13,789 |        |        |        | 17,431 |        |        | Sr. Exec Team (PMG) |
| City Clerk                                                |                                                                                         |          |        |        |        |        | 470    |        |        | Elected Official    |
| City Council                                              |                                                                                         |          |        |        |        |        | 500    |        |        | Elected Official    |
| City Council -- member of a different governing board     |                                                                                         |          |        |        |        |        |        |        |        |                     |
| if serving on Tri Delta Transit                           | per meeting; visit <a href="http://www.TriDeltaTransit.com">www.TriDeltaTransit.com</a> |          |        |        |        |        |        |        |        |                     |
| if serving on Delta Diablo Sanitation District            | \$209 per meeting; visit <a href="http://ddsd.org">ddsd.org</a>                         |          |        |        |        |        |        |        |        |                     |
| City Engineer                                             | 935                                                                                     | 7/2/2017 | 12,480 |        |        |        | 15,168 |        |        | Mgmt Group          |
| City Manager                                              | 960                                                                                     | 7/3/2016 |        |        |        |        | 20,714 |        |        | Contract            |
| City Treasurer                                            |                                                                                         |          |        |        |        |        | 470    |        |        | Elected Official    |
| Civil Engineer I                                          | 510                                                                                     | 07/02/17 | 6,185  | 6,494  | 6,819  | 7,160  | 7,518  |        |        | MPC                 |
| Civil Engineer II                                         | 780                                                                                     | 07/02/17 | 7,161  | 7,519  | 7,895  | 8,290  | 8,705  |        |        | MPC                 |
| Combination Building Inspector                            | 520                                                                                     | 07/02/17 | 6,211  | 6,522  | 6,848  | 7,190  | 7,549  |        |        | AFSCME              |
| Community Relations Manager                               | 700                                                                                     | 07/02/17 | 6,425  | 6,746  | 7,083  | 7,437  | 7,809  |        |        | MPC                 |
| Community Services Specialist                             | 258                                                                                     | 07/02/17 | 4,937  | 5,184  | 5,443  | 5,715  | 6,001  |        |        | AFSCME              |
| Compliance Principal                                      | 830                                                                                     | 07/02/17 | 7,868  | 8,261  | 8,674  | 9,108  | 9,563  |        |        | MPC                 |
| Contract Analyst                                          | 390                                                                                     | 07/02/17 | 5,549  | 5,826  | 6,117  | 6,423  | 6,744  |        |        | MPC                 |
| Crime Analyst                                             | 700                                                                                     | 07/02/17 | 6,425  | 6,746  | 7,083  | 7,437  | 7,809  |        |        | MPC                 |
| Customer Service Representative                           | 95                                                                                      | 07/02/17 | 3,211  | 3,372  | 3,541  | 3,718  | 3,904  |        |        | AFSCME              |
| Deputy City Clerk                                         | 330                                                                                     | 07/02/17 | 5,324  | 5,590  | 5,870  | 6,164  | 6,472  |        |        | MPC                 |
| Development Manager                                       | 890                                                                                     | 07/02/17 | 9,783  | 10,272 | 10,786 | 11,325 | 11,891 |        |        | MPC                 |
| Director of Community Development                         | 940                                                                                     | 07/02/17 | 12,000 |        |        |        | 15,168 |        |        | Sr. Exec Team       |
| Director of Community Services                            | 940                                                                                     | 07/02/17 | 12,000 |        |        |        | 15,168 |        |        | Sr. Exec Team       |
| Director of Finance                                       | 940                                                                                     | 07/02/17 | 12,000 |        |        |        | 15,168 |        |        | Sr. Exec Team       |

| CLASSIFICATION                                     | RANGE | START    | STEP A | STEP B | STEP C | STEP D | STEP E | STEP F | STEP G | UNIT          |
|----------------------------------------------------|-------|----------|--------|--------|--------|--------|--------|--------|--------|---------------|
| Director of Human Resources                        | 940   | 07/02/17 | 12,000 |        |        |        | 15,168 |        |        | Sr. Exec Team |
| Director of Public Works                           |       | 07/02/17 | 12,968 |        |        |        | 15,764 |        |        | Sr. Exec Team |
| Director of Records and Council Services           | 835   | 07/02/17 | 9,782  |        |        |        | 11,890 |        |        | Sr. Exec Team |
| Director of Recreation and Maintenance Services    | 920   | 07/02/17 | 10,903 |        |        |        | 13,252 |        |        | Mgmt Group    |
| Director of Water Utilities                        | 935   | 07/02/17 | 12,480 |        |        |        | 15,168 |        |        | Mgmt Group    |
| Electrician                                        | 420   | 07/02/17 | 5,725  | 6,011  | 6,312  | 6,628  | 6,959  |        |        | Teamsters     |
| Electrician Apprentice                             | 200   | 07/02/17 | 4,572  | 4,801  | 5,041  | 5,293  | 5,558  |        |        | Teamsters     |
| Engineering Analyst                                | 820   | 07/02/17 | 7,437  | 7,809  | 8,199  | 8,609  | 9,039  |        |        | MPC           |
| Engineering Technician I                           | 310   | 07/02/17 | 5,185  | 5,444  | 5,716  | 6,002  | 6,302  |        |        | AFSCME        |
| Engineering Technician II                          | 460   | 07/02/17 | 6,004  | 6,304  | 6,619  | 6,950  | 7,297  |        |        | AFSCME        |
| Environmental Affairs Manager                      | 890   | 07/02/17 | 9,783  | 10,272 | 10,786 | 11,325 | 11,891 |        |        | MPC           |
| Environmental Health Specialist                    | 470   | 07/02/17 | 5,946  | 6,243  | 6,555  | 6,883  | 7,227  |        |        | AFSCME        |
| Equipment Mechanic                                 | 270   | 07/02/17 | 5,057  | 5,310  | 5,576  | 5,855  | 6,148  |        |        | Teamsters     |
| Equipment Shop Supervisor                          | 530   | 07/02/17 | 6,287  | 6,601  | 6,931  | 7,278  | 7,642  |        |        | MPC           |
| Executive Assistant                                | 400   | 07/02/17 | 5,728  |        |        |        | 6,962  |        |        | Mgmt Group    |
| Executive Secretary to the Chief of Police         | 330   | 07/02/17 | 5,324  | 5,590  | 5,870  | 6,164  | 6,472  |        |        | MPC           |
| Finance Division Manager                           | 855   | 07/02/17 | 8,557  | 8,985  | 9,434  | 9,906  | 10,401 |        |        | MPC           |
| Financial Analyst                                  | 580   | 07/02/17 | 6,746  | 7,083  | 7,437  | 7,809  | 8,199  |        |        | MPC           |
| GIS Coordinator                                    | 760   | 07/02/17 | 6,979  | 7,328  | 7,694  | 8,079  | 8,483  |        |        | MPC           |
| Harbormaster                                       | 830   | 07/02/17 | 7,868  | 8,261  | 8,674  | 9,108  | 9,563  |        |        | MPC           |
| Housing Inspector                                  | 315   | 07/02/17 | 5,238  | 5,500  | 5,775  | 6,064  | 6,367  |        |        | AFSCME        |
| Housing Manager                                    | 855   | 07/02/17 | 8,557  | 8,985  | 9,434  | 9,906  | 10,401 |        |        | MPC           |
| Housing Specialist                                 | 210   | 07/02/17 | 4,665  | 4,898  | 5,143  | 5,400  | 5,670  |        |        | AFSCME        |
| Human Resources Analyst                            | 700   | 07/02/17 | 6,425  | 6,746  | 7,083  | 7,437  | 7,809  |        |        | MPC           |
| Human Resources Manager                            | 890   | 07/02/17 | 9,782  |        |        |        | 11,890 |        |        | Mgmt Group    |
| Human Resources Specialist                         | 330   | 07/02/17 | 5,324  | 5,590  | 5,870  | 6,164  | 6,472  |        |        | MPC           |
| Lead Marina Services Worker                        | 320   | 07/02/17 | 5,293  | 5,558  | 5,836  | 6,128  | 6,434  |        |        | Teamsters     |
| Lead Police Records Clerk                          | 255   | 07/02/17 | 4,976  | 5,225  | 5,486  | 5,760  | 6,048  |        |        | AFSCME        |
| Maintenance Assistant                              | 95    | 07/02/17 | 3,211  | 3,372  | 3,541  | 3,718  | 3,904  |        |        | Teamsters     |
| Maintenance Lead Worker - Env. Services/Fac. Util. | 320   | 07/02/17 | 5,293  | 5,558  | 5,836  | 6,128  | 6,434  |        |        | Teamsters     |
| Maintenance Worker I - Env. Services/Fac. Util.    | 140   | 07/02/17 | 3,950  | 4,148  | 4,355  | 4,573  | 4,802  |        |        | Teamsters     |
| Maintenance Worker II - Env. Services/Fac. Util.   | 200   | 07/02/17 | 4,572  | 4,801  | 5,041  | 5,293  | 5,558  |        |        | Teamsters     |
| Marina Maintenance Worker                          | 140   | 07/02/17 | 3,950  | 4,148  | 4,355  | 4,573  | 4,802  |        |        | Teamsters     |
| Office Assistant                                   | 95    | 07/02/17 | 3,211  | 3,372  | 3,541  | 3,718  | 3,904  |        |        | AFSCME        |
| Payroll Specialist                                 | 330   | 07/02/17 | 5,324  | 5,590  | 5,870  | 6,164  | 6,472  |        |        | MPC           |
| Permit Technician                                  | 260   | 07/02/17 | 5,003  | 5,253  | 5,516  | 5,792  | 6,082  |        |        | AFSCME        |
| Pest Control Specialist                            | 470   | 07/02/17 | 5,946  | 6,243  | 6,555  | 6,883  | 7,227  |        |        | Teamsters     |
| Planning Manager                                   | 890   | 07/02/17 | 9,783  | 10,272 | 10,786 | 11,325 | 11,891 |        |        | MPC           |
| Planning Technician                                | 260   | 07/02/17 | 5,003  | 5,253  | 5,516  | 5,792  | 6,082  |        |        | AFSCME        |
| Police Captain                                     | 650   | 07/03/16 | 11,685 | 12,269 | 12,882 | 13,526 | 14,202 | 14,912 |        | PMG           |
| Police Lieutenant                                  | 640   | 07/03/16 | 10,186 | 10,695 | 11,230 | 11,791 | 12,381 | 13,000 |        | PMG           |
| Police Officer                                     | 600   | 07/03/16 | 6,197  | 6,507  | 6,832  | 7,174  | 7,533  | 7,910  | 8,305  | POA           |
| Police Records Clerk (Part 1 of 2)                 | 110   | 07/02/17 | 3,712  | 3,898  | 4,093  | 4,298  | 4,513  |        |        | AFSCME        |
| Police Records Clerk (Part 2 of 2)                 | 180   | 07/02/17 | 4,297  | 4,512  | 4,738  | 4,975  | 5,224  |        |        | AFSCME        |
| Police Records Manager                             | 540   | 07/02/17 | 6,276  | 6,590  | 6,920  | 7,266  | 7,629  |        |        | MPC           |

| CLASSIFICATION                             | RANGE | START    | STEP A | STEP B                              | STEP C    | STEP D    | STEP E    | STEP F    | STEP G    | UNIT       |
|--------------------------------------------|-------|----------|--------|-------------------------------------|-----------|-----------|-----------|-----------|-----------|------------|
| Police Sergeant                            | 625   | 07/03/16 | 7,986  | 8,385                               | 8,804     | 9,244     | 9,706     | 10,191    |           | POA        |
| Power Company Manager                      | 920   | 07/02/17 | 10,903 |                                     |           |           | 13,252    |           |           | Mgmt Group |
| Property and Evidence Coordinator          | 410   | 07/02/17 | 5,713  | 5,999                               | 6,299     | 6,614     | 6,945     |           |           | AFSCME     |
| Public Works Manager                       | 890   | 07/02/17 | 9,783  | 10,272                              | 10,786    | 11,325    | 11,891    |           |           | MPC        |
| Public Works Superintendent                | 880   | 07/02/17 | 8,790  | 9,230                               | 9,691     | 10,176    | 10,685    |           |           | MPC        |
| Public Works Supervisor                    | 530   | 07/02/17 | 6,287  | 6,601                               | 6,931     | 7,278     | 7,642     |           |           | MPC        |
| Purchasing Analyst                         | 720   | 07/02/17 | 6,702  | 7,037                               | 7,389     | 7,758     | 8,146     |           |           | MPC        |
| Records Specialist                         | 330   | 07/02/17 | 5,324  | 5,590                               | 5,870     | 6,164     | 6,472     |           |           | AFSCME     |
| Recreation Coordinator                     | 230   | 07/02/17 | 4,814  | 5,055                               | 5,308     | 5,573     | 5,852     |           |           | AFSCME     |
| Recreation Supervisor                      | 550   | 07/02/17 | 6,289  | 6,603                               | 6,933     | 7,280     | 7,644     |           |           | MPC        |
| Redevelopment Project Manager              | 820   | 07/02/17 | 7,437  | 7,809                               | 8,199     | 8,609     | 9,039     |           |           | MPC        |
| Senior Administrative Analyst              | 820   | 07/02/17 | 7,437  | 7,809                               | 8,199     | 8,609     | 9,039     |           |           | MPC        |
| Senior Civil Engineer                      | 860   | 07/02/17 | 8,702  | 9,137                               | 9,594     | 10,074    | 10,578    |           |           | MPC        |
| Senior Combination Building Inspector      | 760   | 07/02/17 | 6,979  | 7,328                               | 7,694     | 8,079     | 8,483     |           |           | MPC        |
| Senior Financial Analyst                   | 790   | 07/02/17 | 7,810  | 8,200                               | 8,610     | 9,040     | 9,492     |           |           | MPC        |
| Senior Human Resources Analyst             | 820   | 07/02/17 | 7,437  | 7,809                               | 8,199     | 8,609     | 9,039     |           |           | MPC        |
| Senior Planner                             | 840   | 07/02/17 | 7,930  | 8,326                               | 8,742     | 9,179     | 9,638     |           |           | MPC        |
| Senior Redevelopment Project Manager       | 860   | 07/02/17 | 8,702  | 9,137                               | 9,594     | 10,074    | 10,578    |           |           | MPC        |
| Sweeper Operator                           | 140   | 07/02/17 | 3,950  | 4,148                               | 4,355     | 4,573     | 4,802     |           |           | Teamsters  |
| Utility Billing Supervisor                 | 540   | 07/02/17 | 6,276  | 6,590                               | 6,920     | 7,266     | 7,629     |           |           | MPC        |
| Utility Lineworker                         | 200   | 07/02/17 | 4,572  | 4,801                               | 5,041     | 5,293     | 5,558     |           |           | Teamsters  |
| Utility Supervisor                         | 810   | 07/02/17 | 8,338  | 8,755                               | 9,193     | 9,653     | 10,136    |           |           | MPC        |
| Utility Technician I                       | 705   | 07/02/17 | 6,470  | 6,794                               | 7,134     | 7,491     | 7,866     |           |           | Teamsters  |
| Utility Technician II                      | 805   | 07/02/17 | 7,344  | 7,711                               | 8,097     | 8,502     | 8,927     |           |           | Teamsters  |
| Water Instrument/Maintenance Technician I  | 480   | 07/02/17 | 6,705  | 7,040                               | 7,392     | 7,762     | 8,150     |           |           | Teamsters  |
| Water Instrument/Maintenance Technician II | 750   | 07/02/17 | 7,762  | 8,150                               | 8,557     | 8,985     | 9,434     |           |           | Teamsters  |
| Water Maintenance Mechanic I               | 480   | 07/02/17 | 6,705  | 7,040                               | 7,392     | 7,762     | 8,150     |           |           | Teamsters  |
| Water Maintenance Mechanic II              | 750   | 07/02/17 | 7,762  | 8,150                               | 8,557     | 8,985     | 9,434     |           |           | Teamsters  |
| Water Plant Apprentice Operator            | 200   | 07/02/17 | 4,572  | 4,801                               | 5,041     | 5,293     | 5,558     |           |           | Teamsters  |
| Water Plant Operator                       | 560   | 07/02/17 | 6,734  | 7,071                               | 7,425     | 7,796     | 8,186     |           |           | Teamsters  |
| Water Plant Superintendent                 | 883   | 07/02/17 | 9,230  | 9,692                               | 10,177    | 10,686    | 11,220    |           |           | MPC        |
| Water Plant Supervisor                     | 810   | 07/02/17 | 8,338  | 8,755                               | 9,193     | 9,653     | 10,136    |           |           | MPC        |
| Water Quality Analyst I                    | 380   | 07/02/17 | 5,903  | 6,198                               | 6,508     | 6,833     | 7,175     |           |           | Teamsters  |
| Water Quality Analyst II                   | 710   | 07/02/17 | 7,107  | 7,462                               | 7,835     | 8,227     | 8,638     |           |           | Teamsters  |
| <b>SEASONAL CLASSIFICATIONS</b>            |       |          |        |                                     |           |           |           |           |           |            |
| Expert Consultant                          | 0910  | 03/16/15 | 30.00  |                                     |           |           | 100.00    |           |           | n/a        |
| High School Intern                         | 0550  | 06/22/14 |        |                                     |           |           | 10.50     |           |           | n/a        |
| Intern (college-level)                     | 0510  | 04/16/12 | 12.00  |                                     | 13.50     |           | 15.00     |           |           | n/a        |
| Maintenance Aide                           | 0530  | 12/30/07 | 10.67  | 11.21                               | 11.78     | 12.37     | 13.03     |           |           | n/a        |
| Maintenance Aide (continuation of steps)   | 0530  | 12/30/07 |        |                                     | 13.74 (F) | 14.48 (G) | 15.25 (H) |           |           | n/a        |
| Maintenance Helper                         | 0520  | 06/22/14 |        |                                     |           |           | 10.50     |           |           | n/a        |
| Police Officer Trainee                     | 6009  | 07/03/16 | 28.60  | 20% less than Police Officer Step A |           |           |           |           |           | n/a        |
| Recreation Leader I                        | 0550  | 06/22/14 |        |                                     |           |           | 10.50     |           |           | n/a        |
| Recreation Leader II                       | 0560  | 12/30/07 | 10.50  |                                     | 11.00     |           | 12.00     |           |           | n/a        |
| Recreation Leader III                      | 0570  | 06/17/13 | 13.00  | 14.00                               | 15.00     | 16.00     | 17.00     | 18.00 (F) | 19.00 (G) | 20.00 (H)  |





**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR  
65 Civic Avenue  
Pittsburg, CA 94565**

**DATE:** 6/27/2017

**TO:** Mayor and Council Members

**FROM:** Joe Sbranti, City Manager

**SUBJECT:** Adoption of a City Council Resolution to Amend the Authorized Positions Salary Schedule, Senior Executive Team, and Management Team Salary and Benefits Schedule

**MEETING DATE:** 7/17/2017

**EXECUTIVE SUMMARY**

A reorganization staffing plan has been developed by the City Manager to ensure continuity of City operations and personnel. In conformance with the City's Personnel Rules, this will require City Council's approval of authorized positions and approval of salary schedule changes effective July 2, 2017.

**FISCAL IMPACT**

For fiscal year 17/18, the changes will result in a savings of \$154,310 through anticipated retirements. The impact to the general fund is a savings of \$39,297. These savings have been reflected in the fiscal year 17/18 budget.

**RECOMMENDATION**

The City Council adopt the attached resolution amending the authorized classification plan (i.e., staffing allocations), affected salary and benefit schedules and establish salary ranges.

**BACKGROUND**

As part of the reorganization, the City Manager has amended the classification of Director of Public Works which has been inactive since 2008. The recommended salary range is \$12,968-\$15,764 per month (July 2, 2017) which includes a cost of living adjustment and a recent salary survey confirmed the salary is comparable to other cities in the area. If approved, the Director of Public Works classification will be added to the Senior Executive Team Salary and Benefits Schedule.

The current Director of Community Development/City Engineer classification is recommended to be re-established and retitled as Director of Community Development and provide full responsibility of Community Development but exclude City Engineer functions from the classification. The recommended salary range will be reduced from \$12,480 to \$17,055 to \$12,000 to \$15,168 per month (effective July 2, 2017) which is aligned with the Director of Finance, and Director of Human Resources. If approved, the classification will be assigned to the Senior Executive Team Salary and Benefits Schedule.

The City Manager has also added two new classification specifications; Assistant Director of Economic Development and Recreation, and Director of Community Services. The recommended salary range for the Assistant Director of Economic Development and Recreation aligns with the Assistant Director of Finance at \$10,184 to \$12,378 per month. The recommended salary range for Director of Community Services aligns with the salary range provided to the Director of Finance, and Director of Human Resources at \$12,000 to \$15,168 per month. If approved, the Assistant Director of Economic Development and Recreation will be added to the Management Group Benefits and Salary Schedule and the Director of Community Services will be added to the Senior Executive Team Salary and Benefits Schedule.

Below is a list of the reorganizational structure of the affected service sectors:

Director of Community Services:  
Housing Authority  
Redevelopment/Successor Agency  
Community Development Block Grant (CDBG)  
Economic Development/Recreation  
Pittsburg Power Company

Assistant Director of Economic Development and Recreation:  
Economic Development  
Waterfront  
Marina  
Community Advisory Committee  
Recreation Programs and Facilities

Director of Community Development:  
Building  
Engineering  
Planning

Director of Public Works:  
Parks Maintenance  
Water Treatment Plant  
Public Works  
Equipment Maintenance

The City Manager also recommends the Director of Finance and Director of Human Resources be included in the Senior Executive Team Salary and Benefits Schedule.

## **SUBCOMMITTEE FINDINGS**

Not applicable.

## **STAFF ANALYSIS**

City staff recommends amendments to staffing allocations as a result of a strategic reorganization.

Municipal Code 2.52, Personnel System, provides, in part, that all department heads and deputy or assistant department heads are excluded from competitive service and shall serve at the pleasure of the City Manager. The current Director of Community Development/City Engineer will transition to the position of Director of Public Works. The current Assistant to the City Manager will be appointed to the Director of Community Development position. The current Senior Administrative Analyst in Economic Development will be appointed to the Assistant Director of Economic Development and Recreation position. The current Development Manager in the Redevelopment/Successor Agency will be appointed to the Director of Community Services position.

Personnel Rule 13.1, Salary Plan, provides, in part, that salary ranges for each class are established by the City Council. These classifications are unrepresented positions and the salary range is established exclusively by the City Council. As the directors' pay rates are ranges with only a minimum pay and maximum pay, this permits the City Manager to pay the incumbent any value from the minimum up through the maximum pay rate. An increase in pay is not automatic merely because the salary ranges changes; rather, a pay increase (if any) is merit-based as demonstrated through performance and not provided merely because of the passage of time.

Personnel Rule 3.4, Allocation of Positions, provides that the City Council shall allocate every position to one of the classes established by the classification plan. Overall, the City Council is required to amend the authorized positions by unfunding one Assistant to the City Manager, deleting one Senior Administrative Analyst, deleting one Development Manager, replacing one Director of Water Utilities with one Director of Public Works, and adding one Assistant Director of Economic Development and Recreation, and Director of Community Services.

The City Manager will be transitioning or appointing four current employees into these classifications effective July 2, 2017.

ATTACHMENTS: Resolution

Report Prepared By: Griselda Clift, Senior Human Resources Analyst

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Resolution to Establish Salary Ranges, )  
And Amend Authorized Positions and )  
Salary & Benefits Schedules )

RESOLUTION NO. 17-

The Pittsburgh City Council DOES RESOLVE as follows:

WHEREAS, the City Manager has reorganized departments and the reorganization requires the City Council's approval of proposed salaries and amendments to the authorized positions; and

WHEREAS, the reorganization of departments, the authorized positions and changes to salary schedules, are effective July 2, 2017; and

NOW, THEREFORE, the City Council finds and determines as follows:

Section 1. The recitals set forth above are true and correct statements and are hereby incorporated in conjunction with the staff report.

Section 2. The City Council adopt this Resolution amending the authorized positions by unfunding one Assistant to the City Manager, reducing one Senior Administrative Analyst and one Development Manager, replacing one Director of Water Utilities with one Director of Public Works and approving amendments to the Senior Executive Team and Management Group Salary and Benefits Schedules by amending the salary range of Director of Community Development to \$12,000 through \$15,168 per month, adding the salary range of Director of Public Works at \$12,968 through \$15,764 per month; adding the salary ranges of Assistant Director of Economic Development and Recreation at \$10,184 through \$12,378 per month and Director of Community Services at \$12,000 through \$15,168 per month; and moving the salary ranges of the Director of Finance and Director of Human Resources from the Management Group to the Senior Executive Team Salary and Benefit Schedule;

Section 3. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Pittsburgh at a regular meeting on the 17<sup>th</sup> day of July 2017, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

---

Marilyn Craft, Mayor

ATTEST:

---

Alice E. Evenson, City Clerk

**CITY OF PITTSBURG  
CITY COUNCIL/AGENCY CONCURRENT MEETING MINUTES**

**DATE:** June 19, 2017

**LOCATION:** Council Chamber, City Hall, 65 Civic Avenue, Pittsburg, CA 94565

**CITY COUNCIL/AGENCY MEMBERS**

Marilyn Craft, Mayor/Chair  
Dwayne "Pete" Longmire, Vice-Mayor/Chair  
Sal Evola, Council/Agency Member  
Juan Antonio Banales, Council/Agency Member  
Jelani Killings, Council/Agency Member  
Michelle King, Agency Member  
Annie Hill Herring, Agency Member

**APPOINTED OFFICIALS**

Joe Sbranti, City Manager/Executive Director  
Ruthann Ziegler, City Attorney/Legal Counsel  
Alice E. Evenson, City Clerk/Agency Secretary (elected)  
Nancy Parent, City Treasurer (elected)

Mayor Craft called the meeting of the City Council to order at 7:00 P.M. in the City Council Chamber at City Hall, 65 Civic Avenue, Pittsburg, CA after convening at 6:30 P.M. in Closed Session for the following item.

1. **CONFERENCE WITH LABOR NEGOTIATORS (Section 54957.6):**

Agency designated representatives: Joe Sbranti, Garrett Evans; Employee organizations: Police Managers' Group (PMG) and Police Officers' Association (POA)

Mayor Craft stated there was no reportable action taken in Closed Session.

**ROLL CALL**

All Members were present.

**PLEDGE OF ALLEGIANCE**

Acting Captain Steve Albanese led the Pledge of Allegiance.

**PROCLAMATION**

Anti-Hazing Awareness Month

A representative from AHA! was present to receive the proclamation.

## **CITY MANAGER REPORTS/REMARKS**

Assistant City Manager Evans announced upcoming events throughout the City. He also announced the location of cooling centers citywide for relief of the current heat wave.

## **CITIZENS REMARKS**

Scott Macdonald, Pittsburg, gave an update on the Pittsburg Diamonds Baseball season.

Wolfgang Croskey, Pittsburg, urged the Council not to support SB 231 (Item 21 on the Consent Calendar).

Bruce Ohlson, Pittsburg, voiced his dismay that the contract for the West 4<sup>th</sup> Street Sidewalk Gap Closure Project (Item 13 on the Consent Calendar) was being awarded to a contractor from Riverside, California, rather than a locally owned business.

## **CONFLICT OF INTEREST STATEMENT**

Mayor Craft stated she would recuse herself from Item 7 due to her financial interest.

## **COMBINED CITY COUNCIL, PITTSBURG POWER COMPANY, SOUTHWEST PITTSBURG GHAD II, AND SUCCESSOR AGENCY CONSENT CALENDAR**

On motion by Vice Mayor Longmire, seconded by Member Banales, to adopt and carried unanimously.

6. Minutes of May 30, 2017 and June 5, 2017
7. Adoption of a Pittsburg Power Company Resolution for the 2017-2018 Consultant Agreement with Open Opportunities Incorporated
8. Adoption of both GHAD and City Council Resolutions to Authorize a Contract between GHAD II and City of Pittsburg for Management and Maintenance of the District
9. Adoption of a City Council Resolution to Approve the Engineer's Report and Declaring the City Council's Intent To Order Improvements in Landscaping and Lighting Assessment District 1988-01, Citywide (Pursuant to the Landscaping and Lighting Act of 1972) for FY 2017-18
10. Adoption of a City Council Resolution to Approve the Engineer's Report and Declaring the City Council's Intent To Order Improvements in Landscaping and Lighting Assessment District 1988-02, Oakhills (Pursuant to the Landscaping and Lighting Act of 1972) for FY 2017-18
11. Adoption of a City Council Resolution to Allocate Funds and Authorize Additional Construction Contingency for Contract 2013-25, Ambrose Aquatic Center Renovation Project



12. Adoption of a City Council Resolution to Re-allocate Funding Sources for Various California Infrastructure and Economic Development Bank (I-Bank) Funded Projects
13. Adoption of a City Council Resolution Accepting Plans and Specifications, Allocating Funding, and Awarding Contract 2017-03, West 4th Street Sidewalk Gap Closure Project
14. Adoption of a City Council Resolution to Certify Compliance With Assembly Bill 2135, Surplus Land
15. Adoption of a City Council Resolution Establishing the Appropriations Limit for the 2017-18 Fiscal Year in Accordance with Proposition III and Article XIII (B)
16. Adoption of a City Council Resolution to Accept \$300,000 in Grant Funding from the United States Environmental Protection Agency and Allocate it to the Waterfront Fund for Environmental Assessments of Brownfields
17. Adoption of an Ordinance Amending Section 3.26.030 of the Pittsburg Municipal Code Relating to Fiscal Sustainability and Reserve Funds
18. Adoption of a City Council Resolution to Approve Citywide Fence and Sound walls Repair Project and Railroad Avenue Street Improvement Project, and Allocate Funds to the Projects
19. Adoption of a City Council Resolution to Allocate Funds for Installation of Security Cameras at Pittsburg Center BART
20. Adoption of a City Council Resolution to Allocate Funds for Pittsburg Center BART Station Parking Strategy
21. Adoption of a Minute Order to Authorize Letter in Support of SB 231 (Hertzberg)

An error was noted in the posted agenda that showed an additional Consent Calendar at this point in the meeting. The City Clerk verified that there was only one Combined Consent Calendar which consisted of Items 6 through 21.

**COMBINED CITY COUNCIL, PITTSBURG ARTS AND COMMUNITY FOUNDATION,  
PITTSBURG POWER COMPANY, AND SOUTHWEST GEOLOGIC HAZARD  
ABATEMENT DISTRICT II CONSIDERATION ITEMS**

Mayor Craft made the following statement:

“Before we move on to Agenda Item 22, I’d like to publicly announce that, as of January 1 of this year, there is new legislation requiring every city council, and other governing boards, to orally report a summary of proposed actions on salaries, salary schedules, or fringe benefits of executive-level employees.

“Before the Council this evening is the Fiscal Year 2017-2018 budget, which includes changes to the salary ranges for a number of positions.

“Under the recommended budget, new or changed salary ranges would be as follows:

- For the Director of Public Works, \$12,968 to \$15,764 per month
- For the Director of Community Development, \$12,000 to \$15,168 per month
- For the Director of Community Services, \$12,000 to \$15,168 per month
- For the Assistant Director of Economic Development and Recreation, \$10,184 to \$12,378 per month.

“Salary ranges for other executive-level employees will remain the same.”

22. Adoption of a City Council Resolution for Approval of the City of Pittsburgh’s Operating Budget for Fiscal Year 2017-18 and Appropriation of Funds for Fiscal Year 2017-18

On motion by Vice Mayor Longmire, seconded by Member Banales, to adopt and carried unanimously.

23. Adoption of a Pittsburgh Power Company Resolution for Approval of the Budget for Fiscal Year 2017-18 for the Pittsburgh Power Company and Appropriation of Funds for Fiscal Year 2017-18

On motion by Member Killings, seconded by Vice Mayor Longmire, to adopt and carried unanimously.

24. Adoption of a GHAD II Resolution for Approval of the Budget for Fiscal Year 2017-18 for the Southwest Pittsburgh Geologic Hazard Abatement District II (GHAD II) and Appropriation of Funds for Fiscal Year 2017-18

On motion by Vice Mayor Longmire, seconded by Member Killings, to adopt and carried unanimously.

25. Adoption of a Pittsburgh Arts and Community Foundation Resolution to Approve the Budget for Fiscal Year 2017-18 Appropriation of Funds for Fiscal Year 2017-18 and Accept the 5-Year Financial Plan

On motion by Member Banales, seconded by Vice Mayor Longmire, to adopt and carried unanimously.

26. Adoption of a City Council Resolution to Amend the Elected Officials Benefits Schedule

On motion by Member Killings, seconded by Member Evola, to adopt and carried unanimously.

27. By Minute Order, Select Commission Appointments to Vacancies on the Community Advisory Commission and Planning Commission

On motion by Mayor Craft, seconded by Member Banales, to appoint Oliver Guerrero to the Planning Commission and carried unanimously.

On motion by Vice Mayor Longmire, seconded by Member Killings, to appoint Elissa Robinson to the Planning Commission and carried unanimously.

On motion by Member Banales, seconded by Vice Mayor Longmire, to appoint Durie Foster, Jr. to the Planning Commission and carried unanimously.

On motion by Vice Mayor Longmire, seconded by Member Evola, to appoint Jeremy Ward to the Planning Commission and carried unanimously.

On motion by Vice Mayor Longmire, seconded by Member Banales, to appoint Dennisha Marsh, Daniel O'Hara, Christopher Moreno, and Veronica Pope to the Community Advisory Commission and carried unanimously.

### **COUNCIL MEMBER REPORTS/REMARKS**

Member Evola noted the number of complaints he has received regarding illegal fireworks and would like to pursue a more comprehensive ordinance against them.

Mayor Craft attended the Juneteenth event at City Park and noted the upcoming bocce league at John Buckley Square.

### **ADJOURNMENT**

The City Council meeting was adjourned at 8:01 P.M. to July 17, 2017.

Respectfully submitted,

Alice E. Evenson, City Clerk



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR  
65 Civic Avenue  
Pittsburg, CA 94565**

**DATE:** 6/6/2017

**TO:** Mayor and Council Members

**FROM:** Joe Sbranti, City Manager

**SUBJECT:** Adoption of a City Council Resolution to Approve the Business Improvement District Contract for Fiscal Year 2017-2018 by and Between the City of Pittsburg and the Pittsburg Chamber of Commerce

**MEETING DATE:** 7/17/2017

**EXECUTIVE SUMMARY**

The City and the Pittsburg Chamber of Commerce (Chamber) propose to enter into a Business Improvement District (BID) contract for fiscal year 2017-2018 for specific services to be provided to the City by the Chamber.

**FISCAL IMPACT**

The total cost of the BID contract is \$43,000. The scope of services is detailed in Exhibit A and attached to the BID contract. A portion of the business improvement tax collected is used to fund the BID contract and therefore, does not impact the City's general fund.

**RECOMMENDATION**

City Council adopt the resolution approving the BID contract for an amount not to exceed \$43,000.

**BACKGROUND**

In 1972, the Chamber was designated as the advisory board for the Business Improvement Area, now known as the BID. The advisory board's role was to advise the City and provide recommendations as to how the business improvement tax is to be used. Since the inception of the BID, the City and the Chamber have shared the business improvement tax collected and the Chamber has used the funds to promote, retain, and attract businesses to the City and develop programs that support local businesses. Because all licensed businesses pay the business improvement tax, the City's direction to the Chamber has been to provide support to all Pittsburg businesses and not just businesses who are Chamber members.

In 1999, the relationship between the City and the Chamber was formalized into a service contract for specific services to be performed by the Chamber during a fiscal year that benefited the Pittsburg's business community.

### **SUBCOMMITTEE FINDINGS**

Not Applicable.

### **STAFF ANALYSIS**

The City and the Chamber have worked together to develop the scope of services to ensure that its goals are aligned and that the proposed services identified in the scope of services meet the City's needs.

The scope of services includes: 1) meetings with City staff and businesses; 2) a variety of classes to help businesses; 3) business mentorship and outreach; 4) business retention and visits; 5) coordinate an adult career fair; 6) coordinate manufacturing day and plant tours; 7) workshops; and 8) public policy meetings. Complete descriptions of the efforts in the scope of services are detailed in Exhibit A of the BID contract.

The Chamber will submit invoices to the City for services rendered and will be paid based on completed service. The BID contract will commence from July 1, 2017 and expire June 30, 2018.

ATTACHMENTS:     Resolution  
                              BID Contract

Report Prepared By: Melaine Venenciano, Administrative Analyst II

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

Adoption of a City Council Resolution to Approve the )  
Business Improvement District Contract for Fiscal Year ) RESOLUTION NO. 17-  
2017-2018 by and Between the City of Pittsburgh and )  
The Pittsburgh Chamber of Commerce )

The Pittsburgh City Council DOES RESOLVE as follows:

WHEREAS, in 1972, the Pittsburgh Chamber of Commerce (Chamber) was designated as the advisory board for the Business Improvement Area, now known as the Business Improvement District (BID); and

WHEREAS, the advisory board's role was to advise the City and provide recommendations as to how the business improvement tax is to be used; and

WHEREAS, since the inception of the BID, the City and the Chamber have shared the business improvement tax collected and the Chamber has used the funds to promote, retain, and attract businesses to the City and develop programs that support local businesses. Because all licensed businesses pay the business improvement tax, the City's direction to the Chamber has been to provide support to all Pittsburgh businesses and not just businesses who are Chamber members; and

WHEREAS, in 1999, the relationship between the City and the Chamber was formalized into a service contract for specific services to be performed by the Chamber during a fiscal year that benefited the Pittsburgh's business community; and

WHEREAS, the City and the Chamber propose to enter into a BID contract for fiscal year 2017-2018 for specific services to be provided to the City by the Chamber.

NOW THEREFORE, the City Council finds and determines as follows:

Section 1.

All the recitals above are true and correct and incorporated herein.

Section 2.

City Council hereby approves this Resolution and approves the BID contract for an amount not to exceed \$43,000.

Section 3.

The City Manager is hereby authorized to take such further actions as may be necessary or appropriate to carry out the City's obligations pursuant to this Resolution.

Section 4.

The City Clerk shall certify to the adoption of this Resolution.

Section 5.

This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Pittsburgh at a regular meeting on the 17th day of July 2017, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

\_\_\_\_\_  
Marilyn Craft

ATTEST:

\_\_\_\_\_  
Alice E. Evenson, City Clerk



**BUSINESS IMPROVEMENT DISTRICT CONTRACT BY AND BETWEEN  
THE CITY OF PITTSBURG AND PITTSBURG CHAMBER OF COMMERCE**

THIS CONTRACT is made on July 1, 2017 (Contract Date), by and between the City of Pittsburgh (City) and the Pittsburgh Chamber of Commerce (Chamber).

WITNESSETH:

WHEREAS, the City proposes to enlist the services of the Chamber to promote, retain, attract, and support the businesses in Pittsburgh; and

WHEREAS, the Chamber presented a proposal for such services to the City and is duly licensed, qualified, and experienced to perform those services.

NOW, THEREFORE, the parties hereto mutually agree as follows:

I. SCOPE OF SERVICES:

A. Chamber shall do all work, attend all meetings, produce all reports and carry out all activities necessary to completion of the services described in the scope of services, attached hereto and incorporated herein by this reference as Exhibit A. This Contract and its exhibits shall be known as the "Contract Documents." Terms set forth in any Contract Document shall be deemed to be incorporated in all Contract Documents as if set forth in full therein. In the event of conflict between terms contained in these Contract Documents, the more specific term shall control. If any portion of the Contract Documents shall be in conflict with any other portion, provisions contained in the Contract shall govern over conflicting provisions contained in the exhibits to the Contract.

B. Chamber enters into this Contract as an independent contractor and not as an employee of the City. The Chamber shall have no power or authority by this Contract to bind the City in any respect. Nothing in this Contract shall be construed to be inconsistent with this relationship or status. All employees, agents, contractors or subcontractors hired or retained by the Chamber are employees, agents, contractors or subcontractors of the Chamber and not of the City. The City shall not be obligated in any way to pay any wage claims or other claims made against Chamber by any such employees, agents, contractors or subcontractors, or any other person resulting from performance of this Contract.

C. The Chamber agrees it has satisfied itself by its own investigation and research regarding the conditions affecting the work to be done and labor and materials needed, and that its decision to execute this Contract is based on such independent investigation and research.

II. TIME OF PERFORMANCE:

The following time schedule shall be followed:

A. The services of Chamber are to commence upon the Contract Date and shall expire on June 30, 2018.

III. COMPENSATION:

A. The Chamber shall be paid for the actual fees, costs and expenses for all time and materials required and expended, pursuant to scope of services but in no event shall total compensation exceed Forty Three Thousand (\$43,000) without City's prior written approval.

B. Said amount shall be paid upon submittal of an invoice detailing the charges and/or reimbursable expenses.

C. If the work is halted at the request of the City, compensation shall be based upon the proportion that the work performed.

IV. TERMINATION:

This Contract may be terminated, without cause, at any time by the City with 30 days' written notice. Upon receipt of such notice, Chamber shall cease all work under this Contract. In the event of any such termination, the Chamber shall be compensated as provided for in this Contract. Upon such termination, the City shall be entitled to all work, including but not limited to, appraisals, inventories, studies, analyses, drawings and data estimates performed to that date in accordance with Section VII hereof. The obligations of paragraph/section XV of this Contract relating to Chamber's obligations to defend and indemnify the City and City shall survive any termination of this Contract.

Notwithstanding any provisions of this Contract, the Chamber shall not be relieved of liability to the City or City for damages sustained by the City or City by virtue of any breach of this Contract by the Chamber, and the City may withhold any payments due to Chamber until such time as the exact amount of damages, if any, due the City from the Chamber is determined.

V. CHANGES:

The City may, from time to time, request changes in the scope of work to be performed hereunder. Such changes, including any increase or decrease in the amount of Chamber's compensation and/or changes in the schedule must be authorized in advance by the City in writing. Mutually agreed changes shall be incorporated in written amendments to this Contract, or the attached scope of services.

VI. PROPERTY OF CITY:

It is mutually agreed that all materials prepared by the Chamber under this Contract shall become the property of the City, and the Chamber shall have no property right therein whatsoever. Immediately upon termination, the City shall be entitled to, and the Chamber shall deliver to the City, all data, drawings, specifications, reports, estimates, summaries and other such materials and commission as may have been prepared or accumulated to date by the Chamber in performing this Contract which is not Chamber's privileged information, as defined by law, or Chamber's personnel information.

VII. COMPLIANCE WITH LOCAL LAW:

Chamber shall comply with all applicable laws, ordinances, and codes of federal, state and local governments, and shall commit no trespass on any public or private property in performing any of the work authorized by this Contract.

VIII. WARRANTY:

Chamber agrees and represents that it is qualified to properly provide the services set forth in Exhibit A in a manner which is consistent with the generally accepted standards of Chamber's profession. Chamber further represents and agrees that it will perform said services in a legally adequate manner in conformance with applicable federal, state and local laws and guidelines.

IX. SUBCONTRACTING:

Except as set forth in Exhibit A for work to be performed, no other services covered by this Contract shall be subcontracted without the prior written consent of the City, which will not be unreasonably withheld. Chamber shall be as fully responsible to the City for the negligent acts and omissions of its contractors and subcontractors, and of persons either directly or indirectly employed by them, as it is for the negligent acts and omissions of persons directly employed by Chamber.

X. ASSIGNABILITY:

Chamber shall not assign or transfer any interest in this Contract whether by assignment or novation, without the prior written consent of the City which will not be unreasonably withheld. However, claims for money due or to become due to the Chamber from the City under this Contract may be assigned to a financial institution or to a trustee in bankruptcy, without such approval. Chamber shall promptly furnish notice of any assignment or transfer, whether voluntary or involuntary, in writing to the City.

XI. INTEREST IN CONTRACT:

Chamber covenants that neither it, nor any of its employees, agents, contractors, subcontractors has any interest, nor shall they acquire any interest, direct or indirect, in

the subject of the Contract, nor any other interest which would conflict in any manner or degree with the performance of its services hereunder.

Chamber shall make all disclosures required by the City's conflict of interest code in accordance with the category designated by the City, unless the City Manager determines in writing that Chamber's duties are more limited in scope than is warranted by the category designated by the City code and that a narrower disclosure category should apply. Chamber also agrees to make disclosure in compliance with the City conflict of interest code if, at any time after the execution of this agreement, City determines and notifies Chamber in writing that Chamber's duties under this agreement warrant greater disclosure by Chamber than was originally contemplated. Chamber shall make disclosures in the time, place and manner set forth in the conflict of interest code and as directed by the City.

## XII. CONFIDENTIAL MATERIALS:

All of the materials prepared or assembled by Chamber pursuant to performance of this Contract are confidential and Chamber agrees that they shall not be made available to any individual or organization without the prior written approval of the City, except by court order.

## XIII. LIABILITY OF CHAMBER-NEGLIGENCE:

Chamber shall be responsible for performing the work under this Contract in a manner which is consistent with the generally accepted standards of the Chamber's profession and shall be liable for its own negligence and the negligent acts of its employees, agents, contractors and subcontractors. The City shall have no right of control over the manner in which the work is to be done but only as to its outcome, and shall not be charged with the responsibility of preventing risk to Chamber or its employees, agents, contractors or subcontractors.

## XIV. INDEMNITY AND LITIGATION COSTS:

Chamber shall indemnify, defend, and hold harmless the City, its officers, officials, agents, and employees from and against any and all claims, damages, demands, liability, costs, losses and expenses, including without limitation court costs and reasonable attorneys' fees arising out of or in connection with Chamber's negligent performance of work hereunder or its negligent failure to comply with any of its obligations contained in the Contract Documents.

## XVI. CHAMBER TO PROVIDE INSURANCE:

A. Chamber shall not commence any work before obtaining, and shall maintain in force at all times during the duration and performance of this Contract the policies of insurance specified in this Section. Such insurance must have the approval of the City as to limit, form, and amount, and shall be placed with insurers with a current A.M. Best's rating of no less than A:VII.

B. Prior to execution of this agreement and prior to commencement of any work, the Chamber shall furnish the City with original endorsements effecting coverage for all policies required by the Contract. The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. The endorsements are to be on forms acceptable to the City. At the City's discretion, the City may require complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by this Section. If the City requests, the Chamber will furnish one copy of each required policy to the City, and additional copies if requested in writing, certified by an authorized representative of the insurer. Approval of the insurance by the City shall not relieve or decrease any liability of Chamber.

C. In the case of the professional liability insurance required by this Section, the Chamber's insurer will provide a complete, certified copy of the policy if so requested by the City.

D. In addition to any other remedy the City may have, if Chamber fails to maintain the insurance coverage as required in this Section, the City may obtain such insurance coverage as is not being maintained, in form and amount substantially the same as is required herein, and the City may deduct the cost of such insurance from any amounts due or which may become due Chamber under this Contract.

E. Each insurance policy required by this Contract shall be endorsed to state that coverage shall not be suspended, voided, canceled, terminated by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City.

F. Any deductibles must be declared to, and approved by, the City.

G. The requirement as to types, limits, and the City's approval of insurance coverage to be maintained by Chamber are not intended to, and shall not in any manner, limit or qualify the liabilities and obligations assumed by Chamber under the Contract.

H. The Chamber and its contractors and subcontractors shall, at their expense, maintain in effect at all times during the performance or work under the Contract not less than the following coverage and limits of insurance, which shall be maintained with insurers and under forms of policy satisfactory to the City. The maintenance by Chamber and its contractors and subcontractors of the following coverage and limits of insurance is a material element of this Contract. The failure of Chamber or of any of its contractors or subcontractors to maintain or renew coverage or to provide evidence of renewal may be treated by the City as a material breach of this Contract.

1. Workers' Compensation and Employer's Liability Insurance.

a. Workers' Compensation - Insurance to protect the Chamber, its contractors and subcontractors from all claims under Worker's Compensation and

Employer's Liability Acts, including Longshoremen's and Harbor Worker's Act ("Acts"), if applicable. Such coverage shall be maintained, in type and amount, in strict compliance with all applicable state and federal statutes and regulations. The Chamber shall execute a certificate in compliance with Labor Code Section 1861, on the form provided in the Contract Documents.

b. Claims Against City- If an injury occurs to any employee of the Chamber for which the employee or his/her dependents, in the event of his/her death, may be entitled to compensation from the City under the provisions of said Acts, for which compensation is claimed from the City, there will be retained out of the sums due the Chamber under this Contract, an amount sufficient to cover such compensation as fixed by said Acts, until such compensation is paid or it is determined that no compensation is due. If the City is required to pay such compensation, the amount so paid will be deducted and retained from such sums due, or to become due to the Chamber.

2. Comprehensive General and Automobile Liability Insurance.

The insurance shall include, but shall not be limited to, protection against claims arising from death, bodily or personal injury, or damage to property resulting from actions, failures to act, or operations of the insured, or by its employees or agents, or by anyone directly or indirectly employed by the insured. The amount of insurance coverage shall not be less than \$1,000,000.00 or more per occurrence.

The comprehensive general and automobile liability insurance coverage shall also include, or be endorsed to include, the following:

a. Provision or endorsement naming the City and each of its officers, officials, employees, agents, and volunteers, as additional insureds in regards to: liability arising out of the performance of any work under the Contract; liability arising out of activities performed by or on behalf of the Chamber; premises owned, occupied or used by the Chamber; or automobiles owned, leased, hired or borrowed by the Chamber. The coverage shall contain no special limitations on the scope of protection afforded to the City, its officers, officials, employees, agents, or volunteers.

b. Provision or endorsement stating that for any claims related to this project, the Chamber's insurance coverage shall be primary insurance as respects to the City, its officers, officials, employees, agents, and volunteers to the extent the City is an additional insured. Any insurance or self insurance maintained by the City, its officers, officials, employees, agents, or volunteers shall be in excess of the Chamber's insurance and shall not contribute with it.

c. Provision or endorsement stating that any failure to comply with reporting or other provisions of the policies including breaches of representations shall not affect coverage provided to the City, its officers, officials, employees, agents, or volunteers.

d. Provision or endorsement stating that the Chamber's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

e. Provision or endorsement stating that such insurance, subject to all of its other terms and conditions, applies to the liability assumed by the Chamber under the Contract, including, without limitation, that set forth in Section XV, Indemnity and Litigation Costs.

### 3. Professional Liability.

The Chamber and its contractors and subcontractors shall secure and maintain in full force, during the term of this Contract professional liability insurance policies appropriate to the respective professions and the work to be performed as specified in this Contract. The limits of such professional liability insurance coverage shall not be less than \$1,000,000 or more per claim.

## XVII. MISCELLANEOUS PROVISIONS:

A. The Chamber shall designate a lead person (Lead) who at all times shall represent the Chamber before the City on all matters relating to this Contract. The Lead shall continue in such capacity unless and until he or she is removed at the request of the City, is no longer employed by Chamber, or replaced with the written approval of the City, which approval shall not be unreasonably withheld.

B. The Chamber shall keep itself fully informed of, shall observe and comply with, and shall cause any and all persons, firms or corporations employed by it or under its control to observe and comply with, applicable federal, state, county and municipal laws, ordinances, regulations, orders and decrees which in any manner affect those engaged or employed on the work described by this Contract or the materials used or which in any way affect the conduct of the work.

C. Chamber shall not engage in unlawful employment discrimination. Such unlawful employment discrimination includes, but is not limited to, employment discrimination based upon a person's race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, gender, citizenship or sexual orientation.

D. The Chamber shall maintain and make available for inspection by the City and its auditors accurate records of all of its costs, disbursements and receipts with respect to any work under this Contract. Such inspections may be made during regular office hours at any time until six (6) months after the final payments under this Contract are made to the Chamber.

E. This Contract constitutes the entire agreement between the parties relative to the services specified herein and no modification hereof shall be effective unless and until such modification is evidenced by a writing signed by both parties to this Contract. There are no understandings, agreements, conditions, representations,

warranties or promises, with respect to this Contract, except those contained in or referred to in the writing.

F. All notices that are required to be given by one party to the other under this Contract shall be in writing and shall be deemed to have been given if delivered personally or enclosed in a properly addressed envelope and deposited in a United States Post Office for delivery by registered or certified mail addressed to the parties at the following addresses:

City: City of Pittsburg  
65 Civic Avenue  
Pittsburg, CA 94565  
ATTN: Joe Sbranti

Chamber: Pittsburg Chamber of Commerce  
985 Railroad Avenue  
Pittsburg, CA 94565  
ATTN: Monica Couture

G. This Contract shall be interpreted and governed by the laws of the State of California.

H. Any action arising out of this Contract shall be brought in Contra Costa County, California, regardless of where else venue may lie.

I. In any action brought by either party to enforce the terms of this Contract, the prevailing party shall be entitled to recover its reasonable attorney's fees.

Executed the day and year first above written, by the parties as follows.

CITY

CHAMBER

By: \_\_\_\_\_  
Joe Sbranti

By: \_\_\_\_\_

Title: City Manager

Title: \_\_\_\_\_

APPROVED AS TO FORM:

By: \_\_\_\_\_

Title: City Attorney



## **CERTIFICATE OF COMPLIANCE WITH LABOR CODE § 3700**

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

CHAMBER

By: \_\_\_\_\_

Title: \_\_\_\_\_

## EXHIBIT A

### Scope of Services

| Task                                                                                                                                         | Activity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | BID                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| <b>Community Outreach</b><br>Conduct meeting(s)                                                                                              | *Discuss City projects and programs (businesses will have an opportunity to raise their concerns and asks questions.<br>*These will be attended by City staff.                                                                                                                                                                                                                                                                                                                                            | <b>"Meet &amp; Greet"</b><br>Meet with City Staff, Pittsburg PD, PCC Board, and CEOs |
| <b>Workforce Development</b><br>Conduct a "Keep It Local Pittsburg" (Adult Career Fair) in collaboration with Pittsburg Adult Ed, LMC & PUSD | *Host/Coordinate the event<br>*Submit flyer.<br>*Invite local companies & businesses to highlight local job opportunities for Pittsburg residents.                                                                                                                                                                                                                                                                                                                                                        | <b>Keep It Local Pittsburg-Adult Career Fair</b>                                     |
| <b>Workforce Development Small Business Outreach</b><br>Conduct classes on business education                                                | *Conduct 1-2 hour courses:<br>1) How to create a business plan.<br>2) How to obtain a business loan.<br>3) How to obtain license/permits (business license, Health Department, fictitious name, ABC) <i>(This meeting may include a tour of City Hall &amp; services offered)</i><br>4) How to market your business.<br>5) How to purchase a business.<br>6) How to succeed in business.<br><i>(Topics can vary but must be educational and focus on business)</i><br>*Submit flyer and event collateral. | <b>Professional Development Workshops</b>                                            |
| <b>Workforce Development Big Business Outreach</b><br>National Manufacturing Day                                                             | In collaboration with PUSD, LMC and Contra Costa County, Chamber will help to coordinate classic MFG DAY event and local plant tours designed to expose students/residents to present-day manufacturing while showcasing manufacturing in a positive light.<br>*Provide flyers, list of participating businesses and event collateral.                                                                                                                                                                    | <b>Keep It Local MFG Day</b>                                                         |
| <b>Workforce Development</b><br>Member to Member Business Development Workshops                                                              | Member-led workshops showcase member companies and provide relevant, insightful presentations to fellow members. Topics cover a wide range of industries and services. Workshops are held at the Chamber as well as sponsored business locations.<br>*Provide flyers and or meeting agendas and collateral.                                                                                                                                                                                               | <b>Peer to Peer Workshops</b>                                                        |
| <b>Economic Development</b><br>Business guidance meetings.                                                                                   | Conduct one-on-one meetings with businesses to hear/discuss concerns or provide direction (with purpose of assisting in business growth and development).<br><i>(All chamber members will be entitled to 1 yearly SBDC Business Mentor Meeting)</i><br>*A list of participating businesses will be provided.                                                                                                                                                                                              | <b>One-on-One SBDC/BDM</b>                                                           |
| <b>Economic Development</b><br>"Business Walks"<br>Business retention and visits to local businesses                                         | Conduct City-Wide "Business Walks"<br>*Submit a list of businesses visited and provide brief narratives.                                                                                                                                                                                                                                                                                                                                                                                                  | <b>"Business Walks" Business Outreach</b>                                            |
| <b>Business Advocacy</b><br>Public Policy                                                                                                    | Chamber to be actively involved in legislative issues that actively impact Pittsburg businesses and hold meetings when issues arise.<br>*Provide flyers and or meeting agendas and collateral.                                                                                                                                                                                                                                                                                                            | <b>Public Policy Meetings</b>                                                        |



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR  
65 Civic Avenue  
Pittsburg, CA 94565**

**DATE:** 6/19/2017  
**TO:** Mayor and Council Members  
**FROM:** Joe Sbranti, City Manager  
**SUBJECT:** Adoption of a City Council Resolution Designating a Voting Delegate at the League of California Cities Annual Conference in September 2017  
**MEETING DATE:** 7/17/2017

**EXECUTIVE SUMMARY**

The League of California Cities requires Council action no later than July 31, 2017 to appoint a voting delegate for the City of Pittsburg at their Annual Conference to be held September 13-15, 2017 in Sacramento, California.

**FISCAL IMPACT**

There is no fiscal impact.

**RECOMMENDATION**

Adopt the attached Resolution designating Mayor Marilyn Craft as the City of Pittsburg's voting delegate at the League of California Cities Annual Conference in September 2017.

**BACKGROUND**

Attached is a copy of the notice received from the League of California Cities.

**SUBCOMMITTEE FINDINGS**

Not applicable.

**STAFF ANALYSIS**

Mayor Craft is fully registered to attend the League of California Cities Annual Conference this year.

**ATTACHMENTS:** Resolution

Notice from League of California Cities

Report Prepared By: Alice E. Evenson, City Clerk

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

|                                       |   |                    |
|---------------------------------------|---|--------------------|
| Adoption of a City Council Resolution | ) |                    |
| Designating a Voting Delegate at the  | ) | RESOLUTION NO. 17- |
| League of California Cities Annual    | ) |                    |
| Conference in Sacramento, California  | ) |                    |
| <u>September 13-15, 2017</u>          | ) |                    |

The City Council of the City of Pittsburg DOES RESOLVE as follows:

WHEREAS, in order to vote at the League of California Cities 2017 Annual Conference Annual Business Meeting in Sacramento, California, voting delegates and alternates must be designated by the City Council; and

WHEREAS, Mayor Marilyn Craft is registered to attend the League of California Cities 2017 Annual Conference and Annual Business Meeting and should therefore be appointed the City of Pittsburg's voting delegate.

NOW, THEREFORE, the City Council of the City of Pittsburg, California, finds and determines as follows:

Section 1. Findings

- A. The recitals set forth are true and correct statements.
- B. Mayor Marilyn Craft is hereby appointed the City of Pittsburg's voting delegate at the League of California Cities 2017 Annual Conference and Annual Business Meeting in Sacramento.

PASSED AND ADOPTED by the City Council of the City of Pittsburg, at a regular meeting on the 17<sup>th</sup> day of July, 2017, by the following vote:

AYES:  
NOES:  
ABSTAINED:  
ABSENT:

Marilyn Craft, Mayor

ATTEST:

Alice E. Evenson, City Clerk



1400 K Street, Suite 400 • Sacramento, California 95814  
Phone: 916.658.8200 Fax: 916.658.8240  
[www.cacities.org](http://www.cacities.org)

|                                                |
|------------------------------------------------|
| <b>Council Action Advised by July 31, 2017</b> |
|------------------------------------------------|

May 3, 2017

**TO: Mayors, City Managers and City Clerks**

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES  
League of California Cities Annual Conference – September 13 – 15, Sacramento**

The League's 2017 Annual Conference is scheduled for September 13 – 15 in Sacramento. An important part of the Annual Conference is the Annual Business Meeting (during General Assembly), scheduled for 12:30 p.m. on Friday, September 15, at the Sacramento Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

**Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, September 1, 2017. This will allow us time to establish voting delegate/alternate records prior to the conference.**

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.
- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: [www.cacities.org](http://www.cacities.org). In order to cast a vote, at least one voter must be present at the

Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.
- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the Sacramento Convention Center, will be open at the following times: Wednesday, September 13, 8:00 a.m. – 6:00 p.m.; Thursday, September 14, 7:00 a.m. – 4:00 p.m.; and Friday, September 15, 7:30 a.m.– Noon. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Friday, September 1. If you have questions, please call Carly Shelby at (916) 658-8279.

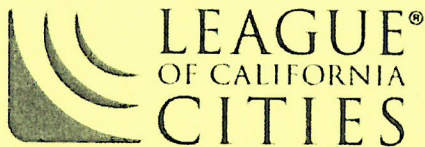
**Attachments:**

- Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

## Annual Conference Voting Procedures

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.





**CITY:** \_\_\_\_\_

**2017 ANNUAL CONFERENCE  
VOTING DELEGATE/ALTERNATE FORM**

**Please complete this form and return it to the League office by Friday, September 1, 2017. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.**

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

**Please note:** Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

**1. VOTING DELEGATE**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**2. VOTING DELEGATE - ALTERNATE**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**3. VOTING DELEGATE - ALTERNATE**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.**

**OR**

**ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).**

Name: \_\_\_\_\_ E-mail: \_\_\_\_\_

Mayor or City Clerk \_\_\_\_\_ Phone: \_\_\_\_\_  
(circle one) (signature)

Date: \_\_\_\_\_

**Please complete and return by Friday, September 1, 2017**

League of California Cities  
ATTN: Carly Shelby  
1400 K Street, 4<sup>th</sup> Floor  
Sacramento, CA 95814

**FAX: (916) 658-8240**  
E-mail: [cshelby@cacities.org](mailto:cshelby@cacities.org)  
(916) 658-8279



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR  
65 Civic Avenue  
Pittsburg, CA 94565**

**DATE:** 6/26/2017

**TO:** Mayor and Council Members

**FROM:** Joe Sbranti, City Manager

**SUBJECT:** Adoption of a City Council Resolution Approving the Fourth Amendment to the Contract with Raney Planning & Management, Inc. for the Preparation of the Southwest Hills/Faria Annexation Environmental Impact Report

**MEETING DATE:** 7/17/2017

**EXECUTIVE SUMMARY**

In November 2013, the City contracted with Raney Planning & Management, Inc. (consultant) to prepare an Environmental Impact Report (EIR) for the Southwest Hills/Faria Annexation Project. In March 2014, February 2015, and March 2017, respectively, the City and the consultant executed first, second, and third contract amendments raising the consultant's budget to \$260,456. The consultant has now requested a fourth contract amendment for an additional \$143,291 which is needed to address concerns raised during the second Notice of Preparation (NOP) comment period related to aesthetics, biological resources, cultural resources, the previously prepared traffic study, hydrology/water quality, and recreation impacts.

**FISCAL IMPACT**

If authorized by City Council, the City Manager will execute a fourth contract amendment to increase the consultant's budget for completion of the Southwest Hills/Faria Annexation EIR by \$143,291, which would bring the total contract amount to \$403,747. The applicant has agreed to deposit the additional funds with the City upon execution of a fourth contract amendment. The additional funds would be deposited into Refundable Deposit Account No. 6016, and any unspent funds would be returned to the applicant after the City Council makes a final decision on the project.

**RECOMMENDATION**

City Council adopt the attached resolution authorizing execution of the Fourth Amendment to the Contract with Raney Planning & Management, Inc. for preparation of the Southwest Hills/Faria Annexation EIR.

## **BACKGROUND**

On September 24, 2010, Louis Parsons, on behalf of Faria Land Investors, LLC., submitted Planning Application No. 10-717, requesting annexation of approximately 607 acres into the City of Pittsburg for a future subdivision which could include up to 1,500 residential units. The project site is located within the Pittsburg General Plan's Southwest Hills planning subarea and is generally bounded by vacant rolling hills with Bailey Road to the east, the former Concord Naval Weapons Station to the south and west, and the San Marco and Vista Del Mar Residential Subdivisions to the north and northeast.

On November 1, 2013, the City entered into a \$210,581 contract with Raney Planning & Management, Inc. to prepare an EIR for the proposed project (see Attachment 3). In March 2014 and February 2015, respectively, the City and the consultant executed a first and second contract amendment in order to expand the scope of the traffic study to be included in the EIR. Together, the contract amendments raised the consultant's budget for the Southwest Hills/Faria Annexation EIR to \$220,395.

During preparation of the Administrative Draft EIR, the applicant requested that the City add consideration of a General Plan Amendment and Master Plan Overlay District to the project. The requested General Plan Amendment would increase the amount of land currently designated for open space and the Master Plan Overlay District would, among other things, identify the maximum extent of future development, establish a setback from the Pittsburg-Concord Ridgeline, and define permitted uses, densities, development regulations, and design guidelines for future development.

On March 6, 2017, the City and the consultant executed a third contract amendment in order to further revise the Administrative Draft EIR and include an analysis of the requested General Plan Amendment and Master Plan Overlay District, raising the consultant's contract budget for the EIR to \$260,456.

On March 9, 2017, the City released a second NOP soliciting comments on the scope and content of the EIR. Several comment letters were received requesting that additional analysis be included relative to potential aesthetics, biological resources, transportation/traffic, cultural resources, hydrology and water quality, and recreation impacts. The consultant has requested a \$143,291 contract increase to address the NOP comments and complete the Administrative Draft EIR by preparing photo simulations of the project, a new biological resources report, a cultural resources report, and an updated traffic study (see Scope of Work included with Attachment 2). The applicant reviewed the requested increase and has agreed to deposit the additional funds with the City upon execution of a fourth contract amendment.

## **SUBCOMMITTEE FINDINGS**

Not applicable.

## **STAFF ANALYSIS**

The consultant has requested an additional \$143,291 to address the NOP comments and complete the Administrative Draft EIR by performing the additional analysis mentioned above. The applicant has agreed to deposit the additional funds, and as such, it is recommended that the Council authorize execution of the Fourth Amendment to the

Contract with Raney Planning & Management, Inc. as included in Attachment 2. At this time, staff expects to have a completed Administrative Draft EIR by September 2017.

ATTACHMENTS:     1. Resolution  
2. Proposed Fourth Amendment to the Agreement  
3. Original Contract for CEQA Services, dated March 17, 2014

Report Prepared By: Hector J. Rojas, AICP, Senior Planner

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

|                                                 |   |                        |
|-------------------------------------------------|---|------------------------|
| Allocating Funds and Authorizing                | ) |                        |
| Execution of the Fourth Amendment to the        | ) |                        |
| Contract with Raney Planning &                  | ) | RESOLUTION NO. 17-XXXX |
| Management, Inc. for the Preparation of         | ) |                        |
| <u>the Southwest Hills/Faria Annexation EIR</u> | ) |                        |

The Pittsburg City Council DOES RESOLVE as follows:

WHEREAS, in September 24, 2010, Louis Parsons, on behalf of Faria Land Investors, LLC., submitted Planning Application No. 10-717, requesting annexation of approximately 607 acres into the City of Pittsburg for a future subdivision which could include up to 1,500 residential units. The project site is located within the Pittsburg General Plan's Southwest Hills planning subarea and is generally bounded by vacant rolling hills with Bailey Road to the east, the former Concord Naval Weapons Station to the south and west, and the San Marco and Vista Del Mar Residential Subdivisions to the north and northeast. Assessor's Parcel Nos. 097-180-006, 097-200-002, 097-230-006, 097-240-002, and 097-190-002; and

WHEREAS, before the City can consider such a proposal, the project must be reviewed in accordance with the California Environmental Quality Act (CEQA, Public Resources Code 21000 et seq.), which requires agencies to assess whether a proposed project might have significant impacts on the environment; and,

WHEREAS, on November 1, 2013, the City entered into a \$210,581 contract ("Agreement") with Raney Planning & Management, Inc. to prepare an EIR for the proposed project; and,

WHEREAS, in March 17, 2014 and February 2015, respectively, the City and the consultant executed a first and second contract amendment in order to expand the scope of the traffic study to be included in the EIR, raising the consultant's budget for the EIR to \$220,396; and,

WHEREAS, during preparation of the Administrative Draft EIR, the applicant requested that the City add consideration of a General Plan Amendment and Master Plan Overlay District to the project. The General Plan Amendment would increase the amount of land currently designated for open space and the Master Plan Overlay District would, among other things, identify the maximum extent of future development, establish a setback from the Pittsburg-Concord Ridgeline, and define permitted uses, densities, development regulations, and design guidelines for future development; and,

WHEREAS, in March 6, 2017, the City and the consultant executed a third contract amendment in order to further revise the Administrative Draft EIR and include an analysis of the requested General Plan Amendment and Master Plan Overlay District, raising the consultant's contract budget for the EIR to \$260,456; and

WHEREAS, on March 9, 2017, the City released a second Notice of Preparation (NOP) soliciting comments on the scope and content of the EIR. Several comment letters were received requesting additional analysis be included relative to potential aesthetics, biological resources, transportation/traffic, cultural resources, hydrology and water quality, and recreation impacts;

WHEREAS, on June 5, 2017, the consultant requested a \$143,291 contract increase to address the NOP comments and complete the Administrative Draft EIR by preparing photo simulations of the project, a new biological resources report, a cultural resources report, and an updated traffic study; and

WHEREAS, the applicant reviewed the requested increase and has agreed to deposit the additional funds with the City upon execution of a fourth contract amendment; and,

NOW, THEREFORE, the City Council finds and determines as follows:

Section 1.

The Fourth Amendment to the Agreement with Raney Planning & Management, Inc. for environmental consulting services is approved in an amount not to exceed \$143,291, for additional environmental analysis related to the Southwest Hills/Faria Annexation Project.

Section 2.

The allocation of up to \$143,291 above the previous contract amount (including the past three amendments) of \$260,456, to be deposited by the applicant, is approved for the purpose of reimbursing the City's costs related to the environmental assessment required for the Southwest Hills/Faria Annexation Project.

Section 3.

The City Manager is hereby authorized to execute the Fourth Amendment to the Agreement with Raney Planning & Management, Inc., for environmental consulting services on behalf of the City of Pittsburg, up to the limits specified in Section 2 above.

Section 4.

The Finance Director is hereby authorized to issue a revised purchase order to Raney Planning & Management, Inc. for the above described services to implement the approved Agreement.

Section 5.

This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Pittsburgh at a regular meeting on the 17<sup>th</sup> day of July, 2017, by the following vote:

AYES:

NAYES:

ABSTAIN:

ABSENT:

ATTEST:

---

Marilyn Craft, Mayor

---

Alice E. Evenson, City Clerk



**FOURTH AMENDMENT TO  
CONTRACT FOR ENVIRONMENTAL SERVICES FOR  
THE SOUTHWEST HILLS/FARIA ANNEXATION PROJECT**

**This Fourth Amendment to AGREEMENT** ("Fourth Amendment") is made on this 17th day of July, 2017, ("Fourth Amendment Effective Date") by and between the City of Pittsburg ("City") and Raney Planning & Management, Inc. ("Consultant"), with respect to the matters hereinafter stated.

**RECITALS**

**WHEREAS**, in September 24, 2010, Louis Parsons, on behalf of Faria Land Investors, LLC., submitted Planning Application No. 10-717, requesting annexation of approximately 607 acres into the City of Pittsburg for a future subdivision which could include up to 1,500 residential units. The project site is located within the Pittsburg General Plan's Southwest Hills planning subarea and is generally bounded by vacant rolling hills with Bailey Road to the east, the former Concord Naval Weapons Station to the south and west, and the San Marco and Vista Del Mar Residential Subdivisions to the north and northeast. Assessor's Parcel Nos. 097-180-006, 097-200-002, 097-230-006, 097-240-002, and 097-190-002; and

**WHEREAS**, before the City can consider such a proposal, the project must be reviewed in accordance with the California Environmental Quality Act (CEQA, Public Resources Code 21000 et seq.), which requires agencies to assess whether a proposed project might have significant impacts on the environment; and,

**WHEREAS**, on November 1, 2013, the City entered into a \$210,581 contract ("Agreement") with Raney Planning & Management, Inc. to prepare an EIR for the proposed project; and,

**WHEREAS**, in March 17, 2014 and February 2015, respectively, the City and the consultant executed a first and second contract amendment in order to expand the scope of the traffic study to be included in the EIR, raising the consultant's budget for the EIR to \$220,396; and,

**WHEREAS**, during preparation of the Administrative Draft EIR, the applicant requested that the City add consideration of a General Plan Amendment and Master Plan Overlay District to the project. The General Plan Amendment would increase the amount of land currently designated for open space and the Master Plan Overlay District would, among other things, identify the maximum extent of future development, establish a setback from the Pittsburg-Concord Ridgeline, and define permitted uses, densities, development regulations, and design guidelines for future development; and,

**WHEREAS**, in March 6, 2017, the City and the consultant executed a third contract amendment in order to further revise the Administrative Draft EIR and include an analysis of the requested General Plan Amendment and Master Plan Overlay District, raising the consultant's contract budget for the EIR to \$260,456; and

**WHEREAS**, on March 9, 2017, the City released a second Notice of Preparation (NOP) soliciting comments on the scope and content of the EIR. Several comment letters



were received requesting additional analysis be included relative to potential aesthetics, biological resources, transportation/traffic, cultural resources, hydrology and water quality, and recreation impacts;

**WHEREAS**, on June 5, 2017, the consultant requested a \$143,291 contract increase to address the NOP comments and complete the Administrative Draft EIR by preparing photo simulations of the project, a new biological resources report, a cultural resources report, and an updated traffic study; and

**WHEREAS**, the applicant reviewed the requested increase and has agreed to deposit the additional funds with the City upon execution of a fourth contract amendment; and,

**WHEREAS**, on July 17, 2017, the City Council adopted Resolution No. 17-\_\_\_\_\_, authorizing the City Manager to execute the third contract amendment.

**NOW THEREFORE**, the City and the Consultant, for the considerations hereinafter named, agree as follows:

1. The recitals to this Fourth Amendment are by this reference incorporated herein as though set out in full.
2. Section 3A of the Agreement shall be deleted in its entirety, and the following new Section 3A shall be substituted in its place:

“3. The Consultant shall be paid for the actual fees, costs and expenses for all time and materials required and expended, pursuant to the Cost Proposal contained in Section IV of “Exhibit A,” and pursuant to the Contract Amendment Requests, incorporated herein as “Attachment A” of the First Amendment to the Agreement, “Attachment A” of the Second Amendment to the Agreement, “Attachment A” of the Third Amendment to the Agreement, and “Attachment A” of the Fourth Amendment to the Agreement, but in no event shall total compensation exceed the sum of all four proposals, which is four hundred and three thousand, seven hundred forty seven dollars (\$403,747), without the City’s prior written approval.”

3. Except as otherwise expressly amended or modified herein, the terms and conditions of the Agreement shall remain in full force and effect. Should the validity of this Third Amendment be called in question in litigation or otherwise and determined to be invalid for any reason, such determination shall in no way affect the validity of the Agreement which shall remain in full force and effect in accordance with its original terms.

**IN WITNESS WHEREOF**, the parties hereto have executed the Fourth Amendment to the Agreement effective on the day and year first identified above.

CITY OF PITTSBURG:

By: \_\_\_\_\_

Joe Sbranti, City Manager

CONSULTANT:

By: \_\_\_\_\_

Cindy Gnos, Vice President  
Raney Planning & Management, Inc.

APPROVED AS TO FORM:

By: \_\_\_\_\_

Ruthann Ziegler, City Attorney

ATTEST:

By: \_\_\_\_\_

Alice E. Evenson, City Clerk

**RANEY PLANNING & MANAGEMENT, INC.**  
**CONTRACT AMENDMENT**  
**FARIA ANNEXATION EIR**  
**REQUEST #4**

**Date: June 5, 2017**

This amendment to Faria Annexation EIR (proposed project) contract between the CITY OF PITTSBURG and RANEY PLANNING & MANAGEMENT, INC. (Raney) allows Raney to expand the Second Administrative Draft EIR budget to allow for further analysis not originally expected, hire additional sub-consultants to address Notice of Preparation (NOP) comment letters, and expand the project management budget. This contract amendment is based upon the following tasks:

**Raney Labor**

**Second Administrative Draft EIR .....\$10,955**

Raney will need additional hours to prepare a Second Administrative Draft EIR that addresses the concerns brought forward during the NOP comment letters. The Second Administrative Draft EIR will include hours to revise the Aesthetics Chapter to include the photo simulations and line of sight analysis; hours to redraft the Biological Resources Chapter to include the new biological resources report prepared by Pacific Biology; hours to draft a Cultural Resources Chapter as one was not included in the original Administrative Draft EIR; hours to revise the Noise Chapter based upon the updated noise memo prepared by j.c. brennan; and hours to rewrite the Transportation and Circulation Chapter based upon the new report prepared by Kimley-Horn.

**Project Management.....\$15,895**

Raney has expended nearly 75 percent of the total project management budget due to multiple meetings and conferences. Raney requests hours to allow for Project Director Cindy Gnos, AICP, and Project Manager Rod Stinson to each attend six (6) in-person meetings which includes public hearing attendance, as directed, and a budget to adequately manage the new sub-consultants through the CEQA process.

**Sub-Consultant Expenses**

**VIZf/x .....\$17,820**

Raney proposes to sub-contract with VIZf/x (please see *Attachment A* for a complete scope of work) to prepare eight photo simulations of the proposed residential construction and conduct a line of sight study in order to accurately and adequately respond to comment received during the NOP review period.

**Pacific Biology .....\$14,674**

Raney proposes to sub-contract with Pacific Biology to prepare a new biological resources report (please see *Attachment B* for a complete scope of work). Pacific Biology will be sure to utilize as much information, as applicable, from the previous report prepared by Moore Biological Consultants. Pacific Biology will conduct a database and literature review, conduct a field visit to identify and characterize onsite and surrounding habitats, and compile the results into a report that will include methodology and results of background database searches/field survey, discussions of onsite habitats and species, potential significant impacts, potential state and federal jurisdictional wetlands and waters present, and feasible mitigations, as well as a discuss of necessary biological permits and supporting visual graphics.

**WSA, Inc. ....\$21,654**

Raney understands that the applicant wishes to begin the permitting process necessitating the need to comply with regulations pursuant to Section 106. Raney proposes to sub-contract with WSA, Inc. for the preparation of a cultural resources report pursuant to the requirements of Section 106 (please see *Attachment C* for a complete scope of work).

**Kimley-Horn.....\$60,093**

Kimley-Horn worked on the traffic study for the project in 2013 and since then, the City has released a new NOP requiring the old traffic study be updated. Raney proposes to sub-contract with Kimley-Horn (please see *Attachment D* for a complete scope of work) to prepare an updated traffic study requiring new traffic counts because the pervious traffic counts are more than two years old.

**j.c. brennan & associates ..... NTE \$2,200**

Raney has included a budget for j.c. brennan & associates (j.c. brennan) to prepare an update noise memo of the noise analysis previously prepared for the proposed project due to outcome of the updated traffic report. Raney has included a not-to-exceed budget because it is impossible to know the level of revisions necessary until the traffic analysis has been completed. If the traffic volumes do not change or alter slightly causing no significant impact to the previous analysis, j.c. brennan would prepare a quick letter memo and bill on a time-and-materials basis. If the traffic volumes greatly change, j.c. brennan would need to rerun noise models and prepare a memo highlighting the changes in noise impacts, billing on time-and-materials, not-to-exceed \$2,000. These budget amounts are based on verbal estimates provided by j.c. brennan. Once updated traffic data is provided, j.c. brennan will provide a detailed scope of work.

#### **COST ESTIMATE**

Raney's original contract amount was \$210,581. Contract Amendment #1 added a total of \$4,840 for a revised total of \$215,421. Contract Amendment #2 added a total of \$4,975 for a revised total of \$220,396. Contract Amendment #3 added a total of \$40,060 for a revised total of \$260,456. This Contract Amendment #4 would add \$143,291 and would allow for Raney to expand the Second Administrative Draft EIR budget to allow for further analysis not originally expected, hire additional sub-consultants to address Notice of Preparation (NOP) comment letters, and expand the project management budget. The additional services pursuant to this contract amendment would add \$143,291 to the previous total of \$260,456 for a revised total of \$403,747.

BOTH CITY OF PITTSBURG AND RANEY PLANNING AND MANAGEMENT, INC. HEREBY RECOGNIZE AND CONSENT TO THE AMENDMENT OF THE CONTRACT TO INCLUDE THE ADDITIONAL SERVICES AND ACCOMPANYING COSTS OUTLINED IN THIS SCOPE OF WORK DATED JUNE 5, 2017.

\_\_\_\_\_  
Kristin Vahl Pollot, AICP  
City of Pittsburgh

\_\_\_\_\_  
Date

\_\_\_\_\_  
Cindy Gnos, Senior Vice President  
Raney Planning & Management, Inc.

\_\_\_\_\_  
Date

# **ATTACHMENT A:**

**VIZF/X**

**SCOPE OF WORK**

# **SCOPE OF WORK for VISUAL SIMULATIONS TASK AS A PART OF AN EIR /**

## **City of Pittsburgh / Faria Annexation Project**

### **Scope of Work**

VIZf/x (under the direction of Raney Planning and Management, Inc) will work with City Staff and other members of the design team (The Team) to select base image locations that address the goals of the planned residential construction. The base image locations will be specific to up to four possible locations near the project site. Additionally, our firm may provide visual studies including line of sight studies and further visual impact analysis.

### **Process**

VIZf/x anticipates attendance at a kick-off meeting to be held with City Staff. Additionally, we anticipate a one hour field meeting with appropriate members of The Team to walk portions of Project Area. and formalize the selection of four representative areas which can be used to depict the overall character of the completed project. We will work with planners and landscape designers on the team to address specific solutions outlined in the proposed design solution. VIZf/x will create a computer model of the proposed construction based on plans provided by the applicant. The computer model will be used exclusively for the photo simulations and analysis of the potential visual impacts of the proposed project.

### **Visual Simulations - Visual Impact Analysis**

After capture of base photos we will provide electronic representations of our recommended images. Raney Planning and Management, Inc together with City Staff will be responsible to narrow these to up to eight images for simulations. VIZf/x will create photo simulations of the proposed residential construction with landscaping at an estimated 5 year maturity. The photo simulations will be created as accurate computer generated perspective views composited to the selected base photos.

Additionally, VIZf/x will work with The Team to analyze the visual impacts of the proposed project. This analysis may include 3 dimensional site sections to study line of sight, reverse terrain study to show which area of the proposed development may be visible from surrounding areas.

## Similar Projects

Together with Raney Planning and Management Inc, VIZf/x has completed the visual simulations for several projects. VIZf/x has been privileged to act as sub consultant to Raney Planning and Management for the preparation of visual and aesthetic environmental documents for more than 15 years. Below are examples of images created for similar projects by our firm.



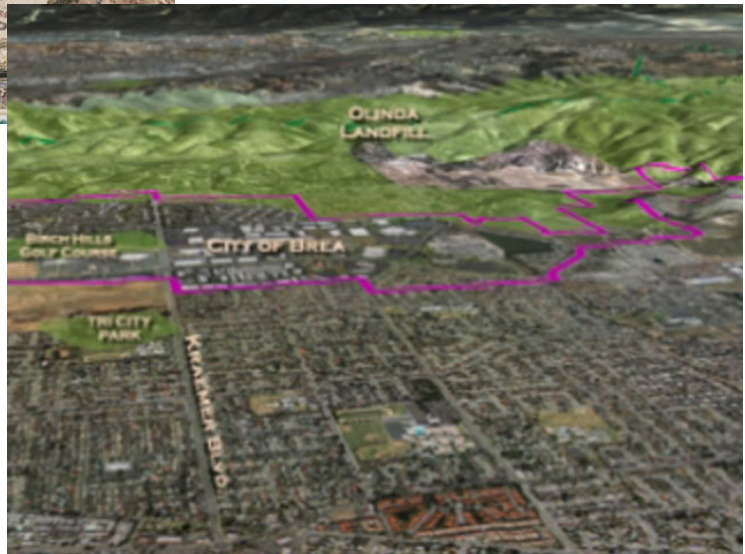
drawings or as source CAD files. The source CAD files can be provided in PDF, AutoCAD DWG, AutoDesk Revit, ArchiCAD native or several other acceptable formats. We are happy to work with the design firm to assist in finding a common file format that can assist in expediting our work.

## Project Schedule

We anticipate 1 week to capture base images and post those electronically to our server for review by City and Raney staff. After selection of the base images we will begin our CAD modeling of the proposed construction. We anticipate 4 weeks to complete the computer model plus a 5th week to prepare composite photo simulations.

## Applicant Supplied Data

Our proposal (inclusive of schedule and fees) is based on the applicant supplying complete architectural design drawings including plans, sections and elevations of the proposed building. Additionally we will require an accurate site plan inclusive of site grading and proposed landscaping. These can be supplied as hard copy full size

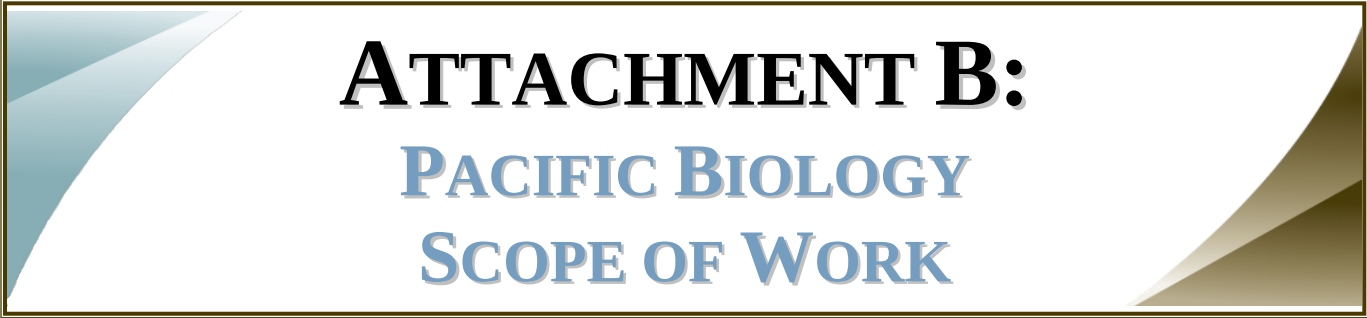


## Professional Fees

Professional fees are quoted on a estimated range of fees bases. We anticipate the ability to refine the fees once an actual design solution has been provided by the applicant and an accurate scope of work has bee agreed to. Reimbursable expenses are in addition to the fees quoted below (although none are anticipated). Those fees include delivery services, or the purchase of consumable materials directly associated with the completion of our work and are invoiced at 1.15 times our cost.

|                                                   |                       |
|---------------------------------------------------|-----------------------|
| Base Photography                                  | \$1,250 - \$2,500     |
| CAD Modeling (inclusive of a detailed site model) | \$2,750 - \$6,500     |
| Discount for applicant provided 3d CAD files      | \$(1,500) - \$(3,500) |
| Photo Simulations per image                       | \$650 - \$900         |
| Total<br>(with applicant provided 3d CAD files)   | \$6,400 - \$16,200    |





# **ATTACHMENT B:**

## **PACIFIC BIOLOGY SCOPE OF WORK**

# PACIFIC BIOLOGY



635 Carmel Avenue, Albany, CA 94706  
Telephone/Fax: (510) 527-1008

---

**TO:** Zachary Dahla, Marketing Coordinator, Raney Planning and Management, Inc.  
**FROM:** Josh Phillips, Principal Biologist  
**DATE:** May 1, 2017  
**SUBJECT:** Faria Annexation Project - Scope and Cost Estimate

---

Pacific Biology is pleased to respond to your request to review the existing biological documentation and to prepare an updated biological resources report. The report to be prepared will serve as the basis of the biological resources section of the Draft Environmental Impact Report (EIR) for the Proposed Faria/Southwest Hills Annexation Project (proposed project). As appropriate, information will be incorporated from the Biological Resources Assessment prepared by Moore Biological Consultants (December 2014), and as necessary, the evaluation of biological resources and associated vegetation mapping will be expanded to a level appropriate to support a thorough CEQA review. The updated biological resources report will also include a detailed analysis of potential impacts to biological resources resulting from construction and operation of the proposed project, as well as mitigation/avoidance measures that could be implemented to address potentially significant impacts to biological resources; this type of analysis is not provided in the existing biological documentation.

The project team would consist of Josh Phillips, Principal Biologist of Pacific Biology, and Jake Schweitzer, Senior Botanist of Vollmar Natural Lands Consulting (VNLC). Mr. Phillips will serve as the project lead, primary point of contact and author, and the lead wildlife biologist. Mr. Schweitzer will serve as the lead botanist and will focus on botanical resources components of the report and vegetation mapping. Mr. Phillips and Mr. Schweitzer have teamed together on dozens of projects, including a similar project in Pittsburg (i.e., Montreux Residential Subdivision Project). Mr. Schweitzer also managed the special-status plant surveys at the nearby Concord Naval Weapons Station. The tasks to be conducted are described below:

### **Task 1: Database and Literature Review**

The biological documentation previously prepared for the project site, other relevant biological resources information, and comments on the Notice of Preparation (NOP) will be reviewed. At a minimum, this will include the following:

- Biological Resources Assessment at the 606+/- Acre “Faria” Site (Moore Biological Consultants 2014);
- Relevant sections of the East Contra Costa County Habitat Conservation Plan (ECCCHCP);
- East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan Assessment of Plan, Effects on CEQA Species (H.T. Harvey & Associates 2014);
- Comment letter from Shute Milhaly & Weinberg (on behalf of Save Mount Diablo); and
- Comment letter from East Bay Regional Park District (EBRPD)

In addition, the latest version of the California Natural Diversity Database (CNDDB) will be reviewed to confirm that the existing biological documentation addresses all special-status species documented in the project vicinity. Orthorectified aerial photography, geology and soil maps, and hydrology data will also be obtained and reviewed to generally identify habitat types and features on and near the project site. Field maps will be prepared for use in the Task 2 (see below) that incorporate the available GIS vegetation, soils, hydrology, and special-status species data.

### **Task 2: Field Visit**

A wildlife biologist and botanist will visit the project site to identify and characterize the onsite and surrounding habitat types. It is assumed our ATVs can be used to efficiently survey the site. The potential occurrence of special-status plant and wildlife species will be evaluated based on an analysis of onsite habitats, known home ranges and/or distribution of target species, and other biological characteristics. Dominant plant species and all wildlife species observed will be recorded. Detailed vegetation data will be collected for use in vegetation mapping.

### **Task 3: Documentation**

An updated biological resources report will be prepared that addresses all CEQA biological resources significance criteria; as appropriate, the report will incorporate information from the Biological Resources Assessment prepared by Moore Biological Consultants (December 2014).

At a minimum, the report will include discussions of the following: (1) the methods and results of the background database/literature search and biological fieldwork; (2) a discussion of the habitat types and plant communities on and near the site; (3) the location, extent, and habitat requirements of any sensitive or special-status biological resources that occur or potentially occur on or near the site; (4) potential significant impacts that may occur to sensitive or special-status biological resources as a result of the proposed project; (5) potential state and federal jurisdictional wetlands and waters present; (6) feasible mitigation measures to reduce or eliminate potential significant impacts to sensitive or special-status biological resources; (7) if necessary, a discussion of the biological permits likely required; (8) maps of onsite vegetation communities and sensitive/special-status biological resources on and near the project site; (9) other supporting GIS-based graphics; and (10) representative photographs of the project site. As appropriate, analysis and mitigation measures contained in the ECCCHCP will be incorporated into the report. If necessary, recommendations will be provided about any focused biological studies (e.g., special-status plant surveys) that should be conducted.

#### **Task 4: Meetings**

We will be available to attend one meeting with the project team.

#### **ASSUMPTIONS**

- The proposed scope of work does not include focused biological studies or surveys, such as a jurisdictional wetland delineation or focused plant or wildlife surveys. If it is determined that such surveys are required, the work can be conducted pursuant to an amendment to this scope of work and budget.
- The use of ATVs would be subject to approval by the land owner and an evaluation of the terrain. If this is not possible to use ATVs, additional time for the site visit could be required.

#### **SCHEDULE**

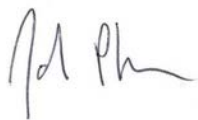
We will provide a draft biological resources report within 6 weeks of authorization to proceed.

#### **COSTS**

All work will be conducted at a rate of \$115 per hour. Please see attached budget.

Please feel free to contact me with any questions regarding this scope of work and cost estimate.

Sincerely,



Josh Phillips

## Faria Annexation Project Budget

|                        | Rate                  | Task 1<br>Info<br>Review/Field<br>Maps | Task 2<br>Field Visit | Task 3<br>Bio Report<br>and GIS | Task 4<br>Meetings | Total<br>Hours             | Cost            |
|------------------------|-----------------------|----------------------------------------|-----------------------|---------------------------------|--------------------|----------------------------|-----------------|
| <b>Pacific Biology</b> |                       |                                        |                       |                                 |                    |                            |                 |
| Phillips               | \$115                 | 6                                      | 10                    | 48                              | 4                  | 68                         | \$7,820         |
| <b>VNLC</b>            |                       |                                        |                       |                                 |                    |                            |                 |
| Schweitzer             | \$115                 | 4                                      | 10                    | 28                              | 4                  | 46                         | \$5,290         |
|                        | <i>Hours per Task</i> | <i>10</i>                              | <i>20</i>             | <i>76</i>                       | <i>8</i>           | <i>114</i>                 |                 |
|                        |                       |                                        |                       |                                 |                    | Mileage \$30<br>ATVs \$200 |                 |
|                        |                       |                                        |                       |                                 |                    | <b>TOTAL COST:</b>         | <b>\$13,340</b> |



**ATTACHMENT C:**  
**WSA, INC.**  
**SCOPE OF WORK**

**Raney Planning and Management, Inc.  
Faria/Southwest Hills Annexation Project  
Cultural Resources Assessment, EIR  
Scope of Work**

**Archival and Records Research**

WSA will consult with the California Historical Resources Information System, Northwest Information Center (NWIC) at Sonoma State University to conduct a records search of the approximately 606-acre project area. The records search will identify known cultural resource sites and previous surveys in or near the project area and a minimum one-quarter mile radius adjacent thereto. All previous cultural resource surveys, known historic or prehistoric sites, and listed or eligible National Register of Historic Places (NRHP) or California Register of Historical Resources (CRHR) properties within the area of the record search will be identified. Copies of applicable site records and survey reports will be made as necessary, and site locations will be plotted on the USGS topographic quad. State and local historic site inventories will also be reviewed to identify the presence of any listed sites in the records search area. Typical response time for the NWIC is five to six weeks. The NWIC offers a rapid response service for a 50% surcharge, which will provide the record search results in two to three weeks. The attached cost estimate is based on the NWIC's regular response. Please advise if the Rapid Response option is preferred.

**Native American Heritage Commission Contact**

WSA will contact by email the Native American Heritage Commission (NAHC) in Sacramento to provide a description of the proposed project area and to request a listing of local, interested Native American representatives. WSA will request the NAHC to review their Sacred Lands file for information on traditional or cultural properties within the overall project area and vicinity. By certified letter, WSA will notify the individuals or tribal members on the list provided by the NAHC about the overall project and will provide each contact with a map and description of the project area as part of this scope of work. Individuals will be requested to provide additional information they may be willing to offer regarding traditional or sacred sites within the overall project area not on file at the NAHC. Follow-up phone calls will be made to non-respondents. A table describing the results of contact and comments received will be prepared and inserted into the technical report that will be prepared on behalf of the project.

**AB-52 Consultation**

WSA assumes the City of Pittsburg, as lead agency, will initiate any required AB 52 consultation.

**Archaeological Survey**

In accordance with NHPA Section 106, unless recently surveyed by qualified archaeologists (as evidenced by a competent report on file at NWIC), WSA archaeologists meeting federal criteria under 36 CFR Part 61 will examine the 606-acre project area as a means of evaluating the potential adverse effects to cultural resources. This is intended to be an intensive pedestrian survey of the

project area and will be conducted at a maximum survey transect interval of 30 meters, as site conditions permit. Any newly discovered historic (over 45 years of age) or prehistoric archaeological sites will be recorded, as required, on appropriate Department of Parks and Recreation Primary Record (DPR 523) and the pertinent associated forms. Any cultural resources discovered will be evaluated for significance (NRHP and CRHR eligibility) in accordance with the criteria in 36 CFR 60.4 and CEQA Section 15064.5. For purposes of this proposal, it is assumed that no previously recorded historic or prehistoric archaeological sites will be identified in the records search results, no new historic or prehistoric archaeological sites or standing architectural structures more than 45 years of age will be identified during the pedestrian survey, and no DPR 523 forms will be prepared. Should that not be the case, a cost amendment would be required to address the need to prepare archaeological site records and assess the site(s) for historical significance, as necessary.

### **Cultural Resources Assessment Report**

WSA will prepare a Cultural Resources Assessment Report (CRAR) that will serve as the technical document in support of the EIR. The CRAR will include an environmental, cultural, and historic setting section, a description of the results of the literature and record search, the results of the archaeological survey of the project area, conclusions, recommendations, and rationale for further study, if necessary. If warranted, recommended mitigation measures will also be provided. WSA will provide one copy of the report to Raney Planning and Management. As required, a copy of the report will be submitted to the NWIC.



**Raney Planning and Management**  
**Faria-Southwest Hills Annexation Project**  
**Cultural Resources Assessment Report Cost Estimate**

11-May-17

| STAFF                                                      | TASK            | RATE      | HOURS | ODC'S                                     | SUBTOTAL            |
|------------------------------------------------------------|-----------------|-----------|-------|-------------------------------------------|---------------------|
| <b>Records and Literature Search</b>                       |                 |           |       |                                           |                     |
| Associate III                                              |                 | \$ 110.00 | 2     |                                           | \$ 220.00           |
| Associate III                                              | GIS             | \$ 110.00 | 1     |                                           | \$ 110.00           |
|                                                            |                 |           |       | NWIC Fees (Regular Response) <sup>1</sup> | \$ 1,000.00         |
|                                                            |                 |           |       | <b>Task Subtotal</b>                      | <b>\$ 1,330.00</b>  |
| <b>NAHC Consultation</b>                                   |                 |           |       |                                           |                     |
| Associate III                                              |                 | \$ 110.00 | 2     |                                           | \$ 220.00           |
| Associate I                                                |                 | \$ 69.00  | 5     |                                           | \$ 345.00           |
|                                                            |                 |           |       | Certified mail                            | \$ 65.00            |
|                                                            |                 |           |       | <b>Task Subtotal</b>                      | <b>\$ 630.00</b>    |
| <b>Archaeological Survey<sup>2</sup></b>                   |                 |           |       |                                           |                     |
| Associate III                                              | GIS             | \$ 110.00 | 2     |                                           | \$ 220.00           |
| Associate III                                              |                 | \$ 110.00 | 24    |                                           | \$ 2,640.00         |
| Associate III                                              | Travel OT       | \$ 110.00 | 3     |                                           | \$ 330.00           |
| Associate II                                               |                 | \$ 92.00  | 24    |                                           | \$ 2,208.00         |
| Associate II                                               | Travel OT       | \$ 128.80 | 3     |                                           | \$ 387.00           |
| Associate I                                                | (n=2)           | \$ 69.00  | 48    |                                           | \$ 3,312.00         |
| Associate I                                                | Travel OT (n=2) | \$ 96.60  | 6     |                                           | \$ 580.00           |
|                                                            |                 |           |       | <b>Task Subtotal</b>                      | <b>\$ 9,677.00</b>  |
| <b>Preparation of Cultural Resources Assessment Report</b> |                 |           |       |                                           |                     |
| Principal                                                  |                 | \$ 138.00 | 3     |                                           | \$ 414.00           |
| Associate III                                              |                 | \$ 110.00 | 40    |                                           | \$ 4,400.00         |
| Associate III                                              | GIS-figures     | \$ 110.00 | 6     |                                           | \$ 660.00           |
| Associate II                                               |                 | \$ 92.00  | 8     |                                           | \$ 736.00           |
|                                                            |                 |           |       | <b>Task Subtotal</b>                      | <b>\$ 6,210.00</b>  |
| <b>Project Management</b>                                  |                 |           |       |                                           |                     |
| Principal                                                  |                 | \$ 138.00 | 2     |                                           | \$ 276.00           |
| Associate III                                              |                 | \$ 110.00 | 4     |                                           | \$ 440.00           |
| Associate II                                               |                 | \$ 92.00  | 2     |                                           | \$ 184.00           |
|                                                            |                 |           |       | <b>Task Subtotal</b>                      | <b>\$ 900.00</b>    |
|                                                            |                 |           |       | <b>Subtotal</b>                           | <b>\$ 18,747.00</b> |
|                                                            |                 |           |       | <b>Admin@5%</b>                           | <b>\$ 938.00</b>    |
|                                                            |                 |           |       | <b>Grand Total</b>                        | <b>\$ 19,685.00</b> |

**ASSUMPTIONS:**

<sup>1</sup> Normal response time for this information is approximately 5 - 6 weeks. The NWIC offers a Rapid Response service that will provide results in 2-3 weeks for a 50% surcharge. This estimate is based on a regular response. Please advise if rapid response service is preferred.

<sup>2</sup> No archaeological sites will be identified in the survey area; the two isolated residential structures within the survey area are less than 45 years of age and will not require documentation or assessment; no DPR forms will be required.



# **ATTACHMENT D:**

## **KIMLEY-HORN SCOPE OF WORK**



May 23, 2017

Mr. Rod Stinson  
Raney Planning & Management, Inc.  
1501 Sports Drive, Suite A  
Sacramento, CA 95834

**RE: *Pittsburg Faria Annexation Traffic Impact Study Update – Proposal for Transportation and Traffic Engineering Services***

Dear Mr. Stinson:

Thank you for inviting Kimley-Horn and Associates, Inc. to perform transportation and traffic engineering services in conjunction with the proposed Faria project in Pittsburg, CA. This would be an update to the previous traffic study that Kimley-Horn produced. This letter is in accordance with your request, and constitutes a proposal setting forth our proposed Scope of Services, Schedule and Fee.

## **PROJECT UNDERSTANDING**

Kimley-Horn worked on the traffic study for this project in 2013. Since then, a new Notice of Preparation (NOP) has been released requiring that the traffic study be updated. This update requires new traffic counts be collected since the previous traffic counts are more than two years old.

It is understood that the project size and the accesses have not changed and therefore the project has not changed for purposes of this traffic study. It was assumed that the project will include up to 1,500 single family residential units and the area will have road connections to Bailey Road, San Marcos Boulevard, and Avila Road.

Comments from other jurisdictions adjacent to the City of Pittsburg have requested that additional study intersections be included. The previous traffic assignment has determined that these additional intersections would meet the 50-vehicle trip threshold based upon Contra Costa Transportation Authority (CCTA) technical guidelines and therefore will be included in this scope.

This proposal is to update the traffic impact study (for a program level EIR) to evaluate the current and anticipated traffic conditions at or near the project site and identify key intersections, roadways, and other transportation facilities where traffic operations may be impacted as a result of the annexation project.

This proposal is to complete a traffic impact study to evaluate the current and anticipated traffic conditions at or near the project site and identify key intersections where traffic operations may be impacted as a result of the project.

## SCOPE OF SERVICES

Kimley-Horn and Associates will prepare a traffic impact study for the proposed annexation expansion.

The traffic impact study will be based on the same development conditions as previously analyzed:

- Existing conditions – Based on current traffic counts (i.e. 2017) and existing roadway geometry and traffic control. The existing conditions has been updated from 2013 to 2017.
- Existing plus project traffic conditions – Based on current traffic counts and existing roadway geometry and traffic control plus the traffic generated by the annexation.
- Cumulative conditions without the project – Based on future year traffic forecasts from the Contra Costa Transportation Authority (CCTA) 2030 model. Future year will correspond with the approximate buildout of the city's General Plan and include roadway projects anticipated to be complete at the cumulative horizon year. This is the same model as before.
- Cumulative conditions plus project – Based on CCTA traffic forecasts and traffic generated by the project.

### ***Task 1: Data Collection and Review***

Several elements of information will be needed to complete the traffic analysis. Kimley-Horn will work with you and the City to receive the following:

- Inventory of existing street network and traffic signal operations.
- Traffic signal timing sheets
- Inventory of nearby transit, bicycle, and pedestrian facilities
- Existing Caltrans mainline and ramp volumes
- List of anticipated street improvements to be in place in the cumulative horizon year.
- Future year cumulative travel forecast information from the CCTA east County forecast model.

Because of the size of the proposed project, several intersections may be affected and will therefore be studied. It is assumed that the same intersections will be evaluated in this traffic study, with the addition of seven (7) intersections as noted:

1. Avila Road/Willow Pass Road
2. EB SR-4 Ramps/Willow Pass Road
3. WB SR-4 Ramps/Willow Pass Road
4. Rio Verde Circle/San Marcos Boulevard
5. Santa Teresa Drive/San Marcos Boulevard
6. Leland Road/San Marcos Boulevard
7. EB SR-4 Ramps/San Marcos Boulevard

8. WB SR-4 Ramp/San Marcos Boulevard
9. Willow Pass Road/Port Chicago Highway
10. Willow Pass Road/Bailey Road
11. Willow Pass Road/Loftus Road
12. EB Willow Pass Road/Range Road
13. WB Willow Pass Road/Range Road
14. Willow Pass Road/Railroad Avenue
15. Leland Road/Alves Ranch Road
16. Leland Road/Woodhill Drive
17. Leland Road/Southwood Drive
18. Leland Road/Bailey Road
19. Maylard Street/Bailey Road
20. EB SR-4 Ramps/Bailey Road
21. WB SR-4 Ramp/Bailey Road
22. Canal Road/Bailey Road
23. Leland Road/Chestnut Drive
24. Leland Road/Jacqueline Drive
25. Leland Road/San Remo Way
26. Leland Road/Range Road
27. Leland Road/Dover Way
28. Leland Road/Burton Avenue
29. Leland Road/Crestview Drive
30. Leland Road/Railroad Avenue
31. EB SR-4 Ramps/Railroad Avenue
32. WB SR-4 Ramp/Railroad Avenue
33. Willow Pass Road/Olivera Road
34. Concord Boulevard/Farm Bureau Road
35. Concord Boulevard/Bailey Road
36. Bailey Road/Myrtle Drive
37. Clayton Road/Babel Lane
38. Clayton Road/Farm Bureau Road
39. Clayton Road/Treat Boulevard
40. Clayton Road/Bailey Road
41. Cowell Road/Treat Boulevard
42. W. Leland Road/Santa Teresa Drive (future intersection)
43. Bailey Road/Project entrance (future intersection with project)
44. Concord Boulevard/Port Chicago Highway (**new intersection**)
45. Treat Boulevard/Oak Grove Road (**new intersection**)
46. Willow Pass Road/Diamond Boulevard (**new intersection**)
47. Willow Pass Road/Galindo Street (**new intersection**)
48. Willow Pass Road/Market Street (**new intersection**)
49. Kirker Pass Road/Oakhurst Drive/Concord Boulevard (**new intersection**)
50. Ygnacio Valley Road/Clayton Road (**new intersection**)

Level of service at signalized study intersections will be evaluated using CCTALOS methodology within TRAFFIX software. Stop controlled intersections will be evaluated using Highway Capacity Manual 2000 unsignalized methodology from TRAFFIX software.

In addition, the same highway segments will also be studied.

1. NB and SB SR-242 between I-680 and Clayton Road
2. NB and SB SR-242 between Clayton Road and Concord Avenue
3. NB and SB SR-242 between Concord Avenue and Grant Street
4. NB and SB SR-242 between Grant Street and Olivera Road
5. NB and SB SR-242 between Olivera Road and SR-4
6. EB and WB SR-4 between SR-242 and Solano Way
7. EB and WB SR-4 between Solano Way and SR-242
8. EB and WB SR-4 between SR-242 and Port Chicago Highway
9. EB and WB SR-4 between Port Chicago Highway and Willow Pass Road
10. EB and WB SR-4 between Willow Pass Road and San Marco Boulevard
11. EB and WB SR-4 between San Marco Boulevard and Bailey Road
12. EB and WB SR-4 between Bailey Road and Railroad Avenue

Level of service on freeway segments will be evaluated using *Highway Capacity Manual 2000* methodology per the *Caltrans Guide to the Preparation of Traffic Impact Studies*.

In addition, the same freeway ramp merge and diverge areas will be studied:

1. EB SR-4/Willow Pass Off-Ramp
2. EB SR-4/Willow Pass On-Ramp
3. WB SR-4/Willow Pass Off-Ramp
4. WB SR-4/Willow Pass On-Ramp
5. EB SR-4/San Marco Boulevard Off-Ramp
6. EB SR-4/SB San Marco Boulevard On-Ramp
7. EB SR-4/NB San Marco Boulevard On-Ramp
8. WB SR-4/San Marco Boulevard Off-Ramp
9. WB SR-4/NB San Marco Boulevard On-Ramp
10. WB SR-4/SB San Marco Boulevard On-Ramp
11. EB SR-4/SB Bailey Road Off-Ramp
12. EB SR-4/NB Bailey Road Off-Ramp
13. EB SR-4/Bailey Road On-Ramp
14. WB SR-4/NB Bailey Road Off-Ramp
15. WB SR-4/SB Bailey Road Off-Ramp
16. WB SR-4/Bailey Road On-Ramp

Level of service for freeway ramp merge and diverge areas will be evaluated using *Highway Capacity Manual 2000* methodology per the *Caltrans Guide to the Preparation of Traffic Impact Studies*.

Locations of study Intersections, ramp merge and diverge areas, and freeway segments are shown on the attached map.

Kimley-Horn will collect weekday AM and PM peak period intersection turning movement counts on Tuesday, Wednesday, or Thursday when local schools are in session. (Additional locations can be added as an additional service if needed.)

Kimley-Horn will observe HOV lane occupancies during peak hours of freeway segments in the study area for use in calculating future occupancies.

Kimley-Horn will inventory the intersection configuration and roadways in the vicinity of the study intersection and driveways. Other factors such as nearby transit service and bicycle and pedestrian facilities will be collected. This information will be used during the analysis and in recommendations contained in the traffic report.

We will also receive from CCTA their most recent 2030 travel forecast model projection for use in the cumulative analysis.

#### ***Task 2 – Update Existing Traffic Conditions Analysis***

Kimley-Horn will conduct an analysis of existing AM and PM peak hour traffic conditions based on the new traffic counts and freeway and ramp volumes. This step in the analysis establishes the baseline of traffic operations at the study intersections, freeway segments, and ramp merge/diverge areas.

#### ***Task 3 – Update Project Trip Generation, Distribution, and Assignment***

Kimley-Horn will use the same trip generation as previously analyzed since the project did not change. However, the trip distribution and assignment for the proposed project will be updated to include the additional study intersections.

#### ***Task 4 – Update Existing Plus Project Traffic Conditions Analysis***

Existing plus project traffic volumes will be updated to determine levels of service at the study intersections, freeway segments, and ramp merge/diverge areas.

#### ***Task 5 – Update Cumulative Analysis Without Project***

Roadway link traffic forecasts data from CCTA will be post-processed using a Furness process to generate cumulative turning movement counts per standard industry practice. These volumes will need to be updated based on the new existing traffic counts. We will update the analysis of cumulative AM and PM peak hour traffic conditions at study intersections, freeway segments, and ramp merge/diverge areas. This step in the analysis makes it possible to identify what long-term cumulative traffic conditions are expected, regardless of the proposed annexation project.

***Task 6 – Update Cumulative Analysis With Project***

Kimley-Horn will add project traffic to the cumulative forecast data to determine the increase in traffic volumes within the study area based on the proposed project. Based on the forecast we will conduct an analysis of future AM and PM peak hour traffic conditions with the project at study intersections, freeway segments, and ramp merge/diverge areas.

***Task 7 – Update MTSO Evaluation***

Kimley-Horn will complete an evaluation of the delay index (DI) for routes of regional significance. The Delay Index will be determined by calculating the time it takes to travel a segment of road during peak-period congested conditions, and comparing it to the time it takes to travel the same segment during uncongested, free-flow conditions.

Future average freeway HOV lane occupancy will be estimated based on information from the CCTA forecast model coupled with observed occupancy.

***Task 8 – Update Multi-Modal Evaluation***

Kimley-Horn will evaluate the project in connection with latest nearby transit, bicycle, and pedestrian facilities. Changes in transit ridership will be determined using the CCTA travel forecast model. We will recommend improvements or modifications as deemed necessary.

***Task 9 – Update Mitigation Analysis and Recommendations***

Kimley-Horn will identify locations and facilities that are impacted by the proposed project and make program level recommendations for improvements to mitigate project impacts. Mitigation improvements could include, but are not limited to, street widening, lane additions, intersection configuration changes, safety improvements, new traffic signals, etc. These improvements, including turning lanes, channelization and traffic control devices will be considered, evaluated and recommended when determined necessary by accepted standards and practices.

***Task 10 – Update Draft Traffic Report***

Kimley-Horn will prepare an updated stand-alone traffic report for preliminary review. The draft report will include text, charts, and figures describing our process, assumptions, and results. The report will specifically detail impacts directly connected with project traffic and recommended mitigation, if needed. Based on comments received on the draft report from Raney, the report will be revised and included in the Administrative Draft EIR for review by City staff. Based on comments received from staff, the report will be revised as appropriate for inclusion into the Draft EIR.

***Task 11 – Response to DEIR Comments and Final EIR***

Kimley-Horn will assist Raney and City staff in preparing responses to public agency and public comments on the transportation and circulation report and the corresponding section of the DEIR. No



revisions to the traffic report are envisioned, and any report modifications will be made through an errata section to be included in the Final EIR. Response to DEIR comments is assumed to include up to 12 hours of professional staff time.

**Task 12 – Meetings**

Kimley-Horn staff will participate in up to two meetings with City, County or Caltrans staff in the preparation of the traffic study. If additional meetings or hearings are required, they will be completed as an additional service.

**Additional Services**

We will, if authorized by you, perform other services which may be required. Additional services will be completed on a lump sum or time and materials basis and may include attendance at meetings or hearings not included in the scope, traffic forecasts, additional traffic counts, Saturday analyses, traffic signal coordination and timing plans, accident analyses, design of mitigation measures, or revision of our analyses or report based on site or project plan changes, and shall be performed on a time and materials basis. Any additional efforts, not included in this scope and fee estimate, will be undertaken only upon express prior authorization by you.

**SCHEDULE**

We will provide our services as noted in the above Scope of Services as expeditiously as practicable. We anticipate delivery of the Draft Report within four (4) weeks of receipt of all required information (including approved projects and traffic counts). The Final Report is anticipated to be submitted within one (1) week of receipt of comments on the Draft Report.

**FEE AND BILLING**

KHA will perform the above Scope of Services for a lump sum fee of \$54,630 (which includes \$16,050 for a traffic count sub consultant). All additional, approved services (i.e., meetings, additional data collection, etc.) will be billed on a labor fee plus expense basis.

Labor fee will be billed according to our most current rate schedule, which has been adjusted annually. As to these tasks, direct reimbursable expenses such as express delivery services, fees, air travel, and other direct expenses will be billed at 1.15 times cost. A percentage of labor fee will be added to each invoice to cover certain other expenses as to these tasks such as telecommunications, in-house reproduction, postage, supplies, project related computer time, and local mileage. Administrative time related to the project may be billed hourly. All permitting, application, and similar project fees will be paid directly by the Client. Payment will be due within 25 days of your receipt of the invoice.

We appreciate the opportunity to provide these services to you. Please contact me directly at (925) 398-4871 or [ben.huie@kimley-horn.com](mailto:ben.huie@kimley-horn.com) if you have any questions or require additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ben Huie".

Ben Huie, P.E.  
California Professional Engineer #C76682  
Project Manager

A handwritten signature in blue ink, appearing to read "Michael L. Mowery".

Mike Mowery, P.E.  
California Professional Engineer #C66353  
Principal-In-Charge

**CONTRACT FOR CEQA SERVICES  
FOR THE SOUTHWEST HILLS/FARIA ANNEXATION**

THIS CONTRACT is made on NOV. 1, 2013, between the City of Pittsburg ("the City"), and Raney Planning & Management, Inc. ("Consultant").

WITNESSETH:

WHEREAS, the City proposes preparation of an Environmental Impact Report (EIR) for the proposed Southwest Hills/Faria Annexation; and

WHEREAS, the Consultant has presented a proposal for such services to the City, dated July 18, 2013, and is duly licensed, qualified and experienced to perform those services;

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. SCOPE OF SERVICES:

A. Consultant shall do all work, attend all meetings, produce all reports and carry out all activities necessary to completion of the services described in the Work Program, attached hereto and incorporated herein by this reference as Exhibit "A". This Contract and its exhibits shall be known as the "Contract Documents." Terms set forth in any Contract Document shall be deemed to be incorporated in all Contract Documents as if set forth in full therein. In the event of conflict between terms contained in these Contract Documents, the more specific term shall control. If any portion of the Contract Documents shall be in conflict with any other portion, provisions contained in the Contract shall govern over conflicting provisions contained in the exhibits to the Contract.

B. Consultant enters into this Contract as an independent contractor and not as an employee of the City. The Consultant shall have no power or authority by this Contract to bind the City in any respect. Nothing in this Contract shall be construed to be inconsistent with this relationship or status. All employees, agents, contractors or subcontractors hired or retained by the Consultant are employees, agents, contractors or subcontractors of the Consultant and not of the City. The City shall not be obligated in any way to pay any wage claims or other claims made against Consultant by any such employees, agents, contractors or subcontractors, or any other person resulting from performance of this Contract.

C. The Consultant agrees it has satisfied itself by its own investigation and research regarding the conditions affecting the work to be done and labor and materials needed, and that its decision to execute this Contract is based on such independent investigation and research.

2. TIME OF PERFORMANCE:

The following time schedule shall be followed:

A. The services of Consultant are to commence upon execution of this Contract by, and receipt of written notice to proceed from, City, and shall be undertaken and completed in a prompt and timely manner, in accordance with the 'Proposal to Prepare an Environmental Impact Report' attached hereto and incorporated herein by this reference as Exhibit "A".

The following time schedule shall be followed:

B. The City Manager or his or her designee may, by written instrument signed by the Parties, extend the duration of this Contract for an additional period not to exceed the lesser of one year or the original term of this Contract, provided that the extension does not require the payment of compensation in excess of the maximum compensation set forth in Section III, Compensation.

3. COMPENSATION:

A. The Consultant shall be paid for the actual fees, costs and expenses for all time and materials required and expended, pursuant to the Cost Proposal contained in Section IV of Exhibit "A" but in no event shall total compensation exceed two hundred ten thousand, five hundred eighty one dollars (\$210,581.00), without City's prior written approval.

B. Said amount shall be paid upon submittal of a billing in accordance with the proposal contained within Exhibit "A", showing completion of the tasks on a monthly basis.

C. If the work is halted at the request of the City, compensation shall be based upon the proportion that the work performed bears to the total work required by this Contract.

4. TERMINATION:

This Contract may be terminated, without cause, at any time by the City upon thirty (30) days' written notice. Upon receipt of such notice, Consultant shall cease all work under this Contract. In the event of any such termination, the Consultant shall be compensated as provided for in this Contract. Upon such termination, the City shall be entitled to all work, including but not limited to, appraisals, inventories, studies, analyses, drawings and data estimates performed to that date in accordance with Section VII hereof. The obligations of paragraph/section XV of this Contract relating to Consultant's obligations to defend and indemnify the City shall survive any termination of this Contract.

Notwithstanding any provisions of this Contract, Consultant shall not be relieved of liability to the City for damages sustained by the City by virtue of any breach of this Contract by Consultant, and the City may withhold any payments due to Consultant until such time as the exact amount of damages, if any, due the City from Consultant is determined.

5. CHANGES:

The City may, from time to time, request changes in the scope of the services of Consultant to be performed hereunder. Such changes, including any increase or decrease in the amount of Consultant's compensation and/or changes in the schedule must be authorized in advance by the City in writing. Mutually agreed changes shall be incorporated in written amendments to this Contract, or the attached work program (Exhibit A).

6. EXTENSIONS OF TIME:

Consultant may, for good cause, request extensions of time to perform the services required hereunder. Such extensions shall be authorized in advance by the City in writing and shall be incorporated in written amendments to this Contract or the attached work program (Exhibit A).

7. PROPERTY OF CITY:

It is mutually agreed that all materials prepared by the Consultant under this Contract shall become the property of the City, and the Consultant shall have no property right therein whatsoever. Immediately upon termination, the City shall be entitled to, and the Consultant shall deliver to the City, all data, drawings, specifications, reports, estimates, summaries and other such materials and commission

as may have been prepared or accumulated to date by the Consultant in performing this Contract which is not Consultant's privileged information, as defined by law, or Consultant's personnel information.

8. COMPLIANCE WITH LOCAL LAW:

Consultant shall comply with all applicable laws, ordinances, and codes of federal, state and local governments, and shall commit no trespass on any public or private property in performing any of the work authorized by this Contract. [It shall be City's responsibility to obtain all rights of way and easements to enable Consultant to perform its services hereunder. Consultant shall assist City in providing the same.]

9. WARRANTY:

Consultant agrees and represents that it is qualified to properly provide the services set forth in Exhibit "A" in a manner which is consistent with the generally accepted standards of Consultant's profession. Consultant further represents and agrees that it will perform said services in a legally adequate manner in conformance with applicable federal, state and local laws and guidelines.

10. SUBCONTRACTING:

Except as set forth in Exhibit "A" for work to be performed, no other services covered by this Contract shall be subcontracted without the prior written consent of the City, which will not be unreasonably withheld. Consultant shall be as fully responsible to the City for the negligent acts and omissions of its contractors and subcontractors, and of persons either directly or indirectly employed by them, as it is for the negligent acts and omissions of persons directly employed by Consultant.

11. ASSIGNABILITY:

Consultant shall not assign or transfer any interest in this Contract whether by assignment or novation, without the prior written consent of the City which will not be unreasonably withheld. However, claims for money due or to become due Consultant from the City under this Contract may be assigned to a financial institution, or to a trustee in bankruptcy, without such approval. Consultant shall promptly furnish notice of any assignment or transfer, whether voluntary or involuntary, in writing to the City.

12. INTEREST IN CONTRACT:

Consultant covenants that neither it, nor any of its employees, agents, contractors, subcontractors has any interest, nor shall they acquire any interest, direct or indirect, in the subject of the Contract, nor any other interest which would conflict in any manner or degree with the performance of its services hereunder.

Consultant shall make all disclosures required by the City's conflict of interest code in accordance with the category designated by the City, unless the City Manager determines in writing that Consultant's duties are more limited in scope than is warranted by the category designated by the City code and that a narrower disclosure category should apply. Consultant also agrees to make disclosure in compliance with the City conflict of interest code if, at any time after the execution of this agreement, City determines and notifies Consultant in writing that Consultant's duties under this agreement warrant greater disclosure by Consultant than was originally contemplated. Consultant shall make disclosures in the time, place and manner set forth in the conflict of interest code and as directed by the City.

13. CONFIDENTIAL MATERIALS:

All of the materials prepared or assembled by Consultant pursuant to performance of this Contract are confidential and Consultant agrees that they shall not be made available to any individual or organization without the prior written approval of the City, except by court order.

14. LIABILITY OF CONSULTANT-NEGLIGENCE:

Consultant shall be responsible for performing the work under this Contract in a manner which is consistent with the generally accepted standards of the Consultant's profession and shall be liable for its own negligence and the negligent acts of its employees, agents, contractors and subcontractors. The City shall have no right of control over the manner in which the work is to be done but only as to its outcome, and shall not be charged with the responsibility of preventing risk to Consultant or its employees, agents, contractors or subcontractors.

15. INDEMNITY AND LITIGATION COSTS:

Consultant shall indemnify, defend, and hold harmless the City, its officers, officials, agents, and employees from and against any and all claims, damages, demands, liability, costs, losses and expenses, including without limitation court costs and reasonable attorneys' fees arising out of or in connection with Consultant's negligent performance of work hereunder or its negligent failure to comply with any of its obligations contained in the Contract Documents, except such loss or damage which was caused by the [active negligence, (only if contract involves design services in connection with a public works project - see Civil Code §2782(b), §2783)] sole negligence, or willful misconduct of the City.

16. CONSULTANT TO PROVIDE INSURANCE:

A. Consultant shall not commence any work before obtaining, and shall maintain in force at all times during the duration and performance of this Contract the policies of insurance specified in this Section. Such insurance must have the approval of the City as to limit, form, and amount, and shall be placed with insurers with a current A.M. Best's rating of no less than A:VII.

B. Prior to execution of this agreement and prior to commencement of any work, the Consultant shall furnish the City with original endorsements effecting coverage for all policies required by the Contract. The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. The endorsements are to be on forms acceptable to the City. At the City's discretion, the City may require complete, certified copies of all required insurance policies, including endorsements effecting the coverage required by this Section. If the City requests, the Consultant will furnish one copy of each required policy to the City, and additional copies if requested in writing, certified by an authorized representative of the insurer. Approval of the insurance by the City shall not relieve or decrease any liability of Consultant.

C. In the case of the professional liability insurance required by this Section, the Consultant's insurer will provide a complete, certified copy of the policy if so requested by the City.

D. In addition to any other remedy the City may have, if Consultant fails to maintain the insurance coverage as required in this Section, the City may obtain such insurance coverage as is not being maintained, in form and amount substantially the same as is required herein, and the City may deduct the cost of such insurance from any amounts due or which may become due Consultant under this Contract.

E. Each insurance policy required by this Contract shall be endorsed to state that coverage shall not be suspended, voided, canceled, terminated by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City.

F. Any deductibles must be declared to, and approved by, the City.

G. The requirement as to types, limits, and the City's approval of insurance coverage to be maintained by Consultant are not intended to, and shall not in any manner, limit or qualify the liabilities and obligations assumed by Consultant under the Contract.

H. The Consultant and its contractors and subcontractors shall, at their expense, maintain in effect at all times during the performance or work under the Contract not less than the following coverage and limits of insurance, which shall be maintained with insurers and under forms of policy satisfactory to the City. The maintenance by Consultant and its contractors and subcontractors of the following coverage and limits of insurance is a material element of this Contract. The failure of Consultant or of any of its contractors or subcontractors to maintain or renew coverage or to provide evidence of renewal may be treated by the City as a material breach of this Contract.

1. Workers' Compensation and Employer's Liability Insurance.

a. Workers' Compensation - Insurance to protect the Consultant, its contractors and subcontractors from all claims under Worker's Compensation and Employer's Liability Acts, including Longshoremen's and Harbor Worker's Act ("Acts"), if applicable. Such coverage shall be maintained, in type and amount, in strict compliance with all applicable state and federal statutes and regulations. The Consultant shall execute a certificate in compliance with Labor Code Section 1861, on the form provided in the Contract Documents.

b. Claims Against City - If an injury occurs to any employee of the Consultant for which the employee or his/her dependents, in the event of his/her death, may be entitled to compensation from the City under the provisions of said Acts, for which compensation is claimed from the City, there will be retained out of the sums due the Consultant under this Contract, an amount sufficient to cover such compensation as fixed by said Acts, until such compensation is paid or it is determined that no compensation is due. If the City is required to pay such compensation, the amount so paid will be deducted and retained from such sums due, or to become due to the Consultant.

2. Comprehensive General and Automobile Liability Insurance.

The insurance shall include, but shall not be limited to, protection against claims arising from death, bodily or personal injury, or damage to property resulting from actions, failures to act, or operations of the insured, or by its employees or agents, or by anyone directly or indirectly employed by the insured. The amount of insurance coverage shall not be less than \$1,000,000.00 or more per occurrence.

The comprehensive general and automobile liability insurance coverage shall also include, or be endorsed to include, the following:

a. Provision or endorsement naming the City and each of its officers, officials, employees, agents, and volunteers, as additional insureds in regards to: liability arising out of the performance of any work under the Contract; liability arising out of activities performed by or on behalf of the Consultant; premises owned, occupied or used by the Consultant; or automobiles owned, leased, hired or borrowed by the Consultant. The coverage shall contain no special limitations on the scope of protection afforded to the City, its officers, officials, employees, agents, or volunteers.

b. Provision or endorsement stating that for any claims related to this project, the Consultant's insurance coverage shall be primary insurance as respects the City, its officers, officials, employees, agents, and volunteers to the extent the City is an additional insured. Any insurance or self insurance maintained by the City, its officers, officials, employees, agents, or volunteers shall be in excess of the Consultant's insurance and shall not contribute with it.

c. Provision or endorsement stating that any failure to comply with reporting or other provisions of the policies including breaches of representations shall not affect coverage provided to the City, its officers, officials, employees, agents, or volunteers.

d. Provision or endorsement stating that the Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.



e. Provision or endorsement stating that such insurance, subject to all of its other terms and conditions, applies to the liability assumed by the Consultant under the Contract, including, without limitation, that set forth in Section XV, Indemnity and Litigation Costs.

3. Professional Liability.

The Consultant and its contractors and subcontractors shall secure and maintain in full force, during the term of this Contract professional liability insurance policies appropriate to the respective professions and the work to be performed as specified in this Contract. The limits of such professional liability insurance coverage shall not be less than \$1,000,000 or more per claim.

17. MISCELLANEOUS PROVISIONS:

A. The Consultant shall designate a project manager who at all times shall represent the Consultant before the City on all matters relating to this Contract. The project manager shall continue in such capacity unless and until he or she is removed at the request of the City, is no longer employed by Consultant, or replaced with the written approval of the City, which approval shall not be unreasonably withheld.

B. The Consultant shall keep itself fully informed of, shall observe and comply with, and shall cause any and all persons, firms or corporations employed by it or under its control to observe and comply with, applicable federal, state, county and municipal laws, ordinances, regulations, orders and decrees which in any manner affect those engaged or employed on the work described by this Contract or the materials used or which in any way affect the conduct of the work.

C. Consultant shall not engage in unlawful employment discrimination. Such unlawful employment discrimination includes, but is not limited to, employment discrimination based upon a person's race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, gender, citizenship or sexual orientation.

D. The Consultant shall maintain and make available for inspection by the City and its auditors accurate records of all of its costs, disbursements and receipts with respect to any work under this Contract. Such inspections may be made during regular office hours at any time until six (6) months after the final payments under this Contract are made to the Consultant.

E. This Contract constitutes the entire agreement between the parties relative to the services specified herein and no modification hereof shall be effective unless and until such modification is evidenced by a writing signed by both parties to this Contract. There are no understandings, agreements, conditions, representations, warranties or promises, with respect to this Contract, except those contained in or referred to in the writing.

F. All notices that are required to be given by one party to the other under this Contract shall be in writing and shall be deemed to have been given if delivered personally or enclosed in a properly addressed envelope and deposited in a United States Post Office for delivery by registered or certified mail addressed to the parties at the following addresses:

City: City of Pittsburg  
65 Civic Avenue  
Pittsburg, CA 94565-3814  
ATTN: Kristi Pollot

Consultant: Raney Planning & Management, Inc.  
1501 Sports Drive  
Sacramento, CA 95834  
ATTN: Cindy Enos



G. This Contract shall be interpreted and governed by the laws of the State of California.

H. Any action arising out of this Contract shall be brought in Contra Costa County, California, regardless of where else venue may lie.

I. In any action brought by either party to enforce the terms of this Contract, the prevailing party shall be entitled to recover its reasonable attorney's fees.

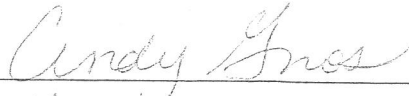
Executed the day and year first above written, by the parties as follows.

CITY OF PITTSBURG

By: 

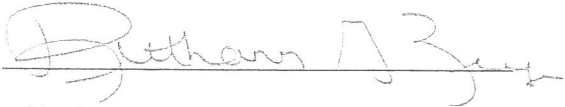
Title: City Manager

CONSULTANT

By: 

Title: Vice President

APPROVED AS TO FORM:

By: 

Title: City Attorney

ATTEST:

By: 

Title: City Clerk

# CERTIFICATE OF COMPLIANCE WITH LABOR CODE § 3700

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

CONSULTANT

By: Cindy Inos

Title: Vice President

## **CERTIFICATE OF COMPLIANCE WITH LABOR CODE § 3700**

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

CONSULTANT

By: \_\_\_\_\_

Title: \_\_\_\_\_

EXHIBIT A  
Proposal to Prepare an Environmental Impact Report

# PROPOSAL TO PREPARE AN ENVIRONMENTAL IMPACT REPORT

---

## Faria Annexation

**July 18, 2013**

*(Revised October 4, 2013)*

**Submitted to:**

Dana Hoggatt  
City of Pittsburg  
65 Civic Avenue  
Pittsburg, CA 94565

**Submitted by:**

Raney Planning & Management, Inc.  
1501 Sports Drive  
Sacramento, CA 95834  
Office: (916) 372-6100  
Fax: (916) 419-6108  
[cindygnos@raneymanagement.com](mailto:cindygnos@raneymanagement.com)

**Contacts:**

Cindy Gnos, AICP  
Vice President

Rod Stinson  
Division Manager



# TABLE OF CONTENTS

---

|                           |                             |    |
|---------------------------|-----------------------------|----|
| I.                        | Project Understanding       | 1  |
| II.                       | Technical Scope of Services | 4  |
| III.                      | Schedule                    | 21 |
| IV.                       | Cost Proposal               | 22 |
| Appendix A: Raney Resumes |                             |    |
| Appendix B: Noise Scope   |                             |    |
| Appendix C: Traffic Scope |                             |    |

# I. Project Understanding

Raney Planning & Management, Inc. (Raney) has prepared this proposal and scope of services to complete an Environmental Impact Report (EIR) for the Faria Annexation project in the City of Pittsburg. As part of our proposal, we have assembled a team of well-qualified technical experts to supplement our firm's experience, skills, and expertise in preparing environmental documents. We believe that we have the ability to deliver a unique, unmatched, and ultimately successful product and process to the City. We are pleased to have this opportunity to submit our proposal to you for your consideration.

## PROJECT OVERVIEW

### *Project Location*

The proposed Faria Annexation project is located just southwest of the municipal boundary of the City of Pittsburg, within the Southwest Hills planning subarea of the Pittsburg General Plan (APNs 097-180-006, 097-200-002-03, 097-230-006, 097-240-002, and a portion of 097-190-002). The annexation area consists of approximately 607 acres of grazing land and is currently zoned for agricultural uses under the Contra Costa County Zoning Code. The site has been pre-zoned for residential and open space under the City of Pittsburg General Plan. The project site is bordered by residential development to the north, vacant rolling hills to the east and west, and the Concord Naval Weapons Station to the south.

### *Project Description*

The proposed project consists of annexation and change in pre-zone of approximately 607 acres into the City of Pittsburg. The Faria Annexation area was one of multiple areas identified in the City of Pittsburg 2005 voter-approved Urban Limit Line and Pre-zoning Act. The site was pre-zoned for residential and open space and subsequently incorporated into the City's Sphere of Influence. The requested change in pre-zone will be from Hillside Planned Development (HPD) and Open Space (OS) to HPD-S and OS-S Interim Study Overlay Districts. The maximum build-out for the proposed project is approximately 1,500 units.

The City of Pittsburg prepared an Initial Study and Mitigated Negative Declaration (IS/MND) for annexation of the site in 2010. However, significant comments were received on the IS/MND and the City determined an EIR needs to be prepared.

## APPROACH

Raney proposes to prepare a combined program and project-level EIR that will provide a detailed analysis of the anticipated environmental effects associated with build-out of the proposed project. Raney will coordinate with the City to identify the impact areas to be analyzed at a project-level. The Draft EIR, Final EIR, and related work products will be prepared in accordance with the criteria, standards, and provisions of the California Environmental Quality Act of 1970 (CEQA), Section 21000 et seq. of the Public Resources Code and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.), and the regulations, requirements, and procedures of the City of Pittsburg. In addition, the EIR will be prepared in order to allow LAFCo's use as a responsible agency for the proposed Annexation.

Raney proposes to prepare an Initial Study to identify the potentially significant impacts associated with the proposed Faria Annexation project and to focus the content of the EIR. Given that the City of Pittsburg prepared an Initial Study for the proposed project in 2010, Raney anticipates that preparation of an updated Initial Study will be a fairly succinct process. Raney will rely on information contained in the existing Initial Study, updating and expanding the analyses as appropriate.

Potentially significant impacts to be analyzed in the EIR may include, but not be limited to, Aesthetics; Agricultural Resources; Air Quality and Greenhouse Gas Emissions; Biological Resources; Geology, Soils, and Seismicity; Hazards and Hazardous Materials; Hydrology/Water Quality; Land Use and Planning; Noise; Public Services and Utilities; and Transportation and Circulation. Raney assumes that the remaining issue areas will be analyzed and dismissed in the Initial Study, which will be included as an Appendix to the EIR. Impacts identified as less-than-significant will be summarized in the Intro to Analysis section of the EIR. Raney will consult with City staff to confirm which issue areas will be evaluated in the EIR during the Project Initiation. Raney will assist the City of Pittsburg in preparing and releasing the Notice of Preparation (NOP) for the Faria Annexation EIR for public review as well as conducting an NOP Public Scoping meeting. Raney will coordinate with City staff and the applicant to discuss any necessary refinements to the scope of work as a result of comments received during the NOP process.

Raney will rely on the City of Pittsburg General Plan, Draft Study Plan for Faria/Southwest Hills Reclassification, the Initial Study for the Proposed Sphere of Influence Expansions for the City of Pittsburg, Delta Diablo Sanitation District (DDSD), and Contra Costa Water District (CCWD), and existing information for the project site and the surrounding vicinity to the greatest extent feasible for analysis in the EIR. To date, the following technical information has been provided by the City of Pittsburg and/or the applicant team:

- Southwest Hills/Faria Annexation Area Technical Greenhouse Gas Emissions and Global Climate Change Effects Technical Analysis, prepared by InSite Environmental, Inc. (April 2011);
- Initial Study for Proposed Sphere of Influence (SOI) Expansions for the City of Pittsburg, Delta Diablo Sanitation District (DDSD), and Contra Costa Water District (CCWD), prepared by PMC (July 2009);
- Southwest Hills/Faria Annexation & Rezoning Amendment Environmental Initial Study and Mitigated Negative Declaration (including comment letters), prepared by the City of Pittsburg (December 2010);
- San Marco Meadows Environmental Initial Study and Mitigated Negative Declaration, prepared by the City of Pittsburg (July 2002).
- Special Status Plant Survey of San Marco Meadows, prepared by Wetlands Research Associates, Inc. (August 2001);
- Phase I Archaeological Resources Inventory of San Marco Meadows, prepared by Ric Windmiller (March 2002); and
- Bay Pointe Sanitary Landfill Biotic Study and Archaeologic Report, prepared by James A. Wyse, Inc. (October 1988).



In order to fully address all the environmental issues of concern as they relate to the Faria Annexation project, Raney has assembled a team of technical experts. Rather than conduct all of the necessary technical studies in-house, Raney believes it is more efficient and effective to hire the known technical experts who specialize in a particular field. In this way, Raney can organize a unique team of consultants for each project, who can bring their expertise “to the table” and provide the client with the most defensible documentation and reporting in the timeliest manner. Raney will utilize our extensive experience to professionally manage the team of technical experts to ensure that all of the pertinent environmental issues are addressed and that the technical reports are produced in an on-budget and on-schedule fashion. Raney proposes to subcontract with the following firms for the preparation of technical studies to be used in the Faria Annexation project EIR:

- j.c. brennan & associates, inc. – Noise Analysis; and
- Kimley-Horn and Associates, Inc. – Traffic Study.

Raney firmly believes that the level of coordination between the City and the local citizens is directly proportional to the success of the project. Raney intends to work closely with the City of Pittsburg throughout the development and processing of the EIR. The expectation of Raney is that we will serve as environmental consultants to the City, and will make ourselves available to assist the City in any way necessary to facilitate the process.

Raney recognizes that individuals and groups may provide a high level of scrutiny during the CEQA process for the proposed project. Raney has extensive experience handling such controversies. Raney operates under a belief that some dissent and unrest regarding a new project may potentially be eliminated by the early involvement of project stakeholders and concerned citizens. This early involvement also provides Raney with an idea of which issues will be of greatest concern to the public. By identifying these issues, Raney can scrutinize the environmental documents to be sure that those issues were adequately addressed.

## II. Technical Scope of Services

Raney has prepared the following scope of services for preparation of an Environmental Impact Report (EIR) for the Faria Annexation project. This scope of services identifies each task in the preparation of the necessary documents and includes an objective, approach, and work product associated with each task.

### **TASKS 1.1-1.4: PROJECT INITIATION THROUGH NOTICE OF PREPARATION**

#### **Task 1.1 Project Initiation**

##### *Objective*

The objective of this task is to conduct a start-up meeting with representatives from the City of Pittsburgh to coordinate and confirm assumptions regarding the proposed project and scope of the EIR.

##### *Approach*

Raney will obtain and review available data for the project area, as well as policy documentation from the City of Pittsburgh and other agencies that may be affected by the proposed project. Vice President Cindy Gnos, AICP and Division Manager Rod Stinson will meet with City staff for purposes of reviewing the refined scope of work for the environmental document, providing Raney with complete copies of all pertinent City documents and mapping, as well as application materials and technical studies developed to date. The Raney team will review the project schedule and milestones, and will identify the role that each will play during the effort as well as a summary of meetings and products. During this meeting, Raney will also work with City staff to identify the cumulative projects to be considered in the EIR, and the prospective description of project alternatives.

#### **TASK 1.1 PRODUCTS**

- Project Initiation Meeting.
- Refined Scope of Work, Schedule, and Budget, as necessary.

#### **Task 1.2 Project Description**

##### *Objective*

The objective of this task is to prepare a draft project description in consultation with City staff.

##### *Approach*

Based on our extensive CEQA experience, we have found that completing a draft of the project description during the project initiation phase greatly reduces the potential for project-related issues throughout the preparation of the environmental documents.

Raney will rely on the information provided by the City and the applicant to prepare a summary of the characteristics of the proposed project. Given that Raney is proposing to prepare a

program-level EIR, the analysis will be based on a maximum build-out potential of 1,500 residential units. Raney will work with City staff to build upon the project description details for use in the EIR. The Project Description will detail the project location, background, and history of the project (including past ownership and land uses); intended uses; discretionary actions; characteristics; important project features; goals and objectives; phasing; agreements; and permits and approvals that are required for the project based on available information. This section will include a summary of the regional and local environmental setting for the Faria Annexation project as well as a description of on and off-site infrastructure necessary to serve the project. The project description will also include a regional and project location map as well as project application maps.

The draft project description will be submitted to the City for review and comment. Raney will incorporate the necessary modifications into the project description prior to incorporation into the Faria Annexation project EIR.

#### **TASK 1.2 PRODUCTS**

- One (1) electronic copy in Word of the draft project description for the environmental document to the City for review.

### **Task 1.3'      Prepare Initial Study**

#### *Objective*

The objective of this task is to prepare an Initial Study based on the checklist contained in Appendix G of the CEQA Guidelines and the standard City of Pittsburgh format.

#### *Approach*

Raney will prepare an Initial Study to address the environmental effects of the proposed Faria Annexation project. The Initial Study will provide a discussion of the impacts related to development of the proposed project and will be used to focus the content of the Draft EIR onto those technical issues that may have significant impacts. As noted in the Approach section, Raney anticipates that the preparation of the Initial Study will be a fairly succinct process given that the City of Pittsburgh prepared an Initial Study for the proposed project in 2010. Raney will rely on information contained in the existing Initial Study, updating and expanding the analyses as appropriate.

Raney anticipates that the environmental issues to be dismissed in the Initial Study may include but not be limited to, Forestry Resources, Cultural Resources, Mineral Resources, Population and Housing, and Recreation. A Draft Initial Study will be submitted to the City for review. Once comments on the draft Initial Study have been received and incorporated, a screencheck Initial Study will be submitted to the City for final review before printing the Final Initial Study, which will be provided to the public as an Appendix to the Notice of Preparation.

### **TASK 1.3 PRODUCTS**

- One (1) electronic copy in Word of the Administrative Draft Initial Study.
- One (1) electronic copy in Word of the screencheck Initial Study.
- One (1) electronic file in PDF of the finalized Initial Study.

## **Task 1.4 Prepare Notice of Preparation**

### *Objective*

The objective of this task is to prepare and distribute the Notice of Preparation (NOP) for public review.

### *Approach*

Raney will prepare an Administrative Draft NOP for the Faria Annexation project for review by City staff. The NOP will be finalized based upon City comments. Consistent with the requirements of CEQA, the NOP will include a description of the proposed project, location map, and general environmental effects anticipated to be caused by the proposed project. In addition, Raney will include a copy of the Initial Study as an Appendix to the NOP.

Raney will submit one digital copy of the finalized NOP to City staff. Raney assumes that the City will publish, post, and distribute the NOP; however, Raney will be available to assist the City as necessary upon request, including delivery of 15 copies of the NOP with a completed Notice of Completion to the State Clearinghouse.

During the 30-day NOP public review period, Raney will attend a public scoping workshop to solicit the public's input on the content of the EIR. Raney will work with the City of Pittsburg staff to determine the anticipated format, schedule the meeting, and to confirm project objectives for the public scoping meeting. Raney will be available to assist the City in any way necessary, including conducting the workshop. Raney has made the following assumptions regarding the format of the workshop; however, Raney will coordinate with City staff to identify the preferred approach. Raney assumes the public scoping meeting will be set up as a brief project overview presentation, in order for the community to gain an understanding of the project and make comments based upon accurate knowledge of the project. The scoping meeting will emphasize the review process as well as the intent and requirements of CEQA. Following the presentation, the meeting will be devoted to public participation and comments. Written comment forms will be provided for this purpose, and these comments, along with verbal comments, will become part of the administrative record. This scoping can be an effective way to bring together and resolve the concerns of affected federal, state, and local agencies, as well as the local community.

At the conclusion of the NOP comment period, Raney will review the comments received. Raney will consult with the City to determine if the scope of services for the EIR needs to be amended based upon the comments received.



#### **TASK 1.4 PRODUCTS**

- One (1) electronic copy in Word of the Administrative Draft NOP for City staff review.
- One (1) electronic copy of the Final NOP in PDF format to the City for distribution.
- Delivery of fifteen (15) copies of the NOP, including the Initial Study as an appendix, along with a NOC to the State Clearinghouse.
- Facilitation and attendance at a public scoping meeting.
- Revised scope of services for the EIR, if needed, based upon NOP comments received.

### **TASKS 2.1-2.2: PREPARE ADMINISTRATIVE DRAFT EIR & DRAFT EIR**

#### **Task 2.1 Prepare Administrative Draft EIR**

##### *Objective*

The objective of this task is to prepare an accurate, thorough, and complete Administrative Draft EIR for the Faria Annexation project.

##### *Approach*

Raney will prepare the Administrative Draft EIR in accordance with CEQA. The Administrative Draft EIR will include all statutory sections required by CEQA Section 15120-15132, including an executive summary, introduction and project description (including project objectives), setting, assessment of environmental impacts, identification of required mitigation measures for each of the environmental issues, and a complete list of the authors responsible for the environmental analysis. The EIR will also conform to the City of Pittsburgh's preferred format as well as for use by LAFCo as a responsible agency.

Raney proposes to prepare an EIR that will provide a program-level analysis to evaluate the potential environmental effects associated with build-out of the Faria Annexation project. The main purpose of the EIR will be to provide the public and decision-makers with a thorough, legally defensible environmental analysis of the proposed project. The report will be accurate and free of jargon so that the information it contains is readable and easy to use by the decision-makers as well as the public. Comments on the Notice of Preparation will be reviewed and incorporated, as appropriate. The Administrative Draft EIR will be reviewed with City staff for adequacy and accuracy.

The Faria Annexation EIR will include the following sections:

##### **Task 2.1.1 Executive Summary, Introduction, and Project Description**

The introduction will cite the provisions of CEQA and the City of Pittsburgh's CEQA implementation procedures to which the proposed project is subject. This section will identify the intended uses of the EIR, agencies that may rely upon the EIR, purpose of the EIR and

statutory authority, summary of the scoping procedures, and a list of the NOP comment letters and concerns raised in the letters.

The EIR will also include a summary section to briefly describe in text the impacts and mitigation measures. In addition, this section will summarize the environmental factors found not to have no impact in the existing Initial Study. A summary table will be included, consisting of a matrix of impacts and mitigation measures, with levels of significance of impacts before and after mitigation. The summary table will include all mitigation measures applicable to the proposed project.

The environmental setting will be built into the project description chapter and each technical chapter of the EIR. The project description chapter will be consistent with the one developed in Task 1.2 above.

#### **Task 2.1.2                      Environmental Setting, Impacts, and Mitigation Measures**

The environmental analysis for the proposed project will focus on the following areas: Aesthetics; Agricultural Resources; Air Quality and Greenhouse Gas Emissions; Biological Resources; Geology, Soils, and Seismicity; Hazards and Hazardous Materials; Hydrology/Water Quality; Land Use and Planning; Noise; Transportation and Circulation; and Public Services and Utilities; Growth Inducing Impacts; Cumulative Impacts; and Significant Unavoidable Impacts. Project alternatives and statutorily required sections will also be included. Some refinement to these issues may be required based on the comments that will be received during the NOP scoping process.

Information will be drawn from the City of Pittsburg General Plan and the General Plan EIR, the Initial Study prepared in Task 1.3 above, technical information provided by the City and the applicant team, and any other information pertinent to the project area. In addition to these documents, Raney will also review the technical studies prepared by j.c. brennan & associates, inc. and Kimley-Horn and Associates, Inc. for noise and traffic, respectively. Raney, after consultation with City staff, may substitute the technical sub-consultants if the agreed-upon schedule and budget cannot be met. Consistent with CEQA and the requirements of the City of Pittsburg, each environmental chapter will include an introduction, technical approach, environmental setting, regulatory setting, standards of significance, identification of environmental impacts, the development of mitigation measures and monitoring strategies, level of significance after mitigation, cumulative impacts and mitigation measures, level of significance after mitigation measures, significant impacts, and effects found not to be significant. Raney proposes to include the following chapters in the Faria Annexation EIR:

##### **a) Aesthetics**

The Aesthetics chapter of the EIR will summarize existing regional and project area aesthetics and visual setting. The chapter will describe project-specific aesthetics issues regarding buildout of the project area such as scenic vistas, trees, historic buildings, scenic highways, existing visual character or quality of the Study Area, as well as light and glare. Raney will rely on information from the City of Pittsburg General Plan, including the Urban Design Element and policies related to hillside

development, as well as on information from the General Plan EIR for analysis. In addition, Raney will review applicable City of Concord plans and policies related to hillside development within the project area, such as the Concord Naval Weapons Station Reuse Plan. This chapter of the EIR will include an analysis of the existing setting, identification of the thresholds of significance, identification of impacts, and the development of mitigation measures and monitoring strategies.

**b) Agricultural Resources**

The Agricultural Resources chapter of the EIR will summarize the status of the existing agricultural resources within the project boundaries, using the current State model and data, including identification of any prime/unique farmland or farmland of statewide importance within the project boundaries. Any conflicts with existing zoning for agricultural use or right-to-farm ordinances applicable to the proposed project will also be identified. Following the setting discussion, the chapter will identify thresholds of significance applicable to the proposed. The impacts will be measured against the thresholds of significance and appropriate mitigation measures and monitoring strategies will be identified which are consistent with the policies of the City of Pittsburg. In addition, the chapter will address the project's consistency with LAFCo policies and standards.

**c) Air Quality and Greenhouse Gas Emissions**

The Air Quality chapter of the EIR will summarize the regional air quality setting, including climate and topography, existing ambient air quality, regulatory setting, and presence of any sensitive receptors near the project site. The air quality impact analysis will include a quantitative assessment of short-term (i.e., construction) and long-term (i.e., operational) increases of criteria air pollutant emissions of primary concern (i.e., ROG, NO<sub>x</sub>, and PM<sub>10</sub>). The air quality chapter will be based upon the Greenhouse Gas Emissions and Global Climate Change Effects Technical Analysis, prepared by InSite Environmental, Inc., under contract with the City. Raney will review the report to ensure that all CEQA issues have been adequately and accurately addressed and that the methodologies used are consistent with the Bay Area Air Quality Management District's (BAAQMD) guidelines and recommendations. Upon preliminary review of the report, Raney recognizes that InSite Environmental, Inc. made a comparison of the project's impacts to plan-level thresholds of significance rather than project-level. Raney will coordinate with BAAQMD in review of the report to determine the appropriate level for thresholds of significance and the need for any subsequent mitigation measures. Should it be determined by the Air District that the methodologies contained in the existing report are inadequate; Raney would consult with the City and amend this scope of work accordingly for additional analysis.

It should be noted that the Alameda County Superior Court issued a judgment that the BAAQMD failed to comply with CEQA when it adopted the CEQA Guidelines, including thresholds of significance. The BAAQMD has been ordered to set aside the thresholds and is no longer recommending that they be used as a general measure of project impacts. Raney will consult with the City of Pittsburg to determine the

appropriate thresholds of significance and will utilize the agreed-upon thresholds in the CEQA document.

The project's cumulative contribution to regional air quality will be discussed, based in part on the modeling conducted at the project level. The significance of air quality impacts will be determined in comparison to BAAQMD-recommended significance thresholds, if appropriate, based on discussions with the City as outlined above. Mitigation measures will be incorporated to reduce any significant air quality impacts, and anticipated reductions in emissions associated with proposed mitigation measures will be quantified.

#### *Greenhouse Gas Emissions*

The GHG analysis will include a discussion of the existing regulatory context related to GHG Emissions, including AB32 and SB375, and an impacts and mitigation section with quantitative data showing the project's contribution to the generation of GHG during the operational phase of the project. Raney will rely on the Greenhouse Gas Emissions and Global Climate Change Effects report, prepared by InSite Environmental, Inc., as outlined above. In addition, Raney will coordinate with the City to ensure that the GHG analysis, including any proposed mitigation, is compatible with the General Plan.

Raney will incorporate the greenhouse gas emissions analysis into the air quality chapter in the EIR. In addition, Raney understands that the City of Pittsburg is currently in the process of preparing a Climate Action Plan. Raney will coordinate with the City to ensure that the Air Quality and GHG analysis is consistent with the Climate Action Plan, to the extent applicable.

#### **d) Biological Resources**

The Biological Resources chapter will include a description of the potential effects to plant communities, wildlife, and wetlands including adverse effects on rare, endangered, candidate, sensitive, and special-status species from build-out of the Faria Annexation project. The analysis will include potential impacts to common plant and animal species as well as special-status plants and animal species designated by the Department of U.S. Fish and Wildlife (USFWS), California Department of Fish and Wildlife (CDFW), and other resource agencies including the California Native Plant Society. In addition, this chapter will evaluate biological resources as identified by "waters of the United States" and regulated by the U.S. Army Corps of Engineers as well as "waters of the State" regulated by the California Regional Water Quality Control Board and CDFW. The chapter will be based upon a biological resources report to be provided by the applicant. Raney will review the report to ensure that all CEQA issues have been adequately and accurately addressed. In addition, Raney will rely on information contained in the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) as well as the Special Status Plant Survey for the nearby San Marco Meadows project. Raney understands that the proposed Interim Study Overlay District requires approval of an In-Lieu Fee Agreement by CDFW and USFWS.



Raney will review the Draft Study Plan and associated policies to ensure that all HCP/NCCP related requirements are met. The chapter will include identification of the thresholds of significance, identification of impacts, and the development of mitigation measures and monitoring strategies.

**e) Geology, Soils & Seismicity**

The Geology, Soils & Seismicity chapter of the EIR will summarize the setting and describe the potential effects from earthquakes, liquefaction, and expansive soils, as well as identify any unique geological features within the project area. Raney will rely on the Geology and Soils report to be provided by the applicant. Raney will review the Geology and Soils report to ensure that all CEQA issues have been adequately and accurately addressed. In addition, Raney will rely on information drawn from the City of Pittsburg General Plan, including the Health and Safety Element, and the General Plan EIR for analysis.

**f) Hazards & Hazardous Materials**

The Hazards & Hazardous Materials chapter of the EIR will summarize the setting and describe any potential existing hazards or hazardous materials within the project area due to pesticides or the nearby Naval Weapons Station, as well as any potential hazards or hazardous materials as a result of the proposed project. Raney will rely on information from any existing Phase I Environmental Site Assessments provided by the applicant, as well as information from the Pittsburg General Plan, and General Plan EIR. This chapter will include an analysis of the existing setting, identification of the thresholds of significance, identification of impacts, and the development of mitigation measures and monitoring strategies.

**g) Hydrology / Water Quality**

This chapter will summarize setting information and identify potential impacts on irrigation drainage, storm water drainage, flooding, groundwater, seepage, and water quality. The chapter will be based upon a Hydrology and Water Quality report to be provided by the applicant. In addition, Raney will rely on information from the City of Pittsburg General Plan, including the Resource Conservation Element, the General Plan EIR, the NPDES Clean Water Program, and any ordinances related to water quality. This chapter will include an analysis of the existing setting, identification of the thresholds of significance, identification of impacts, and the development of mitigation measures and monitoring strategies.

**h) Land Use and Planning**

The Land Use and Planning chapter will evaluate the consistency of the proposed project with the City of Pittsburg's adopted plans and policies, as well as any applicable City of Antioch and Contra Costa County policies. Raney will review the Pittsburg General Plan and Zoning Ordinance, including any existing ordinances or policies related to ridgeline/hillside development (e.g. General Plan policy 2-P-94), as well as the Draft Study Plan for Faria/Southwest Hills Reclassification, Proposed SOI Expansions IS/MND, LAFCo policies and standards, Urban Limit Line as approved by City of Pittsburg voters and voter approved initiative, and any other relevant

planning documents to address consistency issues. The chapter will further assess the compatibility of the proposed project with the surrounding land uses, both existing and proposed.

**i) Noise**

The Noise chapter of the EIR will be based on a technical report prepared by j.c. brennan & associates, inc., under contract with Raney (please see Appendix B for a complete scope). j.c. brennan & associates' analysis will include evaluation of the existing noise level environment, traffic noise impacts due to and upon the proposed project site, and short-term construction noise and vibration levels. The existing ambient noise environment will be established by conducting background noise level measurements on the project site and the surrounding vicinity, including 24-hour noise level measurements along Bailey Road. Peak-hour traffic levels will be determined based upon the 24-hour noise level measurements. The analysis of traffic noise impacts on the project site will be evaluated at a program-level, utilizing the Federal Highway Administration (FHWA RD77-108) traffic noise prediction model, to provide generalized noise contours associated with traffic and typical noise setbacks. In addition, potential construction noise and vibration levels will be assessed for the project site and adjacent uses. J.c. brennan & associates will further compare the project's exterior noise levels for compliance with the exterior and interior noise level criteria contained within the City of Pittsburg General Plan Noise Element and Noise Ordinance, as well as to existing levels. Feasible mitigation measures and monitoring strategies will be developed, as appropriate.

**j) Public Services and Utilities**

This chapter will summarize setting information and identify potential new demand for public services, including water, sewer, energy, fire, police, and schools. Raney will rely on the Hydrology and Water Quality Report to be provided by the applicant as well as on information contained in the Public Facilities and Resource Conservation Elements of the Pittsburg General Plan, the General Plan EIR, Municipal Service Review (MSR), and the Proposed SOI Amendments IS/MND for analysis. Raney will review the technical report provided by the applicant to ensure that all CEQA issues have been adequately and accurately addressed. In addition, Raney will consult with the appropriate City and other agencies, including but not limited to the Contra Costa Water District (CCWD), the Delta Diablo Sanitation District (DDSD), and the Fire Protection District, in order to address public services and obtain the most recent information. This chapter will include an analysis of the existing setting, identification of the thresholds of significance, identification of impacts, and the development of mitigation measures and monitoring strategies in sufficient detail to provide adequate information for LAFCo.

**k) Transportation, Traffic, and Circulation**

The Transportation, Traffic, and Circulation chapter of the EIR will be based on a technical report, prepared by Kimley-Horn and Associates, Inc. (KHA), under contract with the Raney (please see Appendix C for a complete scope). The traffic chapter will consider the impacts of the project on intersections and roadway system

elements within the project vicinity; including existing conditions, existing plus project traffic conditions, cumulative conditions without the project, and cumulative conditions plus project traffic scenarios. KHA will analyze existing traffic conditions utilizing current AM and PM peak hour traffic counts and freeway and ramp volumes to establish baseline conditions. Project trip generation, distribution, and assignment will be developed utilizing trip generation rates contained in the current ITE Trip Generation manual and the CCTA 2030 forecast model. KHA will then evaluate existing plus project traffic volumes to determine levels of service at study intersections, freeway segments, and ramp merge/diverge areas. Cumulative (without project) AM and PM peak hour traffic conditions will be generated from CCTA data using a Furness process according to standard industry practice and analyzed. Cumulative Plus Project conditions will also be analyzed to determine the increase in traffic volumes within the study area due to the proposed project. KHA proposes to include the following study intersections, freeway segments, and ramp merge/diverge areas in the analysis:

*Study Intersections*

1. Avila Road/Willow Pass Road
2. EB SR-4 Ramps/Willow Pass Road
3. WB SR-4 Ramps/Willow Pass Road
4. Rio Verde Circle/San Marcos Boulevard
5. Santa Teresa Drive/San Marcos Boulevard
6. Leland Road/San Marcos Boulevard
7. EB SR-4 Ramps/San Marcos Boulevard
8. WB SR-4 Ramp/San Marcos Boulevard
9. Willow Pass Road/Port Chicago Highway
10. Willow Pass Road/Baily Road
11. Willow Pass Road/Loftus Road
12. EB Willow Pass Road/Range Road
13. WB Willow Pass Road/Range Road
14. Willow Pass Road/Railroad Avenue
15. Leland Road/Alves Ranch Road
16. Leland Road/Southwood Drive
17. Leland Road/Bailey Road
18. Maylard Street/Bailey Road
19. EB SR-4 Ramps/Bailey Road
20. WB SR-4 Ramp/Bailey Road
21. Canal Road/Bailey Road
22. Leland Road/Chestnut Drive
23. Leland Road/Jacqueline Drive
24. Leland Road/San Remo Way
25. Leland Road/Range Road
26. Leland Road/Dover Way
27. Leland Road/Burton Avenue
28. Leland Road/Crestview Drive
29. Leland Road/Railroad Avenue

30. EB SR-4 Ramps/Railroad Avenue
31. WB SR-4 Ramp/Railroad Avenue
32. Willow Pass Road/Olivera Road
33. Concord Boulevard/Farm Bureau Road
34. Concord Boulevard/Bailey Road
35. Clayton Road/Babel/Lane
36. Clayton Road/Farm Bureau Road
37. Clayton Road/Treat Boulevard
38. Clayton Road/Bailey Road
39. Cowell Road/Treat Boulevard

#### *Highway Segments*

40. NB and SB SR-242 between I-680 and Clayton Road
41. NB and SB SR-242 between Clayton Road and Concord Avenue
42. NB and SB SR-242 between Concord Avenue and Grant Street
43. NB and SB SR-242 between Grant Street and Olivera Road
44. NB and SB SR-242 between Olivera Road and SR-4
45. EB and WB SR-4 between SR-242 and Solano Way
46. EB and WB SR-4 between Solano Way and SR-242
47. EB and WB SR-4 between SR-242 and Port Chicago Highway
48. EB and WB SR-4 between Port Chicago Highway and Willow Pass Road
49. Road
50. 10.EB and WB SR-4 between Willow Pass Road and San Marco Boulevard
51. Boulevard
52. EB and WB SR-4 between San Marco Boulevard and Bailey Road
53. EB and WB SR-4 between Bailey Road and Railroad Avenue

#### *Freeway Ramp Merge/Diverge Areas*

54. EB SR-4/Willow Pass Off-Ramp
55. EB SR-4/Willow Pass On-Ramp
56. WB SR-4/Willow Pass Off-Ramp
57. WB SR-4/Willow Pass On-Ramp
58. EB SR-4/San Marco Boulevard Off-Ramp
59. EB SR-4/SB San Marco Boulevard On-Ramp
60. EB SR-4/NB San Marco Boulevard On-Ramp
61. WB SR-4/San Marco Boulevard Off-Ramp
62. WB SR-4/NB San Marco Boulevard On-Ramp
63. WB SR-4/SB San Marco Boulevard On-Ramp
64. EB SR-4/SB Bailey Road Off-Ramp
65. EB SR-4/NB Bailey Road Off-Ramp
66. EB SR-4/Bailey Road On-Ramp
67. WB SR-4/NB Bailey Road Off-Ramp
68. WB SR-4/SB Bailey Road Off-Ramp
69. WB SR-4/Bailey Road On-Ramp

MTSO and Multi-Modal evaluations will also be included in the traffic analysis. Raney will review the traffic study to ensure that all CEQA issues have been adequately addressed. The chapter will also include standards of significance and methods of analysis, and will describe the impacts associated with the traffic and will propose mitigation to reduce the level of impacts, if feasible. Emergency access, transit, pedestrian, and bicycle facilities will also be discussed.

Each of the technical chapters will include an introduction, environmental setting, regulatory setting, method of analysis, and standards of significance. The method and criteria used for determining the adverse impacts for each of these technical issues will be clearly and explicitly described in the respective chapters of the EIR, including any assumptions, models, or modeling techniques used in the analyses. The determination of impacts will be based on (a) thresholds of significance drawn from the standards used in similar EIRs in the region and (b) from the technical studies prepared for the proposed project, and will be refined in consultation with City staff. For each significant impact, feasible mitigation measures, if available, will be identified and the level of significance after mitigation will be stated. Mitigation measures will identify the timing of the mitigation and the entities responsible for implementation. Cumulative impacts and mitigation measures will also be addressed within each technical chapter and include the impact, mitigation, and level of significance after mitigation. Each impact in the EIR will be numbered, as will the corresponding mitigation measures. Cross-references will be provided where necessary. The effectiveness and feasibility of mitigation measures will be discussed.

#### **Task 2.1.3 Statutorily Required Sections**

The Statutorily Required Sections chapter of the EIR will summarize potentially significant, unavoidable, significant irreversible, growth-inducing, and cumulative impacts. The chapter will summarize the cumulative impacts that will be contained in each technical section and will be qualitative in nature.

#### **Task 2.1.4 Alternatives to the Proposed Project**

The EIR will include an Alternatives analysis. The alternatives chapter will evaluate, at a minimum, three alternatives, including the No Project Alternative. Alternatives will be selected when more information related to project impacts is available so the alternatives can be designed to reduce significant project impacts. Any additional alternatives shall be developed in consultation with the City of Pittsburg staff during preparation of the Administrative Draft EIR to respond to identified significant impacts. The Alternatives chapter will describe the alternatives and identify the environmentally superior alternative. The alternatives will be analyzed at a level of detail less than that of the proposed project; however, the analyses will include sufficient detail to allow a meaningful comparison of the impacts. The Alternatives chapter will also include a section of alternatives considered but dismissed. A matrix comparing the impacts of the proposed project to the three alternatives will also be included.



### **TASK 2.1 PRODUCTS**

- One (1) electronic copy in Word of the Administrative Draft EIR in individual chapters to the City for review.
- One (1) electronic copy in PDF format of the complete Administrative Draft EIR.

## **Task 2.2 Prepare Screencheck Draft and Draft EIR**

### *Objective*

The objective of this task is to edit the Administrative Draft EIR based on the comments received, to prepare a Screencheck Draft EIR, and to distribute and process the Draft EIR for public review.

### *Approach*

After City staff has reviewed the Administrative Draft EIR, Raney will attend one (1) working meeting with the City staff as necessary to discuss City comments on the Administrative Draft EIR. Raney will also be available for conference calls, as needed, to discuss City edits.

Raney will respond to one consolidated set of City comments on the Administrative Draft EIR and incorporate City comments in the form of a Screencheck Draft EIR. If desired, Raney will provide the comments in a “strike-through – underline” format to assist with the final check of the document.

Raney will respond to additional comments from the City on the Screencheck Draft EIR (anticipated to only require editorial or other “non-substantive” changes) and will prepare the document for the required 45-day public review period. Raney will provide the City with one (1) bound copy of the complete Draft EIR with appendices, and one (1) unbound copy. In addition, Raney will provide one (1) electronic copy in PDF form of the consolidated Draft EIR and one (1) PDF copy of the Draft EIR in individual chapters. Raney assumes the City will distribute the Draft EIR in accordance with CEQA requirements. Raney will prepare the Notice of Availability (NOA) of the Draft EIR for the City to publish and post in accordance with CEQA. Raney will prepare the Notice of Completion and deliver, along with 15 copies of the Draft EIR, to the State Clearinghouse.

Raney will attend one (1) public hearing during the 45-day public review period to receive comments on the Draft EIR. Raney will assist the City as necessary with preparation of the appropriate noticing and staff reports.

### **TASK 2.2 PRODUCTS**

- One (1) meeting with City staff as necessary to discuss comments on the ADEIR and conference calls, as needed.
- One (1) electronic copy in Word of the Screencheck Draft EIR for City review.
- One (1) bound hard copy and one (1) unbound hard copy of the Draft EIR, including appendices.
- One (1) electronic copy of the consolidated Draft EIR in PDF format, including appendices.
- One (1) electronic copy of the Draft EIR in PDF format in individual chapters, including appendices.
- Notice of Availability preparation.
- Notice of Completion and fifteen (15) copies of the Executive Summary, together with fifteen (15) CD copies of DEIR delivered to State Clearinghouse.
- Attendance at one (1) public hearing to record comments on the DEIR, if requested by the City.

## **TASKS 3.1-3.4: PREPARE ADMINISTRATIVE FINAL & FINAL EIR**

### **Task 3.1 Prepare Administrative Final EIR**

#### *Objective*

The objective of this task is to prepare an Administrative Final EIR containing written responses to all comments received during the 45-day public review period.

#### *Approach*

After the public comment period for the Draft EIR has closed, Raney will meet with City staff to review all comments received and determine the appropriate written responses to the comments on the Draft EIR received during the public review period. These comments and responses will be compiled into an Administrative Final EIR for review by the City of Pittsburgh. The EIR will include a list of persons, organizations, and agencies commenting on the EIR. Raney does not anticipate that these comments will raise new issues, or that new surveys or technical studies will be required to complete adequate responses. Further, Raney assumes that the amount and nature of comments can be addressed within the hours shown in the budget spreadsheet. Given the controversial nature of the project and the number of comments that were received on the 2010 IS/MND, Raney has budgeted for a total of up to 250 individual bracketed comments. Should more time be needed to respond to additional comment letters, Raney will initiate discussions immediately with City staff to conduct this extra work. The Administrative Final EIR will consist of comments on the Draft EIR and responses to all comments on the Draft EIR. Changes in the Draft EIR text necessitated by the comments will also be provided and summarized on an errata sheet.

**TASK 3.1 PRODUCTS**

- Meeting with City staff to review comments received and discuss approach.
- One (1) electronic copy in Word of the Administrative Final EIR for City review.

**Task 3.2 Prepare Mitigation and Monitoring Plan (MMP)***Objective*

The objective of this task is to prepare a Mitigation and Monitoring Plan (MMP) based on the standard City of Pittsburgh format.

*Approach*

To comply with Public Resources Code Section 21081.6, Raney will prepare a Mitigation and Monitoring Program (MMP) for adoption by the City of Pittsburgh. The MMP will incorporate standard monitoring mechanisms in order to assist the City of Pittsburgh and the project team in meeting the intent of CEQA. The MMP will be in table format, and will specify mitigation measures, standards of success, parties responsible for implementing and monitoring, funding source(s), and timing. The MMP will be provided to the applicant and the City with the Administrative Final EIR, thereby allowing the applicant and the City to provide comments, which would subsequently be incorporated into the MMP in the Final EIR.

**TASK 3.2 PRODUCTS**

- One (1) electronic copy in Word of the MMP as a component of the Administrative Final EIR to City staff for review.

**Task 3.3 Prepare Screencheck and Final EIR***Objective*

The objective of this task is to revise the Administrative Final EIR and prepare a Screencheck Final EIR in order to provide a thorough, responsive Final EIR.

*Approach*

Raney will meet with the City of Pittsburgh staff to discuss revisions to the Administrative Final EIR. Upon receiving comments on the Administrative Final EIR, Raney will revise the Administrative Final EIR document and submit a Screencheck Final EIR to the City prior to printing. The Final EIR will be provided to the City by Raney at least ten days prior to the EIR Certification Hearings. Raney will work with the City and prepare all required noticing. In addition, should the project be approved, Raney will prepare a Notice of Determination (NOD) for City filing.



**TASK 3.3 PRODUCTS**

- One (1) electronic copy in Word of the Screencheck Final EIR for City review.
- One (1) bound hard copy and one (1) unbound hard copy of the Final EIR, including appendices.
- One (1) electronic copies of the consolidated Final EIR in PDF format, including appendices.
- One (1) electronic copy of the Final EIR in PDF format in individual chapters, including appendices.
- One (1) copy of the NOD to City staff.

**Task 3.4                      Prepare Findings of Fact, Statement of Overriding Considerations, and Notice of Determination***Objective*

The objective of this task is to prepare the required Findings of Fact, Statement of Overriding Considerations (FOF/SOC) and Notice of Determination (NOD) for approval by the City of Pittsburgh, as necessary.

*Approach*

Raney will prepare the FOF/SOC pursuant to CEQA, and will incorporate information regarding the project's environmental impacts disclosed in the EIR. In addition, the FOF/SOC will provide the appropriate language to dismiss the project alternatives not selected. Raney will also provide proposed language on the overriding considerations, if necessary, which describes the benefits of the project that would outweigh any adverse environmental effects, if any. Raney anticipates submitting the FOF/SOC in conjunction with the Administrative Final EIR. Raney further anticipates that the City Attorney would review and provide feedback on the adequacy of the FOF/SOC.

**TASK 3.4 PRODUCTS**

- One (1) electronic copy in Word of the administrative draft FOF/SOC to City staff with Administrative Final EIR.

**Task 4.1                      Project Management, Meetings, and Hearings***Objective*

The objective of this task is to ensure close, extensive coordination and interaction with City staff throughout the preparation of the environmental document, and to participate in the public hearings on the EIR.

*Approach*

Ms. Cindy Gnos, AICP and Vice President of Raney, will serve as the EIR Project Director and will be responsible for overseeing preparation of the environmental document. Division Manager Rod Stinson will serve as the EIR Project Manager. The EIR Project Manager is responsible for

handling the day-to-day activities of the EIR preparation, coordinating with the City and the technical consultants, and responding to staff inquiries about the EIR and the process. In addition, the Project Manager is responsible for coordinating with the project team to ensure that deliverables are completed on time and within budget. Ms. Gnos and Mr. Stinson will be assisted throughout the environmental review process by President Tim Raney, AICP and Associate staff. Raney anticipates regular phone and e-mail communications with City staff, project stakeholders, and pertinent County, State, and local agencies throughout the processing and preparation of the EIR.

Raney will be available to assist the City, including attending and/or facilitating project meetings, as necessary. In addition, Raney will attend public hearings on the EIR, including Planning Commission Hearing(s) and City Council Hearing(s), as directed by the City. Raney will prepare all necessary materials for public meetings and hearings.

Raney anticipates attending up to four (4) progress meetings (conference calls) with City staff on the project and up to four (4) public hearings, including City Council and Planning Commission, as directed by the City. Raney will prepare any necessary noticing and materials prior to the meetings, attend the meetings, make presentations, and answer questions and respond to comments as needed. Attendance at additional meeting and hearings could easily be accommodated and would be billed at time-and-materials. In addition, Raney assumes extensive e-mail and phone conversations throughout preparation of the EIR.

#### **TASK 4.1 PRODUCTS**

- Coordination, assistance, and project management throughout the process, including assistance with public facilitation of the project.
- Attendance at up to four (4) meetings with City staff.
- Attendance at up to four (4) public meetings/hearings, including Planning Commission and City Council.
- Regular in person, phone, and e-mail communication with City staff throughout the preparation of the EIR.

# III. Schedule

The attached tentative schedule is based on experience preparing similar documents. This schedule could be lengthened or shortened, depending on the needs of the City of Pittsburg and will be finalized at the Project Initiation meeting. Factors that could lengthen or shorten the schedule include dates of receipt of project information (including information from the applicant), length of document reviews and unanticipated issues arising from City staff, the project team, or public review of the environmental documents.

| <b>Tentative Schedule<br/>PITTSBURG FARIA ANNEXATION EIR</b>   |                                                         |
|----------------------------------------------------------------|---------------------------------------------------------|
| <b>MILESTONES &amp; CRITICAL PATH</b>                          | <b>DATE</b>                                             |
| Notice To Proceed                                              | To Be Determined                                        |
| Project Initiation Meeting                                     | Week of Notice to Proceed                               |
| Submit Project Description to City for Review                  | Two (2) weeks                                           |
| Receive edits on Project Description                           | One (1) week                                            |
| Submit Initial Study for Review                                | Two (2) weeks                                           |
| Receive edits on Initial Study                                 | One (1) week                                            |
| Submit NOP to City for Review                                  | One (1) week                                            |
| Receive edits on NOP                                           | One (1) week                                            |
| NOP Public Review Period (30 days)                             | Thirty (30) days                                        |
| NOP Public Scoping Meeting                                     | During Public Review Period                             |
| Receipt of All Technical Studies                               | Eight (8) Weeks from NTP                                |
| Submit Administrative Draft EIR to City for Review             | Thirty (30) Days from Close of NOP Public Review Period |
| Receipt of City Comments on Administrative Draft EIR           | Two (2) weeks                                           |
| Submit Screencheck Draft EIR to City for Review                | One (1) week                                            |
| Receipt of City Comments on Screencheck Draft EIR              | One (1) week                                            |
| Public Review Period of Draft EIR (45 Days)                    | Forty-Five (45) Days                                    |
| Submit Administrative Final EIR and FOF/SOC to City for Review | Four (4) weeks                                          |
| Receipt of City comments on Administrative Final EIR           | Two (2) weeks                                           |
| Submit Screencheck Final EIR to City for Review                | One & Half (1.5) weeks                                  |
| Receipt of City comments on Screencheck Final EIR              | One (1) week                                            |
| Public Review Period of Final EIR (10 Days)                    | Ten (10) Days                                           |
| Planning Commission Hearing(s)                                 | To Be Determined                                        |
| City Council Hearing(s)                                        | To Be Determined                                        |

## IV. Cost Proposal

The cost for completion of the Pittsburgh Faria Annexation EIR is not to exceed \$210,581. The tasks are summarized in the Technical Scope of Services of this proposal and costs by task are shown in the attached spreadsheet. These costs are based on the estimates of time for each task provided in the chart on the following page. Costs for the EIR preparation will be billed on a not-to-exceed basis, following Raney standard billing rates included in the attached spreadsheet. It should be noted; however, as indicated below, that the cost for the preparation of the Final EIR is based upon the receipt of a reasonable number of comments on the Draft EIR. Should the comments be excessive or require additional technical analysis, Raney would negotiate with the City immediately to determine a reasonable cost for completion of the Final EIR. The following assumptions were used in the calculations:

- Raney will attend meetings with the City staff, as well as public hearings as described in the scope of work. Raney assumes that the number of meetings required will be achieved within the hours allocated in the attached spreadsheet. Additional meetings and hearings are easily accommodated and will be billed on a time-and-materials basis, as directed.
- Raney costs are based on the assumption that the existing data and information for the City of Pittsburgh and the proposed project area is accurate and current and will be available for the preparation of the proposed environmental documents.
- Specific amounts of time for revisions to the Screencheck Draft EIR, Screencheck Final EIR, and Mitigation and Monitoring Program have been assumed. Raney expects that responding to comments will not exceed the budgeted time. If unanticipated comments result in additional time beyond that which has been budgeted, those items will need to be renegotiated.
- Raney will provide to the City of Pittsburgh the number of copies of the documents as indicated in the technical scope of services. The cost estimate for copying is an estimate only and will be billed at actual cost.
- Raney assumes that once a Notice to Proceed is issued, the preparation of the environmental documents would be a continuous process without excessive delays. Raney would propose to renegotiate the contract with respect to schedule and cost should substantial delays occur in the processing of the proposed project.
- Factors that would increase the scope of work and estimated costs outlined in the proposal include: attendance at additional public meetings; printing of additional copies of reports; analysis of additional issues above those discussed in this proposal or a more detailed level of analysis than described in this proposal; changes in the project requiring reanalysis or rewriting of report sections; collection of data required for the environmental documents beyond that described in this proposal; attendance at additional in-house meetings beyond those budgeted; and excessive comments on the environmental documents. Raney would propose to renegotiate these items, if required, or charge on a time-and-materials basis.



| PROPOSED COST ESTIMATE |                                                          |                                    |                                 |           |                   |
|------------------------|----------------------------------------------------------|------------------------------------|---------------------------------|-----------|-------------------|
| FARIA ANNEXATION EIR   |                                                          |                                    |                                 |           |                   |
|                        |                                                          | Cindy Gnos, AICP<br>Vice President | Rod Stinson<br>Division Manager | Associate | Cost Per Task     |
| Task 1.1               | Project Initiation                                       | 4                                  | 6                               |           | \$ 1,450          |
| Task 1.2               | Project Description                                      | 1                                  | 4                               | 8         | \$ 1,420          |
| Task 1.3               | Prepare Initial Study                                    | 2                                  | 4                               | 24        | \$ 3,020          |
| Task 1.4               | Prepare NOP                                              | 1                                  | 2                               | 8         | \$ 1,150          |
| Task 2.1               | Prepare Administrative Draft EIR                         | 8                                  | 12                              | 30        | \$ 5,600          |
|                        | <b>Technical Sections</b>                                |                                    |                                 |           |                   |
| Task 2.1.1             | Summary, Introduction, Project Description               |                                    | 2                               | 12        | \$ 1,350          |
| Task 2.1.2             | Environmental Setting, Impacts, Mitigation Measures      |                                    |                                 |           | \$ -              |
|                        | a Aesthetics                                             | 2                                  | 6                               | 20        | \$ 2,930          |
|                        | b Agricultural Resources                                 | 2                                  | 6                               | 18        | \$ 2,750          |
|                        | c Air Quality & Greenhouse Gases                         | 2                                  | 12                              | 32        | \$ 4,820          |
|                        | d Biological Resources                                   | 2                                  | 8                               | 18        | \$ 3,020          |
|                        | e Geology, Soils, and Seismicity                         | 2                                  | 6                               | 22        | \$ 3,110          |
|                        | f Hazards & Hazardous Materials                          | 6                                  | 6                               | 22        | \$ 3,750          |
|                        | g Hydrology/Water Quality                                | 4                                  | 8                               | 28        | \$ 4,240          |
|                        | h Land Use & Planning                                    | 8                                  | 4                               | 32        | \$ 4,700          |
|                        | i Noise                                                  | 2                                  | 10                              | 20        | \$ 3,470          |
|                        | j Public Services & Utilities                            | 4                                  | 8                               | 32        | \$ 4,600          |
|                        | k Transportation, Traffic, & Circulation                 | 4                                  | 10                              | 26        | \$ 4,330          |
|                        | <b>Other Sections</b>                                    |                                    |                                 |           |                   |
| Task 2.1.3             | Statutorily Required Sections                            |                                    | 8                               | 8         | \$ 1,800          |
| Task 2.1.4             | Alternatives Analysis                                    | 4                                  | 8                               | 24        | \$ 3,880          |
| Task 2.2               | Prepare Screencheck & Draft EIR                          | 6                                  | 12                              | 24        | \$ 4,740          |
| Task 3.1               | Prepare Administrative Final EIR                         | 12                                 | 16                              | 80        | \$ 11,280         |
| Task 3.2               | Prepare MMP                                              | 1                                  | 6                               | 8         | \$ 1,690          |
| Task 3.3               | Prepare Screencheck & Final EIR                          | 6                                  | 10                              | 20        | \$ 4,110          |
| Task 3.4               | Prepare FOF/SOC & NOD                                    | 2                                  | 6                               | 14        | \$ 2,390          |
| Task 4.1               | Project Management, Meetings & Hearings                  | 40                                 | 60                              |           | \$ 14,500         |
|                        | Total Hours                                              | 125                                | 240                             | 530       |                   |
|                        | Hourly Rate                                              | \$ 160                             | \$ 135                          | \$ 90     |                   |
|                        | Total EIR Labor                                          | \$ 20,000                          | \$ 32,400                       | \$ 47,700 | \$ 100,100        |
|                        | Sub-Consultant/Expenses                                  |                                    |                                 |           | \$ 110,481        |
|                        | Copying/Printing (estimate only; will be billed at cost) |                                    |                                 | \$ 9,000  |                   |
|                        | Misc (Travel/fax/phone)                                  |                                    |                                 | \$ 800    |                   |
|                        | Sub-Consultant - Noise Analysis                          |                                    |                                 | \$ 6,023  |                   |
|                        | Sub-Consultant - Traffic Peer Review                     |                                    |                                 | \$ 84,615 |                   |
|                        | 10% administrative fee                                   |                                    |                                 | \$ 10,044 |                   |
| <b>Total Budget</b>    |                                                          |                                    |                                 |           | <b>\$ 210,581</b> |

# Appendix A

## Raney Resumes

## **TIM RANEY, AICP**

### **President**

Mr. Raney has more than 20 years of local government, planning, and CEQA/NEPA experience, during which he has actively managed many of the regions most controversial projects.

#### **EDUCATION**

Graduate Studies,  
Agricultural Economics  
University of California,  
Davis

B.S., Agricultural and  
Managerial Economics  
University of California,  
Davis

#### **AFFILIATIONS**

American Institute of  
Certified Planners  
(AICP)  
American Planning  
Association (APA)  
Sacramento Metro  
Chamber

### **PRESIDENT**

*Raney Planning & Management, Inc. (April 1999 – Present)*

As President of Raney, Mr. Raney provides a wide range of planning, management, and economic development services to public and private sector clients. Mr. Raney specializes in project coordination and management, CEQA processing and documentation, land use analysis, business district information, and public facilitation. With years of planning experience, he has developed a diverse and expanding network of clients, including developers, agency representatives, and state and local decision-makers. His diverse background enables him to advise his clients on effective strategies regarding government permitting processing, public involvement, and agency coordination. Mr. Raney provides quality client services, ensuring legally and procedurally accurate documentation while strictly adhering to all schedules and budgets.

### **COMMUNITY DEVELOPMENT DIRECTOR**

*City of Wheatland (2004 – Present)*

As the Community Development Director for the City of Wheatland, Mr. Raney provides professional guidance and technical assistance to the City Manager, City Council, Planning Commission, and the public regarding immediate and long-range planning while working extensively with the development community, local business owners, and community residents. Mr. Raney monitors City growth and oversees implementation of the City's General Plan, processing of development applications, and makes recommendation to City Council regarding applications and development projects. Over the past 4 years, Mr. Raney has been instrumental in developing the City's Infrastructure Work Program, Community Vision, and Capital Improvement Program as well as developing and implementing the City's General Plan.

### **COUNCILMEMBER/MAYOR**

*City of Citrus Heights, CA (1997 – 2002)*

Elected to serve on the first City Council, Mr. Raney was instrumental in creating the initial government structure of the City of Citrus Heights. While on City Council, Mr. Raney participated in the preparation and adoption of the City's first General Plan as well as developing a city staff to be responsible for its implementation. Mr. Raney served as Mayor of Citrus Heights in 2000 winning numerous awards for his exceptional leadership skills. This experience behind the dais has given Mr. Raney the ability to understand projects from a variety of perspectives, thereby allowing him to provide a unique skill set to Raney's clients.

### **PROJECT MANAGER/LAND USE PLANNER**

*EIP Associates (April 1993 – May 1995, November 1996 – March 1999)*

### **INDEPENDENT CONTRACTOR/OWNER**

*Raney Consulting (June 1995 – November 1996)*

### **PROJECT MANAGER/LAND USE PLANNER**

*City of Sacramento, CA (September 1990 – April 1993)*

### **PROJECT MANAGER**

*Buzz Oates Enterprises/Massie & Co. (April 1988 – September 1990)*

**CINDY GNOS, AICP**  
**Vice President**

**EDUCATION**

Graduate Studies,  
Public Policy  
Administration  
California State  
University, Sacramento

B.S., City and Regional  
Planning  
California Polytechnic  
State University, San  
Luis Obispo

**AFFILIATIONS**

American Institute of  
Certified Planners  
(AICP)  
American Planning  
Association (APA)

Ms. Gnos brings to Raney Planning & Management a wide range of public sector planning, management, and economic development services. Ms. Gnos specializes in land use analysis, project coordination and management, public facilitation, and CEQA processing and documentation. With nearly twelve years of public sector planning experience, she has developed an understanding of the diverse aspects of planning and community development within local governments. Her background enables her to advise clients on effective strategies regarding government permit processing, public involvement, and agency coordination.

**VICE PRESIDENT/DIVISION MANAGER**

*Raney Planning & Management, Inc. (April 2000 – Present)*

As the principal contact for most of Raney's projects, Ms. Gnos provides high-quality, uniquely personal services to Raney's clients. Serving as Project Manager for many of Raney's projects, Ms. Gnos is exceptionally organized and skilled at providing project management services to Raney's clients. In addition to project management, Ms. Gnos is responsible for the quality and content of Raney's documents, thoroughly reviewing every document before sending it out for client review. Ms. Gnos provides the energy that keeps the Raney team running in top condition, thereby ensuring that its clients receive the very best of what Raney has to offer.

**SENIOR PLANNER**

*City of Dixon, CA (November 1994– March 2000)*

Ms. Gnos served as a planner for the City of Dixon, overseeing the planning, environmental review, and development of numerous residential, commercial, and industrial projects. Ms. Gnos coordinated the City of Dixon's downtown revitalization efforts through the management of the creation of the Dixon Downtown Revitalization Plan, and through personal participation in special downtown events. She implemented the Downtown Facade Improvement Program using Redevelopment funds. Ms. Gnos also oversaw the Community Development Block Grant (CDBG) Program for the City of Dixon which included Planning/Technical Assistance Grants and a Business Revolving Loan Fund. Ms. Gnos served as the housing coordinator for implementation of the City's Housing Element, including the use of Redevelopment Funds and HOME funds in a first-time homebuyer program.

**ASSOCIATE PLANNER**

*City of Sacramento, CA (October 1988 – November 1994)*

As a land use planner for the City of Sacramento, Ms. Gnos was responsible for processing development applications. This included pre-application meetings, environmental review, coordination with the City, developer, and neighborhoods, as well as reports and presentations to the Planning Commission and City Council. During her tenure at the City of Sacramento, she also chaired the Subdivision Review Committee.



## **ROD STINSON**

### **Division Manager / Air Quality Specialist**

#### **EDUCATION**

B.S., Forestry and  
Natural Resources  
California Polytechnic  
State University, San  
Luis Obispo

#### **CERTIFICATIONS**

Certified in River  
Restoration and Natural  
Channel Design.

#### **AFFILIATIONS**

Sacramento Metro  
EDGE

Mr. Stinson brings to Raney Planning & Management, Inc. his technical writing and project management skills to every project. As Division Manager / Air Quality Specialist with Raney, Mr. Stinson assists Vice President Cindy Gnos and company President Tim Raney in the day-to-day management of the office, which includes overseeing the processing of various environmental and planning projects, management of office staff, and coordination with agency personnel and project applicants. In addition, Mr. Stinson serves as Raney's in-house Air Quality Specialist.

### **DIVISION MANAGER/AIR QUALITY SPECIALIST/ASSISTANT DIVISION MANAGER/SENIOR ASSOCIATE/ASSOCIATE**

*Raney Planning & Management, Inc. (May 2005 – Present)*

Since June 2010, Mr. Stinson has worked under the title Division Manager / Air Quality Specialist and is responsible for assisting Vice President Cindy Gnos and company President Tim Raney in the day-to-day coordination of the Raney team and its efforts. Since arriving at Raney, Mr. Stinson has been involved in the writing of numerous EIRs and has served as the project manager for EIRs such as the Gilbert Property EIR in Oakley, CA; the Woodland Gateway Retail Center EIR in Woodland, CA; the Cathedral Square EIR in Sacramento, CA; and the Vernalis Mine West and East EIR in San Joaquin County, CA. Mr. Stinson has also managed and written numerous Initial Studies for cities including but not limited to, Wheatland, Woodland, Sacramento, Oakley, Brentwood, Gridley, and Clayton. In addition to CEQA documentation experience, Mr. Stinson has also provided environmental and land use planning services for various jurisdictions during his time at Raney, including extensive use of GIS in the analysis and presentation of data.

Mr. Stinson also serves as Raney's in-house Air Quality Specialist, preparing air quality and greenhouse gas analyses for Initial Studies and Environmental Impact Reports as well as air quality and greenhouse gas studies and health risk assessments for various private-sector clients. Mr. Stinson trained under Donald Ballanti, Certified Consulting Meteorologist for several years and has prepared over fifty air quality analyses for various public and private sector projects. Through his work with various air districts in the region, Mr. Stinson has become a leading expert in preparing air quality and greenhouse gas analyses.

Mr. Stinson is also actively involved in the Sacramento Metro Chamber as a recent graduate of the Leadership Class of 2012. As a part of the 2012 class project, Mr. Stinson participated in fundraising and outreach activities for the design and construction of the new Soil Born Farms outdoor classroom.

### **ESTIMATOR/ENVIRONMENTAL SPECIALIST**

*Thunder Mountain Enterprises, Inc. (October 2003 to May 2005)*

Mr. Stinson began at Thunder Mountain Enterprises, Inc. preparing Stormwater Pollution Prevention Plans utilizing erosion and sediment control Best Management Practices. In this position Mr. Stinson was trained in AutoCAD and expanded his knowledge of hydrology and fluvial processes. After four months with the company Mr. Stinson was promoted to department head of the Estimating Department where he developed and managed procedures for the department. Mr. Stinson was tasked to develop new markets for the company while maintaining their existing workflow market. In addition, Mr. Stinson set the budgets for the 2004 and 2005 fiscal years as well as secured over \$600,000 of revenue in the first year of existence. As Estimator, Mr. Stinson performed sales, estimating, project management, and contract administration.

**NICK PAPPANI**  
**Senior Project Manager**

**EDUCATION**

B.S., Wildlife Biology,  
cum laude  
California State  
University, Humboldt

Mr. Pappani brings to Raney Planning & Management his technical writing and strong analytical skills to every project. Nick Pappani served as the Division Manager of Raney Planning & Management, Inc. for the past several years. Recently, Mr. Pappani has relocated to southern California to pursue a Ph.D. in a different vocational arena. As part of this transition Mr. Pappani has become Special Projects Manager with Raney, serving in various management capacities, with a continued presence in the Sacramento area. Mr. Pappani assists the core management team of Raney in the day-to-day management of special projects.

**DIVISION MANAGER/SENIOR ASSOCIATE**

*Raney Planning & Management, Inc. (September 2002 – August 2010)*

---

From January 2006 to August 2010, Mr. Pappani worked under the title Division Manager, being responsible for assisting Vice President, Cindy Gnos, and company President, Tim Raney, in the day-to-day coordination of the Raney team and its efforts. Since his arrival at Raney, Mr. Pappani has been involved in the writing of numerous EIRs and has served as the project manager for EIRs such as the Covell Village EIR and Target EIR in Davis, CA, the Woodland Gateway and Auto Center EIR in Woodland, CA, the Marseilles EIR in Brentwood, CA, as well as the Timberline at Auburn, Bohemia Retail, and Rancho Del Oro Estates EIRs in Placer County, CA. Mr. Pappani has also written several Initial Studies for Cities including but not limited to, Folsom, Woodland, Sacramento, Oakley, Brentwood, Stockton, and Clayton. In addition to CEQA documentation experience, Mr. Pappani has also provided planning services for various jurisdictions during his time at Raney, including but not limited to serving as a contract planner for the City of Wheatland, and Clayton, CA.

**WILDLIFE TECHNICIAN**

*Grand Canyon National Park, AZ (May to August 1999 and 2000)*

---

Mr. Pappani utilized his field research skills obtained at Humboldt State University to collect pertinent wildlife data for the Park Service. In addition to conducting numerous field studies for special-status species and keeping detailed records of all collected data, Mr. Pappani was appointed as crew leader in the absence of the acting crew leader, which involved appointing tasks to other staff and managing their workload.

**FIELD TECHNICIAN**

*LBJ Enterprises, Eureka, CA (May to August 1998)*

---

Mr. Pappani conducted research for an environmental consulting firm located in Eureka, CA. Mr. Pappani's primary duties included conducting detailed plant and animal surveys throughout Six Rivers National Forest. The animal surveys focused on detecting the presence/absence of the Federally Threatened Marbled Murrelet within Six Rivers National Forest.

# **Appendix B**

## **Noise Scope**



P.O. Box 6748 • Auburn, California 95604  
263 Nevada Street • Auburn, California 95603  
p.530.823.0960 • f.530.823.0961 • www.jcbrennanassoc.com

March 6, 2013

Jenny Taylor  
Raney Planning & Management, Inc.  
1501 Sports Drive  
Sacramento, CA 95834

**Subject: Faria Annexation Program Level EIR Noise Analysis**

Dear Ms. Taylor:

Based upon our correspondence and the information you have provided, j.c. brennan & associates, Inc. is pleased to submit a proposal to prepare an acoustical analysis for the Faria Annexation Program Level EIR project in the City of Pittsburg, California. Based upon the tentative The following outlines our proposed tasks:

1. **Evaluation of the Existing Noise Environment:** j.c. brennan & associates, Inc. will conduct background noise level measurements on the project site and vicinity of the project site. The noise measurements will be conducted to establish the ambient noise environment and for comparison to the project noise levels. This will include conducting 24-hour noise measurements along Bailey Road, to establish the peak hour traffic noise levels as well as the 24-hour traffic noise levels.
2. **Evaluation of Traffic Noise Impacts Due to, and Upon the Project Site:** j.c. brennan & associates, Inc. will conduct an analysis of existing, existing + project, future, and future + project traffic noise levels. The analysis of traffic noise levels will include the impacts upon the project site, as well as impacts upon off-site land uses. The analysis of traffic noise impacts on the project site will be at a program level, and will provide generalized noise contours associated with traffic and typical noise setbacks. j.c. brennan & associates, Inc. will utilize the Federal Highway Administration (FHWA RD77-108) traffic noise prediction model.
3. **Analysis of Construction Noise and Vibration Levels:** j.c. brennan & associates, Inc. will assess the potential construction noise and vibration levels at the site and adjacent uses.
4. **Assessment of Compliance with the City's Noise Element Criteria:** j.c. brennan & associates will compare the exterior noise levels to the exterior and interior noise level criteria contained within the City of Pittsburg General Plan

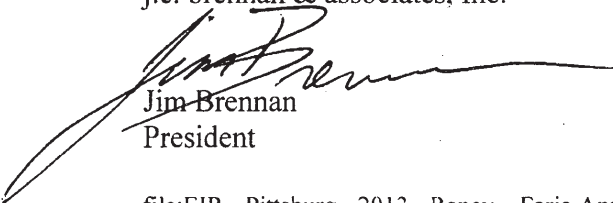
Noise Element, Noise Ordinance and to existing noise levels. If it is determined that the City's noise level criteria will be exceeded, generalized noise mitigation measures will be proposed for the project site.

5. **Preparation of a Written Report:** A revised written report for the project will be prepared, which details the assumptions and conclusion used for the analysis. The report will meet the requirements of the City of Pittsburg and CEQA. Appendices to the report will include all input and output files to the FHWA model, as well as measured noise level data collected for the project site.

We propose to provide the above-described services for a total fee of \$6,022.50, including expenses, based upon the attached cost analysis. Attendance at meetings outside our office, if required, will be charged based upon a rate of \$130 per hour, and expenses.

j.c. brennan & associates, Inc. maintains automobile, general, and professional liability insurance policies with one million dollars coverage each, and two million dollars aggregate. If you have any questions, please contact me in our Auburn office at (530) 823-0960.

Respectfully submitted,  
j.c. brennan & associates, Inc.



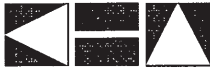
Jim Brennan  
President

file:EIR - Pittsburg - 2013 - Raney - Faria Annexation

| Faria Annexation Cost Estimate |            |             |            |
|--------------------------------|------------|-------------|------------|
| Task                           | Units      | Cost/Unit   | Total      |
| 1                              | 16 hours   | \$130/hour  | \$2,080    |
|                                | 250 miles  | \$0.55/mile | \$137.50   |
|                                | 1 Per Diem | \$200/day   | \$200      |
| 2                              | 8 hours    | \$130/hour  | \$1,040    |
| 3                              | 2 hours    | \$130/hour  | \$260      |
| 4                              | 4 hours    | \$130/hour  | \$520      |
| 5                              | 8 hours    | \$150/hour  | \$1,200    |
|                                | 4 hours    | \$130/hour  | \$520      |
| Administration                 | 1 hour     | \$65/hour   | \$65       |
| Total                          |            |             | \$6,022.50 |

# **Appendix C**

## **Traffic Scope**



Kimley-Horn  
and Associates, Inc.

4 March 2013

Mr. Rod Stinson  
Raney Planning & Management, Inc.  
1501 Sports Drive  
Sacramento, CA 95834

Suite 370  
6130 Stoneridge Mall Road  
Pleasanton, CA 94588-3279

Office: 925-398-4840  
Fax: 925-398-4849

Re: Pittsburg Faria Annexation Traffic Impact Study

Dear Mr. Stinson:

Thank you for inviting Kimley-Horn and Associates, Inc. to perform transportation and traffic engineering services in conjunction with the proposed Faria Annexation near Pittsburg. Since our founding more than 45 years ago, traffic and transportation have been mainstays of our practice. Over the years we have completed thousands of traffic studies including numerous studies in Pittsburg and surrounding cities.

This letter is in accordance with your request, and constitutes a proposal setting forth our proposed Scope of Services, Schedule and Fee.

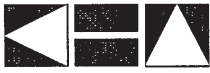
### **PROJECT UNDERSTANDING**

It is proposed that approximately 600 acres be annexed into the City of Pittsburg. The land abuts the Concord Naval Weapons Station property and is pre-zoned for residential uses at a maximum of 1,500 units and open space. The project site was included in the 2005 voter-approved Urban Limit Line adjustment and subsequently incorporated into the City's Sphere of Influence.

The City of Pittsburg prepared an IS/MND for annexation of the project site in 2010. However, significant comments were received on the IS/MND and it was determined that an EIR needed to be prepared.

Because there is no tentative map or preliminary site plan available, it is assumed that the project will include up to 1500 single family residential





units and the area will have road connections to Bailey Road, San Marcos Boulevard, and Avila Road.

This proposal is to prepare a traffic impact study (for a program level EIR) to evaluate the current and anticipated traffic conditions at or near the project site and identify key intersections, roadways, and other transportation facilities where traffic operations may be impacted as a result of the annexation project.

### SCOPE OF SERVICES

Kimley-Horn and Associates will prepare a traffic impact study for the proposed annexation expansion.

The traffic impact study will be based on the following development conditions:

- **Existing conditions** – Based on current traffic counts (i.e. 2013) and existing roadway geometry and traffic control.
- **Existing plus project traffic conditions** – Based on current traffic counts and existing roadway geometry and traffic control plus the traffic generated by the annexation.
- **Cumulative conditions without the project** – Based on future year traffic forecasts from the Contra Costa Transportation Authority (CCTA) 2030 model. Future year will correspond with the approximate buildout of the city's General Plan and include roadway projects anticipated to be complete at the cumulative horizon year.
- **Cumulative conditions plus project** – Based on CCTA traffic forecasts and traffic generated by the project.

#### Task 1 – Data Collection and Review

Several elements of information will be needed to complete the traffic analysis. Kimley-Horn will work with you and the city to receive the following:

- Inventory of existing street network and traffic signal operations.
- Traffic signal timing sheets
- Inventory of nearby transit, bicycle, and pedestrian facilities





- Existing Caltrans mainline and ramp volumes
- List of anticipated street improvements to be in place in the cumulative horizon year.
- Future year cumulative travel forecast information from the CCTA east County forecast model.

Because of the size of the proposed project, several intersections may be affected and will therefore be studied. It is assumed that the following intersections will be evaluated in this traffic study:

1. Avila Road/Willow Pass Road
2. EB SR-4 Ramps/Willow Pass Road
3. WB SR-4 Ramps/Willow Pass Road
4. Rio Verde Circle/San Marcos Boulevard
5. Santa Teresa Drive/San Marcos Boulevard
6. Leland Road/San Marcos Boulevard
7. EB SR-4 Ramps/San Marcos Boulevard
8. WB SR-4 Ramp/San Marcos Boulevard
9. Willow Pass Road/Port Chicago Highway
10. Willow Pass Road/Baily Road
11. Willow Pass Road/Loftus Road
12. EB Willow Pass Road/Range Road
13. WB Willow Pass Road/Range Road
14. Willow Pass Road/Railroad Avenue
15. Leland Road/Alves Ranch Road
16. Leland Road/Southwood Drive
17. Leland Road/Bailey Road
18. Maylard Street/Bailey Road
19. EB SR-4 Ramps/Bailey Road
20. WB SR-4 Ramp/Bailey Road
21. Canal Road/Bailey Road
22. Leland Road/Chestnut Drive
23. Leland Road/Jacqueline Drive
24. Leland Road/San Remo Way
25. Leland Road/Range Road
26. Leland Road/Dover Way
27. Leland Road/Burton Avenue
28. Leland Road/Crestview Drive
29. Leland Road/Railroad Avenue



30. EB SR-4 Ramps/Railroad Avenue
31. WB SR-4 Ramp/Railroad Avenue
32. Willow Pass Road/Olivera Road
33. Concord Boulevard/Farm Bureau Road
34. Concord Boulevard/Bailey Road
35. Clayton Road/Babel/Lane
36. Clayton Road/Farm Bureau Road
37. Clayton Road/Treat Boulevard
38. Clayton Road/Bailey Road
39. Cowell Road/Treat Boulevard

Level of service at signalized study intersections will be evaluated using CCTALOS methodology within TRAFFIX software. Stop controlled intersections will be evaluated using *Highway Capacity Manual 2000* unsignalized methodology from TRAFFIX software.

In addition, the following highway segments will also be studied.

1. NB and SB SR-242 between I-680 and Clayton Road
2. NB and SB SR-242 between Clayton Road and Concord Avenue
3. NB and SB SR-242 between Concord Avenue and Grant Street
4. NB and SB SR-242 between Grant Street and Olivera Road
5. NB and SB SR-242 between Olivera Road and SR-4
6. EB and WB SR-4 between SR-242 and Solano Way
7. EB and WB SR-4 between Solano Way and SR-242
8. EB and WB SR-4 between SR-242 and Port Chicago Highway
9. EB and WB SR-4 between Port Chicago Highway and Willow Pass Road
10. EB and WB SR-4 between Willow Pass Road and San Marco Boulevard
11. EB and WB SR-4 between San Marco Boulevard and Bailey Road
12. EB and WB SR-4 between Bailey Road and Railroad Avenue

Level of service on freeway segments will be evaluated using *Highway Capacity Manual 2000* methodology per the *Caltrans Guide to the Preparation of Traffic Impact Studies*.



In addition, the following freeway ramp merge and diverge areas will be studied:

1. EB SR-4/Willow Pass Off-Ramp
2. EB SR-4/Willow Pass On-Ramp
3. WB SR-4/Willow Pass Off-Ramp
4. WB SR-4/Willow Pass On-Ramp
5. EB SR-4/San Marco Boulevard Off-Ramp
6. EB SR-4/SB San Marco Boulevard On-Ramp
7. EB SR-4/NB San Marco Boulevard On-Ramp
8. WB SR-4/San Marco Boulevard Off-Ramp
9. WB SR-4/NB San Marco Boulevard On-Ramp
10. WB SR-4/SB San Marco Boulevard On-Ramp
11. EB SR-4/SB Bailey Road Off-Ramp
12. EB SR-4/NB Bailey Road Off-Ramp
13. EB SR-4/Bailey Road On-Ramp
14. WB SR-4/NB Bailey Road Off-Ramp
15. WB SR-4/SB Bailey Road Off-Ramp
16. WB SR-4/Bailey Road On-Ramp

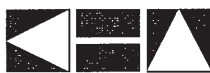
Level of service for freeway ramp merge and diverge areas will be evaluated using *Highway Capacity Manual 2000* methodology per the *Caltrans Guide to the Preparation of Traffic Impact Studies*.

Locations of study Intersections, ramp merge and diverge areas, and freeway segments are shown on the attached map.

Kimley-Horn will collect weekday AM and PM peak period intersection turning movement counts on Tuesday, Wednesday, or Thursday when local schools are in session. (Additional locations can be added as an additional service if needed.)

Kimley-Horn will observe HOV lane occupancies during peak hours of freeway segments in the study area for use in calculating future occupancies.

Kimley-Horn will inventory the intersection configuration and roadways in the vicinity of the study intersection and driveways. Other factors such as nearby transit service and bicycle and pedestrian facilities will be collected.



This information will be used during the analysis and in recommendations contained in the traffic report.

We will also receive from CCTA their most recent 2030 travel forecast model projection for use in the cumulative analysis.

Task 2 – Existing Traffic Conditions Analysis

Kimley-Horn will conduct an analysis of existing AM and PM peak hour traffic conditions based on current traffic counts and freeway and ramp volumes. This step in the analysis establishes the baseline of traffic operations at the study intersections, freeway segments, and ramp merge/diverge areas.

Task 3 – Project Trip Generation, Distribution, and Assignment

Kimley-Horn will prepare trip generation, distribution and assignment for the proposed project. Trip generation rates will be obtained from the current edition of ITE *Trip Generation*.

Land use information will be input into the CCTA 2030 forecast model to prepare a select zone distribution for the project. Select zone results will be used to determine project traffic assignment at individual intersections and roadways.

Task 4 – Existing Plus Project Traffic Conditions Analysis

Existing plus project traffic volumes will be evaluated to determine levels of service at the study intersections, freeway segments, and ramp merge/diverge areas.

Task 5 – Cumulative Analysis Without Project

Roadway link traffic forecasts data from CCTA will be post-processed using a Furness process to generate cumulative turning movement counts per standard industry practice. Based on the forecast we will conduct an analysis of cumulative AM and PM peak hour traffic conditions at study intersections, freeway segments, and ramp merge/diverge areas. This step in the analysis makes it possible to identify what long-term cumulative traffic conditions are expected, regardless of the proposed annexation project.



#### Task 6 – Cumulative Analysis With Project

Kimley-Horn will add project traffic to the cumulative forecast data to determine the increase in traffic volumes within the study area based on the proposed project. Based on the forecast we will conduct an analysis of future AM and PM peak hour traffic conditions with the project at study intersections, freeway segments, and ramp merge/diverge areas.

#### Task 7 – MTSO Evaluation

Kimley-Horn will complete an evaluation of the delay index (DI) for routes of regional significance. The Delay Index will be determined by calculating the time it takes to travel a segment of road during peak-period congested conditions, and comparing it to the time it takes to travel the same segment during uncongested, free-flow conditions.

Future average freeway HOV lane occupancy will be estimated based on information from the CCTA forecast model coupled with observed occupancy.

#### Task 8 –Multi-Modal Evaluation

Kimley-Horn will evaluate the project in connection with nearby transit, bicycle, and pedestrian facilities. Changes in transit ridership will be determined using the CCTA travel forecast model. We will recommend improvements or modifications as deemed necessary.

#### Task 9– Mitigation Analysis and Recommendations

Kimley-Horn will identify locations and facilities that are impacted by the proposed project and make recommendations for improvements to mitigate project impacts. Mitigation improvements could include, but are not limited to, street widening, lane additions, intersection configuration changes, safety improvements, new traffic signals, etc. These improvements, including turning lanes, channelization and traffic control devices will be considered, evaluated and recommended when determined necessary by accepted standards and practices.

#### Task 10–Draft Traffic Report

Kimley-Horn will prepare a stand-alone traffic report for preliminary review. The draft report will include text, charts, and figures describing our process, assumptions, and results. The report will specifically detail impacts directly connected with project traffic and recommended



mitigation, if needed. Based on comments received on the draft report from Raney, the report will be revised and included in the Administrative Draft EIR for review by City staff. Based on comments received from staff, the report will be revised as appropriate for inclusion into the Draft EIR.

#### Task 11 – Response to DEIR Comments and Final EIR

Kimley-Horn will assist Raney and City staff in preparing responses to public agency and public comments on the transportation and circulation report and the corresponding section of the DEIR. No revisions to the traffic report are envisioned, and any report modifications will be made through an errata section to be included in the Final EIR. Response to DEIR comments is assumed to include up to 15 hours of professional staff time.

#### Task 12 – Meetings

Kimley-Horn staff will participate in up to two meetings with City, County or Caltrans staff in the preparation of the traffic study. If additional meetings or hearings are required, they will be completed as an additional service.

#### Additional Services

We will, if authorized by you, perform other services which may be required. Additional services will be completed on a lump sum or time and materials basis and may include attendance at meetings or hearings not included in the scope, traffic forecasts, additional traffic counts, Saturday analyses, traffic signal coordination and timing plans, accident analyses, design of mitigation measures, or revision of our analyses or report based on site or project plan changes, and shall be performed on a time and materials basis. Any additional efforts, not included in this scope and fee estimate, will be undertaken only upon express prior authorization by you.

### **SCHEDULE**

We recognize that you are eager to have the traffic study completed. As a result, Kimley-Horn is prepared to begin work immediately upon receipt of a signed Agreement and your notice to proceed, and we will endeavor to meet your scheduling needs. We anticipate completion of the draft traffic



study within 5 weeks from receipt of all data and information. Completion of each subsequent task deliverable will depend on the nature and extent of the comments received, but all efforts will be made to expedite any revisions and assistance with response to comments.

The project Scope, Fee and Schedule outlined in this proposal are based on the data listed in Task 1 to be provided to Kimley-Horn and upon which we will rely.

### FEE PROPOSAL

We propose to perform the Scope of Services outlined in Task 1 through Task 12 for a lump sum fee of \$84,615. This fee includes direct expenses for the project such as in-house duplicating, facsimile, mileage, telephone, postage, in-house blueprinting, and \$14,000 in traffic counts. The services will be invoiced and payable monthly on a percent (%) complete basis.

A breakdown of our estimated hours is included in the table below.

| Tasks                                          | Proj. Mgr.<br>West | Senior<br>Prof<br>Schmitt | Junior<br>Prof<br>Huie | Analyst<br>Chau | Clerical | Sub<br>Counts | Sub  | KHA<br>Total |
|------------------------------------------------|--------------------|---------------------------|------------------------|-----------------|----------|---------------|------|--------------|
| 1 Data Collection and Review                   | 2                  |                           | 18                     | 18              |          | \$ 14,000     |      | \$4,710      |
| 2 Existing Traffic Conditions Analysis         | 1                  |                           | 22                     | 44              |          |               |      | \$7,610      |
| 3 Trip Generation, Distribution and Assignment | 1                  | 28                        | 2                      | 4               |          |               |      | \$5,950      |
| 4 Existing Plus Project Conditions Analysis    | 1                  |                           | 13                     | 26              |          |               |      | \$4,595      |
| 5 Cumulative Analysis Without Project          | 1                  |                           | 22                     | 44              |          |               |      | \$7,610      |
| 6 Cumulative Analysis With Project             | 1                  |                           | 13                     | 26              |          |               |      | \$4,595      |
| 7 MTSO Evaluation                              | 1                  | 6                         | 4                      | 4               |          |               |      | \$2,260      |
| 8 Multi-Modal Evaluation                       | 2                  | 6                         | 2                      | 4               |          |               |      | \$2,230      |
| 9 Mitigation Analysis and Recommendations      | 9                  |                           | 18                     | 28              |          |               |      | \$7,390      |
| 10 Draft Traffic Report                        | 12                 |                           | 28                     | 30              | 22       |               |      | \$11,640     |
| 11 Response to DBR Comments and FBR            | 6                  |                           | 9                      |                 |          |               |      | \$2,655      |
| 12 Meetings                                    | 8                  |                           |                        |                 |          |               |      | \$1,920      |
|                                                |                    |                           |                        |                 |          |               |      | \$0          |
| Labor Total                                    | 53                 | 40                        | 151                    | 228             | 22       |               |      | \$65,085     |
| Subconsultants                                 |                    |                           |                        |                 |          | \$ 14,000     | \$ - | \$ 14,000    |
| In-Office Direct Expenses                      |                    |                           |                        |                 |          |               |      | \$ 5,530     |
| Total Labor and Expenses                       |                    |                           |                        |                 |          |               |      | \$ 84,615    |

Note: Actual hours per task may vary





### CLOSURE

We appreciate the opportunity to submit this proposal and we look forward to working with you on this project. If you concur in all the foregoing and wish to direct us to proceed with the services, please let us know. Fees and times stated in this Agreement are valid for sixty (60) days after the date of this letter.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.,

Jim West, P.E.

#C65854

Attachment: Study intersections, ramps, and freeway segments



The map displays the proposed high-speed rail alignment through the Concord area. The alignment is shown as a thick black line with a central dashed line, indicating the rail corridor. Major roads and highways are labeled, including Interstate 580, Interstate 680, Interstate 205, and various local streets like Park St, Bates Ave, and Concord Ave. The map also shows the location of the Concord Naval Weapons Station and the Concord Community Park. A legend in the top right corner identifies symbols for Black Diamond Mines, Regional Park, and the proposed high-speed rail alignment.

Copyright © and (P) 1988–2010 Microsoft Corporation and/or its suppliers. All rights reserved. <http://www.microsoft.com/streets/>  
Certain mapping and direction data © 2010 NAVTEQ. All rights reserved. The Data for areas of Canada includes information taken with permission from Canadian authorities including: © Her Majesty the Queen in Right of Canada, © Queen's Printer for  
Ontario, NAVTEQ and NAVTEQ ON BOARD are trademarks of NAVTEQ. © 2010 Tele Atlas North America, Inc. All rights reserved. Tele Atlas and Tele Atlas North America are trademarks of Tele Atlas, Inc. © 2010 by Applied Geographic Systems. All  
rights reserved.





**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR  
65 Civic Avenue  
Pittsburg, CA 94565**

**DATE:** 7/6/2017

**TO:** Mayor and Council Members

**FROM:** Joe Sbranti, City Manager

**SUBJECT:** Adoption of a City Council Resolution Accepting the Public Improvements Within Subdivision 9379, San Marco Unit 11 for Continuous Maintenance

**MEETING DATE:** 7/17/2017

**EXECUTIVE SUMMARY**

All of the public improvements within Subdivision 9379 have been completed are ready to be accepted for continuous maintenance.

**FISCAL IMPACT**

When the public improvements are accepted, there will be increased maintenance service costs that will be partially offset by the typical revenues collected from private residences.

**RECOMMENDATION**

Adopt the attached resolution accepting the public improvements as complete, and assume responsibility for maintenance of these facilities.

**BACKGROUND**

On December 22, 1992, the Planning Commission approved the Vesting Tentative Map for the San Marco Subdivision, by adoption of Resolution 8658. San Marco Unit 11 is a tract of the approved Vesting Tentative Map, and consists of 17.52 acres, which will be subdivided for 125 single-family homes. This tract is located west of Santa Teresa Drive, and San Marco Units 9 and 10.

**SUBCOMMITTEE FINDINGS**

Not applicable

**STAFF ANALYSIS**

The subdivision improvements have been constructed in accordance with the approved plans. Upon acceptance, the City will release the payment and performance bond. The developer will provide the City with a warranty bond in the amount of Two Hundred Eighty-One Thousand and Two Dollars (\$281,002). Said warranty bond shall be held for a period of one year from the date of this acceptance.

ATTACHMENTS:     Resolution  
Site Plan

Report Prepared By: Jolan Longway  
Civil Engineer II

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Acceptance of Public Improvements                    )  
Within Subdivision 9379 San Marco Unit 11 )

RESOLUTION NO. 17-

The Pittsburg City Council DOES RESOLVE as follows:

WHEREAS, on December 22, 1992, the Planning Commission approved the Vesting Tentative Map for the San Marco Subdivision, by adoption of Resolution 8658. San Marco Unit 11 is a tract of the approved Vesting Tentative Map, and consists of 17.52 acres, which will be subdivided for 125 single-family homes. This tract is located west of Santa Teresa Drive, and San Marco Units 9 and 10; and

WHEREAS, on August 1, 2016 the City Council adopted Resolution 16-13227 approving the Final Map, Grading Plans, Improvement Plans, and Subdivision Improvement Agreement for Subdivision 9379, San Marco unit 11; and

WHEREAS, West Coast Home Builders, Inc. hereinafter referred to as "Developer" entered into a Subdivision Improvement Agreement with the City of Pittsburg for the construction of certain public improvements, described and set forth therein; and

WHEREAS, the City Engineer has determined that said improvements have been completed in accordance with the agreement and approved construction plans, and fee obligations have been met, and therefore recommends approval of the Developer's request.

NOW, THEREFORE, the City Council finds and determines as follows:

Section 1. The above recitals are true and correct, and are incorporated herein.

Section 2. Acceptance of the Public Improvements as complete for continuous maintenance is statutorily exempt from environmental review under Section 15268, Article 18 of the Guidelines for the Implementation of the California Environmental Quality Act.

Section 3 Accept the dedication of those portions of real property designated on the final map for Subdivision 9379 as: San Marco Unit 11.

Section 4. Accept for continuous maintenance those surface and subsurface facilities including water, stormwater, and sewer conveyance system facilities, curbs, gutters, sidewalks, asphalt concrete paving, pavement delineation, and traffic signs as shown on the approved improvement plans for the subdivision.

Section 5. To accept the easement designated on the final map as "Public Utilities Easement" or "P.U.E". This dedication is for access, construction, reconstruction, and maintenance of structures whether covered or uncovered.

Section 6. Upon acceptance, the City will release the payment and performance bond, and the Developer shall provide the City with a warranty bond in the amount of Two

Hundred Eighty One Thousand, Two Dollars (\$281,002). Said warranty bond shall be held for a period of one year from the date of this acceptance.

Section 7. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 17<sup>th</sup> day of July, 2017, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

---

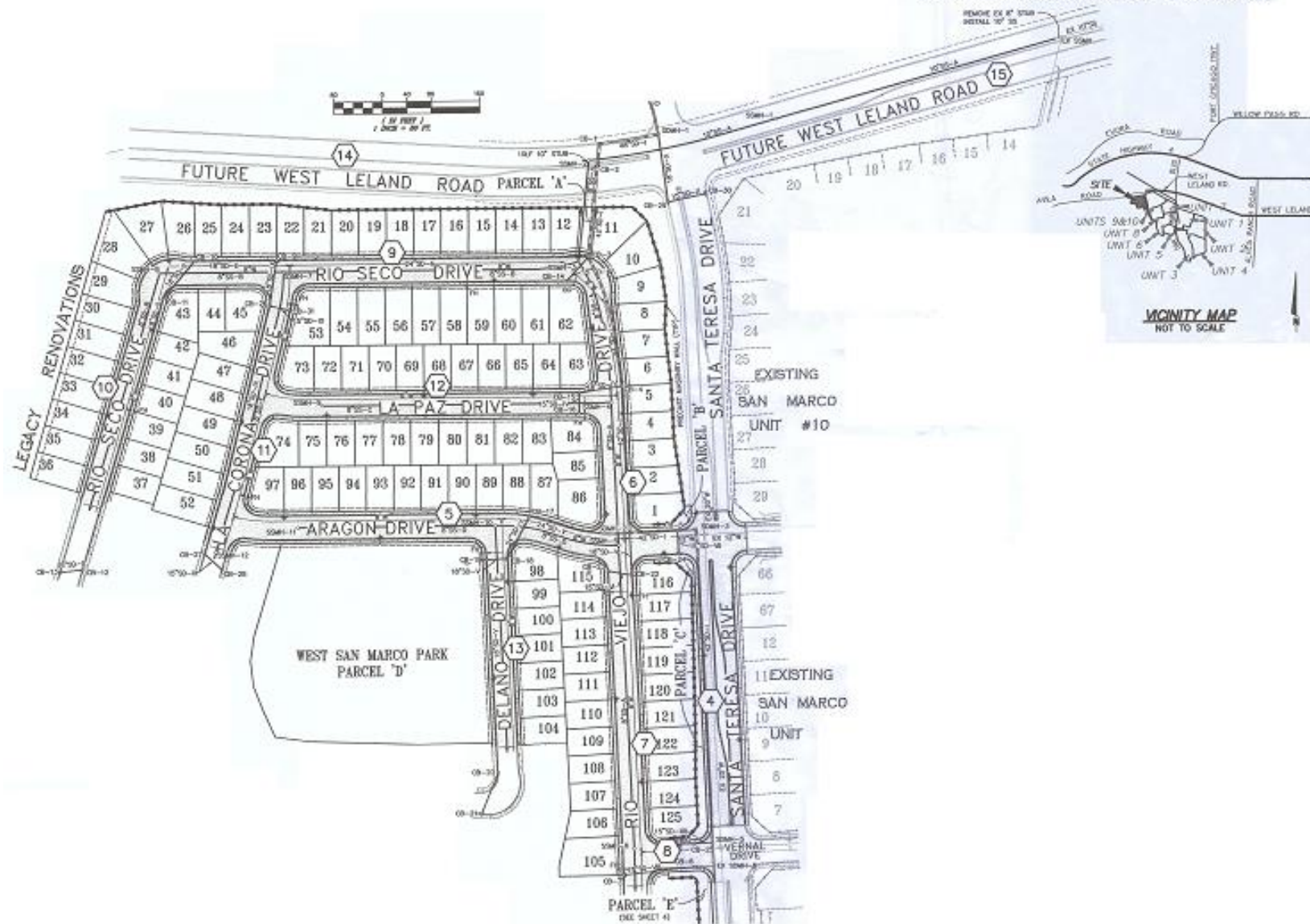
Marilyn Craft, Mayor

ATTEST:

---

Alice E. Evenson, City Clerk

COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA







**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR  
65 Civic Avenue  
Pittsburg, CA 94565**

**DATE:** 6/29/2017

**TO:** Mayor and Council Members

**FROM:** Joe Sbranti, City Manager

**SUBJECT:** Adoption of a City Council Resolution Approving the Final Map, Subdivision Improvement Agreement, and Improvement and Grading Plans for Subdivision 9380, San Marco Unit 12

**MEETING DATE:** 7/17/2017

**EXECUTIVE SUMMARY**

The Final Map, Improvement Plans, and Subdivision Improvement Agreement for Subdivision 9380, San Marco Unit 12, are ready for approval. This Resolution will authorize the City Manager to execute the Subdivision Improvement Agreement and approve the Final Map and Improvement and Grading Plans for the Subdivision.

**FISCAL IMPACT**

Costs for plan review and processing of the project plans are revenue neutral. Staff costs are recovered through typical revenues collected for major subdivision projects in Fund 110 (General Fund).

**RECOMMENDATION**

City Council adopt the attached resolution authorizing the City Manager to execute the Subdivision Improvement Agreement for Subdivision 9380, San Marco Unit 12, and approving the Final Map, Improvement and Grading Plans.

**BACKGROUND**

On December 22, 1992, the Planning Commission approved the Vesting Tentative Map for the San Marco Subdivision, by adoption of Resolution 8658. San Marco Unit 12 is a tract of the approved Vesting Tentative Map, and consists of 13.99 acres, which will be subdivided for 108 single-family homes. This tract is located to the south of San Marco Unit 11 just west of Santa Teresa Drive.

**SUBCOMMITTEE FINDINGS**

Not Applicable

## **STAFF ANALYSIS**

The Final Map, Improvement and Grading Plans for Subdivision 9380, San Marco Unit 12, are in substantial conformance with the approved Vesting Tentative Map, subdivision regulations, and construction standards.

The City and West Coast Home Builders, Inc. (Developer) will enter into a Subdivision Improvement Agreement (the "Improvement Agreement") guaranteeing satisfactory completion by the Developer of all improvements related to Subdivision 9380, San Marco Unit 12. The Developer has agreed to pay the Facility Reserve Water and Regional Transportation Mitigation Fee at the time of building permit issuance.

The Developer has agreed to fulfill their Parkland Dedication requirements in accordance with the Memorandum of Understanding (MOU) dated June 4, 2007 and approved by City Council with the adoption of Resolution 07-10807. The conditions of the MOU have been superseded by the Third Amendment to the San Marco Development Agreement adopted by City Council on April 15, 2013, by Ordinance 13-1369.

The Developer will fulfill their Local Transportation Mitigation Fee requirements in accordance with the Memorandum of Understanding for payment of Local Transportation Mitigation Fees dated December 22, 1992, as approved and amended by City Council on January 19, 1993 with the adoption of Resolution 93-7890.

The Developer is required to pay the Regional Transportation Mitigation Fee (the "RTMF"), to the City's Community Development Department prior to the issuance of a building permit by the City's Building Division. The Developer has agreed to fully comply with the Memorandum of Understanding for payment of Regional Transportation Mitigation Fees dated June 29, 2010, as approved and amended by the City Council on April 15, 2013 by Resolution 13-11963, and on August 19, 2013 by Resolution 13-12007.

Approval of the Final Map, Improvement Plans, and Subdivision Improvement Agreement is statutorily exempt from environmental review under Article 18, Section 15268 "Ministerial Projects", of the Guidelines for the Implementation of the California Environmental Quality Act.

ATTACHMENTS: Resolution  
Subdivision Improvement Agreement  
Site Plan

Report Prepared By: Devina Uribe  
Engineering Technician II

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Approval of the Final Map, Grading Plans, )  
Improvement Plans, and Subdivision )  
Improvement Agreement for Subdivision )  
9380, San Marco Unit 12 )

RESOLUTION NO. 17-

The Pittsburgh City Council DOES RESOLVE as follows:

WHEREAS, on December 22, 1992 the Planning Commission adopted Resolution 8658, approving the Vesting Tentative Map for the San Marco Subdivision; and

WHEREAS, San Marco Unit 12 is a tract of the approved Vesting Tentative Map, and consists 13.99 acres, which will be subdivided into 108 single-family homes. This tract is located to the south of San Marco Unit 11 just west of Santa Teresa Drive; and

WHEREAS, the City Engineer certifies that the Final Map, Grading Plans, and Improvement Plans for Subdivision 9380, are in substantial conformance with the approved Vesting Tentative Map; and

WHEREAS, the City and West Coast Home Builders, Inc. (Developer) will enter into a Subdivision Improvement Agreement (the "Improvement Agreement") guaranteeing satisfactory completion by the Developer of all improvements related to Subdivision 9380, San Marco Unit 12; and

WHEREAS, the Developer has agreed to pay the Water Facility Reserve Fee at the time of building permit issuance; and

WHEREAS, the Developer has agreed to fulfill their Parkland Dedication requirements in accordance with the Memorandum of Understanding (MOU) dated June 4, 2007 and approved by City Council with the adoption of Resolution 07-10807. The conditions of the MOU have been superseded by the Third Amendment to the San Marco Development Agreement adopted by City Council on April 15, 2013, by Ordinance 13-1369; and

WHEREAS, the Developer will fulfill their Local Transportation Mitigation Fee requirements in accordance with the Memorandum of Understanding dated December 22, 1992, and approved by City Council on January 19, 1993 with the adoption of Resolution 93-7890, as amended; and

WHEREAS, the Developer shall fully comply with the Memorandum of Understanding for payment of Regional Transportation Mitigation Fees dated June 29, 2010, as approved and amended by City Council on April 15, 2013 by Resolution 13-11963 and on August 19, 2013 by Resolution 13-12007; and

WHEREAS, the Developer will pay all other required fees and provide all necessary bond requirements as outlined in the Improvement Agreement.

NOW, THEREFORE, the City Council finds and determines as follows:

Section 1. The above recitals are true and correct, are incorporated herein.

Section 2. Approval of the Final Map, Grading Plans, Improvement Plans, and Subdivision Improvement Agreement is statutorily exempt from environmental review under Section 15268, Article 18 of the Guidelines for the implementation of the California Environmental Quality Act.

Section 3. The Final Map is hereby approved. The City Clerk, City Engineer (or his designee) and Secretary of the Planning Commission are authorized and directed to execute their respective statements on the Final Map.

Section 4. The Improvement and Grading Plans are hereby approved and the City Engineer (or his designee) is authorized and directed to sign the Grading and Improvement Plans.

Section 5. The Improvement Agreement is hereby approved and the City Manager is authorized and directed to execute said Agreement on behalf of the City upon the Developer's submittals of the executed Subdivision Improvement Agreement, complete with the required bonds, insurance certificates, and payments specified in said Agreement.

Section 6. The City Engineer is authorized and directed to file the Improvement Agreement with the Office of the Recorder of the County of Contra Costa, State of California.

Section 7. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 17<sup>th</sup> day of July 2017, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

\_\_\_\_\_  
Marilyn Craft, Mayor

ATTEST:

\_\_\_\_\_  
Alice E. Evenson, City Clerk

Recorded At The Request Of:  
CITY OF PITTSBURG

Return Recorded Copy To:

CITY OF PITTSBURG  
ENGINEERING RECORDS  
65 CIVIC AVENUE  
PITTSBURG, CA 94565-1518

---

**SUBDIVISION IMPROVEMENT AGREEMENT**  
**Subdivision 9380**  
**San Marco Unit 12**

THIS AGREEMENT is made and entered into on \_\_\_\_\_, 2017 by and between West Coast Home Builders Inc., a California corporation (hereinafter referred to as "Developer") and the City of Pittsburg, a municipal corporation, (hereinafter referred to as "City").

WHEREAS, Developer will construct certain public and private improvements in connection with Subdivision 9380, San Marco Unit 12 for which Improvement Plans have been approved and are on file in the office of the City Engineer. Said improvements include, but are not limited to, those shown and described on the approved Improvement Plans for said subdivision.

NOW, THEREFORE, DEVELOPER AGREES TO:

1. Comply with and/or satisfy all conditions of approval as imposed by the City Council and/or its Commissions.
2. Construct all infrastructure improvements as indicated in the approved Improvement Plans and Grading Plans in compliance with the City's Standard Specifications and the City's Standard Details.
3. All subdivision improvements shall be completed within thirty six (36) months from the date of approval of the Final Map by the City Council.
4. Incorporate all reasonable modifications to the approved plans during construction as directed by the City Engineer, when required by field conditions and/or public safety.
5. Obtain written approval from the City Engineer prior to performance of any construction not in compliance with the approved plans and specifications.

6. Conform to all applicable provisions of state and federal law and the Pittsburgh Municipal Code.
7. Comply with all of the Contra Costa Fire Protection District's requirements including, but not limited to fire flow, residual pressure, hydrant locations, and accessibility.

Pay the following fees and deposits to the City, prior to the execution of this Agreement:

8. An Improvement Inspection Fee in the amount of Sixty Two Thousand, Five Hundred and Sixty Dollars (\$62,560).
9. A Five Hundred Dollar Deposit (\$500.00), pending City's receipt of a mylar copy and Auto Cad file of the recorded Final Map
10. A Five Hundred Dollar Deposit (\$500.00), pending City's receipt of a mylar copy and Auto Cad file of the "As-Built" grading and Improvement Plans
11. A Sanitary Sewer Inspection Deposit in the amount of Two Thousand Six Hundred Forty Five Dollars and Sixty Cents (\$2,645.60)
12. A Geographical Information System Fee (G.I.S.) in the amount of Ten Thousand Eight Hundred Dollars (\$10,800)
13. The developer shall pay an NPDES Plan Review fee of Four Thousand Seventy Dollars (\$4,070)
14. The developer shall pay an NPDES inspection deposit of Twelve Thousand Dollars (\$12,000)

The Developer has paid the following fees prior to the execution of this Agreement:

- A Major Subdivision Map Processing Fee in the amount of Three Thousand Dollars (\$3,000)
- An Improvement Plan Check Fee in the amount of Forty Three Thousand, Eight Hundred One Dollars and Eighty Four Cents (\$43,801.84)

15. The developer will fulfill their Parkland Dedication requirements in accordance with the Memorandum of Understanding for Park Fees dated June 5, 2007, as approved by City Council with the adoption of Resolution 07-10807 as modified by the Third Amendment to the San Marco Development Agreement recorded on May 10, 2013.
16. The developer shall pay the City of Pittsburg Facilities Reserve Charge (PMC Chapters 13.08, 13.12 and 13.24) (the "FRC") to the Engineering Department, for water and sewer service in the amounts in effect when the applicant obtains a Building Permit. The applicant understands that the current FRC on file, effective August 20, 2005, shall be paid in accordance with the fee schedule approved by Resolution No. 05-10290, and amended by Resolution No. 12-11778, on February 21, 2012, a copy of which is available at the City. The FRC shall be paid to the Engineering Department prior to the issuance of a Building Permit.
17. The developer will fulfill their Local Transportation Mitigation Fee (the "LTMF") requirements in accordance with the Memorandum of Understanding for payment of Local Transportation Mitigation Fees dated December 22, 1992, as amended and approved by City Council with the adoption of Resolution 93-7890. The developer understands that the LTMF currently on file is \$8,264 per single family dwelling unit. The developer further understands that the LTMF is reviewed and adjusted annually to the current Construction Cost Index (CCI) and may be increased at the City Council's discretion based on revised cost estimates for roadway and transit facilities and other factors that demonstrate an increase is needed to offset traffic impacts caused by new development. The LTMF is calculated by dividing the total fee share of improvement costs by the total number of Dwelling Unit Equivalencies ("DUE") in the City, as described in PMC Chapter 15.90 and the Pittsburg Local Transportation Mitigation Fee Program Update, copies of which are available from the City. Fees shall be paid prior to issuance of a building permit by the City's Building Division.
18. Pay the Regional Transportation Mitigation Fee (the "RTMF"), to the Engineering Department, prior to the issuance of a building permit by the City's Building Division. The Developer shall fully comply with the Memorandum of Understanding dated June 29, 2010, as amended and approved by City Council with the adoption of Resolution 13-11963 including payment of the fees referenced therein.
19. Provide certificates on a form approved by the City for the following insurance coverage:
  - a. Workers' Compensation Insurance, and



- b. Liability insurance in the amount of One Million Dollars and No Cents (\$1,000,000.00) Personal Injury, and Five Hundred Thousand Dollars and No Cents (\$500,000.00) Property Damage.

Said insurance coverage shall be maintained in full force and effect throughout the life of this Agreement and all policies shall provide for at least thirty (30) days prior notice to City before cancellation. Should said coverage(s) lapse at any time, City shall have the right to:

- a. Procure said insurance(s) on behalf of the Developer and Developer shall reimburse City for any and all costs incurred thereof; or
  - b. Order all subdivision construction stopped until new certificate(s) of coverage are provided and deemed satisfactory to the City.
- 18. Defend, indemnify and hold harmless the City, its officers and employees from any and all actions or causes of action filed by any person or persons claiming damage as a result of this approval or the public improvement work required hereunder and to pay any and all reasonable attorney's fees incurred by the City as a result of any legal action which may arise in connection therewith.
  - 19. Provide a surety in the amount of One Million Two Hundred Fifty One Thousand, Four Hundred Eighty One Dollars (\$1,251,481) The surety shall be in accordance with the State Subdivision Map Act, and as approved by the City Engineer.
  - 20. Prior to acceptance of the subdivision as complete by the City Council, the Developer shall provide a Warranty Bond in the amount of One Hundred Twenty Five Thousand and One Hundred Forty Eight Dollars (\$125,148). This warranty bond shall be released only upon correction of any defects or failures, including cause of failure or defect, to the subdivision improvements to the satisfaction of the City Engineer.
  - 21. Warranty all improvements installed pursuant to this Agreement for twelve (12) months after the City Council's acceptance date for the public improvements as complete.

IT IS MUTUALLY STIPULATED AND AGREED THAT:

- 1. The public improvements installed in connection with this Agreement shall not be considered accepted as complete until the City Council adopts a resolution accepting said improvements as being in compliance with the approved plans and specifications and any approved modifications thereto.

Public improvements are those specifically defined as being located within public or proposed public roadways or easements and accepted by City Council resolution. Other improvements shall be constructed in accordance with the City's Standard Specifications and Standard Details and shall be appropriately inspected by the City, but will not be maintained by the City.

Adoption of said resolution, periodic and/or progress inspections, acceptance of any portion of said work, or approvals of any other nature shall not bind the City to accept any modification made to the approved plans without the City Engineer's approval.

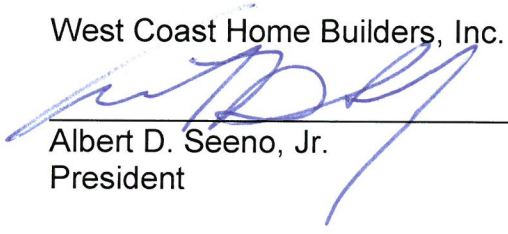
2. Time is of the essence in this Agreement and the obligations undertaken herein shall be binding upon the heirs, executors, administrators, successors and assigns of the parties.

IN WITNESS WHEREOF, the parties have executed this Agreement on this date first written above.

CITY OF PITTSBURG

West Coast Home Builders, Inc.

\_\_\_\_\_  
Joe Sbranti, City Manager  
ATTEST:

  
\_\_\_\_\_  
Albert D. Seeno, Jr.  
President

\_\_\_\_\_  
Alice E. Evenson, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Developer shall attach Notary Statement

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

## (Civil Code §1189)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

**STATE OF CALIFORNIA            )**  
**) ss.**  
**COUNTY OF CONTRA COSTA    )**

On February 8, 2017, before me, SUSAN K. ESTRADA, a Notary Public, personally appeared **ALBERT D. SEENO, JR.**, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY  
under the laws of the State of California that  
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Susank Eytalo

SIGNATURE OF NOTARY

\*\*\*\*\* **OPTIONAL** \*\*\*\*\*

Title or Type of Document: Subdivision Improvement Agreement

Signer(s) are Representing: West Coast Home Builders, Inc.

Document Date: \_\_\_\_\_

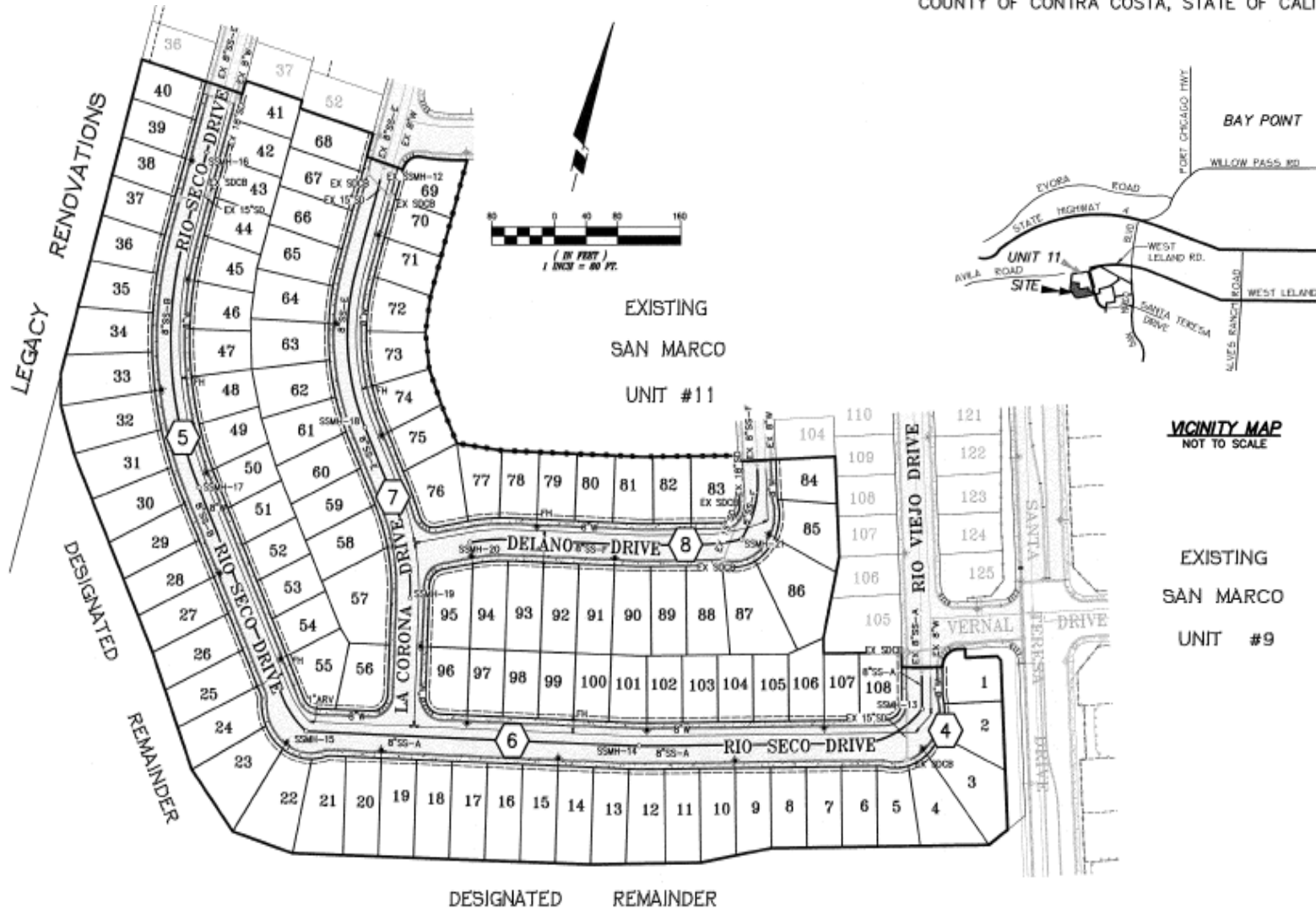
# SITE PLAN

## "SAN MARCO UNIT 12"

SUBDIVISION 9380

CITY OF PITTSBURG

COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA



VICINITY MAP  
NOT TO SCALE

EXISTING  
SAN MARCO  
UNIT #9



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR  
65 Civic Avenue  
Pittsburg, CA 94565**

**DATE:** 7/6/2017

**TO:** Mayor and Council Members

**FROM:** Joe Sbranti, City Manager

**SUBJECT:** Adoption of a City Council Resolution Declaring the City's Intent to Vacate a Portion of Cumberland Street

**MEETING DATE:** 7/17/2017

**EXECUTIVE SUMMARY**

The portion of Cumberland Street south of 10th Street has been unused and has not been maintained by the City for more than five years. Staff proposes the City vacate the portion of the street that was once used as a roadway, but reserve an easement for the continued maintenance of existing City water and sewer facilities.

**FISCAL IMPACT**

Vacation of this portion of Cumberland Street would reduce the City's maintenance cost obligation for surface improvements.

**RECOMMENDATION**

City Council adopt the attached Resolution declaring the City Council's Intent to Vacate a Portion of Cumberland Street, reserving an easement for subsurface utilities.

**BACKGROUND**

On June 13, 2017 and on June 27, 2017, the Planning Commission held public meetings to consider the permanent vacation of a portion of Cumberland Street and its consistency with the Pittsburg General Plan. On June 27, 2017, the Planning Commission adopted Resolution 10065 determining the proposed Vacation is Consistent with the General Plan.

**SUBCOMMITTEE FINDINGS**

Not Applicable

## **STAFF ANALYSIS**

The proposed vacation of Cumberland Street, as shown on Exhibit A and Described on Exhibit B attached to this report, is necessary to eliminate the City's obligation for continuous maintenance of surface improvements for an unused street.

The City will reserve an easement for the maintenance of the subsurface City water and sewer facilities. In addition, vacation of this roadway will facilitate the disposition and future development of adjacent properties. Vacation of the roadway will not landlock the adjacent parcels. A portion of Cumberland Street will remain a public roadway and serve as the public access to 10th Street.

Pursuant to Government Code Section 8320, the attached Resolution establishes August 7, 2017 as the date for the public hearing on this matter. Pursuant to that section, the subject roadway will be conspicuously post along Cumberland Street, at City Hall, and the City's website.

ATTACHMENTS:     Resolution  
                         Plat Map  
                         Legal Description

Report Prepared By: Jolan Longway  
Civil Engineer II

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

|                                                  |                    |
|--------------------------------------------------|--------------------|
| Declaring the City Council's intent to Abandon ) | RESOLUTION NO. 17- |
| a Portion of Cumberland Street Reserving an )    |                    |
| Easement for Access and Maintenance of )         |                    |
| <u>Subsurface Utilities )</u>                    |                    |

The Pittsburgh City Council DOES RESOLVE as follows:

WHEREAS, on June 13, 2017 and on June 27, 2017 the Pittsburgh Planning Commission held public meetings to consider the permanent vacation of a portion of Cumberland Street and its consistency with the Pittsburgh General Plan; and

WHEREAS, on June 27, 2017 the Planning Commission adopted Resolution 10065 determining the proposed Vacation is Consistent with the General Plan; and

WHEREAS, the proposed vacation of Cumberland Street, as shown on Exhibit A and Described on Exhibit B, is necessary to eliminate the City's obligation for continuous maintenance of surface improvements for an unused street; and

WHEREAS, the City will reserve an easement for the maintenance of the subsurface water and sewer facilities; and,

WHEREAS, vacation of this roadway will facilitate the disposition and future development of adjacent properties.

NOW, THEREFORE, the City Council finds and determines as follows:

- Section 1. The above recitals are true and correct, are incorporated herein.
- Section 2. Vacation of the roadway will not landlock the adjacent parcels. A portion of Cumberland Street remains a public roadway and serve as the public access to 10<sup>th</sup> Street.
- Section 3. It is the City Council's intent to abandon said portion of Cumberland Street as set forth on Exhibits "A" and "B".
- Section 4. The City Engineer is directed to post conspicuously notices of said public hearing along the proposed abandonment.
- Section 5. Anyone wishing to receive additional information relative to this matter may do so by contacting the City Engineer's office at 65 Civic Avenue, Pittsburgh.



PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 17<sup>th</sup> day of July by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

---

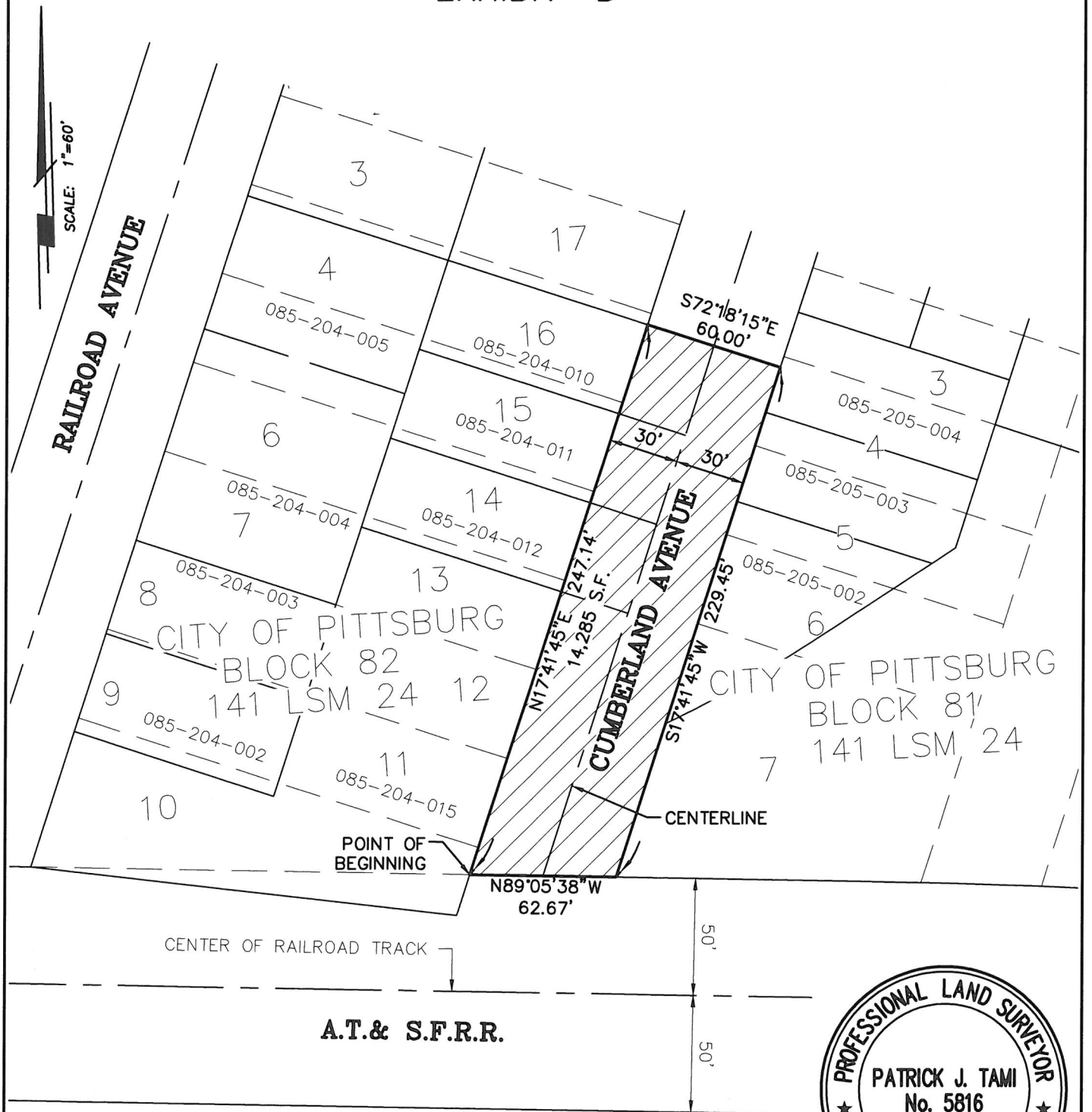
Marilyn Craft, Mayor

ATTEST:

---

Alice E. Evenson, City Clerk

# EXHIBIT "B"



|                |                  |                                                                                  |                                                                                                                                                        |
|----------------|------------------|----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| REVISION       | JOB NO. 6969.104 | TITLE: CUMBERLAND VACATION AND UTILITY EASEMENT RESERVATION                      | 905 Sutter Street, Ste 200 Folsom CA 95630<br>(916) 366-3040 Fax (916) 366-3303<br><b>R. E. Y. ENGINEERS, Inc.</b><br>Civil Engineers / Land Surveyors |
|                | DATE: 07.07.2017 |                                                                                  |                                                                                                                                                        |
|                | F.B. PAGE:       |                                                                                  |                                                                                                                                                        |
|                | SCALE: 1"=60'    |                                                                                  |                                                                                                                                                        |
|                | DRAWN BY: CW     | CLIENT: CITY OF PITTSBURG                                                        |                                                                                                                                                        |
| CHECKED BY: PT | SCALE IN INCHES  | DRAWING FILE NO. S:\6969\105 Cumberland Street\DWG\6969.105 Vacation Exhibit.dwg |                                                                                                                                                        |

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**CUMBERLAND AVENUE VACATION AND UTILITY EASEMENT RESERVATION**

That certain parcel of land situated in the City of Pittsburg, County of Contra Costa, State of California being that portion of Cumberland Avenue as shown on a Record of Survey filed in Book 141 of Licensed Surveyors Maps, at Page 24 on July 17, 2009 in the Office of the County Recorder of said Contra Costa County described as follows:

**BEGINNING** at the intersection of the westerly right-of-way of Cumberland Avenue and the northerly right of way of the A.T. & S.F.R.R. as said Avenue and A.T. & S.F. R. R. are shown and so designated on said Record of Survey (141 LSM 24);

Thence, along said westerly right-of-way, North 17°41'45" East, 247.14 feet, to the southeasterly corner of the parcel of land described in the document to Wong, recorded in Book 15157 of Official Records, at Page 85, in said Office of the County Recorder;

Thence, South 72°18'15" East, 60 feet, to the easterly right-of-way of said Cumberland Avenue;

Thence, along said easterly right-of-way, South 17°41'45" West, 229.45 feet to the northerly right-of-way of the A.T. & S.F.R.R. as shown on said Record of Survey (141 LSM 24);

Thence, along said northerly right-of-way, South 89°05'38" East, 62.67 feet to the **POINT OF BEGINNING**.

**CONTAINING** 14,285square feet, more or less

**RESERVING THEREFROM** an easement for public utility purposes.

**SUBJECT TO** all Covenants, Rights, Rights-of-Way and Easements of Record.

**EXHIBIT "B"** attached and by this reference made a part hereof.

Prepared by:  
R.E.Y. Engineers, Inc.

*Patrick J. Tami*

Patrick J. Tami, P.L.S.

License expires 6/30/2018





**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR  
65 Civic Avenue  
Pittsburg, CA 94565**

**DATE:** 6/29/2017

**TO:** Mayor and Council Members

**FROM:** Joe Sbranti, City Manager

**SUBJECT:** Adoption of City Council Resolution to Approve the Contract with Contra Costa County Office of the Sheriff for Police Dispatching Services

**MEETING DATE:** 7/17/2017

**EXECUTIVE SUMMARY**

Staff recommends approval of the Interagency Agreement/Contract with the Contra Costa County Office of the Sheriff for Police Dispatching Services effective January 1, 2018 terminating on December 31, 2022.

**FISCAL IMPACT**

If approved, the County will calculate cost of the Dispatch Agreement with the City based on apportioned amount of actual dispatching costs based on percentage of calls for service generated by the City. The City's total payments to the County under this Agreement shall not exceed \$7,500,000.00.

**RECOMMENDATION**

City Council approve the attached Interagency Agreement/Contract with the Contra Costa County Office of the Sheriff for Police Dispatching Services and authorize the Chief of Police and City Manager to execute the agreement on behalf of the City.

**BACKGROUND**

With the closure of the Delta Regional Communications Center (DRCC) on June 30, 1990, the City entered into its first interagency agreement with the Contra Costa County Sheriff's Department on July 1, 1990.

The Sheriff's Department has maintained adequate and well trained staff and support personnel who are committed to operating a professional communications center serving

the needs of both agencies. The County's obligations are outlined in the attached Service Plan and Contract.

### **SUBCOMMITTEE FINDINGS**

N/A

### **STAFF ANALYSIS**

The City's contract with the Contra Costa County Office of the Sheriff for police dispatch communications services will expire on December 31, 2017. The City's past contract successfully spanned a period of five (5) years, but the city's relationship with the Sheriff's Department for dispatch services spans 37 years.

Approval of the contract is in the best interest of the City residents and will benefit the public health, safety and welfare.

ATTACHMENTS:     1. Resolution  
2. Interagency Agreement with Contra Costa County Sheriff's Department

Report Prepared By: B. Addington

**INTERAGENCY AGREEMENT**  
**(County Provides Services)**

Number  
Fund/Org# 2510  
Account # 2310  
Other #

1. **Contract Identification.**

Department: Office of the Sheriff

Subject: Interagency Agreement between Contra Costa County Office of the Sheriff and Agency named below for police dispatching services.

2. **Parties.** The County of Contra Costa, California (County), for its Department named above, and the following named Agency mutually agree and promise as follows:

Agency: City of Pittsburg

Capacity: A public agency

Address: 65 Civic Avenue, Pittsburg, CA 94565

3. **Term.** The effective date of this Agreement is January 1, 2018 and it terminates on December 31, 2022 unless sooner terminated as provided herein.

4. **Payment Limit.** Agency's total payments to County under this Agreement shall not exceed \$7,500,000.00.

5. **County's Obligations.** County shall provide those services and carry out that work described in the Service Plan attached hereto which is incorporated herein by reference, subject to all the terms and conditions contained or incorporated herein.

6. **Agency's Obligations.** Agency shall pay County for its provision of the services as set forth in the attached Payment Provisions which are incorporated herein by reference, subject to all the terms and conditions contained or incorporated herein.

7. **General and Special Conditions.** This Agreement is subject to the General Conditions and Special Conditions (if any) attached hereto, which are incorporated herein by reference.

8. **Project.** This Agreement implements in whole or in part the following described Project, the application and approval documents of which are incorporated herein by reference: N/A

9. **Legal Authority.** This Agreement is entered into under and subject to the following legal authorities: California Government Code 55631 and 55634.

10. **Signatures.** These signatures attest the parties' agreement hereto:

**COUNTY OF CONTRA COSTA, CALIFORNIA**

|                               |                                           |
|-------------------------------|-------------------------------------------|
| BOARD OF SUPERVISORS          | ATTEST: Clerk of the Board of Supervisors |
| By _____<br>Chairman/Designee | By _____<br>Deputy                        |

**AGENCY**

|                                                                                                  |                                                                                                  |
|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| By _____<br>(Signature of authorized Agency representative)<br>_____<br>(Print name and title A) | By _____<br>(Signature of authorized Agency representative)<br>_____<br>(Print name and title B) |
|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|

ACKNOWLEDGMENT/APPROVALS  
(Purchase of Services - Long Form)

Number: \_\_\_\_\_

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA            )  
                                                          )  
COUNTY OF CONTRA COSTA    )

On \_\_\_\_\_ (Date),

before me, \_\_\_\_\_ (Name and Title of the Officer),

personally appeared, \_\_\_\_\_,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS MY HAND AND OFFICIAL SEAL.

\_\_\_\_\_  
Signature of Notary Public



Place Seal Above

ACKNOWLEDGMENT (by Corporation, Partnership, or Individual)  
(Civil Code §1189)

APPROVALS

RECOMMENDED BY DEPARTMENT

By: \_\_\_\_\_  
Designee

FORM APPROVED BY COUNTY COUNSEL

By: Kurt K...  
Deputy County Counsel

APPROVED: COUNTY ADMINISTRATOR

By: \_\_\_\_\_  
Designee



SERVICE PLAN OUTLINE  
(Purchase of Services - Long Form)

Number \_\_\_\_\_

SERVICE PLAN

- I. Purpose. The Contra Costa County Sheriff (hereinafter referred to as the County) will provide police dispatch services to the City of Pittsburg (hereinafter referred to as the City).
- II. City's Obligations. City shall make to the County those payments described in the Payment Provisions.
- III. County's Obligations. County shall provide City with police dispatching services; including dispatching, call-taking, sending and receiving voice and data traffic, answering 911 calls, performing warrant checks and supervision and management thereof. County will not perform callouts of any nature, warrant confirmations, nor will it notify or receive request for warrant confirmation unless a mutually agreed upon reciprocity agreement exists. County will not send non-urgent teletype messages. County will not provide information and technology support for Mobile Data Computers (MDC), to include software upgrades or repairs. County will not perform radio repairs for subscriber radios mobile, portable, or base stations. County will provide CLETS/NCIC Transaction Responsibility as outlined in Attachment A. Services under this Agreement are limited to dispatch services only.

The City will provide County with one telephone number to which Dispatch will refer business callers and callout messages as appropriate. City agrees to monitor this line around the clock on a daily basis.

The City will provide and maintain Mobile Data Computers (MDC) in all Field enforcement vehicles except motorcycle and parking enforcement vehicles compatible with County Computer Aided Dispatch (CAD) and Records Management Systems (RMS). City will provide individual CLETS mnemonics for all MDC's and desktop CLETS terminals.

If operational adjustments to this Agreement are necessary, the City will correspond with the Support Services Bureau Commander. The County will correspond with the City Chief of Police.

County will provide a Radio Channel for City to conduct Police operations which will be shared with other police agencies and County.

IV. Payment Provisions.

Invoice. An invoice will be provided by County to City on a quarterly basis. City will make payment to the Sheriff's Office no later than 30 days from the receipt of an invoice.

Cost. County will calculate cost of the Dispatch Agreement with the City based on apportioned

Initials: \_\_\_\_\_  
Contractor

\_\_\_\_\_  
County Dept.

amount of actual dispatching costs based on percentage of calls for service generated by the City. Calls for service are defined as an incident created in the Computer Aided Dispatch System as a result of performing all dispatching functions excluding out-of-service calls.

All other requests for services, such as special events or enhanced staffing above normal staffing levels, shall be paid for by City on a time and materials basis upon mutual written agreement.

Initials: \_\_\_\_\_  
Contractor

\_\_\_\_\_  
County Dept.

**SPECIAL CONDITIONS**  
**(Purchase of Services - Long Form)**

1. **Mutual Indemnification.** The County agrees to indemnify and hold harmless City for the County's share of any and all claims, costs and liability for any damage, injury or death of or to any person or the property of any persons, including attorney's fees, arising out of the willful misconduct or the negligent acts, errors or omissions of County, its officers or employees in the performance of the Agreement.

City agrees to indemnify and hold harmless County for City's share of any and all claims, costs and liability for any damage, injury or death of or to any person or the property of any person, including attorney's fees, arising out of the willful misconduct or the negligent acts, errors or omissions of County, its officers or employees in the performance of the Agreement.

\_\_\_\_\_  
Contractor      County Dept.

## Attachment A

### Stolen Vehicle System (SVS)

| Entry              | Update            | Locate              | Clear or Cancel     |
|--------------------|-------------------|---------------------|---------------------|
| Pittsburg Officer* | Pittsburg Officer | Pittsburg Officer * | Pittsburg Officer * |

Pittsburg PPTOW's and REPO's are entered by Communications. Pittsburg 10851's may be located per Communications, if workload permits.

### Automated Boat System (ABS)

| Entry             | Update            | Locate            | Clear or Cancel   |
|-------------------|-------------------|-------------------|-------------------|
| Pittsburg Officer | Pittsburg Officer | Pittsburg Officer | Pittsburg Officer |

### Automated Firearms System (AFS)

| Entry     | Update       | Locate      | Clear or Cancel |
|-----------|--------------|-------------|-----------------|
| Pittsburg | Pittsburg ** | Pittsburg * | Pittsburg *     |

\* Transactions can be made by Communications upon request if urgent and workload permits.

\*\* Guns are entered by investigation unless there is an officer safety issue involved, in which case they are entered by Dispatch.

### Automated Property System (APS)

| Entry     | Update    | Locate    | Clear or Cancel |
|-----------|-----------|-----------|-----------------|
| Pittsburg | Pittsburg | Pittsburg | Pittsburg       |

### Supervised Release File (SRF)

| Entry     | Update    |
|-----------|-----------|
| Pittsburg | Pittsburg |

### Missing/Unidentified Person System (MUPS)

| MUPS Transaction | Juvenile at Risk | Juveniles NOT at Risk | Adults at Risk | Adults <i>NOT</i> at Risk |
|------------------|------------------|-----------------------|----------------|---------------------------|
| Entry            | Pittsburg *      | Pittsburg             | Pittsburg *    | Pittsburg                 |
| Update           | Pittsburg        | Pittsburg             | Pittsburg      | Pittsburg                 |
| Clear            | Pittsburg        | Pittsburg             | Pittsburg      | Pittsburg                 |

- Entries by Pittsburg unless exigency. (Amber Alert, Kidnap)

Pittsburg is expected to have full CLETS Access and be responsible for all transactions.

Pittsburg is responsible for entering all their warrants into and out of CLETS, JAWS, and NCIC.

Pittsburg is expected to respond to all their jurisdictions CLETS notifications.

Pittsburg will respond and enter all non-urgent CLETS Administrative messages.

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

A Resolution Approving Interagency )  
Agreement/Contract with the County )  
Costa County Office of the Sheriff )  
For Police Dispatching Services. )

RESOLUTION NO. 17-

The City Council of the City of Pittsburg DOES RESOLVE as follows:

WHEREAS, with the closure of the Delta Regional Communications Center (DRCC) on June 30, 1990, the City entered into its first interagency agreement with the Contra Costa County Sheriff's Department on July 1, 1990.

WHEREAS, the City's current contract with Contra Costa County Office of the Sheriff for police dispatch services will expire on December 31, 2017.

WHEREAS, the Sheriff's Department has maintained adequate and well trained staff and support personnel who are committed to operating a professional communication center.

WHEREAS, approval of the Interagency Agreement/Contract with the Contra costa County Office of the Sheriff is in the best interest of the City residents and will benefit the public health, safety and welfare.

NOW, THEREFORE, the City Council finds and determines as follows:

Section 1. The City Council finds and determines that the above recitals are true and correct and are incorporated herein.

Section 2. The City Manager or his designee is authorized to execute the Interagency Agreement/Contract with the Contra Costa County Office of the Sheriff for Police Dispatching Services effective January 1, 2018 terminating on December 31, 2022, not to exceed \$7,500,000.00

Section 3. The City Clerk shall certify to the adoption of this Resolution.

Section 4. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 17th day of July 2017, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

\_\_\_\_\_  
Marilyn Craft, Mayor

ATTEST:

\_\_\_\_\_  
Alice E. Evenson, City Clerk



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR  
65 Civic Avenue  
Pittsburg, CA 94565**

**DATE:** 7/6/2017  
**TO:** Mayor and Council Members  
**FROM:** Joe Sbranti, City Manager  
**SUBJECT:** Adoption of a City Council Resolution to Approve a Recognition Policy for Monuments and Plaques in Public Areas of the City

**MEETING DATE:** 7/17/2017

**EXECUTIVE SUMMARY**

The City Council appointed an ad hoc Pittsburg Recognition Committee representing the City, local schools, the Pittsburg Historical Society, the Planning Commission and the Community Advisory Commission tasked with developing a policy and procedures for handling requests to place monuments, plaques and other markers in public areas of the City. The resolution would adopt and implement the policy attached to the report, and establish an ad hoc committee to review requests and make recommendations to the City Council.

**FISCAL IMPACT**

None from this action.

**RECOMMENDATION**

City Council approve the Policy for Commemorative Recognition and establish the ad hoc Pittsburg Recognition Committee to assist the City Council in its consideration of requests for plaques and monuments in public areas of the City.

**BACKGROUND**

From time to time, the City Council and staff have been approached by local sports leagues, community organizations and residents seeking support for the installation of statues, plaques or monuments to honor an individual.

The Community Advisory Commission serves as an advisory body for features in the City's parks. The Planning Commission has considered proposals from residents seeking to honor



individuals with ceremonial renaming of certain streets within the City. The Mayor and City Council have honored individuals with proclamations.

In 2016, a group of residents and the Pittsburg Historical Society approached staff with a proposal to honor a local sports coach with the installation of a bust sculpture at a location within the City. The City Council directed that staff and community members work together to develop a draft policy for the submittal and consideration of these requests in the future.

On August 3, 2015, the City Council approved by Minute Order the formation of what would be known as the Ad Hoc Pittsburg Recognition Committee for that purpose.

### **SUBCOMMITTEE FINDINGS**

The Ad Hoc Pittsburg Recognition Committee consists of a representative of the City Council, Planning Commission, Community Advisory Commission, Pittsburg Historical Society and the Pittsburg Unified School District Board of Trustees. A list of the members is attached to this report.

The committee met several times and developed a draft policy and procedures for the submittal, consideration and implementation of requests for monuments, plaques and statues on public property. The committee also recommended establishment of an advisory committee to the City Council to accept and evaluate requests as they are submitted. This group would review proposals with the applicant, and make recommendations to the City Council regarding their denial or approval.

### **STAFF ANALYSIS**

The Pittsburg Recognition Committee developed procedures and a draft policy for the City Council's consideration based on a comparison of similar policies from other cities and parks districts, existing City programs for commemorative tree planting and previous City policies related to plaques and statues. City staff also provided input regarding the impact to City parks and resources for the installation and maintenance of monuments and plaques in public areas.

The policy attached to this report recognizes the interest from the public to honor those who have had a positive impact on the community, in places of significant meaning.

At the committee's request, staff developed a list of sites in public parks throughout the City that would be ideal for memorial plaques and benches. In addition, two groups of residents have proposed markers in honor of two community leaders in the downtown.

The policy document sets guidelines under which applications will be reviewed. Each application will be evaluated on a case-by-case basis.

Costs for the item and its installation are the responsibility of the requesting individual or organization. Inscriptions will be reviewed and must be approved prior to casting. The installation and placement will be performed by the City's Public Works Department or a designated third party that has met City approval. The requestor is responsible for replacing the plaque if it is damaged, stolen or vandalized.

No installation of plaques or monuments on public property is allowed without prior written approval of the City Council of the City of Pittsburg or its designee. This policy is separate from the City's policy and procedures for the commemorative renaming of existing streets, and for naming new streets in the City.

Staff recommends approval of the attached resolution adopting the Policy for Commemorative Recognition.

ATTACHMENTS:     Resolution  
Recognition Policy  
Pittsburg Recognition Committee Members List

Report Prepared By: Jill Hecht, Director of Community Development

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Adoption of Policy for Commemorative ) RESOLUTION NO. 17-\_\_\_\_  
Recognition in Public Areas )

The Pittsburgh City Council DOES RESOLVE as follows:

WHEREAS, from time to time, the City Council has been approached by local sports leagues, community organizations and residents seeking support for the installation of statues, plaques or monuments to honor an individual; and

WHEREAS, The City of Pittsburgh recognizes the interest from the public to honor individuals or organizations that participate in or contribute to the betterment of the community in an extraordinary way; and,

WHEREAS, While the City does not intend to turn public parks into memorial parks, it recognizes the value of honoring those who have had a positive impact on the community, in places of significant meaning; and,

WHEREAS, on August 3, 2015, the City Council approved by Minute Order the formation of an ad hoc committee of community members from the City Council, Pittsburgh Unified School District, Planning Commission, Community Advisory Commission and Pittsburgh Historical Society to develop a policy for the submittal and consideration of these requests; and

WHEREAS, the Pittsburgh Recognition Committee developed a policy for the City Council's consideration based on similar policies from other cities and parks districts, existing City programs and previous City policies related to plaques and statues, as well as the impact to City parks and resources.

NOW, THEREFORE, the City Council finds and determines as follows:

Section 1. The City Council hereby finds and determines that the above recitals are true and correct and have served as the basis, in part, for the findings and actions set forth below.

Section 2. The City Council hereby approves the adoption of a new Policy for Commemorative Recognition for the placement of plaques, markers and monuments in honor of individuals who have had a positive impact on the community.

Section 3. The City Manager is authorized to take all actions necessary or appropriate to carry out this Resolution, including minor modifications to the guidelines that are in the City's interest.

Section 4. The City Clerk shall certify to the adoption of this Resolution.

Section 5. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 17<sup>th</sup> day of July 2017, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

\_\_\_\_\_  
Marilyn Craft, Mayor

ATTEST:

\_\_\_\_\_  
Alice E. Evenson, City Clerk



## CITY OF PITTSBURG

### POLICY FOR COMMEMORATIVE RECOGNITION

#### POLICY STATEMENT:

The City of Pittsburg recognizes the interest from the public to honor individuals or organizations that participate in or contribute to the betterment of the community in an extraordinary manner. While the City does not intend to turn public parks into memorial parks, it recognizes the value of honoring those who have had a positive impact on the community, in places of significant meaning.

The intent of this policy is to set guidelines under which applications will be reviewed for installation of memorial plaques and monuments in public areas, and requirements as set by the City Council of the City of Pittsburg. Each application will be evaluated on a case-by-case basis. This policy is separate from the City's policy and procedures for the commemorative renaming of existing streets, and for naming new streets in the City.

No installation of plaques or monuments on public property is allowed without prior written approval of the City Council of the City of Pittsburg or its designee.

#### PROCEDURES:

1. All requests for plaque consideration must be by written application, delivered to the City of Pittsburg, City Manager's Office, 65 Civic Ave., Pittsburg, CA 94565.
2. The City Manager or committee designated by the City Council will apply the criteria and procedures for commemorative recognition (e.g. plaque, bench or other monument) and make recommendations to the City Council.
3. If plaque, bench or monument placement is requested for a public area, the application may be referred to the Pittsburg Recognition Committee, which shall evaluate the written presented material as its primary resource for consideration.
4. The Recognition Committee shall consider the appropriateness of the recognition for the individual or group, proposed location for the commemorative plaque or bench, as well as the proposed size, design and inscription. The Committee will act in an advisory capacity to the City Council, and recommend approval or denial for the placement and forward to the City Council for final action or appeal. The City's Council's determination shall be final.
5. A spokesperson for the individual or organization seeking plaque consideration should be present to address any questions from the Recognition Committee when it meets to consider these requests. An oral presentation may be given as supplement to the written documentation.

The following guidelines shall be strictly followed with the individual/organization demonstrating enduring and outstanding qualities to be considered for approval.

**GUIDELINES:**

1. Past or present resident of Pittsburgh, or person employed in Pittsburgh.
2. The individual/organization must have demonstrated outstanding achievements, contributions to accomplishments or enrichment of the City of Pittsburgh.
3. Demonstrated activity need not be limited to volunteerism. However, application should specify the nominee's specific actions, qualities or results that warrant extraordinary recognition.
4. The individual/organization must possess sound moral and social character.
5. Must have a minimum of three (3) independent nomination signatures.
6. Documentation of the individual or organization's contribution to the community may be required and reviewed by the Recognition Committee.

**REQUIREMENTS FOR APPROVED COMMEMORATIVE RECOGNITION (PLAQUES, BENCHES, OR SIMILAR ITEMS):**

1. Plaque size honoring an individual will be no larger than to 12x15 inches, and in some locations, a smaller size may be necessary. Plaque size will be appropriately adjusted at the discretion of the City Council or its designee.
2. Plaque(s) shall be constructed of brass and cast in a professional manner.
3. Bench styles and materials shall be consistent with the specifications provided by the City of Pittsburgh Public Works Department.
4. All bench plaques must be located on the bench and not on the bench base. Maximum size of this plaque is 5" X 11", limiting the number of characters.
5. Inscriptions shall be reviewed by the Pittsburgh Recognition Committee and City Council and must be approved prior to casting. No deviation from the approved inscription will be allowed. If this occurs, the plaque may be rejected.
6. All costs for the item and its installation shall be the responsibility of the requesting individual/organization. All fees must be paid prior to installation.
7. Installation and placement will be performed by the Public Works Department of the City of Pittsburgh or a designated third party that has met City approval in advance of the installation. Plaques, benches or monuments installed in public areas without prior City approval are subject to removal.
8. Maintenance of the commemorative plaque or bench will be the responsibility of the Public Works Department of the City of Pittsburgh.

9. The requestor is responsible for replacing the plaque if it is damaged, stolen or vandalized. Replacement must be provided within 90 days of notification from the City.
10. The City of Pittsburg reserves the right to relocate any or all mounted plaques to another location.

## MEMORIAL PLAQUE OR BENCH APPLICATION

NOMINATOR'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ PHONE: \_\_\_\_\_

A MEMORIAL PLAQUE or BENCH (circle one) IS REQUESTED FOR:

NOMINEE'S NAME: \_\_\_\_\_

LAST KNOWN PITTSBURG ADDRESS: \_\_\_\_\_

PRESENT ADDRESS: \_\_\_\_\_

\_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

DETAIL: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DESCRIPTION OF ACTIVITY, CONTRIBUTION OR ACCOMPLISHMENTS: (additional pages may be attached to this application form)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

LIST OTHER NOMINATORS:

NAME:

ADDRESS:

PHONE:

---

---

---

NOMINATOR'S SIGNATURE:

---

NOMINATOR'S SIGNATURE:

---

NOMINATOR' S SIGNATURE:

---

If the application is approved, City staff will notify you after the installation is complete and provide you with a photograph and information regarding the site location.

Please send or bring this completed form and any attachments to:

City Manager's Office

65 Civic Avenue

Pittsburg CA 94565

City Contact person: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

## Pittsburg Recognition Committee Members

Mayor Merl Craft, representing Pittsburg City Council

Joe Arenivar, Trustee, representing Pittsburg Unified School District

Patrice Billeci-Shipe, representing Pittsburg Planning Commission

Joycelyn “Faye” Fields, representing Community Advisory Commission

Paul Flores, representing Pittsburg Historical Society

Vince Ferrante, alternate representative Pittsburg Historical Society

Staff: Don Buchanan, Director of Recreation and Maintenance Services

Jill Hecht, Assistant to the City Manager

Rebecca Patague, Executive Assistant to the City Manager



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR  
65 Civic Avenue  
Pittsburg, CA 94565**

**DATE:** 7/6/2017

**TO:** Mayor and Council Members

**FROM:** Joe Sbranti, City Manager

**SUBJECT:** Adoption of a City Council Resolution to Allocate Funds to the California Theatre Improvements Project

**MEETING DATE:** 7/17/2017

**EXECUTIVE SUMMARY**

In 2009, the City and the Redevelopment Agency of the City of Pittsburg (the "Agency") entered into a Project Funding Agreement for construction of up to 27 identified projects to alleviate blighting conditions in the Project area. A majority of the projects were completed. Staff proposes allocation of up to \$200,000 of unspent funds from completed projects to construct improvements to the second floor at the California Theatre.

**FISCAL IMPACT**

If approved, the resolution would re-allocate approximately \$200,000 from Railroad Avenue Building Improvements (Project 3320) to the California Theatre Improvements Project (Fund 322 Project 3324). There are sufficient funds available in the project to accommodate the proposed allocation.

**RECOMMENDATION**

City Council approves the attached resolution to approve the California Theatre Improvements Project, re-allocate \$200,000 from the Railroad Avenue Building Improvements (Project 3320) to the California Theatre Improvements Project (Project 3324) and authorize the City Manager to enter into agreements necessary for its completion.

**BACKGROUND**

On October 19, 2009, the City Council and the Redevelopment Agency adopted Resolutions 09-11315 and 09-1384, respectively, approving a Project Funding Agreement between the two agencies through which the Agency paid, and the City conducted, projects to alleviate blighting conditions in the Los Medanos Community Development Project Area (the "Project Area").

The project list included 27 projects with a combined estimated cost of nearly \$50 million, including \$33 million in Agency funds. A majority of the projects have been completed, including several with funds remaining unexpended.

On January 17, 2012, the City Council approved Resolution 12-11755 to reallocate \$8,174,400 from projects that were completed, cancelled or reduced to 11 capital projects that were not yet complete. On May 20, 2013, the City Council approved Resolution 13-11969 to reallocate \$598,000 from projects that were completed or reduced to three capital projects that were not yet complete.

In January 2013, the California Theatre re-opened after a nearly \$8 million renovation, and functions as a City-owned performing arts venue and economic development driver in the City's downtown commercial district. The theater currently has a capacity of approximately 330 seats. Completion of the unfinished second-floor balcony would add approximately 155 seats.

On December 14, 2015, the City Council approved Resolution 15-13141 to allocate \$291,000 from completed capital projects to the theater for design and construction of an extension of the heating, ventilation, and air conditioning (HVAC) system to serve the balcony area, construction of an exterior emergency exit staircase from the second floor balcony, and construction of replacement doors at the theater entry. These improvements are complete, and are necessary to the renovation of the second floor balcony area to accommodate additional seating.

Staff has received a cost proposal and construction cost estimate for occupancy of the balcony from Architectural Resources Group (ARG) of San Francisco, the architect for the California Theatre renovation project. The architect cost proposal for \$70,405, construction and staff time are included in the estimated project cost of \$750,000.

Staff recommends allocation of unspent funds from completed projects to the California Theatre project to cover the cost for architectural design and to resolve structural and code compliance issues while the City pursues other funding to meet the estimated project cost.

## **SUBCOMMITTEE FINDINGS**

N/A

## **STAFF ANALYSIS**

The 2009 list of projects to be constructed by the City included 27 projects with a combined estimated cost of nearly \$50 million, including \$33 million in funds from the former Redevelopment Agency of the City of Pittsburg. Many of the projects have been completed, and there are unexpended funds available to apply to other projects.

Staff is recommending allocation of the \$200,000 in unexpended funds from a completed project to pay for architectural design services and the next phase of improvements at the California Theatre. This phase will renovate the second floor balcony area to accommodate additional seating.

Staff has received a cost proposal and construction cost estimate for occupancy of the balcony from Architectural Resources Group (ARG) of San Francisco, the architect for the California Theatre renovation project. The architect cost proposal for \$70,405 and estimated construction costs exceed the funds remaining in the project.

Staff recommends allocation of unspent funds from completed projects to the California Theatre project to cover the cost for architectural design and to resolve structural and code compliance issues while the City pursues other funding.

If approved, the resolution would approve allocation of \$200,000 to the California Theatre Improvements Project and authorize the City Manager to enter into contracts or agreements necessary for completion of the improvements described in this report. Staff will continue to pursue additional funding, including grants and donations, to meet the estimated overall cost of the balcony project.

ATTACHMENTS:     Resolution  
Project Estimate Summary

Report Prepared By: Jill Hecht, Director of Community Development

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Approving the Allocation of     )  
Funds to California Theatre                     )  
Improvements Project                     )     RESOLUTION NO. 17-\_\_\_\_\_

The Pittsburgh City Council DOES RESOLVE as follows:

WHEREAS, On October 19, 2009, the City Council and the Redevelopment Agency adopted Resolutions 09-11315 and 09-1384, respectively, approving a Project Funding Agreement between the two agencies through which the Agency paid, and the City conducted, projects to alleviate blighting conditions in the Los Medanos Community Development Project Area (the "Project Area"); and

WHEREAS, the project list included 27 projects with a combined estimated cost of nearly \$50 million, including \$33 million in Agency funds; and

WHEREAS, a majority of the projects have been constructed, and on occasion the expenses related to projects on the list total an amount that is less than originally budgeted; and,

WHEREAS, the Railroad Avenue Building Improvements Project (Project 3320) is substantially complete, and has unexpended funds of approximately \$200,000 available for reallocation to another project; and,

WHEREAS, staff recommends the funds be allocated to the California Theatre Improvements Project (Project 3324) for design and construction of certain additional improvements at the California Theatre for occupancy of the second-floor balcony; and,

WHEREAS, the proposed project to receive these funds is an appropriate use for the funds.

NOW, THEREFORE, the City Council finds and determines as follows:

Section 1.

The City Council hereby finds and determines that the above recitals are true and correct and incorporated herein.

Section 2.

The California Theatre Improvements Project and allocation of funds from Railroad Avenue Building Improvement Project (Project 3320) to the California Theatre Improvements Project (Project 3324) in the amount of approximately \$200,000 is hereby approved.

Section 3.

The City Manager is authorized to take such actions as reasonably necessary to facilitate design, construction and completion of the California Theatre Improvements Project. Such

actions include, but are not limited to, entering into agreements for design, construction and construction management and related services.

Section 4.

The City Clerk shall certify to the adoption of this Resolution.

Section 5.

This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 17<sup>th</sup> day of July 2017, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

---

Marilyn Craft, Mayor

ATTEST:

---

Alice E. Evenson, City Clerk



## California Theatre Balcony Occupancy

### Project Budget Summary

Contract 2017-05

### Project Expenditures:

|                        |                   |                  |
|------------------------|-------------------|------------------|
| Design:<br>(Code 2122) | Consultant Design | \$105,000        |
|                        | <b>Subtotal</b>   | <b>\$105,000</b> |

|                               |                                          |                |
|-------------------------------|------------------------------------------|----------------|
| Miscellaneous:<br>(Code 1399) | Advertising, Reproduction, Postage, etc. | \$5,000        |
|                               | <b>Subtotal</b>                          | <b>\$5,000</b> |

|                              |                                                                                     |                  |
|------------------------------|-------------------------------------------------------------------------------------|------------------|
| Construction:<br>(Code 2281) | Structure (framing, structural support, leveling sides, etc)                        | \$60,000         |
|                              | Interior Construction (handrails, wall patching, hardware, etc)                     | \$35,000         |
|                              | Stairs (new stairs at ramps, steps at risers, etc)                                  | \$30,000         |
|                              | Interior Finishes (flooring, walls, acoustics, etc)                                 | \$120,000        |
|                              | Interiors (protection, HVAC adjustment, etc)                                        | \$10,000         |
|                              | Electrical (emergency lighting, aisle lighting, etc)                                | \$45,000         |
|                              | Furnishings (seating (159))                                                         | \$55,000         |
|                              | Additional Costs (site management, insurance, fees, contingencies, escalation, etc) | \$130,000        |
|                              | Lift (ADA compliance)                                                               | \$35,000         |
|                              | Consultant Construction Administration                                              | \$30,000         |
|                              | Permits                                                                             | \$10,000         |
|                              | <b>Subtotal</b>                                                                     | <b>\$560,000</b> |

|                            |                                                      |                 |
|----------------------------|------------------------------------------------------|-----------------|
| Staff Time:<br>(Code 1101) | Staff Costs for Design Phase                         | \$10,000        |
|                            | Staff Construction Management Costs for Construction | \$30,000        |
|                            | <b>Subtotal</b>                                      | <b>\$40,000</b> |

|                                |                                                      |                 |
|--------------------------------|------------------------------------------------------|-----------------|
| Admin Overhead:<br>(Code 2372) | Staff Costs for Design Phase                         | \$10,000        |
|                                | Staff Construction Management Costs for Construction | \$30,000        |
|                                | <b>Subtotal</b>                                      | <b>\$40,000</b> |

**Estimated Expenditures Total \$750,000**