

NOVEMBER 29, 2021

CITY HALL COUNCIL CHAMBER 65 CIVIC AVENUE, PITTSBURG, CA

SPECIAL MEETING 5:00 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 Holland Barrett White, Vice- Mayor/Chair Shanelle Scales-Preston, Council Member/Board Member Juan Antonio Banales, Council Member/Board Member Jelani Killings, Council Member/Board Member

FOR HOUSING AUTHORITY: S.L. Floyd, Housing Authority Member Annie Hill Herring, Housing Authority Member

WORKSHOP
JOINT WITH CITY COUNCIL AND PLANNING COMMISSION
5:30 P.M.

PLANNING COMMISSION:

VACANT, Chair
James Coniglio, Vice-Chair
Elissa Robinson, Commissioner
Heliodoro Moreno, Jr., Commissioner
Henry Perkins, Commissioner
Ivelina Popova, Commissioner
Sarah Foster, Commissioner

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Pittsburg City Council meetings are held the first and third Mondays of each month at 7:00 p.m. The Housing Authority meets in conjunction with the City Council on the third Monday of each month. The 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. 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.

5:00 P.M. - CONVENE IN OPEN SESSION FOR SPECIAL MEETING

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

See Public Advisory.

CONSIDERATION

 Adoption of Resolutions Making Findings in Support of Continuing to Hold Public Meetings by Teleconference Pursuant to California Government Code Section 54953(e)

Assembly Bill 361 (AB 361) amended the Brown Act to allow cities to continue to meet remotely during proclaimed states of emergency under specified conditions. Findings must be made every 30 days.

ADJOURN TO OPEN SESSION JOINT WORKSHOP

5:30 P.M. - CONVENE IN OPEN SESSION FOR JOINT WORKSHOP - CITY COUNCIL AND PLANNING COMMISSION

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

See Public Advisory.

PRESENTATION - LAND USE ALTERNATIVES

1. Joint City Council and Planning Commission Workshop: Envision Pittsburg General Plan Update Land Use Alternatives

ADJOURNMENT to December 6, 2021

PUBLIC ADVISORY: THE CITY COUNCIL CHAMBER WILL NOT BE OPEN TO THE PUBLIC

This meeting will be held in compliance with California Government Code Section 54953(e)(2), which was added by Assembly Bill 361 which became effective Oct. 1, 2021, pursuant to the Governor's Executive Order N-15-21. On November 1, 2021, the City Council authorized teleconferenced meetings of the City Council and Commissions upon findings made in Resolution 21-13997 as required by state law. In addition, all Boards authorized teleconferenced meetings. City Council Members/Board Members/Commissioners will be participating electronically and will not be physically present in the Council Chamber. Pursuant to Government Code Section 54953(e)(3), the Council/Board/Commission authorization is effective for 30 days and may be extended every 30 days if the Council/Board/Commission makes required findings.

The public is invited to watch and participate in meetings via the methods listed below:

Watch the live meeting via the City's webcast (www.pittsburgca.gov), or on Delta TV Comcast Channel 32, or Delta TV AT&T U-Verse Channel 99.

Members of the public may comment live via Zoom video conferencing. Download Zoom from its website: www.zoom.com. Zoom also allows you to join the meeting by phone. Join the meeting at any point but be sure you are in the meeting prior to the City Council/Board/Commission consideration of the item on which you would like to provide comment.

From a PC, Mac, iPad, iPhone or Android:

Webinar ID: 867 8406 2054

Passcode: 106491

• By phone: US: +1-669-900-6833 or +1346-348-7799

Speakers are asked to provide their name and city of residence for the record, although providing this is not required for participation.

Each speaker will be afforded up to 3 minutes to speak (at the discretion of the Mayor/Chair).

When the Mayor/Chair opens a public comment period on the item on which you would like to comment, please use the "Raise Hand" feature (or press *9 if connecting via telephone) which will alert staff that you have a comment to provide. You will be invited to speak when it is your turn. Speakers will be muted until their opportunity to provide public comment. You will not be seen or heard until it is your turn to speak. You will be muted again after the allotted time to speak. Just as in a live meeting inside the Council Chamber, only one comment per agenda item per person is allowed.

When making public comment during the meeting, please

- 1. Try to be in a room or space without a lot of background noise.
- 2. Mute your microphone until it is your turn to speak, then mute your speakers while speaking.
- 3. Have a strong, reliable internet connection or cell phone signal.

In the event of a disruption which prevents the City Council/Board/Commission from broadcasting the meeting to the public or from receiving public comment, no further action will be taken at the meeting.

Written comments provided by the public will be accepted and given to the Council/Board/Commission although they will not be read at the meeting.

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.pittsburgca.gov. 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 up to 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 take by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting.

NOTICE TO THE DISABLED AND VISUALLY OR HEARING IMPAIRED

In compliance with the Americans with Disabilities Act, the City of Pittsburg will provide special assistance for disabled citizens. Upon request, an agenda for any meeting shall be made available in appropriate alternative formats. The Council Chamber is equipped with sound amplifier units for use by the hearing impaired. The units operate in conjunction with the Chamber's sound system. You may request the sound amplifier from the City Clerk for personal use during Council meetings. If you need special assistance to participate in this meeting, or are requesting a specially formatted agenda, please contact the City Clerk at 925-252-4850. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting or provide the requested agenda format. (28 CFR 35.102-35.104 ADA Title II)

DISRUPTIVE CONDUCT

The Council requests that you observe the order and decorum of our Council Chamber by turning off or setting to vibrate all cellular telephones and electronic devices, 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.pittsburgca.gov on the Streaming Media page. Past meetings are also archived on that webpage. Watch the live meeting via the City's webcast (www.pittsburgca.gov), or on Delta TV Comcast Channel 32, or Delta TV AT&T U-Verse Channel 99. For more information, please contact the City Clerk's office at 252-4850.

City Council Outside Agency / Liaison / Sub-Committees Assignments - 2020

TYPE

MEETS

STAFF

COUNCIL MEMBER(S)

Updated February 3, 2020

OUTSIDE AGENCY BOARDS

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ABAG Delta Diablo** East Co. Co. County Habitat Conservancy East County Water Management MCE Clean Energy Board TRANSPLAN / ECCRFFA Tri-Delta Transit (2 reps)***	Jelani Killings / Merl Craft Alternate Juan Banales / Shanelle Scales-Preston Alt. Juan Banales / Holland White Alternate Merl Craft / Holland White Alternate Shanelle Scales-Preston / Juan Banales Alt. Juan Banales / Holland White Alternate S. Scales-Preston & Merl Craft / Jelani Killings Alt.	Standing Standing Standing Standing Standing Standing Standing	Annual 2 nd Wednesday Monthly Annual 4 Per Year 2 nd Thursday Last Wednesday	G. Evans F. McKinley K. Pollot F. McKinley D. Buchanan J. Hecht J. Hecht
<u>LIAISON TO</u>	COUNCIL MEMBER(S)	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
East Bay League of Calif. Cities Mayor's Conference School Districts Committee (2x2)	Jelani Killings / Juan Banales Alt. Juan Banales / Jelani Killings Alt. Holland White & Jelani Killings / Merl Craft Alt.	Standing Standing Standing	3 rd Thursday 1 st Thursday 4 th Thursday even months	*Rotational G. Evans G. Evans
SUBCOMMITTEES	COUNCIL MEMBER(S)	<u>TYPE</u>	<u>MEETS</u>	STAFF
CAC CDBG Subcommittee Camp Stoneman Anniversary Celebration City Infrastructure and Transportation Community Services Subcommittee Flag Protocols Hills Committee Pittsburg Recognition Committee Economic Develop/Waterfront Subcommittee Finance Subcommittee Land Use Subcommittee Pittsburg Arts & Community Foundation Pittsburg Police Activities League (PAL) Power Company Advisory Sister City Committee Successor Agency Subcommittee	S. Scales-Preston & Jelani Killings / Holland White Alt. Merl Craft & Shanelle Scales-Preston Juan Banales & S. Scales-Preston / Holland White Alt. Juan Banales & Holland White Holland White & Shanelle Scales-Preston Juan Banales & Holland White / Merl Craft Alt. Merl Craft / Juan Banales Alt. Jelani Killings & Holland White / Juan Banales Alt. Jelani Killings & Juan Banales / Merl Craft Alt. Juan Banales & Holland White / Merl Craft Alt. Merl Craft & S. Scales-Preston / Jelani Killings Alt. S. Scales-Preston & Holland White / Juan Banales Alt. S. Scales-Preston & Holland White / Merl Craft Alt. Jelani Killings & Merl Craft / Holland White Alt. Merl Craft & Jelani Killings / S. Scales-Preston Alt.	Standing Ad Hoc Standing Ad Hoc Ad Hoc Ad Hoc Standing	As needed As needed TBD As needed As needed As needed As needed Quarterly As needed	M. Aliotti Evans/Simonton G. Evans G. Evans/M. Aliotti J. Davis G. Evans J. Hecht K. Simonton B. Farmer K. Pollot G. Evans B. Addington D. Buchanan K. Simonton M. Aliotti

^{*}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 and click on the CALENDAR link for meetings, dates, times and locations.

Commission	Tentative Meeting Dates
Planning Commission	2 nd and 4 th Tuesdays
Community Advisory Commission	1 st 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.pittsburgca.gov, 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

TO: Mayor/Chair and Council/Governing Board Members

FROM: Garrett Evans, Executive Director/City Manager

SUBJECT: Adoption of a Resolution Making Findings in Support of Continuing to

Hold Public Meetings by Teleconference Pursuant to California

Government Code Section 54953(e)

MEETING DATE: November 29, 2021

EXECUTIVE SUMMARY

Assembly Bill 361 (AB 361) amended the Brown Act to allow cities to continue to meet remotely during proclaimed states of emergency under specified conditions. Findings must be made every 30 days.

FISCAL IMPACT

There is no fiscal impact to the General Fund by this action.

RECOMMENDATION

The City Council, Successor Agency Governing Board, Pittsburg Power Company Governing Board, and Housing Authority Governing Board, adopt the attached resolutions and hold remote public meetings for the month of December 2021 in accordance with the requirements of AB 361.

BACKGROUND

Beginning in March 2020, Governor Newsom issued a series of Executive Orders aimed at containing the novel coronavirus. Among these were Executive Orders—N-25-20 and N-29-20 (collectively, the "Brown Act Orders") — that waived requirements in the Brown Act expressly or impliedly requiring the physical presence of legislative body members, staff, or the public at local agency meetings.

On June 11, 2021, the Governor issued Executive Order N-08-21, to begin winding down some of the prior measures that were adopted to respond to COVID-19. Notably, N-08-21 established an end date to the Brown Act Orders, effective September 30, 2021.

On September 16, Governor Newsom signed Assembly Bill 361 which amended the Brown Act to allow cities to continue to meet remotely during proclaimed states of emergency under specified conditions and so long as certain findings are made by a majority of the legislative body. Findings were made on November 1, 2021, and are effective through December 1, 2021.

SUBCOMMITTEE FINDINGS

This item was not presented to a subcommittee.

STAFF ANALYSIS

Cities that wish to continue meeting by teleconference must comply with the requirements of California Government Code Section 54953, which was amended by AB 361.

Specifically, newly amended Government Code Section 54953 requires the following procedures:

- Give notice and post agendas as otherwise required by the Brown Act;
- List on the agenda how the public can electronically attend and comment at the meeting. Note that a public agency is not required to offer an in-person option for the public to attend and comment at such a meeting;
- Provide an opportunity to comment in advance of and during the meeting;
- Allow a reasonable amount of time to register, if required, and comment on each agenda item or at least the amount of time allowed per agency meeting protocols, whichever is longer;
- No action may be taken during a disruption that inhibits the broadcast of the meeting or the public's ability to comment;
- All votes must be via rollcall;
- Comply with state and federal civil rights and non-discrimination laws; and
- Take all precautions to protect the statutory and constitutional rights of the public.

While it only applies in situations where the Governor has proclaimed a state of emergency, and not, for instance, when only a local health officer has declared an emergency, AB 361 provides an explicit avenue for local public agencies to meet remotely in the case of a public health, or other, emergency that inhibits the opportunity to meet in person. AB 361 provides the flexibility to meet by teleconference through December 31, 2023, unless extended.

Should the City Council elect to meet in person for the month of December, staff recommends that the meetings not be in hybrid format due to technological challenges. In addition, staff recommends if the City Council elects to meet in person that Commissions also meet in person and the Subcommittees remain in teleconference format.

The Resolutions, as currently written, would make the findings to allow all meetings to be teleconferenced through December 2021.

ATTACHMENTS: Resolutions

Report Prepared By: Garrett Evans, City Manager

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Making Findings in Support of Continuing to)
Hold Public Meetings By Teleconference) RESOLUTION NO. 21-
Pursuant to California Government Code)
Sec. 54953(e))

WHEREAS, on March 4, 2020, the Governor of the State of California proclaimed a state of emergency due to COVID-19; and

WHEREAS, on March 10, 2020, the Contra Costa County Board of Supervisors issued an emergency proclamation to respond to COVID-19; and

WHEREAS, on March 16, 2020, the City Council proclaimed the existence of a local emergency in response to COVID-19; and

WHEREAS, on March 12, 2020, the Governor issued Executive Order N-25-20, which suspended specified requirements under the Brown Act with regard to teleconferenced meetings of legislative bodies during the period in which state or local public health officials have imposed or recommended measures to promote social distancing; and

WHEREAS, on March 17, 2020, the Governor issued Executive Order N-29-20, which modified and replaced the Brown Act language of Executive Order N-25-20, continuing to suspend specified requirements under the Brown Act for teleconferenced meetings of legislative bodies during the period in which state or local public health officials have imposed or recommended social distancing measures; and

WHEREAS on June 11, 2021, the Governor issued Executive Order N-08-21, which modified and replaced the Brown Act language of Executive Order N-29-20 and set forth an end date of September 30, 2021; and

WHEREAS, in September 2021 the State Legislature passed Assembly Bill 361, which was signed into law by the Governor on September 19, 2021; and

WHEREAS, AB 361 amended the Brown Act at Government Code Section 54953 to allow, until January 1, 2024, a legislative body to use teleconferencing without adhering to specified requirements so long as, among other circumstances, the meeting is held during a proclaimed state of emergency and state or local officials have imposed or recommended measures to promote social distancing, and so long as the legislative body reconsiders the circumstances every 30 days; and

WHEREAS, on September 20, 2021, the Contra Costa County Health Officer issued recommendations for public meetings, which recommendations include social distancing.

NOW, THEREFORE BE IT RESOLVED that the City Council hereby makes the following findings:

- 1. The circumstances of the state of emergency have been reconsidered. The state of emergency declared by the Governor has not been terminated. The state of emergency declared by the County Board of Supervisors has not been terminated. The state of emergency declared by the City Council has not been terminated.
- 2. State or local officials continue to impose or recommend measures to promote social distancing. The County Health Official on September 21, 2021, issued a recommendation for social distancing, among other recommendations, during public meetings.

BE IT FURTHER RESOLVED that the City Council hereby approves meetings of the City Council, Planning Commission, Community Advisory Commission, and any other commission, board or subcommittee, to be held by teleconference, in compliance with California Government Code Section 54953(e).

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 29th day of November 2021, by the following vote:

AYES:	
NOES:	
ABSTAINED:	
ABSENT:	
ATTEST:	Merl Craft, Mayor
Alice E. Evenson, City Clerk	

BEFORE THE GOVERNING BOARD OF THE SOUTHWEST PITTSBURG GEOLOGIC HAZARD ABATEMENT DISTRICT II

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Making Findings in Support of Continuing to)	
Hold Public Meetings By Teleconference) RESOLU	JTION NO. 21-
Pursuant to California Government Code)	
Sec. 54953(e))	

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WHEREAS, on March 10, 2020, the Contra Costa County Board of Supervisors issued an emergency proclamation to respond to COVID-19; and

WHEREAS, on March 16, 2020, the City Council proclaimed the existence of a local emergency in response to COVID-19; and

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WHEREAS on June 11, 2021, the Governor issued Executive Order N-08-21, which modified and replaced the Brown Act language of Executive Order N-29-20 and set forth an end date of September 30, 2021; and

WHEREAS, in September 2021 the State Legislature passed Assembly Bill 361, which was signed into law by the Governor on September 19, 2021; and

WHEREAS, AB 361 amended the Brown Act at Government Code Section 54953 to allow, until January 1, 2024, a legislative body to use teleconferencing without adhering to specified requirements so long as, among other circumstances, the meeting is held during a proclaimed state of emergency and state or local officials have imposed or recommended measures to promote social distancing, and so long as the legislative body reconsiders the circumstances every 30 days; and

WHEREAS, on September 20, 2021, the Contra Costa County Health Officer issued recommendations for public meetings, which recommendations include social distancing.

NOW, THEREFORE BE IT RESOLVED that the Governing Board of the Southwest Pittsburg Geologic Hazard Abatement District II hereby makes the following findings:

- 1. The circumstances of the state of emergency have been reconsidered. The state of emergency declared by the Governor has not been terminated. The state of emergency declared by the County Board of Supervisors has not been terminated. The state of emergency declared by the City Council has not been terminated.
- 2. State or local officials continue to impose or recommend measures to promote social distancing. The County Health Official on September 21, 2021, issued a recommendation for social distancing, among other recommendations, during public meetings.

BE IT FURTHER RESOLVED that the Governing Board of the Southwest Pittsburg Geologic Hazard Abatement District II hereby approves meetings to be held by teleconference, in compliance with California Government Code Section 54953(e).

PASSED AND ADOPTED by the Governing Board of the Southwest Pittsburg Geologic Hazard Abatement District II at a regular meeting on the 29th day of November, 2021, by the following vote:

AYES:	
NOES:	
ABSTAINED:	
ABSENT:	
	Merl Craft, Chair
ATTEST:	
Alice E. Evenson, City Clerk	

BEFORE THE GOVERNING BOARD OF THE HOUSING AUTHORITY OF THE CITY OF PITTSBURG

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Making Findings in Support of Continuing to Hold Public Meetings By Teleconference) RESOLUTION NO. 21-
Pursuant to California Government Code	,)
Sec. 54953(e))

WHEREAS, on March 4, 2020, the Governor of the State of California proclaimed a state of emergency due to COVID-19; and

WHEREAS, on March 10, 2020, the Contra Costa County Board of Supervisors issued an emergency proclamation to respond to COVID-19; and

WHEREAS, on March 16, 2020, the City Council proclaimed the existence of a local emergency in response to COVID-19; and

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WHEREAS on June 11, 2021, the Governor issued Executive Order N-08-21, which modified and replaced the Brown Act language of Executive Order N-29-20 and set forth an end date of September 30, 2021; and

WHEREAS, in September 2021 the State Legislature passed Assembly Bill 361, which was signed into law by the Governor on September 19, 2021; and

WHEREAS, AB 361 amended the Brown Act at Government Code Section 54953 to allow, until January 1, 2024, a legislative body to use teleconferencing without adhering to specified requirements so long as, among other circumstances, the meeting is held during a proclaimed state of emergency and state or local officials have imposed or recommended measures to promote social distancing, and so long as the legislative body reconsiders the circumstances every 30 days; and

WHEREAS, on September 20, 2021, the Contra Costa County Health Officer issued recommendations for public meetings, which recommendations include social distancing.

NOW, THEREFORE BE IT RESOLVED that the Housing Authority Governing Board hereby makes the following findings:

- 1. The circumstances of the state of emergency have been reconsidered. The state of emergency declared by the Governor has not been terminated. The state of emergency declared by the County Board of Supervisors has not been terminated. The state of emergency declared by the City Council has not been terminated.
- 2. State or local officials continue to impose or recommend measures to promote social distancing. The County Health Official on September 21, 2021, issued a recommendation for social distancing, among other recommendations, during public meetings.

BE IT FURTHER RESOLVED that the Housing Authority Governing Board hereby approves meetings to be held by teleconference, in compliance with California Government Code Section 54953(e).

PASSED AND ADOPTED by the Housing Authority Governing Board at a regular meeting on the 29th day of November 2021, by the following vote:

AYES:	
NOES:	
ABSTAINED:	
ABSENT:	
ATTEST:	Merl Craft, Chair
Alice F. Evenson, Agency Secretary	

BEFORE THE GOVERNING BOARD OF THE PITTSBURG ARTS AND COMMUNITY FOUNDATION

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Making Findings in Support of Continuing to)
Hold Public Meetings By Teleconference	RESOLUTION NO. 21-
Pursuant to California Government Code	
Sec. 54953(e))

WHEREAS, the Pittsburg Arts and Community Foundation is a 501(c)(3) nonprofit formed for the purpose of providing assistance to the City of Pittsburg and its Bylaws provide at Article III Section 1 that meetings of the board shall be held in compliance with the Brown Act; and

WHEREAS, on March 4, 2020, the Governor of the State of California proclaimed a state of emergency due to COVID-19; and

WHEREAS, on March 10, 2020, the Contra Costa County Board of Supervisors issued an emergency proclamation to respond to COVID-19; and

WHEREAS, on March 16, 2020, the City Council proclaimed the existence of a local emergency in response to COVID-19; and

WHEREAS, on March 12, 2020, the Governor issued Executive Order N-25-20, which suspended specified requirements under the Brown Act with regard to teleconferenced meetings of legislative bodies during the period in which state or local public health officials have imposed or recommended measures to promote social distancing; and

WHEREAS, on March 17, 2020, the Governor issued Executive Order N-29-20, which modified and replaced the Brown Act language of Executive Order N-25-20, continuing to suspend specified requirements under the Brown Act for teleconferenced meetings of legislative bodies during the period in which state or local public health officials have imposed or recommended social distancing measures; and

WHEREAS on June 11, 2021, the Governor issued Executive Order N-08-21, which modified and replaced the Brown Act language of Executive Order N-29-20 and set forth an end date of September 30, 2021; and

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WHEREAS, on September 20, 2021, the Contra Costa County Health Officer issued recommendations for public meetings, which recommendations include social distancing.

NOW, THEREFORE BE IT RESOLVED that the Governing Board of the Pittsburg Arts and Community Foundation hereby makes the following findings:

- 1. The circumstances of the state of emergency have been reconsidered. The state of emergency declared by the Governor has not been terminated. The state of emergency declared by the County Board of Supervisors has not been terminated. The state of emergency declared by the City Council has not been terminated.
- 2. State or local officials continue to impose or recommend measures to promote social distancing. The County Health Official on September 21, 2021, issued a recommendation for social distancing, among other recommendations, during public meetings.

BE IT FURTHER RESOLVED that the Governing Board of the Pittsburg Arts and Community Foundation hereby approves meetings to be held by teleconference, in compliance with California Government Code Section 54953(e).

PASSED AND ADOPTED by the Governing Board of the Pittsburg Arts and Community Foundation at a regular meeting on the 29th day of November 2021, by the following vote:

AYES:	
NOES:	
ABSTAINED:	
ABSENT:	
ATTEST:	Merl Craft, Chair
Alice E. Evenson, Agency Secretary	

BEFORE THE PITTSBURG POWER COMPANY GOVERNING BOARD

In the Matter of:

Making Findings in Support of Continuing to)	
Hold Public Meetings By Teleconference)	RESOLUTION NO. 21-
Pursuant to California Government Code)	
Sec. 54953(e)	_)	

WHEREAS, on March 4, 2020, the Governor of the State of California proclaimed a state of emergency due to COVID-19; and

WHEREAS, on March 10, 2020, the Contra Costa County Board of Supervisors issued an emergency proclamation to respond to COVID-19; and

WHEREAS, on March 16, 2020, the City Council proclaimed the existence of a local emergency in response to COVID-19; and

WHEREAS, on March 12, 2020, the Governor issued Executive Order N-25-20, which suspended specified requirements under the Brown Act with regard to teleconferenced meetings of legislative bodies during the period in which state or local public health officials have imposed or recommended measures to promote social distancing; and

WHEREAS, on March 17, 2020, the Governor issued Executive Order N-29-20, which modified and replaced the Brown Act language of Executive Order N-25-20, continuing to suspend specified requirements under the Brown Act for teleconferenced meetings of legislative bodies during the period in which state or local public health officials have imposed or recommended social distancing measures; and

WHEREAS on June 11, 2021, the Governor issued Executive Order N-08-21, which modified and replaced the Brown Act language of Executive Order N-29-20 and set forth an end date of September 30, 2021; and

WHEREAS, in September 2021 the State Legislature passed Assembly Bill 361, which was signed into law by the Governor on September 19, 2021; and

WHEREAS, AB 361 amended the Brown Act at Government Code Section 54953 to allow, until January 1, 2024, a legislative body to use teleconferencing without adhering to specified requirements so long as, among other circumstances, the meeting is held during a proclaimed state of emergency and state or local officials have imposed or recommended measures to promote social distancing, and so long as the legislative body reconsiders the circumstances every 30 days; and

WHEREAS, on September 20, 2021, the Contra Costa County Health Officer issued recommendations for public meetings, which recommendations include social distancing.

NOW, THEREFORE BE IT RESOLVED that the Pittsburg Power Company Governing Board hereby makes the following findings:

- 1. The circumstances of the state of emergency have been reconsidered. The state of emergency declared by the Governor has not been terminated. The state of emergency declared by the County Board of Supervisors has not been terminated. The state of emergency declared by the City Council has not been terminated.
- 2. State or local officials continue to impose or recommend measures to promote social distancing. The County Health Official on September 21, 2021, issued a recommendation for social distancing, among other recommendations, during public meetings.

BE IT FURTHER RESOLVED that the Pittsburg Power Company Governing Board hereby approves meetings to be held by teleconference, in compliance with California Government Code Section 54953(e).

PASSED AND ADOPTED by the Pittsburg Power Company Governing Board at a regular meeting on the 29th day of November 2021, by the following vote:

AYES:	
NOES:	
ABSTAINED:	
ABSENT:	
ATTEST:	Merl Craft, Chair
Alice E. Evenson, Executive Secretary	

BEFORE THE GOVERNING BOARD OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF PITTSBURG

In the Matter of:

Making Findings in Support of Continuing to Hold Public Meetings By Teleconference))) RESOLUTION NO. 21-
Pursuant to California Government Code	
Sec. 54953(e)	

WHEREAS, on March 4, 2020, the Governor of the State of California proclaimed a state of emergency due to COVID-19; and

WHEREAS, on March 10, 2020, the Contra Costa County Board of Supervisors issued an emergency proclamation to respond to COVID-19; and

WHEREAS, on March 16, 2020, the City Council proclaimed the existence of a local emergency in response to COVID-19; and

WHEREAS, on March 12, 2020, the Governor issued Executive Order N-25-20, which suspended specified requirements under the Brown Act with regard to teleconferenced meetings of legislative bodies during the period in which state or local public health officials have imposed or recommended measures to promote social distancing; and

WHEREAS, on March 17, 2020, the Governor issued Executive Order N-29-20, which modified and replaced the Brown Act language of Executive Order N-25-20, continuing to suspend specified requirements under the Brown Act for teleconferenced meetings of legislative bodies during the period in which state or local public health officials have imposed or recommended social distancing measures; and

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WHEREAS, AB 361 amended the Brown Act at Government Code Section 54953 to allow, until January 1, 2024, a legislative body to use teleconferencing without adhering to specified requirements so long as, among other circumstances, the meeting is held during a proclaimed state of emergency and state or local officials have imposed or recommended measures to promote social distancing, and so long as the legislative body reconsiders the circumstances every 30 days; and

WHEREAS, on September 20, 2021, the Contra Costa County Health Officer issued recommendations for public meetings, which recommendations include social distancing.

NOW, THEREFORE BE IT RESOLVED that the Governing Board of the Successor Agency to the Redevelopment Agency of the City of Pittsburg hereby makes the following findings:

- 1. The circumstances of the state of emergency have been reconsidered. The state of emergency declared by the Governor has not been terminated. The state of emergency declared by the County Board of Supervisors has not been terminated. The state of emergency declared by the City Council has not been terminated.
- 2. State or local officials continue to impose or recommend measures to promote social distancing. The County Health Official on September 21, 2021, issued a recommendation for social distancing, among other recommendations, during public meetings.

BE IT FURTHER RESOLVED that the Governing Board of the Successor Agency to the Redevelopment Agency of the City of Pittsburg hereby approves meetings to be held by teleconference, in compliance with California Government Code Section 54953(e).

PASSED AND ADOPTED by the Governing Board of the Successor Agency to the Redevelopment Agency of the City of Pittsburg at a regular meeting on the 29th day of November, 2021, by the following vote:

AYES:	
NOES:	
ABSTAINED:	
ABSENT:	
	Merl Craft, Chair
ATTEST:	
Alice E. Evenson, Agency Secretary	



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

TO: Mayor and Council Members

Planning Commission Vice Chair and Commissioners

FROM: Garrett Evans, City Manager

SUBJECT: Joint City Council and Planning Commission Workshop: Envision

Pittsburg General Plan Update Land Use Alternatives

MEETING DATE: November 29, 2021

EXECUTIVE SUMMARY

As part of the General Plan Update process, the City released a Land Use Alternatives and Capacity Report for public input in March 2021. In March and April 2021, the City and the City's consultant hosted a Land Use Alternatives Survey and held one stakeholders workshop and two community workshops to seek input from residents, stakeholders, and interested parties. On June 14 and September 13, 2021, the City Council and Planning Commission held the first two Joint Workshops to discuss the proposed Land Use Alternatives. Staff will be presenting a revised alternative and growth projection that incorporates comments from the first two workshops, which will be analyzed in detail in the Envision Pittsburg Draft Environmental Impact Report (Draft EIR).

RECOMMENDATION

Staff recommends that the City Council and Planning Commission discuss Land Use Map Alternative D, provide input to staff, and direct staff to commence analysis of the Land Use Map as part of the required Draft EIR.

BACKGROUND

The Envision Pittsburg General Plan Update began in 2019. The Envision Pittsburg process includes four primary phases:

- The first phase established existing conditions for the General Plan Update and was completed in 2019.
- The second phase identified the community's vision for the General Plan Update, which is summarized in the Vision and Opportunities Report. This included analysis of four Opportunity Areas, including two Brownfields Revitalization Sites, as described in the Opportunity Areas Survey Results, and culminated with the Land Use Alternatives and Capacity Report, which was presented to the community in

- March 2021.
- The third phase, currently underway, includes development of the preferred draft Land Use Map and associated preparation of the Draft General Plan policy document, both of which will be analyzed in the Draft EIR.
- The final phase involves circulating the Draft General Plan and Draft EIR for community input, followed by Planning Commission and City Council adoption hearings.

In March 2021, the City released a Land Use Alternatives and Capacity Report for public input. In spring 2021, the City and the City's consultant hosted a Land Use Alternatives Survey and held one stakeholders workshop and two community workshops to seek input from residents, stakeholders, and interested parties.

On June 14, 2021, the City Council and Planning Commission held the first Joint Workshop to discuss the three initial alternatives prepared. Following the discussion, the Joint body directed staff to prepare a "hybrid" land use alternative (referred to as "Alternative D") which contained elements of the three initial alternatives. On September 13, 2021, the City Council and Planning Commission held a second Joint Workshops to discuss Alternative D. The Councilmembers and Commissioners requested staff and the City's consultant make minor modifications to land use designations within the PG&E corridor which runs through the City, specifically removing a residential designation, revisit the residential development estimates. Staff has prepared two further alternatives – D1 and D2 – which refine the multifamily and mixed-use development estimates.

All materials prepared to-date are available for public review on the Envision Pittsburg website: pittsburg.generalplan.org.

STAFF ANALYSIS

The City Council and Planning Commission are asked to consider Land Use Land Use Alternatives D1 and D2, which have been developed based on comments from the previous joint workshops. These alternatives are discussed in further detail in Attachment 2.

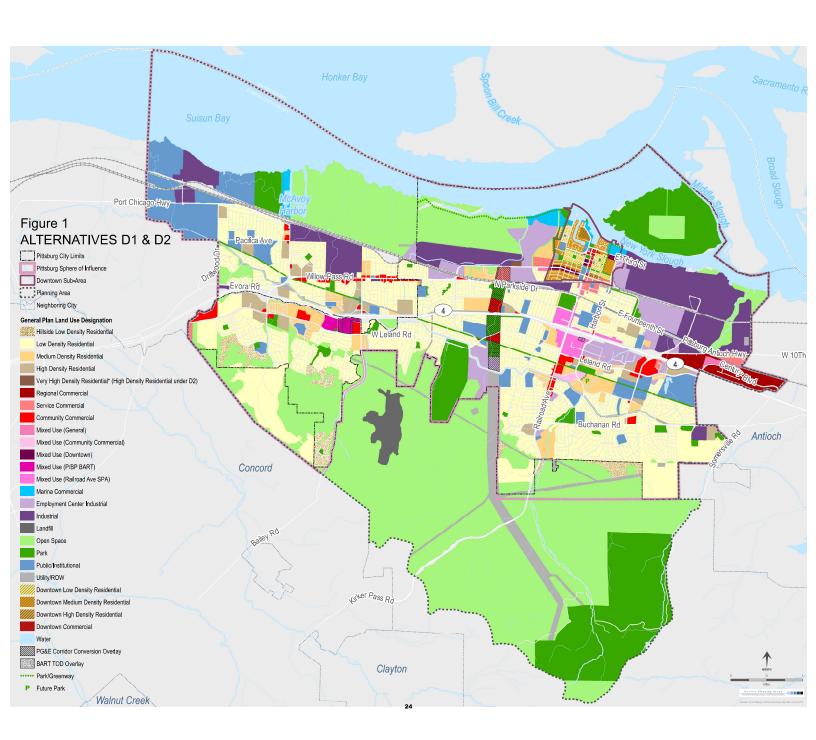
The next phase of the General Plan Update includes detailed analysis of the Preferred Land Use Map, including: 1) development of policies and programs in the Draft General Plan that will address growth and conservation under the Preferred Land Use Map; and 2) preparation of the Draft EIR, which will examine the environmental implications of the Draft General Plan, including the Preferred Land Use Map. This upcoming step in the process will address issues of concern identified through the visioning and community outreach efforts, including but not limited to:

- maintaining and enhancing Pittsburg's character;
- managing the location, type, and amount of growth and ensuring that the community's infrastructures and services are planned to keep pace with growth;
- providing for high-quality employment opportunities;
- providing recreation, entertainment, shopping, restaurants, and services for the City's households, with an emphasis on increasing opportunities for the City's youth;
- addressing environmental justice, including identifying and reducing any adverse effects to disadvantaged communities and identifying opportunities to improve equity and access to resources and amenities necessary for a high quality of life;
- conserving natural resources; and addressing environmental effects, including methods to adapt to the effects of a changing climate and sea level rise.

ATTACHMENTS

- 1. Land Use Map Alternative D (updated 11/19/2021)
- 2. Alternatives D1 and D2 Land Use Designations and Growth Projections
- 3. List of Parcels with Proposed Land Use Changes (available to be viewed at https://bit.ly/38WpxUS)

Report Prepared By: Jordan Davis, Director of Community and Economic Development



LAND USE MAP ALTERNATI VES D1 AND D2

PURPOSE

Land Use Map Alternative D Scenarios 1 and 2 have been developed to refine the Alternative D Land Use Map to reflect City Council and Planning Commission input provided at the September 13, 2021 joint workshop to review Land Use Map Alternative D for the Envision Pittsburg General Plan Update. In general, the Planning Commission and City Council members agreed that Alternative D reflected their preferences identified at the June 14, 2021 joint workshop, including providing for robust jobs creation, enhancing the waterfront, and making the waterfront more accessible to the community.

To further refine Alternative D, the City Council and Planning Commission requested that staff and the consultant team address the following:

- Revise residential lands within the PG&E Corridor Overlay to the Park designation, and
- Provide options to reduce overall residential development, including mixed use and high/very high density residential uses, particularly in relation to allowing residential development on lands intended for employment-generating and community-serving uses.

To address the direction, two scenarios are presented for City Council and Planning Commission Consideration. Each scenario is described below. The Alternatives D1/D2 land use map is presented as Figure 1.

ALTERNATIVE D, SCENARIO 1 (ALTERNATIVE D1)

Alternative D1 refines Alternative D by:

- Changing residential lands (Low Density Residential, Medium Density Residential and High Density Residential) within the PG&E Corridor Overlay to the Park Designation; and
- Removing the potential for multifamily and mixed use development from the Employment Center Industrial, Service Commercial, and Regional Commercial land use designations.

ALTERNATIVE D, SCENARIO 2 (ALTERNATIVE D2)

Alternative D2 includes the changes made under Alternative D1 and also replaces the Very High Density Residential designation with the High Density Residential designation. Specifically, Alternative D2 refines Alternative D by:

- Changing residential lands (Low Density Residential, Medium Density Residential and High Density Residential) within the PG&E Corridor Overlay to the Park Designation;
- Removing the potential for multifamily and mixed use development from the Employment Center Industrial, Service Commercial, and Regional Commercial land use designations; and
- Changing the Very High Density Residential lands to High Density Residential.

GROWTH POTENTIAL

Tables 1 through 3 summarize land use designations and growth data for Alternatives D1 and D2. Table 1 summarizes land use designations by acreage for the City, Sphere of Influence (SOI), and Planning Area and provides the total combined acreage for each designation for Alternative D1 and Alternative D2. It is noted that Alternative D2 assumes that the 18.7 acres designated Very High Density Residential would be changed to the High Density Residential designation under Alternative D2.

Land Use Designation	City	SOI	Planning Area	Total			
Residential Designations							
Hillside Low Density Residential	146.1	66.2	0 212.3				
Low Density Residential	2,842.6	1,054.0	0	3,896.6			
Medium Density Residential	511.9	45.3	0	557.2			
High Density Residential	214.6	159.5	0	374.1			
Very High Density Residential	18.7	0	0	18.7			
Downtown Low Density Residential	50.6	0	0	50.6			
Downtown Medium Density Res.	111.3	0	0	111.3			
Downtown High Density Residential	14.1	0	0	14.1			
Subtotal Residential	3,909.8	1,325	0	5,231.8			
	Mixed Use D	esignations					
Mixed Use (Community Commercial)	21.3	0	0	21.3			
Mixed Use (Downtown)	18.5	0	0	18.5			
Mixed Use (General)	30.2	0	0	30.2			
Mixed Use (P/BP BART)	52.7	0	0	52.7			
Mixed Use (Railroad Ave SPA)	110.1	0	0	110.1			
Subtotal Mixed Use	232.8	0	0	232.8			
Comr	mercial and Ind	ustrial Design	ations				
Community Commercial	181.1	56.0	0	237.1			
Downtown Commercial	8.9	0	0	8.9			
Employment Center Industrial	691.7	16.9	0	708.6			
Industrial	981.6	382.9	0	1,364.5			
Marina Commercial	89.8	51.5	0	141.3			
Regional Commercial	174.9	0	0	174.9			
Service Commercial	115.8	0	0	115.8			
Subtotal Commercial and Industrial	2,243.8	507.3	0	2,751.1			
	Other Des	ignations					
Landfill	0	0	195.7	195.7			
Public/Institutional	457.3	725.0	0	1,182.3			
Park	1,258.1	176.2	1,431.8	2,866.9			
Open Space	1,521.6	1,771.3	5,354.1	8647.0			
Roadway	62.1	6.0	0	68.1			
Utility/ROW	161.9	109.5	387.8	659.2			
Water	221.7	351.0	0	572.7			
Subtotal Other	3,683.5	3,139.0	7,369.4	14,191.4			
TOTAL	10,069.9	7,369.4	7,369.4	22,410.6			

Source: Contra Costa County GIS/Assessor Data, City of Pittsburg, De Novo Planning Group, 2021

Table 2 summarizes new development potential, including residential and non-residential uses by square foot for Alternative D1 and for the project pipeline (approved and proposed projects). Residential uses include single-family residential and multiple-family residential units. Nonresidential square footage includes retail, service, office, commercial recreation, hotel, institutional, light industrial, heavy industrial, and public/quasi-public uses.

TABLE 2: ALTERNATIVE D1 (NOVEMBER 2021) – NEW DEVELOPMENT POTENTIAL						
Residential Units or	New Development Potential (Buildout)					
Nonresidential Square Footage	Project Pipeline	Alternative D1	Total Growth			
Res	sidential Designatio	ons				
Single-Family Residential	3,993	2,199	6,192			
Multiple-Family Residential	1,743	7,454	9,197			
TOTAL	5,736	9,653	15,389			
Nonre	Nonresidential Square Footage					
Retail	187,942	1,553,376	1,741,318			
Service	184,263	3,338,759	3,523,022			
Office	-	1,943,818	1,943,818			
Commercial Recreation	-	287,090	287,090			
Hotel	109,071	321,687	430,758			
Institutional	28,925	43,070	71,995			
Light Industrial	4,726,660	5,439,403	10,166,063			
Heavy Industrial	296,075	5,437,038	5,733,113			
Public/Quasi-Public	(14,268)	1,961,767	1,947,499			
TOTAL	5,518,668	20,326,007	25,844,675			

Source: Contra Costa County GIS/Assessor Data, City of Pittsburg, De Novo Planning Group, 2021

Table 3 summarizes new development potential, including residential and non-residential uses by square foot for Alternative D2 and for the project pipeline (approved and proposed projects). Residential uses include single-family residential and multiple-family residential units. Nonresidential square footage includes retail, service, office, commercial recreation, hotel, institutional, light industrial, heavy industrial, and public/quasi-public uses.

TABLE 2: ALTERNATIVE D2 – NEW DEVELOPMENT POTENTIAL				
Residential Units or	New Development Potential (Buildout)			
Nonresidential Square Footage	Project Pipeline	Project Pipeline Alternative D2		
Res	sidential Designatio	ons		
Single-Family Residential	3,993	2,199	6,192	
Multiple-Family Residential	1,743	7,307	9,050	
TOTAL	5,736	9,506	15,242	
Nonre:	sidential Square Fo	otage		
Retail	187,942	1,553,376	1,741,318	
Service	184,263	3,338,759	3,523,022	
Office	-	1,943,818	1,943,818	
Commercial Recreation	-	287,090	287,090	
Hotel	109,071	321,687	430,758	
Institutional	28,925	43, 070	71,995	
Light Industrial	4,726,660	5,439,403	10,166,063	
Heavy Industrial	296,075	5,437,038	5,733,113	
Public/Quasi-Public	(14,268)	1,961,767	1,947,499	
TOTAL	5,518,668	20,326,007	25,844,675	

Source: Contra Costa County GIS/Assessor Data, City of Pittsburg, De Novo Planning Group, 2021

COMPARISON OF ALTERNATIVES D, D1, AND D2

To provide context for the modifications between the original Alternative D and Alternatives D1 and D2, Table 4 identifies existing conditions and growth potential in terms of population, dwelling units, jobs, and jobs per housing unit for Alternative D (no modifications), Alternative D1, and Alternative D2. Table 4 compares the net growth for each of the alternatives under the Buildout Conditions (Additional Growth Accommodated Under Each Alternative) heading and identifies total growth, which includes existing conditions and the project pipeline.

The reduction in residential development for Alternatives D1 and D2, in comparison to Alternative D, is shown under the Change in Units column. Alternative D1 would result in a reduction of 10.8% in dwelling units and population based on additional growth accommodated by Alternative D1 and a reduction of 2.5% under buildout conditions, which considers existing development and development in the project pipeline. Alternative D2 would result in a reduction of 14.5% in dwelling units and population based on additional growth accommodated by Alternative D2 and a reduction of 3.4% under buildout conditions, which considers existing development and development in the project pipeline.

TABLE 4: GROWTH PROJECTIONS BY ALTERNATIVE (BUILDOUT)					
Alternative	Population	Dwelling Units	Change in Units	Jobs	Jobs per Housing Unit
	Existin	g Conditions			
Existing Conditions (City)	74,321	23,506	-	11,369	0.48
Existing Conditions (Bay Point)	25,908	7,174	-	1,377	0.19
Appro	ved and Pend	ing Developr	ment Project	s	
Project Pipeline	19,273	5,736	-	4,173	0.73
Buildout Conditions (Ac	dditional Grow	th Accommo	dated Unde	r Each Alterr	native)
Alternative D	36,288	11,116	-	20,653	1.86
Alternative D1	31,372	9,653	-13.1%	20,653	2.14
Alternative D2	30,878	9,506	-14.5%	20,653	2.17
Total Growth (Existing Conditions + Full Buildout Conditions)					
Alternative D	155,790	47,532	-	37,572	0.79
Alternative D1	150,874	46,069	-3.1%	37,572	0.82
Alternative D2	150,380	45,922	-3.4%	37,572	0.82

Sources: City of Pittsburg; California Department of Finance 2020; US Census On the Map; US Census American Community Survey Demographic and Housing Estimates; Contra Costa County GIS/Assessor Data; De Novo Planning Group.