

>>> Luis Delgado <lfidarchitect@sbcglobal.net> 7/3/2008 2:38:41 PM >>>

Anne,

Please forward this link to Council and Planning Commission regarding Seeno tactics.

http://fop3.friendsofpittsburg.org/article.php?art_ID=30

Thanks,

Luis Delgado

CC: Charlie Knox; Gina Eleccion; Heather McLaughlin



Critics assail developer over lawsuit

By Lisa Vorderbrueggen

Contra Costa Times

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East Bay environmentalists reproached home builder Albert Seeno on Monday after learning that he has sued Pittsburg over its traffic impact fees.

Seeno, owner of West Coast Builders and Seecon, has gone to Contra Costa Superior Court to challenge a 60 percent to 78 percent increase in Pittsburg's local traffic impact fee.

Environmentalists, who have had a long and rocky relationship with Seeno, say the lawsuit undercuts key road improvements at the same time that he is unfairly labeling their groups as obstructionists.

Billboards on Seeno land in eastern Contra Costa County call members of Save Mount Diablo, the Greenbelt Alliance and the Sierra Club "radicals" and accuse them of stalling road expansion projects such as the widening of Highway 4. The signs also ask readers to log on to www.widenhwy4.com to participate in a survey that further flays environmentalists as enemies of commuters.

"Seeno and his allies are bashing environmentalists on whether or not freeways should be widened but he is suing over a citywide fee for transportation improvements," said Seth Adams of Save Mount Diablo. "He's a hypocrite." Greenbelt Alliance field representative Christina Wong echoed Adams' comments.

"The homes that Seeno is building in Pittsburg will have an impact on Pittsburg," she said. "For him to choose not to give back to the city is an unethical way of doing business."

Seeno's suit does not question the city's regional impact fee, which all eastern Contra Costa communities levy on new homes and businesses.

Proceeds of the regional \$16,667 per single-family house fee primarily fund the widening of Highway 4, the bulk of the Buchanan Road bypass and the BART expansion. Seeno sought a lower regional assessment but Pittsburg in 2005 matched its neighbors' fees.

The separate local traffic fee funds \$122 million in planned upgrades such as a new Highway 4 overpass at Range Road, widening the Pittsburg-Antioch highway and a new two-lane road from Kirker Pass in Pittsburg to Somersville in Antioch called the Buchanan bypass.

The city increased the fee from a range, based on density, of \$2,733 to \$4,020 per house to \$4,370 to \$7,170.

Seeno argues in his lawsuit that some of the road improvements have insufficient connection to the developments expected to pay the fees.

Although most of the money will come from the construction of houses south of Highway 4, according to the home builder's lawsuit, the improvements will largely benefit new commercial construction north of the freeway.

He especially opposes the overpass, saying it would benefit relatively few motorists for the \$22 million price tag.

Seeno also calls it improper to impose a local fee for the widening of the Pittsburg-Antioch highway because it's in Antioch, not Pittsburg.

The lack of an adequate link between the projects and the fee makes it a tax, according to the lawsuit, and as such, it requires a two-thirds vote of residents.

Pittsburg City Manager Marc Grisham and Mayor Ben Johnson declined to talk about specifics in the lawsuit.

But the men embraced the local traffic fee increase, calling it essential for the city's transportation network.

"It's like anything else," Johnson said. "Everything costs more and we're bringing up the fees to where they should be. We have to get things done and sometimes people don't like it."

Grisham expressed confidence in the city's analysis supporting the fee. The Range Road overpass, he said, will help relieve congestion on the city's two north-south overpasses.

"We wouldn't have put projects on the list if we didn't think they provided benefits," he said.

It's the lawsuit, he said, that's counterproductive.

"Lawsuits cost the city money," Grisham said. "And if we go through this (legal process) and we aren't able to raise the fees, it's not that they don't have to be built; they do ... In my view, it would great if we had a lot less conflict in this community."

Meanwhile, the www.widenhwy4.com Web site appears to have lost steam.

It hasn't been updated for several weeks. East Bay campaign consultant Dan Lee sent out an e-mail solicitation in February, writing that he needed \$600 because "the funding for this project unexpectedly fell through." Lee declined to comment on the status of the Web site.

The original source of the funds for the signs and the Web site has never been publicly identified.

But the Web site now lists sponsors including Antioch Councilman Arne Simonsen, San Ramon Councilman Dave Hudson and former Antioch Councilman Manny Solis.

Lisa Vorderbrueggen covers politics. Reach her at 925-945-477 or, lvorderbrueggen@cctimes.com or via her blog at <http://www.cctextra.com/blogs/politicsblog/>.

Comments:

This is really weird, I thought Seeno was the guy who put up the signs asking to WidenHwy4. Im sure of it. All of the signs were on Seeno private property. Didnt Seeno propose the Buchanan Road Bypass? How can you say want to widen highway 4 and be against it at the same time? What is really going on?

Lets see..., if the current annexation proceedings go through, the Seeno family plans to build approximately 2000 more homes in the hills of Pittsburg. My guess is their plans arent going very well and they now know that we all think Enough is Enough. Or, maybe this is Seenos way of bullying Pittsburg into seeing things his way. I dont really know, only time will tell. I do know that this is all pretty strange.

I say, if you dont like the new fees take your business elsewhere. I would rather see our beautiful hills left alone anyway.

Posted by: Enough is Enough 3/13/2007 11:19 PM.

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