

Labor lawsuit stalls Pulte development

■ Three unions say an environmental impact report is needed in an action Brentwood's mayor calls 'organized blackmail'

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BRENTWOOD — A lawsuit filed on behalf of three unions questioning the environmental impact of a 496-house development has halted the project and the mayor calls it blackmail.

The unions contend that a full environmental impact report is needed, but the mayor says the suit is a tactic to ensure 100 percent union work on the tract.

The suit was filed July 29 in Contra Costa Superior Court in Martinez on behalf of Brentwood resident Kevin Bolles, the Steamfitters Union Local 159, the International Brotherhood of Electrical Workers Local 302 and the Sheetmetal Workers Union Local 104.

The project is the Rose Garden Residential Development, a 133-acre, 496-house project with six parks, a private swim club and open space and trail areas. The Pulte Homes development will be north of Lone Tree Way and south of Neroly Road.

"If Pulte Homes would sign for 100 percent union labor this would all go away," said Brentwood Mayor Mike McPoland.

The mayor's allegation is untrue, said Dan Cardozo, an attorney representing the unions.

"The builders offered a labor agreement. We rejected it," he said. "We told them to do an EIR first, and then we'd talk about it."

Cardozo said the building and trade unions in Contra Costa County have adopted a more sophisticated position on development: They say it's important to look at a development's overall impact on communities.

"We do not support projects that are not well planned or are badly designed or don't mitigate on traffic or environmental impact," he said. "That will limit future opportunities for growth and development."

The lawsuit argues that the Rose Garden is in a 100-year flood plain and that Pulte Homes did not submit detailed drainage or grading plans for the subdivision map as required by Brentwood's municipal code.

It alleges that the city violated the California Environmental Quality Act by failing to prepare a full impact report.

"I've been doing this for 20 years and it's unprecedented to approve a project of this magnitude without an EIR," Cardozo said.

The unions appealed the Rose Garden development on the same grounds at the City Council's June 25 meeting, but the council approved the project 4-0.

During that meeting, McPoland chastised a lawyer representing the unions for filing appeals on all commercial and residential developments in the city.

"This is organized blackmail: You're hired guns," he said.

The lawsuit states that the subdivision maps "did not demonstrate that the site was suitable for the proposed development and that the environment and public health would be protected."

Brentwood City Attorney Dennis Beougher said he will consult with Pulte Homes officials and the council soon. He received a copy of the lawsuit Aug. 2.

"We believe the action was inappropriate, the city ordinances were fulfilled," Beougher said.

The city has 60 days to file its answer.

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