

**CITY OF PITTSBURG**  
**Housing Authority Minutes**  
**July 18, 2005**

Vice Chair Michael Kee called the meeting of the Housing Authority to order at 7:30 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened into Closed Session at 6:30 P.M. for Conference with Real Property Negotiator pursuant to Section 54956.8 of the Government Code regarding City of Pittsburg Property APN 086-100-024, 086-100-026 and a portion of Power Avenue.

Vice Chair Kee advised that there was no reportable action from Closed Session.

**MEMBERS PRESENT:** Casey, Glynn, Johnson, Mixon, Wallen, Kee

**MEMBERS ABSENT:** Parent [Excused]

**STAFF PRESENT** Executive Director, Marc Grisham  
Assistant Executive Director, Matt Rodriguez  
Legal Counsel, Ruthann Ziegler  
City Clerk, Lillian Pride  
Deputy City Clerk, Alice Evenson  
Director of Housing and Community Programs, Annette Landry  
Director of the Redevelopment Agency, Garrett Evans  
Director of Engineering and Building, Joe Sbranti  
Director of Economic Development, Brad Nail  
Director of Human Resources, Marc Fox  
Director of Recreation, Paul Flores  
Director of Finance, Marie Simons  
Asst. Director of Public Works, Walter Pease  
Police Captain, Nick Baker

**CONSENT CALENDAR**

On motion by Member Johnson, seconded by Member Glynn and carried unanimously to adopt the Consent Calendar as follows:

a. **DISBURSEMENT LIST** Dated: June 30, 2005

Approved Disbursement List dated June 30, 2005.

b. **MINUTES** Dated: June 20, 2005

Approved Minutes dated June 20, 2005.

## **ADJOURNMENT**

The meeting of the Housing Authority adjourned at 7:32 P.M. to the next meeting on August 15, 2005.

Respectfully submitted,

Lillian J. Pride, Secretary

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**CITY OF PITTSBURG**  
**Redevelopment Agency Minutes**  
**July 18, 2005**

Vice Chair Michael Kee called the meeting of the Redevelopment Agency to order at 7:33 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened into Closed Session at 6:30 P.M. for Conference with Real Property Negotiator pursuant to Section 54956.8 of the Government Code regarding City of Pittsburg Property APN 086-100-024, 086-100-026 and a portion of Power Avenue.

Vice Chair Kee advised that there was no reportable action from Closed Session.

**MEMBERS PRESENT:** Casey, Glynn, Johnson, Kee

**MEMBERS ABSENT:** Parent [Excused]

**STAFF PRESENT**

Executive Director, Marc Grisham  
Assistant Executive Director, Matt Rodriguez  
Legal Counsel, Ruthann Ziegler  
City Clerk, Lillian Pride  
Deputy City Clerk, Alice Evenson  
Director of Housing and Community Program, Annette Landry  
Director of the Redevelopment Agency, Garrett Evans  
Director of Engineering and Building, Joe Sbranti  
Director of Economic Development, Brad Nail  
Director of Human Resources, Marc Fox  
Director of Recreation, Paul Flores  
Director of Finance, Marie Simons  
Asst. Director of Public Works, Walter Pease  
Police Captain, Nick Baker

**PUBLIC HEARING**

1. **RESOLUTION 05-1059** Hearing on the Proposal to Designate a Unified Development Area at the East Third Street and Railroad Avenue Block

Director of the Redevelopment Agency Garrett Evans stated that to further the goals and objectives of the Redevelopment Plan for the Los Medanos Community Development Project Area, staff had identified redevelopment activities that would alleviate blighting conditions and stimulate economic development within the project area. The proposal to adopt a Unified Development Area (UDA) consisting of approximately 58,100 square feet generally located between Railroad Avenue and Marina Boulevard and between East Third Street and East Fourth Street would assist the Agency in addressing blight in the project area, and enhance the quality of residential life in Pittsburg.

There would be no fiscal impact. Staff requested that the Agency Board adopt the UDA and authorize the Executive Director to determine the feasibility of developing a mixed use project to consist of some combination of retail, residential, and office space on the site, solicit owner participation interest as outlined in the Redevelopment Plan for the Project Area and determine the method of seeking development proposals.

Vice Chair Kee opened the public hearing for Resolution 05-1059. There was no one to speak to the item. Vice Chair Kee closed the public hearing for Resolution 05-1059.

On motion by Member Glynn, seconded by Member Johnson and carried unanimously to adopt Resolution 05-1059.

### **CONSENT CALENDAR**

On motion by Member Johnson, seconded by Member Casey to adopt the Consent Calendar, as follows:

- a. **MINUTES** Dated: July 5, 2005

Approved minutes dated July 5, 2005.

- b. **RESOLUTION 05-1060** Approval of the First Amendment to the Lease Agreement By and Between the Redevelopment Agency and the City of Pittsburg and Dockside Market

Adopted Resolution 05-1060.

- c. **RESOLUTION 05-1061** Authorizing the Executive Director to Execute a Right of Entry Agreement By and Between the Redevelopment Agency of the City of Pittsburg and Olson Urban Housing LLC

Adopted Resolution 05-1061.

### **ADJOURNMENT**

The meeting of the Redevelopment Agency adjourned at 7:38 P.M. to August 1, 2005.

Respectfully submitted,

Lillian J. Pride, Secretary  
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**CITY OF PITTSBURG**  
**City Council Minutes**  
**July 18, 2005**

Vice Mayor Michael Kee called the meeting of the City Council to order at 7:39 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened into Closed Session at 6:30 P.M. for Conference with Real Property Negotiator pursuant to Section 54956.8 of the Government Code regarding City of Pittsburg Property APN 086-100-024, 086-100-026 and a portion of Power Avenue.

Vice Mayor Kee advised that there was no reportable action from Closed Session.

**MEMBERS PRESENT:** Casey, Glynn, Johnson, Kee

**MEMBERS ABSENT:** Parent [Excused]

**STAFF PRESENT**

City Manager, Marc Grisham  
Assistant City Manager, Matt Rodriguez  
City Attorney, Ruthann Ziegler  
City Clerk, Lillian Pride  
Deputy City Clerk, Alice Evenson  
Director of Housing and Community Programs, Annette Landry  
Director of the Redevelopment Agency, Garrett Evans  
Director of Engineering and Building, Joe Sbranti  
Director of Economic Development, Brad Nail  
Director of Human Resources, Marc Fox  
Director of Recreation, Paul Flores  
Director of Finance, Marie Simons  
Asst. Director of Public Works, Walter Pease  
Police Captain, Nick Baker

Vice Mayor Kee considered the following general City Council items at 7:03 P.M. prior to pursuing the Housing Authority agenda.

**PLEDGE OF ALLEGIANCE**

GLORIA MAGLEBY led the Pledge of Allegiance.

**PRESENTATIONS**

1. Pittsburg Library Presentation "The Business Connection"

MARIAN PARTRIDGE, the Pittsburg Branch Librarian, offered a brief presentation on "The Business Connection" portion of the Contra Costa Library's website at <http://ccclib.org/business>.

Ms. Partridge offered a “how to” of the website and identified the choices available to the user and the links available to other user sites through toll-free phone service, e-mail or through the other Contra Costa County Library sites. She added that the City’s webpage had a link to the Library’s website.

### **COUNCILMEMBER REPORTS/REMARKS**

Councilmember Johnson reported that he had attended the meeting of the Fire Commission when he had learned that four new engines would be added to service in late August or early September, along with five others that had been taken out of service. He added that he had also attended a deployment service at the Pittsburg Armory which had been well attended by a number of people.

Councilmember Glynn reported that he had attended an Educational Summit held by the Contra Costa County Small Business Association to facilitate the ability of students to learn the various trades in addition to those already in place, with classes at John Swett High School in the City of Crockett and at other trade labor union schools.

Councilmember Glynn also reported his attendance at the Chamber of Commerce meeting with the Contra Costa County Fire Marshal and the County Health Inspector related to the Seafood Festival. In addition, he had attended the TRANSPLAN Committee and eBART Partnership Policy Advisory Committee (ePPAC) meetings on that same day.

Councilmember Glynn also referred to the deployment ceremony at the Pittsburg Armory honoring reservists who would be deployed to Iraq for 18 months and not the usual 12 months.

Vice Mayor Kee commended the ceremony for the 49<sup>th</sup> Military Police Battalion from the Pittsburg Armory whose members were deployed for an 18 month tour of duty in Iraq.

The Vice Mayor also reported that the Contra Costa County Library would be holding its 5K Run/Walk, which would begin at 8:00 A.M. on Sunday July 24, 2005, at the Pleasant Hill Library, 1750 Oak Park Boulevard, Pleasant Hill with proceeds to fund children’s books for all of Contra Costa County’s libraries. He took this opportunity to thank the Recreation Department which had offered water aerobics at the Buchanan Park Swim Center which been enjoyed by the participants.

### **CITY MANAGER REPORTS/REMARKS**

City Manager Grisham had nothing to report.

### **CITIZENS REMARKS**

GLORIA MAGLEBY, Bay Point, a member of the Municipal Advisory Council (MAC) stated that she was also serving as Chair of the Ambrose Recreation and Park District.

Ms. Magleby issued an invitation to the inaugural Fit Fest Health Fair to be held on Saturday, July 23, from 9:00 A.M. to 12:00 Noon at 2311 Loveridge Road at the Pittsburg Health Center. A family oriented fair, participants would walk, skate, bike, and amble or jog along the DeAnza Trail between Ambrose Park and the Pittsburg Health Center. The event would include bike safety from the East Bay Bicycle Coalition, dental education, screening from the Ronald McDonald Care Mobile, Public Health Nurses would take blood pressure and weight, there would be a Tai Chi demonstration, and breast screening classes. She stated that a free T-shirt and water bottle would also be provided to participants.

NITA ESPOSITO, Pittsburg, described her background and efforts in working with the Pittsburg Historical Society with respect to the creation and placement of the Fisherman's Statue at the City's waterfront. She expressed her objections to the plaque that had been placed on the statue without her consent, particularly since she had been the Chair of the project. She urged the Council to remove the plaque, which she said contained incorrect information. She offered documentation to the City Manager to verify her claims.

Prior to adjourning to the Housing Authority, City Clerk Lillian Pride swore in Jerlean Mixon and Cathy Wallen as the newly appointed and reappointed members of the Housing Authority.

Vice Mayor Kee adjourned to the Housing Authority at 7:30 P.M. and reconvened the City Council at 7:39 P.M.

## **PUBLIC HEARING**

1. **RESOLUTION 05-10331** Confirming the Engineer's Report, Diagram and Assessment and Levying the Annual Assessments for Landscaping & Lighting Assessment District 1988-01, Citywide (Fiscal Year 2005-06)

City Engineer Joe Sbranti reported that Landscaping & Lighting Assessment District 1988-01, Citywide has been in existence since 1988 and the funds collected were 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.

It was estimated that Landscaping & Lighting District 1988-01 would collect \$2,045,011 in assessment liens this year. The Public Works Department estimated that it would expend \$3,320,059 during Fiscal Year 2005-06 in managing the district. This would result in a net general fund fiscal year impact of \$1,272,400 (\$2,648 balance carried over from FY 04-05). Without the district, the general fund would be responsible for the entire amount.

Mr. Sbranti recommended the adoption of a resolution confirming the diagram and assessment and levying the annual assessment for Landscaping & Lighting Assessment District 1988-01, Citywide, for Fiscal Year 2005-06.

City Manager Marc Grisham explained that the assessment had not been able to be adjusted to the cost of living and was a reason why there was a significant gap in costs to the general fund. In this instance, since it involved an assessment district and a parcel tax, the tax rates could not be raised without a vote of the people.

Vice Mayor Kee opened the public hearing for Resolution 05-10331. There was no one to speak to the item. Vice Mayor Kee closed the public hearing for Resolution 05-10331.

On motion by Councilmember Johnson, seconded by Councilmember Casey and carried unanimously to adopt Resolution 05-10331.

2. **RESOLUTION 05-10332** Confirming the Engineer's Report, Diagram and Assessment and Levying the Annual Assessments for Landscaping & Lighting Assessment District 1988-02, Oakhills (Fiscal Year 2005-06)

Mr. Sbranti advised that Landscaping & Lighting Assessment District 1988-02, Oakhills has been in existence since 1988 and the funds collected were 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.

Mr. Grisham stated that because the Assessment District had limited facilities the costs were not as excessive as the Citywide Assessment District.

Landscaping & Lighting District 1988-02 collected \$33,882 annually in revenue for the Oak Hills area. Including interest income, the total revenues for FY 2005-06 were estimated at \$35,960. The Public Works Department estimated that it would expend \$41,864 during Fiscal Year 2005-06 in managing the district. This would result in a net fiscal year impact of zero dollars on the general fund with a \$5,904 spend down from the Oak Hills Landscaping & Lighting District reserves. Without the district, the general fund would be responsible for the entire cost of maintaining the improvements located within the Oak Hills area.

This District currently estimated reserves in the amount of \$117,897. These monies would be set aside in a Capital Improvement Reserve for future landscaping improvements within the district.

Mr. Sbranti recommended the adoption of a resolution which confirms the diagram and assessments and levies the annual assessment for Landscaping & Lighting Assessment District 1988-02, Oak Hills for Fiscal Year 2005-06.

Vice Mayor Kee opened the public hearing for Resolution 05-10332. There was no one to speak to the item. Vice Mayor Kee closed the public hearing for Resolution 05-10332.

On motion by Councilmember Johnson, seconded by Councilmember Casey and carried unanimously to adopt Resolution 05-10332.

3. **MINUTE ORDER** Approval and Adoption of the East Contra Costa Regional Fee Program Update Report, Adoption of an Urgency Resolution Establishing an Interim Regional Transportation Development Impact Mitigation Fee, and Adoption of an Ordinance Establishing a New Regional Transportation Development Impact Mitigation Fee Program

Mr. Grisham advised that due to staff's ongoing efforts to provide additional findings on the issue of establishing new Regional Transportation Development Impact Mitigation Fees, it was recommended that the City Council open the public hearing noticed for this date and continue it to the next regularly scheduled City Council meeting on August 1, 2005.

When asked by Council Member Johnson, City Attorney Ziegler stated that it would be consistent with City policy to open the hearing at this time and continue it to the August 1 meeting, as recommended, which would allow Mayor Parent an opportunity to speak to the item as well as any members of the public who might be present at this time who might not be present at the August 1 meeting. She clarified the format of the item, a minute order at this time to continue the item. She clarified that the item would involve a number of resolutions and ordinances placed for consideration on the August 1 meeting agenda.

Vice Mayor Kee opened the public hearing. There was no one to speak to the item.

On motion by Councilmember Johnson, seconded by Councilmember Glynn and carried unanimously to continue the public hearing for the East Contra Costa Regional Fee items to the meeting of August 1, 2005.

### **CONSIDERATION**

1. **RESOLUTION 05-10333** Resolution of Intent to Y-Rate the City's Contribution Toward Retiree Medical Premiums

City Manager Grisham reported that as of this date, the City had 91 retirees participating in the retiree health insurance program. At the time of each individual's retirement, the City made certain promises as to its contribution (if any) toward the individual's post-employment (or retiree) health insurance premium. Over the years the City had changed what it contributes toward the retiree health insurance for new retirees and, although not obligated to do so, provided these same enhancements to the existing retirees. The City's duty was to maintain retiree health insurance contributions at the level promised when each individual retired. The discussion before the City Council was the level of enhancements that should be maintained.

Human Resources Director Marc Fox explained that over the years when an employee retired under the personnel rules at the time that person was promised a certain benefit. For 55 of the 91 retirees, that benefit had increased over time when collective bargaining agreements had been adopted for current employees providing for enhancements to the retiree health insurance. The City Council had also offered the same enhancements to those who had previously served the City and had retired. The Council had been provided with an appendix identifying each of the 91 employees showing the percentage or dollar amount promised at the individual's retirement and the current receipt in terms of a percentage and what it meant in actual dollar premiums.

Mr. Fox noted the difficult topic and stated that two resolutions had been offered for consideration. The recommended resolution was for the Council to announce its intent to Y-Rate the City's contribution toward retiree medical premiums, and to return the item to the Council at the next meeting, which would offer the 91 existing retirees an opportunity to evaluate the proposal and respond to the proposal either through public comment or through correspondence. The second alternate resolution would allow the Council to adopt a resolution at this time without a continuance which would Y-Rate the retiree health benefit.

As to the description of a Y-Rate, Mr. Fox stated that if a retiree were receiving a benefit greater than the promise made at retirement, the City would freeze the dollars until the promise over time matched the dollars currently being paid to the retiree. Once the promise matched the dollars being paid, the City would continue to honor the promise being made. He offered an example of the Y-Rate procedure. For the calendar year, he stated that process would save the City \$13,500 with the costs savings to increase over time since the amount for those who paid today would be frozen in time for a period of years until the amount promised to be paid at the time of retirement caught up to the actual payments being made.

Assuming a one percent anticipated increase in Kaiser Premiums and a 6.1% increase in Health Net premiums, the fiscal impact to the City would be a savings of approximately \$13,500 for the period January 1, 2006 to December 31, 2006. The City's savings would increase each year thereafter as premiums increased while some contributions would remain constant. A full summary of impact to both the City and its retirees had been included in the staff report dated July 18, 2005.

Councilmember Casey understood that a prior City Council had, in effect, changed the rules. He inquired of staff the rationale for the change at that time.

As to why that had occurred, Mr. Fox did not know although he assumed it had been done since it would provide some sort of parity to the benefits enjoyed by current employees.

Councilmember Johnson questioned whether or not the 91 affected retirees had been notified of the proposed changes.

Mr. Fox stated that the retirees were not represented by collective bargaining and no notice had been offered at this time. If the Council decided to take some action, a letter of intent would be sent to each retiree tomorrow outlining the Council's intention to take action on August 1, 2005. The letter would also identify what the proposed intention would look like and the potential impact to each retiree. The impact to 55 of the retirees would be a cost of more money each month, although there would be no impact to a number of the retirees.

LILLIAN PRIDE, Pittsburg, representing herself, commented that while she was one who should be least impacted by the change, she sought a more expanded process other than simply notifying the retirees. Based on her prior knowledge of the City's retiree program, she suggested that there were a number of retirees who would be unaware of how the proposal would affect retirees individually. Prior to taking any action, she requested that retirees be invited to a meeting to be apprised of the process. She added that many retirees had been included because the previous benefits under the previous City retirement plan prior to the current retirement plan were not very good which was why the enhancements had been offered to those retirees, particularly since they were receiving less retirement benefit and Social Security. Those retirees would then fall into a category where he/she would be seriously impacted. She requested that the Council consider her concerns.

When asked if there would be impacts if there were a delay in taking action, Mr. Fox stated that there would be no impacts. The proposal had not been anticipated to be implemented until January 2006. The submittal of the proposal at this time would allow time for retirees to address his/her concerns.

Mr. Grisham stated that while the proposal did not appear to offer significant savings, he emphasized that the impact of health benefits would continue to escalate and when more employees retired there would be a significant impact to the City.

Councilmember Casey clarified with Mr. Grisham that the proposal affected those employees who had retired but would not affect employees who had not yet retired. Being sensitive to the concerns affecting both the City and the retirees, he supported the recommendations from Ms. Pride to take more time to consider the item.

Councilmember Glynn questioned the final date of Council action to be able to implement the proposal by January 2006. On the discussion of a time, the second meeting of November 2005 was suggested as the deadline.

On motion by Councilmember Glynn, seconded by Councilmember Casey and carried unanimously to adopt Resolution 05-10333, as amended with a drop dead date of the second meeting of November 2005 and with the additional steps recommended by Ms. Pride.

2. **RESOLUTION 05-10334** Calling for a Special Measure Election Consolidating with the Special Statewide Election to be Held on November 8, 2005

Mr. Grisham advised that pursuant to Elections Code Section 1040 et seq., the City must, at least eighty-eight (88) days prior to the date of the election, file with the County Board of Supervisors a resolution of the City Council requesting the consolidation of a special measure election with the special Statewide election to be held on November 8, 2005. The City is submitting to the voters the questions of whether the positions of City Clerk and City Treasurer shall remain elected or be appointed by the City Council.

Mr. Grisham commented that over the years the position of City Clerk had become more and more a specialized position to ensure that the City did the right things in terms of procedure and record-keeping, among others.

There would be some fiscal impacts as yet unquantified and cost savings to the City from not having to include those two positions in upcoming elections.

Mr. Grisham recommended that the City Council adopt a resolution which would place the questions of whether the positions of City Clerk and City Treasurer should be converted from elective to appointive before the voters at the upcoming special election. Additionally, he recommended that the Council direct the City Attorney to prepare an impartial analysis of each of the proposed ballot measures.

City Clerk Lillian Pride expressed her support for the recommendation to ask the electorate its opinion as to whether or not the City Clerk and City Treasurer should remain elected or be appointed by the City Council. She emphasized that the tasks required of a City Clerk had become more and more complicated and critical.

On motion by Councilmember Glynn, seconded by Councilmember Casey and carried unanimously to adopt Resolution 05-10334.

### **CONSENT CALENDAR**

On motion by Councilmember Johnson, seconded by Councilmember Casey and carried unanimously to adopt the Consent Calendar, as follows:

- a. **MINUTES** Dated: July 5, 2005  
Approved minutes dated July 5, 2005.
- b. **CLAIMS** #1643 Charles Brown; #1644 Luz Flores  
Denied Claims #1643 Charles Brown and #1644 Luz Flores.
- c. **RESOLUTION 05-10335** Abolish Obsolete Job Classifications

Adopted Resolution 05-10335.

- d. **RESOLUTION 05-10336** Collective Bargaining Agreement with the Police Officers' Association

Adopted Resolution 05-10336.

- e. **RESOLUTION 05-10337** Accepting Donation of Automatic External Defibrillators (AED)

Adopted Resolution 05-10337.

- f. **RESOLUTION 05-10338** Add Senior Golf Cart Attendant to the Classification Plan and Reclassify One Position and Incumbent

Adopted Resolution 05-10338.

- g. **RESOLUTION 05-10339** Authorization of a Letter of Support to the Housing Authority of the County of Contra Costa for the Proposed Disposition of the El Pueblo Public Housing Development

Adopted Resolution 05-10339.

## **ADJOURNMENT**

The City Council adjourned at 8:17 P.M. to the next regular City Council meeting on August 1, 2005.

Respectfully submitted,

Lillian J. Pride, City Clerk

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