

**CITY OF PITTSBURG**  
**Housing Authority Minutes**  
**June 20, 2005**

Chair Nancy Parent 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 for Commission Interviews at 5:45 P.M., and into Closed Session at 6:00 P.M. for Conference with Legal Counsel – Existing Litigation pursuant to Section 54956.9(a) of the Government Code regarding Redevelopment Agency of the City of Pittsburg, California vs. United States Steel Corporation, Case No. C 04-2349 MJ, and Conference with Labor Negotiators pursuant to Section 54957.6 regarding AFSCME (Miscellaneous A Unit), AFSCME (Management/Professional/Confidential Unit), Police Officers' Association, Police Managers Group, Teamsters and Unrepresented Employees.

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

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

**MEMBERS ABSENT:** Leatherwood

**STAFF PRESENT**

- Executive Director, Marc Grisham
- Assistant Executive Director, Matt Rodriguez
- Legal Counsel, Ruthann Ziegler
- Deputy City Clerk, Alice Evenson
- Director of the Redevelopment Agency, Garrett Evans
- Director of Engineering and Building, Joe Sbranti
- Director of Economic Development, Brad Nail
- Director of Public Works, John Fuller
- Director of Recreation, Paul Flores
- Director of Finance, Marie Simons
- Police Chief, Aaron Baker

**CONSIDERATION**

1. **RESOLUTION 05-221** Approval of the Two-Year Operating Budget Plan for Fiscal Years 2005/2006 and 2006/2007 for the City of Pittsburg Housing Authority and Appropriation of Funds for Fiscal Year 2005/2006

Executive Director Marc Grisham advised that on June 6, 2005, a budget workshop had been held to review the two-year Preliminary Operating Budget Plan for Fiscal Year 2005/2006 and 2006/2007. The budget must be appropriated for Fiscal Year 2005/2006 to provide on-going financing for Housing Authority activities during the next fiscal year.

Mr. Grisham reported that due to continued federal reductions in terms of support for the Housing Authority, there would be continued reductions of the Housing Program and there was a concern that if the federal government continued to cut back there would be a drain on the budget.

The Housing Authority budget for Fiscal Year 2005/2006 recommends revenues in the amount of \$11,312,816 and a spending plan of \$11,842,257. The spending plan includes the recommended supplemental to freeze one Housing Specialist position for a reduction in costs of \$79,000.

It was recommended that the Housing Authority approve the Two-Year Operating Budget Plan for Fiscal Years 2005/2006 and 2006/2007 and adopt the budget for the Housing Authority of the City of Pittsburg for the Fiscal Year 2005/2006.

Chair Parent verified that there was a \$530,000 carryover from the prior budget.

Mr. Grisham explained that while starting with a reserve, based on how it was modeling out any further federal reductions could use up that reserve by the middle of the next fiscal year.

On motion by Member Johnson, seconded by Member Wallen and carried unanimously to adopt Resolution 05-221.

### **CONSENT CALENDAR**

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

a. **DISBURSEMENT LIST** Dated: May 31, 2005

Approved Disbursement List dated May 31, 2005.

b. **MINUTES** Dated: May 16, 2005

Approved Minutes dated May 16, 2005.

### **ADJOURNMENT**

The meeting of the Housing Authority adjourned at 7:33 P.M. to the next meeting on July 18, 2005.

Respectfully submitted,

Lillian J. Pride, Secretary

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**CITY OF PITTSBURG**  
**Redevelopment Agency Minutes**  
**June 20, 2005**

Chair Nancy Parent called the meeting of the Redevelopment Agency to order at 7:34 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened for Commission Interviews at 5:45 P.M., and into Closed Session at 6:00 P.M. for Conference with Legal Counsel – Existing Litigation pursuant to Section 54956.9(a) of the Government Code regarding Redevelopment Agency of the City of Pittsburg, California vs. United States Steel Corporation, Case No. C 04-2349 MJ, and Conference with Labor Negotiators pursuant to Section 54957.6 regarding AFSCME (Miscellaneous A Unit), AFSCME (Management/Professional/Confidential Unit), Police Officers' Association, Police Managers Group, Teamsters and Unrepresented Employees.

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

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

**MEMBERS ABSENT:** None

**STAFF PRESENT** Executive Director, Marc Grisham  
Assistant Executive Director, Matt Rodriguez  
Legal Counsel, Ruthann Ziegler  
Deputy City Clerk, Alice Evenson  
Director of the Redevelopment Agency, Garrett Evans  
Director of Engineering and Building, Joe Sbranti  
Director of Economic Development, Brad Nail  
Director of Public Works, John Fuller  
Director of Recreation, Paul Flores  
Director of Finance, Marie Simons  
Police Chief, Aaron Baker

**CONSENT CALENDAR**

Vice Chair Kee advised that Item c. pertained to one of his clients. He therefore abstained from the full Consent Calendar at this time and clarified with the City Attorney that he did not have to leave the dais since the items were on the Consent Calendar.

On motion by Member Johnson, seconded by Member Glynn to adopt the Consent Calendar carried by the following vote:

Ayes: Casey, Glynn, Johnson, Parent  
Noes: None  
Abstain: Kee

- a. **MINUTES** Dated: June 6, 2005 and June 13, 2005

Approved minutes dated June 6, 2005 and June 13, 2005.

- b. **RESOLUTION 05-1054** Approving the Replacement Housing Plan for 107 School Street, 109 School Street, 109B School Street, 1631 Railroad Avenue, 1633 Railroad Avenue, 2003 Railroad Avenue, 2033 Railroad Avenue, 2035 Railroad Avenue, 2035 Railroad Avenue-Converted Garage, 1049 Cumberland Street, 1068 Cumberland Street, and 1073 Cumberland Street

Adopted Resolution 05-1054.

- c. **RESOLUTION 05-1055** Approving a Commercial Rehabilitation Loan By and Between the Redevelopment Agency of the City of Pittsburg and Marisa Belleci for 160 E. Fourth Street (APN 085-109-005)

Adopted Resolution 05-1055.

- d. **RESOLUTION 05-1056** Approving a Commercial Rehabilitation Loan By and Between the Redevelopment Agency of the City of Pittsburg and Craig and Vicki Schoenthaler for 50 Bliss Avenue (APN 088-171-013)

Adopted Resolution 05-1056.

- e. **RESOLUTION 05-1057** Approving a Commercial Rehabilitation Loan By and Between the Redevelopment Agency of the City of Pittsburg and John C. and Valerie J. Gonzales for 2250 (North A) Freed Avenue

Adopted Resolution 05-1057.

## **ADJOURNMENT**

The meeting of the Redevelopment Agency adjourned at 7:35 P.M. to July 5, 2005.

Respectfully submitted,

Lillian J. Pride, Secretary

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**CITY OF PITTSBURG**  
**Pittsburg Power Company Minutes**  
**June 20, 2005**

Chair Nancy Parent called the meeting of the Pittsburg Power Company to order at 7:36 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened for Commission Interviews at 5:45 P.M., and into Closed Session at 6:00 P.M. for Conference with Legal Counsel – Existing Litigation pursuant to Section 54956.9(a) of the Government Code regarding Redevelopment Agency of the City of Pittsburg, California vs. United States Steel Corporation, Case No. C 04-2349 MJ, and Conference with Labor Negotiators pursuant to Section 54957.6 regarding AFSCME (Miscellaneous A Unit), AFSCME (Management/Professional/Confidential Unit), Police Officers' Association, Police Managers Group, Teamsters and Unrepresented Employees.

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

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

**MEMBERS ABSENT:** None

**STAFF PRESENT** Executive Director, Marc Grisham  
Assistant Executive Director, Matt Rodriguez  
Legal Counsel, Ruthann Ziegler  
Deputy City Clerk, Alice Evenson  
Director of the Redevelopment Agency, Garrett Evans  
Director of Engineering and Building, Joe Sbranti  
Director of Economic Development, Brad Nail  
Director of Public Works, John Fuller  
Director of Recreation, Paul Flores  
Director of Finance, Marie Simons  
Police Chief, Aaron Baker

**PUBLIC HEARING**

1. **RESOLUTION 05-134** Approving the Electric Rate Schedule Changes for ES-1 And ES-2 and Continuation of the Current Gas and Street Lighting Rate Schedules for Service on Mare Island for the Pittsburg Power Company dba Island Energy

Director of the Redevelopment Agency Garrett Evans presented the annual rate scheduled and reported that the Pittsburg Power Company, doing business as Island Energy on Mare Island, currently had a Gas and Electric Rate Schedule approved on June 23, 2004. Staff had performed a Rate Case Review analysis starting in February thru May 2005 and had determined that the FY 2004-2005 Street Lighting Schedule LS and Gas Rates Schedule GS-1 and GS-2, should be continued for FY 2005-2006.

The Electric Rate Schedules ES-1 and ES-2 should be revised and will be effective July 1, 2005 and continue thru June 30, 2006 or until changed.

There was no fiscal impact to the City of Pittsburg general fund as a result of the fact that all expenses of Pittsburg Power Company's operations on Mare Island were covered by the charges passed on to its customers. The Pittsburg Power Company was projected to increase its net worth by \$10,000 through the retirement of the Sempra loan. The forecast income versus expense was designed to allow income to slightly exceed expenses by \$3,064. If the recommended rate increase was not approved and all existing rates remained in effect, a potential shortfall of \$135,000 could occur.

It was recommended that the Pittsburg Power Company open the public hearing, take testimony, close the public hearing, and adopt the Pittsburg Power Company Resolution to revise the Electric Rate Schedule ES-1, ES-2, and continue the Street Lighting Rate Schedule LS, Gas Rate Schedule, GS-1 and GS-2, as specified for the service on Mare Island.

Chair Parent opened the public hearing for Resolution 05-134. There was no one to speak to the item. Chair Parent closed the public hearing for Resolution 05-134.

On motion by Member Glynn, seconded by Vice Chair Kee and carried unanimously to adopt Resolution 05-134.

### **CONSENT CALENDAR**

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

- a. **MINUTES** Dated: June 6, 2005 and June 13, 2005

Approved minutes dated June 6, 2005 and June 13, 2005.

- b. **RESOLUTION 05-135** Amending Island Energy Annual Budget for FY 2004-2005 to Provide for Unbudgeted Gas and Electric Labor and Professional Service Expenses

Adopted Resolution 05-135.

### **ADJOURNMENT**

The meeting of the Pittsburg Power Company adjourned at 7:40 P.M.

Respectfully submitted,

Lillian J. Pride, Secretary

**CITY OF PITTSBURG**  
**Southwest Pittsburg Geologic Hazard**  
**Abatement District II (GHAD) Minutes**  
**June 20, 2005**

Chair Nancy Parent called the meeting of the Southwest Pittsburg Geologic Hazard Abatement District II (GHAD) to order at 7:41 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened for Commission Interviews at 5:45 P.M., and into Closed Session at 6:00 P.M. for Conference with Legal Counsel – Existing Litigation pursuant to Section 54956.9(a) of the Government Code regarding Redevelopment Agency of the City of Pittsburg, California vs. United States Steel Corporation, Case No. C 04-2349 MJ, and Conference with Labor Negotiators pursuant to Section 54957.6 regarding AFSCME (Miscellaneous A Unit), AFSCME (Management/Professional/Confidential Unit), Police Officers' Association, Police Managers Group, Teamsters and Unrepresented Employees.

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

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

**MEMBERS ABSENT:** None

**STAFF PRESENT**

- Executive Director, Marc Grisham
- Assistant Executive Director, Matt Rodriguez
- Legal Counsel, Ruthann Ziegler
- Deputy City Clerk, Alice Evenson
- Director of the Redevelopment Agency, Garrett Evans
- Director of Engineering and Building, Joe Sbranti
- Director of Economic Development, Brad Nail
- Director of Public Works, John Fuller
- Director of Recreation, Paul Flores
- Director of Finance, Marie Simons
- Police Chief, Aaron Baker

**CONSENT CALENDAR**

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

a. **MINUTES** Dated: June 13, 2005

Approved minutes dated June 13, 2005.

## **ADJOURNMENT**

The meeting of the Southwest Pittsburg Geologic Hazard Abatement District II (GHAD) adjourned at 7:41P.M.

Respectfully submitted,

Lillian J. Pride, Secretary

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**CITY OF PITTSBURG**  
**City Council Minutes**  
**June 20, 2005**

Mayor Nancy Parent called the meeting of the City Council to order at 7:42 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened for Commission Interviews at 5:45 P.M., and into Closed Session at 6:00 P.M. for Conference with Legal Counsel – Existing Litigation pursuant to Section 54956.9(a) of the Government Code regarding Redevelopment Agency of the City of Pittsburg, California vs. United States Steel Corporation, Case No. C 04-2349 MJ, and Conference with Labor Negotiators pursuant to Section 54957.6 regarding AFSCME (Miscellaneous A Unit), AFSCME (Management/Professional/Confidential Unit), Police Officers' Association, Police Managers Group, Teamsters and Unrepresented Employees.

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

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

**MEMBERS ABSENT:** None

**STAFF PRESENT** City Manager, Marc Grisham  
Assistant City Manager, Matt Rodriguez  
Legal Counsel, Ruthann Ziegler  
Deputy City Clerk, Alice Evenson  
Director of the Redevelopment Agency, Garrett Evans  
Director of Engineering and Building, Joe Sbranti  
Director of Economic Development, Brad Nail  
Director of Public Works, John Fuller  
Director of Recreation, Paul Flores  
Director of Finance, Marie Simons  
Police Chief, Aaron Baker

Mayor Parent considered the following general City Council items at 7:00 P.M. prior to pursuing the Housing Authority agenda.

**PLEDGE OF ALLEGIANCE**

Linda Brewer, Delta Diablo Sanitation District, led the Pledge of Allegiance.

**PRESENTATIONS**

1. Bi-Lingual Traffic Task Force (PUSD Parents Group)

There was no one present with respect to the Bi-Lingual Traffic Task Force, Pittsburg Unified School District (PUSD) Parents Group at this time.

## 2. Update on Delta Diablo Sanitation District Projects

GARY DARLING, General Manager of the Delta Diablo Sanitation District (DDSD), presented an update on the DDSD's projects and services. He advised that the purpose of the DDSD was to be good environmental stewards serving 185,000 customers in Antioch, Pittsburg and Bay Point. The DDSD had been formed 50 years ago as Sanitation District 7A and had been reorganized in 1976 to incorporate Pittsburg, Antioch and Bay Point.

The DDSD Board of Directors was made up of the Mayors of the cities of Antioch and Pittsburg and the County Supervisor covering the Bay Point area. The DDSD treated waste water and was nationally recognized for no violations. It continually received the award on a nationwide basis and had a dedicated staff to ensure that no violations occurred. Over the past year, DDSD had been involved in odor control modeling and planning. Through a Board approved Odor Control Master Plan Update, DDSD staff would implement a \$2.5 million program to reduce odors in the service areas.

Mr. Darling described the collection system management program for the Bay Point area and advised of the possibility that e-waste might be accepted at the site. Street sweeping had been provided through contract services for Bay Point and Antioch. He explained that the DDSD had opened the State's largest recycled water facility for industrial use built by Calpine in 2001. He described the current recycled water uses, noted that recycled water was used in power plant cooling towers and explained that recycled water was also used in street and highway medians and ball fields. A Master Plan Update for the Pittsburg area had identified the potential for using recycled water at the Delta View Golf Course, City Hall, Stoneman Park and City Park. A \$4.6 million project, he noted that the City had made a commitment for half the cost, and the DDSD was pursuing state and federal funding to be able to accomplish the project.

Mr. Darling also described the expanded Delta Household Hazardous Waste Program that had been initiated in 2003. He offered a list of the household hazardous waste collected free from residential homes, including antifreeze, drain openers, fluorescent lamps, gasoline, grease and rust solvents, high intensity lamps, household batteries, household cleaners, latex paint, lead-acid batteries (auto batteries) lighter fluid, motor oil, oil-based paints and stains, oven cleaners, paint thinners, and more.

Mr. Darling explained that educational brochures had been prepared in English and Spanish, utility bill inserts identified the DDSD's Mercury Reduction Education program initiated in January 2005, and 30-second television ad aired 100 times a week on cable network. The DDSD's program goal was to increase fluorescent tube collection 5 times by 2007, from 900 tubes to 4,545 tubes. The vision of the DDSD was to be a highly respected organization in the community and in the environmental industry.

Mr. Darling stated that in terms of some of the awards achieved over the last several years, the DDSD had received the Operator of the Year Award from CWEA a local organization for sanitation agencies in the Bay Area.

Vice Mayor Kee clarified with Mr. Darling that the compact and long fluorescent lights both were accepted by the facility. He noted that the DDSD endorsed the use of the fluorescent tubes from an energy consumption standpoint, rather than the use of the incandescent lights.

Mayor Parent reported that Ace Hardware in Pittsburg collected automobile batteries and people could take dead batteries to the Senior Center in Pittsburg, with another collection drum at City Hall and the Marina. She explained that DDSD, PG&E and others had been present at Earth Day activities to provide educational information in a fun format for children at Small World Park.

Mr. Darling commented that Laura Wright of City staff had been very involved in the Mercury Outreach Program.

1. Bi-Lingual Traffic Task Force (PUSD Parents Group)

KATIE KOLBETH, Pittsburg Unified School District (PUSD) Coordinator for Pittsburg's English Learner Program and a group of concerned parents were present to request City Council help and support for crossing guards to ensure the safety of children crossing the street to attend school.

Mayor Parent commented that the subject had regularly been discussed by the City Council and the School Board Liaison Committee and would be discussed again in light of the new school. She recognized the importance of the topic to the City Council and to the PUSD. She thanked the group for its presentation and acknowledged the concerns expressed.

### **CITIZENS REMARKS**

As Chair of the Community Advisory Commission (CAC), ROSS De BOIE provided a report on the CAC's activities over the last year. He explained that three members had been sent to a California League of Cities Conference in July 2004. In the fall of 2004 the CAC had held a forum for candidates of the School Board and the City Council in cooperation with the League of Women Voters. The CAC had also participated in the issues facing the West Boulevard neighborhood and had been involved in the Community Development Block Grant (CDBG) process along with City staff and two Council members. The CAC had also taken on traffic committee responsibilities and had completed modifications to the CAC bylaws.

### **COUNCILMEMBER REPORTS/REMARKS**

Councilmember Johnson reported that he had attended the League of California Cities meeting in Danville when a representative of the Governor's Office had offered a presentation and when participants had been advised that the promised VLF (vehicle license fees) might not materialize.

Councilmember Glynn reported that he had addressed the Kiwanis Club on June 14, and had attended the June 16 TRANSPLAN Committee and ePPAC meetings when TRANSPLAN had considered the merger of the East Contra Costa Regional Fee and Financing Authority (ECCRFFA) and the East County Transportation Improvement Authority (ECTIA).

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

City Manager Marc Grisham reported that the Harley Davidson Ride-in would occur in Old Town sponsored by the local Harley Davidson dealership. The ongoing Car Show would be held on Thursday night. The Farmer's Market would be held every Saturday.

Mayor Parent adjourned to the Housing Authority at 7:30 P.M. and reconvened the City Council at 7:42 P.M.

### **PUBLIC HEARING**

1. **RESOLUTION 05-10291** Adopt Resolution Setting Water and Sewer Facility Reserve Charges

Public Works Director John Fuller advised that the City Council of the City of Pittsburg directed staff to conduct a complete review of both water and sewer rates to address major issues facing the water and sewer enterprises. The consulting firm of Brown and Caldwell Engineers was hired and completed a comprehensive study of water and sewer facility reserve charges (development impact fees). The recommended Facility Reserve Charges were first considered at a noticed public hearing on May 16, 2005 and continued to June 20, 2005. Following discussions with development representatives, slightly revised Facility Reserve Charge recommendations would be presented.

Mr. Fuller explained that staff had met with several developer representatives, more extensively with A.D. Seeno representatives who were more diverse and who had more total property that would be affected by the fees. After five meetings with developers in total, three issues had emerged.

It was noted that one of the three sewer fees recommended for adoption had been calculated in reliance on outdated information on the Sewer Master Plan and had not recognized the higher density development subsequently approved at the BART Station. As a result, a lower fee was being recommended for that area although a modification to that fee might be required at some point in the future depending on additional analysis to ensure that when future development was considered it would not trigger the need for more improvements.

Another point of contention had been the additional Water Facility Capacity Reservation Agreements to Seecon and related companies related to capacity and existing water reservoirs and its effect on one of the eleven zones that would benefit from the water fees being recommended for adoption.

Mr. Fuller recommended that a lower fee be adopted by the Council based on the fact that the City had not completed the legal analysis of that issue. While a lower fee was recommended at this time, both fees recommended for reduction would be significantly higher than the current fees.

Mr. Fuller stated that the third difference of opinion related to the City's method of cost and valuing of its system. He noted that State law required the City to base its development fees on a reasonable estimate of the cost of providing service. As a result there was no right way to calculate the cost of systems. There was an agreement to disagree on that point. In concession to the development interest, he stated that the City's method of calculation would likely impose a higher fee. The City had agreed without abandoning its methodology, to incorporate a component to reduce the ultimate calculation of fee based upon the replacement cost value by ten years worth of the reinvestment the City would have to make through the Capital Improvement Program (CIP) back into the system.

Mr. Fuller suggested that the revised recommendations were fair, reasonable and appropriate and he noted that the A.D. Seeno family of companies had agreed to a compromise. The revised recommendations were only modestly different from what had previously been recommended to the City Council. The proposal would adopt a fair and reasonable level of fees and avoid protracted discussions on the areas of disagreement. He also noted that the fees would likely hold for a number of years with the exception of the two fees that would likely change in the future.

The increases proposed would meet the costs of expanding the water and sewer systems to accommodate new development, without burdening the existing ratepayers unnecessarily. Revenues from these charges would increase substantially but were dependent on the pace of new development.

It was recommended that the City Council adopt a resolution setting Water and Sewer Facility Reserve Charges.

Mayor Parent opened the public hearing for Resolution 05-10291.

GEORGE SPIER, representing West Coast Home Builders and Albert D. Seeno Construction Co., thanked the Council for postponing the item to the current meeting given that had allowed time for the firms he represented and staff to discuss the issues. While he did not agree with the methodology used in some cases, he agreed that the compromise, as identified by staff, was fair and appropriate. He took this opportunity to thank Mr. Fuller and Walter Pease for their efforts in addressing the concerns.

Mayor Parent closed the public hearing for Resolution 05-10291.

On motion by Councilmember Johnson, seconded by Councilmember Glynn and carried unanimously to adopt Resolution 05-10291.

Mayor Parent thanked all those involved in the process.

## **CONSIDERATION**

1. **MINUTE ORDER** Authorization to Execute the eBART Memorandum of Understanding

City Manager Grisham commented that the City of Pittsburg would be the first of the agencies to adopt the document and the City was committed to pursuing transit oriented development (TOD) at a Railroad Avenue station site and at the Pittsburg/Bay Point BART Station. He explained that BART staff requested that the City enter into a Memorandum of Understanding (MOU) with BART, the Contra Costa Transportation Authority (CCTA), Contra Costa County, Tri Delta Transit and the cities of Oakley, Brentwood and Antioch that depicted each party's roles and responsibilities pertaining to the East Contra Costa BART Extension Project.

Entering into the MOU would obligate the City to expend staff resources and hire consultants to prepare a Ridership Development Plan (RDP) within one half mile of the proposed Railroad Avenue station. Consultant costs to prepare the plan had been estimated to be \$325,000 and include a conceptual development plan for the Civic Center block and the area bounded by Highway 4 on the north, Railroad Avenue on the west, East Leland Road on the south and Harbor Street on the east. Additional funds would be needed to complete an environmental analysis of the plan prior to its adoption. Staff estimates an additional \$200,000 might be needed if an Environmental Impact Report (EIR) was required for the final plan.

BART and the Metropolitan Transportation Commission (MTC) had set aside a combined \$2.4 million to fund RDPs along the entire East County extension corridor. The City could anticipate obtaining about \$400,000 of those funds to prepare an RDP, master plan, and any environmental analysis for those plans. If additional funds were needed, the likely source would be Redevelopment funds or General Fund reserves. If an EIR was required, the funds for the EIR would not be needed until next fiscal year.

It was recommended that by Minute Order, the City Council move to authorize the Mayor to execute the proposed Memorandum of Understanding depicting the roles and responsibilities of the City and other participating jurisdictions pertaining to the East Contra Costa BART Extension project.

Councilmember Glynn stated that the process had thoroughly been discussed, the MOU had been evaluated by various parties, and he was prepared to support the MOU at this time.

Mayor Parent explained that the agreement would eventually be signed off by BART, the CCTA, Contra Costa County, Tri Delta Transit, and the cities of Oakley, Brentwood, Antioch and Pittsburg concerning eBART.

On motion by Councilmember Glynn, seconded by Vice Mayor Kee and carried unanimously to adopt by Minute Order authorizing the Mayor to execute the proposed Memorandum of Understanding depicting the roles and responsibilities of the City and other participating jurisdictions pertaining to the East Contra Costa BART Extension project.

City Manager Grisham expressed his hope that as part of the process the City would be securing \$400,000 in funding for the planning and ridership efforts around the Highway 4 and Railroad Avenue station, which would also include Tri Delta participation in the process to ensure that their buses were appropriately linked with the eBART stations.

2. **MINUTE ORDER** Commission Appointments

Openings exist on the Community Advisory Commission (CAC), Recreation Commission, Planning Commission, and Housing Commission. The City had advertised for all openings and received applications for each Commission. Recreation and Planning Commission applicants were invited to interview with the City Council on June 6, 2005 and eight applicants total were interviewed at that time. Community Advisory Commission and Housing Commission applicants were invited to interview with the City Council on June 13, 2005; six applicants for the CAC and ten applicants for the Housing Commission were interviewed at that time. Two Community Advisory Commission applicants and one Housing Commission applicant were interviewed on June 20, 2005 just prior to the Council meeting.

There would be no fiscal impact. It was recommended that the City Council appoint eligible candidates to the Commission openings as follows:

Community Advisory Commission:	5 vacancies; 8 applicants
Recreation Commission:	1 vacancy; 1 applicant
Planning Commission:	2 vacancies; 7 applicants
Housing Commission:	2 vacancies; 14 applicants

Recreation Commission

On motion by Councilmember Johnson, seconded by Vice Mayor Kee and carried unanimously to appoint *Walter Branch* to the Recreation Commission.

Community Advisory Commission

On motion by Vice Mayor Kee to nominate Jennifer Bonds to the Community Advisory Commission (CAC). There was no second to the motion. The motion died.

On motion by Councilmember Johnson, seconded by Councilmember Casey and carried unanimously to appoint *Bertha Stobb* to the Community Advisory Commission.

On motion by Mayor Parent, seconded by Councilmember Glynn to appoint *Kimberly*

Kee to the Community Advisory Commission, carried by the following vote:

Ayes: Casey, Glynn, Johnson, Parent  
Noes: None  
Abstain: Kee

On motion by Councilmember Glynn, seconded by Councilmember Johnson, and carried unanimously to reappoint *Wendy Jo Cervantes* to the Community Advisory Commission.

On motion by Councilmember Johnson, seconded by Vice Mayor Kee, and carried unanimously to reappoint *Theresa Miller* to the Community Advisory Commission.

On motion by Councilmember Glynn, seconded by Councilmember Casey, and carried unanimously to appoint *Larry Wirick* to the Community Advisory Commission.

### Planning Commission

Vice Mayor Kee reported that one of the candidates for the Planning Commission was a past client. He had been advised by the City Attorney to recuse himself from the appointments to the Planning Commission until that applicant had been addressed one way or another. Vice Mayor Kee left the dais and the Council Chambers at this time.

On motion by Councilmember Johnson to reappoint Jack Garcia to the Planning Commission. Councilmember Casey seconded the motion.

Mayor Parent stated that she would like to see new people on the Planning Commission although she recognized that Mr. Garcia had been an outstanding Commissioner.

On the motion by Councilmember Johnson, seconded by Councilmember Casey to reappoint *Jack Garcia* to the Planning Commission carried by the following vote:

Ayes: Casey, Glynn, Johnson  
Noes: Parent  
Absent: Kee [recused]

Mayor Parent commented that while she would like to see new people on the Commissions, Frank Gordon had also been a good Planning Commissioner. She recommended his appointment to the Planning Commission. There was no second to the motion. The motion died.

On motion by Councilmember Glynn, seconded by Councilmember Casey, to appoint *George Harris* to the Planning Commission.

The motion carried by the following vote:



Ayes: Casey, Glynn, Johnson  
Noes: Parent  
Absent: Kee [recused]

Vice Mayor Kee rejoined the Commission at this time.

### Housing Commission

On motion by Councilmember Glynn, seconded by Councilmember Johnson, to reappoint Kathy Wallen to the Housing Commission.

Mayor Parent recognized that Ms. Wallen had offered a number of years of service, although she reiterated her desire to see the participation of new people and more activity on Housing Commission issues dealing directly with tenants.

On motion by Councilmember Glynn, seconded by Councilmember Johnson, to reappoint *Kathy Wallen* to the Housing Commission. The motion carried by the following vote:

Ayes: Casey, Glynn, Johnson, Kee  
Noes: Parent

For a Housing Commission candidate required to be over 62 years of age, on motion by Councilmember Johnson, seconded by Councilmember Glynn and carried unanimously to appoint *Jerlean Mixon* to the Housing Commission.

### 3. MINUTE ORDER Library Commission Appointments

On May 3, 2005, the City was notified that the need existed to make an appointment to the Contra Costa County Library Commission for the term of July 1, 2005 through June 30, 2006 for a Commission member and Alternate.

Current Commissioner Ted Dudiak and Alternate Carol Schmalenberger had expressed a desire to be reappointed to this Commission.

There would be no fiscal Impact. It was recommended that the City Council reappoint Ted Dudiak to the Contra Costa County Library Commission for the term of July 1, 2005 through June 30, 2006, and reappoint Carol Schmalenberger as Alternate to the Commission.

On motion by Councilmember Johnson, seconded by Councilmember Glynn and carried unanimously to reappoint *Ted Dudiak* as the representative and *Carol Schmalenberger* as the Alternate to the Contra Costa County Library Commission.

### CONSENT CALENDAR

Councilmember Johnson thanked staff for Item j, Safe Routes to School funding.

On motion by Councilmember Johnson, seconded by Councilmember Casey and carried unanimously to adopt the Consent Calendar with the removal of Item c, as follows:

- a. **MINUTES** Dated: June 6, 2005 and June 13, 2005  
Approved minutes dated June 6, 2005 and June 13, 2005.
- b. **CLAIMS** #1634 Dovie Brown  
Denied Claim #1634 Dovie Brown.
- d. **ORDINANCE 05-1244** Adding New Chapter 15.91 Residential Rental Housing Compliance Fee to Title 15 of the Pittsburg Municipal Code  
Adopted Ordinance 05-1244.
- e. **ORDINANCE 05-1245** Adding New Section 1.20.030 Administrative Citations and Fee Schedule to Title 1, Chapter 1.20 of the Pittsburg Municipal Code  
Adopted Ordinance 05-1245.
- f. **RESOLUTION 05-10315** Establishing the Appropriations Limit for the 2005-2006 Fiscal Year in Accordance with Proposition 111 and Article XIII(B)  
Adopted Resolution 05-10315.
- g. **RESOLUTION 05-10316** Approving the Engineer's Report and Declaring the City Council's Intent to Order Improvements for the Landscaping & Lighting Assessment District 1988-01, Citywide (Fiscal Year 2005-06)  
Adopted Resolution 05-10316.
- h. **RESOLUTION 05-10317** Approving the Engineer's Report and Declaring the City Council's Intent to Order Improvements for the Landscaping & Lighting Assessment District 1988-02, Oakhills (Fiscal Year 2005-06)  
Adopted Resolution 05-10317.
- i. **RESOLUTION 05-10318** Award 2005/2006 Water Treatment Plant Chemical

Purchase Contracts

Adopted Resolution 05-10318.

- j. **RESOLUTION 05-10319** Approving Request to Submit 2005/06 Safe Routes to School Grant Applications on Behalf of the City of Pittsburg

Adopted Resolution 05-10319.

- k. **RESOLUTION 05-10320** Award 2005/2006 Asphalt Concrete Purchase Contract

Adopted Resolution 05-10320.

- l. **RESOLUTION 05-10321** Accepting Contract No. 2002-06, Americana Park Project as Complete and Authorizing the City Engineer to File a Notice of Completion

Adopted Resolution 05-10321.

- m. **RESOLUTION 05-10322** Amend the Sewer Collection System Rehabilitation Consultant Contract to the Firm of Brown and Caldwell and Authorize the City Manager to Execute the Contract on Behalf of the City of Pittsburg

Adopted Resolution 05-10322.

- n. **RESOLUTION 05-10323** Resolution of Intention to Form a Community Facilities District for Public Safety Services

Adopted Resolution 05-10323.

The following item was removed from the Consent Calendar for discussion.

- c. **RESOLUTION 05-10313** Approval of Agreement for Professional Services Between the City of Pittsburg and John Bartley Kerr

Councilmember Glynn recommended wording changes to the Agreement for Professional Services between the City and John Bartley Kerr. He referred to Page 1 of 2, and recommended a revision to the first paragraph as follows:

- A. ***WHEREAS, the City of Pittsburg owned ("Delta View") Golf Course and took over the management of operations in 1991 to address major operational and management issues that had arisen over time.***

*This task was accomplished by (1) utilizing a new computerized Mox*

*software system to create proper internal control over rounds of golf play and inventory purchases; (2) strengthening communications to improve relations between the management at Delta View, golf club members and the concessionaire; and (3) implementing a management plan to establish and enforce the new policies and procedures that create necessary control, accountability and professionalism that is essential for successful operations at Delta View.*

To the second paragraph of Page 1 of 2:

- B.** ***WHEREAS,** Delta View continues to struggle to obtain its share of market, with eight public golf courses located within 25 miles of the City of Pittsburg alone, four of which just opened within the last five-year period.*

To the fourth paragraph of Page 1 of 2:

- D.** ***WHEREAS,** beginning in April 2002 to date, the City of Pittsburg has contracted for the services of John Bartley Kerr, an experienced professional, with over 15 years of experience in marketing and promotions, to aggressively market Delta View.*

To the last paragraph on Page 1 of 2 of the Agreement:

- E.** ***WHEREAS,** it is the intention of the City staff to continue to contract for the professional services of Mr. Kerr and to continue with the implementation of Mr. Kerr's Marketing Plan that was created in 2004.*

To the second paragraph of Page 2 of 2:

- C.** *The City of Pittsburg and John Bartley Kerr agree that the primary purpose of the Agreement for his Professional Services is to allow Mr. Kerr to manage, operate and coordinate all aspects of the Delta View Golf Course in order to continue to develop and implement a long-term marketing plan to enable the City to operate Delta View as a viable enterprise.*

To the third paragraph of Page 2 of 2:

- D.** *John Bartley Kerr will be compensated at a rate in the amount of \$6,666.00 per month, not to exceed a total contract cost in the amount of \$79,992.00 during the term of this Agreement.*

To Section II, Outreach Efforts, the second bullet, as shown in Exhibit "A",

- *Junior Outreach Program: We will offer four golf camps this summer for*

*juniors ages 8 to 16. Each Camp will last one week, and will consist of two-hour sessions each day.*

To Section II, Outreach Efforts, the fourth bullet, as shown in Exhibit "A",

- *Los Medanos College (LMC) Outreach Program: We have talked with Pete Garcia, President of the College. He would like us to run a teaching program for LMC during the Spring semester.*

To Section V. Travel and Leisure Publications, as shown on Page 2 of Exhibit "A",

## **V. Travel and Leisure Publications**

*Golfers are always looking for specials when they travel, especially seniors. Delta View is part of these travel and leisure publications. Because seniors frequently read these publications, we look forward to having many more seniors, play at our course especially, during the week.*

To the second to last bullet on the last page of Exhibit "A",

- *Business/Corporate Visits: We plan to meet with many of the businesses in Pittsburg and the surrounding areas to promote the golf course. This will help to greatly increase play on the golf course.*

And to the last bullet on the last page of Exhibit "A":

- *Website: We plan to aggressively promote Delta View on the Website.*

As to whether or not the requested changes warranted the removal of the item from the Consent Calendar for further discussion, Mr. Grisham advised that the changes were all minor grammatical changes and could be made as part of any motion for approval.

Councilmember Glynn requested that the recommended changes be made as part of a motion to adopt the approval of the Agreement of Professional Services between Mr. Kerr and the City of Pittsburg.

Mayor Parent noted her continuing concerns for the operation and the lack of progress at the golf course and stated that she would look carefully at that lack of progress over the next year. She clarified that she was not suggesting that the City should make a profit with the golf course, but that at the very least it should break even.

Councilmember Johnson agreed with the Mayor with respect to the operation of the golf course and his desire to ensure that the golf course would become a successful and profitable operation for the City.

On motion by Councilmember Glynn, seconded by Councilmember Casey and

carried unanimously to adopt Resolution 05-10313, with the changes as recommended by Councilmember Glynn.

**ADJOURNMENT**

The City Council adjourned at 8:21 P.M. to the next regular City Council meeting on July 5, 2005.

Respectfully submitted,

Lillian J. Pride, City Clerk

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