

CITY OF PITTSBURG
Housing Authority Minutes
November 27, 2006

Chair Michael Kee called the meeting of the Housing Authority to order at 8:26 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened into Closed Session at 4:30 P.M. for Conference with Legal Council - Existing Litigation pursuant to Section 54956.9(a) of the Government Code regarding Ronald Huppert and Javier Salgado vs. City of Pittsburg, et. al., United State District Court Case C05-1433, and Calpine Corporation, et al. vs. California State Board of Equalization, et al. Case No. BC359455; Conference with Real Property Negotiator pursuant to Section 54956.8 regarding 2222 Golf Club Road, Pittsburg, CA 94565; Conference with Legal Counsel - Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 regarding two cases; and Conference with Legal Counsel - Anticipated Litigation, pursuant to Subdivision (c) of Section 54956.9 regarding one case; followed by Workshop with the Planning Commission regarding Railroad Avenue eBART Specific Plan Update at 6:00 P.M.

Chair Kee advised that there was nothing to report from Closed Session.

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

MEMBERS ABSENT: None

STAFF PRESENT

- Executive Director, Marc Grisham
- Assistant Executive Director, Matt Rodriguez
- Legal Counsel, Ruthann Ziegler
- City Clerk, Lillian J. Pride
- Deputy City Clerk, Alice Evenson
- Director of Pittsburg Power Company, Garrett Evans
- Director of Engineering and Building, Joe Sbranti
- Director of Economic Development, Brad Nail
- Director of Redevelopment, Randy Starbuck
- Director of Human Resources, Marc Fox
- Director of Public Works, John Fuller
- Director of Planning, Melissa Ayres
- Director of Recreation, Paul Flores
- Chief of Police, Aaron Baker

Chair Kee reported that the Contra Costa Housing Authority public housing waiting list would be open for pre-applications for three, four and five bedroom units. The application period would extend from November 28 through December 12, 2006. Reference points would be given for residency preference, veteran preference and elderly or disabled preference. Applicants must be 18 years of age. Applicants may apply at the Contra Costa County Housing Authority website www.contracostahousing.org, complete, print, sign and date the application and mail it to P.O. Box 156, Rodeo, CA 94572.

All information would be placed on the City's website. The Pittsburg Housing Authority would do the same.

PUBLIC COMMENTS:

BERT AFRICA, Pittsburg, commented that a tenant in his 154-unit single family community had been terminated for Section 8 tenancy although the homeowner had refused to follow suit and one of the tenants, who was a convicted felon, had threatened him and his family. He understood that if the landlord/owner of the property refused to evict a tenant, the owner of the home could be disqualified from a rental agreement with the Housing Authority, failing to comply with Housing Authority requirements, which he read into the record at this time. He noted that he had a petition from the homeowners in support of the eviction of the referenced tenant.

Mr. Africa advised that he had written a letter to the Housing Authority Director and the City Manager in September, but had received no reply. He asked for support from the Housing Authority to address the situation. He added that he had documentation in support with a letter addressed to the property owner who had leased his property to that tenant.

Chair Kee asked the Executive Director/City Manager to work with Mr. Africa on the matter.

Executive Director Marc Grisham acknowledged that Mr. Africa had spoken with the Assistant City Manager. Staff was aware of his concern and the City had taken a first step by taking away the Section 8 voucher from the property owner who had violated Housing Authority rules by allowing a convicted felon to reside in the property. Staff must still review what additional actions could be taken against the property owner.

CONSENT CALENDAR

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

- a. **DISBURSEMENT LIST** Dated October 31, 2006.

Approved Disbursement List dated October 31, 2006.

- b. **MINUTES** Dated: October 16, 2006

Approved minutes dated October 16, 2006.

ADJOURNMENT

The meeting of the Housing Authority adjourned at 8:32 P.M. to December 18, 2006.

Respectfully submitted,

Lillian J. Pride, Secretary

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CITY OF PITTSBURG
Redevelopment Agency Minutes
November 27, 2006

Chair Michael Kee called the meeting of the Redevelopment Agency to order at 8:33 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened into Closed Session at 4:30 P.M. for Conference with Legal Council - Existing Litigation pursuant to Section 54956.9(a) of the Government Code regarding Ronald Huppert and Javier Salgado vs. City of Pittsburg, et. al., United State District Court Case C05-1433, and Calpine Corporation, et al. vs. California State Board of Equalization, et al. Case No. BC359455; Conference with Real Property Negotiator pursuant to Section 54956.8 regarding 2222 Golf Club Road, Pittsburg, CA 94565; Conference with Legal Counsel - Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 regarding two cases; and Conference with Legal Counsel - Anticipated Litigation, pursuant to Subdivision (c) of Section 54956.9 regarding one case; followed by Workshop with the Planning Commission regarding Railroad Avenue eBART Specific Plan Update at 6:00 P.M.

Chair Kee advised that there was nothing to report from Closed Session.

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

MEMBERS ABSENT: None

STAFF PRESENT

Executive Director, Marc Grisham
Assistant Executive Director, Matt Rodriguez
Legal Counsel, Ruthann Ziegler
City Clerk, Lillian J. Pride
Deputy City Clerk, Alice Evenson
Director of Pittsburg Power Company, Garrett Evans
Director of Engineering and Building, Joe Sbranti
Director of Economic Development, Brad Nail
Director of Redevelopment, Randy Starbuck
Director of Human Resources, Marc Fox
Director of Public Works, John Fuller
Director of Planning, Melissa Ayres
Director of Recreation, Paul Flores
Chief of Police, Aaron Baker

PUBLIC HEARING

1. **RESOLUTION 06-1165** Authorize the Executive Director to Execute a Lease Agreement By and Between the Redevelopment Agency of the City of Pittsburg and Wine Know, Inc.

Executive Director Marc Grisham advised that the Redevelopment Agency of the City of Pittsburg and Wine Know, Inc., a California corporation, doing business as Swish, desires to execute a sublease agreement for the lease of commercial space located at 447 Railroad Avenue. However, both the Agency and tenant require additional time to finalize the Lease Agreement. The fiscal arrangements were still being negotiated.

Mr. Grisham recommended that the Redevelopment Agency open the public hearing, accept testimony, and continue the public hearing until December 18, 2006. It was also recommended that the Agency Board consider the Lease Agreement at the public hearing scheduled for December 18, 2006.

Member Parent affirmed with staff that the staff report had described the intent to negotiate with a business known as Wine Know, Inc., now doing business as Swish. She inquired what business owned the bistro and was advised by the Executive Director that while he was unaware of the corporate name, the businesses were all owned by Mr. Wong, his mother and his sister. He was aware that Wine Know was an established operation and the wine bar called Swish operated under that name and could use the same corporation. The restaurant was to be called Magnolia, to key in with the New Orleans theme. Member Parent requested the exact corporation and the financials for that corporation to be clear since she understood there was a question with one of the corporations.

Mr. Grisham affirmed that the Agency could request that the business be established under a different LLC or corporation if doing business with the City.

Chair Kee opened the public hearing for Resolution 06-1165. There was no one to speak to the item. The public hearing was closed for Resolution 06-1165.

On motion by Vice Chair Glynn, seconded by Member Casey and carried unanimously to continue Resolution 06-1165 to the meeting of December 18, 2006.

The CITY COUNCIL CONVENEED JOINTLY with the REDEVELOPMENT AGENCY to consider the following.

2. **RESOLUTION 06-1166** Authorizing the Executive Director to Execute a Lease
Combined w/CC 06-10672 Agreement By and Between John Phair, dba EJ
Phair Brewing Company and the Redevelopment Agency
of the City of Pittsburg

Mr. Grisham stated that on September 5, 2006, the Agency Board had approved the acquisition of 190 East Third Street (APN 085-108-010) for the purpose of making a portion of the property available to John Phair dba EJ Phair Brewing Company. Agency staff had negotiated a lease with EJ Phair for 13,800 square feet of space at 190 East Third Street.

The Redevelopment Agency of the City of Pittsburg and EJ Phair proposed to enter into a Lease Agreement for lease of the premises commencing as of December 1, 2006.

Mr. Grisham explained that the lease before the Redevelopment Agency was a red line version with comments and was the actual lease document with comments. EJ Phair would pay the Agency \$70,875 per year in lease payments for the first year of the Lease Agreement (the lease payments escalate at 3% per year). In the eleventh year, lease payments would increase to the then-current market rate. The Agency also would pay up to \$350,000 in tenant improvements to the building and \$180,000 in equipment purchases in the form of a 3 percent loan that is to be repaid starting the twenty fifth month.

The majority of Agency costs would be incurred during the initial term of the Lease Agreement. The costs to the Agency of the proposed Lease Agreement were more particularly described and analyzed in the report prepared in accordance with Section 33433 of the California Health and Safety Code attached to the staff report dated November 27, 2006. The costs shall be paid from tax increment revenues.

It was recommended that the Agency Board and the City Council conduct the public hearing, receive comments and close the public hearing and that the Agency Board authorize the Executive Director to execute the Lease Agreement on behalf of the Agency, and authorize the Executive Director, with concurrence of the Agency's legal counsel, to make minor modifications to the Lease Agreement as allowed in the Lease Agreement and as may be necessary.

Member Johnson understood that the tenant would not lease the upper portion of the building which would be used for office space for a portion of time pending its ability to be converted for use.

Redevelopment Director Randy Starbuck explained that the building was approximately 15,100 square feet in size of which 13,800 square feet would be leased by EJ Phair Brewing Company. The remainder would be leased in the interim by the Agency for a compatible use.

Mayor Kee opened the public hearing for Redevelopment Agency Resolution 06-1166 and City Council Resolution 06-10672. There was no one to speak to the items. The public hearing for Resolution 06-1166 and Resolution 06-10672 was closed.

On motion by Member Johnson, seconded by Member Parent and carried unanimously to adopt Redevelopment Agency Resolution 06-1166.

On motion by Councilmember Johnson, seconded by Councilmember Parent and carried unanimously to adopt City Council Resolution 06-10672.

CONSENT CALENDAR

On motion by Member Parent, seconded by Member Casey and carried unanimously to adopt the Consent Calendar, with the removal of item b, as follows:

- a. **MINUTES** Dated: November 6, 2006.

Approved minutes dated November 6, 2006.

- c. **RESOLUTION 06-1168** Adopting a Purchase Order Increase for Associated Right of Way Services, Inc.

Adopted Resolution 06-1168.

- d. **RESOLUTION 06-1169** Authorize the Executive Director to Execute a Consultant Agreement By and Between the Redevelopment Agency of the City of Pittsburg and The Restoration Clean Up Company, Inc.

Adopted Resolution 06-1169.

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

- b. **RESOLUTION 06-1167** Approval of an Exclusive Negotiating Rights Agreement Between the Redevelopment Agency of the City of Pittsburg and Palm Plaza Development Inc.

The Redevelopment Agency of the City of Pittsburg and the Palm Plaza Development, Inc. would like to enter into an Exclusive Negotiating Rights Agreement. The purpose of the Agreement is to establish procedures and standards for the negotiation by the Agency and the developer. Successful negotiations would result in a Disposition and Development Agreement (DDA) for a ground lease and development of the Agency owned property by the developer for the development of a multi-tenant commercial building.

LARRY GREENWOOD, Global Village Development, explained that his firm had been involved with the original Bed and Breakfast, Lowy commercial building, and Request for Proposal (RFP) with the Agency in April/May 2006. Upon submittal of development for the property he understood that his firm was the only developer that had submitted all information as required by the Agency. In July 2006, he had been notified by the Agency there were insufficient funds allocated to pursue the bed and breakfast project at that time. Global Village Development met with the Agency to break out the commercial building and develop it separately with its funds and not the Agency's funds. The Agency had requested more submittals of updated costs and the like, which had been provided. He had later learned, in October, that another developer was being considered. Having contacted the Agency to determine whether or not a new RFP had been issued, he had been assured it had not.

Mr. Greenwood advised that he had received a letter dated October 17, 2006 from Mr. Starbuck stating that the Agency had decided to go with Palm Plaza Development to build the Lowy commercial building. He was curious when this had transpired and what actual procedures should be accomplished. He asked the Agency to review the situation.

Mr. Starbuck explained that this had been a long process for the Agency. The Agency had sought development of the bed and breakfast, the bids from which had been much higher than anticipated. At that time, alternatives had been explored to determine how to proceed with that project. The determination had been made to pursue the bed and breakfast with the Lowy commercial building in order to obtain some economies of scale and cost savings by doing both projects at the same time. Staff had conversations with Global Village and Palm Plaza, with proposals submitted by both entities relative to doing both projects. It had subsequently been determined that there would be no cost savings for the bed and breakfast by adding the Lowy commercial building to the project.

Mr. Starbuck stated that staff had then stepped back from the bed and breakfast and realized that with two partners interested in the Lowy commercial building, only the Lowy commercial building would be considered. At that time, staff had requested current cost information from both parties, which information had been provided by both Global Village and Palm Plaza. Said information had been submitted to the City Council Subcommittee to the Redevelopment Agency which had recommended that staff pursue a proposal from Palm Plaza to enter into an Exclusive Right to Negotiate.

Member Johnson questioned why he had not been provided with information he had requested from Palm Plaza Development, which information he had requested prior to the Thanksgiving holiday.

Mr. Starbuck expressed his apologies and stated that information would be provided to Member Johnson tomorrow.

As a member of the subcommittee and having reviewed all of the proposals made for the Lowy commercial building, Member Parent stated that the subcommittee had decided that the proposal from Palm Plaza Development was the most promising.

On motion by Member Parent, seconded by Member Casey to adopt Resolution 06-1167 carried by the following vote:

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

ADJOURNMENT

The meeting of the Redevelopment Agency adjourned at 8:52 P.M. to December 4, 2006.

Respectfully submitted,

Lillian J. Pride, Secretary

CITY OF PITTSBURG
Pittsburg Public Financing Authority
November 27, 2006

Chair Michael Kee called the meeting of the Pittsburg Public Financing Authority to order at 8:52 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened into Closed Session at 4:30 P.M. for Conference with Legal Council - Existing Litigation pursuant to Section 54956.9(a) of the Government Code regarding Ronald Huppert and Javier Salgado vs. City of Pittsburg, et. al., United State District Court Case C05-1433, and Calpine Corporation, et al. vs. California State Board of Equalization, et al. Case No. BC359455; Conference with Real Property Negotiator pursuant to Section 54956.8 regarding 2222 Golf Club Road, Pittsburg, CA 94565; Conference with Legal Counsel - Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 regarding two cases; and Conference with Legal Counsel - Anticipated Litigation, pursuant to Subdivision (c) of Section 54956.9 regarding one case; followed by Workshop with the Planning Commission regarding Railroad Avenue eBART Specific Plan Update at 6:00 P.M.

Chair Kee advised that there was nothing to report from Closed Session.

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

MEMBERS ABSENT: None

STAFF PRESENT Executive Director, Marc Grisham
Assistant Executive Director, Matt Rodriguez
Legal Counsel, Ruthann Ziegler
City Clerk, Lillian J. Pride
Deputy City Clerk, Alice Evenson
Director of Pittsburg Power Company, Garrett Evans
Director of Engineering and Building, Joe Sbranti
Director of Economic Development, Brad Nail
Director of Redevelopment, Randy Starbuck
Director of Human Resources, Marc Fox
Director of Public Works, John Fuller
Director of Planning, Melissa Ayres
Director of Recreation, Paul Flores
Chief of Police, Aaron Baker

CONSENT CALENDAR

On motion by Vice Chair Glynn, seconded by Chair Kee and carried unanimously to adopt the Consent Calendar, as follows:

a. **MINUTES** Dated: November 6, 2006.

Approved minutes dated November 6, 2006.

ADJOURNMENT

The meeting of the Pittsburg Public Financing Authority adjourned at 8:52 P.M.

Respectfully submitted,

Lillian J. Pride, Secretary

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CITY OF PITTSBURG
Pittsburg Power Company Minutes
November 27, 2006

Chair Michael Kee called the meeting of the Pittsburg Power Company to order at 8:52 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened into Closed Session at 4:30 P.M. for Conference with Legal Council - Existing Litigation pursuant to Section 54956.9(a) of the Government Code regarding Ronald Huppert and Javier Salgado vs. City of Pittsburg, et. al., United State District Court Case C05-1433, and Calpine Corporation, et al. vs. California State Board of Equalization, et al. Case No. BC359455; Conference with Real Property Negotiator pursuant to Section 54956.8 regarding 2222 Golf Club Road, Pittsburg, CA 94565; Conference with Legal Counsel - Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 regarding two cases; and Conference with Legal Counsel - Anticipated Litigation, pursuant to Subdivision (c) of Section 54956.9 regarding one case; followed by Workshop with the Planning Commission regarding Railroad Avenue eBART Specific Plan Update at 6:00 P.M.

Chair Kee advised that there was nothing to report from Closed Session.

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

MEMBERS ABSENT: None

STAFF PRESENT

- Executive Director, Marc Grisham
- Assistant Executive Director, Matt Rodriguez
- Legal Counsel, Ruthann Ziegler
- City Clerk, Lillian J. Pride
- Deputy City Clerk, Alice Evenson
- Director of Pittsburg Power Company, Garrett Evans
- Director of Engineering and Building, Joe Sbranti
- Director of Economic Development, Brad Nail
- Director of Redevelopment, Randy Starbuck
- Director of Human Resources, Marc Fox
- Director of Public Works, John Fuller
- Director of Planning, Melissa Ayres
- Director of Recreation, Paul Flores
- Chief of Police, Aaron Baker

CONSENT CALENDAR

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

a. **MINUTES** Dated: November 6, 2006.

Approved minutes dated November 6, 2006.

- b. **RESOLUTION 06-159** Ordering the Abandonment of a Portion of the Public Utility Easement (P.U.E.) at Lot 36 of Farragut Village Unit No. 4 on Mare Island, Vallejo.

Adopted Resolution 06-159.

ADJOURNMENT

The meeting of the Pittsburg Power Company adjourned at 8:53 P.M.

Respectfully submitted,

Lillian J. Pride, Secretary

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CITY OF PITTSBURG
Southwest Pittsburg Geologic Hazard Abatement District II
November 27, 2006

Chair Michael Kee called the meeting of the Southwest Pittsburg Geologic Hazard Abatement District II (GHAD) to order at 8:54 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened into Closed Session at 4:30 P.M. for Conference with Legal Council - Existing Litigation pursuant to Section 54956.9(a) of the Government Code regarding Ronald Huppert and Javier Salgado vs. City of Pittsburg, et. al., United State District Court Case C05-1433, and Calpine Corporation, et al. vs. California State Board of Equalization, et al. Case No. BC359455; Conference with Real Property Negotiator pursuant to Section 54956.8 regarding 2222 Golf Club Road, Pittsburg, CA 94565; Conference with Legal Counsel - Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 regarding two cases; and Conference with Legal Counsel - Anticipated Litigation, pursuant to Subdivision (c) of Section 54956.9 regarding one case; followed by Workshop with the Planning Commission regarding Railroad Avenue eBART Specific Plan Update at 6:00 P.M.

Chair Kee advised that there was nothing to report from Closed Session.

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

MEMBERS ABSENT: None

STAFF PRESENT

- Executive Director, Marc Grisham
- Assistant Executive Director, Matt Rodriguez
- Legal Counsel, Ruthann Ziegler
- City Clerk, Lillian J. Pride
- Deputy City Clerk, Alice Evenson
- Director of Pittsburg Power Company, Garrett Evans
- Director of Engineering and Building, Joe Sbranti
- Director of Economic Development, Brad Nail
- Director of Redevelopment, Randy Starbuck
- Director of Human Resources, Marc Fox
- Director of Public Works, John Fuller
- Director of Planning, Melissa Ayres
- Director of Recreation, Paul Flores
- Chief of Police, Aaron Baker

CONSENT CALENDAR

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

a. **MINUTES** Dated: November 6, 2006.

Approved minutes dated November 6, 2006.

ADJOURNMENT

The meeting of the Southwest Pittsburg Geologic Hazard Abatement District II adjourned at 8:54 P.M.

Respectfully submitted,

Lillian J. Pride, Secretary

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CITY OF PITTSBURG
City Council Minutes
November 27, 2006

Mayor Michael Kee called the meeting of the City Council to order at 8:55 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened into Closed Session at 4:30 P.M. for Conference with Legal Council - Existing Litigation pursuant to Section 54956.9(a) of the Government Code regarding Ronald Huppert and Javier Salgado vs. City of Pittsburg, et. al., United State District Court Case C05-1433, and Calpine Corporation, et al. vs. California State Board of Equalization, et al. Case No. BC359455; Conference with Real Property Negotiator pursuant to Section 54956.8 regarding 2222 Golf Club Road, Pittsburg, CA 94565; Conference with Legal Counsel - Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 regarding two cases; and Conference with Legal Counsel - Anticipated Litigation, pursuant to Subdivision (c) of Section 54956.9 regarding one case; followed by Workshop with the Planning Commission regarding Railroad Avenue eBART Specific Plan Update at 6:00 P.M.

Chair Kee advised that there was nothing to report from Closed Session.

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

MEMBERS ABSENT: None

STAFF PRESENT

- City Manager, Marc Grisham
- Assistant City Manager, Matt Rodriguez
- City Attorney, Ruthann Ziegler
- City Clerk, Lillian J. Pride
- Deputy City Clerk, Alice Evenson
- Director of Pittsburg Power Company, Garrett Evans
- Director of Engineering and Building, Joe Sbranti
- Director of Economic Development, Brad Nail
- Director of Redevelopment, Randy Starbuck
- Director of Human Resources, Marc Fox
- Director of Public Works, John Fuller
- Director of Planning, Melissa Ayres
- Director of Recreation, Paul Flores
- Chief of Police, Aaron Baker

PLEDGE OF ALLEGIANCE

The City Council led the Pledge of Allegiance.

Mayor Kee considered the following general City Council items at 7:40 P.M. prior to pursuing the Housing Authority agenda.

FERRIS WHEEL DONATIONS

1. E.J. DelaRosa

Mr. HOLMES noted that he had previously presented posters for the Small World Park Ferris Wheel and had promised to return to the City Council with a check. He introduced ADRIANNA MARTINEZ, Executive Director in charge of Charitable Programs who commented that the firm of E.J. DelaRosa had been founded on the principle to lead in all areas of business including corporate citizenship. Based on that long standing belief, she stated that E.J. DelaRosa had invested in over 400 community organizations committed to improving the lives of citizens in the communities they served through community projects, scholarship programs, social events and education. She presented a check to the Small World Park Ferris Wheel project.

Councilmember Parent accepted the check on behalf of Small World Park and thanked E.J. DelaRosa for the donation. She reported that she had met with representatives from E.J. DelaRosa to show them the location of the Ferris Wheel. She noted that the posters prepared by E.J. DelaRosa had been displayed at the Farmers Market. With the donation from E.J. DelaRosa, the funds collected for the Ferris Wheel project were in the \$25,000 range. Another sizeable donation was anticipated from another organization.

PRESENTATION

1. Joe Canciamilla, Assemblymember 11th District

JOE CANCIAMILLA, Assemblymember 11th District, presented a status report on some of the legislative activities and bills that had gone through the process, either signed into law by the Governor or which had met another fate. He reported being able to provide assistance to the City through efforts to improve enforcement of abandoned vessel laws through the modification of statutory language to allow the agencies that would do the enforcement having the flexibility to treat it more like an abandoned vehicle than a boat; expediting clean up of code enforcement areas with an increase in penalties for dumping; expanding enrollment opportunities between public schools and community colleges through modification of caps; grant exemptions from the California Environmental Quality Act (CEQA) for BART's retrofitting projects which would save BART several million dollars and would not require an environmental review process for projects retrofitting within existing footprints; and returning control of the Pittsburg Waterfront to the City of Pittsburg.

Assemblymember Canciamilla presented the Council with an overview of bills signed into law, bills stalled in the legislative process, and bills that had not been referred to the committee for the 2005-06 session. He took the opportunity to thank the Council, Mayor, and staff for his and her help and support over the last six years. He stated that it had been an honor to represent the area. He expressed his hope to be able to continue to work with everyone to make the community a better place.

Mayor Kee thanked Assemblymember Canciamilla for his work on AB 2324 and the work he had done throughout the years for the City of Pittsburg and the region. He expressed his hope that he would continue to serve the community.

2. Accounting of Retiree Health Benefits

Human Resources Director Marc Fox identified Governmental Accounting Standards Board (GASB) 45 that would apply to the City of Pittsburg, with a similar statement item number 53 that would apply to a multi-employer benefit plan, which called for Other than Pension Post Employment Benefits (OPEB) accounting standards, a new standard required for the accounting for the other than pension post employment benefits on an actuarial based accounting for the benefits as employees are rendering services. He noted that there was a phase-in period when GASB 45 would become effective. Based on the City's revenue stream that would apply in the fiscal year beginning 2007-2008.

Mr. Fox noted that the OPEB the City of Pittsburg offered was retiree medical insurance. The City did not offer post employment dental, other than COBRA, post employment vision, post employment life insurance or other post employment benefits other than those that were specifically offered through COBRA. A summary of the City's medical insurance benefits were identified. Prior to September 1988, he stated that there were no retiree medical insurance benefits that the City provided. Between September 1988 and June 1995, the City had provided a nominal amount of \$55 for a single retiree or \$110 for a married with Department Directors receiving 100 percent of the covered costs with 20 or more years of City service.

Mr. Fox explained that in June 1996, the 100 percent for 20 or more years of service was added for Police Safety members. In June 2000, the entire structure had changed, where employees with less than 15 years of service received 20 percent of the Kaiser rate, more than 15 years received 50 percent of the Kaiser rate, and for Department Heads and Police Safety 20 or more years of service received 100 percent of what is now the Health Net rate.

In July 2002, the 20 or more years of service for 100 percent of the Health Net rate applied to all employees, not just Department Heads and Safety Employees. Safety employees with 10 or more years of service and disabled with a finding of such either through the pension plan or the Social Security Administration would receive 100 percent. The last collective bargaining session had amended that benefit so that employees would receive 25 percent not with 15 or fewer years of service, but with at least 5 years of service to the City.

Mr. Fox reported that City Councils in the past had offered enhancements to past retirees who had rendered service on behalf of the City. That was important as a result of an actuarial study. Currently, he stated that the City had a pay-as-you-go system, where costs were generally ignored until an employee stopped rendering service and became a retiree. He stated that the City paid on a cash basis as retiree medical insurance premiums were paid.

During the month of November, Mr. Fox reported that the City had paid retiree health insurance premiums based upon the cash flow. GASB 45 required an actuarial valuation to determine the OPEB, the value of the retiree medical benefits being earned by current employees. GASB 45 also required an accounting of the retiree medical benefits that had already been earned and an accounting of the retiree medical benefits of the retirees, those who had stopped rendering service to the City and were collecting a benefit at this time. He explained that when considering service rendered by retirees or future retirees, the City must identify whether or not there was an implied subsidy for retirees. An actuarial study allowed flexibility to amortize costs between 10 years and 30 years and allowed amortization of the costs as a level dollar amount or a level percentage of pay which would determine the annual required contribution.

Mr. Fox stated that GASB 45 required a review of the annual contribution, how much it was actually paying and an accounting of the difference. He added that in a couple of years, Finance staff would show the annual required contributions, unfunded actuarial liability, and net OPEB obligation on the consolidated financial statements. He added that although GASB 45 encouraged, but did not require, setting money aside, the bond rate representatives required a plan in place to show satisfaction of the future debt.

Mr. Fox explained that the City could continue with the pay-as-you-go system although it would pass the existing commitments and those future funding liabilities to tomorrow's citizens.

Mr. Fox identified a number of definitions applicable to the Accounting of the Retiree Health Benefits and walked the Council through an Actuarial Study prepared by John Bartel and Associates in June 2004, which had shown the present value of projected benefits where the City currently would have a \$57.5 million liability, actuarial accrued liability of \$33 million and funding for a projection over 20 years, requiring over \$3.8 million dollars a year. Of the \$3.8 million, the actuarial study had reflected that \$499,000 would consist of current retiree health benefits. To be fully funded, the City would need to set aside an additional \$3.3 million a year.

Mr. Fox noted that the actuarial expenditures were close in 2005/06, having been projected at \$499,000 with actual expenditures at \$508,000. For 2006, the projected retiree health costs were \$580,000. To fully fund the difference between the \$3.8 million and half a million dollars would require 11 percent for services rendered this date, in addition to 11 percent for services current employees had already rendered, and 11 percent based on the services of retirees already rendered.

Mr. Fox noted that the City was not equipped to fully fund the \$3.8 million and would require additional funding of \$3.3 million. He referred to a consideration item on the Council agenda as to whether or not current retirees should continue to receive a retiree health contribution greater than the promise made at the time of retirement. Depending on the decision of the Council, staff would also review whether Kaiser rates should be set by separating out retirees from active employees. Since Health Net did not have an implied

subsidy, the retirees under Health Net were separately rated from active employees.

Mr. Fox explained that active employees subsidized the Kaiser rates of retirees. Since 22 percent of payroll was an unattainable goal and for future contract negotiations, should the City maintain the current retiree health program or should there be some changes, he stated that staff would return to the Council to seek direction when moving into labor negotiations. He also explained that there had been some changes since the 2004 Actuarial Study had been prepared including an increase in the co-payments. Since the Actuarial Study would be two years old, a new study would be needed.

When asked by Councilmember Parent, Mr. Fox understood that there was no enforcement of the plans. GASB 45 required the City to show on its books its retiree health benefits and OPEB costs, and was not required to set any money aside. However, the bonding representatives were pushing for a plan since they knew that the debt that today's employees were incurring would have to somehow be paid in the future. He stated that whenever bonds were issued, there needed to be a revenue stream to pay for those bonds.

City Manager Marc Grisham added that the requirement would be triggered, as an example, if the City went out in a future date for sewer and water bonds where at a point the financing entities would require not only a model to show an ability to repay the bonds but a model in the amount of money the sewer and water fund would have to pay for employees who retired out of those funds.

Councilmember Parent affirmed with staff that would affect the bond rating, the cost of insurance and the interest paid on any bonds.

Mr. Grisham noted that at some point, it could also impact whether or not the bonds were sellable. He explained that the \$3 million liability was a real debt the City was accruing every year based on previous commitments made to employees. At some point in the future, a City Council would have to deal with either reducing services or terminating the benefit.

Mr. Grisham explained that the pension costs were one of the items that had put the City into the \$3 million deficit problem. Although it had been a promise the City had made, he stated that no one had required local, county or State agencies to pay into a pension bond fund or pension fund to deal with retiree health. He expected at some time that the City would have to review what benefits it could not afford and during future discussions consider putting money aside, which would impact the services provided by the City.

Mr. Fox advised that the Legislative Analyst's office in the State Capitol had estimated \$50 to \$80 billion dollars in OPEB unfunded liabilities. He added that Mr. Bartel had reviewed the presentation and noted that the present value of benefits could be actually less. How the money was invested would make a big difference, although enough money needed to be put aside to generate real investment income.

COUNCILMEMBER REPORTS/REMARKS

Councilmember Johnson reported that he had attended recent TRANSPLAN, East Contra Costa Regional Fee and Financing Authority (ECCRFFA), and eBART Partnership Policy Advisory Committee (ePPAC) meetings. He had also attended the Grand Opening of a new thrift shop in Atlantic Plaza.

Vice Mayor Glynn reported that he had attended a meeting of eBART, ePPAC, Tri Delta Transit and the non-official opening of models for homes developed by the Olsen Company near St. Peter Martyr School.

Mayor Kee reported that he had attended a luncheon for the annual Big/Little Game between the cities of Antioch and Pittsburg, and Veteran's Day Services at the Senior Center.

CITY MANAGER REPORTS/REMARKS

City Manager Grisham had nothing to report.

CITIZEN REMARKS

MIKE LENGYEL, Pittsburg, thanked Lillian Pride for her many years of service to the City of Pittsburg. He also congratulated those who had succeeded in the recent election including Deputy City Clerk Alice Evenson who he described as a worthy and capable successor to the City Clerk's Office. He noted his disappointment with the fact that Vice Mayor Glynn had not been re-elected given that he considered him to be an above average Councilmember.

Mr. Lengyel otherwise questioned why the traffic mitigation fees had not been listed on the meeting agenda. He also asked the City Attorney to address the issue of newly elected Councilmember Sal Evola's connection to the interlocking Seeno Companies. He questioned how the community would know when Mr. Evola might or might not be allowed to vote on something.

Mayor Kee understood that the issue of the traffic mitigation fees would be on a future agenda.

City Attorney Ruthann Zeigler advised that for Mr. Evola, as with any other Councilmember, she would be available if he wished to consult with her on potential conflicts of interest. If she was aware of any potential conflict of interest, she would advise Mr. Evola in the same way she would advise any other Councilmember.

GREG ENHOLM, Bay Point, advised that he had been appointed by the Concord City Council to represent non-residents regarding the conversion of the Concord Naval Weapons Station to civilian use.

Mr. Enholm reported that he would return to the City Council, as needed, to report

what was being proposed and planned and provide information through e-mail. As part of his representation on the committee, he was expected to bring the views of the Pittsburg City Council, residents of Pittsburg and Bay Point, the Municipal Advisory Committee (MAC), the Ambrose Board in Bay Point, and Martinez. The first meeting of the 21-member committee would be held on December 12. After that date, he would provide an update to the City Council.

Mayor Kee adjourned to the Housing Authority agenda at 8:26 P.M. and reconvened as the City Council at 8:55 P.M.

PUBLIC HEARING

1. **ORDINANCE 06-1279** Introduction of an Ordinance Amending the Pittsburg Municipal Code Sections Related to Hearing Officers

Mr. Grisham explained that the City had the authority to abate a nuisance with the owner of the property, after notice, had failed to abate the nuisance. The City's authorization to abate a nuisance either comes from a Hearing Officer or from the City Council. The ordinance, if approved, would allow a Hearing Officer to authorize nuisance abatement as long as the cost of the abatement was less than \$50,000. This is a first reading of the proposed ordinance.

There would be no fiscal impact. It was recommended that the City Council introduce and waive the first reading, and read by title only, the ordinance amending Title I General Provisions, Chapter 1.24 entitled Nuisance-Lien Abatement Procedures.

Mayor Kee opened the public hearing for Ordinance 06-1279. There was no one to speak to the item. The public hearing for Ordinance 06-1279 was closed.

On motion by Councilmember Johnson, seconded by Vice Mayor Glynn and carried unanimously to introduce Ordinance 06-1279 by title only and waive first reading.

2. **RESOLUTION 06-10672** Authorizing the Executive Director to Execute a Lease Agreement By and Between John Phair dba EJ Phair Brewing Company and the Redevelopment Agency of the City of Pittsburg
Combined w/RDA 06-1166

Mr. Grisham stated that on September 5, 2006, the Agency Board had approved the acquisition of 190 East Third Street (APN 085-108-010) for the purpose of making a portion of the property available to John Phair dba EJ Phair Brewing Company. Agency staff had negotiated a lease with EJ Phair for 13,800 square feet of space at 190 East Third Street. The Redevelopment Agency of the City of Pittsburg and EJ Phair proposed to enter into a Lease Agreement for lease of the premises commencing as of December 1, 2006.

In Joint Session with the Redevelopment Agency, the City Council took the following

action.

On motion by Councilmember Johnson, seconded by Councilmember Parent and carried unanimously to adopt City Council Resolution 06-10672.

CONSIDERATION

1. **RESOLUTION 06-10673** Enhanced Retiree Health Benefits of Current Retirees

Mr. Grisham stated that in July 2005, the City Council adopted a resolution of intention limiting the excess contributions paid toward retiree health insurance premiums. In October 2005, the City Council considered a resolution to enact its previous resolution of intention and voted against adopting the resolution limiting the excess contributions. However, the City Council directed City staff to bring this topic back to them in November 2006. The resolution before the City Council would limit the excess contributions paid toward retiree health.

The fiscal impact to the City would be a savings of over \$30,215 during calendar year 2007. That figure did not include projected savings from 14 retirees who participate in non-City retiree health insurance plans and are affected by the proposed resolution. The City's savings would increase each year thereafter when the cost of health insurance rises as the City's premiums would be fixed for those retirees receiving an enhanced benefit and future premium increases would be borne by that retiree.

It was recommended that the City Council adopt a resolution limiting the retiree health benefits of current retirees to the greater of the retiree health premium contribution promised at the time of retirement or the dollar value of the benefits received as of November 1, 2006.

JACK HARRIS, a 1991 retiree from the Pittsburg Police Department, spoke on behalf of the retired Pittsburg Police Officers who would be required to begin paying increases in medical insurance premiums beginning January 1, 2007. Also a retiree of the Contra Costa County District Attorney's Office, he noted that most of his medical insurance costs were paid by the County and he would not be immediately affected by the resolution.

Before working for and retiring from the DA's office, Mr. Harris explained that he had become interested in attempting to negotiate with the City for increased medical insurance payment benefits for retired Pittsburg Officers, particularly in view of the 1995 negotiations between the City and the Police Association during which time it had been agreed that those officers retiring with a service related retirement after July 1, 1995, with at least 20 years of service, would receive fully paid medical insurance equivalent to the Kaiser plan.

Mr. Harris noted that at the time of the 1995 negotiations, five to six officers who had retired before July 1, 1995 had been excluded from the benefits of those negotiations.

Mr. Harris stated that he, along with another retired Pittsburg Officer, had then

begun corresponding with the City, which effort had later helped result in significant increases in medical insurance benefit payments. While he recognized that the City wanted to decrease the cost of medical insurance for retirees and while he appreciated the City's concern in that regard, he asked for exclusion from the proposal in view of the retirement from the Police Department where the retirees had the additional responsibilities of safety employees. The exclusion would be no less than the consideration given the Police Department in the 1995 negotiations resulting in increased medical retirement benefits for them and them alone.

Mr. Harris went on to note that preference was given in employment to military veterans with most of the retired officers military veterans. He again asked that they be excluded from the matter before the Council.

Retired Captain MEL COOPER, Pittsburg, stated that he was representing three retired officers from the Pittsburg Police Department prior to 1950, all of whom had 20 plus years of service. He requested that the City Council allow them to continue to receive the full payment of benefits which had been awarded by the City Council in 2002 through a letter of attachment incorporated into the Police Association's Memorandum of Understanding (MOU) at that time.

Mr. Cooper also asked that given the service to the City as loyal and highly respected professional officers and administrators, and based on the monetary figures presented by the Human Resource Director, he noted that it would cost the City \$25 a month, \$300 a year to continue those benefits. He again asked that the benefit be allowed to continue on a permanent basis given their years of service to the City.

BOB BAGWELL, Retiree of the Pittsburg Police Department, advised that he was retired on disability with approximately 19 years of service with the City. He commented that many of the officers would not have left the City except for disabilities or age related requirements. He asked that their health benefits be allowed to continue.

GEORGE ANDOLIN, a 30-year retired employee of the City of Pittsburg, commented that he had appeared before the City Council in 2005 during which time several changes had taken place. As of January 1, 2005, the City had paid \$1,058 for his and his wife's medical premiums. Currently the City paid \$552 for his health insurance premiums as a result of changes to Medicare and Health Net, which allowed him to now have a senior package. In his case, the City incurred a \$500 a month reduced payment and premium which worked for him, his wife and the City. He disagreed with the need to force retirees to pay the increases in medical premiums given that many were on fixed incomes. He noted that City staff had painted a bleak picture of the City's financial situation while the outlook for the future was prosperous.

Councilmember Parent acknowledged the information presented by the Human Resources Director and the knowledge the City would have to come up with a plan to finance its obligations to current, future and former employees.

Councilmember Parent understood that the City would save \$30,000 a year if the

Council were to follow the staff recommendation.

Mr. Fox noted that the savings to the City would be approximately \$30,000 in 2007, but did not account for 14 retirees on non-City plans and had not considered the unknown rates for the 2007 plans. In 2008, he expected close to \$60,000 in savings. If the savings in 2007 were slightly more than \$30,000 in 2008, assuming the rates increased at the same percentage in 2008 as in 2007, he expected a savings of \$60,000 in 2008.

Councilmember Parent recognized that the Council had put the matter off for a year in 2005, although she recommended that it be put it off for another year. She noted that the Council had received notice this date that the Council contributions to its plans were increasing, and that several Councilmembers were on Social Security. She suggested that the City could endure the \$30,000 cost for another year, although it had to work into a program that would limit everyone, not just the retirees, but current and future employees, where the City could not continue to absorb all of the increases. She reiterated the need to consider those issues across the board.

Mr. Fox suggested that if the Council decided to push the effective date off for a year, it could either direct staff to bring the agenda topic back next year, or amend the proposed resolution changing the November 2006 date to November 2007, and the effective date from January 1, 2007 to January 1, 2008.

Councilmember Parent supported the first option.

Mr. Fox added that the reference by one speaker of possible savings to the City with changes to the medical premiums involved someone who had gone from non-Medicare to Medicare age, and who had moved from a non-Medicare to a Medicare plan, which was a requirement. When a person was pre-age 65, the costs tended to be a bit higher or substantially higher than age 65 and above, due to Medicare supplement plan costs.

Councilmember Parent made a motion to continue the current plan with the matter to be reviewed by the Council in October 2007 or earlier if at that time something had changed with the regular employees and the Council was presented with a way to finance the unfunded liabilities.

Councilmember Johnson seconded the motion, although he clarified with staff that a senior was a person 65 years or older, which was when Medicare became applicable.

Mr. Fox clarified that Medicare costs varied from plan to plan. Senior Advantage under Kaiser for a single person cost \$270 per month while Seniority Plus with Health Net cost \$163. In determining the employer's contribution for those employees with less than 20 years of service, the pre-Medicare Kaiser rate was used. For those with 20 or more years of service, the pre-Medicare Health Net rate was used.

Mr. Grisham clarified that the motion essentially was a continuation of the same

benefit level for the retirees based on the current employees and then in October 2007 or sooner the matter would return to the City Council for a revisit.

On motion by Councilmember Parent, seconded by Councilmember Johnson, and carried unanimously to retain retiree benefits as currently in existence and directing staff to bring the matter back for Council review in October 2007 or sooner.

2. **MINUTE ORDER** City Council Recess for Winter Months

Historically, the City Council takes a recess during the winter months to allow both staff and Council vacations during the holiday season. This recess had typically been taken during the period that would encompass the second meeting of December. However, due to the amount of ongoing projects and potential for business that needs to be concluded prior to the end of the year, the first meeting of January 2007 would be a more opportune time to recess.

It was recommended that by Minute Order the Council respectfully consider January 2, 2007 as the recess date.

On motion by Councilmember Johnson, seconded by Councilmember Casey and carried unanimously, the City Council designated January 2, 2007 as the recess date.

3. **MINUTE ORDER** Memorandum of Understanding Regarding Construction of a Community Meeting Room at Oak Hills Park

Mr. Grisham advised that he had conducted preliminary negotiations with certain members of the community who would like to form a non-profit corporation and fund the construction of a community meeting room at Oak Hills Park. The Memorandum of Understanding (MOU) documented the business points agreed upon in the preliminary negotiations. If adopted, the MOU would provide a framework for the execution of a lease and construction agreement for construction and use of a community meeting room at Oak Hills Park at a future date.

There would be no immediate fiscal impact. The non-profit corporation would be responsible for the costs associated with the construction, maintenance, and operation of the facility. Once the facility was constructed, the City would be responsible for the installation and maintenance of the landscaping surrounding the facility.

It was recommended that the City Council authorize the City Manager to execute the MOU.

Councilmember Parent questioned whether or not the private non-profit organization existed, to which Mr. Grisham explained that the private non-profit organization had yet to be legally created and would be a condition that the organization would have to be in place before moving forward.

City Attorney Ruthann Zeigler added that the private non-profit organization would

have to have a name and exist before the MOU could be executed.

In response to Councilmember Johnson, Mr. Grisham advised that in the actual lease document, the City would expect the private non-profit to be responsible for the maintenance of the inside/outside of the building, with the City having the continued responsibility of the maintenance of the grounds surrounding the building. In the event the private non-profit organization was unable to maintain the building appropriately, there would be a default on the lease and at that point in time the building would revert to the City.

Vice Mayor Glynn requested assurance that all issues of indemnification and usage by persons outside of the general neighborhood that would surround the facility would have access with specific hours of operation and that the uses would identify permitted and non-permitted uses under the conditions of the MOU understood by all.

Mr. Grisham expected the same type of operational rules as with the Senior Center, as an example, although it would be a private facility since the reality was that for many it would not be perceived as a private facility but a community meeting room and a City park. For that reason, issues related to alcohol control and the like would be part of the MOU.

Vice Mayor Glynn added that since the facility would be manned by volunteer personal it would still require stated hours of operation.

Ms. Zeigler advised that many of the provisions raised had been identified in the MOU which would set the perimeters and specific provisions, such as hours of operation and sensitivity to the other residents in the area, to be identified in the lease terms.

JESS CENTENO, Pittsburg, took the opportunity to congratulate Mr. Kee and Ms. Parent on their re-election to the City Council. He also thanked Ms. Evenson for her election to the City Clerk's Office. Representing the homeowners in the Oak Hills Neighborhood, he asked the Council to approve the MOU which would be good for the citizens and the City. He explained that no City funds would have to be allocated. With the approval of the MOU, they could show their potential donor who would be financing the construction of the building. As to the required responsibilities, he envisioned that the private non-profit organization would sign a hold harmless agreement with the City where the City would not be liable and where the association would allow a group or individual to use the facility.

Mayor Kee noted that the MOU could not be signed until an actual non-profit group was formed which Mr. Centeno understood. He suggested that if the Council supported the MOU, construction plans could be drafted for permitting processes.

In response to Councilmember Casey as to what action was before the Council, Mr. Grisham explained that the Council was being asked to approve the MOU as to form.

Once the private non-profit organization was put into place, staff would execute an

MOU with that non-profit and draft the necessary agreements related to the lease and operation and assurance that the project was constructed properly. Final lease documents would come back to the City Council for approval.

On motion by Vice Mayor Glynn, seconded by Councilmember Casey and carried unanimously to adopt a Memorandum of Understanding regarding construction of a Community Meeting Room at Oak Hills Park.

CONSENT CALENDAR

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

- a. **MINUTES** Dated: November 6, 2006 and November 13, 2006.

Approved minutes dated November 6, 2006 and November 13, 2006.

- b. **CLAIMS** #1733 Matheson Postal Services, Inc.; #1737 Gilberto Medina; #1739 Taivon Marteen; #1745 Tamika Banks; #1746 Emil Dembny

Denied claims #1733 Matheson Postal Services, Inc.; #1737 Gilberto Medina; #1739 Taivon Marteen; #1745 Tamika Banks; and #1746 Emil Dembny

- c. **ORDINANCE 06-1277** Adoption of an Ordinance Amending the West Tenth Street Overlay District

Adopted Ordinance 06-1277.

- d. **ORDINANCE 06-1278** Adoption of an Ordinance Approving a Trans Bay Cable Project Development Agreement AP-04-157 (DA)

Adopted Ordinance 06-1278.

- e. **RESOLUTION 06-10674** Amend the Staffing Allocation Plan and Department Director's Salary and Benefits Schedule

Adopted Resolution 06-10674.

- f. **REPORT** Receive and File the Equal Employment Opportunity (EEO) Plan

Received and Filed the Equal Employment Opportunity (EEO) Plan.

- g. **RESOLUTION 06-10675** First Amendment to Agreement for Legal Services with

Meyers Nave Riback Silver and Wilson

Adopted Resolution 06-10675.

- h. **RESOLUTION 06-10676** Updating the List of Civil Engineering Firms for On-Call Professional Engineering Services as Required by City Staff and Authorizing the City Manager to Enter into Agreements with Selected Firms

Adopted Resolution 06-10676.

- i. **RESOLUTION 06-10677** Authorizing the City Manager to Execute Amendment Number 1 to the Joint Powers Agreement with Delta Diablo Sanitation District Dated September 24, 1999, for Designation of the City of Pittsburg's Authority to Construct a Reclaimed Water Pipeline for Irrigation of City Owned Facilities

Adopted Resolution 06-10677.

- j. **RESOLUTION 06-10678** Authorize the Expenditure of \$290,000 to Acquire and for a Water Pump Station in San Marco Unit 2B

Adopted Resolution 06-10678.

- k. **RESOLUTION 06-10679** Resolution of Intent to Form a Community Facilities District (CFD) No. 2007-1 for Park Maintenance Services

Adopted Resolution 06-10679.

- l. **RESOLUTION 06-10680** Accepting Contract 2005-17, Pittsburg Community Center at City Park Improvements Located at 60 Civic Avenue and Releasing One Half of Project Retention

Adopted Resolution 06-10680.

- m. **RESOLUTION 06-10681** Authorizing 2005 Water Bond Funds for the Design, and Preparation for Bidding of Contract 2006-11, El Dorado Heights Water/Sewer Rehabilitation Project, Phase II

Adopted Resolution 06-10681.

ADJOURNMENT

The City Council adjourned at 9:36 P.M. to a regular meeting on December 4, 2006.

Respectfully submitted,

Lillian J. Pride, City Clerk

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