

CITY OF PITTSBURG
Housing Authority Minutes
April 17, 2006

Chair Michael Kee called the meeting of the Housing Authority to order at 7:34 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 6:00 P.M. into Closed Session for Conference with Real Property Negotiator pursuant to Section 54956.8 of the Government Code regarding property at 60 Cornwall Street; and Conference with Labor Negotiators pursuant to Section 54957.6 regarding AFSCME (Miscellaneous A), AFSCME (Miscellaneous/Professional/Confidential), Teamsters and Unrepresented.

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

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

MEMBERS EXCUSED: None

STAFF PRESENT

- Executive Director, Marc Grisham
- Assistant Executive Director, Matt Rodriguez
- Legal Counsel, Michael Dean
- Deputy City Clerk, Alice Evenson
- City Clerk, Lillian Pride
- Director of Housing and Community Programs, Annette Landry
- 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

CONSENT CALENDAR

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

a. **DISBURSEMENT LIST** Dated: March 31, 2006

Approved Disbursement List dated March 31, 2006.

b. **MINUTES** Dated: March 20, 2006

Approved minutes dated March 20, 2006.

ADJOURNMENT

The meeting of the Housing Authority adjourned at 7:35 P.M. to the next meeting set for May 15, 2006.

Respectfully submitted,

Lillian J. Pride, Secretary

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CITY OF PITTSBURG
Redevelopment Agency Minutes
April 17, 2006

Chair Michael Kee called the meeting of the Redevelopment Agency to order at 7:36 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 6:00 P.M. into Closed Session for Conference with Real Property Negotiator pursuant to Section 54956.8 of the Government Code regarding property at 60 Cornwall Street; and Conference with Labor Negotiators pursuant to Section 54957.6 regarding AFSCME (Miscellaneous A), AFSCME (Miscellaneous/Professional/Confidential), Teamsters and Unrepresented.

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, Michael Dean
Deputy City Clerk, Alice Evenson
City Clerk, Lillian Pride
Director of Housing and Community Programs, Annette Landry
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

PUBLIC HEARING

1. **RESOLUTION 06-1118** Approval of an Amendment to a Disposition and Development Agreement By and Between the Redevelopment Agency of the City of Pittsburg and Olson Urban Housing LLC

Executive Director Marc Grisham advised that the Redevelopment Agency of the City of Pittsburg and Olson Urban Housing LLC had executed a Disposition and Development Agreement (DDA) for the development of approximately 123 single family residential units, also known as Mariner Walk. The Agency and the developer wish to amend the DDA. However, since the Amendment is directly linked to the Loan and Repayment Agreement by and between the City and Agency, it is necessary to continue the public hearing until such time as the City/Agency Agreement is considered.

Chair Kee opened the public hearing for Resolution 06-1118. There was no one to speak to the item.

As recommended by staff, Chair Kee continued Resolution 06-1118 to the next meeting on May 1, 2006.

CONSENT CALENDAR

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

- a. **MINUTES** Dated: April 3, 2006

Approved minutes dated April 3, 2006.

- b. **RESOLUTION 06-1119** Approving an Exclusive Negotiating Agreement Between West Boulevard Development, LLC and the Redevelopment Agency of the City of Pittsburg for the Development of Home Ownership Affordable Housing on 6 and 14 West Boulevard

Adopted Resolution 06-1119.

- c. **RESOLUTION 06-1120** Accepting as Complete Contract 2004-05, Marina Center
Combined w/CC 06-10524 Parking Lot and Allocating Funding for PG&E Utility Relocation Costs

Adopted Redevelopment Agency Resolution 06-1120.

Adopted City Council Resolution 06-10524.

- d. **RESOLUTION 06-1121** Accepting as Complete Contract 2006-27, Abatement and Demolition of Buildings 600, 688 and 690 Railroad Avenue and 1049 Cumberland Street

Adopted Resolution 06-1121.

- e. **RESOLUTION 06-1122** Award of Consultant Agreement By and Between the Redevelopment Agency of the City of Pittsburg and SZFM Design Studio, Inc. and Allocating Funding for the Old Town Streetscape Master Plan

Adopted Resolution 06-1122.

ADJOURNMENT

The meeting of the Redevelopment Agency adjourned at 7:38 P.M. to May 1, 2006.

Respectfully submitted,

Lillian J. Pride, Secretary

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CITY OF PITTSBURG
Pittsburg Power Company Minutes
April 17, 2006

Chair Michael Kee called the meeting of the Pittsburg Power Company to order at 7:39 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 6:00 P.M. into Closed Session for Conference with Real Property Negotiator pursuant to Section 54956.8 of the Government Code regarding property at 60 Cornwall Street; and Conference with Labor Negotiators pursuant to Section 54957.6 regarding AFSCME (Miscellaneous A), AFSCME (Miscellaneous/Professional/Confidential), Teamsters and Unrepresented.

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, Michael Dean
Deputy City Clerk, Alice Evenson
City Clerk, Lillian Pride
Director of Housing and Community Programs, Annette Landry
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

CONSIDERATION

1. **RESOLUTION 06-146** Amending Pittsburg Power Company's Annual Budget for FY 2005-2006 to Provide for Increasing Trans Bay Cable Project Reimbursement Program Funding by \$190,000 for Environmental and Legal Consultants

Executive Director Marc Grisham advised that the Pittsburg Power Company (PPC) requested a FY 2005-2006 budget increase adjustment of \$190,000 to cover Reimbursable Expenses for the Trans Bay Cable Project for the remainder of FY 2005-2006. These Reimbursable Expenses include the expenditures of Environmental and Legal Consultants retained by PPC in performing its obligations under the Project Development Agreement entered into with Trans Bay Cable, LLC.

Mr. Grisham advised that the expenses were wholly reimbursable under the Reimbursement Agreement entered into in conjunction with Babcock and Brown's Trans Bay Cable Project and would not result in a decrease in the Power Company's annual budget or the City's General Fund.

Mr. Grisham recommended the approval of amending PPC's FY 2005-2006 Annual Budget to increase it by \$190,000, which, to the extent utilized, would be wholly reimbursed by the Trans Bay Cable Project, authorize the Executive Director and the Director of Finance to make the necessary budget modifications for the additional expenses as follows: for general Legal fees \$40,000, for contractual modifications for the Environmental Consultant, Lamphier-Gregory, \$85,000, for the Planning Consultant, Randy Jerome, \$45,000, and for additional consultant expenses of \$20,000 for the remainder of the fiscal year.

Chair Kee opened the item to public comment. There was none.

On motion by Vice Chair Glynn, seconded by Member Johnson and carried unanimously to adopt Resolution 06-146.

CONSENT CALENDAR

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

- a. **RESOLUTION 06-147** Approving and Authorizing the Funding for Power Development Projects

Adopted Resolution 06-147.

- b. **RESOLUTION 06-148** Awarding Contract for the 2006 Patch Paving Program

Adopted Resolution 06-148.

ADJOURNMENT

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

Respectfully submitted,

Lillian J. Pride, Secretary

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CITY OF PITTSBURG
City Council Minutes
April 17, 2006

Mayor Michael Kee called the meeting of the City Council to order at 7:41 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 6:00 P.M. into Closed Session for Conference with Real Property Negotiator pursuant to Section 54956.8 of the Government Code regarding property at 60 Cornwall Street; and Conference with Labor Negotiators pursuant to Section 54957.6 regarding AFSCME (Miscellaneous A), AFSCME (Miscellaneous/Professional/Confidential), Teamsters and Unrepresented.

Mayor 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, Michael Dean
Deputy City Clerk, Alice Evenson
City Clerk, Lillian Pride
Director of Housing and Community Programs, Annette Landry
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

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

PLEDGE OF ALLEGIANCE

Mayor Kee led the Pledge of Allegiance.

PROCLAMATION

1. National Sexual Assault Awareness Month

Councilmember Parent read the Proclamation for National Sexual Assault Awareness Month, April 2006 and presented the proclamation to the representative of Community Violence Solutions.

CYNTHIA PETERSON, Director of the Rape Crisis Center, thanked the Council for the Proclamation and reported that the Second Annual Denim Day Rally would be celebrated on April 19 from 12:00 noon to 2:00 P.M. at the Pittsburg Civic Center. She added that Community Violence Solutions would sponsor an Evening of Awareness fundraiser on April 27 at the Doubletree Hotel in Berkeley.

COUNCILMEMBER REPORTS/REMARKS

Councilmember Johnson reported on his attendance at the gathering for the Bataan Death March at the Fil-American Club.

Councilmember Parent had also attended the Fil-American annual observance of the Bataan Death March, the East County Water Agency meeting when wastewater and clean water issues had been discussed regionally. She also attended the regular meeting of the Delta Diablo Sanitation District when there was agreement to submit a Calfed water use efficiency grant in another attempt to fund the recycled water line from Delta Diablo to the Golf Course and to a number of parks and schoolyards in between. She also reported that effective May 12, Delta Diablo would begin accepting certain electronic waste at no or very low cost.

Councilmember Parent also reported her attendance at the Mechanics Bank opening in Old Town, the Mayors Conference, and the Quarterly Breakfast with Supervisor Federal Glover. She noted that the Pittsburg Thespian Society had put on the Zombie Prom which had been well attended. She thanked the Kiwanis for putting on their annual breakfast at the same time as the City's Egg Hunt at Buchanan Park, and she complimented the well attended Pet Parade. She also noted that the Pittsburg Recreation Department and other Recreation Departments in the Bay Area had sponsored a group baseball game which had also been well attended. Councilmember Parent added that she had a positive call from a former developer in Pittsburg, Bruce Kittess, who had developed Stone Harbor, Stone Gate and Bay Harbor Park developments, and who had congratulated the City for doing a terrific job with the positive things that were happening in the community.

Vice Mayor Glynn reported that he had attended the Executive Committee of the Veterans Organization meeting, the Fil-American Bataan Death March commemoration, the regular American Legion meeting at which time he was the featured speaker, had attended the opening of Mechanics Bank, the well-attended graveside memorial for Inspector Ray Giacomelli, the Quarterly Breakfast, the Mayors Conference, and the Kiwanis Breakfast. He noted that Mr. Kittess had also constructed the Marina Park development where he lived.

Councilmember Casey stated that he had attended the meeting of the East Contra Costa County Habitat Conservation Plan Association Executive Governing Committee, which was progressing smoothly. The next meeting was scheduled for June and the final plan would be forthcoming after that time. He added that he was impressed with the hard work in that process.

Mayor Kee reported that he had attended the commemoration of the Bataan Death March at which time a Proclamation had been issued on behalf of the City, many of the events previously identified, and the opening of the Mechanics Bank. He announced that Mechanics Bank had indicated that for every account opened between now and the end of October, Mechanics Bank would donate \$25 to the choice of the depositor either toward the Creative Arts Building or the new elementary school to be built in the Marina.

CITY MANAGER REPORTS/REMARKS

City Manager Marc Grisham explained that staff was working hard to make the Year 2006 the Year of Change. He presented T-shirts emblazoned with *2006 The Year of Change*. He noted that his shirt included *2006 The Year of Change – Team Pittsburg I Ride for the Brand*. He explained that symbolized dedication to the community to make it a better place.

Mr. Grisham also stated that the opening of Mechanics Bank in Old Town represented the first time in many years that a bank was located in the downtown. He explained that Mechanics Bank had advised that it would do its major advertising in June tied to Old Town in Pittsburg. He added that this was the first Mechanics Bank branch to open in East County and that most bank staff had ties to Pittsburg.

Mayor Kee advised that the Farmer's Market would open on May 6.

Recreation Director Paul Flores reported with respect to the 2006 Old Town Farmer's Market that quality would be key, with different vendors providing fresh vegetables, bread, fish and hot food, and with different themes every month from a children's focus, to wine tasting, cooking demonstrations, and other theme months. Each week a new exciting activity would be created to encourage vendors and encourage the public's participation in a social event to bring the community together into the Old Town area.

Vice Mayor Glynn pointed out that the Pittsburg Historical Society Museum would have hours of operation concurrent with the hours of the Farmer's Market next door.

CITIZENS REMARKS

ELVIN SCOTT, Pittsburg, reported that he had started three web sites which he described at this time. He also described the assistance offered to veterans with respect to receiving benefits and other services.

LINDA BREWER, Danville, President of the Rotary Club of Pittsburg celebrating its 80th anniversary this year, advised that as part of its 80 years of service to the community the Rotary's major focus this year was on children. She presented a \$2,500 check to Councilmember Parent to kick off her proposed Ferris wheel for Small World Park. She urged members of the audience to visit Small World Park.

Councilmember Parent acknowledged that Councilmembers Casey and Glynn were members of the Rotary Club. She noted that an account had been set up to receive funds for the Ferris wheel. She added that in the future the fire station immediately in front of Small World Park would move farther east and that land would then become available to expand the park. She added that a Ferris wheel would be another amenity for the families utilizing the park. She stated that the cost had been estimated at \$90,000, all to be raised by private donation. Ten percent of that cost had already been pledged.

NOEL BURT, Antioch Recarbco in Pittsburg, stated that he had been asked to represent a group of 150 industrial businesses in Pittsburg to express the group's unhappiness with the increase in the fire protection plan that had been imposed on the group. He suggested that one economic group was exploiting another economic group in the City. He suggested it was unfair and illegal under the Hobbs Act, the RICO Act, International Treaty on Government Corruption in the USA and other State and County acts.

Another speaker suggested that what the City had done was extortion and the group might have to pursue its concerns with the District Attorney. He stated that a tax could not be collected from a specific group with nothing in mind for that tax.

Mr. Burt added that the industrial uses had never used the service in which it was being charged since each organization had its own fire protection equipment and employees. He noted that the increase in water bills ranged from 1,000 to 10,000 percent as a result. He sought a fair and equitable resolution of the situation.

City Manager Grisham stated that the issue related to the fire flow fee and metering and that communication had been received from the group. He advised that the Council would be dealing with one of the issues on the current agenda and could deal with the other issues in the future with a report from staff within 30 days to outline the issues and allow the Council to make an appropriate policy decision.

BUD WISECARVER, Walnut Creek, Bishop-Wisecarver Corporation, noted that his son had built the original train that ran in Small World Park.

Along with Mr. Wisecarver, others representing the industrial groups were identified as Peter Ryner, Orinda (Merit USA/Viking Processing Co.), Richard Norris, Antioch (U.S. Glass & Aluminum), and Eric Baugh, Antioch (Tri-point Industries).

Mayor Kee adjourned to the Housing Authority agenda at 7:34 P.M. and reconvened as the City Council at 7:41P.M.

CONSIDERATION

1. **RESOLUTION 06-10520** Accepting Additional Studies for the Buchanan Road Bypass Project

City Manager Grisham advised that the resolution would accept the Existing Buchanan Road Widening Feasibility Study, prepared for the City in January 2006 by RBF Consulting. The study documented the assessment of preliminary alignment studies to widen existing Buchanan Road from two to four lanes. It also included a comparative traffic operations analysis for four project alternatives, 1) No Build, 2) 4-lane Existing Buchanan Road, 3) 2-lane Bypass Roadway, and 4) 4-lane Bypass Roadway. Preliminary cost estimates were also included. It would also authorize staff to petition the East Contra Costa Regional Fee and Financing Authority (ECCRFFA) for additional project development funds to advance a 2-lane bypass roadway project.

Mr. Grisham noted that the discussion of the Buchanan Road Bypass had gone back to the 1950's. He stated that the item represented the next step in the process. Out of a series of alternatives, staff recommended proceeding forward with a 2-lane bypass recommendation.

It was noted that the ECCRFFA had funded the Existing Buchanan Road Widening Feasibility Study. Project cost estimates for the alternatives studied were identified and ranged from no cost for the no build alternative to \$61.8 million for Alternative 2, the widening of the existing Buchanan Road to 4-lanes. Staff would return to the Council when ECCRFFA funding amounts and schedule for the project were more definitive to identify the options to fully fund the project. Portions of the bypass roadway alternative would be located within city limits and when accepted there would be increased maintenance service costs that would be partially offset by the typical revenues collected from private residential development surrounding the bypass roadway.

Mr. Grisham recommended that the City Council review and accept the Existing Buchanan Road Widening Feasibility Study dated January 2006, performed by RBF Consulting for the City of Pittsburg and authorize staff to petition the ECCRFFA for additional project development funds to move forward with the 2-lane bypass roadway alternative identified in the RBF study at a cost of \$33.3 million.

Mayor Kee opened the item to public comment. There was none.

Councilmember Parent thanked the City Engineer for meeting with her on the item. She noted that a part of the Bypass was now being built in Antioch through the Black Diamond development. She stated that she had always advocated a 4-lane Buchanan Bypass given the continued growth east of the City and the need to redirect some of that traffic off of City of Pittsburg surface streets, although the plan outlined for having the public build a 2-lane extension to Kirker Pass appeared to be the most appropriate. She suggested that plan would allow other ways to finance two additional lanes should those lanes become necessary and keeping in mind that none of the southern hills would be developed. She supported the staff recommendation.

Vice Mayor Glynn concurred, with particular emphasis on trying to match the available funding with the capability to build a certain quantity of the Buchanan Road Bypass at this time. As more funds became available through ECCRFFA in the future, Vice

Mayor Glynn suggested that additional monies might be possible to complete the remainder of the road by private or public funding or grants wherever possible. He, too, supported the staff recommendation.

Councilmember Johnson also thanked Mr. Sbranti for his assistance and noted that the State Route 4 Bypass in Brentwood would also be 2-lanes. While he had no problem with 2-lanes, he emphasized the need to allocate the land up front for 4-lanes if needed in the future.

City Engineer Joe Sbranti advised that what had been planned with Alternative 3 was to construct 4-lanes of the Buchanan Road Bypass through Sky Ranch and 4-lanes where it intersected with Railroad Avenue and Kirker Pass Road. As such, the remaining portion that would only be 2-lanes would be the approximate 1.5 mile segment across the Thomas property. He noted that the study had looked to 2025. As such, the road proposed to be constructed now would serve the area for many years to come.

Mr. Sbranti added that even in 2025, the difference between the 4-lane roadway versus the 2-lane was of minimal benefit as far as level of service (LOS) was concerned. He stated that the proposal to ECCRFFA could be amended to ask for the additional right of way now, or the City could wait and acquire it when development occurred later to potentially acquire that additional right of way at no cost. He acknowledged the risk of having to acquire additional right of way in the future.

Mr. Sbranti also noted that as long as Concord continued to meter traffic at the bottom of Kirker Pass, there could be 10-lanes on the Buchanan Road Bypass with very little benefit to anyone commuting to Central County.

On motion by Councilmember Parent, seconded by Councilmember Johnson and carried unanimously to adopt Resolution No. 06-10520 as is.

CONSENT CALENDAR

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

- a. **MINUTES** Dated: April 3, 2006

Approved minutes dated April 3, 2006.

- b. **ORDINANCE 06-1263** Amendment of Title 15, Chapter 15.08, Building Code, Adding Section 15.08.025 Permit – Applicant Qualifications

Adopted Ordinance 06-1263.

- c. **RESOLUTION 06-10517** Consideration of Historical Society Water Bill Subsidy
Adopted Resolution 06-10517.
- d. **RESOLUTION 06-10518** Eliminate Seasonal Job Classifications and Revise Salary Schedule
Adopted Resolution 06-10518.
- e. **RESOLUTION 06-10519** Receive Report and Adopt Resolution Approving the City of Pittsburg Investment Policy of Public Funds to be Effective April 17, 2006
Adopted Resolution 06-10519.
- f. **RESOLUTION 06-10521** Amend Resolution No. 05-10314 to Include the Consulting Firm Independent Code Consultants Within Section 2
Adopted Resolution 06-10521.
- g. **RESOLUTION 06-10522** Accepting Plans and Specifications and Authorizing Bidding for Contract 1999-03B, North Park Plaza/Century Boulevard Connector Road (Traffic Signal)
Adopted Resolution 06-10522.
- h. **RESOLUTION 06-10523** Accepting Contract No. 2005-02, Westside Additional Pavement Rehabilitation Project as Complete and Authorizing the City Engineer to File a Notice of Completion
Adopted Resolution 06-10523.
- i. **RESOLUTION 06-10524** Accepting as Complete Contract 2004-05, Marina Center Parking Lot and Allocating Funding for PG&E Utility Relocation Costs
Combined w/RDA 06-1120
In Joint Session with the Redevelopment Agency, adopted Resolution 06-10524.
- j. **RESOLUTION 06-10525** Authorizing FY 2005/06 Capital Outlay for Information Technology Equipment
Adopted Resolution 06-10525.

- k. **RESOLUTION 06-10526** Authorizing an Expenditure Total of \$98,023 to Moreland & Associates, Inc. for Temporary Professional Accounting Assistance

Adopted Resolution 06-10526.

ADJOURNMENT

The City Council adjourned at 7:53 P.M. to a regular meeting of the City Council on May 1, 2006.

Respectfully submitted,

Lillian J. Pride, City Clerk

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