

CITY OF PITTSBURG
Housing Authority Minutes
March 20, 2006

Chair Michael Kee called the meeting of the Housing Authority to order at 7:45 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 6:30 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.

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

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

MEMBERS ABSENT: Wallen [Excused]

STAFF PRESENT Executive Director, Marc Grisham
Assistant Executive Director, Matt Rodriguez
Legal Counsel, Ruthann Ziegler
City Clerk, Lillian Pride
Deputy City Clerk, Alice Evenson
Director of Housing and Community Programs, Annette Landry
Director of Engineering and Building, Joe Sbranti
Director of Economic Development, Brad Nail
Director of Public Works, John Fuller
Director of Recreation, Paul Flores
Police Chief, Aaron Baker

PUBLIC HEARING

1. **RESOLUTION 06-224** Approval of 2006 Annual Plan

Executive Director Marc Grisham advised that the City of Pittsburg Housing Authority had completed the 2006 Annual Plan, which addressed the addition of the Section 8 First Time Home Buyer Program.

Director of Housing and Community Programs Annette Landry explained, when asked by the Vice Chair, that the only revision to the plan was to add the Section 8 homeownership program. She stated that the first workshop for the First Time Home Buyer Program had been scheduled for April 4, 2006. A series of workshops would follow to inform Section 8 participants of the program. The action would have no fiscal impact on the City of Pittsburg since the Housing Authority operated a self-sufficient program that had no fiscal impact on the City's General Fund.

Ms. Landry recommended that the Housing Authority approve a resolution to approve the 2006 Annual Plan.

Member Johnson referred to the structure of payees for the plan related to the waiting lists and requested clarification from staff on the number differential as contained in the staff report.

In response, Ms. Landry stated that the plan identified the number of families currently on the waiting list broken down by income levels of Low, Very Low and Extremely Low households, with a further breakdown of those who were elderly, their ethnicity, disabilities and other categories. She noted that 179 people were on the waiting list.

Chair Kee opened the public hearing for Resolution 06-224. There was no one to speak to the item. Chair Kee closed the public hearing for Resolution 06-224.

On motion by Member Johnson, seconded by Vice Chair Glynn and carried unanimously to adopt Resolution 06-224.

CONSENT CALENDAR

On motion by Member Casey, seconded by Member Parent and carried unanimously to adopt the Consent Calendar, with the removal of Item a.

b. **MINUTES** Dated: February 21, 2006

Approved minutes dated February 21, 2006.

The following item was removed from the Consent Calendar by Member Johnson who asked for clarification as to Pittsburg Lake View Properties, which he understood had been converted. He inquired when the process had been completed whether or not that property would drop off the disbursement list.

Ms. Landry explained that if the units were to convert completely to condominiums, the Section 8 tenants currently in that development would be relocated if not interested in purchasing one of the units. The Section 8 vouchers would be portable.

a. **DISBURSEMENT LIST** Dated: February 28, 2006

On motion by Member Johnson, seconded by Vice Chair Glynn and carried unanimously to adopt the Disbursement List dated February 28, 2006.

ADJOURNMENT

The meeting of the Housing Authority adjourned at 7:53 P.M. to the next meeting set for April 17, 2006.

Respectfully submitted,

Lillian J. Pride, Secretary

CITY OF PITTSBURG
Redevelopment Agency Minutes
March 20, 2006

Chair Michael Kee called the meeting of the Redevelopment Agency to order at 7:54 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 6:30 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.

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 Pride
- Deputy City Clerk, Alice Evenson
- 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
- Police Chief, Aaron Baker

CONSENT CALENDAR

On motion by Member Johnson, seconded by Member Parent and carried unanimously to adopt the Consent Calendar with the date of the minutes corrected to read March 6, 2006.

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

Approved minutes dated March 6, 2006.

b. **RESOLUTION 06-1113** Authorize Neighborhood Improvement Projects and Project Funding

Adopted Resolution 06-1113.

ADJOURNMENT

The meeting of the Redevelopment Agency adjourned at 7:55 P.M. to April 3, 2006.

Respectfully submitted,

Lillian J. Pride, Secretary

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CITY OF PITTSBURG
Southwest Pittsburg Geologic Hazard
Abatement District (GHAD II) Minutes
March 20, 2006

Chair Michael Kee called the meeting of the Southwest Pittsburg Geologic Hazard Abatement District (GHAD II) meeting to order at 7:56 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 6:30 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.

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 Pride
Deputy City Clerk, Alice Evenson
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
Police Chief, 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: March 6, 2006

Approved minutes dated March 6, 2006.

ADJOURNMENT

The meeting of the Southwest Pittsburg Geologic Hazard Abatement District (GHAD II) meeting adjourned at 7:57 P.M.

Respectfully submitted,

Lillian J. Pride, Secretary

CITY OF PITTSBURG
City Council Minutes
March 20, 2006

Mayor Michael Kee called the meeting of the City Council to order at 7:58 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 6:30 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.

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, Ruthann Ziegler
City Clerk, Lillian Pride
Deputy City Clerk, Alice Evenson
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
Police Chief, Aaron Baker

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.

PRESENTATIONS

1. 2006 School Litter Abatement Program Awards

Recycling Coordinator Laura Wright acknowledged the teachers from Heights Elementary, Highlands Elementary, Parkside Elementary and Pittsburg High School who had taken his/her time to present the program to their students. She presented the first 2006 School Litter Abatement Program Awards as follows:

Honorable Mentions were awarded to Nancy Arreguin and Kathryn Cuento (Parkside), Blanca Valencia, Lemuel Madarang and Geno Porras (Highlands). Winners of the 2006 Pittsburg CARES Poster Contest. The Third Place winner was Janae Maris Ruiz (Parkside), the Second Place winner was Kayezel Sacay (Parkside) and the First Place Winner was Allyssa Cruz (Highlands).

For the five entries from the high school for the video entries, Ms. Wright recognized "Recycle" (Denise Arcidiacona, Adam Hudson, Rafeal Sanchez, Abraham Campos and Josh Torralba), and "Don't Trash Our Playgrounds" (Keitisha Tucker, Dante Owens, Arthur Green and Robert Hurtado). The Third Place award was presented to "Don't Trash Pittsburg (Simeon Malasig and Allen Trias). Second Place was awarded to "Don't Trash Our Schools" (Tim Jeffers, Jamaris Richond and Nick Lawry). The First Place was awarded to "Don't Trash Pittsburg" (Anita Singh, Seema Salham and Rachael Phillips).

Ms. Wright thanked all those who had participated in the 2006 School Litter Abatement Program and Poster Contest. She reminded everyone to take pride in Keeping Pittsburg Beautiful and she urged all not to litter.

Mayor Kee expressed his pride to all the participants involved in the project.

PROCLAMATION

1. Arbor Day Celebration

Councilmember Johnson read the Proclamation for Arbor Day, Pittsburg Tree USA City 2006, and presented the proclamation to Girl Scout Troops participating in a tree planting event on Polaris Drive.

Girl Scout Troop Leader Margarita Baja noted that this was the third year the troops had participated in the event. She thanked the Council for its acknowledgement.

COUNCILMEMBER REPORTS/REMARKS

Councilmember Parent stated that she had not been able to attend the last meeting because she was involved in City of Pittsburg and Delta Diablo District business in Washington, D.C. working to fill the funding gap in the recycled water to the golf course and for parks and schools between Central Avenue at Railroad Avenue and the golf course. She reported that there was some glimmer of hope that some funding might become available to address the funding shortfall.

Councilmember Parent also reported that she had met with members of the Planning Commission on the Land Use Subcommittee for the Master Plan for the area around City Hall, which Master Plan was progressing. A workshop meeting with the City Council and the Planning Commission would further that process and solicit additional comments.

Councilmember Parent advised that she had also attended a Contra Costa Women's Hall of Fame dinner at which time Pittsburg resident Rosanne Lazio had been awarded a membership in the Hall of Fame for Women in Health Services. She also reported that members of the Council had been collecting Proposition 42 signatures to ensure that the State Legislature and the Governor would not take gas money away from its intended purpose for transportation and road improvements.

Councilmember Johnson reported that he had attended the Executive Meeting for the East Bay Division League of California Cities at which time the need to ensure Proposition 42 funding had been discussed along with water and levee issues, and the fact that the Governor's proposed bond issue would not make it to the June ballot.

Vice Mayor Glynn stated that he had also attended the League of California Cities meeting when the current water issues had been discussed, among other topics. He had also attended the St. Patrick's Day celebration at the Fil-American Club hosted by the Soroptimists, and had attended the St. Patrick's Day parade at the Pittsburg Yacht Club.

Councilmember Casey reported that he had also attended the Soroptimist Club St. Patrick's Day dinner. He took this opportunity to thank the members of the Community Advisory Commission (CAC) for all its work on the Community Development Block Grant (CDBG) Program.

Councilmember Parent highlighted the performances at the Creative Arts Building (CAB) featuring Al Hart a radio personality from KCBS, local singer Nicky DePaola, and the Dick Bright Orchestra. She commended all those who had attended the evening raising a total of \$100,000 for the refurbishing of the Creative Arts Building. She commended all those who had worked together to support arts in the community. She characterized the CAB as one of the City's greatest assets.

Mayor Kee highlighted the Youth Golf Program and stated that the instructors hoped to have as many children as possible attend the program free to youth on Saturdays.

CITY MANAGER REPORTS/REMARKS

City Manager Marc Grisham acknowledged Assemblymember Canciamilla in the audience and spoke to the issues related to the open coke storage in the City's waterfront area relating to Tesoro Refining and Marketing. He stated that staff had worked closely with the Contra Costa Times related to the coke storage issues in the community, where two editorials had encouraged Tesoro to end its open coke storage. Assemblymember Canciamilla had been instrumental in organizing a meeting with the senior management staff of Tesoro to discuss the issue.

Assemblymember Canciamilla, Pittsburg, stated that the open coke storage had been an issue in the community for many years and he recognized that members of the community had struggled for years to work with the site.

Assemblymember Canciamilla stated that City staff had asked him to support legislation to provide for City control on lands leased from the State Lands Commission on the waterfront. The bill had come to the attention of Tesoro which had been concerned that the bill would place it in a more difficult position with its facility. Having learned that representatives of Tesoro had never had a face to face meeting with top City staff, he stated that had now occurred. He referenced a press release identifying the status of agreement with all parties involved to resolve the issue once and for all.

Assemblymember Canciamilla advised that the agreement would lead to a Memorandum of Understanding (MOU) which would lead to the ultimate phase out of the facility, although the fact that Tesoro was currently attempting to permit \$275 million in improvements to the facility had not been addressed. Those improvements would replace the existing coke process and dramatically reduce air emissions but would change the manner in which the facility produced the coke material which would allow Tesoro to move into markets that were not currently available to the facility. It was not intended that open coke storage would be associated with that change.

Whether the Tesoro facility was located in Pittsburg or elsewhere, Assemblymember Canciamilla stated that Tesoro had pledged that there would be no more open storage of the coke material and that Tesoro would phase out the use of that open storage. He acknowledged that the City had pledged to assist in creating a positive buffer between the existing recreational and residential uses on the west and the heavy industrial uses on the east, or expedite the use of the facility for other covered storage. He thanked City staff for its participation and looked forward to either covered coke storage or an alternate use at the current coke facility within the next couple of years.

The Council thanked Assemblymember Canciamilla for his assistance in the matter. City Manager Grisham and Economic Development Director Nail were also acknowledged for their efforts.

CITIZENS REMARKS

ROBERT GUTHRIE, Pittsburg, spoke to a litter problem in the community and noted that there were no trash containers available for the placement of trash. He requested the placement of trash containers around the main arteries in the community and in City schools. Noting that Pittsburg Disposal accommodated containers for recycling pickup, he pointed out that the wind often deposited those items throughout the yards of community residents. He requested that the City consider the type of closed recycling containers used by neighboring cities.

Mayor Kee commented that the City's disposal was contracted and that contractor was considering other recycling containers to avoid the problems of litter blowing around neighborhoods.

Mayor Kee adjourned to the Housing Authority agenda at 7:45 P.M. and reconvened as the City Council at 7:58 P.M.

PUBLIC HEARING

1. **RESOLUTION 06-10503** Approval of Community Advisory Commission (CAC) Funding Recommendations for the 2006-2007 Community Development Block Grant (CDBG) Program Year

City Manager Marc Grisham reported that the Department of Housing and Urban Development (HUD) has notified the City of Pittsburg of its intention to award the City a Community Development Block Grant in the amount of \$668,888 for program year 2006-2007. As required by HUD, the Community Advisory Commission (CAC) had prepared its funding recommendations for Council review and approval. He acknowledged the outstanding job by the CAC in its difficult evaluation process.

This action would have no fiscal impact on the City of Pittsburg. This CDBG grant is awarded to the City on an annual basis by HUD and is to be used for eligible CDBG activities. It is a self-sufficient program that has no impact on the City's General Fund.

Staff recommended that the City Council review the CDBG application summaries, review and approve the CAC funding recommendations, open the public hearing, receive testimony and close the public hearing and adopt the resolution of approval.

Mayor Kee opened the public hearing for Resolution 06-10503. There was no one to speak to the item. Mayor Kee closed the public hearing for Resolution 06-10503.

Councilmember Parent thanked the members of the CAC, Councilmember Casey and the Council Subcommittee, along with Ms. Landry and her staff for all the hard work making recommendations to the City Council and for administering the CDBG Program. She noted the increasing difficulty with HUD's insistence of larger funding when there were more and more applicants with worthy projects and less and less money from the federal government not to try to spread the available funding from the two year program as far as possible.

Councilmember Parent stated that she was pleased with the ability to fund the programs and worthy public service projects.

Councilmember Johnson thanked staff, the CAC and the members of the Council working on the CDBG Program for all the efforts to recognize and assist the worthy programs.

Councilmember Casey stated that this year there was less money than last year and more people applying for the grants. He assured all those involved in the process that the process had been taken seriously by all involved and it had been very difficult to designate the limited funding this year. He again thanked the CAC and staff for their efforts.

Mayor Kee concurred with the difficulties in the process and thanked

Councilmembers Parent and Casey as members of the Council Subcommittee as well as the dedicated efforts of the members of the CAC.

On motion by Vice Mayor Glynn, seconded by Councilmember Casey and carried unanimously to adopt Resolution 06-10503.

2. **ORDINANCE 06-1262** Amendment of Chapter 1.08, Notice and Appeals, of the Pittsburg Municipal Code, to Allow the City Manager to Delegate Authority to Conduct Administrative Hearings

City Manager Grisham advised that it was necessary to amend Chapter 1.08 of the Pittsburg Municipal Code to provide authorization for the City Manager to delegate authority to conduct administrative appeals hearings. Currently sections 1.08.050 through 1.08.080 require all actions resulting from a request for administrative appeal, when no other procedure is specified, to be conducted by the City Manager. This is not efficient or practical therefore the addition of language modifying these sections to include “the City Manager or his or her designee” is necessary.

There would be no fiscal impact to the City. It was recommended that the City Council approve the ordinance to amend Chapter 1,08, Sections 1.08.050, 1.08.060, and 1.08.080 by adding, “or his or her designee(s)” after all references to “the city manager.”

Councilmember Parent clarified with the City Manager and the City Attorney that staff or outside parties could be designated by the City Manager. If an outside party was designated, the Council would be so advised.

Mr. Grisham commented that if he were to designate to an outside hearing officer that would be something that would come back to the City Council for approval.

City Attorney Ruthann Zeigler added that in some communities she had worked sometime the City Manager had appointed a three person group to act as hearing officers, providing maximum flexibility to the City Manager depending on the nature of the matter being heard.

Councilmember Parent verified that the code enforcement citations could be appealed.

City Attorney Ziegler noted her understanding at this point that of the dozen or so code enforcement citations that had been issued, only one had been appealed.

Councilmember Johnson referred to the outside designee and noted that it had not been included in the language, to which City Attorney Ziegler explained that an outside party did not have to be specifically designated in that the language would allow that to occur.

Mr. Grisham reiterated that the use of any outside party would be brought to the City

Council for approval.

Mayor Kee opened the public hearing for Ordinance 06-1262. There was no one to speak to the item. Mayor Kee closed the public hearing for Ordinance 06-1262.

On motion by Councilmember Johnson, seconded by Councilmember Parent and carried unanimously to introduce Ordinance 06-1262 by title only and waive first reading.

CONSENT CALENDAR

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

- a. **MINUTES** Dated: March 6, 2006
Approved minutes dated March 6, 2006.
- b. **CLAIMS** #1702 Alvin Semien
Denied claim #1702 Alvin Semien.
- c. **ORDINANCE 06-1261** Amending Municipal Code Chapter 15 and Sections Relative to the Adoption of Present California Construction Codes
Adopted Ordinance 06-1261.
- d. **RESOLUTION 06-10505** Amend FY 2005/06 Fuel Supply Purchase Contract and Amend the Budgets for Fleet Maintenance and the Marina
Adopted Resolution 06-10505.
- e. **RESOLUTION 06-10507** Approval of Justice Assistance Grant (JAG) Application
Adopted Resolution 06-10507.
- f. **RESOLUTION 06-10508** Accepting Plans and Specifications, and Authorizing Bidding for Contract 2005-09, Marina Promenade
Adopted Resolution 06-10508.
- g. **RESOLUTION 06-10509** Approving a 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 06-10509.

- h. **RESOLUTION 06-10510** Supporting a Constitutional Amendment to Preserve and Protect Transportation Funds – Proposition 42

Adopted Resolution 06-10510.

ADJOURNMENT

The City Council adjourned at 8:11 P.M. to a regular meeting of the City Council on April 3, 2006.

Respectfully submitted,

Lillian J. Pride, City Clerk

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