

CITY OF PITTSBURG
Housing Authority Minutes
October 15, 2007

Chair Ben Johnson called the meeting of the Housing Authority to order at 7:54 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California.

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

MEMBERS ABSENT: None

STAFF PRESENT: Executive Director, Marc Grisham
Assistant Legal Counsel, Jacob Knapp
City Clerk, Alice Evenson
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 Finance, Marie Simons
Director of Recreation, Paul Flores
Director of Power Company, Garrett Evans
Chief of Police, Aaron Baker

CONFLICT OF INTEREST DECLARATION

There was no conflict of interest declaration.

CONSENT CALENDAR

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

a. **DISBURSEMENT LIST** Dated: September 30, 2007

Approved disbursement list dated September 30, 2007.

b. **MINUTES** Dated September 17, 2007

Approved minutes dated September 17, 2007.

ADJOURNMENT

The meeting of the Housing Authority adjourned at 7:56 P.M. to the next meeting set for November 19, 2007.

Respectfully submitted,

Alice E. Evenson, Secretary

CITY OF PITTSBURG
Redevelopment Agency Minutes
October 15, 2007

Chair Ben Johnson called the meeting of the Redevelopment Agency to order at 7:56 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California.

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

MEMBERS ABSENT: None

STAFF PRESENT: Executive Director, Marc Grisham
Assistant Legal Counsel, Jacob Knapp
City Clerk, Alice Evenson
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 Finance, Marie Simons
Director of Recreation, Paul Flores
Director of Power Company, Garrett Evans
Chief of Police, Aaron Baker

CONSIDERATION

1. **MINUTE ORDER** Authorizing the First Right to Negotiate for 500 School Street

The Redevelopment Agency of the City of Pittsburg and Community Estates LLC have entered into an Exclusive Negotiating Rights Agreement (ENRA) to negotiate the terms of a disposition and development agreement for the redevelopment of 500 School Street. The ENRA is set to terminate on October 15, 2007, and the Agency has provided the Developer the first right to negotiate if the Agency decides to move forward with redevelopment on the Property in the future.

ROGER BROTHERS, legal counsel for Community Estates LLC, asked that the last sentence of the Executive Summary should state "The ENRA is set to terminate on October 15, 2007, and the Agency has provided the Developer the first right to negotiate if *either* the Agency *or the Developer* decides to move forward with redevelopment on the Property in the future." After conferring with staff, they believe that was the form the Minute Order was going to take. Mr. Brothers also spoke to the \$10,000 escrow deposit and asked that it be retained by the Redevelopment Agency as consideration for the granting of the extension of their right of exclusivity. He also stated the developer is prepared to return to the subcommittee in November with a project that will meet the needs of both the developer

and the Agency.

Executive Director Grisham stated the intent of staff is exactly what is shown in the Minute Order.

On motion by Member Evola, seconded by Chair Johnson to change the Minute Order to the suggested wording, and providing that the \$10,000 deposit remain in escrow until such time as the project moves forward, and that the project will go to staff and the subcommittee prior to moving forward. The motion failed by the following vote:

Ayes: Members Evola, Johnson
Noes: Members Casey, Kee, Parent

On motion by Member Parent, seconded by Vice Chair/Mayor Casey to adopt the Minute Order as originally presented carried by the following vote:

Ayes: Members Casey, Kee, Parent
Noes: Members Evola, Johnson

CONFLICT OF INTEREST DECLARATION

There was no conflict of interest declaration.

REDEVELOPMENT AGENCY, PITTSBURG POWER COMPANY AND CITY COUNCIL COMBINED CONSENT CALENDAR

On motion by Member Parent, seconded by Vice Chair Casey and carried unanimously to adopt the Consent Calendar.

- a. **MINUTES** Dated: October 1, 2007
Approved minutes of October 1, 2007.
- b. **CLAIMS** #1793 Estelle C. Hellums
Denied above claim.
- c. **RESOLUTION 07-1242** Approval of a Tri-Party Agreement, First Amendment to Master Lease Agreement, First Amendment to Sublease Agreement, and First Amendment to Amended and Restated Loan Agreement
Adopted Resolution 07-1242.
- d. **RESOLUTION 07-1243** Approval of the Revised Affordable Housing Guidelines
Combined w/CC 07-10899 the First Time Home Buyer Program

Adopted Resolution 07-1243.

- e. **RESOLUTION 07-10899** Approval of the Revised Affordable Housing Guidelines
Combined w/RDA 07-1243 for Appropriation of Funds to the Project

Adopted Resolution 07-10899.

- f. **RESOLUTION 07-170** Adoption of the Annual Energy Efficiency Saving Target of
Island Energy for the Next 10 Year Period

Adopted Resolution 07-170.

- g. **RESOLUTION 07-171** Approval of Historical Museum Elevator Project
Combined w/CC 07-10900 and Appropriation of Funds to the Project

Adopted Resolution 07-171.

- h. **RESOLUTION 07-10900** Approval of Historical Museum Elevator Project
Combined w/PPC 07-171 and Appropriation of Funds to the Project

Adopted Resolution 07-10900.

- i. **ORDINANCE 07-1289** Adoption of an Ordinance Pre-zoning Ambrose Park

Adopted Ordinance 07-1289.

- j. **RESOLUTION 07-10901** Approve Membership in International Council for Local
Environmental Initiatives (ICLEI) in Response to the
California Global Warming Solutions Act

Adopted Resolution 07-10901.

- k. **RESOLUTION 07-10902** Allocating Funding for Contract 2007-34, El Dorado
Heights Sewer Lateral Replacement Project

Adopted Resolution 07-10902.

- l. **RESOLUTION 07-10903** Abandoning Proceedings in Community Facilities
District No. 1999-01 (West Leland Road and San Marco
Boulevard)

Adopted Resolution 07-10903.

ADJOURNMENT

The meeting of the Redevelopment Agency adjourned at 8:16 P.M. to November 5, 2007.

Respectfully submitted,

Alice E. Evenson, Secretary

CITY OF PITTSBURG
Pittsburg Power Company Minutes
October 15, 2007

Chair Ben Johnson called the meeting of the Pittsburg Power Company to order at 8:17 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California.

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

MEMBERS ABSENT: None

STAFF PRESENT: Executive Director, Marc Grisham
Assistant Legal Counsel, Jacob Knapp
City Clerk, Alice Evenson
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 Finance, Marie Simons
Director of Recreation, Paul Flores
Director of Power Company, Garrett Evans
Chief of Police, Aaron Baker

CONFLICT OF INTEREST DECLARATION

There was no conflict of interest declaration.

**REDEVELOPMENT AGENCY, PITTSBURG POWER COMPANY AND CITY COUNCIL
COMBINED CONSENT CALENDAR**

On motion by Member Parent, seconded by Vice Chair Casey and carried unanimously to adopt the Consent Calendar.

a. **MINUTES** Dated: October 1, 2007

Approved minutes of October 1, 2007.

b. **CLAIMS** #1793 Estelle C. Hellums

Denied above claim.

- c. **RESOLUTION 07-1242** Approval of a Tri-Party Agreement, First Amendment to Master Lease Agreement, First Amendment to Sublease Agreement, and First Amendment to Amended and Restated Loan Agreement

Adopted Resolution 07-1242.

- d. **RESOLUTION 07-1243** Approval of the Revised Affordable Housing Guidelines
Combined w/CC 07-10899 the First Time Home Buyer Program

Adopted Resolution 07-1243.

- e. **RESOLUTION 07-10899** Approval of the Revised Affordable Housing Guidelines
Combined w/RDA 07-1243 for Appropriation of Funds to the Project

Adopted Resolution 07-10899.

- f. **RESOLUTION 07-170** Adoption of the Annual Energy Efficiency Saving Target of Island Energy for the Next 10 Year Period

Adopted Resolution 07-170.

- g. **RESOLUTION 07-171** Approval of Historical Museum Elevator Project
Combined w/CC 07-10900 and Appropriation of Funds to the Project

Adopted Resolution 07-171.

- h. **RESOLUTION 07-10900** Approval of Historical Museum Elevator Project
Combined w/PPC 07-171 and Appropriation of Funds to the Project

Adopted Resolution 07-10900.

- i. **ORDINANCE 07-1289** Adoption of an Ordinance Pre-zoning Ambrose Park

Adopted Ordinance 07-1289.

- j. **RESOLUTION 07-10901** Approve Membership in International Council for Local Environmental Initiatives (ICLEI) in Response to the California Global Warming Solutions Act

Adopted Resolution 07-10901.

- k. **RESOLUTION 07-10902** Allocating Funding for Contract 2007-34, El Dorado Heights Sewer Lateral Replacement Project

Adopted Resolution 07-10902.

- I. **RESOLUTION 07-10903** Abandoning Proceedings in Community Facilities District No. 1999-01 (West Leland Road and San Marco Boulevard)

Adopted Resolution 07-10903.

ADJOURNMENT

The meeting of the Pittsburg Power Company adjourned at 8:55 P.M. to November 5, 2007.

Respectfully submitted,

Alice E. Evenson, Secretary

**CITY OF PITTSBURG
City Council Minutes
October 15, 2007**

Chair Ben Johnson called the meeting of the City Council to order at 7:00 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California.

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

MEMBERS ABSENT: None

STAFF PRESENT: City Manager, Marc Grisham
Assistant Legal Counsel, Jacob Knapp
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 Redevelopment, Randy Starbuck
Director of Human Resources, Marc Fox
Director of Public Works, John Fuller
Director of Planning, Melissa Ayres
Director of Finance, Marie Simons
Director of Recreation, Paul Flores
Director of Power Company, Garrett Evans
Chief of Police, Aaron Baker

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

PLEDGE OF ALLEGIANCE

Eric Figueroa led the Pledge of Allegiance.

PRESENTATIONS

1. Helen Putnam Award

John Fuller announced the Helen Putnam Award for the Neighborhood Improvement Team concept and introduced members of the Team. Eric Figueroa, the League of California's East Bay Division Regional Public Affairs Manager was in attendance to present the award.

2. Contra Costa Council's Delta Vision Statement of Principles

Linda Best, President of the Contra Costa Council, presented the Council's Delta Vision Statement of Principles and urged the City Council to support the effort.

3. New Employee Introductions

Human Resources Director Marc Fox announced the following departments with new employees: Engineering, Finance, Human Resources, Redevelopment, Police Department and Public Works. The respective Directors introduced the new employees.

COUNCILMEMBER REPORTS/REMARKS

Councilmember Parent reported she attended the CAB Pete Escovedo Concert, where a Pete Escovedo Scholarship was announced, the Art di Strada on Saturday, the Friday Night Movie event, the Festa Italiana sponsored by the Pittsburg Soroptimists, and Ultimate Home Party sponsored by the Pittsburg Womens Community League where half of the proceeds on funds raised that night were to be donated to the Ferris Wheel Project. She also announced the Poker Tournament at the Elks Lodge on October 19 to be sponsored by the Chamber of Commerce, where all proceeds will be donated to the Ferris Wheel Project.

Councilmember Kee reported that he was a guest lecturer at the UC Berkeley Department of Architecture in cooperation with the Railroad Avenue Corridor Study. He stated that the AIA will hold a design charrette at the Pittsburg Elks Lodge on October 27 for the Railroad Avenue corridor.

Councilmember Evola stated he attended the Soroptimist dinner where the attendance as double that of last year.

Mayor Johnson reported on his trip to the Sister City of Pohang, Korea. He also attended the Transplan meeting Thursday night.

CITY MANAGER REPORTS/REMARKS

City Manager Marc Grisham stated there was nothing to report.

CITIZEN REMARKS

PETE CARPINO, Pittsburg, expressed his extreme dissatisfaction with the lack of direction on the Mehran Restaurant at the last Council Meeting. He stated an agreement was done in good faith and he would like to see it enforced.

TOM LEWIS, Pittsburg, speaking as a property manager of Westgate Park HOA stated residents there are subject to gang harassment and implored the Police Department to provide enforcement in the area. He does not believe that homes regulated by a Home Owners Association are exempt from receiving adequate police protection.

OLIVER DUDA, Pittsburg, also spoke to the gang problems in Westgate Park.

WILLIE MIMS, Pittsburg, inquired again about installation of a stop light at the Diane

Avenue intersection. He also commented on the upcoming disruption of Railroad Avenue being forced down to one lane with the construction work that will be taking place. He also stated he was disappointed at the lack of African American police officers in the new employee presentation.

FRANCES DAHLQUIST, Pittsburg, stated the General Plan suggests the City use native plants in medians and landscaping throughout the City and urged the City to consider that when planting in new areas.

Mayor Johnson adjourned to the Housing Authority agenda at 7:54 P.M. and reconvened as the City Council at 8:17 P.M.

PUBLIC HEARING

1. **ORDINANCE 07-1292** Ordinance Establishing New Municipal Code Chapter for Special Event Permit Program and Resolution Adopting Program Fees

On October 1, 2007, the City Council opened and continued the public hearing until October 15, 2007 to introduce a new Ordinance regulating special event permit requirements, and adopt a resolution establishing fees for the City's newly proposed Special Event Permit Program. This evening, the City Manager requests the City Council open and continue the public hearing until November 5, 2007.

The Public Hearing for Ordinance 07-1292 remained open and the item was continued to November 5, 2007.

Council Member Evola recused himself from the next two items due to his financial interest from his employer and that he would be materially affected by this ordinance.

2. **ORDINANCE 07-1293**
Combined w/07-10898 Introduction of a Habitat Conservation Plan (HCP) Implementing Ordinance and Adoption of a Resolution Establishing HCP/Natural Community Conservation Plan (NCCP) Development Fee, Wetland Fee, Administration Fee and Fee Calculation Methodology

The City Council is requested to consider the adoption of a Habitat Conservation Plan (HCP) Implementing Ordinance and adoption of a resolution establishing HCP/Natural Community Conservation Plan (NCCP) Development Fee, Wetland Fee, and Administration Fee Calculation methodology in order to implement the HCP/NCCP approved by the Council on April 16, 2007.

The City Manager recommended the public hearing be opened and continue the item to November 5, 2007 due to correspondence received today that needed to be examined and incorporated into the ordinance.

Mayor Johnson opened the public hearing for Ordinance No. 07-1293 and Resolution 07-10898.

There being no one to speak to the issue, the public hearing remains open and the items continued to November 5, 2007.

3. **RESOLUTION 07-10898** **Combined w/07-1293** Establishing Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) Development Fee, Wetland Fee, Administration Fee and Fee Calculation Methodology

The City Council is requested to consider the adoption of a Habitat Conservation Plan (HCP) Implementing Ordinance and adoption of a resolution establishing HCP/Natural Community Conservation Plan (NCCP) Development Fee, Wetland Fee, and Administration Fee Calculation methodology in order to implement the HCP/NCCP approved by the Council on April 16, 2007.

The City Manager recommended the public hearing be opened and continue the item to November 5, 2007 due to correspondence received today that needed to be examined and incorporated into the ordinance.

Mayor Johnson opened the public hearing for Ordinance No. 07-1293 and Resolution 07-10898.

There being no one to speak to the issue, the public hearing remains open and the items continued to November 5, 2007.

4. **ORDINANCE 07-1294** Amending Title 18 of the Pittsburg Municipal Code to Prohibit Parking in Residential Districts on Unpaved Surfaces

This is a public hearing on a City-initiated proposal to amend Sections 18.06, 18.50 and 18.78 of the Pittsburg Municipal Code (PMC) to define "paved" surface and to require that vehicles placed in the front or corner side yard of residential lots be prohibited from parking on unpaved surfaces. This is a Citywide zoning amendment.

Mayor Johnson opened the public hearing for City Council Ordinance 07-1294.

FRANCES DAHLQUIST, Pittsburg, asked the Council to consider rewording the ordinance to consider gravel driveways.

CARL JOHNSON, Pittsburg, had concerns about cars leaking oil and fluids that would drain into the soil.

WILLIE MIMS, Pittsburg, stated he was upset by government intrusion into people's homes. He inquired how many complaints had been received about this problem.

JESS HURTADO, Pittsburg, stated he is a 65 year resident. He felt this was a very important ordinance to clean up the neighborhoods. He likes the idea of removing cars from lawns and junk automobiles being removed in general and recommended the Council vote in favor of the ordinance.

DARNELL TURNER, Pittsburg, stated he personally had brought this issue up in the past. He feels that absentee landlords are a problem as they do not maintain their properties. He stated the ordinance has merit but does not go far enough. He would like to see a standard to measure clean neighborhoods by. He also stated the fine should be expanded from \$100 to \$500 to get the attention of the offenders.

Mayor Johnson closed the public hearing.

Council Member Evola stated there should be an amendment to the ordinance to provide grandfathering in of gravel areas so as not to penalize older residents and homes that are neat and clean but have gravel areas.

City Engineer Sbranti stated that staff could add a specification specifically detailing what type of surface will be allowed. There are also requirements that restrict how much pavement is allowed on a property.

City Manager Grisham suggested that this ordinance be adopted and staff will follow up with standards regarding pervious surfaces that would be presented to Council very soon.

The item was continued to November 5, 2007 to allow staff to add additional language regarding gravel and pervious surfaces.

5. **ORDINANCE 07-1295** Amending Chapter 10.16 of the Pittsburg Municipal Code, Entitled "Stopping, Standing and Parking-Generally" by Adding Section 10.16.115, "Parking on Unpaved Surfaces Prohibited"

It is necessary to establish standards regarding parking on unpaved surfaces on private residential property and to provide for a means to enforce this prohibition. The attached ordinance, if approved, will prohibit parking on unpaved surfaces and will subject violators to a financial penalty if the ordinance is violated.

The item was continued to November 5, 2007 as above.

CONFLICT OF INTEREST DECLARATION

There was no conflict of interest declaration.

**REDEVELOPMENT AGENCY, PITTSBURG POWER COMPANY AND CITY COUNCIL
COMBINED CONSENT CALENDAR**

On motion by Member Parent, seconded by Vice Chair Casey and carried unanimously to adopt the Consent Calendar.

- a. **MINUTES** Dated: October 1, 2007

Approved minutes of October 1, 2007.
- b. **CLAIMS** #1793 Estelle C. Hellums

Denied above claim.
- c. **RESOLUTION 07-1242** Approval of a Tri-Party Agreement, First Amendment to Master Lease Agreement, First Amendment to Sublease Agreement, and First Amendment to Amended and Restated Loan Agreement

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- f. **RESOLUTION 07-170** Adoption of the Annual Energy Efficiency Saving Target
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- j. **RESOLUTION 07-10901** Approve Membership in International Council for Local Environmental Initiatives (ICLEI) in Response to the California Global Warming Solutions Act
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- k. **RESOLUTION 07-10902** Allocating Funding for Contract 2007-34, El Dorado Heights Sewer Lateral Replacement Project
Adopted Resolution 07-10902.

- l. **RESOLUTION 07-10903** Abandoning Proceedings in Community Facilities District No. 1999-01 (West Leland Road and San Marco Boulevard)
Adopted Resolution 07-10903.

ADJOURNMENT

The City Council adjourned at 8:55 P.M. to November 5, 2007.

Respectfully submitted,

Alice E. Evenson, City Clerk