

**CITY OF PITTSBURG**  
**Housing Authority Minutes**  
**August 20, 2007**

Chair Ben Johnson called the meeting of the Housing Authority to order at 7:42 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened for Housing Authority Commission Interviews at 6:00 P.M., into Closed Session at 6:30 P.M. for Conference with Labor Negotiators pursuant to Section 54957.6 of the Government Code regarding Police Officers Association, Police Managers Group, AFSCME (Miscellaneous A), AFSCME (Management/Professional/Confidential), and Unrepresented Employees; Conference with Real Property Negotiator pursuant to Section 54956.8 regarding Property at 1073 Cumberland (APN 085-205-002) and 1027 Bending Willow Way; Agency Negotiators: Marc Grisham, Randy Starbuck, Kerry Lyman and Marc Grisham, Randy Starbuck; Negotiating Parties: Randi and Dave Shepard and Kimberely Augustin; and Under Negotiation: Both price and terms of payment and Both price and terms of payment.

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

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

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Executive Director, Marc Grisham  
Legal Counsel, Ruthann Ziegler  
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 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: July 31, 2007

Approved disbursement list dated July 31, 2007.

- a. **MINUTES** Dated July 16, 2007

Approved minutes dated July 16, 2007.

**ADJOURNMENT**

The meeting of the Housing Authority adjourned at 7:43 P.M. to the next meeting set for September 17, 2007.

Respectfully submitted,

Alice E. Evenson, Secretary

**CITY OF PITTSBURG**  
**Redevelopment Agency Minutes**  
**August 20, 2007**

Chair Ben Johnson called the meeting of the Redevelopment Agency to order at 7:44 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened for Housing Authority Commission Interviews at 6:00 P.M., into Closed Session at 6:30 P.M. for Conference with Labor Negotiators pursuant to Section 54957.6 of the Government Code regarding Police Officers Association, Police Managers Group, AFSCME (Miscellaneous A), AFSCME (Management/Professional/Confidential), and Unrepresented Employees; Conference with Real Property Negotiator pursuant to Section 54956.8 regarding Property at 1073 Cumberland (APN 085-205-002) and 1027 Bending Willow Way; Agency Negotiators: Marc Grisham, Randy Starbuck, Kerry Lyman and Marc Grisham, Randy Starbuck; Negotiating Parties: Randi and Dave Shepard and Kimberely Augustin; and Under Negotiation: Both price and terms of payment and Both price and terms of payment.

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

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

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Executive Director, Marc Grisham  
Legal Counsel, Ruthann Ziegler  
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 Power Company, Garrett Evans  
Chief of Police, Aaron Baker

**PUBLIC HEARING**

Chair/Mayor Johnson CONVENED JOINTLY the CITY COUNCIL and the REDEVELOPMENT AGENCY to consider the following:

Member Kee recused himself from the first item as he has a professional client who owns the property adjacent to the parcel. Member Kee left the Council Chamber at this time.

1. **RESOLUTION 07-1232** Approval of a Disposition and Development Agreement  
**Combined w/CC 07-10859** by and between the Redevelopment Agency of the City of Pittsburg and Antioch Building Materials, Company and Making Certain Findings Herewith

The Redevelopment Agency of the City of Pittsburg and Antioch Building Materials, Company, a California corporation, have negotiated terms for a Disposition and Development Agreement for the development of a concrete batch plant and an asphalt plant on the 7.5-acre parcel of Agency owned land at 1301 Standard Oil Avenue, in the City of Pittsburg.

Chair/Mayor Johnson opened the public hearing for Redevelopment Agency Resolution 07-1232 and City Council Resolution 07-10859.

There being no one to speak to the item, Chair/Mayor Johnson closed the public hearing.

On motion by Vice Chair/Mayor Casey, seconded by Member Parent to adopt Resolution 07-1232 and Resolution 07-10859 and carried by the following vote:

Ayes: Member Casey, Evola, Parent and Chair/Mayor Johnson  
Absent: Member Kee

Member Kee returned to the Council Chamber at this time.

2. **RESOLUTION 07-1233** Approval of a Reimbursement Agreement and  
**Combined w/CC 07-10860** Temporary Funding of Architectural Design for the New Civic Center Courthouse to Keep the Project on Schedule

Due to the Agency not currently having control of the land for the new courthouse, the state Public Works Board (PWB), which funds new courthouse construction, has refused to approve funds for the court's architectural design. It is possible the compromise worked out with the school district may reverse this decision. However, contingencies contained in the compromise may still delay design funding. The Agency is being asked for authorization for the Agency to fund design until the Agency can be reimbursed from design funds later authorized by the PWB.

Chair/Mayor Johnson opened the public hearing for Redevelopment Agency Resolution 07-1233 and City Council Resolution 07-10860.

There being no one to speak to the item, Chair/Mayor Johnson closed the public hearing.

On motion by Member Parent, seconded by Member Evola to adopt Resolution 07-1233 and Resolution 07-10860 and carried unanimously.

## **CONFLICT OF INTEREST DECLARATION**

There was no conflict of interest declaration.

## **REDEVELOPMENT AGENCY AND CITY COUNCIL COMBINED CONSENT CALENDAR**

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

- a. **MINUTES** Dated: August 6, 2007  
  
Approved Minutes dated August 6, 2007.
- b. **CLAIMS** #1773 Misha Ervin; #1774 Marina A. Martinez (Recommend Denial)  
  
Denied the above claims.
- c. **RESOLUTION 07-1235** Approval of a Property Exchange Agreement with the  
**Combined w/CC 07-10861** Pittsburg Unified School District (PUSD) for a Portion of Existing PUSD Property that will Provide Enough Property for a Slightly Amended Site Plan for the New County Courthouse  
  
Adopted Resolution 07-1235.
- d. **RESOLUTION 07-10861** Approval of a Property Exchange Agreement with the  
**Combined w/RDA 07-1235** Pittsburg Unified School District (PUSD) for a Portion of Existing PUSD Property that will Provide Enough Property for a Slightly Amended Site Plan for the New County Courthouse  
  
Adopted Resolution 07-10861.
- e. **ORDINANCE 07-1288** Amending Chapter 15.14 of the Pittsburg Municipal Code, Entitled Maintenance of Boarded and Vacant Buildings, Section 15.14.020, Definitions (B) "Vacant Building"  
  
Adopted Ordinance 07-1288.
- f. **RESOLUTION 07-10862** Award of Contract for the 2007 Patch Paving Program  
  
Adopted Resolution 07-10862.
- g. **RESOLUTION 07-10863** Award 2007 CDBG Curb Ramp Installation Project

Contract to Acequia Cement

Adopted Resolution 07-10863.

- h. **RESOLUTION 07-10864** Accept the 2006 CDBG Handicap Ramp Installation Project Contract as Complete

Adopted Resolution 07-10864.

- i. **RESOLUTION 07-10865** Approving a Letter to State Legislators Supporting Contra Costa Transit Authority's Attempt to Modify Existing Eminent Domain Law

Adopted Resolution 07-10865.

- j. **RESOLUTION 07-10866** Accepting Contract 2004-07, 2005/2006 Sewer Improvements Project as Complete and Authorizing the City Engineer to File a Notice of Completion

Adopted Resolution 07-10866.

**ADJOURNMENT**

The meeting of the Redevelopment Agency adjourned at 7:48 P.M. to September 17, 2007.

Respectfully submitted,

Alice E. Evenson, Secretary

**CITY OF PITTSBURG**  
**City Council Minutes**  
**August 20, 2007**

Chair Ben Johnson called the meeting of the City Council to order at 7:10 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened for Housing Authority Commission Interviews at 6:00 P.M., into Closed Session at 6:30 P.M. for Conference with Labor Negotiators pursuant to Section 54957.6 of the Government Code regarding Police Officers Association, Police Managers Group, AFSCME (Miscellaneous A), AFSCME (Management/Professional/Confidential), and Unrepresented Employees; Conference with Real Property Negotiator pursuant to Section 54956.8 regarding Property at 1073 Cumberland (APN 085-205-002) and 1027 Bending Willow Way; Agency Negotiators: Marc Grisham, Randy Starbuck, Kerry Lyman and Marc Grisham, Randy Starbuck; Negotiating Parties: Randi and Dave Shepard and Kimberely Augustin; and Under Negotiation: Both price and terms of payment and Both price and terms of payment.

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

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

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Executive Director, Marc Grisham  
Legal Counsel, Ruthann Ziegler  
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 Power Company, Garrett Evans  
Chief of Police, Aaron Baker

Mayor Johnson considered the following general City Council items at 7:10 P.M. prior to pursuing the Housing Authority agenda.

**PLEDGE OF ALLEGIANCE**

Sam Sharma led the Pledge of Allegiance.

## **COUNCILMEMBER REPORTS/REMARKS**

Councilmember Parent reported on behalf of Delta Diablo Sanitation District that 95% of the refunds of tax money plus the interest for the Seasons subdivision homeowners have been paid and the advertisements are out for people who no longer own their property and have not yet called in. A title company has been hired to determine who sold the property and search for those people. She also reported she attended the CASA 52<sup>nd</sup> Annual Conference concerning the insurance of clean water and the items most discussed at the conference were global warming and just how accurate the international report may be and what effect this has on the clean water effort. She attended the Farmer's Market where the collections for the Ferris Wheel Project were \$92. She attended the National Night Out and the Kids Health Fair at Small World Park hosted jointly by Senator Torlakson and Assemblyman DeSaulnier. She also received a letter from Supervisor Glover that there will be an award to the Ferris Wheel Project from the Keller Canyon Mitigation Funds. This and other pledges will put the project at two-thirds of the amount necessary to purchase the Ferris wheel. Supervisor Glover will make his presentation at an upcoming Council meeting.

Councilmember Kee attended the Central Junior High School Block Party at Buchanan Park where they do outreach for parents and students throughout the community.

Mayor Johnson attended a United Veterans Council Meeting and the American Legion Meeting. He also attended the car show in Old Town which was well attended. He attended the National Night Out which was also well attended. Thursday of this coming week he will attend the eBART meeting and hopes to help move this project forward.

## **CITY MANAGER REPORTS/REMARKS**

City Manager Marc Grisham thanked Garrett Evans, Director of the Power Company for his successful efforts in the approval of the Trans Bay Cable Project. Financing is being wrapped up and construction will start in the latter part of this year. This project shows that the City is able to partner and successfully obtain a \$450 million project.

Mr. Grisham also invited everyone downtown to view the Gateway Building with the curtain removed as it is a gorgeous building. The ribbon cutting/grand opening will be in October sometime once the Housing Authority/Community Access Department moves in.

## **CITIZEN REMARKS**

SAM SHARMA, owner of Perko's Café, Pittsburg, thanked the City for being so welcoming. After a slow start his business is picking up. He is looking forward to becoming more involved in the community through fundraisers and community events. He invited all to come to his restaurant.

MARIAN PARTRIDGE, Pittsburg Librarian, announced the "Week of Caring" Project



at the Pittsburg Library during the second week of September and invited all to attend. She stated Dow chose the Library as a project and they will be doing landscape weeding at the Library. She also thanked City staff responsible for cleaning up the palm tree at their location.

TERE ZARAGOZA, Pittsburg, commented on the dust problems brought about in her 10<sup>th</sup> Street neighborhood by the numerous construction projects that are going on there.

MARIA GONZALES, Pittsburg, reiterated Ms. Zaragoza's comments.

OLIBA CARDONA, Pittsburg, also voiced concerns about the construction projects in the 10<sup>th</sup> Street area.

City Manager Grisham apologized for the inconvenience, but explained that the City is undergrounding utilities, paving streets, putting in new sewers, curbs and gutters and the end result was going to be a very nice neighborhood. He referred everyone to Joe Sbranti, City Engineer.

City Engineer Sbranti stated he met with a group from the neighborhood last week and that he has also contacted the contractors involved to address the neighborhood concerns.

MIKE LENGYEL, Pittsburg, questioned a conflict of interest by Planning Commissioner Caryn Wegerbauer who he states recruited a particular business to the Old Town area in her role as an employee of Main Street Properties, and then voted on improvements to the building housing that business as a Planning Commissioner. He also questioned whether the approval of the DDI contract at the July 16 Council Meeting meant the end of Old Town in favor of an Italian Village – the Villagio.

City Manager Grisham addressed Mr. Lengyel's concerns on both counts. He stated that Ms. Wegerbauer had nothing to do with bringing the business in question to Pittsburg and therefore no conflict exists. He also noted that the DDI contract primarily had to do with upgrading the City's website to present a more destination-oriented location, and to work on the City's wayfinding and signage from the freeway to the Old Town area.

MIKE LENGYEL, Pittsburg, also commented on Consent Calendar Items c and d relating to the Civic Center and what he characterized as disposing of half the Civic Center to balance the budget. He stated he is happy to see that PUSD would not go along with the City's desire to take more than two acres of land from the School District and give them nothing but a promise that they would have quarters in the second and third floor in a building which is not likely to occur. He also believes that a library is more important than a courthouse and inquired how to work on that issue. He thinks Pittsburg should have a new library.

Mayor Johnson adjourned to the Housing Authority agenda at 7:42 P.M. and

reconvened as the City Council at 7:49 P.M.

Chair/Mayor Johnson CONVENED JOINTLY the CITY COUNCIL and the REDEVELOPMENT AGENCY to consider the following:

Member Kee recused himself from the first item as he has a professional client who owns the property adjacent to the parcel. Member Kee left the Council Chamber at this time.

## **PUBLIC HEARING**

The Redevelopment Agency of the City of Pittsburg and Antioch Building Materials, Company, a California corporation, have negotiated terms for a Disposition and Development Agreement for the development of a concrete batch plant and an asphalt plant on the 7.5-acre parcel of Agency owned land at 1301 Standard Oil Avenue, in the City of Pittsburg.

Chair/Mayor Johnson opened the public hearing for Redevelopment Agency Resolution 07-1232 and City Council Resolution 07-10859.

There being no one to speak to the item, Chair/Mayor Johnson closed the public hearing.

On motion by Vice Chair/Mayor Casey, seconded by Member Parent to adopt Resolution 07-1232 and Resolution 07-10859 and carried by the following vote:

Ayes: Member Casey, Evola, Parent and Chair/Mayor Johnson  
Absent: Member Kee

Member Kee returned to the Council Chamber at this time.

2. **RESOLUTION 07-1233** Approval of a Reimbursement Agreement and  
**Combined w/CC 07-10860** Temporary Funding of Architectural Design for the New Civic Center Courthouse to Keep the Project on Schedule

Due to the Agency not currently having control of the land for the new courthouse, the state Public Works Board (PWB), which funds new courthouse construction, has refused to approve funds for the court's architectural design. It is possible the compromise worked out with the school district may reverse this decision. However, contingencies contained in the compromise may still delay design funding. The Agency is being asked for authorization for the Agency to fund design until the Agency can be reimbursed from design funds later authorized by the PWB.

Chair/Mayor Johnson opened the public hearing for Redevelopment Agency Resolution 07-1233 and City Council Resolution 07-10860.

There being no one to speak to the item, Chair/Mayor Johnson closed the public hearing.

On motion by Member Parent, seconded by Member Evola to adopt Resolution 07-1233 and Resolution 07-10860 and carried unanimously.

3. **ORDINANCE 07-1289** Introduction of an Ordinance to Pre-zone Ambrose Park

The Planning Commission is recommending the City Council pre-zone Ambrose Park to OS (Open Space) District.

Mayor Johnson opened the Public Hearing. There was no one to speak to the item. Mayor Johnson closed the Public Hearing.

On Motion by Member Kee, seconded by Vice Mayor Casey to introduce and waive first reading of Ordinance 07-1288 and carried unanimously.

4. **ORDINANCE 07-1290** Amendments to Historic Resource Regulations

This is a public hearing on a City-initiated proposal to amend Chapter 15.84 (Preservation of Historic Structures and Establishment of the Historical District), Chapter 18.36 (Design Review), and Title 19 (Sign Ordinance) of the Pittsburg Municipal Code (PMC).

Mayor Johnson opened the Public Hearing. There was no one to speak to the item. Mayor Johnson closed the Public Hearing.

On Motion by Member Parent, seconded by Vice Mayor Casey to introduce and waive first reading of Ordinance 07-1288 and carried unanimously.

5. **ORDINANCE 07-1291** Introduction of an Ordinance Amending Municipal Code Section 7.04.010 Relating to the Adoption of Contra Costa County Animal Control Regulations

The Contra Costa County Animal Services Department provides animal control services within the City of Pittsburg. Pittsburg Municipal Code Section 7.04.010 incorporates the Contra Costa County Animal Control Ordinance by reference to enable enforcement of animal control within the City. Contra Costa County recently amended its Animal Control Ordinance to provide additional tools to deal with the threat of dangerous animals. Among other things, owners of dogs deemed dangerous under the County's Ordinance must keep the animal securely contained on their property, and muzzled and leashed when not on the owner's property. Owners of certain dangerous animals may also be required to maintain liability insurance. The County's Ordinance is not breed specific. The attached Ordinance, if adopted, would enable the Contra Costa County Animal Services Department to enforce the dangerous animal regulations within the City of Pittsburg.

Mayor Johnson opened the Public Hearing. There was no one to speak to the item. Mayor Johnson closed the Public Hearing.

On Motion by Member Parent, seconded by Member Kee to introduce and waive first reading of Ordinance 07-1288 and carried unanimously.

### **CONFLICT OF INTEREST DECLARATION**

There was no conflict of interest declaration.

### **REDEVELOPMENT AGENCY AND CITY COUNCIL COMBINED CONSENT CALENDAR**

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

- a. **MINUTES** Dated: August 6, 2007  
  
Approved Minutes dated August 6, 2007.
- b. **CLAIMS** #1773 Misha Ervin; #1774 Marina A. Martinez  
(Recommend Denial)  
  
Denied the above claims.
- c. **RESOLUTION 07-1235** Approval of a Property Exchange Agreement with the  
**Combined w/CC 07-10861** Pittsburg Unified School District (PUSD) for a Portion of Existing PUSD Property that will Provide Enough Property for a Slightly Amended Site Plan for the New County Courthouse  
  
Adopted Resolution 07-1235.
- d. **RESOLUTION 07-10861** Approval of a Property Exchange Agreement with the  
**Combined w/RDA 07-1235** Pittsburg Unified School District (PUSD) for a Portion of Existing PUSD Property that will Provide Enough Property for a Slightly Amended Site Plan for the New County Courthouse  
  
Adopted Resolution 07-10861.
- e. **ORDINANCE 07-1288** Amending Chapter 15.14 of the Pittsburg Municipal Code, Entitled Maintenance of Boarded and Vacant Buildings, Section 15.14.020, Definitions (B) "Vacant Building"

Adopted Ordinance 07-1288.

- f. **RESOLUTION 07-10862** Award of Contract for the 2007 Patch Paving Program  
Adopted Resolution 07-10862.
- g. **RESOLUTION 07-10863** Award 2007 CDBG Curb Ramp Installation Project  
Contract to Acequia Cement  
Adopted Resolution 07-10863.
- h. **RESOLUTION 07-10864** Accept the 2006 CDBG Handicap Ramp Installation  
Project Contract as Complete  
Adopted Resolution 07-10864.
- i. **RESOLUTION 07-10865** Approving a Letter to State Legislators Supporting  
Contra Costa Transit Authority's Attempt to Modify  
Existing Eminent Domain Law  
Adopted Resolution 07-10865.
- j. **RESOLUTION 07-10866** Accepting Contract 2004-07, 2005/2006 Sewer  
Improvements Project as Complete and Authorizing the  
City Engineer to File a Notice of Completion  
Adopted Resolution 07-10866.

### **ADJOURNMENT**

The City Council adjourned at 7:59 P.M to September 17, 2007.

Respectfully submitted,

Alice E. Evenson, City Clerk