

CITY OF PITTSBURG
City Council Minutes
July 2, 2007

Mayor 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 after having convened into Closed Session at 6:00 P.M. after public comments from Suzie Griffith, AFSCME representative, and City employees Nichole Houstone-Frasier, Lisa Bautista, Griselda Clift, Ken Gray, Raquel Estrada, Lupe Trevino, related to bilingual pay and the need to include that pay with additional compensation based on specific criteria, for Conference with Labor Negotiators pursuant to Section 54957.6 of the Government Code regarding Police Officers Association, Police Managers Group, Teamsters, AFSCME (Miscellaneous A), AFSCME (Management/Professional/Confidential); and Conference with Real Property Negotiator pursuant to Section 54956.8 regarding property at 901 Los Medanos Street, APN 085-182-001. The City Council convened for general business at 8:23 P.M. after convening as the Redevelopment Agency and Pittsburg Power Company.

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

MEMBERS PRESENT: Casey, Kee, Parent, Johnson

MEMBERS EXCUSED: Evola

MEMBERS ABSENT: None

STAFF PRESENT

- City Manager, Marc Grisham
- City Attorney, Ruthann Ziegler
- City Clerk, Alice Evenson
- Director of Public Works, John Fuller
- Director of Power Company, Garrett Evans
- Director of Finance, Marie Simons
- Director of Planning, Melissa Ayres
- Director of Human Resources, Marc Fox
- Chief of Police, Aaron Baker
- Director of Recreation, Paul Flores
- Director of Housing and Community Programs, Annette Landry
- Assistant City Engineer, Keith Halvorson

PLEDGE OF ALLEGIANCE

Members of the Disabled Veterans Association led the Pledge of Allegiance.

PRESENTATION

1. New Employee Introductions

The following new employees were introduced. From Engineering: Alexandra Calderon and Nancy Nguyen; from Finance: Roxanna Castilla, Glescher Pinder, Margaret Padua and Charly Yang; from Public Works: Leilani Palarca and Terry Tate; from the Police Department: Luis Martinez, Melisa Misquez, Nicole Riddick, Chunliam Saechao, James Terry, and Angelica Valles.

COUNCILMEMBER REPORTS/REMARKS

Council Member Parent reported she attended the Relay for Life, the Farmer's Market, a Soroptimist serving of lunch at the Senior Center, an Island Energy Advisory Meeting at Mare Island, the Chamber of Commerce Government Relations Breakfast, a fundraiser in Concord for the Soroptimist International Founder Region Scholarship Fund, and the Pittsburg Adult Education Senior Follies. Also, speaking as a member of the Delta Diablo Sanitation Board, she reported that over 80% of people who overpaid their sewer charges have been refunded.

Mayor Johnson reported he attended the US Conference of Mayors Annual Conference, the League of California Cities fundraiser at Campo di Bocce in Livermore, and the Car Show. He presented an award from Disabled American Veterans Chapter 154 to Nancy Parent which was a check in the amount of \$500 for the Small World Park Ferris Wheel Project.

CITY MANAGER REPORTS/REMARKS

The City Manager reported upcoming events, including the Car Show, the July 4th Celebration at the Marina, Farmer's Market, and Eddie Hart's All In One Track Camp. He also noted that the Senior Center would be open until 8:30 p.m. due to the expected hot weather.

CITIZEN REMARKS

There were no Citizen Remarks on items not on the agenda.

PUBLIC HEARING

1. **RESOLUTION 07-10834** Adopt Resolution Amending Various Water and Sewer Fees

The City Council of the City of Pittsburg has adopted various fees in order to recover the cost of operating the Water and Sewer Utilities. Some of these fees need to be updated and changes are ready to be adopted by the City Council.

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 adopt Resolution 07-10834 and carried by the following vote:

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

2. **RESOLUTION 07-10835** Approving and Adopting Amendment No. 3 of the City Water System Master Plan

Carollo Engineers has prepared a third amendment to the City's Water System Master Plan in response to changes in the proposed land uses in the southeast hills and to more thoroughly analyze the impacts of infill development in the City. These changes are ready to be adopted as Amendment No. 3 to the Water System Master Plan.

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 adopt Resolution 07-10835 and carried by the following vote:

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

3. **RESOLUTION 07-10842** Approval of a Disposition, Development, and Loan Agreement by and between the Redevelopment Agency of the City of Pittsburg and Mark and Kathleen Taylor
Combined w/RDA 07-1220

The Redevelopment Agency of the City of Pittsburg and Mark and Kathleen Taylor have negotiated terms for a Disposition, Development, and Loan Agreement for Assessor's Parcel No. 086-221-017, commonly referred to as, 120 Avon Street. The Developer will purchase the improved single family dwelling unit from the Agency for One Dollar (\$1) and will substantially rehabilitate the unit. The Owner will record affordable housing covenants on the Property so that the unit will be made available to very low-income households for a minimum of fifty-five (55) years.

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

On Motion by Member Kee, seconded by Vice Chair Casey to adopt Redevelopment Agency Resolution 07-1220 and carried by the following vote:

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

On Motion by Member Kee, seconded by Vice Mayor Casey to adopt City Council Resolution 07-10842 and carried by the following vote:

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

CONSIDERATION

1. **REPORT** Review of Mehran Restaurant Live Entertainment Use Permit (AP-04-178)

On November 21, 2005, the City Council approved Use Permit Application No. 04-178 (City Council Resolution No. 05-10416) to allow live entertainment at Mehran Restaurant located 3841 Railroad Avenue. The Use Permit included a condition requiring that the approved use be reviewed by the Council for compliance with the conditions of approval. This report summarizes the status of Mehran Restaurant's compliance with the conditions of the approval associated with this use permit.

Public comments were received by Ronald Rives, Dashvinder Paul, Harmesh Kumar, Jon Fredrickson, Julie Yount, Tom Stoll, Pete Carpino, and Mohammad Chaudhry who also presented a letter of endorsement from Commissioner Elizabeth Jones. A letter addressing this issue from Pauline Rice dated July 2 was also presented to Council.

On Motion by Member Kee, seconded by Member Parent to Receive and File the Report and carried by the following vote, with the provision that the issue would be revisited within 90 days:

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

2. **REPORT** Request to Name North Entrance Road into City Park "Eddie Hart Parkway"

The City has received a request from Tom Lewis to consider naming the north entrance road into City Park (from North Parkside Drive) "Eddie Hart Parkway" in honor of Pittsburg's only Olympic Gold Medalist. Staff suggests that the road not be renamed until completion of the City Park Master Plan.

Public comments were received by Tom Lewis.

The report was received by the City Council.

Council Member Kee, due to a prior family commitment, left the Council Chamber at this time.

3. **REPORT** Status Report on Potential Annexation of Bay Point

The City Manager herein provides a status report of all issues associated with the potential annexation of Bay Point, CA, an unincorporated community in Contra Costa County, following interest received from a private citizens group from the Bay Point community requesting annexation into the City of Pittsburg.

The report was received by the City Council.

CONFLICT OF INTEREST DECLARATION

There was no Conflict of Interest Declaration.

COMBINED CONSENT CALENDAR – Redevelopment Agency, Pittsburg Power Company, Southwest Pittsburg Geologic Hazard Abatement District II and City Council.

On Motion by Vice Mayor Casey, seconded by Member Parent to approve the Consent Calendar and carried by the following vote:

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

- a. **MINUTES** Dated: June 18, 2007

Approved Minutes dated June 18, 2007.

- b. **CLAIMS** #1774 Marina A. Martinez; #1785 John C. Prioleau

Denied Claim #1785 John C. Prioleau.

- c. **RESOLUTION 07-165** Approving an Agreement for Attorney Services for the Pittsburg Power Company

Adopted Resolution 07-165.

- d. **RESOLUTION 07-166** Allocating Funding and Awarding Contract 2007-21
Combined w/07-10836 Housing Authority Furnishings, Furniture and Equipment (FFE) Project to Sam Clar of Concord, California, for Office Furniture

Adopted Resolution 07-166.

- e. **RESOLUTION 07-10836** Allocating Funding and Awarding Contract 2007-21
Combined w/07-166 Housing Authority Furnishings, Furniture and Equipment (FFE) Project to Sam Clar of Concord, California, for Office Furniture

Adopted Resolution 07-10836.

- f. **RESOLUTION 07-10837** Establish Salary Range for Community Services Specialist and Allocate Positions

Adopted Resolution 07-10837.

- g. **RESOLUTION 07-10838** Establish Salary Range for Classifications within the Housing Authority and Allocate Positions

Adopted Resolution 07-10838.

- h. **RESOLUTION 07-10839** Awarding Contract 2007-15; 2007 Water Valves and Services Replacement Contract to JW Backhoe and Construction Inc.

Adopted Resolution 07-10839.

- i. **RESOLUTION 07-10840** Approval of Proposed Territory for Annexation to the Community Facilities District (CFD) 2007-1 (Park Maintenance Services)

Adopted Resolution 07-10840.

- j. **RESOLUTION 07-10841** Establishing a Policy Concerning the Annual Increase in the Actual Amount of Special Tax Levied in Community Facilities District (CFD) 2007-1 (Park Maintenance Services)

Adopted Resolution 07-10841.

ADJOURNMENT

The City Council adjourned at 9:10 P.M. to July 16, 2007.

Respectfully submitted,

Alice E. Evenson, City Clerk

CITY OF PITTSBURG
Redevelopment Agency Minutes
July 2, 2007

Chair Ben Johnson called the meeting of the Redevelopment Agency to order at 7:33 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened into Closed Session at 6:00 P.M. after public comments from Suzie Griffith, AFSCME representative, and City employees Nichole Houstone-Frasier, Lisa Bautista, Griselda Clift, Ken Gray, Raquel Estrada, Lupe Trevino, related to bilingual pay and the need to include that pay with additional compensation based on specific criteria, for Conference with Labor Negotiators pursuant to Section 54957.6 of the Government Code regarding Police Officers Association, Police Managers Group, Teamsters, AFSCME (Miscellaneous A), AFSCME (Management/Professional/Confidential); and Conference with Real Property Negotiator pursuant to Section 54956.8 regarding property at 901 Los Medanos Street, APN 085-182-001.

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

MEMBERS PRESENT: Casey, Kee, Parent, Johnson

MEMBERS EXCUSED: Evola

MEMBERS ABSENT: None

STAFF PRESENT: Executive Director, Marc Grisham
City Attorney, Ruthann Ziegler
Agency Secretary, Alice Evenson
Director of Public Works, John Fuller
Director of Power Company, Garrett Evans
Director of Finance, Marie Simons
Director of Planning, Melissa Ayres
Director of Human Resources, Marc Fox
Chief of Police, Aaron Baker
Director of Recreation, Paul Flores
Director of Housing and Community Programs, Annette Landry
Assistant City Engineer, Keith Halvorson

PUBLIC HEARING

1. **RESOLUTION 07-1220** Approval of a Disposition, Development, and Loan
Combined w/CC 07-10842 Agreement by and between the Redevelopment Agency
of the City of Pittsburg and Mark and Kathleen Taylor

The Redevelopment Agency of the City of Pittsburg and Mark and Kathleen Taylor have negotiated terms for a Disposition, Development, and Loan Agreement for Assessor's Parcel No. 086-221-017, commonly referred to as, 120 Avon Street. The Developer will purchase the improved single family dwelling unit from the Agency for One Dollar (\$1) and

will substantially rehabilitate the unit. The Owner will record affordable housing covenants on the Property so that the unit will be made available to very low-income households for a minimum of fifty-five (55) years.

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

On Motion by Member Kee, seconded by Vice Chair Casey to adopt Redevelopment Agency Resolution 07-1220 and carried by the following vote:

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

On Motion by Member Kee, seconded by Vice Mayor Casey to adopt City Council Resolution 07-10842 and carried by the following vote:

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

2. **RESOLUTION 07-1221** Approving the Amended and Restated Implementation Plan for the Los Medanos Community Development Project Area 2005-2009

Pursuant to Health and Safety Code Section 33490, the Redevelopment Agency of the City of Pittsburg is required to adopt an implementation plan every five years which shall contain the specific goals and objectives of the Agency for the Los Medanos Community Development Project; the specific programs, projects, and estimated expenditures proposed to be made during said five year period and an explanation of how the goals, objectives, programs, projects, and expenditures will eliminate blight within the Project Area. The Agency's current five year implementation plan, *Implementation Plan for the Los Medanos Community Development Project Area 2005-2009* covers the five year period of 2005-2009. There is a need to amend and restate the Implementation Plan to include relevant changes to project names, unit counts, programs, and previously unidentified developments consistent with the Agency's goals and objectives of eliminating blight.

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

On Motion by Member Parent, seconded by Vice Chair Casey to adopt Resolution 07-1221, and carried by the following vote:

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

CONSIDERATION

1. **RESOLUTION 07-1223** Approval of a Relocation Impact Statement and Last Resort Housing Plan for the Enean Unified Development Area, the 500 Block of West 10th Street, the Cumberland Unified Development Area, 1605 Railroad Avenue and 1301 Standard Oil Avenue

The Agency is either in the process of acquiring or has acquired properties in the Enean and Cumberland Unified Development Areas, the 500 block of West 10th Street, and stand alone properties at 1605 Railroad Avenue and 1301 Standard Oil Avenue. These acquisition activities will require some relocation of occupants. Pursuant to the *California Relocation Law (Government Code 7260 et seq)* and the *California Code of Regulations, Title 25*, the Agency must approve a Relocation Impact Statement and Last Resort Housing Plan whenever a residential occupant is displaced due to Agency acquisition.

On Motion by Vice Chair Casey, seconded by Member Kee to adopt Resolution 07-1223, and carried by the following vote:

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

CONFLICT OF INTEREST DECLARATION

There was no Conflict of Interest Declaration.

COMBINED CONSENT CALENDAR – Redevelopment Agency, Pittsburg Power Company, Southwest Pittsburg Geologic Hazard Abatement District II and City Council.

On Motion by Vice Chair Casey, seconded by Member Parent to approve the Consent Calendar and carried by the following vote:

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

- a. **MINUTES** Dated: June 18, 2007
Approved Minutes dated June 18, 2007.
- b. **CLAIMS** #1774 Marina A. Martinez; #1785 John C. Prioleau
Denied Claim #1785 John C. Prioleau.
- c. **RESOLUTION 07-165** Approving an Agreement for Attorney Services for the Pittsburg Power Company

Adopted Resolution 07-165.

- d. **RESOLUTION 07-166** Allocating Funding and Awarding Contract 2007-21
Combined w/07-10836 Housing Authority Furnishings, Furniture and Equipment (FFE) Project to Sam Clar of Concord, California, for Office Furniture

Adopted Resolution 07-166.

- e. **RESOLUTION 07-10836** Allocating Funding and Awarding Contract 2007-21
Combined w/07-166 Housing Authority Furnishings, Furniture and Equipment (FFE) Project to Sam Clar of Concord, California, for Office Furniture

Adopted Resolution 07-10836.

- f. **RESOLUTION 07-10837** Establish Salary Range for Community Services Specialist and Allocate Positions

Adopted Resolution 07-10837.

- g. **RESOLUTION 07-10838** Establish Salary Range for Classifications within the Housing Authority and Allocate Positions

Adopted Resolution 07-10838.

- h. **RESOLUTION 07-10839** Awarding Contract 2007-15; 2007 Water Valves and Services Replacement Contract to JW Backhoe and Construction Inc.

Adopted Resolution 07-10839.

- i. **RESOLUTION 07-10840** Approval of Proposed Territory for Annexation to the Community Facilities District (CFD) 2007-1 (Park Maintenance Services)

Adopted Resolution 07-10840.

- j. **RESOLUTION 07-10841** Establishing a Policy Concerning the Annual Increase in the Actual Amount of Special Tax Levied in Community Facilities District (CFD) 2007-1 (Park Maintenance Services)

Adopted Resolution 07-10841.

ADJOURNMENT

The City Council adjourned at 7:40 P.M. to July 16, 2007.

Respectfully submitted,

Alice E. Evenson, Agency Secretary

CITY OF PITTSBURG
Pittsburg Power Company Minutes
July 2, 2007

Chair Ben Johnson called the meeting of the Pittsburg Power Company to order at 7:41 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened into Closed Session at 6:00 P.M. after public comments from Suzie Griffith, AFSCME representative, and City employees Nichole Houstone-Frasier, Lisa Bautista, Griselda Clift, Ken Gray, Raquel Estrada, Lupe Trevino, related to bilingual pay and the need to include that pay with additional compensation based on specific criteria, for Conference with Labor Negotiators pursuant to Section 54957.6 of the Government Code regarding Police Officers Association, Police Managers Group, Teamsters, AFSCME (Miscellaneous A), AFSCME (Management/Professional/Confidential); and Conference with Real Property Negotiator pursuant to Section 54956.8 regarding property at 901 Los Medanos Street, APN 085-182-001.

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

MEMBERS PRESENT: Casey, Kee, Parent, Johnson

MEMBERS EXCUSED: Evola

MEMBERS ABSENT: None

STAFF PRESENT: Executive Director, Marc Grisham
City Attorney, Ruthann Ziegler
Agency Secretary, Alice Evenson
Director of Public Works, John Fuller
Director of Power Company, Garrett Evans
Director of Finance, Marie Simons
Director of Planning, Melissa Ayres
Director of Human Resources, Marc Fox
Chief of Police, Aaron Baker
Director of Recreation, Paul Flores
Director of Housing and Community Programs, Annette Landry
Assistant City Engineer, Keith Halvorson

PUBLIC HEARING

1. **RESOLUTION 07-164** Approving the Electric and Gas Rate Schedule Changes for Es-1, Es-2, Ls, Gs-1 and Gs-2 Rate Schedules for Service on Mare Island for the Pittsburg Power Company d.b.a. Island Energy

The Pittsburg Power Company, doing business as Island Energy on Mare Island, currently has Electric and Gas Rate Schedules approved on June 19, 2006. Staff has

performed a Rate Case Review analysis with the Mare Island Advisory Committee and has determined that the current FY 2006-2007 Electric and Gas Rate Schedules ES-1, ES-2, LS, GS-1 and GS-2 should be revised for FY 2007-2008, effective July 1, 2007 and continue thru June 30, 2008 or until changed.

Chair Johnson opened the Public Hearing. Public comments were received by Paul J. Menaker, Ed Lozowicki, Greg Jeffress, and Gene Glockner. Chair Johnson closed the Public Hearing.

On Motion by Member Parent, seconded by Member Kee to adopt Pittsburg Power Company Resolution 07-164, with instruction to staff to consider comments made tonight concerning the commercial rates and report back to the Agency within 90 days concerning whether or not any adjustment should be made to those rates, and carried by the following vote:

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

CONFLICT OF INTEREST DECLARATION

There was no Conflict of Interest Declaration.

COMBINED CONSENT CALENDAR – Redevelopment Agency, Pittsburg Power Company, Southwest Pittsburg Geologic Hazard Abatement District II and City Council.

On Motion by Vice Chair Casey, seconded by Member Parent to approve the Consent Calendar and carried by the following vote:

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

- a. **MINUTES** Dated: June 18, 2007

Approved Minutes dated June 18, 2007.
- b. **CLAIMS** #1774 Marina A. Martinez; #1785 John C. Prioleau

Denied Claim #1785 John C. Prioleau.
- c. **RESOLUTION 07-165** Approving an Agreement for Attorney Services for the Pittsburg Power Company

Adopted Resolution 07-165.
- d. **RESOLUTION 07-166** Allocating Funding and Awarding Contract 2007-21
Combined w/07-10836 Housing Authority Furnishings, Furniture and Equipment (FFE) Project to Sam Clar of Concord, California, for Office Furniture

Adopted Resolution 07-166.

- e. **RESOLUTION 07-10836** Allocating Funding and Awarding Contract 2007-21
Combined w/07-166 Housing Authority Furnishings, Furniture and Equipment
(FFE) Project to Sam Clar of Concord, California, for
Office Furniture

Adopted Resolution 07-10836.

- f. **RESOLUTION 07-10837** Establish Salary Range for Community Services
Specialist and Allocate Positions

Adopted Resolution 07-10837.

- g. **RESOLUTION 07-10838** Establish Salary Range for Classifications within the
Housing Authority and Allocate Positions

Adopted Resolution 07-10838.

- h. **RESOLUTION 07-10839** Awarding Contract 2007-15; 2007 Water Valves and
Services Replacement Contract to JW Backhoe and
Construction Inc.

Adopted Resolution 07-10839.

- i. **RESOLUTION 07-10840** Approval of Proposed Territory for Annexation to the
Community Facilities District (CFD) 2007-1 (Park
Maintenance Services)

Adopted Resolution 07-10840.

- j. **RESOLUTION 07-10841** Establishing a Policy Concerning the Annual Increase in
the Actual Amount of Special Tax Levied in Community
Facilities District (CFD) 2007-1 (Park Maintenance
Services)

Adopted Resolution 07-10841.

ADJOURNMENT

The Pittsburg Power Company adjourned at 8:21 P.M.

Respectfully submitted,

Alice E. Evenson, Agency Secretary