

CITY OF PITTSBURG
Redevelopment Agency Minutes
April 2, 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 into Closed Session at 6:30 P.M. for Conference with Real Property Negotiator pursuant to Section 54956.8 of the Government Code regarding 1301 Standard Oil Avenue (APN 073-230-007).

Chair Johnson advised that no reportable action had taken place in Closed Session.

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

MEMBERS ABSENT: None

STAFF PRESENT Executive Director, Marc Grisham
Assistant Executive Director, Matt Rodriguez
Assistant Legal Counsel, Jacob Knapp
City Clerk, Alice Evenson
Director of Pittsburg Power Company, Garrett Evans
Director of Engineering and Building, Joe Sbranti
Director of Economic Development, Brad Nail
Director of Redevelopment, Randy Starbuck
Director of Public Works, John Fuller
Director of Recreation, Paul Flores
Director of Finance, Marie Simons
Chief of Police, Aaron Baker

PUBLIC HEARING

Mayor Johnson CONVENED JOINTLY the CITY COUNCIL and the REDEVELOPMENT AGENCY to consider the following.

Councilmember Kee advised that the applicant was a former client and while he had no connection to the application he recused himself to avoid any conflict of interest. He left the dais and the Council Chambers at this time.

1. **RESOLUTION 07-1188** Authorize the Executive Director to Execute a Lease
Combined w/CC 07-10747 Agreement By and Between the Redevelopment Agency
of the City of Pittsburg and Nicolas Maamari and Johny
Khalilieh

City Manager Marc Grisham stated that the Redevelopment Agency and Nicolas Maamari and Johny Khalilieh, doing business as "La Veranda Bar and Grill," desire to execute a sublease agreement for lease of commercial space at 444-446 Railroad Avenue.

The Agency shall receive from the tenant rent of \$1.60 per square feet for an aggregate monthly rent of \$6,073.60. The tenant's rent shall be calculated as of May 1, 2007 and increased annually at a rate of 3 percent. The tenant's rent payments shall commence on May 1, 2010. The rent payments for calendar years 2007, 2008, and 2009 shall be spread over the tenant's rent throughout the term of the Lease Agreement. Staff recommended that the Agency Board adopt a resolution authorizing the Executive Director to execute the Lease Agreement.

Mayor Johnson opened the public hearing for Redevelopment Agency Resolution 07-1188 and City Council Resolution 07-10747. There was no one to speak to the item. Mayor Johnson closed the public hearing for Redevelopment Agency Resolution 07-1188 and City Council Resolution 07-10747.

Councilmember Parent stated that she was pleased that the company wanted to return to Pittsburg and locate a restaurant in Old Town. She suggested that the restaurant would be a credit to the Old Town area.

On motion by Member Parent, seconded by Vice Chair Casey to adopt Redevelopment Agency Resolution 07-1188, carried by the following vote:

Ayes: Casey, Evola, Parent, Johnson
Noes: None
Absent: Kee [recused]

On motion by Councilmember Parent, seconded by Vice Mayor Casey to adopt City Council Resolution 07-10747, carried by the following vote:

Ayes: Casey, Evola, Parent, Johnson
Noes: None
Absent: Kee [recused]

CONSIDERATION

1. **RESOLUTION 07-1189** Approving a Commercial Rehabilitation Loan to Nicolas Maamari and Johny Khalilieh

The Redevelopment Agency of the City of Pittsburg and Nicholas Maamari and Johny Khalilieh, doing business as "La Veranda Bar and Grill" desire to enter into a loan agreement for \$1,300,000. The loan shall be used to renovate the existing commercial spaces located at 444-446 Railroad Avenue.

The Loan Agreement is for \$1,300,000 and shall be paid out of the Agency's Tax Increment reserves. Staff recommended that the Agency Board adopt a resolution approving the Loan Agreement.

On motion by Member Evola, seconded by Vice Chair Casey to adopt Resolution 07-1189, carried by the following vote:

Ayes: Casey, Evola, Parent, Johnson
Noes: None
Absent:Kee [recused]

Member Kee rejoined the Agency Board at this time.

2. **RESOLUTION 07-1190** Consideration of Authorization to Prepare and Execute Assignment Agreements for the Purchase of 554 and 559 W. 10th Street, the Deluxe Motel and the Budget Motel

Executive Director Grisham advised that West 10th Street Associates, LLC (Stan Davis) was in escrow to purchase 554 and 559 W. 10th Street by April 16. Staff sought authorization to prepare and execute assignment agreements for the properties so the Agency may purchase same, make relocation payments to the tenants and demolish the structures.

Mr. Grisham reported that a letter had been received from Mr. Gregory Osorio related to the properties and the relocation. He stated that the document had identified funds for relocation as necessary. He emphasized that the Redevelopment Agency scrupulously followed State law with respect to relocation and had not encouraged property owners to do anything inappropriate.

The fiscal impact was identified as approximately \$3,250,000 consisting of \$2,750,000 for property acquisition, plus escrow and other closing cost fees as well as undetermined relocation payments, and costs for asbestos abatement and demolition from Tax Increment Reserves. Staff recommended that the Agency adopt a resolution approving the preparation of assignment agreements with West 10th Street Associates for the purchase of 554 and 559 W. 10th Street, and approving the purchase of said properties.

On motion by Member Kee, seconded by Vice Chair Casey and carried unanimously to adopt Resolution 07-1190.

In Joint Session with the City Council and the Pittsburg Power Company, the Redevelopment Agency considered the Combined Consent Calendar.

CONFLICT OF INTEREST DECLARATION

There was no reported conflict of interest.

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

CONSENT CALENDAR

On motion by Councilmember Kee, seconded by Councilmember Evola and carried

unanimously to adopt the Consent Calendar, with the removal of item r, as follows:

- a. **MINUTES** Dated: March 19, 2007

Approved minutes dated March 19, 2007.

- b. **CLAIMS** #1761 Debra Anderson; #1763 Kenneth Tanksley; #1766 Byron Blansett

Denied claims #1761 Debra Anderson; #1763 Kenneth Tanksley; and #1766 Byron Blansett.

- c. **RESOLUTION 07-1191** Approval of a Demolition Contract By and Between the Redevelopment Agency of the City of Pittsburg and Complete Decon, Inc. for the Property Located at 96 E. 5 Fifth Street and 500-520 Railroad Avenue

Adopted Resolution 07-1191.

- d. **RESOLUTION 07-1192** Approval of an Owner Participation and Acquisition Loan Agreement By and Between the Redevelopment Agency of the City of Pittsburg and Palm Plaza Group, LLC

Adopted Resolution 07-1192.

- e. **RESOLUTION 07-160** Amending Pittsburg Power Company's Annual Budget for FY 2006-2007 to Provide for Increasing Trans Bay Cable Project Reimbursement Program Funding by \$150,000 for Legal Consultants

Adopted Resolution 07-160.

- f. **RESOLUTION 07-161** Authorizing the Executive Director to Accept the Assignment of the State Lands Commission Lease for the Trans Bay Cable Project

Adopted Resolution 07-161.

- g. **RESOLUTION 07-10749** Approve a Resolution Creating a List of Approved Contractors Who Offer Services to Board Up Residences which are Subject to Ordinance No. 06-1272, Maintenance of Boarded and Vacant Buildings

Adopted Resolution 07-10749.

- h. **RESOLUTION 07-10750** Accepting Contract 2006-09B City Park Tree Removal

Project as Complete

Adopted Resolution 07-10750.

- i. **RESOLUTION 07-10751** Contributing Sponsorship for the Fifth Annual Day of the Teacher 2007

Adopted Resolution 07-10751.

- j. **RESOLUTION 07-10752** Amend Resolution No. 06-10521 to Include West Coast Code Consultants Inc., and Bureau Veritas North America, Inc., within Section 2 and Remove Linhart, Peterson, Powers Associates and Berryman & Henigar, LLC from Section 2

Adopted Resolution 07-10752.

- k. **RESOLUTION 07-10753** Approving a Request to the California Department of Housing and Community Development for Allocation of Workforce Housing Reward Funds for 2006 Program Year

Adopted Resolution 07-10753.

- l. **RESOLUTION 07-10754** Establishment of the Annual Stormwater Utility Area Fee for Fiscal Year 2007-2008

Adopted Resolution 07-10754.

- m. **RESOLUTION 07-10755** Authorizing the City Manager to Execute a Quitclaim Deed Conveying Title of Real Property to Contra Costa County for a Highway Right-of-Way

Adopted Resolution 07- 10755.

- n. **RESOLUTION 07-10756** Approval of the Engineer's Report for the Proposed Increase to the Citywide Landscaping and Lighting District 1988-01 Assessment

Adopted Resolution 07-10756.

- o. **RESOLUTION 07-10757** Declaration of Intent to Levy and Collect an Increased Annual Assessment for the Citywide Landscaping and Lighting District 1988-01 and to Schedule a Public Hearing on the Proposed Citywide 1988-01 District Assessment Increase

Adopted Resolution 07-10757.

- p. **RESOLUTION 07-10758** Memorandum of Understanding with Pittsburg Soccer League for Stoneman Park Field Use

Adopted Resolution 07-10758.

- q. **RESOLUTION 07-10759** Authorizing a Contract for Professional Financial Audit Services to Caporicci & Larson for Fiscal Years 2006-2007 through 2008-2009 and Authorizing the City Manager to Execute Such Agreement

Adopted Resolution 07-10759.

- s. **RESOLUTION 07-10761** Authorizing Execution of Master Tax-Exempt Lease/ Purchase Agreement for Voice Over Internet Protocol (VoIP) Telephone Equipment and Maintenance Services

Adopted Resolution 07-10761.

The following item was removed from the Consent Calendar for discussion.

- r. **RESOLUTION 07-10760** Fiscal Year 2007/2008 Service Reduction Plan for the Departmental Budgets Related to the City Manager, City Clerk and Economic Development

Councilmember Parent emphasized that the resolution provided for staff to begin looking at the possibility of, but would not adopt a change in, the amount of money that Councilmembers received. She had raised the issue in order to give the public adequate public notice that it might come up in the future.

Vice Mayor Casey wanted it made clear that the Council was not giving itself a raise.

Mr. Grisham affirmed that was not the intent of the plan. The item would allow flexibility in the future, but would come up in the future as a Council deliberation where the public would have input. He stated that the restructuring would save the General Fund approximately \$397,000.

Mayor Johnson explained that he had asked for the item. He noted a resolution in the Legislature to increase salaries across the board based on the size of a city. He stated that the Pittsburg City Council received \$500 monthly, which equated to about \$2.88 an hour for its time. He added that members were not overpaid and oftentimes used his and her own personal funds to travel.

On motion by Councilmember Parent, seconded by Vice Mayor Casey and carried unanimously to adopt Resolution 07-10760.

ADJOURNMENT

The meeting of the Redevelopment Agency adjourned at 7:52 P.M. to the next meeting set for April 16, 2007.

Respectfully submitted,

Alice E. Evenson, Secretary

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CITY OF PITTSBURG
Pittsburg Power Company Minutes
April 2, 2007

Chair Ben Johnson called the meeting of the Pittsburg Power Company to order at 7:57 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened into Closed Session at 6:30 P.M. for Conference with Real Property Negotiator pursuant to Section 54956.8 of the Government Code regarding 1301 Standard Oil Avenue (APN 073-230-007).

Chair Johnson advised that no reportable action had taken place in Closed Session.

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

MEMBERS ABSENT: None

STAFF PRESENT

- Executive Director, Marc Grisham
- Assistant Executive Director, Matt Rodriguez
- Assistant Legal Counsel, Jacob Knapp
- City Clerk, Alice Evenson
- Director of Pittsburg Power Company, Garrett Evans
- Director of Engineering and Building, Joe Sbranti
- Director of Economic Development, Brad Nail
- Director of Redevelopment, Randy Starbuck
- Director of Public Works, John Fuller
- Director of Recreation, Paul Flores
- Director of Finance, Marie Simons
- Chief of Police, Aaron Baker

In Joint Session with the City Council and the Redevelopment Agency, the Pittsburg Power Company considered the Combined Consent Calendar.

CONFLICT OF INTEREST DECLARATION

There was no reported conflict of interest.

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

CONSENT CALENDAR

On motion by Councilmember Kee, seconded by Councilmember Evola and carried unanimously to adopt the Consent Calendar, with the removal of item r, as follows:

- a. **MINUTES** Dated: March 19, 2007

Approved minutes dated March 19, 2007.

- b. **CLAIMS** #1761 Debra Anderson; #1763 Kenneth Tanksley; #1766 Byron Blansett

Denied claims #1761 Debra Anderson; #1763 Kenneth Tanksley; and #1766 Byron Blansett.

- c. **RESOLUTION 07-1191** Approval of a Demolition Contract By and Between the Redevelopment Agency of the City of Pittsburg and Complete Decon, Inc. for the Property Located at 96 E. 5 Fifth Street and 500-520 Railroad Avenue

Adopted Resolution 07-1191.

- d. **RESOLUTION 07-1192** Approval of an Owner Participation and Acquisition Loan Agreement By and Between the Redevelopment Agency of the City of Pittsburg and Palm Plaza Group, LLC

Adopted Resolution 07-1192.

- e. **RESOLUTION 07-160** Amending Pittsburg Power Company's Annual Budget for FY 2006-2007 to Provide for Increasing Trans Bay Cable Project Reimbursement Program Funding by \$150,000 for Legal Consultants

Adopted Resolution 07-160.

- f. **RESOLUTION 07-161** Authorizing the Executive Director to Accept the Assignment of the State Lands Commission Lease for the Trans Bay Cable Project

Adopted Resolution 07-161.

- g. **RESOLUTION 07-10749** Approve a Resolution Creating a List of Approved Contractors Who Offer Services to Board Up Residences which are Subject to Ordinance No. 06-1272, Maintenance of Boarded and Vacant Buildings

Adopted Resolution 07-10749.

- h. **RESOLUTION 07-10750** Accepting Contract 2006-09B City Park Tree Removal Project as Complete

Adopted Resolution 07-10750.

- i. **RESOLUTION 07-10751** Contributing Sponsorship for the Fifth Annual Day of the Teacher 2007

Adopted Resolution 07-10751.

- j. **RESOLUTION 07-10752** Amend Resolution No. 06-10521 to Include West Coast Code Consultants Inc., and Bureau Veritas North America, Inc., within Section 2 and Remove Linhart, Peterson, Powers Associates and Berryman & Henigar, LLC from Section 2

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- k. **RESOLUTION 07-10753** Approving a Request to the California Department of Housing and Community Development for Allocation of Workforce Housing Reward Funds for 2006 Program Year

Adopted Resolution 07-10753.

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Adopted Resolution 07- 10755.

- n. **RESOLUTION 07-10756** Approval of the Engineer's Report for the Proposed Increase to the Citywide Landscaping and Lighting District 1988-01 Assessment

Adopted Resolution 07-10756.

- o. **RESOLUTION 07-10757** Declaration of Intent to Levy and Collect an Increased Annual Assessment for the Citywide Landscaping and Lighting District 1988-01 and to Schedule a Public Hearing on the Proposed Citywide 1988-01 District Assessment Increase

Adopted Resolution 07-10757.

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Adopted Resolution 07-10758.

- q. **RESOLUTION 07-10759** Authorizing a Contract for Professional Financial Audit Services to Caporicci & Larson for Fiscal Years 2006-2007 through 2008-2009 and Authorizing the City Manager to Execute Such Agreement

Adopted Resolution 07-10759.

- s. **RESOLUTION 07-10761** Authorizing Execution of Master Tax-Exempt Lease/Purchase Agreement for Voice Over Internet Protocol (VoIP) Telephone Equipment and Maintenance Services

Adopted Resolution 07-10761.

The following item was removed from the Consent Calendar for discussion.

- r. **RESOLUTION 07-10760** Fiscal Year 2007/2008 Service Reduction Plan for the Departmental Budgets Related to the City Manager, City Clerk and Economic Development

Councilmember Parent emphasized that the resolution provided for staff to begin looking at the possibility of, but would not adopt a change in, the amount of money that Councilmembers received. She had raised the issue in order to give the public adequate public notice that it might come up in the future.

Vice Mayor Casey wanted it made clear that the Council was not giving itself a raise.

Mr. Grisham affirmed that was not the intent of the plan. The item would allow flexibility in the future, but would come up in the future as a Council deliberation where the public would have input. He stated that the restructuring would save the General Fund approximately \$397,000.

Mayor Johnson explained that he had asked for the item. He noted a resolution in the Legislature to increase salaries across the board based on the size of a city. He stated that the Pittsburg City Council received \$500 monthly, which equated to about \$2.88 an hour for its time. He added that members were not overpaid and oftentimes used his and her own personal funds to travel.

On motion by Councilmember Parent, seconded by Vice Mayor Casey and carried unanimously to adopt Resolution 07-10760.

ADJOURNMENT

The meeting of the Pittsburg Power Company adjourned at 7:57 P.M.

Respectfully submitted,

Alice E. Evenson, Secretary

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CITY OF PITTSBURG
City Council Minutes
April 2, 2007

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Mayor Johnson advised that no reportable action had taken place in Closed Session.

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

MEMBERS ABSENT: None

STAFF PRESENT
City Manager, Marc Grisham
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Mayor Johnson considered the following general City Council items at 7:00 P.M. prior to pursuing the Redevelopment Agency agenda.

PLEDGE OF ALLEGIANCE

Councilmember Kee led the Pledge of Allegiance.

COUNCILMEMBER REPORTS/REMARKS

Councilmember Kee reported that he had attended the Kiwanis Pancake Breakfast and Easter Egg Hunt.

Councilmember Parent reported that she had attended the Give Always to Others

event, the Kiwanis Pancake Breakfast and Easter Egg Hunt, the Cesar Chavez Day Concert at the Creative Arts Building, and the Cesar Chavez Dinner put on by Los Medanos College for the benefit of the Los Medanos Foundation at which time Felipe Torres, Jr. had been recognized as the Citizen of the Year. She had also attended the Soroptimist International Awards Luncheon when Women of Distinction Awards had been awarded to five women and when a Woman's Opportunity Award had been awarded to a Los Medanos College Student and the Violet Richardson Award had been given to a Pittsburg High School student who volunteered in the community.

Mayor Johnson stated that the Kiwanis Pancake Breakfast had been very successful. He had also participated in opening day ceremonies for the Little League, and had participated in the Easter Egg Hunt at Small World Park. He had also attended an event with Supervisor Federal Glover for the Delta Project to address youth violence. He displayed posters that would be placed throughout Contra Costa County to address violence against women.

Mayor Johnson reported that Tower of Power Players would be at the Creative Arts Building on Friday April 13, at 6:00 P.M. He also identified the City of Pittsburg Blood Drive on Thursday, April 12 from 9:00 A.M. to 3:00 P.M in the City Hall parking lot. He added that the Cesar Chavez Commemorative celebration had been scheduled for Saturday, April 7, from 11:00 A.M. to 12:00 Noon at 651 Pine Street in Martinez.

CITY MANAGER REPORTS/REMARKS

City Manager Marc Grisham stated that the Central Park Soccer Field, which had been completed, would be dedicated on Saturday, April 7, at 11:00 A.M. He identified the numerous public events scheduled as part of that event.

Mayor Johnson advised for the record that any comments on consent items would now be considered under public comment.

CITIZEN REMARKS

CARMEN AGUILAR-OCHOA, Executive Director, 329 Railroad Avenue, Pittsburg, was present to thank the City Council and the City of Pittsburg for the sponsorship of the Cesar Chavez Mariachi Concert held at the Creative Arts Building, which had been a great success. She stated that 480 senior citizens had enjoyed the event at that time. She presented a Certificate of Appreciation to Mayor Johnson in recognition of the City's support of multi-cultural programs and its sponsorship of the Cesar Chavez Mariachi Concert held on March 25, 2007.

Ms. Aguilar-Ochoa also thanked Don and Jackie from the Pittsburg Senior Center for their assistance in distributing the senior tickets to the event. She stated that Anna who videotaped the Council meetings also helped out at that time.

Ms. Aguilar-Ochoa noted that Sergeant Haas had also been very helpful at that

event and she would soon be submitting a packet of information for another upcoming event. She added that the Cesar Chavez Concert would be broadcast on Comcast cable Channel 24 or 26 starting on Friday, April 6, at 7:00 P.M., to run through the month of April.

DENISE REINHARDT, Pittsburg, spoke to the landslide issue in the San Marco development and stated that during a prior meeting the City Council had indicated that the developer, William Lyons Homes, would get back to the citizens. She stated that had not occurred. Referring to a graphic of the hillside that she had displayed in the Council Chambers, she questioned the repairs that had been made by both Discovery Builders and William Lyons Homes and she asked why no one in the City had stopped the job to enforce the conditions which would have prevented the slide from occurring. Ten months later, she stated that landslide "A" still existed regardless of who owned the property. She stated that not only her property but other homes were sitting on top of that slide. She urged the City Council to take care of its residents, make them whole and make them safe.

LAZ REINHARDT, also referred to the same exhibit, showing where Discovery Builders had prepared a keyway to address the homes affected by the slide. He identified an unrepaired slide that traversed across both developers properties. He questioned why a landslide had been allowed to exist. He also pointed out an area of the slide that had been fixed. He noted that the unrepaired slide was underneath the engineered soils of both developments. He stated that in the process of stabilizing the slide, major portions of his backyard had been damaged by fissures. He was concerned with the long-term liability of his home. He stated there was no way to repair the unrepaired section at this time and secure that area in a way where it would not sink in the future. He suggested that some efforts could be made and probably would, although he stated that he was not happy with the repair of only half of the slide.

Stating that he would not bear the long-term liability of that situation, Mr. Reinhardt asked the City to purchase his and the other affected homes in the landslide area.

MIKE LENGYEL, Pittsburg, expressed concern for the ability to communicate with government given the disintegration of the newspaper industry, which he suggested would leave no means of communication. At the last meeting of the City Council, he noted that Mayor Johnson had suggested the use of the City's e-services, although he pointed out that format was not suitable for the same type of communication.

Referring to a recommendation from the last meeting for bigger and better public signs, Mr. Lengyel supported a kiosk arrangement to allow better public notification of public City meetings and other public events. He recommended that a subcommittee be designated by the Council to address that issue.

With respect to Consent Calendar item h, Accepting Contract 2006-09B, City Park Tree Removal Project as Complete, Mr. Lengyel had some technical questions and asked as to the final count of the trees that had been removed in City Park. He also asked as to the biomass from that removal and what happened to the material that had been removed.

Mr. Lengyel also sought information on the arborist involved in that situation and

questioned whether or not there had been nesting birds in the trees that had been removed. He recommended that the Mayor appoint an ad hoc tree study committee and consider a heritage tree ordinance to protect the heritage trees in the community.

Mr. Lengyel spoke to the increase in landscape and parcel fees and urged the City to charge the full amount and not subsidize commercial and industrial uses. He suggested that the City charge the full amount for what it needed for the landscaping. He also suggested that the City consider additional sources of revenue, such as a tonnage fee for ships and a fee for trucks, to augment the funds.

BRUCE OHLSON, Pittsburg, representing the East Bay Bicycle Coalition, referred to Item m. on the Consent Calendar, Authorizing the City Manager to Execute a Quitclaim Deed Conveying Title of Real Property to Contra Costa County for a Highway Right-of-way, and stated that the Coalition's concern was for an easement on the south side of Highway 4 between Dover Way and Bodega Court, close to Range Road, through the PG&E power line easement, which land had been offered by Caltrans to the City of Pittsburg. The coalition was concerned that staff was not pursuing the easement with all vigor since it could be used as a continuation of the bicycle route and trail and could be a nice walking route for students walking from the downtown to the new school on Range Road. He asked the Council to direct staff to work with the Pittsburg bicycle community to retain ownership of the easement.

GUS KRAMER, the owner of property at 1054 Santa Lucia Drive, commented that he had not received responses to calls he had made to the City Manager. He also referred to the landslide which had occurred nine months ago. He stated that all he and his neighbors wanted was the repair of the landslide. He suggested, however, that the repair down to 70 feet could not be done without the removal of the homes. He asked the City to purchase the affected properties as the County had done on a number of other occasions in similar situations. He suggested that there was no reason why the homes could not be acquired by the City to allow the landslide to be repaired. He stated that the homes were now blighted and could be purchased under redevelopment.

Mr. Kramer stated that two winters ago the area now graded for homes and public streets had huge rivulets from the rain in the nature of six feet wide by six feet deep, which rivulets had since been filled in. He suggested that cracks would likely occur in the homes and streets constructed on those areas as a result of settling. He emphasized that the developer had not conducted appropriate grading.

For the record, City Manager Grisham stated that he had always responded to Mr. Kramer's calls. He was happy to speak to Mr. Kramer at any time or place he required. He added that staff was also available to speak to Mr. Kramer. He also commented that Mr. Kramer was well aware of the claims process that had to run its course for the landslide situation.

LINDA RUTLAND, 1046 Santa Lucia Drive, Pittsburg, stated that she had also been

affected by the landslide that had taken away her joy as a homeowner. She stated that residents had been told by City staff and members of the City Council that the residents would be made whole. She urged the Council to take care of the homeowners in this stressful situation. She asked the Council to do what was necessary to help the residents.

PILARSITA CASTRO, Pittsburg, also speaking to the landslide situation stated that she had a heart attack, her next door neighbors lost their home and another neighbor had died. She stated that everyone had a dream and the houses were their dream. She stated that her children could no longer play in their yard and she could not reside in her home because she did not feel safe.

Mayor Johnson adjourned to the Redevelopment Agency agenda at 7:44 P.M. and reconvened as the City Council at 7:53 P.M.

PUBLIC HEARING

1. **RESOLUTION 07-10747** Authorize the Executive Director to Execute a Lease Agreement By and Between the Redevelopment Agency of the City of Pittsburg and Nicolas Maamari and Johny Khalilieh
Combined w/RDA 07-1188

The Redevelopment Agency of the City of Pittsburg and Nicolas Maamari and Johny Khalilieh, doing business as "La Veranda Bar and Grill," desire to execute a sublease agreement for the lease of commercial space located at 444-446 Railroad Avenue.

In Joint Session with the Redevelopment Agency, the City Council took the following action.

On motion by Councilmember Parent, seconded by Vice Mayor Casey and carried unanimously to adopt City Council Resolution 07-10747.

2. **RESOLUTION 07-10748** Resolution to Pass on the Increase in the Contra Costa Water District's Untreated (Raw) Water Service Revenues and Facilities Reserve Charges

The Contra Costa Water District (CCWD) raised its raw water facility reserve charges annually. This is in recognition of the rapid growth in water service demand due to an ever expanding populace. The resolution would pass on this latest increase in the Contra Costa Facility Reserve Charge to the new user in 60 days.

The CCWD Facility Reserve Charge is a pass-through fee collected by the City and paid to the CCWD. The City staff time required to process this fee would be compensated by a \$35.00 service charge collected by the City. It was recommended that the City Council adopt a resolution approving the pass-through fee increases of the Contra Costa Water District.

Mayor Johnson opened the public hearing for Resolution 07-10748. There was no

one to speak to the item. Mayor Johnson closed the public hearing for Resolution 07-10748.

In response to Councilmember Parent, Mr. Grisham affirmed that the rates had been charged to the City starting April 1, 2007. He acknowledged that the item should have come before the Council earlier.

On motion by Vice Mayor Casey, seconded by Councilmember Parent and carried unanimously to adopt City Council Resolution 07-10748.

CONFLICT OF INTEREST DECLARATION

There was no reported conflict of interest.

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

CONSENT CALENDAR

On motion by Councilmember Kee, seconded by Councilmember Evola and carried unanimously to adopt the Consent Calendar, with the removal of item r, as follows:

a. **MINUTES** Dated: March 19, 2007

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Adopted Resolution 07-1192.

e. **RESOLUTION 07-160** Amending Pittsburg Power Company's Annual Budget

for FY 2006-2007 to Provide for Increasing Trans Bay Cable Project Reimbursement Program Funding by \$150,000 for Legal Consultants

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- g. **RESOLUTION 07-10749** Approve a Resolution Creating a List of Approved Contractors Who Offer Services to Board Up Residences which are Subject to Ordinance No. 06-1272, Maintenance of Boarded and Vacant Buildings

Adopted Resolution 07-10749.

- h. **RESOLUTION 07-10750** Accepting Contract 2006-09B City Park Tree Removal Project as Complete

Adopted Resolution 07-10750.

- i. **RESOLUTION 07-10751** Contributing Sponsorship for the Fifth Annual Day of the Teacher 2007

Adopted Resolution 07-10751.

- j. **RESOLUTION 07-10752** Amend Resolution No. 06-10521 to Include West Coast Code Consultants Inc., and Bureau Veritas North America, Inc., within Section 2 and Remove Linhart, Peterson, Powers Associates and Berryman & Henigar, LLC from Section 2

Adopted Resolution 07-10752.

- k. **RESOLUTION 07-10753** Approving a Request to the California Department of Housing and Community Development for Allocation of Workforce Housing Reward Funds for 2006 Program Year

Adopted Resolution 07-10753.

- l. **RESOLUTION 07-10754** Establishment of the Annual Stormwater Utility Area Fee

for Fiscal Year 2007-2008

Adopted Resolution 07-10754.

- m. **RESOLUTION 07-10755** Authorizing the City Manager to Execute a Quitclaim Deed Conveying Title of Real Property to Contra Costa County for a Highway Right-of-Way

Adopted Resolution 07- 10755.

- n. **RESOLUTION 07-10756** Approval of the Engineer's Report for the Proposed Increase to the Citywide Landscaping and Lighting District 1988-01 Assessment

Adopted Resolution 07-10756.

- o. **RESOLUTION 07-10757** Declaration of Intent to Levy and Collect an Increased Annual Assessment for the Citywide Landscaping and Lighting District 1988-01 and to Schedule a Public Hearing on the Proposed Citywide 1988-01 District Assessment Increase

Adopted Resolution 07-10757.

- p. **RESOLUTION 07-10758** Memorandum of Understanding with Pittsburg Soccer League for Stoneman Park Field Use

Adopted Resolution 07-10758.

- q. **RESOLUTION 07-10759** Authorizing a Contract for Professional Financial Audit Services to Caporicci & Larson for Fiscal Years 2006-2007 through 2008-2009 and Authorizing the City Manager to Execute Such Agreement

Adopted Resolution 07-10759.

- s. **RESOLUTION 07-10761** Authorizing Execution of Master Tax-Exempt Lease/ Purchase Agreement for Voice Over Internet Protocol (VoIP) Telephone Equipment and Maintenance Services

Adopted Resolution 07-10761.

The following item was removed from the Consent Calendar for discussion.

- r. **RESOLUTION 07-10760** Fiscal Year 2007/2008 Service Reduction Plan for the Departmental Budgets Related to the City Manager,

City Clerk and Economic Development

Councilmember Parent emphasized that the resolution provided for staff to begin looking at the possibility of, but would not adopt a change in, the amount of money that Councilmembers received. She had raised the issue in order to give the public adequate public notice that it might come up in the future.

Vice Mayor Casey wanted it made clear that the Council was not giving itself a raise.

Mr. Grisham affirmed that was not the intent of the plan. The item would allow flexibility in the future, but would come up in the future as a Council deliberation where the public would have input. He stated that the restructuring would save the General Fund approximately \$397,000.

Mayor Johnson explained that he had asked for the item. He noted a resolution in the Legislature to increase salaries across the board based on the size of a city. He stated that the Pittsburg City Council received \$500 monthly, which equated to about \$2.88 an hour for its time. He added that members were not overpaid and oftentimes used his and her own personal funds to travel.

On motion by Councilmember Parent, seconded by Vice Mayor Casey and carried unanimously to adopt Resolution 07-10760.

ADJOURNMENT

The City Council adjourned at 7:59 P.M to April 16, 2007.

Respectfully submitted,

Alice E. Evenson, City Clerk

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