

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

Chair Ben Johnson called the meeting of the Housing Authority to order at 7:29 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened into Closed Session at 5:30 P.M. for Conference with Real Property Negotiator pursuant to Section 54956.8 of the Government Code regarding 701 Willow Pass Road and Conference with Legal Counsel – Existing Litigation pursuant to Section 54956.9(a) regarding West Coast Home Builders, Inc., and Seecon Financial & Construction Co., Inc. vs. City of Pittsburg, City Council of the City of Pittsburg, Does 1-50 Inclusive, followed by a Presentation from 6:00 P.M. to 6:46 P.M. for Priority Workplan Update and New Objectives.

Chair Johnson advised that there was no reportable action from the Closed Session.

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

**MEMBERS ABSENT:** Wallen

**STAFF PRESENT:** Executive Director, Marc Grisham  
Assistant Executive Director, Matt Rodriguez  
Legal Counsel, Ruthann Ziegler  
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 Recreation, Paul Flores  
Director of Finance, Marie Simons  
Planning Director, Melissa Ayres  
Police Chief, Aaron Baker

**CONFLICT OF INTEREST DECLARATION**

There was no Conflict of Interest Declaration.

**CONSENT CALENDAR**

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

a. **DISBURSEMENT LIST** Dated: January 31, 2007

Approved Disbursement List dated January 31, 2007.

b. **MINUTES**

Dated: January 16, 2007

Approved Minutes dated January 16, 2007.

**ADJOURNMENT**

The meeting of the Housing Authority adjourned at 7:30 P.M. to the next meeting on March 19, 2007.

Respectfully submitted,

Alice E. Evenson, Secretary

als

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

Chair Ben Johnson called the meeting of the Redevelopment Agency to order at 7:31 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened into Closed Session at 5:30 P.M. for Conference with Real Property Negotiator pursuant to Section 54956.8 of the Government Code regarding 701 Willow Pass Road and Conference with Legal Counsel – Existing Litigation pursuant to Section 54956.9(a) regarding West Coast Home Builders, Inc., and Seecon Financial & Construction Co., Inc. vs. City of Pittsburg, City Council of the City of Pittsburg, Does 1-50 Inclusive, followed by a Presentation from 6:00 P.M. to 6:46 P.M. for Priority Workplan Update and New Objectives.

Chair Johnson advised that there was no reportable action from the Closed Session.

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

**MEMBERS ABSENT:** None

**STAFF PRESENT**

- Executive Director, Marc Grisham
- Assistant Executive Director, Matt Rodriguez
- Legal Counsel, Ruthann Ziegler
- 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 Recreation, Paul Flores
- Director of Finance, Marie Simons
- Planning Director, Melissa Ayres
- Police Chief, Aaron Baker

**CONSIDERATION**

1. **RESOLUTION 07-1181** Authorize the Executive Director to Execute and Fund Planning and Study Agreements Regarding the Pittsburg/Bay Point BART Station Transit Village

Executive Director Marc Grisham advised that the City of Pittsburg had a tremendous opportunity to capture the office and residential market along the Highway 4 corridor by creating a Transit Village adjacent to the location of the Pittsburg/Bay Point BART Station. The Redevelopment Agency of the City of Pittsburg desired to enlist the services of Hellmuth, Obata and Kassabaum Inc. (HOK), and Panattoni Development Company to conduct a planning, project phasing, and budget for the BART Station parking lot. As to the

fiscal impact, the cost of the planning study by HOK would be \$70,000 plus reimbursable expenses. The budget estimates and phasing work by Panattoni would be passed on a reimbursement basis, not to exceed \$15,000. Should Panattoni develop the first phase, the Agency would not be charged for its services. In addition, staff recommended a contingency of \$15,000 to cover any project expenses. The total funds of \$100,000 would come from 2006 Tax Exempt TAB for Transit Village Projects.

Mr. Grisham recommended that the Agency Board authorize the Executive Director to execute the agreements with Hellmuth, Obata and Kassabaum Inc. and Panattoni regarding the planning and study of the Pittsburg/Bay Point BART Station Transit Village.

Member Evola referenced the opportunity identified in the executive summary and suggested that opportunity was rather small. Having attended a number of hearings in 2000 on a process that had started in 1996 with the execution of a Memorandum of Agreement with the County, BART and the City signed by Supervisor Canciamilla and Councilmember Glover at the time, he stated that the City, County and BART had spent over \$500,000 on the development of a BART Specific Plan which the County had adopted but which the City of Pittsburg had not. He also noted that in 2004, it had been a planning priority to adopt the Specific Plan and Environmental Impact Report (EIR) that the County had adopted although the City had not. He questioned why the City of Pittsburg would now pay 100 percent of the cost where previous documents had shown the expenses split between the County and BART.

Mr. Grisham spoke to a failed planning process that had commenced in 1996 and where after 11 years nothing had come forward from that process. He suggested that was one of the reasons why there was a need for a new direction. He also noted that all of the BART facilities and BART land was located within the City of Pittsburg, not within the County. For those reasons, the City determined it would be appropriate to come forward with a process that would focus on the City's decisions and planning processes, as opposed to the County's involvement as in the past. The actions related to that land rested solely with the Pittsburg City Council, which was why the City's approach had been for a focused study on Pittsburg land.

Member Evola referred to Page 1 of the resolution which had shown the proposal as consistent with the City's General Plan, although he noted that the General Plan clearly pointed to the BART Specific Plan, which had not been adopted.

Mr. Grisham suggested that the proposal was consistent with the Pittsburg General Plan. With respect to the Specific Plan, he stated it had not been a priority with the Council to bring forward the previous Specific Plan. He again characterized that Specific Plan as no longer appropriate given the joint County/City plan since all the property that would be addressed was located within the City of Pittsburg.

Member Evola verified with staff that the County had adopted the Specific Plan related to its portion. He noted that of all the studies done, the EIR and the monies spent by the City were not being considered and pursued by the City. Member Evola

commented on his understanding that there had been six alternatives in the Specific Plan which had analyzed the project as being fully residential or fully commercial, with the residential allowing up to 60 dwelling units per acre. He suggested that if there had been an EIR that had been certified adequately showing the impacts from one extreme to the other, some of that data would have been helpful in the scope of work for the current proposal.

Mr. Grisham stated in terms of the information that all information would be shared with the consultant, including all background information which he agreed would be very useful.

Member Evola also spoke to the fee proposal and noted that there had been three meetings with the client and with the City but not with BART. If the property in question was actually BART property, he questioned why there was no money in the budget and in the fee proposal to allow them to meet with the property owner, the citizens of Oak Hills and those living in that area to solicit public feedback and interaction with BART to ensure that money was not wasted.

Mr. Grisham stated that the City would interact with BART. He explained that the resolution would only allow the Agency to pursue a contract. He noted that additional meetings could be considered for additional public input through a contingency added to the proposal.

Member Kee suggested that one of the reasons the City had not pursued the Specific Plan for the area was that of the numerous options available, the County had adopted an alternative that would be beneficial to the County, but which was not necessarily beneficial to the City of Pittsburg. He noted that all of the commercial property was in the County and the residential construction would have been in the City of Pittsburg, which had led to the reason why the Specific Plan had not been adopted by the City.

Member Parent suggested it was important to move forward at this point as related to the BART Station to be able to begin the process of doing the infill that was appropriate around a BART Station. The suggestion to build in some time for the consultants to meet with the surrounding residents would also be important. She suggested that what might come out of the process was a way to minimize travel by putting living accommodations as close as possible to the BART Station. She suggested it would be the commuter who would access the BART train by car who would be most affected and she emphasized the need to encourage more people to take public transit to get to the BART Station.

Member Parent encouraged all interested parties to get involved as early as possible to make comments with those who resided in the area and who would use the BART Station. She offered a motion to adopt Resolution 07-1181 at this time.

#### PUBLIC COMMENTS:

A.J. FARDELLA, Pittsburg, stated that the surrounding residents would be the most

affected by whatever was installed in the area in question and who should have a voice over the character of whatever would be constructed. He questioned why the City had not approved the prior Specific Plan and EIR that had been prepared. He personally wanted to see Pittsburg and Bay Point become the same entity in the short term resulting in the question of what would happen to the BART side of the station a non-issue. He recognized the work done on the EIR and questioned the requested expenditure of \$70,000 and the direction that would be given to the consultants. Based on the information in the documents, he suggested that direction was vague. He added that he had previously submitted written comments to the Council.

Member Parent affirmed with Mr. Fardella that he was speaking for the Oak Hills Community group although there had been no recent meeting of the group.

Mr. Fardella explained that he had received six phone calls he had documented from those he had not solicited about the agenda item, some of whom had received the agenda from the City Clerk or saw the item. He noted that one particular resident, Cathy West, who lived very close to the BART Station, was very concerned with the low income housing component of the project.

When asked why the low income housing component should be such a concern, Mr. Fardella suggested from a logistical standpoint that since the site was at the end of the BART line, there was an objection to the placement of low income housing at the end station of BART in such a way that might not mitigate some of the parallel influences. He commented that he had lived in that area and had frequently seen transients come out of the BART Station. Even without a low income housing component, or anyone living in the area, he stated the problems with transients had increased, which was one of the reasons it was felt that adding low income Housing adjacent to the last BART Station on the line was a bad combination.

As to how low income housing was defined, Mr. Fardella could not specifically define it but suggested that the Council's definition would not likely be close to what had been envisioned by the community.

Member Evola again commented that the County had adopted the Specific Plan and EIR with the Specific Plan having provided several alternatives. If the County over its portion had recommendations to what it would like to see, he suggested that the City would still be entitled under that document to have developers on the BART property bring forward something that was consistent with one of the alternatives in the Specific Plan.

In response, Planning Manager Melissa Ayres stated that the City had not certified the EIR, although the County had certified the EIR. For the City to adopt any of the alternatives in the Specific Plan, she stated the City would have had to certify the EIR. The City's Transportation Division had determined that the traffic information in the EIR was very outdated, with a lot projects having occurred since that time, including Vista Del Mar and Bailey Estates or the potential development with the new Urban Limit Line.

If adopting anything in the future, Ms. Ayres advised that the transportation section of the document would have to be updated before certification. If a project came out of the proposed process in that range, she stated there was little else that would have to be done other than to document the project description and verify that the rest of the information was correct, and update the transportation section prior to adoption.

Ms. Ayres explained by way of history that the Council in a workshop had directed staff to look at an alternative between Alternative 6 that the County had adopted and Alternative 5, which the major property owner in the area, one of the Seeno entities which owned most of the land within the City limits, had offered. In a workshop with the City Council in 2003, the Council had directed staff to consider Alternative 5.5, consisting of heavy office development. Staff had worked with that alternative with the major property owner who had prepared a preliminary plan for a transit village west of the site, but which was not consistent with the Specific Plan, and which the major developer ultimately chose not to pursue as a result of negative comments from the Planning Commission.

Ms. Ayres advised that she had conversations with representatives from that property owner who had questioned the adoption of the Specific Plan in the City since they were the major property owner of the area owning most of the property other than the BART property. She explained that the matter of the Specific Plan had fallen back on a low priority on the staff work program. If focusing on the BART property itself would take it much farther than the BART Specific Plan would have, through a more detailed level that could be taken to a developer for the consideration of development.

Mr. Grisham added that a proposal had come forward for a series of apartment towers that would have been within the Specific Plan and which had started down the planning process, although the developer had later indicated he would no longer participate in the process. For all of those reasons, staff had come to the conclusion that the best thing would be to focus solely on the BART property and not try to dictate other land use development in the area due to differences of opinion between the then City Council and the primary property owner located immediately west of the BART Station.

Member Evola explained that he was speaking specifically to the BART property and how it would pertain to the Specific Plan adopted by the County, the work done in the past and what money the City had spent.

On motion by Member Parent, seconded by Member Kee to adopt Resolution 07-1181. The motion carried by the following vote:

Ayes: Casey, Kee, Parent, Johnson  
Noes: None  
Abstain: Evola  
Absent: None

2. **RESOLUTION 07-1184**      Receive Fiscal Year 2006-2007 Mid-Year Financial  
**Combined w/CC 07-10723**      Review Report and Adopt a Resolution of the City

## Council and the Redevelopment Agency to Authorize Budget Adjustments for Fiscal Year 2006-2007

Mr. Grisham reported that staff had completed the review of the Fiscal Year 2006-2007 Mid-Year budget review status for all City and Redevelopment Agency Funds. The Fiscal Year 2006-2007 Mid-Year Financial Review Report compared all actual revenues and expenses to the amended budget for all City and Redevelopment Agency funds. In terms of expenditures and revenues he stated there would be a balanced budget at the end of the year. He noted the significant downturn in sales tax largely due to poor auto sales, which had an impact on the City's Budget.

Finance Director Marie Simons highlighted the budget review for the first six months of the year. She referenced the two resolutions for the Redevelopment Agency and the City Council and noted two budget adjustments for each that she described as clean up items.

Upon completion of the 2006-2007 Mid-Year Financial Review of all citywide funds staff had determined that most funds were on target as projected through the Fiscal Year 2006-2007 City and Redevelopment Agency adopted budget process with the exceptions noted.

If the current six month trend continued for the General Fund operating revenues and operating expenses, it appeared as if the City would end the fiscal year in a balanced fiscal position, which balanced fiscal position was all dependent on certain revenues such as property taxes, vehicle license fees, interest income, and development services fees receipting at a higher level than expected and some salary savings from the vacant non-sworn positions. The one unforeseen negative impact was that sales tax was estimated to be less than the original estimate by \$600,000 due mainly to the recent decline in auto sales. However, the aforementioned higher revenues should be sufficient to offset this decline in sales taxes.

At Fiscal Year 2006-2007 year-end staff would review all reserves in accordance with the City Council adopted policies for the General Fund and Internal Service Fund.

It was recommended that the City Council receive the Fiscal Year 2006-2007 Mid-Year Financial Review of all City and Redevelopment Agency funds and adopt a resolution of the City Council and the Redevelopment Agency authorizing budget adjustments for Fiscal Year 2006-2007.

On motion by Vice Chair Casey, seconded by Member Evola and carried unanimously to adopt Redevelopment Agency Resolution 07-1184.

On motion by Vice Mayor Casey, seconded by Councilmember Evola and carried unanimously to adopt City Council Resolution 07-10723.

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

## **CONFLICT OF INTEREST DECLARATION**

There was no Conflict of Interest Declaration.

## **CONSENT CALENDAR**

On motion by Councilmember Parent, seconded by Vice Mayor Casey, and carried unanimously to adopt the Redevelopment Agency and City Council Combined Consent Calendar, as follows:

## **CONSENT CALENDAR**

- a. **MINUTES** Dated: February 5, 2007  
Approved minutes dated February 5, 2007.
- b. **CLAIMS** #1757 Alfred J. Abono  
Denied Claim #1757 Alfred J. Abono.
- c. **RESOLUTION 07-1182** Approving a Consultant Agreement By and Between the Redevelopment Agency of the City of Pittsburg and Dominion Environmental, LLC.  
Adopted Resolution 07-1182.
- d. **RESOLUTION 07-1183** Approval of an Exclusive Negotiating Rights Agreement By and Between the Redevelopment Agency of the City of Pittsburg and Rainbow Homes, Inc.  
Adopted Resolution 07-1183.
- e. **RESOLUTION 07-10718** Authorizing Consultant Agreement Amendment No. 1 to the Contract with Harris & Associates for Design of Contract 2004-10, Old Town Infrastructure Project  
Adopted Resolution 07-10718.
- f. **RESOLUTION 07-10720** Approve the Execution of the Associate Membership Agreement By and Between the California Enterprise Development Authority and the City of Pittsburg  
Adopted Resolution 07-10720.
- g. **RESOLUTION 07-10721** Establishment of Annual Condominium Conversion Rate

Adopted Resolution 07-10721.

- h. **RESOLUTION 07-10722** Clarify Benefits Provided to Elected Officials

Adopted Resolution 07-10722.

**ADJOURNMENT**

The meeting of the Redevelopment Agency adjourned at 7:57 P.M. to March 5, 2007.

Respectfully submitted,

Alice E. Evenson, Secretary

als

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

Mayor Ben Johnson called the meeting of the City Council to order at 7:58 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened into Closed Session at 5:30 P.M. for Conference with Real Property Negotiator pursuant to Section 54956.8 of the Government Code regarding 701 Willow Pass Road and Conference with Legal Counsel – Existing Litigation pursuant to Section 54956.9(a) regarding West Coast Home Builders, Inc., and Seecon Financial & Construction Co., Inc. vs. City of Pittsburg, City Council of the City of Pittsburg, Does 1-50 Inclusive, followed by a Presentation from 6:00 P.M. to 6:46 P.M. for Priority Workplan Update and New Objectives.

Mayor Johnson advised that there was no reportable action from the Closed Session.

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

**MEMBERS ABSENT:** None

**STAFF PRESENT** City Manager, Marc Grisham  
Assistant City Manager, Matt Rodriguez  
City Attorney, Ruthann Ziegler  
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 Recreation, Paul Flores  
Director of Finance, Marie Simons  
Planning Director, Melissa Ayres  
Police Chief, 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**

Brad Nail led the Pledge of Allegiance.

**PRESENTATION**

1. Destination Development Incorporated  
Economic Development Director Brad Nail reported that a total presentation had been

made on February 16 with the consultant Destination Development Incorporated in order to help brand the City of Pittsburg and to prepare a plan for destination visitors to come to the City. He noted the discussions on the differences between a slogan and a brand. A brand would be owned forever with the discussion focusing in that issue. The consultant had reviewed the City's marketing effectiveness, had come to the City as visitors, and had spent three days trying to find interesting activities in the community with interviews of stakeholders. Ongoing research had also been done with a focus on marina brand concepts. The consultant also considered the potential weaknesses of the City from a brand standpoint, including the City's past reputation, what the City had that visitors could not get closer to home, and the need for the City to provide unique amenities.

Mr. Nail noted that the City's weakness included the downtown having been situated several blocks off of the freeway, the marina visually separated from the downtown by the tennis courts and trees, and poor signage directing visitors to the downtown, with no unique experiences. The consultant was working on opportunities to create a unique brand for the downtown that would be different and experiential to accelerate marketing through an initial focus on the boating community and then luring the drive market with signage.

The consultant recommended that the marina connection to the downtown be made a priority with a pedestrian bridge connecting the downtown and the marina together; creating a pedestrian way finding system with signage throughout the City; a visitor information kiosk; and an open view corridor between the marina and the downtown.

The consultant had noted that the major markets pulled visitors from the greater East Bay Area, particularly from the northeast area. The consultant recommended that the City concentrate on drawing visitors from their own region, including the far East County area.

Mr. Nail added that the consultant recommended an Italian theme for the City, something unique that would attract visitors to the City, noting that with the exception of North Beach in the City of San Francisco, there was no concentrated Italian focus. It was noted that Italy was the number one destination point for Americans in the United States. No other East Bay city had adopted the brand and it could be built on the annual Seafood Festival and on the City's heritage with shopping and dining in a pedestrian setting, the number one activity of visitors worldwide.

Mr. Nail commented that the consultant's research team had determined that the private sector would invest in the concept and that it was something that could be implemented and built over time to the point where the City would own the brand. The brand must be experiential and must be a dining experience, not just eating out, but with outside dining, signature dishes, unique retail shops with artisans, and resident events with music and dancing, light recreation, ambience, street musicians, and the like.

Mr. Nail reported that the consultant had recommended that the downtown be given a new name; a unique name that would identify the City and differentiate it from the other downtowns.

Potential downtown district names included *Vecchio Pittsburg* [Old Pittsburg], *Sala*

*da Pranzo Pittsburg*, [Pittsburg Dining], *Posto de Pittsburg* [Pittsburg Place] or the name recommended by the consultant, *Pittsburg Villaggio* [Pittsburg Village]. The consultant had also recommended the use of a slogan that would reflect the brand once established. “La Dolce Vita” [The Sweet Life] was the slogan recommended by the consultant to be used in all marketing and promotions to the public.

The consultant had recommended that the downtown have a distinctive visitor district with gateways and a name, to start with a couple of blocks on Railroad Avenue between Fifth and Third Streets and to spread from there, making it a showcase with a very pedestrian oriented area. The consultant also recommended the creation of gateways and boundaries with signage above that would identify when visitors were entering *Pittsburg Villaggio*. The consultant had also recommended the creation of a Central Business District, the *Villaggio*, and recommended the creation of the two block area between Fifth and Third Streets to be defined as *Pescatore Plaza* and which would tie in with the lifestyle retail area of the Vidrio.

Mr. Nail noted that if locals did not frequent the downtown, neither would visitors. It was recommended that the downtown be made interesting to locals. The consultant recommended the recruitment of outside events to *Pescatore Plaza*. While the City had a successful Car Show, he stated there were other things that could be done to bring outside events into the community. The consultant recommended that the business mix be rearranged with a separation of neighborhood retail from destination retail, with the City to recruit specific businesses that would reinforce the brand.

In order to create critical mass for diversions in the pedestrian setting, Mr. Nail stated that ten unique retail shops, ten eating and drinking places and ten places to go at night were needed. All things that the City needed to work on to establish its brand.

The consultant recommended that the brand be established through public relations, with advertising used to maintain its position, starting with the boating public and yacht clubs and inviting travel writers to events, working on clubs and organizations and then working to market through advertising.

Mr. Nail advised that a final report would be presented to the City Council in April, to adopt a brand with a recommendation for the adoption of the Italian theme for the City, creating a branding product development and marketing plan, and with signage way finding and a gateway plan, building *Pescatore Plaza*, rebuilding the City marina and Chamber of Commerce websites, and recruiting the right business mix.

## **COUNCILMEMBER REPORTS/REMARKS**

Vice Mayor Casey reported that he and Councilmember Kee were members of the Tri Delta Transit Board and he had asked the City Clerk to update the entire City Council on Tri Delta Transit Board matters.

Councilmember Parent reported that the Delta Diablo Sanitation District (DDSD)

Board of Directors had met last week to continue to work on the recycled water project. She noted that members of DDSB and their lobbyists had worked on that project in Washington D.C. and were receiving positive feedback, particularly from Congressman Miller's Office. She stated that the DDSB was also able to get support letters from Senator Torlakson and Assemblyman DeSaulnier to the State agencies to avoid losing that funding while federal funding was being pursued.

Councilmember Parent also reported on a situation with respect to the Seasons Subdivision on Willow Pass Road where some residents had been paying two sewer charges since the subdivision had been annexed to the City of Pittsburg. She described how and why that had occurred and requested as a member of the DDSB Board that the City of Pittsburg help the DDSB notify the homeowners in that development of the need to verify the double charges and seek relief from that double charging which the DDSB had agreed to compensate with interest.

Councilmember Parent added that she had served lunch at the Senior Center for Valentine's Day with members of the Pittsburg Soroptimist Club. She also understood that an Art Exhibition was being held at Mechanic's Bank by a former City employee, which was free to the public during the bank hours of operation. Further, a St. Patrick's Day event had been planned in the community and any interested parties who would like to attend should contact her.

Councilmember Kee commented on the art displayed throughout City Hall and explained that there would be an Art Show on Saturday, February 24 at City Hall hosted by Beta Phi Sigma Sorority. He also reported on some of the monies distributed from the Pittsburg Youth Fund with \$5,000 given to Hillview and Central Jr. High Schools to encourage kids to do better in school; \$5,000 to Delta View Golf Course for the Junior Golf Program to ensure it remained a free program to all Pittsburg youth; and \$3,000 to the Black Student Union at Pittsburg High to assist students on a historical Black College tour during spring break. He noted that any senior who brought a transcript and all other information could fill out an application and get acceptance on the spot.

Councilmember Evola reported that he and Councilmember Kee had attended a recent Redevelopment Subcommittee meeting and he had attended a Pittsburg Power Subcommittee meeting with Councilmember Parent.

Mayor Johnson reported that he had attended an American Legion Veteran's meeting, a meeting of the eBART Partnership Policy Advisory Committee (ePPAC) and the East Contra Costa Regional Fee and Financing Authority (ECCRFA), as well as a League of California Cities Executive Committee meeting and regular meeting.

### **CITY MANAGER REPORTS/REMARKS**

There were no City Manager Reports/Remarks.

### **CITIZENS REMARKS**

LYNN ESTRELLA, SGI, addressed a letter to the Mayor on behalf of the SGI Buddhists Association to former Mayor Kee in appreciation for the proclamation that had been presented to SGI by the Pittsburg City Council. She also presented the Council with a copy of SGI President Desako Kayo's peace and his proposal and asked the Council to save March 25, 2007 for the SGI Spring Festival at the Palace of Fine Arts in San Francisco. She presented material to each Councilmember from SGI at this time.

Councilmember Kee thanked SGI for the honor.

Mayor Johnson adjourned to the Housing Authority at 7:29 P.M. and reconvened the City Council at 7:58 P.M.

### **PUBLIC HEARING**

1. **RESOLUTION 07-10717** Approving Amendment No. 2 to the City's Wastewater Collections System Master Plan

MWH Consulting Engineers had prepared a second amendment to the City's Wastewater Collection System Master Plan primarily in response to proposed land development changes in the Railroad Avenue corridor, north of Highway 4 and changes in capital construction, costs. These changes were ready to be adopted as Amendment No. 2 to the Wastewater Collection System Master Plan.

Public Works Director John Fuller presented the second amendment to the Wastewater System Master Plan, which had been advertised to the public in mid-October 2006. In December staff had met with various developer representatives to review the update and at this time were unaware of any concerns by developers except with respect to cost estimating methods. He noted a letter received this date from one of the developers was intended to reserve the developer's right to challenge the cost estimates or fees if used for the basis of establishing developer impact fees in the future.

Adoption of the revised Wastewater Collection System Master Plan Amendment No. 2 would allow land development in the Railroad Avenue corridor north of Highway 4 to progress without delay due to concerns regarding the adequacy of the wastewater (sewer) system and update the cost for the expansion of the wastewater collection system south of Highway 4 to reflect changes in construction costs since the adoption of the original Master Plan and Amendment No. 1. The revised/updated development related project cost estimate may be used to update development impact fees. Revenues from these impact fees may increase but are dependent on the pace of new development within this specific area of development impact.

It was recommended that the City Council adopt a resolution revising the Wastewater Collection System Master Plan by adopting Amendment No. 2.

In response to the Mayor, Mr. Fuller explained that the changes were a result of land use changes in the General Plan that created land density and use changes. He noted the

reason for the Master Plan Update was to make sure that none of the land use changes would create new needs in the master plan such as larger pipes in new locations. He stated that the analysis had indicated that no more projects would be needed to serve new development. There were some projects, such as the Norton Valley project, that had recently been removed from the General Plan and that land use change had also been included.

Mr. Fuller verified that the numbers and not the names were used given that some names had changed.

Mayor Johnson opened the public hearing for Resolution 07-10717. There was no one to speak for or against the resolution. Mayor Johnson closed the public hearing for Resolution 07-10717.

On motion by Councilmember Kee, seconded by Vice Mayor Casey and carried unanimously to adopt Resolution 07-10717.

Councilmember Kee recused himself from the next item given that RAMAR International Corporation was a client. He left the dais and the City Council Chambers at this time.

2.     **RESOLUTION 07-10719**   Approval of Issuance of \$10,000,000 of California Enterprise Development Authority Revenue Bonds for the Benefit of RAMAR International Corporation and/or Related Entity

Mr. Grisham explained that RAMAR International Corporation was currently in the process of acquiring, improving, and equipping food-processing facilities to be located at 335 Central Avenue and 1101 Railroad Lane, in Pittsburg. In efforts to assist RAMAR in obtaining assistance through the California Enterprise Development Authority, the City of Pittsburg had joined the Authority to expand the member jurisdictions to include Pittsburg. With City approval, the Authority would finance RAMAR's expansion and improvement of its Pittsburg facilities with the proceeds from an industrial development revenue bond issue in an amount not to exceed \$10,000,000.

There would be no fiscal impact for the City of Pittsburg. Conduit revenue bonds were a special, limited obligation of the Authority payable, solely through the Corporation's repayment of loan from the Authority. The Corporation's repayment of the loan is used to pay the principal of and interest on the bonds. As such, any bonds issued by the Authority would not be a direct obligation of the Authority, the City or any member of the City or the Authority. Neither the faith or credit, nor the taxing power of the City, any member of the Authority, the State or any political subdivision were pledged to the repayment of the bonds.

Mayor Johnson opened the public hearing for Resolution 07-10719.

PAULA CONNERS, the Executive Director of the California Enterprise Development

Authority, explained that they were an issuing entity for industrial development bonds. In order to issue the bonds for RAMAR the City would have to agree with the issuance of bonds on behalf of the project.

Mayor Johnson closed the public hearing for Resolution 07-10719.

On motion by Vice Mayor Casey, seconded by Councilmember Parent to adopt Resolution 07-10719. The motion carried by the following vote:

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

Councilmember Kee rejoined the Council at this time.

## **CONSIDERATION**

### 1. **MINUTE ORDER** Commission/Committee Appointments

Mr. Grisham stated that openings existed on the Contra Costa Mosquito and Vector Control District (CCMVCD) and Contra Costa Transportation Authority Citizens Advisory Committee (CCTA-CAC). The City had advertised for all openings and had received applications for each Commission and Committee. Applicants were invited to interview with the City Council on February 5, 2007 and one applicant was interviewed at that time. One incumbent application was out of the country on a prior planned vacation. Action was required as related to appointments to those two bodies.

There would be no fiscal impact. Staff recommended that the City Council appoint eligible candidates to the Commission/Committee openings as identified in the February 20 staff report.

On motion by Councilmember Parent, seconded by Vice Mayor Casey, and carried unanimously to appoint **Richard W. Ainsley** to the Contra Costa Mosquito and Vector Control District and **Larry D. Wirick** to the Contra Costa Transportation Authority Citizens Advisory Committee.

### 2. **RESOLUTION 07-10723** Receive Fiscal Year 2006-2007 Mid-Year Financial Review Report and Adopt a Resolution of the City Council and the Redevelopment Agency to Authorize Budget Adjustments for Fiscal Year 2006-2007 **Combined w/RDA 07-1184**

Mr. Grisham reported that staff had completed the review of the Fiscal Year 2006-2007 Mid-Year budget review status for all City and Redevelopment Agency Funds. The Fiscal Year 2006-2007 Mid-Year Financial Review Report compared all actual revenues

and expenses to the amended budget for all City and Redevelopment Agency funds. In terms of expenditures and revenues he stated there would be a balanced budget at the end of the year. He noted the significant downturn in sales tax largely due to poor auto sales, which had an impact on the City's Budget.

Finance Director Marie Simons highlighted the budget review for the first six months of the year. She referenced the two resolutions for the Redevelopment Agency and the City Council and noted two budget adjustments for each that she described as clean up items.

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

On motion by Vice Mayor Casey, seconded by Councilmember Evola and carried unanimously to adopt City Council Resolution 07-10723.

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

### **CONFLICT OF INTEREST DECLARATION**

There was no Conflict of Interest Declaration.

### **CONSENT CALENDAR**

On motion by Councilmember Parent, seconded by Vice Mayor Casey, and carried unanimously to adopt the Redevelopment Agency and City Council Combined Consent Calendar, as follows:

### **CONSENT CALENDAR**

- a. **MINUTES** Dated: February 5, 2007  
Approved minutes dated February 5, 2007.
- b. **CLAIMS** #1757 Alfred J. Abono  
Denied Claim #1757 Alfred J. Abono.
- c. **RESOLUTION 07-1182** Approving a Consultant Agreement By and Between the Redevelopment Agency of the City of Pittsburg and Dominion Environmental, LLC.  
Adopted Resolution 07-1182.
- d. **RESOLUTION 07-1183** Approval of an Exclusive Negotiating Rights Agreement

By and Between the Redevelopment Agency of the City of Pittsburg and Rainbow Homes, Inc.

Adopted Resolution 07-1183.

- e. **RESOLUTION 07-10718** Authorizing Consultant Agreement Amendment No. 1 to the Contract with Harris & Associates for Design of Contract 2004-10, Old Town Infrastructure Project

Adopted Resolution 07-10718.

- f. **RESOLUTION 07-10720** Approve the Execution of the Associate Membership Agreement By and Between the California Enterprise Development Authority and the City of Pittsburg

Adopted Resolution 07-10720.

- g. **RESOLUTION 07-10721** Establishment of Annual Condominium Conversion Rate

Adopted Resolution 07-10721.

- h. **RESOLUTION 07-10722** Clarify Benefits Provided to Elected Officials

Adopted Resolution 07-10722.

**ADJOURNMENT**

The City Council adjourned at 8:08 P.M. to March 5, 2007.

Respectfully submitted,

Alice E. Evenson, City Clerk

als