

**CITY OF PITTSBURG**  
**Housing Authority Minutes**  
**May 21, 2001**

Chair Frank Quesada called the meeting to order at 7:05 p.m.

**MEMBERS PRESENT:** Lewis, Rios, Quesada, Wallen

**MEMBERS ABSENT:** Aiello, Beals, Peterson

**STAFF PRESENT:** City Manager, Willis Casey  
City Attorney, Linda Daube  
Assistant City Attorney, Carol Victor  
Director of Community Development, Nasser Shirazi  
Director of Economic Development, Garrett Evans  
Director of Finance, Jim Holmes  
Director of Leisure Services, Paul Flores  
Director of Public Services, John Fuller  
Police Chief, Aaron Baker

**PLEDGE OF ALLEGIANCE**

Frances Devasio led the Pledge of Allegiance.

**CITIZENS REMARKS**

There were no citizens remarks.

**MEMBERS REMARKS**

There were no members remarks.

**CONSENT**

On motion by Member Wallen, seconded by Member Rios to adopt the Consent Calendar by the following vote: **VOTE: 4-0**

a. **DISBURSEMENT LIST** Period Ending: April 30, 2001

The Disbursement List was approved.

b. **MINUTES** Dated: April 16, 2001

The minutes of April 16, 2001 were approved.

**ADJOURNMENT**

There being no further business, the Housing Authority was adjourned at 7:08 p.m. to the next scheduled meeting on June 18, 2001.

Respectfully submitted,

Lillian J. Pride, Secretary

**CITY OF PITTSBURG**  
**Redevelopment Agency Minutes**  
**May 21, 2001**

Chair Frank Quesada called the meeting to order at 7:09 p.m.

**MEMBERS PRESENT:** Lewis, Rios, Quesada

**MEMBERS ABSENT:** Aiello, Beals

**STAFF PRESENT:** City Manager, Willis Casey  
City Attorney, Linda Daube  
Assistant City Attorney, Carol Victor  
Director of Community Development, Nasser Shirazi  
Director of Economic Development, Garrett Evans  
Director of Finance, Jim Holmes  
Director of Leisure Services, Paul Flores  
Director of Public Services, John Fuller  
Police Chief, Aaron Baker

**PLEDGE OF ALLEGIANCE**

Frances Devasio led the Pledge of Allegiance.

**CITIZENS REMARKS**

**Willie Mims**, representing the Black Political Association, addressed the Council to discuss the Kirker Creek project. He protested the 4-1 vote to proceed on the project taken at the last meeting. He stated that one school, one community, should not be considered any better than the other. The Christian Center School, located north of Highway 4, will have a 60' covered concrete pipe behind it. The Martin Luther King School, located south of Highway 4, will have a proposed open concrete channel with a fence around it. He stated this is a violation of the Environmental Justice Act and that what you do for one community you must do for the other.

**MEMBERS REMARKS**

There were no members remarks.

**CONSENT**

City Attorney Daube clarified that item b., Resolution 01-775, actually deals with four different projects. She stated this point is covered well in the staff report, but the agenda title should read: AApproving a Consultant Agreement with Noll & Tam Architects for Architectural Services Related to the Design Improvements for the Teen Center Renovation, Neighborhood Center Improvements, Modular Buildings, and Library Remodeling Related to ADA Compliance.@

On motion by Member Rios, seconded by Member Lewis to adopt the Consent Calendar, with the amended agenda title as noted, by the following vote: **VOTE: 3-0**

- a. **MINUTES** Dated: May 7, 2001

The minutes of May 7, 2001 were approved.

- b. **RESOLUTION 01-775** Approving a Consultant Agreement with Noll & Tam Architects for Architectural Services Related to the Design Improvements for the Teen Center Renovation, Neighborhood Center Improvements, Modular Buildings, and Library Remodeling Related to ADA Compliance

Resolution 01-775 was adopted.

- c. **RESOLUTION 01-776** Loveridge Apartments Ownership Transfer

Resolution 01-776 was adopted.

### **ADJOURNMENT**

There being no further business, the Redevelopment Agency was adjourned at 7:14 p.m. to the next scheduled meeting on June 4, 2001.

Respectfully submitted,

Lillian J. Pride, Secretary



**CITY OF PITTSBURG**  
**City Council Minutes**  
**May 21, 2001**

Mayor Frank Quesada called the meeting to order at 7:15 p.m.

**MEMBERS PRESENT:** Lewis, Rios, Quesada

**MEMBERS ABSENT:** Aiello, Beals

**STAFF PRESENT:** City Manager, Willis Casey  
City Attorney, Linda Daube  
Assistant City Attorney, Carol Victor  
Director of Community Development, Nasser Shirazi  
Director of Economic Development, Garrett Evans  
Director of Finance, Jim Holmes  
Director of Leisure Services, Paul Flores  
Director of Public Services, John Fuller  
Police Chief, Aaron Baker

**PLEDGE OF ALLEGIANCE**

Frances Devasio led the Pledge of Allegiance.

**CITIZENS REMARKS**

There were no citizens remarks.

**COUNCIL REPORTS**

Council Member Rios stated she attended a town hall meeting in Byron with Congresswoman Ellen Tauscher regarding building of the Byron Airport. She also stated she attended the NAACP Banquet on Saturday.

Mayor Quesada stated he attended the 45<sup>th</sup> Anniversary of the East Contra Costa Chapter of the NAACP on Saturday. Northern District president Alice Huffman was the keynote speaker. He presented a proclamation to Wilfred Scott, President. Mayor Quesada also mentioned the State of the City Luncheon was held on Wednesday at Zandonella=s. He said it was an affair well attended by both commercial and local citizens.

Council Member Lewis stated he had further discussions with the Contra Costa Consolidated Fire District and would expect at the next Council meeting to announce a series of meetings to be held during June regarding the potential relocation of Station 84. He stated there will be at least two or three neighborhood meetings to discuss the overall fire service in the City.

1. Connections for Success

Paul Flores presented the newest youth related program. This program is in cooperation with the City of Pittsburg Leisure Services, Pittsburg Unified School District, Los Medanos College, the East County Boys and Girls Club, and various other community organizations. It starts the development of new partnerships to make the quality of life for youth better. **Patrice Shipe** from PUSD outlined the Connections for Success program, which focuses on 150 highest risk students with attendance and behavior problems - 75 from each Junior High School. The program includes a high school course, Connections for Success, that encompasses life skills, career exploration, college preparation and essential social study skills which will teach them how to pass the high school exit exam, and targets students at the 9<sup>th</sup> grade level. There will also be time for tutoring, conflict resolution support groups, and provides a Ahome base@ for students. Robin Hamilton, Leisure Services, will be running the project with the School District and working with the leadership program and job shadowing within the City of Pittsburg.

Council Member Rios asked if there would be job shadowing within the business community. Ms. Shipe stated next year they will add the business community to their job shadowing.

Mayor Quesada stated that attendance will be the key to the success of the program. Ms. Shipe stated there is a process to track their attendance, grades and conduct.

Mr. Flores added that this program was presented to the School Board at their last meeting.

2. Blues Festival

Merl Lewis stated the 5<sup>th</sup> year of the Black Diamond Blues Festival will be held this weekend. She presented the council with T-shirts, tickets and VIP passes.

**CONSENT CALENDAR**

On Motion by Council Member Rios, seconded by Mayor Quesada to adopt the Consent Calendar with the exception of item c. as follows: **VOTE: 3-0**

- a. **DISBURSEMENT LIST** Period Ending: May 16, 2001 (Recommend Acceptance)

The disbursement list was approved.

- b. **MINUTES** Dated: May 7, 2001

The minutes of May 7, 2001 were approved.

- c. **RESOLUTION 01-9382** Authorizing a Letter to Board of Supervisors Regarding County Supervisorial Redistricting Boundaries

Council Member Lewis stated he is uncomfortable moving forward with this resolution without the full Council in attendance. He feels this is a significant policy issue. He asked that it be continued to June 4, 2001, in deference to the absent Council Members.

Mayor Quesada said the City of Antioch has requested this letter as a result of what was discussed at the Mayor=s Conference. This is simply a standard letter of support, and the general feeling at the Mayor=s Conference was for East County to gather support from city to city, in opposing dividing any cities into two districts. This same resolution is going to Oakley and Brentwood this week and will then be forwarded to the Board of Supervisors.

Council Member Rios stated that a meeting was held here at the City to discuss redistricting, and that is when Council Members had a chance for input.

Council Member Lewis reiterated that in deference to Council Members who are not here and may or may not be in support of resolution, the resolution be continued. He stated he will vote on it now, vote yes, and then immediately ask for reconsideration.

City Attorney Daube clarified that if this resolution passes, the letter would be sent out. She noted that the Council has not adopted Robert=s Rules of Procedures. The matter can be reconsidered; however, it would need a motion and second to pass. She wanted the Council to be aware of the procedure.

Mayor Quesada felt that in spirit of cooperation the Council should move forward with the resolution, recognizing that we are part of the Delta 5 organization, and operating in conjunction with their feelings.

Council Member Lewis asked for further clarification from the City Attorney to understand the process for an item to be brought up for reconsideration at the next meeting. City Attorney Daube stated reconsideration only applies to a very narrow type of proceeding. In this particular case, if the Council votes to have the letter sent, the letter indeed will be sent. There will be nothing to reconsider at the next meeting. Council Member Lewis asked that if a majority of Council Members at next meeting want to send a canceling letter saying that the majority of the Council is not in favor of this resolution, what would the process be for that? Ms. Daube stated if you wanted to send a counter letter, you would have to make your motion for reconsideration, it would require a second and a vote and at that point the wishes of the Council would be carried out. Council Member Lewis asked if that motion had to be made at the next meeting. When told yes, he asked that in order to ask for that would he have to vote in the affirmative. Ms. Daube stated that was correct, and emphasized that the City has not formally adopted Robert=s Rules of Procedure, but if we were to follow Robert=s Rules, that is the way it would be conducted. Member Lewis stated that Robert=s Rules aside, there has been always in the past a process by which a Council Member could ask for reconsideration on any item. There have been in the past a number of requests from Council Members for an item to come back for reconsideration assuming that they had voted in the affirmative. He emphasized that the Council has an established past practice and this item should not be handled any differently.

On Motion by Mayor Quesada, seconded by Member Rios to adopt Resolution 01-9382 by the following vote: **VOTE 3-0**. Council Member Lewis stated he will ask for reconsideration at the next meeting.

Council Member Lewis asked whether the reconsideration can be made now, or at the next meeting, and if this needs to be on the agenda for discussion at the next meeting.

- d. **RESOLUTION 01-9383** Approving Transportation Development Act (TDA) 2000/2001 Project Application

Resolution 01-9383 was adopted.

- e. **RESOLUTION 01-9384** Subdivision 8177, Century Plaza II, Approval of the Final Map, Improvements Plans and Subdivision Improvement Agreement

Resolution 01-9384 was adopted.

- f. **RESOLUTION 01-9385** Subdivision 8385, Oak Hills South Unit 6, Approval of the Final Map, Improvement Plans and Subdivision Improvement Agreement

Resolution 01-9385 was adopted.

- g. **RESOLUTION 01-9386** Subdivision 8386, Oak Hills South Unit 7, Approval of the Final Map, Improvement Plans and Subdivision Improvement Agreement

Resolution 01-9386 was adopted.

- h. **RESOLUTION 01-9387** Subdivision 8363, San Marcos Unit 2, Approval of the Final Map, Improvement Plans and Subdivision Improvement Agreement

Resolution 01-9387 was adopted.

- i. **RESOLUTION 01-9388** Award Contract and Approve Project Authorization Form for the 2001 Cape/Slurry Seal Program Request for Quotation

Resolution 01-9388 was adopted.

### **PUBLIC HEARING**

1. **RESOLUTION 01-9369** Overruling Protects, Approving an Amended Boundary Map, Approving a Final Engineer=s Report and Levying Assessments, and Ordering Acquisition of Improvements, and Determining Assessments Remaining Unpaid in and for Oak Hills South Units 5, 6, & 7 Assessment District No. 2001-02

Garrett Evans presented the staff report. He stated the major points of this resolution are 30 year financing term, \$12,000 per home assessment debt, debt for all homes within the district is approximately equal, and no City liability to advance any payments.



The Assessment District is being considered at the request of the property owner. The following resolution approves the fiscal agent agreement and approves the form of the bond purchase contract and related documents.

Mark Curran of US Bancorp Piper Jaffray and John Knox, bond counsel with Orrick Herrington and Sutcliffe were both present to answer any questions.

Mayor Quesada opened the public hearing.

John Knox stated Mr. Evans had outlined the bond program and would only like to add that there are already two assessment districts in the Oak Hills area. He noted that earlier Council approved two final maps for Oak Hills Units 6 and 7 and those will be recorded in advance of the assessment being recorded. He anticipates the matter will close near the end of June.

There being no one further to speak either for or against the matter, Mayor Quesada closed the public hearing.

On Motion by Council Member Rios, seconded by Member Lewis, to adopt Resolution 01-9369 by the following vote: **VOTE: 3-0**

2. **RESOLUTION 01-9389** Approving the Form of the Fiscal Agent Agreement Providing for the Form, Execution and Issuance of Limited Obligation Improvements Bonds, Approving the Form of the Bond Purchase Contract, Approving the Form of the Preliminary Official Statement, Approving the Form of the Continuing Disclosure Agreement, and Authorizing Related Actions and Execution of Related Documents in Respect of the Issuance, Sale and Delivery of Said Bonds

Mr. Evans stated this is a companion to the previous resolution.

Mayor Quesada opened the public hearing. There being no one to speak either for or against the item, the public hearing was closed.

On motion by Council Member Rios, seconded by Mayor Quesada, to adopt Resolution 01-9389 by the following vote: **VOTE: 3-0**

3. **RESOLUTION 01-9390** Albertson=s Shopping Center Retail and Storage RZ-00-03 & DR-00-17, Appeal of Planning Commission=s Decision

City Attorney Daube stated that the Resolution and following Ordinance be part and parcel of same public hearing. She stated there has been a request from appellant in this matter to continue the hearing. She stated the proper action is to open public hearing, ask for speakers and continue to June 18, 2001.

Mayor Quesada opened the public hearing.

**Michael Kee** stated that if it is the intent of the Council to continue the public hearing, he will reserve his comments until that time.

Mayor Quesada continued public hearing until June 18, 2001.

4. **ORDINANCE 01-1183** Ordinance to Uphold the Appeal and Rezone an Existing CC (Community Commercial) Zone to CC-O (Community Commercial with a Limited Overlay) Zone Allow Warehousing and Mini-Storage Located at Railroad Avenue and Frontage Road, APN 087-030-067, for Albertson=s Shopping Center Retail and Storage (Recommend Introduction and Waive First Reading)

See Resolution preceding.

### **CONSIDERATION**

1. **MINUTE ORDER** Authorization to Proceed with Negotiation of San Marco Development Agreement Extension

City Attorney Daube stated Council received a request from Seecon Financial and Construction Company to begin negotiations with respect to an extension on the San Marco Agreement. The agreement is set to expire on October 1, 2002. The request here is to authorize staff to review this particular project and commence the negotiation process.

**Ron Rives**, attorney for the Seecon Financial and Construction Company, discussed the history of Pittsburg when in the 1980's Contra Costa County made a determination to place landfills in the City. The City administration asked the Seeno family to consider acquiring the site where the second landfill was planned. At that time, the Seeno family had no intention of acquiring this area, but in deference to the City=s wishes, Seeno did purchase the property. On July 25, 1990, the City Council and the Seecon Corporation and West Coast Home Builders entered into a development agreement for the purposes of allowing a development of the property. At that time, the term of the agreement was going to be 12 years, which at the time was considered plenty of time to develop the San Marco subdivision and build it out. In the early 1990's a housing recession hit and Pittsburg experienced a very low rate of growth, and the site was not developed. The Seeno Corporation continued to spend a lot of money on the subdivision, in fees to the City of Pittsburg, infrastructure, storm drains, streets, and paid the cost of carry since the 13 years they have owned the property and have not been able to realize any return on it. 60 days from now the first model homes will be open and Seeno will be able to recognize some investment in this project. On December 31, 2002, the agreement will expire. The Seeno Corporation is asking for City staff to commence negotiations.

On Motion by Council Member Lewis, seconded by Member Rios to adopt the Minute Order authorizing staff to proceed with negotiation of the San Marco Development Agreement extension.

**Vote: 3-0**

Mayor Quesada thanked the Seeno Corporation for holding on to the City=s request over the years and for the fortitude to save the property for the City=s future expansion.

**ADJOURNMENT**

There being no further business, the City Council adjourned at 8:06 p.m. to the next meeting set for June 4, 2001.

Respectfully submitted,

Lillian J. Pride  
City Clerk

**CITY OF PITTSBURG**  
**Southwest Pittsburgh Geologic Hazard Abatement District II Minutes**  
**May 21, 2001**

Chair Frank Quesada called the meeting to order at 8:06 p.m.

**MEMBERS PRESENT:** Lewis, Rios, Quesada

**MEMBERS ABSENT:** Aiello, Beals

**STAFF PRESENT:** City Manager, Willis Casey  
City Attorney, Linda Daube  
Assistant City Attorney, Carol Victor  
Director of Community Development, Nasser Shirazi  
Director of Economic Development, Garrett Evans  
Director of Finance, Jim Holmes  
Director of Leisure Services, Paul Flores  
Director of Public Services, John Fuller  
Police Chief, Aaron Baker

**PLEDGE OF ALLEGIANCE**

Frances Devasio led the Pledge of Allegiance.

**CITIZENS REMARKS**

There were no citizens remarks.

**MEMBER REMARKS**

There were no members remarks.

**CONSENT**

City Attorney Daube stated Resolution 01-004 was incorrectly agendized under Public Hearing and should be a Consent item. She asked that this item be included when voting for the Consent Calendar.

On motion by Agency Member Rios, seconded by Member Lewis, to adopt the Consent Calendar, including Resolution 01-004, by the following vote: **Vote: 3-0**

a. **MINUTES** Dated: March 5, 2001

The minutes of March 5, 2001 were approved.

b. **RESOLUTION 01-004** Approval of Consulting Services for General Manager and an

Amendment to the Board of Officers

Resolution 01-004 was adopted.

Southwest GHAD II Minutes

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May 21, 2001

**PUBLIC HEARING**

1. **RESOLUTION 01-005** Establishing Assessments for the Southwest Pittsburg Geologic Hazard Abatement District II (GHAD II)

Wally Girard presented the staff report. He stated that at the March 19 meeting staff was directed to distribute ballots to the residents living in the area affected by the GHAD. This resolution is to accept the ballots, count them and open the public hearing and receive testimony of residents in the district. Mr. Bill Wiggington and Mr. Michael Fadden were in the audience to answer any questions.

Chair Quesada opened the public hearing. There being no one to speak either for or against the item, the public hearing was closed.

On motion by Member Rios, seconded by Chair Quesada to adopt Resolution 01-005 by the following vote: **VOTE: 3-0**

**ADJOURNMENT**

There being no further business, the Southwest Pittsburg Geologic Hazard Abatement District II (GHAD) meeting was adjourned at 8:11 p.m.

Respectfully submitted,

Lillian J. Pride  
Clerk of the Board

