

CITY OF PITTSBURG
Housing Authority Minutes
January 16, 2001

Mayor Frank Quesada called the meeting to order at 6:30 p.m. He advised that the Council will meet in Closed Session. There being no one to speak from the public concerning closed session matters, he adjourned to closed session at 6:31 p.m.

Mayor Quesada reconvened the public session at 7:17 p.m. There was nothing to report from the closed session agenda.

MEMBERS PRESENT: Aiello, Beals, Lewis, Rios, Wallen, Quesada

MEMBERS ABSENT: Peterson (ill)

STAFF PRESENT: City Manager, Willis Casey
City Attorney, Linda Daube
Assistant City Attorney, Carol Victor
City Clerk, Lillian Pride
Deputy City Manager/Administrative Services, Yolanda Lopez
Director of Community Development Nasser Shirazi
Director of Leisure Services, Paul Flores
Finance Director, Jim Holmes
Police Chief, Aaron Baker
Economic and Redevelopment Coordinator, Garrett Evans

The Pledge of Allegiance was led by Senator Tom Torlakson.

AUDIENCE REMARKS

At the request of Vice Mayor Aiello, **Senator Tom Torlakson** spoke about the bill he will be presenting in the Senate regarding the State's energy crisis. This idea was initiated by Vice-Mayor Aiello and the Pittsburg City Council. He is recommending incentives to put plants on line ASAP, and to work through environmentally- and neighborhood-sensitive issues to build more plants with a balanced package that is fair to the community. One idea is to have a significant rate break for both homeowners and businesses within a certain distance of the power plants. The energy crisis is growing worse by the day, and legislation is in motion for solutions.

Vice Mayor Aiello thanked Senator Torlakson for coming and for taking the idea forward because he believes we could end up giving rate payers a direct benefit and that is what he is looking for. He feels this is the right way to go about mitigating damages. He supports these senate bills, and stated all rate payers deserve a break, especially seniors. He commented the power shortage is causing local manufacturing plants to shut down and something needs to be done to keep people employed.

MEMBERS REMARKS

There were no member remarks.

CONSENT

Motion by Vice Chair Aiello, seconded by Member Beals was carried unanimously to adopt the consent calendar. **VOTE: 5-0**

- a. **DISBURSEMENT LIST** Period Ending: November 30, 2000 and December 31, 2000

Disbursement lists were approved.

- b. **MINUTES** Dated: November 20, 2000

Minutes of November 20, 2000 were approved.

- c. **RESOLUTION 01-192** City Manager Contract

Resolution 01-192 was adopted.

- RESOLUTION 01-193** Update the Administrative Plan and Increase for the Payment Standards

Resolution 01-193 was adopted.

ADJOURNMENT

There being no further business, the Housing Authority adjourned at 7:26 p.m. to the next meeting set for February 20, 2001.

Respectfully submitted,

Lillian J. Pride, Secretary

CITY OF PITTSBURG
Redevelopment Agency Minutes
January 16, 2001

Mayor Frank Quesada called the meeting to order at 6:30 p.m. He advised that the Council will meet in Closed Session. There being no one to speak from the public concerning closed session matters, he adjourned to closed session at 6:31 p.m.

Mayor Quesada reconvened the Redevelopment Agency Meeting at 7:27 p.m. There was nothing to report from the closed session agenda.

MEMBERS PRESENT: Aiello, Beals, Lewis, Rios, Quesada

MEMBERS ABSENT: None

STAFF PRESENT: City Manager, Willis Casey
City Attorney, Linda Daube
Assistant City Attorney, Carol Victor
City Clerk, Lillian Pride
Deputy City Manager/Administrative Services, Yolanda Lopez
Director of Community Development Nasser Shirazi
Director of Leisure Services, Paul Flores
Finance Director, Jim Holmes
Police Chief, Aaron Baker
Economic and Redevelopment Coordinator, Garrett Evans

CITIZENS REMARKS

There were no citizens remarks.

MEMBERS REMARKS

There were no members remarks.

CONSENT

On motion by Vice Chair Aiello, seconded by Member Beals, to unanimously adopt the consent calendar as follows: **VOTE: 5-0**

a. **MINUTES** Dated: January 2, 2001

Minutes of January 2, 2001 were approved.

b. **RESOLUTION 01-760** Authorized Signatures for Contra Costa County Loan Documents

Resolution 01-760 was adopted.

ADJOURNMENT

There being no further business, the Redevelopment Agency adjourned at 7:29 p.m. to the next meeting set for February 5, 2001.

Respectfully submitted,

Lillian J. Pride, City Clerk

CITY OF PITTSBURG

City Council Minutes

January 16, 2001

Mayor Frank Quesada called the meeting to order at 6:30 p.m. He advised that the Council will meet in Closed Session. There being no one to speak from the public concerning closed session matters, he adjourned to closed session at 6:31 p.m.

Mayor Quesada reconvened the City Council Meeting at 7:29 p.m. There was nothing to report from the closed session agenda.

MEMBERS PRESENT: Aiello, Beals, Lewis, Rios, Quesada

MEMBERS ABSENT: None

STAFF PRESENT: City Manager, Willis Casey
City Attorney, Linda Daube
Assistant City Attorney, Carol Victor
City Clerk, Lillian Pride
Deputy City Manager/Administrative Services, Yolanda Lopez
Director of Community Development Nasser Shirazi
Director of Leisure Services, Paul Flores
Finance Director, Jim Holmes
Police Chief, Aaron Baker
Economic and Redevelopment Coordinator, Garrett Evans

AUDIENCE REMARKS

There were no audience remarks.

COUNCIL REPORTS

Vice-Mayor Aiello stated he attended the first meeting of the year of the Delta Diablo Sanitation District. Don Freitas was selected as Chair, Member Aiello selected as Vice Chair. He noted that Supervisor Glover sits on that board also. He stated that both the Recycling and Water Treatment Facility were on the agenda. The Facility discussion was moved forward to next month when there should be an exact date for the planned opening of the facility.

Council Member Lewis asked that we fix our sound system to avoid the problems currently being experienced. Also, Member Lewis noted this was the second meeting with an incorrect agenda as there was no list of committee assignments attached. He had requested that committee assignments be on the agenda for discussion this evening, but now understands this will be addressed at an upcoming workshop. He stated he would like to be removed from the County Water Management Association and alternate for the East Contra Costa Habitat Conservation committee as they conflict with his work schedule.

Council Member Beals also asked to be removed from the East Contra Costa Habitat Conservation committee as she has a conflict. She also had a point of clarification in the City-County Relations Committee. She stated that Member Rios is listed twice and asked if Member Rios is an alternate or on the committee. Member Rios clarified that Vice Mayor Aiello was appointed to the committee and she was the alternate. Member Beals is also interested in discussing the CDBG subcommittee.

Mayor Quesada stated this discussion will be held as part of an upcoming work session. He stated if members cannot meet the obligations assigned, staff may have to be assigned to the committees to make sure the City is being represented.

Member Rios stated she visited the PEHDC Stoneman Village I and II and was taken on a tour by Mr. Tom LaFleur. She was quite impressed by the facility and is very excited about Presidio Village, the third phase being built.

Mayor Quesada stated he installed the new officers of the 50+ Club last Wednesday. Following the ceremony, there was discussion on future meetings being held regarding the amenities in the new Senior Center. He stated the Architect doing this work has quite a bit of experience designing senior centers.

Mayor Quesada also attended the awards for the Student Art Show held Saturday at 695 Railroad put together by the Pittsburg Arts Collaborative (PACO) and the City for students from the Brentwood, Antioch and Pittsburg school districts who submitted art work. He was quite impressed by the job done by the students.

Mayor Quesada also attended the Dow Chemical presentation on Monday for Martin Luther King Day.

Vice-Mayor Aiello requested the two items be put on the next agenda. The first item is support for a bill requested through the League of California Cities from the Governor's Office for cities to immediately reduce energy consumption by 5-7%. He would like to see Pittsburg take the lead in reducing our energy consumption. The second item is that which State Senator Tom Torlakson introduced, which would be a resolution of support for a legislative act that would give our residents a direct benefit.

CITY MANAGER REPORT

City Manager Casey wanted to follow up on the Mayor's report regarding the Senior Center Project. He reminded the Council that meetings are set up as follows: January 24, all day session at City Hall and at Crestview location; January 31 from 4:00 - 7:00 p.m. with a public workshop at 7:00 p.m.; February 14, another public workshop at 7:00 p.m.; and on March 5 there will be a programming recommendation for the Senior Center presented to the Redevelopment Agency. He would like representation from both Council Members and the public.

The Mayor announced a five minute break at 7:43 p.m.

The meeting resumed at 7:54 p.m.

PROCLAMATION

1. Martin Luther King Day

Council Member Beals read the proclamation aloud. She then stated she felt personally encouraged to fight for those causes that Martin Luther King Jr. endorsed to promote fairness and equality of all people. She attended the celebration sponsored by BART to ride the freedom train and march down the streets of San Francisco. She felt encouraged and motivated by the celebration, and was reminded of the responsibility as a human being to carry on his philosophies.

Ms. Beals presented the proclamation to **Scott Anderson** of Dow Chemical who gave a brief description of the ceremony that took place there. Mr. Anderson stated Dow was linked by satellite broadcast to Michigan where they joined festivities and presentations were made. Awards were given to community members and employees. Recipients locally were Orin Allen and Francis Greene and employees were Federal Glover, Mario Gonzalez and David Parks.

PRESENTATIONS

1. Chamber of Commerce Seafood Festival Check Presentation

Doug Messner, 2001 President of the Chamber of Commerce, presented a check in the amount of \$23,400 for the City's participation. This is a record amount due to the success of festival. He looks forward to the City's continued assistance and support to make the Seafood Festival a truly great festival in the City of Pittsburg.

2. Arts and Culture - Pacific Community Services and PACO

Frank Gordon, President of Pacific Community Services, Inc. (PCSI), and **Tom LaFleur**, Executive Vice-President, made a presentation on arts and culture in Pittsburg. Mr. LaFleur thanked the Mayor for attending the Student Art Show which was represented by 177 students from 11 schools. His presentation was entitled "Encouraging the Arts and Culture in Pittsburg" which showed the importance of arts and culture. The Pittsburg Arts Collaborative (PACO) is a community arts program administered by PCSI. The mission of PACO is to support the expression of the arts in the community, to help young artists develop, and to provide venues and exposure for the serious artist. He sees the arts as key to revitalization of the community. The upcoming winter show which will be held from February 9 through March 18, will feature visual art, performing art, and a torch singer contest, poetry reading, etc. and will be quite an ambitious undertaking.

PACO would like to propose that the City of Pittsburg look into building a Center for the Creative Arts, preferably in the downtown area. They support the completion of Heritage Plaza as a venue for the arts in this community and would like to see an addition to the City's General Plan of goals and policy statements to promote citywide policies that affirm the arts as integral to Pittsburg's quality of life, economic vitality and efforts to build a safe and healthy community. He presented copies of proposed additions to the Draft General Plan.

Vice-Mayor Aiello asked about the feasibility of a cultural arts center in the former California Theater building. Mr. LaFleur stated that should be explored, combined with the National Building and other adjacent property. They would like to see either that venue or the alternative of new construction on redevelopment land.

Vice-Mayor Aiello asked about the possibility that PEHDC would partner with the City in such an endeavor and what type of grant money is foreseen to make this a reality. Mr. LaFleur thought that was a real possibility and an idea that other communities have been successful with. He felt we could move forward even if we were unable to secure grant money.

Frank Gordon commented on the idea as a conceptual issue. What does it look like? Cost? Where is the money coming from? He stated they need to look at long term attitudes of the City regarding arts and culture in order to get grant money. He introduced PACO members in attendance, and stated he hoped to be working with staff in the near future.

3. American Red Cross

The American Red Cross did not make a presentation.

CONSENT CALENDAR

On motion by Vice-Mayor Aiello, seconded by Council Member Rios, to unanimously adopt the Consent Calendar as follows: **VOTE: 5-0**

- a. **DISBURSEMENT LIST** Period Ending: December 29, 2000, January 2, 2001, January 3, 2001

The above disbursement lists were accepted.

- b. **MINUTES** Dated: December 4, 2000, December 11, 2000; January 2, 2001

The above minutes were approved.

- c. **CLAIMS** #1364 Steve Rainer; #1366 Elizabeth Fulcher

The above claims were denied.

- d. **RESOLUTION 01-9303** Award of Contract for the Electronic Records Management System (ERMS)

Resolution 01-9303 was adopted.

- e. **RESOLUTION 01-9310** Annual Condominium Conversion Report for 2000

Resolution 01-9310 was adopted.

- f. **RESOLUTION 01-9311** Award of Contract for Tymco Street Sweeper
Resolution 01-9311 was adopted.
- g. **RESOLUTION 01-9312** Adoption of a Community Development Block Grant Class Specification and Removal of the Neighborhood Development Services Manager from the Classification Plan
Resolution 01-9312 was adopted.
- h. **RESOLUTION 01-9313** Addition of the Director of Economic Development Position into the FY 2000/01 Budget
Resolution 01-9313 was adopted.
- i. **RESOLUTION 01-9314** Authorized Signatures for Contra Costa County Loan Documents
Resolution 01-9314 was adopted.
- j. **RESOLUTION 01-9315** Resolution of Intention to Form the Southwest Pittsburg Geologic Hazard Abatement District II (GHAD)
Resolution 01-9315 was adopted.
- RESOLUTION 01-9316** Authorization Assignment of Authorization Agreement for Bay Area Pallet Company to Wood Recycling Center Inc.
Resolution 01-9316 was adopted.
- l. **MINUTE ORDER** Request by City Manager to Schedule a Study Session
Minute Order was adopted.

PUBLIC HEARING

1. **RESOLUTION 01-9317** Winter Chevrolet-Honda Relocation Agreement

Economic and Redevelopment Coordinator Garrett Evans presented the staff report for the Winter Chevrolet-Honda Relocation Agreement. Century Plaza is a 47.6 acre commercially zoned vacant parcel with a revised tentative map of 13 lots. The two lots in question are lots 3 and 5. One challenge to establishing the auto mall has been that AB 1290 forbids Redevelopment Agency assistance to auto dealers on vacant land and prohibits the use of tax increments. RDA funds have been the City's primary source of funding on many types of negotiations. There are also the sales tax rebate agreements that bring up debt limitations beyond one year. Those debt limitation issues make it illegal for cities to guarantee funds that they have in their accounts beyond one year.

A participation agreement was secured with the help of the Davis Company to use as a relocation package. It utilizes funds from the Pittsburg Power Company reserve account which is approximately \$6 million. A net new sales tax will be the benchmark for the financial benefits. The potential rewards and public benefits are that the new commercial center creates jobs, a positive image of the community, and a significant increase in sales tax revenue.

The Pittsburg Power Company, a Joint Power Authority, is authorized and empowered under Section 8 of the Joint Powers Agreement to enter into agreements to improve the economic conditions and engage in business retention and development activities in areas served by the JPA. The two owner participation agreements are a buy-in between the Pittsburg Power Company and Rose Winter, owner and operator of Winter Chevrolet and Winter Honda.

A breakdown of what it would take to improve the 8 acres in question is \$2.7 million for Winter Chevrolet, and \$1.6 million for Winter Honda, for a total of \$4.3 million just to purchase the land. Building costs add another \$5.4 million total. The expected increase according to General Motors and Rose Winter is for auto sales to increase potentially two to three times the level of sales posted in 1999, which was \$170,000. The numbers are showing nearer to \$500,000 when they open the doors in the first year and will possibly jump to as much as \$945,000 in the year 2011, the last year of the agreement. The disbursement and incentive program is set up as follows: Winter Chevrolet will receive 50% of net new sales tax paid from the Power Company reserve fund. The total sales tax is \$494,350. The baseline sales tax, which is what Chevrolet generated in 1999 was \$106,120, so the net new sales tax would be \$388,230. According to the agreement, Winter Chevrolet will receive 50% of net new sales tax paid from the Power Company reserve fund, or \$194,115. 50% of the net new sales tax split to the Pittsburg Power Company Reserve account is \$194,115, plus the 1999 Baseline to the City's general fund would give total sales tax receipts to the City's general fund for 2005 of \$300,235. The goal of the City has been, at the discretion of the Council, to not commit any funds up front and make sure that we can keep the \$6 million reserve. The maximum reimbursement package that Winter Chevrolet can receive during the 11 year term of the agreement is \$1.15 million and for Honda is \$690,000. The baseline amounts are \$106,120 for Chevrolet and \$63,672 for Honda. The sales tax disbursements will only occur after the baseline for either dealership has been satisfied, and disbursements will be semi-annually based on data the City receives from MBIA MuniServices Company and the State Board of Equalization.

Other deal points contained in the agreements are that each dealership will receive up to \$50,000 in fee waivers for City related fees only during the planning and construction phase of the development; the start date for net new sales tax generation is January 2, 2001; the term of the agreement is the earlier of either the reimbursement cap or 11 years; both dealerships will participate in Assessment Districts for necessary improvements to the Century Plaza Auto Mall; if the Pittsburg Power Company offers utility service to the auto mall, Winter Chevrolet and Winter Honda will become customers to the Pittsburg Power Company; if the dealerships should have any job openings, an employee recruitment and referral section of the agreement requires the use of the East Bay Works Career Center as a potential source of hiring local residents; and if either dealership ceases to operate on a continuous basis, clawbacks are used to recover some of the reimbursement made to the participant.

Staff recommends that the Council approve the owner participation agreements between the Pittsburg Power Company and Winter Chevrolet and Winter Honda, and authorize the Chair of the Power Company to execute the agreements on behalf of the City of Pittsburg.

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

Council Member Lewis inquired as to whether there is an option to put the funds back into either the general fund or the Power reserve? Member Lewis feels there is no option, funds should be returned to the Power reserve.

Vice-Mayor Aiello echoed this is not a discretionary issue and the funds should go back into the Power reserve. He does not want to see word “discretionary” used.

On Motion by Vice-Mayor Aiello, seconded by Council Member Rios, to unanimously adopt Resolution 01-9317. **VOTE: 5-0**

CONSIDERATION

1. **RESOLUTION 01-9318** Calpine Easement Agreement Authorization

Mayor Quesada noted that **Ms. Jeri Scott** of the California Energy Commission was on hand to answer any questions.

Mr. Evans presented the background of the Los Medanos Energy Center Mitigation Agreement and Easement Agreement for the transmission line along 8th Street. The Easement Agreement to connect LMEC’s Los Medanos Energy Center to the switchyard owned and operated by PG&E was dated September 8, 1999. The original easement was 40 feet; Calpine will explain the engineering problems that caused them to go beyond that easement. When the City found the encroachment outside the easement, the City issued a stop work order of the transmission line and transition station on November 7, 2000. LMEC petitioned the City to lift the stop work order by a letter dated December 8 and agreed to submit to the City a plan to mitigate the deviations from the CEC and City-approved plans for the configuration and placement of said line. Staff informed the City Council via closed session property negotiations on December 11, 2000 and January 2, 2001. During those two sessions staff received direction regarding impacts and mitigation measures as well as the instruction to return to open session upon settlement of the mitigation deal points.

Brian Bertacci from Calpine spoke regarding the easement encroachment, and the reasons for relocating the line. He first explained that the transition station was the physical structure allowing the transition from the underground cable to the overhead cable for the LMEC transmission circuit and that Calpine relocated the transition structure. Although Calpine had specific engineering reasons, he admitted they did not follow the proper process and go through either the CEC process or approach the City for the relocation. He addressed the original location, the relocation and the history of having to move the location.

Park Planner Joel Summerhill presented possible visual mitigation of the structure showing tree plantings surrounding the area and a schematic screening plan, reshaping the existing berm, relocating excess soil, and installing landscaping and irrigation lines.

Mr. Evans described the financial deal incentives. Calpine has offered \$1.35 million as mitigation based on what The Olson Company had offered to build homes on the site. LMEC will extend the existing underground storm drain in the area and install a 600' long, 8' high sound wall east of the transition station along the rear property line of residential lots to be developed.

LMEC will also use its best efforts to entice a company employing at least 50 people to relocate to Pittsburg within two years after the CEC authorizes the station to remain, and make \$500,000 available toward this end. If LMEC is not successful, they will pay \$1,118,317.32 (“lost revenue payment”) representing the net present value of an annual tax increment of \$97,000 over a 20 year period, discounted at the rate of six percent as additional compensation for lost revenues and bonding capacity resulting from the impacts on land that might otherwise have been developed for residential purposes.

Mr. Evans presented the City deal points as follows: upon approval from the CEC, the Chief Building Official will certify the transmission line and station in their current existing location; the City will docket a letter within 30 days of the approval and execution of this agreement to the CEC establishing the concurrence of the City with this plan; and extend the Permission to Enter and Release of Liability and Engineering/Construction Permit.

Staff recommends approving the deal points and executing the agreements.

Vice-Mayor Aiello had two questions: 1) point out the part in the agreement where other agencies are listed as part of the agreement and 2) if no agreement is reached with another agency and there is an agency that deserves mitigated damages how will that issue be resolved?

Mr. Bertacci noted that as part of the CEC process, other agencies impacted by the relocation of the transition structure would have an opportunity to come in at a workshop or with the CEC to talk about those impacts and would have an opportunity to resolve those impacts. He stated financial impacts would be taken care of.

Vice-Mayor Aiello noted a 39 home loss would significantly impact the School District by approximately a \$200,000 payment that would otherwise be made as a result of building fees. He feels this dollar amount should automatically be incorporated into the mitigation rather than the School District having to “go through the process.”

Vice-Mayor Aiello stated he feels the CEC should monitor the design of plants so that problems like this do not become an issue. Ms. Scott replied this is a unique project in that because Calpine was not involved in the initial siting process, they could not have brought this up at that time. She stated that is one of the reasons for a post certification process in which things like this occur. She stated it would make the process too tedious and too long if we got to be so detailed during the process. Right now the process takes 12 months, which is a long time. Also, to the previous comment about addressing the concerns of all the agencies, that is one of the reasons the staff has opted to ask for a siting committee to oversee this amendment rather than

following the usual process. In that way there is an open forum in which the City could become an intervener and act on the behalf of the School District and state what the City wants to see happen during this process.

Mayor Quesada inquired about the CEC's public hearing set for January 24. He feels the Council should wait until all input is in before making a recommendation on this matter. Ms. Scott stated the public hearing is not related to this petition. The public hearing on January 24 is regarding air quality.

Mr. Aiello asked at what point did Calpine make City staff aware of the engineering problem. Mr. Bertacci stated the details did not come up until Calpine and the City saw it coming out of the ground. They admit they did not follow the proper process and notify the City.

Paulette Lagana, resident of Pittsburg and representative of CAPIT stated CAPIT was an intervener in the power plant. She stated when the transition line was proposed by both Calpine and Enron, CAPIT was made aware that they both would come down 8th Street and as one power plant was going to be proposed earlier than the next, it was possible that 8th Street would have been torn up twice. CAPIT entreated both Calpine and Enron and notified the City and the CEC that they wanted the street torn up only once and they agreed. CAPIT noticed that the route the Delta Energy Center transmission line was going to take along 8th Street was going underground 99.95%. CAPIT wanted both lines to go underground, but Enron stated there were money constraints. Now there is the situation where a mistake was made and a tower is erected. In October, there could have been a reasonable amount of time to come to a solution. Now, because we are faced with an energy crisis, the power plant must come on line as soon as possible. She feels the community is being put in an unfair position to approve and go forward as presented tonight.

Mr. Bertacci addressed the issue that the impacts and decision made to put the transmission line overhead was a process through the CEC to find the optimum design of the project. Those impacts were mitigated and the perspective has to be taken that trying to get the cables through the constrained areas is extremely difficult. That is what led to the overhead transmission line and one project underground. In October, the transition station was 99.7% complete when this was discovered. The new location of the station is farther away from the school and the homes. He stated the project must proceed and use the CEC process to mitigate the problems. A delay in this process will also delay the Delta Energy Center project.

Bill Glynn, Pittsburg, commented that he has served on the Pittsburg Power Plant Advisory Committee since its inception three years ago. Several issues have surfaced including how the line would travel and emerge on 8th Street and mitigation efforts for visual and location impacts on all of the other infrastructure at the western end of the termination of the line and the switchyard. The situation now is that the line was constructed with their best advice. The only failure in the process was that they did not make timely notice to the City and the CEC to complete the process of notification. The situation was in fact known in March. The line is now 99% complete. The resolution should be passed.

Frank Gordon, Pittsburg, also a member of the Advisory Committee for the past three years, stated he does not fault the CEC but does have a problem with when this issue was known and first brought to the attention of the City. He commented negotiations took place with the City prior to July with the previous City Manager, previous City Attorney and City Engineer. These issues are bothersome to him; however, he wants best deal for the community, which is to pass the resolution with the mitigations as stated.

Cathy Wallen, Pittsburg, left a letter opposed to the agreement because it does away with 39 units of housing deemed needed within the City of Pittsburg.

Council Member Beals asked whether 39 homes were being lost. Mr. Evans stated in fact 20 homes were going to be lost. The largest planned map was used when considering mitigation.

Vice-Mayor Aiello commented that Ms. Lagana was correct in stating the Council was between a rock and a hard wall in making this decision. If this resolution is not passed, Calpine will go forward with eminent domain proceedings and the City will then lose a significant amount of revenue. Based on this, he favors moving this resolution forward. An error was made, there needs to be more communication; however, there is no choice at this time because the energy crisis is too great.

Council Member Lewis commented that the setback issue shows the line is in fact now farther from the school and some creative engineering was done to maintain the setback from the new homes under consideration. He is not comfortable that Calpine did not follow correct procedure but agrees the situation has been mitigated to a good extent, and Calpine's willingness to offer mitigation to the School District through the CEC process makes a better comfort level in moving forward with the project.

Council Member Rios reiterated what Mr. Aiello stated as far as being backed up against a wall and having to make a decision.

City Clerk Lillian Pride commented for the record that the current discussion is a Consideration Item on the agenda, and although public comment was taken, this is not a public hearing and was never noticed as a public hearing.

Vice-Mayor Aiello also wanted to make sure on the issue of jobs that jobs must be brought in by Calpine and not through the work of City staff. This should be new business brought into the City.

On motion by Council Member Rios and seconded by Vice-Mayor Aiello to unanimously adopt resolution 01-9318. **VOTE: 5-0**

2. **RESOLUTION 01-9319** Heritage Park Artwork (Recommend Adoption)

Paul Flores presented the staff report. The original concept of Heritage Plaza proposed commissioned art, with local artists considered for input and art design. However, funding for the artwork has not been approved or dedicated to date. Funding for this complete project, \$147,000, can be obtained from either a reallocation of RDA funds or Proposition 12 anticipated funds allotted to the City of Pittsburg, or a combination of both. A replica of Heritage Plaza was shown to the Council.

There are four options being put forward to the Council, as follows: Approve funding of \$147,000 for the artwork, which would include the sculpture by Greigo Studios and the murals and vintage signage; utilize the remaining Heritage Plaza construction contingency funds as a revenue source for the murals and vintage sign wall artwork; authorize the City Manager to establish a task force of staff and community members to pursue private, corporate and grant funding for the artwork; or upon recommendation from the Community Development Department and acceptance by the City Council, declare Heritage Plaza complete as built.

J. Robert Greigo, Pittsburg, stated he has been working on the project for quite some time. He implored the Council to include all artwork in Heritage Plaza as originally envisioned. He presented information regarding the development of the concept for the park including the statue. He also presented petitions signed by citizens urging the completion of the park with the sculpture.

Jerry Oliveraz, Pleasant Hill, and Director of Public Relations for Brendan Theaters in Pittsburg encouraged the Council to include the completion of the sculpture in the Heritage Plaza.

Bill Glynn, Pittsburg, stated he attended a presentation Mr. Greigo made to the community and former Assistant City Manager, Glenn Valenzuela. The plaza reflects an area provided for the sculpture, and the mural is awaiting painting. He would like to see the Council go forward with the prior commitment to complete the Plaza.

Vice-Mayor Aiello stated he looked at the area recently and agrees that if the project is going to be completed, it should be done right and include all artwork as originally planned, by using RDA contingency funds in the amount of \$123,000. Finance Director Jim Holmes clarified that there is \$400,000 in RDA contingency funds every year.

On motion by Vice-Mayor Aiello, seconded by Council Member Rios to include RDA contingency funds to complete Heritage Plaza.

Council Member Lewis agreed the City has a long-standing agreement with artist J. Robert Greigo to complete the work and is in support of using RDA funds.

Council Member Beals stated she appreciated the effort and investment of Mr. Greigo in Pittsburg and supported the motion.

The Council agreed to unanimously adopt Resolution 01-9319 as stated by Vice-Mayor Aiello. **VOTE: 5-0**

ADJOURNMENT

There being no further business, the City Council adjourned at 10:43 p.m. to the next meeting set for February 5, 2001.

Respectfully submitted,

Lillian J. Pride, City Clerk

CITY OF PITTSBURG
Power Company Meeting
January 16, 2001

Mayor Frank Quesada called the meeting to order at 6:30 p.m. He advised that the Council will meet in Closed Session. There being no one to speak from the public concerning closed session matters, he adjourned to closed session at 6:31 p.m.

Chair Quesada reconvened the public session of the Pittsburg Power Company at 10:43 p.m. There was nothing to report from the closed session agenda.

MEMBERS PRESENT: Aiello, Beals, Lewis, Rios, Quesada

MEMBERS ABSENT: None

STAFF PRESENT: City Manager, Willis Casey
City Attorney, Linda Daube
Assistant City Attorney, Carol Victor
City Clerk, Lillian Pride
Deputy City Manager/Administrative Services, Yolanda Lopez
Director of Community Development Nasser Shirazi
Director of Leisure Services, Paul Flores
Finance Director, Jim Holmes
Police Chief, Aaron Baker
Economic and Redevelopment Coordinator, Garrett Evans

CITIZENS REMARKS

There were no citizens remarks.

MEMBER REMARKS

There were no member remarks.

CONSENT

On motion by Member Rios, seconded by Member Beals to unanimously adopt the consent calendar as follows:

a. **MINUTES** Dated: January 2, 2001

Minutes of January 2, 2001 were approved.

PUBLIC HEARING

1. **RESOLUTION 01-045** Winter Chevrolet-Honda Relocation Agreement

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 Vice-Chair Aiello, seconded by Member Beals, to unanimously adopt Resolution 01-045. **VOTE 5-0**

ADJOURNMENT

There being no further business, the Pittsburg Power Company adjourned at 10:45 p.m. to the next meeting set for February 5, 2001.

Respectfully submitted,

Lillian J. Pride, City Clerk

