

CITY OF PITTSBURG
Redevelopment Agency Minutes
February 3, 2003

Chair Yvonne Beals called the meeting of the Redevelopment Agency to order at 7:19 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California, after having met from 5:00 to 6:15 P.M. for a Public Workshop on Council Goals, and from 6:15 P.M. for Closed Session pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator regarding 2059 Railroad Avenue APN 086-221-006, 2075 Railroad Avenue AN 086-221-004, and other property identified as APNS 085-164-001 to 005, 085-164-007 to 013, 085-164-015 and 016, 085-165-002 to 009, 085-165-012, 015, 016 and 017, 086-166-003 to 013, 086-166-015 and 016, 085-165-193 and 085-165-203; Conference with Legal Counsel - Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 regarding two cases; and Conference with Labor Negotiators pursuant to Section 54957.6 regarding Teamsters Local 856 and Unrepresented employees. The Palm Pilot Training Session, originally scheduled from 4:00 to 5:00 P.M. was cancelled due to illness on the trainer's part, and will be rescheduled.

City Attorney Daube advised that there was nothing to report from Closed Session.

MEMBERS PRESENT: Glynn, Kee, Parent, Rios, Beals

MEMBERS ABSENT: None

STAFF PRESENT: Executive Director, Willis Casey
Assistant Executive Director, Nasser Shirazi
Legal Counsel, Linda Daube
Director of the Redevelopment Agency, Garrett Evans
Director of Public Works, John Fuller
Director of Recreation, Paul Flores
Planning Manager, Melissa Ayres
Finance Director, Marie Simons
City Engineer, Joe Sbranti
Personnel Services Director, Marc Fox
Police Chief, Aaron Baker
Executive Assistant to the City Manager, Alice Evenson

PLEDGE OF ALLEGIANCE

Benita Jenkins led the Pledge of Allegiance.

CITIZENS REMARKS

There were no citizen remarks.

MEMBERS REMARKS

There were no Member remarks.

CONSENT

On motion by Vice Chair Rios, seconded by Member Glynn and carried unanimously to approve the Consent Calendar, as follows:

- a. **MINUTES** Dated: January 21, 2003

Approved Minutes dated January 21, 2003.
- b. **RESOLUTION 03-865** Approving the Purchase of the Eden Systems, Inc. InForum Gold Financial Management System and Amend the Budget for FY 2002-2003 to Provide Financing

Adopted Resolution 03-865.

CONSIDERATION

1. **RESOLUTION 03-867** Designating the Agency's Financing Team for the Redevelopment Agency Bond Indebtedness Series 2003

Executive Director Willis Casey advised that at its January 6, 2003 meeting the Agency's bond counsel gave a presentation on the bond issuance process including the role and functions of the members of the Agency's financing team.

That team included bond counsel, disclosure counsel, underwriter, financial advisor, fiscal advisor, and City staff. Following the presentation, Council directed that the Redevelopment Agency Subcommittee meet and review proposals submitted by various financial advisor firms and make a recommendation. Further, Council directed staff to return on February 3, 2003 with a resolution designating all members of the financing team.

Mr. Casey recommended that the Agency adopt the resolution designating the Agency's Financing Team for Redevelopment Agency indebtedness.

Member Parent inquired whether or not the delegation of the negotiation of fees was normally done by the financial advisor as opposed to the Finance Department.

Finance Director Marie Simons advised that was one of the primary responsibilities of the financial advisor, to assist staff in negotiating the fees of the respective members of the Financing Team, which was one of the primary reasons for having an independent financial advisor working on behalf of the Agency/City to ensure that the fees were fair, reasonable and not extravagant.

On motion by Vice Chair Rios, seconded by Member Parent and carried unanimously to adopt Resolution 03-867.

Member Parent clarified with staff that the negotiation of the fees would not delay the process, and Ms. Simons reported that a meeting had tentatively been scheduled for February 4 and that numbers were being crunched with both the underwriter and the fiscal advisor.

ADJOURNMENT

The meeting of the Redevelopment Agency adjourned at 7:24 P.M. to the next meeting set for February 18, 2003.

Respectfully submitted,

Lillian J. Pride, Secretary

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City Attorney Daube advised that there was nothing to report from Closed Session.

MEMBERS PRESENT: Glynn, Kee, Parent, Rios, Beals

MEMBERS ABSENT: None

STAFF PRESENT: City Manager, Willis Casey
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CITIZENS REMARKS

WILLIE MIMS, Pittsburg, representing the Black Political Association (BPA) urged the Council to take heed of the Finance Director's recommendations. He also urged the Council to take heed when receiving advice on bond ratings.

Mr. Mims further commented that the presentation from the Contra Costa County Fire Protection District (CCCFFPD) at the last meeting had gone far too long and should have

taken place at a special meeting since such presentations should not be made at regular Council meetings.

Mr. Mims also took this opportunity to protest the structure and makeup of the agenda. He commented that he had spoken to many items on the Consent Calendar and that no member of the Council had removed an item from the Consent Calendar as a result of his comments. He suggested that the make-up of the Consent Calendar itself was a way to stifle and stop public participation.

Mr. Mims explained that he had submitted a speaker card on Resolution 03-9761. He stated that if not called to speak to that item at the time the Consent Calendar was considered by the Council he would consider that a violation of Section 54954.3 of the Brown Act.

Mayor Beals verified with Mr. Mims that he did not wish to speak to Resolution 03-9761 at this time.

Mr. Mims stated that he would speak to that item during the Consent Calendar when he expected the Mayor to call on him at that time.

BRUCE OHLSON, Pittsburg, representing the East Bay Bicycle Coalition, commented that he would have attended the Council Workshop on Council Goals had he been aware of that session. He referred to Page 5 of each meeting agenda where the next meeting date was identified and requested that the time for each next meeting also be identified.

COUNCIL REPORTS

Vice Mayor Rios reported that she had attended the Policy Committee for Revenue and Taxation on January 24 when City representatives had designated Vehicle License Fees (VLF), Redevelopment and Mandated Fees as the priority items to pursue. She noted that Senator Canciamilla's budget bill had been unanimously supported at that time. She had also attended the Library meeting on January 27.

Councilmember Parent advised that of the many invitations presented to the Council, she had attended the Student Art Show at 7th and Railroad Avenue where there had been representative art from Pittsburg, Antioch, Brentwood, Oakley and Mt. Diablo High Schools. She reported that Frances Palermo, a Pittsburg artist, was currently having a one-man show at the Lynn Gallery near the Railroad Station in Pittsburg.

Councilmember Parent reported that she and Councilmember Kee had attended two committee meetings related to the Community Development Block Grant (CDBG) process where all 45 applications had been reviewed. She stated that the committee was working well and all committee members had read all of the applicable material.

Councilmember Parent further advised that she had attended the Chamber of Commerce installation on January 31, 2003 honoring a number of people in the community including the Businessperson of the Year, the Business of the Year, the Citizen of the Year,

and the Veteran of the Year award to Councilmember Glynn.

Mayor Beals advised that the Library Subcommittee had met when County Library representatives had been invited to start discussions on the next steps. While discussions were preliminary, goals had been set forth and those actions would be reported in a month. Specifically a survey of users to identify needs for the library was being pursued.

Mayor Beals also had the privilege of installing the new officers at the Pittsburg Chamber of Commerce Dinner and recognizing the honorees. She reiterated that this was the City's Centennial Year and there were new products that she applauded the Recreation Department in providing. Those new products included mugs, pens and other items available for purchase.

Mayor Beals also reported that this was African American Heritage Month.

Vice Mayor Rios requested that the meeting be concluded in the memory of the seven astronauts lost in the name of science in the Columbia tragedy.

CITY MANAGER REPORT

City Manager Willis Casey reported that the loss of VLF would represent \$1.2 million this year and \$1.3 million next year, which would be a significant loss to the City. He read a summary of the Legislative session and noted the seriousness of the budget situation and reported that staff would keep the Council apprised of the situation as it developed.

PRESENTATION

1. 2002 Draft Strategic Plan for East Contra Costa Regional Fee and Financing Authority (ECCRFFA) and the East County Transportation Improvement Authority (ECTIA)

Lowell Tunnison, staff to the ECCRFFA and ECTIA of which the City was a member, reported that as a Joint Powers Agency (JPA), the Authorities were collecting fees from development in East County and applied to regional projects. He advised that a draft Strategic Plan had been approved by the ECCRFFA Board of Directors and circulated to the public. The draft was available in local libraries and the draft had been announced in the newspapers. The ECCRFFA would hold a hearing on the plan on February 13 and would consider comments from public agencies at that time.

Mr. Tunnison stated that the document would set the scene for regional transportation facilities, identify the number of households and growth anticipated for non-residential uses in East County and consider revenue projections from the fee program. Also included were program elements, the projects that were the key components of the program for the ECCRFFA where the priority projects were identified as the State Route 4 Widening through Pittsburg and Antioch, the State Route 4 Bypass and the Buchanan Road Bypass.

Mr. Tunnison referred to Page 9 of the Draft and noted the chart that identified the Strategic Plan goals for spending in the next twenty years. He noted that the City of

Pittsburg sponsored project, the Buchanan Road Bypass was fully funded to the extent agreed upon in the JPA. He also noted project descriptions that were contained in combined programs, totaling 24 projects in both programs, and stated that Appendix B identified a cash flow to identify revenue source projects for the two fee programs.

Councilmember Kee inquired whether or not the projects in Table 4 were prioritized, to which Mr. Tunnison stated that those projects had been identified by year of expenditure, which set the priority.

Mr. Tunnison noted his understanding that the City had set goals for the regional fees. As such, he suggested that would be an important subject for a workshop to evaluate the program in more detail to fully advise the Council of what was involved in a regional transportation program.

CONSENT CALENDAR

On motion by Vice Mayor Rios, seconded by Councilmember Glynn and carried unanimously to adopt the Consent Calendar, as follows:

- a. **MINUTES** Dated: January 21, 2003
Approved Minutes dated January 21, 2003.
- b. **CLAIMS** #1487 Janet M. Hernandez; #1501 Michelle Stavros
Denied Claim #1487 Janet M. Hernandez and #1501 Michelle Stavros.
- c. **RESOLUTION 03-9760** Approve the Purchase of the Eden Systems, Inc. InForum Gold Financial Management System and Amend the Budget for FY 2002-2003 to Provide Financing
Adopted Resolution 03-9760.
- d. **ORDINANCE 03-1204** Adoption of Ordinance Amending the Lot Coverage Standards in Certain Single-Family Residential District (RZ-02-19)
Adopted Resolution Ordinance 03-1204.
- e. **RESOLUTION 03-9761** Authorizing the City Manager to Execute the 2002/2003 Disadvantaged Business Enterprise (DBE) Program to Facilitate the Use of Federal Funds for Capital Improvement Projects
Adopted Resolution 03-9761.

- f. **RESOLUTION 03-9762** Designating a Board Member and an Alternate Board Member to the Contra Costa County Municipal Risk Management Insurance Authority

Adopted Resolution 03-9762.

CONSIDERATION

1. **RESOLUTION 03-9763** Adoption of the City of Pittsburg Capital Improvement Program for Fiscal Years 2002/3 through 2006/7

City Manager Casey reported that the proposed Capital Improvement Program (CIP) for fiscal years 2002/3 through 2006/7 included 22 street improvement projects, one parking lot, 17 traffic signal projects, 47 water system and sanitary sewer system projects, and 27 park and building projects. Included within those projects were 14 projects that would be construction-ready in 2003. The total estimated cost of all the projects included within the 2002/3 through 2006/7 CIP exceeded \$160 million. The estimated cost for projects that were construction-ready projects was \$24.8 million.

Mr. Casey recommended that the Council adopt the resolution approving the Pittsburg Capital Improvement Program for fiscal years 2002/3 through 2006/7 and directing staff to proceed with projects that would be construction ready in 2003.

City Engineer Joe Sbranti stated that the CIP was moderately different from what had been presented to the Council on January 21 since it focused on 2003 construction-ready projects. He referred to the last paragraph in the report on Page 3, "Prior to the award of each individual CIP related contract, staff will request Council's authorization for the use of funds for specific projects." He added that many projects already had contracts authorized by the Council and were in process, although any new projects would be submitted to the Council for authorization.

Councilmember Glynn inquired if the listing indicated prioritization, to which Mr. Sbranti stated it did not.

Mr. Sbranti reiterated that the list represented construction-ready projects in 2003 and none were prioritized. He stated that all projects would be implemented as quickly as possible and each contract would be submitted to the Council prior to award.

Councilmember Glynn noted that the Council wanted to make certain that projects related to public safety or health or revenue enhancing projects should be pursued as soon as possible. He referred specifically to Project B-5 Marina Dock Replacement, S-13 Signal Controller & System Master and SS-6 2003 Sanitary Sewer T.V. Inspection that category of projects to pursue as soon as possible. He reverified that the projects were not in priority order and would be pursued based on their readiness to move forward.

Councilmember Parent commented that as a matter of information there was a project that she did not necessarily advocate but was relaying information where a business in the community had donated \$10,000 a couple of years ago to facilitate a project. She had heard from the manager of the business that the City had the \$10,000 for some time and the project had yet to be constructed.

Councilmember Parent noted that the project in question appeared to be planned for 2004 or 2005. As such, she suggested that the donor be advised of the situation or that the project be pursued to avoid the loss of the \$10,000.

Mr. Sbranti noted that the reference related to the Skate Park and staff was pursuing action as a result.

BRUCE OHLSON, Pittsburg, representing bicyclists in the City, stated that he had inadvertently missed the Council CIP Workshop last month and had submitted a list of the bicycle community's concerns. He urged that those concerns be addressed. He emphasized the need to include all citizens in the construction and design of City streets.

With regard to the Harbor Lights bus stop, Mr. Ohlson stated that Pittsburg cyclists wished to be assured that the bus turnouts be constructed far enough away from the centerline to ensure that bicycle lanes be included. He had not requested that Willow Pass Road be included in the new General Plan as a bicycle route given his understanding that the Range Road/North Parkside Drive/Willow Pass Road Interchange would ever be widened. However, now considering a partial interchange at the Range Road/freeway and given the direct connection to BART and area of regional importance, he urged that bicycle lanes be considered as a safety element.

ROGER RILEY, Pittsburg, spoke with respect to the parking lot in the downtown area, noted that the parking lot included was for the old Marina Center, and expressed his concern that for ten years there had never been enough money to develop the parking lot. He stated that he had been trying to do business for a number of years and had been unsuccessful in his attempts to get access, trash pickup and parking in his area.

Mayor Beals emphasized that the City had not overlooked Mr. Riley's situation. She stated that the redevelopment projects would be coming forth at the next meeting. They had not been included in the CIP but would be addressed at the next meeting.

WILLIE MIMS, Pittsburg, representing the BPA, expressed concern that no money was being directed to the Carpino/School Street community that was in dire need of sewer lines and water mains, and was the only neighborhood in the City that did not have a community park. He expressed concern that no funds had been devoted to that specific community, which he suggested, had been excluded from any of the projects. He urged some attention to that community.

In response to the Mayor, Mr. Sbranti clarified that neighborhood had been included in the scope of the CIP under Citywide improvements where all areas of the City had been

included. He expressed the willingness to speak to Mr. Mims about the status of those projects.

Vice Mayor Rios stated that she had reviewed the CIP in detail and had been impressed with its contents.

On motion by Vice Mayor Rios, seconded by Councilmember Glynn and carried unanimously to adopt Resolution 03-9763.

2. **MINUTE ORDER** Community Advisory Commission Election Clarification

Mr. Casey reported that on January 6, 2003, the Council adopted a Minute Order, which addressed several concerns of the Community Advisory Commission. One item that was mentioned was the Election of the CAC Executive Board. He noted that the item appeared to need further clarification.

Mr. Casey recommended that the Council determine by Minute Order whether the CAC should either postpone the election of the Chair until June or conduct such election as originally scheduled.

Since she had made the original motion, Vice Mayor Rios clarified the intent to proceed with the election as stipulated by the Ordinance, which was in the month of January. With respect to the election of the Executive Board, she stated that the Chair should be elected from his/her peers. At the same meeting, the Executive Board should be selected.

On motion by Vice Mayor Rios, seconded by Councilmember Glynn and carried unanimously to designate by Minute Order that the election of the CAC Executive Board and the Chair shall occur at the same time in January, which in 2003 shall be the first meeting in February.

3. **MINUTE ORDER** Appointment of Community Advisory Commissioners

Mr. Casey reported that nine openings existed on the Community Advisory Commission; one At-Large; three South East Sector; two South West Sector; and three Far South West Sector. Six candidates had been invited to interview with the City Council on January 21, 2003 and three candidates had been interviewed at that time; Miguel Castaneda, Wendy Jo Cervantes and James Como III. Candidate Allen Tatomer had notified the office that he had been called out of town on an emergency and would like to be considered during upcoming interviews.

Mr. Casey recommended the appointment of eligible candidates to their respective sectors.

On motion by Vice Mayor Rios, seconded by Mayor Beals to appoint Miguel Castaneda to the South East Sector, Wendy Jo Cervantes to the North West Sector and

James Como III to the South East Sector.

On the motion, Mayor Beals stated the fact that there were a number of resignations and few applicants was troublesome to her because of the lack of representation and voice in each quadrant.

Mayor Beals asked to be informed why members were being lost at such a rapid pace. She emphasized that the Commission needed some attention. Given the upcoming election, she supported the selection of the three candidates in their respective sectors to allow business to continue. She directed the City Manager and staff by all means necessary to do some outreach for the Commission to members of the community, particularly for those quadrants that did not have representation to bring the Commission up to the necessary caliber to serve the needs of the community.

Councilmember Parent noted that the Commission did not seem to have direction. She suggested that the Council take some initiative to potentially revamp the CAC generally.

MARY ROSAS, Pittsburg, currently the Vice Chair of the CAC, thanked the Council for placing the matter on the agenda. She stated that the CAC had been suffering through a transition. She noted that the goal of most Commissions was to have a two-way dialogue with the Council. She suggested that most Commissioners who had resigned had done so because they did not understand how they wanted to support the community personally. She noted that the City Manager's attendance at the last meeting had helped to clarify the situation. She also noted that the City Manager had assigned a staff person to work with the CAC part time and that every Department approached had been responsive and resourceful.

Ms. Rosas added that the CAC was very clear in its charge to recruit and fill positions, get energy and activity around the five sectors, support the Executive Board to be elected, engage the community and share issues with the Council and the community at large. She noted that the City had changed, had new challenges, but had wonderful things to showcase. She stated that the CAC was working to be part of the solution and she emphasized that there was nothing but great things ahead for the Commission.

On the motion by Vice Mayor Rios, seconded by Mayor Beals and carried unanimously to appoint Miguel Castaneda to the South East Sector, Wendy Jo Cervantes to the North West Sector and James Como III to the South East Sector.

PUBLIC HEARING

1. **ORDINANCE 03-1205** Amendment to Pittsburg Municipal Code Section 15.104 to Include Additional Territory Within the Stormwater Drainage Mitigation Fee Area for the Kirker Creek Watershed

Mr. Casey stated that pursuant to letter agreement dated August 5, 2002, the proposed ordinance would amend Ordinance No. 01-1180 to allow that parcel owned by USS-Posco Industries ("UPI") and identified by Assessors Parcel Number 73-200-19, to drain into Kirker Creek. The August 5, 2002 letter was attached as Exhibit 1 to the staff reported dated February 3, 2003.

Mr. Casey recommended that the ordinance be introduced to revise Pittsburg Municipal Code 15.104 Stormwater Management Plan for Kirker Creek Watershed Drainage area and waive the first reading.

Mayor Beals opened the public hearing on Ordinance 03-1205.

WILLIE MIMS, Pittsburg, inquired what USS Posco intended to drain into the creek, reported by Mr. Sbranti that the sole intent was to make it possible to drain stormwater into the creek off of Site LA, a chunk of property owned by USS Posco on the north side of the Pittsburg-Antioch Highway and east of the USS Posco driveway, to which City Engineer Sbranti confirmed drainage of stormwater only.

Mayor Beals closed the public hearing on Ordinance 03-1205.

On motion by Councilmember Glynn, seconded by Councilmember Parent and carried unanimously to introduce Ordinance 03-1205 and waive first reading.

ADJOURNMENT

The meeting of the City Council adjourned at 8:17 P.M. in memory of **David Brown, William McCool, Laurel Clark, Rick Husband, Michael Anderson, Kalpana Chawla, and Ilan Ramon**, astronauts on the shuttle Columbia who lost their lives in the name of science, to the next meeting set for February 18, 2003.

Respectfully submitted,

Lillian J. Pride, City Clerk

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