

CITY OF PITTSBURG
Housing Authority Minutes
August 18, 2003

Chair Yvonne Beals called the meeting of the Housing Authority to order at 7:11 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California, after having met for a Commission Review Workshop at 5:00 P.M. and then into Closed Session at 6:37 P.M. pursuant to Section 54956.9 of the Government Code, Conference with Legal Counsel - Existing Litigation regarding AFSCME Local 512, AFL-CIO v. City of Pittsburg, Unfair Practice Charge No. SF-CE-108-M, and Paulino Lopez and Banana Bug, LLC v. City of Pittsburg, Superior Court Case No. 03-01781; and Conference with Legal Counsel - Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 regarding one case.

Mayor Beals advised that there was nothing to report from Closed Session.

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

MEMBERS ABSENT: None

STAFF PRESENT: Executive Director, Willis Casey
Assistant Executive Director, Nasser Shirazi
Legal Counsel, Linda Daube
City Clerk, Lillian Pride
Director of the Redevelopment Agency, Garrett Evans
Director of Economic Development, Brad Nail
Director of Public Works, John Fuller
Director of Recreation, Paul Flores
Director of Finance, Marie Simons
Director of Building and Planning, Randy Jerome
Director of Human Resources, Marc Fox
City Engineer, Joe Sbranti
Senior Civil Engineer, Paul Reinders
Police Chief, Aaron Baker
Executive Assistant to the City Manager, Alice Evenson

PLEDGE OF ALLEGIANCE

Chair Beals led the Pledge of Allegiance.

CITIZENS REMARKS

There were no citizens remarks.

MEMBERS REMARKS

There were no Members remarks.

CONSENT

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

- a. **DISBURSEMENT LIST** Period Ending: July 31, 2003

Approved Disbursement List period ending July 31, 2003.

- b. **MINUTES** Dated: July 21, 2003

Approved Minutes dated July 21, 2003.

PUBLIC HEARING

1. **RESOLUTION 03-211** Budget Adoption

Executive Director Willis Casey reported that on August 11 and August 13, budget workshops were held to review the proposed budget for FY 2003/2004. The budget must be adopted to provide ongoing financing for Housing Authority activities in the next fiscal year.

Mr. Casey recommended the approval of the budget for the City of Pittsburg Housing Authority for the Fiscal Year 2003-2004.

Chair Beals opened the public hearing for Resolution 03-211. There was no one to speak for or against the resolution. Chair Beals closed the public hearing.

On motion by Member Parent, seconded by Member Glynn and carried unanimously to adopt Resolution 03-211.

ADJOURNMENT

The meeting of the Housing Authority adjourned at 7:14 P.M. to the next meeting set for September 15, 2003.

Respectfully submitted,

Lillian J. Pride, Secretary

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CITY OF PITTSBURG
Redevelopment Agency Minutes
August 18, 2003

Chair Yvonne Beals called the meeting of the Redevelopment Agency to order at 7:15 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California, after having met for a Commission Review Workshop at 5:00 P.M. and then into Closed Session at 6:37 P.M. pursuant to Section 54956.9 of the Government Code, Conference with Legal Counsel - Existing Litigation regarding AFSCME Local 512, AFL-CIO v. City of Pittsburg, Unfair Practice Charge No. SF-CE-108-M, and Paulino Lopez and Banana Bug, LLC v. City of Pittsburg, Superior Court Case No. 03-01781; and Conference with Legal Counsel - Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 regarding one case.

Mayor Beals 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
City Clerk, Lillian Pride
Director of the Redevelopment Agency, Garrett Evans
Director of Economic Development, Brad Nail
Director of Public Works, John Fuller
Director of Recreation, Paul Flores
Director of Finance, Marie Simons
Director of Building and Planning, Randy Jerome
Director of Human Resources, Marc Fox
City Engineer, Joe Sbranti
Senior Civil Engineer, Paul Reinders
Police Chief, Aaron Baker
Executive Assistant to the City Manager, Alice Evenson

CITIZENS REMARKS

There were no citizens remarks.

MEMBERS REMARKS

There were no Member remarks.

CONSENT

On motion by Member Rios, seconded by Member Glynn to adopt the Consent Calendar, as shown, carried by the following vote:

Ayes: Glynn, Parent, Rios, Beals
Noes: None
Abstain: Kee

a. **MINUTES** Dated: July 21, 2003

Approved Minutes dated July 21, 2003.

CONSIDERATION

1. **RESOLUTION 03-908** Approval of a Relocation Impact Statement and Last Resort Housing Plan

Executive Director Willis Casey advised that the Redevelopment Agency of the City of Pittsburg had acquired the property commonly referred to as 1611 A&B and 1611-1/2 A&B Railroad Avenue through a voluntary sale on May 28, 2003. The property was occupied with four households and the Agency is responsible for relocating those households. Pursuant to the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended* and the *California Code of Regulations, Title 25*, the Agency must approve a Relocation Impact Statement whenever a residential tenant is displaced due to Agency acquisition.

Mr. Casey explained that it was difficult to determine the exact fiscal impact until the replacement dwelling units had actually been secured by the displaced tenants because there was a "spend to get" requirement, which meant that benefit payments would be made by the Agency only when the displaced tenant demonstrated that entitlement amounts had been or would be spent. An estimated range from \$65,200 to \$95,685 had been considered for budget purposes only and was not to be interpreted as firm, not to exceed, or actual entitlement costs.

Mr. Casey recommended that the Agency Board approve the Relocation Impact Statement and Last Resort Housing Plan for 1611 A&B and 1611-1/2 A&B Railroad Avenue.

On motion by Vice Chair Rios, seconded by Chair Beals and carried unanimously to adopt Resolution 03-908.

2. **RESOLUTION 03-909** Approval of an Amendment to the Lease Agreement By and Between the Redevelopment Agency of the City of Pittsburg and the County of Contra Costa

Mr. Casey reported that the Redevelopment Agency had entered into a lease agreement with the County of Contra Costa for the premises commonly referred to as 415

Railroad Avenue on April 1, 2002. The Agreement is scheduled to expire on December 31, 2003. There is an option provision in the Agreement for a three-year option. However, the County has determined that it will move to another facility prior to December 31, 2006. The County has requested that the Agreement be amended to include a 60-day termination clause. The County has indicated that it will consider moving at the end of the original term should such Amendment not be approved. Since it is in the Agency's best interest to keep the County's tenancy for as long as possible, it is necessary to amend the Agreement.

Mr. Casey stated that the County was currently paying \$7,125 a month for the site.

If the County was to exercise its option to extend the agreement, a new fair market value rent would be negotiated. While an increase was possible, no less than the current amount would remain. Since the County could not give 60 days notice until March of 2005 based on the agreement, the Agency was guaranteed a minimum of 16 more months beyond December 31, 2003, which at the current rental rate amounted to \$114,000 to the Agency. If the Agency were not to approve the Amendment the County could leave the site, which would result in a potential loss of \$114,000 unless another tenant could be secured.

Mr. Casey recommended that the Amendment between the County of Contra Costa and the Redevelopment Agency be approved. It was further recommended that the Agency Board authorize and direct the Executive Director of the Agency to execute the Amendment on behalf of the Agency.

Member Parent stated it was in the City's interest to have the building occupied by the current tenant continuing its current work. She supported the resolution.

On motion by Member Parent, seconded by Chair Beals and carried unanimously to adopt Resolution 03-909.

PUBLIC HEARING

Mayor Beals convened JOINTLY the CITY COUNCIL and the REDEVELOPMENT AGENCY at this time to consider the following:

1. **RESOLUTION 03-910**
Combined w/RDA 03-911 Authorizing the Transmittal of the Draft Fifth Amendment to the Community Development Plan for the Los Medanos Community Development Project, Report on the Plan Amendment, and Related Environmental Documentation
2. **RESOLUTION 03-911**
Combined w/RDA 03-910
Combined w/CC 03-9894 Authorizing a Joint Public Hearing of the City Council and Redevelopment Agency of the City of Pittsburg to Consider Adoption of the Proposed Fifth Amendment to the Community Development Plan for the Los Medanos Community Development Project

City Manager Casey explained that the two resolutions were part of the process required to amend the Los Medanos Community Development Project. The resolutions were the first in a series of required actions to complete the plan amendment process initiated in 2001. The resolutions were largely administrative in nature and comprised necessary procedural steps.

Mr. Casey advised that there would be costs associated with the project. The Agency had allocated \$50,000 in the 2003/04 budget for the project.

Mr. Casey recommended that the Agency approve the resolution, authorize the transmittal of the Draft Fifth Amendment to the Community Development Plan for the Los Medanos Community Development Project (the "Plan Amendment"), related environmental documentation and also consent to and call for a Joint Public Hearing with the City Council on the Fifth Amendment to the Community Development Plan for the Los Medanos Community Development Project.

Mayor Beals opened the public hearing for Redevelopment Agency Resolution Nos. 03-910 and 03-911 and City Council Resolution 03-9894. There was no one to speak for or against the resolutions. Mayor Beals closed the public hearing.

On motion by Member Glynn, seconded by Vice Chair Rios and carried unanimously to adopt Redevelopment Agency Resolution 03-910.

On motion by Chair Beals, seconded by Member Glynn and carried unanimously to adopt Redevelopment Agency Resolution 03-911.

On motion by Mayor Beals, seconded by Councilmember Glynn and carried unanimously to adopt City Council Resolution 03-9894.

3. **RESOLUTION 03-912** Budget Adoption

Mr. Casey advised that on August 11 and August 13, budget workshops had been held to review the proposed budget for FY 2003/2004. The budget must be adopted to provide ongoing financing for Redevelopment Agency activities in the next fiscal year. The Redevelopment Agency budget for FY 2003-2004 proposed revenues in the amount of \$31,694,424 and a spending plan of \$27,082,388.

Mr. Casey recommended the approval of the budget for the City of Pittsburg Redevelopment Agency for the Fiscal Year 2003-2004.

Chair Beals opened the public hearing for Resolution 03-912. There was no one to speak for or against the resolution. Chair Beals closed the public hearing.

On motion by Member Rios, seconded by Member Glynn and carried unanimously to adopt Resolution 03-912.

ADJOURNMENT

The meeting of the Redevelopment Agency adjourned at 7:25 P.M. to the next meeting set for September 15, 2003. There will be no meeting on September 2, 2003.

Respectfully submitted,

Lillian J. Pride, Secretary

CITY OF PITTSBURG
City Council Minutes
August 18, 2003

Mayor Yvonne Beals called the meeting of the City Council to order at 7:26 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California, after having met for a Commission Review Workshop at 5:00 P.M. and then into Closed Session at 6:37 P.M. pursuant to Section 54956.9 of the Government Code, Conference with Legal Counsel - Existing Litigation regarding AFSCME Local 512, AFL-CIO v. City of Pittsburg, Unfair Practice Charge No. SF-CE-108-M, and Paulino Lopez and Banana Bug, LLC v. City of Pittsburg, Superior Court Case No. 03-01781; and Conference with Legal Counsel - Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 regarding one case.

Mayor Beals 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
Assistant City Manager, Nasser Shirazi
City Attorney, Linda Daube
City Clerk, Lillian Pride
Director of the Redevelopment Agency, Garrett Evans
Director of Economic Development, Brad Nail
Director of Public Works, John Fuller
Director of Recreation, Paul Flores
Director of Finance, Marie Simons
Director of Building and Planning, Randy Jerome
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CITIZENS REMARKS

NITA ESPOSITO, Pittsburg, introduced a plan for a soldier monument at the Veteran's Memorial Project. She reported that she had presented her plan to the local veterans groups and that she had formed a committee of nine members to pursue the soldier monument.

Mayor Beals requested that Ms. Esposito provide more detailed information to the Council, to include drawings of the proposed monument.

MARTI AIELLO, Pittsburg, explained that when the new City Hall was being built, then Councilmember Bob Lewis had asked the Pittsburg Historical Society (PHS) to head up the Commemorative Brick Program. She explained that the Council had approved that proposal and a place around the fountain had been selected for the placement of the commemorative bricks. She described the situations that had occurred to make the placement and maintenance of the commemorative bricks a problem and she emphasized that the areas where the bricks were to have been placed were no longer available to do so.

Commenting that she had worked with a number of City staff to address the problem, Ms. Aiello stated that she had more bricks at home that needed to be placed. She commented that she had been told that the cost of correcting the problem to allow the placement of the bricks around the fountain would be \$7,000. She emphasized that she had done all she could to fulfill her obligations to those who had trusted her for the placement of the commemorative bricks and she sought the City's fulfillment of its obligation to allow that to occur.

Mayor Beals directed the matter to the City Manager's Office and to the Public Works Department, and directed staff to work with Ms. Aiello to resolve the situation.

BERTHA STOBBS, Pittsburg, expressed concern for the City fee that had been levied against Neighborhood Watch groups having block parties. She requested that fee be waived since it was unfair. She reported that the City had been without a Community Relations Officer since January and she urged the pursuit of some grants to fill the Community Relations Officer position at 2249 Railroad Avenue. Further, in order to improve the quality of life of City residents, Ms. Stobb stated that the Neighborhood Watch Program needed to be strengthened and improved. Stating that the designation of a Community Relations Officer was one way of doing that, she urged the Council to evaluate those issues.

Mayor Beals stated that the City Attorney was evaluating the fee issue referenced by Ms. Stobb.

COUNCIL REPORTS

Vice Mayor Rios stated that she had been invited to the Mexican American Youth Scholarship event by a City staff member who worked tirelessly as part of the program, Hilario Mata. She noted that the City of Pittsburg had five recipients of the scholarship, with two from the City of Antioch. Vice Mayor Rios reported that she and Councilmember Kee, serving as the Redevelopment Subcommittee, had received a presentation from three groups interested in sharing the Downtown Redevelopment Plan. It had also been reported at that meeting that there were nine applicants for commercial loans.

The Vice-Mayor also advised that August After Hours had been a great success, attended by approximately 450 people. She thanked those who had participated as sponsors of August After Hours.

Councilmember Parent reported that the Scottish Renaissance Festival had been a huge success. She commended that group's organization, which had used Hillview Junior High School as an encampment to allow a two-day festival. She explained that the schoolyard had been left well cleaned. She commended the Recreation and Public Works Departments for their help in the production of that event.

Councilmember Parent also reported that she had attended Afternoon in India held at the City's Historical Museum, which she described as a very interesting program and an example of the great diversity of cultures in the community.

Councilmember Parent added that she continued to meet with the ad hoc baseball committee to discuss the East County-wide activity. She noted that the process was at a stage of working to form a not-for-profit organization and there was a serious proposal to bring a Class A professional baseball league to the region. If that were to occur, it was expected to commence during the summer of 2004, to temporarily be played at Los Medanos College. A league of four teams in Northern California was being considered. She added that would not currently involve the expenditure of public funds since funds would be solicited from private sources for the improvement of the baseball facility at Los Medanos College.

Councilmember Kee advised that he had been on vacation over the last two weeks, although he had the opportunity to attend the Movies in the Park event at Heritage Plaza which had been presented by Pacific Community Services, Inc. (PCSI). He explained that the event had been very popular and well attended. He suggested it might be something the City should consider partnering and incorporating into the August After Hours.

Councilmember Glynn also highlighted the Movies in the Park and concurred with the popularity of that event. He summarized his other activities such as budget meetings, the National Night Out in Small World Park, the Fil-American Cultural Night, and the various activities of the Rotary Club including the establishment of a Juvenile Diabetes Association based in East Contra Costa County,

Mayor Beals advised that she had represented the City at the Mayors Conference. With respect to the Renaissance Festival, she stated that the event had been well attended and had been embraced by all neighborhoods and ethnic backgrounds.

Mayor Beals also reported that the City was still celebrating its Centennial Year through such events as the PACO Summer Art Show on August 23, which date would also include a Community Picnic at Buchanan Park for the True Light Baptist Church. St. Peter Martyr Church would hold a parade and festival at the Church on August 24 and a delegation of eight students from the Sister City of Shimoneseki, Japan would be visiting from August 21 through August 25. Upcoming events would include the Seafood Festival on September 6 and the Zinfandel dinner on September 7.

CITY MANAGER REPORT

City Manager Willis Casey stated that there was nothing new to report on the State budget. He noted that the Housing Authority and Redevelopment Agency budgets had been approved and the City and the Pittsburg Power and Island Energy budgets remained to be approved.

Mr. Casey took this opportunity on behalf of the entire City staff to thank the City Council for its tireless efforts and support in bringing to fruition the City's first zero based budget, which represented a new financial system for the City.

Mayor Beals echoed those comments and expressed her appreciation to Finance Director Marie Simons and Finance Department staff, as well as all Department Heads and City staff in the creation of the City's first zero based budget.

CONSENT CALENDAR

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

- b. **CLAIMS** #1505, Leslie Edwins and Leigh Ann Lombardo
Denied Claim #1505, Leslie Edwins and Leigh Ann Lombardo
- c. **RESOLUTION 03-9883** Accept the 2003 Patch Paving Contract to AJW Construction as Complete
Adopted Resolution 03-9883.
- d. **RESOLUTION 03-9884** Award Filter Media Replacement Contract for the Pittsburg Water Treatment Plant
Adopted Resolution 03-9884.
- e. **RESOLUTION 03-9885** Subdivision 8625, Heritage Pointe, approval of the Final Map, Improvement Plans, and Subdivision Improvement Agreement
Adopted Resolution 03-9885.
- f. **RESOLUTION 03-9886** Approving Plans and Specifications and Authorizing Bidding for Contract 03-01, 8th Street/Century Boulevard Reconstruction Project
Adopted Resolution 03-9886.

- g. **RESOLUTION 03-9887** Approve Letter to the State Assembly's Appropriations Committee Supporting Senate Bill 802

Adopted Resolution 03-9887.

- h. **RESOLUTION 03-9888** Authorization to Adopt and Implement the Cal-Card Program to Reduce Administrative Costs Associated with Low Dollar Purchases for Staff, Citywide

Adopted Resolution 03-9888.

- i. **RESOLUTION 03-9889** Acceptance of Calpine's Completion of the Mitigation Requirements Contained in the Transition Station Agreement

Adopted Resolution 03-9889.

- j. **RESOLUTION 03-9890** Endorsing Policies to Encourage Investment in Local Telecommunications Services

Adopted Resolution 03-9890.

- k. **RESOLUTION 03-9891** Approval of Alice C. Tyler Perpetual Grant Application

Adopted Resolution 03-9891.

- l. **RESOLUTION 03-9892** Awarding a Copier Lease Agreement to Caltronics Business Systems of San Jose, California to Support the Printing and Copier Needs of Staff, Citywide

Adopted Resolution 03-9892.

Councilmember Kee had requested the removal of the following item from the Consent Calendar.

- a. **MINUTES** Dated: August 4, 2003

On motion by Mayor Beals, seconded by Councilmember Parent to adopt the minutes dated August 4, 2003, carried by the following vote:

Ayes: Glynn, Parent, Rios, Beals
Noes: None
Abstain: Kee

CONSIDERATION

1. **RESOLUTION 03-9893** Awarding a Professional Services Agreement to Baton Rouge International, Inc. for IT Services

Mr. Casey reported that on July 21, 2003, by Resolution No. 03-9872, the City Council authorized staff to negotiate an agreement with Baton Rouge International Inc., (BRI) for Information Technology Services. A final scope of services, cost, and form of agreement for the IT services has been successfully negotiated. The agreement will provide for network administration, hardware maintenance and desk side support for a one-year period.

Presenting the fiscal impact, Mr. Casey stated that the negotiated agreement would have a cost of \$34,000 per month or \$408,000 per year for operational and support services. The agreement also provided for the preparation of an IT policy study at a one time cost of \$82,000. The total cost of the agreement was identified as \$490,000 over the next twelve months. The cost of the contract award, including the policy study, had been included in the FY 2003-2004 operating budget.

Mr. Casey recommended that the Council adopt the resolution awarding a Professional Services Agreement (PSA) to Baton Rouge International, Inc. (BRI) for Information Technology Services. The resolution authorizes the City Manager to execute the PSA on behalf of the City and to take all such actions necessary to fulfill the obligations of the City in accordance with the provisions of the agreement.

On motion by Vice Mayor Rios, seconded by Mayor Beals and carried unanimously to adopt Resolution 03-9893.

2. **MINUTE ORDER** Grievance Appeal Review

Mr. Casey reported that AFSCME had filed grievances asserting that collective bargaining agreements for the term of July 1, 2001 through June 30, 2002 required the City to make a retroactive payment of salaries to July 1, 2001. The City Manager rejected that assertion and claims that the parties never intended to have a retroactive salary payment. The grievances were received by the City Council and the City Council has been conducting its review of the matter.

Mr. Casey stated that if both AFSCME bargaining units were entitled to a retroactive salary increase for the period July 1, 2001 through June 30, 2003, the fiscal impact would be estimated at \$171,535.80 for Miscellaneous A Unit and \$220,974.51 for the Management/Professional/Confidential Unit, for a total of \$392,510.31.

If AFSCME was successful in its grievances, it was reasonable to expect that all other employee groups would request the retroactive payment of salaries, which would estimate the Teamsters - Miscellaneous B Unit at \$146,744.35, the Department Directors at \$58,531.15, the Police Managers Group at \$46,004.15 and the Police Officers' Association at \$274,033.43, for a total in that case of \$525,313.08.

Mr. Casey recommended that the City Council complete its review of the grievances received from AFSCME (Miscellaneous A Unit and Management/Professional/Confidential Unit); and either affirm, reverse, or modify the City Manager's decision and direct City staff to prepare a resolution or other appropriate written document for the City Council to adopt reflecting its minute order action.

URSULA LUNA, speaking as the Vice President of AFSCME Local 512, Management/Professional/Confidential bargaining unit, and also representing the Miscellaneous A bargaining unit, reviewed the 2001-2002 Memorandum of Understanding (MOU) process to provide some background to the grievance appeal review. She explained that the City had expressed a desire not to differentiate between safety and non-safety employees and did not want to be seen as favoring safety employees. She noted that the City had offered the units an enhanced Public Employees Retirement System (PERS) package as a "take it or leave it package." She explained that the members of the units had been apprised of the offer.

Ms. Luna noted that since the majority of the membership was close to retirement age the issue of retirement benefits was more important than salaries. As such, the majority had accepted the PERS package and there had been no negotiation that year.

Commenting that at that point there was no actual language under discussion although the two safety bargaining units had already negotiated agreements with that language, Ms. Luna emphasized the importance of the Miscellaneous A and Management/Professional/Confidential Units having that same language. She reiterated that historically the safety bargaining units had received better packages than other City employees and that was the non-safety bargaining units way of receiving the same benefit.

Ms. Luna stated that the Miscellaneous A and Management/Professional/ Confidential Units understood that the language related to retroactive pay. She stated that the language was otherwise never discussed between the City and the bargaining unit and there was no meeting of the minds as to the City's intent or the Miscellaneous A and Management/Professional/Confidential Units intent of the language. For the negotiation of the 2002-2003 contract, Ms. Luna stated that the City had stricken the language in question, which language she read as follows: "The City shall provide each member of the bargaining unit with a four percent increase to salary which will become effective July 1, 2001. The subject bargaining unit agrees to defer receiving monetary benefit from the aforementioned salary increase until June 30, 2002." She stated that language had been stricken and the new language that the City had proposed was that "The salary ranges for represented classifications shall be increased four percent effective June 23, 2002."

Ms. Luna stated that upon the inquiry of representatives of the units, they had been informed by the City that the change was for payroll purposes to facilitate payroll. If that was the only intent she questioned why the deferred portion of that language had been changed.

Since Ms. Luna had used her allowed three minutes, Joel Summerhill offered his

three minutes of allowable time to allow Ms. Luna to complete her presentation.

Ms. Luna referred the Council to Exhibit 35 of the report presented to the Council from Director of Personnel Services Marc Fox to Evan Kohler of the Police Management Group, which stated, in part "I regret that this provision of the collective bargaining agreement cannot be implemented." With respect to Exhibit 36 also from Mr. Fox to Will Casey, City Manager, the following statement had been included: "Lastly, I will be advising PMG of PERS determination. They may wish to meet and confer on alternatives and if this becomes the case Council authorization will be required."

Ms. Luna stated that it had become clear that the City's purpose was to increase the PERS retirement for that year, although she stated that was never the Miscellaneous A and Management/Professional/ Confidential Units intent for that language nor were they aware that was the City's intent. While the units desired to meet and confer on the language, she stated that the City had refused to do so.

JO BATES, Oakland, representing AFSCME Local 512, commented that although the Council had been provided a recommendation, she reminded the Council that it had the final authority in deciding the action of the grievance.

Referring to the analysis report by the outside, independent fact-finder Don Becker, Ms. Bates quoted from that analysis that "One of the most important principles used to interpret language in the collective bargaining agreement is the application of the plain meaning of words." In this case, she stated that the plain meaning of words was that the City shall provide each member of the bargaining unit with a four-percent increase to salary, which will become effective July 1, 2001. She stated that the language then spoke to the representative bargaining units, Miscellaneous A and Management/Professional/ Confidential Units, and agreed to defer receiving monetary benefits from the aforementioned salary increase until June 30, 2002.

Ms. Bates stated that the language was very clear and she brought the Council's attention to the actual language in the signed agreements and stated that there was an obligation to meet on the issue. Because there was a current agreement with both units and the language was in both units, there was an agreement that was in full force and effect and which the City had an obligation to meet.

When advised that time remained for his comments if he desired to use that time, JOEL SUMMERHILL, Antioch, characterized the issue as very complex. He stated it had been clear to the members what the language meant and that all of the bargaining units had adopted the same language with the hope that there would be the four-percent retroactive salary increase.

Councilmember Parent verified that the issue had been reviewed by Don Becker and that the report referenced by some of the speakers was to Mr. Becker's report.

City Attorney Linda Daube expressed her understanding that both units had been

provided with a copy of Mr. Becker's report on July 22, 2003 and that Mr. Becker's responsibility was fact-finding.

Human Resources Director Marc Fox explained that Mr. Becker's report had indicated that he had interviewed a number of the key parties and that a number of the key parties had declined to participate in the review process. Mr. Becker had provided the Council with the questions asked of those who had been interviewed and the questions he would have asked those who had declined to participate in the fact-finding process.

In response to Vice Mayor Rios as to whether or not a meet and confer had occurred, Mr. Fox stated that City staff believed that it had fulfilled all of its obligations to meet and confer. He referred to the previously referenced Exhibit 36, which had referred to a situation where the City would be unable to report higher numbers to PERS for retirement purposes than employees were actually earning.

In further response to Vice Mayor Rios, Mr. Fox stated with respect to fact-finding that the Council had directed the City Manager to hire Mr. Becker to conduct that fact-finding. Mr. Becker had completed a fact-finding report for the City Council to consider. He stated that the action to be taken was entirely up to the Council. In terms of the meet and confer obligations, it was his belief that the issue referenced by Ms. Luna related to something other than the four percent retroactive pay.

On motion by Councilmember Parent, seconded by Councilmember Kee to direct the City Manager to submit a resolution to the City Council confirming the decision made by the City Manager on the issue of retroactivity, carried by the following vote:

Ayes: Glynn, Kee, Parent, Beals
Noes: Rios

3. **MINUTE ORDER** Library Commissioner Appointment

Mr. Casey stated that in accordance with the City of Pittsburg "Policies and Procedures for the City Council" adopted by the City Council on September 4, 2001 by Resolution No. 01-9475, the Mayor and Vice-Mayor shall make appointment to standing and ad hoc committees. A need currently exists to appoint a representative to the Contra Costa County Library Commission. The current term of appointment is July 1, 2003 through June 30, 2005. Staff has advertised, and one application has been received. The candidate was interviewed on August 11, 2003.

Mr. Casey reported that there was no fiscal impact associated with the item. He recommended the appointment of Ted Dudiak as the City of Pittsburg's representative to the Contra Costa County Library Commission. He further recommended that Carol Schmalenberger be appointed as the alternate commissioner.

On motion by Vice Mayor Rios, seconded by Councilmember Glynn and carried unanimously to appoint Ted Dudiak as the representative and Carol Schmalenberger as the

alternate to the Contra Costa County Library Commission.

PUBLIC HEARING

1. **RESOLUTION 03-9894** Consenting to and Calling for a Joint Public Hearing on
Combined w/RDA 03-911 the Fifth Amendment to the Community Development
Plan for the Los Medanos Community Development
Project and Related Environmental Documentation

This resolution, together with the two resolutions previously considered by the Redevelopment Agency were part of the process required to amend the Los Medanos Community Development Project initiated in 2001. The resolutions were the first in a series of required actions to complete the plan amendment. The resolution is largely administrative in nature and represents a necessary procedural step.

Action was taken to adopt Resolution 03-9894 in Joint Session with the Redevelopment Agency, as follows:

On motion by Mayor Beals, seconded by Councilmember Glynn and carried unanimously to adopt Resolution 03-9894.

2. **RESOLUTION 03-9896** Increasing the Regional Transportation Mitigation Fee
Imposed Under Chapter 15.100 of the Pittsburg
Municipal Code

Mr. Casey reported that the resolution would raise the Regional Transportation Mitigation Fee (RTMF) imposed on new development within the City of Pittsburg based upon the "East Contra Costa Fee Program Update," dated May 2001, prepared by Fehr & Peers Associates, Inc. The new fee increase will be collected by the City and deposited in an escrow account until the City successfully negotiates with the East Contra Costa Regional Fee and Finance Authority (ECCRFFA) and the East County Transportation Improvement Authority (ECTIA) on a revised fee project list, whereupon the monies collected would be applied towards such list.

With respect to fiscal impact, Mr. Casey stated that if approved, the resolution would increase the RTMF charged to new development under Pittsburg Municipal Code (PMC) 15.100 to \$7,607.54 per single-family residential dwelling unit (sfdu) and \$4,669.98 per multi-family residential dwelling unit (mfdu). The City's current RTMF is \$1,409 per sfdu and \$1,840 per mfdu, whereas other East County jurisdictions currently charge \$7,902 per sfdu and \$4,847 per mfdu.

Mr. Casey recommended the increase in the RTMF in accordance with one of the two options shown on the table identified as "Proposed RTMF Schedule Options" attached to the staff report dated August 18, 2003. The incremental increase in the RMF monies collected shall be held in an escrow account until a revised RTMF project list had been negotiated with the ECCRFFA and the ECTIA.

City Engineer Joe Sbranti introduced Paul Reinders from the City's Traffic Engineering Division and Rob Rees from Fehr & Peers to present the background to the item.

ROB REES from Fehr & Peers explained that the firm had been involved for several years with the regional fee authority assisting in identifying the transportation projects, and addressing transportation issues pertaining to the regional fee. He explained that in 2001 Fehr & Peers had completed a study for the ECCRFFA that addressed a list of potential projects and identified the impact of those projects on the road system, as well as having identified individual fees that communities would pay for each dwelling unit.

Subsequent to the adoption of that fee program, Mr. Rees noted that the City of Pittsburg and the ECCRFFA had parted. In January 2002, the ECCRFFA had created a fee program, the East County Transportation Improvement Authority (ECTIA).

The ECTIA was a Joint Exercise of Powers Authority (JPA) based on Brentwood, Antioch, Oakley and the County, and excluding the City of Pittsburg.

Mr. Rees stated that regional fee was currently in force. The basis for that fee was the Fehr & Peers January 2002 study. That study was similar to the May 2001 study that had been submitted to the Council and had been based on the same land use forecasts and included similar projects with the exception of projects identified in May 2001 in the City of Pittsburg. He noted that those projects had been removed in the January 2002 report.

Mayor Beals opened the public hearing on Resolution 03-9896.

WILSON WENDT, Orinda, an attorney with Miller, Star & Regalia representing Seecon Financial and Construction Co., referred to a letter that he had submitted to the City Council. He advised that his firm's opposition to the fee was its timing in that he believed that the Council's action was premature at this time. He suggested that the 2002 study referenced by Mr. Rees had nothing to do with the fee increase. He stated it was the 2001 study, also prepared by Fehr & Peers, which had been the basis for the City's initial adoption of the regional traffic fee. He added that study had never been approved by the City. He also noted that the study included a number of projects, although not the projects to hopefully be constructed by the JPA.

Mr. Wendt suggested that the entire purpose of establishing the fee at this time was to establish a fee to be placed into an escrow account, and with some leverage to then negotiate with the JPA to determine other fees.

Mr. Wendt commented that the problem was that the fee was a mitigation fee covered by AB 1600 and the Council would have to make the findings required under 66001 of the Government Code. Those findings would require the identification of the purpose of the fee, the use to which the fee was to be put, and if the use was financing public facilities to identify the facilities. He stated that there were five findings that had to be made and that

could not be done if the projects had not been identified.

Stating that the proposal also violated the existing JPA, Mr. Wendt advised that the City would be required when collecting the fee to immediately distribute that fee to the JPA. Under the JPA, he stated that the funds could not be placed in escrow and meet the requirements of the Mitigation Fee Act, which required that the funds be placed in separate accounts designated for separate specific projects identified in the mitigation study. He also stated that very detailed accounting had to be performed every year. If the specified projects were not built, he explained that the funds would then have to be refunded.

Mr. Wendt reiterated that the proposal was premature. While he understood the need to be a good neighbor, he suggested that should not be pursued to the extent of adopting an illegal fee until the projects had been clarified.

Councilmember Glynn questioned Mr. Wendt's opinion of the legal effect of the study if the two JPAs were merged, to which Mr. Wendt suggested that the study would be the basis for a revised and updated mitigation fee study to identify the projects.

Mr. Wendt added that the two studies identified by Mr. Rees from 2001 and 2002 could be combined in one study and updated and should then be sufficient for the mitigation fee study once the projects had been identified. He reiterated his concern that the mitigation fee study would have to identify the projects that would be conducted by the JPA. It was his understanding that the City's representatives would negotiate with the other members of the JPA to identify additional projects not currently shown in either study as potential projects to benefit the City. With that in mind, he stated that the two studies would then have to be updated by an analysis of the additional projects to identify where the revenue would come from to pay for those projects.

Speaking to the project list, Mr. Sbranti expressed his belief that the report prepared in May 2001 accurately described the projects that the City could expect to negotiate back into the JPA. If additional projects were desired, he was not certain how that might or might not invalidate the study. At this point, staff anticipated that the projects in the 2001 report were the projects to ultimately be identified as a result of the negotiations.

In response to Councilmember Glynn's repeated inquiry as to the validity of the projects and as the professional traffic engineer, Mr. Rees agreed with City staff that the projects were valid, reasonable, and had been discussed with the communities over the years.

As the sitting Chairman of the ECCRFFA and of the TRANSPLAN Committee, both of which were intimately involved with the issue, Councilmember Glynn questioned whether or not he had a conflict of interest in the discussion.

City Attorney Daube did not believe that Councilmember Glynn had a conflict unless there was an economic interest, which Councilmember Glynn stated there was not.

Councilmember Glynn did not see the necessity for having another study to validate the issue.

Mr. Sbranti stated that staff was in agreement and believed that the study performed in 2001 was sufficient.

In response to Vice Mayor Rios as to Mr. Wendt's assertion that the proposal was in violation of the requirement related to the handling of fees, Ms. Daube advised that Municipal Code Section 15.100.030 clearly stated with respect to Pittsburg's regional transportation mitigation fee that "The City Finance Director shall create for the City a special interest bearing trust fund entitled the Pittsburg Regional Transportation Mitigation Fee Fund into which all amounts collected under this chapter from the Regional Transportation Mitigation Fee shall be deposited. Alternatively, amounts may be paid into a joint account as is authorized by the JPA."

Ms. Daube stated that the accounting measures raised by Mr. Wendt were clearly established by statute under AB 1600 and required that the accounts be earmarked, that there was an accounting process required every 180 days and that clearly that was contemplated by law. She emphasized that what the Council was to do at this time was the approval of the fees. She stated that there was a 60-day process required by AB 1600 prior to any collection of fees, during which time there was ample opportunity for appeals and comment. She stated that what had been contemplated was that the subcommittee would begin that process to discuss the formation of one uniform JPA.

ROBERT GOLDSMITH, Pittsburg, spoke to the Buchanan Road Bypass Project and emphasized the importance of that bypass to address the traffic problems occurring on Highway 4, Kirker Pass, Buchanan Road and Bailey Road. He stressed the need to move forward on the project to address the traffic impacting City residents. He supported a regional approach to allow that to occur.

ZELDA LEFRAK-BELLECI, Pittsburg, supported the traffic mitigation fee increase and urged the City to cooperate with adjacent cities to address the transportation concerns. As a Buchanan Road resident, she was particularly concerned with the need to relieve the traffic on that street. She urged the development of the Buchanan Road Bypass to address the traffic impacts.

Mayor Beals closed the public hearing on Resolution 03-9896.

In response to Councilmember Kee as to whether or not the findings were appropriate to justify the fees, Mr. Sbranti expressed his belief that there was a clear nexus to the generation of the fees.

Mr. Rees described how the fee had been established after first identifying a series of projects ranging from the State Route 4 Widening Project, the State Route 4 Bypass and other projects in the May 2001 study, including the northern and southern parallel improvements in Pittsburg.

For each of the projects, Mr. Rees stated that the particular city's contribution of traffic to that project had been identified. In the case of the State Route 4 Widening Project between Railroad Avenue and Loveridge Road, he stated that the City of Pittsburg's traffic contribution was ten percent. With the improvement cost for that section at \$86 million, Pittsburg's dollar allocation was then identified as approximately \$8.6 million. He stated that same procedure had been followed for each of the projects. As a result, the total cost of the projects was identified as approximately \$800 million. Pittsburg's contributions to those projects was \$69 million.

With that identified dollar contribution, Mr. Rees stated that had been divided into the equivalent dwelling units in Pittsburg, in which case the growth expected was approximately 9,100 units. That division had resulted in a fee allocation for Pittsburg as of the May 2001 study of \$7,600.

Mr. Rees explained that in the case of the City of Antioch, that city's dollar contribution to all of the improvements was approximately \$130 million. That total was twice as much as Pittsburg's contribution although the City of Antioch's growth was also twice as much. The resulting fee for Antioch on a city by city basis would be approximately \$7,200.

Emphasizing that the process had been conducted for each community, Mr. Rees added that the process had been done on an average East Countywide basis, which had resulted in an approximate \$7,300 fee. At that point, each community had evaluated its relative fees independent of the East Countywide average and had made a determination to use the East Countywide average since it was within a reasonable range of the fees for each individual city.

Mr. Rees stated that process had been followed in May 2001 and again in the January 2002 study that had excluded Pittsburg. That process had held up to date as far as being valid, providing sufficient nexus to the improvements, and the other cities were collecting fees on that procedure. He stated that Pittsburg was currently collecting some fees associated with the first JPA.

Councilmember Parent stated that while she had been absent for a portion of the meeting, she had thoroughly read the Fehr & Peers reports.

Referencing the two options included in the staff report, Councilmember Parent sought a clarification of the option where the City would subsidize commercial, office and industrial development.

Senior Civil Engineer Paul Reinders reported that the City was currently subsidizing commercial and industrial development as part of the local fee and where commercial and industrial development were being charged less per square foot. He stated that would mean that the City would have to find other revenue to subsidize that portion of the fees that it did not collect for such projects.

Referring to the 2001 fee study update prepared by Fehr & Peers, Mr. Reinders explained that the subsidy amount would have to be funded by another mechanism. As to where the subsidies had originated to date, he stated that those subsidies had been coming out of assessment developer extractions. He added that \$105 million would have to be secured regionally to subsidize all the projects listed. Measure C was one source of funding, as were grant monies, State funds and other developer fees.

Councilmember Parent clarified that was done to encourage businesses to locate in the community.

Mayor Beals noted the drastic change between the two options, and expressed particular concern for local commercial, office and industry locating in the community and going from \$.08 per square foot to \$8.00 per square foot at the same time the Council was trying to revitalize the City.

Mayor Beals inquired whether or not an additional study could take place on the local traffic study. She described Option 1 where the City would not subsidize commercial, office and industrial development as unrealistic.

In response, Mr. Sbranti characterized the item as the first step and explained that after the regional RTMF was complete the local TMF would have to be adjusted.

Mayor Beals was advised that the regional fee was currently subsidized on a regional basis and a subsidy had been built into the City's existing local fee.

Councilmember Glynn referenced the significant amount of commercial development currently underway, with future projects including the BART Specific Plan Area, additional roadbeds on the southern side of the City including the Buchanan Road Bypass, the extension of West Leland Road, and many other projects that would be impacted by Option 1. He suggested that any study that would address that issue would have to determine how the significant increase would impact commercial, office and industrial development, which was a serious concern to him.

Councilmember Parent verified that the Council could consider the adoption of a mitigation fee at this time with subsidies, to then reconsider the commercial, office and industrial subsidy at a later date.

Ms. Daube stated that would be an appropriate direction for the Council to take.

Councilmember Kee suggested it was appropriate to raise fees so that the City could become equal partners in regional cooperation.

Vice Mayor Rios sought some provision that funding would be provided for the development of the Buchanan Road Bypass.

Councilmember Kee suggested that the issue of funding the Buchanan Road Bypass should be raised when discussing the fee increase with the other members of the regional board.

Mayor Beals verified that the Buchanan Road Bypass had already been included on the list of projects.

On motion by Councilmember Kee, seconded by Councilmember Glynn to adopt Resolution 03-9896 with Option 2 that would continue to subsidize the commercial fees, amended to implement the collection of fees by November 1, 2003, carried by the following vote:

Ayes: Glynn, Kee, Parent, Beals
Noes: Rios

3. **RESOLUTION 03-9895** Budget Adoption

Mr. Casey reported that on August 11 and August 13, budget workshops were held to review the proposed budget for FY 2003/2004. The budget must be adopted to provide ongoing financing for City activities in the next fiscal year.

As to the fiscal impact, Mr. Casey stated that the City of Pittsburg operating budgets for all City funds had been set forth in Attachment I to the staff report dated August 14, 2003, Adjusted Expenditure Budgets and the proposed revenues had been set forth in Attachment II, Adjusted Citywide Revenues. Both attachments reflected the reduction strategies and the proposed supplemental requests as presented to the Council during the Budget Workshop meeting on August 13, 2003. Also included in the budget was the addition of \$30,000 for the Graffiti Abatement Program and \$70,000 for the New Senior Center Program.

Mr. Casey recommended the approval of the City of Pittsburg Operating Budget for all City funds for the Fiscal Year 2003-2004.

Mayor Beals opened the public hearing on Resolution 03-9895.

MARTI AIELLO, Pittsburg, speaking again to the Commemorative Brick Program, noted her understanding after speaking to the Public Works Director that funding approval would be required from the City Council to resolve the problem related to the placement of commemorative bricks. She inquired whether or not that funding could be included in the budget under discussion.

Finance Director Marie Simons explained that the budget had included a supplemental request for the item in the amount of \$15,000, although given the fiscal pressures on the General Fund the item had not been recommended for approval. She stated it would be up to the City Council to identify its preference at this time.

Councilmember Parent sought some refined figures given the lack of discretionary funds in the budget. She explained that the Council had cut several million dollars out of the budget and staff had worked diligently for months to craft a budget that was balanced in consideration of the fact that the City had to dedicate several million dollars to the school since the State would not do that, and that the City had to give up \$700,000 to the State because it would no longer forward automobile funds although the State had promised to pay those funds back prior to 2006, with no interest.

Councilmember Parent emphasized the challenges in the budget and described some of the unfunded staff positions and the lack of equipment funding. While she agreed with the need to resolve the issues related to the Commemorative Brick Program, she stated that other sources of funding would have to be sought to address that program.

Ms. Simons reported that the item could be addressed during the mid-year budget review process.

Mayor Beals closed the public hearing on Resolution 03-9895.

On motion by Councilmember Parent, seconded by Vice Mayor Rios and carried unanimously to adopt Resolution 03-9895.

ADJOURNMENT

The meeting of the City Council adjourned at 9:02 P.M. to the next meeting set for September 15, 2003. There will be no meeting on September 2, 2003.

Respectfully submitted,

Lillian J. Pride, City Clerk

als

CITY OF PITTSBURG
Pittsburg Power Company Minutes
August 18, 2003

Chair Yvonne Beals called the meeting of the Pittsburg Power Company to order at 9:03 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California, after having met for a Commission Review Workshop at 5:00 P.M. and then into Closed Session at 6:37 P.M. pursuant to Section 54956.9 of the Government Code, Conference with Legal Counsel - Existing Litigation regarding AFSCME Local 512, AFL-CIO v. City of Pittsburg, Unfair Practice Charge No. SF-CE-108-M, and Paulino Lopez and Banana Bug, LLC v. City of Pittsburg, Superior Court Case No. 03-01781; and Conference with Legal Counsel - Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 regarding one case.

Mayor Beals 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
City Clerk, Lillian Pride
Director of the Redevelopment Agency, Garrett Evans
Director of Economic Development, Brad Nail
Director of Public Works, John Fuller
Director of Recreation, Paul Flores
Director of Finance, Marie Simons
Director of Building and Planning, Randy Jerome
Director of Human Resources, Marc Fox
City Engineer, Joe Sbranti
Senior Civil Engineer, Paul Reinders
Police Chief, Aaron Baker
Executive Assistant to the City Manager, Alice Evenson

CITIZENS REMARKS

There were no citizens remarks.

MEMBERS REMARKS

There were no Member remarks.

CONSENT

On motion by Member Glynn, seconded by Chair Beals and carried unanimously to adopt the Consent Calendar, as follows:

a. **MINUTES** Dated: June 16, 2003

Approved minutes dated June 16, 2003.

PUBLIC HEARING

1. **RESOLUTION 03-090** Budget Adoption

Executive Director Willis Casey reported that on August 11 and August 13, budget workshops were held to review the proposed budget for FY 2003/2004. The budget must be adopted to provide ongoing financing for City activities in the next fiscal year.

Mr. Casey stated that the Pittsburg Power Company budget for FY 2003-2004 proposed revenues in the amount of \$450,000 and a spending plan of \$660,856 for the Pittsburg Power Fund. In addition, the budget proposed revenues in the amount of \$2,657,735 and a spending plan of \$2,649,329 for the Island Energy Fund.

Mr. Casey recommended the approval of the budget for the Pittsburg Power Company for the Fiscal Year 2003-2004.

Chair Beals opened the public hearing on Resolution 03-090. There was no one to speak for or against the resolution. Chair Beals closed the public hearing.

On motion by Member Rios, seconded by Member Glynn and carried unanimously to adopt Resolution 03-090.

ADJOURNMENT

The meeting of the Pittsburg Power Company adjourned at 9:04 P.M.

Respectfully submitted,

Lillian J. Pride, Secretary

als

CITY OF PITTSBURG
Southwest Pittsburg Geologic Hazard
Abatement District II (GHAD)
August 18, 2003

Chair Yvonne Beals called the meeting of the Southwest Pittsburg Geologic Hazard Abatement District II (GHAD) to order at 9:05 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California, after having met for a Commission Review Workshop at 5:00 P.M. and then into Closed Session at 6:37 P.M. pursuant to Section 54956.9 of the Government Code, Conference with Legal Counsel - Existing Litigation regarding AFSCME Local 512, AFL-CIO v. City of Pittsburg, Unfair Practice Charge No. SF-CE-108-M, and Paulino Lopez and Banana Bug, LLC v. City of Pittsburg, Superior Court Case No. 03-01781; and Conference with Legal Counsel - Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 regarding one case.

Mayor Beals 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
City Clerk, Lillian Pride
Director of the Redevelopment Agency, Garrett Evans
Director of Economic Development, Brad Nail
Director of Public Works, John Fuller
Director of Recreation, Paul Flores
Director of Finance, Marie Simons
Director of Building and Planning, Randy Jerome
Director of Human Resources, Marc Fox
City Engineer, Joe Sbranti
Senior Civil Engineer, Paul Reinders
Police Chief, Aaron Baker
Executive Assistant to the City Manager, Alice Evenson

CITIZENS REMARKS

There were no citizens remarks.

MEMBERS REMARKS

There were no Member remarks.

CONSENT

On motion by Vice Chair Rios, seconded by Chair Beals to adopt the Consent Calendar, as follows, carried by the following vote:

Ayes: Glynn, Parent, Rios, Beals
Noes: None
Abstain: Kee

a. **MINUTES** Dated: December 2, 2002

Approved minutes dated December 2, 2002.

PUBLIC HEARING

1. **RESOLUTION 03-009** Budget Adoption

Executive Director Willis Casey reported that on August 11 and August 13, budget workshops were held to review the proposed budget for FY 2003/2004. The budget must be adopted to provide ongoing financing for City activities in the next fiscal year.

Mr. Casey stated that the Southwest Pittsburg Geologic Hazard Abatement District II (GHAD) budget for FY 2003-2004 proposed revenues in the amount of \$130,000 and a spending plan of \$108,947.

Mr. Casey recommended the approval of the budget for the Southwest Pittsburg Geologic Hazard Abatement District II (GHAD).

Chair Beals opened the public hearing for Resolution 03-009. There was no one to speak for or against the resolution. Chair Beals closed the public hearing.

On motion by Vice Chair Rios, seconded by Member Glynn and carried unanimously to adopt Resolution 03-009.

ADJOURNMENT

The meeting of the Southwest Pittsburg Geologic Hazard Abatement District II (GHAD) adjourned at 9:07 P.M.

Respectfully submitted,

Lillian J. Pride, Secretary

als