

**CITY OF PITTSBURG**  
**Redevelopment Agency Minutes**  
**September 7, 2004**

Chair Aleida Rios called the meeting of the Redevelopment Agency to order at 7:48 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 5:00 P.M. for Workshop – Inclusionary Housing Feasibility Study Findings, and at 6:30 P.M. for Closed Session pursuant to Section 54956.8 of the Government Code regarding Conference with Real Property Negotiator regarding APN 073-190-027-1; Conference with Legal Counsel - Existing Litigation pursuant to Section 54956.9 regarding Gregory Osorio and California Acorn, Pittsburg Chapter v. City of Pittsburg, Contra Costa County Superior Court Case No. N04-0209 and City of Pittsburg v. USS Posco Industries, Superior Court Case No. C02-00374; and Conference with Labor Negotiators pursuant to Section 54957.6 regarding Department Directors.

Chair Rios reported that there was nothing to report from Closed Session.

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

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Executive Director, Marc Grisham  
Legal Counsel, Ruth Ann Ziegler  
City Clerk, Lillian Pride  
Director of the Redevelopment Agency, Garrett Evans  
Director of Economic Development, Brad Nail  
Director of Human Resources, Marc Fox  
Director of Public Works, John Fuller  
Director of Development Projects, Randy Jerome  
Director of Recreation, Paul Flores  
Director of Finance, Marie Simons  
Planning Manager, Melissa Ayres  
City Engineer, Joe Sbranti  
Police Chief, Aaron Baker  
Executive Assistant to the City Manager, Alice Evenson

**PUBLIC HEARING**

1. **RESOLUTION 04-985** Approval of a Lease Agreement By and Between the Redevelopment Agency and Ron Waite DBA The Boat Company DBA Commodore Yachts

Director of the Redevelopment Agency Garrett Evans reported that the Redevelopment Agency of the City of Pittsburg and The Boat Company – DBA Commodore Yachts had negotiated terms for a Lease Agreement for the lease of 51-A Marina Boulevard, Pittsburg. The tenant would lease approximately 400 square feet of commercial space from the Agency for \$400 per month during a three year term. The tenant would have the option to extend the agreement for an additional three years. Rent would increase annually based on the Consumer Price Index (CPI) during the initial term. Rent during the option would be at fair market value as determined by an appraisal and would also increase annually based on the CPI.

There would be a positive impact to the Agency in the amount of \$400 per month during the first year of the initial term. The amount would increase annually based on the CPI.

Mr. Evans recommended that the Agreement between the tenant and the Agency be approved. He further recommended that the Agency authorize and direct the Executive Director of the Agency to execute the Agreement on behalf of the Agency and authorize the Executive Director to execute such further documents and take such further actions as may be necessary or appropriate to carry out the Agency's obligations pursuant to the Agreement.

Chair Rios opened the public hearing for Resolution 04-985. There was no one to speak. The public hearing was closed.

Member Kee spoke to the staff analysis and the fact that the Agency would assist the tenant to temporarily relocate during the renovation or rehabilitation of the premises. He inquired of the dollar amount of Agency assistance.

Mr. Evans explained that as the owner, the Agency would be required to provide assistance if relocating the tenant as part of any development. The tenant had the option of going to a houseboat similar to what the other yacht broker had done or the tenant could be moved to a temporary facility close to the present location to facilitate development. The language in the agreement was the standard language associated with any other agreement.

On motion by Member Glynn, seconded by Member Kee and carried unanimously to adopt Resolution 04-985.

2.     **RESOLUTION 04-986**     Authorization for the Redevelopment Agency to Enter into a Non-exclusive Easement Agreement for Property Located at 350 Cumberland Street

Mr. Evans reported that the Redevelopment Agency and Hass and Palermo had negotiated terms for a non-exclusive easement agreement providing for emergency ingress and egress to and from their respective properties utilizing approximately 1,000 square feet of Agency-owned vacant land located at 350 Cumberland Street in downtown Pittsburg.

The developer would reimburse the Agency annually for the maintenance of the easement. There would be no fiscal impact to the Agency. The easement would be granted to the developers in exchange for consideration totaling \$4,500.

Mr. Evans recommended that the Agreement between the developer and the Agency be approved. It was further recommended that the Agency authorize and direct the Executive Director of the Agency to execute the Agreement on behalf of the Agency.

Chair Rios opened the public hearing for Resolution 04-986. There was no one to speak. The public hearing was closed.

On motion by Vice Chair Parent, seconded by Member Glynn and carried unanimously to adopt Resolution 04-986.

## **CONSIDERATION**

Mayor Rios CONVENED JOINTLY the CITY COUNCIL and the REDEVELOPMENT AGENCY to consider the following:

1. **RESOLUTION 04-987**      Allocating Funding, Authorizing Material Purchase and  
**Combined w/CC 04-10137**      Installation of a Sheetpile Wall at the George Lowy  
Marina as Part of Contract 02-07, Marina Dock  
Replacement Project (Phase II), and Making Certain  
Findings in Connection Herewith

City Engineer Joe Sbranti stated that Contract 2004-7, Marina Dock Replacement Project (Phase II) would construct new docks and fueling facilities at the George Lowy Marina. Contract 2004-8, Marina Shoreside Improvements (Phase I) would install a sheetpile wall and pedestrian promenade along the new docks currently under construction. The resolution would reassign the installation of the sheetpile wall from Contract 2004-8 to Contract 2004-7, and would allocate additional funding to Contract 2004-7 for the purchase and installation of the sheetpile wall as a change order to Contract 2004-7 with the existing contractor for the dock installation. The resolution would also authorize staff to obtain bids for the sheetpile material and purchase the material directly.

The Resolution would allocate funding to Contract 02-07, Marina Dock Replacement Project (Phase II). The project was currently funded at \$5 million for installation of new docks and fueling system. The additional funding requested is \$2,090,000 which includes \$400,000 for sheet pile material purchased and \$1,690,000 for installation of sheet piles, backfill, and related contract work. The total amount requested in the amount of \$2,090,000 shall be provided from unallocated Tax Increment Reserves.

Mr. Sbranti recommended that the City Council adopt the resolution making certain findings, consenting to the Redevelopment Agency's expenditure of funds for the project, and authorizing the City Manager to execute change orders and purchase orders as required to complete the anticipated work.

It was further recommended that the Agency adopt the resolution making certain findings and allocating an additional \$2,090,000 of funding for the purchase and installation of a sheetpile wall at the George Lowy Marina as part of Contract 02-07, Marina Dock Replacement Project.

On motion by Member Glynn, seconded by Member Kee and carried unanimously to adopt Redevelopment Agency Resolution 04-987.

On motion by Councilmember Glynn, seconded by Councilmember Kee and carried unanimously to adopt City Council Resolution 04-10137.

2.     **RESOLUTION 04-988**     Authorization for the Redevelopment Agency to Acquire the Property at 1201 California Avenue (APN 073-190-027)

Executive Director Marc Grisham stated that City staff had identified a potential hotel developer and operator, Mr. Ramesh Patel, who was interested in developing a 94-room Hampton Inn & Suites hotel on the Loveridge Center site. To facilitate the hotel development, the Redevelopment Agency would purchase the 76,099 square foot hotel site located at 1201 California Avenue from Pittsburg Partners for \$1,065,386 (\$14 per square foot).

The purchase price to acquire the property at 1201 California Avenue would be \$1,065,386. There would be some additional fees associated with the transfer of the property. These funds would be expensed against the Economic Development Loan Account and be comprised of tax increment funds.

Mr. Grisham recommended that the Agency Board authorize and approve the acquisition of 1201 California Avenue (APN 073-190-027) in the amount of \$1,065,386, authorize the Executive Director to execute such further documents and take such further actions as may be necessary or appropriate to carry out the Agency's obligations pursuant to the acquisition.

On motion by Member Beals, seconded by Member Glynn and carried unanimously to adopt Resolution 04-988.

3.     **RESOLUTION 04-989**     Authorization for the Redevelopment Agency to Enter Into an Exclusive Negotiating Agreement with Mr. Ramesh Patel for the Development of a Hampton Inn & Suites Located at 1201 California Avenue (APN 073-190-027)

Mr. Grisham stated that the 90 day Exclusive Negotiating Agreement between the Redevelopment Agency and Mr. Ramesh Patel would enable staff to complete the deal points necessary for a development agreement. There would be no fiscal impact in as much as the request was an authorization for negotiation.

Mr. Grisham recommended that the Agency Board authorize an Exclusive Negotiating Agreement between the Redevelopment Agency of the City of Pittsburg and Mr. Ramesh Patel for the development of a 94-room Hampton Inn & Suites Hotel at 1201 California Avenue; and that the agreement shall be effective for 90 days from the date of execution.

On motion by Vice Chair Parent, seconded by Chair Rios and carried unanimously to adopt Resolution 04-989.

Mr. Grisham advised that the applicant for the next agenda item for Harley Davidson was present to address the Agency.

MR. ROBERT MCGUIRE commented that he had the opportunity to visit with many Agency members during the recent Ribbon Cutting Ceremony for his business. He expressed his appreciation for the business environment in the City and stated that he had been well received by City staff and the Chamber of Commerce. Since the building had involved rehabilitation the loan from the Agency would be much appreciated and assist in the efforts to rehab the building. He explained that the business had opened on August 2, 2004. A Grand Opening Ceremony was scheduled for September 18, 2004. Everyone was invited to attend.

### **CONSENT CALENDAR**

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

- a. **MINUTES** Dated: August 2, 2004

Approved minutes dated August 2, 2004.

- b. **RESOLUTION 04-990** Approving a Loan Agreement By and Between the Redevelopment Agency of the City of Pittsburg and McGuire Harley Davidson LLC

Adopted Resolution 04-990.

### **ADJOURNMENT**

The meeting of the Redevelopment Agency adjourned at 8:03 P.M. to the next meeting set for September 20, 2004.

Respectfully submitted,

Lillian J. Pride, Secretary

**CITY OF PITTSBURG**  
**Pittsburg Power Company Minutes**  
**September 7, 2004**

Chair Aleida Rios called the meeting of the Pittsburg Power Company to order at 8:04 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 5:00 P.M. for Workshop – Inclusionary Housing Feasibility Study Findings, and at 6:30 P.M. for Closed Session pursuant to Section 54956.8 of the Government Code regarding Conference with Real Property Negotiator regarding APN 073-190-027-1; Conference with Legal Counsel - Existing Litigation pursuant to Section 54956.9 regarding Gregory Osorio and California Acorn, Pittsburg Chapter v. City of Pittsburg, Contra Costa County Superior Court Case No. N04-0209 and City of Pittsburg v. USS Posco Industries, Superior Court Case No. C02-00374; and Conference with Labor Negotiators pursuant to Section 54957.6 regarding Department Directors.

Chair Rios reported that there was nothing to report from Closed Session.

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

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Executive Director, Marc Grisham  
Legal Counsel, Ruth Ann Ziegler  
City Clerk, Lillian Pride  
Director of the Redevelopment Agency, Garrett Evans  
Director of Economic Development, Brad Nail  
Director of Human Resources, Marc Fox  
Director of Public Works, John Fuller  
Director of Development Projects, Randy Jerome  
Director of Recreation, Paul Flores  
Director of Finance, Marie Simons  
Planning Manager, Melissa Ayres  
City Engineer, Joe Sbranti  
Police Chief, Aaron Baker  
Executive Assistant to the City Manager, Alice Evenson

**CONSENT CALENDAR**

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

a. **MINUTES** Dated: August 2, 2004

Approved minutes dated August 2, 2004.

**ADJOURNMENT**

The meeting of the Pittsburg Power Company adjourned at 8:05 P.M.

Respectfully submitted,

Lillian J. Pride, Secretary

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**CITY OF PITTSBURG**  
**City Council Minutes**  
**September 7, 2004**

Mayor Aleida Rios called the meeting of the City Council to order at 7:31 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 5:00 P.M. for Workshop – Inclusionary Housing Feasibility Study Findings, and at 6:30 P.M. for Closed Session pursuant to Section 54956.8 of the Government Code regarding Conference with Real Property Negotiator regarding APN 073-190-027-1; Conference with Legal Counsel - Existing Litigation pursuant to Section 54956.9 regarding Gregory Osorio and California Acorn, Pittsburg Chapter v. City of Pittsburg, Contra Costa County Superior Court Case No. N04-0209 and City of Pittsburg v. USS Posco Industries, Superior Court Case No. C02-00374; and Conference with Labor Negotiators pursuant to Section 54957.6 regarding Department Directors.

Mayor Rios reported that there was nothing to report from Closed Session.

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

**MEMBERS ABSENT:** None

**STAFF PRESENT:** City Manager, Marc Grisham  
City Attorney, Ruth Ann Ziegler  
City Clerk, Lillian Pride  
Director of the Redevelopment Agency, Garrett Evans  
Director of Economic Development, Brad Nail  
Director of Human Resources, Marc Fox  
Director of Public Works, John Fuller  
Director of Development Projects, Randy Jerome  
Director of Recreation, Paul Flores  
Director of Finance, Marie Simons  
Planning Manager, Melissa Ayres  
City Engineer, Joe Sbranti  
Police Chief, Aaron Baker  
Executive Assistant to the City Manager, Alice Evenson

Mayor Rios considered the following general City Council items prior to pursuing the Redevelopment Agency agenda at 7:48 P.M.

**PLEDGE OF ALLEGIANCE**

Diana Gibson-Gray led the Pledge of Allegiance.

## **PRESENTATION**

### 1. Chamber of Commerce Business Improvement District (BID) Presentation

WILL RIGNEY, President Elect, Pittsburg Chamber of Commerce, represented the Business Improvement District Advisory Board and spoke to the annual BID Budget for 2004/2005. He advised that he had presented each Councilmember with a package of information including examples of what the Chamber was doing to support, in partnership with the City, maintaining and growing the business community and the BID proposal.

Mr. Rigney spoke to a copy of the new Pittsburg Community Guide and Business Directory which would be presented to all business license holders in the City as well as to all Chamber members. Also included in the information provided to the Council was an official map of the City and the Pittsburg Chamber Community Calendar for 2004 which was updated by the Chamber on a regular basis.

Mr. Rigney identified the Business Retention Program which entailed visits to local businesses including Chamber members and non-members and which was designed to maintain and build existing relationships between the City, the Chamber and local businesses. The estimated cost of the program was \$40,000. The BID would pay \$30,000 and the Chamber \$10,000 of that total.

The Business License Compliance Program consisted of visits to local businesses both Chamber and non-Chamber members and was designed to encourage businesses to comply with City guidelines to improve the appearance of businesses in the City. The overall cost of the program was \$10,000 of which \$8,000 would come from the BID and another \$2,000 from the Chamber.

The Partnership Component of the BID for 2004/2005 was identified where the Chamber of Commerce had agreed to work with the City's Economic Development Department on the Bay Area World Trade Center Projects, League of California Cities, the Foreign Trade Zone, Sister Cities, and Port Authority projects in addition to any other projects that might be developed during the year. The cost of the program was \$10,000 of which \$8,000 would come from the BID and \$2,000 from the Chamber.

The Pittsburg Chamber of Commerce would pursue a working relationship through a Job Fair with East Bay Works to develop a Citywide job fair for all interested local businesses and residents. The project cost was \$4,000; \$2,000 from the BID and \$2,000 from the Chamber.

The Pittsburg Business Today Newsletter, a monthly publication from the Chamber, had been designed to promote the positive aspects of the City and its businesses with an emphasis on the business community while informing the general public about the business climate in the City. The estimated cost was \$20,000 with \$10,000 each from the BID and the Chamber.

Mr. Rigney reported that the overall proposal would include five items with \$58,000 from BID monies and with an additional \$26,000 from the Chamber.

Mr. Rigney added that the relationship between the City and the Chamber continued with the promotion of the Fourth of July fireworks display, business and resident relocation packets, the City Information Center, the official City Map, restaurant tour and non-profit information. He stated that the five staff members of the Chamber continued to work to improve the business climate in the City. The Chamber was involved in Chamber Hospitality and served as a semi-official greeter for the City with downtown meetings that were open to the general public and the business community. The Chamber was also involved in the transportation area, with businesses invited to attend the State Route 4 and Road Construction meetings which were being held on the second Wednesday of each month.

Mr. Rigney further explained that the Downtown Business Team of the Chamber held monthly meetings on how to market the community to local residents and surrounding cities, with a variety of activities developed including the Pride of Pittsburg Restaurant Tour, the Production of Resident's Spending Habits Survey which had been included in the City's water bills, August After Hours, the Pittsburg Centennial Dinner Celebration, Annual State of the City Luncheon, State of the Schools Luncheon, the 20<sup>th</sup> Annual Pittsburg Seafood Festival to be held on Saturday/Sunday, September 11/12, and the California Zinfandel Championship Dinner.

Mr. Rigney emphasized that the Chamber looked forward to a continued successful partnership with the City.

### **COUNCILMEMBER REMARKS**

Mayor Rios reported that the Council had not met since the first meeting in August. On August 3 she had attended National Night Out at Small World Park. She commended the Police Department for its efforts during that event. An Ice Cream Social was also held at Small World Park including participation from the Anime Group which dressed in Japanese Animation Costumes. Ribbon Cutting Ceremonies had been conducted for the Seven Star Mini Mart and Harley Davidson businesses.

Mayor Rios also reported that she had attended the graduation ceremony for the Older Drivers Safety and Wellness at the Senior Center. Every Thursday through September there was a car show in the City. She added that August After Hours had also been successful and continued to grow. The Renaissance Festival had also been held during the month of August where the Mayor had participated as a member of the Santiago Clan.

Mayor Rios stated that she had attended Puerto Rico Day on August 23 in the City of Sacramento, where the State had recognized that date as Puerto Rico Day in the State of California. Delegates from Puerto Rico and San Francisco had attended that event when the Puerto Rican flag had been presented to the Senate and Assembly.

The Mayor explained that she had attended and presented a report on the Status of the City to the Hand Held Radio Club, which group would be offering a status report to the Council in the near future on emergency services.

Mayor Rios further complimented and expressed her appreciation to those families who had hosted the Korean students.

Mayor Rios also acknowledged the receipt of a letter from the International Institute of Municipal Clerks. She read the letter into the record which recognized that Executive Assistant/Deputy City Clerk Alice Evenson had earned the distinguished designation of Certified Municipal Clerk awarded by the International Institute of Municipal Clerks, Inc. She congratulated Ms. Evenson on her accomplishments.

Mayor Rios finally reported that her son in-law Jose Rivas had recently become a United States citizen.

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

There were no City Manager Reports/Remarks at this time.

### **CITIZENS REMARKS**

There were no citizen remarks.

The City Council reconvened at 8:06 P.M.

### **PUBLIC HEARING**

1. **RESOLUTION 04-10121** Resolution to Amend the General Plan Land Use  
**Combined w/CC 04-1226** Designation on Approximately Eight Acres from Public/Institutional and Park to Low Density Residential (Highlands Ranch General Plan Amendment AP-04-103)
2. **ORDINANCE 04-1226** Introduction of an Ordinance to Rezone 10.47 Acres from  
**Combined w/CC 04-10121** GQ District to RS District (Highlands Ranch Rezoning AP 04-103)

Director of Development Projects Randy Jerome presented the continued public hearing on 1) a request to amend the General Plan land use designation on approximately eight acres west of Ventura Drive between Buchanan Road and Rangewood Drive within the Highlands Ranch Residential Subdivision from Public/Institutional (approximately five acres) and Park (approximately three acres) to Low Density Residential and 2) an introduction of an ordinance to rezone 10.47 acres (including the eight acres in the General Plan Amendment) from GQ (Governmental/Quasipublic) District to RS (Single-Family Residential) District; APNs 089-050-069 and 070.

It was estimated that the maintenance of the parks would cost approximately \$12,000/acre. By reducing the park size by approximately two and a half acres there would be an indirect fiscal impact. There was no direct fiscal impact to the City as a result of the project.

Mr. Jerome recommended that the City Council adopt a resolution amending the General Plan land use designation on approximately eight acres of the Highlands Ranch Residential Subdivision from Public/Institutional and Park to Low Density residential. The City Council was also asked to introduce, waive further reading and pass to second reading an ordinance to rezone 10.47 acres of the Highlands Ranch Residential Subdivision from Governmental/Quasipublic District to Single Family Residential.

It was also recommended that the City Council authorize staff to enter into a Memorandum of Understanding (MOU) for Highlands Ranch Park with West Coast Home Builders Inc., upon approval of the City Attorney.

As an option, Option B, would recommend that the City Council adopt the resolution amending the General Plan land use designation on approximately five acres of the Highland Ranch Residential Subdivision from Public/Institutional to Low Density Residential and that the City Council introduce, waive further reading and pass to second reading an ordinance to rezone five acres of the Highlands Ranch Residential Subdivision from Governmental/Quasipublic District to Single Family Residential.

Mayor Rios opened the public hearing for Resolution 04-10121 and Ordinance 04-1226.

RICHARD SESTERO, Concord, representing West Coast Home Builders, commented that since there was no longer interest in a school on the school site, the idea of a smaller park made sense. When originally approved, the Pittsburg Unified School District (PUSD) had planned to share part of the park site with the City which was the reason the park was larger than normal. With the elimination of the school and by building a few more homes on that site, he stated that would generate some park fees.

Mr. Sestero added that if the developer had dedicated the entire park site as originally planned at 10 acres the developer would have no obligation to pay any fees under the City's Park Ordinance. By pursuing this option, he suggested that close to \$500,000 in park fees would be generated which the developer was prepared to put into improvements for the park.

Mr. Sestero pointed out that there would be no funds to build the park for some time. The developer was prepared to use the \$500,000 to start the development of a park. He also commented that the detention basin base was a level area of two acres, the size of one and a half football fields. The detention basin would be designed for the normal flow of storm water to go through a pipe with water never actually to surface in the basin other than during heavy flows. As a result of the detention basin, the park would be over five acres of useable area.

Mr. Sestero reported that notices of the Planning Commission's public hearings had been sent to every homeowner in Highlands Ranch as well as the neighbors on the other side of Buchanan Road. As a result, over 400 families had been notified. During the Planning Commission meetings, twelve speakers expressed questions and concerns related to the proposal. He suggested that by the time the Commission meeting had been completed the residents had been satisfied with the Commission's approval of the approach. During the August 2, 2004 City Council meeting there were few speakers. He again suggested that was because the neighbors had been satisfied with the approach. He encouraged the Council to allow the developer to move ahead with the MOU to allow the park to be developed as soon as it could be designed.

BRUCE OHLSON, Pittsburg, a member of the East Bay Bicycle Coalition and a recently appointed member of the Planning Commission, stated that he was speaking as a member of the community. He expressed his preference to retain the five acres as a park and the five acres for a detention basin, for a total of 10 acres. He pointed out that the General Plan did not allow the inclusion of detention basins as part of park dedication. In exchange for rezoning the school site for housing, he recommended that the developer be directed to build the park with no financial limitations.

EUGENE STOKES, Pittsburg, a resident of the Highlands Ranch subdivision, commented that although it had been mentioned that notices had been sent to several residents, of those he had spoken to 250 or more had not been notified of the public hearing. In terms of the park, he stated that his family could use the park. He had also worked hard to obtain a loan to purchase his property. In that regard, he suggested that the park should not be held up in relation to money. He also questioned the statement that the additional homes would provide revenue that go be used for the park. He suggested that the additional homes did not need to be built.

Mr. Jerome clarified that 590 homes had been approved in the Highlands Ranch Subdivision. There were a couple hundred more homes proposed for Sky Ranch II and more homes to the east located in the City of Antioch.

Mr. Stokes spoke to the number of children per household and the size of the homes in the Highlands Ranch development necessitating a large park. He stated that children currently played in the street which was a potential safety hazard.

RON JOHNSON Jr., Pittsburg, spoke to Mr. Sestero's statement that the developer would give the City \$500,000 and build as much of the park as possible. He questioned the actual size of the park and the commitment from the development in regards to the total acreage. He also questioned the statement that residents were satisfied with the proposal after the Planning Commission hearings. He pointed out the presence of residents in the audience at this time who were dissatisfied with the proposal. He also questioned the commitment to the community to either build more homes or to build a community with open space, recreation for children and a place for people to congregate. He also referred to the staff comments and the unknown as to how long it would take to build the park.

CARLOS ALVARADO, Pittsburg, and a resident of Highlands Ranch, commented

that the community had already outgrown the smaller proposed park. He emphasized the number of children in the area with no place to go. He too questioned building more homes with no place for the community. He also questioned building a smaller park to simply quiet the residents. As to the detention basin, he questioned whether or not homes could be built on that property. He also suggested that there was a need to incorporate parking which would take up some of the acreage with the detention basin sitting empty for years since a smaller park could be built. He invited anyone to visit the neighborhood to view the children hanging out in the neighborhood.

KALID KHAN, 162 Rangewood, Pittsburg, commented that he had chosen Highlands Ranch to buy his home and his property which was situated in front of the proposed park location. He stated that at the time he had purchased his home he had been informed that a park would be built. It was therefore unfair to now change the plans.

RON JOHNSON, Pittsburg, suggested that the character of a community was the character of its leaders. A promise had been made for a ten acre park which he urged the Council to provide.

Mayor Rios closed the public hearing on Resolution 04-10121 and Ordinance 04-1226.

Councilmember Beals emphasized the Council's lengthy discussion on the issue at its prior meeting. She suggested that the residents should be given what he/she had paid for. With the loss of the school and while that was a result of the action by the PUSD, the residents deserved a park and the City should assure what had been promised. As to the developer's request to build additional homes, she preferred that no additional homes be built pending the completion of the park.

Vice Mayor Parent recognized that those in the Highlands Ranch development had been waiting for a school and a park. While the City could do nothing about the school, she stated that the City could address the park. She suggested that the proposal by the developer to increase the number of homes was reasonable, although the idea that the homes would be built prior to the completion of the park was not reasonable.

Vice Mayor Parent referred to the developer's MOU, specifically Article 9, where the developer would use his best efforts to see that everything had been completed in two years. In her opinion that was not acceptable. She would rather that clause be modified to reflect that the portion of the park that was being built by the developer would be completed at the same time as the first occupancy permit was granted for the additional homes. She recognized that if the detention basin was, in fact, the size of a football field and a half, there would be other amenities at the other end of the park.

Vice Mayor Parent also did not see a problem with parking in that she did not see many people driving to the park since it would be a neighborhood park. People could either ride bicycles or walk to the park.

Vice Mayor Parent wanted to see the park be available to those who were already

residing in the development at the same time that the additional homes on the former school site were developed.

Councilmember Kee inquired whether or not the piping for the detention basin was in place, to which City Engineer Sbranti explained that some earthwork would be required to do the fine grading although the piping was already in place in the detention basin.

Councilmember Kee verified with Mr. Sbranti that all the City would be getting were the fees that the City would receive irregardless with no net benefit other than the fees for the additional homes. He questioned whether or not the developer had been asked to go beyond those fees in exchange for rezoning the school site and granting the development of the additional homes.

Mr. Sbranti affirmed that concept had been discussed with the developer. The proposal now being considered represented the response from the developer.

Councilmember Kee agreed with the need to honor the promise to the neighborhood at the time of home purchase that a 10 acre park would be constructed on the site. He recognized that nothing could be done about the school site, although he challenged staff to find a way to build a 10 acre park even if that meant that development would have to start with a minimal park that would be expanded to a fully functional park at the site when the budget permitted.

Councilmember Glynn noted that it was unfortunate that the PUSD had decided not to build a school on the site since an elementary school would have required a gross land mass of 10.3 acres under current State law which would have incorporated the play yard and the footprint of the school along with other amenities. Lacking the school site and under the terms and conditions of the contract, the developer would get the five acres on the corner which would have been designated as part of the 10.3 acres, with the middle piece available for a park. The detention basin would not be a park since it could not be designated as a park. Having recently visited the site with the City Engineer, he acknowledged that the developer had cooperated with grading the middle piece and that the detention basin had been completed.

Councilmember Glynn agreed that the five acre park be built with the detention basin to be available for seasonal playing fields. He also agreed that it was important that a 10 acre park be built. If a question of money, he suggested that some money could be found to start the park and to incrementally build it out over time.

Mayor Rios inquired whether or not the detention basin had been designated as a park. She requested clarification from staff for the benefit of the audience.

Mr. Sbranti explained that the park site was 10 acres including the detention basin. If the detention basin were removed from that configuration, the park site would be reduced to only five acres.

Mr. Sbranti added that there was a substantial and usable portion of the detention

basin which was flat and accessible through ramps or a slope. There was also precedent in the City where similar arrangements had occurred.

Mayor Rios suggested that the developer's request was reasonable, although she would like to see the homes and park be built concurrently. She made a motion to accept the staff recommendation with an amendment that the park and homes be built concurrently.

Vice Mayor Parent seconded the motion.

On a clarification of the motion, Mr. Jerome understood that the motion was to follow the staff recommendation for the smaller 3 acre site with an amendment to modify the MOU which would require that the park be constructed prior to the construction of any of the homes in the area previously designated as the school site.

Mayor Rios stated that her motion was to adopt Option B for the five acre park site.

Mr. Jerome clarified that Option B was not the staff recommendation but an option for the five acre park site to remain the same as it was on the General Plan with the five acre school site to be changed from Quasi/Public Institutional to a Single Family designation. That option would not involve the developer's MOU.

Mayor Rios clarified that she would like to make a motion to adopt Option B, with the additional amendment that the park built concurrently with the homes.

Mr. Jerome explained that such a motion would require an MOU that would have to be agreed to between the developer and the City.

Vice Mayor Parent withdrew her second to the original motion.

Mr. Sbranti added that the Mayor's motion would require the developer to hold off until the City had collected enough funds to build the park. At this time it would take two to three years for the City to have enough funds to build the entire park if the City were to put its entire park funding into the subject park. Even then there would only be enough money to 50 percent of the park in the next two to three years. Complete build out could take several years after that which was an unknown and which might entail prioritization against other City parks.

Due to the withdrawal of the second to the motion, Mayor Rios acknowledged that the original motion had failed.

Councilmember Glynn questioned whether or not the City could enter into a partnership with the developer to potentially transfer \$500,000 towards the design of the park with the City to assume the responsibility of the park and make up the difference for the cost of the five acres in the middle of the site.

Mr. Jerome explained that the development was a standard subdivision. The

developer was obligated under the Subdivision Ordinance to provide certain funding through either in-lieu or park dedication fees. The question related to either a five full acre park or to an additional \$125,000 for the in-lieu fees.

Councilmember Glynn was concerned that the entire issue could end up in a loss for everyone. He preferred to negotiate to find a way to have the park and not hold up the developer's plans for the additional homes and rezoning of the other five acre parcel. The Council could then decide whether or not it wanted a 10 acre park and could then determine how to get that park built without placing a restriction on the builder to prevent the builder from moving forward on the five acre development that had already been approved.

Mr. Grisham commented that there were two issues before the Council. The Council needed to direct staff as to whether or not the park would be 10 acres in size or be a smaller sized park. The second issue related to the matter involving the rezoning of the property, which was also a discretionary action. Both decisions did not have to be made at the same time. The Council could decide to build a five acre park and defer the rezoning request, with staff to further discuss the rezoning request with the developer.

Councilmember Beals made a motion to introduce Option B to rezone five acres of Highlands Ranch from Governmental/Quasi/Public to Single Family Residential District. She clarified her intent to support a 10 acre park.

Councilmember Glynn second the motion.

When asked to clarify Option B, Associate Planner Ken Strelo explained that Option B would amend the General Plan land use designation for the school site to Low Density Residential and rezone that site to Single Family Residential. The five acre park and five acre detention basin with Option B would be untouched and there would be no MOU with the developer. Based on the original Tentative Map for Highlands Ranch one of the alternatives had included that situation with the approximate number of homes at 21 units, which was where staff had come up with the financial numbers shown in the staff report.

Option B would also involve \$125,000 of in-lieu fees since the developer would be dedicating more land than what had been proposed and building fewer homes.

Councilmember Glynn inquired whether or not the 21 units was the maximum number of units that could be built, to which Mr. Strelo reiterated that had been an alternative in the Tentative Map. If the density were to remain the same, there would be the same number of homes, no new design review, and 6,000 square foot minimum lots. He suggested that could fluctuate at three units per acre for the 21 units per the five acres.

To further clarify whether or not one or two motions would be required, Mr. Jerome explained that one action was the General Plan Amendment due to the fact that the school would no longer be built on the five acre site.

Since the land had not been dedicated, Mr. Jerome stated that the developer would

like to exercise his option to keep that property that had been approved in the Tentative Map for at least 21 units as shown on the approved Tentative Map for the five acre park site. If the Council were to take the action to amend the General Plan land use designation and change the zoning, it would allow the 21 single family homes and retain the five acre park site, as shown for Option B. That would again not include an MOU with the developer or any guarantee that the homes would not be built prior to the park.

Mr. Grisham clarified that staff was asking for a reconfirmation from the Council that the subject site would be a five acre park site, no less, specifically five acres in the center and five acres for the detention basin for a total of 10 acres. The first step would be for the Council to take action to reclarify what was out there.

Councilmember Beals clarified her motion for a 10 acre park, five acres in the middle and five acres for the detention basin.

Councilmember Glynn reiterated his second to the motion.

On motion by Councilmember Beals, seconded by Councilmember Glynn to adopt Option B and a resolution amending the General Plan land use designation on approximately five acres of the Highlands Ranch Residential Subdivision from Public/Institutional to Low Density Residential. The motion carried by the following vote:

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

Mr. Grisham explained that the second part of the action being requested of the Council was the remaining five acres of property owned by the developer but which was currently in the General Plan and zoning under the Quasi/Public designation. The developer had requested that property be rezoned to Single Family Residential to allow the construction of additional homes. Based on the previously approved Tentative Map, the developer could build up to 21 units on the site.

Mr. Grisham stated that the Council must decide if it wanted to take action at this time on that portion of the request. If the Council took action, the amount of in-lieu fee the City would receive would be \$125,000. There was no requirement for the developer to hold off building the additional homes until the park was built. He added that with the City's available funds, it would take some time for the park to be built.

Councilmember Glynn questioned whether or not some portion of the park could be constructed with redevelopment funds.

Mr. Grisham explained that if in a redevelopment project area and a public facility with no other funds to build the facility, there was an ability to use redevelopment funds. He advised that staff would approach the Council soon to discuss reprogramming redevelopment dollars.

Since she understood from the City Attorney that the change in zoning did not have

to be made at this time, Councilmember Beals recommended some exploration of the issues prior to a change in zoning. She recommended that the rezoning discussions be tabled with staff encouraged to work with the developer if the developer wanted the 21 homes in exchange for the in-lieu fees. She made a motion to direct staff and the City Manager to meet with the developer to identify possible sources of revenues and to then return the matter to the Council for further discussion.

Councilmember Glynn understood that the developer was required to build the same homes that had been built across the street in the same development. With the truncated lot sizes, he suggested that 21 units might not be able to be constructed on the property.

Mr. Strelow clarified the overall density of Highlands Ranch with the additional homes which would remain around three units per acre. The additional homes had again been approved as part of the original Tentative Map with the lot sizes and home designs required to be the same as what had been built in the subdivision. He added that the developer could request that the Planning Commission consider a different design review.

Mayor Rios was concerned that the matter was before the Council because the PUSD decided not to build the school. In her opinion it was not fair to the developer to now renegotiate for more money for the City because of the actions taken by the PUSD. On that basis alone she could not support a postponement of the issue.

Councilmember Kee seconded Councilmember Beals' motion to table the discussion on the rezoning to allow staff to meet and discuss the matter with the developer.

Councilmember Beals noted that her motion was an option to discuss the matter with the developer. Staff needed to find a way to finance the park and without that information at this time she could not make a decision to rezone the property as requested by the developer. She also wanted the residents to understand that the park would not be developed immediately in that efforts were being made to locate funds for the park.

Mr. Grisham recommended that the rezoning portion be continued, not tabled, for a 30 day period to allow discussions with the developer to work out the questions and concerns.

Mayor Rios questioned whether or not the developer would be faced with any deadlines for permits associated with the Tentative Map.

Mr. Jerome advised that the developer would have to clarify that information although he understood that section of the development was not at the stage of construction.

On motion by Councilmember Beals, seconded by Councilmember Kee and carried unanimously to continue Ordinance 04-1226 for a 30 day period, to the City Council meeting of October 4, 2004.

### **CONSIDERATION**

1. **RESOLUTION 04-10137** Allocating Funding, Authorizing Material Purchase and Installation of a Sheetpile Wall at the George Lowy Marina as Part of Contract 02-07, Marina Dock Replacement Project (Phase II), and Making Certain Findings in Connection Herewith  
**Combined w/RDA 04-987**

Mr. Grisham stated that Contract 2004-7, Marina Dock Replacement Project (Phase II) would construct new docks and fueling facilities at the George Lowy Marina. Contract 2004-8, Marina Shoreside Improvements (Phase I) would install a sheetpile wall and pedestrian promenade along the new docks currently under construction. The resolution would reassign the installation of the sheetpile wall from Contract 2004-8 to Contract 2004-7, and would allocate additional funding to Contract 2004-7 for the purchase and installation of the sheetpile wall as a change order to Contract 2004-7 with the existing contractor for the dock installation. The resolution would also authorize staff to obtain bids for the sheetpile material and purchase the material directly.

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

On motion by Councilmember Glynn, seconded by Councilmember Kee and carried unanimously to adopt City Council Resolution 04-10137.

Councilmember Beals stepped down from the dais and left the Chambers at this time since one of the appointments to the Youth Commission was a member of her family.

2. **APPOINTMENT** Youth Commission Appointments

Four openings exist on the Youth Commission. The City had advertised for the openings and had received applications. All applicants were invited to interview with the City Council on August 2, 2004 and three applicants were interviewed at that time.

There was no fiscal impact to the City. Staff recommended that the City Council appoint the eligible candidates to the Youth Commission openings and provide direction as to continued advertising and recruitment to fill the remaining vacancies.

Vice Mayor Parent made a motion to appoint the three candidates, Johnthan Ary, Vanessa Beals and Cameron Ogden to the Youth Commission and arrange an interview with the fourth candidate, Carl Crayton.

Councilmember Glynn seconded the motion.

Mayor Rios recommended that the position for the last vacancy be opened to interested candidates in that she understood that there were some applicants who were not offered an application and who remained interested in serving on the Youth Commission.

Vice Mayor Parent amended her motion to appoint Johnthan Ary, Vanessa Beals

and Cameron Ogden to the Youth Commission.

Councilmember Glynn accepted the amendment.

On motion by Vice Mayor Parent, seconded by Councilmember Glynn to appoint Johnthan Ary, Vanessa Beals and Cameron Ogden to the Youth Commission. The motion carried by the following vote:

Ayes: Glynn, Kee, Parent, Rios  
Noes: None  
Absent: Beals [Recused]

Councilmember Beals returned to the dais at this time.

On motion by Vice Mayor Parent, seconded by Councilmember Beals and carried unanimously to readvertise for the one remaining vacancy on the Youth Commission.

3. **RESOLUTION 04-10138** Supporting Proposition 1A – Protecting Local Government Revenues and Funding

City Manager Marc Grisham reported that the League of California Cities was supporting Proposition 1A and was asking all cities to adopt a resolution in support. He recommended that the City Council adopt a resolution to support Proposition 1A.

Vice Mayor Parent explained that she had requested the placement of the item on the agenda since the more publicity given to Proposition 1A, the better chance there would be that the State would not take away any more money from local jurisdictions. She noted that cities had to buy off the State in the amount of \$1.3 billion a year for the next two years to bail out the State. Proposition 1A stipulated that after the two year period, the State would take away no more money from local jurisdictions and which would be a Constitutional amendment to prevent the State from taking away local tax dollars. She added that several people would be traveling to Long Beach, California to attend the League of California Cities meeting to learn how to best market the proposition.

On motion by Vice Mayor Parent, seconded by Councilmember Glynn and carried unanimously to adopt Resolution 04-10138.

Mayor Rios acknowledged Vice Mayor Parent's efforts collecting signatures for Proposition 1A.

City Clerk Lillian Pride advised that the title on the resolution would be amplified for record retrieval. Also, a brief description of the action taken by the Council would be identified in that Proposition 1A would prevent State takeaways as described within the resolution.

4. **RESOLUTION 04-10139** Allocating Funding and Awarding a Consultant

Agreement to RMC, Inc. for Environmental Documents,  
Preparation of a Master Plan and Grant Application of  
Contract 2004-9, Reclaimed Water for Irrigation Project  
and Making Certain Findings in Connection Herewith

Mr. Grisham advised that Contract 2004-9, Reclaimed Water for Irrigation Project was for the construction of a reclaimed water pipeline from the existing reclaimed waterline on Eighth Street to the Delta View Golf Course. The reclaimed water would be used to irrigate City parks and potentially the golf course. The resolution would authorize the City Manager to execute a consultant agreement with RMC, Inc. to prepare environmental documents, a reclaimed water master plan, and submit a grant application for funding assistance for construction of the project.

On July 19, 2004, the City Council and Redevelopment Agency adopted resolutions allocating \$2,500,000 of Redevelopment Agency funding for the Project. The proposed Resolution would authorize a Consultant Agreement in the amount of \$179,895 for preparation of environmental documentation, preparation of a reclaimed water master plan, and preparation of grant application documents for potential funding from other sources.

On August 11, 2004, the Delta Diablo Sanitation District (DDSD) Board of Directors adopted Resolution E1 authorizing \$60,000 for funding of the reclaimed water master plan. Funding for the Consultant Agreement with RMC Inc., would come from the previously allocated funds with \$60,000 of participation from DDSD. Upon completion of the reclaimed water master plan the preferred implementation strategy would be identified and staff would return to the Council for the approval of a Consultant Agreement Amendment to provide for preparation of design plans and specification for the selected alignment.

Mr. Grisham recommended that the City Council adopt the resolution authorizing the City Manager to execute a Consultant Agreement with RMC Inc., in the amount of \$179,895 for preparation of environmental documents, preparation of a reclaimed water master plan, and for preparing a grant application for alternative funding sources for Contract 2004-9, Reclaimed Water for Irrigation Project.

Councilmember Kee inquired of the timeline when the work would be completed.

Mr. Sbranti reported that staff was hoping to proceed with the water master plan with the actual design of the first phase of the master plan to follow immediately with a construction schedule beginning sometime in the summer of 2005. The target was to have the system operational by 2006.

On motion by Councilmember Beals, seconded by Councilmember Glynn and carried unanimously to adopt Resolution 04-10139.

5. **RESOLUTION 04-10140** Approval of Business Improvement District Consultant

Agreement with the Pittsburg Chamber of Commerce  
for Fiscal Year 2004-2005

In 1972, a levy was imposed on business licensing to fund a Business Improvement District (BID). The Pittsburg Chamber of Commerce was designated as the Advisory Board to advise the City Council and to make recommendations regarding the use of the revenue derived from the additional levy. Since the inception of the BID, the Chamber of Commerce had served as the Advisory Board, promoting business in the City of Pittsburg and developing programs that aid the local Pittsburg business community. An annual Consultant Agreement and corresponding Scope of Services was recommended by City staff for the 2004-05 fiscal year, with a contract amount not to exceed \$58,000.

There would be a reduction in the BID fund in an amount not to exceed \$58,000 for the period of July 1, 2004 through June 30, 2005. The full expenditure in the amount of \$58,000 has been included in the 2004-2005 City budget.

Staff recommended that the City Council approve the Consultant Agreement between the City of Pittsburg and the Pittsburg Chamber of Commerce for the period of July 1, 2004 through June 30, 2005, not to exceed a total expenditure of \$58,000.

On motion by Vice Mayor Parent, seconded by Councilmember Glynn and carried unanimously to adopt Resolution 04-10140.

**CONSENT CALENDAR**

On motion by Councilmember Beals, seconded by Councilmember Glynn and carried unanimously to adopt the Consent Calendar, as shown, with the removal of Items d and h.

a. **MINUTES** Dated: August 2, 2004

Approved minutes dated August 2, 2004.

b. **CLAIMS** #1585 Clayton Bryen Thomas Sr.; #1600 Judy Browder-Moss; #1601 Ryan P. Erickson; #1604 Eleanor Culcasi

Denied claims #1585 Clayton Bryen Thomas Sr.; #1600 Judy Browder-Moss; #1601 Ryan P. Erickson; and #1604 Eleanor Culcasi

c. **ORDINANCE 04-1227** Ordinance to Rezone Two Parcels Totaling Approximately 12.1 Acres from RM District to PD District (East Leland Property Subdivision 8795 Rezoning. AP-03-74)

Adopted Ordinance 04-1227.

e. **RESOLUTION 04-10142** Authorizing Filing an Application for Surface Transportation Program Funding for Leland Road

## Improvements

Adopted Resolution 04-10142.

- f. **RESOLUTION 04-10143** Awarding a Construction Contract to W.R. Forde Associates, Inc. of Richmond, California for Construction of Contract 97-12, Hillview Reservoir Storm Drain Line Project

Adopted Resolution 04-10143.

- g. **RESOLUTION 04-10144** Approving Plans, Specifications and Authorizing Bidding for Contract 2004-05, Marina Center Parking Lot

Adopted Resolution 04-10144.

- i. **RESOLUTION 04-10146** Approving a Work for Others Agreement By and Between the State of California, Department of Transportation, and the City of Pittsburg

Adopted Resolution 04-10146.

- j. **RESOLUTION 04-10147** Authorizing Two Year-End Adjustments for Fiscal Year 2003-04 as Approved by the City Council Through the Fiscal Year 2004-05 Citywide Operating Budget Process

Adopted Resolution 04-10147.

- k. **RESOLUTION 04-10148** Authorize the Establishment of the San Marco Community Facilities District Fund and Approve a Loan in the Amount of \$85,215 from the General Fund to Cover Costs Incurred in Fiscal Year 2003-04 to be Repaid from Future Tax Assessments

Adopted Resolution 04-10148.

- l. **RESOLUTION 04-10149** Approval of Geovec Inc. Economic Development Service Agreement

Adopted Resolution 04-10149.

The following items were removed from the Consent Calendar for discussion.

- d. **RESOLUTION 04-10141** Revising Penalties for Parking Violations

Staff proposed to increase many of the penalties for violations of the Pittsburg Municipal Code related to parking in order to reduce the amount of illegal parking within the City.

Mayor Rios commented that if revising the parking penalties, she would like assurance that Code Enforcement of the Police Department would truly enforce the new parking penalty increases.

Mr. Grisham noted that he was very focused on the Police Department enforcing the new penalties particularly on the weekends to identify those individuals not obeying the laws for truck parking in residential and commercial areas. All beat Officers had been made aware of this priority.

Police Chief Aaron Baker identified the business line for the Police Department to contact to report any violators of the new parking regulations.

On motion by Mayor Rios, seconded by Vice Mayor Parent and carried unanimously to adopt Resolution 04-10141.

- h. **RESOLUTION 04-10145** Accepting Plans and Specifications for Contract 2004-01, 2004/5 Citywide Pavement Rehabilitation Project and Authorizing Bidding of the Project

Contract 2004-01, 2004/5 Citywide Pavement Rehabilitation Project involved the rehabilitation of selected streets located throughout the City. The resolution would accept the plans and specifications and authorize the City Engineer to advertise for bids on the project.

Mayor Rios spoke to Page 4 of 4 of the staff report and questioned why five speed bumps were being considered for West Boulevard versus speed humps.

Mr. Sbranti explained that the area of West Boulevard was a private street. On public streets the minimum speed limit was 25 MPH. For the private alleyway off West Boulevard the speed limit was much lower, around 5 to 10 MPH. In that instance actual speed bumps such as those found in many parking lots were being designed as opposed to speed humps on streets where the traffic was at a higher rate of speed.

Vice Mayor Parent referred to a recent citizen comment in the local newspaper that the Neighborhood Preservation Team had done nothing that had been suggested by the neighbors. She noted that the current request was one of the suggestions made by the neighbors and had been done rather quickly. She thanked the Neighborhood Preservation Team for reacting promptly to what was clearly needed in the neighborhood.

Mr. Grisham added that many of the improvements were based on neighborhood recommendations. He stated that the Neighborhood Preservation Teams had been very

sensitive to citizen comments.

Mayor Rios expressed her hope that the item would be reported positively in the Antioch Ledger given that the reporter was present in the audience.

On motion by Mayor Rios, seconded by Councilmember Beals and carried unanimously to adopt Resolution 04-10145.

### **ADJOURNMENT**

The meeting of the City Council adjourned at 9:21 P.M. to the next meeting set for September 20, 2004.

Respectfully submitted,

Lillian J. Pride, City Clerk

als