

CITY OF PITTSBURG
Redevelopment Agency Minutes
June 7, 2004

Vice Chair Nancy Parent called the meeting of the Redevelopment Agency to order at 7:33 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 5:00 P.M. for Commission Interviews and at 6:45 P.M. for Closed Session for Conference with Legal Counsel - Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code regarding two cases; and Conference with Legal Counsel - Existing Litigation pursuant to Section 54956.9 regarding Gregory Osorio; and California Acorn, Pittsburg Chapter vs. City of Pittsburg, Contra Costa County Superior Court Case No. N04-0209.

Vice Chair Parent advised that there was nothing to report from Closed Session.

MEMBERS PRESENT: Beals, Glynn, Kee, Parent

MEMBERS ABSENT: Rios [Excused]

STAFF PRESENT: Executive Director, Marc Grisham
Assistant Executive Director, Nasser Shirazi
Legal Counsel, Linda Daube
City Clerk, Lillian Pride
Director of the Redevelopment Agency, Garrett Evans
Director of Planning and Building, Randy Jerome
Director of Economic Development, Brad Nail
Director of Recreation, Paul Flores
City Engineer, Joe Sbranti
Police Chief, Aaron Baker
Executive Assistant to the City Manager, Alice Evenson

CONSENT CALENDAR

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

a. **MINUTES** Dated: May 17, 2004 and May 24, 2004

Approved minutes dated May 17, 2004 and May 24, 2004.

b. **RESOLUTION 04-963** Authorizing the Executive Director to Execute the Consultant Agreement By and Between the Redevelopment Agency of the City of Pittsburg and McGill Martin Self, Inc. in an Amount Not to Exceed \$38,900

Adopted Resolution 04-963.

ADJOURNMENT

The meeting of the Redevelopment Agency adjourned at 7:34 P.M. to the next meeting set for June 21, 2004.

Respectfully submitted,

Lillian J. Pride, Secretary

als

CITY OF PITTSBURG
Pittsburg Power Company Minutes
June 7, 2004

Vice Chair Nancy Parent called the meeting of the Pittsburg Power Company to order at 7:35 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 5:00 P.M. for Commission Interviews and at 6:45 P.M. for Closed Session for Conference with Legal Counsel - Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code regarding two cases; and Conference with Legal Counsel - Existing Litigation pursuant to Section 54956.9 regarding Gregory Osorio; and California Acorn, Pittsburg Chapter vs. City of Pittsburg, Contra Costa County Superior Court Case No. N04-0209.

Vice Chair Parent advised that there was nothing to report from Closed Session.

MEMBERS PRESENT: Beals, Glynn, Kee, Parent

MEMBERS ABSENT: Rios [Excused]

STAFF PRESENT: Executive Director, Marc Grisham
Assistant Executive Director, Nasser Shirazi
Legal Counsel, Linda Daube
City Clerk, Lillian Pride
Director of the Redevelopment Agency, Garrett Evans
Director of Planning and Building, Randy Jerome
Director of Economic Development, Brad Nail
Director of Recreation, Paul Flores
City Engineer, Joe Sbranti
Police Chief, Aaron Baker
Executive Assistant to the City Manager, Alice Evenson

CONSENT CALENDAR

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

a. **MINUTES** Dated: May 17, 2004

Approved minutes dated May 17, 2004.

b. **RESOLUTION 04-104** Authorizing Award of the Cape/Slurry Seal Contract

Adopted Resolution 04-104.

ADJOURNMENT

The meeting of the Pittsburg Power Company adjourned at 7:36 P.M.

Respectfully submitted,

Lillian J. Pride, Secretary

als

CITY OF PITTSBURG
Southwest Geologic Hazard Abatement District II Minutes
June 7, 2004

Vice Chair Nancy Parent called the meeting of the Southwest Geologic Hazard Abatement District (GHAD) II to order at 7:37 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 5:00 P.M. for Commission Interviews and at 6:45 P.M. for Closed Session for Conference with Legal Counsel - Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code regarding two cases; and Conference with Legal Counsel - Existing Litigation pursuant to Section 54956.9 regarding Gregory Osorio; and California Acorn, Pittsburg Chapter vs. City of Pittsburg, Contra Costa County Superior Court Case No. N04-0209.

Vice Chair Parent advised that there was nothing to report from Closed Session.

MEMBERS PRESENT: Beals, Glynn, Kee, Parent

MEMBERS ABSENT: Rios [Excused]

STAFF PRESENT: Executive Director, Marc Grisham
Assistant Executive Director, Nasser Shirazi
Legal Counsel, Linda Daube
City Clerk, Lillian Pride
Director of the Redevelopment Agency, Garrett Evans
Director of Planning and Building, Randy Jerome
Director of Economic Development, Brad Nail
Director of Recreation, Paul Flores
City Engineer, Joe Sbranti
Police Chief, Aaron Baker
Executive Assistant to the City Manager, Alice Evenson

CONSENT CALENDAR

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

- a. **RESOLUTION 04-009** Renewal of Southwest Pittsburg GHAD II Manager/
Geologist Consultant Agreement

Adopted Resolution 04-009.

ADJOURNMENT

The meeting of the Southwest GHAD II meeting adjourned at 7:38 P.M.

Respectfully submitted,

Lillian J. Pride, Secretary

als

CITY OF PITTSBURG
City Council Minutes
June 7, 2004

Vice Mayor Nancy Parent called the meeting of the City Council to order at 7:39 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 5:00 P.M. for Commission Interviews and at 6:45 P.M. for Closed Session for Conference with Legal Counsel - Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code regarding two cases; and Conference with Legal Counsel - Existing Litigation pursuant to Section 54956.9 regarding Gregory Osorio; and California Acorn, Pittsburg Chapter vs. City of Pittsburg, Contra Costa County Superior Court Case No. N04-0209.

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

MEMBERS PRESENT: Beals, Glynn, Kee, Parent

MEMBERS ABSENT: Rios [Excused]

STAFF PRESENT: City Manager, Marc Grisham
Assistant City Manager, Nasser Shirazi
City Attorney, Linda Daube
City Clerk, Lillian Pride
Director of the Redevelopment Agency, Garrett Evans
Director of Planning and Building, Randy Jerome
Director of Economic Development, Brad Nail
Director of Recreation, Paul Flores
City Engineer, Joe Sbranti
Police Chief, Aaron Baker
Executive Assistant to the City Manager, Alice Evenson

Vice Mayor Parent considered the following general City Council items prior to pursuing the Redevelopment Agency agenda at 7:13 P.M.

PLEDGE OF ALLEGIANCE

Paul Flores led the Pledge of Allegiance.

PROCLAMATION

1. Affordable Housing Week

Councilmember Kee read the Proclamation for Affordable Housing Week and presented the Proclamation to Claude Battaglia representing the Independent Living Resource.

CLAUDE BATTAGLIA from the Independent Living Resource, which provides services for people with disabilities, accepted the Proclamation and stressed the need for affordable housing. He emphasized that affordable housing was an essential ingredient for the well being of each individual in society. He thanked the City Council for declaring Affordable Housing Week in the City of Pittsburg.

COUNCILMEMBER REMARKS

Councilmember Beals officially welcomed the new City Manager Marc S. Grisham to the community and to the City of Pittsburg.

Vice Mayor Parent took this opportunity to commend the recent Public Works Open House that she described as outstanding. She was pleased that young people from the schools had attended the Open House. She added that it was important for the community to be aware of the enthusiasm of Public Works staff.

Vice Mayor Parent also commended the Concert for the Municipal Band at Good Shepherd Memorial Garden, and the Bingo Program operated by the Fifty Plus Club which turned its bingo profits back into services for the community and had put on a luncheon in that regard. She advised that she had presented a proclamation to the Fair Board on behalf of the City and had attended the County Fair at that time, stated that Earth Day would be celebrated at Small Work Park on June 9 when entry would be through the donation of canned goods or eyeglasses, and reported that the Redevelopment Agency would have a workshop on June 14 in the City Council Chambers with respect to the Marina Walk II Project.

Vice Mayor Parent further reported that she and others had met with Assemblymember Canciamilla, along with Supervisor Glover and representatives of the League of California Cities and the Executive Officer of Contra Costa County, to seek support of the local initiative on the ballot to protect local government taxes from further raids by the State, after a two year pledge to make continuing contributions. She noted that Assemblymember Canciamilla had not been convinced to support the measure although he would not likely work against it. She advised that a proposed resolution would be placed on the next Council agenda to show that the City and others were standing together with the County and the special districts in a unified approach to achieve some stability in local finances.

Councilmember Glynn reported that he had participated in the first Annual Armed Forces Day Parade in the City when multiple participation from East County civilian and military organizations had occurred. He had also attended the Football Hall of Fame Banquet. He and members of the American Legion had presented scholarships at St. Peter Martyr School on May 28. In addition, he had participated in joint meetings with the Mt. Diablo Unified School District (MDUSD) on June 1 with respect to the opening of the new school and related joint exercise of powers agreements. Further, the Neighborhood Preservation Group had met on the linear park in a well-attended event.

Councilmember Glynn added that the next TRANSPLAN Committee meeting would occur on June 10 in the newly remodeled Tri-Delta Transit building on Wilbur Avenue in Antioch.

The entire Council warmly welcomed the new City Manager.

CITY MANAGER REMARKS

City Manager Marc Grisham thanked the Neighborhood Preservation Team and explained that he had participated in a Saturday event when City representatives from Recreation, Planning, Engineering, Public Works and Police Departments had participated with the citizenry at that time.

Mr. Grisham expressed his appreciation for the welcoming he had received from the City and from City staff. He looked forward to serving as Pittsburg's City Manager.

Vice Mayor Parent announced that prior to the next City Council meeting on June 21 there would be a reception to welcome the new City Manager.

CITIZENS REMARKS

GREG ENHOLM, Bay Point, reported as a courtesy that he had videotaped the opening day of the Pittsburg Senior Center. He presented a videotape of that opening along with a schedule of the show times for that event. Given the City's recent taping of City Council meetings, he recommended that a sign be placed in front of the Council to identify for the viewer that the Pittsburg City Council was in session.

Vice Mayor Parent adjourned to the Redevelopment Agency at 7:33 P.M. and reconvened as the City Council at 7:39 P.M.

PUBLIC HEARING

1. **ORDINANCE 04-1223** Introduction of an Ordinance Amending Municipal Code, Section 10.16.190, "Maximum Weight of Commercial Vehicles in Certain Districts" (a.k.a. Overnight Truck Parking)

City Manager Marc Grisham reported that a public hearing has been noticed to amend Pittsburg Municipal Code (PMC) 10.16.190 by removing overnight commercial truck parking on the south side of Power Avenue, between Railroad Avenue and Davi Avenue, and allowing overnight truck parking on the south side of California Avenue, east of Loveridge Road.

Mr. Grisham recommended that the public hearing be opened to accept any comments from the public, then continue the hearing until the next regularly scheduled City Council meeting on June 21, 2004.

Councilmember Glynn suggested that there were several other areas in the City that were impacted by overnight parking of tractors or trailers, particularly in the downtown region. He noted that the detail sheet accompanying the summary defined overnight as 11:00 P.M. to 4:00 A.M. He questioned that designation and suggested that the normal cessation of overnight would essentially be sunrise.

City Engineer Joe Sbranti stated that time designation had been included in the City code years ago and had been retained. He stated that the Council could request a different period of time, if desired. He added that a thorough report would be submitted to the City Council at the next meeting.

Councilmember Glynn noted the need to address the parking in the downtown area affecting some residential areas.

Mr. Sbranti explained that the only area authorized in the City for truck parking was the area designated by the proposed ordinance.

Councilmember Glynn commented that to his knowledge none of the truck parking in the downtown had been cited. He therefore questioned whether or not the Police Department was aware of the fact that truck parking was not allowed in that area. He requested that the timeframe be reconsidered and that there be enforcement to ensure no truck or trailer parking in the downtown areas from the PG&E front gate all the way to Harbor Street and down to the water, particularly on public streets.

Vice Mayor Parent opened the public hearing for Ordinance 04-1223.

MARY MOM, 2750 California Avenue, Pittsburg, the location of the Stormaster Self Storage, urged the Council not to allow the trucks to park on California Avenue. She noted that when she and her husband had started working at the self-storage facility seven and a half years ago, they had been plagued with truck parking, prostitution, drugs and trash dumping. She noted that many people did not feel safe on California Avenue. She suggested that the trucks bred prostitution, drugs and dumping by creating a hiding place for those things to occur both during the day and at night. She emphasized the negative impact that situation had imposed on the self storage business and she explained that she and her husband had worked with the Police Department to address that situation. She urged the Council not to approve truck parking in that area.

PETER MOM, Pittsburg, as a California Avenue resident, reiterated the efforts that he and his wife had taken to clean up the area. He noted now that the new connector road between Century Boulevard and the shopping center had been opened, the morning traffic had increased dramatically. He emphasized the problems that would be created if trucks were allowed to park in that area, which in addition to the problems cited by his wife included break-ins and other problems. He commented that many of the truckers involved lived out of town and left his/her trucks in Pittsburg. He did not want to have to relive the problems they had earlier experienced. He requested that the Council address those concerns.

STEVE MOLITOR, Pittsburg, stated that he had been a resident for over 30 years. Familiar with California Avenue, he noted that the truckers who parked in that area had created innumerable problems with prostitution and drugs. Since the street had been extended, he suggested that would make it more difficult for police to enforce the laws in that area. He urged the Council to review the police reports to be apprised of the situation.

BRUCE OHLSON, Pittsburg, suggested that removing the truck parking for California Avenue would permit the installation of bicycle lanes on California Avenue as called for in the General Plan and City bicyclists would have no problem with that. He otherwise commented that previous City Councils had found it important that truckers be allowed to park in the City at no cost. He noted that there were lots where truckers could park for a fee. He also noted that truckers were currently parking on Range Road at West Leland Road.

With respect to California Avenue, Mr. Ohlson commented that there would be truck parking only on the south side of the street since California Avenue could not fit two traffic lanes and two bicycles lanes because it was also on the General Plan as a Class II bicycle facility. Further, as a commercial driver for Antioch Building Materials on a part time basis, he noted that trucks were going in and out of the Antioch Building Materials lot. He requested that the Council direct staff to place a red zone to the right of that gate.

When asked, Mr. Ohlson noted that trucks would not be coming out of the Antioch Building Materials site between 11:00 P.M. and 4:00 A.M. since the plant was closed at that time. In response to Mr. Mom who had commented that on occasion Antioch Building Materials was sometimes working in the middle of the night between 12:00 and 2:00 A.M., he noted that would only occur two to three times a year.

Vice Mayor Parent reported that the public hearing for Ordinance 04-1223 would be continued to the meeting of June 21, 2004 at which time public comment would again be accepted.

Councilmember Beals requested that the timeframe be changed from 9:00 P.M. to 9:00 A.M., which she suggested would not hinder commute traffic. She questioned whether or not that would have an impact on the number of trucks parking in that case.

On motion by Councilmember Kee, seconded by Councilmember Glynn and carried unanimously to continue Ordinance 04-1223 to the June 21, 2004 meeting.

CONSENT CALENDAR

On motion by Councilmember Glynn, seconded by Councilmember Beals and carried unanimously to adopt the Consent Calendar, with the removal of items f and g.

a. **MINUTES** Dated: May 17, 2004 and May 24, 2004

Approved minutes dated May 17, 2004 and May 24, 2004.

- b. **CLAIMS** #1588A LaTonya Elaine Lea; #1588B Vernon Lee Johnson

Denied claims #1588A LaTonya Elaine Lea; and #1588B Vernon Lee Johnson.

- c. **ORDINANCE 04-1221** Amending Municipal Code, Chapters 1.04, 1.24 and 15.74 and the Addition of Chapter 15.72, to Support Code Enforcement and Provide for Recapture of Fees and Costs Necessarily Incurred in the Enforcement of the Pittsburg Municipal Code

Adopted Ordinance 04-1221.

- d. **ORDINANCE 04-1222** Levying a Special Tax for the Fiscal Year 2004-2005 and Following Fiscal Years Solely Within and Relating to the City of Pittsburg Community Facilities District No. 2004-01

Adopted Ordinance 04-1222.

- e. **RESOLUTION 04-10083** Abandoning Proceedings in Assessment District No. 2000-01, West Leland Road Extension, Phase 1

Adopted Resolution 04-10083.

- h. **RESOLUTION 04-10086** Award 2004/2005 Water Treatment Plant Chemical Purchase Contracts

Adopted Resolution 04-10086.

- i. **RESOLUTION 04-10087** Accepting as Complete Contract 03-01; Eighth Street and Century Boulevard Pavement Reconstruction

Adopted Resolution 04-10087.

The following items had been removed from the Consent Calendar.

Vice Mayor Parent advised that she had removed Item f from the Consent Calendar so that she could vote on the project consistent with her previous votes on the project.

- f. **RESOLUTION 04-10084** Subdivision 8112, Lawlor Estates Approval of the Final Map, Improvement Plans, and Subdivision Improvement Agreement

On motion by Councilmember Beals, seconded by Councilmember Kee to adopt Resolution 04-10084, carried by the following vote:

Ayes: Beals, Kee, Glynn
Noes: Parent
Absent: Rios [Excused]

The following item had been removed from the Consent Calendar to allow public comment.

- g. **RESOLUTION 04-10085** Requesting the Consolidation of the Municipal Election with other Elections to be Held on Tuesday, November 2, 2004 General Election Date for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities and Levying a Charge and Establishing Word Limitation for Candidates Statements

BEN JOHNSON, Pittsburg, noted that over the years the charge for candidate statements had been \$400 and this year it was \$700, representing an 82 percent increase in cost. He questioned that increase. He also noted that each year there had been a refund in the process.

City Clerk Lillian Pride reported that if a candidate statement was filed now it must be prepared in English and in Spanish and the cost was therefore twice as much. She noted that at the last election there was no refund and candidates had to be billed for the extra cost. She stated that the rates were based upon past experience. She commented that a large field for the election would involve lower costs given the spread throughout the candidates.

Vice Mayor Parent explained that the fees were not established by the City but by the County, State and federal governments.

On motion by Councilmember Beals, seconded by Councilmember Glynn and carried unanimously to adopt Resolution 04-10085.

COUNCIL REPORTS

There were no Council reports.

CITY MANAGER REPORT

There was no City Manager report.

ADJOURNMENT

The meeting of the City Council adjourned at 8:00 P.M. to the next meeting set for June 21, 2004.

Respectfully submitted,

Lillian J. Pride, Secretary

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