

CITY OF PITTSBURG
Housing Authority Minutes
June 21, 2004

Chair Aleida Rios called the meeting of the Housing Authority to order at 7:58 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California, after having convened at 6:01 P.M. into Closed Session pursuant to subdivision (b) of Section 54956.9 of the Government Code for Conference with Legal Counsel - Anticipated Litigation regarding four cases; 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; and Conference with Labor Negotiators pursuant to Section 54957.6 regarding AFSCME (Miscellaneous A Unit) and AFSCME (Management/Professional/Confidential Unit).

There was nothing to report from Closed Session.

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

MEMBERS ABSENT: None

STAFF PRESENT Executive Director, Marc Grisham
Assistant Executive Director, Nasser Shirazi
Legal Counsel, Linda Daube
Deputy City Clerk, Alice Evenson
Director of Economic Development, Brad Nail
Director of Recreation, Paul Flores
Director of Finance, Marie Simons
Director of Public Works, John Fuller
Director of Human Resources, Marc Fox
Director of Planning and Building, Randy Jerome
Director of the Redevelopment Agency, Garrett Evans
Police Chief Aaron Baker

Mayor Rios CONVENED JOINTLY the CITY COUNCIL, HOUSING AUTHORITY, REDEVELOPMENT AGENCY, PITTSBURG POWER COMPANY and the SOUTHWEST PITTSBURG GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD) II, to consider the following item:

PUBLIC HEARING

1. **RESOLUTION 04-216** Adopting the Annual Budget for the City of Pittsburg for the Fiscal Year 2004-2005
Combined w/RDA 04-964
Combined w/PPC 04-105
Combined w/GHAD 04-010
Combined w/CC 04-10088

Finance Director Marie Simons stated that on May 24, 2004 a budget workshop had been held to review the proposed budget for FY 2004/2005. The budget must be adopted to provide on-going financing for the Housing Authority activities during the fiscal year. She stated that all the budgets presented for Council consideration represented the City Manager's recommended budgetary amounts presented at the May 24 budget workshop, which had been included in the preliminary operating document.

The Housing Authority Budget for FY 2004-2005 recommended revenues in the amount of \$12,045,070 and a spending plan of \$12,046,961. The amount included the City Manager recommended supplemental of \$68,484 for a fourth Housing Specialist.

The Redevelopment Agency Budget for FY 2004-2005 recommended revenues in the amount of \$38,244,076 and a total operating spending plan of \$30,039,914. The amount included \$489,110 for supplemental requests that included additional legal services, appraisal services and two project managers. The spending plan only included administrative expenses and did not include capital or special redevelopment projects.

The Pittsburg Power Company Budget for FY 2004-2005 recommended revenues in the amount of \$450,000 and a spending plan of \$613,724 for the Pittsburg Power Fund. In addition, the budget recommended revenues in the amount of \$2,928,300 and a spending plan of \$2,897,555 for the Island Energy Fund.

The GHAD II Budget for FY 2004-2005 recommended revenues in the amount of \$151,380 and a spending plan of \$139,349.

For the City of Pittsburg operating budget for all City funds, the recommended revenues and expenditures were identified as Attachments I and II to the staff report dated June 21, 2004.

With respect to the General Fund Budget, Ms. Simons stated that budget reflected the City Manager recommended reduction strategy, which amounted to \$5 million, given that General Fund revenues were not keeping pace with the ongoing expenses of the City. She explained of that \$5 million, \$2.6 million represented reductions by Departments (of which \$2 million related to frozen positions), and \$2.4 million related to the use of one-time revenues. She reported that had been done to present a balanced General Fund budget to the City Council.

Ms. Simons verified that the budget not only included all the City Manager recommended changes but the State proposed takeaway of \$500,000. She explained that if the impact to the City was different from that estimate when the State took action to adopt the State Budget, staff would return to the City Council to address that issue. She added that it was the direction of the City Manager to return to the Council in early October with a preliminary unaudited financial status for FY 2003/2004, with another return at the end of October with a first quarter status report of the 2004/2005 budget.

Mayor Rios opened the public hearing for Housing Authority Resolution 04-216, Redevelopment Agency Resolution 04-964, Pittsburg Power Company Resolution 04-105, Southwest GHAD II Resolution 04-010 and City Council Resolution 04-10088.

There were no comments from the public. Mayor Rios closed the public hearing.

Councilmember Kee noted that in some cases expenditures slightly exceeded revenues. He requested a verification of that situation

Finance Director Simons affirmed that those operations would be funded out of reserves in those instances.

On motion by Member Beals, seconded by Member Glynn and carried unanimously to adopt Housing Authority Resolution 04-216. [All seven Members of the Housing Authority voted on this resolution only.]

On motion by Vice Chair Parent, seconded by Member Glynn and carried unanimously to adopt Redevelopment Agency Resolution 04-964.

On motion by Member Beals, seconded by Vice Chair Parent and carried unanimously to adopt Pittsburg Power Company Resolution 04-105.

On motion by Vice Chair Parent, seconded by Member Glynn and carried unanimously to adopt Southwest Pittsburg Geologic Hazard Abatement District (GHAD) II Resolution No. 04-010.

On motion by Councilmember Glynn, seconded by Vice Mayor Parent and carried unanimously to adopt City Council Resolution 04-10088.

CONSENT CALENDAR

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

- a. **DISBURSEMENT LIST** Dated: May 31, 2004

Approved Disbursement List dated May 31, 2004.

- b. **MINUTES** Dated: May 17, 2004

Approved Minutes dated May 17, 2004.

ADJOURNMENT

The meeting of the Housing Authority adjourned at 8:09 P.M. to the next meeting set for July 19, 2004.

Respectfully submitted,

Lillian J. Pride, Secretary

als

CITY OF PITTSBURG
Redevelopment Agency Minutes
June 21, 2004

Chair Aleida Rios called the meeting of the Redevelopment Agency to order at 8:10 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California, after having convened at 6:01 P.M. into Closed Session pursuant to subdivision (b) of Section 54956.9 of the Government Code for Conference with Legal Counsel - Anticipated Litigation regarding four cases; 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; and Conference with Labor Negotiators pursuant to Section 54957.6 regarding AFSCME (Miscellaneous A Unit) and AFSCME (Management/Professional/Confidential Unit).

There was nothing to report from Closed Session.

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

MEMBERS ABSENT: None

STAFF PRESENT Executive Director, Marc Grisham
Assistant Executive Director, Nasser Shirazi
Legal Counsel, Linda Daube
Deputy City Clerk, Alice Evenson
Director of Economic Development, Brad Nail
Director of Recreation, Paul Flores
Director of Finance, Marie Simons
Director of Public Works, John Fuller
Director of Human Resources, Marc Fox
Director of Planning and Building, Randy Jerome
Director of the Redevelopment Agency, Garrett Evans
Police Chief Aaron Baker

PUBLIC HEARING

1. **RESOLUTION 04-964** Adopting the Annual Budget for the City of Pittsburg for
Combined w/HA 04-216 the Fiscal Year 2004-2005
Combined w/PPC 04-105
Combined w/GHAD 04-010
Combined w/CC 04-10088

Finance Director Marie Simons reported that on May 24, 2004 a budget workshop had been held to review the proposed budget for FY 2004/2005. The budget must be adopted to provide on-going financing for the City of Pittsburg Redevelopment Agency activities during the fiscal year.

Action was taken in Joint Session with the Housing Authority, Pittsburg Power Company, Southwest Pittsburg Geologic Hazard Abatement District (GHAD) II, and the City Council to adopt Redevelopment Agency Resolution 04-964, as follows:

On motion by Vice Chair Parent, seconded by Member Glynn and carried unanimously to adopt Redevelopment Agency Resolution 04-964.

Chair Rios CONVENED JOINTLY the CITY COUNCIL and the REDEVELOPMENT AGENCY at this time to consider the following:

CONSIDERATION

1. **RESOLUTION 04-965** Allocating Funding and Awarding Contract No. 02-07,
Combined w/CC 04-10090 Marina Dock Replacement Project, Phase II, to Taber Construction of Concord, California, for Supplying, Fabricating, Installation of New Dock, and Upgrading the Fuel System at the George Lowy Marina

City Manager Marc Grisham advised that City staff had opened bids for Contract 02-07, Marina Docks Replacement Project (Phase II) on June 7, 2004. Phase II would include supplying, fabricating, installation of new docks, and upgrading the fueling system at the George Lowy Marina. The apparent low bidder for construction of Phase II is Taber Construction of Concord, California. They submitted a bid proposal, including selected alternate, in the amount of \$3,737,465.

The total project budget had originally been established at \$5 million with adoption of City Council Resolution 03-9876 and Redevelopment Agency Resolution 03-905, although \$300,000 of those funds had been reallocated to Contract 99-05, State Route 4 Flood Relief Project with adoption of Resolutions 04-9976 and 04-937. With the budget reallocation the remaining project budget was \$4.7 million. To date the amount encumbered or expended from the Phase I contract budget was \$721,802.61. There was sufficient project budget remaining to award the base bid amount. In order to award Bid Alternate A3, staff requested that \$300,000 be replaced in the project. The funding would be appropriated by the unallocated Tax Increment Reserves.

Mr. Grisham noted that the restrooms would not be included at this point because of the potential for shoreside development that could mean the relocation of the restrooms as part of that development.

Mr. Grisham recommended that the Council and Agency adopt the resolutions allocating additional funding and authorizing the City Manager to execute a contract with Taber Construction, for the Base Bid (\$3,467,865) and Additive Bid Item A3 (\$269,600, F Dock) for a total contract amount of \$3,737,465. Staff further recommended that the Council and Agency authorize \$476,400 for contingencies (approximately 12.75 percent of the contract).

Vice Chair Parent noted that the usual contingency was 10 percent although the contingency in this case was over 12 percent. She was advised that the contingency had originally been set up at 10 percent with the plan to accept the second alternate item. When that wasn't done, the contingency had increased slightly.

On motion by Member Glynn, seconded by Member Kee and carried unanimously to adopt Redevelopment Agency Resolution 04-965.

On motion by Councilmember Glynn, seconded by Councilmember Beals and carried unanimously to adopt City Council Resolution 04-10090.

CONSENT CALENDAR

On motion by Member Beals, seconded by Member Kee and carried unanimously to adopt the Consent Calendar, as follows, with the removal of Items a. and c.

- b. **RESOLUTION 04-0966** Authorizing the Executive Director to Enter into the Consultant Agreement By and Between the Redevelopment Agency of the City of Pittsburg and Pacific Community Services, Inc.

Adopted Resolution 04-0966.

- d. **RESOLUTION 04-968** Accepting the Transfer of Marina Park Property to the
 Combined w/CC 04-10098 Redevelopment Agency of the City of Pittsburg

Adopted Resolution 04-968.

- e. **RESOLUTION 04-969** Authorizing the Executive Director to Approve the On-Call Services of Rosenow Spevacek Group Inc.

Adopted Resolution 04-969.

The following items were removed from the Consent Calendar.

Chair Rios removed Item a. to abstain from the minutes due to absence.

- a. **MINUTES** Dated: June 7, 2004

On motion by Member Beals, seconded by Vice Chair Parent to adopt the minutes of the June 7, 2004 meeting, as submitted, carried by the following vote:

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

Member Kee reported that he had pulled Item c. from the Consent Calendar. As a small business owner in the community he had on occasion taken advantage of the services that the program offered. As such, he reported that he would abstain from the vote on Resolution 04-967.

- c. **RESOLUTION 04-967** Authorizing the Executive Director to Enter into the Consultant Agreement By and Between the Redevelopment Agency of the City of Pittsburg and the Contra Costa County Employment and Human Service Department on Behalf of the Workforce Development Board's Contra Costa Small Business Development Center

On motion by Vice Chair Parent, seconded by Member Glynn to adopt Resolution 04-967 carried by the following vote:

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

ADJOURNMENT

The meeting of the Redevelopment Agency adjourned at 8:18 P.M. to July 6, 2004.

Respectfully submitted,

Lillian J. Pride, Secretary

als

CITY OF PITTSBURG
Pittsburg Power Company Minutes
June 21, 2004

Chair Aleida Rios called the meeting of the Pittsburg Power Company to order at 8:19 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California, after having convened at 6:01 P.M. into Closed Session pursuant to subdivision (b) of Section 54956.9 of the Government Code for Conference with Legal Counsel - Anticipated Litigation regarding four cases; 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; and Conference with Labor Negotiators pursuant to Section 54957.6 regarding AFSCME (Miscellaneous A Unit) and AFSCME (Management/Professional/Confidential Unit).

There was nothing to report from Closed Session.

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

MEMBERS ABSENT: None

STAFF PRESENT Executive Director, Marc Grisham
Assistant Executive Director, Nasser Shirazi
Legal Counsel, Linda Daube
Deputy City Clerk, Alice Evenson
Director of Economic Development, Brad Nail
Director of Recreation, Paul Flores
Director of Finance, Marie Simons
Director of Public Works, John Fuller
Director of Human Resources, Marc Fox
Director of Planning and Building, Randy Jerome
Director of the Redevelopment Agency, Garrett Evans
Police Chief Aaron Baker

PUBLIC HEARING

1. **RESOLUTION 04-105** Adopting the Annual Budget for the City of Pittsburg for
Combined w/HA 04-216 the Fiscal Year 2004-2005
Combined w/RDA 04-964
Combined w/GHAD 04-010
Combined w/CC 04-10088

Finance Director Marie Simons stated that on May 24, 2004 a budget workshop had been held to review the proposed budget for FY 2004/2005. The budget must be adopted to provide on-going financing for the Pittsburg Power Company activities during the fiscal year.

Action was taken in Joint Session with the Housing Authority, the Redevelopment Agency, the Southwest Pittsburg Geologic Hazard Abatement District (GHAD) II, and the City Council to adopt Pittsburg Power Company Resolution 04-105, as follows:

On motion by Member Beals, seconded by Vice Chair Parent and carried unanimously to adopt Pittsburg Power Company Resolution 04-105.

CONSIDERATION

1. **RESOLUTION 04-107** Authorizing the Executive Director to Approve the Consultant Agreement By and Between the Pittsburg Power Company and McDonald Partners

Executive Director Marc Grisham advised that the Pittsburg Power Company was engaging in power development activities including the Trans Bay Grid Reliability Project and Greenfield Utility Development. McDonald Partners was recommended by the City Finance Team to be retained to assist staff in analyzing the complex financial models associated with the Trans Bay Grid Reliability Project.

The compensation of the proposed service was to be determined on a time and material basis. Once a specific project was defined and the consultant's parameters established, McDonald Partners would provide an estimated amount of time and materials fee to complete the project. The standard reimbursement rate is \$250 per hour. The base Consultant Agreement is not to exceed \$25,000 unless additional compensation in an amount not to exceed \$25,000 for a maximum total of \$50,000 was approved in writing by the Executive Director.

Mr. Grisham recommended the approval of the Consultant Agreement by and between the Pittsburg Power Company and McDonald Partners with the Executive Director to be authorized to execute the Consultant Agreement and engage the services of McDonald Partners for activities related to the Trans Bay Grid Reliability Project and Greenfield utility development.

On motion by Member Glynn, seconded by Vice Chair Parent and carried unanimously to adopt Resolution 04-107.

CONSENT CALENDAR

On motion by Vice Chair Parent, seconded by Member Glynn and carried unanimously to adopt the Consent Calendar with the removal of Item a.

- b. **RESOLUTION 04-106** Approving an Agreement for Attorney Service for the Pittsburg Power Company

Adopted Resolution 04-106.

Chair Rios removed the following item from the Consent Calendar so that she could abstain from the minutes due to absence.

a. **MINUTES** Dated: June 7, 2004

On motion by Member Kee, seconded by Vice Chair Parent to adopt the minutes of the June 7, 2004 meeting, as submitted, carried by the following vote:

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

ADJOURNMENT

The meeting of the Pittsburg Power Company adjourned at 8:21 P.M. to a Special Meeting on June 23, 2004 at 7:00 P.M. at 375 G Street, Mare Island Marketing Center, Mare Island, Vallejo, California.

Respectfully submitted,

Lillian J. Pride, Secretary

als

**CITY OF PITTSBURG
SOUTHWEST PITTSBURG GEOLOGIC HAZARD
ABATEMENT DISTRICT (GHAD) II MINUTES
June 21, 2004**

Chair Aleida Rios called the meeting of the Southwest Pittsburg Geologic Hazard Abatement District (GHAD) II to order at 8:22 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California, after having convened at 6:01 P.M. into Closed Session pursuant to subdivision (b) of Section 54956.9 of the Government Code for Conference with Legal Counsel - Anticipated Litigation regarding four cases; 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; and Conference with Labor Negotiators pursuant to Section 54957.6 regarding AFSCME (Miscellaneous A Unit) and AFSCME (Management/Professional/Confidential Unit).

There was nothing to report from Closed Session.

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

MEMBERS ABSENT: None

STAFF PRESENT

- Executive Director, Marc Grisham
- Assistant Executive Director, Nasser Shirazi
- Legal Counsel, Linda Daube
- Deputy City Clerk, Alice Evenson
- Director of Economic Development, Brad Nail
- Director of Recreation, Paul Flores
- Director of Finance, Marie Simons
- Director of Public Works, John Fuller
- Director of Human Resources, Marc Fox
- Director of Planning and Building, Randy Jerome
- Director of the Redevelopment Agency, Garrett Evans
- Police Chief Aaron Baker

PUBLIC HEARING

1. **RESOLUTION 04-010** Adopting the Annual Budget for the City of Pittsburg for the Fiscal Year 2004-2005
 - Combined w/HA 04-216
 - Combined w/RDA 04-964
 - Combined w/PPC 04-105
 - Combined w/CC 04-10088

Executive Director Marc Grisham stated that on May 24, 2004 a budget workshop had been held to review the proposed budget for FY 2004/2005. The budget must be adopted to provide on-going financing for the GHAD II activities during the fiscal year.

Action was taken in Joint Session with the Housing Authority, the Redevelopment Agency, the Pittsburg Power Company, and the City Council to adopt the GHAD II Resolution 04-010, as follows:

On motion by Vice Chair Parent, seconded by Member Glynn and carried unanimously to adopt the Southwest Pittsburg Geologic Hazard Abatement District II Resolution 04-010.

CONSENT CALENDAR

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

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

a. **MINUTES** Dated: June 7, 2004

Approved Minutes dated June 7, 2004.

ADJOURNMENT

The meeting of the Southwest Pittsburg Geologic Hazard Abatement District II Meeting adjourned at 8:23 P.M.

Respectfully submitted,

Lillian J. Pride, Secretary

als

CITY OF PITTSBURG
City Council Minutes
June 21, 2004

Mayor Aleida Rios called the meeting of the City Council to order at 8:24 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California, after having convened at 6:01 P.M. into Closed Session pursuant to subdivision (b) of Section 54956.9 of the Government Code for Conference with Legal Counsel - Anticipated Litigation regarding four cases; 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; and Conference with Labor Negotiators pursuant to Section 54957.6 regarding AFSCME (Miscellaneous A Unit) and AFSCME (Management/Professional/Confidential Unit).

There was nothing to report from Closed Session.

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

MEMBERS ABSENT: None

STAFF PRESENT City Manager, Marc Grisham
Assistant City Manager, Nasser Shirazi
City Attorney, Linda Daube
Deputy City Clerk, Alice Evenson
Director of Economic Development, Brad Nail
Director of Recreation, Paul Flores
Director of Finance, Marie Simons
Director of Public Works, John Fuller
Director of Human Resources, Marc Fox
Director of Planning and Building, Randy Jerome
Director of the Redevelopment Agency, Garrett Evans
Police Chief Aaron Baker

Mayor Rios considered the following general City Council items at 7:06 P.M. prior to pursuing the Housing Authority agenda.

PLEDGE OF ALLEGIANCE

Robert Lewis led the Pledge of Allegiance.

PRESENTATIONS

1. Pittsburg Mallard Football Team Commemoration

Robert Lewis presented the background of the Pittsburg Mallard Football Team.

Mr. Lewis explained that he and his brother Tom had written a screenplay about the Pittsburg Mallard Football Team, which screenplay was currently being circulated to find a studio that might bring the story of the Pittsburg Mallards and the City of Pittsburg to the big screen.

Tom Lewis offered a brief overview of the story of the Pittsburg Mallards, a winning, early racially diverse football team that had completed an ultimately perfect season to win an audience with President Kennedy, only to learn before that planned audience that President Kennedy had been assassinated in Dallas, Texas.

Robert Lewis offered a PowerPoint presentation to summarize the Pittsburg Mallards' winning season. Councilmember Beals helped Mr. Lewis read a scene from the Lewis screenplay.

Robert Lewis noted that there was a sign off of State Route 4 in Antioch commemorating that City's 1977 Babe Ruth Championship. He requested that the City in potential partnership with a service club form a subcommittee or a task force to place a similar sign at the Range Road entrance to the City of Pittsburg commemorating the fact that the Pittsburg Mallards were 1963 National Champions who had produced a feat unequalled in sports history.

Councilmember Beals thanked the Lewis Brothers for the story. As a Pittsburg native and a football fan, she stated that she had been unaware of the Pittsburg Mallards. She urged the Council to consider the request.

Councilmember Kee was also unaware of the history of the Pittsburg Mallards even though he had once been a coach for the Mallards. He supported some way to make the request a reality.

Vice Mayor Parent commented that as a teacher at Pittsburg High School in 1963, some of the members of the Pittsburg Mallards Championship team were her students. She expressed her hope that City groups would get involved to honor the team as a matter of Pittsburg pride.

Councilmember Glynn stated that while not a resident of Pittsburg at that time, he would do all that he could to see that signs were erected to honor the championship team. He also noted that there was more than one entrance to the City that should be considered.

Mayor Rios stated that she had also never heard of the story of the Pittsburg Mallards Championship Team. She agreed with the need to recognize the team and made a motion to create an ad hoc committee to discuss the request and to include private participation.

Mr. Lewis stated that a complete copy of the screenplay had been left with the Deputy City Clerk Alice Evenson. When asked, he stated that he could make another copy of the

screenplay available to the Library or the Historical Society at the City's discretion.

2. Status of City Website

Assistant City Manager Nasser Shirazi presented the latest update of the City Website, which it was noted was 90 percent complete. Total completion was anticipated by July 9, 2004.

Jitendra Kaneria displayed the various links and Department pages and explained that there would be separate home pages for the Golf Course and the Marina. He noted that each Department representative would be able to manage the site on its own once the site goes live. There would also be a job listing site for all Departments and applications could be downloaded for all departments, minutes and agendas for all Commissions would be included, and a copy of the budget and financial reports would also be available.

CITIZEN REMARKS

MARIA OSEGUERA, representing ACORN, stated that while all its citizens were proud of living in Pittsburg, she stated that some residents were neglected and some were not. Some streets were fixed and some were not, and the violence in some areas was calmed and some were not. She also commented that some areas of the City had streetlights and some did not.

When asked what area she was referencing, Ms. Oseguera presented a letter to explain that residents had tried to work through PG&E, the City Council and the City's Human Resources Department to address a number of concerns with respect to violence, adequate street lighting and safe streets. There had been three murders on her street alone. She commented that if the Council wanted to be proud of Pittsburg it should fix the foundation of Pittsburg. She stated that Pittsburg was about multi-cultural unity.

Mayor Rios referred Ms. Oseguera to the City Manager, and explained that the City Neighborhood Preservation Team was actively addressing neighborhoods in distress.

ELVIN SCOTT, Pittsburg, spoke in support of recognizing all veterans. He announced a Fourth of July parade to be held in Antioch and took this opportunity to invite all veterans and citizens of Pittsburg to attend that parade which would start at 5:00 P.M. He urged Pittsburg and Antioch to work together to have alternating Fourth of July parades.

BRUCE OHLSON, Pittsburg, noted that the new Senior Center had opened a few months ago. He also commented that the Delta DeAnza National Scenic Multi-Use Trail operated by the East Bay Regional Park District (EBRPD) ran along the East Bay Municipal Utility District (EBMUD) utility corridor adjacent to the new Senior Center.

Having been advised that there was no access from the front door of the Senior Center to that trail, Mr. Ohlson stated that he had spoken to the City's Project Engineer for

the Senior Center who had agreed and who had contacted the EBMUD, which had declined in that it would only permit access to its right of way where it would cross public streets. He requested that the EBMUD be strongly encouraged to allow the City to pave an Americans with Disabilities Act (ADA) compliance sidewalk to the trail to accommodate seniors from the Senior Center.

Mayor Rios read the following comments into the record from BRYCE ALAN PINKOS, Pittsburg, who wished not to speak but who asked that his comments be included in the public record: "Something needs to be done about the street lighting, pavement, and distribution of City maintenance funds, and security for older neighborhoods."

COUNCILMEMBER REMARKS

Mayor Rios took this opportunity to acknowledge Assistant City Manager Nasser Shirazi's last meeting of the City Council. She advised that Mr. Shirazi, who was retiring after nineteen years with the City, would be sorely missed.

Mr. Shirazi thanked the current Council and the previous Council for allowing he, his staff and the entire City staff the opportunity to serve the community and do good works.

CITY MANAGER REMARKS

There were no City Manager remarks at this time.

Mayor Rios adjourned to the Redevelopment Agency at 7:58 P.M. and reconvened as the City Council at 8:24 P.M.

PUBLIC HEARING

1. **RESOLUTION 04-10088** Adopting the Annual Budget for the City of Pittsburg for the Fiscal Year 2004-2005
Combined w/HA 04-216
Combined w/RDA 04-964
Combined w/PPC 04-105
Combined w/GHAD 04-010

City Manager Marc Grisham stated that on May 24, 2004 a budget workshop had been held to review the proposed budget for FY 2004/2005. The budget must be adopted to provide on-going financing for the City of Pittsburg activities during the fiscal year.

Action was taken in Joint Session with the Housing Authority, Redevelopment Agency, Pittsburg Power Company, and the Southwest Pittsburg Geologic Hazard Abatement District (GHAD) II to adopt City Council Resolution 04-10088, as follows:

On motion by Councilmember Glynn, seconded by Vice Mayor Parent and carried unanimously to adopt City Council Resolution 04-10088.

2. **RESOLUTION 04-10089** Appeal of Planning Commission Approval of AP-03-15 (DR) for a Meat Market at 3819 Railroad Avenue

Director of Planning and Building Randy Jerome reported that on May 3, 2004 the City Council opened the public hearing for an appeal of the Planning Commission's design review approval of architectural plans for the construction of a 1,540 square foot building addition, exterior building modifications and on-site improvements to convert an existing multi-tenant building into a specialty food market at 3819 Railroad Avenue. The Council continued the public hearing to June 21, 2004 and directed staff to further investigate the status of County health code violations onsite. He suggested that those issues had been resolved and the item had been returned to the Council as directed.

Mr. Jerome recommended the denial of the appeal and the upholding of Planning Commission Resolution No. 9477.

Mayor Rios advised that the public hearing remained opened from the last meeting.

DAN VILLASENOR, Concord, stated that he remained in opposition to the proposal. He requested more time to consider the item. He stated that there was an ongoing investigation that he could not comment on. He emphasized the importance of gaining more time to address the issue.

City Attorney Linda Daube stated that there was an ongoing investigation with a law enforcement agency. She stated that she had called the individual involved in that investigation and had been assured that the outcome of the investigation had nothing to do with the current item being considered by the City Council. It was a separate situation.

H.F. LAYTON, representing Mr. and Mrs. Cervantes, the applicants, was present to respond to questions. He stated that his clients had done everything possible to provide a business good for the community. He stated that his clients were seeking to expand the business and he stated it would be appropriate to approve the Cervantes' application.

Mayor Rios closed the public hearing.

Vice Mayor Parent noted with respect to wayward grocery carts that there was a need to ensure that the carts would remain on site and in control.

Mr. Jerome advised that there was a condition relative to the landscaping and hardscape that had to be approved with the site plan. He stated that element could be modified to address the situation with respect to carts.

Associate Planner Chris Barton, the project planner for the item, stated that staff had worked closely with the applicant on the project. He explained that the applicant had complied with all the staff requests regarding the design of the project and he did not believe the applicant would object to a condition to contain the shopping carts.

Councilmember Beals noted that outside of the carts one of the primary concerns related to the code enforcement and health department violations. While separate from the

current item, the staff report had indicated that no building permits would be approved until those violations had been corrected. She questioned whether or not there had been any progress on those other issues.

Mr. Barton stated that staff had been in contact with the Contra Costa County Health Services Department. The known violations on site had been cleared. He stated that a letter from that Department clearing any current violations on the site had been included in the staff report. He noted that the inspector on the site had indicated that an expansion of the facility would help from a public health standpoint since more space would help the owner meet current code requirements.

On motion by Councilmember Kee, seconded by Councilmember Glynn and carried unanimously to adopt Resolution 04-10089 with the condition that the shopping cart issue be addressed as part of the final design, and that the Code Enforcement Division continue to remain involved and keep the Council informed of the status of the site.

3. **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)

A public hearing to amend Pittsburg Municipal Code (PMC) 10.16.190 to remove overnight commercial truck parking on the south side of Power Avenue, between Railroad Avenue and Davi Avenue had been continued to the current meeting.

Mr. Grisham explained that while previously coupled with another recommendation, he recommended at this time that the Council rescind the portion related to *California* Avenue. If the Council desired to consider another street, he suggested that be considered at another meeting. There was no fiscal impact associated with the item.

Mr. Grisham recommended the introduction of the ordinance and waiving the first reading to revise Pittsburg Municipal Code 10.16.190, "Maximum Weight of Commercial Vehicles in Certain Districts."

Mayor Rios advised that the public hearing remained open from the last meeting. There was no one to speak for or against the resolution. She closed the public hearing.

Vice Mayor Parent stated for the benefit of the audience that at the last public hearing there had been a number of property owners from the area of California Street stating that they did not wish their street to be a substitute for Power Avenue. Since that time she had a personal contact by another business owner in the area who had substantially invested in his property and who had mentioned that he did not want to lose the improvements that had been made to California Street. She therefore expressed her appreciation for a change in the proposal to eliminate the references to California Street.

Vice Mayor Parent otherwise agreed with the need to have staff consider alternate sites but recognized that the Council might have to pursue a policy of requiring drivers to

rent space to park his/her trucks.

While appropriate for the area described, Councilmember Glynn stated that the ordinance was not adequate to address the problem throughout the City. He referred to a site on the north side of West Tenth Street across from the Harbour Lights development where a 60 foot rig had been parked beyond the end of the sidewalk in that area for three days. He referred to a car carrier full of new vehicles that had been parked across from the Elks Club in the downtown, along with other trucks similarly parked throughout the City. He did not support that practice and he support a Citywide ordinance to address truck traffic and truck parking.

Councilmember Beals requested that the area of California Street from Harbor Street down to the storage facility be studied by staff with the submittal of a resolution to the City Council within the next 30 days to address the truck parking across from those residential areas.

In response to the Mayor as to whether or not it would be possible to return such a study within 30 days, Mr. Grisham commented that would not be a problem. He otherwise recognized two issues; one of enforcement and one of appropriate posting. He stated that he would discuss that issue with the other City departments and return to the Council within 30 days.

On motion by Vice Mayor Parent, seconded by Councilmember Glynn and carried unanimously to introduce Ordinance 04-1223 by title only and waive first reading.

CONSIDERATION

1. **RESOLUTION 04-10090** Allocating Funding and Awarding Contract No. 02-07, Combined w/RDA 04-965 Marina Dock Replacement Project, Phase II, to Taber Construction of Concord, California, for Supplying, Fabricating, Installation of New Docks, and Upgrading the Fueling System at the George Lowy Marina

City staff opened bids for Contract 02-07, Marina Docks Replacement Project (Phase II) on June 7, 2004. Phase II would include supplying, fabricating, installation of new docks, and upgrading the fueling system at the George Lowy Marina. The apparent low bidder for construction of Phase II is Taber Construction of Concord, California. They submitted a bid proposal, including selected alternate, in the amount of \$3,737,465.

Action was taken in Joint Session with the Redevelopment Agency to adopt City Council Resolution 04-10090, as follows:

On motion by Councilmember Glynn, seconded by Councilmember Beals and carried unanimously to adopt City Council Resolution 04-10090.

2. **RESOLUTION 04-10091** Rescission of Resolution No. 98-8623 and Adoption of New Sister City Policy

Economic Development Director Brad Nail stated that the City of Pittsburg had formed and maintained one Friendship City and three Sister City relationships with City agencies located outside of the United States, in efforts to encourage the development of relations between businesses, research and educational institutions, government policy and regulatory agencies and other organizations concerned with encouraging progress in economic and cultural development. City staff recommended the rescission of Resolution No. 98-8623, which adopted the 1998 Sister City Policy and the establishment of a new, more comprehensive Sister City Policy, to serve as a guideline for the maintenance and expansion of the City of Pittsburg's Sister City Program.

Mr. Nail explained that the City's new policy had been patterned after a San Diego policy where a Sister City Steering Committee was established with most activities going through that Committee.

Vice Mayor Parent had a number of questions and concerns related to the draft policy document. Her concerns related to the fundraising and she sought a clarification that the obligation of the fundraising would be solely that of the Committee. She added that there was no clear definition of the composition of the Committee, Policy No. 6 related to the budget appeared to be unrealistic to her and she suggested the onus could be put on the City in that regard, Policy No. 8 did not indicate when a report would be due, Guideline No. 7 did not indicate that the Sister City must be outside the United States, and Guideline 11 referred to a notification but it did not indicate what period of time that notification should occur. She suggested that the new Sister City Policy not be adopted at this time until those issues and concerns had been addressed.

In response to some of Vice Mayor Parent's comments, Mr. Nail stated with respect to budgeting that the Sister City Committee would be responsible for raising its own funds so that if a trip were to be made overseas City of Pittsburg money would not pay for any Sister City members to make that trip, while the City's annual budget allocation would only be used for authorized trips by the Council overseas. He stated that the Sister City Committee would have nothing to do with the City's budget.

Councilmember Kee had concerns similar to those expressed by Vice Mayor Parent. He recommended that the Sister City Committee include at least one youth member given that the Sister City relationship was geared to not only economic development but to cultural development as well. He also supported a continuance to address some of the issues.

Councilmember Beals concurred and requested the inclusion of more defining language to define a Sister City as being outside of the United States.

Mayor Rios supported a continuance to allow the Council recommendations to be included in the document, to be returned to the Council by the second meeting in July.

On motion by Mayor Rios, seconded by Councilmember Glynn and carried unanimously to continue Resolution 04-10091 to the July 19, 2004 meeting to allow the

Council recommendations to be included in the document and be returned for Council consideration.

3. **APPOINTMENTS** Commission Appointments

Mr. Grisham advised that openings existed on the Youth Commission, the Recreation Commission and the Planning Commission. The City had advertised for all openings and had received applications for each Commission. All applicants had been invited to interview with the City Council on June 7, 2004 and 15 applicants had been interviewed at that time.

Vice Mayor Parent commented that one of the objectives of the Subcommittee that had made the recommendations concerning the reconstruction of the Commission system was that it was preferred that the appointments to Commissions be made shortly after the Council elections so that a new Council would, within a short period of time, be allowed to make appointments. The current time period did not allow that to occur. As such, she recommended that now and in the next two cycles with respect to the Planning Commission that appointments be three-year appointments to allow those appointed at this time to have his/her term end in 2007 after an election would have been held in November 2006.

When asked, City Attorney Daube stated that when restructuring the Commissions the Council had adopted a resolution to implement the Council goal of getting Commission appointments to be made in odd numbered years.

On motion by Vice Mayor Parent, seconded by Councilmember Beals and carried unanimously that the members of the Planning Commission to be appointed to open terms, not filling any vacancy, be for a period of three years beginning July of 2004.

On motion by Councilmember Beals to appoint Mical Cayton to a three-year term on the Planning Commission from July 2004 to July 2007. The motion died for lack of a second.

On motion by Vice Mayor Parent, seconded by Councilmember Kee to appoint **Bruce Ohlson** to a three-year term on the **Planning Commission** from July 2004 to July 2007, carried by the following vote:

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

On motion by Councilmember Kee, seconded by Mayor Rios to appoint **Elizabeth Williams-Jones** to a three-year term on the **Planning Commission** from July 2004 to July 2007, carried by the following vote:

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

On motion by Councilmember Beals, seconded by Vice Mayor Parent and carried unanimously to appoint **Rose Mary Tumbaga** to a three-year term on the **Planning Commission** from July 2004 to July 2007.

On motion by Councilmember Glynn, seconded by Councilmember Kee to appoint **Frank Gordon** to a one-year term on the **Planning Commission** from July 2004 to July 2005, carried by the following vote:

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

Vice Mayor Parent suggested that the Planning Commission selections offered a balance of members of the community with experience along with those who had indicated by his/her participation in the community a commitment to the City. She stated that there had been a number of good applicants and there had been so many applications for the Planning Commission that applicants were asked his/her willingness to serve on other Commissions. She stated that the Council appreciated the willingness of the applicants to serve the community.

Councilmember Kee commented that Frank Gordon, who had been appointed for a one-year term to fill a current vacancy on the Planning Commission, would not have to wait until July 1 to be seated on the Commission.

On motion by Councilmember Beals, seconded by Vice Mayor Parent and carried unanimously to appoint **Larry Elam** to a three-year term on the **Recreation Commission** from July 2004 to July 2007.

On motion by Councilmember Beals, seconded by Councilmember Glynn and carried unanimously to appoint **Refugio Palomino (Paul)** to a three-year term on the **Recreation Commission** from July 2004 to July 2007.

On motion by Councilmember Kee, seconded by Councilmember Glynn and carried unanimously to appoint **Mical Cayton** to a three-year term on the **Recreation Commission** from July 2004 to July 2007.

On motion by Councilmember Beals, seconded by Councilmember Glynn and carried unanimously to appoint **Lawrence Gutierrez** to a three-year term on the **Recreation Commission** from July 2004 to July 2007.

On motion by Councilmember Kee, seconded by Councilmember Beals and carried unanimously to appoint **Ashlee Ford, Paige Ricks** and **Jonathan Paul Smith** to two-year terms on the **Youth Commission** from July 2004 to July 2006.

Given her understanding that there were more seats to be filled on the Youth Commission than the three just appointed, Councilmember Beals requested that the City continue to receive applications through the summer with another round of interviews

scheduled for August prior to the opening of school to fill the remaining seats on the Youth Commission.

4. **MINUTE ORDER** Selection of Consultant - Hillside Development Work Program

Mr. Grisham advised that the item related to the selection of a consultant to prepare Hillside Guidelines/Performance Standards to strengthen the guidelines related to development in that area. He recommended that the Council defer the selection at this time.

While no funds had been appropriated at this time, the proposals came in at \$45,600 and \$60,085 including optional tasks. If the Council chose to move forward with either proposal, the funds would have to be appropriated from reserve funds for the current year.

Noting that there was a specific project anticipated that would immediately pertain to the issue, Mr. Grisham suggested that rather than committing General Fund monies at this time the Council should wait until the consideration of that project to use as a model for other projects.

Vice Mayor Parent stated that as a champion of hillside protections she was reluctant to do that, although she noted that no one on the staff had seen the proposed project. While the developer had indicated to staff that there was compliance with the standards in general form she noted that in the review of the project the Council might require more definitive language. She did not want her vote to reflect that in any way this would be the end of the process. She stated that at some point in the future some General Fund monies might be required to prepare Hillside Guidelines/Performance Standards.

Councilmember Kee stated that he had the same concerns expressed by the Vice-Mayor.

On motion by Mayor Rios, seconded by Councilmember Kee and carried unanimously to put the work program for the selection of a consultant to prepare Hillside Guidelines/Performance Standards on hold at this time.

CONSENT CALENDAR

On motion by Councilmember Beals, seconded by Councilmember Glynn and carried unanimously to adopt the Consent Calendar, as follows, with the removal of Item a.

b. **CLAIMS** #1546 Stone Harbour Homeowners Association; #1586 Zelma Owens; #1594 Yolanda Amaya
 Denied Claims #1546 Stone Harbour Homeowners Association; #1586 Zelma Owens; #1594 Yolanda Amaya.

c. **RESOLUTION 04-10092** Establishing the Appropriations Limit for the 2004-2005

Fiscal Year in Accordance with Proposition III and Article XIII (B)

Adopted Resolution 04-10092.

- d. **MINUTE ORDER** Direction to Staff for Biennial Review of Conflict of Interest Code

Directed Staff to review the City's current Conflict of Interest Code.

- e. **RESOLUTION 04-10093** Resolution Supporting the LOCAL Government Budget Package

Adopted Resolution 04-10093.

- f. **RESOLUTION 04-10094** Acceptance of Public Improvements within Subdivision 8354, Highlands Ranch Unit 3, for Continuous Maintenance

Adopted Resolution 04-10094.

- g. **RESOLUTION 04-10095** Acceptance of Public Improvements within Subdivision 8441, Highlands Ranch Unit 4, for Continuous Maintenance

Adopted Resolution 04-10095.

- h. **RESOLUTION 04-10096** Approving the Engineer's Report and Declaring the City Council's Intent to Order Improvements for the Landscaping & Lighting Assessment District 1988-01, Citywide (Fiscal Year 2004-05)

Adopted Resolution 04-10096.

- i. **RESOLUTION 04-10097** Approving the Engineer's Report and Declaring the City Council's Intent to Order Improvements for the Landscaping & Lighting Assessment District 1988-02, Oakhills (Fiscal Year 2004-05)

Adopted Resolution 04-10097.

- j. **RESOLUTION 04-10098** Approving the Transfer of Marina Park Property to the
Combined w/RDA 04-968 Redevelopment Agency of the City of Pittsburg

Adopted Resolution 04-10098 in Joint Session with the Redevelopment Agency.

The following item was removed from the Consent Calendar by Mayor Rios so that she could abstain on the minutes due to absence.

a. **MINUTES** Dated: June 7, 2004

On motion by Councilmember Glynn, seconded by Councilmember Kee to approve the minutes of the June 7, 2004 meeting, as submitted, carried by the following vote:

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

COUNCIL REPORTS

Councilmember Kee reported on a number of committee meetings, including a Redevelopment Subcommittee meeting where there had been a request from the Fire Department, a Habitat Conservation Plan meeting where decisions on the funding of the plan would soon have to be made, and a Subcommittee meeting on the East Contra Costa Regional Fee and Financing Authority (ECCRFFA).

Councilmember Glynn stated that the Subcommittee to discuss the ECCRFFA related to merging the regional fee and financing authorities so that Pittsburg was ultimately joined with the East County Transportation Improvement Authority (ECTIA) and to generate a significant amount of money to help underwrite the cost of all of the transportation projects that had been approved. He stated that the legal issues in that regard were in the process of being resolved. He noted the cooperation of the other involved cities; Antioch, Brentwood and Oakley.

Mayor Rios reported that she had attended the Redevelopment Subcommittee and the East Bay League of California Cities (LCC) at which time a speaker advised of training for elected officials to present himself/herself before the media.

For non-subcommittee items that had not previously been reported by members of the Council, Councilmember Beals stated that she had participated in the First Annual Tafoya Hometown Huddle sponsored by Joe Tafoya, a current Chicago Bear. She stated that the daylong football camp had been very successful, had been offered to over 300 youth from the Fifth to the Twelfth Grades, and that most of those participating were from the City of Pittsburg. She stated that she and other community leaders and sports personalities had also participated in the first annual event.

Vice Mayor Parent reported that she had been invited by the Industrial Association to their Countywide luncheon in Pittsburg in which a speaker from UCLA Economic Forecasting had participated and had advised that California would move forward, albeit slowly, economically.

The Vice-Mayor also reported that she had attended Earth Day festivities. She complimented Laura Wright, the Recreation Department, and all the organizations that had participated and had created activities for that event geared towards the protection of the environment. She had also reported on the non-profit organization getting the baseball stadium built at Los Medanos College (LMC). As part of those efforts she had been invited by the owner of the Vacaville T-Birds to their stadium in Vacaville. She had also attended the County Fair and the Fair Board Barbecue when the City's Proclamation concerning the Fair had been presented.

Vice Mayor Parent added that the City's Human Relations Department had offered an opportunity to employees the possibility of meeting with a home care program for anyone who had a responsibility of caring for another, which would impact that person's ability to go to work. She commended the Department for making that opportunity available to employees.

In addition to attending Nasser Shirazi's Retirement Party, Vice Mayor Parent reported that she had judged at the Tri-Delta Transit Rodeo, and had attended the opening of the American Autobody Shop, which she stated could serve as a model for similar auto operations.

Mayor Rios reported that she had visited Caguas, Puerto Rico two weeks ago to initiate a Sister City relationship with that City. She had prepared a report for the Council and one would be submitted to the City Clerk for those interested in receiving that report. She described that visit as very successful and stated that she looked forward to pursuing a Memorandum of Understanding (MOU) with that City.

Mayor Rios stated that the City of Pittsburg did a very good job putting on functions and events, the last of which she had attended was the Employee Picnic. She stated that the Public Works Department did an awesome job setting up and cleaning up after that event. She thanked all those involved in that event.

CITY MANAGER REPORT

City Manager Grisham echoed the remarks related to the Employees Picnic, which he stated had been a lot of fun and where the staff who had put that function together had done a fabulous job. He added that there had been a nice turnout of people from throughout the City.

Mr. Grisham also expressed his appreciation to the community and to City staff for really making him feel welcome in the community.

ADJOURNMENT

The City Council reconvened at 9:27 P.M. to the regular meeting on July 6, 2004.

Respectfully submitted,

Lillian J. Pride, City Clerk

als