

CITY OF PITTSBURG
Housing Authority Minutes
March 15, 2004

Mayor Aleida Rios called the meeting of the Housing Authority to order at 7:37 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California, after having convened at 5:02 P.M. into a Workshop - Mid Year Budget Review and then into Closed Session at 6:00 P.M. for Conference with Legal Counsel - Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code regarding two cases; Conference with Real Property Negotiator pursuant to Section 54956.8 regarding 1301 Standard Oil Avenue, APN 073-230-007-04, 1010 Power Avenue, and APNs 085-130-006, 085-141-002, 085-141-003, 085-141-004, 085-141-005, 085-141-007, 085-141-009, 085-142-001, 085-142-002, 085-142-003, 085-142-004, 085-142-005, 085-142-006, 085-143-001, 085-143-002, 085-143-003, 085-143-004, 085-143-005 and 085-143-006; Threat to Public Services or Facilities pursuant to Section 54957, and Public Employment regarding the City Manager/RDA Executive Director.

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

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

MEMBERS ABSENT: None

STAFF PRESENT

- Interim Executive Director, Les White
- Assistant Executive Director, Nasser Shirazi
- Legal Counsel, Linda Daube
- City Clerk, Lillian J. Pride
- Director of Economic Development, Brad Nail
- Director of Recreation, Paul Flores
- Director of Finance, Marie Simons
- Director of Public Works, John Fuller
- Director of Planning and Building, Randy Jerome
- Housing & Community Programs Manager, Annette Landry
- City Engineer, Joe Sbranti
- Police Chief, Aaron Baker
- Executive Assistant/Deputy City Clerk, Alice Evenson

CONSENT

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

a. **DISBURSEMENT LIST** Period Ending: February 29, 2004

Approved Disbursement List period ending February 29, 2004.

b. **MINUTES**

Dated: February 17, 2004

Approved Minutes dated February 17, 2004.

ADJOURNMENT

The meeting of the Housing Authority adjourned at 7:38 P.M. to the next meeting set for April 19, 2004.

Respectfully submitted,

Lillian J. Pride, Secretary

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CITY OF PITTSBURG
Redevelopment Agency Minutes
March 15, 2004

Chair Aleida Rios called the meeting of the Redevelopment Agency 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. into a Workshop - Mid Year Budget Review and then into Closed Session at 6:00 P.M. for Conference with Legal Counsel - Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code regarding two cases; Conference with Real Property Negotiator pursuant to Section 54956.8 regarding 1301 Standard Oil Avenue, APN 073-230-007-04, 1010 Power Avenue, and APNs 085-130-006, 085-141-002, 085-141-003, 085-141-004, 085-141-005, 085-141-007, 085-141-009, 085-142-001, 085-142-002, 085-142-003, 085-142-004, 085-142-005, 085-142-006, 085-143-001, 085-143-002, 085-143-003, 085-143-004, 085-143-005 and 085-143-006; Threat to Public Services or Facilities pursuant to Section 54957, and Public Employment regarding the City Manager/RDA Executive Director.

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

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

MEMBERS ABSENT: None

STAFF PRESENT: Interim Executive Director, Les White
Assistant Executive Director, Nasser Shirazi
Legal Counsel, Linda Daube
City Clerk, Lillian J. Pride
Director of Economic Development, Brad Nail
Director of Recreation, Paul Flores
Director of Finance, Marie Simons
Director of Public Works, John Fuller
Director of Planning and Building, Randy Jerome
Housing & Community Programs Manager, Annette Landry
City Engineer, Joe Sbranti
Police Chief, Aaron Baker
Executive Assistant/Deputy City Clerk, Alice Evenson

PUBLIC HEARING

1. **RESOLUTION 04-949** Establish a Nine Hundred Thousand Dollar (\$900,000)
Combined w/CC 04-10024 Budget for the Improvements of the Los Medanos
College Baseball Field

Interim Executive Director Les White reported that the East County Baseball Group (ECBG), a California non-profit public benefit corporation consists of the Contra Costa

County District 5 and the cities of Antioch, Brentwood, Oakley, and Pittsburg. ECBG was formed to provide funding for the improvements to the Los Medanos College baseball field.

ECBG requested financial assistance from the Redevelopment Agency of the City of Pittsburg to assist in their efforts to improve the baseball field.

Mr. White explained that the project had been discussed at some length at the Redevelopment Workshop. He noted that the \$900,000 would be set aside from Agency reserve funds. The use of those funds would be contingent upon the Agency's approval of the terms of the Lease Agreement between the Contra Costa Community College District/Los Medanos College (CCCCD/LMC) and ECBG for the lease of the baseball field by ECBG from the District and the preparation and execution of the Owner Participation Agreement between the Agency and ECBG for the Agency's disbursement of financial assistance for the improvements to the baseball field. Mr. White recommended establishing a \$900,000 budget for the improvement of the Los Medanos College baseball field.

Mayor Rios opened the public hearing on Resolution 04-949 and Resolution 04-10024. There were no comments for or against the resolutions. Mayor Rios closed the public hearing.

Vice Chair Parent advised that semi-professional baseball was not being proposed. Collegiate baseball was being proposed. The players would be enrolled in the college, play on the college team and play during the summer, which would allow the Delta 6 non-profit group to use the field when it was not otherwise being used. She noted that one of the good things was that with the City putting up the capital the operations and maintenance in this case would be the responsibility of the college. There would be no ongoing City costs. The money was coming from redevelopment and was seen as an economic opportunity for the entire region.

Vice Chair Parent also noted that other than Brentwood, substantially the entire region was participating in the ECBG and all were contributing. She stated that LMC was seen as a regional asset and she expected it would also offer an opportunity to LMC to attract additional students. She characterized the situation as a win-win for everyone.

Member Beals noted that the proposal represented a positive move for the entire region but was also something that would offer low cost family oriented entertainment. She also noted that the college athletes were not paid athletes. The athletes would be sponsored by local residents for their living expenses and would have to work and perform community service and would therefore partner with the community to help with tutoring, camps and other activities that would help support the community and the region. She also saw the proposal as a win-win for all of the cities involved and expressed her hope that the proposal would show that a family-oriented safe entertainment could be offered at a low cost.

On motion by Vice Chair Parent, seconded by Member Beals and carried

unanimously to adopt Redevelopment Agency Resolution 04-949.

On motion by Vice Mayor Parent, seconded by Councilmember Beals and carried unanimously to adopt City Council Resolution No. 04-10024.

CONSENT CALENDAR

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

- a. **MINUTES** Dated: February 27, 2004, March 1, 2004 and March 8, 2004

Approved Minutes dated February 27, 2004, March 1, 2004 and March 8, 2004.

- b. **RESOLUTION 04-950** Appropriation of Funds for Planning Intern
Combined w/CC 04-10031

Adopted Resolution 04-950.

ADJOURNMENT

The meeting of the Redevelopment Agency adjourned at 7:48 P.M. to the next meeting set for April 5, 2004.

Respectfully submitted,

Lillian J. Pride, Secretary

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CITY OF PITTSBURG
City Council Minutes
March 15, 2004

Mayor Aleida Rios called the meeting of the City Council to order at 7:15 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 5:00 P.M. into a Workshop - Mid Year Budget Review and then into Closed Session at 6:00 P.M. for Conference with Legal Counsel - Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code regarding two cases; Conference with Real Property Negotiator pursuant to Section 54956.8 regarding 1301 Standard Oil Avenue, APN 073-230-007-04, 1010 Power Avenue, and APNs 085-130-006, 085-141-002, 085-141-003, 085-141-004, 085-141-005, 085-141-007, 085-141-009, 085-142-001, 085-142-002, 085-142-003, 085-142-004, 085-142-005, 085-142-006, 085-143-001, 085-143-002, 085-143-003, 085-143-004, 085-143-005 and 085-143-006; Threat to Public Services or Facilities pursuant to Section 54957, and Public Employment regarding the City Manager/RDA Executive Director.

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

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

MEMBERS ABSENT: None

STAFF PRESENT: Interim City Manager, Les White
Assistant City Manager, Nasser Shirazi
City Attorney, Linda Daube
City Clerk, Lillian J. Pride
Director of Economic Development, Brad Nail
Director of Recreation, Paul Flores
Director of Finance, Marie Simons
Director of Public Works, John Fuller
Director of Planning and Building, Randy Jerome
Housing & Community Programs Manager, Annette Landry
City Engineer, Joe Sbranti
Police Chief, Aaron Baker
Executive Assistant/Deputy City Clerk, Alice Evenson

Mayor Rios considered the following general City Council items prior to convening the Housing Authority agenda.

PLEDGE OF ALLEGIANCE

Boy Scouts from Troop 101 led the Pledge of Allegiance.

PROCLAMATIONS

1. Arbor Day

Councilmember Kee read the Proclamation for Arbor Day, March 27, 2004 and presented the Proclamation to members of Boy Scout Troop 101.

Steven Parker, Scott Parker and Michael Ortega of Boy Scout Troop 101 accepted the Proclamation.

2. Week of Young Child

Councilmember Beals read the Proclamation for Week of Young Child, April 3 to April 10, 2004 and presented the Proclamation to three representatives of County childcare groups.

On behalf of the East County Regional Group, Parent Voices and the Contra Costa Children's Council, CANDIDA DUPERRIOR thanked the Council and accepted the Proclamation for Week of Young Child.

PRESENTATION

1. 2004 Contra Costa County Youth Summit

MARILYN LEWIS, City of Pittsburg Recreation Supervisor announced the 2004 Contra Costa County Youth Summit and commented that while the conference was initially a Pittsburg conference only, this year the focus would be on a regional approach.

JANINE SHAHEED, City of Hercules Recreation Coordinator noted that six cities had participated in the Conference with the ultimate goal of having each city be a participating host of the event to allow it to become an annual event to allow children to address issues in his/her own lives, allow career and education planning and allow youth to come together as a whole. She sought the Council's support and participation and that of the City of Hercules to help make that effort a reality.

Marilyn Lewis noted that a number of cities had sponsored different areas of the conference with major sponsorship from the Contra Costa County Board of Supervisors, as well as sponsorship from Los Medanos College and the cities of Antioch, Oakley, Hercules, Pinole and Pittsburg, Supervisor Glover's Office, along with the Contra Costa Youth Commission, the Contra Costa Times, the County Sheriff's Department and the Pittsburg Police Department. The sessions would focus on Post Education Career Development, Lifeskills, Creative Movement and Common Sense Improvements.

Mayor Rios sought the interest of other cities and public officials, and if not this year members were encouraged to participate in succeeding years. She challenged City Department Directors to participate in the session for "How to be a Millionaire."

Ms. Shaheed thanked Marilyn Lewis for being the driving force for the summit.

COUNCILMEMBER REMARKS

Vice Mayor Parent noted that in October 2003 the Council had adopted a resolution of support to place an initiative on the ballot that the State of California may not use local tax revenues to balance the State budget without a vote of the people. That initiative was being supported by the League of California Cities (LCC) and the Association of Counties. There was also a drive last week to get as many people as possible to sign that initiative. She noted that those initiative documents were available and residents could sign the petition after the meeting.

Mayor Rios acknowledged the assistance of Vice Mayor Parent who had filled in for the Mayor, when needed. She thanked the Vice Mayor for representing the City and the Council.

CITY MANAGER REMARKS

City Engineer Joe Sbranti reported that the State Route 4 Widening Project had been under construction since January. The \$32 million widening project would widen the freeway between Railroad Avenue and Loveridge Road. Sound walls were currently under construction and grading was in process on the south side of the freeway. Removal of medians on Bliss Avenue would be done at night to minimize impacts to Railroad Avenue. He also noted that the project would involve the temporary closure of North Parkside Drive as a result of substantial utility work. That road would be closed between 8:00 A.M. and 5:00 P.M., Monday through Saturday, March 4 to May 4. Detours would be posted and maintained by the contractor throughout that period.

CITIZENS REMARKS

Mayor Rios brought the public's attention to the new timing system for speaker comments to allow speakers to know when his/her three minutes were nearly over to allow those speakers to complete his/her comments.

WILLIE MIMS, Pittsburg, representing the Black Political Association (BPA) protested the approval of the 10 percent water rate increase that had imposed an extra burden on the City's ratepayers. He suggested that the Council should have done something to recoup the money from the golf course.

With respect to the last week's slide show presentation by one developer related to another developer's project, Mr. Mims expressed concern with that situation and suggested that the rules should be applied fairly to all projects in the City.

Mr. Mims stated with respect to the presentation for Arbor Day, that as he had stated in the past the City had no right to proclaim itself Tree City USA after destroying trees along California Avenue to the Pittsburg-Antioch Highway. He requested that the Council refrain

from proclaiming the City Tree City USA because of the contradiction it represented.

Mayor Rios convened the Housing Authority at 7:37 P.M. and returned to the City Council agenda at 7:49 P.M.

PUBLIC HEARING

1. **RESOLUTION 04-10017** Certifying the Environmental Impact Report, for "Bailey Estates Project"
Combined w/ORD 04-1217
and w/CC 04-10018

2. **ORDINANCE 04-1217** Bailey Estates Project. Consideration of Final
Combined w/CC 04-10017 Environmental Impact Report and Rezoning and
and w/CC 04-10018 Annexation (RZ-01-04)

3. **RESOLUTION 04-10018** Application by the City of Pittsburg Requesting that
Combined w/ORD 04-1217 LAFCO Initiate Proceedings to Annex the Bailey
and w/CC 04-10017 Estates Property into the City's Municipal Boundary and
SOI, and the Service Areas of CCWD and DDSD

Mr. White presented the continued public hearing on an application by John Stremel, Bailey Estates, LLC, requested that the City Council certify the Environmental Impact Report (EIR) for the Bailey Estates project, adopt mitigation measures in the EIR, and adopt overriding considerations for eight significant and unavoidable impacts for this project. The applicant also requested that the Council rezone to RS (Single Family Residential) District, and initiate proceedings to annex into the Municipal Boundary, Sphere of Influence and water and sewer service districts a 122-acre property (APN 097-230-005) located on the west side of Bailey Road, south of the southern City limits, in order to allow a 319-unit single family residential development. After considering comments during the public hearing on March 1, 2004, the Council moved to continue the hearing to March 15, 2004 in order to allow staff to prepare written responses to comments received.

There were no direct fiscal impacts associated with the rezoning and annexation request. Staff recommended that the Council consider the EIR for the Bailey Estates project, adopt the resolution certifying the EIR, adopt and approve statements of findings and of overriding considerations, and approve a mitigation and monitoring program, and introduce and waive further reading the proposed ordinance rezoning the 122-acre property to RS, OS (Open Space) and GQ (Governmental/Quasipublic) Districts, and initiate proceedings to annex approximately 100 acres of the property located within the County Urban Limit Line, into the City's Municipal Boundary, Sphere of Influence and water and sewer district service areas in order to accommodate the development of the 249 units Reduced Density Alternative to the proposed 319 unit project.

Mayor Rios noted that the public hearing for Resolution 04-10017, Resolution 04-10018 and Ordinance 04-1217 remained open from the last meeting.

Mr. Jerome described the differences between Resolution 04-10017, Resolution 04-10018 and Ordinance 04-1217, which were being considered concurrently.

Mr. Jerome also noted that the item was a continued public hearing from March 1. The items had been continued from that meeting to address comments from Ed Shaffer from Archer Norris who had represented Seecon. At that time, that letter was one of some seven letters that the City had received and which had raised a number of points. That letter dated March 1, 2004 had 12 points and had been preceded by a letter dated January 27, which had 15 points, and previous to that there was a letter with 4 points to the Planning Commission on December 23, 2003. He stated that there were approximately four letters prior to the December 23 letter. The letters referenced the Environmental Impact Report (EIR).

Mr. Jerome stated that under the California Environmental Quality Act (CEQA), comments were to be received within a 45 day public comment period. The last three letters had been received after the close of that public comment period.

Mr. Jerome stated that based on the direction given by the Council, staff had responded to each of the points raised by the letter, included in a 17 page letter dated March 9, 2004 which had been faxed to Mr. Shaffer and Seecon and which had been delivered to the Council. He also noted that the staff report referred to Attachment 6, which should have been noted as Attachment 4. He thanked Project Planner Dana Hoggat for drafting that letter in conjunction with Planning Manager Melissa Ayres, Environmental Consultant Darwin Meyers and City Attorney Linda Daube.

Mr. Jerome highlighted some of the issues that had been raised, which had to do with off-site grading, an issue related to a water tank having to do with the adjacent applicant, Seeno Construction Company. He advised that the off site grading and the water tank at that location was acceptable. There were questions of notice and timely review. He stated that the Planning Commission had previously continued the public hearing. There was a new question regarding police tax in that Mello Roos was being considered elsewhere. That was a Citywide and not a CEQA issue and could be added as a condition of approval if desired by the City Council.

Other questions related to the General Plan. All information had found that the area was zoned Hillside Low Density and had been developed accordingly. Alternative designs had been considered. Other questions had to do with the widening of Bailey Road and while not to be widened at this time, adequate space would be provided on both sides of the roadway to address any needed future widening. The wetland mitigation issue had been reviewed by the City's wetland consultant and that information had been included with the EIR itself.

BRUCE OHLSON, Pittsburg, representing the East Bay Bicycle Coalition noted that he had offered East County bicyclists' concerns regarding the unavoidable impacts and their associated mitigations. He had offered the same comments at the Planning Commission meeting on the same subject.

Mr. Ohlson stated that bicyclists requested that the City direct that appropriate consideration for bicycle facilities be included in the EIR as required by the Pittsburg General Plan, the East County Bicycle Plan and the Countywide Bike and Pedestrian Plan. While he had never opposed the development, he noted that this was the second development the City had approved which had not provided bicycle access to the rest of the City. He stated that the first development was the Harbor Lights subdivision. He emphasized the expense of adding proper pedestrian and bicycle access after the fact without developer financial participation.

Mr. Ohlson suggested that the development should not proceed until a plan was in place to provide adequate connection to the rest of the City for pedestrians and bicyclists. Noting that obesity was overtaking tobacco as the number one killer of American citizens, he stated that failing to provide pedestrian and bicycle access to every house in the City made the City part of the problem and not part of the solution. He stated that without adequate access, everyone would be forced into a car.

JAY TORRES-MUGA, Pittsburg, representing Seecon noted that at the last meeting Seecon's consultant, Carl Campos had addressed seven General Plan policies and had highlighted those seven policies. He stated that there were potential inconsistencies in the way the goals and policies had been applied to the project. Since this was the first time that the specific policies were being applied, he sought clarification from staff and from the Council on how to read the document. He noted that Seecon's legal counsel had received a letter dated March 9 to clarify the issues.

Mr. Torres-Muga thanked the Council for confirming on Page 16 of the resolution certifying the EIR that the 249 unit project implemented the land use designation goals and policies in the City's General Plan. He stated that had been very valuable information as to how the projects would be treated in the City and in the General Plan. He noted that Seecon had submitted a number of letters but there was one letter that warranted some particular review by the Council prior to determining whether to approve the EIR.

Mr. Torres-Muga referred to Pages 5 and 6 of Mr. Jerome's letter that the EIR did not need to address the impacts of San Marco Boulevard because the ultimate alignment was unknown. He suggested that needed to be discussed, particularly since the 249 lot preferred alternative showed a precise location and if the project was approved that way there would be an irreversible street pattern. He commented that the City and staff had known for some time that the northern alignment had enormous difficulties related to topography and that they would have to end up with a four lane arterial that had a 6 percent maximum grade, which was not physically feasible since the area was not suitable to allow that to occur.

Mr. Torres-Muga stated that the planning for the adjacent property did not include any portion of San Marco Boulevard although the northern route would have to cross that property if following the General Plan. In addition the City had understood for many years that the Navy easement was likely to change, although he noted that great progress was being made in that area.

Mr. Torres-Muga urged the Council to study the western alignment and the impacts related to San Marco Boulevard. He suggested that be done prior to the approval of the Tentative Map. He presented a copy of a letter dated March 15, 2004 to memorialize his comments for the record.

There were no other comments.

Mayor Rios closed the public hearing on Resolution 04-10017, Resolution 04-10018 and Ordinance 04-1217.

Councilmember Beals noted that the issue had been considered by the Planning Commission for three years and the associated issues had been addressed with correspondence back and forth.

Councilmember Kee commented that what was being approved at this time was not the definitive answer in how hillsides were intended to be developed. As time moved along and as hillside policies were developed, each application would be reviewed on a case by case basis, obtaining the best fit for each policy.

Mayor Rios stated that the project had been in process for at least four years. It was her belief that the applicant had tried many times to please the Planning Department and staff to make the project work. She stated that the project was a good one for Pittsburg and that staff had diligently provided the additional information requested.

On motion by Councilmember Beals, seconded by Councilmember Kee and carried unanimously to adopt Resolution 04-10017.

On motion by Vice Mayor Parent, seconded by Councilmember Beals and carried unanimously to introduce Ordinance 04-1217 by title only and waived further reading.

On motion by Councilmember Beals, seconded by Mayor Rios and carried unanimously to adopt Resolution 04-10018.

Councilmember Beals recused herself from the next item given that one of the applications recommended for funding was for her employer.

4. **RESOLUTION 04-10023** Review and Approve the Community Advisory Commission Funding Recommendations for the 2004-2005 CDBG Program Year

Housing & Community Programs Manager, Annette Landry stated that the U.S. Department of Housing and Urban Development (HUD) had notified the City of Pittsburg of its intention to award the City a Community Development Block Grant in the amount of \$783,000 for program year 2004-2005. As required by HUD, the Community Advisory Commission (CAC) had prepared recommendations for Council review and approval.

Ms. Landry explained that HUD provided an allocation to the City based on a formula base. With the \$783,000 awarded to the City as an entitlement City, she stated that \$102,233 would be added to the general pool distribution from unexpended funds from the 2002-2003 year, creating a total pool of \$885,223.

Ms. Landry explained that the CAC Executive Board consisting of five Commissioners and two members of the City Council, Councilmembers Parent and Kee had participated in a selection process in terms of the distribution of the funds. With allocations of 15 percent which HUD used to cap the public services based on the entitlement amount and the receipt of program funds from the last program year which in that case amounted to \$640,000, there would be a total \$219,933 that could be used for public services.

With respect to the distribution of funds, Ms. Landry reported that the City had received 57 applications this year, 20 percent more than in previous years. Of those 57 applications, one applicant had withdrawn. Under the public service category \$762,212 in applications had been received for the \$219,933 to be distributed. There was also a 20 percent cap for program administration which would be \$216,600, which left the City with \$448,700 to distribute under the other category covering housing, economic development, public infrastructure and improvement facilities. Of that total \$811,000 worth of requests had been received. She emphasized that there was insufficient funds to distribute and recommendations had to whittle down the requests that exceeded the available funding. The CAC recommended that 40 out of the 56 applicants be considered for funding.

Vice Mayor Parent stated that Ms. Landry and her staff members working on the CDBG program and everyone in the CAC and the Council had spent no less than 40 hours working on the project simply reading 57 applications, some of which were 30 pages long as well as going to the many meetings involved in the process. She thanked the staff and the members of the CAC for all that work.

Councilmember Kee echoed the Vice Mayor's comments related to the arduous task that he stated was well worth the effort.

Mayor Rios opened the public hearing for Resolution 04-10023.

WILLIE MIMS, Pittsburg, representing the BPA, commented that it appeared as though the bulk of the CDBG funds were subsidizing a number of City services and City programs. He emphasized the community aspect of CDBG funds and suggested that the bulk of the money should be used to fund community organizations. He stated that of the \$448,700 recommended, three City programs would use \$356,700. He was therefore concerned that every year more money was going towards subsidizing City programs.

ALISSA FRIEDMAN, Richmond, representing Opportunities for Technology Information Careers, thanked the Council for its partnership in working to give low income residents of the community the competence, confidence and experience to gain family sustaining employment during the past year.

Ms. Friedman thanked the Council and staff for its process of review and she urged

the Council's approval of the recommendations.

THOMAS FULTON, Martinez, expressed the appreciation of the Northern California Family Center for the CAC's recommendation to allow them to continue providing for runaway and homeless youth. He noted that the program was affiliated with the national SafePlace™ program and the National Runaway Switchboard. He offered cards for the Council's information and use. He also encouraged members of the community to become involved in the project.

CANDIDA DUPERRIOR, Pittsburg, representing the Contra Costa Child Care Council, thanked the Council for the recommendation for the grant to supply the need of childcare providers in the City and for the "Road to Success" project to provide affordable and available childcare.

CAROL PATTERSON, Oakland, representing Mental Health Consumer Concerns, which had been created in 1976, thanked the Council for the help in the past for funding the East County Community Center through the Non-Profit Center in Stoneman Plaza, which had been in operation since 2001. She stated that the center was an area where residents could receive socialization, a hot meal and activities. The program was engaged in the Spirit Services Support Program to urge consumers to support and volunteer in the community. She noted the high number of severely disabled mental health consumers in the City and emphasized the large unmet need. She highlighted a number of the activities involved in the program.

PATRICIA BELL, representing Victims of Violent Crime, sought funding for that program. She otherwise thanked the City for allowing her to be a part of the non-profit center. She described the good work that was being done at the center, stated that a number of people were investing in the program and in the work, and reported that they had been invited to the Million Mom's March in May. She stated that she had also submitted an invitation to the Council for the Victims of Violent Crime Fundraiser on April 17. She emphasized the importance of the program to the nearly 800 clients being served.

TOM LaFLEUR, Pittsburg, Pacific Community Services, Inc. (PCSI) thanked the Council for the grant for the lead program. He emphasized the difficulty in funding the projects given the need particularly in light of the limited public service budget. He agreed that the CDBG program offered an opportunity to bring money to the community to empower non-profit groups in the City and to meet social needs. Having been involved with the CDBG program for over thirty years, he stated that the program was always underfunded. He suggested that the community augment those funds by using the funds from the Keller Dump to better serve the community. He challenged the City to find a way to make the expenditure of those funds more publicly accountable and to allow the CAC to evaluate where those funds could be used to meet the needs of the community.

Mayor Rios closed the public hearing.

On motion by Vice Mayor Parent, seconded by Councilmember Kee to adopt

Resolution 04-10023 carried by the following vote:

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

Councilmember Beals rejoined the Council at this time.

5. **RESOLUTION 04-10024** Establish a Nine Hundred Thousand Dollar (\$900,000)
Combined w/RDA 04-949 Budget for the Improvements of the Los Medanos
College Baseball Field

Action was taken in Joint Session with the Redevelopment Agency to adopt Resolution 04-10024, as follows:

On motion by Vice Mayor Parent, seconded by Councilmember Beals and carried unanimously to adopt City Council Resolution No. 04-10024.

6. **ORDINANCE 04-1218** Adoption of an Ordinance Restructuring City
Commissions

City Attorney Daube stated that on June 2, 2003, the City Council appointed Councilmembers Bill Glynn and Michael Kee to serve on an ad hoc committee to review all City commissions and to develop recommendations regarding how the commissions could be restructured to improve efficiency and responsiveness. Public workshops had been held on August 18, October 20 and November 3, 2003 and on March 1, 2004. The City Attorney had prepared the ordinance for consideration concerning the reorganization of the City commissions. Pending final adoption of the ordinance, a resolution concerning the conduct of Commissions including implementation procedures would be adopted.

Ms. Daube stated that this would be the first reading of the ordinance, which would provide the structure for the reorganization of all City commissions. The proposal would help implement the proposed changes and provide guidelines in the conduct of Commission business.

There was no fiscal impact associated with the proposal.

Councilmember Glynn congratulated everyone involved in the process that had included the five workshops, the revisions to the draft and the ultimate document that would move the City in the right direction. He noted that the purpose of the process was to standardize the operation and the rules and regulations governing all the commissions under the City Council in the same way that the City Council was governed. The timing of Commission meetings had also been standardized and steps had been taken to make the process operationally efficient.

Councilmember Kee took this opportunity to thank the members of the various

commissions at the various workshops given that members from each Commission had participated in one form or another in the workshop to help shape the document to make the process work better for the whole community.

Mayor Rios opened the public hearing for Ordinance 04-1218.

RONALD JOHNSON, expressed his appreciation for the hard work of all involved but noted that it was unfortunate that dysfunctional commissions had led to a process that resulted in a lack of participation in the community and a consolidation of funds. He noted that poor attendance, lack of quorum and uniformity did not justify the arrangement. He used the example of the Historical Resources Commission as a dysfunctional commission since it had not met since 1997 and since the Chair of that Commission had passed away four or five years ago.

Mr. Johnson urged the Council to reconsider the item before taking the next step. He noted that even though many workshops had been held he suggested that the process had not been opened up to the full community.

WILLIE MIMS, Pittsburg, representing the BPA questioned whether or not the Historical Resources Commission was still in existence, reported by the Mayor that it was currently in existence pending the approval of the new ordinance.

City Attorney Daube added that the subcommittee had recommended that the Historical Resources Commission be restructured to be comprised of identifiable positions as opposed to the selection of members by the City Council.

When asked, Mayor Rios stated that the workshops on the item had been publicized as the City Council meetings had been publicized.

Mayor Rios closed the public hearing.

Councilmember Beals commended the members of the Council and the other staff involved in the process and noted the importance of the fact that the other commissioners had worked to reconstruct the ways things were being done to ensure effectiveness with the community and being cost effective, among other factors such as ensuring active and functioning members of the commissions.

Vice Mayor Parent advised that she would vote for the item even though her favorite clause had been compromised. She supported the participation of more and different people involved in the commissions and to that end she had suggested that a commissioner who had served two consecutive terms not be allowed to be reappointed for four years. That provision had been changed to two years, which was a compromise position that she would accept.

Councilmember Glynn stated that there were several issues in the process of taking a look at the issues that Vice Mayor Parent had raised plus there were several redundancies,

such as traffic committees and commissions. The ad hoc committee had suggested that any issues raised with respect to traffic could be addressed through the CAC. The committee also had a problem with the four quadrant system on the CAC, which did not work since there was not an equitable distribution of the population interested in participating. As a result, an at-large situation was supported. He emphasized that the intent was to create a process that operated efficiently with respect to making a quorum, having standardized times for meetings, proper notification and all of the rules that essentially applied to the City Council.

Mayor Rios stated that the changes had not simply been made by the Council in that all commissions had been involved, the process had been opened to the public, a number of workshops had been held and the Council had made every effort to ensure the public outreach.

On motion by Councilmember Beals, seconded by Mayor Rios and carried unanimously to introduce Ordinance 04-1218 by title only and waived first reading.

CONSENT CALENDAR

On motion by Vice Mayor Parent, seconded by Councilmember Glynn and carried unanimously to adopt the Consent Calendar, with the removal of Items g and i.

- a. **MINUTES** Dated: February 27, 2004, March 1, 2004 and March 8, 2004

Approved minutes dated February 27, 2004, March 1, 2004 and March 8, 2004.

- b. **RESOLUTION 04-10011** Acceptance of the Public Improvements Within Subdivision 8423, San Marco Unit 5 for Continuous Maintenance

Adopted Resolution 04-10011.

- c. **RESOLUTION 04-10012** Acceptance of the Public Improvements Within Subdivision 8393, San Marco Unit 4 for Continuous Maintenance

Adopted Resolution 04-10012.

- d. **RESOLUTION 04-10013** Acceptance of the Public Improvements Within Subdivision 8651, San Marco Unit 2B for Continuous Maintenance

Adopted Resolution 04-10013.

- e. **RESOLUTION 04-10025** Acceptance of the Public Improvements Within

Subdivision 8392, San Marco Unit 3 for Continuous Maintenance

Adopted Resolution 04-10025.

- f. **RESOLUTION 04-10026** Authorizing Measure C Funds for the Design and Preparation for Bidding of Contract 2001-01, 2004 City Citywide Pavement Rehabilitation Project

Adopted Resolution 04-10026.

- h. **RESOLUTION 04-10028** Approving 2004/2005 Transportation Development Act Project Application for Installing a Class II Bicycle Facility on Stoneman Avenue

Adopted Resolution 04-10028.

- j. **RESOLUTION 04-10030** Acceptance of Public Improvements Within Subdivision 8175 Marina Walk for Continuous Maintenance

Adopted Resolution 04-10030.

- k. **RESOLUTION 04-10032** Allocating Park Dedication Funds for Contract 2004-04, City Park Ball Field Lighting Rehabilitation Project, to Upgrade Ball Field Lighting at City Park, Field 1, and Authorize the City Engineer to Solicit Design Build Proposals for the Improvements

Adopted Resolution 04-10032.

- l. **RESOLUTION 04-10031** Appropriation of Funds for Planning Intern
Combined w/RDA 04-950

Adopted Resolution 04-10031.

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

- g. **RESOLUTION 04-10027** Accept the 2003/2004 CDBG Handicap Ramp Installation Project as Complete

The City was awarded funding by the Community Development Block Grant Program for the 2003/2004 CDBG Handicap Ramp Installation Project. AJW Construction has completed the installation of 31 Americans with Disability Act (ADA) compliant curb ramps at intersections throughout the City.

Mayor Rios stated that she had pulled the item to recognize and thank staff.

Councilmember Kee stated that some of the CDBG funds were used by the City to fund programs such as this one installing handicap ramps throughout the City.

On motion by Mayor Rios, seconded by Councilmember Kee and carried unanimously to adopt Resolution 04-10027.

- i. **RESOLUTION 04-10029** Determining and Declaring Prima Facie Speed Limits for Various City Streets Based on an Engineering and Traffic Survey

Mr. White noted that provisions of the California Vehicle Code and the City of Pittsburg Municipal Code required that a local agency justify their declared prima facie speed limits by an Engineering and Traffic Survey every five, seven or ten years. The street segments updated in the report were those that had an Engineering and Traffic Survey set to expire soon or that had experienced significant changes in the roadway.

Mayor Rios stated that the following speaker did not wish to speak but had submitted a card to leave her comments for the record.

NANCY SINCLAIR, a Palo Verde Drive resident, Pittsburg: "I do not want the speed limit raised. As it is 8 out of 10 cars now don't stop at the stop sign."

WILLIE MIMS, Pittsburg, representing the BPA, sought a clarification of the streets that would have increased speed limits. He expressed a concern for West Tenth Street and Black Diamond near the Riverside school.

Mr. Sbranti stated that under the Vehicle Code the City was required every five, seven or ten years to conduct a speed survey on a variety of streets in the City to ensure that the speed limits on those streets was enforceable, which was what staff had done on a number of streets in the City where a few speed limit changes had been recommended. He emphasized the seriousness of the situation, stated that a notification had been made to all residents and all businesses on a street with a speed limit change and that he had spoken with the Police Department to ensure that the speeds would remain enforceable.

In further response to Mr. Mims, Mr. Sbranti stated that the five streets recommended for change were California Avenue which had been recommended for an increase from 25 to 35 MPH, Frontage Road to lower the speed from 35 to 30 MPH, Palo Verde Drive to raise the speed from 25 to 30 MPH, and Willow Pass Road had been recommended for a decrease from 50 to 45 MPH in one section and an increase from 35 to 40 MPH in another section of that roadway. The speed for West Tenth Street and Black Diamond would not be changed.

Councilmember Beals clarified that when a school abutted a frontage road the speed could not exceed 25 MPH.

Mr. Mims stated that those traveling east on Tenth Street would be blinded by the sun in the morning creating a safety concern for the children and pedestrians crossing that street. He urged the Council to do whatever it could to slow down the traffic in that area, or to reduce the speed to 15 MPH.

Mayor Rios emphasized that staff had not taken the situation lightly. Staff had discussed the issues with the Police Department and would take any proposed changes into serious consideration.

Mr. White added that if there were issues of traffic violations, such as people running stop lights, the Police Department needed to be apprised of that situation so that it could be addressed.

DEBRA SOLOMON, Pittsburg, stated that she lived on one of the streets where the speed was recommended to be changed. She stated that Palo Verde Drive was in a residential area from Jensen Drive up and ended in a T-intersection. People were currently spinning donuts in that area. Her frequent calls to the Police Department to report that problem had resulted in directives to secure a description of the car, a license number and a description of the driver. With no adequate lighting on the street, she stated that information could not be discerned. The police did not respond as a result.

Noting that Highland Elementary School was located behind her house, Ms. Solomon suggested that an increase in speed would create an even more serious safety concern for those children. She emphasized that there were no crossing guards in that area. She urged the enforcement of the existing speed as opposed to raising the speed limit. She described a number of accidents in the area and occasions when vehicles had crashed into the yards of adjacent residents.

Vice Mayor Parent stated that she had to adopt the proposal on the technicalities related to Vehicle Code where enforcement was concerned. With respect to Palo Verde Drive she recommended additional enforcement in that area. She suggested that police be placed in that area on traffic duty for a time to enlighten those who exceeded the speed limit. She recommended the same for the area of Tenth Street and Black Diamond.

On motion by Vice Mayor Parent, seconded by Councilmember Beals and carried unanimously to adopt Resolution 04-10029.

COUNCIL REPORTS

Councilmember Kee stated that he had attended a Teen Summit at Central Jr. High School put on by the staff and teachers in an effort to get students to work together to solve his/her problems. He noted that 30 to 40 children had attended the Saturday event in an effort to improve the community.

Mayor Rios reported that she and the Vice-Mayor had attended the Mayors' Conference in Walnut Creek, which put the Legislators on notice as far as the State budget

was concerned. What had come out of that was signing the petition earlier referenced by Vice Mayor Parent to make certain that local government would be able to retain its funding.

Mayor Rios also noted that the Town of Danville had a resolution honoring the military personnel coming back after serving overseas to recognize his/her hard-earned service for our country. The Town of Danville had asked other cities and towns to place a resolution on the agenda acknowledging those individuals. She would like to do that on the next agenda.

Mayor Rios stated that she had also attended the meeting of the Delta Diablo Sanitation District and had presented the request to pursue the use of recycled water. She stated that process was moving forward. The District had also presented a Strategic Plan for the future and had offered a number of ideas to pursue revenue generating projects that would be presented to the participating cities in the near future.

Mayor Rios also thanked the Chief of Police for the four-hour Saturday ride-along with a number of patrol cars throughout the City and in which she had discovered the many tasks that members of the Police Department were required to perform. She commended the Police Chief and the Department for a well-run operation.

Mayor Rios added that she had been called by a San Francisco organization wanting to honor her, among others, as a representative of the island of Puerto Rico. She displayed the plaque that had been presented to her at that event and stated that she had been honored and humbled to represent the island of Puerto Rico.

Councilmember Glynn noted that he had attended the Delta Diablo Sanitation District Awards Dinner on behalf of the Mayor at Zandonella's, which had been well attended. As a follow up to the Kirker Creek Awards Ceremony he had recently met with Carla Koop, the current director of that group with respect to the next phase of the implementation of creek cleanup, the completion of that project, and the possibility of regional cooperation on the basis of the document produced.

CITY MANAGER REPORT

Mr. White advised the Council that with a limited training budget the City was embarking on customer service training in some of the high volume locations. It was his desire that virtually all employees go through that training. Other training using video feedback for quality of presentations to Council and Commissioners would also be pursued.

Recreation Director Paul Flores reported that the Neighborhood Preservation Team had met at the Heights Elementary School. To promote that meeting 250 bilingual door hangers had been distributed to apprise the community of that meeting, the topics to be discussed and noting that input was very important. He stated that there had been success with the other meetings although more participation from the public was being encouraged to help improve the quality of life in the communities involved.

Mr. Flores reported that Neighborhood Preservation Team meetings had already been held with the Tenth Street community, the West Boulevard community, and now a second meeting with the Los Medanos/Heights community.

ADJOURNMENT

The meeting of the City Council adjourned at 9:12 P.M. to the next meeting set for April 5, 2004.

Respectfully submitted,

Lillian J. Pride, City Clerk

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CITY OF PITTSBURG
Pittsburg Power Company Minutes
March 15, 2004

Chair Aleida Rios called the meeting of the Pittsburg Power Company to order at 9:13 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 5:00 P.M. into a Workshop - Mid Year Budget Review and then into Closed Session at 6:00 P.M. for Conference with Legal Counsel - Anticipated Litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code regarding two cases; Conference with Real Property Negotiator pursuant to Section 54956.8 regarding 1301 Standard Oil Avenue, APN 073-230-007-04, 1010 Power Avenue, and APNs 085-130-006, 085-141-002, 085-141-003, 085-141-004, 085-141-005, 085-141-007, 085-141-009, 085-142-001, 085-142-002, 085-142-003, 085-142-004, 085-142-005, 085-142-006, 085-143-001, 085-143-002, 085-143-003, 085-143-004, 085-143-005 and 085-143-006; Threat to Public Services or Facilities pursuant to Section 54957, and Public Employment regarding the City Manager/RDA Executive Director.

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

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

MEMBERS ABSENT: None

STAFF PRESENT: Interim Executive Director, Les White
Assistant Executive Director, Nasser Shirazi
Legal Counsel, Linda Daube
City Clerk, Lillian J. Pride
Director of Economic Development, Brad Nail
Director of Recreation, Paul Flores
Director of Finance, Marie Simons
Director of Public Works, John Fuller
Director of Planning and Building, Randy Jerome
Housing & Community Programs Manager, Annette Landry
City Engineer, Joe Sbranti
Police Chief, Aaron Baker
Executive Assistant/Deputy City Clerk, Alice Evenson

CONSENT CALENDAR

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

a. **MINUTES** Dated: March 1, 2004

Approved Minutes dated March 1, 2004.

ADJOURNMENT

The meeting of the Pittsburg Power Company adjourned at 9:14 P.M.

Respectfully submitted,

Lillian J. Pride, Secretary

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