

CITY OF PITTSBURG
City Council Minutes
August 29, 2005

Mayor Nancy Parent called the meeting of the City Council to order at 7:00 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California.

MEMBERS PRESENT: Casey, Glynn, Johnson, Kee, Parent

MEMBERS ABSENT: None

STAFF PRESENT
City Manager, Marc Grisham
Assistant City Manager, Matt Rodriguez
City Attorney, Ruthann Ziegler
City Clerk, Lillian Pride
Records Manager, Mary Ellen Overgaard
Director of Engineering and Building, Joe Sbranti
Director of Economic Development, Brad Nail
Director of Recreation, Paul Flores
Police Lieutenant, Mike Barbanica

PLEDGE OF ALLEGIANCE

John Bedford led the Pledge of Allegiance.

COUNCILMEMBER REPORTS/REMARKS

There were no Councilmember Reports or remarks at this time.

CITY MANAGER REPORTS/REMARKS

City Manager Grisham had nothing to report.

CITIZENS REMARKS

On behalf of the Sister City Committee, JOHN BEDFORD reported that there had been an immensely successful exchange program over the last couple of months when Pittsburg students had visited the Sister City, Shimonoseki, Japan and the City of Pittsburg had hosted students from Shimonoseki in the last week. He thanked the City Council for its support and stated that the program would be continued in the future.

HEIDI LEBER, an instructor at Pittsburg High School (PHS), the chaperone for the trip, stated that she and her daughter Isabel had experienced the joys of a visit to Shimonoseki. She reported that the group had represented Pittsburg well and all had hosted students from Shimonoseki in the last week.

Ms. Leber thanked the Pittsburg families for hosting the Japanese students. She introduced some of the Pittsburg students who had participated in that trip and asked each to make a comment on his/her experience to the Council.

MIRANDA YOUNG spoke of the differences between American and Japanese schools where Japanese students wore uniforms and were not allowed to wear jewelry and accessories. She described the respect that Japanese students had for his/her teachers. She thanked the Council for the opportunity to experience Japan.

JEANETTE VERA also thanked the Council for the opportunity to visit Japan. She stated that everyone was nice and respectful and that the Japanese culture was very different from American culture.

GUY HERNANDEZ thanked the Council for making the trip possible because it was exciting and a good experience to learn Japanese culture. He commented that Japanese students had been delighted to see such freedom in young people because Japan was much stricter than America.

JOHN PHAM thanked the Sister City program for the Japanese experience that was his first trip overseas. He stated it had been a wonderful experience. While Japanese culture was strict, he stated it was also courteous and polite. He commented that when the Japanese students had visited this country, they had been very thoughtful and had offered gifts to everyone.

JONATHAN MARAN explained that the trip to Japan had opened his eyes to another culture, another way of life, and another way to treat other people. He referred to the discipline in Japan and noted that young and old were very disciplined. He also noted that Japanese students cleaned up after themselves, showed respect, were kind and had discipline, showing him another way to live.

Ms. Leber added that Ana Mason who was videotaping the meeting had also hosted a Japanese student from Shimonoseki.

Mayor Parent thanked the Chamber of Commerce Sister City Program and the parents who hosted students which had offered other people a chance to see how Americans lived.

SEAN POYNTER, Pittsburg, described some problems that were occurring in his neighborhood, reported to be Lorraine Avenue, because of young juveniles who thought they could own the neighborhood. He stated that neighbors were concerned since the Police Department and the Code Enforcement Division could not address those who were taking advantage of the system. He explained that he had been working extensively with the Police Department and the Code Enforcement Division on certain issues to ensure the safety of his family, address damage to his property, and consider the concerns for his neighbors. He added that those Departments had been doing an outstanding job with the limited personnel available and the restrictions involved.

Mr. Poynter stated that one of the issues related to vehicle tagging of unregistered and uninsured vehicles that were an eyesore and which brought down the image of the neighborhood and the City. He commented that those vehicles tagged and towed were often retrieved by their owners requiring a reinitiation of the violation process. He emphasized the time required for City personnel to attempt to address those issues.

As a concerned citizen, Mr. Poynter asked the City to reconsider its code enforcement regulations to help keep the City a great place to live.

PUBLIC HEARING

1. **RESOLUTION 05-10344** Adoption of an Urgency Resolution Extending an Interim Regional Transportation Development Impact Mitigation Fee

City Manager Marc Grisham stated that the East Contra Costa Regional Fee and Financing Authority had adopted the East Contra Costa Regional Fee Program Update final report on June 16, 2005. On August 1, 2005, the City Council had approved and adopted the East Contra Costa Regional Fee and Financing Authority Program update report by Resolution No. 05-10344. On that same date, the Council had approved urgency Resolution No. 05-10345 establishing interim fees effective through August 30, 2005. The resolution would extend those interim fees for an additional 30 days.

Mr. Grisham advised that the reason for the urgency ordinance was that it typically took sixty days before fees could be adopted. Since the transportation issues in East Contra Costa County were so critical, the sooner the fees were collected to address those transportation issues the better it would be for the City of Pittsburg and the larger community.

Mayor Parent opened the public hearing on Resolution 05-10344.

STAN DAVIS, Pittsburg, commented that as a developer he would have preferred to have more notice of the urgency matter. He commented that his project had been approved last year for a 326,000 square foot building. The impact across the board as a result of that new regulation and other regional fees for that building represented an increased cost of \$1.1 million. He suggested that those types of costs would severely hamper development in the City. While he would rather not have the fee, he accepted it and emphasized that there was not one piece of transportation regionally or locally that would be impacted by the proposal to build 326,000 feet of building, with no lease. He therefore requested that the City Council explore the possibility of abating the fee until the building was used. If no one was occupying the facility, he saw no impacts. He requested that the fees not apply until the building was in use.

BRUCE OHLSON, Pittsburg, suggested it was reasonable to increase the Regional Transportation Development Impact Mitigation fees since the City did not end at its borders.

Mr. Ohlson urged working with and cooperating with neighboring jurisdictions to solve the regional transportation problems, which were costly. He suggested that the fees had appropriately been raised as a result. Since it was reasonable to raise the fees a nominal amount, he added it was also reasonable to pursue an emergency resolution.

Mayor Parent closed the public hearing on Resolution 05-10344.

Councilmember Johnson stated that he would vote no on the item consistent with his prior actions on the issue. While he had no problem with an increase in the fee to \$15,000, he believed that Pittsburg should maintain its own transportation fees for its own community. He was also concerned that the City had only one project to be funded through the fees, which was the Buchanan Road Bypass, and which he suggested was not being considered as a priority to allow it to be constructed. He therefore had a problem with the way the funds were being spent.

In response to Vice Mayor Kee as to whether or not commercial fees could be imposed at the time of building occupancy or final completion, City Engineer Joe Sbranti stated that those options could be explored. He commented that if delaying the payment there could be a risk that the fees might be increased again. In addition, the Certificate of Occupancy would have to be withheld until the fees were paid. He expressed a willingness to work with Mr. Davis to explore all those possibilities.

Vice Mayor Kee verified that the City would be receiving more dollar benefit from the projects on the list than the fees it would contribute to that list.

Mr. Grisham stated that the issue of fee deferral pending a Certificate of Occupancy could be returned to the City Council within the next 30 days. He otherwise verified for Councilmember Glynn that such a fee deferral suggestion would relate to commercial and industrial projects only.

On motion by Councilmember Glynn, seconded by Vice Mayor Kee to adopt Resolution 05-10344, carried by the following vote:

Ayes:	Casey, Glynn, Kee, Parent
Noes:	Johnson

ADJOURNMENT

The City Council adjourned at 7:25 P.M. to a regular City Council meeting on September 19, 2005.

Respectfully submitted,

Lillian J. Pride, City Clerk
als