

**CITY OF PITTSBURG
CITY COUNCIL/AGENCY CONCURRENT MEETING MINUTES**

DATE: October 02, 2023

LOCATION: Marina Center, Conference Room, 340 Marina Blvd, Pittsburg, CA 94565

CITY COUNCIL/AGENCY MEMBERS

Shanelle Scales-Preston, Mayor/Chair
Juan Antonio Banales, Vice-Mayor/Chair
Jelani Killings, Council/Agency Member
Dionne Adams, Council/Agency Member
Angelica Lopez, Council/Agency Member
S.L. Floyd, Agency Member
Annie Hill Herring, Agency Member

APPOINTED OFFICIALS

Garrett Evans, City Manager/Executive Director
Donna Mooney, City Attorney/Legal Counsel
Alice E. Evenson, City Clerk/Agency Secretary (elected)
Nancy Parent, City Treasurer (elected)

Mayor Scales-Preston called the special meeting to order at 5:34 P.M. in the Marina Center Conference Room, 340 Marina Blvd, Pittsburg, CA for a Planning Commission Appeal.

Member Adams was absent and excused.

1. Public Hearing on an Appeal of the Planning Commission's Decision to Not Recommend City Council Adoption of an Initial Study and Mitigated Negative Declaration for a General Plan Map and Zoning Map Amendment, as Proposed, and Approval of the LMK Petro Use Permit and Design Review Applications for an Automobile Service Station with an Automated Car Wash, and Convenience Store with Alcoholic Beverage Sales for LMK Petro; Adoption of a City Council Resolution to Adopt an Initial Study and Mitigated Negative Declaration prepared pursuant to the California Environmental Quality Act, adopt a Mitigation Monitoring and Reporting Program, and amend the General Plan; and Introduction and Waive First reading of a City Council Ordinance Amending the Zoning Map for the LMK Petro Project, AP-16-1189 (GP, RZ, UP, DR)

Shashi Sharma appellant spoke about his experience with the proposed type of business as well as mentioned the revisions made to the project based on feedback from Planning Commission and staff.

Bruce Ohlson, Pittsburg, made comments on Bike lanes on Buchanan Rd. He also noted he would like to see the canopy on the building be made to support Solar Panels.

Lionel Jackson spoke against the project. Stated the traffic in the proposed location is already bad.

Shashi Sharma appellant and the project architect gave closing remarks and addressed public comments.

Motion by member Killings to uphold the appeal and deny without prejudice to not allow the sale of distilled spirits and limit to only beer and wine sales. The appellant shall work with staff on entryway signs and look for ways to address empty wall space to deter graffiti. Motion failed due to lack of a second.

On Motion by Vice Mayor Banales, seconded by Mayor Scales-Preston to uphold the appeal and deny without prejudice alcohol sales for one year or if adopted prior to the one-year a policy or ordinance that addresses performance standards for alcohol sales. The appellant shall work with staff on entryway signs and ways to address empty wall space to deter graffiti.

AYES:	Banales, Lopez, Scales-Preston
ABSTAINED:	Killings
ABSENT:	Adams

Mayor Scales-Preston adjourned the special meeting at 7:13 P.M.

CLOSED SESSION

The Closed Session scheduled was not held.

2. CONFERENCE WITH LABOR NEGOTIATORS pursuant to Section 54957.6

City designated representatives: Jennifer Brizel, Director of Human Resources

Unrepresented employee: City Manager

Mayor Scales-Preston convened the regular meeting at 7:31 P.M.

ROLL CALL

All Members were present.

PLEDGE OF ALLEGIANCE

Chief Albanese led the Pledge of Allegiance.

PROCLAMATIONS

3. California Clean Air Day
4. National Arts and Humanities Month
5. National Breast Cancer Awareness Month
6. National Filipino American History Month
7. National Italian American Heritage Month

CITY MANAGER REPORTS/REMARKS

City Manager Evans stated that City staff continue to work with the management team at

Woods Grove apartments and encouraged anyone that is experiencing concerns about their living conditions to contact the City for a rental inspection.

Assistant City Manager Aliotti gave an update on upcoming City events and noted that the City Council Chamber updates are still underway, and meetings will continue to take place at the Marina Center, 340 Marina Blvd, Pittsburg, CA.

PUBLIC COMMENTS

Nicole Arrington, Pittsburg, spoke about the Homeless Prevention Act passed by Governor Newsom.

Devin Williams, ACCE representative spoke about housing equality.

COMMITTEE REPORTS

There were no reports.

PUBLIC HEARING

8. Adoption of a City Council Resolution Amending the Master Fee Schedule

On Motion by Member Lopez, seconded by Vice-Mayor Banales to adopt and was carried unanimously.

9. Introduction and Waive First Reading of Two Ordinances for the Objective Design Standards 2023 Project: 1) Adding Article XXI to Chapter 18.84 of the Pittsburg Municipal Code; and 2) Amending the Zoning Map for Certain Multi-family Housing and Mixed-use Development Projects to Further Housing Production Consistent with State Law

Mayor Scales-Preston and Member Killings recused themselves from this item. City Attorney Mooney read into the record a disclosure letter from the Fair Political Practices Commission (FPPC), which stated both members had a real property conflict of interest due to the proximity of the proposed transact zones and their residence. Mayor Scales-Preston and Member Killings left the dais at this time.

On Motion by Member Adams, seconded by Member Lopez and adopted by the following vote:

AYES: Adams, Banales, Lopez

ABSENT: Killings [Recused], Scales-Preston [Recused],

Mayor Scales-Preston and Member Killings returned to the dais at this time.

CONSIDERATION

10. Adoption of a City Council Resolution Authorizing the City Manager to Execute a Consultant Agreement with North Star Place Branding and Marketing for Municipal Marketing and Branding Services and Allocating Funding in the Amount of \$200,000.

On Motion by Mayor Scales-Preston, seconded by Member Killings to adopt and carried

unanimously.

11. Adoption of a Minute Order Authorizing Submittal of an Application for Phase I Distressed Area Recompete Pilot Program Grant Funding from the U.S. Economic Development Administration.

Bruce Ohlson, Pittsburg, mentioned he was in favor of the Pittsburg/Antioch Highway widening project, however, would like to see the Pittsburg Bicycle plan be followed. He noted the plan calls for having either bike lanes or a marked shoulder along Pittsburg/Antioch Highway.

On Motion by Mayor Scales-Preston, seconded by Member Killings to adopt and carried unanimously.

CONFLICT OF INTEREST STATEMENT

There were no conflict of interest statements.

COMBINED CITY COUNCIL, PITTSBURG ARTS AND COMMUNITY FOUNDATION, PITTSBURG POWER COMPANY, SOUTHWEST PITTSBURG GHAD II AND SUCCESSOR AGENCY CONSENT CALENDAR

Prior to approval of the Consent Calendar, Mayor Scales-Preston read the following statements:

“Per Government Code Section 54953 (c) (3), for agenda item #17, it is recommended to approve an extension to the employment agreement of the City Attorney, included in this fourth amendment is a recommendation to approve the following changes to the City Attorney’s compensation:

- 1) Effective September 3, 2023, increasing the base monthly salary by 4% to \$22,102; and
- 2) Effective the first pay period in September 2024 increasing the base monthly salary by 4% to \$22,986.

The contract amendment will result in a \$14,000 increase in payroll costs to the FY 23/24 budget.

“Per Government Code Section 54953 (c) (3), for agenda item #18, it is recommended to approve an extension to the employment agreement of the City Manager. Included in this fifth amendment is a recommendation to approve the following changes to the City Manager’s compensation:

- 1) Effective February 5, 2023, increasing the base monthly salary by 4% to \$24,022; and
- 2) Effective the first pay period in February 2024 increasing the base monthly salary by 4% to \$24,983
- 3) Following the Fifth Amendment to this agreement, the City Council shall evaluate Manager’s performance during September 2024; and
- 4) The City shall contribute an additional \$12,500 effective the first pay period in October 2023; and contribute an additional \$12,500 the first pay period in October 2024, toward the City Manager’s 401(a) or 457(b) deferred compensation plan.

The contract amendment will result in an approximate increased payroll cost of \$26K for Fiscal Year 2022/2023, and \$53K for Fiscal Year 2023/2024.

On Motion by Vice Mayor Banales, seconded by Member Adams to adopt and carried unanimously.

12. Minutes of September 18, 2023

13. Adoption of a City Council Resolution Accepting Project 3115, Stoneman Avenue Safety Improvements as Complete and Authorizing the City Engineer to File a Notice of Completion

14. Adoption of a City Council Resolution Accepting the Plans and Specifications and Awarding Project 3333—California Theater Marquee Sign.

15. Adoption of a City Council Resolution Authorizing Execution of the First Amendment to the Agreement with Western States Oil for Renewable Diesel.

16. Adoption of a City Council Resolution Authorizing the City Manager to Negotiate and Execute a General Services Agreement with Siteworks Construction, Inc. for Project 3025 Kirker Creek Storm Canal.

17. Adoption of a City Council Resolution to Authorize a Fourth Amendment to the Employment Agreement for the City Attorney.

18. Adoption of a City Council Resolution to Authorize a Fifth Amendment to the Employment Agreement for the City Manager.

19. Adoption of a Pittsburg Power Company Resolution Adopting the 2022 Power Content Label to the California Energy Commission.

COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

There were no requests for future agenda items.

COUNCIL MEMBER REMARKS

There were no Council Member remarks.

ADJOURNMENT

The meeting was adjourned at 8:56 P.M. to October 16, 2023.

Respectfully submitted,

Alice E. Evenson, City Clerk