

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

**DATE:** January 19, 2021

**LOCATION:** Council Chamber, City Hall, 65 Civic Avenue, Pittsburg, CA 94565

**CITY COUNCIL/AGENCY MEMBERS**

Marilyn Craft, Mayor/Chair  
Holland Barrett White, Vice-Mayor/Chair  
Shanelle Scales-Preston, Council/Agency Member  
Juan Antonio Banales, Council/Agency Member  
Jelani Killings, 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)

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the regular meeting of the City Council for January 19, 2021 was conducted electronically for Closed Session and through Zoom with broadcasting live through Granicus on the City's website. Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chamber was not open for the meeting. Council Members participated electronically or through Zoom and were not physically present in the Council Chamber.

Mayor Craft called the meeting of the City Council to order at 7:03 P.M. in the City Council Chamber at City Hall, 65 Civic Avenue, Pittsburg, CA.

**ROLL CALL**

Member Banales was absent and excused.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**PRESENTATION**

1. Report on Human Trafficking

Corporal Kyle Baker presented a report on human trafficking.

## **CITY MANAGER REPORTS/REMARKS**

City Manager Evans gave an update on the COVID-19 health order for the City of Pittsburg.

## **PUBLIC COMMENTS**

Comments were received from:

Nicole Terrell  
LaJoyce Terrell

## **COMMITTEE REPORTS**

Member Killings attended the CDBG subcommittee meeting.

Member Scales-Preston attended the PAL subcommittee meeting.

## **PUBLIC HEARING**

2. Introduce and Waive First Reading of an Ordinance Amending Title 2 – Administration – by adding Chapter 2.06 “Electronic Filing of Campaign Disclosure Statements,” Relating to Electronic Filing of Fair Political Practices Commission Statements

Mayor Craft opened the Public Hearing. There being no one to speak to the item, Mayor Craft closed the Public Hearing.

On Motion by Member Killings, seconded by Vice-Mayor White to introduce and waive first reading of the Ordinance and carried by the following vote:

AYES: Killings, Scales-Preston, White, Craft  
ABSENT: Banales

3. Introduction and Waive First Reading of an Ordinance Establishing a Limited Overlay District and Overlay Plan for a 1.03-Acre Site Located at 1416 Bobo Court and Adoption of a City Council Resolution Approving Commercial Cannabis Permits and an Operating Agreement Between the City and E7 Pittsburg LLC (“Element 7”), AP-19-1435 and AP-19-1454

Mayor Craft opened the Public Hearing. The following speakers were heard:

Shannon Cross  
William Cunningham  
Claudia Ramirez  
Linda Lightfoot  
Christopher Bloom, Element 7

There being no further speakers, Mayor Craft closed the Public Hearing.

4. Adoption of a City Council Resolution Approving Commercial Cannabis Permits and an Operating Agreement Between the City and Canna Analytical, Inc., AP-19-1414

Mayor Craft opened the Public Hearing. The following speaker was heard:

Shannon Cross

The Public Hearing remains open and the item is continued to a date uncertain.

### **CONSIDERATION**

5. Adoption of a Minute Order Authorizing the Co-Sponsorship of the Contra Costa County COVID-19 Youth/Young Adult Ambassador Program

On Motion by Member Killings, seconded by Member Scales-Preston to adopt with up to 20 participants and carried by the following vote:

AYES: Killings, Scales-Preston, White, Craft  
ABSENT: Banales

### **CONFLICT OF INTEREST STATEMENT**

There were no conflicts of interest stated.

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

City Manager Evans noted Item 13 on the Consent Calendar has a red-lined revision to the East County Habitat Conservancy Board approved agreement.

On Motion by Member Killings, seconded by Mayor/Chair Craft to adopt and carried by the following vote:

AYES: Killings, Scales-Preston, White, Craft  
ABSENT: Banales

6. Minutes of December 21, 2020

7. Adoption of a Pittsburg Power Company Resolution Approving the "On-Call" Utility Electrical Engineering Professional Services List

8. Adoption of a Successor Agency Minute Order Approving the July 1, 2021 – June 30, 2022 Recognized Obligation Payment Schedule

9. Adoption of a City Council Resolution Accepting the Plans and Specifications and Authorizing Award of Project 4063, 2020/2021 CDBG ADA Curb Ramp Installation Project

10. Adoption of a City Council Resolution Accepting the Plans and Specifications, and Awarding Project 3115, Stoneman Avenue Safety Improvements Project

11. Adoption of a City Council Resolution Accepting the Plans and Specifications, Allocating Funds and Awarding Project 5066, Water Treatment Plant Filter Gallery Valve Replacement Project
12. Adoption a City Council Resolution Approving an Agreement with Diablo Energy Storage LLC for Wetlands Ecosystem and Water Quality Educational Programs
13. Adoption of a City Council Resolution to Authorize the City Manager to Execute the Multi-Party Mitigation and Land Dedication In-Lieu of Development Fee Agreement between and amongst the City of Pittsburg; the East Contra Costa County Habitat Conservancy; Discovery Builders, Inc.; Skyranch Land Investors, LLC; Altec Homes, Inc.; and Faria Land Investors, LLC
14. Adoption of a City Council Resolution Approving an Exclusive Negotiating Rights Agreement between the City of Pittsburg and Global Resources Trading, LLC for Two Waterfront Properties

### **COUNCIL REQUEST FOR FUTURE AGENDA ITEMS**

Council Member Killings asked for a future agenda item to review sensitive locations for cannabis projects.

On Motion by Member Killings, seconded by Vice-Mayor White to adopt and carried by the following vote:

AYES: Killings, Scales-Preston, White, Craft  
ABSENT: Banales

### **REMARKS**

Member Scales-Preston noted the Martin Luther King Day event and thanked everyone involved. Also, she and Mayor Craft were honored to be asked to speak at the County's event.

Vice-Mayor White thanked everyone for their work on the Martin Luther King Day event. He asked if Council could receive more comprehensive statistics for the City's response to the COVID pandemic and what could be done to mitigate the threats.

Mayor Craft attended the Mayors Conference where she was appointed as alternate for the Airport Commission for East County as well as the executive committee for the Mayors Conference. She also thanked everyone involved in the Martin Luther King Day event.

### **ADJOURNMENT**

The City Council meeting adjourned at 9:16 P.M. to February 1, 2021.

Respectfully submitted,

Alice E. Evenson, City Clerk

**Amanda McVey**

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**From:** William Cunningham <whc@tuffli.com>  
**Sent:** Tuesday, January 19, 2021 4:42 PM  
**To:** meetingcomments  
**Cc:** Jordan Davis  
**Subject:** FW: AP-19-1435/AP-19-1454

**\*\*External Sender: Use caution before opening links or attachments\*\***

Dear Council Members,

We own property over on Piedmont. You may recall the huge fire there in June of 2019 – that was our property. The fire was caused by homeless folks.

We also are having numerous breakins at the Durham Bus facility across the street from the fire site. We own that property. Extensive property damage and theft. Three events in the last month.

So, it seems this neighborhood is already a problem. I suggest that if you approve the subject overlay you do so on a conditional basis and if the already-high rate of property crimes increases even more, you should be able to retract this approval.

Regards,

William "Bill" Cunningham  
Tuffli Company, Inc.  
2245 W. 190th Street  
Torrance, CA 90504  
(310) 326-8460

NOTE: I am not in the office every day, so there could be some delay in my response to any e-mail/voicemail you direct to me.

## Amanda McVey

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**From:** Claudia Ramirez <c.ramirez@svdp-cc.org>  
**Sent:** Tuesday, January 19, 2021 4:37 PM  
**To:** meetingcomments  
**Subject:** Comments for Public Hearing on January 19, 2021

**\*\*External Sender: Use caution before opening links or attachments\*\***

To the members of the City Council of the City of Pittsburg:

Thank you for the opportunity to comment on the proposed zoning amendment and related projects and agreements with Element 7 at 1416 Bobo Court, Pittsburg, CA, Parcel No. 088-570-009.

Mr. Jordan Davis, from the Planning Division, was very informative in the requirements that the city is proposing to Element 7 in order to grant this zoning amendment and approve their agreement etc. As a direct neighbor to the property, we would like to highlight some concerns and reinforce some points that Mr. Davis shared with me:

1. We are very much in favor of the enhanced security requirements that the City is requiring. Having been a victim of multiple incidents of vandalism and theft, we welcome the addition presence of security in the area.
2. We hope that the fencing improvements are not limited to just the north side of the property where the processing and distribution facility is proposed, but rather to the entire perimeter of the property.
3. We understand that the proposed use of the facility is for "Food and Drug Processing" and not for retail operations. Mr. Davis indicated that this would be a facility used for manufacturing/processing and distributing product. We are not opposed to the changes in the zoning solely for this use. Should circumstances change, however, and a request be made for retail operations at this property, we would be strongly opposed to that and will comment accordingly.

If any City Council member has any questions or would like to communicate with me directly, my details are in my signature block, below.

Thank you for your consideration of our concerns.

Regards,

*Claudia L. Ramirez*

*Executive Director*

**The Society of St. Vincent de Paul of Contra Costa County**

2210 Gladstone Drive, Pittsburg, CA 94565

[c.ramirez@svdp-cc.org](mailto:c.ramirez@svdp-cc.org)

Direct: 925-635-3219

[www.svdp-cc.org](http://www.svdp-cc.org)

*"A network of friends, inspired by Gospel values, growing in holiness and building a more just world through personal relationships with and service to people in need."*

**Amanda McVey**

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**From:** Shannon Mosesly Cross <shannon.cross14@gmail.com>  
**Sent:** Tuesday, January 19, 2021 1:34 PM  
**To:** meetingcomments  
**Subject:** FOR PUBLIC COMMENTS CANNABIS PERMIT FOR ELEMENT 7

**\*\*External Sender: Use caution before opening links or attachments\*\***

Shannon Mosesly Cross 510-590-8620

Please add me to Queue

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Shannon Cross

Shannon Mosesly Cross  
1077 Chesapeake Dr. Pittsburg, Ca 94565  
[Shannon.cross14@gmail.com](mailto:Shannon.cross14@gmail.com)  
510-590-8620

January 18, 2021

Planning Division  
65 Civic Avenue, Pittsburg, Ca 94565  
City of Pittsburg  
Jordan Davis  
[jdavis@ci.pittsburg.ca.us](mailto:jdavis@ci.pittsburg.ca.us)

Re: Comment on Introduction and Waive First Reading of an Ordinance Establishing a Limited Overlay District and Overlay Plan for a 1.03-Acre Site Located at 1416 Bobo Court and Adoption of a City Council Resolution Approving Commercial Cannabis Permits and an Operating Agreement Between the City and E7 Pittsburg LLC ("Element7").\, AP-19-1435 and AP-19-1454.

I'm writing as a resident of the City of Pittsburg and a potential applicant for commercial cannabis business permit, as well as consideration of a request for city council approval of 1 for commercial cannabis permit allowing for the use of cannabis within medical and nonmedical consumer product manufacturing.

The City of Pittsburg received an application from Element 7 for the development of a project site located at 1416 Bobo Court in the CS

(Service Commercial) District (Assessor's Parcel No 088-570-009). As a Resident I approve the project for Element 7 and for additional cannabis business who with consideration apply for approval from the Pittsburg City Council. The Project will be located in a service commercial district that should not result in a negative impact to Pittsburg Residents.

### **Project Description**

The Applicant Element Proposes the use of service commercial property. This can add revenue for the City of Pittsburg while providing jobs and other city needs that can avoid being added to the taxpayers of the City of Pittsburg.

### **Discussion**

I'm requesting to be notified about all aspect of the approval of Element 7 or any other applicant for approval for commercial cannabis permits. If any addendums for element are included to the approval I want written notification, email, text and social media for the reasons of all decisions made to the existence of the Element 7 and all other applicants.

### **Conclusion**

For the aforementioned the City Council of Pittsburg should approve this applicant and others who apply of a commercial cannabis permit and met the city requirements.

Sincerely,  
Shannon Mosesly Cross

**Amanda McVey**

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**From:** Nicole Terrell <nicoleterrell90@gmail.com>  
**Sent:** Tuesday, January 19, 2021 12:33 PM  
**To:** meetingcomments  
**Subject:** FOR PUBLIC COMMENT NON AGENDA

**\*\*External Sender: Use caution before opening links or attachments\*\***

I would like to be place in the queue for today's Pittsburg City Council meeting. Please let me know if this is correct/sufficient. I would like to ensure that I am following the new process correctly, so that I may receive the Zoom link information. Thank you again.

Nicole Terrell

**Amanda McVey**

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**From:** Michael Woods <mwoods@mrwlawcorp.com>  
**Sent:** Tuesday, January 19, 2021 10:59 AM  
**To:** meetingcomments  
**Cc:** Jordan Davis; Kevin R. Johnson  
**Subject:** Agenda Item #12

**\*\*External Sender: Use caution before opening links or attachments\*\***

Hi. This item is on this evening's Council meeting consent calendar regarding Diablo Energy Storage. Kevin Johnson and I will be available in case the item gets removed from the consent calendar. We do not need to comment unless it is pulled from consent for some reason. Kevin's cell number is: (415) 672-2597, and mine is: (707) 249-5185.

Thank you – Michael Woods.

\* \* \* \* \*

Law Office  
Michael R. Woods  
A Professional Corporation  
846 Broadway  
Sonoma, California 95476-7013  
Tel. (707) 996-1776  
Fax (707) 996-2460  
[mwoods@mrwlawcorp.com](mailto:mwoods@mrwlawcorp.com)

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**Amanda McVey**

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**From:** LaJoyce Terrell <lajoyceterrell@gmail.com>  
**Sent:** Tuesday, January 19, 2021 9:43 AM  
**To:** meetingcomments  
**Subject:** FOR PUBLIC COMMENTS-NON AGENDA ITEM

**\*\*External Sender: Use caution before opening links or attachments\*\***

Ms. Mc Vey,

I would like to be place in the queue for today's Pittsburg City Council meeting. Please let me know if this is correct/sufficient. I would like to ensure that I am following the new process correctly, so that I may receive the Zoom link information. Thank you again.

The Terrell Family  
LaJoyce Terrell  
(707)290-6035

**Amanda McVey**

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**From:** Shannon Mosesly Cross <shannon.cross14@gmail.com>  
**Sent:** Tuesday, January 19, 2021 9:05 AM  
**To:** meetingcomments  
**Subject:** FOR PUBLIC COMMENTS CANNABIS PERMIT FOR ELEMENT 7  
**Attachments:** Shannon Comments for Public Hearing E7.docx

**\*\*External Sender: Use caution before opening links or attachments\*\***

Shannon Mosesly Cross 510-590-8620

I would like to be placed in Queue for public comments

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Shannon Cross

**Amanda McVey**

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**From:** Nicole Terrell <nicoleterrell90@gmail.com>  
**Sent:** Monday, January 18, 2021 1:41 PM  
**To:** meetingcomments  
**Subject:** FOR PUBLIC COMMENT NON AGENDA

**\*\*External Sender: Use caution before opening links or attachments\*\***

Dear Mayor Craft and all Pittsburg City Council members,

I am writing to you all about the hate crime that took place against myself and my child, at Highlands Ranch Park. The two male perpetrators have still not been charged or arrested. I was physically attacked and my child and myself were coughed on. The physical attack included being punched continuously and knocked onto the ground, while being punched further, with one of the attackers on top of me. I was called racist and sexist slurs by both perpetrators. I was filming one of the perpetrators who was hurling racist slurs at a different family, prior to being attacked by another male.

To add insult to actual injury, Officer Arellano named me, the victim of the hate crime, as the suspect. The Pittsburg Police Department pursued charges against me, yet declined to pursue charges against the two male perpetrators. The police chief mentioned at the last meeting that he will contact the district attorney's office to seek charges again. That contradicts what actually happened because there have not been any charges whatsoever pursued against the perpetrators, at any point.

Pittsburg Police Department has failed to provide equitable public safety for all. I will continue to seek justice.

Nicole Terrell  
(916)277-3537

**Amanda McVey**

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**From:** L T <lajoyceterrell@gmail.com>  
**Sent:** Monday, January 18, 2021 1:30 PM  
**To:** meetingcomments  
**Subject:** FOR PUBLIC COMMENT-NON AGENDA ITEM

**\*\*External Sender: Use caution before opening links or attachments\*\***

A hate crime occurred on October 23, 2020, at Highlands Ranch Park. The victims have been traumatized by this event and the true suspects remain a threat to the public's safety.

Officer Arellano failed to follow through with his duties. He disregarded her injuries and named her, the victim, as a suspect in the report. She learned that she was actually named a suspect when she went to pick up the report. We are calling for the officer to be disciplined, due to failing to protect and serve the actual victims. Instead of doing what he has sworn to do, he chose to falsify documents.

She was called racist and sexist slurs, coughed on (both her and her six year old child)and punched repeatedly, onto the ground, with man 2, on top of her. She was filming man 1, who was threatening another family and hurling racist slurs at them. While she was filming the first suspect, he began to call her racist and sexist slurs and then it was man 2, who coughed and assaulted her.

Officer Arellano and the Pittsburg Police Department made efforts to pursue changes against the victim, while declining to pursue charges against her perpetrators. That action was another disturbing and inaccurate abuse of power. At the last meeting the police chief mentioned that hate crime charges will be resubmitted. We would like to know when were they ever submitted,against the perpetrators, on behalf of the PPD? The victim has yet to be contacted by PPD, regarding seeking justice.

She provided all the initial information needed to follow through to the officer yet, two dangerous and hateful males who are members of the community are able to carry on. We remain extremely disappointed by the inaction and ongoing complicity, for liberty and justice for all. Thank you Mayor Craft for acknowledging the incident in the last meeting and for valuing the public's trust. Thank you also Vice Mayor Holland White, for reaching out to the victim as well.

The Terrell Family  
(707)290-6035  
contact - LaJoyce Terrell

**Amanda McVey**

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**From:** Nicole Terrell <nicoleterrell90@gmail.com>  
**Sent:** Monday, January 4, 2021 1:01 PM  
**To:** meetingcomments  
**Subject:** FOR PUBLIC COMMENT-NON AGENDA

**\*\*External Sender: Use caution before opening links or attachments\*\***

Dear Mayor Craft and all Pittsburg City Council members,

I am writing to you all about the hate crime that took place against myself and my child, at Highlands Ranch Park. The two male perpetrators have still not been charged or arrested. I was physically attacked and my child and myself were coughed on. The physical attack included being punched continuously and knocked onto the ground, while being punched further, with one of the attackers on top of me. I was called racist and sexist slurs by both perpetrators. I was filming one of the perpetrators who was hurling racist slurs at a different family, prior to being attacked by another male.

To add insult to actual injury, Officer Arellano named me, the victim of the hate crime, as the suspect. The Pittsburg Police Department pursued charges against me, yet declined to pursue charges against the two male perpetrators. The police chief mentioned at the last meeting that he will contact the district attorney's office to seek charges again. That contradicts what actually happened because there have not been any charges whatsoever pursued against the perpetrators, at any point.

Pittsburg Police Department has failed to provide equitable public safety for all. I will continue to seek justice.

Sincerely,  
Nicole Terrell

**Amanda McVey**

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**From:** Linda Lightfoot <llightfoot@newdestiny.online>  
**Sent:** Tuesday, January 19, 2021 6:44 PM  
**To:** meetingcomments  
**Subject:** OVERLAY PLAN FOR A 1/03 ACRE SITE LOCATED AT 1416 BOBO COURT FOR COMMERCIAL CANNABIS  
**Attachments:** CANNABUS DENIAL LETTER.docx

**\*\*External Sender: Use caution before opening links or attachments\*\***

Greetings!

Please see the attached letter!

--

Evangelist Linda Lightfoot  
Director of Evangelism Outreach  
Bishop Christopher C. Smith, Sr. Pastor  
New Destiny Cathedral Oakland  
625 8th St.  
Oakland, CA  
510-812-6998

**WE ARE THE SALT OF THE EARTH, SEASONING LIVES ONE SOUL AT A TIME WITH A WORD TOWARD DESTINY!**

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City of Pittsburgh  
Community Development Department - Planning Division  
65 Civic Avenue  
Pittsburg, CA 94565

Greetings City Council,

I am writing you concerning the matter of re-zoning that is to take place as a result of an Ordinance Establishing a Limited Overlay District and Overlay Plan for a 1.03 - Acre Site Located at Bobo Court and Adoption of a City Council Resolution Approving Commercial Cannabis Permits and an Operating Agreement Between the City and E7 Pittsburg LLC ( "Element 7"), AP-19-1435 and AP-19-1454.

I personally do not approve of any Cannabis activity, legal or otherwise in an area where law abiding families of citizens work, play, worship or do business. I absolutely object to approval of this " re-zoning." This promotes a great disadvantage to the community and presents many high proximity risks:

1. The odor is absolutely degrading and unbearable. It smells like defecation. No one in their right mind would want their home, vehicle nor their body to smell like a toilet nor would they wish to raise and feed their children in such odor. It is an insult to honest hardworking, family raising community members to even have to be concerned with such a downgrading element.
2. With cannabis comes an increase in undesirable foot and vehicle traffic. More shady characters come to the area. Such activity unfairly stigmatizes many for the actions of a few. Loitering increases. There will be greater increase of crime. The probability of vehicular collisions into people, buildings and other vehicles increases.
3. Cannabis production and sales brings with it high security risks. Families are not safe in their homes nor on the street. High incidences of public belligerence, assault, vandalism, robbery and theft due to the price of cannabis and the high volumes of cash on site at sales points.
4. Real Estate in neighborhoods that have this kind of activity lose value and eye appeal. Excess trash and disarray become commonplace. The neighborhood will begin to look like it smells.
5. The probability of black market activity increases safety issues and security risks.
6. There are much longer law enforcement response times. We don't need anything in our community that will increase the load of law enforcement, jeopardize peace, health and safety of community members.

Where people are investing in good faith in a community that they chose for the purpose of raising their families and living their lives, it is expected that if there were anything that would be added or adjusted, it would be something that would increase value, comfort and safety of the citizens, rather than downgrade or desecrate it family living. Let the City of Pittsburgh develop into a city of upgrades rather than blowing a proverbial dog whistle, signaling all the "riff raff" of society to "come on in" and settle into riotous acts against peaceable families.

I do sincerely hope you will decide to DENY ACCESS to Pittsburg for the purpose of selling or raising cannabis.

Sincerely,

Linda Lightfoot