

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

DATE: November 3, 2008

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

CITY COUNCIL/AGENCY MEMBERS

Will Casey, Mayor/Chair
Nancy Parent, Vice-Mayor/Chair
Salvatore Evola, Council/Agency Member
Michael Kee, Council/Agency Member
Ben Johnson, Council/Agency Member

APPOINTED OFFICIALS

Marc S. Grisham, City Manager/Executive Director
Ruthann Ziegler, City Attorney/Legal Counsel
Alice E. Evenson, City Clerk/Agency Secretary (elected)
James Holmes, City Treasurer (elected)

CALL TO ORDER

Mayor Casey 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 after convening in Closed Session for the following:

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Section 54956.9(a)):

Perla Vega, Barbara Vega, Norma Salazar v. Paul G. Robinson, et. al./Paul G. Robinson, Dianne Evans, Open Hearth LLC v. City of Pittsburg et. al.; Contra Costa County Superior Court Case No. C06-00459

2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Section 54956.8):

Property: 463 W. 10th Street, APN 085-241-003-4; Agency Negotiator: Marc Grisham, Randy Starbuck, Joe Sbranti; Negotiating Parties: Arcadio Pineda; Under negotiation: both price and terms of payment

Property: 190 East Third Street, APN 085-108-010; Agency Negotiator: Marc Grisham, Randy Starbuck, Garrett Evans; Negotiating Parties: John Phair; Under negotiation: both price and terms of payment

Property: 3386 William Way, APN 087-057-011; Agency Negotiator: Marc Grisham, Randy Starbuck, Joe Sbranti; Negotiating Parties: Majiman Hafiz; Under

negotiation: both price and terms of payment

3. PUBLIC EMPLOYMENT PERFORMANCE EVALUATION:

City Manager

Mayor Casey stated there was nothing to report from Closed Session.

ROLL CALL

All Members were present.

PLEDGE OF ALLEGIANCE

Joe Sbranti led the Pledge of Allegiance.

PROCLAMATION

Veterans Awareness Week

Council Member Johnson received the proclamation on behalf of the various local Veterans organizations.

COUNCIL MEMBER REPORTS/REMARKS

Vice Mayor Parent attended the Poker Tournament fundraiser at the Elks Lodge for the performance of The Nutcracker. She thanked Joe Sbranti and Marc Fox and other City staff that volunteered for this successful fundraising event. She attended a High School Band Boosters fundraising dinner. She attended the opening of the San Marco Villas apartments. She also read to children at the Pumpkin Patch at Small World Park. She attended the New Mecca block design review meeting. She judged the Halloween costume parade at the Farmer's Market, and she also traveled to San Diego and Los Angeles to look at port facilities.

Council Member Johnson attended several Veterans meetings. He also attended the grand opening of the San Marco Villas apartments.

CITY MANAGER REPORTS/REMARKS

City Manager Grisham stated there was nothing to report.

CITIZENS REMARKS

David Manly spoke representing The Source, which is a group that helps children with toys during this time of the year. His concern is the fees charged for special events and asked for a waiver of those fees.

REDEVELOPMENT AGENCY

CONSIDERATION

4. Adoption of an Agency Resolution to Approve and Authorize an Amendment to the Lease Agreement by and between John Phair dba EJ Phair Brewing Company and the Redevelopment Agency of the City of Pittsburg

On motion by Member Johnson, seconded by Member Evola and carried unanimously to approve.

CITY COUNCIL MEETING

PUBLIC HEARING

5. Public Hearing Regarding Amending the City of Pittsburg Master Fee Schedule, Section "Building Division," Tables I, II, III, IV, V, A

Staff advised the Council that this item was noticed as a Public Hearing; however, it was not quite ready to be heard at this time. Staff asked that the Public Hearing be opened, testimony be taken, and the item continued to December 15, 2008.

Mayor Casey opened the Public Hearing. There was no one to speak to the item. The Public Hearing remains open until December 15, 2008.

CONSIDERATION

6. Minute Order to Approve City Council Recess for Winter Months

On motion by Vice Mayor Parent, seconded by Member Kee, and carried unanimously to recess for the January 5, 2009 Council Meeting.

CONFLICT OF INTEREST DECLARATION - City Council/Agency Members may make any conflict of interest declarations pertaining to Consent Calendar items at this time.

Council Member Evola recused himself from item 18 due to his financial interest and his affiliation with that contractor.

COMBINED REDEVELOPMENT AGENCY, PITTSBURG POWER COMPANY, AND CITY COUNCIL CONSENT CALENDAR

City Manager Grisham stated that on item 9 the resolution references a review by the financial consultant, PFM. The resolution will be modified to reflect that there is a detailed report by PFM, rather than simply a review.

On motion by Member Johnson, seconded by Member Evola with the inclusion of modifications to the resolution in item 9 to reflect that there is a detailed report by PFM rather than a simple review, and carried unanimously to approve the Consent Calendar.

7. Minutes of October 20, 2008
8. Claims - Claims against the City which may cause expenditure of funds; on file in the Office of the City Clerk.

#1881 Nagy Beskalis, Meriam Beskalis, Tarek Beskalis, Mary Beskalis, and Daniel Beskalis (Claims denied)
9. Adoption of an Agency Resolution for Approval of Modification to the 2006 Tax Allocation Bond Restructuring
10. Adoption of an Agency Resolution Approving Termination of a Ground Lease for 925 Cumberland Street by and between the Redevelopment Agency of the City of Pittsburg and the Northern California Conference Association of Seventh Day Adventists
11. Adoption of a City Council Resolution Awarding a Construction Contract 2008-11, Civic Center Improvement Project (Phase 3)
12. Adoption of a City Council Resolution for Acceptance of Certain Public Improvements within Subdivision 8448, Vista Del Mar, for Continuous Maintenance
13. Adoption of a City Council Resolution for Acceptance of Certain Public Improvements within Subdivision 9042, Vista Del Mar, for Continuous Maintenance
14. Adoption of a City Council Resolution for Acceptance of Certain Public Improvements within Subdivision 9112, Vista Del Mar, for Continuous Maintenance
15. Adoption of a City Council Resolution for Acceptance of Certain Public Improvements within Subdivision 9113, Vista Del Mar, for Continuous Maintenance
16. Adoption of a City Council Resolution for Award of Contract 2007-22 to LCA of Walnut Creek for Construction Services for Fire Station 84
17. Adoption of a City Council Resolution Accepting Contract 00-08, West Leland Road Extension as Complete and Authorizing the City Engineer to Execute a Notice of Completion
18. Adoption of a City Council Resolution Authorizing Consultant Agreement Amendment No. 1 and Awarding Contract 2005-13, Fire Station 85, to Pacific-Mountain Contractors of California Inc., of Concord, California
19. Adoption of a City Council Resolution for Acceptance of Contract No. 2007-27, Site Electrical Systems, Security Camera Installations, Various Locations, as Complete
20. Adoption of a City Council Resolution Approving Maintenance Work I Staffing Allocation Temporary Over-Hire

ADJOURNMENT

The meeting was adjourned at 7:20 p.m. to Monday, November 17, 2008.

Respectfully submitted,

Alice E. Evenson, City Clerk