

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

DATE: September 2, 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 REAL PROPERTY NEGOTIATOR (Section 54956.8):

Property: Southwest corner of Los Medanos and East 10th Street (APN 085-205-011); Agency Negotiator: Marc Grisham, Randy Starbuck, Kerry Lyman;
Negotiating Parties: Ariston L. Loyola, Gloria D. Loyola, and Joseph Loyola;
Under Negotiation: Both price and terms of payment

Property: 1037 Cumberland Street (APN 085-205-004); Agency Negotiator: Marc Grisham, Randy Starbuck, Kerry Lyman; Negotiating Parties: Jorge Fernandez and Genoveva Fernandez; Under Negotiation: Both price and terms of payment

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

Gloria Vaughn, et al v. City of Antioch, et al, Contra Costa County Superior Court, Case No. C0-00045

3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Initiation of Litigation Pursuant to subdivision (c) of Section 54956.9):

One (1) case

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

ROLL CALL

All Members were present.

PLEDGE OF ALLEGIANCE

Officer Dan Callahan led the Pledge of Allegiance.

COUNCIL MEMBER REPORTS/REMARKS

Council Member Johnson attended the Mayors Ice Cream Social on Sunday at Small World Park. He also attended Michael Kee's crawdad feed as well as several veterans meetings.

Vice Mayor Parent has been attending the Wednesday night events in Old Town. She also reported that the City center Pharmacy is open and thanked staff for helping them gain acceptance into the health group that the county subscribes to. The current art show in City Hall was a judged show which features water colors and is a very nice display. The Hip Hop Car Wash did a great job on Saturday. She also attended the Mayors Ice Cream Social. Finally, she attended the quarterly luncheon at the Senior Center sponsored by Keller Canyon Funds.

CITY MANAGER REPORTS/REMARKS

Assistant City Manager Rodriguez complimented Finance Director Marie Simons on obtaining the Certificate of Achievement for Excellence in Financial Reporting Award for the Comprehensive Annual Financial Report (CAFR).

This weekend there will be a special celebration with the delegation of 47 coming from the Sister City of Shimonoseki. Other events this week are: Celebrate Old Town on Wednesday, the Car Show featuring Truck Night, and the first Cinema Under the Stars.

CITIZENS REMARKS

Mark Pryor presented an outreach program on September 20 in Bay Point which will provide resources to low income residents.

Rich Byte announced an event with Cub Scout Pack 15 – the Water Bottle

Rocket Derby – Black Diamond District to be held at Stoneman Park and asked for waiver of fees for the event.

Betty Brown, Business Manager of Pittsburg Community Theater (PCT), stated that the shared facility usage between the City and PUSD has allowed PCT to continue. PCT has received 31 Shelley awards. She thanked the City for their continued support.

Mike Schneider thanked the City for support for the First Annual Contra Costa County Law Enforcement Memorial Event to be held on September 21, 2008 at Buchanan Park.

Reyna Zepeda spoke to the street construction in Old Town and expressed hope that the work could be completed sooner than anticipated. She stated her parents' business was suffering as a result of the construction.

Bruce Ohlson spoke to Consent Calendar Item 19 regarding the traffic signal at Balclutha and Willow Pass. He requested that bicycles be accommodated in that area.

CITY COUNCIL MEETING

PUBLIC HEARING

4. Introduction of an Ordinance Amending Pittsburg Municipal Code, Title 5, Chapters 54.04 and 5.12 Relating to Business Licenses and Business Permits

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

Vice Mayor Parent questioned a conflict of language between Sections 5.12.140 and 5.12.030c which needs to be checked before the second reading. Also, Section 5.12.210(b) concerning the revocation process should be spelled out as to how service is to be accomplished.

City Attorney Ziegler stated those changes can be incorporated into the ordinance for the second reading.

On motion by Vice Mayor Parent, seconded by Member Johnson and carried unanimously to approve with corrections to the ordinance prior to the second reading as noted above by Vice Mayor Parent.

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 Johnson stated he would recuse himself from Item 16 as he lives within 300 feet of the area in question.

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

City Attorney Ziegler stated that staff requests Item 7 be removed from the Consent Calendar and continued to September 15, 2008.

On motion by Vice Mayor Parent, seconded by Member Johnson and carried unanimously to approve removing Item 7 from the Consent Calendar and rescheduling it for the September 15, 2008 Council Meeting.

On motion by Vice Mayor Parent, seconded by Member Kee and carried unanimously to approve the Consent Calendar, without Item 7.

5. Minutes of August 4, 2008 and August 21, 2008

6. Claims - Claims against the City which may cause expenditure of funds; on file in the Office of the City Clerk.

#1842 Sybil Alvarez/Maria (Amended); #1839 David Wade (Claims denied)

Item 7 was pulled and continued to September 15, 2008.

7. Adoption of an Agency Resolution for Authorizing the Executive Director to Enter into the Consultant Agreement by and between the Redevelopment Agency of the City of Pittsburg and Pacific Community Services, Inc.

8. Adoption of an Agency Resolution for Consideration of a 6-Month Extension to an Exclusive Negotiating Rights Agreement (ENRA) with Garaventa Enterprises, Inc. for a Mid-Rise Office Building in the Civic Center

9. Adoption of an Agency Resolution Authorizing a Contract with Los Medanos Community Foundation for Study of the Living Learning Communities Project

10. Adoption of an Agency Resolution Authorizing the Executive Director to Execute Written Approvals for Parcel 085-165-0180-4 and Approving the Territory for Annexation to Community Facilities Districts No. 2005-1 (Public Safety Services) and No. 2007-1 (Park Maintenance Services)

11. Adoption of both an Agency and City Council Resolution for Approval Sale of Real Property by the City of Pittsburg to the Redevelopment Agency

12. Adoption of both an Agency and City Council Resolution for Consideration of the Sale of Real Property by the City of Pittsburg to the Redevelopment Agency of the City of Pittsburg to Fulfill Terms of an Agreement with the State for a New Courthouse in Pittsburg's Civic Center

13. Adoption of both an Agency and City Council Resolution Authorizing the City

Manager/Executive Director to Enter into Agreements with Wilbur Smith and PBS&J, and Appropriating Funds to Conduct a Traffic Study and Program Environmental Impact Report for the Railroad Avenue Specific Plan

14. Adoption of a City Council Resolution for Acceptance and Approval of Promoting Safe and Stable Families Grant and Keller Canyon Special Needs Grant Funding
15. Adoption of a City Council Resolution Awarding Contract for the Purchase and Installation of Central Irrigation Control System Equipment
16. Adoption of a City Council Resolution to Initiate a Study to Amend Certain Zoning and General Plan Designations in the Southeast Hills from Residential to Open Space
17. Adoption of a City Council Resolution to Award Contract 2008-14, Bodega Well Pump Station Project, to Howk Systems, Inc.
18. Adoption of a City Council Resolution Allocating Funding for Contract 2008-20, Traffic Signal at Balclutha Way and Willow Pass Road
19. Receive and File the Investment Report as of June 30, 2008
20. Adoption of a City Council Resolution for Approval of Proposed Territory for Annexation to the Community Facilities District 2007-1 (Park Maintenance Services)
21. Adoption of a City Council Resolution for Approval of Proposed Territory for Annexation to the Community Facilities District No. 2005-1 (Public Safety Services)
22. Adoption of a City Council Resolution Authorizing Funding Allocation for FY 2008/09 Parkland Dedication Fee Improvement Plan

ADJOURNMENT

The meeting was adjourned at 7:42 p.m. to Monday, September 15, 2008 *in memory of Fairfield Council Member Matt Garcia who died today after a gunshot wound to the head last night.*

Respectfully submitted,

Alice E. Evenson, City Clerk