

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

DATE: May 19, 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 Will 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 having convened in Closed Session for the following:

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

Property: 2134 Shadow Court; Agency Negotiator: Marc Grisham, Randy Starbuck;
Negotiating Parties: Rajinder Raju; Under Negotiation: Both price and terms of payment

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

ROLL CALL

All Members were present.

PLEDGE OF ALLEGIANCE

William Glynn led the Pledge of Allegiance.

PROCLAMATION

a. National Public Works Week

Members of the Public Works Department were presented with a proclamation in honor of National Public Works Week. They announced a Public Works Day Celebration to be held on Thursday, May 22, 2008 in City Park.

PRESENTATIONS

a. Mayor's Make a Difference Day

The second Mayor's Make a Difference Day, to be held May 31, 2008 was announced. Students participating in the event thanked the Council for the opportunity to take part.

b. First Tee Program

Staff from the Delta View Golf Course announced the opening of the First Tee Program, a junior golf program.

c. American Legion Grant Award

Members of the American Legion presented Marine Corps Sgt. Carlos Segovia, a fellow veteran who served two tours in Iraq, with a grant award of \$500 and a membership in the local American Legion Chapter. Council Member Johnson presented Sgt. Segovia a proclamation honoring his service.

COUNCIL MEMBER REPORTS/REMARKS

Council Member Johnson stated he attended the grand opening of the car show in Old Town. He attended the Art di Strata on Saturday as well as the Farmers Market. He reported on the successful trip to Shimonoseki, Japan and Wenzhou, China. He invited everyone to the Veterans Memorial next Monday, Memorial Day, for the services there at 10:00 a.m.

Vice Mayor Parent attended the Art di Strata and the Farmers Market on Saturday. She attended the literacy committee meeting, made up of the Chamber of Commerce, City Manager's Office, PUSD and the Creative Arts Building committee. She attended the Kennedy-King Scholarship Dinner. She commented on the Measures on the June ballot pertaining to eminent domain. She also reported on her trip to Germany and Italy on behalf of the Pittsburg Power Company and presented a slide show from the trip.

Council Member Kee reported on the trip to Japan and China. In Shimonoseki, they celebrated the 10th Anniversary of the Sister City relationship between the two

cities. In Shanghai, China, they met with Sino-Chem Corporation. In Wenzhou, China they signed a Friendship City agreement, but began formal Sister City proceedings.

CITY MANAGER REPORTS/REMARKS

City Manager Grisham commented on the successful trip to Japan and China and stated he was hopeful to establish an economic relationship particularly with Wenzhou, China.

CITIZENS REMARKS

Ron Brown called to speak. He asked for an investigation of the illegal grading in the San Marco area.

Willie Mims called to speak. He commented on the need for a stop light at California and Diane Avenues.

Michael Lengyel called to speak. He applauded the City for the updating of the website, particularly for making documents available on line. He does, however, think that the Anchor Lines publication should be discontinued as a cost saving measure. He feels this could better be included with the water billing.

REDEVELOPMENT AGENCY

PUBLIC HEARING

4. Adoption of an Agency Resolution to Approve the First Amendment to Owner Participation and Loan Agreement by and between the Redevelopment Agency of the City of Pittsburg and BioZone Laboratories, Inc.

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

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

COMBINED REDEVELOPMENT AGENCY AND CITY COUNCIL

CONSIDERATION

5. Adoption of Both an Agency and City Council Resolution Approving the City Park Master Plan and Adopting the Mitigated Negative Declaration and Mitigation and Monitoring Plan

Sue Lopez called to speak. She stated the park is gone; everything has changed and it is now destroyed. She is particularly concerned about destruction of the trees.

Rudy Escajeda called to speak. He spoke as the President of the Pittsburg Pony Baseball League. He is in favor of the improvements at City Park and hopes the City will not pass up this opportunity.

David Manly called to speak. He spoke against fencing in the Park. He believes this makes our public park a private park.

Norma Ocasio called to speak. She stated she has a passion for this particular project. She hopes another ten years does not pass before seeing this park come to its full potential.

Gregory Osorio called to speak. He stated he is not against a sports complex, he just doesn't think it belongs in the center of town. He thinks a sports complex would create a venue for a small sector of the public.

Daniel Lopez called to speak. He is opposed to the City Park Master Plan and believes there has not been enough input from the community.

Mike Lengyel called to speak. He also requested the Council not make a decision tonight and to gather more community input prior to making a decision.

Crystal Hawkins called to speak. She would like City Park to remain open to the general public rather than closing it off for private sports venues.

David Littleton called to speak. He believes this should be sent back for further study rather than create an exclusive and exclusionary park. He would like to see a science discovery center in the middle of the park. Sports should not be a main focus.

Rick Cendejas called to speak. He does not see much activity in the park since being fenced out. He also believes there will be a great impact to the neighborhood in general.

Dario Arredando called to speak. He spoke as President of the Bay Area Soccer Academy. He does not want to see the park privatized. He would like to see more community input before making a decision.

Alice Bartley called to speak. She does not believe there should be an entry fee for City Park. She would like to see this kept as a family park and not a sports complex.

Charles Glasper called to speak. He was concerned about how the public was notified about this project. He feels this was not published very well. He is not against a sports park but does not feel it belongs in the middle of town. He would like to see this as a family park.

Willie Mims called to speak. He hopes the City will not apply for the Tree City

award this year as trees have been cut all over town. The trees provide an environmental filtering system to all citizens. He thinks this item should be put to the vote of the people. He thinks citizens should have full participation in the process. He is also offended that the Council does not direct staff to answer questions posed by the public.

Michael Sarabia called to speak. He stated the way to build a community is to build a park.

On motion by Nancy Parent, seconded by Ben Johnson to continue for 60 days and carried unanimously to approve.

CITY COUNCIL MEETING

PUBLIC HEARING

6. Adoption of a City Council Resolution for Approval of the 2008-2009 Community Development Block Grant (CDBG) Annual Action Plan

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

On motion by Vice Mayor Parent, seconded by Member Evola and carried unanimously to approve.

CONSIDERATION

7. Adoption by Minute Order of City Initiated Hillside Regulations Evaluation of Options for CEQA Compliance

Member Evola recused himself from this item due to this financial interest and his employer who will be materially affected by this ordinance. He left the dais at this time.

Michael Sarabia called to speak. He commented on the economic climate that currently exists. He commented on areas that have more than a thousand homes on the market.

Dennis Linsley called to speak. He is a member of Save Our Hills. He clarified that their organization does want a hillside ordinance that regulates building in the hills. He does not believe the existing plan offers the protection needed.

Michael Lengyel called to speak. He believes this item should be postponed for a while to explore funding to pay for the EIR.

Christina Wong called to speak. She represents Greenbelt Alliance. They would like the Council to adopt Option 2.

Joyce Gunn called to speak. She believes the EIR should be done.

Willie Mims called to speak. He believes this issue has been worked on for the past ten years. He does not want the CEQA process bypassed.

Christina Armor called to speak. She represents the Delta Group of the Sierra Club. The hillside ordinance is needed but now because of lack of resources the item is proposed to be tabled indefinitely. She is not confident that there will now be no development in the hills.

Ron Brown called to speak. He represents Save Mount Diablo. He commented on the noticing of this item. He stated this issue was noticed as a Consent Calendar item with no chance for comment. He believes the time to create a hillside ordinance is when there is an economic downturn such as this.

Motion by Vice Mayor Parent, seconded by Member Kee to approve that consideration of the funding of an EIR for the hillside regulations be continued to the second meeting in July. The motion failed by the following vote:

AYES: Vice Mayor Parent, Member Kee
NOES: Member Johnson, Mayor Casey
ABSENT: Member Evola [Recused]

Motion by Member Johnson, seconded by Mayor Casey to approve Option 1. The motion failed by the following vote:

AYES: Member Johnson, Mayor Casey
NOES: Vice Mayor Parent, Member Kee
ABSENT: Member Evola [Recused]

On motion by Vice Mayor Parent, seconded by Member Kee to approve revisiting this issue at a future date uncertain subject to Council Members agreeing to call it back, and approved by the following vote:

AYES: Member Kee, Vice Mayor Parent, Mayor Casey
NOES: Member Johnson
ABSENT: Member Evola [Recused]

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

There was no conflict of interest declaration.

COMBINED CONSENT CALENDAR FOR REDEVELOPMENT AGENCY, PITTBURG

POWER COMPANY AND CITY COUNCIL

Member Johnson noted a typo in the date in Item 16 which needed correction.

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

8. Minutes of May 5, 2008
9. Claims – #1827, Morton Bradley; #1835 Regina E. Robb (Claims Denied)
10. Adoption Of Both An Agency Resolution And A City Council Resolution Authorizing The Executive Director To Execute A Grant Deed From The Redevelopment Agency Conveying Title Of Real Property To The City Of Pittsburg To Be Used As Part Of The City Park System
11. Adoption Of Both An Agency And City Council Resolution Approving A List Of Civil Engineering Firms For On-Call Professional Engineering Services As Required By Staff And Authorizing The City Manager/Executive Director To Enter Into Agreements With Selected Firms
12. Adoption Of A City Council Resolution Requesting The Consolidation Of The Municipal Election With Other Elections To Be Held On Tuesday, November 4, 2008 General Election Date For The Election Of Certain Officers As Required By The Provisions Of The Laws Of The State Of California Relating To General Law Cities And Levying A Charge And Establishing Word Limitation For Candidates Statements
13. Adoption Of A City Council Resolution To Establish Deputy City Clerk Salary Range And Authorize One Position
14. Adoption Of A City Council Resolution To Authorize Use Of Marina Reserve Funds For Numerous Miscellaneous Purchases And/Or Services
15. Adoption Of A City Council Resolution Accepting Contract 2008-04, West Leland Road Patch Paving Project As Complete And Authorizing The City Engineer To File A Notice Of Completion
16. Adoption Of A City Council Resolution For Correction To Approved Amendment No. 1 To The Delta Household Hazardous Waste Collection Facility Agreement
17. Adoption Of A City Council Resolution Accepting As Complete Contract 2004-10; Downtown Water, Sewer, And Storm Drain Improvements As Part Of The Old Town Infrastructure Project
18. Adoption Of Minute Order For City Council Authorization To The City Manager To Explore Alternative Service Providers For Information Technology Services For FY

2008-09

ADJOURNMENT

The meeting was adjourned at 10:04 p.m. to Monday, June 2, 2008.

Respectfully submitted,

Alice E. Evenson, City Clerk