

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

**DATE:** February 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)

**WORKSHOP**

Architectural Students from Cal Berkeley presented their Railroad Avenue Corridor Study.

**CLOSED SESSION**

The City Council convened in Closed Session at 6:30 p.m. for the following items:

1. Conference with Legal Counsel – Existing Litigation (Section 54956.9(a)): Thomas L. LaFleur vs. Redevelopment Agency of the City of Pittsburg; Contra Costa County Superior Court Case No. C07-02602.
2. Conference with Legal Counsel – Initiation of Litigation Pursuant to Subdivision (c) of Section 54956.9: One (1) case.
3. Conference with Real Property Negotiation (Section 54956.8): Property: 088-300-017 (Harbor Street Site); Agency Negotiator: Randy Starbuck, Marc Grisham; Negotiating Parties: Mark Bonnett; Under Negotiation: Both Price and Terms of Payment.

**CALL TO ORDER**

Mayor/Chair Will Casey called the meeting of the Redevelopment Agency and 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.

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

### **ROLL CALL**

Agency/Council Member Evola was absent and excused.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance of recited.

### **COUNCILMEMBER REPORTS/REMARKS**

Vice Mayor Parent attended the Harriet Tubman concert at the Creative Arts Building on February 9 which was an excellent performance.

### **CITY MANAGER REPORTS/REMARKS**

City Manager Grisham stated he had nothing to report.

### **CITIZEN REMARKS**

There were no citizens' remarks.

### **REDEVELOPMENT AGENCY CONSIDERATION**

8. Adoption Of Both An Agency Resolution and City Council Resolution for Approval of an Architectural Contract by and between the Redevelopment Agency of the City of Pittsburg and JMA Architecture

Alfred Affinito called to speak. He stated he had some serious financial questions on this project as it is no longer a private project. It is now a public project with a public building. The community does not support the amount of money it will take to complete the project and does not feel this is a good investment, or an appropriate use of public funds.

Tom LaFleur called to speak. He agreed with Mr. Affinito's comments and analysis.

On Motion by Member Kee, seconded by Vice Chair Parent, to approve the resolution with the caveat that prior to proceeding with documents full funding be in place, and carried by the following vote:

AYES: Johnson, Kee, Parent, Casey  
ABSENT: Evola

## **CITY COUNCIL PUBLIC HEARING**

9. Adoption of a City Council Resolution Establishing Underground Utility District 2008-01 in Connection with Construction of Contract 2007-01, Davi Avenue Widening Project

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

On motion by Member Johnson, seconded by Vice Mayor Parent to approve the resolution. The motion was carried by the following vote:

AYES: Johnson, Kee, Parent, Casey  
ABSENT: Evola

10. Adoption of a City Council Resolution to Pass on the Increase in Contra Costa Water District's Untreated (Raw) Water Service Revenues and Facilities Reserve Charges

City Engineer Joe Sbranti stated that in discussion regarding these charges it has been determined that the Contra Costa Water District would prefer to charge these charges directly. He recommended opening the public hearing and continuing the item.

Mayor Casey opened the Public Hearing. There being no one to speak to the item, it was continued until March 3, 2008.

## **CONSIDERATION**

11. Adoption of a City Council Resolution Approving Establishment of an Annual Condominium Conversion Rate

On motion by Member Johnson, seconded by Member Kee to approve and carried by the following vote:

AYES: Johnson, Kee, Parent, Casey  
ABSENT: Evola

## **CONFLICT OF INTEREST DECLARATION**

There were no conflict of interest declarations.

## **REDEVELOPMENT AGENCY, AND CITY COUNCIL COMBINED CONSENT CALENDAR**

On motion by Member Johnson, seconded by Vice Mayor Parent to adopt the Consent Calendar without items 18 and 19 and carried by the following vote:

AYES: Johnson, Kee, Parent, Casey  
ABSENT: Evola

12. Minutes Of February 4, 2008
13. Claims Denied: #1792 Barry Canavero; #1779 Robert James Wright
14. Adoption of an Agency Resolution Authorizing the Executive Director to Execute a Lease Agreement, a Consultant Agreement, and Amended and Restated Loan Documents by and between Francis Palermo and Mary Leiser and the Redevelopment Agency of the City of Pittsburg
15. Adoption of an Agency Resolution Authorizing the Executive Director to Release One-Half of the Project Retention for Entrata (Formerly Known as Gateway Mixed Use Development)
16. Adoption of Both an Agency and City Council Resolution Authorizing a FY 2007/08 Budget Increase Amendment and Award of Ongoing On-Call Contracts for Code Enforcement Abatement and Board Up Services Performed Both for the City and Redevelopment Agency
17. Adoption of Both an Agency and City Council Resolution Allocating Additional Funding for Design of contract 2006-14, El Dorado Heights pavement Rehabilitation Project
20. Adoption of a City Council Resolution Approving a Deferred Compensation Program
21. Adoption of a City Council Resolution Authorizing Declaration of Surplus City Property – FY 2007-08 Information Technology Equipment
22. Receive and File the Report on the Review of Development Impact Fees Received by the City of Pittsburg that are Subject to AB 1600 Reporting Requirements
23. Adoption of a City Council Resolution to Accept the 2007 CDBG Handicap Ramp Installation Project as Complete
24. Adoption of a City Council Resolution to Accept the Water Plant Dry Sludge Removal and Disposal Contract as Complete
25. Receive and File the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2007 and the "Audit" Memorandum on Internal Control Structure for the Year Ended June 30, 2007 and Other Miscellaneous Audit Reports

The following two items were removed from the Consent Calendar for comments:

18. Adoption of Two City Council Resolutions: Approving Sky Ranch II EIR Addendum and Initiating LAFCO Proceedings for an Amendment to the Sphere of Influence for the Contra Costa Water District

City Attorney Ziegler stated there has been additional information which the Council needs to be aware of obtained from LAFCO regarding certain issues on additional references of the applicable provisions of the CEQA guidelines, identifying the exact Amount of acreage involved and the reason for using an addendum rather than any other documents involved and incorporating these minor modifications into the resolution.

On Motion by Vice Mayor Parent, seconded by Member Johnson to approve and carried by the following vote:

AYES: Johnson, Kee, Parent, Casey  
ABSENT: Evola

19. Adoption of a Cit Council Resolution Regarding Adoption of a Negative Declaration and Re-Initiating LAFCO Proceedings for the reorganization of the Mirant Power Generation Plant

City Attorney Ziegler stated there has been additional information which the Council needs to be aware of obtained from LAFCO regarding certain issues on water usage that do not change the resolution.

On motion by Member Johnson, seconded by Vice Mayor Parent to approve and carried by the following vote:

AYES: Johnson, Kee, Parent, Casey  
ABSENT: Evola

## **ADJOURNMENT**

The City Council adjourned at 7:31 p.m. to Monday, March 3, 2008.

Respectfully submitted,

Alice E. Evenson, City Clerk