

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

DATE: March 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)

AUDIENCE REMARKS

There were no audience remarks regarding items on the Closed Session Agenda. The Council convened in Closed Session at 6:00 p.m. for the following items:

1. Conference with Labor Negotiators (Section 54957.6):

Agency Designated Representatives: Marc Fox, Marc Grisham; Employee Organization: AFSCME (Miscellaneous A), and AFSCME (Management/Professional/Confidential)

2. Conference with Legal Counsel – Existing Litigation (Section 54956.9(a)):

City of Pittsburg v. Albert D. Seeno Construction Co., et al., Contra Costa County Superior Court Case No. C0700459.

Alfred J. Abono, Jr. vs. City of Pittsburg et al, Contra Costa County Superior Court Case No. C07-01731

Alfred J. Abono, Jr., Mark W. Davis and Daniel Roay v. City of Pittsburg et al, United States District Court Case No. C07-3969.

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

Vice Mayor/Chair Parent was absent and excused.

PLEDGE OF ALLEGIANCE

Brad Nail led the Pledge of Allegiance.

PRESENTATIONS

- a. Assemblymember DeSaulnier – 2008 Legislative Plan

Assemblymember DeSaulnier outlined the 2007 legislation that was adopted. He also presented the 2008 legislative plan, which includes the State budget where there will be major cutbacks to reduce the deficit.

PROCLAMATION

- a. American Red Cross

A representative from American Red Cross was present to receive the proclamation, presented by Mayor Casey.

COUNCIL MEMBER REPORTS/REMARKS

Michael Kee stated he and Council Member Johnson attended the luncheon welcoming delegates from Sino-Chem. He attended the groundbreaking for United Spiral Pipe. He also is beginning planning of the Third Annual Pittsburg Youth Golf Tournament on May 23.

Council Member Johnson attended the luncheon for Sino-Chem as well as the United Spiral Pipe lunch and groundbreaking. He attended the East Bay Division League of California Cities planning the upcoming bocce tournament in Livermore.

Mayor Casey attended the United Spiral Pipe groundbreaking which was well attended and reported on by the media.

CITY MANAGER REPORTS/REMARKS

City Manager Grisham stated there was nothing to report.

CITIZENS REMARKS

Greg Enholm called to speak. He is a member of the Concord Naval Weapons Reuse Committee. He reported there has been a recommendation to request HUD and the US Navy to be given an extra year from the June 2008 deadline to submit the plan for the Concord Naval Weapons Station.

CITY COUNCIL MEETING

PUBLIC HEARING

3. Introduction and Waive First Reading of an Ordinance Amending Pittsburg Municipal Code, Title 2, Chapters 2.48 and 2.50 Relating to the Community Advisory Commission

Mayor Casey opened the Public Hearing.

AJ Fardella called to speak. He stated commissions and committees such as the Community Advisory Commission and Recreation Commission are very important to the community. He believes the merging of the two Commissions is a good idea and was glad to see the compromise made in the number of Commissioners. He stated he is in support of the ordinance.

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

On motion by Michael B. Kee, seconded by Salvatore Evola to introduce and waive first reading of the Ordinance.

The motion carried by the following vote:

AYES: Kee, Evola, Casey

NOES: Johnson

ABSENT: Parent

4. Introduction and Waive First Reading of Ordinance Amending Title 10 of the Pittsburg Municipal Code Relating to Traffic and Vehicles

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

On motion by Ben Johnson, seconded by Michael B. Kee to approve introduction and waive first reading of the ordinance.

The motion carried by the following vote:

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

5. Adoption of a City Council Resolution for Approval of Issuance of \$10,000,000 of California Enterprise Development Authority Industrial Development Revenue Bonds for the Benefit of Ramar International Corporation and/or a Related Entity

Michael Kee recused himself as Ramar is a client of his. He left the dais at this time.

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

On motion by Ben Johnson, seconded by Salvatore Evola to approve the resolution.

The motion carried by the following vote:

AYES: Johnson, Evola, Casey
ABSENT: Kee [recused], Parent

Michael Kee returned to the dais after this vote.

CONSIDERATION – COMBINED REDEVELOPMENT AGENCY AND CITY COUNCIL

6. Received Fiscal Year 2007-2008 Mid-Year Financial Review Report and Adoption of a City Council Resolution and Agency Resolution to Authorize Revenue and Budget Adjustments for Fiscal Year 2007-2008

On motion by Salvatore Evola, seconded by Michael B. Kee to approve the report and adopt the resolutions.

The motion carried by the following vote:

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

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

There were no conflict of interest declarations.

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

On motion by Ben Johnson, seconded by Michael B. Kee to approve the Consent Calendar.

The motion carried by the following vote:

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

7. Minutes of February 19, 2008
8. Claims denied: #1828 Robert Fess
9. Adoption of an Agency Resolution Approving the Marina Commercial Building Project Revision.
10. Adoption of an Agency Resolution Amending Island Energy's Annual Budget for FY 2007-2008 to Provide Funds for Island Energy's Increasing Operational Costs and to Allow Due Diligence in Research Activities for the Future Commercial Development on Mare Island
11. Adoption of a City Council Resolution Approving an Updated Agreement with the Housing Authority of Contra Costa County to Reimburse the City of Pittsburg for Water and Sewer Services, Street Lighting and Landscaping, Street Sweeping and Other municipal Utility Services to the El Pueblo Project
12. Adoption of a City Council Resolution Awarding Purchase Contract for Two 2008 Ford F-750 Dump Trucks
13. Adoption of a City Council Resolution Accepting Contract 2007-10B, Railroad Avenue Corridor Landscape Improvements Project as Complete and Authorizing the City Engineer to File a Notice of Completion
14. Adoption of a City Council Resolution to Authorize Funding Payments to Contra Costa County Pittsburg Library for Additional Hours of Service in the Amount of \$91,300 for Fiscal Year 2007-2008
15. Adoption of a City Council Resolution Accepting 2006-11, El Dorado Heights Sewer Water Improvements Project as Complete and Authorizing the City Engineer to File a Notice of Completion
16. Adoption of a City Council Resolution to Amend Personnel Rule 28, Harassment and Discrimination Policy and Complaint Procedure
17. Adoption of a City Council Resolution Accepting as Complete Contract 2007-21, Housing Authority Furnishings, Furniture and Equipment

18. Adoption of a City Council Resolution Authorizing the City Manager to Release One-Half of the Project Retention to Ranger Pipelines Inc. of San Francisco, California for Contract 2004-10B, Downtown Pittsburg Utility Undergrounding Project

19. Adoption of a City Council Resolution Authorizing the Mayor to Send a Letter to the Regional Water Quality Control Board Opposing Adoption of the "Municipal Regional Permit" as Currently Proposed

20. Adoption of a City Council Resolution of Support for Sutter Delta Medical Center Urging Contra Costa County to Enhance Emergency Medical Services in East Contra Costa County

ADJOURNMENT

The meeting was adjourned to Monday, March 17, 2008, in memory of Kevin Miya, a City of Pittsburg employee.

Respectfully submitted,

Alice E. Evenson, City Clerk