

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

DATE: February 17, 2009

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

CITY COUNCIL/AGENCY MEMBERS

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

CONTINUATION OF PUBLIC HEARING APPEAL

PLANNING COMMISSION APPEAL

1. Adoption of a City Council Resolution for Appeal of the Planning Commission Revocation of the Use Permit for La Hacienda Bar (U-83027)

Staff presented the appeal to the Council.

Maria Ocun, appellant, stated she had not received a copy of the staff report.

Property Owner Jose Rodriguez, Sr. also stated he had not received a copy of the staff report.

Jose Rodriguez, Jr., the property owner's son, who was serving as a translator for Mr. Rodriguez, Sr. also stated he had not received a copy of the staff report.

All parties were then given copies of the staff report. Because they had just received those copies, it was agreed by all parties to continue the Public Hearing to March 16, 2009 at 5:00 p.m.

CALL TO ORDER

Mayor/Chair Parent called the meeting of the City Council to order at 7:10 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having

convened at 5:00 for the continuation of the Public Hearing appeal, and at 6:30 p.m. for closed session for the following items:

2. Conference with Legal Counsel – Anticipated Litigation (Section 54956.9(b)):

One (1) case

ROLL CALL

All Members were present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PRESENTATION

Los Medanos Community Healthcare District Presentation for Reading Zone

Darnell Turner, President of the LMCHD presented a check from a grant award in the amount of \$5,000 for The Reading Zone. Bobbie Palmer, Executive Director of LMCHD also spoke to the mission of the District.

COUNCIL MEMBER REPORTS

Member Johnson attended the grand opening of the remodeling of the 185th MP National Guard facility. He attended the Disabled Veterans Meetings and American Legion fundraiser in Lafayette, and the United Veterans Council Executive Board Meeting.

Vice Mayor Evola attended the Delta Diablo Sanitation District Board meeting on the Mayors behalf. The District received a prestigious safety award.

Mayor Parent commented that Delta Diablo Sanitation District is on target to receive a nationwide award. She also attended the Mayors Conference in Danville where a representative from the Bay Conservation District spoke. She and the Vice Mayor attended the NAACP Black History Program held at the First Baptist Church in Pittsburg. The keynote speaker was Alice Huffman, President of the State Organization of the NAACP. She noted it was also the 100th Anniversary of the NAACP.

CITY MANAGER REPORT

City Manager Grisham stated he had nothing to report.

CITIZENS REMARKS

Betsy Phair spoke regarding the EJ Phair Brewery project and the Enterprise Zone rewards that were promised and in existence during the inception of the project. She

hoped the City would honor the contract with EJ Phair.

JJ Phair stated he is committed to the City of Pittsburg. He stated that 90% of the money committed to the project has gone towards retrofit of the building. He stated that there is no better use for the property than his plan and hopes that the full project will continue forward.

Bill Fulk stated he is an employee of EJ Phair. He stated he was excited to hear that EJ Phair was going to open in Pittsburg and hopes that the project would continue.

Andrew Williams spoke on behalf o EJ Phair Brewing Company and all other projects it the downtown area. He knows EJ Phair will be a destination in the future.

Jacquelyn Higgins spoke in support of EJ Phair and hoped that the project would continue as scheduled. She cited other breweries that she visits and agrees that it would be an attraction that includes visiting other local venues.

Marty Holderman stated that as a resident he is happy to see EJ Phair Brewery coming to the City and hopes the project will continue.

Richard Sestero represents West Coast Home Builders and spoke to items 10 and 129 on the Consent Calendar. He had concerns that the item has come about quickly and had hoped the MOU would be on the agenda also this evening. He would like to se item 19 continued until the MOU can be finalized. For item 10, he would like to propose that the Oak Hills Shopping Center references be stricken from the resolution.

Cora Manuel wanted to voice her support for EJ Phair.

Burt Weinstein spoke to the EJ Phair project and hoped that the project would continue as planned.

Mike Baeta spoke in support of the EJ Phair project.

Phil Quinlan spoke regarding the EJ Phair project and hoped it would continue as planned.

COMBINED HOUSING AUTHORITY AND REDEVELOPMENT AGENCY CONSENT CALENDAR

On motion by Member Robinson, seconded by Member Casey to adopt the Consent Calendar and carried unanimously.

3. Minutes of January 20, 2009.
4. Disbursement List dated January 31, 2009.
5. Adoption of both a Housing Authority and Redevelopment Agency Resolution for

Authorization to Transfer Ownership of Properties Located at 2105 Abbott Avenue and 1027 Bending Willow Way, Pittsburg, California from the City of Pittsburg Redevelopment Agency to the Pittsburg Housing Authority.

REDEVELOPMENT AGENCY MEETING

CONSIDERATION

6. Adoption of a Redevelopment Agency Resolution for Consideration of an Architectural Contract to Design a Proposed Renovation of the New Mecca Café at 306 and 324 Railroad Avenue

On motion by Member Kee, seconded by Vice Chair Evola and carried unanimously to approve.

CITY COUNCIL MEETING

COMBINED REDEVELOPMENT AGENCY AND CITY COUNCIL CONSENT CALENDAR

City Manager Grisham asked that item 19 be pulled and continued to March 2, 2009. He also stated items 10 and 22 had discussion points prior to approval.

On Item 10, all references to the Oak Hills Shopping Center can be removed.

Vice Mayor Evola had concerns regarding item 22 that the fees for the City Manager should be the same throughout, regardless of what particular role he was playing.

Vice Mayor Evola also stated he would recuse himself from items 10 and 19 on the Consent Calendar.

On motion by Member Johnson, seconded by Vice Mayor Evola, to approve the Consent Calendar with item 19 being continued to March 2, 2009, striking reference to the Oak Hills Shopping Center throughout item 10, and bringing the City Manager rate up to conform throughout the fee schedule on item 22, and carried unanimously.

7. Minutes

Minutes of February 2, 2009

8. Claims – Claims against the City which may cause expenditure of funds; on file in the Office of the City Clerk (Claims Denied)

#1908 Elvin Dotson

9. Adoption of an Agency Resolution to Award Security Camera Installation Contract for Marina Commercial Building

This item is continued to March 2, 2009:

10. Adoption of an Agency Resolution Awarding an Exclusive Negotiating Rights Agreement by and between the Redevelopment Agency of the City of Pittsburg and San Francisco Bay Area Rapid Transit District
11. Adoption of a Redevelopment Agency Resolution for Approval of an Option to Lease Agreement for 711 Railroad Avenue by and between the Redevelopment Agency of the City of Pittsburg and Christopher Lanzafame, Nancy D. Lanzafame and Frances L. Lanzafame
12. Adoption of an Agency Resolution Authorizing the Executive Director to Amend the Terms of a Commercial Rehabilitation Loan with Adam and Associates for 319 Railroad Avenue (APN: 085-108-001)
13. Adoption of a Redevelopment Agency Resolution Approving the Purchase of a Modular Building
14. Adoption of a City Council Resolution to Authorize Winter Chevrolet Inc. and Winter Honda Inc. 2008-09 Semi-annual Distribution Payments
15. Adoption of a City Council Resolution to Authorize Mazzei Pontiac-Cadillac, GMC and Mazzei Hyundai's 2008-09 Semi-Annual Distribution Payments and the City of Antioch's 2008-09 Annual Sales and Use Tax Disbursement Payment
16. Adoption of a City Council Resolution Authorizing the 2008/09 Application for a Joint Enterprise Zone Designation to Include Portions of the City of Pittsburg and Bay Point
17. Adoption of a City Council Resolution to Accept and Appropriate Funds from the Los Medanos Community Healthcare District
18. Adoption of an Agency Resolution for Consideration of a Community Sponsorship Grant for the Eddie Hart All In One Foundation
19. Adoption of a City Council Resolution Awarding a Contract to PMC to Prepare the Pittsburg/Bay Point BART Master Plan
20. Adoption of a City Council Resolution for Approval of a Memorandum of Understanding and Consenting to a Grant of Easement to Pacific Gas and Electric Company for a Pipeline within California Avenue and Loveridge Road for Conveying Gas
21. Adoption of a City Council Resolution Approving a Request to the Metropolitan Transportation Commission for the Allocation of 2009/10 Transportation Development Act (TDA) Article 3 Pedestrian/Bicycle Project Funding
22. Adoption of a City Council Resolution Amending the City of Pittsburg Master Fee Schedule to Revise the Personnel – Full Cost Hourly Rates

23. Adoption of a City Council Resolution for Approval of Proposed Territory for Annexation to the Community Facilities District No. 2005-1 (Public Safety Services)

ADJOURNMENT

The meeting was adjourned at 8:03 p.m. to Monday, February 27, 2009 for a budget workshop meeting.

Respectfully submitted,

Alice E. Evenson, City Clerk