

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

DATE: February 2, 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)

CALL TO ORDER

Mayor/Chair Parent 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 at 6:00 p.m. for closed session for the following items:

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

Redevelopment Agency of the City of Pittsburg v. Marine Express, Inc., Contra Costa County Superior Court Case No. C08-00960

2. Conference with Real Property Negotiator (Section 54956.8):

Property: 158 West Blvd.; Agency Negotiator: Marc Grisham, Randy Starbuck;
Negotiating Parties: William C. Shield; Under Negotiation: both price and terms of payment.

Property: 454 E. 9th Street; Agency Negotiator: Marc Grisham, Randy Starbuck;
Negotiating Parties: JP Morgan Chase Bank NA; Under Negotiation: both price and terms of payment.

Property: 430 E. 9th Street; Agency Negotiator: Marc Grisham, Randy Starbuck;
Negotiating Parties: David E. Harris; Under Negotiation: both price and terms of payment.

Property: 426 E. 10th Street; Agency Negotiator: Marc Grisham, Randy Starbuck;
Negotiating Parties: Willie Jones; Under Negotiation: both price and terms of payment.

Property: 350 E. 9th Street; Agency Negotiator: Marc Grisham, Randy Starbuck; Negotiating Parties: JP Morgan Chase Bank NA; Under Negotiation: both price and terms of payment.

Property: 438 E. Santa Fe Street; Agency Negotiator: Marc Grisham, Randy Starbuck; Negotiating Parties: IB Property Holdings LLC; Under Negotiation: both price and terms of payment.

ROLL CALL

All Members were present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PROCLAMATIONS

Go Direct/Direct Express Month

Fred McCauley accepted the proclamation on behalf of seniors. The proclamation will be taken to the Senior Center.

PRESENTATION

New Employee Introductions

Three new employees from the Public Works Department were introduced by Assistant Public Works Director Walter Pease.

COUNCIL MEMBER REPORTS

Member Johnson attended the League of California Cities employee resources meeting in Sacramento. He attended the Disabled Veterans Meetings. He attended the Chamber of Commerce annual installation dinner. He also attended the Island Energy Mare Island Advisory committee meeting.

Mayor Parent attended the California Association of Sanitation Agencies meeting in La Quinta on behalf of Delta Diablo Sanitation District (DDSD). She subsequently attended a dinner in Oakland where DDSD was awarded the Plant of the Year for Northern California. She attended a meeting in Walnut Creek with Contra Costa County, the Contra Costa County Mayors Conference and the League of California Cities representatives that updated everyone on climate change legislation. She attended a Tri Delta Transit meeting where she was elected chair, and was also elected ex-officio alternate member on CCTA. She attended the Contra Costa Council USA Meeting. She also attended the Mayors Conference. On Saturday she attended the Elks Club meeting to greet the California Exalted Ruler.

CITY MANAGER REPORT

Deputy City Manager Rodriguez stated we would be receiving water projection numbers regarding conservation some time this month.

CITIZENS REMARKS

Frederick Borst spoke regarding the closing of Power Avenue. He suggested closing this main thoroughfare would be a mistake.

CITY COUNCIL MEETING

PUBLIC HEARING

3. Adoption of a City Council Resolution for Appeal of the Planning Commission Revocation of the Use Permit for La Hacienda Bar (U-83-27)

Staff recommended that the public hearing be opened, testimony received, but continue the Public Hearing to February 17, 2009 at 5:00 p.m.

Mayor Parent opened the Public Hearing. There was no one to speak to the item, and the Public Hearing remains open until February 17, 2009 at 5:00 p.m.

CONSIDERATION

4. Adoption of a City Council Resolution Approving Transfers in Accordance with the Reserve Policy Requirements for the General Fund and Internal Services Funds

On Motion by Member Evola, seconded by Member Casey and carried unanimously to approve.

CONFLICT OF INTEREST DECLARATION

There was no conflict of interest declaration.

COMBINED REDEVELOPMENT AGENCY, PITTSBURG POWER COMPANY, PITTSBURG ARTS AND COMMUNITY FOUNDATION INC., AND CITY COUNCIL CONSENT CALENDAR

On motion by Member Kee, seconded by Member Johnson, to approve the Consent Calendar without items 5, 7, 11, and 12 and carried unanimously.

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

#1865 Anne Sheeran

8. Adoption of an Agency Resolution for Consideration of an Amended and Restated Exclusive Negotiating Rights Agreement for the Proposed Civic Center Mid-Rise Office Building
9. Adoption of an Agency Resolution for Consideration of Terminating a Disposition and Development Agreement (DDA) with Antioch Building Materials, Co. (ABM)
10. Adoption of a City Council Resolution to Amend the Staffing Allocation Plan, Create a New Salary Range for Assistant Finance Director, and Adopt a New Salary Range for Director of Finance
13. Adoption of a City Council Resolution Amending the City's Personnel Rules Regarding the Hiring of Relatives of Elected Officials.
14. Adoption of an Ordinance Amending Pittsburg Municipal Code, Title 2, Section 2.52.040 Relating to Competitive Service Positions in the City of Pittsburg
15. Adoption of a City Council Resolution on Authorizing Consultant Agreement Amendment Number 1 for Design of Contract 2008-26, 2008/9 Citywide Sewer Rehabilitation Project
16. Adoption of a City Council Resolution for Acceptance of Grants within the Parks and Recreation Department
17. Adoption of a City Council Resolution Awarding Purchase Contract for Six Trucks, Three Sedans and One Van
18. Adoption of a City Council Resolution Accepting Plans and Specifications and Awarding Contract 2008-10, Seafood Festival/Bait Shop Electrical Utility Project to Ranger Pipelines, Inc. of San Francisco, California

The following items were removed from the Consent Calendar for discussion:

5. Minutes of January 20, 2009

Member Johnson stated on page 6, item 24, the motion was to add that staff will work with the adjacent property owner to establish an MOU letter agreement which would identify parameters for planning on that property. A correction to the minutes needs to be made.

On motion by Member Johnson, seconded by Member Kee and carried unanimously to adopt the minutes with changes reflecting the motion made to item 24 that staff will work with the adjacent property owner to establish an MOU letter agreement which would identify parameters for planning on that property.

7. Adoption of an Agency Resolution for Consideration of an Architectural Contract to Design a Proposed Renovation of The New Mecca Café at 306 and 325 Railroad Avenue

Member Kee questioned whether there was an additional breakdown in the fee summary. He questioned the construction administration and the dollar figure for the bidding process.

Vice Mayor Evola also questioned the fees, as well as building in the contingency and providing further analysis for a more "on target" final number.

Staff will review and bring the item back with the requested information.

The item is continued to the next Council Meeting on February 17, 2009.

11. Adoption of a City Council Resolution to Amend the Staffing Allocation Plan and Create a New Salary Range for Trans Bay Cable (TBC) Asset Manager and Community Relations Manager

Council Member Casey was concerned this item is on the Consent Calendar. He also questioned the subcommittee findings and whether or not this went before the subcommittee. He would like to look at the Power Company's financial status during the upcoming budget workshop prior to adopting this plan. He asked that the item be continued.

Vice Mayor Evola agreed that during this financial crisis we look at the status prior to adopting this resolution.

The item is continued to February 23 to be heard at the Budget Workshop meeting on that date.

12. Adoption of a City Council Resolution to Amend the Staffing Allocation Plan and Create a New Salary Range for Deputy Police Chief

Mayor Parent asked for this item to be removed as she felt there were issues with the budget as well. While this is a reallocation of positions and under the purview of the City Manager, it has the effect of extending more money both this year and next, has the effect of changing a position from "closer to the street" to another managerial position.

The item is continued to February 23 to be heard at the Budget Workshop meeting on that date.

ADJOURNMENT

The meeting was adjourned at 7:52 p.m. to Tuesday, February 17, 2009 at 7:00 p.m.

Respectfully submitted,

Alice E. Evenson, City Clerk