

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

DATE: April 6, 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 Parent called the meeting of the City Council to order at 7:17 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California, after having convened in Closed Session for the following items.

Mayor Parent stated there was no reportable action taken during Closed Session.

1. CONFERENCE WITH LABOR NEGOTIATORS (Section 54957.6):

Agency designated representatives: Marc Grisham, Matt Rodriguez, Marc Fox, Joe Sbranti, Marie Simons; Employee organizations: Police Officers Association

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: (Significant exposure to litigation pursuant to subdivision (b) of Section 54956.8):

Two (2) cases

3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: (Section 54956.9(a)):

Perla Vega, Barbara Vega, Norma Salazar v. Paul G. Robinson, et. al./Paul G. Robinson, Dianne Evans, Open Hearth LLC v. City of Pittsburg et. al.; Contra Costa County Superior Court Case No. C06-00459

Joseph J. Albanese, Inc. v. Black Diamond, Redevelopment Agency, et al, Contra Costa Superior Court Case No. CIVMSD 09-00335

Union Bank v. Black Diamond, Redevelopment Agency, et al, Contra Costa County Superior Court Case No. CIVMSD 09-00303

Freas Plastering Inc. v. Black Diamond, Redevelopment Agency, et al, Contra Costa County Superior Court Case No. CIVMSD 09-00372

Johnston Moyer, Inc. v. Black Diamond, Redevelopment Agency, et al, Contra Costa County Superior Court Case No. CIVMSD 09-00236

Thyssenkrupp Safeway, Inc. v. Black Diamond, Redevelopment Agency, et al, Contra Costa County Superior Court Case No. CIVMSD 09-00255

ROLL CALL

All Members were present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PROCLAMATION

Centennial Anniversary of NAACP

The proclamation was presented to Joseph Adebayo who received it on behalf of the East County NAACP.

National Sexual Assault Awareness Month

The proclamation was presented to Michele Nelson who received it on behalf of Community Violence Solutions.

PRESENTATION

Concord Naval Weapons Station Reuse Project Status Update

Michael Wright, Director of the Reusing Planning Project with the City of Concord reviewed a Power Point presentation outlining the status of the Reuse Project.

COUNCIL MEMBER REPORTS

Council Member Johnson attended the City-hosted City Park cleanup. He thanked all the groups that participated. He attended the Mayors Conference where he was elected as alternate ABAG representative representing the Mayors Conference. He

attended a DAV meeting. He attended the Kiwanis breakfast last weekend and attended Congressman Miller's Town Hall Meeting in Martinez. He attended the American Legion meeting. He also attended the Fil-Am Bataan memorial dinner.

Mayor Parent attended the Mayors Conference in Walnut Creek. The guests were representatives of the railroads that run the MoCoCo Line, and a representative from the Port of Oakland. Several East County Mayors met with the railroads in January regarding the graffiti issue on cars parked within East County cities. These Mayors reminded the railroad representative that nothing has been heard from the railroad regarding this issue since January. She attended the Fil-Am dinner where the featured speaker was a retired Navy Commander and Pittsburg High School graduate. She attended the Kiwanis breakfast and Easter Egg Hunt at Buchanan Park. She reminded everyone that the Hip Hop Car Wash is open every Saturday behind CarQuest on Railroad Avenue. She attended the Little League and Pony League season opening at City Park.

CITY MANAGER REPORT

Deputy City Manager Rodriguez stated the Council Chamber HVAC system is not working and apologized for the doors and windows being open. He asked that the Council pull Consent Item 10 to be continued to April 20, 2009. He also asked that Item 15 regarding the Sister City Item be pulled for discussion.

CITIZENS REMARKS

Bruce Ohlson called to speak. He thanked the Council for adding bicycle lanes on East Leland Road. He also commended Community Advisory Commissioners Larry Wirick and Theresa Miller for their efforts to bring CERT training to the City.

Item 15 from the Consent Calendar was heard at this time.

CITY COUNCIL CONSENT CALENDAR

15. Adoption of a City Council Resolution Approving the Formation of a Sister City Relationship with the City of Yahualica, Mexico

A representative from Club Yahualica spoke in favor of a Sister City relationship.

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

COMBINED PITTSBURG POWER COMPANY AND CITY COUNCIL CONSIDERATION

4. Adoption of both a Pittsburg Power Company and City Council Resolution Approving and Authorizing the City Manager/Executive Director to Execute an Agreement for Development of Water Lines Project with Mirant Willow Pass, LLC

Mike Lengyel called to speak. He opposed any agreements with the power plant and stated it was time to get rid of the plant forever. He cited health risks and global warming caused by plants like Mirant.

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

CITY COUNCIL MEETING

PUBLIC HEARING

5. Introduction and Waive First Reading of an Ordinance Amending Title 17 (Subdivision Ordinance) of the Pittsburg Municipal Code to Update Text and Incorporate Provisions of the State Subdivision Map Act

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

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

CONSIDERATION

6. By Minute Order, Create a Subcommittee for the Pittsburg Arts and Community Foundation Inc. and Appoint Two Council Members

On motion by Vice Mayor Evola, seconded by Member Casey and carried unanimously to approve to appoint Nancy Parent and Michael Kee to the subcommittee.

CONFLICT OF INTEREST DECLARATION

There were no conflict of interest declarations.

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

On motion by Member Johnson, seconded by Member Casey, to approve the Consent Calendar without items 10 and 15, and carried unanimously.

7. Minutes of March 16, 2009 and March 30, 2009

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

Claim #1911, Cea Madrigal; Claim #1902, Ranjit Johal

9. Rescinding Resolution 09-1351 and Adoption of an Agency Resolution to Approve the Submittal of an Application to the California State Department of Housing and Community Development Increasing the Funding Request Under the Infill Infrastructure Grant Program; the Execution of a Standard Agreement if Selected for Such Funding and Any Amendments Thereto; and Any Related Documents Necessary to Participate in the Infill Infrastructure Grant Program

Item 10 was continued to April 20, 2009.

10. Presenting the Southwest Pittsburg Geologic Hazard Abatement District II Annual Inspection Report and Adoption of a Resolution for Acceptance

11. Adoption of a City Council Resolution Accepting Plans and Specifications and Awarding Construction Contract 2007-35, West Leland Road Widening Project to Top Grade Construction of Livermore

12. Adoption of a City Council Resolution Accepting Plans And Specifications And Awarding Contract 2004-10C, Oldtown Infrastructure, Phase Three, Streets And Sidewalks Project to Ghilotti Bros., Inc. of San Rafael, California

13. Adoption of a City Council Resolution Approving Reallocation of Park Dedication Funds for City Park Ballfield Lights

14. Adoption of an Ordinance Adding Chapter 15.110 to the Pittsburg Municipal Code Relating to Transfer Credit

ADJOURNMENT

The meeting was adjourned at 8:19 p.m. to Monday, April 20, 2009.

Respectfully submitted,

Alice E. Evenson, City Clerk