

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

DATE: February 1, 2010

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 Evola 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 in Closed Session at 6:30 p.m. for the following items:

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (PITTSBURG POWER COMPANY):

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9:

One (1) case

2. CONFERENCE WITH LABOR NEGOTIATORS (Section 54957.6):

Agency designated representatives: Marc Grisham, Matt Rodriguez, Marc Fox, Neville Vania; Employee organizations: Teamsters

Mayor Evola announced no reportable actions were taken in Closed Session.

ROLL CALL

All Council Members were present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

COUNCIL MEMBER REPORTS

Member Johnson attended the League of California Cities committee meeting in Sacramento as well as the Tri Delta Transit meeting. He attended the Power Company meeting in Vallejo. He also reminded everyone to participate in the 2010 census.

CITY MANAGER REPORT

Deputy City Manager Rodriguez announced the Old Town Java Jive on Thursday evenings at Steeltown Coffee & Tea. He also mentioned that the Chamber of Commerce has relocated to the Entrata Building in Old Town.

CITIZENS REMARKS

Tammy Kyle and Darrel Hamilton, as members of the Home Owners Association, addressed the Council in the matter of flood insurance and FEMA requirements in the Harbor Lights subdivision. They were concerned that many homes will go into foreclosure because of this extra expense.

Willie Mims stated he was happy that the tree at Harbor Street was removed as it has been a hazard for some time. He stated the Consent Calendar is designed for routine business. He said that it is a violation of Section 54954 of the Brown Act when the public cannot pull items from the Consent Calendar as it does not allow meaningful public participation. He stated there is no other Council that operates in this manner.

Lucio Lara, public relations manager of People Who Care, invited everyone to the Hip Hop Carwash open house on February 12 from 2:00 to 6:00 p.m. He also thanked the Council for support of their computer classes.

Arjis Smith spoke on behalf of the Black College Tour and asked for a donation to help defray the costs of the trip for students.

CITY COUNCIL MEETING

PUBLIC HEARING

3. Adoption of a City Council Resolution of Necessity to Initiate Eminent Domain Proceedings to Acquire Real Property at 456 W. 8th Street (APN 085-2330-004-1) for Flood Mitigation

Mayor Evola opened the Public Hearing.

Willie Mims stated he had a problem with Eminent Domain as he felt the City had a history of not working with people when acquiring property this way. He questioned why the City has not fixed the storm drain problem rather than remove people from their property.

There being no one else to speak to the issue, Mayor Evola closed the Public Hearing.

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

CONFLICT OF INTEREST DECLARATION

There were no conflict of interest declarations.

COMBINED REDEVELOPMENT AGENCY, BAY AREA POWER LINK, PITTSBURG ARTS AND COMMUNITY FOUNDATION, PITTSBURG POWER COMPANY, SOUTHWEST PITTSBURG GHAD II, AND CITY COUNCIL CONSENT CALENDAR

On motion by Member Johnson, seconded by Vice Mayor/Chair Kee to approve without items 6 and 9 and carried unanimously.

4. Minutes of January 19, 2010
5. Adoption of a GHAD Resolution for Approval of List of Environmental Testing and Geotechnical Firms for On-Call Services and Authorizing Executive Director to Enter into Agreements with Selected Firms
7. Adoption of a City Council Resolution Approving Establishment of Annual Condominium Conversion Rate
8. Adoption of a City Council Resolution Approving Request to the Metropolitan Transportation Commission (MTC) for the Allocation of FY 2010/2011 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

The following items were considered separately:

6. Adoption of a City Council Resolution Approving Establishment of the 2010/2011 Annual Utility Area Fee

Willie Mims asked if the stormwater utility fee applies citywide to all homeowners.

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

9. Adoption of a City Council Resolution Approving Allocation of Funds for Slurry Seal and Patch Paving Programs for 2009-10 and for 2010-11

Willie Mims asked what part of the city the slurry seal is being applied to.

On motion by Member Johnson, seconded by Vice Mayor/Chair Kee and carried unanimously to approve.

ADJOURNMENT

The meeting was adjourned at 7:37 p.m. to February 16, 2010.

Respectfully submitted,

Alice E. Evenson, City Clerk