

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

DATE: November 5, 2018

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

CITY COUNCIL/AGENCY MEMBERS

Dwaine "Pete" Longmire, Mayor/Chair
Sal Evola, Vice-Mayor/Chair
Juan Antonio Banales, Council/Agency Member
Jelani Killings, Council/Agency Member
Marilyn Craft, Council/Agency Member
S.L. Floyd, Agency Member
Annie Hill Herring, Agency Member

APPOINTED OFFICIALS

Joe Sbranti, City Manager/Executive Director
Donna Mooney, City Attorney/Legal Counsel
Alice E. Evenson, City Clerk/Agency Secretary (elected)
Nancy Parent, City Treasurer (elected)

Mayor Longmire called the meeting of the City Council to order at 7:19 P.M. in the City Council Chamber at City Hall, 65 Civic Avenue, Pittsburg, CA after convening at 5:40 P.M. for Closed Session for the following items:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Section 54956.8):

Property: APN's 096-100-015, 096-100-027, 096-100-029, 096-100-031, 096-100-032, 096-100-033, 096-100-034, 094-080-002; Negotiators: Joe Sbranti, Garrett Evans, Maria Aliotti; Negotiating Parties: Southern Energy Delta LLC, GenOn Delta LLC, and EDS LLC; Under negotiation: Both price and terms of payment

2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION FOR THE SUCCESSOR AGENCY OF THE CITY OF PITTSBURG (Paragraph (1) of subdivision (d) of Section 54956.9):

Earth Construction and Mining vs. Successor Agency to the Former Redevelopment Agency of the City of Pittsburg, Contra Costa County Superior Court Case no. C13-00796

3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION FOR THE CITY OF PITTSBURG; Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9:

Three (3) cases

4. PUBLIC EMPLOYMENT PERFORMANCE EVALUATION (Pursuant to Section

54957):

City Manager

Mayor Longmire stated there was no reportable action taken in Closed Session.

ROLL CALL

All Members were present.

PLEDGE OF ALLEGIANCE

Public Works Director McKinley led the Pledge of Allegiance.

PROCLAMATION

Shelter-in-Place Education Day

There was no one to receive the proclamation.

PRESENTATIONS

Delta Watershed Education Program

Environmental Affairs Manager Laura Wright presented the Delta Watershed education program, sponsored by Dow Wetlands, LMC, US Fish and Wildlife, Pittsburg Unified School District.

CITY MANAGER'S REMARKS

Assistant City Manager Evans reported on upcoming events throughout the city.

CITIZENS REMARKS

Tim Manley, Pittsburg, updated the Council on PAL activities.

Christian Drackett, owner of Big Chop Boutique, asked for mitigation for the recent flood that impacted her business.

Charles Smith, Pittsburg, commented on the Delta Watershed Program. He also hoped the Council Members would sign LAFCO's protest form for the Los Medanos Community Hospital District take-over by the County.

Charles Smith, Pittsburg, also commented on Consent Calendar Item 19 and was concerned about the denial of his claim for damage to his vehicle on Stoneman Avenue.

PUBLIC HEARING

5. Introduction and Waive First Reading of an Ordinance Amending Pittsburg

Municipal Code Title 15 Buildings and Construction Relating to Post Disaster Assessment Standards

Mayor Longmire opened the Public Hearing.

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

On motion by Member Killings, seconded by Vice Mayor Evola to introduce and waive first reading of the Ordinance and approved unanimously.

6. Adoption of a City Council Resolution Adding Territory to Future Annexation Area of Community Facilities District 2016-1 (Maintenance of Project Facilities)

Mayor Longmire opened the Public Hearing. There being no one to speak to the issue, Mayor Longmire closed the Public Hearing.

On motion by Member Banales, seconded by Member Killings to adopt and approved unanimously.

7. Adoption of a City Council Resolution Adding Territory to Future Annexation Area of Community Facilities District 2017-1 (Fire Facilities and Fire Safety and Emergency Services)

Mayor Longmire opened the Public Hearing. There being no one to speak to the issue, Mayor Longmire closed the Public Hearing.

On motion by Vice Mayor Evola, seconded by Member Craft to adopt and approved unanimously.

CONSIDERATION

8. By Minute Order, Approve the Ceremonial Renaming of El Pueblo Avenue Between Diane Avenue to Treatro Street in Honor of Donald Pearman

Charles Smith, Pittsburg, questioned whether the residents of El Pueblo had input into this signage.

On motion by Mayor Longmire, seconded by Member Craft to adopt and approved unanimously.

Vice Mayor Evola recused himself from Item 9 due to his financial interest in the applicant which is a source of his income. He left the dais at this time.

9. Adoption of a City Council Ordinance Approving an Amendment to the Development Agreement between the City of Pittsburg and Garaventa Enterprises, Inc., a City Council Resolution Approving an Assignment and Assumption of Purchase and Sale Agreement between Garaventa Enterprises Inc. and the City of Pittsburg, and a City Council Resolution Approving an Amended and Restated Purchase and Sale Agreement between the City of Pittsburg and Stay Cal Pittsburg LLC

Bruce Ohlson, Pittsburg, hoped the City would consider the greenway and bicycle trail connecting the Delta DeAnza Trail through the project.

On motion by Member Killings, seconded by Member Craft to adopt the Ordinance approving the amendment to the development agreement between the City of Pittsburg and Garaventa Enterprises, Inc. and approved by the following vote:

AYES: Banales, Craft, Killings, Longmire
ABSENT: Evola

On motion by Member Killings, seconded by Member Banales to adopt the resolution approving an assignment and assumption of purchase and sale agreement between Garaventa Enterprises, Inc. and the City of Pittsburg and approved by the following vote:

AYES: Banales, Craft, Killings, Longmire
ABSENT: Evola

On motion by Member Craft, seconded by Member Killings to adopt the resolution approving an amended and restated purchase and sale agreement between the City of Pittsburg and Stay Cal Pittsburg LLC and approved by the following vote:

AYES: Banales, Craft, Killings, Longmire
ABSENT: Evola

Vice Mayor Evola returned to the dais at this time.

CONFLICT OF INTEREST STATEMENT

Mayor Longmire stated he would recuse himself from Item 12 and 19 as he and his family received donations for a recent family tragedy from parties mentioned in both items.

Member Killings asked that Item 19 be removed and considered separately.

COMBINED CITY COUNCIL AND PITTSBURG POWER COMPANY CONSENT CALENDAR

On motion by Craft, seconded by Member Banales to adopt the Consent Calendar without Item 17, and approved unanimously.

10. Minutes of October 15, 2018

11. Adoption of a City Council Resolution Approving an Exclusive Negotiating Rights Agreement between the City of Pittsburg and Clear Channel Outdoor Inc. for the Proposed Construction and Operation of a Digital Billboard

12. Adoption of a City Council Resolution to Approve the Lease Agreement by and between the City of Pittsburg and Global Resources Trading, LLC.

13. Adoption of an Ordinance Amending Pittsburg Municipal Code Section 7.04.010 Relating to the Adoption of Contra Costa County Animal Control Regulations
14. Adoption of a City Council Resolution to Approve the Purchase of CityWorks Software and Allocate Funds for Implementation
15. Adoption of a City Council Resolution to Create a Master Pay Schedule as Required by California Public Employees' Retirement System
16. Adoption of City Council Resolution Allocating Funds and Authorizing a Consultant Agreement for Environmental Consultant Services for the Alves Ranch Development
18. Adoption of a City Council Resolution Amending the Purchasing Policy to Require Project Stabilization Agreement and Update Requirements
19. Adoption of City Council Resolution Awarding a Contract for the 2018 Patch Paving Program
20. Adoption of a City Council Resolution to Approve a Lease Agreement for Public Works Equipment Financing
21. Adoption of a City Council Resolution to Authorize a Reduction in Local Transportation Mitigation Fee Obligation In Exchange For Grading of West Leland Road from Villa Drive to Avila Road

The following item was removed from the Consent Calendar and considered separately. Mayor Longmire left the dais at this time.

17. Adoption of a City Council Resolution Approving the Measure M Citizens Oversight Committee Report – Final FY 17-18 usage and Excess Carryforward to FY 2018-19

On motion by Member Killings, seconded by Member Banales to adopt and approved by the following vote:

AYES: Banales, Craft, Evola, Killings

ABSENT: Longmire

Mayor Longmire returned to the dais at this time.

COUNCIL MEMBER REPORTS/REMARKS

Council Member Killings attended the 2x2 Subcommittee meeting discussing traffic, safety, community resources officers, and Recess with the Chief, and noted the School District denied the Making Waves Academy application. He requested a General Plan 2040 update within the next few meetings.

Council Member Banales attended the Land Use Subcommittee meeting where a gas station project in the RASP (Railroad Area Specific Plan) was rejected. The committee supported a multi-family, market rate development on Railroad Avenue behind Burger King, and in accordance with the RASP.

ADJOURNMENT

The City Council meeting was adjourned at 8:42 P.M. to November 19, 2018.

Respectfully submitted,

Alice E. Evenson, City Clerk