

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

DATE: March 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
Michelle Bond, Agency Member
Annie Hill Herring, Agency Member

APPOINTED OFFICIALS

Joe Sbranti, City Manager/Executive Director
Ruthann Ziegler, 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 7:18 P.M. in the City Council Chamber at City Hall, 65 Civic Avenue, Pittsburg, CA after convening at 6:02 P.M. for Closed Session for the following items:

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

Property: Center Drive (APNs 086-100-040 and 086-100-041); Negotiators: Joe Sbranti, Garrett Evans, Maria Aliotti; Negotiating Parties: Garaventa Enterprises; Under negotiation: Both price and terms of payment

Property: 101 School Street (APN 086-175-012), 1605 Railroad Avenue (086-175-014), and 1611 Railroad Avenue (086-175-013); Negotiators: Joe Sbranti; Negotiating Parties: Sam Lucido; Under negotiation: both price and terms of payment

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

Wade Derby v. City of Pittsburg, et al; United States District Court, Northern District of California, Case No. 3:16-cv-05469-SI

Michael Sibbitt, Jr. v. City of Pittsburg et al.; United States District Court Northern District of California Case No. 3:16-cv-04377-SK

Elisabeth Anne Terwilliger v. City of Pittsburg et al.; United States District Court Northern District of California Case No. 3:16-cv-04373-MEJ

Genon Energy, Inc. Chapter 11, US Bankruptcy Court for the Southern District of Texas, Houston Division, Case No. 17-33695(DRJ)

3. CONFERENCE WITH LEGAL COUNSEL – ANITICIPATED LITIGATION FOR THE CITY OF PITTSBURG; Significant exposure to litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9:

Two (2) cases

4. PUBLIC EMPLOYEE EMPLOYMENT (Section 54957):

City Attorney

There was no reportable action taken in Closed Session.

ROLL CALL

All Members were present.

PLEDGE OF ALLEGIANCE

Chief Addington led the Pledge of Allegiance.

PRESENTATIONS

Contra Costa Senior Policy Platform 2020

Debbie Toth of the Contra Costa Senior Policy Platform 2020 gave a brief presentation on the project and hoped the City would appoint a Council Member to serve on the committee.

Status of eBART Project

BART Board of Director, Joel Keller, presented the status of the eBART Project.

CITIZENS REMARKS

Alice Lustre, Executive Director of Pittsburg Community Theater invited everyone to The Taming of the Shrew and thanked the Council for their support.

Greg Logaburn, Pittsburg, thanked the Police Department for support in their neighborhood with an ongoing problem.

Mundi Orozco, Pittsburg, spoke in support of keeping the Delta View Golf Course open.

Wolfgang Croskey, Pittsburg, spoke in support of keeping the Delta View Golf Course open.

Zola Rodgers, Pittsburg, commented that there was an insurgence of crime in the Toscana area at San Marco and asked for the Police to help.

Mark Linde, Pittsburg, spoke in support of keeping the Delta View Golf Course open.

Chris Moreno and Eric Smith, Pittsburg, asked for support to partner in a Splashfest at Buchanan Park.

Durie Foster, Pittsburg, asked the Council to address homelessness and litter in the community.

Charles Smith, Pittsburg, spoke in support of keeping the Delta View Golf Course open.

CITY MANAGER'S REMARKS

Assistant City Manager Evans reported on upcoming City events.

City Manager Sbranti gave a brief overview of the status of the Delta View Golf Course and its closure.

CITY COUNCIL MEETING

PUBLIC HEARING

5. Introduction and Waive First Reading of an Ordinance Amending Pittsburg Municipal Code Section 7.04.010 Relating to the Adoption of Contra Costa County Animal Control Regulations

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

On motion by Member Banales, seconded by Member Craft to introduce and waive first reading of the ordinance and carried unanimously.

6. Introduction and Waive First Reading of an Ordinance Approving a Development Agreement for Edgewater Apartments, AP-17-1228 (DA)

Mayor Longmire opened the Public Hearing.

Louis Parsons, on behalf of the developer, noted they were in agreement with all terms and conditions of the agreement.

Bruce Ohlson, Pittsburg, requested bike lanes in that area along California Avenue.

Mark Linde, Pittsburg, thanked City Manager Sbranti for explaining CFD's. He questioned the percentage of affordable housing in that project, particularly for seniors.

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

On motion by Vice Mayor Evola, seconded by Mayor Longmire to introduce and waive first reading of the ordinance and carried by the following vote:

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

7. Introduction and Waive First Reading of an Ordinance Amending Title 5 of the Pittsburgh Municipal Code Related to the Cannabis Regulations

Mayor Longmire opened the Public Hearing.

Mark Linde, Pittsburgh, was confused seeing an Ordinance change rather than what he thought would be a project by a particular company.

Wolfgang Croskey, Pittsburgh, reminded the Council that wholesalers and retailers don't pay taxes for revenue coming into the City.

Gloria Mercado, Oakland, stated she is a cannabis distributor in Oakland refuted Mr. Croskey's comment in that they pay 40% into taxes, and hoped the Council would adopt the Ordinance.

Durie Foster, Pittsburgh, stated he does not support the Ordinance as it is not consistent with Federal law and urged the Council not to adopt the Ordinance.

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

On motion by Mayor Longmire, seconded by Member Craft to introduce and waive first reading of the ordinance and by the following vote:

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

8. Adoption of a City Council Resolution to Amend Water Rates

Mayor Longmire opened the Public Hearing.

Patrick Byrne, Pittsburgh, hoped the City could implement a balanced payment program to help residents.

Mark Linde, Pittsburgh, spoke against the rate increase as presented.

Durie Foster, Pittsburgh, spoke against the rate increase as presented.

Charles Smith, Pittsburgh, spoke against the rate as presented.

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

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

CONSIDERATION

9. Adoption of a City Council Resolution Approving a Memorandum of Agreement with William Lyon Homes and Alves Ranch LLC for Commercial Property Development at Alves Ranch

On motion by Vice Mayor Evola, seconded by Member Banales to adopt and carried unanimously.

CONFLICT OF INTEREST STATEMENT

There were no conflict of interest statements.

COMBINED CITY COUNCIL, PITTSBURG POWER COMPANY, AND SUCCESSOR AGENCY CONSENT CALENDAR

On motion by Member Craft, seconded by Member Killings, to adopt and carried unanimously.

10. Minutes of February 20, 2018

11. Adoption of a City Council Resolution Allocating Funds to Reimburse Seecon Financial & Construction Co., Inc. for Infrastructure Costs Incurred Related to Community Facilities District 2009 01, San Marco ("CFD 2009-01")

12. Adoption of a City Council Resolution of Support for Reducing Crime and Keeping California Safe Act of 2018

13. Adoption of a City Council Resolution Accepting the General Plan Annual Progress Report for Calendar Year 2017

14. Adoption of a City Resolution to Support California Proposition 68 Relative to the California Clean Water and Safe Parks Act

15. Adoption of a City Resolution to Authorize the City Manager to Execute Agreements with Independent Contractors For Recreation Programs and Classes

COUNCIL MEMBER REPORTS/REMARKS

Member Craft is working on the Youth Empowerment Project committee. She attended a Tri Delta Transit meeting with the Chamber of Commerce for shuttle service at the Seafood Festival.

Member Killings attended the CDBG Subcommittee meeting.

Member Banales asked that the meeting be closed in memory of Michael Bergren, Executive Director of the Pittsburg Activities League who recently passed away.

ADJOURNMENT

The City Council meeting was adjourned at 10:03 P.M. to March 19, 2018 ***in memory of Mike Bergren.***

Respectfully submitted,

Alice E. Evenson, City Clerk