

**CITY OF PITTSBURG  
MEETING OF THE REDEVELOPMENT AGENCY and CITY COUNCIL**

**CTIY COUNCIL AGENDA**

65 Civic Avenue  
PITTSBURG, CALIFORNIA

**6:30 P.M.  
October 1, 2001**

**CALL TO ORDER: Mayor Frank Quesada**

**ADJOURN CITY COUNCIL MEETING TO CLOSED SESSION – 6:30 pm**

**RECONVENE CITY COUNCIL MEETING IN OPEN SESSION – 7:00 p.m.**

**CONVENE REDEVELOPMENT AGENCY – 7:00 P.M.**

**MEMBERS OF THE REDEVELOPMENT AGENCY**

Frank Aiello \_\_\_\_\_  
Yvonne Beals \_\_\_\_\_  
Robert Lewis \_\_\_\_\_  
Aleida Rios \_\_\_\_\_  
Chair Frank Quesada \_\_\_\_\_

**PLEDGE OF ALLEGIANCE**

**CITIZENS REMARKS**

**MEMBERS REMARKS**

**CONSENT**

a. **MINUTES** Dated: September 17, 2001 (Recommend Approval)

ACTION:

**PUBLIC HEARING**

1. **RESOLUTION 01-9496** Joint meeting with City Council – Disposition and Development Agreement with Habitat for Humanity for the Sale and Development of nine parcels located along Herb White Way (APNs: 085-221-001, 085-221-013, 085-231-022, 085-231-023, 085-231-028, 085-231-029, 085-232-001, 085-232-022, 085-232-023) (Recommend Adoption)

ACTION:

**ADJOURNMENT:** To: October 15, 2001

**CITY OF PITTSBURG  
CITY COUNCIL AGENDA**

**65 Civic Avenue  
PITTSBURG, CALIFORNIA**

**7:00 PM  
October 1, 2001**

**CALL TO ORDER: Mayor Frank Quesada**

**MEMBERS OF THE CITY COUNCIL**

Frank Aiello \_\_\_\_\_  
Yvonne Beals \_\_\_\_\_  
Robert Lewis \_\_\_\_\_  
Aleida Rios \_\_\_\_\_  
Mayor Frank Quesada \_\_\_\_\_

**PLEDGE OF ALLEGIANCE**

**CITIZENS REMARKS**

**COUNCIL REPORTS** - Council members may ask questions for clarification from City staff, and make a brief announcement or report on their activities, including reports on committee assignments (see attached list of ad hoc committees and other public agencies in which Council members participate).

**PROCLAMATION**

1. Hunger Walk (Delta 2000)
2. Teen Read Week (County Library)

**PRESENTATION**

1. Concerted Services Project

**CONSENT CALENDAR** - All matters listed under Consent Calendar are considered by the Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Council or the public prior to the time the Council votes on the motion to adopt.

- a. **DISBURSEMENT LIST**      Period Ending: September 4, 2001, and September 15, 2001  
(Recommend Acceptance)

ACTION:

- b. **MINUTES**      Dated: September 17, 2001 (Recommend Approval)

ACTION:

- c. **CLAIMS**      #1409 Steve B. Mandell (Recommend Denial)

ACTION:

**PUBLIC HEARING**

1. **RESOLUTION 01-9497** Joint with Redevelopment Agency - Disposition and Development Agreement with Habitat for Humanity for the sale and development of nine parcels located along Herb White Way (APNs: 085-221-001, 085-221-013, 085-231-022, 085-231-023, 085-231-028, 085-231-029, 085-232-001, 085-232-022, 085-232-023 ) (Recommend Adoption)

ACTION:

**CONSIDERATION**

1. **RESOLUTION 01-9498** Agreement to Amend the Contract between the Board of Administration of the California Public Employees Retirement System (PERS) and the City of Pittsburg – Second Reading and Adoption. (Recommend Adoption)

ACTION:

2. **RESOLUTION 01-9499** Modification to Resolution 09-9452 accepting a payment of \$58,422.00 from Calpine in lieu of sound wall install at west end transition structure. (Recommend Adoption)

ACTION:

3. **ORDINANCE 01-1187** San Marco Development Agreement First Amendment. Amendment to the “Development Agreement between the City of Pittsburg and Seecon Financial and Construction Company”, PD (Planned Development) zone: APN 097-130-002, 097140-001, 097-150-002, 097-150-006, 097-150-007, 097-190-001 and 097-180-001 – Second Reading and Adoption (Recommend Adoption)

ACTION:

4. **RESOLUTION 01-9488** Continued from September 17 – Subdivision 8423; San Marco Unit 5 Approval of Final Map, Improvement Plans and Subdivision Improvement. (Recommend Adoption with **AMENDMENTS**)

ACTION:

5. **RESOLUTION 01-9500** Pittsburg Historical Society Loan/Grant Status (Recommend Adoption)

ACTION:

6. **REPORT** Sewer Lateral Maintenance History  
(Recommend Accept Report)

ACTION:

**ADJOURNMENT** To: October 15, 2001

## **NOTICE TO PUBLIC**

### **SPEAKER'S CARD**

Members of the audience who wish to address the City Council should complete a Speaker's Card available at the dais. Submit the completed card to the City Clerk before the item is called, preferably before the meeting begins.

### **AUDIENCE REMARKS**

The Audience Remarks period is for the public to comment on any items scheduled to be heard during the Closed Session portion of the meeting, if applicable.

### **CITIZENS REMARKS**

The Citizens Remarks period is the time when the public may come forward to address the Council on any issues they wish, excluding items scheduled for this agenda.

### **CONSENT CALENDAR**

All matters listed under Consent Calendar are considered by the Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Council or the public prior to the time the Council votes on the motion to adopt.

### **PUBLIC HEARINGS**

Persons who wish to speak on Public Hearings listed on the agenda will be heard when the Public Hearing is opened, except on Public Hearing items previously heard and closed to public comment. After the public has commented, the item is closed to public comment and brought to the Council/Agency level for discussion and action. Further comment from the audience will not be received unless requested by the Council/Agency.

### **NOTICE TO THE DISABLED AND HEARING IMPAIRED**

In compliance with the Americans with Disabilities Act, the City of Pittsburg will provide special assistance for disabled citizens. The Council Chamber is equipped with sound amplifier units for use by the hearing impaired. The units operate in conjunction with the Chamber's sound system. You may request the sound amplifier from the City Clerk for personal use during Council meetings. If you need special assistance to participate in this meeting, please contact the City Clerk at 252-4850. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II)

## City Council Committees - 2001

<u>COUNCIL MEMBER</u>	<u>COMMITTEE</u>	<u>MEETING DATES</u>
Frank Quesada	ABAG Representative	ABAG Annual
	CAC/CDBG Sub-committee	As needed
	Civic Center Art	Ad Hoc
	Delta Diablo Sanitation District- Alt.	2 <sup>nd</sup> Wednesday
	East County Habitat Conservation	As needed
	East County Water Mgt. Assn. - Alt.	Annual
	Fee & Finance Authority (Transplan)	2 <sup>nd</sup> Thursday
	Island Energy Advisory Committee	As needed
	LMC Foundation Scholarship Committee	Ad Hoc
	Mayor=s Conference	1 <sup>st</sup> Thursday
	PEHDC	As needed
	Pittsburg Power Company	As needed
	Residential Parking Committee	Ad Hoc
	Tri-Delta Transit	Last Wednesday
Water Management Association	Annual	
Frank Aiello	ABAG Representative - Alt.	ABAG Annual
	Audit Committee	Quarterly
	Delta Diablo Sanitation District	2 <sup>nd</sup> Wednesday
	East County Water Mgt. Assn.	Annual
	Foreign Trade Zone	Ad Hoc
	Mayor=s Conference - Alt.	1 <sup>st</sup> Thursday
	Pittsburg Power Company	As needed
	RDA Subcommittee	As needed
	Tri-Delta Transit	Last Wednesday
Water Transit Authority Comm. Advisory	As needed	
Robert Lewis	AT&T Cable	As needed
	BART Station Specific Plan	As needed
	City & County Relations Committee	Ad Hoc
	Contra Costa Consolidated Fire District	2 <sup>nd</sup> Monday
	Island Energy Advisory Commission - Alt.	As needed
Yvonne Beals	AT&T Cable	As needed
	City & County Relations Committee - Alt.	Ad Hoc
	Industrial Zone Advisory	As needed
	Library Commission	
	LMC Foundation Scholarship - Alt.	Ad Hoc
	PEHDC	As needed
School District Liaison	As needed	
Tri-Delta Transit - Alt.	Last Wednesday	
Aleida Rios	Audit Committee	Quarterly
	CAC/CDBG Subcommittee	As needed
	Contra Costa Transportation Authority	3 <sup>rd</sup> Wednesday
	East Bay League of California Cities	3 <sup>rd</sup> Thursday
	East County Habitat Conservation - Alt.	As needed
	Fee & Finance Authority (Transplan)	2 <sup>nd</sup> Thursday
	Foreign Trade Zone	Ad Hoc
	Industrial Zone Advisory	As needed
	RDA Subcommittee	As needed
School District Liaison	As needed	

## Exhibit "A"

This exhibit is attached to and made a part of the agenda for the meeting of the City Council and Redevelopment Agency, held on October 1, 2001.

The following description of closed session agenda item(s) is provided pursuant to Government Code section 54954.5.<sup>1</sup>

- A. LICENSE/PERMIT DETERMINATION (Section 54956.7)
- Applicant(s): (Specify number of applicants)
- B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Section 54956.8)
- Property: (Specify street address, or if no street address, the parcel number or other unique reference, of the real property under negotiation)
- Agency Negotiator: (Specify names of negotiators attending the closed session) (If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator so long as the name of the agent or designee is announced at an open session held prior to the closed session.)
- Negotiating Parties: (Specify name of party (not agent))
- Under negotiation: (Specify whether instruction to negotiator will concern price, terms of payment, or both)
- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Section 54956.9)
- Name of case: (Specify by reference to claimant's name, names of parties, case or claim numbers)
- Case name unspecified: (Specify whether disclosure would jeopardize service of process or existing settlement negotiations)
- CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
- Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (Specify number of potential cases)
- Two (2) cases
- (In addition to the information noticed above, the agency may be required to provide additional information on the agenda or in an oral statement prior to the closed session pursuant to subparagraphs (B) to (E), inclusive, of paragraph (3) of subdivision (b) of Section 54956.9.)
- Initiation of litigation pursuant to subdivision (c) of Section 54956.9: (Specify number

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<sup>1</sup> Government Code section 54954.5 provides in part: "No legislative body or elected official shall be in violation of section 54954.2 or 54956 if the closed session items were described in substantial compliance with this section. Substantial compliance is satisfied by including the information provided [in this section], irrespective of its format."

of potential cases)

\_\_\_ D. LIABILITY CLAIMS (Section 54956.95)

Claimant: (Specify name unless unspecified pursuant to Section 54961)

Agency claimed against: (Specify name)

\_\_\_ E. THREAT TO PUBLIC SERVICES OR FACILITIES (Section 54957)

Consultation with: (Specify name of law enforcement agency and title of officer)

\_\_\_ F. PUBLIC EMPLOYEE APPOINTMENT

Title: (Specify description of position to be filled)

\_\_\_ G. PUBLIC EMPLOYMENT

Title: (Specify description of position to be filled)

\_\_\_ H. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: (Specify position title of employee being reviewed)

\_\_\_ I. PUBLIC EMPLOYEE DISCIPLINE/RELEASE

(No additional information is required in connection with a closed session to consider discipline, dismissal, or release)

\_\_\_ J. CONFERENCE WITH LABOR NEGOTIATORS (Section 54957.6)

Agency designated representatives: (Specify names of designated representatives attending the closed session) (If circumstances necessitate the absence of a specified designated representative, an agent or designee may participate in place of the absent representative so long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Employee organization: (Specify name of organization representing employee)

or

Unrepresented employee: (Specify position title of unrepresented employee who is the subject of the negotiations)

\_\_\_ K. CASE REVIEW/PLANNING (with respect to closed sessions called pursuant to Section 54957.8)

\_\_\_ L. REPORT INVOLVING TRADE SECRET; HEARINGS (Section 54962 and Sections 1461, 32106, and 32155 of the Health and Safety Code or Sections 37606 and 37624.3 of the Government Code)

\_\_\_\_\_ REPORT INVOLVING TRADE SECRET

Discussion will concern: (Specify whether discussion will concern proposed new service, program, or facility)

Estimated date of public disclosure: (Specify month and year)

\_\_\_\_\_ HEARINGS

Subject matter: (Specify whether testimony/deliberation will concern staff privileges, report of medical audit committee, or report of quality assurance committee)