

**CITY OF PITTSBURG
MEETING OF THE REDEVELOPMENT AGENCY, CITY COUNCIL, and
PITTSBURG POWER COMPANY**

REDEVELOPMENT AGENCY AGENDA

65 Civic Avenue
PITTSBURG, CALIFORNIA

4:30 pm
November 5, 2001

CALL TO ORDER: Mayor Frank Quesada

LEISURE SERVICES COMMISSIONER INTERVIEWS - 4:30 pm

PUBLIC COMMENT

CONVENE IN CLOSED SESSION - 5:00 pm

RECONVENE IN OPEN SESSION - 7:00 pm

MEMBERS OF THE REDEVELOPMENT AGENCY

Frank Aiello _____
Yvonne Beals-Rogers _____
Robert Lewis _____
Aleida Rios _____
Chair Frank Quesada _____

PLEDGE OF ALLEGIANCE

CITIZENS REMARKS

MEMBERS REMARKS

CONSENT

- a. **MINUTES** Dated: October 15, 2001, October 26, 2001 (Recommend Approval)

ACTION:

CONSIDERATION

1. **RESOLUTION 01-800** Annual Investment Policy (Recommend Adoption)

ACTION:

2. **REPORT** Investment Report (Recommend Approval)

ACTION:

3. **RESOLUTION 01-801** Approval and Authorization of the Execution of a Lease

Agreement Between Messrs. Duong and Nguyen D.B.A.
Dockside Market and the Pittsburg Redevelopment Agency
for 51 Marina Boulevard #B (APN: 085 071 040)
(Recommend Adoption)

ACTION:

4. **RESOLUTION 01-802** Adopting Findings that Show That Certain Real Property Located in the Los Medanos Community Development Project (AProject@) is not in Compliance with the Third Amendment to the Community Development Plan (APlan@) (Recommend Adoption)

ACTION:

ADJOURNMENT: To: November 19, 2001

**CITY OF PITTSBURG
CITY COUNCIL AGENDA**

65 Civic Avenue
PITTSBURG, CALIFORNIA

4:30 PM
November 5, 2001

CALL TO ORDER: Mayor Frank Quesada

LEISURE SERVICES COMMISSIONER INTERVIEWS - 4:30 pm

PUBLIC COMMENT

CONVENE IN CLOSED SESSION - 5:00 pm

RECONVENE CITY COUNCIL MEETING IN OPEN SESSION - 7:00 pm

MEMBERS OF THE CITY COUNCIL

Frank Aiello _____
Yvonne Beals-Rogers _____
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).

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: October 31, 2001 (Recommend Acceptance)

ACTION:

b. **MINUTES** Dated: October 15, 2001 (Recommend Approval)

ACTION:

c. **CLAIMS** #1410 Neno Aiello; #1411 Lauren Davis
(Recommend Denial)

(Claims against the City which may cause expenditure of funds - on file in the Office of the City Clerk)

ACTION:

CONSIDERATION

1. **RESOLUTION 01-9512** Consideration of Tenant Electric Fee Surcharge and Additional Fee for Liveboards in Pittsburg Municipal Marina (Recommend Adoption)

ACTION:
2. **RESOLUTION 01-9513** Annual Investment Policy (Recommend Adoption)

ACTION:
3. **REPORT** Investment Report (Recommend Approval)

ACTION:
4. **APPOINTMENT** Appointment of Leisure Services Commission Members (Three Vacancies) (Recommend Appointment)

ACTION:
5. **RESOLUTION 01-9514** Concerted Services Project Funding (Recommend Adoption)

ACTION:
6. **RESOLUTION 01-9515** Awarding of Contract or Rejection of Bids for Buchanan Road Soundwall Repair (Recommend Adoption)

ACTION:
7. **RESOLUTION 01-9516** Award of City Hall Janitorial Maintenance Contract (Recommend Adoption)

ACTION:
8. **MINUTE ORDER** East-Central Traffic Management Study Final Report and Approve Exhibit A - Letter to CCTA and Exhibit B – Letter to Citizens of Pittsburg (Recommend Adoption)

ACTION:
9. **MINUTE ORDER** Appointment and Formation of a Committee for the Purpose of Forming a Partnership Between the City of Pittsburg and PCSI, Inc.

ACTION:

10. **RESOLUTION 01-9517** Acceptance of Contract 95-05; Oak Hills Zone IV Reservoir and Pump Station (Recommend Adoption)

ACTION:

PUBLIC HEARING

1. **RESOLUTION 01-9518** Resolution of Necessity Finding and Determining the Public Interest, Convenience and Necessity Require the Acquisition of Certain Property for Public Purposes, in Connection with the Century Boulevard, California Avenue and the North Park Connector Road (Recommend Adoption)

ACTION:

2. **ORDINANCE 01-1188** Consideration of Sewer System Maintenance Ordinance Amendments (Recommend Introduction and Waive First Reading)

ACTION:

ADJOURNMENT To: November 19, 2001

**CITY OF PITTSBURG
PITTSBURG POWER COMPANY AGENDA**

65 Civic Avenue
PITTSBURG, CALIFORNIA

4:30 pm
November 5, 2001

CALL TO ORDER: Mayor Frank Quesada

LEISURE SERVICES COMMISSIONER INTERVIEWS - 4:30 pm

PUBLIC COMMENT

CONVENE IN CLOSED SESSION - 5:00 pm

RECONVENE IN OPEN SESSION - 7:00 pm

MEMBERS OF THE PITTSBURG POWER COMPANY

Frank Aiello _____
Yvonne Beals-Rogers _____
Robert Lewis _____
Aleida Rios _____
Chair Frank Quesada _____

PLEDGE OF ALLEGIANCE

CITIZENS REMARKS

MEMBERS REMARKS

CONSENT

a. **MINUTES** Dated: September 4, 2001 (Recommend Approval)

ACTION:

CONSIDERATION

1. **RESOLUTION 01-063** Approve and Authorize the Executive Director to Execute a Liability Insurance Policy Between Pittsburg Power Company dba Island Energy and Associated Electric & Gas Insurance Services Limited (Aegis) Through Liberty Mutual (Recommend Adoption)

ACTION:

ADJOURNMENT

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
	Civic Center Art	Ad Hoc
	Delta Diablo Sanitation District- Alt.	2 nd Wednesday
	East County Habitat Conservation	As needed
	East County Water Mgt. Assn. - Alt.	Annual
	Fee & Finance Authority (Transplan)	2 nd Thursday
	Island Energy Advisory Committee	As needed
	LMC Foundation Scholarship Committee	Ad Hoc
	Mayor=s Conference	1 st 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 nd Wednesday
	East County Water Mgt. Assn.	Annual
	Foreign Trade Zone	Ad Hoc
	Mayor=s Conference - Alt.	1 st 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 nd Monday
	Island Energy Advisory Commission - Alt.	As needed
Yvonne Beals	AT&T Cable	As needed
	CAC/CDBG Sub-committee	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 rd Wednesday
	East Bay League of California Cities	3 rd Thursday
	East County Habitat Conservation - Alt.	As needed
	Fee & Finance Authority (Transplan)	2 nd 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 November 5, 2001.

The following description of closed session agenda item(s) is provided pursuant to Government Code section 54954.5.¹

 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)

 X C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Section 54956.9)

 X Name of case: (Specify by reference to claimant's name, names of parties, case or claim numbers)

 City of Pittsburg v. Affinito, Case No. C92-00612

or

 Case name unspecified: (Specify whether disclosure would jeopardize service of process or existing settlement negotiations)

 X CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

 X Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (Specify number of potential cases)

Three (3) 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.)

¹ 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."

- ___ Initiation of litigation pursuant to subdivision (c) of Section 54956.9: (Specify number 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)
- X H. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
- Title: **City Manager** (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)