

**CITY OF PITTSBURG
City Council Minutes
February 19, 2002**

Mayor Frank Aiello called the meeting of the City Council to order at 7:12 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California, after having met at 5:30 P.M. for Conference with Legal Counsel - Existing Litigation pursuant to Section 54956.9 of the Government Code regarding Thomas v. City of Pittsburg Case No. C01-02718, and Conference with Legal Counsel - Anticipated Litigation pursuant to Section 54956.9 subdivision (b) regarding five (5) cases, and pursuant to subparagraphs (B) to (E), inclusive, of paragraph (3) of subdivision (b) of Section 54956.9 regarding one (1) case.

City Attorney Linda Daube announced that the Council had unanimously authorized staff to proceed to renegotiate and modify certain redevelopment loans concerning two parties, the Lapor Building and the National Building. She stated that the action shall serve as official notice of the intent to proceed thereby starting the clock on the statute of limitations. There was nothing else to report.

MEMBERS PRESENT: Beals-Rogers, Lewis, Quesada, Rios, Aiello

MEMBERS ABSENT: None

STAFF PRESENT: City Manager, Willis Casey
Assistant City Manager, Nasser Shirazi
City Attorney, Linda Daube
City Clerk, Lillian Pride
Director of Economic Development, Garrett Evans
Director of Finance, Jim Holmes
Director of Leisure Services, Paul Flores
Director of Public Services, John Fuller
Director of Planning and Building, Randy Jerome
City Engineer, Wally Girard
Director of Housing, Buck Eklund
Property Manager, Ursula Luna
Police Chief, Aaron Baker
Executive Assistant to the City Manager, Alice Evenson

CITIZENS REMARKS

There were no citizen remarks.

COUNCIL REPORTS

Vice Mayor Beals-Rogers reported that she had attended the Pittsburg Preschool Community Council Teen Center grand opening, which was located in El Pueblo. She described the center as an asset to the community, which center included resources for use

by the teens and residents of the area. She applauded the Pittsburg Preschool Community Council for all its efforts.

The Vice-Mayor reported that she had also attended the Black Political Association (BPA) Black History Program where former Surgeon General Dr. Joycelyn Elders had been a speaker. Vice Mayor Beals-Rogers took this opportunity to thank the BPA for a plaque presented to her as the first African-American female Councilmember of the City of Pittsburg.

Vice Mayor Beals-Rogers commented that a meeting had been scheduled with the Pittsburg Unified School District (PUSD) School Liaison Subcommittee on March 5. She advised staff that a meeting would need to occur prior to that meeting in order to set an agenda for that meeting with the Superintendent of Schools. She added that a meeting with the Mt. Diablo Unified School District (MDUSD) would also be scheduled.

Further, Vice Mayor Beals-Rogers advised that Councilmembers had received a letter for an ad for the Kennedy-King Foundation Scholarship. As a Boardmember of that Foundation, she stated that she would be submitting an ad for the Foundation. She invited members of the Council to participate in the ad if so interested.

Councilmember Lewis reported that he had attended the first meeting of the Shaping our Future group and it appeared as if every city in Contra Costa County, with the exception of San Pablo, had joined that effort. He suggested that effort would be good for the City to get its needs articulated and included in the consultant's report that was expected to be generated within the next twelve to eighteen months. Councilmember Lewis added that while he had hoped to make a report on the Economic Development Subcommittee, that meeting had been rescheduled for next week. A report would be offered after that time.

Councilmember Quesada commented that the City had received notice that it had won the first hearing on the Buchanan Bypass to access the property to conduct the Environmental Impact Report (EIR) and to do the necessary engineering. Other actions could be forthcoming. Councilmember Quesada also reported on the last meeting of the East Contra Costa Regional Fee and Financing Authority and TRANSPLAN Committee meetings when a new technology known as BobBART had been identified. He described that system as running on a frame of a BART train with a diesel locomotive pulling it, with four cars potentially accommodating 600 passengers, to be run on the Mococo line. He noted that the cost would be high, although it was cheaper than the full extension of BART. He also reported that an eBART type of system was being run in Canada and there was a possibility of a trip to Canada to be able to see that system in operation.

Councilmember Rios reported that the Audit Committee had met to discuss the potential automation of the City's procurement system and potentially outsourcing payroll in the process of updating the City's procedures. She also advised that she had attended a meeting with the U.S. Treasurer at the World Trade Center in Oakland, which she had found to be interesting and informative, and at which time businesses from throughout the Bay Area had been represented. She stated that she had also attended the Mayors Conference and a dinner with the delegation of our Sister City, Shimonoseki, Japan.

Councilmember Rios took this opportunity to announce that Mayor Aiello had been asked to be a guest speaker at the Governor's Environmental Justice Forum to be held in San Francisco on February 26.

Mayor Aiello reported that at the Mayors Conference, the City of Pittsburg had received unanimous support for the City's position with regards to Assembly Bill 81. He stated it appeared as if the County would also be supporting the City's position. As such, it appeared as if the City's efforts on regionalism Countywide were starting to come to fruition.

With regards to the delegation from Shimonoseki, Mayor Aiello stated that it had been fruitful to have the Director General from Japan be a part of that delegation. He explained that within the next two weeks the City would be meeting with the Japanese Embassy and others to consider sites in Pittsburg where businesses from Japan and other sites in the Bay Area could locate. He suggested that the businesses could be very prosperous in the way of economic development.

Mayor Aiello thanked the Vice-Mayor for attending the BPA function in his absence. He also stated with respect to the Governor's Environmental Justice Forum, that he was honored to have been selected as the keynote speaker at the Civic Center in San Francisco on February 26. He emphasized that Pittsburg was moving forward and working as a team to progress.

CONSENT CALENDAR

For the record, City Attorney Daube clarified that the minutes shown on the agenda for approval were dated January 22, 2002, which was incorrect in that the actual minutes to be considered and which had been included in the Council packets were for the February 4, 2002 meeting. Further, that although the minutes for the Redevelopment Agency had been approved, that agenda had also identified an incorrect date of January 22, 2002 for minutes included in the packet for approval from the February 4, 2002 meeting.

On motion by Councilmember Rios, seconded by Councilmember Quesada and carried unanimously to approve the Consent Calendar, as shown.

- a. **DISBURSEMENT LIST** Period Ending: February 4, 2002 and February 13, 2002

Approved Disbursement Lists periods ending February 4 and February 13, 2002.
- b. **MINUTES** Dated: February 4, 2002

Approved Minutes dated February 4, 2002.
- c. **CLAIMS** #1430 Sushil Prakash Chand; #1431 Anil P. Chand

Denied Claims #1430 Sushil Prakash Chand and #1431 Anil P. Chand.
- d. **RESOLUTION 02-9562** Reduction of the Contractor's Retention for Contract 01-03, Water Main Replacement and 2001 Citywide Pavement

Rehabilitation

Contract 01-03, the Water Main Replacement and 2002 Citywide Pavement Rehabilitation Project with Granite Construction, is now more than 95 percent complete. The City has withheld a 10 percent retention from all payments to the contractor for work completed to date. The retention withheld to date totals over \$260,000. Public Contract Code Section 9203 allows local agencies to reduce contractor retention once projects reach the 50 percent level. This project has far exceeded this requirement.

Adopted Resolution 02-9562.

- e. **RESOLUTION 02-9563** Implementing the Purchasing Policy by Amending Classification Specifications and Authorizing Staffing Levels

On February 19, 2002 the City Council adopted Resolution No. 02-9553 adopting the City of Pittsburg Purchasing Policies and Procedures. In adopting these Purchasing Policies and Procedures, the City Council established that the City would generally utilize a decentralized procurement system. This is a change from the existing centralized procurement system. The enclosed recommended resolution amends classification specifications and staffing levels in order to implement the decentralized procurement system.

Adopted Resolution 02-9563.

- f. **RESOLUTION 02-9564** Sexual Harassment and Complaint Policy

The City Manager promulgated an Administrative Order addressing the topic of sexual harassment in 1986 and amended the Administrative Order in 1994. Since that time, the legal standards for reporting and investigating workplace harassment has significantly changed. Additionally, the City of Pittsburg participates in the Employment Risk Management Association (ERMA) as an additional mechanism for limiting workplace liability. The enclosed recommended policy and complaint procedure complies with the updated legal standards and the City's participation in ERMA.

Adopted Resolution 02-9564.

g. **ORDINANCE 02-1190** Petsport Rezoning Ordinance

This is the adoption of the ordinance introduced by the City Council on February 4, 2002 for the property located at 1160 Railroad Avenue; APN 086-122-029.

Adopted Ordinance 02-1190.

h. **REPORT** Investment Report

The State of California Government Code Section 53646 amended by the passing of Senate Bill No. 564 which took effect January 1, 1996 requires the City Treasurer to quarterly submit an investment report to the City Council during a public meeting.

Approved the Investment Report.

i. **RESOLUTION 02-9565** Lease Agreement for Centurian Plaza

The City of Pittsburg and Centurian Enterprises (a private entity) have negotiated terms for the lease of 2,500 square feet of office space in Centurian Plaza located at 325 and 333 East Leland Road. The Housing Authority (the "Authority") will relocate to and use the space for their offices. The term of the Agreement is for five years with a total of \$150,000 incurred in rental payments over the five years. The savings to the Authority will be \$177,140 over the five years (\$2,952.33 monthly savings).

Adopted Resolution 02-9565.

CONSIDERATION

1. **APPOINTMENT** Planning Commission Vacancy Appointment

City Manager Will Casey reported that an opening exists on the Planning Commission due to the resignation of Commissioner Allen Valentine. This appointment will be effective only for the remainder of his term, until June 2002.

Mr. Casey recommended an appointment be made to the Planning Commission.

On motion by Councilmember Quesada, seconded by Councilmember Rios to appoint **Ralph Ramirez** to complete former Commissioner Allen Valentine's term on the Commission. The motion carried by the following vote:

Ayes: Quesada, Rios, Aiello

Noes: Beals-Rogers, Lewis

2. **APPOINTMENT** Community Advisory Commission Appointments

Mr. Casey reported that six openings exist on the Community Advisory Commission (CAC) in all quadrants. The City had advertised for all openings and had received five applications for two quadrants. On February 4, 2002, the City Council had reviewed five applications for appointments to the CAC. On that date, candidate interviews were held. He reported that for the one vacancy in the Southwest Quadrant, there had been four applicants. For three vacancies in the Southeast Quadrant, there were no applicants. For one vacancy in the Northeast Quadrant, there were no applicants and for one vacancy in the Northwest Quadrant, there was one applicant.

Mr. Casey recommended appointments be made in the Southwest and Northwest Quadrants for the CAC.

On motion by Councilmember Rios, seconded by Councilmember Lewis and carried unanimously to appoint **Bertha Stobb** for the Northwest Quadrant.

Councilmember Lewis commented on his understanding that the makeup of the CAC was to have been a discussion item when the Council and the CAC met at a meeting scheduled for next month. To accommodate the applicants that had applied, he recommended that the number of at-large appointments be increased while retaining the quadrants, although with a fewer number of members per quadrant. He suggested that the greater number of at-large members would address the large numbers of interested citizens from one area. He commented that he had been impressed with the interviews of all candidates. He suggested it was important that the CAC reflect a wide range of the Pittsburg citizenry.

Vice Mayor Beals-Rogers inquired whether or not the other applicants from the Southwest Quadrant could be appointed to serve after the one vacancy on the Southwest Quadrant had been filled. She concurred with Councilmember Lewis' comments with respect to the quality of the interviews and the enthusiasm of the candidates. She sought a way to accommodate those interested parties.

City Attorney Daube stated that a potential change of bylaws might be required to increase the at-large membership of the CAC.

Speaking as a former member of the CAC, Councilmember Rios stated that a change such as had been recommended would have to be referred to a subcommittee and brought to the Council for a vote given that the CAC had been codified. She stated that Commissioners were aware of the situation and had supported a greater at-large membership given the difficulty in representation for some of the quadrants and the difficulty in achieving a quorum in some cases. She concurred with the discussion to potentially shift some members to fill other vacancies subsequent to the required process. She otherwise echoed the comments for the excellent candidates that had been interviewed by the Council.

Councilmember Quesada suggested that the recommendation to the CAC should be accommodated to recognize that of the six openings, only five people had applied. He suggested that those candidates fill the available areas to ensure a quorum on the CAC until representatives from the specific areas could be secured to fill the specific quadrants. He emphasized that everyone who wanted to serve should be considered as at-large members until the quadrant of their residence opened up to allow that specific representation. Councilmember Quesada sought the approval of that recommendation from the CAC, as required. He reiterated his support that the vacant positions be filled by at-large representation and he commented that his quadrant had remained unrepresented for the last three years.

On motion by Councilmember Lewis, seconded by Vice Mayor Beals-Rogers and carried unanimously to appoint **Anne-Marie Williams** to the Southwest Quadrant.

Mayor Aiello supported a referral of the issue to the CAC to allow the CAC to make a recommendation to the City Council with respect to the issues pertaining to vacancies on the CAC. He suggested that the CAC contact the three applicants who had not been appointed to invite them to a meeting of the CAC to allow them to familiarize themselves with the process. He sought a recommendation from the CAC no later than March 18 for subsequent action by the City Council.

3. **RESOLUTION 02-9566** Installation of Sound Wall at West End of Transitions Structure/Calpine Project

Mr. Casey reported that Calpine had completed almost all of its obligations on the Transition Station Agreement, but had been unable to proceed with the installation of the sound wall for several reasons. Those reasons included: 1) There were no property lines established between the transition area and future lot(s) that would be built adjacent to this site; 2) There was no finished grade established to determine correct vertical positioning of the wall foundation; 3) Soil conditions on the site would require extensive removal of material, thus making the sound wall an additional detriment to future development of the site; 4) The sound from the transition area was nil and the site had extensive landscaping planted to provide visual screening.

The estimated cost to construct the sound wall was \$51,000. Calpine had proposed to provide \$58,322 in lieu of constructing the sound wall. These funds could be used to finance a change order to the current Railroad Avenue Rehabilitation project to provide for paving some of the proposed future parking areas in the Eighth Street Greenbelt Corridor.

Mr. Casey recommended the adoption of the resolution accepting the in-lieu payment and directing staff to utilize the in-lieu payment for constructing parking in the Eighth Street Greenbelt Corridor.

WILLIE MIMS, Pittsburg, representing the BPA suggested that in the staff report there were a number of reasons not to deal with the sound wall and to use the money somewhere else. He inquired whether or not the sound wall would be built.

In response, Mr. Casey noted his understanding that there was no need for the sound

wall and it was not practical to pursue.

City Engineer Wally Girard concurred that there was no need for a sound wall and that in lieu of a sound wall extensive landscaping had been provided for visual screening. He added that evergreen trees in the area would grow and provide adequate screening. Further, if a sound wall was installed, it would most likely have to be removed in the future. He explained that the purpose of the sound wall in the beginning was to serve as more of a visual accouterment than an acoustic necessity. He reiterated that the sound wall was not needed.

As to the change order referenced in the staff report in response to Mr. Mims, Mr. Girard stated that since there was already a contract an extensive design process would not be needed. He advised that landscaping had been proposed as part of the Eighth Street Corridor and part of that project would provide parking in the vicinity of the St. Peter Martyr Church. The change order would identify how much money would be available to provide the needed parking in the area and benefit the residents of the corridor. He stated that the proposal would start at the west end of the Eighth Street Corridor and proceed east with the available funding.

Councilmember Rios referred to the Eighth Street Corridor area and asked if it was a part of the Black Diamond project. She inquired what that change order would cost.

Mr. Girard stated that the change order would be with the contractor doing the Railroad Avenue rehabilitation work. He reiterated that there was a contract with asphalt paving and the proposal would be part of the Eighth Street Corridor Project.

Councilmember Quesada stressed that the City had dealt extensively with the St. Peter Martyr Church and surrounding areas that needed the parking that would be provided as part of the proposal. As such, he stated that the City had committed to the church some time ago and had consistently promised some amount of parking. He supported the receipt of the funds and sought a specific description of the proposal to ensure appropriate parking for the St. Peter Martyr Church, as promised.

Councilmember Rios moved to accept the in-lieu payment of \$58,322 from Calpine with no reallocation pending a better identification of the financial status of the City, with a budget to be submitted for the specific area. She did not support a reallocation pending a clarification of the cost of the project with the item to be returned to the Council for further consideration.

Councilmember Quesada seconded the motion, although he sought a specific description of where the parking would be located to ensure the promises made to the St. Peter Martyr Church.

On the discussion of the motion and a consensus for the motion, Mr. Casey clarified that Calpine money had been used for the Eighth Street Linear Park. He reiterated that the proposal was not a budgeted item. The funds were from Calpine, which were to have been utilized for a sound wall but which was being reallocated to the City. The staff recommendation was to utilize the funds in the area of the Eighth Street Corridor. As such, there would be no budget item and no cost allocation.

Mr. Girard clarified that the parking had not been a part of the initial Calpine project. No City money had been allocated for that parking. As to the cost of the parking, he stated that

the entire limits of the project would be in the vicinity of Herb White Way to Harbor Street, all on the north side of the greenbelt strip in the middle of Eighth Street, which was not part of Calpine's commitment.

Councilmember Lewis suggested that the parking required would be far in excess of \$58,000. He suggested that there was an opportunity to take \$58,000 of Calpine money earmarked for a sound wall that did not need to be built, to be reallocated for parking, with the City to provide the additional funds to complete that work. He commented that there was no reason to wait for the reallocation of funds. He urged the Council to reallocate the funds now, to commence the parking project and to bring relief to those utilizing the area.

When asked, Mr. Girard confirmed that the cost of the parking would greatly exceed the \$58,000 under discussion.

Noting that Mr. Glynn had submitted a card to speak after the close of the public comment portion of the item, Mayor Aiello allowed Mr. Glynn to speak but advised for the record that any speaker cards submitted after an item had returned to the Council for discussion would not be honored for public comment given that the public comment portion of each item was reserved for the beginning of each item under consideration.

BILL GLYNN, Pittsburg, speaking as the Vice Chair of the Planning Commission, stated that he was very familiar with the project. He stated that the curbs had already been poured for the planned parking areas commencing on the exit to The Village at New York Landing and on Cutter Street past the St. Peter Martyr Church. He noted his understanding that what would occur with the funds in question would represent a reallocation of funds for a Calpine required sound wall that was no longer needed, to allow the use of funds to accommodate parking in the area of the Eighth Street Corridor. He suggested that was an appropriate use of the funds. He concurred that while the contractor was available in the area it would be beneficial to address the situation during that time.

Mayor Aiello suggested that the item be evaluated while the contractor was at the site, which would allow staff to seek a review of the item by the Redevelopment Subcommittee at its March 7 meeting, with a recommendation to the City Council by its March 18 meeting.

On the motion by Councilmember Rios, seconded by Councilmember Quesada and carried unanimously to accept the in-lieu payment of \$58,322 from Calpine with no reallocation pending a better identification of the financial status of the City, with a budget to be submitted for the specific area and for the project.

4. **MINUTE ORDER** Letter of Support of Bay Point Municipal Advisory Council's Position on Mt. Diablo School Board Representation

Mr. Casey advised that at the request of Mayor Aiello, staff has been asked to draft a letter of support for the Bay Point Municipal Advisory Council's (MAC's) request to elect Mt. Diablo School Board Members by geographical areas within the District for the Council's consideration.

Mr. Casey recommended the adoption of the proposed letter by Minute Order and authorize the Mayor to sign the letter on behalf of the City Council.

A.J. FARDELLA, Pittsburg, web master for the Oak Hills Community Group website, stated that the level of representation in the area from the MDUSD had been lacking. Mr. Fardella suggested that the remedy of having a district arrangement with its own representative to the MDUSD School Board was long overdue in that no one who lived in the area was on the Board. He urged that the area where significant funds were being collected for the MDUSD should be represented.

Councilmember Rios advised that there was a School Liaison Subcommittee, which would be meeting with the PUSD and the MDUSD.

Vice Mayor Beals-Rogers inquired whether or not the City had already approached the Bay Point MAC or the MDUSD.

Mayor Aiello stated that he had not approached either the Bay Point MAC or the MDUSD and had brought the request to the Council as a result of his past experience with the MDUSD and as a parent where he had personal experience with the situation. He felt the Bay Point MAC proposal made sense and should be supported. He stated Supervisor Glover, Assemblyman Canciamilla and Senator Torlakson have all supported the position.

Councilmember Quesada emphasized the importance of the item given the City's efforts for many years to get an elementary school established in the Pittsburg area.

Mayor Aiello explained in response to Mr. Fardella that the City Council had aggressively worked in cooperation with the developer of the San Marco site to place a school in that area, which had yet to be done and where the MDUSD was seeking a bond to build a school when \$5.5 million designated for that school was not being utilized. He stated that a second school facility had also been designated for the area given the need. Mayor Aiello quoted comments attributed to the MDUSD Board President and disagreed with those comments. He questioned whether or not the MDUSD had the funds to build the school and he stated that Pittsburg residents were tired of waiting for a school in the area.

On motion by Councilmember Rios, seconded by Vice Mayor Beals-Rogers to adopt the proposed letter of support for the Bay Point MAC's request to elect MDUSD Board Members by geographical areas within the District by Minute Order and authorize the Mayor to sign the letter on behalf of the City Council.

PUBLIC HEARING

1. **ORDINANCE 02-1191** Interim Zoning Ordinance Extension

Mr. Casey stated that pursuant to Government Code Section 65858, on January 22, 2002, the City Council adopted as an urgency measure Ordinance No. 02-1189 as an interim ordinance prohibiting any uses which may be in conflict with a contemplated or newly adopted General Plan. The General Plan was adopted on November 16, 2002, whereby certain

inconsistencies may exist between the current Zoning Ordinance and the new General Plan. The interim ordinance provides for the orderly processing of land use applications prior to the adoption of necessary amendments to the Zoning Ordinance for consistency with the General Plan. The urgency measure is valid for only 45 days and will expire on March 8, 2002 unless extended after a public hearing. Mr. Casey recommended the introduction of Ordinance 02-1191 for extending urgency measure Ordinance No. 02-1189 for interim zoning regulations to provide for issuance of land use entitlements consistent with the newly adopted General Plan.

Mayor Aiello opened the public hearing for Ordinance 02-1191. There was no one to speak for or against the ordinance. The public hearing was closed.

On motion by Councilmember Lewis, seconded by Councilmember Rios and carried unanimously to introduce Ordinance 02-1191 by title only and to waive first reading.

ADJOURNMENT

The meeting adjourned at 8:10 P.M. to the meeting set for March 4, 2002.

Respectfully submitted,

Lillian J. Pride, City Clerk
Als

CITY OF PITTSBURG
Housing Authority Minutes
February 19, 2002

Chair Frank Aiello called the meeting of the Housing Authority to order at 7:04 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California, after having met at 5:30 P.M. for Conference with Legal Counsel - Existing Litigation pursuant to Section 54956.9 of the Government Code regarding Thomas v. City of Pittsburg Case No. C01-02718, and Conference with Legal Counsel - Anticipated Litigation pursuant to Section 54956.9 subdivision (b) regarding five (5) cases, and pursuant to subparagraphs (B) to (E), inclusive, of paragraph (3) of subdivision (b) of Section 54956.9 regarding one (1) case.

City Attorney Linda Daube announced that the Council had unanimously authorized staff to proceed to renegotiate and modify certain redevelopment loans concerning two parties, the Laporì Building and the National Building. She stated that the action shall serve as official notice of the intent to proceed thereby starting the clock on the statute of limitations. There was nothing else to report.

MEMBERS PRESENT: Beals-Rogers, Lewis, Quesada, Rios, Aiello

MEMBERS ABSENT: Peterson (Excused), Wallen

STAFF PRESENT: Executive Director, Willis Casey
Assistant Executive Director, Nasser Shirazi
Legal Counsel, Linda Daube
City Clerk, Lillian Pride
Director of Economic Development, Garrett Evans
Director of Finance, Jim Holmes
Director of Leisure Services, Paul Flores
Director of Public Services, John Fuller
Director of Planning and Building, Randy Jerome
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Property Manager, Ursula Luna
Police Chief, Aaron Baker
Executive Assistant to the City Manager, Alice Evenson

PLEDGE OF ALLEGIANCE

Two local Boy Scouts led the Pledge of Allegiance.

CITIZEN REMARKS

There were no citizen remarks.

MEMBER REMARKS

There were no member remarks.

CONSENT

On motion by Member Quesada, seconded by Member Rios and carried unanimously to adopt the Consent Calendar, as shown.

- a. **DISBURSEMENT LIST** Period Ending: January 31, 2002

Approved Disbursement List period ending January 31, 2002.

- b. **MINUTES** Dated: January 22, 2002

Approved Minutes dated January 22, 2002.

- c. **REPORT** Investment Report

The State of California Government Code Section 53646 amended by the passing of Senate Bill No. 564 which took effect January 1, 1996 requires the City Treasurer to quarterly submit an investment report to the City Council during a public meeting.

Approved Investment Report.

CONSIDERATION

1. **RESOLUTION 02-200** Lease Agreement for Centurian Plaza

Executive Director Will Casey reported that the City of Pittsburg and Centurian Enterprises (a private entity) had negotiated terms for the lease of 2,500 square feet of office space in Centurian Plaza located at 325 and 333 East Leland Road. The Housing Authority (the "Authority") intended to relocate to and use the space for their offices. The term of the Agreement was for five years with a total of \$150,000 incurred in rental payments over the five years. The savings to the Authority would be \$177,140 over the five years (\$2,952.33 monthly savings).

Mr. Casey recommended that the Housing Authority approve the Lease Agreement and authorize the Executive Director to execute the agreement on behalf of the Authority.

In response to the Vice Chair given that the same item had been included on the City Council's Consent Calendar, City Attorney Daube explained that the item was required to be approved by the City Council and was appropriate to be placed on the Consent Calendar for that approval.

Ms. Daube clarified for the record that the agenda had included a clerical error, although

the staff report was correct in the description and the terms and conditions of the lease, and the staff presentation at this time was consistent with that staff report.

On motion by Vice Chair Beals-Rogers, seconded by Member Rios and carried unanimously to adopt Resolution 02-200.

ADJOURNMENT

The meeting adjourned at 7:09 P.M. to the next meeting set for March 18, 2002.

Respectfully submitted,

Lillian J. Pride, Secretary

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CITY OF PITTSBURG
Pittsburg Power Company
February 19, 2002

Chair Frank Aiello called the meeting of the Pittsburg Power Company to order at 8:10 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California, after having met at 5:30 P.M. for Conference with Legal Counsel - Existing Litigation pursuant to Section 54956.9 of the Government Code regarding Thomas v. City of Pittsburg Case No. C01-02718, and Conference with Legal Counsel - Anticipated Litigation pursuant to Section 54956.9 subdivision (b) regarding five (5) cases, and pursuant to subparagraphs (B) to (E), inclusive, of paragraph (3) of subdivision (b) of Section 54956.9 regarding one (1) case.

City Attorney Linda Daube announced that the Council had unanimously authorized staff to proceed to renegotiate and modify certain redevelopment loans concerning two parties, the Lapor Building and the National Building. She stated that the action shall serve as official notice of the intent to proceed thereby starting the clock on the statute of limitations. There was nothing else to report.

MEMBERS PRESENT: Beals-Rogers, Lewis, Quesada, Rios, Aiello

MEMBERS ABSENT: None

STAFF PRESENT: Executive Director, Willis Casey
Assistant Executive Director, Nasser Shirazi
Legal Counsel, Linda Daube
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Property Manager, Ursula Luna
Police Chief, Aaron Baker
Executive Assistant to the City Manager, Alice Evenson

CITIZENS REMARKS

There were no citizen remarks.

MEMBERS REMARKS

There were no Member remarks.

CONSENT

On motion by Vice Chair Beals-Rogers, seconded by Member Rios and carried unanimously to adopt the Consent Calendar, as shown.

a. **MINUTES** Dated: January 22, 2002

Approved Minutes dated January 22, 2002.

b. **RESOLUTION 02-066** Approve and Authorize the Executive Director to Execute an Agreement Between the City of Vallejo and the Pittsburg Power Company regarding the Allocation of Power from the Western Area Power Administration

The Pittsburg Power Company doing business as Island Energy on Mare Island currently receives an allocation of power from Western Area Power Administration. WAPA allocations are made to closed military installations, with an approved Base Reuse Plan, for purposes of supplying inexpensive electricity with the goal of stimulating economic development. A WAPA allocation has been part of the Pittsburg Power Company's business plan since inception. The Authority and the City of Vallejo have entered into similar Agreements in the past and put forth this Agreement for the year 2002-2003 to secure low cost power for Island Energy.

Adopted Resolution 02-066.

ADJOURNMENT

The meeting adjourned at 8:12 P.M.

Respectfully submitted,

Lillian J. Pride, Secretary

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CITY OF PITTSBURG
Redevelopment Agency Minutes
February 19, 2002

Chair Frank Aiello called the meeting of the Redevelopment Agency to order at 7:10 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California, after having met at 5:30 P.M. for Conference with Legal Counsel - Existing Litigation pursuant to Section 54956.9 of the Government Code regarding Thomas v. City of Pittsburg Case No. C01-02718, and Conference with Legal Counsel - Anticipated Litigation pursuant to Section 54956.9 subdivision (b) regarding five (5) cases, and pursuant to subparagraphs (B) to (E), inclusive, of paragraph (3) of subdivision (b) of Section 54956.9 regarding one (1) case.

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Director of Planning and Building, Randy Jerome
City Engineer, Wally Girard
Director of Housing, Buck Eklund
Property Manager, Ursula Luna
Police Chief, Aaron Baker
Executive Assistant to the City Manager, Alice Evenson

CITIZENS REMARKS

There were no citizens remarks.

MEMBERS REMARKS

There were no Member remarks.

CONSENT

On motion by Member Rios, seconded by Member Quesada and carried unanimously to adopt the Consent Calendar, as shown.

- a. **MINUTES** Dated: February 4, 2002

Approved Minutes dated February 4, 2002.

- b. **RESOLUTION 02-816** Approval of a Project Authorization Form and Consultant Agreement with Robert Bein, William Frost & Associates for Civil Engineering Services Related to the Completion of Contract 93-13, Known as the Willow Pass Road Improvement Project

In 1993 the City of Pittsburg entered into an agreement with Contra Costa County to complete widening improvements to Willow Pass Road between Loftus Road and the City's Western Limit Line. The City of Pittsburg's Five Year Capital Improvement Program (CIP) for Fiscal Years 2001-2002 through 2004-2005 identified the Willow Pass Road Improvement Project as Item ST-7. The consulting firm of RBF Consulting (RBF) is one of ten selected firms to be placed on Pittsburg's list for On-Call Engineering Services. Staff believes RBF to be well qualified to perform the services required for the Willow Pass Road Improvement Project.

Adopted Resolution 02-816.

- c. **REPORT** Investment Report

The State of California Government Code Section 53646 amended by the passing of Senate Bill No. 564 which took effect January 1, 1996 requires the City Treasurer to quarterly submit an investment report to the City Council during a public meeting.

Approved the Investment Report.

- d. **RESOLUTION 02-817** Award Bocce Court Rehabilitation Contract

The Redevelopment Agency has set aside funding for General Park Renovation in the City of Pittsburg. The six Buchanan Park Bocce Ball Courts are in need of renovation and the ideal time for construction is before the Pittsburg Bocce Federation season commences, which is

the first week of April.

Adopted Resolution 02-817.

ADJOURNMENT:

The meeting adjourned at 7:11 P.M. to the next meeting set for March 4, 2002.

Respectfully Submitted,

Lillian J. Pride, Secretary

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