

# AMENDED

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

## HOUSING AUTHORITY AGENDA

65 Civic Avenue  
PITTSBURG, CALIFORNIA

5:00 PM  
May 20, 2002

CALL TO ORDER: Mayor Frank Aiello

HOUSING AUTHORITY COMMISSION INTERVIEWS - 5:00 pm

PUBLIC COMMENT

ADJOURN TO CLOSED SESSION - 5:30 pm

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

MEMBERS OF THE HOUSING AUTHORITY

Vacant \_\_\_\_\_  
Cathy Wallen \_\_\_\_\_  
Yvonne Beals-Rogers \_\_\_\_\_  
Robert Lewis \_\_\_\_\_  
Frank Quesada \_\_\_\_\_  
Aleida Rios \_\_\_\_\_  
Chair Frank Aiello \_\_\_\_\_

PLEDGE OF ALLEGIANCE

CITIZENS REMARKS

MEMBERS REMARKS

PRESENTATION

1. Cleon Peterson

CONSENT

- a. DISBURSEMENT LIST Period Ending: April 30, 2002 (Recommend Approval)
- b. MINUTES Dated: April 15, 2002 (Recommend Approval)

ADJOURNMENT To: June 17, 2002

**CITY OF PITTSBURG  
REDEVELOPMENT AGENCY AGENDA**

65 Civic Avenue  
PITTSBURG, CALIFORNIA

**5:00 PM  
May 20, 2002**

**CALL TO ORDER: Mayor Frank Aiello**

**HOUSING AUTHORITY COMMISSION INTERVIEWS - 5:00 pm**

**PUBLIC COMMENT**

**CONVENE IN CLOSED SESSION - 5:30 pm**

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

**MEMBERS OF THE REDEVELOPMENT AGENCY**

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

**PLEDGE OF ALLEGIANCE**

**CITIZENS REMARKS**

**MEMBERS REMARKS**

**CONSENT**

a. **MINUTES**

Dated: May 6, 2002 (Recommend Approval)

b. **RESOLUTION 02-824**

Award of Contract 99-03; North Park Plaza/Century Boulevard Connector Road to North Bay Construction, Inc. of Petaluma, California (Recommend Adoption)

The City of Pittsburg advertised for sealed bid proposals for Contract 99-03; North Park Plaza/Century Boulevard Connector Road. Bids were received by the City Clerk at the office of the City Engineer until 2:00 p.m. on May 6, 2002 at which time all bid proposals received were opened and read aloud in public. The low bidder, North Bay Construction Inc. of Petaluma, CA, submitted a bid in the amount of \$597,636.40

c. **RESOLUTION 02-825**

Award of Contract 01-11, Marina Center Improvements to CJE/RTE (Joint Venture) of Concord, California and adopt Resolution No. 02-825 (Recommend Adoption)

Bids have been opened for the construction of

improvements at the Marina Center located at 340 Marina Boulevard. Proposed improvements for this project include: structural roof drainage improvements, roof sheathing repairs and asphalt roof replacement, replacement of heating, ventilation, air conditioning units (HVAC), and exterior painting. The apparent low bidder, CJE/RTE (Joint Venture) of Concord, California, submitted a Contract Bid Proposal in the amount of Three Hundred Thirty Six Thousand Eight Hundred Dollars and Nine Cents (\$336,800).

**ADJOURNMENT:** To: June 3, 2002

**CALL TO ORDER: Mayor Frank Aiello**

**HOUSING AUTHORITY COMMISSION INTERVIEWS** - 5:00 p.m.

**PUBLIC COMMENT**

**CONVENE IN CLOSED SESSION** - 5:30 pm

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

**MEMBERS OF THE CITY COUNCIL**

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

**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).

**PROCLAMATIONS**

1. Watershed Cleanup Proclamation
2. Bike to Work Day

**PRESENTATIONS**

1. Governor's Office of Planning and Research

**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: May 1, 2002, May 3, 2002, and May 15, 2002 (Recommend Acceptance)
- b. **MINUTES** Dated: May 6, 2002 (Recommend Approval)
- c. **CLAIMS** #1444 Charles Bell; #1445 Peter J. Johnson, Jr.; #1450 Launce M. Turner (Recommend Denial)

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

d. **RESOLUTION 02-9598**

Renewal of the Contra Costa Home Program Consortium Agreement (Recommend Adoption)

The Congress of the United States has enacted the Cranston Gonzalez National Affordable Housing Act of 1990 as amended by the Housing and Community Development Act of 1992. Title II of the Act creates the HOME Investment Partnership Program that provides funds to state and local governments to increase and maintain the supply of affordable housing for lower income households. Federal regulations under 24 CFR Part 92 have been adopted for purposes of implementing the HOME Program pursuant to the Act. Title I of the Act requires local governments to formulate a Consolidated Plan as part of the eligibility requirements for HOME funds. The Act requires that a CONSORTIUM shall have one member unit of general local government authorized to act in a representative capacity for all member units for purposes of the Act and to assume overall responsibility for ensuring that the Consortium's HOME program is implemented in accordance with the requirements of the Act.

e. **RESOLUTION 02-9599**

Reallocate the Position of Micrographics Technician to Engineering Technician in the Engineering Department (Recommend Adoption)

The Personnel Services and Engineering Departments have conducted a review of classifications within the Engineering Department and have determined the position of Micrographics Technician is no longer necessary in the department and that reallocating the position to Engineering Technician would allow for a broader scope of work to be performed.

f. **RESOLUTION 02-9600**

Reclassify Three Positions and Incumbents from Public Services Worker I to Public Services Worker II (Recommend Adoption)

The Personnel Services and Public Services Departments have conducted a review of classifications within the Public Services Department. The review finds that three incumbents are considered to be working out of classification. Both departments recommend that the positions and incumbents be reclassified from Public Services Worker I to Public Services Worker II

g. **RESOLUTION 02-9601**

Award of Contract 99-03; North Park Plaza/Century Boulevard Connector Road to North Bay Construction, Inc. of Petaluma, California (Recommend Adoption)

The City of Pittsburg advertised for sealed bid proposals for Contract 99-03; North Park Plaza/Century Boulevard Connector Road. Bids were received by the City Clerk at the office of the City Engineer until 2:00 p.m. on May 6, 2002 at which time all bid proposals received were opened and read aloud in public. The low bidder, North Bay Construction Inc. of Petaluma, CA, submitted a bid in the amount of \$597,636.40.

h. **RESOLUTION 02-9602**

Approve and Authorize Transportation Account (BTA) Fund Applications to Provide a Class III Bicycle Facility on North Parkside Drive from Railroad Avenue to Willow Pass Road/Range Road and a Class II Bicycle Facility on West Leland Road from Dover Way to Bailey Road (Recommend Adoption)

City Council to approve and authorize applying for BTA funding for installing Class III bicycle facilities along North Parkside Drive and Class II bicycle facilities along West Leland Road. It also commits the necessary 10% local match of project funding and assurance to complete the project.

i. **RESOLUTION 02-9603**

Clarification of the General Plan Land Use Designation of Certain Alves Ranch Project Residential Property (Recommend Adoption)

At the May 6, 2002 Council Meeting, the City Council adopted Resolution No. 02-9597, which determined that the 35 acre residential area between State Highway 4 and West Leland Road was intended to be classified for Low Density Residential, and instructed the City Attorney to prepare appropriate documentation to effect that intention.

The City Attorney has prepared for your adoption the following Resolution with attached Addendum to effectuate the Council's instruction.

j. **ORDINANCE 02-1198**

Revising Pittsburg Municipal Code Section 10.16.190 "Maximum Weight of Commercial Vehicles in Certain Districts" (Recommend Adoption)

Adoption of the ordinance introduced by the City Council on May 6, 2002, revising PMC 10.16.190 to restrict overnight truck parking on the north side of Power Avenue, between Railroad Avenue and Davi Avenue, while allowing overnight truck parking on the south side. Currently trucks are allowed to park overnight on both sides of the street.

## **CONSIDERATION**

1. **MINUTE ORDER**

Letter In Opposition to AB 2073 (Canciamilla)  
(Recommend Approval)

Assembly Member Joe Canciamilla has proposed a bill in the current legislative session (AB 2073) that if passed would require that if a city annexes territory that contains an electric generation facility, that county in which that city is located would continue to receive the revenues that the county received prior to that annexation.  
(Recommend Approval)

2. **MINUTE ORDER**

Reconsideration of Ordinance 02-1197 (Recommend Approval)

Pursuant to the City Council's Policies and Procedures adopted by Resolution 01-9475, a Council Member who voted in the majority on a matter can request the item be reconsidered and, if the majority of the Council approves the request, subsequently placed on a future agenda for consideration. Mayor Aiello has requested reconsideration of the Ordinance in light of new information that has been brought to staff.

3. **MINUTE ORDER**

City of Pittsburg's Proposed Centennial Events  
(Recommend Approval)

The City of Pittsburg will mark 100 years as a city on June 25, 2003. Toward celebrating this centennial event a City Council sub-committee has met and developed a program of civic events. A schedule of the programs is attached as Exhibit A. This sub-committee is requesting City Council input and approval of funding for the proposed programs. Funding for the proposed programs is approximately \$35,000.00.

**ADJOURNMENT** To: June 3, 2002

### **PITTSBURG POWER COMPANY AGENDA**

65 Civic Avenue  
PITTSBURG, CALIFORNIA

5:00 PM  
May 20, 2002

**CALL TO ORDER: Mayor Frank Aiello**

**HOUSING AUTHORITY COMMISSION INTERVIEWS** - 5:00 pm

**PUBLIC COMMENT**

**CONVENE IN CLOSED SESSION** - 5:30 pm

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

**MEMBERS OF THE PITTSBURG POWER COMPANY**

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

**PLEDGE OF ALLEGIANCE**

**CITIZENS REMARKS**

**MEMBERS REMARKS**

**CONSENT**

a. **MINUTES**

Dated: May 6, 2002 (Recommend Approval)

**CONSIDERATION**

1. **RESOLUTION 02-069**

Award Contract 00-06; Marina Dredging Project to Camenzind Dredging (Recommend Adoption)

City staff and consultants have secured a dredge spoil disposal site at Winter Island, obtained regulatory permits and prepared plans and specification for the dredging of the municipal marina. The City Council authorized staff to advertise the project for bid on January 22, 2002. Project bids were received on May 14<sup>th</sup>, 2002 with Camenzind dredging the apparent low bidder.

**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 Outside Agency/Liaison/ Sub-Committees Assignments - 2002

<u>OUTSIDE AGENCY BOARDS</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
ABAG	Frank Aiello / Yvonne Beals-Rogers Alt.	Standing	Annual	G. Evans
BART Station Specific Plan	Robert Lewis	Ad Hoc	As needed	R. Jerome
Contra Costa Consolid. Fire Dist.	Robert Lewis	Standing	2 <sup>nd</sup> Monday	N. Shirazi
Contra Costa Trans. Authority	Aleida Rios	Standing	3 <sup>rd</sup> Wednesday	N. Shirazi
Delta Diablo Sanitation	Frank Aiello / Frank Quesada Alt.	Standing	4 <sup>th</sup> Wednesday	J. Fuller
East County Habitat Conserv.	Frank Quesada / Aleida Rios Alt.	Standing	As needed	R. Jerome
East County Water Mgt.	Robert Lewis / Frank Quesada Alt.	Standing	Annual	J. Fuller
Fee & Finance Authority	Frank Quesada / Aleida Rios Alt.	Standing	2 <sup>nd</sup> Thursday	N. Shirazi
Tri-Delta Transit	Frank Quesada / Yvonne Beals-Rogers Alt.	Standing	Last Wednesday	N. Shirazi
Water Transit Authority Comm.	Yvonne Beals-Rogers / Frank Aiello Alt.	Standing	As needed	J. Fuller
<u>LIAISON TO</u>	<u>COUNCIL MEMBER (S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
East Bay League of Calif. Cities	Aleida Rios	Standing	3 <sup>rd</sup> Thursday	B. Nail
Library Commission	Yvonne Beals-Rogers & Aleida Rios	Standing	As needed	P. Flores
LMC Foundation Scholarship	Frank Quesada / Yvonne Beals-Rogers Alt.	Standing	As needed	P. Flores
Mayor=s Conference	Frank Aiello / Yvonne Beals-Rogers Alt.	Standing	1 <sup>st</sup> Thursday	W. Casey
School District Liaison	Yvonne Beals-Rogers & Aleida Rios	Standing	Quarterly	P. Flores
Youth Commission	Aleida Rios	Standing	2 <sup>nd</sup> /4th Wednesday	P. Flores
<u>SUBCOMMITTEE</u>	<u>COUNCIL MEMBER (S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
Audit Committee	Aleida Rios & Frank Quesada	Standing	Quarterly	J. Holmes
Builders Circle Project	Frank Quesada & Aleida Rios	Ad Hoc	As needed	R. Jerome
CAC/CDBG	Yvonne Beals-Rogers & Aleida Rios	Standing	As needed	B. Eklund
Centennial Celebration	Yvonne Beals-Rogers & Robert Lewis	Ad Hoc	As needed	P. Flores
City/County Relations	Robert Lewis / Yvonne Beals-Rogers Alt.	Standing	As needed	W. Casey
Economic Development	Yvonne Beals-Rogers & Robert Lewis	Standing	Quarterly	G. Evans
Foreign Trade Zone	Frank Aiello & Aleida Rios	Standing	As needed	G. Evans
Island Energy Advisory	Frank Quesada / Robert Lewis Alt.	Standing	As needed	G. Evans
PCSI Partnership-California Theatre	Yvonne Beals-Rogers & Robert Lewis	Ad Hoc	As needed	G. Evans
PEHDC	Yvonne Beals-Rogers & Frank Quesada	Standing	1 <sup>st</sup> Thursday	G. Evans
RDA Subcommittee	Yvonne Beals-Rogers & Aleida Rios	Standing	Quarterly	G. Evans

## 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 May 20, 2002.

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)

  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)

Alves Ranch LLC v. City of Pittsburg, Superior Court No. N02-0401

     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:

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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."

(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.)

\_\_\_ 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: Finance Director (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)

X 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.)

Marc Fox, IEDA

Employee organization: (Specify name of organization representing employee)

Miscellaneous A, Miscellaneous B, Management/Professional/Confidential Unit, PPOA, PPMG; Teamsters local 856

And

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

All unaffiliated employees

- \_\_\_\_\_ 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)