

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

REDEVELOPMENT AGENCY AGENDA

65 Civic Avenue
PITTSBURG, CALIFORNIA

5:30 pm
May 6, 2002

CALL TO ORDER: Mayor Frank Aiello

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: April 15, 2002 (Recommend Approval)

PUBLIC HEARING

1. **MINUTE ORDER** Redevelopment Plan Amendment Joint Public Hearing
(Recommend Continue to July 1, 2002)

Agency staff began a plan amendment process to delete four parcels from the Los Medanos Community Development Project Area over one year ago. At that time, the loss in Assessed Value was in excess of \$100 million. Recent proposed developments and new assessed valuations of the four parcels have impacted staff=s original evaluation.

ADJOURNMENT: To: May 20, 2002

**CITY OF PITTSBURG
CITY COUNCIL AGENDA**

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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. Day of the Teacher

PRESENTATIONS

1. Fil-Am Certificates of Appreciation
2. 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 (Recommend Acceptance)
- b. **MINUTES** Dated: April 15, 2002 (Recommend Approval)
- c. **CLAIMS** #1414 Marquise D. Sims; #1440 Aisha W. Bell

(Recommend Denial)

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

d. **RESOLUTION 02-9589**

Consideration and Approval of the 2002-2003 Community Development Block Grant Annual Action Plan (Recommend Adoption)

The Department of Housing and Urban Development (HUD) requires the City Council to review and approve the 2002-2003 Community Development Block Grant Annual Action Plan. The Annual Action Plan is being presented to the City Council for approval. This Plan includes the CDBG funding recommendations for the 2002-2003 program year that the Council approved on March 18, 2002. HUD also requires a public hearing and public comment before submitting the Annual Action Plan to HUD.

e. **RESOLUTION 02-9590**

Award Contract for Water Treatment Plant Filter Study (Recommend Adoption)

Following the Department of Health Services (DHS) last annual inspection of the City's Water Treatment Plant, DHS ordered the City to institute an enhanced water filter-monitoring program. The Public Services Department has selected the consulting firm of Camp Dresser & McKee, Inc. to assist the Public Services Department in responding to this mandate. Camp Dresser & McKee is extremely experienced in this field and has extensive prior experience with Pittsburg's Water Treatment Plant. Camp Dresser & McKee will develop the filter monitoring protocol, furnish and install particle counters in two of the Water Treatment Plant filters and assist Public Services Department personnel in negotiations with the Department of Health Services.

f. **RESOLUTION 02-9591**

Establish Telecommunications Specialist Classification (Recommend Adoption)

The Personnel Services Department has conducted a classification study and has determined that one of three City's Network Technicians is working beyond the duties of that job classification. The Department proposes to create the new classification of Telecommunications Specialist, assign it to salary range 400, and reclassify the incumbent to the new classification.

g. **ORDINANCE 02-1195**

Adoption of an Ordinance to Amend the Prior Approved PD-1170 (Planned Development) Zoning District for

Presidio Village to Reduce the Number of Secured Parking Spaces and Increase the Number of Visitor Parking Spaces for a 104-Unit Senior Apartment Complex on a 3.21 Acre Site Located at 200 Presidio Lane, PD (Planned Development) Zone, APN 088-184-028. RZ-0202 (Recommend Adoption)

This is the adoption of the ordinance introduced by the City Council on April 15, 2002 for Presidio Village located at 200 Presidio Lane; APN 088-184-028.

h. **ORDINANCE 02-1196**

Adoption of an Ordinance to Amend the Prior Approved PD-1172 (Planned Development) Zoning District and PD-1042 Zoning District for the Oak Hills South Unit 5 Subdivision (Tentative Map No. 8042), and Prezoning of 1.1 Acres to PD and Approval of a PD Plan to Allow Construction of 12 Single-family Homes; Portions of APNs 094-360-001 and 097-170-027. RZ 01-08 (Recommend Adoption)

This is the adoption of the ordinance introduced by the City Council on April 15, 2002 for Oak Hills South Unit 5 Subdivision (Tentative Map No. 8042), generally located south of West Leland Road and west of Bailey Road.

i. **RESOLUTION 02-9592**

Approving 2002/2003 Transportation Development Act (TDA) Project Application for Installing Class II Bicycle Lanes on Eighth Street (Recommend Adoption)

The TDA 2002/2003 Article 3 Funds applied for includes signing and striping a Class II bicycle facility of the proposed Eighth Street Improvement Project, from Harbor Street to Herb White Way and to construct/repair handicap ramps at all major intersections included in the project limits. The County Bicycle Advisory Committee has reviewed the project and recommends this project for TDA funding.

j. **RESOLUTION 02-9593**

Directing the Engineer of Work to Prepare and File the Annual Report for Landscaping and Lighting Assessment District 1988-01 Citywide (Fiscal Year 2002-03) (Recommend Adoption)

This is the first of three steps in the annual renewal process for District 88-01. Funds collected through this district are necessary for the City=s landscaping and lighting operations citywide.

k. **RESOLUTION 02-9594**

Directing the Engineer of Work to Prepare and File the Annual Report for Landscaping and Lighting Assessment District 1988-02 Oakhills (Fiscal Year 2002-

03) (Recommend Adoption)

This is the first of three steps in the annual renewal process for District 88-02. Funds collected through this district are necessary for the City=s landscaping and lighting operations in the Oakhills area.

- I. **RESOLUTION 02-9596** Approving the Application for Grant Funds for the Murray-Hayden Program Under the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (Recommend Adoption)

A priority goal as established by the City Council is the development of a Youth Center. This Youth Center would provide recreational, social and educational services which in turn would improve the quality of life for the Pittsburg community. To assist in realizing this goal, staff is applying for \$910,000 of funding from the Murray-Hayden Program/Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000. To complete the application process City Council must approve the application filing by Adoption of Resolution No. 02-9597.

CONSIDERATION

1. **RESOLUTION 02-9595** Policy Recommendations on Community Requests for City Sponsorship (Recommend Adoption)

One of the primary goals of the Pittsburg City Council and it=s Leisure Service Commission is to improve the quality of life for the residents of Pittsburg. Toward that end the Leisure Service Commission has developed a City of Pittsburg Community Sponsorship Program which is designed to provide public funding to assist organizations or individuals in realizing their goals. These sponsorships will be made to qualifying City of Pittsburg individuals, youth, adults, educational, cultural and civic organizations per City Council approval.

PUBLIC HEARING

1. **ORDINANCE 02-1197** Introduction of an ordinance to amend the zoning map from CO (Office Commercial) to CC (Community Commercial) at the Southwest Corner of East Leland Road and Loveridge Road for Arco Service Station (Recommend Introduction and Waive First Reading)
This is a public hearing on a request by Peter Tobin of Tait and Associates on behalf of Arco Service Station, to rezone a 3.55 acre parcel from CO (Office Commercial) to CC (Community Commercial) to allow a service

station including a convenience store and car wash located at the southwest corner of East Leland Road and Loveridge Road.

2. **ORDINANCE 02-1198**

Revising Pittsburg Municipal Code Section 10.16.190
Maximum Weight of Commercial Vehicles in Certain Districts (Recommend Introduction and Waive First Reading)

This is a public hearing to revise 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.

3. **MINUTE ORDER**

Redevelopment Plan Amendment Joint Public Hearing (Recommend Continue to July 1, 2002)

Agency staff began a plan amendment process to delete four parcels from the Los Medanos Community Development Project Area over one year ago. At that time, the loss in Assessed Value was in excess of \$100 million. Recent proposed developments and new assessed valuations of the four parcels have impacted staff's original evaluation.

4. **RESOLUTION 02-9597**

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

This action is to clarify the administrative record concerning the appropriate General Plan Land Use designation of a 35 acre residential area between State Highway 4 and West Leland Road and westerly of the Pittsburg/Bay Point BART Station located within the 294 acre Alves Ranch Project. On November 16, 2001, the City Council adopted by Resolution No. 01-9490 the City of Pittsburg General Plan entitled "Pittsburg 2020, A Vision for the 21st Century."

Upon a review of the verbatim transcript of the minutes of the meeting, the Council determined that there was no meeting of the minds with respect to the specific residential parcel. The proposed General Plan land use for this site as originally considered by the Planning Commission was indicated as High Density Residential. The City Council will consider whether or not this area should be designated as Low Density Residential.

ADJOURNMENT To: May 20, 2002

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PLEDGE OF ALLEGIANCE

CITIZENS REMARKS

MEMBERS REMARKS

CONSENT

a. **MINUTES**

Dated: March 18, 2002 (Recommend Approval)

CONSIDERATION

1. **RESOLUTION 02-068**

Approve and Authorize the Executive Director to Execute a Consent to Assignment and Assumption Agreement, a Secured Promissory Note, and a Security Agreement Between Sempra Energy International and the Pittsburg Power Company (PPC); and a Professional Energy Management Services Agreement Between Mare Island Operating Company, Inc. and the PPC (Recommend Adoption)

The Pittsburg Power Company (APPC) doing business as Island Energy on Mare Island currently has an existing Memorandum of Understanding (AMOU) with Sempra Energy International (ASEI) to provide operating, administration and management services for Island Energy. SEI has elected to terminate the MOU and assign and professional service to a third party. Staff has been negotiating with SEI and Mare Island Operating Company on the Assignment of the professional services required to fulfill SEI's responsibility.

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 nd Monday	N. Shirazi
Contra Costa Trans. Authority	Aleida Rios	Standing	3 rd Wednesday	N. Shirazi
Delta Diablo Sanitation	Frank Aiello / Frank Quesada Alt.	Standing	4 th 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 nd Thursday	N. Shirazi
Tri-Delta Transit	Frank Quesada / Frank Aiello 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 rd 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 st Thursday	W. Casey
School District Liaison	Yvonne Beals-Rogers & Aleida Rios	Standing	Quarterly	P. Flores
Youth Commission	Aleida Rios	Standing	2 nd /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 st 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 6, 2002.

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)

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

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)

___ 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

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)