

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

**REDEVELOPMENT AGENCY AGENDA**

65 Civic Avenue  
PITTSBURG, CALIFORNIA

5:00 pm  
June 3, 2002

**CALL TO ORDER: Mayor Frank Aiello**

**COMMISSIONER INTERVIEWS** - 5:00 pm

**PUBLIC COMMENT**

**CONVENE IN CLOSED SESSION** - 6:00 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 20, 2002 (Recommend Approval)

**PUBLIC HEARING**

1. **RESOLUTION 02-826**

Disposition and Development Agreement with Habitat for Humanity for the Sale and Development of Three Parcels Located Along Herb White Way (APNs: 085-222-001, 085-222-015 and 085-222-016) (Recommend Adoption)

The Pittsburg Redevelopment Agency and Habitat for Humanity have negotiated terms for the disposition and development of three parcels located off of Herb White Way in downtown Pittsburg. Habitat will purchase the three lots for one dollar per lot and will develop eight detached, single-family, owner-occupied, affordable dwelling units for lower income households.

**ADJOURNMENT:** To: June 10, 2002 - 5:00 p.m. Budget Workshop

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CITY COUNCIL AGENDA**

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**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).

**PRESENTATIONS**

1. Contra Costa Transit Authority
2. City Road Closure Schedule for 2002-2003

**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 29, 2002 (Recommend Acceptance)
- b. **MINUTES**                      Dated: May 20, 2002 (Recommend Approval)
- c. **CLAIMS**                              #1451 Al=s Snack Shop; #1452 Ann Robbins  
(Recommend Denial)  
  
(Claims against the City which may cause expenditure of funds - on file in the Office of the City Clerk)
- d. **RESOLUTION 02-9604**      Adoption of a Resolution Requesting the Local Agency Formation Commission (LAFCO) to Take Proceedings

for the Oak Hills South Unit 5 (Subd. 8042) Boundary for a Second Revision and Revise the Final Boundary of Annexation 120 (LAFCO 01-16) which had Amended the City=s Sphere of Influence and Concurrently Annexed to the City of Pittsburg, the Delta Diablo Sanitation District Zone 2, the Contra Costa Water District and Detached from the Ambrose Park District Territory Known as Elworthy/Keller Area Boundary Reorganization (Recommend Adoption)

This is an application by the City of Pittsburg requesting the Local Agency Formation Commission (LAFCO) to begin proceedings to revise the final boundary of Annexation 120 (LAFCO 01-16) for Oak Hills South Unit 5, Subd. 8042 generally located south of West Leland Road and west of Bailey Road.

- e. **RESOLUTION 02-9605** Subdivision 8423, San Marco Unit 5, Approval of the Final Map, Improvement Plans and Subdivision Improvement Agreement (Recommend Adoption)

The developer has submitted for approval a Final Map, improvement plans and a Subdivision Improvement Agreement for San Marcos Unit 5.

- f. **RESOLUTION 02-9606** Adoption of the Records Management Program (Recommend Adoption)

Adoption of the proposed resolution will revise the City=s Records Management Program and will apply efficient and economical methods to the creation, utilization, maintenance, retention, preservation and disposal of all City records.

- g. **RESOLUTION 02-9607** Adoption of Records Retention Schedules and Authorizing Destruction of Certain City Records (Recommend Adoption)

Adoption of the proposed resolution will revise the City=s Records Retention Schedules and will allow the future disposal of records based on the procedures established in the Records Management Manual and upon the request of the Department Head and the written approval of the City Attorney.

- h. **RESOLUTION 02-9608** Award Water Treatment Plant Chemical Purchase Contract (Recommend Adoption)

The City operates a 32 million gallon per day (mgd) Water Treatment Plant as part of the overall City water system. The Water Treatment Plant utilizes large

quantities of chemicals in the treatment process to clarify and disinfect raw water prior to distribution. Each year the Public Services Department requests bids from chemical suppliers prior to issuing annual purchase contracts for chemicals. Chemical bids have been received and chemical purchase contracts must be awarded to maintain operations at the Water Treatment Plant.

## **CONSIDERATION**

1. **RESOLUTION 02-9609** First Amendment to the Relocation Agreement Between City of Pittsburg and Praxair for the Relocation of USS-POSCO, Inc. (UPI) Facilities in Connection with the Kirker Creek Flood Control Project (Recommend Adoption)

As part of the Kirker Creek Flood Control Project, the City requires the relocation of certain utility facilities. Because certain facilities are not in the public right of way, the City is required to reimburse the affected utilities their cost for relocating them.

2. **RESOLUTION 02-9610** Reimbursement Agreement Between City of Pittsburg and PG&E for the Relocation of their Facilities for the Kirker Creek Flood Control Project (Recommend Adoption)

As part of the Kirker Creek Flood Control Project, the City requires the relocation of certain utilities. Because certain facilities are not in the public right of way, the City is required to reimburse the affected utilities their cost for relocating them.

3. **RESOLUTION 02-9611** Reimbursement Agreement Between City of Pittsburg and Pacific Gas and Electric (PG&E) for the Relocation of Electric Transmission Utilities for the Kirker Creek Flood Control Project (Contract 99-05) (Recommend Adoption)

As part of the Kirker Creek Flood Control Project, the City requires the relocation of certain utilities. Because certain facilities are not in the public right of way, the City is required to reimburse the affected utilities their cost for relocating them.

## **PUBLIC HEARING**

1. **ORDINANCE 02-1197** Reconsideration of 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 APN 088-230-012 (Recommend Introduction and Waive First Reading)

This is a reconsideration of an application 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.     **RESOLUTION 02-9612**     Disposition and Development Agreement with Habitat for Humanity for the Sale and Development of Three Parcels Located Along Herb White Way (APNs: 085-222-001, 085-222-015 and 085-222-016) (Recommend Adoption)

The Pittsburg Redevelopment Agency and Habitat for Humanity have negotiated terms for the disposition and development of three parcels located off of Herb White Way in downtown Pittsburg. Habitat will purchase the three lots for one dollar per lot and will develop eight detached, single-family, owner-occupied, affordable dwelling units for lower income households.

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**PLEDGE OF ALLEGIANCE**

**CITIZENS REMARKS**

**MEMBERS REMARKS**

**CONSENT**

a. **MINUTES** Dated: May 20, 2002 (Recommend Approval)

**CONSIDERATION**

1. **RESOLUTION 02-070** Appropriation of Funds for Additional Marina Dredging (Recommend Adoption)  
  
City staff and consultants have secured a dredge spoil disposal site at Winter Island, obtained regulatory permits and prepared plans and specifications for the dredging of the municipal marina. The Authority Board authorized staff to advertise the project for bid on January 22, 2002. Project bids were received on May 14, 2002, with Camenzind Dredging the apparent low bidder. The project must be awarded if the marina is to remain operational and meet regulatory permit conditions.
  
2. **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 specifications for the dredging of the municipal marina. The Authority Board authorized staff to advertise the project for bid on January 22, 2002. Project bids were received on May 14, 2002, with Camenzind Dredging the apparent low bidder. The project must be awarded if the marina is to remain operational and meet regulatory permit conditions.

3. **RESOLUTION 02-071**

Second Amendment to Marina Dredging Consultant Contract (Recommend Adoption)

City staff and consultants have secured a dredge spoil disposal site at Winter Island, obtained regulatory permits and prepared plans and specifications for the dredging of the municipal marina. The Authority Board authorized staff to advertise the project for bid on January 22, 2002. Project bids were received on May 14, 2002, with Camenzind Dredging the apparent low bidder. The project must be awarded if the marina is to remain operational and meet regulatory permit conditions.

**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 June 3, 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)

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

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

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)

Four (4) 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.)

  X   Initiation of litigation pursuant to subdivision (c) of Section 54956.9: (Specify number

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

of potential cases)

Two (2) cases

X D. LIABILITY CLAIMS (Section 54956.95)

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

DeMiglio & Associates

Agency claimed against: (Specify name)

City of Pittsburg

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

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

\_\_\_ F. PUBLIC EMPLOYEE APPOINTMENT

Title: (Specify description of position to be filled)

\_\_\_ G. PUBLIC EMPLOYMENT

Title: (Specify description of position to be filled)

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

Title: (Specify position title of employee being reviewed)

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

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

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

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

Employee organization: (Specify name of organization representing employee)

And/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)