

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

**HOUSING AUTHORITY AGENDA**

65 Civic Avenue  
PITTSBURG, CALIFORNIA

5:30 pm  
February 19, 2002

**CALL TO ORDER: Mayor Frank Aiello**

**PUBLIC COMMENT**

**ADJOURN TO CLOSED SESSION** - 5:30 pm

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

**MEMBERS OF THE HOUSING AUTHORITY**

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

**PLEDGE OF ALLEGIANCE**

**CITIZENS REMARKS**

**MEMBERS REMARKS**

**CONSENT**

a. **DISBURSEMENT LIST**      Period Ending: January 31, 2002 (Recommend Approval)

ACTION:

b. **MINUTES**      Dated: January 22, 2002 (Recommend Approval)

ACTION:

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

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.

ACTION:

**CONSIDERATION**

1. **RESOLUTION 02-200**

Lease Agreement for Centurian Plaza (Recommend Adoption)

The City of Pittsburg and Centurian Enterprises (a private entity) have negotiated terms for the lease of 2,500 square feet of office space located 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 \$116,310 over the five years (\$1,938.50 monthly savings).

ACTION:

**ADJOURNMENT** to March 18, 2002

**CITY OF PITTSBURG  
REDEVELOPMENT AGENCY AGENDA**

65 Civic Avenue  
PITTSBURG, CALIFORNIA

5:30 pm  
February 19, 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**  
ACTION:

Dated: January 22, 2002 (Recommend Approval)

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 (Recommend Adoption)

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 identifies 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.

ACTION:  
c. **REPORT**

Investment Report (Recommend Approval)

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.

ACTION:

d. **RESOLUTION 02-817**

Award Bocce Court Rehabilitation Contract  
(Recommend Adoption)

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.

ACTION:

**ADJOURNMENT:** To: March 4, 2002

**CITY OF PITTSBURG  
CITY COUNCIL AGENDA**

65 Civic Avenue  
PITTSBURG, CALIFORNIA

5:30 PM  
February 19, 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 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).

**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: February 4, 2002 and February 13, 2002  
(Recommend Acceptance)

ACTION:

- b.    **MINUTES**      Dated: January 22, 2002 (Recommend Approval)

ACTION:

- c.    **CLAIMS**      #1430 Sushil Prakash Chand; #1431 Anil P. Chand  
(Recommend Denial)

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

- d.    **RESOLUTION 02-9562**      Reduction of the Contractor=s Retention for Contract 01-03, Water Main Replacement and 2001 Citywide

Pavement Rehabilitation (Recommend Adoption)

Contract 01-03, the Water Main Replacement and 2002 Citywide Pavement Rehabilitation Project with Granite Construction, is now more than 95% complete. The City has withheld a 10% 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% level. This project has far exceeded this requirement.

ACTION:

e. **RESOLUTION 02-9563**

Implementing the Purchasing Policy by Amending Classification Specifications and Authorizing Staffing Levels (Recommend Adoption)

On January 22, 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.

ACTION:

f. **RESOLUTION 02-9564**

Sexual Harassment and Complaint Policy (Recommend Adoption)

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.

ACTION:

g. **ORDINANCE 02-1190**

Petsport Rezoning Ordinance (Recommend Adoption)

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.

ACTION:

h. **REPORT**

Investment Report (Recommend Approval)

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.

ACTION:

i. **RESOLUTION 02-9565**

Lease Agreement for Centurian Plaza (Recommend Adoption)

The City of Pittsburg and Centurian Enterprises (a private entity) have negotiated terms for the lease of 2,500 square feet of office space located 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 \$116,310 over the five years (\$1,938.50 monthly savings).

ACTION:

**CONSIDERATION**

1. **APPOINTMENT**

Planning Commission Vacancy Appointment (Recommend Appointment)

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.

ACTION:

2. **APPOINTMENT**

Community Advisory Commission Appointments (Recommend Appointments)

Six openings exist on the Community Advisory Commission in all quadrants. The City has advertised for all openings and received five applications for two quadrants.

ACTION:

3. **RESOLUTION 02-9566**

Installation of Sound Wall at West End of Transitions Structure/Calpine Project (Recommend Adoption)

Calpine has completed almost all of their obligations on the

Transition Station Agreement, but they are unable to proceed with the installation of the sound wall because: 1) There are no property lines established between the transition area and future lot(s) that would be built adjacent to this site; 2) There is no finished grade established to determine correct vertical positioning of the wall foundation; 3) Soil conditions on the site will require extensive removal of material, thus making the soundwall an additional detriment to future development of the site; 4) The sound from the transition area is nil and the site has had extensive landscaping planted to provide visual screening. The estimated cost to construct the soundwall is \$51,000. Calpine has proposed to provide \$58,322 in lieu of constructing the soundwall. These funds could be used to finance a change order to our current Railroad Avenue Rehabilitation project to provide for paving some of the proposed future parking areas in the 8<sup>th</sup> Street Greenbelt Corridor.

ACTION:

4. **MINUTE ORDER**

Letter of Support of Bay Point Municipal Advisory Council=s Position on Mt. Diablo School Board Representation (Recommend Adoption)

At the request of Mayor Aiello, staff has been asked to draft a letter of support for the Bay Point Municipal Advisory Council=s request to elect Mt. Diablo School Board Members by geographical areas within the District for the Council=s consideration.

ACTION:

**PUBLIC HEARING**

1. **ORDINANCE 02-1191**

Interim Zoning Ordinance Extension (Recommend Introduction and Waive First Reading)

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, 2001, 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.



ACTION:

**ADJOURNMENT** To: March 4, 2002

**CITY OF PITTSBURG  
PITTSBURG POWER COMPANY AGENDA**

65 Civic Avenue  
PITTSBURG, CALIFORNIA

5:30 pm  
February 19, 2002

**CALL TO ORDER: Mayor Frank Aiello**

**PUBLIC COMMENT**

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

**RECONVENE 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: January 22, 2002 (Recommend Approval)

ACTION:

b. **RESOLUTION 01-066** 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 (Recommend Adoption)

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.

ACTION:

**ADJOURNMENT**

## **NOTICE TO PUBLIC**

### **SPEAKER=S CARD**

Members of the audience who wish to address the City Council should complete a Speaker=s Card available at the dais. Submit the completed card to the City Clerk before the item is called, preferably before the meeting begins.

### **AUDIENCE REMARKS**

The Audience Remarks period is for the public to comment on any items scheduled to be heard during the Closed Session portion of the meeting, if applicable.

### **CITIZENS REMARKS**

The Citizens Remarks period is the time when the public may come forward to address the Council on any issues they wish, excluding items scheduled for this agenda.

### **CONSENT CALENDAR**

All matters listed under Consent Calendar are considered by the Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Council or the public prior to the time the Council votes on the motion to adopt.

### **PUBLIC HEARINGS**

Persons who wish to speak on Public Hearings listed on the agenda will be heard when the Public Hearing is opened, except on Public Hearing items previously heard and closed to public comment. After the public has commented, the item is closed to public comment and brought to the Council/Agency level for discussion and action. Further comment from the audience will not be received unless requested by the Council/Agency.

### **NOTICE TO THE DISABLED AND HEARING IMPAIRED**

In compliance with the Americans with Disabilities Act, the City of Pittsburg will provide special assistance for disabled citizens. The Council Chamber is equipped with sound amplifier units for use by the hearing impaired. The units operate in conjunction with the Chamber=s sound system. You may request the sound amplifier from the City Clerk for personal use during Council meetings. If you need special assistance to participate in this meeting, please contact the City Clerk at 252-4850. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II)

## City Council Committees - 2002

<u>COUNCIL MEMBER</u>	<u>COMMITTEE</u>	<u>MEETING DATES</u>	<u>STAFF</u>
Frank Aiello	ABAG Representative	ABAG Annual	G. Evans
	Delta Diablo Sanitation District	2 <sup>nd</sup> Wednesday	J. Fuller
	Foreign Trade Zone	Ad Hoc	G. Evans
	Mayor=s Conference	1 <sup>st</sup> Thursday	W. Casey
	Tri-Delta Transit - Alt.	Last Wednesday	N. Shirazi
	Water Transit Authority Comm. Advisory-Alt	As needed	J. Fuller
Yvonne Beals-Rogers	ABAG Representative - Alt.	ABAG Annual	G. Evans
	CAC/CDBG Sub-committee	As needed	B. Eklund
	Centennial Celebration Committee	As needed	P. Flores
	City & County Relations Committee - Alt.	Ad Hoc	W. Casey
	Economic Development Committee	Quarterly	G. Evans
	Library Commission	As needed	P. Flores
	LMC Foundation Scholarship - Alt.	Ad Hoc	P. Flores
	Mayor=s Conference - Alt.	1 <sup>st</sup> Thursday	W. Casey
	PEHDC	As needed	G. Evans
	PCSI Partnership	Ad Hoc	G. Evans
	RDA Subcommittee	Quarterly	G. Evans
	School District Liaison	Quarterly	P. Flores
	Tri-Delta Transit	Last Wednesday	N. Shirazi
Water Transit Authority Comm. Advisory	As needed	J. Fuller	
Aleida Rios	Audit Committee	Quarterly	J.Holmes/N.Shirazi
	CAC/CDBG Subcommittee	As needed	B. Eklund
	Contra Costa Transportation Authority	3 <sup>rd</sup> Wednesday	N. Shirazi
	Council/Commission Development Projects	Ad Hoc	R. Jerome
	East Bay League of California Cities	3 <sup>rd</sup> Thursday	B. Nail
	East County Habitat Conservation - Alt.	As needed	R. Jerome
	Fee & Finance Authority (Transplan) - Alt.	2 <sup>nd</sup> Thursday	N. Shirazi
	Foreign Trade Zone	Ad Hoc	G. Evans
	RDA Subcommittee	Quarterly	G. Evans
	School District Liaison	Quarterly	P. Flores
	Youth Advisory Commission Liaison	As needed	P. Flores
	Robert Lewis	BART Station Specific Plan	As needed
Centennial Celebration Committee		As needed	P. Flores
City & County Relations Committee		Ad Hoc	W. Casey
Contra Costa Consolidated Fire District		2 <sup>nd</sup> Monday	N. Shirazi
East County Water Mgt. Assn.		Annual	J. Fuller
Economic Development Committee		Quarterly	G. Evans
Island Energy Advisory Commission - Alt.		As needed	G. Evans
PCSI Partnership		Ad Hoc	G. Evans
Water Management Association		Annual	J. Fuller
Frank Quesada	Audit Committee	Quarterly	J.Holmes/N.Shirazi
	Council/Commission Development Projects	Ad Hoc	R. Jerome
	Delta Diablo Sanitation District- Alt.	2 <sup>nd</sup> Wednesday	J. Fuller
	East County Habitat Conservation	As needed	R. Jerome
	East County Water Mgt. Assn. - Alt.	Annual	J. Fuller
	Fee & Finance Authority (Transplan)	2 <sup>nd</sup> Thursday	N. Shirazi
	Island Energy Advisory Committee	As needed	G. Evans
	LMC Foundation Scholarship Committee	Ad Hoc	P. Flores
	PEHDC	As needed	G. Evans
Tri-Delta Transit	Last Wednesday	N. Shirazi	

**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 February 19, 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)

Thomas v. City of Pittsburg Case No. C01-02718

or

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

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

Five (5) cases

(In addition to the information noticed above, the agency may be required to

<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."

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 of potential cases)

One (1) case

\_\_\_ 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)

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

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

Employee organization: (Specify name of organization representing employee)

or

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

\_\_\_ K. CASE REVIEW/PLANNING (with respect to closed sessions called pursuant to Section 54957.8)

\_\_\_ L. REPORT INVOLVING TRADE SECRET; HEARINGS (Section 54962 and Sections 1461, 32106, and 32155 of the Health and Safety Code or Sections 37606 and 37624.3 of the Government Code)

\_\_\_ REPORT INVOLVING TRADE SECRET

Discussion will concern: (Specify whether discussion will concern proposed new service, program, or facility)

Estimated date of public disclosure: (Specify month and year)

\_\_\_ HEARINGS

Subject matter: (Specify whether testimony/deliberation will concern staff privileges, report of medical audit committee, or report of quality assurance committee)