

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

**REDEVELOPMENT AGENCY AGENDA**

65 Civic Avenue  
PITTSBURG, CALIFORNIA

6:00 pm  
January 7, 2002

**CALL TO ORDER: Mayor Frank Aiello**

**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: December 3, 2001 and December 10, 2001  
(Recommend Approval)

ACTION:

b. **RESOLUTION 02-809**

Adopting Amended rules for Business Tenant Preference and Owner Participation and Authorizing Transmittal of Same to the City Council of the City of Pittsburg (Recommend Adoption)

Pursuant to California Redevelopment Law, rules for owner participation and business tenant preferences must be provided for each redevelopment project area. The Pittsburg Redevelopment Agency adopted such rules as part of the adoption of the Redevelopment Plan for the Los Medanos Community Development Project. It is the policy of the Agency to minimize acquisition to the extent reasonably consistent with the goals and objectives of the Amended Plan, and therefore the Agency's policy of encouraging participation of property owners and businesses within the Project Area shall be

vigorously pursued.

ACTION:

**PUBLIC HEARING**

1. **MINUTE ORDER**

RDA Plan Deletion (Recommend Continue Holding Open the Public Hearing and Continue to March 18, 2002)

The Redevelopment Agency of the City of Pittsburg (the Agency) staff has caused to be prepared the Amendment to the Redevelopment Plan to delete territory from the Los Medanos Community Development Project (the "Plan Amendment"), and related reports and environmental documentation. Pursuant to the California Community Redevelopment Law, the Agency opened a joint public hearing with the City Council on Monday, November 19, 2001. It is recommended the Agency continue the Joint Public hearing until March 18, 2002 so that staff can assess the impact this expansion would have on the Los Medanos Community Development Project.

ACTION:

2. **RESOLUTION 02-810**

Lease Agreement between the Redevelopment Agency and Contra Costa County for the Use of 415 Railroad Avenue (Recommend Adoption)

The Pittsburg Redevelopment Agency and the County of Contra Costa (the "County") have negotiated terms for the lease of 415 Railroad Avenue located on the east side of Railroad Avenue in downtown between 4<sup>th</sup> Street and 5<sup>th</sup> Street. The County will lease the premises for \$7,500 per month for a two and a half year period commencing retroactively to July 1, 2001. The Agreement represents a value of \$225,000 to the Agency over the life of the term.

ACTION:

3. **RESOLUTION 02-811**

Disposition and Development Agreement With James Miller and Jean Miller for the Sale and Development of APN 085-171-013-7, Located at the Southwest Corner of Cumberland Street and 6<sup>th</sup> Street (Recommend Adoption)

The Pittsburg Redevelopment Agency and James Miller and Jean Miller ("Developer") have negotiated terms for the disposition and development of Assessor's Parcel No. 085-171-013-7 located at the southwest corner of Cumberland Street and 6<sup>th</sup> Street. James and Jean

Miller will purchase the parcel for \$26,000. The purchase price represents fair market value as determined by an appraisal dated September 10, 2001. The proposed development will consist of a mixed-use, infill project including ground floor office space and two second story apartment units.

ACTION:

**ADJOURNMENT:** To: January 14, 2002 (Workshop re: Financial Status of the City)

**CITY OF PITTSBURG  
CITY COUNCIL AGENDA**

65 Civic Avenue  
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Robert Lewis \_\_\_\_\_  
Frank Quesada \_\_\_\_\_  
Aleida Rios \_\_\_\_\_  
Mayor 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).

**PRESENTATION**

1. Shopping Cart Report

The City's shopping cart ordinance has been in effect for one year. This report and the accompanying presentation are intended to provide the City Council with an overview of the effectiveness of the ordinance. This presentation will also provide the City Council with an opportunity to comment on the abandoned shopping cart abatement program and provide direction to staff if desired.

**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: December 6, 2001, December 10, 2001, December 27, 2001 (Recommend Acceptance)

ACTION:

- b. **MINUTES**      Dated: December 3, 2001 and December 10, 2001 (Recommend Approval)

ACTION:

- c. **CLAIMS** #1412 Irineo Garcia; #1412A Leonar Garcia; #1413 Eleanor Culcasi; #1416 David L. Kehler; #1419 Augustine Mayfield; #1420 Linda F. Nellums (Recommend Denial)

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

- d. **RESOLUTION 02-9539** Amending Personnel Rules to Include Veterans Preference (Recommend Adoption)

Government Code Section 50088 requires cities to establish a veterans' preference for applicants in entrance examinations in the competitive service by January 2002 or adopt a resolution indicating why it is not implementing such a system. Proposed Personnel Rule 44, Veterans Preference, attached as Exhibit A, will establish such a veterans' preference system in compliance with the Government Code.

ACTION:

- e. **RESOLUTION 02-9541** Reclassification of Positions at Golf Course (Recommend Adoption)

The City Manager proposes a reorganization of City golf course positions through the use of qualified Recreation/Leisure Services employees instead of PGA-certified golf professionals.

ACTION:

## **CONSIDERATION**

1. **MINUTE ORDER** City Council Committee Assignments (Recommend Adoption)

In accordance with the City of Pittsburg "Policies and Procedures for the City Council" adopted by the City Council on September 4, 2001 by Resolution No. 01-9475, the Mayor and Vice-Mayor shall appoint individual council members to standing and ad hoc committees and such appointments shall be approved by the entire council at its first meeting in January following reorganization.

ACTION:

2. **MINUTE ORDER** LMCH Board Appointment (Recommend Adoption)

Mayor Aiello and Council Member Rios have requested that the City Council send a letter to Supervisor Federal

Glover and the Contra Costa County Board of Supervisors concerning the recent appointment of Bruce Croskey to the Los Medanos Community Healthcare District Board. The gist of the proposed communication is that the City Council feels that a candidate with more voter support in the 2000 election should have been selected.

ACTION:

3. **RESOLUTION 02-9543** Highway 4 - Harbor Street Cooperative Agreement (Recommend Adoption)

This is an agreement between CALTRANS, the Contra Costa Transit Authority (CCTA) and the City for the implementation of improvements related to the widening of Highway 4 in the vicinity of Harbor Street. It includes provisions for a new Harbor Street freeway over-crossing, installation and payment of \$350,000 by the City for a 20" diameter City waterline in the over-crossing, and construction and maintenance of a new signal at the Harbor Street/California Avenue intersection.

ACTION:

### **PUBLIC HEARING**

1. **RESOLUTION 02-9540** Disposition and Development Agreement With James Miller and Jean Miller for the Sale and Development of APN 085-171-013-7, Located at the Southwest Corner of Cumberland Street and 6<sup>th</sup> Street (Recommend Adoption)

The Pittsburg Redevelopment Agency and James Miller and Jean Miller ("Developer") have negotiated terms for the disposition and development of Assessor's Parcel No. 085-171-013-7 located at the southwest corner of Cumberland Street and 6<sup>th</sup> Street. James and Jean Miller will purchase the parcel for \$26,000. The purchase price represents fair market value as determined by an appraisal dated September 10, 2001. The proposed development will consist of a mixed-use, infill project including ground floor office space and two second story apartment units.

ACTION:

2. **RESOLUTION 02-9542** Lease Agreement between the Redevelopment Agency and Contra Costa County for the Use of 415 Railroad Avenue (Recommend Adoption)

The Pittsburg Redevelopment Agency and the County of

Contra Costa (the "County") have negotiated terms for the lease of 415 Railroad Avenue located on the east side of Railroad Avenue in downtown between 4<sup>th</sup> Street and 5<sup>th</sup> Street. The County will lease the premises for \$7,500 per month for a two and a half year period commencing retroactively to July 1, 2001. The Agreement represents a value of \$225,000 to the Agency over the life of the term.

ACTION:

**ADJOURNMENT** To: January 14, 2002 (Workshop re: Financial Status of the City)

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PITTSBURG POWER COMPANY AGENDA**

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Chair Frank Aiello \_\_\_\_\_

**PLEDGE OF ALLEGIANCE**

**CITIZENS REMARKS**

**MEMBERS REMARKS**

**CONSENT**

a. **MINUTES**

Dated: November 5, 2001 (Recommend Approval)

ACTION:

**CONSIDERATION**

1. **RESOLUTION 01-064**

Accepting Water Treatment Plant Dredge Spoils  
Contract as Complete (Recommend Adoption)

The Pittsburg Power Company awarded the Water Plant Dry Sludge Removal and Disposal Contract on October 15, 2001 to AEI Consultants, Incorporated. The work was completed on November 15, 2001, and the contract is ready to be accepted by the Pittsburg Power Company as complete.

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. Designated spokespersons for recognized groups or organizations will have five minutes to address the Council; provided, however, that they may request additional time and will be granted such only with the permission of the Council. Individuals will be given three minutes to address the Council unless additional time is allowed as provided for spokespersons. Prior to speaking, each member of the public shall state their name and business and City residence in a clear and audible tone of voice.

### **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 - 2001**

<u>COUNCIL MEMBER</u>	<u>COMMITTEE</u>	<u>MEETING DATES</u>
Frank Quesada	ABAG Representative	ABAG Annual
	Civic Center Art	Ad Hoc
	Council/Commission Development Projects	Ad Hoc
	Delta Diablo Sanitation District- Alt.	2 <sup>nd</sup> Wednesday
	East County Habitat Conservation	As needed
	East County Water Mgt. Assn. - Alt.	Annual
	Fee & Finance Authority (Transplan)	2 <sup>nd</sup> Thursday
	Island Energy Advisory Committee	As needed
	LMC Foundation Scholarship Committee Ad Hoc	
	Mayor's Conference	1 <sup>st</sup> Thursday
	PEHDC	As needed
	Pittsburg Power Company	As needed
	Residential Parking Committee	Ad Hoc
	Tri-Delta Transit	Last Wednesday
Water Management Association	Annual	
Frank Aiello	ABAG Representative - Alt.	ABAG Annual
	Audit Committee	Quarterly
	Delta Diablo Sanitation District	2 <sup>nd</sup> Wednesday
	East County Water Mgt. Assn.	Annual
	Foreign Trade Zone	Ad Hoc
	Mayor's Conference - Alt.	1 <sup>st</sup> Thursday
	Pittsburg Power Company	As needed
	RDA Subcommittee	As needed
	Tri-Delta Transit	Last Wednesday
Water Transit Authority Comm. Advisory	As needed	
Robert Lewis	AT&T Cable	As needed
	BART Station Specific Plan	As needed
	City & County Relations Committee	Ad Hoc
	Contra Costa Consolidated Fire District	2 <sup>nd</sup> Monday
	Island Energy Advisory Commission - Alt.	As needed
	PCSI Partnership	Ad Hoc
Yvonne Beals-Rogers	AT&T Cable	As needed
	CAC/CDBG Sub-committee	As needed
	City & County Relations Committee - Alt.	Ad Hoc
	Industrial Zone Advisory	As needed
	Library Commission	
	LMC Foundation Scholarship - Alt.	Ad Hoc
	PEHDC	As needed
	PCSI Partnership	Ad Hoc
School District Liaison	As needed	
Tri-Delta Transit - Alt.	Last Wednesday	
Aleida Rios	Audit Committee	Quarterly
	CAC/CDBG Subcommittee	As needed
	Contra Costa Transportation Authority	3 <sup>rd</sup> Wednesday
	Council/Commission Development Projects	Ad Hoc
	East Bay League of California Cities	3 <sup>rd</sup> Thursday
	East County Habitat Conservation - Alt.	As needed
	Fee & Finance Authority (Transplan)	2 <sup>nd</sup> Thursday
	Foreign Trade Zone	Ad Hoc
	Industrial Zone Advisory	As needed
	RDA Subcommittee	As needed
School District Liaison	As needed	

### **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 January 7, 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)

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

<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."

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)

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.)

Willis A. Casey, Marc A. Fox, IEDA Representative

Employee organization: (Specify name of organization representing employee)

Teamsters Local 856

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)