

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

HOUSING AUTHORITY AGENDA

65 Civic Avenue
PITTSBURG, CALIFORNIA

5:30 pm
April 15, 2002

CALL TO ORDER: Mayor Frank Aiello

LEISURE SERVICES COMMISSION INTERVIEWS - 5:30 pm

PUBLIC COMMENT

ADJOURN TO CLOSED SESSION - 6:00 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

CONSENT

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

b. **MINUTES** Dated: March 18, 2002 (Recommend Approval)

ADJOURNMENT to May 20, 2002

**CITY OF PITTSBURG
REDEVELOPMENT AGENCY AGENDA**

65 Civic Avenue
PITTSBURG, CALIFORNIA

5:30 pm
April 15, 2002

CALL TO ORDER: Mayor Frank Aiello

LEISURE SERVICES COMMISSION INTERVIEWS - 5:30 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: April 1, 2002 (Recommend Approval)
- b. **RESOLUTION 02-822** Approval of the Project Plans and Authorizing the Advertising for Contract 01-11, Marina Center Improvements (Recommend Adoption)
- Construction contract documents (plans and specifications) have been prepared for the improvements of 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.
- c. **RESOLUTION 02-823** Accept Bocce Court Contract Rehabilitation as Complete (Recommend Adoption)

The contract was awarded to AJ Vasconi General Engineering on February 19, 2002. The Bocce Courts

were completed on Tuesday, April 2, 2002.

ADJOURNMENT: To: May 6, 2002

**CITY OF PITTSBURG
CITY COUNCIL AGENDA**

65 Civic Avenue
PITTSBURG, CALIFORNIA

**5:30 PM
April 15, 2002**

CALL TO ORDER: Mayor Frank Aiello

LEISURE SERVICES COMMISSION INTERVIEWS - 5:30 pm

PUBLIC COMMENT

CONVENE IN CLOSED SESSION - 6:00 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. Alcohol Awareness Month
2. Honoring Ken Simonton

PRESENTATIONS

1. National Library Week

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: April 2, 2002 and April 10, 2002
(Recommend Acceptance)
- b. **MINUTES** Dated: April 1, 2002 (Recommend Approval)
- c. **CLAIMS** #1435 Connie & Bennett Gaxiola (Recommend Denial)

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

- d. **RESOLUTION 02-9584** Approving a Contract for Professional Services Regarding the Implementation of an Agreement Resolving Delinquent Assessments Levied Against Builders Industrial Park Assessment District No. 88-3 (Recommend Adoption)

In 1988, the City formed an Assessment District No. 88-3 on undeveloped land parcels referred to as Builders Industrial Park and in connection therewith, issued Improvement Bonds. In 1992, the City initiated foreclosure proceedings and obtained judgments against the property owners. In September 2001, the City began negotiations with Pittsburg Equities, LLC ("PELLC") and the property owners to resolve the outstanding delinquencies and the pending litigation. The City Council will be considering an Agreement to resolve the delinquent assessments and litigation. The City desires to engage the services of Fieldman, Rolapp & Associates in order to implement the agreement between the City and PELLC and provide services to work with Contra Costa County in seeking relief from penalties, interest, and ad valorem taxes on the properties.

- e. **RESOLUTION 02-9588** Authorization to Re-Advertise for the Central Park Project, Contract 01-02 (CIP No. B-18) (Recommend Adoption)

This project was originally bid on September 25, 2001. The bid received on this project exceeded the project budget and was therefore rejected by Council on October 15, 2001. Staff was directed to redesign and re-bid the project. Over the past six months, the plans for Central Park have been redesigned to reduce project costs. The revised plans for the project are now complete, and the City is prepared to proceed with the construction phase of this project.

CONSIDERATION

1. **APPOINTMENTS** Community Advisory Commission Appointments (Recommend Appointments)

Four openings exist on the Community Advisory Commission; one in the Northeast Quadrant and three in the Southeast Quadrant. The City has advertised for all openings and received one application for the Northeast

Quadrant. As no applications have been received for the Southeast Quadrant, those applicants interviewed on February 4, 2002 for other quadrants can be placed in that Quadrant pursuant to Ordinance 02-1194.

PUBLIC HEARING

1. **ORDINANCE 02-1195**

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 Introduction and Waive First Reading)

This is a public hearing on an application by Tom LaFleur, Pacific Community Services, to amend the PD-1170 (Planned Development) zoning district for Presidio Village, located at 200 Presidio Lane, and approved on February 7, 2000, to reduce the number of secured parking spaces from 104 to 65 spaces and to increase the number of visitor parking spaces from 43 to 50 spaces due to the required increase by the Housing and Urban Development Department (HUD) of the minimum age of residents.

2. **ORDINANCE 02-1196**

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 Introduction and Waive First Reading)

This is a public hearing on an application from Albert D. Seeno, Jr. of Seecon, Inc., for a zoning amendment of the 12.86 acre PD-1172 (Planned Development) zoning district and to a 0.5 acre portion of the PD-1042 zoning district to PD (Planned Development), and prezoning of 1.1 acres to PD and for approval of a PD Plan to allow the construction of 12 single-family homes within the Oak Hills South Unit 5 Subdivision (Tentative Map No. 8042), generally located south of West Leland Road and west of Bailey Road.

3. **RESOLUTION 02-9587**

Approving an Agreement Resolving Delinquent Assessments Levied Against Builders Industrial Park Assessment District No. 88-3 (Recommend Adoption)

In 1988, the City formed an Assessment District No. 88-3 on undeveloped land parcels referred to as Builders Industrial Park and in connection therewith, issued Improvement Bonds. In 1992, the City initiated foreclosure proceedings and obtained judgments against the property owners. In September 2001, the City began negotiations with Pittsburg Equities, LLC ("PELLC") and the property owners to resolve the outstanding delinquencies and the pending litigation. Resolution of the delinquent assessments and the judicial proceedings will provide for opportunities for the property to be developed. All bond holders have been properly noticed of this public hearing as evidenced by Exhibit A.

ADJOURNMENT To: May 6, 2002

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 April 15, 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)

- (1) APN 088-171-005
- (2) APN 088-171-012
- (3) APN 088-171-013
- (4) APN 088-171-014
- (5) APN 088-171-020
- (6) APN 088-171-024
- (7) APN 088-171-026
- (8) APN 088-171-027
- (9) APN 088-171-029
- (10) APN 088-171-031
- (11) APN 088-171-032

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.)

Willis A. Casey, Garrett Evans

Negotiating Parties: (Specify name of party (not agent))

- (1) Sfn Land & Investment Co.
- (2) William Isackson Company
- (3) Craig & Vicki K. Schoenthaler
- (4) Wells Fargo Bank NA Tre Et Al
- (5) Contra Costa County
- (6) Mario J. Hernandez
- (7) Richard S. Narez Tre
- (8) Gregory & Seta Tcherkoyan Tre
- (9) American Auto Building Partner

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."

- (10) San Francisco BART District
- (11) Philip Joseph Cranmer Tre

Under negotiation: (Specify whether instruction to negotiator will concern price, terms of payment, or both)

- (1) Both
- (2) Both
- (3) Both
- (4) Both
- (5) Both
- (6) Both
- (7) Both
- (8) Both
- (9) Both
- (10) Both
- (11) 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)

Two (2) 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)

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)