

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

HOUSING AUTHORITY AGENDA

65 Civic Avenue
PITTSBURG, CALIFORNIA

**5:30 PM
September 16, 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

Dana Leatherwood _____
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: August 30, 2002 (Recommend Approval)
- b. **MINUTES** Dated: August 19, 2002 (Recommend Approval)
- c. **RESOLUTION 02-205** Annual Submittal of the Housing Authority Investment Policy required by California Government Code Sec. 53646 (Recommend Adoption)

The State of California Government Code Section Code 53646 amended by the passing of Senate Bill No. 564 which took effect January 1, 1996 requires the Treasurer to submit to the Housing Authority at a public meeting an annual Investment Policy for their review and approval. The intent is to provide the local governing body with the authority to review the policy.

ADJOURNMENT To: October 21, 2002

**CITY OF PITTSBURG
REDEVELOPMENT AGENCY AGENDA**

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: September 3, 2002 (Recommend Approval)

b. **RESOLUTION 02-843** Awarding Contract 93-13, Willow Pass Road/Polaris Drive Improvement Project and Authorizing the Executive Director to Execute Contract Documents (Recommend Adoption)

Staff opened bids for this project on September 10, 2002. The apparent low bidder was Granite Construction with a bid proposal in the amount of five hundred and forty-one thousand, six hundred and twenty five dollars, and fifty-one cents (\$541,625.51). The proposed improvements for this project include widening a section of Willow Pass Road from the western border of the City near Bay Point to the intersection at Loftus Road. The widening will include the installation of curb ramps, a sidewalk and re-striping. The proposed improvements will conform to the same road width and alignment as that on the County side of the road. This project also includes improvements to be constructed on Polaris Drive from Range Road to East Catamaran Circle. Improvements include resurfacing and traffic calming to be accomplished by re-striping the road and the installation of a median, along with a parking lane. In addition to the base bid for construction Staff is

requesting that an additional 15% of the contract amount (\$81,000.00) be authorized for contingencies. The total estimated contract cost including the contract with Granite Construction and 15% for contingencies fall well within the budget amount previously authorized for this project by the Redevelopment Agency.

CONSIDERATION

1. **RESOLUTION 02-842**

Redevelopment Budget Extension (Recommend Adoption)

The Agency Board approved the FY2002-2003 Budget for the Redevelopment Agency of the City of Pittsburg with the stipulation that the budget would be brought back to the Agency when the State passed its budget. The State has passed its budget with a fiscal impact to the Redevelopment Agency. The impact to the Agency is estimated to be approximately \$623,809.

ADJOURNMENT: To: October 7, 2002

**CITY OF PITTSBURG
PITTSBURG POWER COMPANY AGENDA**

65 Civic Avenue
PITTSBURG, CALIFORNIA

5:30 pm
September 3, 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 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: September 3, 2002 (Recommend Approval)

b. **RESOLUTION 02-081**

Award of Contract for Water Valve Replacement Project
(Recommend Adoption)

The 2002 Water Valve Replacement Project is funded by Pittsburg Power Company revenue allocated in the Capital Improvement Program (CIP). The project has been an annual event, with the availability of Pittsburg Power Company funding, as part of a long-term maintenance and upgrade program by Public Works. Water valves become inoperable or fail over time and must be replaced to maintain a safe and operable water system.

CONSIDERATION

1. **RESOLUTION 02-082**

Transfer Power Company Reserve Funds for Auto Mall Pylon Sign Loan (Recommend Adoption)

On March 18, 2002 the Pittsburg City Council approved Resolution 02-9578 that authorized a 10-year loan to Century Plaza Development Corporation for the

construction of the Century Auto Mall Pylon Reader Board Sign. The City Council directed the City Attorney to negotiate the terms of the loan and return it for approval. The funds for the loan that is not to exceed \$680,000 are to be transferred from the Pittsburg Power Company Reserve Fund to the City of Pittsburg's General Fund. It is anticipated that these funds will be replaced by payments from the Delta Energy Center T-Line Agreement. The Power Company Reserve Fund currently has a balance of \$4,338,384.

ADJOURNMENT

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).

PROCLAMATIONS

- 1. Race Equality Week

PRESENTATIONS

- 1. Assembly Member Joe Canciamilla

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: September 6, 2002 and September 11, 2002 (Recommend Acceptance)

- b. **MINUTES** Dated: September 3, 2002 (Recommend Approval)

- c. **RESOLUTION 02-9676** Conflict Of Interest Code (Recommend Adoption)

The Political Reform Act requires every local government agency to review its Conflict of Interest Code biennially to determine if it is accurate or, alternatively, that the code must be amended. Once the determination has been made, a notice must be submitted to the code-reviewing body no later than October 1 of even-numbered years.

- d. **RESOLUTION 02-9677** Approval of the Loan Agreement to Century Plaza

Development Corporation for Auto Mall Pylon Sign
(Recommend Adoption)

On March 18, 2002 the Pittsburg City Council approved Resolution 02-9578 which determined that an Auto Mall Pylon Sign is essential to the success of the Auto Mall, and authorized a 10-year loan to the Century Plaza Development Corporation not to exceed six hundred and eighty thousand dollars (\$680,000) to construct the Century Auto Mall Pylon Sign. The City Council further directed the City Attorney to negotiate the terms of the loan agreement and return to the City Council for approval. The City Attorney and staff have negotiated the terms of the Auto Mall Pylon Sign Loan Agreement to the Century Plaza Development Corporation, with terms incorporated here to by reference, and it is presented for approval.

e. **ORDINANCE 02-1201**

Railroad Terrace Residential Subdivison Rezoning. RZ-02-09 (Recommend Adoption)

Adoption of the ordinance introduced by the City Council on September 3, 2002, in response to an application by Albert Seeno III, Discovery Builders, and a recommendation by the Pittsburg Planning Commission to rezone 2.3 acres to RM-O (Medium-Density Residential with a Limited Overlay) in order to allow the construction of a 16-lot, single-family residential subdivision (Railroad Terrace). The 2.3-acre site is located on the south side of East Third Street, west of the Johns Manville Plant, east of Cumberland Street, and north of the village at New York Landing residential subdivision; APNs 085-370-054 and 085-370-142 through – 145.

CONSIDERATION

1. **MINUTE ORDER**

Request for Sponsorship for Lisa's Closet Annual Child Fair (Recommend Adoption)

Lisa's Closet is a non-profit agency founded in memory of Lisa Norrell who was a victim of youth violence in November 1998. The mission of Lisa's Closet is to raise safety awareness among children and families and to provide new/pre-owned basic and special occasion clothing to needy youth. Toward reaching the goals of Lisa's Closet, a child safety fair is scheduled to take place on Saturday, September 21, 2002. This event will include video imaging, fingerprinting, demonstrations by the Contra Costa Search and Rescue Dog Team, informational speakers and a number of other activities and displays which focus on child safety awareness.

This event is open and cost free to the community and requires sponsorship, which has been requested by Lisa's Closet Director/President Minnie Norrell. The sponsorship requested is \$500.00 and the waiver of city service fees.

2. **MINUTE ORDER**

City of Pittsburg Centennial Celebration (Recommend Adoption)

The City of Pittsburg will mark 100 years as an incorporated city on June 25, 2003. Toward celebrating this centennial event the City Council created a City Council sub-committee to develop a program of civic events. Toward that goal the sub-committee has conducted planning meetings to include two public workshops which have resulted in incorporating monthly centennial celebrations by the City of Pittsburg and interested civic, business, cultural or community organizations within the Pittsburg area. The sub-committee is recommending approval of the monthly event concept and the items identified within the project's budget.

PUBLIC HEARING

1. **ORDINANCE 02-1202**

Park Place Residential Development RZ-02-10 (Recommend Introduce and Waive First Reading)

The Planning Commission is recommending that the Council rezone 3.53 acres located at the southern terminus of Montezuma Street to RM-O (Medium Density Residential with a Limited Overlay); APN 085-252-025

2. **RESOLUTION 02-9678**

Supplemental Law Enforcement Services Fund (SLESF) (Recommend Adoption)

Authorizing the acceptance and use of funds from the Supplemental Law Enforcement Services Fund 2002-2003 Allocation.

ADJOURNMENT To: October 7, 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 / 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 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 September 16, 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)

 X 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)

<u>Parcel Number</u>	<u>Owner</u>	<u>Street Address</u>
085 166 009	Caprio, John & Elaine	2 E. 5 th St.
085 165 009	Southport Land & Commercial Co.	28 W. 6 th St.
085 165 012	Southport Land & Commercial Co.	W. 6 th St.
085 164 005	Southport Land & Commercial Co.	W. 8 th St.
085 164 015	Redevelopment Agency	700 Railroad Ave.
085 164 016	Southport Land & Commercial Co.	Railroad Ave.
085 165 017	Southport Land & Commercial Co.	600 Railroad Ave.
085 165 016	Southport Land & Commercial Co.	638 Railroad Ave.
085 165 015	Southport Land & Commercial Co.	690 Railroad Ave.

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))

See Property above

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

Both

 X C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (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."

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 Case No. C02-02334

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)

One (1) case

(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)

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, Director of Human Resources and Bob Muszar IEDA

Employee organization: (Specify name of organization representing employee)

AFSCME (Miscellaneous A Unit); AFSCME Management/Professional/Confidential Unit; Teamsters Local 856; Pittsburg Police Officers' Association; Pittsburg Police Managers' Group

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)