

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

**HOUSING AUTHORITY AGENDA**

65 Civic Avenue  
PITTSBURG, CALIFORNIA

6:00 pm  
August 19, 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 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: July 31, 2002 (Recommend Approval)

b. **MINUTES**                      Dated: July 15, 2002 (Recommend Approval)

**PUBLIC HEARING**

1. **RESOLUTION 02-204**      Annual Plan Changes (Recommend Adoption)

As required by the U.S. Department of Housing and Urban Development and contained in CFR 24 parts 35 and 982, the Housing Authority has prepared the updated 2002 Annual Plan.

**ADJOURNMENT:** To September 16, 2002

**CITY OF PITTSBURG  
REDEVELOPMENT AGENCY AGENDA**

65 Civic Avenue  
PITTSBURG, CALIFORNIA

6:00 pm  
August 19, 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: August 5, 2002 (Recommend Approval)

**ADJOURNMENT:** To: September 3, 2002

**CITY OF PITTSBURG  
CITY COUNCIL AGENDA**

65 Civic Avenue  
PITTSBURG, CALIFORNIA

**6:00 PM  
August 19, 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 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. Lead Prevention Awareness Month
2. Pittsburg Bocce Federation/National Bocce Association Weekend

**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: August 2, 2002, August 9, 2002, and August 14, 2002 (Recommend Acceptance)
- b. **MINUTES**                      Dated: August 5, 2002 (Recommend Approval)
- c. **CLAIMS**                          #1458 Frank Lombardo; #1465 Terri L. Roper; #1471 Joseph A. Simas Jr. (Recommend Denial)  
  
(Claims against the City which may cause expenditure of funds - on file in the Office of the City Clerk)
- d. **RESOLUTION 02-9658**      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 (Government Code Sections 56428, 56650, 56652, and 56653) (Rescission of Resolution No. 02-9604) (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 02-9659**

Subdivision 8469, San Marco Unit 2A, Approval of the Final Map (Recommend Adoption)

The developer has submitted for approval a Final Map, for a 10 lot Subdivision for approval. This Subdivision is merely an extension of backyards further into the PG&E easement. This action will not interfere with PG&E's uses of the easement.

f. **RESOLUTION 02-9660**

Awarding Contract 02-01, Buchanan Road Undergrounding - Phase 1 Underground District 81-1 (Recommend Adoption)

On August 13, 2002 Bid Proposals were opened for Contract No. 02-01 Buchanan Road Undergrounding - Phase 1 Underground District 81-1. The lowest and most responsive bidder for this project is Golden Gate Utility Company.

g. **RESOLUTION 02-9661**

Adopting Principles for Implementation and Operation of the East-Central Traffic Management Study (Recommend Adoption)

The East-Central Traffic Management Study (ECTMS) Policy Advisory Committee, composed of elected officials from Antioch, Pittsburg, Concord and Clayton, has developed principles for implementation and operation of the proposed Traffic Management Program. The ECTMS is now asking for the affected jurisdictions to review and adopt these principles.

h. **RESOLUTION 02-9663**

Approving Changes and Modifications Pursuant to

Waivers of 100% of Affected Property Owners and Approving an Amended Boundary Map and an Amended Engineer's Report for the Century Plaza III Auto Mall Assessment District No. 2002-03 (Recommend Adoption)

In August 2002, the sole property owner in the Century Plaza Automall Assessment District No. 2001-03 has filed a Consent and Waiver with the City Clerk requesting the City Council to conduct change and modification proceedings without notice and hearing to amend the boundaries of the Assessment District to include an additional area of land in the Assessment District, to amend the cost estimate and the assessment roll in the Engineer's Report to more accurately reflect the cost estimate of the improvements in accordance with bids received, and to revise the Assessment Diagram to reflect the changes in the boundaries of and certain lot line adjustments in the Assessment District.

i. **RESOLUTION 02-9664**

Approving the Issuance of Limited Obligation Improvements Bonds, the Forms of the Fiscal Agent Agreement, the Bond Purchase Contract, the Preliminary Official Statement, the Acquisition and Funding Agreement, and the Continuing Disclosure Agreement, and Authorizing Related Actions and Execution of Related Documents in Respect of the Issuance, Sale and Delivery of Said Bonds for the Century Plaza III Auto Mall Assessment District No. 2002-03 (Recommend Adoption)

In August 2002, the sole property owner in the Century Plaza Automall Assessment District No. 2001-03 has filed a Consent and Waiver with the City Clerk requesting the City Council to conduct change and modification proceedings without notice and hearing to amend the boundaries of the Assessment District to include an additional area of land in the Assessment District, to amend the cost estimate and the assessment roll in the Engineer's Report to more accurately reflect the cost estimate of the improvements in accordance with bids received, and to revise the Assessment Diagram to reflect the changes in the boundaries of and certain lot line adjustments in the Assessment District.

**CONSIDERATION**

1. **APPOINTMENT**

Appointment of Community Advisory Commissioner to the Northwest Quadrant (Recommend Appointment)  
Two openings exist on the Community Advisory Commission; one in the Northwest Quadrant and one in

the Southeast Quadrant. An interview was held on August 5, 2002 for one candidate in the Northwest Quadrant.

2. **RESOLUTION 02-9665** Measure C Reauthorization (Recommend Adoption)

TRANSPLAN is asking the City Council to review and comment on the attached draft recommendations for transportation projects and program percentages for Measure C preauthorization.

3. **RESOLUTION 02-9666** Authorizing a Project Study Report for Proposed Range Road Interchange on State Route 4 (Recommend Adoption)

A Project Study Report (PSR) is required to include a freeway interchange on State Route 4 at Range Road in the State Transportation Improvement Program (STIP). The City may choose to take the lead in completing the PSR at its own cost, or submit annual requests to Contra Costa Transportation Authority (CCTA) to support it in their annual proposal to Metropolitan Transportation Commission for Caltrans to complete PSR's at no cost to the local agency. A qualified consultant can complete a PSR in the range of \$50,000 to \$200,000.

4. **RESOLUTION 02-9667** Supporting SB 1243 Bay Area Regional Planning (Recommend Adoption)

Senate Bill 1243 requires the Metropolitan Transportation Commission (MTC) to be renamed the Bay Area Land Use and Transportation Commission, and to assume land use responsibilities of the Association of Bay Area Governments (ABAG). It requires the new commission to adopt a long-range policy plan by January 1, 2005 and each five years thereafter. And it requires the commission to submit a blueprint for combining regional functions to the Legislature.

## **PUBLIC HEARING**

1. **ORDINANCE 02-1200** Community Advisory Commission Quadrant Restructure (Recommend Introduce and Waive First Reading)

On August 1, 2002, the Community Advisory Commission sent a letter to the City Council requesting the Council to consider dividing the Southwest Quadrant. This would add a fifth sector to the Community Advisory Commission. The dividing line would be Bailey Road west. They suggest four persons be assigned to this sector, with one person being an at-large member. This would better

serve the interests of that community and create more participation of citizens in our growing City.

2. **MINUTE ORDER**

Railroad Terrace Residential Subdivision, Appeal of Planning Commission Approval of Subdivision 8642 and DR-02-15 and Recommendation to Approve RZ-02-09 (Recommend Open Public Hearing and Continue to September 3, 2002)

This is a public hearing on an appeal by David Alden for Johns Manville, of the Planning Commission approvals of tentative map and design review applications for a 16-lot, single-family residential subdivision. The appellant is also appealing the Planning Commission recommendation that the City Council approve a rezoning of the project site and an additional acre in the middle of the project site (former Cardinale Bakery) to RM-O (Medium Density Residential with a Limited Overlay) to establish residential development standards for the project. The subdivision project site is an undeveloped 1.3-acre area located on the south side of East Third Street, west of the Johns Manville Pittsburg Plant, east of Cumberland Street, and north of the Village at New York Landing residential subdivision; APNs 085-370-142 and 085-370-145.

**ADJOURNMENT** To: August 26, 2002 (Joint Workshop with CAC)

## **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)

### **DISRUPTIVE CONDUCT**

The Council requests that you observe the order and decorum of our Council Chamber by turning off or setting to vibrate all cellular telephones and pagers, and that you refrain from making personal, impertinent, or slanderous remarks. Boisterous and disruptive behavior while the Council is in session, and the display of signs in a manner which violates the rights of others or prevents others from watching or fully participating in the Council meeting, is a violation of our Municipal Code and any person who engages in such conduct can be ordered to leave the Council Chamber by the Mayor.



## 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 / 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 <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	P. Kolf
Budget Committee	Yvonne Beals-Rogers & Aleida Rios	Ad Hoc	As needed	P. Kolf
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 August 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)

  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)

Communities for a Better Environment and Pesticide Action Network of North America v. City of Pittsburg, Superior Court Case No. C02-02065

Alves Ranch LLC v. City of Pittsburg, Superior Court Case 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.)

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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."

\_\_\_ 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: (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)