

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

**HOUSING AUTHORITY AGENDA**

65 Civic Avenue  
PITTSBURG, CALIFORNIA

5:30 pm  
July 21, 2003

**CALL TO ORDER: Mayor Yvonne Beals**

**AUDIENCE REMARKS**

**CONVENE IN CLOSED SESSION** - 5:30 p.m.

**RECONVENE CITY COUNCIL MEETING IN OPEN SESSION** - 7:00 p.m.

**MEMBERS OF THE HOUSING AUTHORITY**

Dana Leatherwood \_\_\_\_\_  
Cathy Wallen \_\_\_\_\_  
William Glynn \_\_\_\_\_  
Michael Kee \_\_\_\_\_  
Nancy Parent \_\_\_\_\_  
Aleida Rios \_\_\_\_\_  
Chair Yvonne Beals \_\_\_\_\_

**PLEDGE OF ALLEGIANCE**

**CITIZENS REMARKS**

**MEMBERS REMARKS**

**CONSENT**

a. **DISBURSEMENT LIST**      Period Ending: June 30, 2003 (Recommend Approval)

b. **MINUTES**                      Dated: June 16, 2003 (Recommend Approval)

**ADJOURNMENT**    to August 18, 2003

**CITY OF PITTSBURG  
REDEVELOPMENT AGENCY AGENDA**

65 Civic Avenue  
PITTSBURG, CALIFORNIA

5:30 pm  
July 21, 2003

**CALL TO ORDER: Mayor Yvonne Beals**

**AUDIENCE REMARKS**

**CONVENE IN CLOSED SESSION** - 5:30 p.m.

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

**MEMBERS OF THE REDEVELOPMENT AGENCY**

William Glynn \_\_\_\_\_  
Michael Kee \_\_\_\_\_  
Nancy Parent \_\_\_\_\_  
Aleida Rios \_\_\_\_\_  
Chair Yvonne Beals \_\_\_\_\_

**PLEDGE OF ALLEGIANCE**

**CITIZENS REMARKS**

**MEMBERS REMARKS**

**CONSENT**

a. **MINUTES**

Dated: July 7, 2003 (Recommend Approval)

b. **RESOLUTION 03-900**

Authorize a FY 2002-03 Budget of \$199,380 for the Promotional and Marketing Programs to be used for Economic Development Programs within the Los Medanos Project Area through FY 2003-04 (Recommend Adoption)

The Redevelopment Agency=s Promotional and Marketing Program was approved for FY 1999-2004 on January 18, 2000 and was revised under Resolution No. 00-713 dated February 7, 2000. As of June 30, 2002, there was a remaining budget balance of \$129,380 which needs to be transferred to the FY 2002-03 budget. In addition, the Promotional and Marketing Programs approved under Resolution No. 00-712 was for a three-year period. The third year=s budget of \$70,000 for FY 2002-03 requires City Council authorization prior to any funds being spent. Both these amounts totaling \$199,380 will be made available for Economic

Development to provide resources for business and development-oriented programs within the Los Medanos Project Area through FY 2003-04.

## **CONSIDERATION**

1. **RESOLUTION 03-901**  
(Combined w/CC 03-9873) The Reimbursement of City Fees Waived for the Construction of the Mt. Diablo Habitat for Humanity Fee Herb White Way Project (Recommend Adoption)

Pursuant to the Disposition and Development Agreement Between the Redevelopment Agency of the City of Pittsburg and Mt. Diablo Habitat for Humanity, Article 7, Section 702, the Agency agrees to pay all fees ordinarily imposed directly by the City of Pittsburg on a project of this kind, including without limitation, parkland dedication fees, traffic impact fees and all permit and plan checking fees.

2. **RESOLUTION 03-902**  
(Combined w/CC 03-9871) Allocation of Funding for the Enterprise Zone Fee Waiver/Reduction Program (Recommend Adoption)

On February 18, 2003, the City Council approved a Memorandum of Understanding between the State of California and the City of Pittsburg (the AMOU) to set forth the terms, conditions, and Scope of Work for the local participation in the Enterprise Zone Program and delivery of program services. A Fee Waiver/Reduction Program was approved when the Council approved the MOU on February 18, 2003; however, a mechanism to allow the Agency to reimburse the City for the cost of such fee waivers or reductions was not approved at that time. In order to allow the Agency to reimburse the City for the cost of the waived or reduced fees, money needs to be approved for such use.

## **PUBLIC HEARING**

1. **RESOLUTION 03-903** Amending the Implementation Plan for the Los Medanos Project Area 1999-2004 (the First Amendment) (Recommend Adoption)

The Redevelopment Agency of the City of Pittsburg, consistent with its goals and objectives to eliminate blight, will amend Section I of the Implementation Plan for the Los Medanos Project Area 1999-2004 to include a subsection entitled Redevelopment Activities.

**ADJOURNMENT:** To: August 4, 2003

**CITY OF PITTSBURG  
CITY COUNCIL AGENDA**

65 Civic Avenue  
PITTSBURG, CALIFORNIA

**5:30 PM  
July 21, 2003**

**CALL TO ORDER: Mayor Yvonne Beals**

**AUDIENCE REMARKS**

**CONVENE IN CLOSED SESSION** - 5:30 p.m.

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

**MEMBERS OF THE CITY COUNCIL**

William Glynn \_\_\_\_\_  
Michael Kee \_\_\_\_\_  
Nancy Parent \_\_\_\_\_  
Aleida Rios \_\_\_\_\_  
Mayor Yvonne Beals \_\_\_\_\_

**PLEDGE OF ALLEGIANCE**

**CITIZENS REMARKS** - Members of the audience who wish to address the City Council on issues that are not scheduled for the agenda and on any items listed as part of the consent calendar should complete a Speaker=s Card available at the dais. Please read the card carefully in order to fill out the card properly. Submit the completed card to the City Clerk before the item is called, preferably before the meeting begins. 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. (No Action Required)

**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). (No Action Required)

**CITY MANAGER REPORT** - City Manager may brief the Council on items of interest. (No Action)

**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 prior to the time the Council votes on the motion to adopt.

- a. **MINUTES** Dated: July 7, 2003 (Recommend Approval)
- b. **CLAIMS** #1532, Lateefah Anderson (Recommend Denial)  
  
(Claims against the City which may cause expenditure of funds - on file in the Office of the City Clerk)
- c. **RESOLUTION 03-9862** Notice of Completion and Acceptance of Public Improvements Within Subdivision 8363, San Marco Unit 2, for Continuous Maintenance (Recommend Adoption)

The Developer has completed the public improvements within Subdivision 8363, San Marco Unit 2, and they are ready for acceptance and continuous maintenance by the City.

- d. **RESOLUTION 03-9864** Award Water System Vulnerability Assessment Consultant Contract (Recommend Adoption)

On June 12, 2002, President Bush signed the Public Health Security and Bioterrorism Preparedness and Response Act. The Act includes significant new requirements for drinking water utilities to better prepare for a terrorist attack by preparing a Vulnerability Assessment. The Public Works Department has selected the consulting firm of Kennedy/Jenks Consultants to assist in responding to this Federal mandate, which must be completed no later than December 31, 2003 for the City of Pittsburg.

### **CONSIDERATION**

1. **ORDINANCE 03-1212**  
**(Combined w/03-9860)** Adoption of the Mitigated Negative Declaration and Mitigation Monitoring Plan and Adoption of an Ordinance Amending the Zoning Map from RM to RS-O and Adoption of a Resolution to Approve Tentative Subdivision Map 8112. (Lawlor Estates. RZ-02-13 and SUBD 8112) (Second Reading) (Recommend Adoption)

On July 7, 2003 the City Council introduced Ordinance 03-1212, which would rezone a 10.8 acre site on the south side of West Leland Road, east of Evergreen Estates Subdivision and west of Chestnut Drive from RM (Medium Density Residential) to RS-O (Single Family Residential with a Limited Overlay). Ordinance 03-1212 is being brought back before the Council for second reading and adoption. On July 7, 2003, the Council also denied the appeal of tentative subdivision map 8112. Staff has prepared a resolution for Council adoption to re-approve the proposed subdivision.

2. **RESOLUTION 03-9860**  
**(Combined w/03-1212)** Adoption of Resolution to Approve Tentative Subdivision Map 8112 (Lawlor Estates RZ-02-13, SUBD. 8112) (Recommend Adoption)

On July 7, 2003 the City Council introduced Ordinance 03-1212, which would rezone a 10.8 acre site on the south side of West Leland Road, east of Evergreen Estates Subdivision and west of Chestnut Drive from RM (Medium Density Residential) to RS-O (Single Family

Residential with a Limited Overlay). Ordinance 03-1212 is being brought back before the Council for second reading and adoption. On July 7, 2003, the Council also denied the appeal of tentative subdivision map 8112. Staff has prepared a resolution for Council adoption to re-approve the proposed subdivision.

3. **RESOLUTION 03-9861**

First Amendment of the Stormwater Utility Area Agreement 2003 Between the Contra Costa County Flood Control and Water Conservation District and the City of Pittsburg (Recommend Adoption)

Approving the attached resolution will authorize the City Manager to execute the First Amendment of the Stormwater Utility Area Agreement 2003, which allows the Contra Costa County Flood Control and Water Conservation District to administer a joint inspection program for inspection activities and illicit discharge control activities related to the Joint Municipal National Pollution Discharge Elimination System (NPDES) Permit.

4. **RESOLUTION 03-9863**

Approve Renewal of Rubicon Programs Environmental Center Lease (Recommend Adoption)

In August 2001, the City of Pittsburg and Rubicon Programs developed an agreement which provided for a combination of landscaping and building maintenance services and financial compensation by Rubicon Programs in exchange for the use of a 1344 sq. ft. office space, and occasional use of a meeting room, at the Environmental Center (EC). The two-year lease agreement will expire on July 30, 2003. Both the City of Pittsburg Public Works Department and Rubicon Programs are interested in extending the lease. Staff is requesting City Council authorization to extend this lease agreement.

5. **RESOLUTION 03-9867**

Approve Letter to Contra Costa Transportation Authority (CCTA) Requesting the Buchanan Road Bypass and Range Road Interchange be Included in the Measure C Reauthorization Project List (Recommend Adoption)

Council review and approve the attached draft letter to the Contra Costa Transportation Authority (CCTA) expressing the City's desire to see the Buchanan Road Bypass Project and the Range Road Interchange Project included in the Authority's Measure C Re-authorization Project List. Measure C Reauthorization Project List is

part of a ballot measure to extend the County=s half-cent sales tax for transportation improvements.

6. **RESOLUTION 03-9868** Approving a List of Material Testing Firms for On-Call Material Testing Services Related to the City=s Capital Improvement Program and Authorizing the City Manager to Enter into Agreements with Selected Firms (Recommend Adoption)

The material testing on-call list will allow Staff to use pre-qualified material testing firms on an as-needed basis to perform quality control testing on Capital Improvement Program Projects.

7. **MINUTE ORDER** Approve a Letter Outlining City Council=s Comments on Draft Principles of Agreement for the Shaping Our Future Compact (Recommend Adoption)

The City Council has been asked to provide a letter stating its position on the Draft Principles of Agreement for the Shaping Our Future Compact. A letter drafted by staff which incorporates Council feedback on the Compact is presented for approval.

8. **RESOLUTION 03-9869** Adopt a Resolution in Support of Assembly Constitutional Amendment 10 (ACA 10) Which Will Allow Cities and the County to Increase Stormwater Assessments (Recommend Adoption)

There is a statewide need to provide sufficient revenue to fund the National Pollutant Discharge Elimination System (NPDES) Clean Water Program in each City and county. Assembly Constitutional Amendment 10 (ACA 10), would add storm water to the exemptions under Proposition 218. This Legislation will provide as much flexibility as possible for the cities and counties to adopt Stormwater fees to fund their clean water programs.

9. **RESOLUTION 03-9865** Appointing a Council Subcommittee to Initiate Discussions with the East County Transportation Improvement Authority (ECTIA) and Approving an Approach to Expedite an Increase in the Regional Traffic Mitigation Fees (Recommend Adoption)

As directed by the City Council on May 19, 2003, staff met with representatives of the East County Transportation Improvement Authority (ECTIA) and Transplan to discuss the possibility of the City becoming a full partner in East County=s regional transportation

mitigation fee programs. Further, staff has reviewed the possibility of implementing an increase to the City=s regional fees on a short term basis while continuing to meet with ECTIA and the other regional transportation authorities. Staff is requesting that the Council select a subcommittee of two Council Members to initiate discussions with ECTIA and, further, direct staff to return to Council in August to begin the process to increase the City=s regional transportation mitigation fee.

10. **RESOLUTION 03-9871**  
(Combined w/RDA 03-902)

Allocation of Funding for the Enterprise Zone Fee Waiver/Reduction Program (Recommend Adoption)

On February 18, 2003, the City Council approved a Memorandum of Understanding between the State of California and the City of Pittsburg (the AMOU@) to set forth the terms, conditions, and Scope of Work for the local participation in the Enterprise Zone Program and delivery of program services. A Fee Waiver/Reduction Program was approved when the Council approved the MOU on February 18, 2003; however, a mechanism to allow the Agency to reimburse the City for the cost of such fee waivers or reductions was not approved at that time. In order to allow the Agency to reimburse the City for the cost of the waived or reduced fees, money needs to be approved for such use.

11. **RESOLUTION 03-9872**

Authorizing Staff to Negotiate an Agreement for Information Technology Management and Support Services (Recommend Adoption)

In April, 2003, staff issued Request for Proposals for Information Technology Services. Twenty-one proposals were received. The proposals were reviewed and the field of qualified firms narrowed following a predetermined procedure. The review process included interviews with top ranked firms. Staff requests Council authorization to negotiate an agreement with the top ranked finalist. The goal of negotiation will be to agree on a final scope of services and cost that delivers the services at a fair and reasonable price. Upon successful completion of the negotiations, the agreement will be presented to the Council for approval.

12. **RESOLUTION 03-9873**  
(Combined w/RDA 03-901)

The Reimbursement of City Fees Waived for the Construction of the Mt. Diablo Habitat for Humanity Fee Herb White Way Project (Recommend Adoption)

Pursuant to the Disposition and Development



Agreement Between the Redevelopment Agency of the City of Pittsburg and Mt. Diablo Habitat for Humanity, Article 7, Section 702, the Agency agrees to pay all fees ordinarily imposed directly by the City of Pittsburg on a project of this kind, including without limitation, parkland dedication fees, traffic impact fees and all permit and plan checking fees.

13. **RESOLUTION 03-9870** Approving a Memorandum of Understanding By and Between the City and USS-POSCO Industries for the Relocation of Segments of Two Pipelines Owned, Operated and Maintained by USS-POSCO (Recommend Adoption)

The construction of the State Route 4 Flood Relief Project necessitates the relocation of two pipelines owned, operated and maintained by USS-POSCO Industries (UPI); one 18-inch (450mm) and the other 24-inch (600mm) in diameter. The pipelines are used for the transmission of non-potable water for use in industrial processes. The relocation of the pipelines is included in the scope of work for the State Route 4 Flood Relief Project. The proposed Memorandum of Understanding by and between the City and USS-POSCO specifies the general framework under which the pipeline relocation is to be financed, engineered, constructed and administered.

## **PUBLIC HEARING**

1. **RESOLUTION 03-9866** Approving a Consent Judgment Resolving All Claims in the Matter of *Communities for a Better Environment (ACBE@)* and *Pesticide Action Network of North America (APANNA@)* v. *City of Pittsburg and the Dow Chemical Company*, Civil No. C02 02965 (Recommend Adoption)

On July 19, 2002, the Communities for a Better Environment (ACBE@) and the Pesticide Action Network of North America (APANNA@) filed a lawsuit challenging a proposed Sulfuryl Fluoride Modernization Project to be built at Dow Chemical plant in the City of Pittsburg. The parties have been negotiating for almost one year to resolve all claims without further litigation. On June 6, 2003, the City Council approved a tentative settlement providing that the parties would continue to develop a Consent Judgment that would be presented at a City Council meeting for a public hearing prior to final approval of the court. Staff is presenting the Consent Judgment for Council consideration.

**ADJOURNMENT** To: July 28, 2003 Special Meeting 5:00 p.m. (Closed Session)

## **NOTICE TO PUBLIC**

### **SPEAKER=S CARD**

Members of the audience who wish to address the City Council on issues that are not scheduled for the agenda and on any items listed as part of the consent calendar should complete a Speaker=s Card available at the dais. Please read the card carefully in order to fill out the card properly. Submit the completed card to the City Clerk before the item is called, preferably before the meeting begins. 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.

### **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 that are not scheduled for the agenda and on any items listed as part of the consent calendar.

### **PRESENTATIONS AND PROCLAMATIONS**

Presentations are directed to the City Council. Proclamations are issued by the Mayor at his/her sole discretion. Accordingly, the public may address the Council on items scheduled as a Presentation or Proclamation during the time allowed for Citizens Remarks.

### **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 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 VISUALLY OR HEARING IMPAIRED**

In compliance with the Americans with Disabilities Act, the City of Pittsburg will provide special assistance for disabled citizens. Upon request, an agenda for any meeting shall be made available in appropriate alternative formats. 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, or are requesting a specially formatted agenda, please contact the City Clerk at 925-252-4850. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting or provide the requested agenda format. (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 - 2003**

<u>OUTSIDE AGENCY BOARDS</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
ABAG	Yvonne Beals / Aleida Rios Alt.	Standing	Annual	B. Nail
BART Station Specific Plan	Michael Kee / William Glynn Alt.	Ad Hoc	As needed	R. Jerome
Bay Area Water Quality Dist.	William Glynn / Nancy Parent Alt.	Standing	As needed	R. Jerome
Contra Costa Consolid. Fire Dist.	Michael Kee / William Glynn Alt.	Standing	2 <sup>nd</sup> Monday	N. Shirazi
Delta Diablo Sanitation	Yvonne Beals / Aleida Rios Alt.	Standing	2 <sup>nd</sup> Wednesday	J. Fuller
East County Habitat Conserv.	Aleida Rios / Michael Kee Alt.	Standing	Monthly	R. Jerome
East County Water Mgt.	William Glynn / Nancy Parent Alt.	Standing	Annual	J. Fuller
Fee & Finance Authority/TRANSPLAN	William Glynn / Michael Kee Alt.	Standing	2 <sup>nd</sup> Thursday	N. Shirazi
Tri-Delta Transit	Yvonne Beals & Nancy Parent	Standing	Last Wednesday	N. Shirazi
Water Transit Authority Comm.	William Glynn / Nancy Parent Alt.	Standing	Monthly/Thursdays	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	Yvonne Beals / Aleida Rios Alt.	Standing	3 <sup>rd</sup> Thursday	B. Nail
Library Commission	Yvonne Beals & Aleida Rios	Standing	As needed	P. Flores
LMC Foundation Scholarship	Yvonne Beals / Aleida Rios Alt.	Standing	As needed	P. Flores
Mayor=s Conference	Yvonne Beals / Aleida Rios Alt.	Standing	1 <sup>st</sup> Thursday	W. Casey
School District Liaison	Nancy Parent & William Glynn	Standing	Quarterly	P. Flores

<u>SUBCOMMITTEE</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
CAC/CDBG	Nancy Parent & Michael Kee	Standing	As needed	A. Landry
Centennial Celebration	Yvonne Beals & William Glynn	Ad Hoc	As needed	P. Flores
City/County Relations	Nancy Parent / Michael Kee Alt.	Standing	As needed	W. Casey
City Commission Review	Michael Kee & William Glynn	Ad Hoc	As needed	W. Casey
Economic Development	Yvonne Beals & William Glynn	Standing	Quarterly	B. Nail
Finance Subcommittee	Aleida Rios & Nancy Parent	Ad Hoc	As needed	M. Simons
Power Company Advisory	William Glynn & Nancy Parent	Standing	As needed	G. Evans
PEHDC	Michael Kee & William Glynn	Standing	1 <sup>st</sup> Thursday	G. Evans
RDA Subcommittee	Aleida Rios & Michael Kee	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 July 21, 2003.

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)

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

and

AFSCME Local 512, AFL-CIO v. City of Pittsburg, Unfair Practice Charge No. SF-CE-108-M

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

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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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."

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 b) of Section 54956.9: (Specify number of potential cases)

X D. LIABILITY CLAIMS (Section 54956.95)

Claimant: William R. Hendricks (Specify name unless unspecified pursuant to Section 54961)

Agency claimed against: City of Pittsburg (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)