

# AMENDED

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

### HOUSING AUTHORITY AGENDA

65 Civic Avenue  
PITTSBURG, CALIFORNIA

6:30 pm  
June 16, 2003

CALL TO ORDER: Mayor Yvonne Beals

### AUDIENCE REMARKS

CONVENE IN CLOSED SESSION – 6:30 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 ALLEGIANCECITIZENS REMARKS

### MEMBERS REMARKS

### CONSENT

a. DISBURSEMENT LIST Period Ending: May 31, 2003 (Recommend Approval)

b. MINUTES Dated: May 19, 2003 (Recommend Approval)

### CONSIDERATION

1. RESOLUTION 03-210 Authorizing the Payment of Critical Costs Necessary to Support the Continued Delivery of All Housing Authority Programs and Services for the 2003-2004 Fiscal Year Prior to Adoption of Fiscal Year 2003-2004 Budgets (Recommend Adoption)

Authorization is required for the payment of critical costs to support continued delivery of all Housing Authority programs and services prior to the adoption of the Operating and Program Budgets for fiscal year 2003-2004.

**ADJOURNMENT** to July 21, 2003

**CITY OF PITTSBURG  
REDEVELOPMENT AGENCY AGENDA**

65 Civic Avenue  
PITTSBURG, CALIFORNIA

6:30 pm  
June 16, 2003

**CALL TO ORDER: Mayor Yvonne Beals**

**AUDIENCE REMARKS**

**CONVENE IN CLOSED SESSION** – 6:30 p.m.

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

**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: June 2, 2003 (Recommend Approval)
- b. **RESOLUTION 03-895** Approving the Execution of Two Quit Claim Deeds to Discovery Builders, Inc. (Recommend Adoption)
- The Redevelopment Agency is requesting authorization by the Agency Board to approve the execution of two Quit Claim Deeds for properties located along the south side of 3<sup>rd</sup> Street. The properties were encumbered with rights associated with a Grant Deed dated September 17, 1992 with the Hoffmann Company. The property were never developed by the Hofmann Company and re-vested to the Agency.
- c. **RESOLUTION 03-896** Correct the Accounting Treatment of a \$543,000 Loan Repayment to the Redevelopment Agency (Recommend Adoption)

The Redevelopment Agency of the City of Pittsburg sold real property located at the corner of Black Diamond and West Eighth Street to The Olson Company (the Developer) for \$2,000,000 to build 120 single-family homes. Part of the payment was a note of \$618,000, of which \$543,000 including interest was paid to the Agency in July of 1999. Due to lack of information, the loan repayment of \$543,000 was mis-coded as AOther Revenue.@ Finance would like to correct this accounting transaction by expensing the prior year=s revenue of \$543,000 and by writing off the Notes Receivable.

## **CONSIDERATION**

1. **RESOLUTION 03-897**  
(Combined w/CC 03-9846)  
(Combined w/PPC 03-088)

Authorizing the Payment of Critical Costs Necessary to Support the Continued Delivery of All Redevelopment Agency Programs and Services for the 2003-2004 Fiscal Year Prior to Adoption of Fiscal Year 2003-2004 Budgets (Recommend Adoption)

Authorization is required for the payment of critical costs to support continued delivery of all Redevelopment Agency programs and services prior to the adoption of the Operating and Program Budgets for fiscal year 2003-2004.

2. **RESOLUTION 03-898**  
(Combined w/CC 03-9847)

Allocating Funding, Approving Plans and Specifications, Authorizing Bidding, Approving a Consultant Agreement Amendment, and Making Certain Findings in Connection Herewith for Contract 01-10, West Tenth Street Rehabilitation Project (Recommend Adoption)

This project will rehabilitate West Tenth Street from Railroad Avenue to Builders Circle, reconfigure the pavement striping, construct ADA compliant curb ramps, and construct pedestrian bulb outs to increase safety for citizens crossing the street.

3. **MINUTE ORDER**

Black Diamond Project Site (Recommend Adoption)

The Redevelopment Agency staff is seeking direction from the Agency Board to recommend one of the following alternatives for the Black Diamond Project Site: 1) Direct Staff to solicit Request for Proposals to develop a Mixed Use Project; 2) Direct Staff to solicit Request for Proposals to Developers using the Mixed Use concept of Griego Designs; 3) Conduct a Feasibility Study to determine the highest and best possible use for the Black Diamond Project Area (including Alliant International University).

**ADJOURNMENT:** To: July 7, 2003

**CITY OF PITTSBURG  
CITY COUNCIL AGENDA**

65 Civic Avenue  
PITTSBURG, CALIFORNIA

**6:30 PM  
June 16, 2003**

**CALL TO ORDER: Mayor Yvonne Beals**

**AUDIENCE REMARKS**

**CONVENE IN CLOSED SESSION** – 6:30 p.m.

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

**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: June 2, 2003 (Recommend Approval)
- b. **RESOLUTION 03-9845** Approving the Transfer of Prior Year Grant Balances into FY 02-03 Budget for the City of Pittsburg in the Amount of \$1,526,986 (Recommend Adoption)

The City of Pittsburg has federal, state and local grants funding Police, Code Enforcement, Public Works,

Recreation Department and Community Development Block Grant (CDBG) activities which were not completed during the prior year. The City received most of the funding in advance except for the CDBG and Code Enforcement Incentive Program which are paid to the City on a reimbursement basis. In compliance with federal, state and local grant agreements, as well as governmental accounting standards, these grant commitments need to be transferred to the FY 2002-03 budget.

## **CONSIDERATION**

1. **RESOLUTION 03-9846**  
(Combined w/RDA 03-897)  
(Combined w/PPC 03-088) Authorizing the Payment of Critical Costs Necessary to Support the Continued Delivery of All City Programs and Services for the 2003-2004 Fiscal Year Prior to Adoption of Fiscal Year 2003-2004 Budgets (Recommend Adoption)  
  
Authorization is required for the payment of critical costs to support continued delivery of all City programs and services prior to the adoption of the Operating and Program Budgets for fiscal year 2003-2004.
2. **RESOLUTION 03-9847**  
(Combined w/RDA 03-898) Allocating Funding, Approving Plans and Specifications, Authorizing Bidding, Approving a Consultant Agreement Amendment, and Making Certain Findings in Connection Herewith for Contract 01-10, West Tenth Street Rehabilitation Project (Recommend Adoption)  
  
This project will rehabilitate West Tenth Street from Railroad Avenue to Builders Circle, reconfigure the pavement striping, construct ADA compliant curb ramps, and construct pedestrian bulb outs to increase safety for citizens crossing the street.
3. **RESOLUTION 03-9848** Adopt a Supplemental Retirement Plan (Recommend Adoption)  
  
In April 2001 the City Council directed staff to supply the Council with information that would make former Contra Costa County Employees= Retirement Association (CCCERA) non-safety Tier I members <sup>A</sup>whole. In May 2001 the City Council adopted Resolution 01-9370 which directed City representatives to negotiate at a later date compensation for the current CCCERA Tier I member employees. There are 23 such employees. In August 2002 the City Council adopted Resolution 02-9651 providing its Notice of Intention to adopt a supplemental retirement plan. The City and AFSCME reached impasse

regarding the City=s last, best, and final offer regarding adoption of the supplemental retirement plan. The parties implemented the City=s impasse procedures. Mediation did not resolve the impasse. AFSCME reconsidered the City=s last, best, and final offer and has agreed to accept the City=s offer. The actions before the City Council implement the supplemental retirement plan consistent with Resolutions 01-9370 and 02-9651.

4. **RESOLUTION 03-9849** Approving a Resolution Adopting Personnel Rules and Regulations (Recommend Adoption)

The Pittsburg Municipal Code delegates to the City Manager or his/her designee the responsibility of administering the City=s personnel system. The current Personnel Rules were originally adopted in 1986 with various amendments through 1998. Additionally, the Personnel Rules have been supplemented with City Manager initiated Administrative Orders. The current Personnel Rules are out of date and ineffective because, in part, they cover topics that are governed by various collective bargaining agreements and, in part, because they do not cover topics that should be included. Revised Personnel Rules were prepared to address the deficiencies of the current Personnel Rules and the proposed Personnel Rules have been reviewed by the City Attorney=s Office for legal compliance, by the City Manager and department directors, and by collective bargaining units.

5. **RESOLUTION 03-9850** Authorizing Year-End Budget Adjustments for the 2002-2003 Fiscal Year (Recommend Adoption)

Staff has been reviewing the City=s financial records in preparation of the Fiscal Year 2003-2004 Citywide Operating Budgets and for the completion of the fiscal year-end closing. As a result of this review, staff has determined that there are a few accounting items that were not sufficiently budgeted for Fiscal Year 2002-2003. To provide a clear audit trail and a more accurate picture of budget estimates staff is recommending that budget amendments be approved for these account items.

**ADJOURNMENT** To: June 23, 2003 to Joint Planning Commission Meeting 7:00 p.m.

**CITY OF PITTSBURG  
PITTSBURG POWER COMPANY**

65 Civic Avenue  
PITTSBURG, CALIFORNIA

6:30 pm  
June 16, 2003

**CALL TO ORDER: Mayor Yvonne Beals**

**AUDIENCE REMARKS**

**CONVENE IN CLOSED SESSION** – 6:30 p.m.

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

**MEMBERS OF THE PITTSBURG POWER COMPANY**

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

**PLEDGE OF ALLEGIANCE**

**CITIZENS REMARKS**

**MEMBERS REMARKS**

**CONSENT**

a. **MINUTES**

Dated: April 7, 2003 and April 21, 2003 (Recommend Approval)

**CONSIDERATION**

1. **RESOLUTION 03-088**  
(Combined w/RDA 03-897)  
(Combined w/CC 03-9846)

Authorizing the Payment of Critical Costs Necessary to Support the Continued Delivery of All Pittsburg Power Company Programs and Services for the 2003-2004 Fiscal Year Prior to Adoption of Fiscal Year 2003-2004 Budgets (Recommend Adoption)

Authorization is required for the payment of critical costs to support continued delivery of all Pittsburg Power Company programs and services prior to the adoption of the Operating and Program Budgets for fiscal year 2003-2004.

**PUBLIC HEARING**



1. **RESOLUTION 03-089** Approving the Revisions to the Rate Schedules for Gas and Electric Service on Mare Island for the Pittsburg Power Company D.B.A. Island Energy (Recommend Adoption)

The Pittsburg Power Company (APPC), doing business as Island Energy, on Mare Island currently has a Gas and Electric Rate Schedule last revised on July 15, 2002. Staff has performed a Rate Case Review analysis and determined that the rates should be increased. The increased rates for gas and electric service are embodied in the attached rate schedules.

## **ADJOURNMENT**

## **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>
ABAG	Yvonne Beals / Aleida Rios Alt.	Standing	Annual
BART Station Specific Plan	Michael Kee / William Glynn Alt.	Ad Hoc	As needed
Bay Area Water Quality Dist.	William Glynn / Nancy Parent Alt.	Standing	As needed
Contra Costa Consolid. Fire Dist.	Michael Kee / William Glynn Alt.	Standing	2 <sup>nd</sup> Monday
Delta Diablo Sanitation	Yvonne Beals / Aleida Rios Alt.	Standing	2 <sup>nd</sup> Wednesday
East County Habitat Conserv.	Aleida Rios / Michael Kee Alt.	Standing	Monthly
East County Water Mgt.	William Glynn / Nancy Parent Alt.	Standing	Annual
Fee & Finance Authority/TRANSPLAN	William Glynn / Michael Kee Alt.	Standing	2 <sup>nd</sup> Thursday
Tri-Delta Transit	Yvonne Beals & Nancy Parent N. Shirazi	Standing	Last Wednesday
Water Transit Authority Comm. Monthly/Thursdays	William Glynn / Nancy Parent Alt. J. Fuller	Standing	

<u>LIAISON TO</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>
East Bay League of Calif. Cities	Yvonne Beals / Aleida Rios Alt.	Standing	3 <sup>rd</sup> Thursday
Library Commission	Yvonne Beals & Aleida Rios	Standing	As needed
LMC Foundation Scholarship	Yvonne Beals / Aleida Rios Alt.	Standing	As needed
Mayor=s Conference	Yvonne Beals / Aleida Rios Alt.	Standing	1 <sup>st</sup> Thursday
School District Liaison	Nancy Parent & William Glynn	Standing	Quarterly

<u>SUBCOMMITTEE</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>
CAC/CDBG	Nancy Parent & Michael Kee	Standing	As needed
Centennial Celebration	Yvonne Beals & William Glynn	Ad Hoc	As needed
City/County Relations	Nancy Parent / Michael Kee Alt.	Standing	As needed
City Commission Review	Michael Kee & William Glynn	Ad Hoc	As needed
Economic Development	Yvonne Beals & William Glynn	Standing	Quarterly
Finance Subcommittee	Aleida Rios & Nancy Parent	Ad Hoc	As needed
PEHDC	Michael Kee & William Glynn	Standing	1 <sup>st</sup> Thursday
Power Company Advisory	William Glynn & Nancy Parent	Standing	As needed
RDA Subcommittee	Aleida Rios & Michael Kee	Standing	Quarterly

## 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 June 16, 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)

City of Pittsburg vs. Griego, Contra Costa Superior Court Case No. C03-00473

or

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

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (Specify number of potential 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 b) 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)