

**CITY OF PITTSBURG
MEETING OF THE REDEVELOPMENT AGENCY and CITY COUNCIL**

REDEVELOPMENT AGENCY AGENDA

65 Civic Avenue
PITTSBURG, CALIFORNIA

4:00 pm
February 3, 2003

CALL TO ORDER: Mayor Yvonne Beals

COUNCIL PALM PILOT TRAINING SESSION - 4:00 p.m.

CONVENE PUBLIC WORKSHOP ON COUNCIL GOALS - 5:00 p.m. - 6:15 p.m.

AUDIENCE REMARKS

CONVENE IN CLOSED SESSION - 6:15 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: January 21, 2003 (Recommend Approval)
- b. **RESOLUTION 03-865** Approving the Purchase of the Eden Systems, Inc. InForum Gold Financial Management System and Amend the Budget for FY 2002-2003 to Provide Financing (Recommend Adoption)

The provider of the Agency/City=s financial management system, Cayenta, has notified the City that it has upgraded its system and will no longer support the system version that the City of Pittsburg has after June 30, 2003. Cayenta=s cost for the upgrade is \$534,000. The Finance Department looked at system alternatives

and is recommending that the Agency/City not upgrade with the Cayenta System, but purchase a system from Eden Systems, Inc. at a cost equivalent to the Cayenta upgrade. Additional requirements will increase the total cost to \$643,000.

CONSIDERATION

1. **RESOLUTION 03-867** Designating the Agency=s Financing Team for the Redevelopment Agency Bond Indebtedness Series 2003 (Recommend Adoption)

At its January 6, 2003 meeting the Agency=s bond counsel gave a presentation on the bond issuance process including the role and functions of the members of the Agency=s financing team including bond counsel, disclosure counsel, underwriter, financial advisor, fiscal advisor, and City staff. Following the presentation, Council directed that the Redevelopment Agency Subcommittee meet and review proposals submitted by various financial advisor firms and make a recommendation. Further, Council directed staff to return on February 3, 2003 with a resolution designating all members of the financing team.

ADJOURNMENT: To: February 18, 2003

**CITY OF PITTSBURG
CITY COUNCIL AGENDA**

65 Civic Avenue
PITTSBURG, CALIFORNIA

4:00 PM
February 3, 2003

CALL TO ORDER: Mayor Yvonne Beals

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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)

PRESENTATION - Public Comment considered only under Citizens Remarks. (No Action Required)

1. 2002 Draft Strategic Plan for East Contra Costa Regional Fee and Financing Authority and the East County Transportation Improvement Authority

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: January 21, 2003 (Recommend Approval)
- b. **CLAIMS** #1487 Janet M. Hernandez; #1501 Michelle Stavros
(Recommend Denial)
- (Claims against the City which may cause expenditure of funds - on file in the Office of the City Clerk)
- c. **RESOLUTION 03-9760** Approve the Purchase of the Eden Systems, Inc. InForum Gold Financial Management System and Amend the Budget for FY2002-2003 to Provide Financing (Recommend Adoption)
- The provider of the Agency/City=s financial management system, Cayenta, has notified the City that it has upgraded its system and will no longer support the system version that the City of Pittsburg has after June 30, 2003. Cayenta=s cost for the upgrade is \$534,000. The Finance Department looked at system alternatives and is recommending that the Agency/City not upgrade with the Cayenta System, but purchase a system from Eden Systems, Inc. at a cost equivalent to the Cayenta upgrade. Additional requirements will increase the total cost to \$643,000.
- d. **ORDINANCE 03-1204** Adoption of Ordinance Amending the Lot Coverage Standards in Certain Single-Family Residential District (RZ 02-19) (Recommend Adoption)
- On January 21, 2003, the City Council introduced Ordinance No. 03-1204 setting forth new lot coverage standards within eight specific subdivisions approved for development after 1990. To implement the new regulations, the Council must now adopt the ordinance.
- e. **RESOLUTION 03-9761** Authorizing the City Manager to Execute the 2002/2003 Disadvantaged Business Enterprise (DBE) Program to Facilitate the Use of Federal Funds for Capital Improvement Projects (Recommend Adoption)
- Implementation of a DBE program is required by each Local Agency prior to receiving Federal funds. Staff has established a draft Disadvantaged Business Enterprise (DBE) Program for Federal Fiscal Year 2002/2003 that is in accordance with regulations of the U.S. Department of Transportation, 49 CFR Part 26. Using a CALTRANS approved method, the DBE participation goal was calculated to be 2.7% participation using race conscious methods. In December, 2002, Caltrans approved the draft version of the City=s DBE Program, and authorized

the City to advertise for public review. A copy of the City's Draft DBE Program was open for public review and comment for the necessary 45 days. During this time, no comments were received from the general public.

- f. **RESOLUTION 03-9762** Designating a Board Member and an Alternate Board Member to the Contra Costa County Municipal Risk Management Insurance Authority (Recommend Adoption)

The governing documents of the Contra Costa County Municipal Risk Management Insurance Authority require the City Council of each member City to appoint one Board Member and to appoint one alternate Board member to the Board of Directors of the Authority.

CONSIDERATION

1. **RESOLUTION 03-9763** Adoption of the City of Pittsburg Capital Improvement Program for Fiscal Years 2002/3 through 2006/7 (Recommend Adoption)

The proposed Capital Improvement Program (CIP) for fiscal years 2002/3 through 2006/7 includes 22 street improvement projects, 1 parking lot, 17 traffic signal projects, 47 water system and sanitary sewer system improvement projects, 7 storm drainage improvement projects, and 27 park and building projects. Included within these projects are 14 projects that will be construction-ready in 2003.

2. **MINUTE ORDER** Community Advisory Commission Election Clarification (Recommend Clarification)

On January 6, 2003, the Council adopted a Minute Order which addressed several concerns of the Community Advisory Commission. One item that was mentioned was the Election of the CAC Executive Board. This item appears to need further clarification.

3. **MINUTE ORDER** Appointment of Community Advisory Commissioners (Recommend Appointment)

Nine openings exist on the Community Advisory Commission; one At-Large; three South East Sector; two South West Sector; and three Far South West Sector. Six candidates were invited to interview with the City Council on January 21, 2003 and three candidates were

interviewed at that time.

PUBLIC HEARING

1. **ORDINANCE 03-1205** Amendment to Pittsburg Municipal Code Section 15.104 to Include Additional Territory Within the Stormwater Drainage Mitigation Fee Area for the Kirker Creek Watershed (Recommend Adoption)

Pursuant to letter agreement dated August 5, 2002, the proposed ordinance will amend Ordinance No.01-1180 to allow that parcel owned by USS-Posco Industries (AUPI@) and identified by Assessors Parcel Number 73-200-19, to drain into Kirker Creek. The August 5, 2002 letter is attached as Exhibit 1.

ADJOURNMENT To: February 18, 2003

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 nd Monday	N. Shirazi
Delta Diablo Sanitation	Yvonne Beals / Aleida Rios Alt.	Standing	2 nd 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 nd 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 rd 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 st 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
Economic Development	Yvonne Beals & William Glynn	Standing	Quarterly	B. Nail
Finance Subcommittee	Aleida Rios & Nancy Parent	Ad Hoc	As needed	M. Simons
Island Energy Advisory	William Glynn	Standing	As needed	G. Evans
PEHDC	Michael Kee & William Glynn	Standing	1 st 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 February 3, 2003.

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)

- 1) 2059 Railroad Avenue, APN 086-221-006
 2075 Railroad Avenue, APN 086-221-004

2) PROPERTY APN	OWNER
APN 085-164-001	Pittsburg Redevelopment Agency
APN 085-164-002	Pittsburg Redevelopment Agency
APN 085-164-003	Pittsburg Redevelopment Agency
APN 085-164-004	Pittsburg Redevelopment Agency
APN 085-164-005	Southport Land & Commercial Co.
APN 085-164-007	Pittsburg Redevelopment Agency
APN 085-164-008	Pittsburg Redevelopment Agency
APN 085-164-009	Pittsburg Redevelopment Agency
APN 085-164-010	Pittsburg Redevelopment Agency
APN 085-164-011	Pittsburg Redevelopment Agency
APN 085-164-012	Pittsburg Redevelopment Agency
APN 085-164-013	Pittsburg Redevelopment Agency
APN 085-164-015	Pittsburg Redevelopment Agency
APN 085-164-016	Southport Land & Commercial Co.
APN 085-165-002	Pittsburg Redevelopment Agency
APN 085-165-003	Pittsburg Redevelopment Agency
APN 085-165-004	Pittsburg Redevelopment Agency
APN 085-165-005	Pittsburg Redevelopment Agency
APN 085-165-006	Pittsburg Redevelopment Agency
APN 085-165-007	Pittsburg Redevelopment Agency
APN 085-165-008	Pittsburg Redevelopment Agency
APN 085-165-009	Southport Land & Commercial Co.

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."

APN 085-165-012	Southport Land & Commercial Co.
APN 085-165-015	Southport Land & Commercial Co.
APN 085-165-016	Southport Land & Commercial Co.
APN 085-165-017	Southport Land & Commercial Co.
APN-086-166-003	Pittsburg Redevelopment Agency
APN-086-166-004	Pittsburg Redevelopment Agency
APN-086-166-005	Pittsburg Redevelopment Agency
APN-086-166-006	Pittsburg Redevelopment Agency
APN-086-166-007	Pittsburg Redevelopment Agency
APN-086-166-008	Pittsburg Redevelopment Agency
APN-086-166-009	John E. & Elaine Caprio
APN-086-166-010	Pittsburg Redevelopment Agency
APN-086-166-011	Pittsburg Redevelopment Agency
APN-086-166-012	Pittsburg Redevelopment Agency
APN-086-166-013	Pittsburg Redevelopment Agency
APN-086-166-015	Pittsburg Redevelopment Agency
APN-086-166-016	Roger Riley
APN-085-165-193	Pittsburg Unified School District
APN-085-165-203	Pittsburg Unified School District

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.)

- 1) Garrett Evans, Willis Casey
- 2) Brad Nail, Willis Casey

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

- 1) The Agnes Virginia Wade Revocable Trust
- 2) See Above

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

- 1) Both
- 2) 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)

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)

Two (2) cases

(In addition to the information noticed above, the agency may be required to provide additional information on the agenda or in an oral statement prior to the closed session pursuant to subparagraphs (B) to (E), inclusive, of paragraph (3) of subdivision (b) of Section 54956.9.)

Initiation of litigation pursuant to subdivision (c) of Section 54956.9: (Specify number of potential cases)

D. LIABILITY CLAIMS (Section 54956.95)

Claimant: (Specify name unless unspecified pursuant to Section 54961)

Agency claimed against: (Specify name)

E. THREAT TO PUBLIC SERVICES OR FACILITIES (Section 54957)

Consultation with: (Specify name of law enforcement agency and title of officer)

F. PUBLIC EMPLOYEE APPOINTMENT

Title: (Specify description of position to be filled)

G. PUBLIC EMPLOYMENT

Title: (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.)

City Manager Willis A. Casey, Human Resources Director Marc Fox, City Attorney Linda Daube

Employee organization: (Specify name of organization representing employee)

Teamsters Local 856

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)