

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

HOUSING AUTHORITY AGENDA

65 Civic Avenue
PITTSBURG, CALIFORNIA

4:00 pm
January 21, 2003

CALL TO ORDER: Mayor Yvonne Beals

COMMUNITY ADVISORY COMMISSION INTERVIEWS - 4:00 p.m.

CONVENE PUBLIC WORKSHOP ON CIP LIST - 5:00 p.m. - 6:30 p.m.

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 ALLEGIANCE

CITIZENS REMARKS

MEMBERS REMARKS

CONSENT

a. **DISBURSEMENT LIST** Period Ending: December 31, 2002 (Recommend Approval)

b. **MINUTES** Dated: December 16, 2002 (Recommend Approval)

ADJOURNMENT to February 18, 2003

**CITY OF PITTSBURG
REDEVELOPMENT AGENCY AGENDA**

65 Civic Avenue
PITTSBURG, CALIFORNIA

4:00 pm
January 21, 2003

CALL TO ORDER: Mayor Yvonne Beals

COMMUNITY ADVISORY COMMISSION INTERVIEWS - 4:00 p.m.

CONVENE PUBLIC WORKSHOP ON CIP LIST - 5:00 p.m. - 6:30 p.m.

AUDIENCE REMARKS

CONVENE IN CLOSED SESSION - 6:30 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

PRESENTATION

1. Redevelopment Bond Issuance Finance Team

CONSENT

- a. **MINUTES** Dated: January 6, 2003 (Recommend Approval)
- b. **RESOLUTION 03-864** Approving the Carryover Capital Improvement Program for FY 2002-2003 (Recommend Adoption)

Resolution #02-828 dated June 17, 2002, authorized the Executive Director and the Finance Director to make the necessary budget adjustments to insure that the capital projects budgeted in the Los Medanos Series 1988 Fund, Fund No. 78, were properly carried forward.

ADJOURNMENT: To: February 3, 2003

**CITY OF PITTSBURG
CITY COUNCIL AGENDA**

65 Civic Avenue
PITTSBURG, CALIFORNIA

4:00 PM
January 21, 2003

CALL TO ORDER: Mayor Yvonne Beals

COMMUNITY ADVISORY COMMISSION INTERVIEWS - 4:00 p.m.

CONVENE PUBLIC WORKSHOP ON CIP LIST - 5:00 p.m. - 6:30 p.m.

AUDIENCE REMARKS

CONVENE IN CLOSED SESSION - 6:30 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)

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

1. State Budget Update (Senator Tom Torlakson)

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 6, 2003 (Recommend Approval)

- b. **RESOLUTION 03-9747** Approving the Carryover Capital Improvement Program for FY 2002-2003 (Recommend Adoption)
- Resolution #02-9625 dated June 17, 2002 authorized the City Manager and Finance Director to make the necessary budget adjustments to insure that the capital projects budgeted in the Capital Improvement Projects Fund, Fund No. 91, were properly carried forward. (Capital projects in Enterprise Funds are not included.)
- c. **RESOLUTION 03-9748** Authorize Advertising for Bids for a Stockless Office Supplies Contract #OFF-02023, to Support Staff Citywide (Recommend Adoption)
- Invitation to Bid documents are being developed to procure a Citywide Stockless Office Supplies contract. The City's previous contract expired on June 30, 2002. The City is currently obtaining office supplies on a month-to-month contract with Office Depot. After thorough research, the Purchasing Analyst reveals an annual savings of 40% could be obtained by way of the competitive bidding process.
- d. **RESOLUTION 03-9749** Authorizing Pittsburg's Continued Participation in the Contra Costa Recycling Market Development Zone (Recommend Adoption)
- The City of Pittsburg has been a member of the Contra Costa Recycling Market Development Zone (RMDZ) since 1992. Per California Public Resources Code Section 42011, this designation is retained for only ten years and each zone must reapply to the California Integrated Waste Management Board (CIWMB) to remain in the RMDZ. The attached resolution to be submitted to the CIWMB by and for Contra Costa County and other cities will allow the City to continue to be included in the Contra Costa RMDZ program.
- e. **RESOLUTION 03-9751** Establishment of Annual Condominium Conversion Rate (Recommend Adoption)
- Section 17.44.070 of the Municipal Code limits the annual number of apartments that can be converted to condominiums to an amount established by the City Council at the beginning of each calendar year.
- f. **RESOLUTION 03-9752** Adopt the Elected Officials Benefits Schedule (Recommend Adoption)

The Elected Officials Benefits Schedule places into one source document the existing benefit programs offered to the City=s elected officials.

- g. **RESOLUTION 03-9753** Authorize an Application to the California Energy Commission for Traffic Signal Battery Backup Systems (Recommend Adoption)

Traffic signals that lose power due to service disruptions can remain operational for several hours, or until power is restored, if they are equipped with Battery Backup Systems. The California Energy Commission (CEC) has established a grant program to help cities fund the installation of Battery Backup Systems. Council approval of the attached resolution is required to complete the CEC grant application and authorize staff to obtain and budget funds for the installation of this equipment.

- h. **RESOLUTION 03-9754** Amend Classification Specifications to Reflect Revised Department Names (Recommend Adoption)

It is recommended that a resolution be adopted to amend class specifications to reflect revised department names.

CONSIDERATION

1. **RESOLUTION 03-9750** Reorganization of the Finance Department Mid-management Positions to Include a Total of Three Finance Division Managers for the Accounting, Budget and Revenue Divisions (Recommend Adoption)

In June 2002, an organizational assessment of the Finance Department was completed by Sinclair & Associates. The assessment reported a variety of organizational inefficiencies and recommended the reclassification of two mid-management positions and the addition of one mid-management position for the Finance Department to mitigate the identified inefficiencies. The proposed reorganization to the mid-management structure is an important step in implementing the organizational assessment findings and bringing the Finance Department for the City of Pittsburg into the 21st Century.

2. **MINUTE ORDER** Appointment of Planning Commissioner (Recommend Appointment)

One opening exists on the Planning Commission. The City has advertised for the opening and received six applications. All applicants were invited to interview with the City Council on January 6, 2003, and five applicants were interviewed at that time.

3. **MINUTE ORDER**

Authorizing Letter of Support for Partial Restoration of the Vehicle License Fees (VLF) to Offset the Reduction in the VLF Backfill Proposed by Governor Davis (Recommend Adoption)

The League of California Cities is asking California Cities to send a letter in support of partial restoration of the Vehicle License Fees (VLF) to offset the reduction in the VLF backfill proposed by Governor Davis to the Legislature. A memorandum from the League, with a sample letter is attached.

PUBLIC HEARING

1. **RESOLUTION 03-9755**

Approving Traffic Calming Measures for Gladstone Drive (Recommend Adoption)

In an attempt to address cut-through traffic, speeding and safety issues on Gladstone Drive, several traffic calming measures have been considered. Staff has recommended sequential traffic calming measures on Gladstone Drive. Staff suggested to first, continue to enforce "No Thru Traffic" signs; if determined ineffective, Staff recommended installation of speed humps; if also determined to be ineffective, Staff would recommend installation of a mid-block closure at Delta DeAnza Trail. The Traffic and Circulation Advisory Committee has also reviewed this issue. It is their recommendation to install a mid-block closure now, without attempting to mitigate the problem through the other methods recommended by Staff.

2. **RESOLUTION 03-9756**
(Combined w/03-9757)

Fire Station #84 and Administration Center Appeal of Planning Commission Approval of UP-02-20 (Recommend Deny Appeal, Uphold Planning Commission Decision and Adopt Resolution)

The Planning Commission approved a use permit and architectural plans for a new fire station on the east side of the Railroad Avenue/Civic Avenue intersection. The proposed fire station would be a relocation of the existing Fire Station #84 located at 200 East Sixth

Street. Pittsburg resident Ron Waite filed an appeal of the Commissions approvals, based on a concern that the Commission did not respond to all of the issues brought up by the public during the hearing, prior to taking action on the project.

3. **RESOLUTION 03-9757**
(Combined w/03-9756)

Fire Station #84 and Administration Center Appeal of Planning Commission Approval of DR-02-29 (Recommend Deny Appeal, Uphold Planning Commission Decision and Adopt Resolution)

The Planning Commission approved a use permit and architectural plans for a new fire station on the east side of the Railroad Avenue/Civic Avenue intersection. The proposed fire station would be a relocation of the existing Fire Station #84 located at 200 East Sixth Street. Pittsburg resident Ron Waite filed an appeal of the Commissions approvals, based on a concern that the Commission did not respond to all of the issues brought up by the public during the hearing, prior to taking action on the project.

4. **RESOLUTION 03-9758**

Ordering the Abandonment of a Portion of a Slope Easement Accepted in 1974 as Part of the West Assessment District (704-10, A-035) (Recommend Adoption)

In December 1974 the City accepted a grant deed from the Albert D. Seeno Construction Company that included a portion of West Leland Road and an accompanying slope easement. Recent development plans for this parcel include grading improvements, which will render a portion of the slope easement unnecessary for present or future public use. Therefore, the developer (Discovery Builders) has requested that the City abandon a portion of this slope easement to accommodate the construction of a home.

5. **RESOLUTION 03-9759**

Code Enforcement Abatement Hearing - 301 Central (Recommend Adoption)

The violations at this site extend back to 1982. The building has been in continuous use illegally for over ten (10) years. City staff has tried to obtain the cooperation of two past owners and the present to either repair the building or demolish it. Having had no success in obtaining compliance from the current owner, staff brings this Resolution to the City Council to abate the nuisance.

6. **RESOLUTION 03-9742** Amendment to the Landuse Element of the General
(Combined w/03-1204) Plan and Introduction of a City-Initiated Ordinance to
Amend the Lot Coverage Standards in Certain Single-
Family Residential Districts (GP-02-04 and RZ 02-19)
(Recommend Adoption)

The City Council continued the public hearing on this item from the January 6, 2003 meeting to allow members time to study the matter more thoroughly. The Planning Commission recommends the Council amend the Land Use Element of the General Plan to eliminate policy 2-P-18 that limits maximum lot coverage on single-family lots to 40%. The Commission also recommends the Council establish an overlay zone for Highlands Ranch and amend the lot coverage standards in seven existing P-D Districts to increase the existing lot coverage standards, on lots less than 8,000 square feet in each of these areas, to 50% for two-story homes and 55% for one-story homes.

7. **ORDINANCE 03-1204** Amendment to the Landuse Element of the General
(Combined w/03-9742) Plan and Introduction of a City-Initiated Ordinance to
Amend the Lot Coverage Standards in Certain Single-
Family Residential Districts (GP-02-04 and RZ 02-19)
(Recommend Introduction and Waive First Reading)

The Planning Commission recommends the Council amend the Land Use Element of the General Plan to eliminate policy 2-P-18 that limits maximum lot coverage on single-family lots to 40%. The Commission also recommends the Council establish an overlay zone for Highlands Ranch and amend the lot coverage standards in seven existing P-D Districts to increase the existing lot coverage standards, on lots less than 8,000 square feet in each of these areas, to 50% for two-story homes and 55% for one-story homes.

ADJOURNMENT To: February 3, 2003

**CITY OF PITTSBURG
PITTSBURG POWER COMPANY AGENDA**

65 Civic Avenue
PITTSBURG, CALIFORNIA

4:00 pm
January 21, 2003

CALL TO ORDER: Mayor Yvonne Beals

COMMUNITY ADVISORY COMMISSION INTERVIEWS - 4:00 p.m.

CONVENE PUBLIC WORKSHOP ON CIP LIST - 5:00 p.m. - 6:30 p.m.

AUDIENCE REMARKS

CONVENE IN CLOSED SESSION - 6:30 p.m.

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

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: December 2, 2002 (Recommend Approval)

b. **RESOLUTION 03-084** Approving the Carryover Capital Improvement Program for FY 2002-2003 (Recommend Adoption)

Resolution #02-073 dated June 17, 2002, authorized the Executive Director and the Finance Director to make the necessary adjustments to insure that the capital projects budgeted in the Pittsburg Power Company Fund, Fund No. 59, were properly carried forward.

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>	<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 January 21, 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)

 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)

or

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

 X 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

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."

subparagraphs (B) to (E), inclusive, of paragraph (3) of subdivision (b) of Section 54956.9.)

X Initiation of litigation pursuant to subdivision 8) of Section 54956.9: (Specify number of potential cases)

Two (2) 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)

X J. CONFERENCE WITH LABOR NEGOTIATORS (Section 54957.6)

Agency designated representatives: (Specify names of designated representatives attending the closed session) (If circumstances necessitate the absence of a specified designated representative, an agent or designee may participate in place of the absent representative so long as the name of the agent or designee is announced at an open session held prior to the closed session.)

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

Employee organization: (Specify name of organization representing employee)

AFSCME Miscellaneous A Unit; AFSCME Management/Professional/Confidential Unit

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)