



**CITY OF PITTSBURG
AGENDA**

MONDAY, MARCH 26, 2007

**CITY HALL COUNCIL CHAMBER
65 CIVIC AVENUE, PITTSBURG, CA**

**CLOSED SESSION
4:30 P.M.**

**WORKSHOP – JOINT WITH PLANNING COMMISSION
5:00 P.M.**

**SPECIAL MEETING
7:00 P.M.**

CITY COUNCIL

PRESIDING

**Ben Johnson, Mayor/Chair
Will Casey, Vice-Mayor/Vice-Chair
Nancy Parent, Council Member/Board Member
Salvatore Evola, Council Member/Board Member
Michael Kee, Council Member/Board Member**

**For The Planning Commission:
Rose Mary Tumbaga, Chair
Jack Garcia, Commissioner
Ralph Ramirez, Commissioner
Edward Diokno, Commissioner
George Harris, Commissioner
Bruce D. Ohlson, Commissioner
Elizabeth Thomas, Commissioner**

Pittsburg City Council meetings are held the first and third Mondays of each month at 7:00 p.m. The Housing Authority meets in conjunction with the City Council on the third Monday of each month. The City Council meets regularly in the Council Chambers at 65 Civic Avenue, unless otherwise noted above.

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.*

CONVENE IN CLOSED SESSION – 4:30 p.m.

- a. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Section 54956.9(b)):

Initiation of litigation pursuant to subdivision (b) of Section 54956.9:

One (1) case

CONVENE IN OPEN SESSION - JOINT PLANNING COMMISSION WORKSHOP – 5:00 p.m.

1. Hillside Development Guidelines/Hillside Design Guidelines

CONVENE IN OPEN SESSION FOR SPECIAL MEETING – 7:00 p.m.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PRESENTATION

1. Habitat Conservation Plan

COUNCIL MEMBER REPORTS/REMARKS – *Council Members may make brief announcements or informal comments at this time. Council members may ask questions for clarification from City staff, and make a 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 REPORTS/REMARKS – *The City Manager may make brief announcements or informal comments at this time and brief the Council on items of interest. (No Action Required)*

CITIZENS REMARKS – *Members of the audience who wish to address the City Council or Agency Boards on issues that are not scheduled for the agenda 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 of residence in a clear and audible tone of voice. (No Action Required)*

CITY COUNCIL MEETING

PUBLIC HEARING

1. **RESOLUTION 07-10745** Adoption of a Resolution Approving the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) (Recommend Adoption)

The City Council is requested to adopt a resolution taking the following actions related to the HCP/NCCP: a) Adopt findings pursuant to the requirements of the California Environmental Quality Act (CEQA) and related to the Final Environmental Impact Report (EIR) for the HCP/NCCP, as set forth in Exhibit A of the attached resolution; b) Approve the HCP/NCCP, including revisions from the document entitled "Corrections and Updates to the HCP/NCCP, December 19, 2006", as set forth in Exhibit B of the attached resolution; c) Authorize the City Manager to execute the Implementing Agreement for the HCP/NCCP as set forth in Exhibit C of the attached resolution; d) Authorize the City Manager to execute the Joint Exercise of Powers Agreement Creating the East Contra Costa County Habitat Conservancy as set forth in Exhibit D of the attached resolution. The Council is also requested to appoint the City's representative and alternate to the East Contra Costa County Habitat Conservancy.

CONFLICT OF INTEREST DECLARATION – *City Council/Agency Members may make any conflict of interest declarations pertaining to Consent Calendar items at this time.*

CONSENT CALENDAR - *All matters listed under Consent Calendar are considered by the Council/Agency 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/Agency or the public prior to the time the Council/Agency votes on the motion to adopt.*

- a. **RESOLUTION 07-10746** Request for Fee Waiver – KVHS-FM Radio, Clayton Valley High School (Recommend Adoption)

Clayton Valley High School's student run radio station, 90.5 KVHS, is requesting a fee waiver of the adopted temporary activity permit fees to process a permit for a pirate themed fundraiser to take place on April 21, 2007 within Boatwright Plaza, along the Pittsburg waterfront (just east of the Pittsburg Yacht Club).

ADJOURNMENT To: April 2, 2007

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 agenda 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.

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.

There is a 90-day limit for the filing of a challenge in the Superior Court to certain City administrative decisions and orders which require a hearing by law, the receipt of evidence, and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge an action take by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting.

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.

LIVE MEDIA BROADCASTING ADVISEMENT

City Council meetings are video-taped for broadcast on Comcast Local Access Channel 26 typically the day after each meeting. For more information, please contact the City Clerk's office at 252-4850.

City Council Outside Agency/Liaison/ Sub-Committees Assignments – 2007

Updated December 18, 2006

<u>OUTSIDE AGENCY BOARDS</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
ABAG	Ben Johnson / Will Casey Alt.	Standing	Annual	B. Nail
Bay Area Water Quality Dist.	Nancy Parent / Salvatore Evola Alt.	Standing	As needed	M. Ayres
Contra Costa County Fire Dist.	Michael Kee / Nancy Parent Alt.	Standing	2 nd Monday	M. Rodriguez
Delta Diablo Sanitation	Nancy Parent / Ben Johnson Alt.	Standing	2 nd Wednesday	J. Fuller
East County Water Mgt.	Ben Johnson / Will Casey Alt.	Standing	Annual	J. Fuller
Fee & Finance Authority/TRANSPLAN/ ePPAC	Ben Johnson / Salvatore Evola Alt.	Standing	2 nd Thursday	J. Sbranti
Tri-Delta Transit	Michael Kee & Will Casey, Salvatore Evola Alt.	Standing	Last Wednesday	M. Rodriguez
Water Transit Authority Comm.	Michael Kee / Salvatore Evola 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	Ben Johnson / Will Casey Alt.	Standing	3 rd Thursday	B. Nail
Library Commission	Nancy Parent / Michael Kee	Standing	As needed	P. Flores
Mayor's Conference	Ben Johnson / Will Casey Alt.	Standing	1 st Thursday	M. Grisham
School District Liaison	Michael Kee & Salvatore Evola, Will Casey Alt.	Standing	Monthly	P.Flores/M.Rodriguez
<u>SUBCOMMITTEE</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
Alternate Governance Structure	Ben Johnson & Will Casey	Ad Hoc	As needed	M. Rodriguez/M. Fox
CAC/CDBG	Nancy Parent & Salvatore Evola	Standing	As needed	A. Landry
City/County Relations	Ben Johnson / Will Casey Alt.	Standing	As needed	M. Grisham
Concord Naval Weapons Station	Ben Johnson & Salvatore Evola	Ad Hoc	As needed	M. Rodriguez
Economic Development	Salvatore Evola & Nancy Parent/Will Casey Alt.	Standing	Quarterly	B. Nail
Finance Subcommittee	Michael Kee & Nancy Parent	Ad Hoc	As needed	M. Simons
Land Use Subcommittee	Michael Kee / Will Casey, Salvatore Evola Alt.	Ad Hoc	As needed	M. Ayres
Power Company Advisory	Nancy Parent & Salvatore Evola	Standing	As needed	G. Evans
RDA Subcommittee	Michael Kee & Salvatore Evola/Will Casey Alt.	Standing	Quarterly	R. Starbuck
Sister City Committee	Ben Johnson & Will Casey	Ad Hoc	As needed	B. Nail