

City Manager
City Attorney
City Clerk
City Treasurer
Community Dev Director
Janet Chalk
Debbie Smith

ANNOTATED AGENDA

for
June 23, 2009

CITY COUNCIL/ADA MEETING

Order of Council vote: AYES: Council Members Kalinowski, Rocha, Moore, Parsons and Mayor Davis

Order of Agency Vote: AYES: Agency Members Kalinowski, Rocha, Moore, Parsons and Chairman Davis

Notice of Availability of Reports

This agenda is a summary of the actions proposed to be taken by the City Council. For almost every agenda item, materials have been prepared by the City staff for the Council's consideration. These materials include staff reports which explain in detail the item before the Council and the reason for the recommendation. The materials may also include resolutions or ordinances which are proposed to be adopted. Other materials, such as maps and diagrams, may also be included. All of these materials are available at the City Clerk's Office, located on the 1st floor of City Hall, 3rd and H Streets, Antioch, CA 94509, during normal business hours for inspection and (for a fee) copying. Copies are also made available at the Antioch Public Library for inspection. Questions on these materials may be directed to the staff member who prepared them, or to the City Clerk's Office, who will refer you to the appropriate person.

Notice of Opportunity to Address Council

The public has the opportunity to address the Council on each agenda item. To address the Council, fill out a yellow Speaker Request form, available on each side of the entrance doors, and place in the Speaker Card Tray. See the Speakers' Rules on the inside cover of this Agenda. Comments regarding matters not on this Agenda may be addressed during the "Public Comments" section.

5:00 P.M. ROLL CALL for Closed Session – All present

PUBLIC COMMENTS for Closed Session

CLOSED SESSION 1) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION –

Administrative Civil Liability Complaint No. R5-2006-0512 issued by the California Regional Water Quality Control Board – Central Valley Region to the City of Antioch and Somersville-Gentry, Inc. re: Markley Creek; SPPI-Somersville, Inc. et al. v. TRC et al. (USDC N.D. Cal Case No C04-2648 SI); SPPI-Somersville, Inc. et al. v. Chevron (USDC N.D. Cal. Case No. C07-05824 SI). This Closed Session is authorized pursuant to Government Code §54956.9 (a).
No reportable action

5:30 P.M. ROLL CALL for Budget Study Session – All present

BUDGET STUDY SESSION

1. UPDATE ON FINANCIAL STATUS AND PROVIDE DIRECTION TO STAFF ON OPTIONS TO CONSIDER FOR THE FISCAL YEAR 2008-10 BUDGET.

Received direction

Recommended Action: Motion to provide direction to staff on FY 2008-10 budget options

PUBLIC COMMENTS for Study Session

7:00 P.M. ROLL CALL for Council/Agency Members – All present

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

PRESENTATION — by Contra Costa County Fire Protection District

PUBLIC COMMENTS—Only unagendized issues will be discussed during this time

COUNCIL RESPONSE TO PUBLIC COMMENTS

MAYOR'S COMMENTS

2. COUNCIL CONSENT CALENDAR

A. APPROVAL OF COUNCIL MINUTES FOR MAY 26, and JUNE 9, 2009

Recommended Action: Motion to approve the minutes

Approved

B. APPROVAL OF COUNCIL WARRANTS

Recommended Action: Motion to approve the warrants

Approved

C. APPROVAL OF TREASURER REPORT FOR MAY 2009

Recommended Action: Motion to approve the report

Approved

D. REJECTION OF CLAIM

1. Lebec, Inc. 09/10-1889 (property damage).

Recommended Action: Motion to reject the listed claim

Rejected

E. ORDINANCE REZONING APPROXIMATELY 12.94 ACRES COMPRISING THE LAKEVIEW CENTER PROJECT FROM LOW DENSITY RESIDENTIAL (R-6) TO PLANNED DEVELOPMENT DISTRICT (PD) (PD-09-01) (LAKEVIEW CENTER) (*Introduced 6/9/09*)

Recommended Action: Motion to adopt the ordinance

Ord 2030-C-S, 4/1, M-No

F. RESOLUTION APPROVING THE FORGIVENESS OF REMAINING LOAN BALANCE FROM THE ANTIOCH ECONOMIC DEVELOPMENT CORPORATION TO DELNETICS, INC.

Recommended Action: Motion to adopt the resolution

Reso 2009/49, 5/0

G. RESOLUTION AUTHORIZING THE CITY ATTORNEY TO COOPERATE WITH THE LEAGUE OF CALIFORNIA CITIES, OTHER CITIES AND COUNTIES IN LITIGATION CHALLENGING THE CONSTITUTIONALITY OF ANY SEIZURE BY STATE GOVERNMENT OF THE CITY'S STREET MAINTENANCE FUNDS AND REDEVELOPMENT FUNDS

Recommended Action: Motion to adopt the resolution

Reso 2009/50, 5/0

H. BUY AMERICAN RESOLUTION

Recommended Action: Consider adoption based on request of several Councilmembers

Reso 2009/51, 5/0

COUNCIL CONSENT CALENDAR — Continued

- I. RESOLUTION AMENDING THE MASTER FEE SCHEDULE TO REDUCE THE HOME OCCUPATION USE PERMIT FEE AND DISCONTINUE INSPECTIONS

Reso 2009/52, 5/0

Recommended Action: Motion to adopt the resolution

- J. PREWETT PARK PROJECT – DEED RESTRICTION BURROWING OWL HABITAT

Approved

Recommended Action: Motion to approve deed restriction for the Prewett Park Burrowing Owl Habitat and direct staff to file the restriction with the Contra Costa County Clerk's office

- K. AUTHORIZE PARTICIPATION BY THE CITY OF ANTIOCH IN THE CONTRA COSTA CONSORTIUM APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR NEIGHBORHOOD STABILIZATION PROGRAM 2 FUNDS IN THE AMOUNT OF \$50,000,000

Recommended Action: 1) Motion to adopt the resolution authorizing participation in the Contra Costa Consortium application to the U.S. Department of Housing and Urban Development for Neighborhood Stabilization Program 2 Funds in the Amount of \$50,000,000; and **Reso 2009/53, 5/0**

2) Motion to authorize the City Manager, or designee, to execute and/or implement any documents pertaining to this application, including the Consortium Agreement **Approved**

- L. STANDBY CITY COUNCIL MEMBERS

Approved

Recommended Action: Motion to appoint the Standby City Council Members

- M. CONSIDERATION OF BIDS FOR THE CURB, GUTTER, AND SIDEWALK REPAIR INCLUDING TREE REMOVAL AND STUMP GRINDING AND INSTALLATION OF CONCRETE HANDICAPPED ACCESSIBLE RAMPS AT MISCELLANEOUS LOCATIONS 2009-2010, (P.W. 507-12)

Approved

Recommended Action: Motion to award the project to the low bidder, Wayne E. Swisher Cement Contractor, Inc., in the amount of \$246,350.00 for the project

END OF COUNCIL CONSENT CALENDAR

PUBLIC HEARING

3. AVIANO SENIOR HOUSING PROJECT – PULTE/DEL WEBB REQUESTS REVIEW OF A PLANNED DEVELOPMENT (PD) REZONE, A MASTER DEVELOPMENT PLAN, 266.5 RESIDENTIAL DEVELOPMENT ALLOCATIONS (RDA), A TENTATIVE MAP, AND A USE PERMIT FOR THE DEVELOPMENT OF UP TO 533 AGE-RESTRICTED SINGLE FAMILY HOMES ON AN APPROXIMATELY 189-ACRE PARCEL LOCATED AT THE NORTHWEST CORNER OF (FUTURE) HILLCREST AVENUE AND (FUTURE) SAND CREEK ROAD (APNS 057-050-013 AND 057-030-001). CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT WILL ALSO BE CONSIDERED. FILE: MDP-05-01, RDA-07-01, UP-09-05

- Recommended Action:
- 1) Motion to approve the resolution certifying the Aviano project Final Environmental Impact Report (EIR), **Reso 2009/54, 5/0**
 - 2) Motion to read the ordinance by title only,
 - 3) Motion to introduce an ordinance rezoning the project site from Study Zone (S) to Planned Development District (PD-09-03) and approval of a Master Development Plan (MPD-05-01), **to 7/14//09 for adoption**
 - 4) Motion to adopt the resolution approving 266.5 residential development allocations for the project (RDA-07-01); and **Reso 2009/55, 5/0**
 - 5) Motion to adopt the resolution approving a vesting tentative map/final development plan (PW 676) and a use permit (UP-09-05), subject to conditions of approval **Reso 2009/56, 5/0, w/changes**

COUNCIL REGULAR AGENDA

4. ESTABLISH CARBON EMISSIONS REDUCTION TARGETS FOR ANTIOCH (*Con't from 6/9/09*) **Reso 2009/57, 5/0**
Recommended Action: Motion to adopt the resolution adopting GHG reduction targets by reducing overall carbon emissions by 25% (1990 levels) by 2020 and 80% reductions by 2050 as mandated by the Global Warming Solutions Act of 2006 AB-32
5. APPROVAL OF EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FY 2009 **Approved**
Recommended Action: Motion to approve
6. UPDATE FROM THE CITY COUNCIL GRAFFITI SUB-COMMITTEE AND THE INTRODUCTION OF THE GRAFFITI ABATEMENT PROGRAM **receive and file, reallocate 5k to "GAP"**
Recommended Action: Motion to provide direction to staff
7. PRESENTATION ON DEVELOPMENT REVIEW PROCESS IMPROVEMENTS **Received**
Recommended Action: This will be an oral presentation

8. AGENCY CONSENT CALENDAR

A. APPROVAL OF AGENCY WARRANTS

Approved

Recommended Action: Motion to approve the warrants

B. RESOLUTION AUTHORIZING THE CITY ATTORNEY TO COOPERATE WITH THE LEAGUE OF CALIFORNIA CITIES, OTHER CITIES AND COUNTIES IN LITIGATION CHALLENGING THE CONSTITUTIONALITY OF ANY SEIZURE BY STATE GOVERNMENT OF THE CITY'S STREET MAINTENANCE FUNDS AND REDEVELOPMENT FUNDS

Reso ADA-434, 5/0

Recommended Action: Motion to adopt the resolution

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS

Adjournment to Closed Session @ 10:23 p.m.

CLOSED SESSION 2) CONFERENCE WITH LABOR NEGOTIATOR – Employee organizations: Public Employees' Union Local No. 1, Operating Engineers Local Union No. 3, Antioch Police Officers' Association, Antioch Police Sworn Management Association, Management Group, Confidential Group, Treatment Plant Employees' Association. This Closed Session is authorized by California Government Code §54957.6.

ADJOURNMENT