

### 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 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 hand it to the City Clerk. 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.

**6:00 P.M. ROLL CALL** for Closed Sessions

**PUBLIC COMMENTS** for Closed Sessions

- CLOSED SESSIONS**
- 1) **CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION.** West Coast Home Builders, Significant exposure to litigation pursuant to subdivision (b) of Government Code §54956.9 (One case).
  - 2) **PUBLIC EMPLOYEE PERFORMANCE EVALUATION.** Evaluation for City Manager. This Closed Session is authorized by Government Code §54957.
  - 3) **CONFERENCE WITH LEGAL COUNSEL; EXISTING LITIGATION.** City of Antioch vs. E.I. DuPont, et al., Contra Costa Superior Court #C99-02197. This Closed Session is authorized by Government Code §54956.9.

**7:00 P.M. ROLL CALL - All Present**

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

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

**1. COUNCIL CONSENT CALENDAR**

**A. APPROVAL OF COUNCIL MINUTES FOR JUNE 1 AND 8, 2004 (#301-02)**

Recommended Action: Motion to approve the minutes

*Approved*

**B. APPROVAL OF COUNCIL WARRANTS (#401-02)**

Recommended Action: Motion to approve the warrants

*Approved*

**COUNCIL CONSENT CALENDAR***CContinued*

- C.** APPROVAL OF TREASURER=S REPORT - MAY 2004 (#401-02) *Approved*  
Recommended Action: Motion to approve the report
- D.** REJECTION OF CLAIMS (#704-07) *Denied*  
1. Mary Edna Frank, #03/04-1481  
2. Laurel Bennett, #04/05-1488  
Recommended Action: Motion to deny the claims
- E.** LEGISLATION AND ADVOCACY (#701-04) *Received*  
Recommended Action: Motion to receive and file
- F.** RESOLUTION ESTABLISHING CLASS SPECIFICATION AND SALARY FOR THE POSITION OF REGISTERED VETERINARY TECHNICIAN/SUPERVISOR AND APPROVING RECLASSIFICATION OF REGISTERED VETERINARY TECHNICIAN (#502-02) *Reso 2004/78, 5/0*  
Recommended Action: Motion to adopt the resolution
- G.** RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR ENGINEERING SERVICES WITH BLACK AND VEATCH CORPORATION FOR DEVELOPMENT OF PLANS AND SPECIFICATIONS FOR THE FUTURE PLANT B EXPANSION FACILITIES AT THE WATER TREATMENT PLANT (PW 551-4) (#1202-01) *Reso 2004/79, 4/0-S recused*  
Recommended Action: Motion to adopt the resolution
- H.** RESOLUTION ACCEPTING WORK AND AUTHORIZING CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR UPGRADES TO THE WATER TREATMENT PLANT "B" PROJECT (PW 551-3) (#1202-01) *Reso 2004/80, 5/0*  
Recommended Action: Motion to adopt the resolution
- I.** RESOLUTION ACCEPTING WORK AND AUTHORIZING CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE ANNUAL SIDEWALK, CURB, AND GUTTER REPAIR AT VARIOUS LOCATIONS IN THE CITY OF ANTIOCH (PW 507-9A) (#1102-04) *Reso 2004/81, 5/0*  
Recommended Action: Motion to adopt the resolution
- J.** RESOLUTION ACCEPTING WORK AND AUTHORIZING CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE WATER TREATMENT PLANT UPGRADES (PW 246-22A) (#1202-01) *Reso 2004/82, 5/0*  
Recommended Action: Motion to adopt the resolution

**COUNCIL CONSENT CALENDAR***Continued*

- K.** RESOLUTION ACCEPTING WORK AND AUTHORIZING CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE WIDENING OF SOMERSVILLE ROAD SOUTH OF BUCHANAN ROAD (PW 141-8) (#1102-04)

*Reso 2004/83, 5/0*

Recommended Action: Motion to adopt the resolution

- L.** RESOLUTION ACCEPTING WORK AND AUTHORIZING CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE SOMERSVILLE ROAD PAVEMENT REHABILITATION (PW 392-18) (#1102-04)

*Reso 2004/84, 5/0*

Recommended Action: Motion to adopt the resolution

- M.** APPOINTMENT TO THE CONTRA COSTA COUNTY LIBRARY COMMISSION (#302-01)

*reappointed Walter Ruehlig*

Recommended Action: Motion to reappoint Walter Ruehlig as Antioch's representative to the Contra Costa County Library Commission

- N.** RESOLUTION APPROVING STATE ROUTE 4 BYPASS SEGMENT1, PACKAGE 1 PROJECT DESIGN (#1102-03)

*Reso 2004/85, 5/0*

Recommended Action: Motion to adopt the resolution

**! ! ! END OF COUNCIL CONSENT CALENDAR ! ! !**

**PUBLIC HEARINGS**

- 2.** ORDINANCE ADDING SECTION 5-1.203 TO THE ANTIOCH MUNICIPAL CODE, DEALING WITH ELECTRIFIED FENCES (#701-05)

Recommended Action: A) Motion to Introduce the ordinance by title only;

2) Motion to Introduce the ordinance adding Section 5-1.203 to the Antioch Municipal Code, prohibiting electrified fences.

*to 7/27/04 for adoption*

- 3.** LOWE'S HOME IMPROVEMENT WAREHOUSE REQUESTS APPROVAL OF A FINAL PLANNED DEVELOPMENT, SPECIFIC PLAN AMENDMENT AND USE PERMIT TO DEVELOP AN APPROXIMATELY 170,216 S.F. HOME IMPROVEMENT AND GARDEN CENTER ON APPROXIMATELY 13 ACRES LOCATED AT THE NORTHEAST CORNER OF LONE TREE WAY AND CANADA VALLEY ROAD. (PORTIONS OF APN 056-120-045 AND -046) (PD-04-2, SP-04-2, UP-04-4) (#202-03)

Recommended Action: A) Motion to adopt the resolution making findings in relation to entitlements and adoption of a Mitigated Negative Declaration for the Lowe's Home Improvement Warehouse Project. *Reso 2004/86, 5/0*

B) Motion to introduce the ordinances in C) and D) by title only;

**PUBLIC HEARINGS**Continued

**Con=t3.** LOWE'S HOME IMPROVEMENT WAREHOUSE

- C) Motion to introduce the ordinance amending the East Lone Tree Specific Plan by designating the approximately 13 acres making up the Lowe's Home Improvement Warehouse project site Regional Retail (CR). *to 7/27/04 for adoption*
- D) Motion to introduce the ordinance rezoning approximately 13 acres making up the Lowe's Home Improvement Warehouse project site to the Planned Development District (PD). *to 7/27/04 for adoption*
- E) Motion to adopt the resolution approving a Final Planned Development and Use Permit and adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Lowe's Home Improvement Warehouse Project.  
*Reso 2004/87, 5/0 except for Condition #55, 4/1-K no*

4. TAIT AND ASSOCIATES INC. (PARACHINI) REQUESTS APPROVAL OF A FINAL DEVELOPMENT PLAN, USE PERMIT AND MINOR SUBDIVISION TO ALLOW THE CONSTRUCTION OF AN APPROXIMATELY 65,600 S.F. NEIGHBORHOOD SHOPPING CENTER AND OFFICE COMPLEX LOCATED ON THE NORTHEAST CORNER OF HILLCREST AVENUE AND WILDFLOWER DRIVE (APN 052-140-002). (PD-04-03, UP-03-16, PW 357-301-04) (#202-03)  
*5/0, tentative denial of project without prejudice, staff bring back resolution*

- Recommended Action:
- A) Motion to adopt the resolution approving a Final Planned Development, Minor Subdivision, and Use Permit and adopting a Mitigated Negative Declaration.
  - B) Motion to introduce the ordinance by title only.
  - C) Motion to introduce the ordinance rezoning approximately 23 acres, making up the Hillcrest Avenue and Wildflower Drive, to Planned Development District (PD).

5. SHAMROCK HOLDINGS, LLC (DALLAS RANCH) REQUESTS APPROVAL OF PLANNED DEVELOPMENT AND USE PERMIT APPLICATIONS TO ALLOW A PROFESSIONAL OFFICE AND RESIDENTIAL CARE FACILITY CAMPUS LOCATED ON THE EAST SIDE OF DALLAS RANCH ROAD, APPROXIMATELY 250 FEET SOUTH OF LONE TREE WAY (APN 072-450-004) (PD-04-6, UP-04-6) (#202-03)

- Recommended Action:
- A) Motion to adopt the resolution approving a Final Planned Development and Use Permit. *Reso 2004/88, 5/0 chngs to #52 & add #53-up to \$50,000 for Sr. ctr.*
  - B) Motion to introduce the ordinance by title only.
  - C) Motion to introduce the ordinance rezoning the project site from Planned Development District to the Planned Development District (PD). *to 7/27/04 for adoption*

**COUNCIL REGULAR AGENDA**

6. RESOLUTION CONFIRMING CANVASS BY THE COUNTY CLERK OF CONTRA COSTA OF BALLOTS CAST AT THE SPECIAL BALLOT MEASURE AC@ ELECTION HELD ON JUNE 8, 2004 (#702-02)

*Reso 2004/89, 5/0*

Recommended Action: Motion to adopt the resolution

7. BLUEROCK BUSINESS CENTER; REYNOLDS & BROWN PROJECT (#901-05)

Recommended Action: A) Motion to adopt the resolution partially rescinding Resolution No. 2003/140; *Reso 2004/90, 5/0*

3) Motion to adopt the resolution rescinding Resolution No. 2003/141; *Reso 2004/91, 5/0*

4) Motion to adopt the resolution partially rescinding Resolution No. 2003/142; *Reso 2004/92, 5/0*

5) Motion to introduce the ordinance by title only;

6) Motion to introduce the ordinance partially rescinding Ordinance No. 1010-C-S; *to 7/27/04 for adoption*

F) Motion to introduce the ordinance by title only;

G) Motion to Introduce the ordinance partially rescinding Ordinance No. 1011-C-S. *to 7/27/04 for adoption*

8. RESOLUTION PARTIALLY RESCINDING OWNER PARTICIPATION AGREEMENT WITH REYNOLDS AND BROWN (#901-05)

*Reso 2004/93, 4/1-K/ no, apv 2.02 & 2.04*

Recommended Action: Motion to adopt the resolution.

9. RESOLUTION DIRECTING STAFF TO INDEFINITELY SUSPEND THE PROCESSING OF A SPECIFIC PLAN FOR FUTURE URBANIZATION AREA #1 (FUA#1) (#202-02)

*Reso 2004/94, 3/2-K,C-no*

Recommended Action: Motion to adopt the resolution

10. CONTRA COSTA COUNTY OPEN SPACE FUNDING AUTHORITY, PARKS AND OPEN SPACE PROTECTION & PRESERVATION DISTRICT (#205-01)

*NO vote on All ballots*

Recommended Action: Motion to determine how City of Antioch should cast its ballots for City-owned properties

**END OF COUNCIL REGULAR AGENDA**

**AGENCY REGULAR AGENDA**

11. CONTRA COSTA COUNTY OPEN SPACE FUNDING AUTHORITY, PARKS AND OPEN SPACE PROTECTION & PRESERVATION DISTRICT (#205-01)

*NO vote on All ballots*

Recommended Action: Motion to determine how Agency should cast its ballots for Agency-owned properties

12. ALLOCATION OF "SET ASIDE" FUNDS FOR HOUSING ACTIVITIES (#)

*Set future Study Session*

Recommended Action: Motion to provide direction to staff concerning allocation of "set aside" funds for housing activities.

**PUBLIC COMMENTS**

**COUNCIL COMMUNICATIONS**

**STAFF COMMUNICATIONS**

**ADJOURNMENT - 12:05 am, in memory for Mayor Emeritus Verne Roberts**