

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 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.

6:30 P.M. ROLL CALL for Closed Sessions

PUBLIC COMMENTS for Closed Sessions

CLOSED SESSIONS:

- 1) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – Pursuant to California Government Code Section 54956.9(a): Kleinfelder, Inc. v. Antioch Diversified Development Associates, Samson Development Company, Michael Minder, the City of Antioch, the Antioch Development Agency and related cross-actions, Contra Costa Superior Court, Case No. C95-03211
- 2) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – This Closed Session is authorized by California Government Code §54956.9(a): Whiteside Construction Corporation v. J.K. Merz Construction, Inc., Antioch Public Golf Corporation and the City of Antioch, et al.; Davidson Plastering, Inc. v. J.K. Merz Construction, Inc., Contra Costa Superior Court, Case No. Consolidated C06-00730, City of Antioch, Travelers Casualty and Surety Company of America, et al.; J.K. Merz Construction, Inc., v. First Republic Bank, et al., San Francisco Superior Court, Case No. CGC06-454761
- 3) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – This Closed Session is authorized by California Government Code §54956.9(a): Evangelho v. City of Antioch; William G. McCullough Co., Contra Costa Superior Court, Case 07-02205; City of Antioch v. Evangelho et al., Contra Costa Superior Court, Case Nos. C06-02345, C06-02391, C06-02392

7:00 P.M. ROLL CALL — *All Present*

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

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

COUNCIL RESPONSE TO PUBLIC COMMENTS

1. COUNCIL CONSENT CALENDAR

A. APPROVAL OF COUNCIL MINUTES FOR JANUARY 8, 2008 (#301-02)

Approved, as amended

Recommended Action: Motion to approve the minutes

B. APPROVAL OF COUNCIL WARRANTS (#401-01)

Approved

Recommended Action: Motion to approve the warrants

C. APPROVAL OF TRAVEL POLICY MODIFICATION (#401-02)

Pulled

Recommended Action: Motion to adopt the revised policies

D. LEGISLATION AND ADVOCACY (#701-04)

Received

Recommended Action: Motion to receive and file

E. REJECTION OF CLAIMS (#704-07)

Rejected

1. Marvetia "Lynn" Richardson, 07/08-1747A (civil rights, personal injury, property damage)
2. Latoya Norman, 07/08-1747B (civil rights, personal injury)
3. Samonia Nelson-Calip, 07/08-1747C (civil rights, personal injury)
4. Kandis Calip, 07/08-1747D (civil rights, personal injury)
5. Thomas David Coleman, 07/08-1796A (civil rights, personal injury)
6. Karen Latreece Coleman, 07/08-1796B (civil rights, personal injury)

Recommended Action: Motion to reject the claims

F. RESOLUTION SUPPORTING SUTTER DELTA MEDICAL CENTER AND URGING CONTRA COSTA COUNTY TO ENHANCE MEDICAL SERVICES IN EAST CONTRA COSTA COUNTY (#1405-01)

Reso 2008/13, 5/0

Recommended Action: Motion to adopt the resolution

G. RESOLUTION DIRECTING ENGINEER OF WORK TO PREPARE CONSOLIDATED REPORT FOR THE ANNUAL LEVY OF ASSESSMENTS FOR LANDSCAPING DISTRICTS FOR FY 2008/2009 (#806-03)

Reso 2008/14, 5/0

Recommended Action: Motion to adopt the resolution

H. EXTENSION OF LICENSE AGREEMENT WITH ROBERT KARP FOR BASES LOADED RESTAURANT PROJECT, 4TH & "G" STREETS (#901-01)

Approved

Recommended Action: Motion to approve the amendment to the License Agreement and authorize the City Manager to sign the amendment

COUNCIL CONSENT CALENDAR — Continued

- I. RECONSIDERATION OF BIDS FOR THE ADDITIVE BID ITEM NO. 1 FOR LONE TREE WAY INTERSECTION IMPROVEMENTS (P.W. 555-12A) (#1102-04)

Approved

Recommended Action: Motion to award Additive Bid Item No. 1 to Bay Cities Paving & Grading, Inc. in the amount of \$89,985.00

- J. CONSIDERATION OF BIDS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DOWNTOWN ROADWAY PAVEMENT REHABILITATION (P.W. 678) (#1102-04)

Approved

Recommended Action: Motion to award the project to the low bidder Ghilotti Bros., Inc. in the amount of unit prices bid

- K. AUTHORIZATION TO ENTER INTO A CONTRACT WITH CIRCLEPOINT TO PREPARE THE ENVIRONMENTAL IMPACT REPORT FOR THE RODDY RANCH PROJECT (#202-02)

Approved

Recommended Action: Motion to authorize the Community Development Director to enter into a contract with CirclePoint Services

Added: 1) Draft reso objecting to the possibility of proposed prison facility in community, 2) Mayor draft letter to Supervisor urging proactive communication, 3) City of Antioch website list the item w/ e-mail addresses for the board of supervisors. 5/0

PUBLIC HEARING

2. SUNSET EXPLORATION IS REQUESTING A CHANGE TO THE EXISTING “S” STUDY ZONE AND APPROVAL OF A USE PERMIT TO ALLOW DRILLING AND OPERATING AN OIL/GAS WELL AS A TEMPORARY USE ON A 158 ACRE PARCEL LOCATED SOUTH OF THE EXISTING HOMES ON MAMMOTH WAY, WEST OF DEER VALLEY ROAD, AND EAST OF EMPIRE MINE ROAD APPROXIMATELY 1500 FEET SOUTH OF THE BACK FENCES OF THE HOMES FRONTING MAMMOTH WAY (#202-10)

Recommended Action: 1) Motion to approve the resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the Study District (“S”) Municipal Code Amendment and Sunset Oil and Gas Well Project. **Reso 2008/15, 5/0**

2) Motion to introduce the ordinance by title only.

3) Motion to introduce the ordinance amending Section 9-5.3802 and adding Section 9-5.3804 of the Antioch Municipal Code related to oil drilling in the “S” Study District. **to 2/26/08 for adoption, w/amended version of ordinance**

4) Motion to adopt resolution approving a Use Permit for a gas/oil well as a Temporary Use as requested by the applicant, subject to the conditions contained in the attached resolution. **Reso 2008/16, 5/0**

COUNCIL REGULAR AGENDA

3. INFORMATION ON FORECLOSED PROPERTIES AND PROPOSED MUNICIPAL CODE AMENDMENTS RELATED TO PROPERTY MAINTENANCE; ABANDONED, UNSECURED OR PARTIALLY CONSTRUCTED BUILDINGS; AND VACANT LOTS USED FOR ILLEGAL DUMPING (701-05)

Recommended Action: A) Motion to approve the reading of the ordinance by title only; and
B) Motion to introduce the ordinance amending Title 5, Chapter 2, Articles 1 and 2 of the Municipal Code, Related to Property Maintenance; Abandoned, Unsecured or Partially Constructed Buildings; and Vacant Lots Used for Illegal Dumping **to 2/26/08 for adoption**

4. PROPOSED REORGANIZATION OF THE COMMUNITY DEVELOPMENT NEIGHBORHOOD IMPROVEMENT/RENTAL INSPECTION PROGRAMS (#203-04)

Recommended Action: Motion to authorize the addition of one new Neighborhood Improvement Manager position and the elimination of one existing Neighborhood Coordinator position in the Community Development Department
Approved

5. PREWETT WATER PARK GENERAL ADMISSION FEE INCREASE (#1402-03)

Recommended Action: Motion to adopt the resolution

Reso 2008/17, 4/1-K

6. TWO YEAR BUDGET FORMAT FOR THE 2008-2010 BUDGET (#410-02)

Recommended Action: Motion to direct staff to proceed with the development of a two year budget
Approved

PUBLIC COMMENTS

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS

ADJOURNMENT to Closed Sessions @ **9:06 p.m.**

PUBLIC COMMENTS for Closed Sessions

CLOSED SESSIONS:

- 4) **CONFERENCE WITH LABOR NEGOTIATOR** – Agency Designated Representative: Human Resources Director. Employee Organization: Public Employees Union, Local #1. This Closed Session is authorized by Government Code §54957.6.

- 5) **CONFERENCE WITH LABOR NEGOTIATOR** – Agency Designated Representative: Human Resources Director. Employee Organization: APSMA (Antioch Police Sworn Management Association). This Closed Session is authorized by Government Code §54957.6.
- 6) **PUBLIC EMPLOYEE PERFORMANCE EVALUATION.** Title: City Manager. This Closed Session is authorized by Government Code §54957.
- 7) **PUBLIC EMPLOYEE PERFORMANCE EVALUATION.** Title: City Attorney. This Closed Session is authorized by Government Code §54957.

ADJOURNMENT — *to adjourned regular meeting on Tuesday, February 19, 2008 @ 7:00 P.M.*