

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

ANNOTATED AGENDA

for
March 17, 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 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

1) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – 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. This Closed Session is authorized by California Government Code §54956.9(a)

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.

3) PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Title: City Manager. This Closed Session is authorized by Government Code §54957.

4) PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Title: City Attorney. This Closed Session is authorized by Government Code §54957.

No reportable action

7:00 P.M. ROLL CALL for Council/Agency members

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

PROCLAMATION — National Association of the Advancement of Colored People (NAACP) – 100 Year Anniversary, February 2009

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

COUNCIL RESPONSE TO PUBLIC COMMENTS

MAYOR'S COMMENTS

1. COUNCIL CONSENT CALENDAR

A. APPROVAL OF COUNCIL MINUTES FOR FEBRUARY 10, 2009

Approved

Recommended Action: Motion to approve the minutes

B. APPROVAL OF COUNCIL WARRANTS

Approved

Recommended Action: Motion to approve the warrants

C. REJECTION OF CLAIM

1. Dennis Osborne 09/10-1854 (property damage)

Denied

Recommended Action: Motion to reject the listed claim

D. CONSIDERATION OF BIDS FOR THE "ANTIOCH COMMUNITY CENTER" / POLICE SERVICE CENTER" (P.W. 567-C)

Approved Award

Recommended Action: Motion to deny the bid protests of the Contra Costa Electrical Compliance Office and Allen L. Bender Inc and award the project including the three additive alternates for the Amphitheater, security fencing and the larger gymnasium to the lowest responsible bidder Midstate Construction in the amount of the \$12,326,587

E. ELIMINATE EARTHQUAKE INSURANCE PREMIUM

Approved

Recommended Action: Motion to find that earthquake insurance is no longer available on the open market from a reputable insurance company at a reasonable cost and direct staff to terminate the earthquake insurance policy

F. APPROVAL OF SECOND AMENDMENT TO THE CONSULTANT SERVICE AGREEMENT WITH FLOW SCIENCE INCORPORATED FOR ASSISTANCE IN SUPPORT OF OUR NEGOTIATIONS WITH THE CALIFORNIA STATE DEPARTMENT OF WATER RESOURCES (DWR)

Approved

Recommended Action: Motion to approve and authorize the City Manager to execute it

G. APPROVAL OF SECOND AMENDMENT TO THE CONSULTANT SERVICE AGREEMENT WITH ANN B. SPAULDING FOR ASSISTANCE IN SUPPORT OF OUR NEGOTIATIONS WITH THE CALIFORNIA STATE DEPARTMENT OF WATER RESOURCES (DWR) AND INTERACTIONS REGARDING THE BAY DELTA CONSERVATION PLAN

Approved

Recommended Action: Motion to approve and authorize the City Manager to execute it

COUNCIL CONSENT CALENDAR—Continued

- H. RESOLUTION APPROVING LETTER OF UNDERSTANDING FOR THE MANAGEMENT UNIT
Reso 2009/18, 5/0

Recommended Action: Motion to adopt the resolution

- I. RESOLUTION APPROVING LETTER OF UNDERSTANDING FOR THE CONFIDENTIAL UNIT
Reso 2009/19, 5/0

Recommended Action: Motion to adopt the resolution

COUNCIL REGULAR AGENDA

2. PRESENTATION BY YOUTH INTERVENTION NETWORK *Received*

PUBLIC HEARINGS

3. THE CITY OF ANTIOCH REQUESTS CONSIDERATION OF REVISIONS TO SECTIONS 2-5.102 AND 9.5-2508, AND ARTICLE 26 OF THE ANTIOCH MUNICIPAL CODE IN ORDER TO ASSIGN DESIGN REVIEW DUTIES TO THE PLANNING COMMISSION. (Z-09-01)

Recommended Action: 1) Motion to introduce the ordinance by title only; and

- 3) Motion to introduce the ordinance revising Sections 2-5.102 and 9.5-2508, and Article 26 of the Antioch Municipal Code in order to assign design review duties to the Planning Commission

To 4/14/09 for adoption, 5/0

4. THE CITY OF ANTIOCH REQUESTS CONSIDERATION OF REVISIONS TO THE GROWTH MANAGEMENT ELEMENT OF THE GENERAL PLAN (CHAPTER 3) IN ORDER TO COMPLY WITH THE REQUIREMENTS OF MEASURE J, CONTRA COSTA'S TRANSPORTATION SALES TAX EXPENDITURE PLAN. (GP-09-01)

Recommended Action: Motion to adopt the resolution revising the Growth Management Element of the General Plan
Reso 2009/20, 5/0

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS

ADJOURNMENT @ 8:30 p.m.