

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 Session

PUBLIC COMMENTS for Closed Session

CLOSED SESSION — 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***

7:00 P.M. ROLL CALL

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

PRESENTATION ON SUMMER RECREATION UPDATE

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 SEPTEMBER 9, 2008 (#301-02)

Recommended Action: Motion to approve the minutes

Approved

COUNCIL CONSENT CALENDAR — Continued

- B.** APPROVAL OF COUNCIL WARRANTS (#401-01) **Approved**
Recommended Action: Motion to approve the warrants
- C.** LEGISLATION AND ADVOCACY (#701-04) **Approved**
Recommended Action: Motion to receive and file
- D.** ORDINANCE REZONING THE PROPERTY LOCATED AT 1803 EVERGREEN AVENUE (PORTION), 1807 EVERGREEN AVENUE, AND 2 HELMUTH LANE (APN: 068-017-010, 068-017-013, 068-041-026), TO THE SINGLE FAMILY RESIDENTIAL DISTRICT (R-6) (BARNES/BEATTIE/z-07-03/v-08-04) (#202-05) **Ord 2018-C-S, 5/0**
Recommended Action: Motion to adopt the ordinance
- E.** UPDATE OF RECORDS RETENTION SCHEDULE (#104-01) **Reso 2008/93, 5/0**
Recommended Action: Motion to adopt the resolution updating Records Retention Schedule
- F.** APPROVE AWARD OF PROPOSAL FOR RESURFACE OF LAP POOL AT PREWETT WATERPARK, REBID NO. 988-0905-09F (#601-02) **Approved**
Recommended Action: Motion to approve award of Rebid No. 988-0905-09F to the lowest responsible bidder, Burkett's Pool Plastering, Inc. of Stockton, California, for a total cost of \$76,160
- G.** AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AMENDED CONSULTING CONTRACT WITH THE FIRM OF DYETT BHATIA TO PREPARE AN INFRASTRUCTURE FINANCING PLAN AS A COMPONENT OF THE RIDERSHIP DEVELOPMENT PLAN FOR THE HILLCREST eBART STATION AREA (#1107-03) **Reso 2008/94, 5/0**
Recommended Action: Motion to adopt the attached resolution, authorizing the City Manager to enter into an amended consulting contract with Dyett Bhatia for the purpose of preparing an Infrastructure Financing Plan as a component of the Ridership Development Plan (RDP) for the Hillcrest eBART Station Area
- H.** SAKURAI STREET PROJECT: ACQUISITION OF ROADWAY, SEWER AND PUBLIC UTILITY EASEMENTS BY EMINENT DOMAIN: AMENDMENT TO AGREEMENT WITH ASSOCIATED RIGHT OF WAY SERVICES, INC. (#1000-03) **Approved**
Recommended Action: Motion to confirm the amendment to the Consulting Services Agreement with Associated Right of Way Services, Inc

- I. MARKLEY CREEK REMEDIATION PROJECT, (P.W. 431-1A): INCREASE CONTRACT FUNDING AND APPROVE THE FIRST AMENDMENT TO THE CITY OF ANTIOCH AND SOMERSVILLE COST-SHARING AGREEMENT AND PARTIAL RELEASE TO ADDRESS REMOVAL OF WASTE FROM APN 076-010-034 (#814-01)

Approved

Recommended Action: Motion to approve a budget increase, not to exceed \$750,000.00, to the existing contract with Pacific States Environmental Contractors, Inc., for removal and disposal of waste material from APN 076-010-034 owned by Somersville-Gentry, Inc. and approve the attached First Amendment to the City of Antioch and Somersville Cost-sharing Agreement and Partial Release to address removal of the waste and authorize the City Manager to execute it in a form acceptable to the City Manager and City Attorney

END OF COUNCIL CONSENT CALENDAR

PUBLIC HEARINGS

2. CITY GATE/ THE EQUUS GROUP REQUESTS APPROVAL OF A REZONE FROM PLANNED BUSINESS CENTER (PBC) TO PLANNED DEVELOPMENT (PD) AND APPROVAL OF FINAL DEVELOPMENT PLAN LOCATED AT THE INTERSECTION OF HOLUB LANE AND EAST EIGHTEENTH STREET (APN'S: 051-200-025, -26 AND -036) FILE: Z-08-02, PD-08-06 (*Con't from 9/9 and 9/23/08*) (202-05)

Recommended Action: A) Motion to approve the resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program;

Reso 2008/95, 5/0

B) Motion to read the ordinance by title only;

C) Motion to introduce the ordinance rezoning 15.92 acres making up the project site to the Planned Development District (PD); and,

to 10/28/08 for adoption

D) Motion to adopt the resolution approving the Final Development Plan contingent upon adoption of the requested rezoning

Reso 2008/96, 5/0 w/ changes

3. FUEL SURCHARGE REQUEST FROM ALLIED WASTE SERVICES, INC. (#1201-05)

Continued to 11/18/08

Recommended Action: Motion to continue to November 18, 2008

COUNCIL REGULAR AGENDA

4. PRESENTATION BY MIRANT CORPORATION ON THE PROPOSED MARSH LANDING POWER PLANT TO BE LOCATED ON THE NORTH SIDE OF WILBUR AVE, WEST OF HWY 160 (#1204-01)

Receive and file

Recommended Action: Motion to receive

COUNCIL REGULAR AGENDA – Continued

5. APPOINTMENT TO CONTRA COSTA TRANSPORTATION AUTHORITY CITIZENS ADVISORY COMMITTEE (#302-01)

David Pfeiffer

Recommended Action: Motion for Mayor to reappoint David Pfeiffer

6. CASINO BUILDING/ JOE MARTINEZ IS APPEALING THE DESIGN REVIEW BOARD'S DECISION TO DENY THE ARCHITECTURE AND SIGNAGE FOR THE CASINO BUILDING, LOCATED AT 101 H STREET. JOE MARTINEZ IS ALSO REQUESTING A LOT LINE ADJUSTMENT AND SALE OF CITY PROPERTY TO CORRECT THE EXISTING ISSUE OF THE BUILDING BEING CONSTRUCTED OVER THE LOT LINE AS WELL AS REQUESTING AN EASEMENT ON THE CITY OWNED PARKING LOT TO THE EAST OF THE SUBJECT SITE. (APN: 066-071-007) FILE: AR-07-13 (*Continued from 9/23/08*) (#202-12)

Hold until 10/28/08, no action taken

- Recommended Action:
- A) Motion to adopt a resolution to approve or to deny the appeal of the Design Review Board's decision to deny without prejudice the architecture and signage for the Casino Building,
 - B) Motion to adopt a resolution to approve or to deny the applicant's request of an approximate 8.6' "No Build" easement on the adjacent City owned parcel; and
 - C) Motion to adopt a resolution to approve or to deny the applicant's request to sell approximately 405 sf of City owned property for a lot line adjustment to correct the issue of the building being constructed over the property line.

7. PREWETT PARK SITE DEVELOPMENT (YMCA AND BEDFORD CENTER COLLABORATIVE UPDATE) (#1402-03)

Received

Recommended Action: Motion to receive and file

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS

ADJOURNMENT — 10:30 pm.