

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

ANNOTATED AGENDA

for
April 28, 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.

5:45 P.M. ROLL CALL for Closed Sessions

PUBLIC COMMENTS for Closed Sessions

1) CONFERENCE WITH LEGAL COUNSEL – Claim of Bay Cities Paving & Grading re: Water & Sewer Main Installation and Roadway Rehabilitation Project at Various Locations in the City of Antioch (P.W. 503-10). This closed session is authorized pursuant to California Government Code §54956.9(b).

2) CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION – Initiation of litigation pursuant to subdivision (c) of §54956.9: Claim against Contra Costa County regarding property tax administration fee.

3) 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).

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

PLEDGE OF ALLEGIANCE – *Boy Scout Troop #151*

PROCLAMATIONS – *Be Kind to Animals Week, May 2 – 9, 2009*
National Police Week, May 10 – 16, 2009
Wellness City Challenge

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

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

COUNCIL RESPONSE TO PUBLIC COMMENTS

MAYOR'S COMMENTS

URGENCY ADDED ITEM: CCC DA funding – approved letter in support of funding

PRESENTATION ON STATE OF SCOUTING

2. COUNCIL CONSENT CALENDAR

A. APPROVAL OF COUNCIL MINUTES FOR APRIL 14, 2009

Approved

Recommended Action: Motion to approve the minutes

B. APPROVAL OF COUNCIL WARRANTS

Approved

Recommended Action: Motion to approve the warrants

C. APPROVAL OF TREASURER'S REPORT FOR MARCH 2009

Approved

Recommended Action: Motion to approve the report

D. REJECTION OF CLAIM

Rejected

1. Timothy Bragg and Valerie Smith 08/09-1814B (personal injury)

Recommended Action: Motion to reject the listed claim

E. ORDINANCE REZONING APPROXIMATELY 375 ACRE HILLCREST STATION SPECIFIC PLAN AREA GENERALLY BOUNDED BY HILLCREST AVENUE ON THE WEST, HIGHWAY 4 ON THE SOUTH, HIGHWAY 160 ON THE EAST AND OAKLEY ROAD ON THE NORTH FROM THE CURRENT ZONING DESIGNATIONS OF PLANNED BUSINESS CENTER (PBC), LIGHT INDUSTRIAL (M-1) AND PLANNED DEVELOPMENT (PD) TO A PLANNED DEVELOPMENT (PD) DESIGNATION FOR HILLCREST E-BART STATION (Introduced 4/14/09)

Ord 2024-C-S, 5/0

Recommended Action: Motion to adopt the ordinance

F. RESOLUTION ACCEPTING WORK AND AUTHORIZING CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE LONE TREE WAY INTERSECTION IMPROVEMENTS PROJECT, (P.W. 555-12A)

Recommended Action: 1) Motion to adopt the resolution accepting work, directing the City Engineer to File a Notice of Completion, and authorizing the Director of Finance to make a final payment in the amount of \$135,851.70 plus retention of \$209,484.17 to be paid 35 days after recordation of the Notice of Completion; and **Reso 2009/31, 5/0**

2) Motion to authorize the Director of Finance to increase the budget amount by \$325,240.37 to compensate for an Additive Bid Item not

awarded with the original contract and contingencies needed to cover all necessary change order items needed to complete this project.

Approved

COUNCIL CONSENT CALENDAR – Continued

- G.** CONSIDERATION OF BIDS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DOWNTOWN ROADWAY PAVEMENT REHABILITATION, PHASE II (P.W. 678-2)

Approved

Recommended Action: Motion to award the project to the low bidder, MCK Services, Inc. of Concord in the amount of \$196,989.50, unit prices bid

- H.** AUTHORIZATION TO ENTER INTO A CONTRACT WITH DOUGLAS HERRING & ASSOCIATES TO PREPARE AN INITIAL STUDY FOR THE POINTE RESIDENTIAL SUBDIVISION

Approved

Recommended Action: Motion to authorize the City Manager to enter into a contract with Douglas Herring & Associates, for \$53,509.00, to prepare an Initial Study for the Pointe residential subdivision

- I.** RESOLUTION ESTABLISHING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM RATE PER EQUIVALENT RUNOFF UNIT FOR FY 2009-2010.

Reso 2009/32, 5/0

Recommended Action: Motion to adopt the resolution

- J.** RESOLUTION ESTABLISHING AN IDENTITY THEFT PREVENTION PROGRAM PURSUANT TO THE FEDERAL TRADE COMMISSION'S RED FLAG RULES

Reso 2009/33, 5/0

Recommended Action: Motion to adopt the resolution

- K.** RESOLUTION ADOPTING THE SEWER SYSTEM MANAGEMENT PLAN

Reso 2009/34, 5/0

Recommended Action: Motion to adopt the resolution

- L.** BAIL SCHEDULE INCREASES FOR ANTIOCH MUNICIPAL CODE AND CALIFORNIA VEHICLE CODE PARKING AND EQUIPMENT VIOLATIONS

Reso 2009/35, 5/0

Recommended Action: Motion to adopt the resolution

PUBLIC HEARINGS

- 3.** RESOLUTION APPROVING PROPOSED MASTER FEE SCHEDULE EFFECTIVE JULY 1, 2009 (FISCAL YEAR 2009/10)

Reso 2009/36, 5/0

Send home occupation review fee to ECD to discuss the feasibility.

Recommended Action: Motion to adopt the resolution

PUBLIC HEARINGS — Continued

4. REVISION TO FLOODPLAIN MANAGEMENT ORDINANCE

- Recommended Action:
- 1) Motion to read the ordinance by title only; and,
 - 2) Motion to introduce the ordinance revising Article 20 §9-4.2003, 9-4.2004, 9-4.2005 and 9-4.2007 of the Antioch Municipal Code in order to comply with the California Model for Floodplain Management Ordinance **to 5/12/09 for adoption**

COUNCIL REGULAR AGENDA

5. YMCA AND BEDFORD CENTER PROJECT PROPOSAL– PREWETT PARK

- Recommended Action:
- 1) Motion to review and approve the YMCA and Bedford Center Facility conceptual plan and project timeline;
 - 2) Motion to review and approve the project funding plan; and
 - 3) Motion to direct staff to work with stakeholders to memorialize lease and other agreements **5/0 approve the conceptual plan and the conceptual timeline**

6. SUMMER YOUTH EMPLOYMENT PROGRAM

- Recommended Action: Motion to develop and implement a pilot program for summer youth employment during the summer of 2009 and appropriate \$42,000 from the Child Care Fund to cover the cost of the program **Approved**

7. GRACE BIBLE FELLOWSHIP'S HOLY EVE CARNIVAL EVENT

- Recommended Action: Motion to provide direction to staff regarding the participation of the City in the Holy Eve Carnival Event **Pulled**

COUNCIL REGULAR AGENDA//STUDY SESSION

8. GENERAL PLAN HOUSING ELEMENT UPDATE STUDY SESSION

- Recommended Action: Motion to consider the staff report and presentation and provide direction and feedback to staff in order to complete the draft General Plan Housing Element Update **Received direction**

9. AGENCY CONSENT CALENDAR

A. APPROVAL OF AGENCY WARRANTS

Recommended Action: Motion to approve the warrants

Approved

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS

ADJOURNMENT — 10:39 p.m.