

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.

5:30 P.M. ROLL CALL for Closed Sessions

PUBLIC COMMENTS for Closed Sessions

CLOSED SESSIONS:

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

2) 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)

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).

No reportable action

7:00 P.M. ROLL CALL

PLEDGE OF ALLEGIANCE

PRESENTATIONS – *to Gregory Lenhart – Mayor requested this be rescheduled to participants of the First Annual Veteran's Day Parade*

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

MAYOR'S MOMENT –

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 OCTOBER 28, 2008

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 OCTOBER 2008

Approved

Recommended Action: Motion to approve the report

D. REJECTION OF CLAIMS

Rejected

1. Vivian Joshua 08/09-1843 (property damage).
2. Anthony Dumas 08/09-1831 (personal injury).
3. Michael Skarry 08/09-1820 (personal injury).

Recommended Action: Motion to reject the listed claims

E. RESOLUTION TO THE STATE OF CALIFORNIA ACCEPTING A GRANT IN THE AMOUNT OF \$14,500 FROM THE CALIFORNIA DEPARTMENT OF BOATING AND WATERWAYS FOR THE INSTALLATION OF A REPLACEMENT VESSEL SEWAGE PUMPOUT FACILITY LOCATED AT THE ANTIOCH MARINA

Reso 2008/107, 4/0

Recommended Action: Motion to adopt the resolution

F. APPROVAL TO AMEND THE DESIGN CONTRACT WITH MARK THOMAS AND COMPANY, INC. FOR THE WILBUR AVENUE BRIDGE PROJECT, (P.W. 259-B)

Approved

Recommended Action: Motion to approve the amended design contract with Mark Thomas and Company, Inc. for the Wilbur Avenue Bridge project and increase the total contract cost by \$298,763 for right of way engineering and additional engineering design costs

G. CONSIDERATION OF BIDS FOR THE WATER MAIN REPLACEMENT AND PAVEMENT OVERLAY ON WEST LAKE DRIVE, (P.W. 503-11)

Approved

Recommended Action: Motion to award the project to the low bidder, A-1 Septic Construction, in the amount of \$188,888

COUNCIL CONSENT CALENDAR — Continued

- H. RESOLUTION DECLARING INTENTION TO ORDER CONVERSION OF OVERHEAD UTILITY LINES TO UNDERGROUND ON SOMERSVILLE ROAD AT THE CROSSING OF HIGHWAY 4 AND AMEND THE CIP PROGRAM, (P.W. 300-21)

Recommended Action: 1) Motion to adopt the attached resolution declaring intention to order conversion of overhead utility lines crossing Highway 4 to underground on Somersville Road from Mahogany Way to Delta Fair Boulevard and set a public hearing for January 27, 2009, and **Reso 2008/108, 4/0**

2) Motion to amend the Capital Improvement Program to include \$575,000 of Rule 20A Funding to underground overhead utility lines crossing Highway 4 **Approved**

- I. RESOLUTION DECLARING INTENTION TO ORDER CONVERSION OF OVERHEAD UTILITY LINES TO UNDERGROUND ON "L" STREET ON THE SOUTH SIDE OF HIGHWAY 4 AND AMEND THE CIP PROGRAM, (P.W. 300-22)

Recommended Action: 1) Motion to adopt the attached resolution declaring intention to order conversion of overhead utility lines on the south side of Highway 4 to underground on "L" Street from Highway 4 to Buchanan Road and set a public hearing for January 27, 2009, and **Reso 2008/109, 4/0**

2) Motion to amend the Capital Improvement Program to include \$185,000 of Gas Tax Funding to underground overhead utility lines at Highway 4 **Approved**

- J. CONSIDERATION OF BIDS FOR SLATTEN RANCH TRAFFIC SIGNAL, (P.W. 636-5)

Approved

Recommended Action: Motion to award the project to the low bidder, Prism Engineering, Inc. of Santa Clara in the amount of \$179,564.00

- K. INTERIM BUDGET STATUS

Received

Recommended Action: Motion to receive and file memorandum

END OF COUNCIL CONSENT CALENDAR

PUBLIC HEARINGS

2. RODDY RANCH PBC, LLC REQUESTS APPROVAL OF 621.88 RESIDENTIAL DEVELOPMENT ALLOCATIONS FOR 574 SINGLE-FAMILY HOMES AND 76 MULTI-FAMILY UNITS ON APPROXIMATELY 392 ACRES LOCATED IN THE SOUTHERN PORTION OF THE CITY AT THE INTERSECTION OF DEER VALLEY ROAD AND EMPIRE MINE ROAD. (APNS: 075-190-012, 057-070-003, -004, -005, -009, -010, -011, 057-060-017, AND -022) FILE: RDA-07-03

Reso 2008/110, 4/0

Recommended Action: Motion to approve a resolution granting 621.88 Residential Development Allocations for the Roddy Ranch project (RDA-07-03)

3. RICHARD MILLER / THE BANK OF AGRICULTURE REQUESTS APPROVAL OF A VESTING TENTATIVE PARCEL MAP, A REZONE TO PLANNED DEVELOPMENT, A FINAL DEVELOPMENT PLAN, AND A USE PERMIT TO CONSTRUCT A 3,500 S.F. BANK WITH FOUR DRIVE-THROUGH TELLERS AND A CAR WASH WITH A 5,100 S.F. STRUCTURE ON APPROXIMATELY 2.38 ACRES LOCATED AT THE INTERSECTION OF COUNTRY HILLS DRIVE AND LONE TREE WAY (APN: 055-071-080). ADOPTION OF MITIGATED NEGATIVE DECLARATION WILL ALSO BE CONSIDERED. FILE: PW 357-306-06, Z-08-03, PD-06-02, AND UP-06-14.

Recommended Action: 1) Motion to adopt the resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, **Reso 2008/111, 4/0**
2) Motion to introduce the ordinance by title only,
3) Motion to introduce the ordinance rezoning 2.38 acres making up the project site to the Planned Development District (PD); and, **to 1/13/09 for adoption**
4) Motion to adopt the resolution approving the Vesting Tentative Parcel Map, Final Development Plan, and Use Permit contingent on the approval of the rezoning ordinance **Reso 2008/112, 4/0**

4. GURNAM RASILA/BG MARKET, INC. REQUESTS APPROVAL OF A USE PERMIT FOR THE OPERATION OF A 4,393 SQUARE FOOT CONVENIENCE STORE IN THE LONE TREE LANDING RETAIL CENTER LOCATED AT 5005 LONE TREE WAY (APN 056-470-001) AND THE CITY OF ANTIOCH IS PROPOSING TO RESCIND AND RE-ENACT ARTICLE 31 OF TITLE 9 OF THE ANTIOCH MUNICIPAL CODE §9-5.3831 LIQUOR ESTABLISHMENTS TO SPECIFY HOW THE 500 FOOT RADIUS IS MEASURED. File: UP-08-09, Z-08-04

to 1/27/09

Recommended Action: Motion to continue to 1/27/09

COUNCIL REGULAR AGENDA

5. APPOINTMENTS TO THE ECONOMIC DEVELOPMENT COMMISSION TO FILL 3 VACANCIES (3 EXPIRED TERMS) **Tina Sorenson, Bonnie Bergstrom, Steve Culcasi**

Mayor requested an action item be agendized for 1/13/09 increasing EDC membership to 7 members

Recommended Action: Appointment by the Mayor to fill three (3) expired terms to the Economic Development Commission (EDC) and Council approval of the appointments

6. AGENCY CONSENT CALENDAR

- A. APPROVAL OF AGENCY WARRANTS (#401-01)

Approved

Recommended Action: Motion to approve the warrants

AGENCY REGULAR AGENDA

7. DIRECTION ON DOWNTOWN MARKETING AND INCENTIVE PROGRAM

- Recommended Action:
- 1) Motion to direct staff to prepare a Request For Proposal (RFP) and allocate \$120,000 (ADA) for the purpose of creating and implementing a marketing program for the Downtown with components to promote existing businesses and available space, and
 - 2) Motion to provide direction to staff regarding the creation of new incentive programs to encourage private sector investment in the Downtown. **Received**

Added: COUNCIL VACANCY

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS

ADJOURNMENT to 12/18/08, 6:00 PM, Council Interviews

9:27 p.m.