

ANNOTATED AGENDA

for
May 24, 2011

CITY COUNCIL/ADA MEETING

Order of Council vote: AYES: Council Members Kalinowski, Harper, Rocha, Agopian and Mayor Davis

Order of Agency Vote: AYES: Agency Members Kalinowski, Harper, Rocha, Agopian 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 place in the Speaker Card Tray. 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 Council/Agency Members – All Present

PLEDGE OF ALLEGIANCE

STUDY SESSION for Council/Antioch Development Agency

- 1. PRESENTATION AND DISCUSSION OF BUDGET DEVELOPMENT FOR SPECIAL REVENUE FUNDS, CAPITAL PROJECT FUNDS, ENTERPRISE FUNDS AND INTERNAL SERVICE FUNDS FOR THE FISCAL YEARS 2011-12

Received direction

Recommended Action: Motion to provide direction and feedback

Adjourned to consider closed session item #1 at 6:30; with no public comments on the closed session items. City Attorney reported out at 7:05 that no action taken on closed session item #1. No members of the public wanted to speak on closed session item #1 at that time.

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

PRESENTATION – to Earn It! Keep It! Save It! Free Tax Preparation Volunteers

RECOGNITION to Dozier-Libbey Medical High School for California Distinguished School Award

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

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

CITY COUNCIL SUBCOMMITTEE REPORTS

MAYOR'S COMMENTS

- 2. **COUNCIL CONSENT CALENDAR**

- A. APPROVAL OF COUNCIL MINUTES FOR APRIL 26, 2011

Approved

Recommended Action: Motion to approve the minutes

COUNCIL CONSENT CALENDAR — Continued

- B. APPROVAL OF COUNCIL WARRANTS** **Approved**
Recommended Action: Motion to approve the warrants
- C. APPROVAL OF TREASURER'S REPORT FOR APRIL 2011** **Approved**
Recommended Action: Motion to approve the report
- D. REJECTION OF CLAIMS** **Rejected**
1. Angelo and Dana Morales 11/12-2010 (property damage)
2. Jacob Wray 10/11-2015 (personal injury)
Recommended Action: Motion to reject the listed claims
- E. THREE PERSON LANDSCAPE MAINTENANCE CREW BID AWARD** **Approved**
Recommended Action: Motion to award the Three Person Landscape Maintenance Crew to the overall low bidder, Pacific Coast Landscape Management, Inc., Brentwood, CA for \$484.00 per day not to exceed \$125,000 per year for the term of five years
- F. FIVE PERSON LANDSCAPE MAINTENANCE CREW BID AWARD** **Approved**
Recommended Action: Motion to award the Five Person Landscape Maintenance Crew to the overall low bidder, Pacific Coast Landscape Management, Inc., Brentwood, CA for \$857.00 per day not to exceed \$125,000 per year for the term of five years
- G. RESOLUTION ESTABLISHING THE APPROPRIATIONS LIMIT FOR THE 2011-12 FISCAL YEAR PURSUANT TO CALIFORNIA CONSTITUTION ARTICLE XIII B** **Reso 2011/36, 5/0**
Recommended Action: Motion to adopt the resolution
- H. ASSEMBLY BILL 506: MUNICIPAL BANKRUPTCY BILL** **Approved**
Recommended Action: Motion to approve the letter, and authorize the Mayor to sign it, opposing AB 506 regarding municipal bankruptcy
- I. CONTRACT WITH CARNIGLIA CONSULTING INC. TO PROVIDE PLANNING AND ECONOMIC DEVELOPMENT SERVICES TO THE CITY FOR SPECIFIC PROJECTS AND TASKS** **Con't to 6/14/11**
Recommended Action: Motion to approve the contract at a cost not to exceed \$122,400

COUNCIL CONSENT CALENDAR — Continued

- J. RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO SIGN A FREEWAY AGREEMENT BETWEEN THE CITY OF ANTIOCH AND THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION REGARDING THE STATE ROUTE 4 WIDENING PROJECT . FROM 160 FEET WEST OF CENTURY BOULEVARD TO 0.6 MILES EAST OF HILLCREST AVENUE (PROJECT 1407/3001)

Reso 2011/37, 5/0

Recommended Action: Motion to adopt the resolution

- K. APPROVAL TO AMEND THE CONTRACT WITH J.W. EBERT CORP. FOR IMPROVEMENTS TO THE DOWNTOWN SEWER TRUNK LINE (P.W. 514-S3)

Approved

Recommended Action: Motion to approve the contract amendment for \$275,000

- L. RESOLUTION REQUESTING A GRANT IN THE AMOUNT OF \$376,000 FROM THE DEPARTMENT OF BOATING AND WATERWAYS FOR THE IMPROVEMENTS OF THE MARINA BOAT LAUNCHING FACILITY (P.W. 523-16)

Reso 2011/38, 5/0

Recommended Action: Motion to adopt the resolution

END OF COUNCIL CONSENT CALENDAR

PUBLIC HEARING

3. URGENCY ORDINANCE EXTENDING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT AND OPERATION OF MEDICAL MARIJUANA COLLECTIVES, COOPERATIVES AND DISPENSARIES

Ord 2048-C-S, 5/0

Recommended Action: Motion to adopt the Urgency Ordinance (4/5 vote required)

4. MUNICIPAL AND COMMUNITY CLIMATE ACTION PLANS

Reso 2011/39, 5/0

Recommended Action: Motion to approve the resolution adopting the Community and Municipal Climate Action Plans outlining the potential measures to reach the Green House Gas reduction targets set by City Council Resolution 2009/57

COUNCIL REGULAR AGENDA

5. AUTHORIZE RESPONSE TO GRAND JURY REPORTS: %COUNTY AND CITY VEHICLE MAINTENANCE AND USAGE+(REPORT 1103) AND %ELECTED BOARD MEMBERSHIP+(REPORT 1104)

Approved

Recommended Action: Motion to approve and authorize the Mayor to sign the responses to the Grand Jury reports

6. AGENCY CONSENT CALENDAR

A. APPROVAL OF AGENCY WARRANTS

Approved

Recommended Action: Motion to approve the warrants

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS

ADJOURNMENT to Closed Session – 8:33 p.m.

ROLL CALL for Closed Sessions

PUBLIC COMMENTS for Closed Sessions. – No comments

CLOSED SESSIONS:

1) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION . . Onita Tuggles v. City of Antioch et al, Ninth Circuit Court of Appeals, Case No. 10-17181; Santeya Danyell Williams, Mary Ruth Scott, Karen Latreece Coleman, Priscilla Bunton, Alyce Denise Payne, v. City of Antioch et al., Northern District Court Case No. C08-02301 SBA. This Closed Session is authorized by California Government Code §54956.9. **No action taken.**

2) CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION – Discovery Builders Inc. v. City of Antioch; City Council of the City of Antioch (Contra Costa Superior Court, Case No. N11-0539). This closed session is authorized by California Government Code section 54956.9(a). **ANTICIPATED LITIGATION** . Initiation of litigation pursuant to California Government Code §54956.9(c) regarding Seeno Homes and Discovery Builders: Black Diamond Ranch: Markley Creek Culvert Crossing Project . 1 case. **Direction given to the City Attorney including authorization to execute a Tolling Agreement.**

Closed session adjourned 9:30 p.m.