

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: City of Antioch and Antioch Development Agency

The City Council unanimously added (4-0-1 (Freitas absent)) the following item as an urgency item pursuant to California Government Code section 54954.2(b)(2) as a meeting regarding the topic on January 19, 2008 came to the attention of the City after the posting of the agenda and the next City Council meeting is not scheduled until January 22, 2008:

Added: **CONFERENCE WITH LEGAL COUNSEL –POTENTIAL LITIGATION – Claims of Scott, Payne, Williams, Sameer, Coleman presented by Bay Area Legal Aid and Claims of Houseley presented by Attorney Jivaka Candappa and threat of litigation from Public Advocates related to the Community Action Team and the Contra Costa Housing Authority's Section 8 program pursuant to California Government Code section 54956.9(C).**

PUBLIC COMMENTS for Closed Sessions

CLOSED SESSIONS:

- 1) **CONFERENCE WITH REAL PROPERTY NEGOTIATOR –** Pursuant to Government Code §54956.8: Property: 1323 W. 4th Street, Negotiator: Guy Bjerke, Negotiating Parties: Daniel G & Janice J Arata, under negotiation: price and terms of payment.
- 2) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION –** Pursuant to California Government Code Section 54956.9(a): Kleinfelder, Inc. v Antioch Diversified Development Associates, Samson Development Company, Michael Minder, the City of Antioch, the Antioch Development Agency and related cross-actions, Contra Costa Superior Court, Case No. C95-03211.
- 3) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:** Gloria Vaughn, Yvonne White and George Louie for themselves and on behalf of all others similarly situated v. City of Antioch et al., Contra Costa County Superior Court, Case No. C07-00045. This Closed Session is authorized by Government Code §54956.9(a).
- 4) **CLOSED SESSION — CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION –** This Closed Session is authorized by California Government Code §54956.9(a): Whiteside Construction Corporation v. J.K. Merz Construction, Inc., Antioch Public Golf Corporation and the City of Antioch, et al.; Davidson Plastering, Inc. v. J.K. Merz Construction, Inc., Contra Costa Superior Court, Case No. Consolidated C06-00730, City of Antioch, Travelers Casualty and Surety Company of America, et al.;

- 5) **CONFERENCE WITH LABOR NEGOTIATOR** . Agency Designated Representative: Human Resources Director. Employee Organization: APSMA (Antioch Police Sworn Management Association). This Closed Session is authorized by Government Code §54957.6.
- 6) **CONFERENCE WITH LABOR NEGOTIATOR** . Agency Designated Representative: Human Resources Director. Employee Organization: Public Employees Union, Local #1. This Closed Session is authorized by Government Code §54957.6.

(Closed Sessions continued on next page)

(Con't) **CLOSED SESSIONS:**

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

7:00 P.M. **ROLL CALL — *All Present***

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

PRESENTATION — *Community Support Contribution to Hapgood Theatre Company*

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 NOVEMBER 27, 2007 (#301-02)

Approved, w/ correction

Recommended Action: Motion to approve the minutes

- B.** APPROVAL OF COUNCIL WARRANTS (#401-01)

Approved

Recommended Action: Motion to approve the warrants

- C.** APPROVAL OF TREASURER'S REPORT FOR NOVEMBER 2007 (#401-02)

Approved

Recommended Action: Motion to approve the report

- D.** ANTIOCH SURGICAL CENTER . MS WALKER & ASSOCIATES APPROVAL OF A NEW PLANNED DEVELOPMENT, FINAL DEVELOPMENT PLAN, AND USE PERMIT APPLICATIONS TO BUILD AN OUTPATIENT SURGERY CENTER LOCATED AT 3500 HILLCREST AVENUE (APN 052-370-010) FILE: (PD-04-09; UP-04-11) (#202-03) (*Introduced 12/11/07*)

Ord 2008-C-S, 5/0

Recommended Action: Motion to adopt the ordinance

- E.** RESOLUTION ACCEPTING WORK AND AUTHORIZING CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE JAMES DONLON BOULEVARD ROADWAY REHABILITATION, PHASE II (P.W. 368-4) (#1102-04)

Reso 2008/01

Recommended Action: Motion to adopt the resolution

COUNCIL CONSENT CALENDAR — Continued

- F.** RESOLUTION IN SUPPORT FOR METROPOLITAN TRANSPORTATION COMMISSION (MTC) TO PROVIDE CONTINUED AND EXPANDED FUNDING TO LOCAL JURISDICTIONS FOR THE MAINTENANCE AND IMPROVEMENTS OF STREETS AND ROADS (#1102-04)

Reso 2008/02

Recommended Action: Motion to adopt the resolution

- G.** RESOLUTION ACCEPTING COMPLETED IMPROVEMENTS FOR BERMUDA WAY SUBDIVISION, TRACT 8848 (JANIN ASSOCIATES, INC.) PW 669 (#802-02)

Reso 2008/03

Recommended Action: Motion to adopt the resolution

- H.** RESOLUTION AUTHORIZING EXPENDITURE OF MATCHING FUNDS (UP TO \$6000) FOR THE ANTIOCH UNIFIED SCHOOL DISTRICT'S CHALLENGE DAY PROGRAM (#1401-02)

Approved

Recommended Action: Motion to adopt the resolution

- Added: I** REQUEST FOR OVERNIGHT TRAVEL (TWO NIGHTS) LEAGUE OF CALIFORNIA CITIES

Approved

Recommended Action: Motion to approve

COUNCIL REGULAR AGENDA

- 2.** ORDINANCE AMENDING SECTION 2-5.10 AND ADDING SECTION 2-5.108 OF THE ANTIOCH MUNICIPAL CODE TO CREATE THE BUILDING BOARD OF APPEALS TO HEAR BUILDING RELATED APPEALS (#302-12)

Recommended Action: 1) Motion to approve the reading of the ordinance by title only;
2) Motion to introduce the Ordinance regarding creation of the Building Board of Appeals; and **to 1/22/08 for adoption**
2) Motion to direct staff to announce opening for the Building Board of Appeals

3. STREET LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT . CONTRACT MAINTENANCE PROPOSAL (#1402-03)

Con't to 1/22/08

- Recommended Action:
- 1) Motion to approve the contract with TruGreen LandCare for maintenance of the SLLMDs,
 - 2) Motion to approve the appropriations and positions required to implement the Immediate Response team program

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS

ADJOURNMENT – 8:00 p.m. The regular agenda ended at 8:00, but the Council went back into closed session until 9:05 p.m. and then adjourned with no action to report out of closed session