

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.

6:45 P.M. ROLL CALL for Closed Session

PUBLIC COMMENTS for Closed Session

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.; J.K. Merz Construction, Inc., v. First Republic Bank, et al., San Francisco Superior Court, Case No. CGC06-454761.

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

PLEDGE OF ALLEGIANCE — *Boy Scout Troop #394*

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

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

COUNCIL RESPONSE TO PUBLIC COMMENTS

1. PRESENTATION BY ANTIOCH UNIFIED SCHOOL DISTRICT (AUSD) REGARDING THE PERFORMING ARTS ACADEMY (#1401-02) *Postponed to a date uncertain*

2. **COUNCIL CONSENT CALENDAR**

A. APPROVAL OF COUNCIL MINUTES FOR DECEMBER 11 AND 18, 2007 (#301-02)

Recommended Action: Motion to approve the minutes

Approved, 5/0

COUNCIL CONSENT CALENDAR — Continued

- B.** APPROVAL OF COUNCIL WARRANTS (#401-01) **Approved, 5/0**
Recommended Action: Motion to approve the warrants
- C.** APPROVAL OF TREASURER'S REPORT FOR DECEMBER 2007 (#401-02) **Approved, 5/0**
Recommended Action: Motion to approve the report
- D.** LEGISLATION AND ADVOCACY (#701-04) **Approved, 5/0**
Recommended Action: Motion to receive and file
- E.** REJECTION OF CLAIM (#704-07) **Rejected, 5/0**
1. David Yoakum, 07/08-1780.
Recommended Action: Motion to reject the claim
- F.** 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) (*Introduced 1/8/08*) **Ordinance No. 2009, 5/0**
Recommended Action: Motion to adopt the ordinance
- G.** RESOLUTION APPROVING AND ADOPTING AN AMENDMENT TO THE SALARY RANGE OF THE POSITION OF PROJECT MANAGER, WHICH POSITION IS IN THE Mid-MANAGEMENT/PROFESSIONAL BARGAINING UNIT (#509-03) **Reso 2008/05, 5/0**
Recommended Action: Motion to adopt the resolution
- H.** CITY OF ANTIOCH – COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2007 (#402-02) **Received, 5/0**
Recommended Action: Motion to receive and file
- I.** SINGLE AUDIT REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2007 (#402-02) **Received, 5/0**
Recommended Action: Motion to receive and file

COUNCIL CONSENT CALENDAR — Continued

- J.** HILLCREST AVENUE WIDENING PROJECT (#1102-04)
- 1) RESIDENTIAL RIGHT-OF-WAY PURCHASE AND RIGHT OF ENTRY AGREEMENT WITH ETHEL STOW FOR 1824 HILLCREST AVENUE (APN 068-091-027) **Reso 2008/06, 5/0**
- 2) RESIDENTIAL RIGHT-OF-WAY PURCHASE AGREEMENT WITH DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR MORGAN STANLEY ABS CAPITAL I INC. TRUST 2006-WMC2 FOR 2024 HILLCREST AVENUE (APN 068-091-035) **Reso 2008/07, 5/0**
- Recommended Action: Motion to adopt the resolutions authorizing execution of the agreements for acquisition of frontage strips
- K.** CONSIDERATION OF BIDS FOR THE SOMERSVILLE ROAD BRIDGE OVER THE CONTRA COSTA CANAL (P.W. 141-B) (#1102-04) **Approved, 5/0**
- Recommended Action: Motion to award the project to the low bidder William G. McCullough Co, in the amount of the unit prices bid
- L.** MID YEAR STATUS REPORT UPDATING CITY OF ANTIOCH'S CONCRETE IMPROVEMENT/REPLACEMENT PROJECT (P.W. 507-11) (#1102-04) **Received, 5/0**
- Recommended Action: Motion to receive and file the report
- M.** RESOLUTION APPROVING AMENDMENT NO. 1 TO THE JOINT POWERS AGREEMENT (RECYCLED WATER PURVEYORSHIP) BETWEEN THE CITY OF ANTIOCH AND THE DELTA DIABLO SANITATION DISTRICT (#1205-02) **Reso 2008/08, 5/0**
- Recommended Action: Motion to adopt the resolution

END OF COUNCIL CONSENT CALENDAR

PUBLIC HEARINGS

- 3.** THE CITY OF ANTIOCH IS REQUESTING AMENDMENTS TO THE CITY'S ZONING ORDINANCE, TITLE 9 ARTICLE 40 "RESIDENTIAL DEVELOPMENT ALLOCATION (RDA)", TO ADDRESS SEVERAL DEVELOPMENT ALLOCATION PROCESSING REQUIREMENTS. FILE: Z-07-01 (#202-05) **5/0 to update in 2008 and not in 2009**
- Recommended Action: Motion to accept recommendation to withdraw the City of Antioch's request to amend the Residential Development Allocation ordinance

PUBLIC HEARINGS — Continued

4. WILBUR TOWNHOMES/ LLOYD HARRIS AND JOE BOSMAN REQUEST APPROVAL OF 40 RESIDENTIAL DEVELOPMENT ALLOCATIONS IN 2008 FOR A 63-UNIT TOWN HOME PROJECT LOCATED AT 701 AND 810 WILBUR AVENUE (APN 065-110-006, 007). FILE: RDA-07-04 (#204-05)

Reso 2008/09, 5/0, Approve project

Recommended Action: Motion to approve the Planning Commission's recommendation and adopt the resolution approving the Residential Development Allocations for the project

5. TIERRA VILLAS / MISSION PEAK HOMES, INC. REQUESTS APPROVAL OF 115 RESIDENTIAL DEVELOPMENT ALLOCATIONS OVER A THREE YEAR PERIOD LOCATED ON THE WEST SIDE OF HEIDORN RANCH ROAD, AT THE EASTERN TERMINUS OF PREWETT RANCH DRIVE (APNS 056-013-013, 015, 107, 018). FILE: RDA-06-01 (#204-05)

Reso 2008/10, 3/2 K, F, Approve Project

Recommended Action: Motion to approve the Planning Commission's recommendation and adopt the resolution approving the Residential Development Allocations for the project

6. DISCOVERY BUILDERS, INC. / THE POINTE REQUESTS APPROVAL OF 60 RESIDENTIAL DEVELOPMENT ALLOCATIONS FOR A SINGLE-FAMILY HOME SUBDIVISION ON APPROXIMATELY 21 ACRES LOCATED EAST OF THE INTERSECTION OF JAMES DONLON BOULEVARD AND SOMERSVILLE ROAD. (APN: 089-160-009). FILE: RDA-07-02 (#204-05)

Reso 2008/11, 4/1 F, Approve Project

Recommended Action: Motion to approve the Planning Commission's recommendation and adopt the resolution denying the requested 60 Residential Development Allocations for the project

COUNCIL REGULAR AGENDA

7. APPOINTMENT TO EBART SUBCOMMITTEE (#302-10)

Simonsen 4/1 K

Recommended Action: Motion to confirm Mayor's appointment

8. APPOINTMENT TO CRIME PREVENTION COMMITTEE FOR 1 (ONE) UNEXPIRED TERM (#302-01)

Danny Campbell 5/0

Recommended Action: Motion to confirm Mayor's appointment

9. REPORT FROM AD HOC SUBCOMMITTEE REGARDING ANIMAL SERVICES (#302-10)

Received, Approved \$50k for consultant, additional ACO position

Recommended Action: Motion to accept report and provide direction to staff

COUNCIL REGULAR AGENDA — Continued

10. APPEAL OF DESIGN REVIEW BOARD APPROVAL OF AN APPLICATION FROM TERRY JENSEN FOR A TWO STORY OFFICE BUILDING AT 2912 AND 2926 LONE TREE WAY (AR-07-18) (#202-13)

**Reso 2008/12, 3/2-D,F –
Approved the project w/ 2A option**

Recommended Action: Motion to adopt the resolution upholding the Design Review Board's decision to approve architectural design for a two story office building and denying the appeal

ANTIOCH PUBLIC FINANCING AUTHORITY AGENDA

11. ANTIOCH PUBLIC FINANCING AUTHORITY – INDEPENDENT AUDITOR'S REPORTS, MANAGEMENT'S DISCUSSION AND ANALYSIS, BASIC FINANCIAL STATEMENTS AND SUPPLEMENTAL INFORMATION FOR THE FISCAL YEAR ENDED JUNE 30, 2007 (#402-02)

Received, 5/0

Recommended Action: Motion to receive and file

12. **AGENCY CONSENT CALENDAR**

- A. ANTIOCH DEVELOPMENT AGENCY– INDEPENDENT AUDITOR'S REPORTS, MANAGEMENT'S DISCUSSION AND ANALYSIS, BASIC FINANCIAL STATEMENTS AND SUPPLEMENTAL INFORMATION FOR THE FISCAL YEAR ENDED JUNE 30, 2007 (#402-02)

Received, 5/0

Recommended Action: Motion to receive and file

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS

ADJOURNMENT to adjourned regular meeting on February 13, 2008 11:04 P.M.