

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 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.

6:15 P.M. ROLL CALL for Closed Sessions

PUBLIC COMMENTS for Closed Sessions

CLOSED SESSIONS 1) 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).

2) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Initiation of litigation pursuant to subdivision (c) of Government Code §54956.9: 1 potential case.

7:00 P.M. ROLL CALL – All Present

PLEDGE OF ALLEGIANCE

**PROCLAMATIONS – National Family History Month, October 2007
World Diabetes Day, November 14, 2007**

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

ANNOUNCEMENTS OF BOARDS AND COMMISSIONS

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 SEPTEMBER 18, 2007 (#301-02)

Recommended Action: Motion to approve the minutes

Approved

COUNCIL CONSENT CALENDAR — Continued

- B.** APPROVAL OF COUNCIL WARRANTS (#401-01) **Approved**
Recommended Action: Motion to approve the warrants
- C.** APPROVAL OF TREASURER'S REPORT FOR SEPTEMBER 2007 (#401-02) **Approved**
Recommended Action: Motion to approve the report
- D.** REJECTION OF CLAIMS (#704-07) **Denied**
1. Alyce Denise Payne, #07/08-1778.
 2. Onita Tuggles-Housley, #07/08-1776.
 3. Michael Housley, #07/08-1775.
 4. Natalia Housley, #07/08-1777.
- Recommended Action: Motion to reject the listed claims
- E.** LEGISLATION AND ADVOCACY (#701-04) **Received**
Recommended Action: Motion to receive and file
- F.** PULTE/DEL WEBB REQUESTS AMENDMENTS TO THEIR DEVELOPMENT AGREEMENT TO DEVELOP A SENIOR HOUSING COMMUNITY CONTAINING APPROXIMATELY 530 SINGLE STORY, SINGLE FAMILY HOMES TO THE APPROXIMATELY 204 ACRES LOCATED DIRECTLY SOUTH OF THE EXTENSION OF HILLCREST AVENUE AND EXISTING CHAPARRAL PARK AND THE ALIGNMENT OF SAND CREEK ROAD AGREEMENT (#202-01) (*Introduced 10/9/07*)
- Recommended Action: 1) Motion to adopt the resolution finding that the EIR Addendum adequately addresses the environmental effects of the "Memorandum of Agreement Regarding the Alignment of Sand Creek Road;" **Reso 2007/73, 5/0**
- 2) Motion to adopt the resolution approving the "Memorandum of Agreement Regarding the Alignment of Sand Creek Road," contingent upon the approval and execution of the Memorandum of Agreement Regarding the Alignment of Sand Creek Road by all parties and the approval, execution and effectiveness First Amended and Restated Development Agreement with Pulte/Del Webb; and **Reso 2007/74, 5/0**
- 3) Motion to continue the ordinance approving the "First Amended and Restated Development Agreement" between the City of Antioch and the Pulte Corporation" to November 13, 2007 **Con't to 11/13/07**

COUNCIL CONSENT CALENDAR — Continued

- G.** ORDINANCE DELETING SECTION 5-1.201(K) AND ADDING SECTION 5-1.201.1 OF THE ANTIOCH MUNICIPAL CODE, CLARIFYING WHEN THE STORAGE OF A RECREATIONAL VEHICLE (RV), TRAILER, BOAT OR SIMILAR VEHICLE IS A PUBLIC NUISANCE AND ALLOWING ONE "GRANDFATHERED" RV, TRAILER, BOAT OR SIMILAR VEHICLE IN THE FRONT YARD (INCLUDING THE DRIVEWAY) UNDER CERTAIN CONDITIONS AND IF REGISTERED WITH THE CITY WITHIN SIX (6) MONTHS OF THE EFFECTIVE DATE OF THE ORDINANCE (#701-05) *(Introduced 10/16/07)*

Ord 2002-C-S, 5/0

Recommended Action: Motion to adopt the ordinance

- H.** HILLCREST AVENUE WIDENING PROJECT: RESIDENTIAL RIGHT-OF-WAY PURCHASE AND RIGHT OF ENTRY AGREEMENT (#1102-04)

1. Steven and Sharon Leach for 2016 Hillcrest Avenue (APN 068-091-032) **Reso 2007/75, 5/0**
2. Matthew and Kristine Cordova for 1908 Hillcrest Avenue (APN 068-091-028) **Reso 2007/76, 5/0**
3. Irven and Edna Tegtmeier for 2100 Hillcrest Avenue (APN 068-100-003) **Reso 2007/77, 5/0**

Recommended Action: Motion to adopt the resolutions authorizing execution of the Residential Right-of-Way Purchase and Right of Entry Agreements for frontage strips

- I.** CONSIDERATION OF BIDS FOR THE "L" STREET WIDENING AND UTILITIES UNDERGROUNDING FROM FOURTH STREET TO TENTH STREET (PW 234-9) (#1102-04)

Con't to 11/13/07

Recommended Action: Motion to award the project to the low bidder, Bay Cities Paving and Grading Inc., in the amount of \$2,684,564.10 for this project

- J.** RESOLUTION APPROVING AN AGREEMENT WITH PB AMERICAS FOR CONSULTANT SERVICES FOR THE SOMERSVILLE ROAD BRIDGE OVER CONTRA COSTA CANAL, (P.W. 141-B) (#1102-04)

Reso 2007/78, 5/0

Recommended Action: Motion to adopt the resolution

- K.** APPROVE SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND MONIES (#1301-01)

Approved

Recommended Action: Motion to receive funds and file report

- L.** RESOLUTION FINDING SHEA HOMES (SAND CREEK RANCH DEVELOPMENT) IN GOOD FAITH COMPLIANCE WITH THE TERMS AND CONDITIONS OF THE DEVELOPMENT AGREEMENT FOR THE 2006 CALENDAR (#802-02)

Reso 2007/79, 5/0

Recommended Action: Motion to adopt the resolution

COUNCIL CONSENT CALENDAR — Continued

- M.** RESOLUTION FINDING WILLIAM LYON HOMES, INC. (SAND CREEK RANCH DEVELOPMENT) IN GOOD FAITH COMPLIANCE WITH THE TERMS AND CONDITIONS OF THE DEVELOPMENT AGREEMENT FOR THE 2006 CALENDAR YEAR (#802-02) **Reso 2007/80, 5/0**
- Recommended Action: Motion to adopt the resolution
- N.** APPROVE AWARD OF CONTRACT FOR CHRISTMAS TREE LOT RENTAL AT DELTA FAIR AND CENTURY BLVD (#1001-02) **Approved**
- Recommended Action: Motion to approve award of contract for Christmas Tree Lot Rental to highest responsible bidder, Adieggio's Trees.
- O.** RESOLUTION APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD SOLID WASTE CLEANUP PROGRAM FOR THE REMEDIATION LANDFILLS ALONG MARKLEY CREEK (#814-01) **Reso 2007/81, 5/0**
- Recommended Action: Motion to adopt the resolution
- P.** ACQUISITION OF SOIL FOR THE MARKLEY CREEK REMEDIATION PROJECT (#814-01) **Approved**
- Recommended Action: Motion to waive the competitive bidding requirements as not being in the City's best interest in this situation, and authorize the City Manager to enter into an agreement(s) for up to 70,000 cubic yards of soil for the Markley Creek Remediation Project provided such soil can be obtained for \$3.00 or less per cubic yard and such agreement(s) are recommended by the City Engineer and approved as to form by the City Attorney

END OF COUNCIL CONSENT CALENDAR

COUNCIL REGULAR AGENDA

- 2.** PREWETT PARK COMMUNITY FACILITIES PROJECT DISCUSSION (#1402-03) **Received**
- Recommended Action: Discussion per City Council request to agendize the item
- 3. ANTIOCH DEVELOPMENT AGENCY REGULAR AGENDA**
- A.** APPROVAL OF AGENCY WARRANTS (#401-01) **Approved**
- Recommended Action: Motion to approve the warrants

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS

ADJOURNMENT – 9:14 *p.m.*