

### **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 1<sup>st</sup> floor of City Hall, 3<sup>rd</sup> 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.

**5:00 P.M. ROLL CALL** for Closed Sessions

**PUBLIC COMMENTS** for Closed Sessions

#### **CLOSED SESSIONS:**

- 1) **CONFERENCE WITH LABOR NEGOTIATOR.** Employee organization: Public Employees' Union Local One. Agency Designated Representative: Human Resources Director. This closed session is authorized pursuant to Government Code §54957.6.
- 2) **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).

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

**PLEDGE OF ALLEGIANCE**

**PROCLAMATION – *Antioch Christian Center, 10 year Anniversary***

**ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

**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 JULY 8, 2008

Recommended Action: Motion to approve the minutes

***Approved***

**COUNCIL CONSENT CALENDAR — Continued**

**B. APPROVAL OF COUNCIL WARRANTS**

***Approved***

Recommended Action: Motion to approve the warrants

**C. LEGISLATION AND ADVOCACY**

1. RESOLUTION OPPOSING FISCALLY IRRESPONSIBLE STATE BUDGET DECISIONS THAT WOULD “BORROW” LOCAL GOVERNMENT, REDEVELOPMENT AND TRANSPORTATION FUNDS

***Reso 2008/74, 5/0***

Recommended Action: Motion to adopt the resolution

**D. REJECTION OF CLAIM**

***Rejected***

1. Deborah Edgar 08/09-1807 (property damage).

Recommended Action: Motion to reject the claim

**E. UPDATED OF THE CONFLICT OF INTEREST CODE**

***Reso 2008/75, 5/0***

Recommended Action: Motion to adopt the resolution adopting the updated Conflict of Interest Code

- F. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE CONSULTING FIRM OF GRUEN GRUEN + ASSOCIATES TO PREPARE A FISCAL ANALYSIS OF THE PROPOSED NORTHEAST ANNEXATION**

***Reso 2008/76, 5/0***

Recommended Action: Motion to adopt the resolution

- G. RESOLUTION AUTHORIZING AN AGREEMENT FOR A GARAGE SALES OFFICE CONVERSION WITH ALBERT D. SEENO CONSTRUCTION COMPANY, IN MIRA VISTA HILLS, NO. 13 SUBDIVISION, TRACT 6708, LOT 80 (PW 365-13)**

***Reso 2008/77, 5/0***

Recommended Action: Motion to adopt the resolution

- H. RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A QUITCLAIM DEED OF PROPERTY (TEMPORARY CONSTRUCTION EASEMENT) FROM THE CITY OF ANTIOCH TO LAKESHORE ANTIOCH, LP**

***Reso 2008/78, 5/0***

Recommended Action: Motion to adopt the resolution

**COUNCIL CONSENT CALENDAR — Continued**

- I. AUTHORIZATION TO ENTER INTO A CONTRACT WITH RBF CONSULTING FOR THE PREPARATION OF THE HOUSING ELEMENT UPDATE OF THE GENERAL PLAN AND ASSOCIATED ENVIRONMENTAL DOCUMENTS

**Approved**

Recommended Action: Motion to authorize and enter into a contract with RBF Consulting for the preparation of the Housing Element Update of the General Plan

- J. APPROVAL OF T-MOBILE CELL SITE LEASE FOR CITY-OWNED PROPERTY AT 4350 WILD HORSE ROAD

**Approved**

Recommended Action: Motion to approve the Agreement leasing a portion of the property at 4350 Wild Horse Road to T-Mobile for 25 years for a cell site lease and authorize the City Manager to execute it

- K. GRANT FUNDING FOR WATERFRONT IMPROVEMENTS

**Approved**

Recommended Action: Motion to direct staff to explore funding opportunities for waterfront improvements

**END OF COUNCIL CONSENT CALENDAR**

**PUBLIC HEARINGS**

2. SHEA HOMES REQUESTS APPROVAL OF MODIFICATIONS TO THE SINGLE FAMILY HOME PRODUCTS FOR THE REMAINING 110 UNITS OF THE TERRA RIDGE AT RIVERGATE (FORMERLY THE BRANCHES II) DEVELOPMENT LOCATED NORTH OF LONE TREE WAY, EAST OF CANADA VALLEY RD AND WEST OF COUNTRY HILLS DR. (APN 056-370-012, 056-370-017, 056-400-012 TO 015, 056-420-001 TO 042, 056-430-001 TO 052, AND 056-440-001 TO 010). FILE: UP-05-16/AR-05-02

**Reso 2008/79, 5/0**

Recommended Action: Motion to adopt the resolution

3. BUCHANAN CROSSINGS RETAIL CENTER/ROBERT ASHIN OF CATLIN PROPERTIES REQUESTS APPROVAL OF A REZONE, PLANNED DEVELOPMENT, VESTING TENTATIVE MAP AND USE PERMIT, FOR A PROPOSED 103,139 SQ. FT. SHOPPING CENTER LOCATED ON THE NORTHWEST CORNER OF BUCHANAN AND SOMERSVILLE ROADS. (APN: 074-080-013) FILE: PD-07-01, UP-07-06, AR-07-08

Recommended Action: 1) Motion to approve the resolution adopting the Buchanan Crossings Retail Project Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, **Reso 2008/80, 4,1- M**

2) Motion to introduce the ordinance by title only,

3) Motion to introduce the ordinance rezoning approximately 13.5 acres comprising the Buchanan Crossings Shopping Center site to the Planned Development District (P-D); and **to 9/9/08 for adoption**

**Con't 3. BUCHANAN CROSSINGS RETAIL CENTER/ROBERT ASHIN OF CATLIN PROPERTIES**

Recommended Action: 4) Motion to approve the resolution adopting a Final Development Plan, Use Permit and Vesting Tentative Map for the Buchanan Crossings Shopping Center contingent on adoption of the rezoning ordinance.

**Reso 2008/81, 4/1-M, w/ changes**

**COUNCIL REGULAR AGENDA**

**4. PREWETT PARK COMMUNITY FACILITIES FINAL DESIGN DEVELOPMENT APPROVAL (COMMUNITY CENTER/POLICE SERVICE CENTER)**

**Approved**

Recommended Action: Motion to review and approve the Final Design

**5. FINANCIAL PLAN FOR THE WATER AND WASTEWATER ENTERPRISES**

**Approved, 5/0**

Recommended Action: Motion to receive information and provide direction to staff to consider implementation of proposed adjustments in water and wastewater rates for Fiscal Year 2008/09 and Fiscal Year 2009/10

**6. COMMUNITY NUISANCE RESPONSE**

**Received**

Recommended Action: Motion to receive and file

**AGENCY REGULAR AGENDA**

**7. APPROVAL OF A RESTAURANT INCENTIVE AGREEMENT FOR \$300,000 WITH BASES LOADED RESTAURANT AND BAR LLC**

**Reso ADA-427, 5/0**

Recommended Action: A) Motion to approve the Restaurant Incentive Agreement (RIA) in the amount of \$300,000 with Bases Loaded Restaurant and Bar LLC (Bases Loaded) and authorize the Executive Director to sign it,

B) Motion to authorize staff to carry forward \$300,000 reserved for this project in the 2007-08 Agency budget and amend the 2008-09 Agency budget by this amount.

**PUBLIC COMMENT**

**STAFF COMMUNICATIONS**

**COUNCIL COMMUNICATIONS**

**ADJOURNMENT 11:20 pm. to September 9, 2008**