

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.

5:45 P.M. ROLL CALL for Closed Session

PUBLIC COMMENTS for Closed Session

CLOSED SESSION — 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).
No reportable action

7:00 P.M. ROLL CALL — C/M Simonsen absent (excused)

PLEDGE OF ALLEGIANCE

RECOGNITION – to Rod Ullmann, Maintenance Service Center

PROCLAMATIONS – Domestic Violence Awareness Month, October 2008
Driftwood Yacht Club Day and Make-A-Wish Day, October 4, 2008

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 SEPTEMBER 9, 2008 (#301-02)

Recommended Action: Motion to continue

Continued to 10/14/08

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 AUGUST 2008 **Approved**
Recommended Action: Motion to approve the report
- D.** STATEMENT OF INVESTMENT POLICY **Reso 2008/89, 4/0**
Recommended Action: Motion to approve the policy
- E.** LEGISLATION AND ADVOCACY (#701-04) **Received**
Recommended Action: Motion to receive and file
- F.** REJECTION OF CLAIMS **Denied**
1. Mojgan Ahad & Tahira Ahad 08/09-1822 (property damage)
 2. Krysta Manahan 08/09-1834 (vehicle damage)
 3. Lee Ann Morris 08/09-1830 (towed vehicle)
 4. LaVeida Roberts 08/09-1824 (property damage)
 5. Kiran Chand 08/09-1832 (property damage)
 6. Nicholas Brown 08/09-1829 (vehicle damage)
- Recommended Action: Motion to reject the listed claims
- G.** APPROVAL OF CONTRACT EXTENSION WITH TOWNSEND PUBLIC AFFAIRS, INC. TO PROVIDE STATE GOVERNMENT RELATIONS RELATED TO WATER AND INFRASTRUCTURE **Approved**
Recommended Action: Motion to approve the contract extension with Townsend Public Affairs Inc. and authorize the City Manager to execute the contract extension amendment
- H.** CONSIDERATION OF BIDS FOR GATEWAY ENTRY SIGNS, (P.W. 679) **Approved**
Recommended Action: Motion to award the project to the low bidder, Fluoresco Lighting and Signs of Oakland in the amount of the unit prices bid

COUNCIL CONSENT CALENDAR — Continued

- I. RESOLUTION APPROVING THE APPROPRIATION OF EXPENDITURES FOR ENCUMBRANCES AND PROJECT BUDGETS OUTSTANDING AS OF JUNE 30, 2008 TO THE 2008/09 FISCAL YEAR BUDGET

Reso 2008/90, 4/0

Recommended Action: Motion to adopt the resolution

- J. RESOLUTION DECLARING ITS CONCURRENCE WITH THE ANTIOCH DEVELOPMENT AGENCY ACTION TO ADOPT THE RESOLUTIONS AUTHORIZING THE CITY MANAGER/EXECUTIVE DIRECTOR TO EXECUTE THE LOCAL MATCH FINANCING, AUTHORIZED REPRESENTATIVE AND FINANCIAL AGREEMENT FOR THE STATE WATER RESOURCES CONTROL BOARD STATE REVOLVING FUND FINANCING PROGRAM

Reso 2008/91, 4/0

Recommended Action: Motion to adopt the resolution

END OF COUNCIL CONSENT CALENDAR

PUBLIC HEARINGS

2. CITY GATE/ THE EQUUS GROUP REQUESTS APPROVAL OF A REZONE FROM PLANNED BUSINESS CENTER (PBC) TO PLANNED DEVELOPMENT (PD) AND APPROVAL OF FINAL DEVELOPMENT PLAN LOCATED AT THE INTERSECTION OF HOLUB LANE AND EAST EIGHTEENTH STREET (APN'S: 051-200-025, -26 AND -036) FILE: Z-08-02, PD-08-06 (*Con't from 9/9/08*)

Con't to 10/14/08

Recommended Action: Motion to continue to 10/14/08

3. BARNES/HOWARD BEATTIE REQUESTS APPROVAL TO RESCIND RESOLUTION NO. 3468-A ADOPTED ON APRIL 24, 1973 ACCEPTING A COVENANT TO MAINTAIN REAL PROPERTY AS A ONE INSEPARABLE UNIT; AND REZONE 1803 EVERGREEN AVENUE, 1807 EVERGREEN AVENUE, AND HELMUTH LANE FROM PROFESSIONAL OFFICE (C-O) TO SINGLE FAMILY RESIDENTIAL (R-6). (APN 068-017-010; 068-017-013; 068-041-002; AND 068-041-026) FILE: Z-07-03/V-08-04

Recommended Action: A) Motion to introduce the Ordinance by title only; and

B) Motion to introduce the Ordinance rezoning the southern portion of 1803 Evergreen Avenue, 1807 Evergreen Avenue, and 2 Helmuth Lane from Professional Office (C-O) to Single Family Residential (R-6); and

to 10/14/08 for adoption

C) Motion to adopt the resolution rescinding Resolution 3468-A. This resolution would not be effective until the close of escrow for the Lot Line Adjustment and the Ordinance rezoning the parcels is effective.

Reso 2008/92, 4/0

COUNCIL/AGENCY REGULAR AGENDA

4. PRESENTATION ON THE RIVERTOWN PARKING STUDY

Received

Recommended Action: Motion to receive and file

COUNCIL REGULAR AGENDA

5. PRESENTATION FOR ANTIOCH GATEWAY CENTERS FOR LEARNING FUNDRAISING PROJECT

Received

Recommended Action: Motion to receive and file

6. PROJECT UPDATE FOR RECYCLED WATER PURVEYORSHIP BETWEEN THE CITY OF ANTIOCH AND DELTA DIABLO SANITATION DISTRICT

Received

Recommended Action: Motion to receive and file the report and provide direction to staff regarding the plan and proposal

7. CASINO BUILDING/ JOE MARTINEZ IS APPEALING THE DESIGN REVIEW BOARD'S DECISION TO DENY THE ARCHITECTURE AND SIGNAGE FOR THE CASINO BUILDING, LOCATED AT 101 H STREET. JOE MARTINEZ IS ALSO REQUESTING A LOT LINE ADJUSTMENT AND SALE OF CITY PROPERTY TO CORRECT THE EXISTING ISSUE OF THE BUILDING BEING CONSTRUCTED OVER THE LOT LINE AS WELL AS REQUESTING AN EASEMENT ON THE CITY OWNED PARKING LOT TO THE EAST OF THE SUBJECT SITE. (APN: 066-071-007) FILE: AR-07-13

Con't to 10/14/08

Recommended Action: A) Motion to adopt a resolution to approve or to deny the appeal of the Design Review Board's decision to deny without prejudice the architecture and signage for the Casino Building,
B) Motion to adopt a resolution to approve or to deny the applicant's request of an approximate 8.6' "No Build" easement on the adjacent City owned parcel; and
C) Motion to adopt a resolution to approve or to deny the applicant's request to sell approximately 405 s.f. of City owned property for a lot line adjustment to correct the issue of the building being constructed over the property line.

8. REQUEST TO EXPLORE ALTERNATIVES FOR FUNDING PUBLIC SAFETY SERVICES

Return in Nov/Dec w/ ideas for funding for Public Safety Services

Recommended Action: Motion to provide direction as to whether or not to begin research into alternative funding methods for Public Safety services

9. AGENCY CONSENT CALENDAR

A. APPROVAL OF AGENCY WARRANTS (#401-01)

Approved

Recommended Action: Motion to approve the warrants

B. RESOLUTION APPROVING THE APPROPRIATION OF EXPENDITURES FOR ENCUMBRANCES AND PROJECT BUDGETS OUTSTANDING AS OF JUNE 30, 2008 TO THE 2008/09 FISCAL YEAR BUDGET

Reso ADA-427, 4/0

Recommended Action: Motion to adopt the resolution

C. RESOLUTIONS AUTHORIZING THE CITY MANAGER/EXECUTIVE DIRECTOR TO EXECUTE THE LOCAL MATCH FINANCING, AUTHORIZED REPRESENTATIVE, AND FINANCIAL AGREEMENT FOR THE STATE WATER RESOURCES CONTROL BOARD STATE REVOLVING FUND FINANCING PROGRAM TO OBTAIN A LOAN FOR THE MARKLEY CREEK REMEDIATION PROJECT

Reso ADA-428, 4/0

Reso ADA-429, 4/0

Reso ADA-430, 4/0

Recommended Action: Motion to adopt the three resolutions

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS

ADJOURNMENT — 9:49 p.m.