

### 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.

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

#### **PUBLIC COMMENTS** for Closed Sessions

- 1) **CONFERENCE WITH LEGAL COUNSEL** – Anticipated Litigation – Initiation of litigation pursuant to subdivision (c) of Government Code §54956.9 (3 cases)
- 2) **CONFERENCE WITH LABOR NEGOTIATOR** – Employee Organization: APOA (Antioch Police Officers Association). This Closed Session is authorized by Government Code §54957.6
- 3) **PUBLIC EMPLOYEE PERFORMANCE EVALUATION.** Title: City Manager. This Closed Session is authorized by Government Code §54957.

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

#### **PLEDGE OF ALLEGIANCE**

#### **PROCLAMATION—Honoring Frank J. Ballesteros**

#### **ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

#### **ANNOUNCEMENTS OF BOARDS AND COMMISSIONS OPENINGS**

#### **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 14 AND 28, 2006 (#301-02)**

***Approved, 4/1-M Abstain***

Recommended Action: Motion to approve the minutes

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

***Approved***

Recommended Action: Motion to approve the warrants

**COUNCIL CONSENT CALENDAR—Continued**

**C. APPROVAL OF TREASURER'S REPORT FOR NOVEMBER 2006 (#401-02)**

**Approved**

Recommended Action: Motion to approve the report

**D. REJECTION OF CLAIMS (#704-07)**

**Denied**

1. Rae M. Baca, #06/07-1693 (vehicle damage)
2. James B. Richards, #06/07-1683 (vehicle damage)
3. Renee J. Mansapit, #06/07-1703 (pothole)

Recommended Action: Motion to deny the claims

**F. LEGISLATION AND ADVOCACY (#701-04)**

**Received**

Recommended Action: Motion to receive and file

**F. RESOLUTION ACCEPTING COMPLETED IMPROVEMENTS AND APPROVING INDEMNIFICATION AGREEMENT FOR MIRA VISTA HILLS SUBDIVISION NO. 16, TRACT NO. 6921 (ALBERT D. SEENO CONSTRUCTION CO.) PW 365-16 (#802-02)**

**Reso 2006/128, 5/0**

Recommended Action: Motion to adopt the resolution and approve the Indemnification Agreement

**G. RESOLUTION APPROPRIATING ADDITIONAL EXPENDITURES FOR ENCUMBRANCES OUTSTANDING AS OF JUNE 30, 2006, TO THE 2006/07 FISCAL YEAR BUDGET (#410-02)**

**Reso 2006/129, 5/0**

Recommended Action: Motion to adopt the resolution

**H. RESOLUTION APPROVING THE FINAL MAP AND IMPROVEMENT PLANS FOR NELSON RANCH, UNIT 3 SUBDIVISION, (STANDARD PACIFIC HOUSING), TRACT NO. 8851 AND ANNEXING TO THE CITY WIDE LIGHTING AND LANDSCAPING DISTRICT 1, ZONE 1, (PW 547-3) (#802-02)**

**Reso 2006/130, 5/0**

Recommended Action: Motion to adopt the resolution

**I. AMEND THE FY 2006-2007 COMMUNITY DEVELOPMENT DEPARTMENT/ENGINEERING DIVISION BUDGET BY TRANSFERRING FUNDS IN THE AMOUNT OF \$20,000 FROM REGULAR SALARIES (1005150 61010) BUDGET TO THE PART-TIME HELP (1005150 61020) BUDGET (#410-01)**

**Reso 2006/131, 5/0**

Recommended Action: Motion to adopt the resolution

**J. SETTLEMENT AGREEMENT FOR ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R5-2006-0512, OLD ANTIOCH LANDFILL, CONTRA COSTA COUNTY (MARKLEY CREEK) (#704-01)**

**Approved, 4/1-M Abstain**

Recommended Action: Motion to authorize the execution of the Settlement Agreement

**END OF COUNCIL CONSENT CALENDAR**

**PUBLIC HEARING**

2. THE RIVERTOWN PRESERVATION SOCIETY AND SUSAN WELCH ARE APPEALING THE PLANNING COMMISSION'S DECISION APPROVING A USE PERMIT TO OPERATE A YOUTH CENTER FOR UP TO 25 YOUTHS AGES 13-18 LOCATED AT 223 WEST TENTH STREET (IMPACT RESOURCE AND EDUCATION CENTER) (APN 067-091-036). UP-06-16 (#202-10) (Con't from 11/28/06)

**Reso 2006/132, 5/0  
Upholding appeal & denying Use Permit**

Recommended Action: Motion to uphold the appeals and deny the use permit

**COUNCIL REGULAR AGENDA**

3. MOBILE HOME PARK ISSUES; AGREEMENT WITH VISTA DIABLO MOBILE HOME PARK OR MOBILE HOME RENT CONTROL ORDINANCE (#802-01) (Con't from 11/28/06)

**Direction only - move forward on rent control ordinance, direct City Attorney to provide City Council with a scope of work for investigating business practices/elder abuse issues**

Recommended Action: Motion to provide direction to staff in an agreement with Vista Diablo Mobile Home Park or a Mobile Home Rent Control Ordinance

4. UPDATE ON THE PROVISION OF INFRASTRUCTURE AND UTILITIES TO THE MAGNET SCHOOL SITE AND CONSIDERATION OF DEL WEBB PULTE/WILLIAMSON AND KAISER DEVELOPMENT AGREEMENT (SAND CREEK FOCUS AREA) MODIFICATIONS(#1401-02)

**4/0 At 10:45PM Kalinowski received a work related emergency call and had to leave the dais prior to the vote being taken,**

- 1) The City Council will provide the power and authority to Director of Community Development to do an administrative amendment finding Kaiser in compliance with their Development Agreement;**
- 2) That Kaiser will be providing a temporary easement to AUSD;**
- 3) Prior to the amendment being executed by the Director of Community Development, the easement will have to be finalized and the AUSD will have to record it;**
- 4) Pulte/DelWebb/Williamson will be providing the temporary easement for water/sewer/storm drain and other utilities target date January 5, 2007,**
- 5) Kaiser/Pulte/DelWebb/Williamson – try to continue to meet in good faith to resolve outstanding issues, contacting staff after February 1, 2007; and**
- 6) Report back to the City Council on January 9, 2007 to assure the temporary easements have been executed and are being processed.**

Recommended Action: Motion to receive and provide staff direction

5. RESOLUTION APPROVING PARTICIPATION IN PROJECT WITH CONTRA COSTA WATER DISTRICT IN THE RANDALL-BOLD pH SUPPRESSION PROJECT (#1202-01)

**Con't to future date, 5/0**

Recommended Action: Motion to adopt the resolution

**6. AGENCY CONSENT CALENDAR**

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

*Approved*

Recommended Action: Motion to approve the warrants

**B. RESOLUTION APPROPRIATING ADDITIONAL EXPENDITURES FOR ENCUMBRANCES OUTSTANDING AS OF JUNE 30, 2006, TO THE 2006/07 FISCAL YEAR BUDGET (#410-02)**

*Reso ADA-416, 5/0*

Recommended Action: Motion to adopt the resolution

**PUBLIC COMMENT**

**STAFF COMMUNICATIONS**

**COUNCIL COMMUNICATIONS**

**ADJOURNMENT 10:56 p.m.**