

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.

5:30 P.M. ROLL CALL for Closed Sessions

PUBLIC COMMENTS for Closed Sessions

CLOSED SESSIONS:

1) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – This Closed Session is authorized by California Government Code §54956.9(a). 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. and SPPI-Somersville, Inc. et al. v. TRC Companies, Inc. et al, Case No. C04-2648 SI, United States District Court, Northern District of California.

2) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to subdivision (b) of the California Government Code section 54956.9: (1 case)

No reportable action

7:00 P.M. ROLL CALL

PLEDGE OF ALLEGIANCE

PRESENTATIONS — *Recognition to Volunteers In Police Services (VIPS)*

To Michael Amorosa, Antioch High School Cross Country Coach and team for unparalleled service to the community and tireless efforts in his adoption of the A street Extension to Waldie Plaza

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 MAY 1, 8, 15 and 22, 2007 (#301-02)

Recommended Action: Motion to approve the minutes

Approved

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

Recommended Action: Motion to approve the warrants

Approved

C. APPROVAL OF TREASURER'S REPORT FOR MAY 2007 (#401-02)

Recommended Action: Motion to approve the report

Approved

D. LEGISLATION AND ADVOCACY (#701-04)

Recommended Action: Motion to receive and file

Received

**E. ORDINANCE REZONING APPROXIMATELY 13.64 ACRES, MAKING UP "THE ORCHARD AT SLATTEN RANCH" PROJECT SITE, TO THE PLANNED DEVELOPMENT DISTRICT (#202-03)
(Introduced 6/12/07)**

Recommended Action: Motion to adopt the ordinance

Ord 1093-C-S, 5/0

F. REQUEST FOR OVERNIGHT TRAVEL (TWO NIGHTS) LEAGUE OF CALIFORNIA CITIES (#301-01)

Recommended Action: Motion to approve the overnight travel

Approved

G. TELECOMMUNICATIONS USES AT CITY OWNED PROPERTY NEAR 3900 BANBURY WAY/HILLCREST AVENUE (APN 052-333-020): AGREEMENT MODIFYING AN EASEMENT WITH PG&E (#1201-02)

Recommended Action: Motion to approve the agreement modifying an easement with PG&E and authorize its execution by the City Manager to allow one telecommunication use by Sprint-Nextel at City-owned property near 3900 Banbury Way/Hillcrest Avenue (APN 052-333-020)

5/0- deny the agreement w/o prejudice

H. SETTLEMENT AGREEMENT AMONG CITY OF ANTIOCH, WILLIAM G. MCCULLOUGH CO. AND WESTCON MICROTUNNELING, INC. FOR THE DOWNTOWN TRUNK SEWER IMPROVEMENTS — PHASE II PROJECT (#1205-01)

Recommended Action: Motion to receive the report of the Settlement Agreement among City of Antioch ("City"), William G. McCullough Co. ("WGM") and Westcon Microtunneling, Inc. ("Westcon") for the Downtown Trunk Sewer Improvements — Phase II project

Received

COUNCIL CONSENT CALENDAR — Continued

- I. CONSIDERATION OF BIDS FOR THE LONE TREE WAY INTERSECTION IMPROVEMENTS (P.W. 555-12A) (#1102-04)

Approved

Recommended Action: Motion to award the project to the low bidder, Bay Cities Paving & Grading, Inc. in the amount of \$1,136,742.85 for the project

- J. RESOLUTION ACCEPTING COMPLETED IMPROVEMENTS FOR SAND CREEK RANCH SUBDIVISION, UNIT 6, TRACT NO. 8886 (SHEA HOMES), PW 639-6 (#802-02)

Reso 2007/45, 5/0

Recommended Action: Motion to adopt the resolution

- K. AUTHORIZE STAFF TO BEGIN THE NEGOTIATING PROCESS WITH THE BAY AREA RESCUE MISSION ON CITY PROPERTY LOCATED ON DELTA FAIR BOULEVARD (#1001-05)

Approved

Recommended Action: Motion to direct staff to begin the negotiation process with the Bay Area Rescue Mission

- L. CONFIRMATION OF CREATION OF AN AD HOC SUBCOMMITTEE OF THE CITY COUNCIL RELATED TO ANIMAL CONTROL SERVICES AND APPOINTMENTS TO THE SUBCOMMITTEE (#302-10)

5/0 –direction given to allow sub-committee more latitude, Subcommittee to return to Council by 3rd Tuesday of 1/08 w/ rpt detailing the committee’s findings and recommendations

Recommended Action: Motion to confirm the creation of an Ad Hoc subcommittee of the City Council related to Animal Control Services and appointment of Mayor Pro Tem Jim Davis and Councilmember Reggie Moore to the subcommittee

END OF COUNCIL CONSENT CALENDAR

PUBLIC HEARINGS

2. THE ORCHARD AT SLATTEN RANCH / CAPITAL AND COUNTIES USA, INC. REQUESTS AN AMENDMENT OF ITS CONDITIONAL USE PERMIT TO APPROVE A MASTER USE PERMIT CRITERIA FOR FUTURE USES AND TENANTS FOR THREE PAD BUILDINGS TOTALING APPROXIMATELY 24,000 SQUARE FEET AND APPROVAL OF SECURITY MEASURES FOR THE EXTERIOR OF THE JC PENNEY DEPARTMENT STORE PD-06-05, UP-06-32 (#202-03) (Con’t from 6/12/07)

Reso 2007/46, 5/0, Change to #87 delete “and regular security patrols”

Recommended Action: Motion to adopt the resolution

PUBLIC HEARINGS — Continued

3. MOBILE HOME PARKS: PROPOSED AGREEMENT REGARDING VISTA DIABLO MOBILE HOME PARK; RENT CONTROL ORDINANCE; MORATORIUM ON CONVERSION FROM A SENIOR PARK; ZONING ORDINANCE REGARDING SENIOR-ONLY PARKS (#802-01)

Recommended Action: The following items are before the City Council for consideration:

1. Agreement with the Owners of Vista Diablo Mobile Home Park (Exhibit A); **Approved**
2. Direction to staff regarding a Mobile Home Rent Control Ordinance;
3. Extension of an Interim Urgency Ordinance Placing a Moratorium on the Conversion of any Mobile Home Park Currently Existing in the City from a Senior Park to an All-Age Park: **Approved**
 - a. Receive report regarding the moratorium (Exhibit B)
 - b. Approve by motion the reading of the ordinance by title only;
 - c. Extend the urgency ordinance placing a moratorium on the conversion of any mobile home park currently existing in the City from a senior designated park to an all-age park (4/5ths vote required) (Exhibit C); and/or **Ord 1094-C-S, 5/0**
4. Direction to staff to proceed with a Senior Housing Overlay Zoning Ordinance or a Ordinance Requiring Discretionary Approval to Convert a Senior-Only Mobile Home Park to an All-Age Park **Approved**

COUNCIL/AGENCY PUBLIC HEARING

4. UPDATE OF ANTIOCH DEVELOPMENT AGENCY PLAN DOCUMENTS (#902-01)

- Recommended Action:
- A. Motion to introduce the ordinances by title only;
 - B. Motion to introduce the ordinance amending the Redevelopment Plan to extend and delete certain time limits; and **5/0, to 7/10/07 for adoption**
 - C. Motion to introduce the ordinance containing a description of the Antioch Development Agency's Program to acquire Real Property by Eminent Domain in the Antioch Redevelopment Project Area 1 **5/0, to 7/10/07 for adoption**

PUBLIC HEARINGS — Continued

5. AMENDMENT OF FIRE PROTECTION FACILITIES FEES ORDINANCE (#409-01)

- Recommended Action:
- A. Motion to introduce the ordinance by title only; **4/1- S abstain, to 7/10/07 for adoption**
 - B. Motion to introduce the ordinance amending Section 3-7.05 of the Antioch Municipal Code to increase Fire Protection Facilities Fees

PUBLIC HEARINGS — Continued

6. RESOLUTION ORDERING IMPROVEMENTS AND LEVYING ANNUAL ASSESSMENTS FOR LANDSCAPE MAINTENANCE DISTRICTS FOR THE 2007/2008 FISCAL YEAR (PW 500) (#806-03) **Reso 2007/47, 5/0**
Recommended Action: Motion to adopt the resolution

COUNCIL REGULAR AGENDA

7. RESOLUTION APPROVING AND ADOPTING AN ANNUAL OPERATING BUDGET AND CAPITAL IMPROVEMENT BUDGET FOR FISCAL YEAR 2007-08, THE 2007-12 CAPITAL IMPROVEMENT PROGRAM, APPROPRIATING THE FUNDS NECESSARY TO MEET THE EXPENDITURES SET FORTH THEREIN, AND REVISING THE 2006-07 OPERATING BUDGET AND RESOLUTION AMENDING THE 2007-08 MASTER FEE (#410-02) **Reso 2007/48, 5/0**
Reso 2007/49, 5/0
Recommended Action: Motion to adopt the resolutions
8. RESOLUTION INITIATING THE ANNEXATION OF APPROXIMATELY 500 ACRES OF LAND ON THE NORTH AND SOUTH SIDES OF WILBUR AVENUE EAST OF FULTON SHIPYARD ROAD AND WEST OF HIGHWAY 160 (#202-03) **4/1-K, to NOT annex**
Recommended Action: Motion to adopt the resolution
9. REQUEST FOR PROPOSALS FOR RIVERTOWN PARKING STUDY (#1105-01) **Approved**
Recommended Action: Motion to provide comments and direction

ANTIOCH PUBLIC FINANCING AUTHORITY REGULAR AGENDA

10. RESOLUTION OF THE ANTIOCH PUBLIC FINANCING AUTHORITY ADOPTING THE 2007-08 ANNUAL BUDGET AND REVISING THE 2006-07 BUDGET (#410-02) **Reso 2007/50, 5/0**
Recommended Action: Motion to adopt the resolution

AGENCY REGULAR AGENDA

11. RESOLUTION OF THE ANTIOCH DEVELOPMENT AGENCY ADOPTING THE 2007-08 ANNUAL BUDGET AND REVISING THE 2006-07 ANNUAL BUDGET (#410-02) **Reso ADA-421, 5/0**
Recommended Action: Motion to adopt the resolution

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

Approved

Recommended Action: Motion to approve the warrants

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS

ADJOURNMENT 12:27 a.m.