

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.

6:00 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): Evangelho v. City of Antioch; William G. McCullough Co., Contra Costa Superior Court, Case 07-02205; City of Antioch v. Evangelho et al., Contra Costa Superior Court, Case Nos. C06-02345, C06-02391, C06-02392

2) **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** – Pursuant to Government Code §54956.8: Property: 1323 W. 4th Street, Negotiator: Guy Bjerke, Negotiating Parties: Daniel G & Janice J Arata, under negotiation: price and terms of payment.

No reportable action

7:00 P.M. ROLL CALL – All Present

PLEDGE OF ALLEGIANCE

PRESENTATION – Elizabeth Rimbault and the Antioch Historical Society

PRESENTATION – to Antioch Police Officer Desmond Bittner, Officer of the Year

**PROCLAMATIONS – Shelter In Place Education Day, November 5, 2008
National Veteran's Day, First Annual Veteran's Day Parade and
Celebration, November 11, 2008
El Campanil Theater Day, November 15, 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 23, 2008

Approved 4,1/S abstain

Recommended Action: Motion to approve the minutes

B. APPROVAL OF COUNCIL WARRANTS

Approved

Recommended Action: Motion to approve the warrants

C. APPROVAL OF TREASURER'S REPORT FOR SEPTEMBER 2008

Approved

Recommended Action: Motion to approve the report

D. REJECTION OF CLAIM

Rejected

1. Russo Automotive Painting 08/09-1833 (property damage).

Recommended Action: Motion to reject the claim

E. LEGISLATION AND ADVOCACY

Received

Recommended Action: Motion to receive and file

F. ORDINANCE TO REZONE APPROXIMATELY 15.92 ACRES, COMPRISING THE CITY GATE (EQUUS GROUP) PROJECT SITE (APN: 051-200-025, -026, and -036), FROM PLANNED BUSINESS CENTER (PBC) TO PLANNED DEVELOPMENT DISTRICT (PD) (Z-08-02, PD-08-06) (Introduced 10/14/08)

Ord 2019-C-S, 5/0

Recommended Action: Motion to adopt the ordinance

G. RESOLUTION SETTING PUBLIC HEARING FOR WATER AND SEWER CHARGE INCREASES FOR JANUARY 13, 2009 AND AUTHORIZE DISTRIBUTION OF PROPOSITION 218 NOTICES

Recommended Action: 1) Motion to adopt the resolution setting Public Hearing on proposed Water and Sewer charge increases for January 13, 2009, and

Reso 2008/97, 5/0

2) Motion to authorize the distribution of Proposition 218 notices addressing proposed increases and notifying property owners of the public hearing on this issue

COUNCIL CONSENT CALENDAR — Continued

H. CASINO BUILDING/ JOE MARTINEZ, 101 H STREET (APN: 066-071-007) (AR-07-13) (Continued from 10/14/08)

Recommended Action: 1) Motion to adopt a resolution to approve the appeal and overturn the Design Review Board's decision to deny without prejudice the architecture and signage for the Casino Building,

Reso 2008/98, 5/0

2) Motion to adopt a resolution to approve a lot line adjustment and to authorize the City Manager to sign a grant deed granting the applicant approximately 496.71 s.f. of City owned property on the west side of the building and to approve a deed granting the applicant approximately 8.4' for a fire clearance easement over City-owned property on the east side of the building and authorize the City Manager to sign it, and

Reso 2008/99, 5/0

3) Motion to adopt a resolution for approval of an encroachment agreement for the air conditioning units on the east side of the building and the entry feature, awnings, and signage on the west side of the building and direct the City Engineer to sign and record it

Reso 2008/100, 5/0

I. APPROVE AWARD OF BIDS FOR THE TRAFFIC SIGNAL SERVICE ENCLOSURES AND BATTERY BACKUPS PROJECT, AT VARIOUS LOCATIONS, BID NO. 550-0908-09F

Approved

Recommended Action: Motion to approve award of Bid No. 550-0908-09F for Traffic Signal Service Enclosures and Battery Backups, to the lowest responsible bidder, Republic Intelligent Transportation Services, Inc., of Novato, California, for a total project cost of \$55,700.00

J. APPROVE AWARD OF BIDS FOR PURCHASE OF PREWETT WATERPARK POOL CHEMICALS, BID NO. 885-1007-09F

Approved

Recommended Action: Motion to approve the award of bids for the purchase of Prewett Waterpark Chemicals to the lowest responsible bidders for each chemical listed

K. AMEND THE CONTRACT WITH GHILOTTI BROS., INC. FOR CONCRETE REPAIRS IN THE DOWNTOWN AREA, (P.W. 678)

Approved

Recommended Action: Motion to amend the existing contract with Ghilotti Bros., Inc. to include additional concrete repairs in the downtown area in the amount of \$105,000.00

END OF COUNCIL CONSENT CALENDAR

COUNCIL REGULAR AGENDA

2. APPOINTMENT TO BOARD OF ADMINISTRATIVE APPEALS TO FILL ONE (1) UNEXPIRED "ALTERNATE" POSITION

Mike Schneider

Recommended Action: Motion for Mayor to make appointment and Council to approve

3. RESOLUTION ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE MARKLEY CREEK EXTENDED CONSOLIDATION SITE

Reso 2008/101, 5/0

Recommended Action: Motion to adopt the resolution

4. RESOLUTION ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE ANTIOCH / DELTA DIABLO SANITATION DISTRICT RECYCLED WATER PROJECT

Reso 2008/102, 5/0

Recommended Action: Motion to adopt the resolution

5. STUDY SESSION ON THE eBART RIDERSHIP DEVELOPMENT PLAN (RDP) BEING PREPARED FOR THE HILLCREST eBART STATION AREA

Direction Provided

Recommended Action: Provide direction to staff

6. AGENCY CONSENT CALENDAR

- A. APPROVAL OF AGENCY WARRANTS

Approved

Recommended Action: Motion to approve the warrants

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS

ADJOURNMENT to the Adjourned Regular Meeting of November 18, 2008

adjourned @ 9:20 pm.