

City Manager
City Attorney
City Clerk
City Treasurer
Community Dev Director
Janet Chalk
Debbie Smith

ANNOTATED AGENDA

for
June 9, 2009

CITY COUNCIL/ADA MEETING

Order of Council vote: AYES: Council Members Kalinowski, Rocha, Moore, Parsons and Mayor Davis

Order of Agency Vote: AYES: Agency Members Kalinowski, Rocha, Moore, Parsons and Chairman Davis

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.

6:15 P.M. ROLL CALL for Closed Sessions

PUBLIC COMMENTS for Closed Sessions

CLOSED SESSIONS:

- 1) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – 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. This Closed Session is authorized by California Government Code §54956.9(a) ***No reportable action***
- 2) **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: One potential case. ***Direction received***

7:00 P.M. ROLL CALL for Council/Agency Members — ***All present***

PLEDGE OF ALLEGIANCE

PRESENTATIONS — 1) *Senator Desaulnier*
2) *Concord Naval Weapon Station*

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

PUBLIC COMMENTS—***Only unagendized issues will be discussed during this time***

COUNCIL RESPONSE TO PUBLIC COMMENTS

MAYOR'S COMMENTS

1. ***COUNCIL CONSENT CALENDAR***

A. APPROVAL OF COUNCIL MINUTES FOR MAY 12, 2009

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. REJECTION OF APPLICATION FOR LATE CLAIMS AND REJECTION OF CLAIMS

Rejected

1. ~~Renwick U. Lampkin 09/10-1890 (personal injury)~~ *no action*
2. Jackie Turner 09/10-1887 (property damage)

Recommended Action: Motion to reject the application for late claims

3. John Rossi 09/10-1872 (vehicle damage).
4. Manuel Samaniego 09/10-1885 (property damage).
5. Aida Bell 09/10-1879 (property damage)
6. Jordan E. Taitano 09/10-1888 (personal injury)

Recommended Action: Motion to reject the listed claims

D. ADOPTION OF AN ORDINANCE TO ADD SECTION 9-5.3308 TO THE ANTIOCH MUNICIPAL CODE TO REFERENCE THE HILLCREST STATION AREA SPECIFIC PLAN (Introduced 5/26/09)

Ord 2029-C-S, 5/0

Recommended Action: Motion to adopt the ordinance

E. RESOLUTION TO APPROVE THE CITY OF ANTIOCH'S 2009 ENERGY EFFICIENCY BLOCK GRANT APPLICATION AND THE PROJECTS DESCRIBED THEREIN TO THE FEDERAL DEPARTMENT OF ENERGY REQUESTING FUNDS TOTALING \$885,000.00 AS MADE AVAILABLE THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) OF 2009

Reso 2009/43, 4/1-M

Recommended Action: Motion to adopt the resolution

F. APPROVAL TO INCREASE FUNDS FOR THE "L" STREET WIDENING AND UTILITIES UNDERGROUNDING FROM FOURTH STREET TO TENTH STREET (P.W. 234-9)

Approved

Recommended Action: Motion to authorize the Director of Finance to amend the 2008-2009 Capital Improvement Budget to increase funding for the existing contract with Bay Cities Paving and Grading, Inc. by \$500,000.00

G. RESOLUTION ACCEPTING WORK AND AUTHORIZING CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE POLICE FACILITY REPAIRS (P.W. 590-4)

Reso 2009/44, 5/0

Recommended Action: Motion to adopt the resolution

H. APPROVE AWARD OF SLURRY SEALING OF CITY STREETS PROJECT (2009)

Approved

Recommended Action: Motion to award to Graham Contractors, Inc. for overall low bid

COUNCIL CONSENT CALENDAR — Continued

- I. APPROVE AN AGREEMENT WITH BARBARA GRYGUTIS FOR PUBLIC ART AT PREWETT PARK AND COMMUNITY CENTER

Approved

Recommended Action: Motion to approve the agreement

- J. APPROVE AN AGREEMENT WITH ROBERT ELLISON FOR PUBLIC ART AT THE CORNER OF DALLAS RANCH ROAD AND ROCK SPRINGS DRIVE

Approved

Recommended Action: Motion to approve the agreement

PUBLIC HEARINGS

2. STREET LIGHT AND BUILDING ENERGY RETROFIT PROGRAM WITH HONEYWELL INCORPORATED

Con't to 7/14/09

Recommended Action: Motion to continue to July 14, 2009

3. LAKEVIEW CENTER / REYNOLDS AND BROWN REQUESTS APPROVAL OF A GENERAL PLAN AMENDMENT, SPECIFIC PLAN AMENDMENT, REZONE, FINAL DEVELOPMENT PLAN/VESTING TENTATIVE MAP, USE PERMIT, AND DESIGN REVIEW TO ALLOW A PHASED PROJECT CONSISTING OF APPROXIMATELY 50,000 SQUARE FEET OF RETAIL SPACE AND APPROXIMATELY 150,000 SQUARE FEET OF OFFICE SPACE. AN ADDENDUM TO THE FINAL BLUEROCK BUSINESS CENTER EIR WILL ALSO BE CONSIDERED. THE SUBJECT PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF LONE TREE WAY AND GOLF COURSE ROAD (APN 072-012-087). (FILE: GP-07-01, PD-09-01, SP-07-01, UP-08-17, AR-08-14)

Recommended Action: 1) Motion to adopt the resolution adopting the Addendum to the Bluerock Business Center EIR, **Reso 2009/45, 4/1-M**

2) Motion to adopt the resolution approving a General Plan amendment (GP-07-01) and Specific Plan amendment (SP-07-01), **Reso 2009/46, 4/1-M**

3) Motion to introduce the Ordinance by title only,

4) Motion to introduce the Ordinance rezoning approximately 12.94 acres comprising the Lakeview Center Project from Low Density Residential (R-6) to Planned Development District (PD) (PD-09-01); and **To 6/23/09 for adoption**

5) Motion to adopt the resolution approving a Vesting Tentative Parcel Map/Final Development Plan (PW 357-301-09), Use Permit (UP-08-17) and Design Review Application (AR-08-14). **Reso 2009/47, 4/1-M w/ changes**

PUBLIC HEARINGS — Continued

4. BLACK DIAMOND RANCH / DISCOVERY BUILDERS REQUESTS APPROVAL OF MODIFICATIONS TO THE SINGLE FAMILY HOME PRODUCTS FOR THE REMAINING 150 UNITS OF THE BLACK DIAMOND RANCH SUBDIVISION, A 286-UNIT SUBDIVISION LOCATED SOUTHWEST OF THE SOMERSVILLE ROAD AND JAMES DONLON BOULEVARD INTERSECTION. (FILE: UP-09-03/AR-09-02)

Reso 2009/48, 5/0 approve request

Recommended Action: Motion to adopt a resolution to approve or deny the request to modify the home size and unit mix

COUNCIL REGULAR AGENDA

5. DISCUSSION OF PROPOSED CONTRA COSTA COUNTY LIBRARY OPERATIONAL COST TRANSFER TO THE CITY OF ANTIOCH

4/1-D abstain, Budget \$140k; baseline 35 hours

Remainder to buy up to 52 hours for as long as possible

Recommended Action: Motion to review and approve operational hours and funding plan if needed for the Antioch library

6. PROVIDE DIRECTION TO CITY STAFF AND THE ANTIOCH PUBLIC GOLF CORPORATION BOARD OF DIRECTORS REGARDING REQUEST FOR FINANCIAL RELIEF DURING THE CURRENT ECONOMIC DOWNTURN

Recommended Action: 1) Motion to provide direction to the request from Antioch Public Golf Corporation to change the current agreement between that entity and the City as regards the payment of the ABAG loan, and **NO ACTION**

2) Motion to provide direction to the request to waive payment of the irrigation water bill at the Golf Course **approved, 5/0 for 1 year**

7. ESTABLISH CARBON EMISSIONS REDUCTION TARGETS FOR ANTIOCH

Con't to 6/27/09

Recommended Action: Motion to adopt the resolution adopting GHG reduction targets by reducing overall carbon emissions by 25% (1990 levels) by 2020 and 80% reductions by 2050 as mandated by the Global Warming Solutions Act of 2006 AB-32

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS

ADJOURNMENT — 1:03 am. to 6/23/09 @ 5:30 p.m. Budget Session