

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

# ANNOTATED AGENDA

for

September 22, 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 1<sup>st</sup> floor of City Hall, 3<sup>rd</sup> 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 place in the Speaker Card Tray. 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 LABOR NEGOTIATOR** – Employee organizations: Public Employees' Union Local No. 1, Operating Engineers Local Union No. 3, Antioch Police Officers' Association, Antioch Police Sworn Management Association, Management Group, Confidential Group, Treatment Plant Employees' Association. This Closed Session is authorized by California Government Code §54957.6. **No Action**

2) **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).

**Settlement on Both**

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

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS** — *Domestic Violence Awareness Month, October 2009*  
*Driftwood Yacht Club Day and Make-A-Wish Day, October 3, 2009*  
*22<sup>nd</sup> Annual East County Hunger Walk, October 3, 2009*

**ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

**PRESENTATION BY ANTIOCH POLICE DEPARTMENT REGARDING POLICE ACTIVITIES LEAGUE GOLF TOURNAMENT**

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

**COUNCIL RESPONSE TO PUBLIC COMMENTS**

**COUNCIL SUBCOMMITTEE REPORTS**

**MAYOR'S COMMENTS**

**1. COUNCIL CONSENT CALENDAR**

**A. APPROVAL OF COUNCIL MINUTES FOR SEPTEMBER 8, 2009**

***Approved***

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 AUGUST 2009**

***Approved***

Recommended Action: Motion to approve the report

**D. STATEMENT OF INVESTMENT POLICY**

***Reso 2009/89, 5/0***

Recommended Action: Motion to adopt the resolution approving the Statement of Investment Policy

**E. RESOLUTION APPROVING LETTER OF UNDERSTANDING FOR PUBLIC EMPLOYEES' UNION LOCAL NO. 1**

***Reso 200 0, 5 0***

Recommended Action: Motion to adopt the resolution

**F. TERMINATION OF CONTRACT WITH A-1 SEPTIC CONSTRUCTION FOR THE REPLACEMENT AND PAVEMENT OVERLAY ON WEST LAKE DRIVE (P.W. 503-11)**

***Approved, 4/0, P-abstain***

Recommended Action: Motion to approve the termination of the contract

***END OF COUNCIL CONSENT CALENDAR***

***PUBLIC HEARING***

**2. STREET LIGHT AND BUILDING ENERGY RETROFIT PROGRAM WITH HONEYWELL INCORPORATED (Continued from 6/9, 7/14, 7/28 and 9/8/09)**

***Reso 2009/91, 5/0***

Recommended Action: Motion to adopt the resolution authorizing the City Manager to sign a Master Implementation Agreement with Honeywell Building Solutions and a Tax-Exempt Master Equipment Lease/Purchase Agreement with Bank of America Public for a budget neutral self-funded lighting retrofit project of City owned streetlights and facilities

**COUNCIL REGULAR AGENDA**

3. DIRECTION ON FINANCIAL SUPPORT FOR CITY SERVICES AFFILIATED WITH THE COMMUNITY EVENT HOLIDAY DE LITES

*Approved from RDA funding*

Recommended Action: Motion to provide direction to staff

4. MID YEAR ADJUSTMENTS TO THE FISCAL YEAR 2008-2010 BUDGET

*Reso 2009/92, 5/0*

Recommended Action: Motion to adopt the resolution approving the updated revenues and appropriations for the Fiscal Year 2008-10 Budget

5. SUPPORT FOR A K-12 STUDENT UNIFORM POLICY AT ANTIOCH UNIFIED SCHOOL DISTRICT

*Pulled*

6. **AGENCY CONSENT CALENDAR**

7. APPROVAL OF AGENCY WARRANTS

*Approved*

Recommended Action: Motion to approve the warrants

**AGENCY REGULAR AGENDA**

7. MID YEAR ADJUSTMENTS TO THE FISCAL YEAR 2008-2010 ANTIOCH DEVELOPMENT AGENCY BUDGET

*Reso ADA-436, 5/0*

Recommended Action: Motion to adopt the resolution approving the updated revenues and appropriations for the Fiscal Year 2008-10 Antioch Development Agency Budget

**PUBLIC COMMENT**

**STAFF COMMUNICATIONS**

**COUNCIL COMMUNICATIONS**

**ADJOURNMENT — 9:04 pm to 10/13/09**