

## ANTIOCH CITY COUNCIL

Regular Meeting  
7:00 P.M.

August 14, 2001  
Council Chambers

6:00 P.M. - CLOSED SESSIONS

- 1. CONFERENCE WITH LABOR NEGOTIATOR** - City Negotiator: Bill May. Employee Organization: All Negotiating Units. This closed session is authorized by Government Code §54957.6.
- 2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION.** The City Council is deciding whether to initiate litigation in one case. This closed session is authorized by Government Code §54956.9(c).

Mayor Freitas called the meeting to order at 7:05 P.M.; City Clerk Martin called the roll.

Present: Councilmembers Davis, Conley, Simonsen and Mayor Freitas  
Excused: Councilmember Kalinowski

### PLEDGE OF ALLEGIANCE

Councilmember Davis led the Council and audience in the Pledge of Allegiance.

### ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

David Williamson announced the Delta Blues Festival is scheduled for September 15, 2001 from 12:00 noon to 8:00 P.M. He invited the community to attend the event and provided a contact number for anyone wishing to receive additional information.

### PROCLAMATIONS

National Homeless Animal's Day, August 18, 2001  
Prostate Cancer Awareness Month, September 2001

On motion by Councilmember Conley, seconded by Councilmember Simonsen, the Councilmembers present unanimously approved the proclamations.

Councilmember Davis presented the proclamation proclaiming September 2001 as Prostrate Cancer Awareness Month to Dr. Trehan, who discussed the importance of screening for Prostrate Cancer. Dr. Trehan then thanked Council for the proclamation noting his appreciation of Council's efforts to increase awareness of the disease.

Councilmember Simonsen suggested Dr. Trehan encourage Sutter Delta Memorial to apply for CDBG funds next year to provide Prostate Cancer Screening for low and moderate income residence.

Councilmember Conley presented the proclamation proclaiming August 18, 2001, as National Homeless Animal's Day to Friends of Animal Services President, Barbara Sobalvarro, who accepted the proclamation on behalf of Homeless Animals. Ms. Sobalvarro thanked Council for the proclamation and announced a Candlelight Vigil would be held August 19, 2001 at twilight. The Friends of Animal Services invited the community to attend the twilight service.

### **PUBLIC COMMENTS**

Mayor Freitas reported National Night Out in Antioch was an extraordinary community event and recognized the individuals responsible for organizing and participating in the event.

Elvin Scott updated the Council on his organizations efforts to protect pension benefits. He reported he was receiving additional help and would provide more information in the future.

Anthony Morgado discussed the intersection at Hillcrest and Deer Valley noting he has had several near misses at that location, and urged Council to address his concerns.

Mayor Freitas noted the intersection of Hillcrest and Deer Valley was an item of priority for Council.

Judy Trapanese and Theresa Johnson, representing the American Cancer Societies Relay for Life thanked the City Council and staff for their support of the event and reported they had raised \$133,333. They presented keychains to the Councilmembers.

Mayor Freitas, on behalf of the City Council, thanked Ms. Trapanese and Ms. Johnson for their hard work organizing the event.

Martha Henry reported she participated in *Child Spree 2001* stating it was a heartwarming experience. She thanked Cindy Williams and Child Spree 2001 for sponsoring a wonderful event.

### **COUNCIL REGULAR AGENDA**

- 1. ORAL PRESENTATION BY THE ANTIOCH MULTI-CULTURAL AWARENESS FOUNDATION**

**#1407-01**

Roger Henry, President of Antioch Multicultural Awareness Foundation, provided an overview of the issue of cultural diversity, how the Foundation came into existence and how others became involved in their activities. He introduced the Board Members in attendance.

Gina Lombardi introduced ethnic dancers who performed dances representing the Hispanic, Filipino, Irish and African American cultures.

Chief Moczulski discussed a memorandum of understanding entered into by law enforcement, school personnel, and community members to combat hate crimes and bias related incidents. He reviewed the Police Department's efforts to recruit qualified and minority officers noting they were training all officers to deal with a culturally diverse population.

Jim Hershhal, representing Antioch Unified School District, introduced students from the Antioch School District, who spoke on cultural events at Antioch and Deer Valley High Schools geared to promote and perpetuate a peaceful coexistence between students of various cultural backgrounds.

Elizabeth Rimbault, representing the Antioch Historical Society, provided a brief historical background of Antioch's ethnicity.

Booker Neil, representing the U.S. Department of Justice, discussed the Community Relation Service Agency within the Justice Department as well as the protocol set up within the community to deal with hate crimes and bias related incidents. He commended the City Council, Chief Moczulski and the community for their commitment to be proactive in their efforts to promote awareness through the Multicultural Awareness Foundation.

Jonathon Bernstein, Director of Central Pacific Region Antidefamation League, reviewed hate crime statistics as well as a study regarding the traits of perpetrators of hate crimes. He stated he applauds the goals of the Antioch Multicultural Foundation. He requested members in attendance to take a pledge to do more regarding speaking out against bigotry.

Roger Henry reviewed their objectives in the years ahead and provided a contact address and phone number for anyone wishing to become involved in the Antioch Multicultural Foundation.

All Councilmembers thanked Mr. Henry and the Antioch Multicultural Foundation for the presentation and their commitment to promote a peaceful coexistence between various cultures in Antioch.

Mayor Freitas declared a recess at 8:54 P.M., the meeting reconvened at 9:08 P.M. with all Councilmembers present with the exception of Councilmember Kalinowski, who was excused.

**2. GENERAL PLAN UPDATE STATUS REPORT #204-01**

Associate Planner Oshinsky presented the staff report dated August 10, 2001, recommending the Council receive and file the report.

Mayor Freitas requested staff correct the e-mail addresses for Delores Long and himself as well as deleting the work phone numbers before providing the contact information to the public.

Council directed staff to provide a brief status report of the General Plan update process every 3 months.

On motion by Councilmember Simonsen, seconded by Councilmember Conley, the Councilmembers present unanimously received and filed the report.

**3. CONSIDERATION OF PROPOSAL FROM CITY OF PITTSBURG FOR SHARING SALES TAX REVENUES ASSOCIATED WITH RELOCATION OF MAZZEI PONTIAC-CADILLAC DEALERSHIP TO PITTSBURG #901-01**

City Attorney Galstan presented the staff report dated August 7, 2001, recommending the City Council authorize the City Manager to send a letter to the City of Pittsburg conditionally accepting the proposal.

City Manager Ramsey clarified the cap would be \$1,150,000.

On behalf of the City of Antioch, Mayor Freitas thanked Mazzei for the years of service they had been in Antioch.

On motion by Councilmember Davis, seconded by Councilmember Conley, the Councilmembers present unanimously authorized the City Manager to send a letter to the City of Pittsburg conditionally accepting the proposal clarifying the fiscal year begins July 1st and terminates on June 30<sup>th</sup>; and referencing and including in the sales tax sharing agreement the spreadsheet from OPA with Mazzei.

**4. JOINT INTER-REGIONAL PARTNERSHIP APPLICATION #901-01**

Economic Development Director Naffah presented the staff report dated August 9, 2001, recommending the Council enter into a joint inter-regional partnership application for a

grant to create a jobs/housing opportunity zone with the cities of Brentwood and Oakley, and authorization to expend funds not to exceed \$25,000 in preparation of the application.

City Manager Ramsey stated Brentwood and Oakley's City Managers have expressed a strong interest in moving forward with the joint inter-regional partnership application.

On motion by Councilmember Conley, seconded by Councilmember Simonsen, the Councilmembers present unanimously approved entering into a joint inter-regional partnership application for a grant to create a jobs/housing opportunity zone with the cities of Brentwood and Oakley, and authorization to expend funds not to exceed \$25,000 in preparation of the application; should one city not approve, authorization to expend funds not to exceed \$37,000 in preparation of the application; and if both cities not approve, the authorization to expend funds not to exceed \$50,000.

**5. RESOLUTION DECLARING THE NECESSITY OF ACQUIRING PROPERTY BY EMINENT DOMAIN FOR RIGHT-OF-WAY FOR THE EAST EIGHTEENTH STREET IMPROVEMENT PROJECT (520 and 524 East Eighteenth Street)**

**#1102-04**

City Attorney Galstan presented the staff report dated July 27,2001, recommending the City Council adopt the resolution of necessity authorizing eminent domain proceedings to acquire right-of-way strips for the street widening.

**RESOLUTION NO. 2001/82**

On motion by Councilmember Simonsen, seconded by Councilmember Davis, the Councilmembers present unanimously approved the resolution.

**6. LEGISLATION AND ADVOCACY**

**#701-04**

Councilmember Simonsen reported SB500, which would provide reduced electrical rates, to cities with new power plants had been pulled from committee. He noted he had spoken with representatives from Senator Torlakson's office requesting the Governor consider authorizing funding for communities that are cooperating and providing new power plants. He reported the local revenue protection measure was supported by the League of California Cities and CSAC to prevent State take-aways and increase funds. He noted they were attempting to provide this measure legislatively and if unsuccessful they were prepared to move forward with an initiative process.

Councilmember Conley requested the County Library Commission formalize their structure and meeting schedule as well as provide bylaws to assure the money provided for East County Libraries is spent in East County.

On motion by Councilmember Conley, seconded by Councilmember Davis, the Councilmembers present unanimously received and filed the report.

**7. COUNCIL CONSENT CALENDAR**

- A. APPROVAL OF COUNCIL MINUTES - JULY 24, 2001 #301-03
- B. APPROVAL OF COUNCIL WARRANTS #401-02
- C. APPROVAL OF TREASURER'S REPORT - June 2001 #401-02
- D. ORDINANCE NO. 983-C-S AMENDING SECTION 4-5.1207 OF THE ANTIOCH MUNICIPAL CODE, DEALING WITH PARKING ON STREETS FOR PURPOSES OF VEHICLE REPAIR #701-05
- E. DESIGNATION OF VOTING DELEGATE FOR LEAGUE ANNUAL CONFERENCE #301-01
- F. RESOLUTION NO. 2001/83 APPROVING REVISIONS TO AND RETITLING OF THE WAREHOUSE/UTILITY WORKER I/II CLASSIFICATION SPECIFICATION #502-02
- G. RESOLUTION NO. 2001/84 REVISING CLASS SPECIFICATION FOR COMMUNITY SERVICES OFFICER #502-02
- H. RESOLUTIONS PROVIDING FOR IMPLEMENTATION OF SECTION 414(H)(2) OF THE INTERNAL REVENUE CODE (IRC) FOR BOTH MEMBERS OF THE ANTIOCH POLICE OFFICERS= ASSOCIATION (APOA) AND MANAGEMENT LAW ENFORCEMENT (PUBLIC EMPLOYEES RETIREMENT SYSTEM/ PERS)#505-03
- H1. RESOLUTION NO. 2001/85 FOR EMPLOYER PAID MEMBER CONTRIBUTIONS (Antioch Police Officers' Association)
- H2. RESOLUTION NO. 2001/86 FOR EMPLOYER PAID MEMBER CONTRIBUTIONS (Antioch Police Management Group)
- H3. RESOLUTION NO. 2001/87 FOR EMPLOYER PICK-UP (Internal Revenue Code 414(H)(2)(Employee Contribution)

- I. **RESOLUTION NO. 2001/88** OF INTENTION TO ESTABLISH AN UNDERGROUND UTILITY DISTRICT FOR EAST EIGHTEENTH STREET FROM WILLOW AVENUE TO DRIVE-IN WAY, AND SETTING A PUBLIC HEARING FOR SEPTEMBER 25, 2001 (PW 300-18) #1201-07
- J. **RESOLUTION NO. 2001/89** APPROVING PLANS AND SPECIFICATION AND AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR ROADWAY IMPROVEMENTS ON EAST EIGHTEENTH STREET FROM CAVALLO ROAD TO HILLCREST AVENUE (PW 225-12) #1102-04
- K. **RESOLUTION NO. 2001/90** APPROVING A LICENSE AGREEMENT WITH THE UNITED STATES BUREAU OF RECLAMATION/CONTRA COSTA WATER DISTRICT FOR THE EASTERLY CROSSING OF THE CANAL SIPHON INTO ANTIOCH COMMUNITY PARK (PW 394-7P) #1402-03
- L. **RESOLUTION NO. 2001/91** APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR THE EXPANSION OF THE POLICE FACILITY (PW 590-2) #1001-04
- M. **RESOLUTION NO. 2001/92** APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR THE INSTALLATION OF TRAFFIC SIGNAL INTERCONNECT CONDUIT AT VARIOUS LOCATIONS IN THE CITY OF ANTIOCH (PW 642) #1104-02
- N. **RESOLUTION NO. 2001/93** APPROVING PROPOSAL FROM BROWN AND CALDWELL FOR DESIGN OF THE INTERTIE WATER PUMP STATION ON WILBUR AVENUE AT BRIDGEHEAD ROAD AND AUTHORIZE AN ADDITIONAL \$100,000 IN WATER FUNDS FOR THE WORK (PW 653) #1202-01
- O. **RESOLUTION NO. 2001/94** SUPPORTING THE CITY'S APPLICATION TO THE METROPOLITAN TRANSPORTATION COMMISSION (MTC) FOR STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) FUNDING FOR THE HILLCREST AVENUE EASTBOUND OFF-RAMP IMPROVEMENT PROJECT (PW 550-2a) #1102-04
- P. RESOLUTION APPROVING A CONSULTING SERVICES AGREEMENT WITH STEWART ENTERPRISES II FOR CONSTRUCTION SERVICES FOR FIRE STATION #82 ON BLUEROCK DRIVE (PW 357-2-93F)(Con't to 9/11/01) #1303-01

- Q. **RESOLUTION NO. 2001/95** APPROVING FINAL MAP AND IMPROVEMENT PLANS FOR HO PROPERTY, UNIT 10, (WOODSIDE HOMES OF CALIFORNIA, INC) TRACT NO. 8232 (PW 568-10) #802-02
- R. **RESOLUTION NO. 2001/96** ACCEPTING COMPLETED IMPROVEMENTS FOR HO SUBDIVISION, UNIT 2, TRACT NO. 7974 (WOODSIDE HOMES) (PW 568-2) #802-02
- S. **RESOLUTION NO. 2001/97** ACCEPTING COMPLETED IMPROVEMENTS FOR HO SUBDIVISION, UNIT 7, TRACT NO. 8216 (WOODSIDE HOMES) (PW 568-7) #802-02
- T. **RESOLUTION NO. 2001/98** ACCEPTING COMPLETED IMPROVEMENTS FOR HO SUBDIVISION, UNIT 6, TRACT NO. 8102 (HOFMANN COMPANY) (PW 568-6) #802-02
- U. **RESOLUTION NO. 2001/99** AUTHORIZING AGREEMENT FOR ONE GARAGE SALES OFFICE CONVERSION IN VIERA RANCH II, PHASE I (KB HOME), TRACT NO. 6925, LOT 549 (PW #553-2A) #802-02
- V. **RESOLUTION NO. 2001/100** APPROVING CONSULTING SERVICES AGREEMENT BETWEEN ANTIOCH AND OAKLEY AND LAW FIRM REGARDING ELECTRICAL SERVICE AND ECONOMIC DEVELOPMENT #901-01
- W. **RESOLUTION NO. 2001/101** DEFERRED IMPROVEMENT AGREEMENT FOR THE CONSTRUCTION OF A PORTION OF SUNSET DRIVE IN FUTURE URBAN AREA 2 #202-02

On motion by Councilmember Conley, seconded by Councilmember Simonsen, the Councilmembers present unanimously approved the Council Consent Calendar with the exception of items A, E and P, which were removed for further discussion.

**Item A** - Councilmember Davis requested this item be removed due to the fact he was not in attendance at the meeting to vote on the approval of the minutes.

On motion by Councilmember Simonsen, seconded by Councilmember Conley, the Council approved item A. The motion carried by the following vote:

Ayes: Conley, Simonsen, Freitas

Abstain: Davis

Absent: Kalinowski



**Item E** - Mayor Freitas stated the Council would be appointing Councilmember Simonsen to represent the City of Antioch as the voting delegate to the League of California Cities Annual Conference.

On motion by Councilmember Conley, seconded by Councilmember Davis, the Councilmembers present unanimously approved item E.

**Item P** - Director of Public Works Brandt stated this item would be coming back to Council in September.

**PUBLIC COMMENTS** - None

### **COUNCIL REPORTS/COMMUNICATIONS**

Councilmember Davis stated he had been hospitalized during his visit to Chichibu, Japan and reported the delegates who attended had a wonderful time. He stated he was looking forward to hosting the event next year and thanked everyone for their get well wishes.

Councilmember Simonsen announced Tri Delta Transit would be providing bus service to the Forty Niner football games for a round trip fee of \$10.00, noting children under the age of 15 would ride for free.

Mayor Freitas reported a meeting of the East County Fee and Finance Authority staff took place on August 6, 2001. He stated there was a recommendation from Pittsburg Councilmember Aiello, which did not reflect Pittsburg's City Council's position. He stated that following discussion, a proposal was made that the cities of Brentwood and Oakley as well as Contra Costa County need to take an official position with regards to the proposal to increase the Fee and Financing Authority Fee. In addition, he noted all options would be considered to modify or terminate the JPA. He reported two members of the Fee and Financing Authority Board were directed to meet with the Pittsburg City Council to try and resolve the problems as positively and beneficially as possible. He announced the next meeting of the Fee and Finance Authority was September 13, 2001 at Tri-Delta.

### **STAFF COMMUNICATIONS**

City Manager Ramsey reminded Council their next meeting was scheduled for September 11, 2001.

Mayor Freitas announced the Council would be meeting on the 11<sup>th</sup>, 18<sup>th</sup>, and 25<sup>th</sup> of September.

City Manager Ramsey stated the September 18<sup>th</sup> meeting would be a special session to review the Information Systems analysis and the expansion of the Water Treatment Plant.

**ADJOURNMENT**

With no further business, Mayor Freitas adjourned the meeting at 10:18 P.M., to the next regular meeting on September 11, 2001.

Respectfully submitted:

L. JOLENE MARTIN, City Clerk