

**ANTIOCH CITY COUNCIL  
ANTIOCH DEVELOPMENT AGENCY**

**Regular Meeting  
September 13, 2005**

**7:00 P.M.  
Council Chambers**

**6:00 P.M. - CLOSED SESSION**

**CLOSED SESSION: Public Employee Appointment, City Attorney and Finance Director.** This closed session is authorized by Government Code §54957.

Mayor Freitas called the meeting to order at 7:03 P.M., City Clerk Martin called the roll.

Present: Council Members Davis, Kalinowski, Conley and Mayor Freitas

Excused: Council Member Simonsen

Mayor Freitas reported the City Council had been in Closed Session and there was no reportable action.

**PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Kalinowski led the Council and audience in the Pledge of Allegiance.

Mayor Freitas reported the Knights of Columbus had hosted an outstanding event, held on September 11, 2005, honoring Officer of the Year, Steve Burgerhouse and Firefighter of the Year, Dave Carpenter.

**PROCLAMATIONS**

Delta Diablo Sanitation District 50th Anniversary

Macy's First Anniversary

Antioch/Brentwood Masonic Lodge #175 Day - September 10, 2005

Constitution Week, September 17 - 23, 2005

Coast Week, September 17 - October 9, 2005, and;

Coastal Clean-up Day, September 17, 2005

Rivertown Jamboree Days - September 24 - 25, 2005

Driftwood Yacht Club Day And Make-A-Wish Day - October 1, 2005

Domestic Violence Awareness Month - October 2005

On motion by Councilmember Conley, seconded by Councilmember Kalinowski the Council members present approved the proclamations.

Mayor Freitas announced he would be making the presentation to the Delta Diablo Sanitation District on September 14, 2005.

Councilmember Conley presented the proclamation acknowledging Macy's on their First Anniversary to Leanne Larson-Smith who thanked the City Council for the recognition and noted Macy's was committed to continuing to participate in community events.

Mayor Freitas, on behalf of the City Council, thanked Ms. Larson-Smith for Macy's contributions to the community.

Councilmember Kalinowski presented the proclamation proclaiming September 17 2005 - October 9, 2005 as Coastweeks and September 17, 2005 as California Coastal Cleanup Day to Frank Palmeri who announced the event would be taking place from 9:00 A.M. to 12:00 P.M. at the Marina at the foot of "L" Street. He thanked the sponsors and volunteers, presented each Councilmember with sponsor t-shirt and provided a contact number for anyone wishing to receive additional information.

Councilmember Davis presented the proclamation proclaiming September 24-25 2005 as Rivertown Jamboree Days to Betty Smith who thanked the City Council for the proclamation, reviewed the activities and presented the City Council with passes to the event. Karriem Muhammad invited the community to attend the Inside Show occurring from 6:00 - 10:00 P.M. on September 24, 2005 at the El Campanil Theater.

Mayor Freitas thanked Ms. Smith for her many years of dedication to the Rivertown Jamboree.

Councilmember Conley presented the proclamation proclaiming October 1, 2005 as Driftwood Yacht Club Day and Make-A-Wish Day to Donna McClane who introduced her children Matthew and Abbey, encouraged the community to attend the fundraiser October 1, 2005, and provided a contact number for anyone wishing to receive additional information.

Councilmember Kalinowski presented the proclamation proclaiming October 2005 as Domestic Violence Awareness Month to Dennis Henry, representing STAND! Against Domestic Violence, who thanked the City of Antioch for their support and invited the community to attend the Rebuilding Lives Luncheon on October 14, 2005 at the Concord Hilton. He provided a contact number for anyone wishing to receive additional information.

Mayor Freitas thanked all the volunteers for making Antioch a better place to live.

## **ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

Barbara Sobalvarro, representing the Friends of Animal Services, announced they were helping the animal victims of Hurricane Katrina and provided a list of organizations accepting donations as well as a contact number for anyone wishing to receive additional information.

Susan Wilde, representing the Friends of Animal Services, announced the Black Cat Ball would be held on October 29, 2005 at 6:30 P.M. at the Lone Tree Golf Course.

## **PUBLIC COMMENTS**

Bob Oliver, Antioch resident, reviewed a list of services the City provides locally to the homeless and noted the City was lacking in overnight and restrooms facilities after 9:00 P.M. He requested the City Council take action in the near future on those issues. He

noted there appeared to be a surplus of funds in the City's coffers and requested the City Treasurer elaborate on those funds.

Walt Bartlett, Antioch resident, expressed concern as truck traffic had been restricted on the Highway 4 Bypass, which he believed, was an action of the City of Brentwood. He stated Officer Zonarini had reported to the City Engineers suggesting the shut down of Deer Valley Road to truck traffic, which he felt would benefit the residents in the area.

Mayor Freitas requested the Engineering and Police Department report back to the City Council on the issue.

Councilmember Conley suggested the City approach the State Route 4 Bypass Authority and inquire if a city could restrict use of the bypass.

Martha Goralka, representing the Antioch Chamber of Commerce, announced the East County Economic Conference would be held on September 30, 2005 from 7:30 A.M. to 1:30 P.M. at the Lone Tree Golf Course. She reported the Chamber and community had been helping five families who were victims of Hurricane Katrina and anyone wishing to help could contact the Antioch Chamber of Commerce for additional information.

Emil Stein, Antioch resident, reported the City had responded and the rocks had been removed from the sidewalk on Verne Roberts Circle. He thanked City Engineer/Community Development Director Brandt and Assistant City Manager Pappas-Diaz. He provided a copy of the County ordinance pertaining to copies of City Council minutes he had requested, and asked the Council to review the City's policy.

In response to Mayor Freitas, City Clerk Martin confirmed the approved minutes and current agendas were posted on the City's website and they provide the entire Council packet at the Antioch Library with an agenda posted at City Hall.

Mayor Freitas requested City Clerk Martin and City Attorney Galstan to review the issue and report back to the City Council.

Ken Lee, Antioch resident, expressed concern the Council packet at the Library did not include the minutes. He reported the garbage bins at the Nokes dealership and City Hall were exposed, which was a violation of City code. He further noted there was debris within the median at Bluerock Drive and Lone Tree Way as well as at Canada Way and the Highway 4 bypass.

An unidentified Antioch resident provided written comment expressing concern regarding increased crime in his neighborhood and his concern for his family's safety.

1. COUNCIL CONSENT CALENDAR

A. APPROVAL OF COUNCIL MINUTES FOR JULY 12, 26 and AUGUST 9, 2005

.....#301-02

- B. APPROVAL OF COUNCIL WARRANTS .....#401-02
- C. APPROVAL OF TREASURER'S REPORT FOR JULY 2005 .....#401-02
- D. ORDINANCE NO. 1057-C-S REZONING APPROXIMATELY 4.06 ACRES, MAKING UP THE PARK LAKE CONDOMINIUM PROJECT SITE TO HIGH DENSITY RESIDENTIAL DISTRICT(Introduced 7/26/05).....#202-10
- E. LEGISLATION AND ADVOCACY .....#701-04
- F. VACATION OF EXCESS STREET RIGHT-OF-WAY, HILLCREST AVENUE .....#1102-04
  - 1. RESOLUTION NO. 2005/95 TO ADOPT THE VACATION OF EXCESS STREET RIGHT-OF-WAY, HILLCREST AVENUE, JAMES R. AND PENNY A. LEWIS PW 487-A
  - 2. APPROVAL AND AUTHORIZATION FOR THE MAYOR TO SIGN A PROPERTY EXCHANGE AGREEMENT WITH THE LEWIS FAMILY TRUST (JAMES R. AND PENNY A. LEWIS) FOR PROPERTY ON HILLCREST AVENUE PW 487-A
- G. RESOLUTION NO. 2005/96 APPROVING PROGRAM SUPPLEMENT AGREEMENT NO. 008-M1 TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 04-5038 FOR FEDERAL AID PROJECTS FOR THE SOMERSVILLE ROAD BRIDGE (PW 141-B) .....#1102-04
- H. RESOLUTION NO. 2005/97 APPROVING ADOPTION OF CALIFORNIA PUBLIC EMPLOYEES' DEFERRED COMPENSATION PLAN .....#504-03
- I. RESOLUTION NO. 2005/98 IN SUPPORT OF CREATION OF A NATIONAL CEMETERY AT THE CONCORD NAVAL WEAPONS STATION .....#301-01
- J. RESOLUTION NO. 2005/99 ADJUSTING COMPENSATION FOR THE CLASSIFICATION OF RECREATION SUPERVISOR.....#508-01
- K. REIMBURSEMENT AGREEMENT, NORCAL EMPIRE PARTNERS/CITY OF BRENTWOOD FOR EMPIRE AVENUE IMPROVEMENTS .....#1102-04
- L. RESOLUTION NO. 2005/100 APPROVING THE INTENTION TO ESTABLISH THE HILLCREST AVENUE - WILDFLOWER DRIVE BENEFIT DISTRICT (PW 357-307-04-BD).....#806-05
- M. RESOLUTION NO. 2005/101 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF ANTIOCH AND MCBAIL COMPANY FOR LONE TREE WAY FRONTAGE IMPROVEMENTS AT COUNTY PROPERTY (APN 056-120-034), (PW 639-BD) .....#1102-04

N. REPORT ON ISSUES RELATED TO AUTO DEALERSHIPS LOCATED ON AUTO CENTER DRIVE .....#901-01

On motion by Councilmember Conley, seconded by Councilmember Davis, the Council unanimously approved the Council Consent Calendar with the exception of item A and N, which were removed for further discussion.

Item A - Ken Lee stated he had requested revisions be made to the minutes and he had been unable to ensure the corrections were correct.

Following discussion the City Council held the approval of item A until the next regular City Council meeting.

Item N B In addition to the issues raised in the staff report pertaining to the Nokes Dealership, Mr. Lee expressed concern and requested a permanent resolution to the following:

- § 3 P.M. trash pick-up
- § Test drives through residential area
- § Light intrusion onto adjacent properties/bedrooms
- § Safety hazard caused by the southern most driveway on Somerville Rd.
- § Monetary benefits from dealership
- § Speaker volume
- § 3 feet of No mans land between the soundwall and Nokes property
- § Soundwall exposed pillars and lack of stability

Emil Stein, Antioch resident, reported the concertina wire had been pulled down from the wall and was hanging on the inside of the property, creating a safety issue for any law enforcement needed to pursue criminals over the fence. Contrary to what was indicated in the staff report, the No Right Hand Turn sign onto 18<sup>th</sup> Street was missing from the driveway.

Rosa (*did not give last name*), Antioch resident, expressed concern regarding drainage issues related to the Auto Dealership and requested assistance in paying for a portion of the retaining wall. In addition, she noted lights were shining into her bedroom and requested they be lowered by 11:00-11:30 P.M.

On motion by Councilmember Conley, seconded by Councilmember Davis the City Council received and filed item N. The motion carried by the following vote:

Ayes: Davis, Conley, Freitas

Noes: Kalinowski

Mayor Freitas requested City Attorney Galstan review the legal ramifications related to the residential complaints.

Following discussion, the City Council agreed the potential litigation issues presented by this issue warranted a Closed Session on September 27, 2005 agenda.

Councilmember Conley requested the report to Council discuss issue-by-issue which jurisdiction is responsible to resolve those complaints. He reported he called Pleasant Hill Bayshore regarding garbage pick-up times and if it has not been resolved, he offered to repeat his call.

City Attorney Galstan stated he would provide a report as soon as possible.

Councilmember Kalinowski, through the City Manager, requested City staff be directed to look at the "No Right Hand Turn" sign issue tomorrow morning to ensure it is placed and in compliance with the vehicle code.

## **PUBLIC HEARINGS**

### **2. RESOLUTION MAKING FINDINGS AND ORDERING THE TEMPORARY CLOSURE OF EMPIRE MINE ROAD .....#1102-04**

Assistant City Engineer Bernal presented the staff report dated August 31, 2005 recommending the City Council approve the resolution temporarily closing Empire Mine Road from Mesa Ridge Drive to the City Limit Line 2600; west of Deer Valley Road.

In response to Councilmember Conley, Assistant City Engineer Bernal stated they would contact the fire department to see if the building could be used as practice.

In response to Councilmember Kalinowski, City Attorney Galstan stated there was no conflict of interest for the item this evening.

In response to Mayor Freitas, Phil Harrington indicated the existing road would be maintained by the city for pedestrian and bicycle traffic.

Mayor Freitas opened the public hearing.

Dick Anderson, representing Delta Pedalers Bicycle Club and East Bay Bicycle Coalition, stated they were in support of the closure of Empire Mine Road to vehicular traffic and it being kept open as a trail for pedestrian and cyclist. He offered to help in a community effort to keep the trail clean.

Stacey Lopez voiced her support for closing Empire Mine Road to vehicular traffic and discussed the crime, vandalism, loitering and reckless driving occurring in the area.

Bob Liles, Larry Upthegrove, Joshua Johnson and Larry Shindelus voiced their support for the closure of Empire Mine Road to vehicular traffic and keeping it open as a trail.

Kevin Fitzgerald, General Manager of the Roddy Ranch Golf Club, commended the Antioch Police Department, Denise Skaggs and Assistant City Engineer Bernal for their

due diligence regarding the issue. He discussed the criminal behavior occurring in the area and urged the City Council to close the road to vehicular traffic.

Jack Roddy, Brentwood resident, stated he had lived in the area for 30 years and noted there was constant issues related to the destruction of property, animal cruelty, assaults, drag racing, loitering, arson and garbage dumping. He commended law enforcement for their efforts to patrol the area and voiced his support to gating the entrance, while providing a entrance to allow bicyclists and pedestrians' entrance to use the trail. He offered to assist in the clean up efforts and paying for the gates to be installed. He voiced his belief that the East Bay Regional Park District and Richland Development would also assist in paying for the gates.

Mayor Freitas closed the public hearing.

Mayor Freitas discussed the importance of the City maintaining the road. Staff indicated it was their intent.

Councilmember Conley requested the City of Antioch work with Richland Development to remove those nuisance items attracting the vandals.

**RESOLUTION NO. 2005/102**

On motion by Councilmember Kalinowski, seconded by Councilmember Conley the City Council approved the resolution with: 1) Proper maintenance for the use of bicyclist and pedestrians, and; 2) the City of Antioch shall work with East Bay Regional Parks, Roddy Ranch and Richland Development regarding sharing the costs of installing the gates.

Mayor Freitas requested the property owners or bicyclists report back to City staff in 6 months to 1-year regarding the impact those changes have made toward the success of closing the road.

Mayor Freitas declared a recess at 8:31 P.M. The meeting reconvened at 8:44 P.M. with all Councilmembers present with the exception of Councilmember Simonsen who was absent.

- 3. THE CITY OF ANTIOCH PROPOSES TO AMEND TITLE 9, CHAPTER 5, ARTICLE 31 (RESIDENTIAL CONDOMINIUM CONVERSIONS) OF THE CITY OF ANTIOCH MUNICIPAL CODE, TO BRING THE ARTICLE INTO CONFORMANCE WITH STATE OF CALIFORNIA LAW, AND TO ADDRESS APPLICATION SUBMITTAL REQUIREMENTS, PROPERTY DEVELOPMENT STANDARDS AND MINIMUM PROPERTY IMPROVEMENTS, AND HOMEOWNER ASSOCIATION FORMATION, FUNDING, AND RELATED TOPICS. THE AMENDMENT WILL BE APPLICABLE TO RESIDENTIAL CONVERSION TO CONDOMINIUM REQUESTS CITY WIDE. (Z-05-03).....#202-05**

Mayor Freitas announced there would be a presentation from staff with questions of clarification from the City Council, and the Public Hearing would be held open to the September 20, 2005 City Council meeting for action.

Associate Planner Albro presented the staff report dated September 8, 2005 recommending the City Council: A) Adopt the resolution adopting the Negative Declaration as being adequate; and B) Introduce the ordinance by title only; and C) Introduce the ordinance rescinding and re-enacting Title 9, Chapter 5, Article 31 of the Antioch Municipal Code (Condominium Conversions) to bring the Article into conformance with State of California law, and to address application submittal requirements, property development standards and minimum property improvements, and Home Owner Association formation, funding, and related topics.

Mayor Freitas opened the public hearing.

Walter Zhovreboff, President, First Home, Inc., provided the City Council with a letter outlining concerns and specifically addressed the importance of setting realistic parameters for creating affordable units. He requested the City Council not pass the ordinance this evening but study the issues outlined in the letter they had received.

Following discussion the City Council consensus agreed this evenings meeting would be adjourned to September 20, 2005 and the Public Hearing would be held open for action on this item.

Councilmember Conley requested a response from staff on the letter from First Home, Inc. for the September 20, 2005 Public Hearing.

**4. APPEAL OF PLANNING COMMISSION DECISION REGARDING UP-05-9  
CONVENIENCE STORE AT 611 EAST EIGHTEENTH STREET PREM SAGAR  
ARORA (UP-05-09).....#704-13**

At the request of the applicant, this item was held over to October 25, 2005.

**COUNCIL REGULAR AGENDA**

**5. PRESENTATION ON PG&E SUBSTATION PROPOSED TO BE LOCATED IN THE  
SAND CREEK FOCUS AREA (FUA#1).....#1201-02**

Assistant to the City Manager Carniglia presented the staff report dated September 7, 2005 recommending the City Council direct staff to prepare a letter to CPUC.

Mayor Freitas expressed concern regarding screening, noise, electro-magnetic fields and suggested consulting with legal council who specializes in these types of issues prior to writing a letter to the CPUC.

Councilmember Conley suggested contacting the landowners of Ginocchio/Nunn properties to determine if there was interest in participating in a land swap with PG&E.



Barbara Price, PK Consultants, representing PG&E Public Affairs, reported the project was needed by the summer 2007 to serve the opening of Kaiser and Southeast Antioch. She noted they had met with staff and were attempting to address their comments. She reported PG&E has owned their site for some period of time, therefore, there was a responsibility to the ratepayer to not abandon the property for a more expensive alternate location. She added the CPUC will be choosing a location and they would continue working with staff anticipating a presentation to the City Council at the first meeting in October.

Mayor Freitas stated although PG&E had purchased the property, it was not the right location to locate the substation. He noted he would hope PG&E would be a good corporate sponsor and realize the importance of good relationships to the customer base they serve.

On motion by Councilmember Conley, seconded by Councilmember Kalinowski the City Council members present unanimously approved retaining outside legal council with regards to the CPUC letter.

**6. DEER VALLEY PLAZA STRATEGY STATUS .....#1301-01**

City Manager Jakel presented the staff report dated September 7, 2005 recommending the City Council receive and file the report.

Roger Henry, President of the East County NAACP, stated the organization appreciated working with the AUSD, APD, Mayor and City Manager to reach an agreement on the modifications made to the original strategy in their efforts to protect the rights of the students. He stated they remained concerned regarding item #6 of the memo noting that if an incident occurred outside of School hours they felt it would best be handled by civil law rather than the school district. He stated they would communicate to parents in the community that they have a responsibility to make sure their children understand what acceptable conduct is and conduct themselves accordingly. He provided a contact number for anyone wishing to participate in revising the Antioch Multi-Cultural Awareness Foundation.

Mayor Freitas thanked Mr. Henry and reported he would be meeting with the executive board of NAACP to continue the dialog. He noted Councilmember Davis had expressed interest in participating in the Multicultural Foundation and requested periodic presentations to the council.

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

**7. SUMMARY OF CONFERENCE AND BUSINESS EXPENSES FOR CITY COUNCIL AND DEPARTMENT HEADS FISCAL YEAR 2003/04, 2004/05, AND FINAL DRAFT**

**OF CITY OF ANTIOCH TRAVEL AND EXPENSES POLICY FOR ELECTED OFFICIALS .....#401-01**

City Manager Jakel presented the staff report dated September 6, 2005 recommending the City Council: A) Receive and file summary of expenses; and, B) Adopt revised City of Antioch Travel and Expense Policy for Elected Officials.

Mayor Freitas thanked City Treasurer Conley for bringing this process forward.

Councilmember Conley stated he felt the City could reduce the amount of League of California cities meetings they attend therefore reducing the travel budget by half.

Mayor Freitas requested the Council and staff participation in the League of California Cities and return to a meeting in October for consideration of further reducing the City=s travel budget.

Councilmember Kalinowski requested the Mayor talk with the members of the Council who serve on the various League subcommittees prior to Council action to determine which committees Antioch=s Councilmembers felt were essential to Antioch=s future.

Following discussion, the City Council consensus approved the City of Antioch Travel and Expense Policy for Elected Officials with the following changes:

I. B Personal Vehicle Use B *indicate monthly stipend is to be used for travel, bridge toll, airport parking etc.*

II B Revise the last sentence to read: *The monthly reimbursement will be \$100 for the Mayor, \$50 for each Councilmember and any communication service expenditures beyond that amount will be borne by the individual Councilmember.*

C-3 Credit Card Usage B Delete the first two sentences and revise to read: *Elected Officials may use personal credit cards to pay for travel expenses. Original receipts must be included with the Travel Authorization/Warrant Request to be eligible for reimbursement.*

D-Telephone/Internet B revise to indicate reimbursement of internet usage charges require prior approval of the City Council

D-Transportation B third paragraph B indicate costs of traveling from home to airport will be paid for from monthly stipend

Mileage Reimbursement B delete entire section as presented. Add wording indicating all new Councilmembers, upon election, will receive the policy, as proposed, in writing, which they will sign, date and be kept on file.

Councilmember Conley stated he did not support the \$50 monthly reimbursement to Councilmembers for communication services expenditures.

Mayor Freitas suggested the issue of staff and Council participation in League of California Cities be revisited in October.

On motion by Councilmember Conley, seconded by Councilmember Kalinowski the City Council members present unanimously adopted the revised City of Antioch Travel and Expense Policy for Elected Officials with the changes as previously discussed.

**8. APPROPRIATION OF EXISTING AND ANTICIPATED AB 2885 MONIES RECEIVED FROM THE STATE OF CALIFORNIA EXCLUSIVELY FOR FUNDING OF FRONTLINE MUNICIPAL POLICE SERVICES .....#1301-01**

Chief Moczulski presented the staff report dated September 7, 2005 recommending the City Council approve appropriation for frontline police services as described in staff report.

Following discussion the City Council requested future discussion of this item be put on the agenda earlier in the evening.

On motion by Councilmember Kalinowski, seconded by Councilmember Davis, the City Council members present unanimously approved the appropriations.

Mayor Freitas adjourned to the Antioch Development Agency with all Agency Members present with the exception of Agency member Simonsen who was absent.

**AGENCY CONSENT CALENDAR**

**9. REAPPROPRIATION OF ADDITIONAL EXPENDITURES TO THE 2005/06 ANTIOCH DEVELOPMENT AGENCY FISCAL YEAR BUDGET .....#410-02**

Finance Director Tasker presented the staff report dated September 6, 2005 recommending the Agency: Adopt the Resolution of the Antioch Development Agency Reappropriating Expenditures from the 2004/05 Fiscal Year Budget to the 2005/06 Fiscal Year Budget.

**RESOLUTION NO. ADA - 402**

On motion by Agency member Conley, seconded by Agency member Davis, the Agency members present unanimously adopted the resolution.

**9. MEMORANDUM OF UNDERSTANDING BETWEEN ANTIOCH DEVELOPMENT AGENCY AND RIVERTOWN DEVELOPMENT LLC (ARCADIS) REGARDING MASTER DEVELOPER ACTIVITIES FOR THE RIVERTOWN WATERFRONT**

**PROJECT AREA AND DIRECTION FOR PREPARATION OF A MASTER DISPOSITION AND DEVELOPMENT AGREEMENT .....#902-06**

City Attorney Galstan presented the staff report dated September 7, 2005 recommending the City Council adopt the resolution approving the Memorandum of Understanding.

Mayor Freitas requested equity partnership be included in the discussion as it relates to page 3 item (c) of the Memorandum of Understanding Agreement.

City Attorney Galstan introduced Janet Peters and her associate, representing Arcadis G&M Inc.

Ms. Peters stated they were excited to be moving forward with this Redevelopment opportunity, crafting a vision for downtown Antioch and turning that vision into a reality.

In response to Mayor Freitas, City Manager Jakel stated as the process proceeded, if there is a need for a smaller subcommittee he would bring the request back to the Council for consideration.

**RESOLUTION NO. ADA-403**

On motion by Councilmember Conley, seconded by Councilmember Davis the City Council members present unanimously adopted the resolution approving the Memorandum of Understanding revising item 3 (c) of the Agreement to include equity partnership.

Chairperson Freitas adjourned to the Antioch City Council with all Councilmembers present with the exception of Councilmember Simonsen who was absent.

**PUBLIC COMMENTS** - None

**STAFF COMMUNICATIONS**

City Manager Jakel reminded the Council they would be meeting on September 20, 2005 for an Adjourned Regular meeting and a Study Session on the Zoning Ordinance. He reported there would be a meeting at LAFCO on the Sphere of Influence being proposed by the Roddy Ranch proponent.

Community Development Deputy Director Carniglia reported LAFCO would be discussing the policy adopted in 1999 relating to the Urban Limit Line, Spheres of Influence and city boundaries as well as the Roddy Ranch proposal. He stated in the event the current policy was not changed, current LAFCO policy provided for findings of overriding benefits to be made to make a decision on a Sphere change/annexation outside the County Urban Limit Line. He further stated in the event that happens, staff would provide LAFCO with language in relation to the findings.

In response to Mayor Freitas, Community Development Deputy Director Carniglia stated he would email all Councilmembers any actions taken by LAFCO, immediately following the meeting.

### **COUNCIL COMMUNICATIONS**

Councilmember Conley requested staff work with the Knights of Columbus to have an annual event recognizing the Contra Costa Fire Protection Officer and Antioch Police Officer of the Year on September 11<sup>th</sup> in memory of those who died as a result of the terrorist attacks in New York.

Mayor Freitas thanked Councilmember Davis for attending the Antioch/Brentwood Masonic Lodge dedication.

With no further business, Mayor Freitas adjourned the meeting at 10:15 P.M. to the adjourned Council meeting and Study Session on September 20, 2005.

Respectfully submitted:

\_\_\_\_\_  
L. JOLENE MARTIN, CMC, City Clerk

Approved:

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DONALD P. FREITAS, Mayor

Attest:

\_\_\_\_\_  
L. JOLENE MARTIN, CMC, City Clerk