

ANTIOCH CITY COUNCIL

**Regular Meeting
7:00 P.M.**

**September 27, 2005
Council Chambers**

6:00 P.M. - CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATOR. Agency Negotiator: Holly Brock-Cohn; Employee Organization: All represented groups. This Closed Session is authorized by Government Code §54957.6.

Mayor Freitas called the meeting to order at 7:16 P.M., and City Clerk Martin called the roll.

Present: Councilmembers Davis, Kalinowski, Conley, and Mayor Freitas

Excused: Councilmember Simonsen (Vacation)

Mayor Freitas announced Councilmember Simonsen would be on an extended vacation and would not be available for the scheduled meetings of September 6, 13, and 20, 2005. Furthermore, he was, this evening, attending a Tri-delta Transit conference, and would not be present.

City Attorney Galstan reported the City Council had previously extended the cap imposed on the medical after retirement program to October 1, 2005 and in closed session this evening by a vote of 4/0 with Councilmember Simonsen being absent, the Council continued the extension at the discretion of the negotiating team.

PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS

18th Annual East County Hunger Walk - October 1, 2005

Shelter in Place Education Day - October 5, 2005

Financial Planning Week - October 3-9, 2005

Pacific Gas & Electric "100 Year" Anniversary - October 10, 2005

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

Councilmember Conley presented the proclamation proclaiming October 10, 2005 as PG&E "100 Year Anniversary Day" to Barry Carangelo who thanked the City of Antioch for the recognition.

Councilmember Kalinowski presented the proclamation proclaiming October 5, 2005 as *Shelter In Place Education Day* to Dave Kundert, who accepted the proclamation on behalf of the Antioch Unified School Board and Superintendent. He thanked the City Council for their support. Lonnie Karste announced the School District as well as City Facilities would be participating in a Shelter In Place drill on October 5, 2005. He reminded the public of

the appropriate actions to take for sheltering in place and thanked the City Council for the recognition.

Councilmember Davis presented the proclamation proclaiming October 1, 2005, as the 18th Annual East County Hunger Walk to Anita and Caitlin MacKusick, representing Delta 2000, who invited the public to participate in the event and presented t-shirts and brochures to the City Council.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS - None

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Martin announced the following Board and Commission openings for the City of Antioch:

- Two unexpired terms on the Board of Administrative Appeals
- One unexpired term on the Design Review Board

The filing deadline for applications was October 7, 2005 at 5:00 P.M. Contact information was given for those interested in applying.

PUBLIC COMMENTS

Ken Lee, Antioch resident, discussed the adult boutique ordinance and noted the report with regards to a similar type of business in Pleasant Hill did not include consideration of owner operated businesses versus absentee owners and box-framing windows. He encouraged using the city of Pleasant Hill's ordinance as a blue print for Antioch.

Emil Stein, Antioch resident, questioned the outcome of his concerns regarding the amount the City charges the public for copies of the minutes and the ongoing issues at the Antioch Auto Center.

Regarding the charges for copies of the minutes, Mayor Freitas reported no action had been taken. City Attorney Galstan reported the Antioch Auto Dealership is the subject of closed session later this evening.

Devi Lanphere, Antioch Chamber of Commerce, reported the Chamber had taken a lead role in assisting families who were victims of Hurricane Katrina noting they were in need of volunteers. A young man introduced himself, noting he was currently looking for assistance to relocate in Antioch. Contact information was given for those interested in helping.

Mayor Freitas announced Sergeant Daniel Scheile, a National Guardsman from Antioch, had lost his life in Iraq. He requested Sergeant Scheile's family be contacted and depending on their desires and requests, a community event be held honoring the life of Sergeant Scheile.

The City Councilmembers present agreed it would be appropriate for Mayor Freitas to work with the City Manager on the possibility of holding the event. Mayor Freitas stated he would be adjourning this evenings meeting in honor of Sergeant Scheile.

1. COUNCIL CONSENT CALENDAR

- A. APPROVAL OF COUNCIL MINUTES FOR JUNE 28, JULY 12, and 26, AUGUST 9, and SEPTEMBER 6, 2005#301-02
- B. APPROVAL OF COUNCIL WARRANTS#401-02
- C. APPROVAL OF TREASURER=S REPORT FOR AUGUST 2005#401-02
- D. REJECTION OF CLAIMS.....#704-07
 - 1. Danelle Johnson #05/06-1569 (vehicle damage)
 - 2. Virginia Morton, #04/05-1546 (slip and fall)
 - 3. Lawrence McGrath, #05/06-1589 (vehicle damage)
 - 4. Lisa K. Behrens, #05/06-1590 (vehicle damage)
 - 5. Deanna Roberts, #05/06-1581 (vehicle damage)
- E. LEGISLATION AND ADVOCACY#701-04
- F. RESOLUTION NO. 2005/103 ACCEPTING WORK AND AUTHORIZING CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE LONE TREE GOLF COURSE PARKING LOT IMPROVEMENTS (PW 176-12)#1402-01
- G. RESOLUTION NO. 2005/104 DECLARING INTENTION TO ESTABLISH UNDERGROUND UTILITY DISTRICT NO. 20 ON HILLCREST AVENUE FROM THE RAILROAD CROSSING TO EAST 18TH STREET (PW 300-20)#1201-07
- H. RESOLUTION NO. 2005/105 APPROVING THE EAST 18TH STREET WIDENING PROJECT RE-APPROPRIATION OF EXPENDITURES TO THE 2005/06 CIP BUDGET AND APPROPRIATION OF ADDITIONAL EXPENDITURES TO THE 2005/06 CIP BUDGET (WILLOW AVENUE TO DRIVE-IN WAY) (PW 225-20)#1102-04
- I. RESOLUTION NO. 2005/106 AUTHORIZING AN AGREEMENT FOR A GARAGE SALES OFFICE CONVERSION WITH ARCADIA HOMES INC, IN HIDDEN GLEN SUBDIVISION, TRACT 6909, LOTS 64 AND 87 (PW 557)#802-02
- J. ORDINANCE NO. ADDING SECTIONS 3-9.03 THROUGH 3-9.08 TO THE ANTIOCH MUNICIPAL CODE, ADDING ADMINISTRATIVE PROVISIONS TO THE REGIONAL TRANSPORTATION IMPACT MITIGATION FEE ORDINANCE#701-05

On motion by Councilmember Conley, seconded by Councilmember Kalinowski, the Council unanimously approved the Council Consent Calendar with the exception of item 1A, which was removed for further discussion.

Item 1 A - Mayor Freitas amended the minutes of September 6, 2005 indicating that Councilmember Simonsen was absent due to vacation. Mr. Lee amended the minutes of July 26, 2005, Public Comments, second paragraph correcting, "no left hand turn" to "no right hand turn".

On motion by Councilmember Kalinowski, seconded by Councilmember Conley the City Council members present unanimously approved the minutes of June 28, 2005, July 12, 2005, August 9, 2005 as presented and July 26, 2005 and September 6, 2005 as amended.

PUBLIC HEARINGS

2. THE CITY OF ANTIOCH REQUESTS APPROVAL OF CHANGES TO THE ZONING ORDINANCE TO BRING IT INTO COMPLIANCE WITH THE GENERAL PLAN ADOPTED IN 2003. IN ADDITION, THE CORRESPONDING ZONING MAP WILL BE UPDATED TO BE CONSISTENT WITH THE GENERAL PLAN MAP PURSUANT TO STATE LAW (Z-04-02).....#202-05

3. THE CITY OF ANTIOCH REQUESTS APPROVAL TO AMEND THE EXISTING APPROVED GENERAL PLAN MAP TO COMPLY WITH EXISTING PHYSICAL LAND USES AND THE GENERAL PLAN TEXT TO INCLUDE CORRECTIONS. THE PROJECT AFFECTS VARIOUS PARCELS THROUGHOUT THE CITY (GP-05-03)#202-04

On motion by Councilmember Conley, seconded by Councilmember Davis, the City Council members present unanimously continued item #2 and #3 to November 22, 2005.

COUNCIL REGULAR AGENDA

**4. APPOINTMENT TO PLANNING COMMISSION - THREE/ FOUR YEAR TERMS
#302-06**

Mayor Freitas nominated Gilbert Azevedo to fill a full term of Planning Commissioner.

On motion by Councilmember Conley, seconded by Councilmember Davis the City Council members present unanimously appointed Gilbert Azevedo to the Planning Commission.

Mayor Freitas nominated Nancy Brandt to fill the term of Planning Commissioner.

On motion by Councilmember Conley, seconded by Councilmember Kalinowski the City Council appointed Nancy Brandt to the Planning Commission. The motion carried the following vote:

Ayes: Freitas, Kalinowski, Conley Abstain: Davis Absent: Simonsen

Mayor Freitas nominated Stanley Travers to fill the term of Planning Commissioner.

On motion by Councilmember Conley, seconded by Councilmember Kalinowski the City Council appointed Stanley Travers to the Planning Commission. The motion carried the following vote:

Ayes: Freitas, Kalinowski, Conley

Abstain: Davis

Absent: Simonsen

5. APPOINTMENTS TO ECONOMIC DEVELOPMENT COMMISSION TO FILL FIVE TERMS..... #302-04

Mayor Freitas nominated Garry Holman to a four year term on the Economic Development Commission.

On motion by Councilmember Conley, seconded by Councilmember Kalinowski the City Council members present unanimously appointed Garry Holman to a four-year term on the Economic Development Commission.

Mayor Freitas nominated Gregg Pearson to fill a four-year term on the Economic Development Commission.

On motion by Councilmember Conley, seconded by Councilmember Kalinowski the City Council members present unanimously appointed Gregg Pearson to a four-year term on the Economic Development Commission.

Mayor Freitas nominated Dennis Davis to fill a four-year term on the Economic Development Commission.

On motion by Councilmember Conley, seconded by Councilmember Kalinowski the City Council members present unanimously appointed Dennis Davis to fill a four-year term on the Economic Development Commission.

Mayor Freitas nominated Benjamin Scinto to fill the unexpired term on the Economic Development Commission.

On motion by Councilmember Conley, seconded by Councilmember Kalinowski the City Council members present unanimously appointed Benjamin Scinto to fill the unexpired term of Renee Calderwood on the Economic Development Commission. This term of office will expire in June 2007.

Mayor Freitas reported the City Council had received written comment from Antioch Chamber of Commerce requesting Devi Lanphere continue on this Commission as their representative. Mayor Freitas nominated Devi Lanphere to fill the expired position as designated in the bylaws to be a representative of the Antioch Chamber of Commerce.

On motion by Councilmember Conley, seconded by Councilmember Davis the City Council members present unanimously appointed Devi Lanphere to the Chambers seat on the Economic Development Commission.

6. APPOINTMENT TO INVESTMENT ADVISORY COMMITTEE TO FILL ONE UNEXPIRED TERM#101-04

Mayor Freitas nominated Robert Kalafate to fill the unexpired term on the Investment Advisory Committee.

On motion by Councilmember Conley, seconded by Councilmember Kalinowski the City Council members present unanimously appointed Robert Kalafate to the Investment Advisory Committee.

7. APPOINTMENT TO POLICE CRIME PREVENTION COMMISSION TO FILL ONE UNEXPIRED TERM#302-01

Mayor Freitas nominated John P. Kelly to fill one unexpired term on the Police Crime Prevention Commission.

Following a motion and seconded, the City Council unanimously appointed John P. Kelly to the Police Crime Prevention Commission.

Mayor Freitas stated that for those not nominated this evening, it is his hope they would continue to express their interest in the City of Antioch and apply for future openings on the various Boards and Commissions.

8. APPROVAL OF MASTER PLAN FOR THE CITY PARK SOCCER FIELD (PW 205-F)#1402-03

City Engineer/Community Development Director Brandt presented the staff report dated September 14, 2005 recommending the City Council approve the Master Plan for the City Park soccer field.

Nancy Brandt and Wayne Steffen, representing the Antioch Parks and Recreation Commission, each gave a brief overhead presentation of the design and building process for the proposed community built playground, as well as examples of projects throughout the county. They requested the City Council approve the concept as part of the renovation and revitalization of City Park. Contact information was given for anyone wishing to participate in the project.

Councilmember Davis stated he was supportive of a community built playground concept and invited Mrs. Brandt and Mr. Steffen to make a similar presentation to the Youth Council.

Mayor Freitas stated that should the Council decide to move forward, he would encourage the Parks and Recreation Commission to consult with former City Engineer Stan Davis and Captain Cantando to assure all terms and conditions were met.

Capital Improvement Director Scudero clarified the intent was to complete all the work seen on the plans with the original contract.

In discussing the rock wall surrounding the park Mayor Freitas stated it was his understanding that the rock would not be changed.

Following discussion the City Council members present were in support of the community park concept; however, they did request staff and the Parks and Recreation Commission to report back to Council at a future time, with clarification on the following issues:

- § Proposal for outreach to the community
- § New sod/seed in areas necessary to appear new and seamless
- § Operation and maintenance plan which includes Public Works, Parks and Recreation and Police Services
- § Staff and Parks and Recreation Commission consideration of relocating the concession stand and restroom to the play area side of the parking lot
- § Raised or speed bump at the crosswalk to concession stand and restrooms
- § Bleachers for soccer field with trash cans nearby
- § Regrading and replanting the soccer field
- § Installation of BBQ pits on the front end

PUBLIC COMMENTS

Devi Lanphere, 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 Event Center. She provided contact information for anyone wishing to receive additional information.

STAFF COMMUNICATIONS

City Manager Jakel reported the joint meeting of the Antioch City Council and Antioch Unified School District had been confirmed for October 18, 2005 at 7:00 P.M. with the location yet to be determined.

COUNCIL COMMUNICATIONS

Councilmember Kalinowski stated he would not be available to attend the November 8, 2005 City Council meeting.

ADJOURNMENT

With no further business, Mayor Freitas adjourned in honor of Sergeant Daniel Scheile at 8:26 P.M. to Closed Session.

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION. The Council is determining whether to initiate litigation (one potential case). This closed session is authorized by Government Code §54956.9.

Respectfully submitted:

L. JOLENE MARTIN, CMC, City Clerk

Approved:

DONALD P. FREITAS, Mayor

Attest:

L. JOLENE MARTIN, CMC, City Clerk