

**ANTIOCH CITY COUNCIL
ANTIOCH DEVELOPMENT AGENCY**

Regular Meeting
7:00 P.M.

February 27, 2001
Council Chambers

CLOSED SESSION –1) CONFERENCE WITH LABOR NEGOTIATOR: City Negotiator: Bill May. Employee Organization: Antioch Police Officer's Association. This closed session is authorized by Government Code §54957.6.

PLEDGE OF ALLEGIANCE

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

Mayor Freitas called the meeting to order at 7:08 P.M., and City Clerk Martin called the roll.

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

PROCLAMATIONS – Peace Corps Day, March 1, 2001

On motion by Councilmember Conley, seconded by Councilmember Davis the Council unanimously approved the proclamation.

Councilmember Kalinowski presented Mary Avenado with the proclamation proclaiming March 1, 2001 as "Peace Corps Day." Ms. Avenado accepted the proclamation on behalf of the Peace Corp volunteers and thanked Council for the recognition.

PRESENTATION

Police Manager Lonnie Karste, Neighborhood Watch Coordinator Bart Sandborn, Crime Prevention Commissioners Bob Miller and Tom Rood, recognized and presented gifts to the following sponsors of the Crime Prevention and Safety Preparedness Faire. They encouraged the community to volunteer for these programs and provided contact numbers for anyone needing additional information.

Nancy Ross, CAER
Susan Hurl, Pleasant Hill Bayshore
Felicia Dean, McGill, Martin and Self
Frank Rupani, Gaylord Container
Calpine Representatives
Scott Anderson, Dow Chemical
Bill Johnson, Bay Alarm
Jeannie Craig, Tri-Delta Transit
June Obrata, Longs Drugs

Nancy Ross, CAER, stated the Crime Prevention and Preparedness Faire was one of the best in the County. She thanked Lonnie Karste and Steve Burgerhouse for their participation in the CAER workshops. She reported the Board of Supervisors had agreed to accept the community warning system from CAER, and she presented the Council with a letter from the facility managers committing to use their push button equipment and workshop agendas.

On behalf of the City Council and community, Mayor Freitas thanked the volunteers and sponsors for their commitment and support.

Lonnie Karste presented Bart Sandborn with a gift in recognition of his commitment and involvement as Neighborhood Watch Coordinator and Event Coordinator for the Crime Prevention and Safety Preparedness Faire.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Mike Malody, representing East County Ministries, announced the Antioch Mayor's Prayer Breakfast at Humphrey's on the Delta, April 5, 2001 from 7:00 A.M. to 9:00 A.M. He provided a contact number for anyone needing additional information.

Jean Kuberra, speaking on behalf of Paul Goulart, encouraged the community to utilize his web site www.cybercouncil2000.com and participate in the Street Lighting and Landscaping survey.

PUBLIC COMMENTS

Elvin Scott discussed his efforts to provide information to the newspapers regarding pension funds. He noted additional information was currently available in City Hall. He reviewed his lawsuit on behalf of Veterans regarding pension benefits.

Jean Kuberra stated she volunteers for the Neighborhood Watch Program and encouraged the community to participate. She discussed the negative impact of her utility bill on her budget planning, adding she felt the government was out of control with residential utility ratepayers. She stated she did not support the proposed solutions to the energy crisis.

Verne Roberts clarified Amtrak had been repaired and would continue to provide service to Antioch. He discussed the need for BART to expand and provide service to Antioch noting the residents of East County had paid taxes for the services. He provided the Council with a letter published in the Ledger Dispatch and a photo of the eBART train. He suggested the eBART train could be used to transport mail to Oakland from Antioch.

COUNCIL REGULAR AGENDA

1. PRESENTATION BY MR. PEREZ ON THE CONSIDERATION OF FEES FOR SENIOR CITIZENS AT LONE TREE GOLF COURSE #1402-01

City Manager Ramsey stated Mr. Perez had met with the Board of Directors of Lone Tree Golf Course and requested this item be postponed while he continues to work on the matter.

2. CASINO/TOURISM PROPOSAL PRESENTATION BY DEVELOPMENT GROUP #901-01

Economic Development Director Naffah presented the staff report dated February 22, 2001, recommending Council direct staff as to the City Council's desired course of action.

Al Cianfichi discussed his conceptual proposal to build a 200-room, 5-star luxury hotel on Fulton Shipyard Road. He stated he and Paul Shieh had met with various Chinese and Taiwanese Companies who expressed interest in building such a hotel and using Antioch as a transfer center for tour groups. He noted brief discussions have been held with Ellen Fulton regarding this proposal. He presented the Council with a report on Card Clubs and Crime in California. He discussed the ballot initiative stating he had successfully placed Antioch on the list of cities requesting permission to operate "Las Vegas type" gaming. He presented the Council with a newspaper article, in which 55% of the respondents were in favor of the gambling initiative. He clarified legislature would set the laws governing these establishments and the Attorney General would provide background checks. He noted if this ballot initiative was unsuccessful his tour group could accommodate tourists with a card room by incorporating the tables currently available in Antioch. He further noted they felt this was an opportunity to make Antioch an activity center.

Paul Shieh spoke in support of the proposal stating he also felt it was an opportunity for Antioch to bring in tourists and provide jobs for residents of the community.

City Attorney Galstan clarified this initiative would be statewide and if passed the City Council would still have the option to authorize or deny the operation of 1 to 5 casinos within the City.

Economic Development Director Naffah stated the applicants were requesting the City lend its support to the initiative, adding the City did not have to remain on the initiative. After having checked with a few of the other cities listed on the initiative, he found only the City of Atascadero had adopted a formal resolution in support of the initiative.

Mr. Cianfichi stated the money would be governed and controlled by the state legislation and the amount generated would be determined by how much gaming was permitted.

City Manager Ramsey stated the inclusion of the City of Antioch on this State initiative and the resort proposal was a decision Council needed to make, adding proceeding with this project would entail a significant amount of staff time to study the effects of this proposal.

Economic Development Director Naffah indicated there were currently 30 card tables available within the City. Furthermore, the ordinance limiting the number of tables had sunsetted, thereby providing the City opportunity to increase the total number of tables allowed.

Allen Payton and Mike Malody spoke in opposition to the proposed casino or large card room in Antioch, noting they felt crime would increase and negatively impact the community.

Councilmember Simonsen stated he felt the proposal could fill a niche in the market while providing revenue for the City. He urged the Council to consider the option, keeping in mind they would determine the types of gambling allowed.

Following discussion the Council majority stated they would not support this type of proposal in Antioch.

On motion by Councilmember Conley, seconded by Councilmember Kalinowski, the Council voted to remove Antioch's name from the state initiative. The motion carried by the following vote:

Ayes: Freitas, Davis, Conley and Kalinowski

Noes: Simonsen

Mayor Freitas declared a recess at 8:29 P.M. The meeting reconvened at 8:41 P.M. with all Councilmembers present.

Council requested to hear Item #4 at this time.

**4. PRESENTATION BY BART BOARD MEMBER JOEL KELLER RE: eBART
#1107-03**

Joel Keller, Vice President of the BART Board of Directors, presented the eBART proposal as a non-BART, high quality rail alternative for East Contra Costa County. He discussed the operating characteristics and provided Council with a map identifying rail opportunities. He provided a sample resolution to City Clerk Martin requesting the City review and consider its adoption. He reviewed the estimated capital and operating costs as well as

the local economic and community benefits. He stated if this service were put in place and there were adequate trips per day to support a BART station, the statistics would speak for themselves of the need for a future BART extension. He noted the results of the feasibility study would be presented to TRANSPLAN in 3-4 months. He provided the Council with a performance report for the Capitol Corridor and reviewed the MTC regional transportation plan noting since the demands exceeded the money available, eBART was affordable, could be funded and gain the support of the region.

In response to various questions from the Council, Mr. Keller explained as the study moved forward it was important to assure this plan would work and not preclude a future BART extension, adding eBART would give immediate transit relief plus provide facts on whether or not this area could support a BART extension. He stated they felt the capital costs could come from an equity position buy-in from Santa Clara County. He discussed the possibility of finding an alternative right-of-way that would not preclude BART from its intended right-of-way, thus preserving BART's right-of-way for a future extension.

Councilmember Simonsen requested the proposed resolution be agendized for Council consideration.

Tom McNeil suggested Council amend the proposed resolution to clarify eBART was an interim solution, and clearly define the intent of the BART Board of Directors and City Council would be to continue to be committed to a BART extension in Antioch. He requested the median be pursued to Hillcrest.

Mayor Freitas commented the leaders of the transportation Boards and Commissions were not giving up on a BART extension in East County. He stated he wanted to study this alternative and was in support of purchasing the railroad right-of-way, which could be used in the future to extend heavy rail BART trains on the Mococo line. He requested the resolution be placed on the next agenda and include the wording suggested by Mr. McNeil.

3. REPORT ON THE CITY OF ANTIOCH'S PAVEMENT MANAGEMENT PROGRAM #1102-04

Public Works Deputy Director Harrington presented the staff report dated February 27, 2001, recommending the Council receive and file the report on the City's Pavement Management Program.

Mary Urschel, representing Nichols Consulting Engineers, gave a brief overhead presentation of the state of the streets in the City of Antioch and outlined the budget scenarios, recommending an Unconstrained Budget Scenario (\$38.6 mil/5yrs).

Public Works Deputy Director Harrington stated staff was recommending an increase in existing revenues as well as advocating additional monies to help decrease the backlogged maintenance projects.

Public Works Director Brandt clarified part of the negotiations with Calpine for the easements obtained through the City stated the funding would go toward a specified project, selected by Council to benefit the City and Council had designated the "A" Street extension to be the beneficiary of those funds. City Manager Ramsey added Calpine would be making the \$5,000,000 contribution over a 20-year time period.

In response to Councilmember Kalinowski, Public Works Director Brandt stated a successful Lighting and Landscape District ballot would provided a total of \$1,500,000 in much needed funds. Councilmember Kalinowski stated if the Lighting and Landscape District passed, he would support those funds be moved to Public Works for road rehabilitation.

Mayor Freitas requested staff provide additional information regarding the scenarios reflecting debt financing (\$1 M and \$1.5 M) using a pooled asset 15-year AAA insured investment and a timeline for projects for Council consideration. He further requested a policy position be established governing the transfer of revenue out of the Lighting and Landscape District, should it be approved. City Manager Ramsey stated he would provide that information as well as alternative uses for the revenue Council has set as priorities.

5. COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2000 AND MEMORANDUM ON INTERNAL CONTROL OVER FINANCIAL REPORTING FOR THE FISCAL YEAR ENDED JUNE 30, 2000
#402-02

Financial Services Director Tasker presented the staff report dated February 1, 2001, recommending the Council receive and file: 1) Comprehensive Annual Financial Report For The Fiscal Year Ended June 30, 2000; 2.) Memorandum on Internal Control Over Financial.

Per Mayor Freitas' request agenda items #5 and 6 were combined.

6. SINGLE AUDIT REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2000
#402-02

On motion by Councilmember Conley, seconded by Councilmember Simonsen, the Council unanimously received and filed the reports.

7. MID-YEAR BUDGET REVIEW AND FINANCIAL FORECAST #410-02

Mayor Freitas suggested the Mid-year Budget Review and Financial forecast will be held over to March 13, 2001. Councilmembers unanimously agreed to hold this item over.

8. LEGISLATION AND ADVOCACY #701-04

No action was taken.

Mayor Freitas adjourned to the Antioch Public Financing Authority.

ANTIOCH PUBLIC FINANCING AUTHORITY

9. ANTIOCH PUBLIC FINANCING AUTHORITY INDEPENDENT AUDITOR'S REPORT, GENERAL PURPOSE FINANCIAL STATEMENTS AND SUPPLEMENTAL INFORMATION FOR THE FISCAL YEAR ENDED JUNE 30, 2000 #402-02

On motion by Public Financing Authority member Conley, seconded by Authority member Simonsen, the Public Financing Authority unanimously received and filed the report.

10. COUNCIL CONSENT CALENDAR

- A. APPROVAL OF COUNCIL MINUTES – January 23 and February 13, 2001 #301-03**
- B. APPROVAL OF COUNCIL WARRANTS #401-02**
- C. APPROVAL OF TREASURER'S REPORT – January 2001 #401-02**
- D. REJECTION OF CLAIMS #704-07**
 - 1. Claim of Edith Shirley #00/01B1204**
 - 2. Claim of Bonnie Lerley, #00/01B1203**
- E. MEMORANDUM OF UNDERSTANDING ON COLLABORATIVE EFFORTS FOR COMBATING HATE CRIMES OR BIAS-RELATED INCIDENTS IN EAST CONTRA COSTA COUNTY #1301-01**
- F. CONSIDERATION OF BIDS FOR THE EAST 18TH STREET SANITARY SEWER MAIN FROM WILLOW AVENUE TO DRIVE-IN WAY (PW 225-20S) #1205-01**
- G. APPROVAL OF THE ALLOCATION OF \$602,192 IN TRANSPORTATION CONGESTION RELIEF FUNDS FOR THE PRESERVATION, MAINTENANCE AND REHABILITATION OF LOCAL STREETS AND ROADS #1102-04**

On motion by Council Member Kalinowski, seconded by Councilmember Conley, the Council unanimously approved the Consent Calendar with the exception of items C and E, which were removed for further discussion.

Item C – Councilmember Conley suggested with the change in the economy the City review those funds in medium term commercial paper.

On motion by Councilmember Conley, seconded by Councilmember Davis, the Council unanimously approved item C.

Item E – Councilmember Simonsen discussed the memorandum of understanding to establish a protocol for combating hate crimes and bias related incidents. He voiced his appreciation of the care taken by the City to protect 1st amendment rights. In response to Councilmember Simonsen, Police Chief Moczulski stated training would be absorbed through the in-service training program.

On motion by Councilmember Simonsen, seconded by Councilmember Kalinowski, the Council unanimously approved item E.

Mayor Freitas adjourned to the Antioch Development Agency.

11. AGENCY CONSENT CALENDAR

A. APPROVAL OF AGENCY WARRANTS #401-02

On motion by Agencymember Conley, seconded by Agencymember Davis, the Agency unanimously approved the Agency Consent Calendar.

AGENCY REGULAR AGENDA

12. ANTIOCH DEVELOPMENT AGENCY – INDEPENDENT AUDITOR'S REPORT, GENERAL PURPOSE FINANCIAL STATEMENTS AND SUPPLEMENTAL INFORMATION FOR THE FISCAL YEAR ENDED JUNE 30, 2000 #402-02

On motion by Agencymember Conley, seconded by Agencymember Davis, the Agency unanimously received and filed the Antioch Development Agency General Purpose Financial Statements for the Fiscal Year Ended June 30, 2000.

13. 1999-2000 ANNUAL REPORT ON AGENCY ACTIVITIES

#902-01

On motion by Agencymember Davis, seconded by Agencymember Kalinowski, the Agency unanimously received and filed the report.

PUBLIC COMMENTS – None

COUNCIL REPORTS/COMMUNICATIONS – None

STAFF COMMUNICATIONS

City Manager Ramsey reported staff was preparing for Council a committee and boards attendance records sheet which would be provided to Council monthly. He also stated the report on the Goal Setting Workshop had been provided for Council's review and comment.

Public Works Director Brandt stated an informational pamphlet regarding the Lighting and Landscape District was provided to Council for review. He requested any questions or comments be directed to him by 3:00 P.M., February 28th.

Mayor Freitas reported there would be a tour of the Ginocchio property on March 3, 2001 at 10:00 A.M. He noted the next Council meeting would be on March 13, 2001, followed by a study session on March 20, 2001, and a regularly scheduled Council meeting on March 27, 2001. He requested Councilmembers provide a list to Debbie Smith by March 2nd regarding their committee meetings attendance for the months of January and February.

ADJOURNMENT

With no further business, Mayor Freitas adjourned the meeting at 10:42 P.M., to the next regular meeting on March 13, 2001.

Respectfully Submitted:

s/s L. Jolene Martin
L. JOLENE MARTIN, City Clerk

Approved:

s/s Donald P. Freitas
DONALD P. FREITAS, Mayor

Attest:

s/s L. Jolene Martin
L. JOLENE MARTIN, City Clerk