

ANTIOCH CITY COUNCIL

Regular Meeting
7:00 P.M.

September 24, 2002
Council Chambers

6:00 P.M. – CLOSED SESSIONS

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.** Kleinfelder v. Antioch Diversified Associates, Contra Costa Superior Court #C95-03211. This Closed Session is authorized by Government Code §54956.9.
2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.** Significant exposure to litigation. (Three potential cases). This closed session is authorized by Government Code §54956.9.

Mayor Freitas called the meeting to order at 7:13 P.M., and City Clerk Martin called the roll.

Present: Council Members Davis, Conley, Kalinowski and Mayor Freitas
Excused: Council Member Simonsen

Mayor Freitas announced Councilmember Simonsen was unable to attend the meeting as he was attending a conference on behalf of the City.

PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Barbara Sobalvarro announced the Friends of Animal Services Black Cat Ball would be held on October 19, 2002 at 6:30 P.M. She provided a contact number for anyone wishing to purchase tickets.

PROCLAMATIONS

Antioch Rivertown Jamboree, September 28-29, 2002
Delta Band Review, September 28, 2002
CAER, October 2, 2002

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

Councilmember Kalinowski presented the proclamation proclaiming September 28-29, 2002 as Rivertown Jamboree Days to Betty Smith, Martha Henry and several other board members who invited the community to attend the 17th Annual Rivertown Jamboree on Sept 28-29, 2002 in downtown Antioch. Ms. Smith thanked all the sponsors and staff and presented t-shirts and pins to the City Council

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and staff. Ms. Henry provided a contact number for anyone wishing to participate in the rib cook-off event.

Councilmember Davis presented the proclamation proclaiming September 28, 2002 as Antioch Delta Band Review Day to Jessica Dunlap who accepted the proclamation on behalf of Antioch High School Band and thanked the Council for the proclamation. She invited the public to attend the event at 9:00 A.M. on "D" Street in Antioch.

Councilmember Conley presented the proclamation proclaiming October 2, 2002 as Shelter-In-Place Education Day to Nancy Ross and Lonnie Karste who accepted the proclamation on behalf of CAER and announced there would be 100 schools and childcare facilities who would participate in the all school drill. They presented the City Council and staff with magnets and a contact number for additional information.

PRESENTATION – Antioch East and West Little League Girls Fast-Pitch Softball All-Star

Councilmembers Davis and Kalinowski presented the Antioch East Little League Seniors Girls Fast-Pitch Softball All-Star Team with a certificate, City mugs and pins in recognition of their District 4 Championship and Sectional Championship. Coach Bob Brown thanked the City for the recognition and introduced the coaches and team players by name and position.

Councilmembers Davis and Conley presented the Antioch East Little League 9-10 Year Old Girls Fast-Pitch Softball All-Star Team with a certificate, City mugs and pins in recognition of their District 4 Championship. Coach John Sumaro thanked the City for the recognition and introduced the coaches and team players by name and position.

Councilmembers Davis and Kalinowski presented the Antioch West Little League 11-12 year old All Star Team with a certificate, City mugs and pins in recognition of their District, Sectional and Division Championship. Coach Paul Chavez thanked the City for the recognition and introduced the coaches and team players by name and position. The team presented Mayor Freitas with an Antioch West t-shirt.

Mayor Freitas thanked the teams and coaches for doing such a great job representing the community.

PUBLIC COMMENTS

Elvin Scott thanked the public and the United Steel Workers of America for their support of his efforts to protect pension benefits. He invited the community to attend the Labor-to-Labor meeting on September 20, 2002 in Pittsburg.

Dave Williamson reported the Delta Blues Festival had been a successful event. He thanked the City of Antioch, Rivertown Business Association, Arts and Cultural Foundation of Antioch as well as everyone who helped organize and support the Festival. He read a letter he had received from a resident who congratulated him on a well-organized event.

Nordyn Anderson, representing the "C" Street and Park Lane Neighborhood Watch, reported they had formed their Neighborhood Watch to address the quality of life and property value issues in their neighborhood. She spoke in support of forming Neighborhood Watch Groups and pledged their cooperation and support in bringing about the necessary changes in City Park to address the homeless issues. She urged the City Council to agendaize the issue at a future council meeting. On behalf of her group she expressed her thanks and appreciation to the Antioch Police Department, members of the City Council and staff for their support.

Mayor Freitas, on behalf of the City thanked the "C" Street and Park Lane Neighborhood Watch for their activism.

Elizabeth Rimbault reported that the Women's Club of Antioch was recycling their t-shirts and making outfits and blankets for abandoned infants to wear home from the hospital. She discussed the Safe Haven Law and the need for the County Board of Supervisors to designate additional sites for East County residents to surrender unwanted newborn babies. She announced the Women's Club was petitioning the Board of Supervisors for Contra Costa County to further designate all fire stations, convalescent hospitals and urgent care day clinics as Safe Haven sites. She requested the City Council authorize the Mayor to sign a letter in support of the additional designated sites. She reported the Women's Club was collecting the necessary items for the Safe Haven kits.

The Council authorized the Mayor to sign a letter to the Contra Costa Board of Supervisors, on behalf of the Antioch City Council in support of the additional Safe Haven sites.

COUNCIL CONSENT CALENDAR

- A. APPROVAL OF COUNCIL MINUTES FOR AUGUST 13, 2002 #301-01**
- B. APPROVAL OF COUNCIL WARRANTS #401-02**
- C. APPROVAL OF TREASURER'S REPORT - AUGUST 2002 #401-02**
- D. LEGISLATION AND ADVOCACY #701-04**
- E. RESOLUTION NO. 2002/151 APPROVING CONTRACT CHANGE ORDER TO CARONE AND SONS, INC. FOR THE RECONSTRUCTION OF "J" STREET BETWEEN SECOND AND FIFTH STREETS (PW 503-8) #1102-04**
- F. RESOLUTION NO. 2002/152 APPROVING THE AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES TO PROVIDE TRAFFIC ENGINEERING SERVICES FOR THE STATE ROUTE 4 EAST CORRIDOR TRANSPORTATION MANAGEMENT SYSTEM (PW 642-1) #1102-03**

On motion by Councilmember Conley, seconded by Councilmember Kalinowski, the Council unanimously approved the Consent Calendar.

PUBLIC HEARINGS

2. APPEAL OF DONALD AND NANCY BURKARD, ON BEHALF OF SIXTEEN CITIZENS, REGARDING THE PLANNING COMMISSION APPROVAL OF UP-00-11/A, AN AMENDMENT TO AN EXISTING USE PERMIT FOR CORNERSTONE (FORMALLY GATEWAY) CHRISTIAN CENTER, TO INCREASE THE NUMBER OF SCHOOL CHILDREN PERMITTED TO A MAXIMUM OF 240 STUDENTS LOCATED AT 1745 EAST EIGHTEENTH STREET FILE: UP-00-11/A #202-10

Associate Planner Albro presented the staff report dated September 16, 2002 recommending the City Council deny the appeal and uphold the Planning Commission's approval of the amendment to the existing Cornerstone use permit UP-00-11/A.

Mayor Freitas opened the public hearing.

PRIMARY PROPONENT:

Carol Ray, Antioch resident speaking on behalf of the residents of St. Claire Drive, spoke in opposition to increasing the number of school children at the Cornerstone Christian Center noting it would negatively effect the residents quality of life and property values. She read from the code of ordinances regarding noise impacts and spoke in support of the church mitigating the impacts by installing a sound wall on St. Claire Drive. She stated she felt there was not adequately parking on site and the applicant had not followed the "conditions of approval" regarding the ages of students, the installation of a right turn only exit, as well as many other conditions of their use permit. She expressed concern for high school students driving to the site, unfinished playgrounds and garbage from the site flowing into the neighborhood. She provided photographs to the City Council of the church site and neighborhood.

PRIMARY OPPONENT:

Pastor Larry Navilhon, representing Cornerstone Christian Center, stated they had experienced growth while responding to the needs of the community for schools. He felt traffic was a non-issue and stated the school had instituted a new policy regarding trash on the school grounds. He clarified this would be their last request relating to the number of enrolled students for their facility. He requested members of the audience in support of Cornerstone Christian Center stand in support and noted their goal was to serve the public and community.

SPEAKERS:

Don Burkard, resident of St. Claire Drive, expressed concern the school would be allowed to increase their enrollment when it had not demonstrated satisfactorily for operations with full enrollment as now permitted. He noted the permit was modified to allow for a high school without following proper procedures and expressed safety, parking and traffic flow concerns pertaining to the high school students driving themselves to school. He suggested the school operate at its current permitted 180-student enrollment to determine if the noise level and traffic conditions were acceptable and concerns had been addressed before granting permission for more students.

Gene Moore, Principal of Cornerstone Christian Center, discussed the need for additional schools and the positive impact a private Christian School has on the community.

John Mitosinka, resident of St. Claire Drive, expressed concern regarding the difficulty of exiting St. Claire Drive onto East 18th Street. He stated he supports his neighbors concerns regarding the impact of the church on the neighborhood and requested they be addressed prior to any further expansion of the school.

Johnny Ray, resident of St. Claire Drive, requested the City require the applicant to install a sound wall and consider busing the students onto the site. He stated garbage, parking and traffic remain issues.

Doug Tokes, Antioch resident, stated the Planning Commission's approval of this application was a split vote which indicates there were some members who had reservations regarding the increase in enrollment. He stated he did not support increasing their enrollment noting they had not demonstrated they could properly handle the enrollment under their current approval.

Allen Payton discussed the need in East County for private schools noting they relieve the impact on the public schools and meet a growing demand. He further noted he felt a balance between the neighbors and church could be met with the installation of a sound wall to mitigate the impact. He voiced his opposition to the appeal and support for the Planning Commission's decision.

Mrs. Halbasch, mother of Mary and Ashley Halbasch, students at Cornerstone Christian Center, spoke on the merits of the school and the positive impact it had made on her children's lives.

Leslie Pruden and Sharon Werrer, Antioch residents, provided written comment in opposition to the appeal.

Mary Ann and Richard Trabold, residents of St. Claire Drive, provided written comment in support of the appeal.

Denise Rivera, Bethel Island resident, spoke in support of Cornerstone Christian Center and enrollment increase as requested.

REBUTTAL:

Carol Ray reiterated the school site was not large enough for any more students.

Associate Planner Albro stated the Planning Commission had added a condition requiring a trash policy be established and noted the right turn only condition was eliminated with the site design and the driveways only on East 18th Street.

In response to Councilmember Conley, Pastor Navilhon stated the school had a closed campus and there would be approximately 30 students with the potential to drive to and from the school. He noted any student driving to school would follow the same guidelines and mandates currently in practice at the school.

In response to Councilmember Kalinowski, Pastor Navilhon clarified relocating the picnic tables and the playgrounds in the back would eliminate the issues created by the children being in the parking lot.

In response to Mayor Freitas, Pastor Navilhon stated they accepted 9th and 10th graders in 2002-2003 fiscal year noting his impression of the condition limiting the students pertained to the number of students, not the age of the children.

Mayor Freitas closed the public hearing.

In response to Councilmember Kalinowski, Pastor Navilhon clarified the increase was being requested in anticipation of next year, adding there was currently not a waiting list of students denied enrollment to the school due to the enrollment cap.

Councilmember Kalinowski stated he felt Cornerstone Christian Church had attempted to mitigate the residents concerns and since keeping the enrollment at 180 at this time does not affect any students wishing to attend the school he would support revisiting this issue in the future when the site was completely finished.

Councilmember Conley suggested the student population be a graduated process over the next 2 years with a review after the first year to determine if future increases are feasible. He noted he would support an increase to 210 to allow for one additional class next year.

Following discussion the Council voiced their support for Mayor Freitas suggestion of the following recommendation: the public hearing be continued to a later date, to be determined; residents of St. Claire Drive designate 2-3 representatives; the church/school designate 2-3 representatives, and; Councilmember Kalinowski and Mayor Freitas meet with the various parties and staff to discuss and attempt to address the issues. He noted an onsite visit would be important to the process.

On motion by Councilmember Conley, seconded by Councilmember Kalinowski, the Councilmembers present unanimously continued the public hearing to November 12, 2002, directed the Mayor and Vice Mayor to represent the City Council, requested the residents

of St. Claire Drive to designate 2-3 individuals to represent St. Claire's interests, requested Cornerstone Christian School designate 2-3 individuals to represent the school's interest and staff would work with the various parties and schedule meetings to reconcile issues.

Mayor Freitas declared a recess at 9:36 P.M. The meeting reconvened at 9:55 P.M. with all Councilmembers present with the exception of Councilmember Simonsen who was excused.

3. APPEAL OF RHL DESIGN GROUP FOR FOOD 4 LESS, REGARDING THE PLANNING COMMISSION'S DENIAL OF UP-01-14/A, TO ALLOW THE ADDITION OF A FUELING FACILITY AT THE EXISTING FOOD 4 LESS PARKING LOT ON A PORTION OF THE EXISTING SITE LOCATED AT 2950 DELTA FAIR BLVD FILE: UP-01-14/A #202-10

The City Council continued this item pursuant to the applicant's request.

4. APPEAL OF STEVE AND LINETTE GOODRICH (ULTIMATE STYLE HAIR SALON) REGARDING THE PLANNING COMMISSION'S DENIAL OF V-02-5 AND PW 371-RA-37, TO LEGALIZE A TRASH ENCLOSURE CONSTRUCTED IN THE REQUIRED STREET SIDE YARD SETBACK; TO LEGALIZE A WALL OVER 3 FEET CONSTRUCTED ADJACENT TO A RESIDENTIAL FRONT YARD; TO LEGALIZE A MONUMENT SIGN OVER 3 FEET CONSTRUCTED WITHIN THE CORNER CLEAR VISION ZONE; TO ALLOW PARKING AND CIRCULATION WITHIN THE REQUIRED STREET SIDE YARD AND TO MERGE TWO EXISTING PARCELS INTO ONE LEGAL PARCEL LOCATED AT THE NORTHEAST CORNER OF C STREET AND RAILROAD AVENUE FILE: V-02-5 AND PW 371-RA-37 #202-11

Associate Planner Albro presented the staff report dated September 17, 2002 recommending the City Council: 1) approve the variance request to locate parking within the required street sideyard setback; 2) deny variance requests for the trash enclosure, wall and sign, and; 3) approve the lot merge.

Lynette Goodrich clarified they increased the wall by one foot to block the view of the neighbor's wall. She further stated the trash enclosure was placed within the 20-foot setback as it was the only location that would not impact the parking stalls. She requested the trash enclosure be allowed to remain in its present location, noting landscaping would provide adequate cover. She clarified they had renovated the existing sign and was not aware of any negative impacts related to its location. She requested they be allowed to have 5 chairs at the salon with a Beauty Supply, noting the added second story would provide office space and an expansion of the general work area. She further noted she was now planning to get a masseuse license and could use the upstairs storage area as work space. She noted she had a letter from Ooga Booga indicated they were willing to

share their parking lot with the salon. She requested the issue be resolved this evening noting lifting of the stop work order was necessary before she would be allowed to draw from the construction loan lender and continue the work.

Gregory Jones, Engineer and General Contractor, stated it was his opinion the previous designer misled the applicants. He clarified he would be responsible for preparing the plans, and coordinating with staff and the Design Review Board to insure project compliance. He requested the stop work order be lifted, and allow the project to continue.

Wayne Phillips Sr., speaking on behalf of the applicant, discussed the importance of the applicant and City working together to mitigate the issues.

Roger Henry Jr., Antioch Planning Commissioner speaking on behalf of himself, stated he had visited the site and had a greater understanding of the difficulties the applicant had encountered, most of which he felt were of their own doing. He noted following recent discussions with the applicant he felt their intent was to fully comply with all the requirements and work within the parameters established by the recommendation of the Planning staff.

Sandra Golightly, Antioch Design Review Board Member speaking on behalf of herself, expressed concern the west wall was failing and would need to be replaced and the handicapped ramp was too steep. She noted there had been a lack of honesty from the applicant regarding the monument signage, number of salon chairs in the business as well as the intended use of the upstairs storage area. She further noted the Design Review Board requested the applicant stop building to allow design concerns regarding the second story support pillars could be addressed and within 2 days those pillars were completed.

Martha Henry, Antioch resident, discussed the importance of the City ensuring the building was architecturally sound.

Linette Goodrich stated the masonry wall was not failing. She further stated they had originally anticipated the single story structure would allow for two chairs in the business; however, after the approval of second story she had clearly stated their intentions. She stated the engineer would take responsibility for the building as far as assuring it was structurally sound.

Mayor Freitas closed the public hearing.

In response to Mayor Freitas, Director of Community Development Brandt stated he would work with the applicant's engineer to determine if the masonry wall was structurally sound. He stated he did not believe the construction draw was contingent on the wall and noted if needed the City could work with the applicant in the form of a deferred improvement agreement for the replacement of the wall.

Following discussion the City Council consensus agreed to approve the variance for the wall if it was determined to be structurally sound, and if not it would be replaced in

conformance with code. The Council majority voiced their support to deny the variance for the trash enclosure and move it to the northeast corner with the reconfiguration of the parking lot. They agreed to support the variance for the monument sign. They stated the amount of chairs within the business would be determined by the number of parking spaces the applicant could provide. They noted the applicant might secure an irrevocable offsite parking agreement with Ooga Booga to fulfill the City's parking requirements. They noted onsite parking would meet the City standards and be subject to the approval of the City Engineer. The Council voiced their support of the lot merger.

In response to Mayor Freitas, City Attorney Galstan stated the offsite parking agreement would be a recordable document.

Director of Community Development Brandt reported they had notified the Attorney representing the applicant the City could release the stop work order on the plumbing and electrical inspection as soon as affirmative action was taken by the Council. He clarified the Design Review Board stopped the exterior work pending the applicant providing a suitable design.

In response to Councilmember Kalinowski, Community Development Director/City Engineer Brandt stated he didn't believe there were any items in the building susceptible to water damage.

City Attorney Galstan stated he understood it was the Council's desire to move forward and complete the building, with the understanding all Council conditions be met.

Mr. Jones stated he anticipated starting the plans on September 26, 2002, following discussions and interacting with Director of Community Development Brandt and the Design Review Board to comply with all requirements on this project. In regards to the masonry wall, Mr. Jones stated that he could run a test which to determine if the stem and footing was adequate or not. He noted that following the meeting with Design Review Board and Mr. Brandt he would need 7 days to complete the plans.

RESOLUTION NO. 2002/153

On motion by Councilmember Conley, seconded by Councilmember Kalinowski, the Councilmembers present unanimously: 1) Approved the variance for the masonry wall if structurally sound, if the wall needs to be replaced due to structural instability, it would conform with the city code; 2) Denied the variance for the trash enclosure and supported staff's recommendation to move it to the northeast corner of the property; 3) Approved the variance for the monument sign; 4) Authorized parking within the 20 foot side yard setback, directed staff to work with the applicant on an agreement with the property owner to the east to obtain a irrevocable parking easement that would not interfere with the parking requirements of the property where it was located; 5) Based on the parking issue it would define the allowable chairs and usage within the facility, which would be discussed between the applicant and city staff; 6) Approved the lot merger; 7) The city would partially release the stop work order and allow the applicant to proceed on plumbing and electrical

work. If necessary the City Attorney would communicate with the loan officer to facilitate the use of money from the loan to carry out the project.

COUNCIL REGULAR AGENDA

5. APPOINTMENT TO POLICE CRIME PREVENTION COMMISSION (1-UNEXPIRED TERM) #302-01

Mayor Freitas nominated Jay Wirig to fill the unexpired term on the Police Crime Prevention Commission.

On motion by Councilmember Kalinowski, seconded by Councilmember Davis, the Council unanimously appointed Jay Wirig to the Police Crime Prevention Commission.

6. APPOINTMENT TO DESIGN REVIEW BOARD ONE (1-UNEXPIRED TERM) #302-09

Mayor Freitas nominated Peter Holliday to fill the unexpired term on the Design Review Board.

On motion by Councilmember Kalinowski, seconded by Councilmember Conley, the Council unanimously appointed Peter Holliday to the Design Review Board.

7. PRESENTATION BY CENTER FOR COMMUNITY OPINION ON RESULTS OF CITIZEN SURVEY #102-07

Assistant to the City Manager Gegg presented the staff report dated September 9, 2002, recommending that the City Council receive and file the report.

Brad Senden, principal of Center of Community Opinion, provided a brief overhead presentation of the highlights of the Citizen Survey.

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

8. EXTENSION OF AGREEMENT FOR OPERATION AND MANAGEMENT OF ANTIOCH MUNICIPAL GOLF COURSE #1402-01

Assistant to the City Manager Gegg presented the staff report dated July 30, 2002 recommending acceptance of the Council sub-committee recommendations and provide direction to staff regarding other issues pertinent to the extension of the agreement for operation and management of Antioch Municipal Golf Course.

Mayor Freitas requested the following changes to the agreement: clear indication of the expiration on June 30, 2017; language be added specifically directed toward the Club

House Banquet Facility use; the inclusion of water conservation measures, and; indication the City would turn the road over to the Lone Tree Golf Course.

Following discussion the Councilmembers present unanimously accepted the recommendations, which were developed by the subcommittee and Lone Tree Golf Course Board of Directors. The Council directed staff to write up a contract and if necessary the subcommittee would meet with the Lone Tree Golf Course Board of Directors and bring the matter back for Council approval.

In response to Mayor Freitas, Councilmember Kalinowski stated direction from the sub-committee indicated a funding source would be identified for the next fiscal year for the road issue.

On motion by Councilmember Kalinowski, seconded by Councilmember Conley, the Councilmembers present unanimously accepted the recommendations as follows: 1) Limit the permit fees to hard costs, restricting any attached overhead costs; 2) Limit the cost of water to Lone Tree Golf Course to \$100K annually, until the year 2010, with adjustments tied to the cost of water purchased from CCWD; 3) Following construction of the clubhouse, deed the road to the Lone Tree Golf Course in good condition, and have the Lone Tree Golf Course maintain the road to a PCI of 75 for the duration of the contract; 4) Current wording regarding the green fees remain the same. The subcommittee would meet with the Lone Tree Golf Course Board of Directors and return to Council with recommendations for a contract to be prepared by City Attorney Galstan.

9. FUNDING OF RIVERTOWN ART CENTER

#1407-03

Assistant to the City Manager Gegg presented the staff report dated September 8, 2002 recommending Council approve partial funding of an art center in the Antioch Rivertown.

Finance Services Director Tasker reviewed the revenue and expense budget for the Rivertown Business Art Center.

Gary Reiman, Arts and Cultural Foundation of Antioch, gave a brief overview of the Rivertown Art Center Business Plan.

Valerie Lewis, Ward Preston, Nancy Roberts, Arts and Cultural Foundation, Jeff Fennel, Cynthia Bows, Cindy Williamson, Bette Johnson and Pat Putnum spoke in support of the establishment of the Rivertown Art Center.

Penelope Hays, Samuel Gill, Larry Kramm and Barbara Hansen provided written comment in support of the Rivertown Art Center. Mr. Kramm requested the Arts and Cultural Foundation consider the fee structure be changed from \$1.75/sq. ft. to \$1/sq. ft. and pay a 15% commission on sales.

On motion by Councilmember Kalinowski, seconded by Councilmember Conley, the Councilmembers present unanimously approved partial funding of an art center in the

Antioch Rivertown Business District in the amount of \$100,000 to be allocated from the Civic Arts reserve fund, the first draw would be approximately \$65,000 leaving the additional \$35,000 for contingency and the Arts and Cultural Foundation of Antioch would provide an annual report to the City Council comparing actual revenue and expenses to their business plan.

10. SUPPLEMENT LAW ENFORCEMENT SERVICES FUND

#1301-01

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

11. PLANNING COMMISSION'S RECOMMENDATION TO EXTEND PUBLIC COMMENT PERIOD FOR SAND CREEK SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT (EIR)

#202-07

City Attorney Galstan presented the staff report dated September 19, 2002 recommending the City Council consider the request of the Planning Commission to extend the public comment period on the FUA #1 Draft EIR from 45 days to 60 days.

Sherry Starks and Green Belt Alliance member Elinor Buchen, spoke in support of extending the public comment period on the FUA#1 Draft EIR from 45 days to 60 days.

In response to Mayor Freitas, City Attorney Galstan noted the termination date would be October 7, 2002 at 5:00 P.M.

On motion by Councilmember Conley, seconded by Councilmember Davis, the Councilmembers present unanimously extended the public comment period on the FUA #1 Draft EIR from 45 days to 60 days.

PUBLIC COMMENTS – None

COUNCIL REPORTS/COMMUNICATIONS

Councilmember Kalinowski announced tickets were still available for the Antioch High School pool fundraiser which would be held on October 5, 2002 at 6:30 P.M.

Councilmember Conley reported he had attended the Highway 4 Transportation Committee on September 22, 2002, for discussions regarding the funding for BART and transportation issues. He reported he has requested the committee provide alternatives to Measure BB, which provides for seismic retrofitting on BART.

Mayor Freitas thanked staff and the volunteers for their participation in the September 11th Memorial Service. He expressed his appreciation to Mayor Pro Tem Kalinowski for substituting for him while he was out of town. He reported the Chamber of Commerce event and the Delta Advocacy program at Roddy Ranch were also well-attended events.

He reported on the rededication of Compy Compomizzo at the fishing pier and the Delta Blues Festivals stating both were outstanding events. He thanked City staff who participated in making all the events successful.

STAFF COMMUNICATIONS

Acting City Manager Pappas Diaz reported the City family employees and organization were deeply saddened at the loss of four family members of employee Lori Mehrer.

Mayor Freitas announced the Antioch City Council and Antioch Unified School Board would be holding a joint meeting on September 26, 2002 at 7:00 P.M. at the Nick Rodriguez community center.

ADJOURNMENT

With no further business, Mayor Freitas adjourned the meeting at 12:25 A.M., to the next regular Council meeting on October 8, 2002.

Respectfully Submitted

L. Jolene Martin, City Clerk