

**ANTIOCH CITY COUNCIL
ANTIOCH DEVELOPMENT AGENCY**

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

**May 27, 2003
Council Chambers**

Mayor Mayor Freitas called the meeting to order at 7:07 P.M., and, and,

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

Mayor Mayor Freitas announced Councilmember Kalinowski was Mayor Freitas announced Councilmember the meeting. He announced Councilmember Davis was representing the City at a civic event and would be arriving shortly.

PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS None

PROCLAMATIONS

Contra Costa County Fair, May 29 June 1, 2003
Affordable Housing Week, May 31 June 8, 2003
U.S. Post Master Dennis P. Gonzales Day, June 4, 2003
Recognition of Green Businesses

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

Councilmember Councilmember Simonsen presented Councilmember Simonsen presented Councilmember Walnut Creek proclaiming May 29 June 1, Walnut Creek proclaiming May 29 June 1, 2003 as Councilmember Chris Baldwin who accepted the proclamation and Erin Newhouse.

Mayor Mayor Freitas announced the proclamations for Master Dennis P. Gonzales Day would be presented at a later date.

Julie Julie Haas-Wajdowicz discussed the importance of the Green encouraged other businesses to participate. She presented the proclamations recognizing the following participants in the Green Business Antioch Automotive Transmission, Antioch Firestone, Auto Diagnosis S&S Import Service. She noted a representative from Dave's Care were unable to attend; she would deliver their proclamations at a later date.

PRESENTATION

In recognition of Jazzmin Boo, 2nd Place Winner, Mr. Funnelhead Magne Place Winner, Mr. Funnelhead

Promoting Promoting Used Promoting Used Motor Oil Recycling Program, Councilmember Promoting Use with a signed proclamation honoring her efforts.

Mr. Mr. Funnelhead Mr. Funnelhead v Mr. Funnelhead voiced his appreciation to the City of Antioch program efforts to keep the environment clean.

Matt Matt Bollender Matt Bollender presented Matt Bollender presented the picture Ms. Boo had created. a TV show on June 5th a TV show on June 5th and 12th a TV show on June 5th and 12th at 6:30 P.M. would be used on next year's calendar.

Mayor Mayor Freitas read a letter from an Antioch Mayor Freitas read a letter from an Antioch r Mayor appreciation appreciation to the Antioch Police Depa appreciation to the Antioch Police Department volunteers volunteers who volunteers who aided in the safe return of his missing volunteers who aided in the the Antioch Police Department for doing an outstanding job.

Mayor Mayor Fre Mayor Freitas rep Mayor Freitas reported the Memorial Day events at Quail Lodge and Park Park were outstanding events and thanked everyone responsible Park were outstanding events and read read a letter from Staff Sergeant Steven Maze who read a letter from Staff Sergeant Steven M for showing their support of the men and women serving in th for showing their support of the r Support Support Our Troops Community Rally. He announced Support Our Troops Community Rally. H a flag to the City and had requested it be flown over the City to remema flag to the City and had rec died in a combat mission.

Mayor Mayor Freitas thanked everyone who helped organize Mayor Freitas thanked everyone who helped Rally.

ANNOUNCEMENT OF WALL OF HEROES

Councilmembers Councilmembers Simonsen, Councilmembers Simonsen, Councilmember Conley and names to be added to the Wall of Heroes.

PUBLIC COMMENTS

Howard Howard Churchill, representing the First Family Church, stated Howard Churchill, representing shortly shortly and requested they be added to a future City Council shortly and requested they be added a temporary variance to relocate their facility to property at 18th and Vineyard.

Mayor Mayor Freitas directed Mr. Mayor Freitas directed Mr. Churchill Mayor Freitas directed Mr. discuss the process to apply for a City variance.

Councilmember Davis arrived at 7:42 P.M.

Jean Jean Kuberra discussed her Jean Kuberra discussed her fundraising Jean Kuberra discussed her t spearheadings spearheading to provide a living memorial honoring those whospearheading to provide a l serveserve as military personnel. She thanked the serve as military personnel. She thanked the Cityse of of the military and provided a of the military and provided a cof the military and provided a conta information regarding the memorial fund.

increases.increases. increases. He requested staff investigate the possibility and come back to theincre with a report.

RESOLUTION NO. ADA-388

OnOn motion by Agencymember Simonsen, seconded by Agencymember Conley, the AgencyAgency members present adopted the resolution approving the agreemAgency members modificationsmodifications remodifications requestmodifications requested in the correspondence from 1,1, 4 and 7 as modified by City Attorney Galstan and with1, 4 and 7 as modified by City Attorney Galsta a policy issue eligibility for all subsidized programs in the City.

MayorMayor FMayor Freitas Mayor Freitas declared a recess at 8:50 P.M. The meeting reconvened a allall Agencymembers present wall Agencymembers present with all Agencymembers present with excused.

2. APPROVAL OF AGENCY WARRANTS #401-01

OnOn motion by Agencymember ConleOn motion by Agencymember Conley, seconOn m Agencymembers present approved the Agency Warrants.

AgencyAgency Chairperson Freitas adjourned to the Antioch City Council with aAgency Chairperson Frei present with the exception of Councilmember Kalinowski.

3. COUNCIL CONSENT CALENDAR

A. APPROVAL OF COUNCIL MINUTES FOR APRIL 22 AND MAY 6, 2003 #301-03

B. APPROVAL OF COUNCIL WARRANTS #401-02

C. APPROVAL OF TREASURER'S REPORT - APRIL 2003 #401-02

D. LEGISLATION AND ADVOCACY #701-04
1) SB 802 (Torlakson)

E. RESOLUTION NO. 2003/68 APPROVING PURCHASE OF 1100 W. 7TH STREET #1001-03

F. CONSIDERATIONCONSIDERATION OF BIDS FOR THE "L" STREET/CONTCONSIDERA BICYCLEBICYCLE AND PEDESTRIAN IMPROVEMENTS PROJECTBICYCLE AND PEDESTRI

G. RESOLUTRESOLUTIRESOLUTIONRESOLUTION NO. 2003/69 APPROVING A CHANGE OR CONSTRUCTIONCONSTRUCTION FOR THE RECONSTRUCTION CONSTRUCTION FOR SECOND AND FIFTH STREETS (PW 648-A) #1102-04

H. RESOLUTIONRESOLUTION NO. 2003/70 ACCEPTING WORK AND AUTHORIZING THE CIT ENGINEERENGINEER TO FILE A NOTICEENGINEER TO FILE A NOTICE OF COMPLETIONFO PLANT SEDIMENTATION BASINS (PW 246-22) #1202-01

- I. **RESOLUTION NO. 2003/71 A APPROVING THE AGREEMENT FOR AQUATIC PESTICIDES WITH ALAMEDA COUNTY PUBLIC WORKS AGENCY; ZONE 7-ALAMEDA COUNTY FLOOD CONTROL DISTRICT; CONSERVATION DISTRICT; PUBLIC WORKS DEPARTMENT** #1204-01
- J. **RESOLUTION NO. 2003/72 PORTION OF MEDANOS STREET BETWEEN 11th AND SETTING A PUBLIC HEARING** #1102-04
- K. **ORDINANCE AMENDING VARIOUS PORTIONS OF SECTION 8-16.01 TO THE ANTIOCH MUNICIPAL CODE, DEALING WITH UNIFORM BUILDING CODES (Introduced)** #706-01

On motion by Councilmember Conley, seconded by Councilmembers present unanimously approved the Consent Calendar with the exception of items D and I, which were removed for further discussion.

Item D - Councilmember Simonsen requested that the Mayor's Office request the addition of Vasco Road to SB802.

On motion by Councilmember Simonsen, seconded by Councilmembers present unanimously approved item D with the inclusion of Vasco Road.

Item I - Administrative Analyst Hoffmeister clarified the resolution would pertain to maintained waterways.

On motion by Councilmember S, seconded by Councilmembers present unanimously approved Item I.

PUBLIC HEARINGS

4. **THE CITY OF ANTIOCH REQUESTS CONSIDERATION OF THE ZONING ORDINANCE (SECTION 9-5.3805) TO COMPLY WITH THE ZONING ORDINANCE** #701-05

City Attorney Galstan presented the staff report dated May 27, 2003 recommending that the City Council: A) Introduce the ordinance by title only; and re-enacting Section 9-5.3805 of the Antioch Municipal Code and re-enacting Section 9-5.3805 of the Antioch Municipal Code to comply with the Zoning Ordinance for Residential Units.

Mayor Freitas opened the public hearing.

Lloyd Harris stated he had attempted to provide the City Council with information that encouraged the City Council to support the amendment to the zoning ordinance.

There being no other speakers, Mayor Freitas closed the public hearing.

Mayor Freitas stated he would not be supporting the motion as he felt it was bad public policy to approve second unit applications ministerial without public notification or a public hearing. He stated he would like to consider a phearing. He stated he would like to consider the motion as it would further erode the power of local government. In the event the item would further erode the power of local government, he requested the item be agendaized to discuss agendaizing future second unit applications on the City Council agenda.

Councilmember Simonsen requested a position on the agenda for the next Council meeting.

On motion by Councilmember Conley, seconded by Councilmember Conley, seconded by Councilmember Conley, introduced the ordinance by title only; B) Introduced the ordinance deleting and re-enacting Section 9-5 3805 of the Antioch City Code and re-enacting Section 9-5 3805 of the Antioch City Code to delete Residential Units. The motion carried by the following vote:

Ayes: Davis, Conley, Simonsen

Noes: Freitas

Absent: Kalinowski

COUNCIL REGULAR AGENDA

5. PRESENTATION BY DELTA DIABLO SANITATION RESTAURANT FEES #1205-02

Gregory Baatrup, Gregory Baatrup, Technical Services Manager for Delta Diablo Restaurants, presented an overview of the Delta Diablo Restaurant Fees.

In response to Councilmember Conley, Mr. Baatrup stated that the Delta Diablo Restaurants were developed based on historical flow data based on square footage.

In response to Councilmember Simonsen, Mr. Baatrup clarified that the Delta Diablo Restaurants are not applicants to compare the estimating tools with factual data, which would be a compromise in unit flow and strength factors. He stated the board would like to consider ideas regarding how to help overcome the fee without violating the state Water Resources Control Board, which they are currently in compliance with.

In response to Councilmember Conley, Mr. Baatrup stated that in response to Councilmember Conley, Mr. Baatrup stated that they could explore the possibility of permitting the credit to cross property lines within the redevelopment district in the event the City displaces a restaurant.

STUDY SESSION

6. OVERVIEW OF ECONOMIC DEVELOPMENT AND COMMUNITY DEVELOPMENT

**DEVELOPMENT AGENCY, AND ANTIOCH PUBLIC FINANCING AUTHORITY
#410-02**

Mayor Mayor Freitas Mayor Freitas announced, due to the late hour and closed session Mayor Freitas a evening's evening's meeting, the City Council had agreed to hold the Study evening's meeting, the City C 2003.

PUBLIC COMMENTS - None

COUNCIL REPORTS/COMMUNICATIONS

Councilmember Councilmember Davis announced Councilmember Davis announced he was Coun attendance attendance on attendance on behalf of the City Council at the Antioch High School Award Ce students students who had achieved a 4.0 GPA. He announced the Memorial Day students who had ach well-attended well-attended and thanked Park Superintendent Palmeri and Peggy Flynn for their organizational help.

Councilmember Councilmember Simonsen than Councilmember Simonsen thanked Councilmember Palmeri for organizing the Memorial Day Service.

STAFF COMMUNICATIONS - None

PUBLIC COMMENTS for Closed Session - None

CLOSED CLOSED SESSION - PUBLIC CLOSED SESSION - PUBLIC EMPLOYEE APPOINTMENT/ Manager. This closed session is authorized by Government Code §54957.

With With no With no further business, Mayor Freitas adjourned the meeting at 10:00 P.M., to the closed session session immediately session immediately following and the session immediately following and th 6:00 P.M.

Respectfully Submitted:

L. JOLENE MARTIN, City Clerk

Approved:

DONALD P. FREITAS, Mayor

Attest:

L. JOLENE MARTIN, City Clerk