

**ANTIOCH CITY COUNCIL  
ANTIOCH DEVELOPMENT AGENCY**

Regular Meeting  
7:00 P.M.

April 11, 2006  
Council Chambers

Mayor Freitas called the meeting to order at 7:01 P.M., and City Clerk Martin called the roll.

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

**PLEDGE OF ALLEGIANCE**

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

**PROCLAMATIONS**

Earth Day, April 22, 2006  
Volunteer Appreciation Week, April 23-29, 2006  
Days of Remembrance of the Victims of the Holocaust, April 23 - 30, 2006  
West Nile Virus and Mosquito & Vector Control Awareness Week, April 24 - 30, 2006

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

Councilmember Kalinowski presented the proclamation proclaiming April 22, 2006 as *Earth Day* to members of the ARC Inroads, ARC Community Access and Futures Explored Alive Programs, who accepted the proclamations and thanked the City Council for the recognition.

Mayor Freitas discussed the importance of recycling and on behalf of the citizens of Antioch, thanked the organizations for their recycling efforts.

Councilmember Conley presented the proclamation proclaiming April 23-29, 2006 as *National Volunteer Week* to Chief Moczulski who accepted the proclamation and thanked each volunteer for their commitment to serve the community. Members of Volunteers in Police Services (VIPS) introduced themselves and provided contact information for anyone wishing to receive additional information.

Mayor Freitas, on behalf of the citizens of Antioch, thanked the VIPS for providing vital services to community.

Councilmember Kalinowski presented the proclamation proclaiming April 24-30, 2006 as *West Nile Virus and Mosquito & Vector Control Awareness Week* to Jose Saavedra who accepted the proclamation and thanked the City Council for the recognition.

In response to Mayor Freitas, Mr. Saavedra stated to minimize a health threat from mosquitoes; the community can eliminate standing water on their properties and report such problems to the Contra Costa Mosquito Control District.

Councilmember Conley presented the proclamation proclaiming April 23 – 30, 2006 as *Days of Remembrance* to Vicki Mahoney who accepted and thanked the City Council for the recognition on behalf of the East County Holocaust Center. She invited the community to attend the Holocaust Remembrance Day and Community Commemoration of the Holocaust & Resistance on April 25, 2006 at 7:00 P.M. at the First Congregational Church in Antioch.

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

Ken Lee, Antioch resident, announced the 100 Year Anniversary of the San Francisco Earthquake and reminded the public to prepare and create survival packs for their houses and/or vehicles. Contact information was given for anyone wishing to receive additional information and first aid kits were donated to the City Council.

Julie Haas-Wajdowicz announced the Organic Gardening Network would be meeting at 7:00 P.M. on April 13, 2006 at the Antioch Fairgrounds. Contact information was given.

Walter Ruelig, speaking on behalf of himself, voiced his support of Proposition 81 - California Library Construction Bond. On behalf of the Antioch Music Foundation, he announced the Antioch High School Parent Teacher Student Association is hosting *The Idols* singing completion on April 29, 2006 at 3:00 P.M. at Beede Auditorium. Contact information was given.

### **ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS - None**

### **PUBLIC COMMENTS - None**

#### **1. PRESENTATION BY COMCAST REGARDING TELECOMMUNICATION PROJECTS AND DISCUSSION REGARDING TELECOMMUNICATION ISSUES #1201-04**

City Attorney Nerland introduced the item and Comcast representative, Philip Arndt, who made the presentation.

Mayor Freitas reported representatives from AT&T had indicated they were not interested in making a presentation to the City Council.

Philip Arndt gave a brief history of Comcast's services and their partnership with the City of Antioch. He announced Comcast was expecting final approval of their plans to begin construction on the enhancement of the Antioch system and were looking forward

to working with the City. He stated they welcomed competition, provided the competition was held to the same standards as the incumbent provider.

In response to Councilmember Kalinowski, Mr. Arndt stated he would look into facilitating the broadcasting of City Council meetings via the Internet and provide him with the information. City Attorney Nerland added she would research whether the City's agreement with Comcast was exclusive.

Mayor Freitas thanked Mr. Arndt for the update and suggested if there were items in the future the public should need to know, a report be put on the agenda for public disclosure and discussion.

## **2. COUNCIL CONSENT CALENDAR**

- A. APPROVAL OF COUNCIL MINUTES FOR MARCH 14, 2006 #301-02**
- B. APPROVAL OF COUNCIL WARRANTS #401-02**
- C. APPROVAL OF TREASURER'S REPORT FOR FEBRUARY 2006 #401-02**
- D. REJECTION OF CLAIMS #704-07**
  - 1. Katina Pintily, #05/06-1621 (vehicle damage)**
  - 2. Thomas Wolf, #05/06-1614 (sewer blockage)**
- E. LEGISLATION AND ADVOCACY #701-04**
- F. RESOLUTION NO. 2006/38 APPROVING PROGRAM SUPPLEMENT AGREEMENT NO. 011-M TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 04-5038 FOR FEDERAL AID PROJECTS FOR THE JAMES DONLON BLVD. REHABILITATION (PW 368-3) #1102-04**
- G. RESOLUTION NO. 2006/39 AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ENTER INTO NEGOTIATION WITH THE CITY OF BRENTWOOD CITY MANAGER OR DESIGNEE REGARDING MUTUAL AID AGREEMENTS FOR CATASTROPHIC DISASTER RESPONSE AND RECOVERY OF INFORMATION SYSTEMS #106-01**
- H. CONSIDERATION OF BIDS FOR THE DEMOLITION OF TWO CONCRETE DIGESTERS AT THE ABANDONED WASTEWATER TREATMENT PLANT ON FULTON SHIPYARD ROAD #1205-03**
- I. APPROVAL OF POLICE CANINE PROGRAM MODIFICATIONS #1301-01**
- J. RESOLUTION NO. 2006/40 BAIL SCHEDULE INCREASES FOR ANTIOCH MUNICIPAL CODE AND CALIFORNIA VEHICLE CODE PARKING AND EQUIPMENT VIOLATIONS #1301-01**

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

Item I – Councilmember Kalinowski thanked Lieutenant Marchoke for the report and requested staff bring back the approval to allow the Police Department to have a car assigned for each canine unit for budget deliberations.

Councilmember Conley stated canine vests should be included in the budget deliberations, in case the dog handlers request them later in the year.

On motion by Councilmember Kalinowski, seconded by Councilmember Conley, the City Council members present unanimously approved the proposed canine unit memorandum of understanding, authorize the funding in the amount of \$102,825.00 and amend the Fiscal Year 2005/06 budget.

### **PUBLIC HEARINGS**

- 3. RESOLUTION APPROVING PROGRAM YEAR (PY) 2006-2008  
COMMUNITYDEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION  
PLAN #709-01**

The City Council continued this item to 4/25/06.

- 4. THE CITY OF ANTIOCH PROPOSES TO AMEND TITLE 9, CHAPTER 5  
ARTICLE 1: CONDOMINIUM CONVERSIONS (RESIDENTIAL) OF THE  
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 HOME OWNER  
ASSOCIATION FORMATION, FUNDING, AND RELATED TOPICS. THE  
AMENDMENT WILL BE APPLICABLE CITYWIDE FOR REQUESTS TO  
CONVERT MULTIPLE FAMILY RENTAL UNITS TO OWNER OCCUPIED  
CONDOMINIUMS. ( Z-05-03) #202-05**

The City Council continued this item to 4/25/06.

### **COUNCIL REGULAR AGENDA**

- 5. UPDATE OF USER FEES AND CHARGES FOR THE 2006 MASTER FEE  
SCHEDULE #409-01**

Finance Director Brookshire presented the staff report dated April 6, 2006 recommending the City Council schedule a public hearing to adopt the updated Master Fee Schedule incorporating the recommendations of the fee study and revisions recommended by staff and Council.

Mayor Freitas requested staff review the deposit amount for Tentative Map: 5 or more lots, to determine if it was sufficient.

On motion by Councilmember Kalinowski, seconded by Councilmember Conley the City Council members present set the date for the Public Hearing to adopt the updated Master Fee Schedule for April 25, 2006.

Mayor Freitas adjourned to the Antioch Development Agency with all Agency Members present with the exception of Agency members Simonsen and Davis who were absent.

#### **AGENCY CONSENT CALENDAR**

**6. AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING WITH RIVERTOWN DEVELOPMENT LLC (RIVERTOWN) FOR THE RIVERTOWN WATERFRONT PROJECT AREA #902-06**

Economic Development Director Bjerke presented the staff report dated April 6, 2006 recommending the Agency authorize staff to extend the existing Memorandum of Understanding for 30 days pending the completion of all the documents necessary to consider the proposed Amendment.

In response to Mayor Freitas, City Attorney Nerland clarified if an agreement was not reached within 30 days of the extension the City Council would have the option of extending the MOU or it would be terminated.

Lisa Cope, representing Arcadis, discussed their commitment to the Rivertown Waterfront Project and noted a 30-day extension would allow them to bring forward an amendment to the existing MOU. She reported Erhardt Werth and Steve Stewart would be attending the April 25, 2006 City Council meeting to address the City Council.

Councilmember Kalinowski requested the City Council be allowed to have private meetings with the representatives from Arcadis prior to the April 25, 2006 City Council meeting.

City Manager Jakel stated he would work with representatives of Arcadis to assure they were available prior to the April 25, 2006 City Council meeting to meet with each member of the City Council. He added Mr. Werth holds a senior position with Arcadis and he will be taking over the project and has contacted staff to assure they are committed to the project.

Following discussion, the City Council expressed their frustration at the delay in the completion of the documents and agreed to a final 30-day extension. Mayor Freitas requested Arcadis discuss their commitment to the project and outline the structure and team involved in the process as well as corporate Arcadis' support of the endeavor.

On motion by Councilmember Conley, seconded by Councilmember Kalinowski, the Agency unanimously authorized staff to extend the existing Memorandum of Understanding for 30 days pending the completion of all the documents necessary to consider the proposed Amendment.

Chairperson Freitas adjourned to the Antioch City Council.

**PUBLIC COMMENTS - None**

### **STAFF COMMUNICATIONS**

City Manager Jakel announced the County Board of Supervisor item related to the closure of Empire Mine Road had been withdrawn and county staff recommended the item be continued for 5 weeks. He noted if the closure was delayed staff would pursue closure of the road at the city limits. He reported the study session scheduled for April 18, 2006 had been cancelled and it was anticipated the City Council would be meeting on the third Tuesdays of May and June for the budget.

### **COUNCIL COMMUNICATIONS**

Councilmember Conley stated he was disappointed the Board of Supervisors had delayed the closure of Empire Mine Road and requested Mayor Freitas send a letter to the Supervisor requesting he personally expedite this issue.

Mayor Freitas indicated he was so directed.

Mayor Freitas announced there had been a benefit fundraiser for the Bedford Center on April 8, 2006, and noted the Rotary Club of the Delta and Boy Scouts did an extraordinary job hosting a successful dinner.

### **ADJOURNMENT**

With no further business, Mayor Freitas adjourned the meeting at 8:25 P.M. to the Study Session meeting on April 18, 2006.

Respectfully submitted

---

L. JOLENE MARTIN, CMC, City Clerk

Approved:

---

DONALD P. FREITAS, Mayor

Attest:

---

L. JOLENE MARTIN, CMC, City Clerk