

**ANTIOCH CITY COUNCIL  
ANTIOCH DEVELOPMENT AGENCY**

Study Session/Regular Meeting  
5:30 P.M.

May 8, 2007  
Council Chambers

Mayor Freitas called the meeting to order at 5:35 P.M., and City Clerk Martin called the roll.

Present: Councilmembers Kalinowski, Davis, Moore, Simonsen and Mayor Freitas.

**STUDY SESSION**

**CONTINUING DISCUSSION ON GENERAL FUND BUDGET FOR 2007/2008**

City Manager Jakel gave a brief update on the proposed budget process. He noted the figures presented indicated potential deficits, despite the fact the City was a very disciplined organization, constantly monitoring its financial condition.

Interim Finance Director Merchant presented the staff report, dated May 2, 2007, recommending the City Council provide direction and feedback to staff regarding the budget information to be provided at the meeting.

Following discussion the City Council provided the following direction:

Page #1 of the staff report:

- Delete the word "required" from bullet point #2 as it pertains to the subsidy
- Staff was directed to provide a recommendation regarding deletion of the "frozen" Assistant to the City Manager position

City Manager Jakel reviewed his memo dated May 2, 2007 (Attachment #3, page #2) Positions requested for the 2007/08 Operating Budget. In addition to the recommendations within the memo, he recommended the City Council approve funding for the Animal Control Supervisor position noting it was not a new *position* but a new *title*.

Public Works Director Scott reviewed his memo dated May 2, 2007, (Attachment #3, page #3) in which Staff requested the City Council provide staff with direction regarding a proposed reorganization of the Water/Waterwater Division as presented in the report.

Following discussion the City Council provided the following direction:

- Conceptually supportive of segregating out water distribution and sewer collection
- Staff directed to provide enterprise fund data to show the fiscal impacts of the proposal
- Staff directed to provide information on institutionalizing training
- Staff directed to provide salary differentials between water collection and sewer collection
- Staff directed to follow up on Delta Diablo's inquiry as to sewer collection services

Chief Hyde reviewed the Antioch Police Department's request for the City to fund a Computer Technician position.

Information Systems Director Gegg reviewed the Information Services with the Antioch Police Department.

Following discussion the City Council provided the following direction regarding (attachment #3, page #1) New Positions Requested for 2007/08:

- Direction to fully fund the Antioch Police Department's Computer Technician to be located in the IS department
- Add an Animal Control Supervisor and delete the Veterinary Technician and Manager positions
- Direction to staff to provide information regarding staffing of the Recreation Department and how the Recreation Director position would be impacted

Following discussion the City Council provided the following direction regarding (Attachment #1, Pages 1 and 2) General Fund Budget Amendment Expenditures Approved by Council:

- Direction for staff to check data under Program - Police - Descriptions to determine the accuracy of the number of police officer positions
- Direction for staff to provide detailed data from the Economic Development Department to justify budget expenditures.

Following discussion the City Council provided the following direction regarding (Attachment #2) Current Vacancies (Excluding Sworn Police):

- Direction given to Staff to include data regarding the number of the FTE sworn positions

Councilmember Simonsen requested staff contact the Superintendent of the Antioch Unified School District and request they maintain the frontage at Deer Valley High School.

Mayor Freitas so directed the City Manager to write said letter.

Interim Finance Director Merchant stated she would bring back information regarding the added positions as recommended and the FTEs for the next budget study session scheduled for May 15, 2007 at the Maintenance Services Center. She noted there would also be a presentation on the Enterprise Funds, Debt Service Fund, Antioch Development Agency and Antioch Public Financing Authority.

City Manager Jakel reported the May 15, 2007 Study Session would begin at 5:30 P.M. for Closed Session Litigation.

Councilmember Kalinowski reported there would be a realized savings for the retirement benefit reorganization for Health Care, which had not been realized or taken into consideration by the City. He requested staff provide a detailed timeline to the affected employee organization.

## **PUBLIC COMMENTS for Study Session**

Barbara Sobalvarro, Friends of Animal Services (FOAS), expressed concern regarding recommendations for the City's budget and for FOAS being excluded from the process. She reported without a Vet Tech, the animals of the Antioch Animal Shelter could not be competitive with animals from the other humane groups. She also requested the Animal Shelter be made into a separate department, directly under the umbrella of the City Manager.

With no further requests to speak, Mayor Freitas adjourned the Study Session.

Mayor Freitas called the regularly scheduled meeting of the Antioch City Council to order at 7:07 P.M., and City Clerk Martin called the roll.

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

### **PLEDGE OF ALLEGIANCE**

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

### **PROCLAMATIONS**

National Police Week, May 13 - 19, 2007  
National Public Works Week, May 20 - 26, 2007

On motion by Councilmember Davis, seconded by Councilmember Simonsen, the Council unanimously approved the proclamations.

Councilmember Davis presented the proclamation proclaiming May 13 – 19, 2007 as National Police Week to Chief Hyde and Reserve Officer Chris Ming who accepted the proclamation on behalf of the Northern California Chapter of Concerns of Police Survivors. Contact information was given for anyone wishing to receive additional information on the organization.

Mayor Freitas reported Ms. Lassiter submitted an essay to Firedog regarding the assistance her husband Larry Lassiter received by the Contra Costa Fire Department when he was killed in the line of duty. He encouraged the community to visit the website [firedog.com](http://firedog.com) and vote.

Mayor Freitas, on behalf of the community, thanked Chief Hyde representing the Antioch Police Department and Councilmember Kalinowski, representing the Contra Costa County Sheriff's Department for their dedication in serving the public as police officers.

Ralph Hernandez spoke to his history with the Pittsburg Police Department and Officer Ray Giacomelli who died in the line of duty. He urged the City Council and staff to fill all of the authorized and budgeted police officer positions.

Councilmember Davis presented the proclamation proclaiming May 20 – 26, 2007 as National Public Works Week to Public Works Director Scott who invited the public to attend the Open House at the Maintenance Service Center on May 23, 2007 from 11:00 A.M. – 2:00 P.M. Contact information was given.

## **ANNOUNCEMENTS OF BOARDS AND COMMISSION OPENINGS**

Wayne Steffen invited the citizens of Antioch to help in the construction of the community built children's designed playground at City Park from May 16 – 20, 2007 from 8:00 A.M. – 8:00 P.M. Nancy Brandt stated laser engraved bricks would pave the pathway to the playground were available to the public for purchase and engraving. She thanked the Chamber Community Foundation, who had offered to administer the funds for the project. Contact information was given. Mr. Steffen thanked the corporate sponsors of the event.

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

City Clerk Martin announced the following Commission opening for the City of Antioch:

- Four expiring terms of the Police Crime Prevention Commission
- Three expired terms on the Economic Development Commission
- Two unexpired terms and one expired term on the Planning Commission

Contact information was given for those interested in applying.

## **PUBLIC COMMENTS**

Ralph Hernandez, Antioch resident and Chairperson of Citizens for Democracy, spoke to a letter requesting an item to be placed on the agenda for tonight's meeting related to the RV/Boat ordinance. He noted as it was not on the current agenda, he would be bringing it to the attention of his organization to determine their desired course of action.

Ken Lee, Antioch resident, spoke to his history attending city meetings and his concerns regarding the Antioch Auto Dealerships.

Chip Stein, Antioch resident, discussed an email sent from the Mayor and provided a copy of the email to the City Council suggesting they discuss the matter and respond to him.

Martin Fernandez, Antioch resident, spoke to a recent article in the newspaper regarding the City's budget and urged the City Council to not cut the Police Department's budget noting the established programs were important for the quality of life of Antioch residents. He suggested, if possible, giving Chief Hyde a bonus.

Mary Rocha, Antioch First 5, announced a community event for children would be held on May 12, 2007 from 10:00 A.M. – 2:00 P.M. at Fremont Elementary School.

Norma Hernandez, expressed her concern regarding the City's Code Enforcement Officers, who she felt were performing abatement procedures without following proper procedure.

Dee Vieira, Antioch resident, thanked City staff at Prewett Park, as well as the organizers of the Carnival and Car Show at the Water Park, for their cooperation in properly mitigating for the burrowing owls in the facilities' parking lot. She discussed and provided the City Council with a letter outlining her suggestions to avoid harm to the owls during parking lot usage.

Mayor Freitas directed staff to return to the City Council with a recommendation on Ms. Vieira's suggestions during the budget hearings.

William LeRoy stated he felt Ordinance No. 1082-C-S was unreasonable and violated his property rights.

Mayor Freitas read written comment from Mark Justice, in which he reported, he was working with the RV subcommittee to achieve a compromise to preserve property rights. He thanked the City Council for working with the boat and RV owners.

Thomas McNell, Antioch resident, voiced his support of the City's attempts to address blight through new ordinances. He suggested the City address the insufficient park maintenance occurring throughout the city.

Mayor Freitas declared a recess at 7:14 P.M. The meeting reconvened at 7:26 P.M. with all Councilmembers present.

## **COUNCIL RESPONSE TO PUBLIC COMMENTS**

Councilmember Moore expressed his appreciation to the public speakers for their public testimony, he stated he would strive to consider and deliberate in a manner consistent with the law and respectfulness of the residents of the community.

Mayor Freitas read into the public record the emails received and sent to Marty Mullican regarding Mr. Stein's actions in Council Chambers.

Councilmember Kalinowski reported the City was going out to RFP on lighting and landscaping issues and he would email Mr. McNell when the upcoming Study Session on the issue would occur.

### **1. COUNCIL REGULAR AGENDA**

### **7. RESIDENTIAL RENTAL UNIT INSPECTION PROGRAM STUDY SESSION #203-04**

Mayor Freitas announced Item #7 would be held over to the May 15, 2007 City Council meeting at the Maintenance Service Center at 6:30 P.M.

## **COUNCIL CONSENT CALENDAR**

### **A. APPROVAL OF COUNCIL MINUTES FOR MARCH 13, 20 and 27, 2007 #301-02**

### **B. APPROVAL OF COUNCIL WARRANTS #401-01**

### **C. LEGISLATION AND ADVOCACY #701-04**

- D. **JUVENILE CURFEW: ADOPTION OF THE ORDINANCE 1090 C-S AMENDING THE EXISTING ORDINANCE REGARDING LOITERING BY MINORS (Introduced 4/24/07) #701-05**
- E. **RESOLUTION NO. 2007/30 ACCEPTING WORK AND AUTHORIZING CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE EAST EIGHTEENTH STREET IMPROVEMENTS FROM WILLOW AVENUE TO STATE ROUTE 4 (PW 225-20) #1102-04**
- F. **RESOLUTION NO. 2007/31 APPROVING CONSOLIDATED ENGINEER'S REPORT AND DECLARING INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE HILLCREST, CITYWIDE, DOWNTOWN, ALMONDRIDGE, LONE TREE AND EAST LONE TREE LANDSCAPE MAINTENANCE DISTRICTS, AND SETTING PUBLIC HEARING (PW 500) #806-03**
- G. **RESOLUTION NO. 2007/32, 2007/33 APPROVING FINAL MAP AND IMPROVEMENT PLANS FOR BLACK DIAMOND RANCH SUBDIVISION, UNIT 3, (DISCOVERY BUILDERS), TRACT 8586 AND ANNEXING TO THE CITY WIDE LIGHTING AND LANDSCAPING DISTRICT 2A, ZONE 10, AND AUTHORIZING THE MAYOR TO SIGN A DEFERRED IMPROVEMENT AGREEMENT FOR SOMERSVILLE ROAD WIDENING (PW 512-3) #802-02**
- H. **RESOLUTION NO. 2007/34 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF ANTIOCH AND BLACK DIAMOND RANCH LAND INVESTORS, LLC FOR THE FORMATION OF THE ANTIOCH/CITY-WIDE STREET LIGHT AND LANDSCAPE MAINTENANCE DISTRICT NO. 2A, ZONE 10 (PW 500) #802-02**
- I. **RESOLUTION NO. 2007/35 ADOPTING THE GROWTH MANAGEMENT COMPLIANCE CHECKLIST FOR REPORTING CALENDAR YEARS 2004 AND 2005 FOR THE SALES TAX/TRANSPORTATION INITIATIVE (MEASURE "C") #204-02**
- J. **RESOLUTION NO. 2007/36 ACCEPTING A GRANT IN THE AMOUNT OF \$34,000 FROM THE CALIFORNIA DEPARTMENT OF BOATING AND WATERWAYS FOR THE INSTALLATION OF AN ADDITIONAL VESSEL SEWAGE PUMPOUT FACILITY AT THE ANTIOCH MARINA #1402-06**
- K. **INCREASE IN TELECOMMUNICATION REIMBURSEMENT TO THE CITY COUNCIL, TO ALLOW FOR REMOTE ACCESS OF EMAIL #301-01**

On motion by Councilmember Simonsen, seconded by Councilmember Moore, the Council unanimously approved the Council Consent Calendar with the exception of items A and D, which were removed for further discussion.

Item A – Councilmember Moore stated he pulled the item due to his absence at the March 13, 2007 City Council meeting.

On motion by Councilmember Kalinowski, seconded by Councilmember Davis, the City Council approved the minutes of March 13, 2007. The motion carried by the following vote:

Ayes: Freitas, Kalinowski, Davis, Simonsen

Abstain: Moore

On motion by Councilmember Moore, seconded by Councilmember Simonsen the City Council unanimously approved the minutes of March 20 and 27, 2007.

Item D – Councilmember Davis requested Delta 6 to meet prior to the expiration of the urgency ordinance to discuss a uniformed curfew for all jurisdictions.

Mayor Freitas reported there would be a meeting with the Mayor's dealing with enforcement issues and he would add a discussion on the item to the meeting.

On motion by Councilmember Davis, seconded by Councilmember Simonsen the City Council approved the ordinance.

## **PUBLIC HEARINGS**

### **2. RESOLUTIONS APPROVING PROGRAM YEAR 2007-08 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN #709-01**

Janet Kennedy thanked CDBG Coordinator Sharon Cohen for her working on the action plan and presented the staff report recommending the City Council adopt the resolution.

In response to Mayor Freitas, CIP Director Harrington explained the road maintenance/reconstruction projects were not currently scheduled in the CIP, however they would be accomplished in the next fiscal year.

Mayor Freitas opened the public hearing.

Arlene Bradley representing Housing Rights Inc., Minerva Blaine representing Contra Costa Crisis Center, Jesse Golden representing Opportunity Junction, Candida Duperroir representing Contra Costa Child Care Council, Vic Morris, Joel Dolovich and Wendy Jones representing the East Bay Golf Foundation thanked the City Council for their continued support.

Mayor Freitas closed the public hearing.

Councilmember Simonsen thanked Councilmembers Kalinowski and Moore for their consideration of the Community Development Block Grant Program. He spoke to the attributes of the Opportunity Junction program. He stated there was a duplication of services with Housing Rights Inc., La Raza Centro Legal, Inc. and Pacific Community Services Inc., which should be considered in the future. He noted there could be an opportunity for Recreation programs fees to be reduced through the CDBG program.

Councilmember Davis thanked Councilmember Simonsen and Councilmember Kalinowski for their work on the committee.

Mayor Freitas thanked all Councilmembers who had been appointed to the CDBG committee and recognized Janet Kennedy and Sharon Cohen for assisting with the process. Additionally, he commended the service providers for their contributions in the community.

**RESOLUTION NO. 2007/37**

On motion by Councilmember Kalinowski, seconded by Councilmember Moore the City Council unanimously approved the resolution.

Mayor Freitas declared a recess at 8:33 P.M. The meeting reconvened at 8:46 with all Councilmembers present.

**3. THE POINTE/DISCOVERY BUILDERS, INC. REQUESTS APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR 72 SINGLE FAMILY HOMES ON APPROXIMATELY 21 ACRES LOCATED EAST OF THE INTERSECTION OF SOMERSVILLE ROAD AND JAMES DONLON BOULEVARD (PDP-06-03) #202-03**

Assistant Planner Gentry presented the staff report dated May 4, 2007 recommending the City Council provide direction to the applicant regarding the Final Development Plan submittal.

Mayor Freitas opened the public hearing.

Louis Parsons, representing Discovery Builders, responded to concerns memorialized in the preliminary feedback from the Planning Commission, stating they had made significant revisions to the project and submitted documentation detailing all referenced changes. He requested further feedback from the City Council and noted they were hoping to be part of the first round of the RDA application submittals.

Mayor Freitas expressed his concern the preliminary development plan had been revised and the staff report did not reflect those changes. He stated his preference would be for the property to remain open space. However, if the Council was in support of developing the property, his expectation would be for upgraded, custom, semi-custom estate housing,

Councilmember Kalinowski expressed concern documentation was not provided to the City Council with the revisions made by the applicant.

Mr. Parsons reviewed the revisions made to the site plan.

Following discussion, the City Council agreed that due to the significant changes, they would need to be provided the plans as modified with staff's response to those revisions.



Mr. Parsons expressed concern they would not be able to participate in the first cycle of the RDA due to the delay.

Mayor Freitas suggested the Director of Community Development Brandt immediately respond to the issues and bring the project back to the City Council not to the detriment of the applicant. He noted if the May 14, 2007 meeting of the RDA subcommittee needed to be rescheduled to accommodate the applicant, it would be acceptable.

Mayor Freitas closed the public hearing.

**4. RIVERTOWN VILLAGE PRELIMINARY DEVELOPMENT PLAN / FPA ANTIOCH ASSOCIATES LP REQUESTS THE APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN, WHICH IS NOT AN ENTITLEMENT, FOR THE DEVELOPMENT OF 202 SINGLE FAMILY ATTACHED AND DETACHED HOMES WITHIN A PLANNED COMMUNITY ON APPROXIMATELY 16.45 ACRES LOCATED AT THE NORTHWEST CORNER OF AUTO CENTER ROAD AND FOURTH STREET (APN 074-040-047) (PDP-06-04) #202-03**

Senior Planner Oshinsky presented the staff report dated April 24, 2007 recommending the City Council provide direction to the applicant regarding the Final Development Plan submittal.

Don Lapidus, representing the Rivertown Village thanked staff, the Antioch Historical Society, Antioch Preservation Society, Sports Legends Group, Babe Ruth Organization Economic Development Commission, Planning Commission for their review and input on the project. He provided the City Clerk with a letter stating it was their position the project should be exempt from the RDA process. He reviewed the community benefits proposed and addressed compatibility of the project with the surrounding land use designations. He requested the City Council provide input on the project.

In response to Mayor Freitas, Mr. Lapidus provided the City Council with the circulation plan and reviewed ingress and egress for the project.

Mr. Lapidus stated they would be providing a bus stop at the entrance to the project and he would provide the service route to the City Council.

Denise Ashton, of William Hezmalhalch Architects, gave a brief overhead presentation of the site plan for the project.

Mayor Freitas opened the public hearing.

Tom Menasco, representing the Antioch Historical Society, stated they had worked with Mr. Lapidus and his group, who had mitigated their concerns. He also noted the project would be a positive opportunity for the Historical Society, downtown and the community.

Mike Dantono, representing Antioch Babe Ruth Board of Directors, spoke in support of the project noting it would be a welcomed improvement to the area and the community benefit would provide an opportunity to expand the programs they offer.

Don Bright, representing the Rivertown Preservation Society, stated they had discussed the project at their May 7, 2007 meeting and unanimously gave it their conditional approval, the caveat being, the homes would be quality based and designed to compliment the historic architecture of the Rivertown District.

Kenneth Fowler, Vice President of the Antioch Historical Society, reported he had met with the applicant and they had agreed upon an entrance for the Historical Society. He noted the Board of Directors unanimously support the concept of the project and felt it would be a benefit to the Rivertown area and the Historical Society.

In response to Mayor Freitas, Community Development Director Brandt stated staff and the Historical Society had come to a resolution regarding egress and ingress of the property; however, there was a concern regarding sight distance to be addressed as the project moved forward.

Mayor Freitas closed the public hearing.

Councilmember Simonsen commended the applicant for conducting outreach with various organizations to mitigate their concerns. He spoke in support of the project as a catalyst for adjacent properties and the downtown area.

Following discussion the City Council considered the project exempt from the RDA process as it was located in the Rivertown/Urban Waterfront Focus Area. The agreed upon Mitigation would provide approximately \$600k in community benefits.

Mayor Freitas suggested the contribution to the Sports Legend program be increased to \$50K. He commended the applicant for conducting outreach with the various organizations and requested, as the project moved forward there be conditions added making the applicant responsible to implement the high-quality landscaping plan as presented. He voiced his support of leaving the swimming pool at the current location and for the conditions as presented in the staff report. He suggested discussing the transit route with Tri-Delta transit.

Mr. Lapidus reported Fowler property acquisitions would be using some interim usage on the property more light industrial in nature.

Mayor Freitas adjourned to the Antioch Development Agency with all Agency Members present.

**AGENCY CONSENT CALENDAR**

- 8. RESOLUTIONS APPROVING PROGRAM YEAR 2007-08 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN AND PROGRAM YEAR 2006-07 ANTIOCH DEVELOPMENT AGENCY (ADA) FUNDS #709-01**

**RESOLUTION NO. ADA-419**  
**RESOLUTION NO. ADA-420**

On motion by Agencymember Simonsen, seconded by Agencymember Moore, the Agency unanimously adopted the resolutions.

Chairperson Freitas adjourned to the Antioch City Council, City Clerk Martin called the roll with all Councilmembers present.

## **COUNCIL REGULAR AGENDA**

### **5. REPORT ON WEST TENTH STREET TRUCK ROUTE (PW 282-8) #1104-01**

City Engineer Bernal presented the staff report recommending the City Council receive and file the report.

In response to Councilmember Davis, City Engineer Bernal stated the prohibition could start on the west side of Highway 160 to allow access to Bridgehead Road.

In response to Mayor Freitas, City Engineer Bernal clarified the vehicle code did not allow the City to prohibit deliveries from occurring, providing they had a bill of lading indicating a destination in the area.

Mayor Freitas read written comments from Antioch residents Brenda Kauffman, Susan Welch and P.A. Janzen who indicated they were in support of eliminating 10<sup>th</sup> Street as a truck route.

Deborah Triest, Antioch resident, thanked Councilmember Davis for bringing the issue forward and voiced her support for eliminating 10<sup>th</sup> Street as a truck route.

Don Bright, Antioch resident spoke in support of eliminating 10<sup>th</sup> Street as a truck route.

The City Council was in agreement with staff's recommendation, urged them to move as expeditiously as possible and work with the police department on enforcement.

On motion by Councilmember Simonsen, seconded by Councilmember Davis, the City Council unanimously received and filed the report.

### **6. PREWETT PARK EXPANDED SERVICE OPTION – FUNDING OPTIONS #1402-03**

Assistant City Manager Hildebrand presented the staff report dated April 30, 2007 recommending the City Council review the funding options and provide direction to staff.

Councilmember Simonsen voiced his support for a phased approach i.e., Option D expanded service-preferred option library, community center and police substation. He stated he could only support pursuing grant funding for the project with the possibility of revenue from FUA#1 & FUA#2 if development occurs.

Mayor Freitas reported he was the only Councilmember paying Mello Roos taxes and Assessments 27 and 28. He stated from his perspective moving forward with Mello Roos funding and extending the same assessment for 2 years was the funding choice he would

support. He noted the City was in a crisis and discussed the importance of providing a library, community center and a police presence in southeast Antioch.

Councilmember Moore stated he would support a general obligation bond and a publicly noticed study session on May 14, 2007 of the Mello Roos Board to discuss a funding option.

Councilmember Davis thanked those who wrote the procedures and policies of Mello Roos. As a member of the Mello Roos Board he would reserve his comments for when the item was discussed by the public at the meeting.

Mayor Freitas read written comment from Antioch residents, Susan Williams who opposed using Mello-Roos funds to pay for the Prewett Park expansion.

Mayor Freitas requested the misinformation be clarified at the May 14, 2007 meeting.

Mayor Freitas read written comment from Antioch resident Terry Ramus of several requests for the City Council regarding the Mello Roos funding option. He provided a detailed attachment for the record.

Mayor Freitas read written comment from Antioch resident, Tom McNell who indicated he was opposed to funding the expansion of Prewett Park with Mello-Roos funding.

Mayor Freitas read written comment from Antioch resident Dee Vieira, who encouraged the City Council to provide the Mello-Roos taxpayers with sufficient time to understand the financial impacts and respond prior to discussing the issue further.

Daniel Bort, representing Bond Council for the JPA Board, discussed the timetable for identifying the expenditure of the Mello-Roos funds.

Councilmember Kalinowski stated he was not in favor of extending the payout for the Prewett Park project. He would, however, support it, if it was supported by the Mello-Roos taxpayers. He voiced his support for partnering with the YMCA, as well as pursuing grant funding and possible contributions from the development of FUA#1 and FUA#2.

Councilmember Simonsen questioned whether the JPA made decisions on the options proposed or made any recommendations to the members of the JPA for approval.

City Attorney Nerland stated she had not reviewed the JPA agreement regarding the protocols.

In response to Councilmember Simonsen, Mr. Bort clarified the JPA was an entity separate from the City and School District. He noted they had their own rules, called their own meetings and formed the Mello Roos District when the landowner vote was successful. He added they had the authority of the Mello Roos District and exercised that in its discretion.

Mayor Freitas added with regards to calling of the May 14, 2007 meeting, it was in direct relationship to the item before the City Council who discussed it in open session.

Councilmember Davis clarified what had been proposed was a scheduled workshop, not an emergency meeting noting the issue would be brought back to the Mello Roos Board at the first regular meeting on the first Monday in June.

Mayor Freitas requested staff explain to Ms. Price, Chairperson of the Mello Roos Board the following:

- The Mello Roos Board is empowered to make these decisions
- The issue of whether “public at large members” were required to be Mello Roos taxpayers
- The May 14<sup>th</sup> meeting is a Study Session to explore the options for financing

**PUBLIC COMMENTS** - None

**STAFF COMMUNICATIONS** - None

**COUNCIL COMMUNICATIONS**

Councilmember Simonsen wished his father a Happy Birthday and his wife a Happy Anniversary. He requested the meeting be adjourned in honor of Bob Smith.

**ADJOURNMENT**

With no further business, Mayor Freitas adjourned the meeting in memory of Bob Smith at 11:44 P.M. to the next regular Council meeting on May 15, 2007.

Respectfully submitted

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L. JOLENE MARTIN, CMC, City Clerk