

**CITY OF ANTIOCH
ANTIOCH PUBLIC FINANCING AUTHORITY**

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

**March 25, 2003
Council Chambers**

Mayor Freitas called the meeting to order at 7:05 P.M., and the City Clerk Martin called the roll.

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

Mayor Freitas requested the City Council, Staff and community attend an upcoming event to be held on Tuesday, April 8, 2003 at 5:30 P.M. at Antioch City Hall to support the American Armed Forces. He noted the event would be held near the plaque dedicated to the 9/11 Tragedy Victims and would begin with a ceremony to address the war and individuals who are serving our Country. Mayor Freitas requested as a community, a walk be held starting down Second Street and ending at the Nick Rodriguez Community Center, where speakers would be welcomed to express their support to the United States. Mayor Freitas then requested the Council and audience observe a moment of silence for the Armed Forces in Iraq.

PLEDGE OF ALLEGIANCE

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

Councilmember Simonsen presented a POW/MIA Flag to the Mayor and requested it be flown directly below the American Flag which flies daily above City Hall.

PROCLAMATIONS — Week of the Young Child, April 6-12, 2003

On motion by Councilmember Conley and seconded by Councilmember Davis, the Councilmembers unanimously approved the Proclamation.

Volunteers representing East County Regional Group expressed their appreciation to the City Council for their support of the Proclamation. Mayor Pro Tem Davis presented the East County Regional Group with the Proclamation in recognition to those who commit themselves to the care and support of young children and to join with them in celebratory activities leading up to and occurring throughout the Week of the Young Child.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS — None.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Martin announced the City was accepting applications for three (3) openings for the Economic Development Commission and four (4) openings for the Police Crime Commission. Appointments would be made in June, 2003 and gave a filing deadline of Friday, April 25, 2003.

PUBLIC COMMENTS

Nancy Roberts, Arts & Cultural Foundation of Antioch, announced the new classes that were being offered at the Rivertown Art Center starting on April 1, 2003.

Elvin Scott gave an update on the progress his organization has made regarding the recovery of lost union benefits and announced the dates and times his programs would air.

Jean Kuberra, Antioch resident, felt it was important for the community to show their support for all Coalition Troops in Iraq, and requested the City Council go on record with a Proclamation. She further requested a special Proclamation be sent to individual military personnel from the City of Antioch. She submitted a prepared memo in that regard, and volunteered to work with Staff on the matter.

Councilmember Simonsen concurred and requested the press join in an effort to collect the names of all service personnel from the City of Antioch presently serving in the *War Against Iraq*. Mayor Pro Tem Davis interjected his request to include all Stateside Reservists in the service to the list.

Mayor Freitas requested that Item No. 6 be deleted from the Agenda.

1. COUNCIL CONSENT CALENDAR

- A. APPROVAL OF COUNCIL MINUTES FOR MARCH 11, 2003 #301-03**
- B. APPROVAL OF COUNCIL WARRANTS #401-02**
- C. APPROVAL OF TREASURER'S REPORT FOR FEBRUARY #401-02**
- D. REJECTION OF CLAIMS #704-07**
 - 1. Claim of Jose Morales, #02/03-1351B**
 - 2. Claim of Ben Juarez, #02.03-1342**
- E. LEGISLATION AND ADVOCACY #701-04**
 - 1. Mayors letter of support Senate Bill 114, Senator Torlakson fiscal assistance: relocation of auto dealership and big box retailers**
- F. RESOLUTION NOS. 2003/38 and 2003/39 APPROVING PURCHASE OF 810 "L" STREET (KREBS) AND 512 "L" STREET (PEIPER) #1001-03**
- G. RESOLUTION NO. 2003/40 ACCEPTING WORK AND AUTHORIZING THE CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE BLUEROCK DRIVE FIRE STATION NO. 82 #1303-01**
- H. CONSIDERATION OF BIDS FOR DALLAS RANCH AND DEER VALLEY ROAD MEDIAN ISLAND LANDSCAPE IMPROVEMENTS IN LONE TREE CORRIDOR ASSESSMENT DISTRICT NO. 27/31R (PW 555-L5) #806-02**

- I. CONSIDERATION OF BIDS FOR WEST RIVERTOWN STREET ENHANCEMENTS (PW 648-A) #902-06**
- J. RESOLUTION NO. 2003/41 ACCEPTING COMPLETED IMPROVEMENTS FOR MEADOW CREEK VILLAGE, UNIT 2, TRACT NO. 7947 (A.D. SEENO CONST. CO.) (PW-569-2) #802-02**
- K. RESOLUTION NO. 2003/42 ACCEPTING COMPLETED IMPROVEMENTS FOR MIRA VISTA HILLS, UNIT 11, TRACT NO. 6497 (A.D. SEENO CONST. CO.) (PW 365-11) #802-02**
- L. RESOLUTION NO. 2003/43 REQUESTING A GRANT IN THE AMOUNT OF \$2,300,000 FROM THE CALIFORNIA DEPARTMENT OF BOATING AND WATERWAYS FOR THE CONSTRUCTION OF A BOAT LAUNCHING FACILITY AT THE ANTIOCH MARINA #1402-06**

On motion by Councilmember Conley and seconded by Councilmember Davis, the Council unanimously approved the Consent Calendar with the exceptions of Item Nos. A, E, F, and H, which were removed for further discussion.

Item A — Councilmember Conley stated he would be abstaining from the vote as he was absent from the meeting in question.

On motion by Councilmember Simonsen and seconded by Councilmember Davis, minutes of March 11, 2003 were approved 4-1, Councilmember Conley was absent from the meeting and abstained.

Item E — Councilmember Simonsen requested this item be continued to the City Council meeting of April 8, 2003.

Item F — Bruce Olson, East Bay Bicycle Coalition expressed concern regarding the item, in that, it would not provide bicycle lanes on both sides of "L" Street between 4th and 10th Streets. He felt the issue was important, due to the road segment connecting to other segments of bicycle lanes on "L" Street and Contra Loma.

On motion by Councilmember Conley and seconded by Councilmember Davis, the Council unanimously approved Item F.

Item H — City Attorney Galstan noted a bid protest had been filed by the second low bidder alleging the apparent low bidder did not have the appropriate contractor's license. Mr. Galstan felt there was validity to the protest, however, not so compelling he would recommend awarding the contract to the second low bidder. He therefore recommended the City Council continue the item or reject all bids and re-advertise.

Capital Improvements Director Scudero spoke to the type of required licensing contained within the special provisions of the item and provided a further explanation of the Staff Report.

On motion by Councilmember Simonsen and seconded by Councilmember Conley, the Council unanimously agreed to reject all bids and re-advertise the item.

The City Council adjourned to the Antioch Public Financing Agency.

Present: Public Finance Member Kalinowski, Davis, Conley, Simonsen and Public Finance Chairperson Freitas

ANTIOCH PUBLIC FINANCING

2. ANTIOCH PUBLIC FINANCING AUTHORITY WATER REVENUE REFUNDING BONDS, SERIES 2003 #412-01

Finance Director Tasker provided a further explanation of the Staff Report.

RESOLUTION NO. 2003/44

On motion by Councilmember Conley and seconded by Councilmember Davis, the City Council unanimously approved the resolution authorizing the issuance, sale and delivery of Water Revenue Refunding Bonds, Series 2003 not to exceed \$7,000,000; approving the form and substance and authorizing changes to and the execution and delivery of a second supplemental trust agreement, a 2003 installment sale agreement and a preliminary official statement; authorizing the preparation and delivery of an official statement to be substantially derived from the preliminary official statement; approving a notice of sale; approving the form and substance of a continuing disclosure agreement; and authorizing certain other actions in connection with the issuance and sale of such bonds.

The Antioch Public Financing Authority reconvened to the Regular City Council Meeting

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

3. WATER REVENUE REFUNDING BONDS, SERIES 2003 #412-01

RESOLUTION NO. 2003/45

On motion by Councilmember Conley and seconded by Councilmember Davis, the City Council unanimously approved the resolution approving the form and substance of a 2003 installment sale agreement, a preliminary official statement and a continuing disclosure agreement, and authorizing modifications and changes thereto and execution thereof; and authorizing related actions and execution of related documents in connection therewith.

4. RESOLUTION APPROVING AN APPEAL OF THE DESIGN REVIEW BOARD'S CONDITIONS TO CHANGE THE ROOF DESIGN AND PROHIBIT NEON LIGHTING FOR A PROPOSED RESTAURANT IN PHASE 4 OF THE WILLIAMSON RANCH PLAZA (Texas Roadhouse) #202-03

Acting City Manager Pappas Diaz introduced the item. Community Development Deputy Director Carniglia presented the Staff Report.

Lux Taylor, Taylor Properties, provided a brief explanation of the project's background and recommended its approval, per the Staff Report. He further noted per a compromise between the Design Review Board and the applicant, two American Flags would be flown above the restaurant as opposed to one American flag and one Texas flag, as previously requested by the applicant. Councilmember Simonsen interjected he would approve of one American Flag and one Texas flag, as preferred by the applicant. Mr. Taylor proceeded to elaborate on the signage criteria, per the Staff Report.

Councilmember Kalinowski stated the City should maintain consistent Design Standards, but restaurants could be treated differently due to their individual theme-styles. He fully supported the proposed sign criteria as well as the project as a whole.

Mayor Freitas stated his approval of the project, and requested the resolution be amended to include one American Flag and one Texas flag be flown above the restaurant, per the consensus of the Council.

RESOLUTION NO. 2003/46

On motion by Councilmember Simonsen and seconded by Councilmember Davis, the City Council unanimously adopted the resolution approving the revision of the Development Standards for Williamson Ranch Plaza to allow theme restaurants individual design; approved revision of the Sign Criteria to allow neon outlining of restaurant buildings in the Williamson Ranch Plaza; as well as allowing one American flag and one Texas Flag, as noted.

5. CONSIDERATION OF DIRECTION OF RECRUITMENT FOR ECONOMIC DEVELOPMENT DIRECTOR #502-01

Acting City Manager Pappas Diaz provided a brief synopsis of the Staff Report and recommended its approval.

Sandy Henry, Antioch Chamber of Commerce, stated on behalf of the Chamber of Commerce she was pleased with the progress made to develop the Economic Development Department. However, she noted the Chamber's position had not changed and felt there was still a need for a permanent Economic Development Director.

James Kyle suggested when the City felt it was ready to hire a new City Manager, it would behoove the City to have completed a search for a permanent Economic Development Director.

Councilmember Kalinowski suggested the timing of the recruitment for the Economic Development Director be coordinated to coincide with the arrival of the new City Manager. His suggestion was to have the final date to apply for the Economic Development Director be based on and set at approximately two week after the new City Manager arrival.

Councilmember Simonsen agreed with the current procedures set in place, and recommended his support of Staff's recommendations

Councilmember Conley felt the new City Manager should be the official to appoint the new Economic Development Director. Mayor Freitas concurred and suggested this item be placed on the City Council's agenda for the first meeting in May to allow the Council to provide further director or recommendations.

Councilmember Kalinowski expressed concerns to recent comments made regarding the City not having a permanent Economic Development Director, and wanted to assure the public the Council would take the appropriate action in a timely manner.

Mayor Freitas felt in bringing the item back to Council within 6 weeks, the process would take approximately 3-4 months, as a whole, and felt it could satisfy the Council's concerns.

On motion by Councilmember Conley and seconded by Councilmember Davis, the Council unanimously approved: 1) acceptance of the City Manager's recommendation to continue to fill the position with a consultant working in the office 3-4 days/week for 6-9 months to allow the state budget situation to settle; 2) direction to staff to place an item on the April 22 agenda specifying the job duties, classification and pay for the Economic Development Director, and; 3) directed staff to agendize on the May 13, 2003 Council Agenda discussion Staff would come forward with information on City Manager appointments and determine when to advertise for Economic Development Director.

6. REPORT ON RETAINING WALL AT 2350 ROBLES DRIVE #706-02

The item was cancelled per the request of staff.

7. APPROVAL OF CONSTRUCTION LOAN UP TO \$900,000 FROM THE CITY OF ANTIOCH TO THE ANTIOCH PUBLIC GOLF CORPORATION, INC. (LONE TREE GOLF COURSE) #1402-01

Acting City Manager Pappas Diaz provided a brief synopsis of the Staff Report and Finance Director Tasker provided a further explanation of the background, use of loan proceeds and loan parameters, per the Staff Report.

Councilmember Conley stated his approval and further commented on the amenities that would be provided with the use of the loan proceeds.

On motion by Councilmember Conley and seconded by Councilmember Kalinowski, the Council unanimously approved the increase of green fees as proposed by the Board of Directors of the Antioch Public Golf Corporation, Inc. (Lone Tree Golf Course) and outlined in their letter of March 7, 2003 to the Mayor and Councilmembers.

8. PROPOSED FEE INCREASES AT LONE TREE GOLF COURSE (ANTIOCH PUBLIC GOLF CORPORATION, INC.) #1402-01

On motion by Councilmember Conley and seconded by Councilmember Kalinowski, the Council unanimously approved the increase of green fees as proposed by the Board of Directors of the Antioch Public Golf Corporation, Inc., (Lone Tree Golf Course) as outlined in their letter of March 7, 2003 to the Mayor and Councilmembers.

PUBLIC COMMENTS - None

COUNCIL COMMUNICATIONS

Councilmember Simonsen announced an upcoming Ribbon Cutting would be held at the Delta Diablo Household Hazardous Waste Program on Friday, April 2. He further expressed concern regarding the potential for a high level of mercury contaminate in the water system, and requested mercury be included in the new Delta Diablo Sanitation Recycling Program or some type of program be implemented.

Mayor Freitas agreed mercury was a concern to the community. He noted efforts were ongoing with the Bay Area Sewer & Water Management Association and they would be conducting a campaign to target some type of mercury exchange program. Further, the Contra Costa Clean Water Program was working through the Household Hazardous Waste permanent facilities in Contra Costa County to also target the concern. Mayor Freitas added he would continue to inform and update the Council as the program moved forward.

Mayor Freitas reported on: the Antioch West and East Little League Opening Day Dedication of Slatten Ranch
The progress on the new Macy's Store
Eagle Scouts Honor Ceremony

STAFF COMMUNICATIONS

Acting City Manager Pappas Diaz expressed her appreciation to the City's Planning Staff regarding their work on upcoming projects.

Councilmember Conley commented on the improvements to East 18th Street.

With no further business, Mayor Freitas adjourned the meeting at 8:45 P.M., to the next regular scheduled meeting on April 8, 2003.

Respectfully Submitted:

L. JOLENE MARTIN, City Clerk