

ANTIOCH CITY COUNCIL

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

**July 12, 2005
Council Chambers**

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

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

PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

City Clerk Martin announced the following Board and Commission openings for the City of Antioch:

- One unexpired term on the Antioch Crime Prevention Commission
- Three four-year terms on the Planning Commission

The filing deadline for applications for the Antioch Crime Prevention Commission is August 12, 2005 at 5:00 P.M. and the deadline for applications for the Planning Commission is September 9, 2005 at 5:00 P.M. Contact information was given for those interested in applying.

PUBLIC COMMENTS

Douglas Tokes, Antioch resident, questioned why the islands on East 18th Street had not been landscaped since they were constructed 3 years ago. He reported Cornerstone Christian Church had been sited on July 4, 2005 for violating construction hours for their gymnasium, which had been an ongoing problem. He expressed concern for the amount of illegal fireworks in Antioch and suggested the City fine the individuals responsible to stop them from continuing to violate laws.

Mayor Pro Tem Kalinowski requested staff provide the City Council with a report regarding landscaping of the islands on East 18th Street and notify Mr. Tokes when the item is agendaized.

PRESENTATION

Councilmember Davis announced delegations representing the City of Antioch would be traveling to Chichibu Japan as part of the Sister City Program. He introduced C.J. Bailing who displayed an Americana quilt designed specifically to be a gift to Chichibu Japan. Members of the delegation introduced themselves, including several students, who would be representing the City of Antioch in the Sister City Program.

Mayor Pro Tem Kalinowski stated agenda item #6 would be heard at this time, as it was directly related to the Sister City Program.

6. RESOLUTION APPROVING THE STREET NAME “SAKURAI STREET” FOR CAPITAL IMPROVEMENT PROJECT STREET “A” (PW 528-SP1)#1102-04

City Engineer/Community Development Director Brandt presented the staff report dated July 5, 2005 recommending the City Council adopt the resolution.

RESOLUTION NO. 2005/77

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

Following discussion the City Council directed staff to prepare a proclamation reflecting the resolution passed this evening.

Councilmember Davis thanked the City Council and staff for their support.

A student and several chaperones introduced themselves as members of the delegation and thanked the City for their support.

Councilmember Kalinowski thanked Councilmember Davis for his dedication to the Sister City Program.

Mayor Pro Tem Kalinowski requested the City Council add agenda item:

#7. APPROVAL OF A COUNCIL MEMBER TO TRAVEL TO WASHINGTON D.C. ON THE CITY’S BEHALF

On motion by Councilmember Conley, seconded by Councilmember Simonsen the City Council members present unanimously added agenda item #7.

1. COUNCIL CONSENT CALENDAR

A. APPROVAL OF COUNCIL MINUTES FOR JUNE 14, 2005#301-02

B. APPROVAL OF COUNCIL WARRANTS.....#401-02

C. REJECTION OF CLAIMS#704-07

1. Dentist’s Insurance Company, #03/04-1461F (sewer backup)

D. LEGISLATION AND ADVOCACY#701-04

E. ORDINANCE NO. 1052-C-S REZONING THE PARCELS MAKING UP THE BERMUDA II PROJECT (EVANGELHO SUBDIVISION) SITE TO THE PLANNED DEVELOPMENT (PD) DESIGNATION#202-03

F. RESOLUTION NOS. 2005/72 ESTABLISHING SALARY SCHEDULES FOR PART TIME/HOURLY CLASSIFICATIONS#508-01

- G. APPROVAL OF PRIORITY LIST FOR NEW TRAFFIC SIGNALS (PW 636-4)....#1104-02
- H. CONSIDERATION OF BIDS FOR THE BUCHANAN ROAD/MISSION DRIVE TRAFFIC SIGNAL INSTALLATION (PW 392-22TS).....#1104-02
- I. CONSIDERATION OF BIDS FOR THE EAST ANTIOCH CREEK TRAIL AND MAINTENANCE ROADWAY IMPROVEMENTS (PW 555-L6).....#1402-02
- J. COUNCILMEMBER REQUEST FOR APPROVAL TO ATTEND CONFERENCE IN MONTEREY#301-01
- K. RESOLUTION NO. 2005/74 ESTABLISHING CLASS SPECIFICATION AND SALARY FOR THE POSITION OF CRIME DATA TECHNICIAN AND REVISING EXISTING LAB ANALYST CLASS SPECIFICATION AND SALARY#502-02
- L. APPROVAL OF EAST CONTRA COSTA COUNTY FUNCTIONALLY EQUIVALENT INTEGRATED REGIONAL WATER MANAGEMENT PLAN AND AUTHORIZE THE PUBLIC WORKS DIRECTOR TO SIGN THE PLAN#1202-01

On motion by Councilmember Conley, seconded by Councilmember Davis, the Council unanimously approved the Council Consent Calendar with the exception of items F, G, and J, which were removed for further discussion.

Item F - In response to Councilmember Simonsen, Personnel Director Brock-Cohn clarified the salary schedules for Leisure Services had been included in the 2005-06 budget and were reflected in the costs of classes.

Captain Cantando responded he could not recall any trainee the City of Antioch had sponsored in the Police Academy, who had terminated employment to go with another agency. In regard to individuals completing the Academy, probation and getting their post, he did not have exact numbers for officers who leave, although he noted it was a trend occurring throughout the County and State.

Councilmember Simonsen stated he could support the increase in salary; however, he could not support providing full health benefits to Police Trainees without additional information regarding individuals lost while they were attending the academy.

Captain Cantando stated the goal was to attract quality candidates by offering benefits that were competitive with other agencies.

Councilmember Davis stated he understood Councilmember Simonsen's concern, however, the City's need to attract quality candidates with a competitive benefit package outweighed his concern.

Councilmember Kalinowski stated he understood the recruiting and retention difficulties, noting the proposal was offering a fair benefit package, which was an important recruiting tool; therefore he would be supporting the resolution.

Councilmember Conley stated the Police Department is consistently understaffed and the additional benefits would attract quality individuals, therefore he would support the resolution.

On motion by Councilmember Conley, seconded by Councilmember Davis, the City Council members present unanimously approved item F, deleting section #2 regarding the Police Trainee program.

On motion by Councilmember Conley, seconded by Councilmember Davis the City Council approved the resolution with the requested changes. The motion carried by the following vote:

Ayes: Davis, Conley, Kalinowski

Abstain: Simonsen

Absent: Freitas

Item G - Councilmember Kalinowski requested within the next year, staff conduct a signal/traffic survey at Davidson Drive and Barmouth Drive.

On motion by Councilmember Conley, seconded by Councilmember Simonsen the City Council members present unanimously approved item G as amended.

Item J - Councilmember Conley suggested it would be more reasonable to have only one representative from the City participate in the League of California Cities. In addition, he noted the City should suggest the East Bay Council choose more reasonable locations for meetings. He stated he was in support of Councilmember Simonsen's attendance at the Conference in Monterey.

Councilmember Simonsen announced he would only be attending one session and he had checked into alternative lodging which was not available at this time. He noted there had been occasions when he had not submitted travel vouchers for mileage. He reported he should be installed as President of the East Bay Division in October and may have input as to the meeting locations. He discussed the importance and benefits to the City of Antioch participating in the League of California Cities policy and legislative committees.

Councilmember Davis discussed the importance of participating in the Public Safety Policy Committee with the League of California Cities. He stated he did not wish to resign from the Policy Committee however due to budget concerns he would only attend meetings in the general vicinity and commute to and from on a daily basis.

Mayor Pro Tem Kalinowski stated the City Council would be revisiting this issue, stating he felt it was important Council travel be consistent with executive travel within the City. In addition he felt expenditures charged back to the City should be consistent with best practices.

City Treasurer Donna Conley requested the City Council consider City representatives refrain from taking full per diem when the League of California Cities furnishes meals.

Councilmember Simonsen stated when he had received per diem; he paid for the meals to the League of California Cities.

Mayor Pro Tem Kalinowski stated to assure there would be consistency moving forward, this item would be on the Council's August agenda.

On motion by Councilmember Davis, seconded by Councilmember Conley, the City Council members present unanimously approved item J.

PUBLIC HEARINGS

2. RESOLUTION ORDERING IMPROVEMENTS AND LEVYING ANNUAL ASSESSMENTS FOR LANDSCAPE MAINTENANCE DISTRICTS FOR THE 2005/2006 FISCAL YEAR (PW 500).....#806-03

Administrative Analyst Hoffmeister presented the staff report dated July 12, 2005 recommending the City Council adopt the resolution.

In response to Councilmember Conley, City Engineer/Community Development Director Brandt clarified that East 18th Street at Hillcrest Avenue was in a failed lighting and landscaped district with maintenance costs paid for out of the General Fund.

Mayor Pro Tem Kalinowski opened and closed the public hearing with no speakers requesting to speak.

Councilmember Simonsen requested next year's report reflect the Assessment Districts and General Fund portion of park maintenance.

RESOLUTION NO. 2005/75

On motion by Councilmember Conley, seconded by Councilmember Simonsen, the City Council members present unanimously adopted the resolution.

3. REGIONAL TRANSPORTATION DEVELOPMENT IMPACT MITIGATION FEE INCREASE#1102-03

- 1) ADOPTION OF ORDINANCE ESTABLISHING THE REGIONAL TRANSPORTATION DEVELOPMENT IMPACT MITIGATION FEE AND ADOPTION OF INTERIM ORDINANCE MAKING FEE EFFECTIVE IMMEDIATELY**
- 2) RESOLUTION APPROVING A SECOND AMENDMENT TO THE EAST CONTRA COSTA REGIONAL FEE AND FINANCING AUTHORITY JOINT EXERCISE OF POWERS AGREEMENT AND RESOLUTION APPROVING THE SUPPLEMENTAL AGREEMENT TERMINATING THE EAST COUNTY TRANSPORTATION IMPROVEMENT AUTHORITY JOINT EXERCISE OF POWERS AGREEMENT**

Staff recommended this item be continued to July 26, 2005.

On motion by Councilmember Simonsen, seconded by Councilmember Davis, the City Council members present unanimously continued item #3 to July 26, 2005.

COUNCIL REGULAR AGENDA

4. SIMPSON HOUSING SOLUTIONS/LAKESIDE VILLAGE FAMILY APARTMENTS REQUESTS APPROVAL OF A USE PERMIT TO CONSTRUCT A 69 UNIT AFFORDABLE FAMILY APARTMENT COMMUNITY, A TENTATIVE MAP TO CREATE FIVE PARCELS, ONE PARCEL FOR THE APARTMENT COMMUNITY AND FOUR PARCELS FOR A FUTURE PHASE OF SINGLE FAMILY HOMES, AND A REZONE TO HIGH DENSITY RESIDENTIAL (R-20) FOR ONE OF THE NEW PARCELS AND APPROVAL MITIGATED NEGATIVE DECLARATION AT 701 AND 705 WILBUR AVENUE (APN 065-110-006, 007) (UP-04-20, Z-05-02, PW 357-04-32).....#202-10

Community Development Deputy Director Carniglia presented the staff report dated July 5, 2005 recommending the City Council: A) Introduce the ordinance by title only; and, B) Introduce the ordinance rezoning the northern portion of the project site to the High Density Residential District (R-20), and; C) Adopt the resolution approving the Tentative Map and Use Permit and adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Lakeside Village Family Apartments. He reported at the time the staff report was prepared, the Chair of the Lake Alhambra Property Owners Association was interested in development of the RV lot; however, since that time, Community Development Deputy Director Carniglia had met with the Association and the majority of members did not support the RV storage area being developed.

City Engineer/Community Development Director Brandt added, should the HOA be willing to have an RV park, the City could take over the operation.

City Attorney Galstan clarified the Public Hearing was closed and speakers with new information could address the Council at this time.

Mo Mohanna, representing Simpson Housing Solutions, stated they wanted to satisfy the RDA process as well as the request from the HOA. He noted they would be willing to have the City take over the operation of the RV lot if it was acceptable to the HOA and if not, they would provide 6 lots. In addition, he noted if there were any fees involved, to be paid under the RDA, they were willing to pay them.

Joe Boseman reaffirmed his support of the original application.

Bill Campbell, Chair of the Lake Alhambra Homeowners Association, reported the Board was in opposition of the RV storage facility due to concerns regarding ongoing maintenance; they also felt residents currently storing vehicles on their properties or in public storage facilities would not utilize it. He noted there would be no support for a City run facility and they were adamant the 6 single-family homes be developed.

Councilmember Simonsen voiced his support of separating the affordable housing project from the single-family portion if Council's direction was the 6 lots go through the RDA process.

City Attorney Galstan clarified the RDA ordinance, as written, did not address the possibility of low/moderate housing project being tied to a market rate housing component and since only two units triggered the RDA, the Council, should it so desire, could interpret this was included as part of the exemption and the ordinance was being followed.

Councilmember Conley stated he did not support the 69 unit affordable housing project due to the fact it would not improve the City or the demographics in the Rivertown area.

Mayor Pro Tem Kalinowski stated he was sensitive to issues in and around Lake Alhambra and the City's responsibility to maintain the integrity of the community, therefore he would not support the affordable apartment project.

City Attorney Galstan stated based on Council's comments, this item could be continued to a date when a full Council would be present or adopt the resolution denying without prejudice.

Councilmember Simonsen discussed the need for affordable housing in the City and stated his preference would have been to continue this item, however he would be supporting the motion.

On motion by Councilmember Conley, seconded by Councilmember Davis, the City Council members present unanimously denied the project without prejudice.

5. RESOLUTION DIRECTING STAFF TO BEGIN INITIAL NEGOTIATIONS WITH ARCADIS AS THE MASTER DEVELOPER OF THE RIVERTOWN WATERFRONT PLAN AND TO PREPARE A MEMORANDUM OF UNDERSTANDING (MOU) PRIOR TO PREPARING A DEVELOPMENT DISPOSITION AGREEMENT (DDA)#902-06

Assistant City Manager Pappas Diaz presented the staff report dated July 6, 2005 and recommended approved of the resolution.

Mr. Williams, representing Arcadis G&M, Inc., thanked the City Council for selecting them as the Master Developer for the Rivertown Waterfront area and stated they looked forward to working with the City.

Councilmember Simonsen stated there was a typographical error in the fourth WHEREAS in the resolution and requested Rivertown Partners LLLC be corrected to Rivertown Partners LLC.

In response to Councilmember Simonsen, City Attorney Galstan clarified the product of the Memorandum of Understanding would become the Development and Disposition Agreement.

RESOLUTION NO. 2005/76

On motion by Councilmember Conley, seconded by Councilmember Davis, the City Council members present unanimously approved the resolution and directed staff to begin initial negotiations for the preparation of a Memorandum of Understanding (MOU) and a Development and Disposition Agreement (DDA).

7. APPROVAL OF A COUNCIL MEMBER TO TRAVEL TO WASHINGTON D.C. ON THE CITY'S BEHALF

City Manager Jakel stated it may be necessary to send a representative to Washington D.C. in an effort to secure federal funding for Highway 4, therefore he requested Council give him the authority to send a Councilmember, if it becomes necessary.

Councilmember Simonsen stated he had spoken with the lobbyist from the Home Builders Association and he felt it was imperative for a City Council member to make a trip to Washington D.C. within the next few weeks. He expressed concern there had not been sufficient feedback from the City's lobbyist. He reported the Home Builders Association would be willing to pick up some of the costs, however it would be a 460 expenditure.

Following discussion the Council agreed it was imperative one Council Member travel to Washington D.C. to advocate on the City's behalf. Councilmember Conley stated he would be available to go, if needed.

On motion by Councilmember Conley, seconded by Councilmember Simonsen, the City Council members present unanimously approved the proposed expenditure for one Councilmember to travel to Washington D.C. on the City's behalf.

PUBLIC COMMENTS

Walt Bartlette, Antioch resident, stated he lived on Deer Valley Road and reported last week there were four fires in the vicinity of Empire Mine Road. He noted there were no residences on the road and on behalf of himself and neighbors of the area, he suggested it be closed to traffic. He expressed concern for the Fire Departments response due to the fact they were not attempting to put the fire out and land was unnecessarily charred.

Mayor Pro Tem Kalinowski directed staff to put an update regarding the status of Empire Mine Road on the Council's agenda and make inquiries with the Fire Department regarding their policy on open land fires. He suggested putting the fire department in touch with Mr. Bartlette directly to resolve the issue.

STAFF COMMUNICATIONS

City Manager Jakel announced the City Council would be meeting on July 26, 2005 and August 9, 2005, which would be the last meeting until September 13, 2005.

COUNCIL COMMUNICATIONS

Regarding the Baseball project, Mayor Pro Tem Kalinowski reported on July 8, 2005, the State had made site a visit to Los Medanos College, which was overwhelmingly attended by local officials supporting the project and there had been obvious enthusiasm from the Parks District based on the level of support. He noted the State would have a decision or further direction in approximately one month.

With no further business, Mayor Pro Tem Kalinowski adjourned the meeting at 8:50 P.M. to the next regular Council meeting on July 26, 2005.

Respectfully submitted:

L. JOLENE MARTIN, CMC
City Clerk