

**ANTIOCH CITY COUNCIL  
ANTIOCH DEVELOPMENT AGENCY**

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

**October 25, 2005  
Council Chambers**

**6:00 P.M. - CLOSED SESSION**

1. **CONFERENCE WITH LABOR NEGOTIATOR.** Agency Negotiator: Holly Brock-Cohn; Employee Organization: All represented groups. This Closed Session is authorized by Government Code §54957.6.

Mayor Freitas called the meeting to order at 7:06 P.M. and City Clerk Martin called the roll.

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

Mayor Freitas reported the City Council had been in Closed Session and there was no reportable action.

**PLEDGE OF ALLEGIANCE**

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

**PRESENTATIONS**

Charles Betger, representing the Safety Loss Control Program for the Municipal Pooling Authority, announced the City of Antioch had achieved the intermediate level of the Loss Control Credit Award. He presented a plaque to Lisa Brosnan who accepted the award and congratulated City employees.

**PROCLAMATIONS**

National Hospice/Palliative Care Month, November 2005

On motion by Councilmember Conley, seconded by Councilmember Kalinowski the Council unanimously approved the proclamation.

Mayor Freitas announced the proclamation would be sent to the appropriate organization.

**ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

Ken Lee, Antioch resident, announced the City of Antioch was conducting a Community Emergency Response Team Training in January. He provided contact information for anyone wishing to receive additional information.

Devi Lanphere, representing the Antioch Chamber of Commerce, announced the State of the Schools Luncheon would be held on November 3, 2005 from 11:30 A.M. to 2:00 P.M. at Golden Hills Community Church. She reported the Chamber of Commerce would be taking nominations for

Citizen and Business of the Year from November 1 - December 15, 2005. She provided contact information for anyone wishing to receive additional information.

**PUBLIC COMMENTS**

Elvin Scott, representing the Union All - Pension and Democratic Research Center, Inc., discussed his efforts to assist the public in receiving pension and Veteran's benefits.

Ralph Hernandez, Chairman of Citizens for Democracy, urged the citizens of Pittsburg, Antioch and Brentwood to vote no on measures P, K and L on November 8, 2005.

Emil Stein, Antioch resident, questioned the outcome of his concerns regarding the amount the City charges the public for copies of the minutes.

Mike Daley, representing the Sierra Club and speaking on behalf of the Greenbelt Alliance stated there was a misstatement at the last City Council meeting and clarified their organizations were opposed to Measures K, L and P. He provided copies of their newsletter to the City Council.

Dale Watson, Vice President of Citizens for a Better Antioch, spoke in protest to what he believed to be a violation of Brown Act, specifically, for a majority of a governing body to meet in secret or in a serial fashion in an effort to solicit individuals through email to support the Del Webb project.

Tom McNell, Antioch resident, requested the City Council write a letter to the State of California indicating the City of Antioch will accept the financial responsibility for the construction of the road required for the Magnet School. He suggested an investigation take place at the City and Antioch Unified School District to find out how 10 acres north of Sand Creek Road was split by the current alignment creating the current crisis.

Robert Bucher, Antioch resident, expressed concern regarding speeders along Mandarin Way and the surrounding areas. He noted with schools open, he felt it was important the Antioch Police Department be aware of child predators.

Norma Hernandez, Antioch resident, stated she felt there should be an investigation by City Attorney Galstan regarding the City Council soliciting individuals of the School District, via email, to support the Del Webb project. She stated the City should not contribute money for mitigating growth and expressed concern the School District purchased property for the Magnet School with a road running through it.

**1. COUNCIL CONSENT CALENDAR**

- A. APPROVAL OF COUNCIL MINUTES FOR SEPTEMBER 27, 2005 ..... #301-02**
- B. APPROVAL OF COUNCIL WARRANTS ..... #401-02**
- C. APPROVAL OF TREASURER'S REPORT FOR SEPTEMBER 2005 ..... #401-02**

- D. REJECTION OF CLAIM ..... #704-07
  - 1. Jenny Lined, #05/06-1588 (sewer backup)
- E. LEGISLATION AND ADVOCACY ..... #701-04
- F. CONSIDERATION OF BIDS FOR THE HILLCREST WATER TANK REHABILITATION (PW 487-T2) ..... #1202-01
- G. RESOLUTION NO. 2005/112 FINDING SHEA HOMES (SAND CREEK RANCH DEVELOPMENT) IN GOOD FAITH COMPLIANCE WITH THE TERMS AND CONDITIONS OF THE DEVELOPMENT AGREEMENT FOR THE 2004 CALENDAR YEAR ..... #204-01
- H. RESOLUTION NO. 2005/113 FINDING WILLIAM LYON HOMES (SAND CREEK RANCH DEVELOPMENT) IN GOOD FAITH COMPLIANCE WITH THE TERMS AND CONDITIONS OF THE DEVELOPMENT AGREEMENT FOR THE 2004 CALENDAR YEAR ..... #204-01
- I. RESOLUTION NO. 2005/114 ACCEPTING COMPLETED IMPROVEMENTS FOR DIABLO WEST PARK AT BLACK DIAMOND KNOLLS SUBDIVISION, TRACT NO. 7201 (BLACK DIAMOND KNOLLS, LTD.), PW 579-P ..... #1402-03
- J. RESOLUTION NO. 2005/115 APPROVING, AND AUTHORIZING THE CITY ENGINEER TO SIGN THE REQUEST FOR TIME EXTENSION OF THE BICYCLE TRANSPORTATION ACCOUNT (B.A.) COOPERATIVE WORK AGREEMENT FOR THE HILLCREST AVENUE BIKE LANE PROJECT..... #1402-02
- K. TRUCK TRAFFIC ON DEER VALLEY ROAD SOUTH OF LONE TREE WAY ..... #1101-01
- L. FINAL CITY OF ANTIOCH TRAVEL AND EXPENSE POLICY FOR CITY EMPLOYEES ..... #401-01
- M. RESOLUTION NO. 2005/116 INVESTMENT OF CITY MONIES IN LOCAL AGENCY INVESTMENT FUND (LAID) (Changing Signatories)..... #401-01
- N. ORDINANCE NO. 1059-C-S APPROVING DEVELOPMENT AGREEMENT BY AND BETWEEN CITY OF ANTIOCH AND PULTE HOMES CORP d.b.a. DEL WEBB ..... #202-01
- O. COUNCIL MEMBER SIMONSEN OVERNIGHT TRAVEL FOR LEAGUE OF CALIFORNIA CITIES LEADERSHIP WORKSHOP - NOVEMBER 17-19, 2005..... #301-01

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

**Item J** - In response to Mayor Freitas, City Engineer/Community Development Director Brandt clarified staff was looking at completing the projects in 2006-2007; however, the time frame was dependent on PG&E moving forward with the undergrounding.

On motion by Councilmember Conley, seconded by Councilmember Kalinowski the City Council unanimously approved item J.

**Item K** - Councilmember Conley requested once the signs were in place, there would be increased police patrols to keep the trucks off of Deer Valley Road.

On motion by Conley, seconded by Councilmember Kalinowski the City Council unanimously approved Item K.

**Item N** - City Attorney Galstan stated, based on the lack of a unanimous vote at the first reading, the item should not have been on the Consent Calendar. He noted the Council could, if they wished, open the meeting to more public comments, however it was not a requirement. He reported the Council had received a letter from Shute, Mihaly & Weinberger, LLP raising a number of concerns and legal objections to the validity of the Development Agreement.

Mayor Freitas opened the floor to public comment.

Tim Forrester, representing the Antioch Unified School District, gave a brief overhead presentation of the Magnet High School project.

Matthew Gray, speaking on behalf of Pulte Homes, reiterated the Development Agreement was consistent with the City's General Plan, California Development Law and appropriate when needed to prompt a private developer to make some investment in an otherwise uncertain planning process. In addition, he noted it called for future discretionary approvals to be reviewed by the City Council with public participation. He urged the City Council to approve the Development Agreement.

Devi Lanphere, Antioch Chamber of Commerce, Ron Leone, Antioch Unified School District and Mt. Diablo Healthcare District representative, Dr. Janice Yankura, Antioch Unified School District representatives Gary Agopian, David Madrigal, Walter Ruelig, and Joyce Seelinger, Antioch residents Terry Ramus, Lori Rodriguez, Claire Smith, and Antioch Unified School District Superintendent Dennis Goettsch, spoke in support of the Development Agreement, which would provide the necessary infrastructure to allow for the AUSD to receive state funding for the Magnet School, which would, in turn, relieve overcrowding in the City's high schools and provide an opportunity for local students to attend a quality vocational school. Mr. Goettsch reiterated Del Webb communities were high quality projects and Mr. Serpa had been very supportive throughout the process.

Dee Vieira, Antioch resident, stated she was in support of the Magnet School and questioned if the City would accept responsibility to build the infrastructure to satisfy the hardship funding concerns and obtain reimbursements from development on the property which had completed the proper planning sequence.

Sharon Mossman, Antioch resident, agreed Antioch was in need of more schools, however, she did not feel the money should come out of the Roddy Ranch project. She discussed the importance of the School District being responsible for the funding of all the students in Antioch schools.

Councilmember Conley clarified the development agreement and magnet school were not related to Roddy Ranch and the School District structures financing based on location.

David Reid, representing the Greenbelt Alliance, stated it was their opinion the development agreement was illegal and the timing inappropriate due to the upcoming election on a purported growth moratorium. He noted it was also a departure from the usual planning process and urged the City Council to vote no on the development agreement.

Norma Hernandez, Antioch resident, stated growth was responsible for insufficient infrastructure within the City and the project would amplify those problems. She stated everyone living in the Mello Roos Districts should be concerned about the project and the possibility of it bringing in more growth without the same fees being imposed on them.

Clinton Fields, representing the Citizens for a Better Antioch, stated he felt the development was a cover for Measure "K", which was illegal. He urged the City Council to find a proper way to make sure there were adequate schools in the City without using developers.

Tom McNell, Antioch resident, stated he was in full support of the magnet school, however, he did not support the development agreement. He urged the City Council to follow the proper planning processes and find a way without approval of the Development Agreement to fund the infrastructure for the third high.

Ralph Hernandez, Antioch resident, stated his concern was regarding students who live outside the city limits and attend Antioch schools. He spoke against the development noting more growth would negatively impact the City's infrastructure. In addition, he noted the City's finances would not support additional growth.

Mayor Freitas announced the Council had received emails from Linda Thompson and Mary Peinado representing Residents of Antioch for Improvement of Schools & Education (R.A.I.S.E.) who voiced their support and discussed the need for the Magnet School in Antioch.

Mike Serpa, representing Del Webb, stated his company was a responsible builder with high standards and the project would give Bay Area residents the opportunity to retire locally. He noted they had substantial years in traffic generation numbers, economic and fiscal studies, all of which indicated the impacts were minimal. He encouraged residents to contact communities with existing Del Webb projects to confirm the company's standards and community involvement.

In response to Mayor Freitas, Mr. Serpa gave his assurance the Development Agreement gave them enough to believe they had invested well, and were capable of delivering the substantial commitments made to the City prior to all entitlements. In addition, he noted Del Webb would be funding the infrastructure for the school site. He further noted if they could not come to terms with

Kaiser Permanente and Royal Ferosa on the alignment of the roadway, the development agreement would cease to exist on December 15, 2005.

Dave McCully, Antioch resident, questioned why the school was tied to additional development that would negatively impact the quality of life for Antioch residents.

Bradley Reed, Antioch resident, stated he felt the Magnet School was very good for the community and encouraged the City Council to research ways to fund the infrastructure without help from the developer.

Councilmember Conley stated the timing was right for receiving State funds to finance the school and noted the City did not have the funds; putting the funds at risk would be a disservice to the citizens of Antioch. He stated the development agreement would give the developer the assurance they need to take the risks in moving forward with a project that was consistent with the City's General Plan. He stated he was in support of this development agreement, as he felt it was the best solution for the City.

In response to Mayor Freitas, City Attorney Galstan clarified if the development agreement was approved, Del Webb would need to do an Environmental Impact Report, Tentative Subdivision Map, public meetings at both the Planning Commission and City Council. Additionally, it would need to go through the RDA process.

Mayor Freitas stated he would be supporting the development agreement due to the fact it provided senior housing with minimal impacts, required Del Webb to provide millions of dollars in community enhancements and allowed the School District to move forward with state funding for the magnet school. He clarified, at a joint public meeting of the AUSD and City Council, he had encouraged everyone to come forward and have their voices heard; there have been no violation of the Brown Act.

Councilmember Kalinowski stated he could not support the development agreement as it was a deviation of the City's planning process and expressed his concern the developer was offering the senior rate for regional transportation.

Councilmember Davis stated he understood both sides of the issue and he would be supporting the development agreement to allow the magnet school to move forward. He requested Claire Smith speak with the reporter from the Eastern Contra Costa Times to clarify whether or not anyone had requested she attend this meeting. He stated there was no violation of the Brown Act.

Mayor Freitas requested Ms. Seelinger also contact the Times reporter regarding his involvement with her attendance at this evening's meeting. He informed the audience he had not contacted Ms. Seelinger.

Councilmember Simonsen stated his priority was to provide a third high school and this was the best solution, as it would not cost the School District or City any money.

On motion by Councilmember Conley, seconded by Councilmember Simonsen, the City Council approved an ordinance approving the development agreement between the city of Antioch and Pulte Homes Corporation d.b.a. Del Webb. The motion carried by the following vote:

Ayes: Davis, Conley, Simonsen, Freitas,,

Noes: Kalinowski

Mayor Freitas declared a recess at 9:10 P.M. The meeting reconvened at 9:24 P.M. with all Councilmembers present.

## **PUBLIC HEARINGS**

### **2. APPEAL OF PLANNING COMMISSION DECISION REGARDING UP-05-9 CONVENIENCE STORE AT 611 EAST EIGHTEENTH STREET PREM SAGAR AGORA (UP-05-09) #704-13**

Staff recommended the City Council continue to December 13, 2005

On motion by Councilmember Conley, seconded by Councilmember Davis the City Council unanimously continued item #2 to December 13, 2005.

### **3. RESOLUTION ESTABLISHING UNDERGROUND UTILITY DISTRICT NO. 20 ON HILLCREST AVENUE BETWEEN THE UNION PACIFIC RAILROAD CROSSING AND EAST 18TH STREET(PW 300-20) ..... #1201-07**

Staff recommended the City Council adopt the resolution.

Mayor Freitas opened and closed the public hearing with no speakers requesting to speak.

#### **RESOLUTION NO. 2005/117**

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

### **4. BLACK DIAMOND RANCH / DISCOVERY BUILDERS, INC. REQUESTS APPROVAL OF AN AMENDMENT OF A PREVIOUSLY APPROVED TENTATIVE MAP FOR 286 SINGLE FAMILY LOTS. THE PROPOSAL IS TO AMEND LANDS CURRENTLY DESIGNATED "OPEN SPACE" TO THE DESIGNATION OF "REMAINDER." THE PROJECT SITE IS LOCATED ON THE WEST SIDE OF SOMERSVILLE ROAD, WEST OF SOMERSVILLE RD. / JAMES DONLON RD (PW-512)..... #802-02**

Community Development Acting Deputy Director Wehrmeister presented the staff report dated October 14, 2005, which stated the recommendation of the Planning Commission was to urge the City Council to deny the requested map amendment.

In response to Councilmember Kalinowski, City Attorney Galstan clarified if the Council approved the request, the result would be that the property would be privately owned open space.

City Attorney Galstan stated if the request were approved, it could be conditioned there be an offer of dedication of open space to the City however, if the City approved the development application they would not accept the offer of dedication.

Mayor Freitas opened the public hearing.

Louis Parsons, speaking on behalf of Discovery Builders Inc., stated they were requesting the designation of parcel "A" be amended to read "owner developer remainder parcel" in order to allow them to proceed with recordation of the final maps while studying possible development alternatives for the area. He clarified the designation would not grant them any development rights to the parcel and all proposed applications would be subject to all normal development application procedures.

Mayor Freitas closed the public hearing.

Councilmember Kalinowski requested the item be held over to November 22, 2005 with direction to the City Attorney to prepare a report regarding the offer of dedication of open space to the City.

On motion by Councilmember Kalinowski, seconded by Councilmember Conley the City Council held this item over to November 22, 2005.

Mayor Freitas requested the minutes (attachment "A") approved for the Planning Commission this item indicate, "The motion did not pass due to a lack of a majority."

City Attorney Galstan clarified the following three ordinances would be amended to reflect publication in the East County Times.

**5. ORDINANCE ADDING SECTIONS 5-1.204 and 9-5.1005 TO THE ANTIOCH MUNICIPAL CODE AND ADDING PARAGRAPH (D) TO SECTION 9-5.1002 OF THE ANTIOCH MUNICIPAL CODE, DEALING WITH COMMERCIAL PROPERTY MAINTENANCE #701-05**

City Attorney Galstan presented the staff report dated October 11, 2005 recommending the following action: A) Motion to introduce the ordinance by title only; B) Motion to introduce the ordinance adding Section 5-1.204 and 9-5.1005 to the Antioch Municipal Code and adding paragraph (D) to Section 9-5.1002 of the Antioch Municipal Code, dealing with commercial property maintenance.

Mayor Freitas opened and closed the public hearing with no speakers requesting to speak.

Councilmember Simonsen requested the ordinance items E and G-16 be amended to include cigarette receptacles.

On motion by Councilmember Conley, seconded by Councilmember Simonsen, the City Council unanimously approved the ordinance with the requested change.



**6. ORDINANCE AMENDING SECTION 9-5.203 OF THE ANTIOCH MUNICIPAL CODE AND ADDING SECTION 9-5.3808.1 TO THE ANTIOCH MUNICIPAL CODE, DEALING WITH ADULT BOUTIQUES..... #701-05**

City Attorney Galstan presented the staff report dated October 11, 2005 recommending the City Council: A) Introduce the ordinance by title only; B) Introduce the ordinance amending '9-5.203 of the Antioch Municipal Code and adding '9-5.3808.1 to the Antioch Municipal Code, dealing with adult boutiques

Mayor Freitas opened the closed the public hearing with no speakers requesting to speak.

Councilmember Conley stated he did not feel this industry was a good fit for Antioch and questioned whether or not the City could add to the ordinance a requirement stating employees were required to ID all patrons and refuse service to sexual predators.

City Attorney Galstan stated he could provide a report on Councilmember Conley's suggestion this evening and come back with an amendment to the ordinance, if needed.

Councilmember Davis stated he does not support this type of business locating in Antioch.

In response to Mayor Freitas, City Attorney Galstan clarified, if the City did not adopt the ordinance, on January 1, 2006 there would be no ordinance and this type of business could be automatically permitted in any commercial zoning district.

Mayor Freitas stated he felt these businesses should provide security outside of their establishments for at least 1 year.

In response to Mayor Freitas, Captain Cantando clarified there were no security guards when he made his site visit; however, it was a recommendation from the Pleasant Hill Police Captain.

Following discussion, the City Council majority agreed the distancing requirement should be 1500 feet.

On motion by Councilmember Davis, seconded by Councilmember Kalinowski the City Council unanimously: A) Introduced the ordinance by title only; B) Introduced the ordinance amending Section 9-5.203 of the Antioch Municipal Code and adding Section 9-5.3808.1 to the Antioch Municipal Code, dealing with adult boutiques, amending the distancing requirement in Section B to 1500 feet and directing City Attorney to come back to the City Council with an opinion of the legality of requiring store employees to ID patrons and refuse service to sexual predators.

**7. EXTENSION OF ORDINANCE NO. 1042-C-S PROHIBITING MEDICAL MARIJUANA DISPENSARIES DURING AN INTERIM STUDY PERIOD..... #701-05**

Staff recommended the City Council adopt the urgency ordinance extending the interim prohibition during study period for up to one additional year.

Mayor Freitas opened and the closed the public hearing with no speakers requesting to speak.

**ORDINANCE 1060-C-S**

On motion by Councilmember Conley, seconded by Councilmember Simonsen the City Council unanimously adopted the urgency ordinance extending the interim prohibition during study period for up to one additional year.

**COUNCIL REGULAR AGENDA**

**8. REQUEST BY SUNSET EXPLORATION TO DRILL A GAS/OIL WELL IN THE SAND CREEK FOCUS AREA ..... #202-02**

Community Development Deputy Director Carniglia presented the staff report dated October 18, 2005 recommending the City Council receive the report and provide staff direction on desired action.

Walt Bartlett requested the City Council deny the placement of oil/gas wells in the area noting he felt the location was inappropriate and would cause negative visual impacts, possible water contamination and decreased property values.

Bob Nunn, representing Sunset Exploration, stated he felt they could manage the scope of impacts by properly screening and buffering. He noted if successful they would generate a significant amount of money for the school district.

Mayor Freitas stated he had requested and never received specific examples so he could determine firsthand the scope of impacts related to gas/oil wells. He noted the City had attempted to raise the level of development and he felt having an oil/gas well in this vicinity was counterintuitive.

In response to Mayor Freitas, Mr. Nunn clarified the School District would receive 6.25% of the gross revenue and he believed this well could be productive for approximately 3-5 years. He stated he would be happy to provide a field trip. In addition, he noted the City of Antioch would be receiving taxes at the rate of 1% annually.

A motion was made by Councilmember Conley, seconded by Mayor Freitas to provide direction as Option #1 - Leave the current zoning for the Sand Creek Focus Area (the S Study Zone) as it was worded. No action was taken on the motion. The motion died.

Councilmember Kalinowski voiced his support for option #2 noting, with a use permit and proper screening he felt the facility in a rural setting could be appropriate.

Councilmember Simonsen stated he could not support the previous motion and offered an amended motion.

On motion by Councilmember Simonsen, seconded by Councilmember Kalinowski the City Council adopted Option #2 - *Direct staff to amend the existing zoning (the S Study Zone) to allow oil and*

*gas exploration to be considered within the Sand Creek Focus Area subject to a use permit with the addition the use permit would be subject to City Council approval. The motion carried by the following vote:*

Ayes: Davis, Kalinowski, Simonsen

Noes: Conley, Freitas

**9. REVIEW OF COMPLAINTS REGARDING CODE COMPLIANCE BY NOKES AUTO DEALERSHIPS ..... #901-01**

City Attorney Galstan presented the staff report dated October 3, 2005 recommending the City Council: A) Adopt the resolution eliminating Condition #55 of Planning Commission Resolution 2003-14, thus eliminating "no right turn" sign for driveway onto West 18th Street; B) Determine that any unresolved complaints do not rise to a priority sufficient for any further City enforcement action, and; C) Receive and file this report. He clarified there was a resolution on the dais this evening correcting all the references to East 18th Street to West 18th Street.

Mayor Freitas announced the City Council had received correspondence from Trudy Martinez expressing concern she was not notified of this agenda item and requesting this item be postponed to the next Council meeting.

Ken Lee, Antioch resident, thanked the Mayor for inviting him to his first City Council meeting in 2003 and expressed concern the Council was failing to address public concerns to preserve the quality of life in their neighborhood. He demanded the neighbors be notified and allowed to speak on the removal of conditions and changes recommended this evening.

Emil Stein, Antioch resident, presented a flyer he received last week from the Nokes Dealership indicating they were continuing to use the Somersville Road address. He questioned when Somersville Road was widened to allow for unloading.

Community Development Director Brandt clarified a minor widening had occurred on Somersville Road.

Councilmember Kalinowski stated he concurs with staff report and if there were further violations interpreted by residents they could seek remedy through the civil court process.

**RESOLUTION NO. 2005/118**

On motion by Councilmember Kalinowski, seconded by Councilmember Davis, the City Council unanimously: A) Adopted the resolution eliminating Condition #55 of Planning Commission Resolution 2003-14, thus eliminating "no right turn" sign for driveway onto West 18th Street; B) Determined that any unresolved complaints do not rise to a priority sufficient for any further City enforcement action; and C) Received and filed this report.

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

**10.AGENCY CONSENT CALENDAR**

**A. APPROVAL OF AGENCY WARRANTS ..... #401-02**

On motion by Agency member Conley, seconded by Agency member Simonsen the Agency members unanimously approved item A.

**B. RESOLUTION NO. ADA-405 - INVESTMENT OF ANTIOCH DEVELOPMENT AGENCY MONIES IN LOCAL AGENCY INVESTMENT FUND (LAID) (Changing Signatories) ..... #401-01**

On motion by Agency member Conley, seconded by Agency member Kalinowski the Agency unanimously approved the resolution.

Chairperson Freitas adjourned to the Antioch City Council with all Councilmembers present.

**PUBLIC COMMENTS** - None

**STAFF COMMUNICATIONS**

City Manager Jakel stated a joint meeting of the Brentwood, Antioch, Pittsburg and Oakley City Council's would be held on Nov 17, 2005 in Oakley, therefore study session scheduled for November 15, 2005 is canceled. Councilmember Simonsen stated he would be unable to attend as he would be attending the East Bay Division Meeting and League of Leaders workshop that evening.

**COUNCIL COMMUNICATIONS**

In response to Councilmember Kalinowski, Mayor Freitas stated his absence at the November 8, 2005 would be an excused absence.

Councilmember Conley reported he had attended the Arts Recognition Award Ceremony for the Arts and Cultural Commission of Contra Costa County on October 16, 2005 and announced Rick Carraher was honored as executive director of El Campanil Theatre Foundation.

Mayor Freitas requested the topic of the January 2006 Study Session be Code Enforcement process and powers of authority. Councilmember Kalinowski stated if level of service issues were related to staffing, the Council needs to visit this issue while planning next year. Councilmember Davis reported the Volunteers in Police Services had been given the authority to remove illegal signs throughout the City and cite illegally parked vehicles, which he felt would be a dramatic help to code enforcement. Mayor Freitas suggested when there were down times in the building department, some of the inspectors could be used for code enforcement issues.

With no further business, Mayor Freitas adjourned the meeting at 10:50 to the next regular Council meeting on November 8, 2005.

Respectfully Submitted

L. JOLENE MARTIN, CMC