

**ANTIOCH CITY COUNCIL
ANTIOCH DEVELOPMENT AGENCY**

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

**January 10, 2006
Council Chambers**

6:30 P.M. - CLOSED SESSION

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Title: City Manager. This Closed Session is authorized by Government Code §54957.

Mayor Freitas called the meeting to order at 7:05 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; there was no reportable action.

PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Priscilla Friemering announced the Mayor's Prayer Breakfast would be held on March 24, 2006 at 7:00 A.M. at Humphrey's on the Delta. Contact information was given for those interested in attending.

Devi Lanphere announced the Antioch Chamber of Commerce's Silver and Gold Inaugural Gala, honoring the Citizen and Business of the Year, would be held on January 27, 2006, at the Lone Tree Golf Course Club House. Contact information was given for those interested in attending.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

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

- § Four expired terms and one unexpired term on the Parks and Recreation Commission
- § One unexpired term on the Planning Commission
- § One unexpired term on the Police Crime Prevention Commission

The filing deadline for applications for the Parks and Recreation Commission was January 20, 2006 at 5:00 P.M. and the deadline for applications for the Planning Commission and Police Crime Prevention Commission was February 17, 2006 at 5:00 P.M. Contact information was given for those interested in applying.

PUBLIC COMMENTS

Mike Hurd, Reynolds and Brown/Bluerock Partners announced the signing of an office lease for a 25,000 sq. ft. medical office, which will result in a 38,000 sq. ft. 2-story medical office building.

He thanked those involved for their collaboration and approval of the Master Use Permit for the Bluerock Business Center.

Ken Lee, Antioch resident, reported there were issues remaining that negatively impact the neighbors of the Antioch Auto Dealership and noted he felt the neighbors of Walmart would also be negatively impacted with the expansion of that business.

Joyce Boeckner-Colabianchi requested the City Council look at two traffic problem areas in her neighborhood. She suggested either a red curb zone or the creation of a no parking zone along the area on Valley Way between Park Green Circle and Country Hills Drive. She also requested the traffic signal lights at the intersection of Country Hills Drive and Hillcrest Avenue be changed to a green arrow turn light.

Mayor Freitas stated City Engineer/Community Development Director Brandt had taken down the information and would be contacting Ms. Boeckner-Colabianchi.

Emil Stein, Antioch resident, reported they were continuing to have problems with the speakers and light intrusion from the Antioch Auto Dealership and questioned how the City Council would be responding.

1. COUNCIL CONSENT CALENDAR

- A. APPROVAL OF COUNCIL MINUTES FOR DECEMBER 13, 2005 (Con't)**
.....#301-02
- B. APPROVAL OF COUNCIL WARRANTS**#401-02
- C. APPROVAL OF TREASURER'S REPORT FOR NOVEMBER, 2005**#401-02
- D. REJECTION OF CLAIMS**#704-07
 - 1. Georgette Riccabona, #05/06-1554 (personal injury)
 - 2. Mike Penney, #05/06-1596 (property damage)
 - 3. Victoria Felix, #05/06-1574 (trip and fall)
- E. LEGISLATION AND ADVOCACY**#701-04
- F. RESOLUTION NO. 2006/01 DENYING GENERAL PLAN AMENDMENT AND REZONING APPLICATION FOR WOODLAND DRIVE, LOT 27GP-04-05, Z-04-05 (GERALD CHENEY)**
.....#202-04
- G. AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONSTRUCTION OF SAKURAI STREET (PW 528-SP1)**#1102-04
- H. RESOLUTION NO. 2006/02 AUTHORIZING THE MAYOR TO SIGN A QUITCLAIM DEED OF PROPERTY (LOT 'D') FROM THE CITY OF ANTIOCH TO JANIN ASSOCIATES, INC. FOR BERMUDA WAY II (PW 357-304-05)** #802-02

- I. **RESOLUTION NO. 2006/03 APPROVING TERMS OF AGREEMENT FOR MANAGEMENT EMPLOYEE'S#509-02**
- J. **RESOLUTION NO. 2006/04 APPROVING TERMS OF AGREEMENT FOR CONFIDENTIAL EMPLOYEE'S#509-02**
- K. **RESOLUTION NO. 2006/05 APPROVING TERMS OF AGREEMENT FOR OPERATING ENGINEERS LOCAL 3 (THREE)#509-02**
- L. **RESOLUTION NO. 2006/06 APPROVING TERMS OF AGREEMENT FOR WATER TREATMENT PLANT EMPLOYEES#509-02**
- M. **REQUEST FOR OVERNIGHT TRAVEL (2 NIGHTS) LEAGUE OF CALIFORNIA CITIES#301-01**

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

Item B - Ken Lee questioned how the citizens of Antioch benefit from warrant #92647, which authorized a payment to the Antioch Auto Center for the amount of \$78,853.00.

Mayor Freitas stated the City would provide the information to Mr. Lee.

On motion by Councilmember Conley, seconded by Councilmember Davis the City Council unanimously approved item B.

COUNCIL REGULAR AGENDA

- 4. **ORDINANCE ADDING ARTICLE 3 TO CHAPTER 10 OF TITLE 5 OF THE ANTIOCH MUNICIPAL CODE, DEALING WITH SOLICITATION OF MOTORISTS#702-02**

City Attorney Galstan presented the staff report dated December 15, 2005 recommending the City Council take the following action: A) Motion to introduce the ordinance by title only; B) Motion to introduce the ordinance adding Article 3 to Chapter 10 of Title 5 of the Antioch Municipal Code, dealing with solicitation of motorists.

On motion by Councilmember Conley, seconded by Councilmember Simonsen the City Council unanimously: A) Introduced the ordinance by title only; B) Introduced the ordinance adding Article 3 to Chapter 10 of Title 5 of the Antioch Municipal Code, dealing with solicitation of motorists

- 7. **REALLOCATION OF DEVELOPER-CONTRIBUTED FUNDS FROM THE LOS MEDANOS BASEBALL STADIUM TO THE ANTIOCH YOUTH SPORTS COMPLEX AND ANTIOCH BABE RUTH LEAGUE#1402-01**

Leisure Services Deputy Director Sanderson and William Chapman, representing the Antioch Youth Sports Complex, presented the staff report dated December 20, 2005 recommending the City Council: A) Approve the grant of funds agreement between the City and the Antioch Youth Sports Complex Corporation, and; B) Direct staff to prepare a grant agreement between the City and the Antioch Babe Ruth League.

Mayor Freitas thanked Councilmembers Kalinowski and Conley for representing the City in negotiations and noted the improvements would positively impact many children in Eastern Contra Costa County. In addition, he thanked the Board of Directors of the Antioch Youth Sports Complex.

Councilmember Simonsen requested the City Council consider any additional funds coming back from the Los Medanos project be used for additional projects for the Antioch Youth Sports Complex.

On motion by Councilmember Kalinowski seconded by Councilmember Conley, the City Council unanimously: A) Approved the grant of funds agreement between the City and the Antioch Youth Sports Complex Corporation; directed staff to amend the first action clause to make \$500,000 available to the Antioch Youth Sports Complex to be paid out based on receipts; and, any unexpended funds shall be carried over for phase 2 of this project.

A brief overview of the expenditure plan for the grant agreement between the City of Antioch and Babe Ruth League was given by a representative of Antioch Babe Ruth.

Councilmember Conley commended Babe Ruth for providing East County youth with a quality facility and allowing the high school to utilize the fields as a practice facility.

Councilmember Simonsen suggested with the improvements being made, the City should attempt to assist in negotiating a longer term lease agreement between Dow Chemical and Babe Ruth.

Councilmember Conley volunteered to work with Dow Chemical on the negotiations for the lease agreement.

On motion by Councilmember Conley, seconded by Councilmember Kalinowski the City Council unanimously: 1) Directed staff to prepare the grant agreement between the City and the Antioch Babe Ruth League for a minimum amount of \$250,000 with the maximum to be determined at a later date; 2) Attempt to have discussions with Dow Chemical regarding the lease of the property, and; 3) Check the Babe Ruth insurance policy to assure it was sufficient.

Mayor Freitas declared a recess at 8:02 P.M. The meeting reconvened at 8:11 P.M. with all Councilmembers present.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS – Continued

William Chapman and Susan Davis representing the Elderly Wish Foundation announced the Heart to Heart Ball fundraiser would be held on February 25, 2006 at the Lone Tree Golf Course

beginning at 6:00 P.M. Contact information was given for anyone wishing to receive additional information on attending or donating to the event.

PUBLIC HEARINGS

2. APPROVAL OF 2005 URBAN WATER MANAGEMENT PLAN UPDATE FOR EXISTING AND FUTURE DEMANDS FOR WATER TO THE YEAR 2030

.....#1202-01

Administrative Analyst Haas-Wajdowicz presented the staff report dated December 2, 2005 recommending that City Council approve the resolution adopting the Urban Water Management Plan.

Councilmember Simonsen expressed concern the penalties may be unfair for homes that have multiple family members and suggested Council consider the penalties be based on permanent occupants.

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

Following discussion the Council directed staff to provide a report on the use of reclaimed water.

RESOLUTION 2006/07

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

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

AGENCY PUBLIC HEARING

3. ANTIOCH DEVELOPMENT AGENCY IMPLEMENTATION PLAN 2005-2010

.....#902-01

City Manager Jakel presented the staff report dated January 5, 2006 recommending the Agency adopt the resolution approving the Implementation Plan for the Antioch Development Agency - 2004/2005-2009/2010.

Chairperson Freitas opened and closed the Public Hearing with no speakers requesting to speak.

Don Fraser, Principal of Fraser & Associates, gave a brief overview of the proposed Implementation Plan.

RESOLUTION NO. ADA/408

On motion by Agency Member Conley, seconded by Agency Member Kalinowski the Antioch Development Agency unanimously adopted the resolution approving the Implementation Plan for the Antioch Development Agency - 2004/2005-2009/2010.

Agency Chairperson Freitas adjourned to the Antioch City Council.

Mayor Freitas called roll with all members present.

COUNCIL REGULAR AGENDA

5. APPEAL OF CENTRAL SELF STORAGE/PEGASUS GROUP FOR TWO WALL MOUNTED SIGNS (S-05-12)#202-04

Assistant Planner Gentry presented the staff report dated December 20, 2005 recommending the City Council adopt the resolution denying the appeal.

Tim Davis, representing Central Self Storage/Pegasus Group, thanked the City Council for their support of the project and requested approval of two internally lit building signs. He stated signage was important and suggested aluminum letters externally lit could be considered as an alternative. He provided photos of the buildings, proposed signage and similar signage in the neighborhood.

In response to Councilmember Kalinowski, City Engineer/Community Development Director Brandt stated if the City Council were inclined to consider alternative signage, he would request this item be continued to allow staff to work with the applicant.

Following discussion the City Council agreed an internally lit signage might be appropriate on the northern elevation of building C.

Mr. Davis stated signage was critical to the business and requested approval for signage on buildings B and C, the noting orientation of the buildings was such that he did not believe it would constitute duplicate signage.

Councilmember Kalinowski stated although he was making the second on the motion it did not guarantee he would be supporting the signage when it returned for Council consideration.

On motion by Councilmember Conley, seconded by Councilmember Kalinowski the City Council directed the applicant to work with City staff on one internally lit sign for the north elevation of Building C, to be brought back as soon as possible, preferably January 24, 2006, for City Council consideration.

6. APPROVAL OF REVISED MASTER PLAN FOR THE CITY PARK SOCCER FIELD (PW 205-F)#1402-03

City Engineer/Community Development Director Brandt presented the staff report dated December 9, 2005 recommending the City Council approve the revised Master Plan for the City Park soccer field.

Mayor Freitas stated he was appreciative of the efforts made by the agencies that worked and planned together on the development of the Master Plan, as well as the individuals who developed the playground community involvement plan.

Wayne Steffen, representing the Parks and Recreation Commission, stated the Commission appreciated the opportunity to bring the project forward and with City Council approval they would be moving forward with a steering committee for the planning of the playground.

In response to Councilmember Simonsen, Mr. Steffen stated he felt the recommendation of the Commission would be to not support a \$400,000 expenditure for regrading and drainage.

Councilmember Simonsen requested staff provide the Council a memorandum outlining the project timetable.

Councilmember Kalinowski stated he felt this was an outstanding project.

On motion by Councilmember Conley, seconded by Councilmember Davis, the City Council unanimously approved the revised Master Plan for the City Park soccer field.

PUBLIC COMMENTS - None

COUNCIL COMMUNICATIONS

Mayor Freitas read a memorandum from Mike Bechtholdt, Street Superintendent to City employees, thanking the Council for their support and cooperation through the holiday weekend storms. On behalf of the City Council, Mayor Freitas thanked Mr. Bechtholdt and the employees who serve the community by performing the tasks needed to keep the City operating, holiday or no holiday, they kept the City running.

Chief Moczulski congratulated Mr. Bechtholdt and staff and noted he also sent a letter to the Police Department thanking the Police Officers and Volunteers who assisted.

Mayor Freitas suggested City Manager Jakel commend Mr. Bechtholdt for a job well done.

Councilmember Simonsen commended Antioch Animal Services for the safe and timely recovery of his dog.

STAFF COMMUNICATIONS

City Manager Jakel announced the new Economic Development Director and Finance Director would report for work on January 17, 2006; the new City Attorney would begin on January 18, 2006.

Mayor Freitas announced City Attorney Galstan was retiring and this would be his last City Council meeting as the City Attorney. He would, however, remain on staff for a period of time to ensure a smooth transition with his replacement, Lynn Tracy Nerland, who would be arriving next week.

City Attorney Galstan announced this evening was his 650th and last City Council meeting. He thanked the Council and community for the opportunity to have a career he has enjoyed and noted it was an honor and a privilege to serve the community.

Mayor Freitas stated City Attorney Galstan would be missed.

With no further business, Mayor Freitas adjourned the meeting in honor of City Attorney Bill Galstan at 10:00 P.M. to the next regular Council meeting on January 24, 2006.

RESPECTFULLY SUBMITTED

L. JOLENE MARTIN, CMC
Antioch City Clerk