

ANTIOCH CITY COUNCIL

Regular Meeting
7:00 P.M.

February 14, 2006
Council Chambers

6:30 P.M.- CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - Initiation of Litigation/Administrative Proceeding (Application of Pacific Gas & Electric Company to the Public Utilities Commission to Construct a Substation on Sand Creek Road, Antioch (Application No. A-05-08-022). This Closed Session is authorized by Government Code §54956.9(c).

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 - None

PUBLIC COMMENTS

Ken Lee, Antioch resident, expressed concern the City's website was not posting information in a timely or accurate manner. He questioned when the public hearings would be held for the Wal-Mart expansion.

Mayor Freitas requested staff provide Mr. Lee with the information requested.

Walt Bartlette, Antioch resident, questioned whether or not the City Council planned to take any action regarding the airplane activity in his neighborhood.

Mayor Freitas requested the City Attorney advise the City Council of possible actions available to the City to prohibit the aerial antics taking being performed over Mr. Bartlette's property.

Mr. Bartlette also reported dumping on Empire Mine Road had continued to be a problem and asked when the road was scheduled to be closed to the public. He provided the City Clerk with information regarding the improper closing of the oil well installed in his neighborhood and expressed concern a new oil well could cause contamination to the surrounding homes due to the area's drainage issues.

Following discussion, the City Council requested staff contact Supervisor Glover regarding the closure of Empire Mine Road and if it is not occurring immediately, close it from the city limits.

Emil Stein, Antioch resident, requested the City install handicapped ramps in his neighborhood and a handicapped counter at the City Clerk's office.

1. COUNCIL CONSENT CALENDAR

- A. APPROVAL OF COUNCIL MINUTES FOR JANUARY 24, 2006#301-02
- B. APPROVAL OF COUNCIL WARRANTS#401-02
- C. REJECTION OF CLAIMS#704-07
 - 1. Elizabeth Huyck #05/06-1601 (property damage)
 - 2. Neil Tobin, #05/06-1583 (vehicle damage)
- D. LEGISLATION AND ADVOCACY#701-04
- E. LAND LEASE AGREEMENT WITH VERIZON WIRELESS FOR COMMUNICATIONS SITE AT 4506 VIA DORA DRIVE.....#1001-05
- F. RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AERIAL TO UNDERGROUND AGREEMENT FOR ENGINEERING AND CONSTRUCTION SERVICES WITH PAC BELL/SBC FOR UNDERGROUND DISTRICT NO. 19 TO UNDERGROUND ON "L" STREET BETWEEN WEST FOURTH STREET AND WEST TENTH STREET (PW 234-9) (*Con't to 2/28/06*).....#1201-07
- G. RESOLUTION NO. 2006/15 APPROVING THE APPLICANT TO APPLY FOR GRANT FUNDS FOR THE PER CAPITA GRANT PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002 (PW 658).....#1402-03
- H. RESOLUTION NO. 2006/16 APPROVING THE APPLICANT TO APPLY FOR GRANT FUNDS FOR THE ROBERTI-Z'BERG-HARRIS BLOCK GRANT PROGRAM UNDER THE CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002 (PW 658)..... #1402-03
- I. AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE WATER TREATMENT PLANT SOLIDS HANDLING FACILITIES AND PLANT B EXPANSION PROJECT (PW 551-4)#1202-01
- J. AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE REMODEL/EXPANSION OF THE COMMUNITY ROOM AT THE ANTIOCH POLICE FACILITY (PW 590-3)#1001-04
- K. CONSIDERATION OF BIDS FOR THE INSTALLATION OF TRAFFIC SIGNALS AT FOUR (4) LOCATIONS (PW 636-4).....#1104-02
- L. RESOLUTION NO. 2006/17 AUTHORIZING THE CITY ENGINEER TO SIGN THE ARMY CORPS OF ENGINEER PERMIT RELATED DOCUMENTS FOR THE MARINA LAUNCH RAMP PROJECT (PW 523-16)#1402-06

- M. **RESOLUTION NO. 2006/18 AUTHORIZING AN AGREEMENT FOR A GARAGE SALES .. OFFICE CONVERSION WITH DISCOVERY BUILDERS, IN BLACK DIAMOND RANCH SUBDIVISION, TRACT 8585, LOT 131 (PW 512-2)#802-02**
- N. **RESOLUTION NO. 2006/19 DIRECTING ENGINEER OF WORK TO PREPARE CONSOLIDATED REPORT FOR THE ANNUAL LEVY OF ASSESSMENTS FOR LANDSCAPING DISTRICTS FOR YEAR 2006/07.....#806-03**
- O. **RESOLUTION NO. 2006/20 ADOPTING FINDINGS TO SUPPORT THE DECISION OF THE COUNCIL TO DENY THE APPROVAL OF A CONVENIENT STORE USE AT THE LOCATION AT 611 EAST EIGHTEENTH STREET, PREM SAGAR ARORA (UP-05-09)#704-13**
- P. **FY 2005-06 OPERATING BUDGET - 2ND QUARTER REPORT#410-02**
- Q. **COMMUNITY DEVELOPMENT BLOCK GRANT - MID-PERIOD ADJUSTMENTS - APPROPRIATION OF ADDITIONAL EXPENDITURES TO THE 2005/06 FISCAL YEAR BUDGET (Con't to 2/28/06) #709-01**

On motion by Councilmember Conley, seconded by Councilmember Simonsen, the Council unanimously approved the Council Consent Calendar with the exception of items B, F, O and Q, which were removed for further discussion.

Item B - Ken Lee, Antioch resident, requested clarification on the expenditure to the Antioch Auto Dealership. He stated he felt any costs of the Somersville Road street name change to Auto Center Way should be paid for related to it.

Mayor Freitas requested Finance Director Brookshire contact Mr. Lee regarding the questions he has raised.

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

Item F - At the request of City Staff this item was continued to February 28, 2006.

Item O - Councilmember Simonsen stated he had reviewed the findings and felt they were appropriate, therefore he would be supporting approval of the resolution.

On motion by Councilmember Simonsen, seconded by Councilmember Conley, the City Council unanimously approved Item "O".

Item Q - Councilmember Simonsen requested this item be continued to February 28, 2006 to allow the CDBG subcommittee to meet with Finance Director Brookshire and Janet Kennedy.

COUNCIL REGULAR AGENDA

- 2. **APPOINTMENT TO SERVE ON THE PUBLIC ARTS SUB-COMMITTEE FOR THE HILLCREST AVENUE AND LONE TREE WAY ASSESSMENT DISTRICTS#302-10**

Information Systems Director Gegg presented the staff report dated February 8, 2006 recommending the City Council nominate a Councilmember to serve on the Public Arts Sub-Committee.

Joel Summerhill, President of the Arts and Cultural Foundation of Antioch, requested a member of the City Council join the panel for selection of artist for the new art pieces in the Hillcrest and Lone Tree Assessment districts.

Mayor Freitas nominated Councilmember Conley to serve on the Public Arts Sub-Committee.

On motion by Councilmember Simonsen, seconded by Councilmember Kalinowski the City Council unanimously accepted Mayor Freitas' nomination and appointed Councilmember Conley to serve on the Public Arts Sub-Committee.

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS

City Manager Jakel reminded Council and the public a joint meeting of the City Council/Planning Commission would be held on February 21, 2006 in the Community Room of the Antioch Police Facility. He also announced he would be reporting for jury duty on February 16, 2006 and would notify Council should he be impaneled.

COUNCIL COMMUNICATIONS

Councilmember Conley announced his candidacy for City Council and encouraged all candidates to sign a fair practice pledge and run clean campaigns based on the issues and their records.

Councilmember Davis announced he would be running for City Council and he looks forward to a strong campaign.

Councilmember Simonsen reported he had attended the League of California Cities Infrastructure Task Force and Telecommunications Subcommittee and gave a brief update. He suggested the City Council agendaize a presentation by AT&T and Comcast regarding the services they provide. He wished everyone a Happy Valentine's Day.

Mayor Freitas stated franchise fees were an extraordinarily significant issue and noted he would work with the City Manager and City Attorney to convene a meeting. Regarding transportation, Mayor Freitas urged Councilmember Simonsen to avail himself to information from Bob McCleary regarding an allocation of state funds and suggested Councilmember Simonsen make a presentation to the League of California Cities. He reported he had received positive comments regarding the Safety Fair and he thanked everyone who had participated.

ADJOURNMENT

With no further business, Mayor Freitas adjourned the meeting at 7:30 P.M. to the adjourned regular meeting of the Antioch City Council and the Antioch Planning Commission on February 21, 2006.

Respectfully Submitted

RESPECTFULLY SUBMITTED

L. JOLENE MARTIN, CMC
Antioch City Clerk

Approved:

DONALD P. FREITAS, Mayor

Attest:

L. JOLENE MARTIN, CMC
Antioch City Clerk