

ANTIOCH CITY COUNCIL

Regular Meeting
7:00 P.M.

May 23, 2006
Council Chambers

6:30 P.M. - CLOSED SESSION

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 and there was no reportable action.

PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS

Antioch War Dog Memorial Day, May 29, 2006
Relay for Life, June 24 - 25, 2006

On motion by Councilmember Conley, seconded by Councilmember Davis, the Council unanimously approved the proclamations.

Councilmember Davis presented the proclamation proclaiming May 29, 2006 as *Antioch War Dog Memorial Day* to Barbara Herendeen, who accepted the proclamation on behalf of the War Dog Committee, Antioch Historical Society and Antioch Women=s Club, thanked the Council for their support and invited the community to attend the dedication ceremony.

Councilmember Conley presented the proclamation proclaiming June 24-25, 2006 as *Relay for Life* to Carol Huff and members of the Relay for Life committee who accepted the proclamation, thanked the City Council for their support and invited the community to participate in the event.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS - None

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

Mayor Freitas 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
Two unexpired terms on the Police Crime Prevention Commission
One unexpired term on the Design Review Board

The filing deadline for all applications is June 9, 2006 at 5:00 p.m. Contact information was given for those interested in applying.

PUBLIC COMMENTS

Walt Bartlett reported the County had taken action to close Empire Mine Road and requested it be done as soon as possible. He discussed board and care he provided to a horse at the request of the Antioch Police Department, and noted he felt the response he received regarding reimbursement from Shelter Supervisor Skip Swanlund was inappropriate.

Special Council Bill Galstan stated staff would look into this issue and provide Council on the final conclusion.

Ken Lee, Antioch resident, discussed unresolved issues related to the Antioch Auto Dealership and his recent visit to Astoria, Oregon.

Wayne Steffen, representing the City Playground Renovation Committee, gave a brief update on the status of the City Park renovation and provided the City Council with brochures.

Devi Lanphere, representing the Antioch Chamber of Commerce, thanked Mayor Freitas for the presentation and his participation in the State of the City Luncheon. She presented him with a gift certificate for Johnny Carino=s.

Emil Stein, Antioch resident, stated residents had not received adequate response from the City Council regarding negative impacts of the Antioch Auto Dealership.

Mayor Freitas commented the City had responded to the residents.

Michael Hayes, President of the Black Student Union at Deer Valley High School, stated he felt the rising crime in Antioch was a result of the lack of appealing activities for the youth in the community. He presented the City Council with an essay he had written on the subject.

Councilmember Davis invited Michael to participate in and bring this issue forward at a Youth Council meeting.

Michael requested the City Council meetings be advertised to the students.

COUNCIL REGULAR AGENDA

**3. ORAL STATUS REPORT FROM ARCADIS REGARDING REDEVELOPMENT
PLANNING EFFORTS FOR THE RIVERTOWN WATERFRONT PLANNING AREA
#902-06**

Economic Development Director Bjerke presented the staff report dated May 17, 2006 recommending the City Council receive and file the report.

Steve Stewart, Planning Project Manager, gave a brief update on the redevelopment planning efforts for the Rivertown Waterfront Planning Area and noted they would be working on the curette, continuing the real estate analysis, and within the next four weeks they would have a draft concept plan for city staff, along with preliminary information on the economic study.

Councilmember Kalinowski requested the City Council receive the conceptual plans at the same time they are delivered to staff.

1. COUNCIL CONSENT CALENDAR

- A. APPROVAL OF COUNCIL MINUTES FOR APRIL 11, 2006 #301-02**
- B. APPROVAL OF COUNCIL WARRANTS #401-02**
- C. APPROVAL OF TREASURER=S REPORT - APRIL 2006 #401-02**
- D. REJECTION OF CLAIM #704-07**
 - 1. David Brown, Jr., #06/07-1645 (tire damage)**
- E. LEGISLATION AND ADVOCACY #701-04**
- F. RESOLUTION NO. 2006/54 ENDORSING PROPOSITION 81 (LIBRARY BOND) ON THE JUNE 6, 2006 CALIFORNIA PRIMARY ELECTION #701-04**
- G. ORDINANCE ADDING CHAPTER 13 OF TITLE 3 AND AMENDING SECTION 3-5.312 OF THE ANTIOCH MUNICIPAL CODE, REGARDING CLAIMS AGAINST THE CITY #701-05**
- H. ALCOHOL AND DRUG TREATMENT FACILITIES: ASSEMBLY BILL 3007 #701-04**
- I. RESOLUTION NO. 2006/55 OF INTENT TO INITIATE AN AMENDMENT TO CHAPTER 5 OF ARTICLE 9 OF THE ANTIOCH MUNICIPAL CODE, TO REQUIRE ADDITIONAL PARKING REQUIREMENTS FOR SINGLE-FAMILY RESIDENCES WITH 6 OR MORE BEDROOMS OR OPTIONAL BEDROOMS #701-05**

- J. **RESOLUTION NO. 2006/56** ESTABLISHING THE APPROPRIATIONS LIMIT FOR THE 2006-07 FISCAL YEAR #410-01
- K. **CONSIDERATION OF BIDS FOR THE WATER TREATMENT PLANT SOLIDS HANDLING FACILITIES AND PLANT B EXPANSION (PW 551-4)** #1201-01
- L. **RESOLUTION NO. 2006/58** APPROVING CONSOLIDATED ENGINEER'S REPORT AND DECLARING INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE HILLCREST, CITYWIDE, DOWNTOWN, ALMONDRIDGE, LONE TREE, AND EAST LONE TREE LANDSCAPE MAINTENANCE DISTRICTS, AND SETTING PUBLIC HEARING (PW 500) #806-03
- M. **RESOLUTION NO. 2006/59** APPROVING FINAL MAP AND IMPROVEMENT PLANS FOR RENAISSANCE AT BLUEROCK, (KB HOME), TRACT NO. 8884 AND ANNEXING TO THE CITY WIDE LIGHTING AND LANDSCAPING DISTRICT 2A, ZONE 9, (PW 671) #802-02
- N. **RESOLUTION NO. 2006/60** AUTHORIZING DELTA DIABLO SANITATION DISTRICT TO SUBMIT A HOUSEHOLD HAZARDOUS WASTE GRANT APPLICATION TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD ON BEHALF OF THE CITY OF ANTIOCH #1206-03
- O. **RESOLUTION NO. 2006/61** APPROVING FINAL MAP FOR BAYWOODS CONDO CONVERSION, (AGI CAPITAL GROUP), TRACT NO. 8936, AND RESOLUTION **RESOLUTION NO. 2006/57** APPROVING THE FINDINGS FOR PROPER TENANT NOTIFICATION (PW 673) #802-02
- P. **FEE INCREASE AT LONE TREE GOLF COURSE** #1402-01
- O. **PURCHASE OF THREE SOLARBEE RESERVOIR WATER CIRCULATORS TO CONTROL BLUE-GREEN ALGAE AT THE ANTIOCH MUNICIPAL RESERVOIR** #1202-01

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

Item A B On motion by Councilmember Conley, seconded by Councilmember Kalinowski the City Council approved item A. The motion carried the following motion:

Ayes: Freitas, Kalinowski, Conley

Abstain: Davis, Simonsen

Item F B Councilmember Simonsen reported the City Council will be taking a position to endorse proposition 81 on the June 6, 2006 Ballot (Library Bond Act).

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

Item L B In response to Councilmember Kalinowski, Director of Community Development Brandt stated he would provide Council with a clarification of the expenditures for the administrative costs and two options for the General Fund contributions at the time of the Public Hearing.

On motion by Councilmember Conley, seconded by Councilmember Simonsen the City Council unanimously set July 11, 2006 as the date of the Public Hearing.

PUBLIC HEARINGS

- 2. THE CITY OF ANTIOCH PROPOSES TO AMEND TITLE 9, CHAPTER 5 ARTICLE 31: CONDOMINIUM CONVERSIONS (RESIDENTIAL) OF THE MUNICIPAL CODE TO BRING THE ARTICLE INTO CONFORMANCE WITH STATE OF CALIFORNIA LAW, AND TO ADDRESS APPLICATION SUBMITTAL REQUIREMENTS, PROPERTY DEVELOPMENT STANDARDS AND MINIMUM PROPERTY IMPROVEMENTS, AND HOME OWNER ASSOCIATION FORMATION, FUNDING, AND RELATED TOPICS; THE AMENDMENT WILL BE APPLICABLE CITYWIDE FOR REQUESTS TO CONVERT MULTIPLE FAMILY RENTAL UNITS TO OWNER OCCUPIED CONDOMINIUMS (Z 05 03) #202-05**

Senior Planner Oshinsky presented the staff report dated May 18, 2006 recommending the City Council: A) Motion to adopt the resolution adopting the Negative Declaration as being adequate; B) Motion to introduce the ordinance by title only; and C) Motion to introduce the ordinance rescinding and re enacting Title 9, Chapter 5, Article 31 of the Antioch Municipal Code, dealing with Residential Condominium Conversions.

RESOLUTION NO. 2006/62

Following discussion the City Council agreed to several changes in the ordinance as reflected in the following motion.

On motion by Councilmember Kalinowski, seconded by Councilmember Conley the City Council unanimously A) Adopted the resolution adopting the Negative Declaration as being adequate; B) Introduced the ordinance by title only; and C) Introduced the ordinance rescinding and re enacting Title 9, Chapter 5, Article 31 of the Antioch Municipal Code, dealing with Residential Condominium Conversions with the following changes:

Page 1 - 9-5.3101 B (G) Add Athese projects shall be consistent with surrounding neighborhoods@

Page 3 B 2. d) Delete Aor optional, alternate system upon Building Official recommendation.@

Page 4 B 8 a) replace By the city@ with By the Community Development Director@ and develop for City Council review the criteria to be used in making the determination during the Design Guidelines process.

Page 4 c B delete five years@ and replace with ten years@

COUNCIL REGULAR AGENDA

4. STATUS REPORT FOR THE JAMES DONLON BLVD. PAVEMENT REHABILITATION (PW 368-3) #1102-04

Community Development Director Brandt presented the staff report dated may 15, 2006 recommending the City Council receive and provide direction on possible additional road repairs to James Donlon Boulevard.

Councilmember Kalinowski voiced his support for option #2 noting the need for additional support in the road program was a discussion he wanted included in budget discussions. Mayor Freitas voiced his support for option #1 noting there was an economy of scale.

Councilmembers Conley and Simonsen agreed to support option #2.

On motion by Councilmember Kalinowski, seconded by Councilmember Conley the City Council directed maintenance staff to perform spot replacement of failing areas and crack seal and slurry seal remaining areas to provide a smooth riding, uniformly colored road surface. Staff would estimate the cost of work and return for allocation of additional Gas Tax funds for the work.

The motion carried the following vote:

Ayes: Kalinowski, Conley, Simonsen, Davis

Noes: Freitas

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS

City Attorney Nerland announced AB1234 - Ethics Training would be held on May 25, 2006 at 9:30 a.m. in Council Chambers.

COUNCIL COMMUNICATIONS

Councilmember Kalinowski expressed his concern regarding the high concentration of registered sexual offenders housed in a local hotel. He requested staff review how this issue was occurring, costs involved in housing these individuals and the possibility of an ordinance restricting the length of stay in Antioch motels as well as addressing this issue with the state agencies involved.

Councilmember Davis announced the following events would be taking place in Antioch:

War Dog Memorial Dedication on May 29, 2006 at 10 A.M. at the foot of AL@ Street
Memorial Day Celebration on May 29, 2006 at 12:00 P.M. at the Oakview Cemetery
Deer Valley Awards Ceremony at Deer Valley High School on May 24, 2006

Councilmember Simonsen gave a brief review of the League of California Cities Legislative Action Days he attended on May 17 B 18, 2006.

City Attorney Nerland confirmed the budget study session would be held on May 30, 2006.

Mayor Freitas announced Western Career College had opened and he welcomed them to the community. He encouraged everyone to become familiar with the propositions, candidates, and vote at the primary election on June 6.

ADJOURNMENT

With no further business, Mayor Freitas adjourned the meeting at 8:29 p.m. to the Study Session meeting on May 30, 2006.

Respectfully Submitted:

L. JOLENE MARTIN, CMC, City Clerk