

ANTIOCH CITY COUNCIL

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

**February 19, 2008
Council Chambers**

Mayor Freitas called the meeting to order at 7:03 P.M., and City Clerk Martin called the roll.

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

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENTS

Manny Soliz, Antioch resident, discussed the proposal to locate a Transitional Prison Facility in Antioch and requested the City Council draft a resolution to send to the County Board of Supervisors opposing the Antioch location.

Mayor Freitas reported the City Council had previously taken action to draft the resolution.

Ken Lee, Antioch resident, reiterated his concerns related to garbage receptacles left out on City property as well as visible refuge at the Antioch Auto Dealerships.

Chip Stein, Antioch resident spoke to Mayor Freitas serving as an elected official.

Walter Ruelig, representing the Antioch Unified School Board, reviewed a letter encouraging the Board of Supervisors to vote in opposition to building a State Prison on Sand Creek Road in Antioch.

COUNCIL RESPONSE TO PUBLIC COMMENTS – None

COUNCIL REGULAR AGENDA

1. PREWETT PARK COMMUNITY FACILITIES – THREE CONCEPTUAL DESIGN OPTIONS – (COMMUNITY CENTER AND POLICE SERVICE CENTER) #1402-03

Project Manager Lonnie Karste presented the staff report dated February 5, 2008 and gave a brief overhead presentation of the Prewett Park Community Center / Police Service Center recommending the City Council receive and provide comments on the proposed conceptual designs; select preferred conceptual design and site location; and direct staff to begin schematic design phase.

Janet Tam, Knoll Tam Architects, gave a brief overhead presentation of the history of the project, Schemes A-C and reviewed each Scheme diagram in detail.

Councilmember Moore spoke in support of the amphitheater design on Scheme B and the location of the Police Substation on Scheme C.

Councilmembers Davis, Kalinowski and Mayor Freitas spoke in support of Scheme B and the ability for that plan to expand.

Councilmember Simonsen spoke in support of Scheme C and expressed concern regarding the size of the community room and amphitheater. He questioned if the library annex and preschool would impact existing facilities in Antioch.

In response to Councilmember Simonsen, Director of Leisure Services Sanderson discussed the flexibility of the community room and gymnasium as well as the revenue generated from the preschool.

Lonnie Karste clarified the Library annex would be maintained with a limited staff working the existing Library, adding they anticipated incorporating a kiosk to provide the public with access to information on City services. Additionally, he noted the gymnasium uses would be limited in time and no locker/shower area would be provided. He reported the size of the amphitheater had not been determined and as funding became available it could be built to meet the needs of the community.

John Vandercamp, representing the Antioch Police Department, spoke in support for Scheme B noting it allowed for future expansion of the Police Service Center and confidentiality for the booking area as well as the ability to utilize the technology lab for the Police Activities League (PAL) and REACH programs.

Ms. Tam clarified Scheme C was most limited to expanding the amphitheater in the current configuration due to the fire access road. She noted architectural issues related to plan B could be addressed in the next phase of the project and utilities do not currently exist in the west parking lot as it was not complete.

Councilmember Davis suggested the tech center and Library annex be located adjacent to each other.

Councilmember Kalinowski suggested WIFI be available to the entire property.

Councilmember Simonsen suggested alarmed doors in areas that were appropriate.

Mayor Freitas suggested a more integrated function for the Police Substation.

Councilmember Kalinowski suggested a separate entrance be available for off hour access to the police substation.

Mayor Freitas summarized consensus was plan B with the following modifications:

- The conceptual design modified to add architectural interest
- Consideration of solar power
- Further discussion on funding of the amphitheater library annex and landscaping
- Placement of the facility at the apex

- Modify the entry to be larger to provide a transitional space, include trellises and overhangs in the porch area

Chip Stein, Antioch resident, questioned the inclusion of a senior center, adequate handicapped parking and bus service to the site.

Director of Community Development Sanderson stated there would be some specialized senior programming at the community center.

Project Manager Karste added the City would meet ADA code for handicapped parking and Tri-Delta Transit planed to have service in the westbound direction into this facility.

2. JUVENILE PROTECTION CURFEW ORDINANCE #701-05

City Attorney Nerland presented the staff report dated February 13, 2008, recommending the City Council: A) approve the reading of the ordinance by title only; and B) approve an ordinance deleting Article 2 of Chapter 10 of Title 5 of the Antioch Municipal Code in its entirety and adding a new Article 2 relating to a Juvenile Protection Curfew (establishing a curfew of 11:00 P.M. for juveniles under 17 years of age, subject to certain exceptions).

In response to Mayor Freitas, Captain McConnell, representing the Antioch Police Department, reported having one set time was easier to enforce and past action from the 9th Circuit Court indicated a curfew ordinance for juveniles under 17 was more legally defensible.

City Attorney Nerland stated she had attempted to present the most legally defensible ordinance, however if the City Council felt it was important to include youth as young as 17 years old, they could do so.

In response to Councilmember Simonsen, City Attorney Nerland and Captain McConnell reviewed the citation procedure and process for enforcement.

Councilmember Moore voiced his support of the ordinance, but requested Council be provided conviction rates in the future.

Allen Payton, Antioch resident, suggested amending the ordinance to 10:00 P.M. on weekdays and for juveniles under the age of 18. He requested details of the enforcement process and urged strict enforcement.

Ken Lee, Antioch resident, requested enforcement details regarding enforcement of the ordinance and suggested creation of a community court to hear violations.

Mayor Freitas read written comments from Gary Gilbert, representing United Citizens for Better Neighborhoods (UCBN), indicating their support of the ordinance with the addition of a fine based parent responsibility clause.

Chief Hyde reviewed the marketing program and discussed the enforcement process.

Mayor Freitas stated he would have the issue brought back to the Delta 6 for a discussion on coordinating times with other jurisdictions.

Councilmembers Simonsen and Moore stated they support the ordinance as amended to address public safety, however, based on the opinion of the City Attorney, as presented in the staff report; they questioned whether or not it would be legally defensible.

Mayor Freitas discussed the positive impact enforcement of the ordinance could have on the youth of Antioch. Furthermore, he felt modifications to the ordinance, regarding the inclusion or exclusion of participants age 17 and younger, was minor in substance. Adopted as presented would eliminate a potential loophole.

On motion by Councilmember Kalinowski, seconded by Councilmember Simonsen the City Council unanimously: A) approve the reading of the ordinance by title only; and B) approve an ordinance deleting Article 2 of Chapter 10 of Title 5 of the Antioch Municipal Code in its entirety and adding a new Article 2 relating to a Juvenile Protection Curfew (establishing a curfew of 11:00 P.M. for juveniles under 18 years of age, subject to certain exceptions). Amending the age throughout the document to juveniles under 18 years of age.

PUBLIC COMMENTS

Allen Payton thanked Mayor Freitas for his efforts and leadership in working to complete the new segment of the Highway 4 Bypass.

Mayor Freitas reminded the public the Bypass was a \$214M project, which, when completed, would total approximately \$350M.

STAFF COMMUNICATIONS

Following discussion, City Manager Jakel announced the Quality of Life Forum would be held on March 29, 2008, with the location yet to be determined. He stated he would retain the services of the facilitator for the meeting.

COUNCIL COMMUNICATIONS

Councilmember Kalinowski requested staff report back to the City Council to address why Cigarettes for Less with drug paraphernalia was a permitted use and whether or not it was properly zoned at Deer Valley Plaza.

Councilmember Moore reported the opening of the Highway 4 Bypass traffic had resulted in the westbound exits backing up.

City Manager Jakel reported staff was working with CALTRANS on the timing of the lights at those exits.

Councilmember Simonsen thanked Mayor Freitas for his leadership in expediting the completion of the Highway 4 Bypass and noted it had lessened the impact on arterials.

With no further business, Mayor Freitas adjourned the meeting at 9:26 P.M. to the next regular Council meeting on February 26, 2008.

Respectfully submitted:

L. JOLENE MARTIN, CMC City Clerk

Approved:

DONALD P. FREITAS, Mayor

Attest:

L. JOLENE MARTIN, CMC, City Clerk