

## ANTIOCH CITY COUNCIL

Regular Meeting  
7:00 P.M.

July 8, 2008  
Council Chambers

### 6:15 P.M... - CLOSED SESSION

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** – Property: 1323 W. 4th Street; Negotiator: Guy Bjerke; Negotiating Parties: Daniel G. and Janice J. Arcata; under negotiation: price and terms of payment. This closed session is authorized pursuant to Government Code §54956.8.

2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – Administrative Civil Liability Complaint No. R5-2006-0512 issued by the California Regional Water Quality Control Board – Central Valley Region to the City of Antioch and Somersville-Gentry, Inc. re: Markley Creek; SPPI-Somersville, Inc. et al. v. TRC et al. (USDC N.D. Cal Case No C04-2648 SI); SPPI-Somersville, Inc. et al v. Chevron (USDC N.D. Cal. Case No. C07-05824 SI). This closed session is authorized pursuant to Government Code §54956.9 (a).

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

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

### PLEDGE OF ALLEGIANCE

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

Mayor Freitas reported the City Council had been in Closed Session. Referencing Item #1) *Conference with Real Property Negotiator*, Mayor Freitas stated the property owner had accepted the City's offer, which had been agreed upon by a majority of the City Council.

### ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Devi Lanphere, Antioch Chamber of Commerce manager, announced the East County Economic Summit would be held on September 26, 2008 from 8:00 A.M. to 2:00 P.M. at the Lone Tree Golf Course Event Center. Contact information was given for anyone wishing to attend.

### PROCLAMATION

Antioch Chamber of Commerce 70th Anniversary

On motion by Councilmember Simonsen, seconded by Councilmember Moore, the Council unanimously approved the proclamation.

          A            
**8-12-08**

Councilmember Kalinowski presented the proclamation paying tribute to the 70th Anniversary of the Antioch Chamber of Commerce, members of the Board of Directors, and Ambassadors of the Antioch Chamber of Commerce who accepted the recognition.

Mayor Freitas, on behalf of the community congratulated the Chamber of Commerce and thanked them for being an advocate for business in the community.

## **PUBLIC COMMENTS**

Mary Dodson, Antioch resident, thanked everyone responsible for making the 4th of July events a wonderful celebration for the community.

Mayor Freitas, on behalf of the community recognized and thanked Mr. Nunnally for his participation in the planning of the 4th of July events.

## **COUNCIL RESPONSE TO PUBLIC COMMENTS**

Councilmember Kalinowski suggested a community meeting be held to seek out members to serve on a committee to explore the possibility of holding an event on September 20, 2008 at Prewett Park to benefit the children of the Nunn and Wilson families.

Following discussion, the City Council consensus agreed to put the item on the July 22, 2008 agenda for City Council consideration and close the evening's meeting in memory of Erik and Tanya Nunn and Craig and Michele Wilson.

Supervisor Glover, on behalf of the Board of Supervisors presented a plaque to Captain Cantando, who accepted on behalf of Chief Hyde, recognizing him for rescuing an individual who became stranded in the Delta. He spoke to the recent release of a murder suspect and noted he would be in contact with those responsible to determine the proper corrective action. Lastly, he offered his support to assist in a fundraiser to benefit the Nunn and Wilson children.

### **1. COUNCIL CONSENT CALENDAR**

**A. APPROVAL OF COUNCIL MINUTES FOR JUNE 10 and 17, 2008 (#301-03)**

**B. APPROVAL OF COUNCIL WARRANTS (#401-02)**

**C. LEGISLATION AND ADVOCACY (#701-04)**

**D. REJECTION OF CLAIMS (#704-07)**

- 1. Jackie Aguilar 07/08-1793 (personal injury)**
- 2. Shannon Roberson 08/09-1798 (personal injury)**
- 3. Joseph Antoine 08/09-1809 (property damage)**

- E. **RESOLUTION NO. 2008/64 ESTABLISHING CLASS SPECIFICATION FOR COLLECTION SYSTEMS SUPERVISOR AND WATER DISTRIBUTION SUPERVISOR AND ABOLISHING THE CLASS SPECIFICATION FOR WATER/WASTEWATER SUPERVISOR (#502-02)**
- F. **RESOLUTION NO. 2008/65 APPROVAL OF PROPOSITION 50 INTEGRATED REGIONAL WATER MANAGEMENT (IRWM) IMPLEMENTATION GRANT AGREEMENT BETWEEN THE STATE WATER RESOURCES CONTROL BOARD, CONTRA COSTA WATER DISTRICT AND THE CITY OF ANTIOCH AS A SUB GRANTEE (#1202-05)**
- G. **APPROVE AWARD OF BID NO. 405-0609-08F FOR ANNUAL CONTRACT TO PURCHASE GASOLINE AND DIESEL FUEL (#601-02)**
- H. **APPROVE THE CONTRACT TO LEE'S BUILDING MAINTENANCE EXTENSION FOR JANITORIAL SERVICE AT VARIOUS CITY LOCATIONS (#601-02)**
- I. **APPROVE AWARD OF PROPOSAL NO. 971-0520-09F FOR RENTAL OF CHRISTMAS TREE LOT LOCATED AT DELTA FAIR AND CENTURY BOULEVARD (#601-02)**
- J. **RESOLUTION NO. 2008/66 AUTHORIZING CITY MANAGER TO ENTER INTO AN AGREEMENT BETWEEN THE CITY AND NATIONAL GOLF FOUNDATION CONSULTING TO CONDUCT AN OPERATIONAL AUDIT AND BUSINESS PLAN DEVELOPMENT STUDY AT LONE TREE GOLF COURSE (#1402-01)**

On motion by Councilmember Simonsen, seconded by Councilmember Kalinowski, the Council members present unanimously approved the Council Consent Calendar.

## **PUBLIC HEARING**

- 2. **RESOLUTION ORDERING IMPROVEMENTS AND LEVYING ANNUAL ASSESSMENTS FOR LANDSCAPE MAINTENANCE DISTRICTS FOR THE 2008/2009 FISCAL YEAR (PW 500) (#806-03)**

Administrative Analyst Hoffmeister presented the staff report dated June 30, 2008 recommending the City Council adopt the resolution.

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

### **RESOLUTION NO. 2008/67**

On motion by Councilmember Simonsen, seconded by Councilmember Moore the City Council members present unanimously adopted the resolution.

## **COUNCIL REGULAR AGENDA**

**3. ANTIOCH CITY PARK COMMUNITY BUILT PLAYGROUND NAMING (#1402-03)**

Deputy Director Recreation Department Sanderson presented the staff report dated July 2, 2008 recommending the City Council A) select a name from a list of finalist for the City Park's community built playground and B) approve the proposed sign.

Following discussion, the consensus of the City Council supported naming the playground Dream Builder Playground and adding the Park and Recreation Commissioner's names to signage. Councilmember Simonsen suggested a smaller font be used for the Council Members individual names.

Council directed staff to send the final form of the signage to the City Council.

On motion by Councilmember Simonsen, seconded by Councilmember Moore, the City Council Members present unanimously selected Dream Builder Playground as the name for the City Park playground and approved the proposed signage with changes as previously discussed.

**4. APPOINTMENT OF TWO CITY COUNCIL MEMBERS TO THE HOUSING ELEMENT SUBCOMMITTEE (#301-10)**

Deputy Director of Community Development Wehrmeister presented the staff report dated July 1, 2008 recommending the City Council: A) create an ad-hoc advisory Housing Element Subcommittee consisting of two Council members and two Planning Commissioners; and B) approve the Mayor's appointment of two (2) City Council Members to the Housing Element Subcommittee

Mayor Freitas nominated Council Members Kalinowski and Simonsen to serve on the Housing Element Subcommittee.

On motion by Councilmember Kalinowski, seconded by Councilmember Simonsen, the City Council Members present unanimously approved A) create an ad-hoc advisory Housing Element Subcommittee consisting of two Council members and two Planning Commissioners; and B) approve the Mayor's appointment of Council Members Kalinowski and Simonsen to the Housing Element Subcommittee

**AGENCY REGULAR AGENDA**

**5. STUDY SESSION ON THE EBART RIDERSHIP DEVELOPMENT PLAN (RDP) FOR THE HILLCREST EBART STATION AREA (#1107-03)**

Deputy Director Advanced Planning Carniglia presented the staff report dated July 2, 2008 recommending the City Council: hold the study session on the Ridership Development Plan (RDP) for the Hillcrest eBART Station area, and provide comments and direction to staff as appropriate.

Leslie Gould, representing Dyett & Bhatia, gave a brief overhead presentation and update on the Union Pacific Railroad for the eBART Ridership Development Plan (RDP).

Mayor Freitas stated resuming service on the Mococo Line was a major issue for the community and discussed the negative impact on public safety, economic development, and quality of life. Additionally, he noted it would create an attractive nuisance and questioned the integrity of the Mococo Line.

Deputy Director of Advanced Planning Carniglia stated he would be meeting with Union Pacific on July 25, 2008 to discuss their intent regarding service on the Mococo Line.

Rob Rees, representing Fehr & Peers, gave a brief overview of the traffic characterization for the RDP.

In response to Council, Mr. Rees clarified the Phillips Lane Interchange fitted in well with future transportation desires, however it did not meet the mandatory design exception therefore Caltrans would not be proactive. He stated Antioch, as a local community needed to pursue the importance of the project.

Ms. Gould gave a brief overhead presentation of the Traffic Conclusions and Traffic Generated by different uses for the RDP.

Councilmember Kalinowski questioned if and when the benefits of the project would outweigh the impacts and requested information be provided as to what development was tied to the infrastructure improvements.

Ms. Gould responded the following phases would include a plan for development and the financing mechanisms available. Mayor Freitas stated City Council would need to create a policy regarding the issue.

Jim Musbach, representing Economic and Planning Systems, Inc. gave a brief overview of the Office, Retail, Residential Market Assessments and Absorption Projections for the RDP.

Ms. Gould gave a brief overhead presentation of the Market Analysis Conclusions for the RDP.

Mayor Freitas declared a recess at 9:01 P.M... The meeting reconvened at 9:17 P.M. with all Council Members present with the exception of Councilmember Davis who was excused.

Councilmember Simonsen, speaking to page #3, bullet #3 in the staff report requested language be changed as follows, "The use of Assessment Districts as a funding tool."

Ms. Gould reviewed the land use alternatives and four options for eBART station locations.

Ellen Smith, representing BART, gave a brief overview of the tunnel facilities proposed for truck traffic and the train maintenance yard.

In response to Mayor Freitas, Ms. Smith stated she would provide more details with regards to the costs associated to the truck and the train tunnels.

Mayor Freitas stated more information on the fourth eBART station location needed to be discussed at an EPAC meeting. He requested in the future the City Council be given larger diagrams of the presentation.

Councilmember Kalinowski requested future documents show maintenance operations colored differently than the parking facilities.

Councilmember Moore stated he supported the fourth station location alternative being studied in future reports.

Ms. Gould gave a brief overview of the Amount of Development for Residential Units, Office, Retail and Hotel Rooms.

Councilmember Kalinowski stated 3500 residential units exceed his vision for the density of the area.

Ms. Gould gave a brief overhead presentation of MTC Resolution 3434 Housing Target and the BART system expansion policy, and Hillcrest Station Ridership.

Tim Forrester, representing the Antioch Unified School District, requested the EIR discuss the flow of traffic as it related to the Antioch Unified School District boundaries.

Allen Payton, Antioch resident, suggested consideration for a convention center is included in the plans for East County. He questioned how many jobs were proposed and encouraged the maximum amount of job creation for the area.

In response to Councilmember Kalinowski, Ms. Smith stated BART was analyzing 2500 residential units in the EIR with a sensitivity analysis for up to 3500 units.

Following discussion, consensus of the City Council agreed to consider all four alternatives. With regards to Public Outreach, they supported staff's recommendation for direct mailings and citywide general advertising with an initial meeting scheduled in September. Additionally, consensus supported the Amount of Development as presented amending the residential units to be analyzed in the EIR as 650, 1200, and 2500.

**PUBLIC COMMENTS** - None

### **STAFF COMMUNICATIONS**

City Manager Jakel reminded Council there would not be an adjourned regular City Council meeting on July 15, 2008 and there was a Quality of Life Forum scheduled for August 9, 2008 at Deer Valley High School.

### **COUNCIL COMMUNICATIONS**

Councilmember Moore reported the 4th of July events were wonderful and suggested in the future a group lead the parade to set the pace.

Councilmember Simonsen agreed the 4th of July event was great and suggested a critique of the group who organized the event. He requested additional trash receptacles, adding recycling containers and advertising events occurring between the parade and fireworks display.

Mayor Freitas requested staff provide the City Council with a report within 30 days regarding the possibility of condemning the building located at 10th and A Streets and an explanation of how those types of deficiencies exist in the City's codes and ordinances.

With no further business, Mayor Freitas adjourned the meeting at 10:17 P.M. in honor of Erik and Tanya Nunn and Craig and Michele Wilson to the next regular Council meeting on July 22, 2008.

Respectfully submitted:

---

L. JOLENE MARTIN, CMC, City Clerk