

## **ANTIOCH CITY COUNCIL**

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

**March 23, 2004  
Council Chambers**

Mayor Freitas called the meeting to order at 7:02 P.M., and City Clerk Martin called the roll.

Present: Council Members Simonsen, Davis, and Mayor Freitas

Excused: Council Members Kalinowski and Conley

Mayor Freitas announced Councilmember Kalinowski would be late to the meeting as he was making a presentation at the Brentwood City Council meeting; Councilmember Conley had a family emergency. Both members would try to arrive for a portion of the meeting.

### **PLEDGE OF ALLEGIANCE**

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

### **PROCLAMATIONS**

Earthquake Preparedness Month, April 2004

Week of the Young Child, April 10 - 17, 2004

On motion by Councilmember Davis, seconded by Councilmember Simonsen the City Council members present unanimously approved the proclamations.

Councilmember Davis presented the proclamation proclaiming April 2004 as Earthquake Preparedness Month to Captain Contando who thanked the City Council for the presentation and discussed the importance of being prepared in the event of an emergency.

Councilmember Simonsen presented the proclamation proclaiming April 10-17, 2004 as the Week of the Young Child to Kristi Jensen representing the Contra Costa Childcare Council who thanked the City Council for supporting children and families.

### **ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS - None**

### **PUBLIC COMMENTS**

Ken Lee, Antioch resident expressed concern that the speakers from the Antioch Toyota/Nissan dealerships are negatively impacting their quality of life by being directed into

their neighborhood. He also expressed concern test drives and construction vehicles were driving through their neighborhood streets. He questioned why the driveway onto West 18<sup>th</sup>

Street had not been removed, noting there was a specific condition prohibiting right turns from that location. He requested the loud speakers be adjusted to face the dealership and a "no left hand turn" sign be placed at the driveway on West 18th Street.

Elvin Scott discussed his efforts to obtain certificates and medals from France and Belgium. He reported they had received donations of office equipment for their Pittsburg office. He further stated the office would house five organizations and they were attempting to get state and federal representatives to assist them. He thanked everyone for their cooperation.

Emil Stein, Antioch resident, reported the Gadell Construction Company was creating a considerable amount of trouble for the residents, and he had voiced his concerns to the City and to Chief Building Official Griebing only to have more trucks driving through their neighborhood and harassing them. He noted he had received no response from the Planning Commission regarding his request to have the issues addressed. He requested the City Council stop construction of the project for one day.

Mayor Freitas requested staff provide a history of the action taken by the City to alleviate the issues the resident have raised pertaining to the Nokes Dealership project.

1. COUNCIL CONSENT CALENDAR

- A. APPROVAL OF COUNCIL MINUTES FOR FEBRUARY 24, 2004 ..... #301-02
- B. APPROVAL OF COUNCIL WARRANTS..... #401-02
- C. LEGISLATION AND ADVOCACY ..... #701-04
- D. ORDINANCE NO. 1017-C-S RESCINDING PARAGRAPH "C" OF SECTION 9-5.2707 OF THE ANTIOCH MUNICIPAL CODE AND ADDING SECTION 9-5.2707.1 TO THE ANTIOCH MUNICIPAL CODE, DEALING WITH VIOLATION OF DESIGN REVIEW, USE PERMITS OR VARIANCES ..... #701-05
- E. REGULATIONS IMPLEMENTING ORDINANCE IMPOSING FINES FOR PERMIT VIOLATIONS..... #701-05
- F. DEMOLITION OF ABANDONED VETERANS MEMORIAL WALL AT THE MARINA #1402-06
- G. DIGESTER DECOMMISSION AT THE ABANDONED WASTEWATER TREATMENT PLANT ON FULTON SHIPYARD ROAD..... #1202-01

On motion by Councilmember Davis, seconded by Councilmember Simonsen, the Council members present unanimously approved the Council Consent Calendar with the exception of items D and G, which were removed for further discussion.

**Item D** - Mayor Freitas reported he had pulled the incorrect item and requested a motion for approval of item D.

On motion by Councilmember Simonsen, seconded by Councilmember Davis the Council members present unanimously approved item D.

Acting on a request by Mayor Freitas for reconsideration of item E, a motion by Councilmember Simonsen, seconded by Councilmember Davis the Council members present unanimously approved reconsideration of item E.

Councilmember Conley arrived at 7:24 P.M.

**Item E** - Mayor Freitas expressed concern the procedure for imposing fines was too bureaucratic while the intent was to streamline the process as much as possible. He suggested one verbal warning, one letter followed by the City taking corrective action. He noted the business owner has full knowledge of the conditions of their permit.

Councilmember Simonsen stated he was sensitive to small business owners and suggested the City Manager be provided flexibility in dealing with unique situations.

City Attorney Galstan stated he understood Council's concerns and he would bring the item back with revisions at the next regularly scheduled City Council meeting.

On motion by Councilmember Simonsen, seconded by Councilmember Davis the Council members present unanimously continued item "E" to April 13, 2004.

**Item G** - In response to Mayor Freitas, Director of Public Works Harrington clarified the digesters were left full in 1981 when the Wastewater Treatment Plan was abandoned. He noted it had been classified as a hazardous material and the material needed to be removed. He reported Waste Water Superintendent Scott had negotiated a deal with East Bay Municipal Utilities District to receive the material for .5 cents per gallon and the \$400,000 budgeted was sufficient. He noted he had no knowledge of any other issues.

Mayor Freitas requested the City Council be informed through the CIP process if there were any other issues needing to be addressed.

On motion by Councilmember Conley, seconded by Councilmember Davis the Council members present unanimously approved item G.

## **PUBLIC HEARINGS**

### **2. RESOLUTION APPROVING PROGRAM YEAR (PY) 2004-2005 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN ..... #709-01**

Administrative Analyst Heller presented the staff report dated March 9, 2004 recommending the City Council adopt the resolution approving the PY 2004-2005 Annual Action Plan.

Mr. Heller announced he would be leaving the City and introduced his interim successor, Janet Kennedy.

Councilmember Davis commented staff stating the report thoroughly conveyed the subcommittee's recommendations. He clarified they had not recommended approval of the Section 108 loan at that time and would like City Council direction regarding the issue.

Councilmember Simonsen added the subcommittee's recommendations were based on economic development, infrastructure and housing needs within the City of Antioch and East County. He stated the subcommittee was concerned about the financial impact the section 108 loans on future CDBG funding and the General Fund.

Mayor Freitas voiced his concern regarding potential abuse of the rehabilitation funds and requested staff provide information on how the program was tracked countywide.

Councilmember Conley agreed with Mayor Freitas' concerns and stated he believed the program should be done on a very selective and owner occupied basis. He stated if the North American Truck Manufacturers loan was to be considered for funding the City Council would need to revisit the proposal with new financial documentation. He expressed concern regarding the Section 8 loan obligating the General Fund for 20-years and stated he would not support it as the City needed a policy providing direction for staff when pursuing the type of funding. He questioned whether or not the City should approve a \$500,000-\$600,000 loan for Bay Area Credit Service when it was projecting a mere 100 additional jobs.

Administrative Analyst Heller clarified North American Truck Manufacturers and Bay Area Credit Service would provide the City Council with all the details of their proposals prior to being approved.

Mayor Freitas opened the public hearing.

Alissa Friedman, Executive Director of Opportunities for Technology Information Careers (OPTIC), spoke in support of the subcommittees' recommendations. She thanked the CDBG staff, subcommittee and the Council for evaluating their proposal and supporting their program.

In response to Councilmember Conley, Ms. Friedman stated they had advertised their program on various television channels, the Ledger Dispatch, as well as flyers. She noted they also provided speaking engagements for charities.

Brenda Helmka, speaking on behalf of the Bedford Center, requested the audience members representing the Bedford Center stand to show their support. She discussed the need for rest bed services for families and the importance of providing quality care for the

elderly. She noted the Bedford Center had provided these services. She displayed a variety of drawings from the clients as well as pictures of the crowded conditions and requested the City Council spend a day at the Center to observe the program. She stated she felt the elderly deserved high quality care and she thanked the City Council for working on behalf of the Bedford Center.

William Glen, Pittsburg City Councilmember, speaking on behalf of Pacific Community Services Incorporated, reviewed the services they provide and presented the Council with information on their caseloads. He stated they had provided services to Antioch for years and had not been funded by the City's CDBG funds. He urged the City Council to reconsider funding to help reimburse for costs incurred in providing services to the citizens of Antioch.

Tom Lafleur, Executive Vice President of Pacific Community Services, Inc., announced they were the HUD certified counseling agency in Contra Costa County and had been for 32 years. He reported that over the last five years they had assisted over 1000 clients in Antioch with full service housing counseling without compensation. He further stated they were the only agency qualified to provide mortgage default and delinquency counseling and they had been successful at saving 258 Antioch clients from foreclosure. He reported they were listed on HUD's website as well as in the community services section of the phonebook. He requested the City Council give their support to the extent possible.

Councilmember Simonson discussed the importance of regular update for the City Council regarding services provided to Antioch residents and noted he would consider funding Pacific Community Service Inc.

Wanda Remmers, Executive Director of Housing Rights, Inc., provided packets of material with information on the services they provide to the City Council. She stated they had proposed providing fair housing services and tenant landlord services in the City of Antioch. She noted they were in the process of becoming a HUD certified agency and were in agreement with the recommendation of the subcommittee to fund their program.

Craig King, CEO of Rehabilitation Services of Northern California (parent organization for the Bedford Center), spoke in support of the \$800,000 Section 108 HUD loan recommended by CDBG staff, which he noted was needed to begin the expansion of the facility. He requested the City Council reconsider and support the \$800,000 Section 108 loan.

Mayor Freitas stated when he met with representatives from the Bedford Center he was informed there was an urgent need to find available land as the money acquired through grant programs for the construction of the project would expire and requested a status report of those funds.

Mr. King stated he was not part of those discussions although he assumed there was a misunderstanding and noted there was not \$2-3M in foundation and corporate grant money available. Mr. King stated they would formalize a business plan and invest in the initial schematics for architectural plans. He stated they were hopeful the City Council would

assist them in reacquiring the property where the Bedford Center was currently located. The intent was to sell the property to generate funds for the building program.

Councilmember Conley stated the City had made a significant commitment to the Bedford Center with the contribution of the land and suggested meeting with the other entities to discuss a plan that would work for the project.

Mr. King responded Contra Costa County and the City of Pittsburg were looking for the commitment of CDBG funds from Antioch prior to committing their CDBG funds and noted it was too late to receive funding from their programs this year.

In response to Mayor Freitas, Administrative Analyst Heller clarified that the request is for \$1.4M in principal and interest over a 20-year period of time.

Mayor Freitas closed the public hearing.

Councilmember Davis stated although he supported the Bedford Center he was unsure whether the Section 108 loan was feasible at the time.

In response to Mayor Freitas, Administrative Analyst Heller stated the Council could allocate a fair amount of money to Pacific Community Services and Housing Rights. He added the source of funds could be eligible under Development Agency Funds and suggested staff research the issue and come back to the Council with a recommendation if they agreed to move forward.

Mr. Laflaur clarified the report provided to Council had a typographical error and they had served 260 mortgage default and delinquency clients in Antioch.

Mr. Heller stated in the long term he felt it was important to have a seamless resource and if Council felt it was possible they should move in that direction. He suggested the representatives look at the issue and determine if it was feasible.

Wanda Remmers clarified that they were only allowed to service Antioch residents if funding was provided by the City. She added it was their preference for one agency to provide the service.

Following discussion Council consensus supported scheduling a meeting to discuss with the Bedford Center, Rehabilitation Services of Northern California, Contra Costa County as well as the cities of Pittsburg and Antioch a business plan and budget to bring the Bedford Center to fruition. They further agreed to contribute \$20,000 of ADA funding for the Pacific Community Services with the understanding staff would perform a qualitative evaluation of both programs. They agreed it was important these services be provided by one agency.

#### **RESOLUTION NO. 2004/37**

On motion by Councilmember Conley, seconded by Councilmember Davis the City Council members present unanimously approved the resolution approving the PY 2004-2005

Annual Action Plan with the exception of City of Antioch/Job Creation for \$500,000 and the Bedford Center construction loan for \$800,000.

Mayor Freitas requested City Manager Jakel contact the individuals with the authority to meet on the Bedford Center to convene a meeting with all interested parties within the next 2-4 weeks. He requested Mr. Lafleur provide City Manager Jakel with the names of any state or local people who would need to be involved in this discussion. Council consensus supported selling the existing Bedford Center to Golden Hills Church with the proceeds going to the Bedford Center. Mayor Freitas requested City Attorney Galstan research the logistics of disposing of the property.

Mayor Freitas declared a recess at 8:55 P.M. The meeting reconvened at 9:12 P.M. with all Councilmembers present with the exception of Councilmember Kalinowski who was attending meeting in the City of Brentwood on behalf of the City of Antioch.

Mayor Freitas requested staff bring the Section 108 loan back to the City Council when it was appropriate.

## **COUNCIL REGULAR AGENDA**

### **2. APPOINTMENT OF DEVI LANPHERE, CEO, OF THE CHAMBER OF COMMERCE TO THE ECONOMIC DEVELOPMENT COMMISSION, FILLING THE VACANCY CREATED BY THE RESIGNATION OF FORMER ANTIOCH CHAMBER OF COMMERCE, CEO NANCY McCAFFERY ..... #302-11**

Mayor Freitas nominated Devi Lanphere to fill the unexpired term of Nancy McCaffrey on the Economic Development Commission. He requested the termination clause be inserted into the minutes.

On motion by Councilmember Simonsen, seconded by Councilmember Davis the Council members present unanimously appointed Devi Lanphere to fill the unexpired term on the Economic Development Department.

### **4. ORDINANCE ADDING AN ARTICLE HEADING TO CHAPTER 3 OF TITLE 6 AND ADDING ARTICLE 2 TO CHAPTER 3 OF TITLE 6 OF THE ANTIOCH MUNICIPAL CODE, DEALING WITH CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING ..... #701-05**

Administrative Analyst Haas-Wajdowicz presented the staff report dated March 23, 2004 recommending the City Council: A) Introduce the ordinance by title only, and; B) Introduce the Ordinance adding an Article heading to Chapter 3 of Title 6 and adding Article 2 to Chapter 3 of Title 6 of the AMC, dealing with construction and demolition debris recycling.

Discussion ensued regarding the covered projects with the Council agreeing there should be no exemptions for projects greater than or equal to \$75,000.00.

Councilmember Simonsen requested section 6-3.206, C, 3 cross-reference the non-compliance procedure.

Administrative Analyst Haas-Wajdowicz stated she would be working with the Pittsburg Transfer Station to improve the cities diversion.

On motion by Councilmember Simonsen, seconded by Councilmember Conley the City Council members present unanimously introduced the ordinance by title only and introduced the ordinance adding Article Heading to Chapter 3 of Title 6 and Adding Article 2 to Chapter 3 of Title 6 of the Antioch Municipal Code, Dealing with Construction and Demolition Debris Recycling with the following modifications to paragraph 6-3.202, Threshold for Covered Projects to read: " A. Covered Projects: All construction, demolition, and renovations projects (including tenant improvements) within the City, the total costs of which are, or are projected to be, greater than or equal to \$75,000.00 shall comply with this Article. For the purposes of determining whether a project meets the foregoing thresholds, all phases of a project and all related projects taking place on a single or adjoining parcels, as determined by the WMP Compliance Official, shall be deemed a single project."

**5. ORDINANCE ADDING SECTION 4-6.02.1 TO THE ANTIOCH MUNICIPAL CODE, DEALING WITH IMITATION FIREARMS AT SCHOOLS ..... #701-05**

City Attorney Galstan presented the staff report dated March 16, 2004 recommending the City Council: A) Introduce the ordinance by title only, and; B) Introduce the Ordinance adding an adding Section 4-6.02.1 to the Antioch Municipal Code, dealing with imitation firearms at schools.

Officer Graham announced he had been a School Resource Officer for two years and they had confiscated between 50-60 replica guns. He expressed concern those guns could be easily mistaken for real guns and could cause a student to be put into a very dangerous situation. He requested the City Council support the ordinance.

In response to Mayor Freitas, Officer Graham stated the students would be educated respective to the ordinance through enforcement, literature, word of mouth and informing the students during morning announcements.

Mayor Freitas requested Councilmember Davis bring the ordinance to the attention of the Youth Council and suggested the City notify the public.

On motion by Councilmember Conley, seconded by Councilmember Davis the City Council members present unanimously: A) Introduced the ordinance by title only; B) Introduced the ordinance adding section 4-6.02.1 to the Antioch Municipal Code, dealing with imitation firearms at schools.

**6. RESTRICTION OF VEHICULAR TURNS FROM "A" AND "G" STREETS IN MORNING ..... #1104-01**

City Engineer/Community Development Director Brandt presented the staff report dated March 15, 2004 recommending the City Council direct the City Traffic Engineer to install "No Turn" signs on A Street at Texas, Rossi and Madill Streets and on G Street at Newbury Avenue and Madill Street.

In response to Mayor Freitas, Captain Contando stated in the event an officer were to site for a violation the officer would need to have witnessed the vehicle make the illegal turn. He stated they did not believe it would impact the residents due to the time when the turns were restricted.

Councilmember Davis supported posting "no through traffic" signs with posted hours for both left and right hand turns from A and G Streets. He reported the same situation was occurring on 10th Street with truck traffic through from Wilbur to Lverage and requested the item be brought back to the City Council for discussion.

On motion by Councilmember Conley, seconded by Councilmember Davis the City Council members present unanimously recommended the City Traffic Engineer install signs as deemed necessary on "A" Street at Texas, Rossi and Madill and on G Street at Newbury Avenue and Madill Street.

**7. IMPLEMENTATION PLAN FOR SUBMISSION TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION and; FORMATION OF JOINT POWERS AUTHORITY WITH THE CITY OF OAKLEY ..... #1201-02**

Assistant to the City Manager Gegg presented the staff report dated March 16, 2004 recommending the City Council: 1) Direct staff to prepare an implementation plan on Community Choice Aggregation as described in Public Utilities Code Section 366.2, for approval by Council and for submission to the California Public Utilities Commission, and; B) Direct staff to identify the correct City entities to include in a Joint Powers Agreement, develop a proposed governance structure and prepare necessary documents to establish a Joint Powers Authority between the City of Antioch and the City of Oakley and to exercise jurisdiction as a municipal gas and electric utility.

Larry Riegle and Michael Woods, representing Navigant Consulting, gave a brief overhead presentation of the Electric Utility Service Study Community Choice Aggregation for the City of Antioch.

In response to Councilmember Conley, Mr. Woods clarified part of the difficulty with creating utility opportunities in the economic development areas was the cost of the infrastructure and the speculative nature of whether businesses would bring the load necessary for the infrastructure. He noted delivery of electricity to new customers in the economic development area required the formation of Community Choice Aggregation.

In response to Mayor Freitas, Mr. Woods stated the savings would be the difference in what the JPA could purchase power for and what PG&E charges for power. He noted the JPA might choose to pass on some of the savings to customers or use some of it for other purposes.

In response to Council, Mr. Woods clarified the inclusion of gas was only relevant to the potential exercise of jurisdiction in the economic development areas. He noted there was no proposal to be aggregating gas under the Community Choice Aggregation program. He reported the Oakley City Council had unanimously approved moving forward.

On motion by Councilmember Conley, seconded by Councilmember Davis the City Council members present directed staff to prepare an implementation plan on Community Choice Aggregation and prepare the necessary documentation to establish a Joint Powers Authority between the City of Antioch and the City of Oakley.

Mayor Freitas adjourned to the Antioch Development Agency with all Agency Members present with the exception of Agency Member Kalinowski who is making a presentation in the City of Brentwood.

**AGENCY CONSENT CALENDAR**

**8. APPROVAL OF AGENCY WARRANTS..... #401-02**

Agencymember Simonsen reported the Contra Costa County ERAF 2003-2004 for the amount of \$296,901.00 was the property tax money, which was shifted to the state.

On motion by Agencymember Conley, seconded by Agencymember Davis the Agencymembers present unanimously approved the Agency Warrants.

**9. RE-ALLOCATION OF \$40,000 WITHIN ANTIOCH DEVELOPMENT AGENCY FUNDS FOR CONSTRUCTION AND INSTALLATION OF SIGNAGE ON STATE ROUTE 4 AND SOMERSVILLE ROAD ..... #1104-02**

Assistant to the City Manager Gegg presented the staff report dated March 18, 2004 recommending the City Council re-allocate \$40,000 for construction and installation of signage on State Route 4 Somersville Road

On motion by Agencymember Conley, seconded by Agencymember Simonsen the Agencymembers present unanimously moved to re-allocate \$40,000 for construction and installation of signage on State Route 4 Somersville Road.

**10. APPROVAL OF CONTRACT WITH BKF ENGINEERS, INC. FOR THE DESIGN OF STREET "A" NORTH OF EAST EIGHTEENTH ST. CONNECTING VINEYARD DR. AND DRIVE IN WAY (PW 528-SP1)..... #1102-04**

In response to Agencymember Conley, City Engineer/Community Development Director Brandt clarified the vineyard property would be reserved as open space and the land acquisition would be paid for out of the redevelopment bond sale.

On motion by Agencymember Simonsen, seconded by Agencymember Davis the Agencymembers present unanimously approved the contract with BKF Engineers, Inc.

**11. RESOLUTION AMENDING PREVAILING WAGE POLICY BY ADDING SECTION C-1 TO THE POLICY ..... #902-01**

**RESOLUTION NO. ADA-394**

On motion by Agencymember Davis, seconded by Agencymember Simonsen the Agencymembers present unanimously approved the resolution.

**12. RESOLUTION APPROVING THE ALLOCATION OF \$1,024,000 FOR HOUSING RELATED REHABILITATION AND PUBLIC SERVICES PROGRAMS DURING THE FISCAL YEAR 2004-2005..... #903-01**

**RESOLUTION NO. ADA - 395**

On motion by Agencymember Davis, seconded by Agencymember Conley the Agencymembers present unanimously approved the resolution amending it to include an allocation of \$20,000 to Pacific Community Services and increasing the total allocation to \$1,024,000.

Chairperson Freitas adjourned to the Antioch City Council with all Councilmembers present with the exception of Councilmember Kalinowski.

**PUBLIC COMMENTS** - None

**COUNCIL COMMUNICATIONS**

Mayor Freitas, on behalf of Antioch City Council, staff and community, thanked Administrative Analyst Heller for his years of service in the City of Antioch and wished him well. He reported the Antioch Mayor's Prayer Breakfast had been an outstanding event and thanked Pricilla Friermering and the volunteers for organizing the event.

Councilmember Davis reported he had attended the very successful first Annual Youth Summit at Los Medones College on March 20, 2004. He thanked Gina Lombardi Director of the Youth Council for her input.

Councilmember Conley expressed concern regarding the illegal signage displayed throughout the City from the Cost Rite Furniture business and requested it be stopped.

City Attorney Galstan responded City employees could confiscate the signs and stored at the Maintenance Service Center. They can be retrieved for a fine.

City Engineer/Community Development Director Brandt added Neighborhood Inspectors were covering the weekends and had issued administrative citations, which have been ignored.

Mayor Freitas directed staff to report back to the City Council regarding how many citations had been issued, the dates issued and if they had been paid as well as how to escalate the issue to the next step.

Councilmember Simonsen thanked Administrative Analyst Heller for working with the subcommittee on the CDBG program and welcomed Janet Kennedy to the City. He thanked staff for providing email updates to him during his vacation.

Councilmember Conley expressed concern regarding the image portrayed by the store at the northeast corner of 2nd and G by displaying a skull with flames painted on the windows. He requested staff review the issue.

Councilmember Freitas stated he appreciated receiving the photos of the demolition of the gas station at 18th and L Streets and thanked staff for moving the project forward. He welcomed Janet Kennedy and thanked her for accepting the Administrative Analyst position.

## **STAFF COMMUNICATIONS**

City Manager Jakel announced that due to a previously scheduled public hearing, he was requesting the Council cancel the planned April 6 meeting, revert to the regular schedule and meet on April 13, 2004. The Council indicated the April 13, 2004 date was acceptable. He reported he would be out of town and Assistant City Manager Pappas Diaz would be in charge.

Mayor Freitas stated he would be unable to attend the April 13 meeting due to a vacation conflict.

City Attorney Galstan reported a lawsuit had been filed by Michael Hurd challenging comments in the arguments made by the referendum proponents. He noted a hearing had been set for earlier in the day to set a court hearing for April 6, 2004. He further noted the City was not a party in the case.

Councilmember Conley requested an update on the park to be built as part of the joint venture with the school at Lone Tree Elementary.

City Engineer/Community Development Director Brandt reported there was not a start date and it was a requirement for Richland Development and Silveroak Development. He noted a disagreement among the developers had caused the delay and would continue unless

Silveroak could come to terms with the City and Richland Development. Mayor Freitas requested staff provide a more detailed memo on this issue.

**ADJOURNMENT**

With no further business, Mayor Freitas adjourned the meeting in memory of Assistant Superintendent of the Antioch Unified School District Curriculum Development Lynn Straight at 11:00 P.M. to the next regular Council meeting on April 13, 2004.

Respectfully submitted,

L. JOLENE MARTIN, CMC  
City CLERK

Approved:

DONALD P. FREITAS, Mayor

Attest:

L. JOLENE MARTIN, CMC  
CITY CLERK