

ANTIOCH CITY COUNCIL

Regular Meeting
7:00 P.M.

May 13, 2008
Council Chambers

5:45 P.M. - CLOSED SESSION

1. **CONFERENCE WITH LABOR NEGOTIATOR.** Employee organization: APSMA (Antioch Police Sworn Management Association); Agency Designated Representative: Human Resources Director. This closed session is authorized pursuant to Government Code §54957.6.
2. **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.
3. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Significant exposure to litigation pursuant to subdivision (b) of §54956.9: Claim of Luana Robinett against the City of Antioch
4. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Initiation of litigation pursuant to subdivision (c) of §54956.9: 1 potential case.

Mayor Freitas called the meeting to order at 7:01 and City Clerk Martin called the roll.

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

Excused: Council Member Kalinowski

Mayor Freitas stated the City Council had been in Closed Session. Referencing Item #3, he stated the Councilmembers present had unanimously authorized the Council to settle the case on behalf of the City of Antioch.

PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS

Day of the Teacher, May 14, 2008

Reading Festival Weekend, May 16 – 18, 2008

Public Works Week, May 18 – 24, 2008

On motion by Councilmember Moore, seconded by Councilmember Davis, the Council Members present unanimously approved the proclamations.

Councilmember Davis presented the proclamation proclaiming May 14, 2008 as *Day of the Teacher* to Linda Anderson, member of the Executive Board who thanked the City Council for the recognition.

Councilmember Moore presented the proclamation proclaiming May 16 – 18, 2008 as *Contra Costa County Reading Festival Weekend* to Librarian Kathy Middleton who invited the public to attend the Reading Festival, which would be held May 16–18, 2008. She provided contact information for anyone wishing to receive additional information.

Councilmember Simonsen presented the proclamation proclaiming May 18 – 24, 2008 as *Public Works Week* to Public Works Director Pat Scott who invited the public to attend the Public Works Open House event on May 22, 2008 at the Maintenance Service Center from 11:00 – 2:00. He provided contact information for anyone wishing to receive additional information.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Chief Hyde thanked Devi Lanphere and the Antioch Chamber of Commerce for alerting the Antioch Police Department and assisting in an investigation of an individual who had been defrauding Senior Citizens in the community. He reported the Neighborhood Sweep held on the first Saturday of the month was a successful event.

Daniel Hoffman, Deer Valley High School Student, gave a brief overhead presentation of the negative impacts of light pollution and urged the City to pass an ordinance eliminating lights which cause pollution from new development.

Mayor Freitas informed Mr. Hoffman there was a Design Committee currently dealing with lighting issues and encouraged him to attend when the item returned to the City Council.

Councilmember Moore encouraged Mr. Hoffman to contact the Antioch Chamber of Commerce to address the issue with the business community.

Devi Lanphere, Antioch Chamber of Commerce announced the State of the City Luncheon will be held at 11:30 a.m. on May 14, 2008 at the Lone Tree Event Center.

Councilmember Davis announced the Antioch Memorial Thunder - Memorial Day celebration will be held on May 26, 2008 at 10:00 a.m. and will begin with a rally and a procession from City Hall at 9:00 a.m. Contact information was given for anyone wishing to receive additional information.

PUBLIC COMMENTS

John O'Connor Sr. Assistant Football Coach at Antioch High School announced a Golf Tournament would be held on August 8, 2008 to benefit the sports program. He provided contact information for anyone wishing to participate, volunteer or sponsor the event.

Traci Cross and Charlotte Chambers, representing neighbors in the Lone Tree Glen development discussed increased crime occurring in their neighborhood. They requested the City Council visit their neighborhood and the City support them in responding to those issues.

Mayor Freitas reported the Police Department and staff would continue working with the residents of the area to resolve some of those issues. He noted he felt it would be a joint effort of the City and AUSD.

Ken Lee, Antioch resident, reiterated his past concerns related to the Antioch Auto Dealership and the City. He requested the City provide him information regarding who was paying for the bullet proof glass in City Hall.

Chip Stein, Antioch resident discussed ADA compliance at City Hall and questioned if the City could be citing the Antioch Auto Dealership for light pollution.

Wanda Remmers, Executive Director of Housing Rights Inc, thanked the City for the CDBG funding of their program and provided new brochures to the City Council. She announced the Mt. Diablo Housing Opportunity Center was hosting a Housing Resource Faire on May 17, 2008 from 10:00 - 3:00 in Concord,

Nancy Brandt thanked Simon Reed for the recent article in the Contra Costa Times regarding the City of Antioch's reputation. She read her written response to Mark Morford's editorial outlining many positive accomplishments in the City of Antioch.

Darnell Turner, Executive Director of the NAACP, reviewed a letter sent to the City Council on May 1, 2008 indicating they were present to establish dialog and offer their assistance to work on issues in the community. He spoke in support of Chief Hyde's action plan. He requested the City respond to their correspondence and hold a meeting to strengthen their relationship in the community.

COUNCIL RESPONSE TO PUBLIC COMMENTS

Councilmember Moore requested the City Manager's office respond to Mr. Lee and his concerns regarding the new enclosures in City Hall. He thanked Mr. Turner for coming forward and voiced his support to continue dialog with the NAACP.

- 1. COUNCIL CONSENT CALENDAR**
 - A. APPROVAL OF COUNCIL MINUTES FOR FEBRUARY 19 and APRIL 8, 2008**
 - B. APPROVAL OF COUNCIL WARRANTS**
 - C. LEGISLATION AND ADVOCACY**
 - D. REJECTION OF CLAIMS**
 1. Kevin Fitzgerald, 08/09-1815 (reimbursement for sewer repair costs).
 2. Shemeka Anderson, 08/09-1812 (water bill refund).
 - E. APPROVAL OF CONTRACT WITH STATE ROUTE 4 BYPASS AUTHORITY FOR MAINTENANCE SERVICES OF SEGMENT 1 OF THE STATE ROUTE 4 BYPASS**
 - F. ESTABLISHMENT OF A TRUST TO ACCOUNT FOR OTHER POST EMPLOYMENT BENEFITS (OPEB)**

- G. **RESOLUTION 2008/45 ADJUSTMENT TO CITY CLERK COMPENSATION AND DUTIES**
- H. **RESOLUTION NO. 2008/46 APPROVING THE ALLOCATION OF PROPOSITION 1B BOND FUNDING FOR THE DELTA FAIR BOULEVARD ROADWAY RECONSTRUCTION PROJECT (P.W. 681)**
- I. **RESOLUTION 2008/47 APPROVING AND AUTHORIZING THE DIRECTOR OF CAPITAL IMPROVEMENTS TO SIGN THE DREDGING LEASE AGREEMENT WITH THE CALIFORNIA STATE LANDS COMMISSION FOR THE MARINA LAUNCH RAMP PROJECT (P.W. 523-16)**
- J. **RESOLUTION NO. 2008/48 APPROVING THE CONSULTANT SERVICE AGREEMENT FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE MARKLEY CREEK REMEDIATION PROJECT (P.W. 431-1A)**
- K. **APPROVE AWARD OF CONTRACT FOR FOOD AND SUPPLIES FOR CONCESSION AT PREWETT WATERPARK FOR 2008 SEASON**
- L. **RESOLUTION NO. 2008/49 ACCEPTING COMPLETED IMPROVEMENTS FOR MIRA VISTA HILLS UNIT 13 TRACT 6708 PW 365-13 (A.D. SEENO CONSTRUCTION COMPANY)**
- M. **RESOLUTION NO. 2008/50 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)**
- N. **RESOLUTION NO. 2008/51 APPROVING TERMS OF AGREEMENT FOR THE ANTIOCH POLICE SWORN MANAGEMENT ASSOCIATION**

On motion by Councilmember Moore, seconded by Councilmember Simonsen, the Council unanimously approved the Council Consent Calendar with the exception of items 1B, H, and K which was removed for further discussion.

Item 1B – Mr. Lee requested an explanation regarding the following City Council Warrants - #109158 and # 109164.

Mayor Freitas directed Finance Director Merchant to provide Mr. Lee with a written response to questions.

On motion by Councilmember Simonsen, seconded by Councilmember Davis, the City Council members present unanimously approved item 1B.

Item H – In response to Mayor Freitas, Director of Capital Improvements Harrington clarified the project would be completed in FY 08-09 and \$889,155 would actually be coming from Measure “C”.

On motion by Councilmember Simonsen, seconded by Councilmember Davis, the City Council Members present unanimously approved item H with the following change to the resolution: Striking Measure “J” and replacing it with Measure “C”

Item K – In response to Mayor Freitas, Deputy Director of Recreation Sanderson clarified the annual contract amount varied depending on the volume and the contract time frame was for one (1) year with a one (1) year extension option.

Councilmember Simonsen requested Deputy Director of Recreation Sanderson provide City Council with a report at the end of year one.

On motion by Councilmember Davis, seconded by Councilmember Moore, the City Council Members present unanimously approved item K for a price not to exceed \$60,000 with the term of one (1) year with a one (1) year option.

COUNCIL REGULAR AGENDA

2. APPOINTMENT TO PARKS AND RECREATION COMMISSION — 3 EXPIRED TERMS (4 YEARS)

Mayor Freitas nominated the following individuals to the Parks and Recreation Commission: Jim Bonwell – expired term 3/2012, Roy Immekus – expired term 3/2012, Robert Scoble – expired term 3/2012 and Manuel Flores – unexpired term 3/2010.

On motion by Councilmember Simonsen, seconded by Councilmember Moore the City Council members present unanimously confirmed the appointments.

- Jim Bonwell – Expired term 3/2012
- Roy Immekus – Expired term 3/2012
- Robert Scoble – Expired term 3/2012
- Manuel Flores – Unexpired term 3/2010

3. PREWETT PARK COMMUNITY FACILITIES SCHEMATIC DESIGN APPROVAL (COMMUNITY CENTER / POLICE SERVICE CENTER)

Project Manager Karste presented the staff report dated May 5, 2008 recommending the City Council review, comment and approve the schematic design for the phase of the project.

Mark Reed, representing Noll and Tam Architects, gave a brief overhead presentation of the Prewett Park Community Facilities Schematic Design site plan, floor plan and architecture details.

Aditya Advani, RHAA Landscape Design, gave a brief overhead presentation of the Schematic Design Landscape Plan for the Prewett Park Community Facilities.

Councilmember Simonsen voiced his support for the schematic plan for the Prewett Park project and the amphitheater as part of the project. He noted he did not support trees in the amphitheater area nor the additional costs for the extended gym facility.

Councilmember Moore stated he supported the extended gym facility and the schematic design as presented tonight. He thanked Project Manager Karste and the design team for their efforts in bringing a quality project to Antioch.

Councilmember Davis voiced his support for the schematic design and expressed concern for blending the new building with the existing water park facility.

Project Manager Karste stated the goal was to upgrade the current Water Park exterior to blend the facilities together.

John Vandercliff reviewed the schematic design for the Police Substation.

Ken Lee, Antioch resident, discussed the importance of the location being part of Antioch's disaster preparedness planning and questioned if FEMA Grants were available.

Project Manager Karste stated the location could be used for emergencies and in terms of Grant Funding he noted the funds were minimal and due to timing issue they would not be available for the project.

Mayor Freitas stated based on the potential to generate revenue he would support the large gymnasium facility and spoke in support of the project moving forward. He commended Project Manager Karste and the Design Team. He provided the following feedback regarding the schematic design:

- City Council should be provided a sample of the materials and colors
- Kitchen should connect to the multipurpose room
- Vending machine by library annex may need to be relocated
- Support for Gabion Walls
- City Council should be provided a Landscaping Master Plan including the existing landscaping, operation, maintenance and replacement
- Future handouts enlarged to a viewable size

Mr. Reed clarified they were designing the amphitheater, 8000 sq. ft. gymnasium and 11,000 sq. ft. gymnasium as part of the process as additive alternates.

On motion by Councilmember Moore, seconded by Councilmember Simonsen, the City Council Members present concurred with the schematic design for the phase of the project.

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS

City Manager Jakel announced the City Council would be holding a Budget / eBART Study Session on May 20, 2008 at 5:30 at the Maintenance Services Facility.

City Attorney Nerland announced if residents or commercial customers had water or sewer problems they should call the City of Antioch prior to calling a plumber. Contact information was provided.

COUNCIL COMMUNICATIONS

Councilmember Davis thanked City Staff for assistance with the May 3, 2008 removal of graffiti in three areas of major concern. He noted the next meeting would most likely be next week.

Councilmember Simonsen thanked City Staff for keeping him informed while he was on vacation.

Mayor Freitas requested Councilmembers bring their calendars to next week's City Council meeting and schedule the July *Quality of Life Forum*. He noted it was the two-year anniversary of the event and he felt it should be advertised extensively.

With no further business, Mayor Freitas adjourned the meeting at 9:11 to the next adjourned regular Council meeting/Study Session on May 20, 2008 at 5:30 at the Maintenance Service Center.

Respectfully submitted,

L. JOLENE MARTIN, CMC, City Clerk