

ANTIOCH CITY COUNCIL
ANTIOCH DEVELOPMENT AGENCY

MEETING MINUTES
JUNE 23, 1998

Pursuant to Government Code Section 54952.2, the City Council Agenda for June 23, 1998 was posted on the door of the City Council Chambers, Third and 'H' Streets on June 18, 1998.

Mayor Rocha called the meeting to order at 7:00 p.m. and Acting City Clerk Martin called the roll:

Present: Council Members Hernandez, Payton, Soliz, Sudario and Mayor Rocha

Bob Littlejohn and Boy Scout Troop 391 presented the flag color guard and gave the Pledge of Allegiance, after which they made a presentation to Mayor Rocha and City Council.

PUBLIC COMMENTS

Rick Carraher, Antioch Rivertown Business Association, gave a brief overview of the events scheduled for the 4th of July Celebration, and invited the community to come and enjoy the festivities.

Larry Howard distributed a report to the Council on the Economic Development Conference that took place on June 12, 1998. He felt the conference was good, and had the potential to start some networking and showcased the area's good points. He felt an Economic Development Conference and systematic follow-up by economic development officials should be conducted more frequently, perhaps two times a year. He also inquired on the status of Rodger's Point and the Antioch Saloon.

Arne Simonsen noted the United Way of the Bay Area has refused funds to the Boy Scouts, and he encouraged the public to contribute contributions to the Silverado Boy Scout Council. He requested some clarification on a couple of items on the 1998/99 Budget, concerning the Library, Street Lighting and Landscaping District II, and the funding mechanisms for maintaining trails.

Jean Kuberra suggested the City Clerk make copies of Agendas for the City Council and Planning Commission available in the Library. She further suggested these Agendas be posted at the library. She proposed an idea to beautify Antioch, by forming an organization called "Antioch Green Thumbs and Then Some" which would recruit and coordinate volunteers to help maintain and improve landscaping and blighted areas throughout the City. She stated she hopes to involve community organizations, individuals and businesses in the organization. She invited public input and suggestions.

Mike Malody stated he was taken back by the unprofessional demeanor and attack on the City Manager by some Council Members at the meeting of June 16, regarding policy for using the Council Chambers. He stated he did some research on City Managers' powers and duties. After reading excerpts from the Antioch Municipal Code regarding issues pertaining to public buildings, he felt the Council does not have the time or expertise to micro-manage the City, and encouraged the Council to give the City Manager direction on such issues, and let him handle it.

Council Member Payton stated that as of this November, he would no longer be sitting as a Council Member. He noted that he is officially the Republican nominee for the 11th Assembly District, and will be pursuing that position.

1. COUNCIL CONSENT CALENDAR

A. APPROVAL OF COUNCIL MINUTES April 14 and 28 and May 19, 1998 #301-03

B. APPROVAL OF COUNCIL WARRANTS #401-02

C. TREASURER'S REPORT May 1998 #401-02

D. REJECTION OF CLAIMS #704-07

E. ORDINANCE NO. 942-C-S AMENDING SECTION 10-2.08 OF THE ANTIOCH MUNICIPAL CODE, DEALING WITH HOURS AT PARKS AND FACILITIES #1402-03

F. RESOLUTION NO. 98/69 TO APPLY FOR REISSUANCE OF ITS MUNICIPAL STORMWATER NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT AND TO ACCEPT AND ADOPT THE CONTRA COSTA CLEAN WATER PROGRAM STORMWATER MANAGEMENT PLAN (SMP) FOR 1998-2003 (PW 616) #814-03

G. RESOLUTION NO. 98/70 APPROVING A MINOR LOT LINE ADJUSTMENT BETWEEN PARCEL A6@, MINOR SUBDIVISION 1-92 (166 PM20) GEORGE STAMM (47 L.S.M.50) AND PARCEL A@, CUTINO ET AL., PW 443-14-98 #802-02

H. CLOSURE OF CITY STREET FOR THE FOURTH OF JULY CELEBRATION #1106-01

I. RESOLUTION NO. 98/71 ABANDONING PROCEEDINGS FOR ASSESSMENT DISTRICT NO. 33, NORTHEAST ANTIOCH SEWER (PW 528-A) #806-02

J. RESOLUTION NO. 98/72 AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO SUBMIT PROPOSALS TO THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT FOR FUNDING PROJECTS FROM THE TRANSPORTATION FUND FOR CLEAN AIR (TFCA) TO REDUCE AIR POLLUTION FROM MOBILE SOURCES #1101-01

K. RESOLUTION NO. 98/73 APPROVING AND AUTHORIZING THE MAYOR TO SIGN THE JOINT EXERCISE OF POWERS AGREEMENT BETWEEN CONTRA COSTA COUNTY AND THE CITY OF ANTIOCH FOR DOUBLE SEAL COAT TREATMENT OF DEER VALLEY ROAD AND HEIDORN RANCH ROAD #1102-04

On motion by Council Member Sudario, seconded by Council Member Payton, the Council unanimously approved the Consent Calendar with the exception of items B, G, J, and K, which were removed for further discussion.

ITEM B — Council Member Payton questioned the need for a Driver's Simulator Class at Los Medanos College. City Manager Ramsey responded stating the class emphasizes driver safety, which he felt would be a beneficial preventative measure for those city employees who are on the road a lot.

On motion by Council Member Payton, seconded by Council Member Soliz, the Council unanimously approved Consent Calendar Item B.

ITEM G — On motion by Council Member Payton, seconded by Council Member Soliz, the Council unanimously approved Consent Calendar Item G.

ITEM J — Director of Public Works Brandt responded to questions by Council Member Payton, stating that this funding is in addition to the \$80,000 already budgeted in the CIP fund for the improvements for the Mokelumne and Delta DeAnza Trails.

On motion by Council Member Payton, seconded by Council Member Soliz, the Council unanimously approved Consent Calendar Item J.

ITEM K — Council Member Sudario stated that she is concerned the City is being double taxed with this Joint Powers Agreement. She further felt Developers should be paying for the seal coat treatment on this road. Director of Public Works Brandt stated these roads are in desperate need of some repair and noted the double seal coat treatment is the least expensive way to maintain them. He further noted this is to maintain the roads for local residents until the road is improved in 5-10 years as part of FUA #1 and the Heidorn property development.

On motion by Council Member Payton, seconded by Council Member Soliz, the Council approved Consent Calendar Item K. The motion was carried by the following vote:

AYES: Payton, Soliz, Rocha NOES: Hernandez, Sudario

COUNCIL COMMITTEE REPORTS

Council Member Payton stated that the East County Fee Authority has purchased a million dollars worth of right-of-way property for the Highway 4 Bypass, in the Brentwood and County sections of the road.

Council Member Soliz noted that at the East Bay Division meeting a discussion had taken place regarding partnerships between public and private enterprises concerning recreation and leisure services. He noted Walnut Creek has been able to capitalize on these partnerships, resulting in several facilities being built.

COUNCIL REGULAR AGENDA

2. RESOLUTION SUPPORTING OAKLEY'S PROPOSED INCORPORATION AND AGREEING NOT TO OPPOSE THE PROPOSED INCORPORATION BOUNDARIES

Community Development Director Ward presented the staff report dated June 17, 1998, recommending City Council adopt the attached resolution supporting Oakley's proposed incorporation and agreeing to not oppose the proposed incorporation boundaries as they relate to Antioch's sphere of influence.

RESOLUTION NO. 98/74

On motion by Council Member Payton, seconded by Council Member Soliz, the Council adopted the resolution supporting Oakley's proposed incorporation and agreeing to not oppose the proposed incorporation boundaries as they relate to Antioch's sphere of influence. The motion was carried by the following vote:

AYES: Hernandez, Payton, Soliz, Rocha NOES: Sudario

Mayor Rocha declared a recess at 8:00 p.m. The Council reconvened at 8:12 p.m. with all members present.

PUBLIC HEARINGS

11. POTTER-TAYLOR AND COMPANY REQUESTS APPROVALS FOR AN APPROXIMATELY 22.5 ACRE SITE LOCATED ON THE NORTHWESTERLY CORNER OF LONE TREE WAY AND HILLCREST AVENUE. (WILLIAMSON RANCH) (PD-98-1 / UP-98-9/A /PW 357-302-98) #202-03

Associate Planner Bendorff presented the staff report dated June 23, 1998, recommending the Council: 1) adopt the Mitigated Negative Declaration as being adequate (MND-98-10); 2) adopt the resolution approving a Final Development Plan for the vicinity of the northwesterly corner of Lone Tree Way and Hillcrest Avenue; 3) adopt the resolution approving a Use Permit to allow the construction and operation of a retail shopping center ("Williamson Ranch Plaza") on property located on the northwesterly corner of Lone Tree Way and Hillcrest Avenue; and 4) adopt the resolution approving a parcel map for the vicinity of the northwesterly corner of Lone Tree Way and Hillcrest Avenue.

Mayor Rocha declared the public hearing open.

PROPONENT: Steve Edwards, Potter-Taylor & Company, gave a brief history of the Company and an overview of the project. He stated the tenants have not yet been decided, but are contemplating a general merchandise store, a home improvement store, a grocery store and potentially auxiliary shops. He further noted that at complete build-out the center would employ approximately 385 people, with 70 percent of those jobs being full time positions. He discussed the architectural and construction aspects of the project, stating the construction jobs will be an "open bid" with a majority of those jobs being local hires.

Council Member Hernandez stated she would like to see types of businesses go in the center that are not currently located in Antioch. She further noted she does not want big competitors in the center that would hurt existing businesses. Council Member Sudario stated Antioch is lacking restaurants, and would like to see a restaurant go in the center.

Cary Dyer spoke in favor of the project and discussed the benefit of increased sales tax revenue and new jobs this project would bring to Antioch. He did comment, however, that he hopes these are new types of businesses that will not be a detriment to the existing retail businesses in town.

Roger Henry Jr., President of the Association of Responsible Citizens, spoke in favor of this project. He felt it would offer additional purchasing alternatives to the residents, plus it fits in well with existing developments. He further stated he was impressed with the number of jobs the project would bring to Antioch.

Larry Howard spoke in favor of this project. He noted the 385 jobs are not primary jobs, but felt these types of jobs are needed and is a start in the right direction. He stated this is a good project, and the City needs more commercial development of this type.

Ralph Hernandez, Chairperson of Citizens for Democracy, stated they are in favor of this project, as long as it does not become a competitor to existing businesses and work force.

Michael Yarbrough stated he has mixed feelings about the project but felt he could support it as long as there would be local hire and apprenticeship requirements in the construction phase of the project.

Raymond Sheppard, ACE Hardware, urged the Council to take an objective look at this project. He discussed the impacts this shopping center could have on ACE Hardware and other existing small businesses.

Arne Simonsen stated he is speaking on behalf of the National Right To Work Committee, California's Freedom to Work and Associated Building Contractors, to ensure the City does not get involved in Union vs. Non-Union discussions. He noted it is a private sector decision, and the Council should not get involved.

Gene Paris concurred with Arne Simonsen, and felt it would be a big mistake for the City to get involved in Union vs. Non-Union issues.

OPPONENTS: None

Mayor Rocha declared the public hearing closed.

RESOLUTION NOS. 98/76, 98/77, 98/78

On motion by Council Member Payton, seconded by Council Member Soliz, the Council unanimously: 1) adopted the Mitigated Negative Declaration as being adequate (MND-98-10); 2) adopted the resolution approving a Final Development Plan for the vicinity of the northwesterly corner of Lone Tree Way and Hillcrest Avenue; 3) adopted the resolution approving a Use Permit to allow the construction and operation of a retail shopping center ("Williamson Ranch Plaza") on property located on the northwesterly corner of Lone Tree Way and Hillcrest Avenue; and 4) adopted the resolution approving a parcel map for the vicinity of the northwesterly corner of Lone Tree Way and Hillcrest Avenue.

Mayor Rocha declared a recess at 9:25 p.m. The meeting reconvened at 9:34 p.m. with all members present.

12. SHURGARD STORAGE CENTERS REQUESTS AN APPEAL OF THE PLANNING COMMISSION'S DENIAL OF A USE PERMIT TO ALLOW THE CONSTRUCTION AND OPERATION OF A SELF-STORAGE FACILITY WITH A RETAIL COMPONENT ON PROPERTY LOCATED AT THE SOUTHEASTERLY CORNER OF DEER VALLEY ROAD AND WILDFLOWER DRIVE. THE ADEQUACY OF A NEGATIVE DECLARATION WILL ALSO BE CONSIDERED. FILE: UP-98/3/A #202-10

Associate Planner Bendorff presented the staff report dated June 23, 1998, recommending the City Council adopt the attached resolution Denying the appeal of a use permit denial to allow the construction and operation of a mini storage facility with a retail component ("Shurgard Storage") on property located on the southeasterly corner of Deer Valley Road and Wildflower Drive.

Mayor Rocha declared the public hearing open.

PROPONENT: Bruce Jordan, representing Shurgard Storage, stated they are proposing a "state of the art" mixed-use self storage and retail facility. He gave a brief history of the Company, and gave an overview of the design aspects of the project. He noted the irregular shape of the site and its position at the end of the retail corridor, and felt the project would provide an excellent transition between the residential and the commercial corridor. He further noted this project would generate less traffic than other commercial uses, and there would be no view impact on neighbors. He also outlined the security aspects and the hours of operation for the center.

Randy Bower, Development Consultants, discussed the benefits of this project acting as a transitional buffer between the surrounding residential and retail developments. He noted self-storage businesses are no longer being located in industrial areas, rather they are being developed in retail areas.

Al Stanley, representing Seecon Financial, gave some background on the site stating the site is a remnant piece of property, and although they talked with a dozen or so different groups interested in the site, none were viable. He stated Shurgard Storage is not a typical storage facility and felt it was an ideal use for the site, noting it acts as an adequate buffer between the commercial and residential use.

OPPONENT: Larry Howard stated he is opposed to this project because it will not bring enough jobs to Antioch. He stressed to the Council to consider whether a proposed job will provide people with the means to live and do their business here. He felt this location was better suited for an office building that would offer primary jobs to the residents of Antioch.

Associate Planner Bendorff responded to questions from Mayor Rocha concerning what kind of use staff has in mind for the site. Associate Planner Bendorff stated it is a difficult piece of land to deal with, due to its shape, but felt there are a number of appropriate uses for the site. He felt the proposed project is a creative solution for the site, and the crux of the problem is the city has not typically allowed mini-storage uses in commercial settings. He did note it is a very attractive project, but commented that if this is approved, there could be problems in the future with other applicants who want to develop a mini-storage in a commercial setting that is not as attractive. He also noted the Zoning Ordinance does define a storage unit as "light industrial use."

REBUTTAL: Bruce Jordan noted this project is in the moderate scale of income, the middle range on employment, and the lowest range on impacts. He reminded Council this is a remnant piece of land that has had no proposed viable uses. He stated that due to low impacts, he felt this was the best use of the land.

Mayor Rocha declared the public hearing closed.

Council Member Payton noted that granting this Use Permit would not adversely affect the comprehensive General Plan. He stated he liked the design, the hours of operation, and the fact there is no outside storage. He felt the aspect of it being a safer alternative to industrial sites is beneficial.

Council Member Soliz stated he shares the concerns of some of the speakers regarding potential tax revenues that could be generated by some other usage of the property, but is mindful of the fact that this property has sat vacant for several years.

Mayor Rocha stated she does not like to go against the Planning Commission or staff. However, she felt the proposed project is not a typical storage facility, and felt it would be a "plus" for the location.

RESOLUTION NO. 98/79

On motion by Council Member Payton, seconded by Council Member Soliz, the Council upheld the appeal and granted the Use Permit for the Shurgard Storage Center located on the corner of Deer Valley Road and Wildflower Drive. The motion was carried by the following vote:

AYES: Payton, Soliz, Rocha NOES: Hernandez, Sudario

Mayor Rocha declared a recess at 10:25 p.m. The meeting reconvened at 10:32 p.m. with all Members present.

13. MCBAIL HOMES REQUESTS APPROVAL OF A PLANNED DEVELOPMENT AND TENTATIVE SUBDIVISION MAP FOR 488 DETACHED SINGLE FAMILY HOMES, 152 MULTI-FAMILY RESIDENTIAL UNITS, 3 COMMERCIAL SITES, AND 7 OFFICE/BUSINESS/ EMPLOYMENT SITES ON 249 ACRES LOCATED ON LONE TREE WAY, WEST OF EMPIRE AVENUE. (SAND CREEK RANCH) FILE: PD-98-2 #202-03

Deputy Director of Community Development Carniglia presented the staff report dated June 23, 1998, recommending the Council adopt the resolution approving a Final Development Plan and Tentative Map to allow 490 single-family homes, 152 multiple family residential units, 3 commercial sites, and 7 employment/office park sites, on property located on the north side of Lone Tree Way, just west of Empire Avenue, consisting of 249 acres, more or less.

Mayor Rocha declared the public hearing open.

PROPONENT: Mike Gallagher, McBail Company, gave an overview presentation of the project, discussing the commercial and residential aspects of the project along with the financial and economic components of the development. He distributed a handout to Council addressing some concerns he has had with a few of the conditions in the resolution: 1) Condition #72 — He stated their plan is to have initial access off of Empire Avenue and not Sunset Avenue, and he requested the decision be left up to the City Engineers; 2) Condition #82A, regarding minimum square footage of house size, he requested the minimum size be 1,300 square feet for small lots and 1,600 for larger lots, and; 3) Condition #102 — requiring public financing to be paid off for each home at the time of building final, he felt this is in violation of the Specific Plan.

Director of Public Works Brandt stated staff would provide more information to Council regarding funding mechanisms.

Mike McGill, Civil Engineer with McGill Martin Self, stated this project has the unique ability to address both employment and commercial development along with residential development and provide the opportunity to acquire right-of-way for the Highway 4 Bypass. He referred to the East Lone Tree Specific Land Use Map and addressed infrastructure issues.

Council Members Hernandez and Sudario stated that they do not remember adopting the Financial Plan for this project back in December, and requested that a recess be declared so that the City Clerk can retrieve the minutes of the meeting when this Financial Plan was adopted.

Council Member Hernandez made a motion to take a recess so the City Clerk could retrieve the minutes and agenda from the December 16, 1997 Council Meeting, and Deputy Director of Community Development Carniglia could retrieve the Financial Plan, seconded by Council Member Sudario. The motion failed by the following vote:

AYES: Hernandez, Sudario NOES: Payton, Soliz, Rocha

Richard Loweke discussed the continuity of the planning process for this project. He stated that since the Financial Plan was adopted, they have looked at refining the budget for the infrastructure necessary to support the business park. He noted they have looked at programs for distributing these costs amongst the residential units, the commercial acreage and the employment acreage. He further noted the East Lone Tree Business Park will have nearly 9,000 potential jobs, of which 6,000 would be basic industrial jobs. He pointed out this is the City's core future job base, which is part of the solution to effect traffic mitigation and the tax base to support future City services, with the potential of generating nearly 2 million dollars every year to support City programs.

Council Member Soliz expressed concern that due to the level of assessments, the commercial piece of this project will not be viable due to cost factors. Mr. Loweke responded, stating that this project is a self-sufficient project, and according to their research, the aggregate numbers are workable, and in respect to employment and commercial acreage together, the infrastructure loads are low enough to be workable.

Craig Bettencourt, Bettencourt Municipal Consulting, discussed the issue of "pay-as-you-go" as related to a community services district. Council Member Sudario stated that infrastructure could not be built using CFD, on-going maintenance of parks or open space trails cannot be used with CFD funds. City Attorney Galstan stated the CFD currently in existence is structured to be very limited and can be used only for the purpose of building schools and community parks. However; he noted the CFD law is extremely flexible, allowing for payment of any number of maintenance type issues. Council Member Sudario disagreed, stating she has the Mello-Roos law at home and it does not state it can be used for maintenance, and in fact specifically prohibits being used for maintenance.

Barbara Sobalvarro spoke in favor of this plan, emphasizing she felt this was a well thought out, balanced, community concept project.

Ralph Hernandez, Chairperson of Citizens for Democracy, stated they are not opposed to the commercial aspect of this proposal, yet they question the need for additional residential development. He noted this project will bring in an additional 1,600 residents requiring City services. He stated the City needs to control the residential growth, and increase the jobs/commercial/industrial balance.

Michael Orfanos, 2800 Empire Avenue, spoke in favor of the project, and stated he would like to see the commercial buildings have access on Empire Avenue.

Jean Kuberra said she believes irresponsible decision making on the part of the Council if they approve anything without all the details and information. She stated she supports any business development, yet she felt the business development portion of this project is feasible without the housing.

Donald Freitas indicated he felt this project is thorough, comprehensive, and logical and should move forward. He noted this project would provide the infrastructure needed along with the proper zoning allowing the City to effectively market the property and create jobs.

OPPONENT: Larry Howard felt that items of this importance should not be handled after midnight. He stated this is a bad project, and felt the Council should approve only the business portion of the plan. He emphasized the importance of having a job/housing ratio in the city. He discussed bond indebtedness, problems with the School Districts, and other negative impacts caused by over-development.

Arne Simonsen stated he is reluctantly speaking in opposition of this project. He stated there are misquotes being given about the number of jobs related to this project, noting only 17 percent of the total property in this project is for commercial. He felt the biggest problem with the Business Park is the City is not setting aside enough acreage, and felt all of FUA #2 should have been set aside for the Business Park. He urged Council to act logically and rationally and not rush into this project.

William Leroy felt that this project is not about jobs, but about more residential development. He felt that without the hard work of Council Member Hernandez and Ralph Hernandez, there would be no jobs in Antioch.

Mike Malody discussed the importance of having the financing for the infrastructure in this area. He stated he would like to see Antioch capitalize on the business and home opportunities before Brentwood does.

City Manager Ramsey commented that in staff's judgment this is a sound project. It provides 200 acres of employment and commercial property needed by the City for future economic development. He further noted staff would like to see this project approved, yet emphasized the importance of having all the questions answered.

Mayor Rocha declared the public hearing closed.

On motion by Council Member Hernandez, seconded by Council Member Sudario, the Council unanimously continued this item until June 30, 1998.

On motion by Council Member Payton, seconded by Council Member Hernandez, the Council unanimously moved the ADA Calendars to be handled next and continued Agenda Items 5, 9, and 10 until July 14, 1998.

Mayor Rocha declared a recess at 12:50 a.m. The meeting reconvened to the Antioch Development Agency at 12:56 a.m. with all Agency Members present.

AGENCY CONSENT CALENDAR

A. APPROVAL OF AGENCY MINUTES – April 14 and 28, 1998 #301-03

B. APPROVAL OF AGENCY WARRANTS #401-02

On motion by Agency Member Soliz, seconded by Agency Member Payton, the Agency unanimously approved Agency Consent Calendar Items A & B.

AGENCY REGULAR AGENDA

15. MOBILE HOME RENT SUBSIDY AGREEMENT #802-01

City Attorney Galstan presented the staff report dated June 5, 1998, recommending the Agency approve the modified subsidy agreement.

Bob Rasmussen, President of Vista Diablo Homeowners Association, stated they have been through a lot over the last 14 months dealing with this issue, and they feel the Ordinance is the best answer to their problems. He further stated he could not say if they are for or against the subsidy, because their mandate was to go for the Ordinance.

Allen Ives, Vista Diablo Resident, stated he prefers the Ordinance, but agreed the Subsidy does address some of their problems. However, he noted the Subsidy does not include a "vacancy control", and felt there should be one included. He then stated he would go along with the Subsidy agreement, even though it is not what they wanted.

Arne Simonsen stated he is pleased the City has gone forward with the Subsidy Agreement instead of the Rent Control Ordinance, as he felt Rent Control impinges on free enterprise. He encouraged the Council to use the 20 percent set aside money from the Redevelopment Agency for low-income loans made available to Antioch homeowners to help improve their homes.

Council Member Hernandez stated she believed this Agreement was to help all the mobile home parks not just Vista Diablo, and asked if the redevelopment Agency has enough money to subsidize all the parks, with all of the conditions in this Subsidy Agreement. Director of Community Development Ward stated he could not answer that question without knowing what the total cost would be.

Council Member Hernandez said she is still in favor of the Rent Control Ordinance, and felt the Rent Subsidy Agreement does not address all the problems of the Mobilehome residents. She also emphasized the importance of not leaving out the other mobile home parks in town.

She requested that staff check to see if Redevelopment money would cover the cost of what it would cost the General Fund for the Rent Control Ordinance.

On motion by Council Member Payton, seconded by Council Member Soliz, the Council approved the modified subsidy agreement. The motion was carried by the following vote:

AYES: Payton, Soliz, Rocha NOES: Hernandez, Sudario

Mayor Rocha adjourned the Antioch Development Agency and reconvened the City Council meeting.

3. RESOLUTION ESTABLISHING PROCEDURES FOR THE CONSIDERATION OF BROWN ACT COMPLAINTS

City Attorney Galstan presented the staff report dated June 17, 1998, recommending the Council adopt the resolution approving procedures.

RESOLUTION NO. 98/75

On motion by Council Member Sudario, seconded by Council Member Hernandez, the Council unanimously adopted the resolution approving procedures.

4. SPEAKERS' RULES #301-01

City Attorney Galstan presented the staff report dated June 17, 1998, recommending Council approve the summary of Speakers' Rules to be included with Council agendas.

Council Member Hernandez referred to the Speakers' Rules, noting there are two different types of Public Hearings mentioned. She felt this portion of the Rules is not clear or complete and needs further work. Jean Kuberra clarified her interpretation of the two different types of Public Hearings for the Council. She went on to discuss some minor changes that she is proposing to the Speakers' Rules.

On motion by Council Member Payton, seconded by Council Member Soliz, the Council Tabled the Speakers' Rules. The motion was carried by the following vote:

AYES: Payton, Soliz, Rocha NOES: Hernandez, Sudario

6. CONSIDERATION OF BIDS FOR LONE TREE WAY WIDENING, CONSTRUCTION OF FREDERICKSON LANE, EMPIRE AVENUE WIDENING, WEST ANTIOCH CREEK STORM DRAIN LINES A & B, DALLAS RANCH ROAD MEDIAN MEDIAN ISLAND IMPROVEMENTS IN LONE TREE CORRIDOR ASSESSMENT DISTRICT #27 (PW 555-8) #806-02

On motion by Council Member Payton, seconded by Council Member Hernandez, the Council unanimously rejected all bids and authorized rebidding of West Antioch Creek Storm Drain Lines A & B at this time and the remaining work at a later date.

7. CONSIDERATION OF BIDS FOR TRAFFIC SIGNALS, SIGNING & STRIPING AT VARIOUS LOCATIONS (PW 636-3) #1104-01

On motion by Council Member Payton, seconded by Council Member Hernandez, the Council unanimously awarded the contract to the low bidder in the amount of Unit Prices Bid.

8. CONSIDERATION OF BIDS FOR WATER MAIN REPLACEMENT AT VARIOUS LOCATIONS (PW 503-6) #1202-03

On motion by Council Member Payton, seconded by Council Member Hernandez, the Council unanimously awarded the contract to the low bidder in the amount of Unit Prices Bid.

PUBLIC COMMENTS

William Leroy felt Council Member Payton had been unfair to Mrs. Kuberra concerning the Speakers' Rules. He noted the tree has disappeared and inquired if any pieces of the tree were saved. He stated he would like to be notified of future discussions on the Rodger's Point area.

COUNCIL COMMUNICATIONS

None

STAFF COMMUNICATIONS

None

ADJOURNMENT

With no further business, Mayor Rocha adjourned the meeting at 1:52 a.m. to the next Regular Adjourned Meeting of June 30, 1998.

Respectfully Submitted:

L. Jolene Martin

Acting City Clerk