

**ANTIOCH CITY COUNCIL  
ANTIOCH DEVELOPMENT AGENCY**

**Special Meeting/Regular Meeting  
6:00 P.M.**

**December 9, 2008  
Council Chambers**

**ROLL CALL**

Mayor Freitas called the meeting to order at 6:02 p.m., and Deputy City Clerk Chalk called the roll, with all members present.

**INVOCATION**

Bishop Ron Hawkins, Church of Jesus Christ Latter Day Saints led the audience in the invocation.

**"THE LORD BLESS AND KEEP YOU"**

Antioch High School's Music Masters, led by Mr. Ron Molina, followed the invocation with the hymn, *The Lord Bless and Keep You*.

**PRESENTATION OF COLORS**

The Antioch Police Department Color Guard presented the flag.

**PLEDGE OF ALLEGIANCE**

Jordan Davis, Eagle Scout, Troop #493 Boy Scouts of America led the Council and audience in the Pledge of Allegiance.

**"STAR SPANGLED BANNER"**

Antioch High School's Music Masters, led by Mr. Ron Molina rendered the National Anthem, *Star Spangle Banner*.

- 1. RESOLUTION CONFIRMING CANVASS BY THE COUNTY CLERK OF CONTRA COSTA OF BALLOTS CAST AT THE GENERAL ELECTION HELD ON NOVEMBER 4, 2008 (#702-02)**

**RESOLUTION NO. 2008/104**

On motion by Councilmember Simonsen, seconded by Councilmember Moore, the Council unanimously approved the canvass of the ballots cast at the general election of November 4, 2008.

Mayor Freitas congratulated Mayor Elect Jim Davis and Councilmembers Elect Brian Kalinowski and Mary Rocha.

**“AMERICA THE BEAUTIFUL”**

Antioch High School’s Music Masters, led by Mr. Ron Molina, and rendered *America the Beautiful*.

Mayor Freitas introduced and welcomed past and newly elected officials who were present in the audience.

**2. PRESENTATION TO OUTGOING MAYOR DONALD P. FREITAS AND COUNCILMEMBER ARNE SIMONSEN**

On behalf of Board of Supervisors, Federal Glover presented certificates of recognition to Councilmember Simonsen and Mayor Freitas for their years of service. He congratulated Council Members Elect Kalinowski, Rocha and Mayor Elect Davis.

Walter Ruelig, President of the Antioch Unified School District Board of Trustees and Dr. Debra Sims, Antioch Unified School Superintendent, congratulated the victors of the election and thank everyone for their service. Dr. Sims presented Mayor Freitas with a plaque of recognition from the Antioch Unified School District Board of Education.

Elizabeth Rimbault, President of the Antioch Historical Society thanked Mayor Freitas and Councilmember Simonsen for their service to the City of Antioch.

Terry Gillen, representing Congresswoman Ellen Tauscher, acknowledged Mayor Freitas and Councilmember Simonsen’s years of service and presented them with certificates of recognition.

Martha Parson, representing Assemblymember Torlakson and Senator DeSaulnier, presented Mayor Freitas with recognition for his service in the City of Antioch. They recognized Councilmember Simonsen as well as those serving past and present.

Ken Lee spoke to accomplishments of Mayor Freitas.

Kathie Campbell and the Board of Directors of the Arts and Cultural Foundation of Antioch presented a plaque in recognition and appreciation to Mayor Freitas for his service in the City of Antioch. They recognized Councilmember Simonsen and welcomed Mayor Elect Davis and Councilmember Elect Rocha.

Devi Lanphere, representing the Antioch Chamber of Commerce, voiced her appreciation to Mayor Freitas and Councilmember Simonsen for their years of service.

Councilmember Simonsen spoke to his service on the City Council and congratulated Mayor Elect Davis and Council Members Elect Kalinowski and Rocha. He thanked those who supported him, introduced his family and requested the City Council consider appointing him to the vacant City Council seat.

Mayor Freitas introduced his family and those involved in his campaign. He congratulated Mayor Elect Davis and spoke to the achievements of the City Council during his years in office, both as a Councilmember and Mayor in the City of Antioch. He thanked City staff, the Antioch Unified School District, elected officials, volunteers and service organizations for their support over the years.

## **OATHS OF OFFICE**

The Oaths of Office for the newly elected City Officials were administered as follows:

L. Jolene Martin, City Clerk – Administered by Chief Hyde  
James D. Davis, Mayor – Administered by Chief Hyde  
Brian Kalinowski, Council Member – Administered by L. Jolene Martin  
Mary Helen Rocha, Council Member – Administered by Louis Rocha

Mayor Davis announced Donna Conley, Treasurer was unable to attend the meeting due to illness, and stated she would take the Oath of Office when she returned.

## **ROLL CALL**

City Clerk Martin called the roll with all Councilmembers present.

“**HIGHLAND LADDIE**” - Jeff Campbell played the bagpipes following the seating of the newly sworn Council.

## **4. COMMENTS by Mayor and City Council Members**

The new officials gave introductory statements in the following order:

Mayor James Davis  
Councilmember Brian Kalinowski  
Councilmember Mary Rocha

Councilmember Moore congratulated the newly elected officials.

Mayor Davis declared a recess at 7:55 P.M. The meeting reconvened at 8:06 P.M. with all Councilmembers present.

## **5. FILLING A CITY COUNCIL VACANCY**

City Attorney Nerland presented the staff report dated November 21, 2008 recommending the City Council: 1) adopt a resolution appointing a person to fill the City Council vacancy; or 2) adopt a resolution inviting applications for appointment to fill the City Council vacancy and establishing dates and rules for the application process; or 3) adopt a resolution calling for a special election for the position of City Council member on June 2, 2009.

The following individuals provided oral or written comment in support of Arne Simonsen being appointed to the vacant seat on the City Council: Donna Wilson, Gary Gilbert, Nancy Fernandez, Marty Fernandez, Andrew Stannard, Devi Lanphere, representing the Antioch Chamber of Commerce, Darlene Dawson, representing the Sportsmen Yacht Club, Chuck Handwork, Pete Lopez, Jack Roddy, Allen Payton, Mike Hurd, Donald Bryant, Janelle Mota, Dennis Jeglum, and Kay Power.

Mr. Hoskins, Ralph Hernandez, Norma Hernandez, Terry Tiscareno, Angel Luevano, recommended the City Council invite applications for the appointment to fill the City Council vacancy.

Pastor Henry Kelly voiced his support of Kay Trail being appointed to the vacant Council seat.

George Van Hasselt voiced his support of Don Freitas or Martha Parsons being appointed to the vacant Council seat.

Mayor Davis spoke in support of Councilmember Simonsen being appointed to the Council vacancy.

A motion was made by Mayor Davis to appoint Arne Simonsen to fill the City Council vacancy. Councilmember Kalinowski seconded the motion for discussion. Discussion ensued with Councilmembers Moore and Rocha indicating they would not be supporting the motion. Since a majority could not be reached by the City Council on the motion, the second was withdrawn by Councilmember Kalinowski.

**RESOLUTION NO. 2008/105**

On motion by Councilmember Moore, seconded by Councilmember Rocha, the City Council unanimously adopted the resolution inviting applications for appointment to fill the City Council vacancy, and establishing dates and rules for the application process.

**RESOLUTION NO. 2008/106**

On motion by Councilmember Moore, seconded by Councilmember Rocha, the City Council unanimously adopted the resolution as amended:

- No later than 4:30 pm, Monday, December 15, 2008, 4:30 p.m.
- Nomination papers with 20 – 30 Antioch residents
- Candidate statement of not more than 400 words
- Form 700 Statement of Economic Disclosure, which can be obtained at the website [www.fpc.cal.gov](http://www.fpc.cal.gov) or the City Clerks office.
- Thursday, December 18, 2008 at 6:00 p.m. interviews for applicants
- Amended to read: "It is the intention of the City Council to make an appointment on December 18, 2008, or to call a special election for the purpose of filling the vacancy."

**6. COUNCIL REORGANIZATION**

On motion by Councilmember Kalinowski, seconded by Councilmember Moore, the City Council unanimously appointed Councilmember Rocha as Mayor Pro Tem.

On motion by Councilmember Moore, seconded by Councilmember Kalinowski, the Council unanimously adopted the Appointment of Committee Assignments as presented.

**7. PUBLIC COMMENT**

Mary Dotson stated she enjoyed the Holiday De Lites event and Veteran's Day parade. She congratulated those elected and wished everyone a happy holiday.

**8. ADJOURNMENT**

With no further business, Mayor Davis adjourned the meeting in memory of Joyce Seelinger and Carol Slatten at 9:28 p.m. to a Regular/Special meeting on December 16, 2008.

Respectfully Submitted

L. Jolene Martin  
Antioch City Clerk