

**ANTIOCH CITY COUNCIL  
ANTIOCH DEVELOPMENT AGENCY**

**Study Session/Regular Meeting  
5:30 P.M.**

**April 27, 2010  
Council Chambers**

Mayor Davis called the meeting to order at 5:35 P.M., and City Clerk Martin called the Council/Agency roll.

Addressing a recent newspaper article, Mayor Davis clarified noting has been predetermined and all budget considerations will be on the table.

Present: Council Members Parsons, Moore, Kalinowski, Rocha and Mayor Davis

**STUDY SESSION**

**1. PRESENTATION AND DISCUSSION OF BUDGET DEVELOPMENT FOR THE GENERAL FUND FOR FISCAL YEARS 2010-12**

City Manager Jakel introduced the budget item and noted this evening's discussion will be an overview of the General Fund. He reviewed the challenges facing the city.

Finance Director Merchant gave a power point presentation and presented the staff report dated April 7, 2010 recommending the City Council provide direction and feedback to staff.

City Manager Jakel discussed the value of the concessions from the employees. He stated sales tax, and permitting fees will likely recover quickly, however, property taxes will be slow to recover.

Allen Payton, Antioch resident, stated public safety should be the city's first priority. He urged the city to move forward in filling the 20 sworn officer positions and eliminate subsidies to Prewett Park, Animals Services and the Lone Tree Golf and Event Center. He suggested the city become more business friendly and eliminate defined benefit pension plans.

Martin Fernandez, Antioch resident, reported his auto transporter was stolen from the city's storage yard and police response time was unacceptable. He expressed concern the police department is over worked and understaffed and urged the City Council to carefully consider the impacts of the budget decisions on the Antioch Police Department.

Mayor Davis suggested staff approach neighboring City Managers in an effort to form a coalition to share services and move forward with discussions with Delta Diablo Sanitation District regarding pursuing with the conveyance systems for collections.

Councilmember Moore encouraged the City Council to support Congressman Miller's Bill to save public services. He stated he does not support further layoffs of city employees.

Following discussion the City Council provided the following direction to staff:

- “ Authorize meet and confer with bargaining units
- “ Departments determine minimum mandated services to provide
- “ Further reduction in services
- “ Examine further department reorganization
- “ Exploration of new revenue sources
- “ No special events for FY10-11
- “ Explore financial impacts of taxing residents for minimum/current/improved levels of public safety and survey to find their level of interest.

The City Council commended City employees who have sacrificed to meet the budgetary needs of the City.

City Manager Jakel cautioned should the parcel tax were to pass, there would be a time lag in the arrival of tax revenue; however, there may be a mechanism in public finance to borrow against the revenue to accelerate funding.

City Manager Jakel announced the schedule for the Budget Workshops was as follows: May 11, 2010, May 18, 2010, June 1, 2010, June 8, 2010 and June 22, 2010.

Councilmember Kalinowski stated he agreed with staff, there should be no participation from the City for hard or soft costs for special events, unless there would be zero net costs to the City.

Mayor Davis adjourned the Study Session at 6:33 P.M.

Mayor Davis called the meeting to order at 7:03 P.M., and City Clerk Martin called the Council/Agency roll.

Present: Council Members Parsons, Moore, Rocha, Kalinowski and Mayor Davis

## **PLEDGE OF ALLEGIANCE**

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

## **PROCLAMATIONS**

Arbor Day, April 30, 2010  
Be Kind to Animals Week, May 1 . 8, 2010

On motion by Councilmember Rocha, seconded by Councilmember Parsons, the Council unanimously approved the proclamations.

Councilmember Rocha presented the proclamation proclaiming April 30, 2010 as *Arbor Day* to members of the Riverview Garden Club, who announced the Arbor Day Ceremony would take place April 30, 2010, at 4:00 P.M. at Marina Park. They presented each Council Member with an Italian Cypress trees.

Councilmember Moore presented the proclamation proclaiming May 1-8, 2010 as *Be Kind to Animals Week*, to Barbara Sobolvarro and members of the Friends of Animal Services who announced a *Be Kind to Animals Week+Celebration* would be held May 1, 2010 from 11:00 A.M. - 2:00 P.M. at the Antioch Animal Shelter. Additionally, Ms. Sobolvarro announced the special adoption promotion in honor of *Be Kind To Animals Week+* will be held May 1st through May 8, 2010.

Mayor Davis acknowledged Ms. Sobolvarro's tribute to animals during the Christmas program last year.

Councilmember Moore thanked Ms. Sobolvarro for her leadership and participation in the animals services subcommittee.

### **ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

Patrick D'Arcy, Antioch resident, thanked the Friends of Animal Services for their support of the Antioch Animal Shelter. Representing the *So Big Co-op Preschool*, he announced they would be holding a carnival fund raiser from 3:00 . 6:00 P.M. on May 1, 2010 at the Antioch Fairgrounds.

Lonnie Karste, representing the Mayor's Golf Committee, announced the 21st Annual Mayor's Cup Golf Tournament, to be held on June 6, 2010, would be held at the Lone Tree Golf and Event Center. He stated volunteers were busy organizing the yearly event which would benefit Antioch Junior Youth Scholarship, First Tee Program, Antioch Police Activities League and Sports Legends. He noted the event will begin at 1:00 P.M. Contact information was provided.

Julie Haas Wajdowicz, representing the *Keep Antioch Beautiful Day* Committee, gave a brief update on the success of the event and presented awards to the winners of the poster contests. She acknowledged Council Member Parsons and the committee who organized the cleanup efforts. She announced there was an online survey for the participants to provide feedback.

Councilmember Parsons recognized the committee members and thanked everyone who participated and/or sponsored the event.

Mayor Davis commended all those who organized, sponsored and participated in the event.

### **PUBLIC COMMENTS**

James C. Jones, Public Employees Union, Local #1, representing Antioch Public Works employees introduced himself. He stated Members understand the budgetary challenges the City was facing, and the employees he represents were prepared to work with the City to meet their goals. He urged the City Council to maintain the current level of services, consider the impacts to the families of the employees and make fair and equitable concessions for all City employees.

Hans Ho, Antioch resident, discussed the success of *Keep Antioch Beautiful Day*. He thanked Councilmember Parsons for her leadership in organizing the event and recognized Mayor Davis and Councilmembers Kalinowski and Rocha for participating. He thanked all the volunteers who participated.

Dena Jeglum, representing the American Shaolin Kempo Karate, announced a fundraiser to benefit the Antioch Police Department K9 Units would be held at local restaurants. She reported the American Shaolin Kempo Grand Opening Celebration and Raffle will take place from 11:00 A.M. to 3:00 P.M. on May 1, 2010. Contact information was given.

Devi Lanphere, Antioch Chamber of Commerce, thanked Mayor Davis and Councilmembers Parsons and Kalinowski for their support at the Gala event. She announced the following individuals and businesses were recognized: Victoria Leon and Sarah Trail, Sharon Beswick, Antioch Police Chief Jim Hyde, Iris Archuleta, Dow Chemical and Pinkie's Klassy Kar Wash. She noted she would be attending the Good Jobs, Green Jobs National Conference in Washington D.C. Contact information was given.

Chris Valenta, Antioch resident, discussed the potential for RVs to be used as emergency shelters in the event of a disaster and urged the City Council to repeal the RV ordinance.

## **COUNCIL SUBCOMMITTEE REPORTS**

Councilmember Kalinowski announced he would be making a motion to include the following Closed Session on the agenda, as there was a need for immediate action on a matter brought to Council's attention after the current agenda had been posted. The item was regarding ECCRFFA's announcement to hold a special meeting on April 28, 2010 to discuss a Pittsburg situation, which could have direct financial liability implications on the City of Antioch.

On motion by Councilmember Kalinowski, seconded by Councilmember Parsons, the City Council unanimously added the following item to Closed Session: Conference with Legal Counsel pursuant to California Government Code section 54956.96 (b) regarding the East Contra Costa Regional Fee and Financing Authority

1. Anticipated Litigation pursuant to California Government Code section 54956.9(b) . Significant exposure to litigation . 1 case; and
2. Anticipated Litigation pursuant to California Government Code section 54956.9(c) - Initiation of litigation . 1 case.

**MAYOR'S COMMENTS** - None

## **2. COUNCIL CONSENT CALENDAR**

### **A. APPROVAL OF COUNCIL MINUTES FOR APRIL 13, 2010**

### **B. APPROVAL OF COUNCIL WARRANTS**

- C. APPROVAL OF TREASURER'S REPORT FOR MARCH 2010
- D. ORDINANCE NO. 2039 C-S ADOPTING THE 2007 CALIFORNIA FIRE CODE WITH AMENDMENTS TO CHAPTER 3, ADOPTED BY THE CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT (Introduced 04/13/10)
- E. APPROVE AWARD OF PROPOSAL FOR BANKING SERVICES
- F. RESOLUTION NO. 2010/27 SALARY DECREASE FOR ELECTED OFFICIALS DUE TO FINANCIAL CHALLENGES FACING THE CITY
- G. AUTHORIZATION TO INCREASE THE PURCHASE ORDER WITH EMISSIONS RETROFIT GROUP
- H. RESOLUTION NO. 2010/28 ACCEPTING WORK AND AUTHORIZING CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE "L" STREET WIDENING AND UTILITIES UNDERGROUNDING FROM FOURTH TO TENTH STREETS, (P.W. 234-9)

On motion by Councilmember Rocha, seconded by Councilmember Moore, the Council unanimously approved the Council Consent Calendar, with the exception of item E, which was removed for further discussion.

**Item E** – Councilmember Rocha reported the services have been contracted with Chase who has eight homeownership centers located throughout California to assist struggling homeowners.

On motion by Councilmember Rocha, seconded by Councilmember Parsons, the City Council unanimously approved Item E.

#### **PUBLIC HEARINGS – CITY COUNCIL**

#### **3. RESOLUTION APPROVING PROPOSED MASTER FEE EFFECTIVE JULY 1, 2010 (FISCAL YEAR 2010-11)**

Finance Director Merchant presented the staff report dated April 6, 2010 recommending the City Council adopt the resolution.

Mayor Davis opened and closed the public hearing with no speakers requesting to speak.

#### **RESOLUTION NO. 2010/29**

On motion by Councilmember Kalinowski, seconded by Councilmember Moore, the City Council unanimously adopted the resolution.

#### **4. RESOLUTION ADOPTING THE DRAFT FISCAL YEAR 2010-2015 CONSOLIDATED PLAN AND THE ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE**

City Manager Jakel presented the staff report dated April 27, 2010 recommending the City Council bifurcate the action to adopt the first resolution and continue the analysis of impediments to fair housing choice.

Mayor Davis opened and closed the public hearing with no speakers requesting to speak.

**RESOLUTION NO. 2010/30**

On motion by Councilmember Kalinowski, seconded by Councilmember Parsons, the City Council unanimously adopted the first resolution and continued the analysis of impediments to fair housing choice.

**5. RESOLUTION APPROVING THE SUBSTANTIAL AMENDMENT TO THE ONE-YEAR  
UNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN FOR FISCAL  
YEAR (FY) 2009-10 FOR THE NEIGHBORHOOD STABILIZATION PROGRAM  
(NSP)**

Housing Coordinator Kennedy presented the staff report dated April 27, 2010 recommending the City Council: 1) adopt resolution approving the substantial amendment to the Community Development Block Grant (CDBG) Action Plan for Fiscal Year 2009-2010 in order to amend expenditures of \$4,049,228 from the HUD Neighborhood Stabilization Program (NSP) adopted in November 2008; 2) approve the Satellite Housing project funding as an eligible use of NSP funds; and 3) authorize the City Manager or his designee to negotiate and execute any and all documents, contracts, and/or agreements pertaining to the allocation of NSP funds.

Dory Cajima, Director of Housing Development, Satellite Housing, gave a brief history of the housing projects they provide for low income seniors.

Mayor Davis opened and closed the public hearing with no speakers requesting to speak.

**RESOLUTION NO. 2010/31**

On motion by Councilmember Moore, seconded by Councilmember Parsons the City Council unanimously: 1) adopt resolution approving the substantial amendment to the Community Development Block Grant (CDBG) Action Plan for Fiscal Year 2009-2010 in order to amend expenditures of \$4,049,228 from the HUD Neighborhood Stabilization Program (NSP) adopted in November 2008; 2) approve the Satellite Housing project funding as an eligible use of NSP funds, and; 3) authorize the City Manager or his designee to negotiate and execute any and all documents, contracts, and/or agreements pertaining to the allocation of NSP funds.

Mayor Davis declared a recess at 8:10 P.M. The meeting reconvened at 8:25 P.M. with all Councilmembers present.

## **6. RESOLUTIONS APPROVING THE FISCAL YEAR 2010-2011 ANNUAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN AND ANTIOCH DEVELOPMENT AGENCY FUNDING**

Associate Planner/CDBG Program Administrator Gentry presented the staff report dated April 27, 2010 recommending the City Council: 1) approve the funding recommendations of the CDBG subcommittee and adopt the resolution (City) approving the draft Fiscal Year 2010-2011 Action Plan, and; 2) approve the Antioch Development Agency (ADA) funding recommendations of the City Council subcommittee and adopt the resolution (ADA) approving the FY 2010-2011 ADA allocations as part of the CDBG FY 2010-2011 Action Plan.

Councilmembers Moore and Rocha discussed how difficult the subcommittee process was for determining the funding recommendations and noted they look forward to the City Council's input on their recommendations.

Mayor Davis opened the public hearing.

Judith Parker, Development Director, Family Stress Center, announced they would be merging with STAND and thanked the City Council for funding the Proud Father's program.

Adam Poe, Bay Area Legal Aid, thanked the City Council for their consideration and gave a brief description of the Safety Net Project. He affirmed their commitment to the citizens of Antioch.

Alissa Friedman, Executive Director of Opportunity Junction, and several alumni of the job training and placement program, requested their CDBG allocation be restored to this year's level or at least 76% of that level. She noted the fiscal year 2010/2011 recommendation for the job training and technology center, excluding pass through dollars to Positive Edge, is \$45k less than last year, which would severely impact their level of service to the community. She voiced her appreciation to the City of Antioch for their partnership in fighting poverty through their organization and presented the City Council with letters from the alumni in support of their program.

Norman Cheng, Antioch resident, representing Opportunity Junction spoke to the benefits of their program and implored the City Council to restore their funding.

Mitchell Hardin, Jr., SBIC Nxlevel Small Business Trainer, discussed the benefits of their program. He noted the City has been funding SBDC for the past four years and questioned its adequacy for the City to invest in a company or a service that had not met their goals. He requested the City Council consider the proposal from SBIC along with the community foundation.

Arlene Bradley and Gaby Ortega, representing Director of Housing Rights, thanked the City Council for their support and the subcommittee for their consideration. She requested the City Council revisit their proposal and consider that they may have to reduce their hours at the Rivertown Resource Center if more funding is not provided.

Devi Lanphere, Antioch Chamber of Commerce, representing the Small Business Information Center (SBIC), discussed the benefits of the training program being offered by Mr. Hardin. She noted the total request for \$38k was for three Spanish speaking classes and requested the City Council consider funding one class for \$13k.

Laine Lawrence, Executive Director of Contra Costa Senior Legal Services, thanked the subcommittee and staff for the recommendation of funding for their program.

Candida Duperroir and Erica Harland, representing the Contra Costa Child Care Council, thanked the City Council for their continued support.

Myrna Johnson and Willa Parsons, representing Positive Edge, thanked the City Council for their support and requested reconsideration of the amount they are allowing for their MOU with Opportunity Junction. She noted CDBG funds would assist them with paying the rent on their building.

Mayor Davis closed the public hearing.

Sandra Scherer, representing the Monument Crisis Center provided a graph of the clients they serve and reviewed the services they provide. She stated their request for \$10k would satisfy \$1.85 per client per month and requested the City Council reconsideration and if not this year, next year.

Renee McCarty, alumni of Opportunity Junction, requested the City Council reconsider the funding cuts for Opportunity Junction and spoke to the benefits of the program. She thanked the City Council for their consideration.

Mayor Davis closed the public hearing.

Following discussion the City Council consensus supported the following;

- “ Eliminate funding for the Workforce Development Board in the amount of \$30k
- “ Add funding to Antioch Chamber Foundation SBIC in the amount of \$13k
- “ Add funding to Positive Edge (pass-through from Opportunity Junction) in the amount of \$2.5k
- “ Add funding to Opportunity Junction in the amount of \$14.5k

Councilmember Parsons requested, in the future, the City Council consider funding the Monument Crisis Center.

Council commended the subcommittee members for their hard work and consideration of all the funding requests.

In response to Councilmember Kalinowski, City Manager Jakel reported the official contracts are for one year. Director of Community Development Wehrmeister added the CDBG allocation will not drive any decision the Council makes on the budget, however, an amendment to the action plan will be needed. City Attorney Nerland stated that staff will add to the cover letter sent with the agreement that there are unprecedented financial



issues and there is a possibility that the city may need to revisit these issues in the second year.

**RESOLUTION NO. 2010/32**  
**RESOLUTION NO. ADA-438**

On motion by Councilmember Rocha, seconded by Councilmember Moore the City Council unanimously approved: 1) approve the funding recommendations of the CDBG subcommittee and adopt the resolution (City) approving the draft Fiscal Year 2010-2011 Action Plan, and; 2) approve the Antioch Development Agency (ADA) funding recommendations of the City Council subcommittee and adopt the resolution (ADA) approving the FY 2010-2011 ADA allocations as part of the CDBG FY 2010-2011 Action Plan. With the following changes;

- " Eliminate funding for the Workforce Development Board in the amount of \$30k
- " Add funding to Antioch Chamber Foundation SBIC in the amount of \$13k
- " Add funding to Positive Edge (pass-through from Opportunity Junction) in the amount of \$2.5k
- " Add funding to Opportunity Junction in the amount of \$14.5k

**COUNCIL REGULAR AGENDA**

**7. DELTA BLUES FESTIVAL — CITY SERVICE SUPPORT REQUEST**

Manager/Interim Recreation Director Karste presented the staff report dated April 14, 2010 recommending the City Council provide direction to staff regarding the support of the Delta Blues Festival event.

Frank Giovanni Jr., Delta Blues Festival, gave a brief history of the Delta Blues event and requested the City Council consider not charging for the use of the stage and commit to \$2500 in City services.

Following discussion the City Council consensus supported the event in concept, however, they felt it was not financially feasible for the City to contribute funds or set precedence by waiving fees for the stage during the current budget crisis. Suggestions were made to seek sponsorship, abbreviate the program, collect donations from attendees and/or hold a 50/50 raffle.

Councilmember Moore discussed the value of the event to downtown businesses.

Kyle Dieker, expressed concern momentum would be lost to keep the event going, if it is not funded this year. He spoke to the value of investing in the community and the success of the event. He thanked Mayor Davis for being involved in the past and handing out the scholarship.

Mayor Davis and Councilmember Moore offered to assist as individuals in fundraising efforts.

The City Council directed staff to provide no financial support to the Delta Blues Festival. The Council directed staff to allow the use of the city logo for the purpose of fundraising for the Delta Blues Festival.

## **8. FOURTH OF JULY CELEBRATION EVENT**

Economic Development Analyst Nunnally presented the staff report dated April 6, 2010 recommending the City Council provide direction to staff regarding the support of the Fourth of July Celebration event.

In response to Mayor Davis, Chief Hyde stated, should the event be cancelled, the City may see an increase in illegal fireworks events in neighborhoods; however, they would be family oriented and have less of an impact on the community and police services.

Mayor Davis suggested, in the future, the City could look into a regional effort for a 4th of July event.

Following discussion, Council consensus was, it was not feasible for the City to financially support the Fourth of July Celebration event and encouraged residents to celebrate with family or organize block parties.

Chief Hyde clarified there was a permitting process for block parties with a minimal cost for staff time.

Councilmember Parsons thanked Economic Development Analyst Nunnally for his participation in organizing the event in the past.

Mayor Davis acknowledged his wife Susan for her past participation in organizing the Fourth of July event.

On motion by Councilmember Moore, seconded by Councilmember Kalinowski, the City Council unanimously postponed the Fourth of July Celebration Event for this year.

## **9. REPORT ON UTILITY REVENUE REQUIREMENTS, COST OF SERVICE ALLOCATIONS, AND RATE DESIGN FOR THE WATER AND SEWER CHARGES AND RESOLUTION SETTING PUBLIC HEARING FOR JUNE 22, 2010, AND AUTHORIZE DISTRIBUTION OF PROPOSITION 218 NOTICES**

Director of Capital Improvements/Water Rights Harrington presented the staff report dated April 15, 2010, recommending the City Council: 1) receive report on Revenue Requirements, Cost of Service Allocations, and Rate Design for the Water and Sewer Utilities and provide direction to staff in considering recommended rate adjustments in the water and sewer program; 2) adopt the resolution setting public hearing on proposed Water and Sewer Charge, and; 3) authorize the distribution of Proposition 218 notices addressing proposed increases and notifying owners of the public hearing on the issue.

Ann Buoy, Black and Veatch gave a brief overhead presentation on the revenue requirements, cost of service allocations, and rate design for the water and sewer charges as well as the recommendations.

Capital Improvements/Water Rights Director Harrington commended Public Works staff for the quality service and management of the programs.

Councilmember Kalinowski requested staff provide a summary of costs/impacts for increasing street sweeping to two times per month.

In response to Mayor Davis, Director of Capital Improvements/Water Rights Harrington, stated his recommendation was to keep maintenance of the collection systems with the City of Antioch to maintain the best level of service for the best value.

### **RESOLUTION NO. 2010/33**

On motion by Councilmember Kalinowski, seconded by Councilmember Parsons, the City Council unanimously: 1) Received report on Revenue Requirements, Cost of Service Allocations, and Rate Design for the Water and Sewer Utilities and provide direction to staff in considering recommended rate adjustments in the water and sewer program; 2) Adopted the resolution setting public hearing on proposed Water and Sewer Charge; and, 3) Authorized the distribution of Proposition 218 notices addressing proposed increases and notifying owners of the public hearing on the issue.

## **10. AGENCY REGULAR AGENDA**

### **A. APPROVAL OF AGENCY WARRANTS**

On motion by Agency member Kalinowski, seconded by Agency member Moore, the City Council unanimously approved the warrants.

**PUBLIC COMMENTS** - None

### **STAFF COMMUNICATIONS**

City Manager Jakel stated the next City Council Study Session will be held on May 11, 2010.

Following discussion the City Council agreed to schedule the *Quality of Life Forum* in July.

### **COUNCIL COMMUNICATIONS**

Councilmember Rocha expressed concern regarding a communication she received indicating the BART Board was considering designing the Hillcrest Station without a bathroom facility.

City Manager Jakel responded he would be following up with BART Board Director Keller regarding this issue.

In response to Councilmember Rocha, City Manager Jakel announced WETA received funds to restart the Antioch Ferry Terminal and the consultants had been selected for the EIR process.

Councilmember Parsons thanked Senator DeSaulnier and his staff for their assistance in securing release of funds for the Ferry Terminal EIR.

With no further business, Mayor Davis adjourned the meeting at 10:36 P.M. to Closed Session immediately following.

**PUBLIC COMMENTS** for Closed Session . Seeing none, the meeting was adjourned to Closed Session

**CLOSED SESSION -**

1. **CONFERENCE WITH LABOR NEGOTIATOR** . Employee organizations: Public EmployeesqUnion Local No. 1, Operating Engineers Local Union No. 3, Antioch Police OfficersqAssociation, Antioch Police Sworn Management Association, Management Group, Confidential Group, Treatment Plant EmployeesqAssociation. This Closed Session is authorized by California Government Code §54957.6.

2. **CONFERENCE WITH LEGAL COUNCIL** pursuant to California Government Code section 54956.96 (b) regarding the East Contra Costa Regional Fee and Financing Authority:

1. Anticipated Litigation pursuant to California Government Code section 54956.9(b)  
Significant exposure to litigation . 1 case; and
2. Anticipated Litigation pursuant to California Government Code section 54956.9(c)  
Initiation of litigation . 1 case.

Respectfully Submitted:

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L. JOLENE MARTIN, CMC  
City Clerk