

**ANTIOCH CITY COUNCIL  
ANTIOCH DEVELOPMENT AGENCY  
ANTIOCH PUBLIC FINANCING AUTHORITY**

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

**January 24, 2012  
Council Chambers**

**6:00 P.M. - CLOSED SESSION**

**1. CONFERENCE WITH LABOR NEGOTIATOR** – City designated representatives: Deborah McHenry, Human Resources Director and Glenn Berkheimer IEDA; Employee organizations: Public Employees' Union Local No. 1; Antioch Police Officers' Association. This Closed Session is authorized by California Government Code §54957.6.

**2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – pursuant to subdivision (A) of Government Code Section 54956.9: California Healthy Communities Network, an unincorporated association, v. City of Antioch; Real Party in interest WAL-MART Stores, Inc., Case No. N10-1804; Contra Costa Superior Court

Mayor Davis called the meeting to order at 7:00 P.M., and City Clerk Skaggs called the roll.

Present: Council/Agency Members Kalinowski, Harper, Rocha, Agopian and Mayor/Chair Davis

**PLEDGE OF ALLEGIANCE**

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

**PRESENTATION**

Susan Miller, Project Director for the Contra Costa Transportation Authority, introduced Anna Reese, Public Information Officer for the State Route 4 widening project, and gave a brief overhead presentation of the project including the construction schedule, current and future construction activities, and project funding. She announced the Segment 2 construction groundbreaking would be held on March 9, 2012. Contact information was provided.

Mayor Davis thanked Ms. Miller for the presentation and stated he was pleased to see the project come to fruition.

In response to Councilmember Rocha, Ms. Miller clarified the pedestrian traffic would be monitored closely when the overcrossings were under construction.

In response to Councilmember Kalinowski, Ms. Miller clarified CALTRANS expects the landscaping to be constructed and those dollars would be guarded to assure they could fulfill that obligation. She also stated they would be facilitating discussions between Caltrans and the City regarding maintenance of those areas and noted more drought tolerant and hardscaping might be considered in the landscaping design.

Councilmember Agopian spoke in support of bringing the project to fruition and include drought tolerant native plants in the landscaping plan.

Councilmember Harper stated he was excited about the project being on track and contact information was important in keeping the community informed.

City Attorney Nerland reported the City Council had been in Closed Session and gave the following report: #1 Conference with Labor Negotiator – direction was given to the Labor Negotiator; #2 Conference with Legal Council – Existing Litigation - The City Attorney noted no action to report out. [\*The City Attorney had subsequently determined that the City Council's decision to not appeal the Superior Court's ruling in this case should have been reported out and reflected in the minutes. The City Council voted not to appeal the Superior Court's decision on a 3-2 vote with Mayor Davis and Council Member Agopian voting against the motion to not appeal the decision. The Annotated Agenda has been revised to reflect this and the matter will be orally reported out at the subsequent Council meeting.]

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

Sherry Rufini, representing Senator Mark DeSaulnier, announced a Foreclosure Seminar would be held from 1:00 – 4:00 PM on February 4, 2012, at the Antioch Community Center at Prewett Park.

In response to Councilmember Rocha, Ms. Rufini commented that the foreclosure advocate in Senator DeSaulnier's office was John Frankel.

Councilmember Rocha thanked Senator DeSaulnier for addressing the issue.

#### **PUBLIC COMMENTS**

Jim and Susan Stockton read a rebuttal letter to a petition sent to the city officials against their efforts to feed feral cats in their neighborhood. He provided copies and requested the City Council read the rebuttal letter in its entirety.

Bill Cook, Crime Prevention Commissioner, requested the City Council put a Parcel Tax Increase on the November Election Ballot dedicated solely to increase the number of Antioch Police Officers, support staff and fully staffing the Code Enforcement Department. He reported that during his interaction with the community, it had become apparent the citizens of Antioch support an increase to those services.

Councilmember Agopian spoke in support of the City Council to consider the merits of the proposal.

In response to Councilmember Rocha, Mr. Cook stated that he would help Garner Community support for the ballot measure, should this item go on the November election ballot.

Mayor Davis offered his full support to Mr. Cook and thanked him for serving on the Crime Prevention Commission.

Ingrid Gelhaus, Antioch resident and member of Neighborhood Watch, expressed concern regarding the increase in criminal activity in her area and the lack of communication from the Police Department on whether it was safe to move about her neighborhood when that activity was occurring. She provided copies of the VC Alert Program to the City Council and urged them to implement an Emergency Alert System in Antioch.

Mayor Davis thanked Ms. Gelhaus for providing the information.

Lorraine Black, Antioch resident and member of Neighborhood Watch, reported the street sweeping schedule conflicted with the garbage pickup schedule in their neighborhood. She requested the City Council's assistance and support in changing the street sweeping schedule to Friday and urged them to require service companies improve performance.

Mayor Davis stated as a Board Member of Delta Diablo, they would look into her concerns immediately. She thanked Ms. Black for bringing the issue to the attention of the City Council.

Lolis Ramirez, representing the American Cancer Society, stated they were seeking the endorsement of the Antioch City Council for the California Cancer Research Act and announced they were seeking volunteers to participate in the Get Out and Vote Campaign.

Virginia Phillips, representing the American Cancer Society, reported she had hosted two Breast Cancer Awareness Events, and discussed resources available to cancer patients and future fundraising endeavors.

Mayor Davis thanked Ms. Ramirez and Phillips for bringing the information forward.

Councilmember Rocha encouraged Ms. Ramirez and Ms. Phillips to involve First 5 in Outreach for the Spanish speaking population.

Donna Wilson, Antioch resident, spoke to recent criminal activity in her neighborhood and encouraged the City Council to review the lack of resources available to the Antioch Police Department.

Mayor Davis stated the City Council would take all the information discussed under Public Comment into consideration and refer matters in need of follow up, to City Staff.

## **COUNCIL SUBCOMMITTEE REPORTS**

Councilmember Rocha reported on her attendance at the Community Services for the California League of Cities.

Councilmember Harper reported on his attendance at the Training for new Councilmembers at the League of California Cities.

Mayor Davis thanked Councilmember Harper for participating in the training and the City for sending him to the workshop.

Councilmember Kalinowski clarified the city had a Shelter-In-Place Program for toxic releases and criminal activity. Regarding transportation related items, he announced the Transfer of Highway 4 Bypass to CALTRANS would be held on February 13, 2012, at the Streets of Brentwood. He reported the TriDelta Transit Senior Bus Service program would go to the TriDelta Transit Board on February 22, 2012, and the Highway 4 and eBART meeting would be held on February 9, 2012.

Mayor Davis thanked Councilmember Kalinowski for his advocating on behalf of the City on transportation issues.

#### **MAYOR'S COMMENTS**

Mayor Davis announced Deputy City Clerk Janet Chalk would be retiring on January 26, 2012, and noted she would be missed.

#### **COUNCIL CONSENT CALENDAR**

- A. APPROVAL OF COUNCIL MINUTES FOR JANUARY 10, 2012**
- B. APPROVAL OF COUNCIL WARRANTS**
- C. APPROVAL OF TREASURER'S REPORTS FOR NOVEMBER AND DECEMBER 2011**
- D. REQUEST FOR TRAINING – CONTRA COSTA COUNCIL**
- E. RESOLUTION 2012/03 ACCEPTING WORK AND AUTHORIZING THE DIRECTOR OF CAPITAL IMPROVEMENTS TO FILE A NOTICE OF COMPLETION FOR THE DOWNTOWN TRUNK SEWER IMPROVEMENTS, PHASE 3 (P.W. 514-S3)**
- F. CONSIDERATION OF BIDS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT, DOWNTOWN ROADWAY PAVEMENT REHABILITATION, PHASE 5 (P.W. 678-5)**
- G. CONSIDERATION OF BIDS FOR THE SAN JOSE DRIVE PAVEMENT REHABILITATION (P.W. 392-27)**

- H. **RESOLUTION 2012/04 ACCEPTING WORK AND AUTHORIZING THE DIRECTOR OF CAPITAL IMPROVEMENTS TO FILE A NOTICE OF COMPLETION FOR THE WATER MAIN REPLACEMENT ON NORTH LAKE DRIVE AND NORTH LAKE CIRCLE (P.W. 503-12)**
- I. **CITY OF ANTIOCH – COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2011**
- J. **RESOLUTION 2012/05 APPROVING UPDATED REVISIONS TO THE CLASS SPECIFICATION OF DEPUTY CITY CLERK**
- K. **AWARD OF CONTRACT FOR HIGH PRESSURE SEWER JET CLEANER**
- L. **APPROVE ANTIOCH RECYCLED WATER PROJECT COMPLETION (PW 430-1)**

On motion by Councilmember Harper, seconded by Councilmember Rocha, the Council unanimously approved the Council Consent Calendar.

## **COUNCIL REGULAR AGENDA**

### **2. PRESENTATION BY PFM ON INVESTMENT PORTFOLIO**

City Treasurer Conley presented the staff report dated January 18, 2012, recommending the City Council motion to receive and file.

Sarah Meacham, Senior Managing Consultant Public Financial Management LLC, thanked the City Council for allowing her to present the report that evening and gave a brief overview of the Fourth Quarter 2011 Review of Portfolio.

Councilmember Kalinowski suggested when this item was before the City Council, it be made available in Powerpoint format for the audience and as a point-of-reference in the budget documents.

Councilmember Rocha thanked Ms. Meacham for the report noting it makes it easier for the City Council to understand the information.

Mayor Davis thanked City Treasurer Conley and Finance Director Merchant for their stewardship in the City's Finance Department.

On motion by Councilmember Kalinowski, seconded by Councilmember Harper, the City Council received and filed the report.

**3. RESOLUTIONS ELECTING TO BECOME SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT AGENCY AND ADOPTION OF AMENDED ENFORCEABLE OBLIGATION PAYMENT SCHEDULE**

Community Development Director Wehrmeister and Finance Director Merchant presented the staff report dated January 19, 2012, recommending the City Council: 1) Adopt the resolution agreeing to retain the housing assets and functions of the Antioch Development Agency, thereby opting to become the Successor Housing Agency, 2) Adopt the resolution opting to become the Successor Agency to the Antioch Development Agency; and 3) Adopt the resolution approving the Amended Enforceable Obligation Payment Schedule as the Successor Agency to the Antioch Development Agency.

In response to Councilmember Kalinowski, Finance Director Merchant reported all of the Enforceable Obligations would be reviewed by the Oversight Board and Department of Finance and Auditor Controller.

Councilmember Agopian encouraged residents to sign up to receive City Council agendas. For the record, he clarified the City of Antioch was not becoming the Contra Costa Housing Authority and managing housing vouchers.

**RESOLUTION 2012/06**  
**RESOLUTION 2012/07**  
**RESOLUTION 2012/08**

On motion by Councilmember Kalinowski, seconded by Councilmember Agopian, the City Council unanimously 1) Adopted the resolution agreeing to retain the housing assets and functions of the Antioch Development Agency, thereby opting to become the Successor Housing Agency, 2) Adopted the resolution opting to become the Successor Agency to the Antioch Development Agency; and 3) Adopted the resolution approving the Amended Enforceable Obligation Payment Schedule as the Successor Agency to the Antioch Development Agency.

**4. FULTON SHIPYARD BOAT RAMP COMMITTEE**

City Attorney Nerland presented the staff report dated January 19, 2012, recommending the City Council consider the options for addressing the Fulton Shipyard Boat Ramp.

Dale Paris, Antioch resident, encouraged the City Council to involve the community in the process. He spoke in support of creating a committee of two Councilmembers and members of the public.

Jim Boccio, Antioch resident, stated he had a meeting with interested parties who had provided a list of items for the City to consider for the boat ramp area. He spoke in support of creating a committee of two Councilmembers and others who would make a recommendation to the City Council.

Shelia White, Antioch resident and owner of the Red Caboose Restaurant, reported they had a meeting of the property owners and businesses along Fulton Shipyard Road to gather ideas on how to improve the boat ramp property. She suggested the formation of the Antioch Rivertown Preservation and Development Committee comprised of two Councilmembers and others who would make a recommendation to the City Council.

Arne Simonsen, Antioch resident, thanked the City Council for the action they had taken to bring this item forward and support for consideration of options for keeping the Fulton Shipyard boat ramp open. He encouraged the City Council to include businesses in the area as well as the Striped Bass and Boating and Duck Club Organizations in determining the future of the boat ramp facility. He stated he would do whatever he could to help with the Delta Conservancy on the Delta Protection Advisory Committee. He voiced his support to assign the matter to the Parks and Recreation Commission who was knowledgeable on these issues.

Following discussion, the City Council clarified the boat ramp would remain open and supported assigning the matter to the Parks and Recreation Commission who had the expertise and would engage the public on how to best improve the property.

On motion by Councilmember Harper, seconded by Councilmember Rocha, the City Council unanimously assigned the matter to the Parks and Recreation Commission.

## **PUBLIC FINANCING AUTHORITY CONSENT CALENDAR**

### **5. ANTIOCH PUBLIC FINANCING AUTHORITY – BASIC FINANCIAL STATEMENTS AND INDEPENDENT AUDITORS’ REPORT FOR THE YEAR ENDED JUNE 30, 2011**

On motion by Authority Member Kalinowski, seconded by Authority Member Harper, the Public Financing Authority unanimously received and filed the report.

### **6. AGENCY CONSENT CALENDAR**

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

#### **B. ANTIOCH DEVELOPMENT AGENCY – FINANCIAL STATEMENTS AND INDEPENDENT AUDITORS’ REPORTS AND FISCAL STATEMENT FOR THE YEAR ENDED JUNE 30, 2011**

On motion by Agency Member Rocha, seconded by Agency Member Agopian, the Antioch Development Agency unanimously approved the Agency Consent Calendar.

**PUBLIC COMMENTS – None**

## STAFF COMMUNICATIONS

City Manager Jakel announced Fire Chief Lauder would be meeting with staff for outreach effort on January 25, 2012. He reminded the City Council and community there would be City Council Meetings on February 14 and February 28, 2012.

## COUNCIL COMMUNICATIONS

Councilmember Kalinowski questioned if there was the potential for upgrading the 10<sup>th</sup> Street Fire Station. He requested staff agendize an update from the County Housing Authority.

Councilmember Rocha invited the public to view the African American Exhibit at the Lynn House Gallery from 1:00 – 4:00 PM, Wednesdays and Saturdays.

Mayor Davis thanked Councilmember Harper on leading the committee for the Martin Luther King Jr. Event. He reported there was an event on January 21, 2012, recognizing volunteers in the Police Department and he extended his thanks to all those volunteers.

## ADJOURNMENT

With no further business, Mayor Davis adjourned the meeting at 8:46 p.m. to the next regular Council Meeting on February 14, 2012.

Respectfully submitted:

*Kitty Eiden*  
KITTY EIDEN, Minutes Clerk