

ANTIOCH CITY COUNCIL

Regular Meeting
7:00 P.M.

March 17, 2009
Council Chambers

6:00 P.M. - CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – Evangelho v. City of Antioch; William G. McCullough Co., Contra Costa Superior Court, Case 07-02205; City of Antioch v. Evangelho et al., Contra Costa Superior Court, Case Nos. C06-02345, C06-02391, C06-02392. This Closed Session is authorized by California Government Code §54956.9(a)
2. **CONFERENCE WITH LABOR NEGOTIATOR** – Employee organizations: Public Employees' Union Local No. 1, Operating Engineers Local Union No. 3, Antioch Police Officers' Association, Antioch Police Sworn Management Association, Management Group, Confidential Group, Treatment Plant Employees' Association. This Closed Session is authorized by California Government Code §54957.6.
3. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION.** Title: City Manager. This Closed Session is authorized by Government Code §54957.
4. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION.** Title: City Attorney. This Closed Session is authorized by Government Code §54957.

Mayor Davis called the meeting to order at 7:05 P.M. and City Clerk Martin called the roll.

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

City Attorney Nerland reported the City Council had been in Closed Session; there was no reportable action

PLEDGE OF ALLEGIANCE

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

Mayor Davis read an Irish Blessing and introduced Katie and Dale Burchett who performed in celebration of St. Patrick's Day.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Captain Allen Cantando gave a brief presentation and update on the Police Activities League (PAL) program events. He thanked the City Council for their support

The City Council thanked Captain Cantando for his dedication and commitment to the youth of the community.

PROCLAMATION

National Association of the Advancement of Colored People (NAACP) – 100 Year Anniversary, February 2009

On motion by Councilmember Moore, seconded by Councilmember Rocha, the Council unanimously approved the proclamation.

Councilmember Rocha and Moore presented the proclamation to a member of the NAACP, who accepted the Council for the proclamation proclaiming February 2009 as the 100 year anniversary of the NAACP.

PUBLIC COMMENTS

Dave Gossman, representing Operating Engineers, discussed contract negotiations with the City and recommended extending layoffs to allow them to work in cooperation with the City on a proposal from the members to address budget shortfalls.

Devi Lanphere, representing the Antioch Chamber of Commerce, announced new directories were available at City offices; Climate Action Planning regarding AB32 would be held on April 14 at Lone Tree Golf Course Event Center; and the Great Race of Antioch would be held on April 25, May 2 and May 9, 2009. Contact information was given.

Allen Payton, Antioch resident, expressed his concern regarding the condition of the waterway at 8TH Street and Wilbur Avenue. He provided photographs to the City Council and encouraged them to address the situation.

Ken Turnage presented the City Council with photographs and expressed concern the demolition of a building adjacent to his property would create run off onto his property. He requested the demolition be stopped until run off requirements can be met.

In response to the City Council, Community Development Director Brandt stated a meeting was scheduled with Mr. Turnage the following day and he would provide an update via email to the City Council.

Erik Blevins, Antioch resident, stated he would like to conduct an unemployment conference in Antioch and asked if there was a room available that could be used for the purpose. He questioned how he could apply for his brother to perform at the Contra Costa County Fair.

Mayor Davis stated individuals wishing to participate at the Fair needed to contact the Contra Costa County Fair Board.

Councilmember Moore encouraged Mr. Blevins to contact Recreation Director Sanderson regarding participation in the summer concert series.

COUNCIL RESPONSE TO PUBLIC COMMENTS - None

1. COUNCIL CONSENT CALENDAR

A. APPROVAL OF COUNCIL MINUTES FOR FEBRUARY 10, 2009

B. APPROVAL OF COUNCIL WARRANTS

C. REJECTION OF CLAIM

1. Dennis Osborne 09/10-1854 (property damage)

D. CONSIDERATION OF BIDS FOR THE “ANTIOCH COMMUNITY CENTER” / POLICE SERVICE CENTER” (P.W. 567-C)

E. ELIMINATE EARTHQUAKE INSURANCE PREMIUM

F. APPROVAL OF SECOND AMENDMENT TO THE CONSULTANT SERVICE AGREEMENT WITH FLOW SCIENCE INCORPORATED FOR ASSISTANCE IN SUPPORT OF OUR NEGOTIATIONS WITH THE CALIFORNIA STATE DEPARTMENT OF WATER RESOURCES (DWR)

G. APPROVAL OF SECOND AMENDMENT TO THE CONSULTANT SERVICE AGREEMENT WITH ANN B. SPAULDING FOR ASSISTANCE IN SUPPORT OF OUR NEGOTIATIONS WITH THE CALIFORNIA STATE DEPARTMENT OF WATER RESOURCES (DWR) AND INTERACTIONS REGARDING THE BAY DELTA CONSERVATION PLAN

H. RESOLUTION NO. 2009/18 APPROVING LETTER OF UNDERSTANDING FOR THE MANAGEMENT UNIT

I. RESOLUTION NO. 2009/19 APPROVING LETTER OF UNDERSTANDING FOR THE CONFIDENTIAL UNIT

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

COUNCIL REGULAR AGENDA

2. PRESENTATION BY YOUTH INTERVENTION NETWORK (YIN)

Police Chief Hyde introduced Iris Archuleta, who thanked the City and Council for their support, followed by a brief overhead presentation of the Youth Intervention Network (YIN), which included the following:

- Referral Process
- Family Advocate Recruitment and Training
- Review Panel, Selections and Assignments
- Media and Next Steps

In response to the City Council, Ms. Archuleta discussed selection criteria as well as the mediation and reporting processes.

Mayor Davis thanked Iris and Keith Archuleta and all those who participated for their commitment to the youth of the community.

PUBLIC HEARINGS

3. THE CITY OF ANTIOCH REQUESTS CONSIDERATION OF REVISIONS TO SECTIONS 2-5.102 AND 9.5-2508, AND ARTICLE 26 OF THE ANTIOCH MUNICIPAL CODE IN ORDER TO ASSIGN DESIGN REVIEW DUTIES TO THE PLANNING COMMISSION. (Z-09-01)

Community Development Deputy Director Wehrmeister presented the staff report dated March 12, 2009 recommending the City Council: 1) introduce the ordinance by title only; and, 2) introduce the ordinance revising Sections 2-5.102 and 9.5-2508, and Article 26 of the Antioch Municipal Code in order to assign design review duties to the Planning Commission.

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

On motion by Councilmember Rocha, seconded by Councilmember Moore, the City Council unanimously approved the following: 1) introduced the ordinance by title only; and 2) introduced the ordinance revising Sections 2-5.102 and 9.5-2508, and Article 26 of the Antioch Municipal Code in order to assign design review duties to the Planning Commission.

4. THE CITY OF ANTIOCH REQUESTS CONSIDERATION OF REVISIONS TO THE GROWTH MANAGEMENT ELEMENT OF THE GENERAL PLAN (CHAPTER 3) IN ORDER TO COMPLY WITH THE REQUIREMENTS OF *MEASURE J*, CONTRA COSTA'S TRANSPORTATION SALES TAX EXPENDITURE PLAN. (GP-09-01)

Community Development Deputy Director Wehrmeister presented the staff report dated March 13, 2009 recommending the City Council adopt the resolution revising the Growth Management Element of the General Plan.

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

RESOLUTION NO. 2009/20

On motion by Councilmember Rocha, seconded by Councilmember Parsons, the City Council unanimously motioned to adopt the resolution revising the Growth Management Element of the General Plan.

PUBLIC COMMENTS

Bill Worrell, Antioch resident, reminded the community the Bay and Delta Conservation Plan EIR was scheduled to meet on March 23, 2009, at the Brentwood multi-use room from 6:00-

10:00 P.M. He shared his concern regarding the lack of political opposition to the plan, and questioned the wisdom of approval of the proposal, given the resulting financial impacts for the local area.

STAFF COMMUNICATIONS

City Manager Jakel announced the City Council would be in session on March 24, 2009; the Groundbreaking Ceremony for the Prewett Park Community Center would be held at 10:00 A.M. on March 21, 2009 and the Quality of Life Forum will be held on April 4, 2009.

COUNCIL COMMUNICATIONS

Councilmember Parsons stated she understood Mr. Worrell's concerns related to the Bay and Delta Conservation plan, noted she had written letters and joined Restore the Delta. She further stated she had participated in *Read Across America*, a prayer service at Holy Rosary Church and Little League opening day,

Councilmember Rocha announced the *Caesar Chavez Award* would be held on March 27, 2009 at Los Medanos College; a Tri-tip Dinner for Kiwanis was scheduled for at VFW on March 21, 2009; a Rotary Italian Dinner to benefit the Bedford Center will be held on March 28 at the Senior Center and Coffee with Cops would be held on March 21, 2009 from 9:00 – 11:00 A.M. at the Police Department Community Room.

Councilmember Parsons announced the Deer Valley Foundation would be sponsoring a dinner at Lone Tree Golf Course Event Center on March 21, 2008. Proceeds would go to benefit the school.

Councilmember Kalinowski announced he had attended a performance of *Proof*, performed at the Hapgood Theater, adding the performance was excellent. He further reported a scheduling conflict would prevent his attendance at the Prewett Park ribbon cutting.

Councilmember Moore agreed with Councilmember Kalinowski, regarding the outstanding performance of *Proof*, which he described as "phenomenal."

Councilmember Parsons commented she felt the pictures provided to Council by Mr. Payton appeared to indicate some of the said issues were related to agencies other than the City.

Mayor Davis reported he had visited Washington D.C., on behalf of the City and Delta Diablo Sanitation District, he did not elaborate on the outcome of the visit.

With no further business, Mayor Davis adjourned the meeting at 8:30 P.M. to the next regular Council meeting on March 24, 2008.

Respectfully Submitted

L. Jolene Martin, CMC

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Antioch City Clerk