

ANTIOCH CITY COUNCIL

Regular Meeting
7:00 P.M.

February 10, 2009
Council Chambers

6:00 P.M. - CLOSED SESSION

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

Mayor Davis called the meeting to order at 7:23 P.M., and City Clerk Martin called the roll.

City Attorney Nerland reported the City had been in closed session and direction was given to the labor negotiator.

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

PLEDGE OF ALLEGIANCE

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

PRESENTATION

Kathleen McClain, participant of the Contra Costa Grand Jury, gave a brief background of the Contra Costa County Civil Grand Jury process and provided contact information for those interested in applying.

PROCLAMATION — Black History Month, February 2009

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

Councilmember Moore presented the proclamation proclaiming February 2009 as *Black History Month* to members of the Martin Luther King committee who accepted the proclamation and thanked the City Council for supporting the event. On behalf of the committee they presented the City Council with a poster of Martin Luther King to display in City Hall.

Councilmember Moore presented certificates to the participants of the event and winners of the contest. Councilmember Moore announced next year's event would include a day of service.

The City Council thanked everyone who participated in the event

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Monte Parmenter, representing the Antioch Church Family, invited the community to participate in the Golfing for Knowledge Golf Tournament to be held at the Lone Tree Golf Course on May 2, 2009, with proceeds funding scholarships in East Bay Communities. Contact information was given.

Michael Sami, Orinda resident, requested the City Council's permission to represent the City of Antioch in the San Francisco Bay Area Children's Games volleyball game.

Dave Sanderson gave a brief history of the Children's Games and noted acknowledgement was required from the City in order for the team to be able to represent Antioch.

The City Council directed staff to work with Mr. Sami and put an item on the next Consent Calendar agenda to formalize the action.

Councilmember Rocha announced Antioch First Five Community Program would be held on February 18, 2009 from 3:00 . 5:00 P.M.

Councilmember Moore announced a celebration of Black History Month would be held on February 16, 2009 at the First Baptist Church in Pittsburg.

Allen Cantando, Executive Director of the Police Activities League (PAL), announced an *After School Bowling Program* would be held from February 17, 2009 to March 17, 2009, and the *First Tee Golf Program* would be held from March 5 2009 to May 7, 2009. Contact information was given.

PUBLIC COMMENTS

Larry Munn, president of Antioch City Employees Association, announced he would be attending the American Red Cross event in Pleasant Hill and he challenged everyone to make a donation. He stated he was honored to be able to represent his employee group.

Arlyn Endman, Senior Business Agent of Public Employees Union Local 1, discussed the City's financial crisis and stated they had requested information that had yet to be forthcoming. He stated Local 1 was willing to help make any sacrifices all other employees would be making.

Ken Lee, Antioch resident, spoke to the history of the Chinese in Antioch and the importance of diversity on the City's boards and commissions. He reiterated his concerns related to the Antioch Auto Dealership.

Mayor Davis read written comments from Antioch resident Emil Stein, who discussed his health issues, noting he would be attending a future City Council meeting to have his concerns addressed.

Dave Gossman, representing Operating Engineers Local #3, requested the City Council meet with all union representatives to help resolve budget issues with equality.

Carl Carey, representing Operating Engineers Unit #4, stated they were willing to work with the City to develop an equitable solution among all employees to the City's economic crisis.

Ed Marquez, Vice President of Local 1, expressed his frustration in working with the City to resolve the budget issues and urged the City to be cooperative.

A resident stated, while the intent of the Rental Inspection program was well crafted, he requested it be amended to clarify inspections would be complaint driven.

Frederick Muhammad, Pittsburg resident, discussed allegations of discrimination occurring in the Antioch area.

A Pittsburg resident discussed previous allegations against the Antioch Police Department and a recent altercation between her daughter, a student and teachers at Antioch High School.

Yusuf Muhammad spoke to the previous speaker's allegations and requested they be investigated. He questioned why the Antioch Police Department's policies and procedures were not available for the public to view; why the APD asks Antioch residents if they were homeowners or renters when responding to police calls for service, and; was there some type of checks and balances to insure citizen complaints of police misconduct were investigated.

Joseph Zamora, Antioch resident, urged the City to pass laws to counter smoking in Antioch.

COUNCIL RESPONSE TO PUBLIC COMMENTS

Councilmember Moore requested City Manager Jakel and City Attorney Nerland investigate the items questioned by Yusuf Muhammad and report back to the City Council.

The City Council responded they had given direction to City staff with regards to how to proceed with issues related to the City budget. Councilmember Moore stated he would be willing to participate in any meetings between employees and staff.

Councilmember Rocha stated she felt the issue with the school needed to be resolved at that level.

MAYOR'S COMMENTS

Councilmember Davis recognized and congratulated the recent graduates from Volunteers in Police Services (VIPS) program. Additionally, he recognized all VIPS in attendance this evening.

Councilmember Parsons thanked the volunteers for their service.

Mayor Davis declared a recess at 8:42 P.M. The meeting reconvened at 8:57 P.M. with all Councilmembers present

1. COUNCIL CONSENT CALENDAR

- A. APPROVAL OF COUNCIL MINUTES FOR JANUARY 13, 2009**
- B. APPROVAL OF COUNCIL WARRANTS**
- C. ORDINANCE 2022 C-S RELATED TO THE BOARD OF ADMINISTRATIVE APPEALS AND PROPERTY MAINTENANCE (Introduced 1/27/09)**
- D. SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND MONIES**
- E. RESOLUTION NO. 2009/11 ACCEPTING COMPLETED IMPROVEMENTS FOR SAND CREEK RANCH, UNIT 7 (WILLIAM LYON HOMES, INC.), TRACT NO. 8948 (PW 639-7), AND AUTHORIZING THE CITY MANAGER TO SIGN A DEFERRED IMPROVEMENT AGREEMENT FOR STREET TREES, LANDSCAPING AND IRRIGATION, STAMPED CONCRETE ALONG LOT FRONTAGES AND MICRO SLURRY WITH CRACK SEAL ON PAVED SURFACES**
- F. RESOLUTION NO. 2009/12 ACCEPTING WORK AND AUTHORIZING CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DOWNTOWN ROADWAY PAVEMENT REHABILITATION (P.W. 678)**

On motion by Councilmember Kalinowski, seconded by Councilmember Rocha, the Council unanimously approved the Council Consent Calendar with the exception of items B and D which were removed for further discussion.

Item B . Ken Lee, Antioch resident, requested clarification regarding the warrant for the Antioch Toyota Dealership.

City Manager Jakel responded to the terms of the transaction and rational for it, which had previously been given to Mr. Lee.

On motion by Councilmember Kalinowski, seconded by Councilmember Moore, the City Council unanimously approved item B.

Item D . City Attorney Nerland reported item D was being pulled to clarify action was the approval of the item.

On motion by Councilmember Kalinowski, seconded by Councilmember Moore, the City Council unanimously approved item D.

PUBLIC HEARING

2. **GURNAM RASILA/BG MARKET, INC. REQUESTS APPROVAL OF A USE PERMIT FOR THE OPERATION OF A 4,393 SQUARE FOOT CONVENIENCE STORE IN THE LONE TREE LANDING RETAIL CENTER LOCATED AT 5005 LONE TREE WAY (APN 056-470-001) AND THE CITY OF ANTIOCH IS PROPOSING TO RESCIND AND RE-ENACT ARTICLE 31 OF TITLE 9 OF THE ANTIOCH MUNICIPAL CODE §9-5.3831 LIQUOR ESTABLISHMENTS TO SPECIFY HOW THE 500 FOOT RADIUS IS MEASURED. File: UP-08-09, Z-08-04 (Continued from 12/16/08 and 1/27/09)**

Community Development Director Brandt recommended the City Council continue the item to February 24, 2009.

On motion by Councilmember Kalinowski, seconded by Councilmember Parsons, the City Council unanimously continued item 2 to February 24, 2009.

COUNCIL REGULAR AGENDA

3. UPDATE ON PREWETT FAMILY WATERPARK AND COMMUNITY CENTER

Leisure Services Deputy Director Sanderson gave a brief overhead update on Prewett Family Waterpark and Community Center recommending to receive and file the update.

Leisure Services Deputy Director Sanderson introduced Leisure Services staff in attendance this evening.

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

4. CITY COUNCIL APPOINTMENTS TO COMMITTEES AND BOARDS

Mayor Davis noted with the appointment of Council Member Parsons the final approval for the Committee assignments was required. Per discussion, Council Member Parsons was added to the Graffiti subcommittee and Council Member Rocha as alternate to Trans Plan, State Route 4 Bypass and ECRFFA committees.

On motion by Councilmember Kalinowski, seconded by Councilmember Rocha, the City Council unanimously approved all nomination appointments as presented for Mayor Davis. The motion carried by the following votes:

Ayes: Kalinowski, Rocha, Moore, Parsons

On motion by Councilmember Moore, seconded by Councilmember Parsons, the City Council appointments for Councilmember Rocha, including appointment as the alternate to the East Contra Costa Regional Fee and Financing Authority, State Route 4 By-Pass Authority and TRANSPLAN was approved by the following vote:

Ayes: Kalinowski, Moore, Parsons, Davis

On motion by Mayor Davis, seconded by Councilmember Rocha, the City Council appointments for Councilmember Kalinowski were approved by the following vote:

Ayes: Rocha, Moore, Parsons, Davis

On motion by Councilmember Rocha, seconded by Councilmember Parsons, the City Council appointments for Councilmember Moore were approved by the following vote:

Ayes: Kalinowski, Rocha, Parsons, Davis

On motion by Councilmember Moore, seconded by Councilmember Rocha, the City Council appointments for Councilmember Parsons, with the addition of the appointment to the Graffiti Subcommittee were approved by the following vote:

Ayes: Kalinowski, Rocha, Moore, Davis

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS

City Manager Jakel announced the City Council would be meeting for Closed Session on February 17 2009 and a regular meeting on February 24, 2009. He noted the schedules for Tri-Delta and Delta Diablo and there would not be a quorum for the City Council meeting on March 10, 2009 therefore he proposed meeting dates of March 17, and 24, 2009.

The City Council agreed to the meeting schedule as outlined by City Manager Jakel.

COUNCIL COMMUNICATIONS

Councilmember Kalinowski wished City Attorney Nerland a Happy Birthday.

Councilmember Parsons announced she had attended the Contra Costa Mayor's conference initiation for new Councilmembers.

In response to Councilmember Moore, the City Council agreed to present the Black History Month Proclamation at the First Baptist Church celebration of Black History Month.

Mayor Davis announced he attended the Mayor's Conference in January.

With no further business, Mayor Davis adjourned the meeting in memory of Martha Henry at 9:32 P.M. to the next regular Council meeting on February 24, 2008.

Respectfully Submitted

L. JOLENE MARTIN, CMC
Antioch City Clerk