

**ANTIOCH CITY COUNCIL
ANTIOCH DEVELOPMENT AGENCY**

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

**April 12, 2011
Council Chambers**

6:00 P.M. - CLOSED SESSION

1. 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. City designated representatives: Deborah McHenry, Human Resources Director, and Glenn Berkheimer, IEDA. This Closed Session is authorized by California Government Code §54957.6.

2. CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION (California Government Code §54956.9(a)) – R.B. by and through his guardian ad litem Lasuandra Bonds v. City of Antioch et al., Northern District Court Case C10—03789.

3. CONFERENCE WITH LEGAL COUNSEL — Pursuant to California Government Code §54956.9 regarding Seeno Homes and Discovery Builders: Black Diamond Ranch: Markley Creek Culvert Crossing Project: (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.

4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to subdivision (b) of California Government Code §54956.9: Claim of Bay Cities Paving and Grading Inc. regarding Marina Boat Launch Facility.

5. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Initiation of litigation pursuant to subdivision (c) of §54956.9 (1 case).

Mayor Davis called the meeting to order at 7:15 P.M., and City Clerk Martin called the Council/Agency roll.

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

City Attorney Nerland reported the City Council had been in Closed Session, and provided the following report: **Item 1: CONFERENCE WITH LABOR NEGOTIATOR** – no action was taken, no direction given to staff, and; **Item 2: CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION**, on a 4/0 vote (Harper absent) Council agreed to settlement; and **Item 3: CONFERENCE WITH LEGAL COUNSEL** – on a vote of 4/0, Council authorized the City to defend the lawsuit (Harper recused). Due to time restraints, Council was unable to discuss **Items #4** and **#5**, which would be heard in Closed Session immediately following open session this evening.

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05-10-11

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Harper led the Council and audience in the Pledge of Allegiance. Mayor Davis welcomed Tiger Cubs Den 5 to the City Council meeting.

PROCLAMATIONS

Sexual Assault Awareness Month, April 2011

Arbor Day, April 29, 2011

Mormon Helping Hands Day, April 30, 2011

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

Councilmember Rocha presented the proclamation proclaiming *April 2011 Sexual Assault Awareness Month* to Interim Chief of Police Cantando, who thanked the City for the recognition and announced Community Violence Solutions would be recognizing five officers from Contra Costa County, including Officer Green from the Antioch Police Department, at said event, to be held at the Deputy Sheriff's Association Hall, April 13, 2011 at 11:00 A.M. He provided a history of Denim Day, in an effort to raise sexual assault awareness.

Councilmember Agopian presented the proclamation proclaiming April 29, 2011 as *Arbor Day* to Public Works Deputy Director Mike Bechtholdt and members of the Antioch Riverview Garden Club who invited the community to attend the Arbor Day Celebration on April 29, 2011 at the Community Park.

Mayor Davis stated he would be presenting the proclamation proclaiming April 30, 2011 as *Mormon Helping Hands Day to the Church of Jesus Christ of Latter Day Saints* at a later date and acknowledged their volunteer work in the community.

PRESENTATION

Roni Gehlke, Executive Director of the Delta Science Center (DSC), gave an overhead presentation of the Delta Science Center and encouraged the community to become involved in their programs.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Administrative Analyst Julie Haas-Wajdowicz announced the *Keep Antioch Beautiful* event would be held on April 23, 2011. Contact information was provided for anyone wishing to participate.

Paul Adler, representing Supervisor Federal Glover, announced the Contra Costa Youth Summit would be held on April 16, 2011 at Los Medanos College and invited all Antioch Unified School District 6th through 12th graders to participate. He thanked the principals of Deer Valley and

Antioch High Schools for allowing him to promote the event and Councilmember Agopian for committing to attend the forum. He invited all Councilmembers to participate.

Mayor Davis on behalf of the City Council thanked Supervisor Glover for hosting the event. Mr. Adler thanked Gina Lombardi-Gravert and City Manager Jakel for supporting the event.

Interim Chief of Police Cantando gave a brief overhead presentation of the first installment of the *Be On the Lookout (BOLO)* videos created to educate the public and generate interest in the Neighborhood Watch Program. He announced the video would be placed on the Antioch Police Department's facebook page. He thanked all those involved in making of the video and encouraged the community to report crimes in progress.

Councilmember Agopian thanked Interim Chief Cantando for using a new approach to inform the public on safety.

Councilmember Agopian discussed the importance of working with the residents in the Sycamore area to reduce criminal activity. He encouraged the residents to come forward and work with the City to make the area safe.

Interim Police Chief Cantando discussed the efforts of the Antioch Police Department to prevent crime in Antioch and particularly in the Sycamore corridor. He announced violent crime was down 19% through March 2011.

Councilmember Rocha expressed concern for the families living in the Sycamore area.

Councilmember Harper suggested improving recreation opportunities for children in the Sycamore corridor. He discussed efforts by Pastor Alexander to stop the violence.

Interim Police Chief Cantando clarified anyone currently wishing to report a crime could remain anonymous at their request.

Councilmember Kalinowski commended the Antioch Police Department for the decrease in violent/part one crimes and working diligently to solve crimes and reduce criminal activity throughout the City.

Mayor Davis spoke to the value of the Neighborhood Watch Program and encouraged the community to become involved. He noted he attended a rally with Councilmembers Agopian and Harper at Contra Loma Park and noted Contra Loma Estates had the full support of the City Council to correct the problems in the area. He thanked Interim Police Chief Cantando for the presentation and expressed his full confidence the Antioch Police Department would address the issues.

PUBLIC COMMENTS

Monica Olsen, representing the *American Cancer Society Relay for Life*, thanked Mayor Davis for his continued participation in the event. She announced this year's event would be held on June 25 and 26, 2011 at Los Medanos College. Contact information was given to anyone wishing to participate. Additionally she noted there would be a *Paint the Town Purple* event May 8 - 15, 2011, during which they would be encouraging businesses to decorate their business and wear purple to show their support for the American Cancer Society.

Fred Hoskins, Antioch resident, commended those who cleaned up the Hard House property. He discussed his group's efforts to take over the Hard House and restore the property, requesting the City Council consider a presentation from David Brink to restore the property, at their April 25, 2011 meeting.

George Van Hasselt, representing the East County Democrats for Action, presented the City Council with a letter endorsing Allan Cantando's appointment as the permanent Chief of Police.

Pastor Nicolas Alexander thanked Councilmember Harper for attending the Community Outreach event and requested the City Council attend and support their Saturday workshops. He announced there was an Emergency Pastoral meeting scheduled for April 19, 2011 at 11:00 A.M. at Contra Loma Estates. He discussed their plans for future peace rallies and the need for enhancements to the park in the area, for the youth.

Nancy Fernandez, Antioch resident, thanked the City of Antioch employees for their hard work and requested the City Council to meet with residents living in the Sycamore/Mahogany area.

Councilmember Agopian offered to meet with the residents in the Sycamore/Mahogany area.

Mayor Davis announced he had a meeting tentatively scheduled on April 20, 2011 with the community outreach group, and reported three Council Members attended a previous rally and march through the neighborhood.

Councilmember Kalinowski clarified work commitments limit his ability to participate in events on afternoons and weekends. He felt the City Manager and Antioch Police Department had done a remarkable job in a constrained revenue environment to address those issues. He discussed the need for balance in the Council's involvement and engaging the professionals to address the issues, noting he felt inserting politics in the professionalism undermines the efforts of the Antioch Police Department and their management.

COUNCIL SUBCOMMITTEE REPORTS - None

MAYOR'S COMMENTS - None

1. COUNCIL CONSENT CALENDAR

- A. APPROVAL OF COUNCIL MINUTES FOR FEBRUARY 26, 2011 AND MARCH 8, 2011
- B. APPROVAL OF COUNCIL WARRANTS
- C. REJECTION OF LATE CLAIM APPLICATION FOR VIRGILE CUNNINGHAM
- D. PURCHASE OF POLICE PATROL VEHICLES FOR FISCAL YEAR 2010/2011
- E. CONSIDERATION OF BIDS FOR THE FIREBREAK AND WEED DISKING
- F. RESOLUTION NO. 2011/25 AMENDING THE COUNCIL ALLOCATION OF PROPOSITION 1B BOND FUNDING FOR THE DELTA FAIR BOULEVARD ROADWAY RECONSTRUCTION PROJECT AND AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT AMENDMENT WITH O.C. JONES & SONS, INC. (P.W. 439-3)
- G. APPROVE AWARD OF PROPOSAL FOR LOCKBOX SERVICES
- H. RESOLUTION APPROVING LETTER OF UNDERSTANDING FOR THE PUBLIC EMPLOYEES' UNION LOCAL NO. 1 (*Continued to 4/26/11*)
- I. REQUEST FOR OVERNIGHT TRAVEL – LEAGUE OF CALIFORNIA CITIES
- J. REPLACEMENT OF DISPATCH VOICE RECORDER SYSTEM

City Attorney Nerland reported the City Council had received the correspondence from the lawyer representing Seeno/Discovery Homes regarding Consent Calendar item A.

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

Item H — Mayor Davis announced the item would be continued to a later date.

Item E — In response to Councilmember Harper, Deputy Director of Public Works Bechtholdt clarified the remaining funds would come out of Lighting and Landscape.

On motion by Councilmember Harper, seconded by Councilmember Rocha, the City Council unanimously approved item E.

Mayor Davis declared a recess at 8:24 P.M. The meeting reconvened at 8:36 P.M. with all Councilmembers present.

PUBLIC HEARINGS

2. ISSUANCE OF PRIVATE ACTIVITY BONDS BY CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY FOR THE PURCHASE OF HUDSON TOWNHOUSE MANOR LOCATED AT 3421 HUDSON COURT, ANTIOCH

Housing Coordinator Kennedy presented the staff report dated April 7, 2011 recommending the City Council hold a public hearing and consider adopting the resolution approving the issuance of tax exempt bonds by the California Statewide Communities Development Authority (CSCDA) for the acquisition and rehabilitation of Hudson Townhome Manor located at 3421 Hudson Court.

Councilmember Kalinowski expressed concern regarding the blight in the area, in addition to environmental and circulation issues. He questioned where and when the capital investment for future upgrades or enhancements to the property would occur as a part of the 55 year term of affordability.

Mat Eland, Pacific Housing Inc., stated the asset manager was unable to attend the meeting this evening and apologized for his absence, stating he did not know all the details of the financing mechanisms.

Caitlin Lanctot, CSCDA clarified typically the tax credit period would run for approximately 15 years and that would be when future enhancements could be considered.

Mat Eland gave a brief background of Pacific Housing Inc., how they were involved in the operations of the project. He noted they work collaboratively with the Antioch Police Department, Fair Housing, FPI Management and onsite staff to provide a safe environment.

Councilmember Kalinowski stated he was in support of the intent of the project; however, he felt the investment reflected passive rehabilitation of a property that was expected to go 55 years affordable.

Ms. Lanctot clarified the updated numbers from the developer from March indicated they were investing \$3.6M in upgrades.

Councilmember Rocha spoke in support of the recreation/learning center on site for the youth.

Mr. Eland stated they would be creating a security/safety plan in partnership with the Antioch Police Department.

Councilmember Agopian stated he felt the safety and security plan should be presented to Council prior to consideration for the approval of the project.

Following discussion, the City Council consensus supported continuing the public hearing to April 26, 2011, with the understanding staff would be looking into the applicant process to determine whether or not the item could be continued to May. There was direction to the applicant to provide further information regarding the details of the project.

Councilmember Kalinowski agreed to meet with the applicant and a police department representative to discuss the scope of the project and suggestions for safety and security.

There were no public comments on this item, at this time.

City Attorney Nerland, speaking to the following motion, clarified Council direction was to continue the item to April 26, 2011 if it was determined if that date was critical to the project. She stated that after information came forward from the applicant, staff could determine if a continuance from that date was feasible.

On motion by Councilmember Harper, seconded by Councilmember Kalinowski, the City Council unanimously continued the public hearing to April 26, 2011.

COUNCIL REGULAR AGENDA

3. INITIAL VISION SCENARIO: REDUCTION OF GREENHOUSE GASES THROUGH LAND USE TRANSPORTATION AND ENVIRONMENTAL PLANNING

Community Development Director Wehrmeister presented the staff report dated April 7, 2011 recommending the City Council provide feedback which would be forwarded to ABAG and MTC.

Discussion ensued regarding the questions for local jurisdictions with the City Council providing the following feedback:

- 1) Is the proposed place type appropriate for your Priority Development Area(s), Growth Opportunity Area(s)? Given the availability of resources, is the proposed urban scale mix of uses, and expected household growth appropriate? Council concurred with the staff reports response.
- 2) What transportation improvements would help support those Priority Development Area(s), Growth Opportunity Area(s) in your jurisdiction? Council concurred with the staff reports response.
- 3) What additional funding would be needed to support housing growth? Council concurred with the staff reports response.
- 4) If the Initial Vision Scenario growth estimate is too high, should some of the growth be shifted to another part of your jurisdiction, elsewhere in the County or elsewhere in the region?

Council concurred with the staff reports response. Councilmember Agopian suggested staying with the existing allocation for housing and developing job centers in outlining areas to eliminate the commute for residents.

5) What are the challenges for your local jurisdiction to attract and retain jobs that match your local workforce? Council concurred with the staff reports response.

Councilmember Agopian reiterated the need for attracting businesses to make the region a job center and then match growth around the jobs,

Councilmember Rocha suggested adding the deep water port as a challenge.

PUBLIC COMMENTS

Kim Bui, owner of Johnny B's expressed concern regarding criminal activity in the area of her business and the delay in the response of the Antioch Police Department. She requested the support of the City.

STAFF COMMUNICATIONS

City Manager Jakel announced *Keep Antioch Beautiful* would be held from 8:30 – 11:00 A.M. on April 23, 2011, and a City Council meeting would be held on April 26, 2011, which will include a Study Session on the Budget.

COUNCIL COMMUNICATIONS

Councilmember Harper reported on his attendance at the Mello Roos Board meeting.

Councilmember Agopian announced the Antioch Chamber of Commerce Inaugural Gala would be held on April 22, 2011 at Lone Tree Golf Course and Event Center and the Mayor's Prayer Breakfast will be held on May 5, 2011 from 7:00 - 9:00 A.M. at the Prewett Community Center. Contact information was provided.

Councilmember Rocha reported on her attendance at the Community Service Policy Committee meeting and announced there would be a meeting in June. She spoke in support of the Council holding a City Council retreat and suggested Council attend Neighborhood Watch meetings. She voiced her disappointment and concern regarding District Attorney Mark Peterson's failure to meet with the City Council when he was in town.

Councilmember Harper requested Ms. Bui, the owner of Johnny B's, be contacted by the Antioch Police Department to provide her with advice on how to run a safe facility.

Mayor Davis announced he had participated in the groundbreaking for the new segment of Highway 4 from Somerville Road to Hillcrest Avenue.

Councilmember Harper announced Mayor Davis threw out the first pitch for the opening of the Babe Ruth league.

With no further business, Mayor Davis adjourned the meeting at 9:34 P.M. to Closed Session immediately following.

Respectfully Submitted:

L. JOLENE MARTIN, CMC
City Clerk