

**CITY COUNCIL MEETING
INCLUDING THE ANTIOCH CITY COUNCIL
ACTING AS SUCCESSOR AGENCY/HOUSING SUCCESSOR
TO THE ANTIOCH DEVELOPMENT AGENCY**

**Study Session/Special/Regular Meeting
6:00 P.M.**

**May 22, 2012
Council Chambers**

Mayor Davis called the meeting to order at 6:00 P.M., and City Clerk Skaggs called the roll.

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

PLEDGE OF ALLEGIANCE

Council Member Rocha led the Council and audience in the Pledge of Allegiance

STUDY SESSION – SPECIAL MEETING

- 1. PRESENTATION AND DISCUSSION OF BUDGET DEVELOPMENT FOR SPECIAL REVENUE FUNDS, CAPITAL PROJECT FUNDS, ENTERPRISE FUNDS, INTERNAL SERVICE FUNDS, SUCCESSOR AGENCY, AND HOUSING SUCCESSOR FOR THE FISCAL YEARS 2012-13**

City Manager Jakel introduced the Budget Study Session item.

Finance Director Merchant presented the staff report dated May 15, 2012 recommending the City Council provide direction and feedback.

Following review of the Special Revenue Funds, Capital Projects Funds, Internal Service Funds, Enterprise Funds and Successor Agency/Housing Successor Funds and discussion, the City Council provided the following feedback:

Page 13 – Lone Diamond AD 27/31(Fund 376)

Councilmember Agopian stated the residents in the Hillcrest and Lone Diamond Assessment Districts paid for beautified roadways and if there was money available, the median work should be completed.

Page 27 – Marina Fund Summary (Fund 631)

Councilmember Agopian encouraged staff to consider having the ability to develop a pad for a bait and tackle shop at the new boat launch.

Page 36-38 – Retiree Medical Police (Fund 577), Retiree Medical Miscellaneous (Fund 578), Retiree Medical Management (Fund 579)

- Staff to provide Council with a copy of the actuarial evaluation and the amount drawn from the trust
- June agenda item – staff to report on the status of the medical after retirement funds

Bob Liles, President of the Antioch Youth Sports Complex, recommended the City continue to pay for water at their facility, and if not, table the issue to give them an opportunity to meet and discuss the issue with City Staff.

Bob Martin, President of the Antioch Historical Society and Antioch Sports Legends, discussed their conservation efforts and requested the City continue to fund water for the Historical Society, Antioch Youth Sports Complex, and Babe Ruth.

Mike Dantono, Antioch Babe Ruth, stated they had no formal notice the City would be discontinuing funding of their water. He requested this item be tabled to allow them to meet with staff to research their options. He noted if required to pay for their water, they would be forced to increase registration fees, which would put them out of business.

Jim Conley, Antioch Youth Sports Complex, stated if they were required to pay for water, they will no longer be able to operate the facility, which would negatively impact other City facilities. He reminded the Council the park is a City facility and provides a community benefit.

Clay Baskin, Antioch resident, thanked Council for supporting the Youth Sports Complex and noted the use of this facility reduces wear and tear on City Parks and School Sites. He suggested this item be postponed to allow time for them to work on solutions to operate the facility at a minimal cost.

Ed Davies, Antioch Babe Ruth, reported their budget comes to a zero balance each year and they would be unable to keep the facility open if they had to pay for water.

Following discussion, the Council agreed the City would extend the water subsidy for the Youth Sports Complex, Babe Ruth, and Antioch Historical Society to November 1, 2012, to allow the non-profits time to address funding and alternative sources of water.

Council consensus agreed to hear agenda item #2 5-Year CIP following the Council Consent Calendar and Closed Session during Council recess.

Mayor Davis called the meeting to order at 7:14 P.M., and City Clerk Skaggs called the roll.

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

Mayor Davis welcomed Acting City Attorney Galstan to the meeting this evening.

PRESENTATION

Tom Nokes, on behalf of Brian Nokes, and the employees of Antioch Auto Center, presented the City with a donation in the amount of \$100,000. He thanked the Council for the cooperation he had received in the past and requested assistance in getting the name changed for the remaining section of Auto Center Drive. He also encouraged CALTRANS to expedite the completion of the intersection.

The Council thanked Mr. Nokes for his generous donation and dedication to the City of Antioch.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Ron Parish, Mayor's Golf Tournament, announced the event would be held on June 3, 2012, at the Lone Tree Golf Course. Contact information was provided.

PUBLIC COMMENTS

Martin Fernandez expressed concern for the lack of efficiency for the street sweeping program and requested the City agendize the service and invite a representative from Delta Diablo Sanitation District to attend the next Council meeting. He suggested Council consider an ordinance for no parking on the street for sweeping days.

Councilmember Agopian asked this item be placed on a future agenda.

Mayor Davis stated he sits on the Board of Directors for Delta Diablo Sanitation District and he assured a representative would be in attendance at a future Council meeting.

Joy Motts, Allen Peyton, Wayne Harrison, and Susan Davis representing the 4th of July committee updated the Council and community on the fundraising efforts for the event. Contact information was provided for anyone wishing to make a donation.

Geneva Moss, Children Services Librarian, and Deanna Lechman, Acting Antioch Branch at the Antioch Library, announced the annual summer children's reading program would run from June 9 - August 10, 2012.

Ed Judkins, Antioch resident, spoke to squatter issues in his neighborhood and requested the Council consider requiring notarized lease agreements prior to utilities being turned on for rental properties.

Carolyn Taylor, representing the residents in Hudson Town House Apartments, requested the Council assist them in their efforts to work with management with regards to installing air conditioners in their apartments.

City Manager Jakel stated he would discuss and engage management with regards to this issue.

Joy Motts and Tim Forester provided speaker cards and deferred their time to Dr. Gill and Louie Rocha.

Dr. Donald Gill, representing the Antioch Unified School District, updated the Council and community on the success of the secondary schools. He announced a bond initiative, Measure J, would be placed on the June 5th ballot.

Louie Rocha, Principal of Antioch High School, gave a brief update of activities occurring at Antioch High School and possibilities that exist should Measure J be approved by the voters. He urged voters that reside in the area, to consider meeting the needs of the student population and invest in downtown by voting Yes on Measure J.

Mayor Davis announced he had given his formal endorsement of Measure J.

Councilmember Agopian thanked Dr. Gill and Mr. Rocha for speaking to this issue and voiced his support of Measure J.

Sean Wright, Antioch Chamber of Commerce, announced the State of the City, *Impacting the Future* would be held from 12:00 – 1:00 P.M. on June 11, 2012, at the Antioch Community Center.

Joy Motts and Wayne Harrison, representing Keep Antioch Beautiful, gave a brief update of the event and announced the following school winners, based on which student body picked up the most trash: High School Winners, First Place – \$500 prize: Antioch High, Second Place – \$300 prize: Deer Valley, Third Place – \$200 prize: Dozier Libbey, Middle School Winners, First Place – \$500 prize: Park Middle, Second Place – \$300 prize: Dallas Ranch Middle, Third Place – \$200 prize: Antioch Middle, Elementary School Winners, First Place – \$500 prize: Antioch Charter Academy, Second Place – \$300 prize: Holy Rosary and Third Place – \$200 prize: Belshaw Elementary. Hats were presented to each Councilmember and the City Clerk for participating in the event.

COUNCIL SUBCOMMITTEE REPORTS

In response to Councilmember Rocha, Joy Motts updated the Council on the committee's efforts to successfully relight the Rivertown trees.

MAYOR'S COMMENTS

Mayor Davis announced the Memorial Day ceremony would be held at 11:00 A.M. on May 28, 2012, at Oak View Memorial Park.

3. COUNCIL CONSENT CALENDAR

A. APPROVAL OF COUNCIL MINUTES FOR MAY 8, 2012

- B. APPROVAL OF COUNCIL WARRANTS
- C. APPROVAL OF TREASURER'S REPORT FOR APRIL 2012
- D. RESOLUTION NO. 2012/32 ESTABLISHING THE APPROPRIATIONS LIMIT FOR THE 2012-13 FISCAL YEAR PURSUANT TO CALIFORNIA CONSTITUTION ARTICLE XIII B
- E. MEASURE WW PARK AND RECREATION SECURITY CAMERA PROGRAM, AWARDING OF CONTRACT
- F. RESOLUTION NO. 2012/33 ACCEPTING WORK AND AUTHORIZING THE CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE CDBG DOWNTOWN ROADWAY PAVEMENT REHABILITATION, PHASE 5 (PW 678-5)
- G. RESOLUTION NO. 2012/34 APPROVAL OF THE CONSULTANT SERVICE CONTRACT WITH PARSONS BRINCKERHOFF, INC. FOR CONSTRUCTION ENGINEERING SERVICES FOR THE WILBUR AVENUE OVERHEAD WIDENING PROJECT (PW 259-B)
- H. RESOLUTION NO. 2012/35 ACCEPTING WORK AND AUTHORIZING THE CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE SAN JOSE DRIVE PAVEMENT REHABILITATION (PW 392-27)
- I. VEHICLE REPLACEMENT PROGRAM - POLICE STAFF SEDANS

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

STUDY SESSION – SPECIAL MEETING - Continued

2. 5-YEAR CAPITAL IMPROVEMENT PROGRAM 2012-2017

Director of Public Works/City Engineer Bernal presented the staff report dated May 15, 2012, recommending the City Council provide direction and feedback.

Councilmember Agopian stated with the freeway expansion and improvements on L Street, he felt the City should consider enhancing traffic flow and beautifying access to downtown, for future upgrades.

Councilmember Rocha suggested homeowners be included in upgrading the area.

COUNCIL REGULAR AGENDA

- 4. REQUEST TO DEFER FEES DUE AT BUILDING PERMIT ISSUANCE FOR RESIDENTIAL DEVELOPMENT

Community Development Director Wehrmeister presented the staff report dated May 17, 2012, recommending the City Council consider the request and determine to: 1) Adopt the resolution directing staff to establish a fee deferral program; 2) Deny the request by motion; or 3) Direct staff to obtain further information.

Councilmember Kalinowski stated he supported the concept as outlined in the staff report for the period of one year and noted the City's assessment of low risk should be applied consistently across all projects coming forward.

RESOLUTION NO. 2012/36

On motion by Councilmember Kalinowski, seconded by Councilmember Agopian, the City Council unanimously adopted the resolution directing staff to establish a fee deferral program.

Mayor Davis declared a recess at 8:31 P.M. Council went into Closed Session at that time.

CLOSED SESSION

- 1. CONFERENCE WITH LABOR NEGOTIATOR** – City designated representatives: Deborah McHenry and Glenn Berkheimer; Employee organization: Antioch Police Sworn Management Association. This Closed Session is authorized pursuant to California Government Code 54957.6

Council reconvened at 9:02 P.M. with all Councilmembers present, with the exception of Councilmember Harper, who was excused.

Acting City Attorney Galstan 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 and there was no reportable action.

- 5. CODE ENFORCEMENT UPDATE**

Deputy Director of Community Development Graham presented the staff report dated May 16, 2012, recommending the City Council receive and file report and authorize the City Manager to enter into a contract to fill one Code Enforcement Officer position.

Councilmember Agopian stated he would encourage the City leverage more than one full time position.

In response to Councilmember Rocha, Deputy Director of Community Development Graham stated it was his desire to bring back an ordinance to require utilities and garbage service be in the homeowners name. He noted once the Code Enforcement division was expanded, they would be able to institute more safeguards and build a database.

Councilmember Agopian proposed looking at other City models to create an abandoned home registry. He discussed the possibility of having agencies notify the City when services to their residence(s) had been turned off.

Deputy Director of Community Development Graham reported the City's local ordinance was more restrictive than the state's registry law.

Michelle Hatch, Antioch resident, stated she felt the rate of \$85.00 per hour was too high and voiced her support for the position to be held by a local resident.

Deputy Director of Community Development Graham noted recruitment for the position was opened to anyone wishing to apply and three people had declined the City's offer of employment.

Councilmember Kalinowski clarified the employee would not be receiving \$85.00 per hour; the rate was inclusive of benefits and costs to the contract agency.

Melissa Case, Antioch resident, reported if there were safeguards in place, to eliminate squatters, the City was not following through with them. She noted Antioch could generate revenue by having water services notarized by an employee on staff.

On motion by Councilmember Kalinowski, seconded by Councilmember Agopian, the Council unanimously authorized the City Manager to enter into a contract to fill one Code Enforcement Officer position.

6. CONSIDERATION FOR THE RENAMING OF "L STREET"

Director of Public Works/City Engineer Bernal presented the staff report dated May 17, 2012, recommending the City Council consider adopting the resolution to rename "L Street".

Allen Payton, Antioch resident, spoke in support of the renaming of "L" Street noting it was a one time expenditure for permanent promotion of the downtown and the timing was right due to the cost savings associated with the current freeway improvements. He provided Council with signatures from people in support of the name change and suggested remaining RDA funds be allocated to this project. He also urged Council to move forward on the name change for "A" Street and suggested former names be placed in parenthesis, under the new names, on freeway signage.

Nancy Fernandez, Antioch resident, and James Britto stated they were not in support of the name change and felt the money was needed for more important projects in the City.

Councilmember Kalinowski stated the City should consider how to address improvements for the Sycamore corridor.

Following discussion, the Council agreed without significant improvements on "L" Street south of 10th Street, they opposed the expenditure of funds on a name change, at this time.

Councilmember Agopian suggested CALTRANS place a freeway sign, in both directions, indicating Marina District/Boat Launch area.

On motion by Councilmember Kalinowski, seconded by Councilmember Rocha, the Council unanimously tabled this item.

PUBLIC HEARING

7. PROPOSED MASTER FEE SCHEDULE EFFECTIVE JULY 1, 2012 (FISCAL YEAR 2012-2013) AND UPDATE ON WATER AND SEWER RATES (*Continued from 05/08/12*)

Finance Director Merchant presented the staff report dated May 14, 2012, recommending the City Council adopt the resolution.

Director of Public Works/City Engineer Bernal gave a brief update and PowerPoint presentation on the water and sewer rates.

Councilmember Kalinowski stated the fee does not stand on its merits if the City had not indentified their future obligations and there was cash on hand going forward; therefore, he could not support implementing water or sewer rate increases this fiscal year.

Director of Public Works/City Engineer Bernal clarified depending on drought conditions, the amount of water the City would purchase from Contra Costa Water District would vary. Additionally, he noted the use would also drop down and revenues would decrease, therefore it was essential the City keep an adequate fund balance to cover those costs for a couple of years. He also noted they hope to establish a differed maintenance fund.

Councilmember Agopian stated he supports the use of cash to fund the projects and stated he would prefer to see a pause this year for rate increases, to provide relief for the rate payers.

Councilmember Kalinowski stated it was important for the Council to understand what money was available in the bank.

Councilmember Agopian thanked staff for providing the links to the other cities water and sewer rates.

Martin Fernandez, Antioch resident, questioned why the Council was not seeking an explanation with regards to how the City was sold faulty equipment and now had to rent replacement equipment, at the cost of \$300,000 per year.

Councilmember Kalinowski clarified Council had been meeting in Closed Session on this issue due to the fact it is a legal item.

RESOLUTION NO. 2012/37

On motion by Councilmember Agopian, seconded by Councilmember Kalinowski, the Council unanimously approved the fee updates with the exception of water and sewer rates as proposed in attachment 7.

Mayor Davis closed the public hearing.

- 8. CITY OF ANTIOCH AS SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT AGENCY**
- A. APPROVAL OF SUCCESSOR AGENCY WARRANTS**
- B. REVISED RECOGNIZED OBLIGATION PAYMENT SCHEDULES**

RESOLUTION NO. 2012/38

On motion by Councilmember Kalinowski, seconded by Councilmember Rocha, the Council unanimously approved the Successor Agency Warrants and Revised Recognized Obligation Payment Schedules.

- 9. CITY OF ANTIOCH AS HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY**
- A. APPROVAL OF HOUSING SUCCESSOR WARRANTS**

On motion by Councilmember Kalinowski, seconded by Councilmember Rocha, the Council unanimously approved the Housing Successor Warrants.

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS

City Manager Jakel reminded the Council and community the State of the City, *Impacting the Future* would be held from 12:00 – 1:00 P.M. on June 11, 2012, at the Antioch Community Center. He noted the City Council was scheduled to meet on June 12 and 26, 2012.

Councilmember Rocha announced Chief Cantando would be hosting a Coffee with the Cops for Spanish and English speaking residents on May 27, 2012.

COUNCIL COMMUNICATIONS

Mayor Davis recognized Bill Galstan for sitting in this evening as Acting City Attorney.

ADJOURNMENT

With no further business, Mayor Davis adjourned the meeting at 10:44 P.M. to the next regular Council meeting on June 12, 2012.

Respectfully submitted:

DENISE SKAGGS, City Clerk