

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

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

**September 25, 2012
Council Chambers**

6:00 P.M. - CLOSED SESSION

- 1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** [Gov't. Code § 54956.9(a); 54956.96]: Transplan Committee and East Contra Costa Regional Fee and Financing Authority v. City of Pittsburg, et al. Contra Costa County Superior Court Case No. MSN11-0395

Mayor Davis called the meeting to order at 7:28 P.M., and City Clerk Skaggs called the roll.

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

PLEDGE OF ALLEGIANCE

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

City Attorney Nerland reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**, City of Antioch is prepared to act on a settlement agreement after the City of Pittsburg approves it and by a unanimous vote, the City Attorney was directed to report out of Closed Session.

PROCLAMATION

Driftwood Yacht Club Day and Make-A-Wish Day, October 6, 2012.

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

Councilmember Harper presented the proclamation to Commodore Michael Herrick and Diane Ivanicki representing *Driftwood Yacht Club Day and Make-a-Wish*, who thanked the City for their support and provided contact information.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Walter Ruehlig, representing the Knights of Columbus, thanked Mayor Davis, Councilmember Rocha, and Noel Pinto for attending the International Day of Peace Festival. He invited the community to attend a Blue Mass to honor Contra Costa County's first responders, at 10:30 A.M. on October 2, 2012 at St. Ignatius Church. He noted a luncheon following the event would be hosted by the Knights of Columbus. Contact information was provided.

Brittney Gougeon, representing Take Back Antioch, announced a fundraiser to repair and rebuild City Park would be held on September 29 and 30, 2012 at Uno Chicago Grill. She reported over \$1,500.00 in community donations had already been received.

PUBLIC COMMENTS

Greg Enholm, Bay Point resident, provided a brief summary of his candidacy on the Contra Costa College Board. He requested the City invite the College District to make a presentation at a future Council meeting. Contact information was provided.

Alisea Burks, representing Learning Care Group and La Petite Academy, announced an Annual Harvest Festival to benefit the Make-A-Wish Foundation would be held from 1:00 P.M. – 4:00 P.M. on October 27, 2012 at 1350 E. Tregallas Road in Antioch. She noted donations for the event would be accepted.

Tom Trost, Bethel Island resident, reported he had been denied support from Antioch Historians regarding the historical significance of the Hickmont Canary property. He reviewed the historical findings and requested the Council's support and guidance to garner support from the Contra Costa Landmark Committee.

In response to Councilmember Agopian, Mr. Trost indicated he would forward him a copy of the denial letter from the Historical Society.

Councilmember Kalinowski stated that if Mr. Trost was willing to remove his house off of the moorings in the river, he would consider his request.

Pam Gabrielli, Antioch resident, reported on her attendance at the Jazz Festival, Coffee with the Cops, and Mayor's Debate. She spoke in support of diversifying the Antioch School District and planned business developments near future eBart stations.

Beverly Knight, Antioch resident, presented the Council with photos and spoke to recent vandalism that had occurred at City Park. She suggested the City implement an Adopt-A-Park Program, install "Do Not Litter" signage, and service the garbage cans on the weekends. She expressed concern regarding broken glass in the roadway and urged City Staff to address the situation.

Councilmember Kalinowski responded that the garbage issue would be addressed.

Councilmember Agopian suggested staff look into "Do Not Litter" signage.

Mayor Davis requested the Adopt-A-Park issue be placed on the next meeting agenda.

Chris Valenta, Antioch resident, reported his son had successfully graduated from the Special Education program. He suggested the City adopt an ordinance prohibiting the feeding of feral

cats and utilize the large stack at the glass company as a camera location. He urged the City to stop construction of the eBART station and hold out for a BART facility at the Hillcrest location. He requested the City consider building a dog park.

Pastor Nicholas Alexander thanked Mayor Davis for attending the *Stop the Violence* rally and candlelight vigil for Maurice Wagner. He expressed concern for illegal activity occurring at "L" Street, Sycamore Drive, and Country Hills Park. He spoke to the need for more police presence in those areas. He requested the City's support for more youth programs and activities in Antioch.

Mayor Davis stated he would be working with Pastor Alexander to help address these problems with the property owners in the area.

Ken Lee spoke to the importance of emergency preparedness and provided a brief history of the City of Antioch as documented in a recently published book.

Sean Wright, Antioch Chamber of Commerce, announced an Economic Summit would be held from 8:30 A.M. – 1:30 P.M. on September 27, 2012 at the Antioch Prewett Park Community Center. Contact information was provided.

Shelia White reported she had worked with staff and the issue of the trash on Fulton Shipyard Road had successfully been addressed.

COUNCIL SUBCOMMITTEE REPORTS

Councilmember Agopian stated he was encouraged by the outpouring of support from the community to rebuild City Park. He encouraged the fundraising efforts to include discussion for the installation of a security light/camera for the area.

Councilmember Rocha reported on her attendance at the *International Day of Peace* and the *Educational Foundation*. She noted Barbara Herendeen had been honored with a scholarship.

Councilmember Harper thanked Ms. Knight for her suggestion to implement an Adopt-A-Park program. He announced he would be attending the Economic Summit and encouraged everyone to attend. He reported on his attendance at the Falls Prevention Presentation at Dallas Ranch Commons.

MAYOR'S COMMENTS

Mayor Davis reported on his attendance at the *Blues Festival* and *Coastal Cleanup*. He encouraged all candidates to follow City Ordinances related to the placement of campaign signage.

Councilmember Harper announced there was a *Prescription Drug Take Back Event* at the Antioch Police Department from 10:00 A.M. – 2:00 P.M. on September 29, 2012.

COUNCIL CONSENT CALENDAR

- A. APPROVAL OF COUNCIL MINUTES FOR SEPTEMBER 11, 2012**
- B. APPROVAL OF COUNCIL WARRANTS**
- C. APPROVAL OF TREASURER'S REPORT FOR AUGUST 2012**
- D. APPROVE SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND MONIES**
- E. WATER TREATMENT PLANT - REMOVE/INSTALL GRANULAR ACTIVATED CARBON (BID NO. 968-0919-12C)**

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

COUNCIL REGULAR AGENDA

2. EBART SYSTEM

Consultant for the City of Antioch, Victor Carniglia presented the staff report dated September 19, 2012 recommending the City Council motion to receive the presentation by BART staff on the next segment station opportunities for the eBART system, and that Council provide feedback to BART in relation to the City's concerns over the prospective Laurel Road Station site and the Lone Tree Way Station site as summarized in the staff report, as well as other comments/concerns from City Council. BART would also like some feedback from City Council members on possible official names for the "Hillcrest eBART Station".

Ellen Smith representing BART gave a brief overhead presentation of the phase 1 construction and next segment station opportunities for the BART System.

Discussion ensued regarding the station location and renaming with Councilmember Rocha supporting the Sand Creek Station location, Councilmembers Kalinowski, Harper, and Agopian supporting the Mokelumne Station location and Mayor Davis supporting a station located at either Sand Creek Road or Mokelumne. The Council unanimously supported renaming the "Hillcrest Avenue Station" as the "Antioch – Hillcrest Station".

Ms. Smith announced the Groundbreaking for Phase 3A and eBART would be held at 10:00 A.M. on October 5, 2012.

On motion by Councilmember Rocha, seconded by Councilmember Agopian, the Council unanimously received the presentation

3. UPDATE AND DISCUSSION OF THE STATUS OF ANTIOCH FERRY TERMINAL AND DISCUSSION AND DIRECTION ON “SHORT RANGE TRANSIT PLAN FOR FY2012 TO FY2021” PREPARED BY THE WATER EMERGENCY TRANSPORTATION AUTHORITY (WETA)

Consultant for the City of Antioch, Victor Carniglia presented the staff report dated September 19, 2012 recommending the City Council motion to receive the presentation from City staff and discuss and provide staff direction on the status of the Antioch Ferry Terminal and the “Short Range Transit Plan for Fiscal Year 2012 to Fiscal Year 2021” prepared by the Water Emergency Transportation Authority (WETA).

City Manager Jakel discussed the process to date and recommended the City send a letter to the WETA Board, attend their meeting, and engage the Metropolitan Transportation Commission representatives and elected officials at the state level to advocate for a future Antioch terminal.

Councilmember Rocha voiced her support for engaging MTC Commissioners, Federal Glover, and Amy Worth to advocate on behalf of the City. She suggested a portion of the funding be set aside for a future project in Antioch.

Councilmember Agopian expressed concern for the process used to allocate funding and suggested the City send a letter to WETA, requesting that they retain an unallocated fund amount of approximately ten (10) percent, which would allow the City to work regionally for operational funding, to make the Antioch terminal a viable project.

Councilmember Harper stated an Antioch terminal was an opportunity to bring economic development to downtown. He questioned the appropriateness of considering legal action against the WETA Board.

In response to Councilmember Harper, Consultant for the City of Antioch, Victor Carniglia, stated he would attend the WETA Board meeting to advocate for additional time and unallocated funding and he would also be actively participating with MTC and working with Senator DeSaulnier’s office. He felt those actions should take place, prior to the Council considering legal action.

City Attorney Nerland agreed there may be administrative and political avenues that may need to be considered for a more expedient way to reach a resolution. However, if the Council would like to place an item on a Closed Session agenda for further discussion, they could direct her to do so.

Sandra Kelly, representing the “C” Street Neighborhood Watch group and North Antioch Neighborhood Alliance, voiced their support for a ferry terminal in Antioch.

Kerry and Joy Motts, representing the Rivertown Preservation Society, voiced their support for whatever means necessary to delay or change the action by WETA and suggested the establishment of a committee to work on the issues presented in the Short Range Transit Plan.

Dylan Howell, Antioch resident, encouraged the City to send a strongly worded letter and pursue all means necessary, to secure a ferry terminal for Antioch.

Sean Wright, Antioch Chamber of Commerce, reported there was regional support for a ferry terminal in Antioch.

Following discussion, Council consensus directed staff to send letters to the transportation agencies discussing the consequences of the short range transportation plan and advocating for a set-aside of unallocated funds for a Ferry Terminal in Antioch. Additionally, they noted a discussion in Closed Session regarding legal action, may become necessary.

Councilmember Kalinowski stated he felt it was important to stress the importance of a ferry terminal for providing supplies, services, and access to medical aid; in the event of an emergency.

City Manager Jakel stated communication with Contra Costa Transportation Authority, WETA, and MTC highlighting the consequences of the Short Range Transit Plan was critical. He recognized City Consultant Mike Bernick for his work on this issue and stated he would request his assistance in this matter. He noted any legal action would be the City's last resort.

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

4. APPROPRIATION OF EXPENDITURES FOR ENCUMBRANCES AND PROJECT BUDGETS OUTSTANDING AS OF JUNE 30, 2012 TO THE 2012/13 FISCAL YEAR BUDGET AND OTHER BUDGET AMENDMENTS

Finance Director Merchant presented the staff report dated September 17, 2012 recommending the City Council motion to adopt the resolution.

Councilmember Kalinowski requested staff agendaize the budget amendment for the Wilbur Avenue sewer lines for the next Council meeting. He noted he would support a tentative approval based on the report given at that meeting.

Following discussion, the Council consensus supported hiring up to six (6) Community Service Officers, one (1) Code Enforcement Officer, and a Recreation Specialist position was authorized to be encumbered in the event the City is successful with grant funding. Additionally, they agreed the fiscal implications of a Lead Dispatch versus Dispatcher position should be discussed in further detail.

City Manager Jakel clarified the Code Enforcement Officer was a contract position therefore the added position would be in terms of a dollar amount allocated for additional services. In addition, he noted authorizing up to six (6) CSO positions would allow the flexibility for staff to report back to Council every 45 days with a recommendation; should budget projections change.

Councilmember Kalinowski discussed the importance of increasing revenue through a future tax measure.

Councilmember Agopian stated he also felt it was important to discuss ways to improve the City's revenues.

Councilmember Harper suggested the City turn the responsibility of paying utility bills over to landlords to provide the City with the ability to collect on defaulting bills and therefore increasing revenue. He suggested the City look at new technology and procedures to keep police officers out on the street.

RESOLUTION NO. 2012/61

On motion by Councilmember Kalinowski, seconded by Councilmember Harper, the Council unanimously approved the resolution with 1) The budget amendments as outlined in attachment C (with the exception of the sewer fund adjustment of \$600,000 which is tentative pending the upcoming report to Council), and 2) Funding one Code Enforcement Officer under the same contract model, 3) Authorize up to 6 Community Service Officers, 4) Authorize the City to look for grants that provide in-kind for a Recreation Specialist, 5) Police Department come back to Council with regards to the Dispatch position versus Supervisor.

5. UPDATE ON FULTON SHIPYARD BOAT RAMP

City Manager Jakel reported this item would be on the agenda for the Parks and Recreation Commission in October for a formal recommendation.

Mayor Davis and Councilmember Rocha reported they had met with the stakeholders who had suggested the City consider utilizing a yearly parking permit and installing a locked gate and security camera.

Councilmember Kalinowski stated he felt the stakeholders should be responsible for managing the parking lot and permitting process.

Mayor Davis clarified the intent was to have stakeholders managing the property.

Councilmember Agopian voiced his support for an annual pass scenario with the ability to automate the system in the future.

City Manager Jakel stated the private sector may be interested in investing in a card key entry system with security cameras.

Shelia White reported there had been no interest from the stakeholders to manage the facility however many people were willing to volunteer to help maintain the property. She stated to prevent criminal activity in the area, they suggested the City install a gate that could be opened

during the day and locked at dusk. She noted there was wall on the property that could be used for advertising to generate funds for operations and maintenance. She suggested the City manage unlimited use permits for both boat ramp facilities.

Noel Pinto, Antioch resident, stated he supported keeping the Fulton Shipyard boat ramp open and expressed concern the Commission had discussed the issue for a year without making a recommendation to Council. He suggested promoting the waterfront to generate revenue. He offered to assist the Commission and form an oversight committee to resolve the issue.

Jim Boccio, Antioch resident, suggested the City consider monthly or annual passes in the form of a sticker be made available for purchase from the City for launching at either boat ramp. He noted loitering would be resolved with the installation of a gate and fence.

Mayor Davis requested this item return to Council in November.

6. CITY OF ANTIOCH AS SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT AGENCY

A. APPROVAL OF SUCCESSOR AGENCY WARRANTS

On motion by Councilmember Harper, seconded by Councilmember Agopian, the Council unanimously approved the warrants

PUBLIC COMMENTS – None

Ken Lee spoke in support for increased staffing in the Antioch Police Department and spoke to the importance of citizen involvement in deterring criminal activity.

STAFF COMMUNICATIONS

City Manager Jakel reminded the community the Economic Summit would be held from 8:30 A.M. – 1:30 P.M. on September 27, 2012 at the Community Center and the Prescription Drug Take Back Event would be held at the Antioch Police Department from 10:00 A.M. – 2:00 P.M. on September 29, 2012. He reported a permanent box for the disposal of drugs for the lobby of the Antioch Police Department would be presented to the City at the event.

COUNCIL COMMUNICATIONS

Councilmember Agopian suggested the City invite the College District to make a presentation on their future expansion plans.

Mayor Davis reminded the community there would be a fundraiser for the rebuilding of City Park on September 29 and 30 2012 at Uno Chicago Grill He thanked Beverly Knight for adopting City Park and stated he had offered \$250.00 in reward money for information leading to the arrest of

the persons responsible for the damage. He encouraged the community to donate to the reward fund and noted if that money was not awarded, he would be contributing it to the rebuilding efforts.

ADJOURNMENT

With no further business, Mayor Davis adjourned the meeting at 10:35 P.M. to the next regular Council meeting on October 9, 2012.

Respectfully Submitted,

Kitty Eiden
Minutes Clerk