

**CITY COUNCIL MEETING  
INCLUDING THE PUBLIC FINANCING AUTHORITY AND ANTIOCH  
CITY COUNCIL ACTING AS SUCCESSOR AGENCY/HOUSING  
SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY**

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

**June 26, 2012  
Council Chambers**

**5:30 P.M. - CLOSED SESSION**

- 1. PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS** – This Closed Session is authorized by California Government Code §54957 – City Manager.
- 2. PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS** – This Closed Session is authorized by California Government Code §54957 – City Attorney.
- 3. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION** – Initiation of litigation pursuant to subdivision ( c ) of California Government Code section 54956.9: 1 case: related to United States Bankruptcy Court, Northern District of California Case No. 12-44668 (Chapter 11 Bankruptcy of Eva Quesada Romero and Gilbert Raymond Romero related to Humphrey's on the Delta Restaurant)

Mayor Davis called the meeting to order at 7:03 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 PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS** – no action was taken, **#2 PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS** – no action was taken, **#3 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION** – Council adjourned to Closed Session after the regular meeting to consider this item.

**ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

Nancy Fernandez, Antioch resident, thanked Delta Diablo Sanitation District for cooperating with them and stated she had ideas for educating the public on the details of their program.

Councilmember Agopian thanked Ms. Fernandez for the positive report.

**PUBLIC COMMENTS**

Ted Vomacka, Antioch resident, requested the Council's support in working with the East Bay Regional Park District to complete the Delta Diablo Trail.

Mayor Davis thanked Mr. Vomacka for bringing the issue forward noting staff had heard the comments and would respond.

Erkci Kachkefola, Antioch resident, questioned what the City had done to protect residents against wrongful foreclosure and address blight left from foreclosed properties.

Mayor Davis thanked Mr. Kachkefola for his comments and stated staff would prepare a response to this issue at a later date.

Martha Parsons, Joy Motts, Allen Payton, and Susan Davis, representing the 4<sup>th</sup> of July committee, announced they had reached their goal for fundraising and provided event details. They provided Council with tickets for the VIP section. Contact information was given for anyone wishing to participate in the parade. They recognized all volunteers and sponsors for the event.

In response to Councilmember Rocha, Mr. Payton reported they had originally budgeted staff time at \$34,000 and at this time they were at \$12,500. He noted any additional donations and proceeds would roll over to next year's event.

Mayor Davis thanked the committee for organizing the event. He requested the committee provide him with the names of all volunteers so that he could personally thank them.

Mayor Davis recognized the volunteers who replanted the planter boxes downtown.

## **COUNCIL SUBCOMMITTEE REPORTS**

Councilmember Rocha reported on her attendance at the Senior Picnic and a meeting held with residence of the Hudson Apartments.

Mayor Davis reported on his attendance at the meeting held at the Hudson Apartments.

Councilmember Kalinowski stated he felt the City Manager should follow up with management of the Hudson Apartments and request that he attend a future Council meeting. He reported a potential settlement should be coming by the second meeting in July regarding the East Contra Costa Regional Fee and Financing Authority (ECCRFFA) and the City of Pittsburg.

## **MAYOR'S COMMENTS**

Mayor Davis reported on the Relay for Life event and thanked all participants.

## **PRESENTATION**

Delta Diablo Sanitation District – *“Street Sweeping Program”*.

Gary Darling, General Manager, Delta Diablo Sanitation District, discussed the functions of the District and introduced Angela Lowerly.

Angela Lowrey, Public Information Manager, Delta Diablo Sanitation District, gave a brief overhead presentation of the Delta Diablo Sanitation District "Street Sweeping Program". She suggested Council consider a street sweeping appreciation week as outreach to the community. She provided contact information and encouraged residents to provide feedback on their program. She stated they had staff available to address community groups regarding their programs and services.

Councilmember Agopian thanked Ms. Lowrey for the presentation and conducting community outreach.

In response to Council, Ms. Lowrey stated if the street sweeping company was willing, they would request they make a notation of vehicles that appeared to be code enforcement issues. She also stated she would provide the cost of increasing residential service to twice a month. She noted she was continuing to work cooperatively with Allied Waste to coordinate activities and would report back to Council on this issue.

Mayor Davis stated he anticipated a presentation to Council from Allied Waste, in the future.

Councilmember Harper stated the presentation would be good information for the Neighborhood Watch program.

Ms. Lowrey informed the public that there was a street sweeping schedule, listed alphabetically by street name, on the Delta Diablo Sanitation District's website.

**1. COUNCIL CONSENT CALENDAR**

**A. APPROVAL OF COUNCIL MINUTES FOR JUNE 12, 2012 (#301-03)**

**B. APPROVAL OF COUNCIL WARRANTS (#401-02)**

**C. APPROVAL OF TREASURER'S REPORT FOR MAY 2012 (#401-02)**

**D. REJECTION OF CLAIMS (#704-07)**

**1. Colleen Fisk 11/12-2023 (personal injury)**

**2. Vitus Nnanna and Chika Nnanna 12/13-2057 (emotional distress & loss)**

**E. RESOLUTION NO. 2012/42 SALARY DECREASE FOR ELECTED OFFICIALS DUE TO FINANCIAL CHALLENGES FACING THE CITY (#301-01)**

**F. AUTHORIZATION TO AMEND THE CONTRACT WITH CIRCLEPOINT FOR THE PREPARATION OF THE ENVIRONMENTAL IMPACT REPORT FOR THE RODDY RANCH PROJECT (#202-02)**

On motion by Councilmember Rocha, seconded by Councilmember Harper, the City Council unanimously approved the Council Consent Calendar with the exception of Item E, which was removed for further discussion.

**Item E** – Following discussion, Council consensus supported bringing the Council benefits package back on a future agenda for discussion.

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

**COUNCIL REGULAR AGENDA**

**2. RESOLUTION REQUESTING AND CONSENTING TO CONSOLIDATION OF ELECTIONS; AND SETTING SPECIFICATIONS OF THE ELECTION ORDER FOR THE NOVEMBER 6, 2012 REGULAR ELECTION (#702-02)**

City Clerk Skaggs announced the General Election cycle for November 6, 2012, and provided information for obtaining and filing nomination papers.

City Attorney Nerland presented the staff report dated June 14, 2012, recommending the City Council adopt the resolution requesting and consenting to consolidation of Elections; and setting specifications of the election order for the November 6, 2012 Regular Election including that candidate statements are limited to 250 words and the candidates are responsible for the costs of printing such statements. She reiterated the close of filing is Thursday, August 9, 2012 at 5:00 P.M. and appointments are strongly encouraged for candidates picking up and filing papers.

**RESOLUTION NO. 2012/43**

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

**PUBLIC FINANCING AUTHORITY AGENDA**

City Clerk Skaggs called the City Council roll call including the Public Financing Authority and the City Council acting as Successor Agency/Housing Successor to the Antioch Development Agency.

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

3. **APPROVING OPERATING BUDGET FOR THE FISCAL YEAR 2012-13 WITH PROPOSED REVISIONS TO THE FISCAL YEAR 2011-12 BUDGET (#410-02)**
4. **RESOLUTION OF THE CITY OF ANTIOCH PUBLIC FINANCE AUTHORITY ADOPTING THE 2012-13 AND REVISING THE 2011-12 BUDGETS (#410-02)**
5. **CITY OF ANTIOCH AS SUCCESSOR AGENCY AND HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY (#410-02)**
- C. **RESOLUTION OF THE CITY OF ANTIOCH AS SUCCESSOR AGENCY AND HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY ADOPTING THE FISCAL YEAR 2012-13 BUDGET AND REVISING THE 2011-12 BUDGET AS RELATED TO THE ACTIVITES OF THE SUCCESSOR AGENCY AND HOUSING SUCCESSOR (#410-02)**

City Manager Jakel introduced the Fiscal Year 2012-13 Budget Item.

Finance Director Merchant presented a brief overhead presentation of the Fiscal Year 2012-13 Budget and the staff report dated June 18, 2012, recommending the City Council adopt the resolutions.

Director of Public Works Bernal gave a brief overhead presentation of the proposed Public Works Reorganization.

Finance Director Merchant reported the City had received a COPS Hiring Grant which would be brought back as a budget amendment once there was a final grant agreement and a timeframe for hiring.

Councilmember Kalinowski stated it was his understanding code enforcement funds were to be expended in the upcoming budget year. He requested staff provide the actual costs to the City for the entry level Police Officer position and report back if the Police Department was meeting the state goal for answering 911 calls. He suggested if there was not deterioration based on the City's 2% reduction in property taxes; the Council consider, in July, the restoration of the 40-hour work week. He also suggested meeting with the Department Heads to determine the actual number of employee positions within their departments and eliminating all other unfilled staff positions.

Councilmember Harper discussed the importance of establishing sound budget principles and voiced his support for reestablishing the 40-hour work week for employees while continuing to look for ways to increase salary savings.

Councilmember Rocha voiced her support for using all of the available code enforcement funds this fiscal year and noted she felt the City needed to continue to support free activities for the community.

Councilmember Agopian clarified his intent was to use the \$100,000 in GenOn monies immediately in the upcoming budget year for code enforcement and requested that be reflected in the budget. He proposed the City recognize the structural deficit, utilize an 8% reserve trigger, get community budget input in the coming year, eliminate vacant employee positions, authorize one time money to be used to rebuild reserve accounts and focus on revenue enhancement going forward.

Mayor Davis highlighted the accomplishments (page ii) of the Fiscal Year 2012-12 Draft Operating Budget. He voiced his support for eliminating the unfilled staff positions.

Councilmember Kalinowski agreed that one time funds should be used to rebuild reserve accounts. He requested a parcel/sales tax measure discussion be agendize in July. He stated he feels a revenue enhancement should be dedicated solely for new service enhancements, with monies spent based on input from a community oversight committee and the only veto power bring a 4/5 super majority vote of Council.

Councilmember Harper voiced his support for eliminating only those positions that there was no plan for funding in the future. He stated one time monies dedicated to reserve funds should come with the caveat the City Manager could make a case to the City Council when funds were needed for a specific use.

Finance Director Merchant stated staff would bring back a formal policy resolution for Council consideration in July.

Councilmember Agopian voiced his support for going to a 40-hour work week and eliminating any unfilled positions with the opportunity to consider new positions in the future.

**RESOLUTION NO. 2012/44**  
**RESOLUTION NO. 2012/45**  
**RESOLUTION NO. 2012/46**

On motion by Councilmember Kalinowski, seconded by Councilmember Harper, the Council unanimously approved the resolutions.

City Manager Jakel thanked Finance Director Merchant, staff, and Councilmember Kalinowski for contributing to the Fiscal Year 2012/13 budget process.

- 5. CITY OF ANTIOCH AS SUCCESSOR AGENCY AND HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY**
  - A. APPROVAL OF SUCCESSOR AGENCY WARRANTS (#401-02)**
  - B. APPROVAL OF HOUSING SUCCESSOR WARRANTS (#401-02)**

On motion by Councilmember Rocha, seconded by Councilmember Harper, the Council unanimously approved the Successor Agency Warrants and Housing Successor Warrants.

**PUBLIC COMMENTS** - None

**STAFF COMMUNICATIONS**

City Manager Jakel announced the Council would be holding regular meetings on July 10 and 24, 2012 and the Mayor's conference would be held on July 12, 2012.

**COUNCIL COMMUNICATIONS**

Mayor Davis adjourned to Closed Session at 9:03 P.M.

**CLOSED SESSION - *Continued***

**3. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION** – Initiation of litigation pursuant to subdivision ( c) of California Government Code section 54956.9: 1 case: related to United States Bankruptcy Court, Northern District of California Case No. 12-44668 (Chapter 11 Bankruptcy of Eva Quesada Romero and Gilbert Raymond Romero related to Humphrey's on the Delta Restaurant)

City Attorney Nerland reported the City Council had been in Closed Session and gave the following report: **#3 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION** – direction was given to staff.

**ADJOURNMENT**

With no further business, Mayor Davis adjourned the meeting at 9:41 P.M. to the next regularly scheduled Council meeting on July 10, 2012.

Respectfully submitted:

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DENISE SKAGGS, City Clerk