

**ANTIOCH CITY COUNCIL
ANTIOCH PUBLIC FINANCING AUTHORITY
ANTIOCH DEVELOPMENT AGENCY**

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

**January 13, 2009
Council Chambers**

5:30 P.M. - CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATOR. Employee organization: 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. Agency Designated Representative: Human Resources Director. This closed session is authorized pursuant to Government Code §54957.6.

Mayor Davis called the meeting to order at 6:15 P.M., and City Clerk Martin called the roll.

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

City Attorney Nerland reported the City Council had been in Closed Session and there was no reportable action

1. BUDGET STUDY SESSION: UPDATE ON FINANCIAL STATUS AND PROVIDE DIRECTION TO STAFF ON OPTIONS TO CONSIDER FOR THE FISCAL YEAR 2008-10 BUDGET

City Manager Jakel gave opening remarks on the status of the budget.

Finance Director Merchant presented the staff report dated December 18, 2008 and gave a brief overhead presentation of the update on the financial status recommending the City Council provide direction to staff on FY 2008-2010 budget options.

Assistant City Manager Mornick recommended the City Council implement all options as outlined in the staff report followed by a three month budget review.

Councilmember Kalinowski requested for the next budget update, staff provide the difference between January '08 and '09 resell value for residential units.

Mayor Davis requested the pages of the presentation be numbered. He expressed concern for the current budget projections and requested they be projected out to 2013 with no additional increases in revenues.

Kerry Dalrymple urged the City Council, while considering salary concessions, to take care to insure such concessions are shared equally by all city employees.

Arlyn Erdman, representing Local One and members in the Public Works Department, discussed significant financial adjustments made in their last MOU with the City. He

suggested the City not fund GASBY and while the City Council considers concessions, they insure the concessions be shared by all city employees equally.

Devi Lanphere, Antioch Chamber of Commerce, urged the City Council to be cautious when raising fees for businesses.

Dave Gossman, Operations Engineer Local #3 Business Representative, stated they were willing to meet and confer with the City. He encouraged an open process for budget considerations and concessions be made equally among all city employees.

Allen Payton suggested the transfers in and out of the budget be clearly delineated and questioned costs as they relate to Prewett Park, the Administration Department and the Redevelopment agency. He suggested eliminating the city newsletter and urged the City Council to not postpone street overlay projects.

Phil Harrington suggested the City Council review outside contracts, stating he supports fair and equitable action to address budget issues.

Mayor Davis read written comment from Larry Munn regarding the City Council leadership.

Mayor Davis declared a recess at 6:59 P.M.

Mayor Davis called the meeting to order at 7:08 P.M., and City Clerk Martin called the roll.

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

PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Devi Lanphere, announced a gala will be held on January 23, 2009 honoring the Corporate, Small Business, Citizen Lifetime Achievement, Citizen and Youth of the Year.

PUBLIC COMMENTS

Kerry Sobajian contested the fee associated with the rental inspection program, noting she felt it was unfair those with properly maintained properties.

Mary Dodson, Antioch resident, complimented the City on the Antioch Civic Center Christmas Tree, the Canary Woman's Sculpture, and the clearing of debris from the sidewalks in downtown Antioch. She stated she felt more should be done to attract businesses to the downtown in an effort to create a self-sustaining Rivertown.

Elizabeth Rimbault and Jim Boccio, representing the Antioch Historical Society, presented the City Council with the *Governors Historic Preservation Award*, which placed the Riverview

Union High School on the list of award winning historic sites. Jim Boccio thanked the City Council for their support and invited the community to attend the rededication of the Cannery Lady Statue on January 17, 2009 at 12:00 P.M.

COUNCIL RESPONSE TO PUBLIC COMMENTS

City Manager Jakel reported the City had submitted a number of projects and was working with lobbyists regarding the Economic Stimulus projects.

Councilmember Kalinowski added road projects, throughout the community, had been submitted through Transplan.

MAYOR'S COMMENTS

Renette Costa and Nell Chadwick announced the passing of former Councilwomen Wilhelmina Andrade and noted services would be held on January 16, 2008.

Mayor Davis read Ms. Andrade's obituary and announced the meeting would be dedicated in her honor.

Councilmember Rocha spoke to Ms. Andrade's service to the City.

Councilmember Moore announced the City would be celebrating Martin Luther King Jr. event at the El Campanil Theater on January 19, 2009.

1. COUNCIL CONSENT CALENDAR

A. APPROVAL OF COUNCIL MINUTES FOR NOVEMBER 18 AND DECEMBER 9, 2008

B. APPROVAL OF COUNCIL WARRANTS

C. APPROVAL OF COUNCIL TREASURER'S REPORT FOR NOVEMBER 2008

D. REJECTION OF CLAIMS

1. Robert Mederos 08/09-1848 (property damage).
2. Don Adler 08/09-1836 (property damage).
3. Duane Thurston 08/09-1849 (property damage).
4. Lance Johnson 08/09-1837A (personal injury, civil rights).
5. Arthur Lee Johnson 08/09-1837B (civil rights).
6. Josephine Anadola Johnson 08/09-1837C (civil rights).

E. ORDINANCE NO. 2020 C-S TO REZONE APPROXIMATELY 2.38 ACRES, COMPRISING THE BANK AND CAR WASH PROJECT (APN: 055-071-080), FROM PLANNED DEVELOPMENT (PD) TO PLANNED DEVELOPMENT DISTRICT (PD) FOR RICHARD MILLER/THE BANK OF AGRICULTURE (File: PW 357-306-06, Z08-03, UP-06-14) (Introduced 12/16/08)

F. REQUEST FOR OVERNIGHT TRAVEL (1 NIGHT) LEAGUE OF CALIFORNIA CITIES

- G. **AUTHORIZATION TO ENTER INTO A CONTRACT WITH CIRCLEPOINT TO PREPARE THE CEQA DOCUMENT FOR THE TIERRA VILLAS RESIDENTIAL SUBDIVISION**
- H. **AMEND THE CONTRACT WITH MARK SCOTT CONSTRUCTION, INC. FOR ADDITIONAL REPAIRS AT THE POLICE FACILITY, (P.W. 590-4)**
- I. **EXTENSION OF COPIER LEASE CONTRACT FOR AN ADDITIONAL 27 MONTHS**
- J. **APPROVAL OF CONTRACT FOR DESIGN AND ENGINEERING SERVICES WITH GATES AND ASSOCIATES – UPDATE OF THE MASTER PLANS FOR SAND CREEK AND LINDSEY BASINS FOR FUTURE RECREATION FACILITIES**
- K. **CITY OF ANTIOCH GUARANTEE TO A LOAN MADE TO THE EL CAMPANIL THEATRE BY THE ANTIOCH COMMUNITY FEDERAL CREDIT UNION**
- L. **RESOLUTION NO. 2009/01 - CITY OF ANTIOCH REPRESENTATIVES TO THE MUNICIPAL POOLING AUTHORITY**
- M. **CITY OF ANTIOCH – COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2008**
- N. **SINGLE AUDIT REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

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

Item A – Councilmember Moore amended the minutes of December 9, 2009, page 4, second paragraph to read: Tony Tiscareno.

On motion by Councilmember Moore, seconded by Councilmember Kalinowski, the City Council approved the November 18, 2008 minutes as written and December 9, 2008 as amended. The motion carried the following vote:

Ayes: Moore, Kalinowski, Davis

Abstain: Rocha, Parsons

Item B – Allen Payton suggested consideration of consultants being paid during budget review.

On motion by Councilmember Moore, seconded by Councilmember Kalinowski, the City Council approved item B. The motion carried the following vote:

Ayes: Moore, Kalinowski, Davis, Parsons

Abstain: Rocha

Item K – Elizabeth Rimbault spoke in opposition to the city guaranteeing any other groups loans.

In response to Council, Mr. Carraher gave a brief overview of the project.

City Manager Jakel stated the theater had been managed successfully and there was a significant cost savings that would accrue as a result of the project. Additionally, he noted this would be a major enhancement to a valuable asset in which the City had some entitlements.

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

ROLL CALL – All Present

PUBLIC FINANCING AUTHORITY CONSENT CALENDAR

- 6. ANTIOCH PUBLIC FINANCING AUTHORITY – INDEPENDENT AUDITOR’S REPORT, MANAGEMENT’S DISCUSSION AND ANALYSIS, BASIC FINANCIAL STATEMENTS AND SUPPLEMENTAL INFORMATION FOR THE FISCAL YEAR ENDED JUNE 30, 2008**
- 7. AGENCY REGULAR AGENDA**
 - A. ANTIOCH DEVELOPMENT AGENCY – INDEPENDENT AUDITOR’S REPORT, MANagements DISCUSSION AND ANALYSIS, BASIC FINANCIAL STATEMENTS AND SUPPLEMENTAL INFORMATION FOR THE FISCAL YEAR ENDED JUNE 30, 2008**
 - B. RESOLUTION APPROVING THE TRANSFER OF \$46,000 FROM THE LOW INCOME HOUSING FUND FOR THE CONTRA COSTA COUNTY HOME EQUITY PREVENTION ALLIANCE (HEPA) PROGRAM FOR FISCAL YEAR 2008-2009**

RESOLUTION NO. ADA-432

On motion by Councilmember Kalinowski, seconded by Councilmember Rocha, the City Council unanimously received and filed the reports for item 6 and 7A and adopted the resolution for item 7B.

PUBLIC HEARINGS

- 3. CONDUCT PUBLIC HEARING ON WATER AND SEWER RATE INCREASES FOR FISCAL YEAR 2008/09 AND 2009/10 AND ADOPT RESOLUTIONS APPROVING AN AMENDMENT TO THE MASTER FEE RESOLUTION INCREASING THE AMOUNTS OF THE CITY’S WATER QUANTITY AND WATER AND SEWER SERVICE CHARGES**

Capital Improvements/Water Rights Director Harrington presented the staff report dated December 17, 2008 recommending the City Council: 1) Motion to conduct a public hearing on Water and Sewer Rate Increases for Fiscal Year 2008/09 and Fiscal Year 2009/10; 2) Motion to adopt the Resolution approving an amendment to the Master Fee Resolution and Increasing

the Amounts of the City's Water Quantity and Water Service Charges, and; 3) Motion to adopt the Resolution approving an amendment to the Master Fee resolution increasing the amounts of the City's Sewer Service Charges.

Mayor Davis opened the public hearing.

Allen Payton stated he was having a problem with the budget, as he was unable to locate the fund into which the transfers out from the Sewer and Water Funds had been placed, and suggested the possibility of a Bond to alleviate the debt.

Mayor Davis closed the public hearing.

Mr. Harrington clarified the funds had been moved internally for the operation and design of the facilities, noting he would provide Council with the information.

Councilmember Kalinowski stated he would support the motion with staff's clarification that after year one the budget would be analyzed to determine if there was a need in year two for the 4% fee increase.

RESOLUTION NO. 2009/02
RESOLUTION NO. 2009/03

On motion by Councilmember Rocha, seconded by Councilmember Moore the City Council unanimously approved: 1) Motion to conduct a public hearing on Water and Sewer Rate Increases for Fiscal Year 2008/09 and Fiscal Year 2009/10; 2) Motion to adopt the Resolution approving an amendment to the Master Fee Resolution and Increasing the Amounts of the City's Water Quantity and Water Service Charges; and 3) Motion to adopt the Resolution approving an amendment to the Master Fee resolution increasing the amounts of the City's Sewer Service Charges.

COUNCIL REGULAR AGENDA

4. APPOINTMENTS TO ANTIOCH PLANNING COMMISSION – TWO (2) FULL TERMS

Mayor Davis nominated Mike Langford and Vincent Manuel to the two full terms on the Antioch Planning Commission.

A motion was made by Councilmember Kalinowski, seconded by Councilmember Parsons to appoint Mr. Langford and Mr. Manuel to the Planning Commission was held for discussion at the request of Councilmember Rocha, who requested the motion be withdrawn for separate actions.

On motion by Councilmember Kalinowski, seconded by Councilmember Parsons, the City Council appointed Mike Langford to (1) one full term on the Antioch Planning Commission. The motion carried the following vote:

Ayes: Kalinowski, Parsons, Davis

Noes: Rocha and Moore

On motion by Councilmember Kalinowski, seconded by Councilmember Moore, the City Council unanimously appointed Vincent Manuel to (1) one full term on the Antioch Planning Commission.

Councilmembers Rocha and Moore stated it was their hope Ms. Trail would be reappointed to the Antioch Planning Commission for diversification of the Commission. Councilmember Moore suggested the Council consider each Councilmember having one appointment to the Planning Commission.

5. ORDINANCE AMENDING SECTIONS 2-5.103 AND 3-12.03 OF THE ANTIOCH MUNICIPAL CODE CHANGING THE SIZE OF THE ECONOMIC DEVELOPMENT COMMISSION

Brian Nunnally presented the staff report dated December 18, 2008 recommending the City Council 1) Motion to introduce the ordinance by title only; 2) Motion to introduce the Ordinance changing the size of the Economic Development Commission; and 3) Motion to direct staff to announce two (2) openings for the Economic Development Commission.

Devi Lanphere, Chairperson of the Economic Development Commission, voiced her support for staff's recommendation.

On motion by Councilmember Moore, seconded by Councilmember Kalinowski, the City Council unanimously approved: 1) Motion to introduce the ordinance by title only; 2) Motion to introduce the Ordinance changing the size of the Economic Development Commission.

Following discussion the City Council directed staff to bring back all applications submitted in December for filling the two vacant positions at the next City Council meeting.

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS

City Manager Jakel announced the *Martin Luther King* event will be held on January 19, 2009. The next regularly scheduled City Council meeting will be held on January 27, 2009.

COUNCIL COMMUNICATIONS

Councilmember Kalinowski reported the City Council needed to nominate and appoint an alternate for Transplan. He announced there was a request from the city of Oakley that litter detail be conducted at the connector of the Highway 4 bypass.

Mayor Davis reported committee appointments would be brought back to the City Council on the next agenda for filling of the vacancies. He announced Councilmember Moore was elected President of the Mello Roos Board. He requested staff begin scheduling the first quarter of 2009, Quality of Life Forum.

Councilmember Rocha requested the Quality of Life forum include water issues.

Councilmember Parsons announced she had participated in a Cleanup Day at Gentrytown Park and participated in a ride-along. She noted she was looking forward to meeting with staff in their work venues.

STUDY SESSION - CONTINUED

1. BUDGET STUDY SESSION: UPDATE ON FINANCIAL STATUS AND PROVIDE DIRECTION TO STAFF ON OPTIONS TO CONSIDER FOR THE FISCAL YEAR 2008-10 BUDGET

Following discussion on the 16 bullet items as listed in the staff report (pages 4 and 5) the City Council provided the following feedback:

- City Council concurred with all 16 recommendations, with the exception of bullet 13 on page 5 postponing street overlay projects
- City Police Department to compensate equally for employee furlough
- City 4.5% decrease in stipend for City Council and elected officials
- Extend discontinuing of the deferred compensations contributions to the City Council and elected officials

Other items to review as requested by City Council

- Employee paying their own PERS contribution up to 5%
- Prewett Water Park – contracting out day to day operations while maintaining employees within the organization
- Consideration of cancelling contracts for Peace Keeper Services and passing responsibility to PD
- Review cell phone costs to evaluate potential in savings
- Reduce paperwork by using electronic communication whenever appropriate
- Lighting and landscape analysis only prior to any employee layoffs
- Community Policing District assessment

PUBLIC COMMENTS for Closed Session - None

With no further business, Mayor Davis adjourned the meeting at 9:27 P.M. to Closed Session.

CLOSED SESSION:

- #### **2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR** – Pursuant to Government Code §54956.8: Property: Delta Fair Blvd (APN# 074-080-034), Negotiator: Guy Bjerke, Negotiating Parties: Bay Area Rescue Mission, under negotiation: availability, price and terms of payment.

Respectfully Submitted

L. Jolene Martin, Antioch City Clerk