

ANTIOCH CITY COUNCIL

Regular Meeting
7:00 P.M.

August 10, 2010
Council Chambers

6:00 P.M. - CLOSED SESSION

- 1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** . Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: One potential case.

Mayor Davis called the meeting to order at 7:05 P.M., and City Clerk Martin called the roll.

Present: Council Members Rocha, Moore, Parsons, and Mayor Davis
Absent: Council Member Kalinowski (excused)

City Attorney Nerland reported the City Council had been in Closed Session and direction was given to staff; no action was taken.

PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Shawn Lipetzky, Pacific Coast Farmers Market Association, promoted a new Farmers Market at the Somersville Towne Center, every Sunday from 10:00 AM . 2:00 PM.

Tammany Brooks, representing the Antioch Police Activities League, gave a brief overhead presentation of the Youth Police Academy, which was held from July 12 -16, 2010. He announced they had 25 graduate from the program and thanked all those who partnered with the Antioch Police Department to make the event a success.

Mayor Davis thanked the Antioch Police Department for their efforts to provide the youth of the community with the Academy.

Karen Kops, President of Homeless Animal Response Program (HARP) invited the community to attend a Sunset Dinner Cruise Fundraiser at 5:30 PM on August 15, 2010, at the Pittsburg Marina. Contact information was given.

PUBLIC COMMENTS

Devi Lanphere, representing the Antioch Chamber of Commerce, announced the following events:

- “ Delta Advocacy Foundation Charity Roundup at Roddy Ranch on October 2, 2010.
- “ Bridal Faire, at the Somersville Towne Center from 11:00 AM . 4:00 PM on October 16, 2010.

- " Chamber Foundation Truck Raffle drawing to be held on October 31, 2010.
- " Creativity Fair, April 2, 2011.

Barbara Sobalvarro, President of Friends of Animal Services, stated the Antioch Animal Shelter is open Tuesday . Thursday from 10:00 AM . 5:00 PM and Saturday 10:00 AM . 4:00 PM and encouraged the community to adopt from the Shelter. She reviewed celebrations and promotions hosted by the Friends of Animal Services to benefit the shelter and reminded the community that August 21, 2010, is National Homeless Animal Day. She noted they had a calendar of events for the fall and she would be promoting the Black Cat Ball for October. She stated it was an honor to speak for the animals and they would remain committed to the animals of the Antioch Animal Shelter.

Nancy Fernandez, Antioch resident, questioned why it was appropriate for the City of Antioch to pay contract workers \$10.00 an hour and it was not acceptable for Walmart to do the same.

Martin Fernandez , Antioch resident, spoke to the recent denial of the Walmart expansion stated it appeared the majority of Antioch residents wanted the Walmart expansion approved therefore he encouraged those Councilmembers who voted against the project to represent all residents of Antioch and reconsider their denial.

Ted Vomacka, Antioch resident, spoke in support of the expansion of Walmart noting the project was already approved and the opposition was an organized effort by the unions to stifle competition from a non-union store.

Reverend Nicolas Alexander and Mark White, representing *Do The Word Ministries*, stated they were an outreach ministry focused on gang and street violence. They requested the support of the City for a %Stop the Violence+Event to be held at an Antioch park on September 25, 2010. They invited the City Council to a Benefit Mixer.

Karen Kops, representing *Spay Neuter Impact Program (SNIP)*, stated they held quarterly clinics to provide veterinary services for feral and free-roaming cats. Contact information was given.

Chief Hyde reported the Antioch Police Department would have a department representative at the Benefit Mixer hosted by the *Do The Word Ministries*.

COUNCIL SUBCOMMITTEE REPORTS

Following discussion, Councilmember Moore and Mayor Davis agreed to meet with advocates to discuss the feasibility of the formation of an Animal Services Commission.

In response to Councilmember Rocha, City Manager Jakel stated he would have Lonnie Karste report back regarding the direction of the Antioch Youth Commission.

Councilmember Parsons reported the Mello-Roos Board met and there was no reportable action.

MAYOR'S COMMENTS – None

1. ORAL PRESENTATION BY CONTRA COSTA ENVIRONMENTAL HEALTH CONCERNING VENDORS

Kristian Lucas, representing the Contra Costa Environmental Health Division, gave a brief overhead presentation of enforcement procedures for addressing food vendors who conduct business without permits. He requested assistance in establishing communal commissaries or kitchens to provide a facility that was properly inspected for vendors. Contact information was given.

Mayor Davis thanked Mr. Lucas for the presentation and requested a link to the pamphlet be added to the City's Website.

Councilmember Moore suggested partnering with The State of California Division of Occupational Safety and Health for enforcement to alleviate the community of the problem.

Councilmember Rocha suggesting contacting residents in problem areas to solicit their help in identifying vehicles who are dropping off and picking up the vendors.

2. COUNCIL CONSENT CALENDAR

A. APPROVAL OF COUNCIL MINUTES FOR JULY 27, 2010

B. APPROVAL OF COUNCIL WARRANTS

C. APPROVAL OF TREASURER'S REPORT FOR JUNE 2010

D. RESOLUTION NO. 2010/53 STATEMENT OF INVESTMENT POLICY

E. RESOLUTION NO. 2010/54 TO SUMMARILY VACATE A SURPLUS PORTION OF JAMES DONLON BOULEVARD (OLD PASO CORTO ROAD) RIGHT-OF-WAY TO THE ALBERT D. SEENO CONSTRUCTION COMPANY (PW 365-11)

F. RESOLUTION NO. 2010/55 ACCEPTING WORK AND AUTHORIZING CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE HILLCREST AVENUE PAVEMENT OVERLAY (P.W. 392-24)

G. RESOLUTION NO. 2010/56 AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL FUNDING FOR THE SURFACE TRANSPORTATION PROGRAM FOR THE HILLCREST AVENUE, PUTNAM STREET AND CONTRA LOMA BOULEVARD PAVEMENT REHABILITATION PROJECT AND AMEND THE CIP BUDGET FOR FY 10/11 (P.W. 392-26)

H. CONSIDERATION OF BIDS FOR THE LONE TREE WAY INTERSECTION IMPROVEMENTS FROM DEER VALLEY ROAD TO HILLCREST AVENUE, ASSESSMENT DISTRICT NO. 26 AND ASSESSMENT DISTRICT NO. 27/31R, LONE TREE CORRIDOR (P.W. 555-12B)

I. CITY COUNCIL TO AUTHORIZE USE OF CITY LOGO FOR SHOP ANTIOCH PROGRAM

J. BANKING SERVICES CONTRACT

Item J . Mayor Davis pulled #J from the Consent Calendar noting he was an employee of Bank of the West and would recuse himself from voting on the item. He clarified he did not participate in the negotiation of the contract.

On motion by Councilmember Rocha, seconded by Councilmember Parsons, the Council approved the Council Consent Calendar with the exception of item J which was removed for further discussion. The motion carried by the following vote:

Ayes: Rocha, Moore, Parsons, Davis

Absent: Kalinowski

Mayor Davis handed the gavel over to Mayor Pro-Tem Rocha and left the dais.

Item J . On motion by Councilmember Parsons, seconded by Councilmember Moore, the City Councilmembers seated approved item J. The motion carried by the following vote:

Ayes: Rocha, Moore, Parsons

Absent: Kalinowski

Recused: Davis

Mayor Davis returned to the dais.

PUBLIC HEARINGS

3. TRIENNIAL REPORT ON WATER QUALITY RELATIVE TO PUBLIC HEALTH GOALS

Director of Public Works Bernal presented the staff report dated July 12, 2010, recommending the City Council receive the report and provide an opportunity for public comment.

Lori Sardi, Water Quality Analyst, reported the water was tested extensively at the Water Treatment Plant as well as throughout the distribution system.

Mayor Davis opened and closed the public hearing with no speakers requesting to speak.

On motion by Councilmember Moore, seconded by Councilmember Rocha, the City Council received and filed the report. The motion carried by the following vote:

Ayes: Rocha, Moore, Parsons, Davis

Absent: Kalinowski

4. MIKE'S AUTO BODY/ BRENNAN ROSE REQUESTS APPROVAL OF AN EXTERIOR REMODEL, LOT SPLIT, AND REZONE FOR A NEW AUTO BODY REPAIR BUSINESS LOCATED AT 1725 WEST 10TH STREET (APN 074-160-022) FILE: PD-10-01, AR-10-04, P.W. 357-301-10

Senior Planner Morris presented the staff report dated August 4, 2010, recommending the City Council: 1) Adopt the resolution approving an ordinance rezoning the project site from Neighborhood/Community Commercial (C-2) to Planned Development District (PD-10-01), and 2) Adopt the resolution approving a minor subdivision/final development plan (PW 357-301-10), and design review (AR-10-04), subject to conditions of approval.

Mayor Davis opened the public hearing.

PROPONANTS

Brennan Rose, representing Mikes Auto Body, gave a brief background of his business.

Don Stirling, Project Architect, gave a brief overhead presentation of the proposed project. Speaking to project specific condition #42, he requested the City Council reconsider the Planning Commissions direction and allow the Zoning Administrator to approve the monument sign.

Marty Fernandez, Antioch resident, spoke in support of the project; however, based on the arguments made by a majority of Councilmembers opposing the Walmart expansion, he questioned how they could approve another Body Shop in Antioch which may cause similar businesses in the area to close, causing blight.

Mayor Davis closed the public hearing,

In response to Councilmember Moore, Director of Community Development Wehrmeister reported it was an existing business that would replace their location across the street.

Councilmembers Moore, Parsons, and Rocha disclosed they were customers of Mikes Auto Body.

The Council commended the applicant for providing much needed improvements to a blighted area of Antioch.

RESOLUTION NO. 2010/57

On motion by Councilmember Rocha, seconded by Councilmember Parsons, the City Council: 1) Introduced the ordinance by title only, 2) Introduced the ordinance rezoning the project site from Neighborhood/Community Commercial (C-2) to Planned Development District (PD-10-01); and 3) Adopted the resolution approving a minor subdivision/final development plan (PW 357-301-10), and design review (AR-10-04), subject to conditions of approval, deleting project specific condition #42 requiring the monument sign to be subject to staff approval. The motion carried by the following vote:

Ayes: Rocha, Moore, Parsons, Davis

Absent: Kalinowski

PUBLIC COMMENTS – None

STAFF COMMUNICATIONS

City Manager Jakel stated the meeting would be adjourned to August 17, 2010, and the City Council would be meeting on September 14 and 28, 2010.

Following discussion, the City Council agreed to hold a Quality of Life Forum on September 18 or 25, 2010, depending on the availability of Council and a venue for the event.

COUNCIL COMMUNICATIONS

Councilmember Rocha announced the opening of the Prewett Park Community Center was scheduled for November 18, 2010.

Councilmember Moore announced the Mello-Roos Board had a presentation of the Prewett Park Community Center and it was a very beautiful facility.

With no further business, Mayor Davis adjourned the meeting at 8:40 p.m. to the next adjourned regular Council Meeting on August 17, 2010.

Respectfully submitted:

L. Jolene Martin

L. JOLENE MARTIN, CMC
City Clerk