

**ANTIOCH CITY COUNCIL  
ANTIOCH DEVELOPMENT AGENCY**

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

**November 30, 2010  
Council Chambers**

Mayor Davis called the meeting to order at 6:04 P.M., and City Clerk Martin called the roll.

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

**PLEDGE OF ALLEGIANCE**

Councilmember Parsons led the Council and audience in the Pledge of Allegiance.

**PUBLIC COMMENTS - None**

**1. COUNCIL CONSENT CALENDAR**

**A. APPROVAL OF COUNCIL MINUTES FOR NOVEMBER 9, 2010**

**B. ORDINANCE NO. 2045-C-S TO AMEND AND ADD SECTIONS TO TITLE 8 OF ANTIOCH MUNICIPAL CODE TO ADOPT BY REFERENCE THE CALIFORNIA CODE OF REGULATIONS TITLE 24, 2010 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODES AND RELATED MODEL CODES WITH APPENDICES AND AMENDMENTS (*Introduced 11/9/10*)**

**C. RESOLUTION NO. 2010/81 MAKING RECOMMENDATIONS TO BAY CONSERVATION DEVELOPMENT COMMISSION (BCDC) REGARDING PROPOSED AMENDMENTS TO THE SAN FRANCISCO BAY PLAN REGARDING SEA LEVEL RISE**

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

**2. RESOLUTION CONFIRMING CANVASS BY THE COUNTY CLERK OF CONTRA COSTA OF BALLOTS CAST AT THE GENERAL ELECTION HELD ON NOVEMBER 2, 2010**

**RESOLUTION NO. 2010/82**

On motion by Councilmember Kalinowski, seconded by Councilmember Parsons, the City Council unanimously adopted the resolution.

**3. PRESENTATION TO OUTGOING COUNCIL MEMBERS MOORE AND PARSONS**

Supervisor Glover commended Council Members Parsons and Moore for their professionalism in serving the community and presented them with certificates of recognition for their service.

Councilmembers Rocha and Kalinowski recognized Council Members Parsons and Moore's contributions while serving on the City Council and noted they looked forward to working with them in the future.

Councilmember Moore thanked the community for giving him the opportunity to serve the residents of Antioch. He thanked Mayor Davis for his leadership and the City Council for their commitment to the community. He stated he looked forward to working with the City in the future.

Councilmember Parsons thanked the City Council, staff and the residents who volunteer in the community. She congratulated Wade Harper and Gary Agopian for running a successful campaign and wished them success. She stated she would continue to volunteer and serve the community.

Mayor Davis thanked Council Members Moore and Parsons for their service and presented them with their photographs and City pins.

#### **4. OATHS OF OFFICE FOR NEWLY ELECTED COUNCIL MEMBERS**

The Oaths of Office for the newly elected City Officials were administered as follows:

Wade Harper, Council Member . Administered by Mayor Davis  
Gary Agopian, Council Member . Administered by Mayor Davis

City Clerk Martin called the roll.

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

#### **5. COMMENTS by Mayor and City Council Members**

Councilmember Rocha stated she looked forward to working with Council Members Harper and Agopian.

Councilmember Harper stated he was honored to be selected to serve the residents of Antioch and looked forward to serving on the City Council. He thanked everyone who supported him during the campaign and his family for their encouragement. He announced he would be chairing the committee for the Dr. Martin Luther King Jr. celebration on January 17, 2011 at Deer Valley High School.

Councilmember Agopian thanked Council Members Moore and Parsons for serving Antioch and his family for their support. He stated he anticipated working with the City Council and noted he would be available and responsive to the community.

Councilmember Kalinowski welcomed Council Members Harper and Agopian and wished both the very best. He stated he was available to assist during the transition.

Mayor Davis welcomed and congratulated Council Members Harper and Agopian and their families. He anticipated working with the new council and thanked them for their willingness to serve the community.

Allen Payton, Antioch resident; Willie Mims representing the Black Political Association and Walter Ruehlig, representing the Antioch Unified School District Board of Education expressed their appreciation for the service given by Council Members Moore and Parsons. They congratulated Council Members Harper and Agopian for being elected to serve on the Antioch City Council.

Mayor Davis acknowledged the dignitaries in attendance.

## **6. COUNCIL REORGANIZATION**

On motion by Councilmember Rocha, seconded by Councilmember Kalinowski, the City Council unanimously approved the appointment of Councilmember Harper as Mayor Pro Tem.

### **PUBLIC COMMENTS for Closed Session**

Ralph Hernandez, Citizens for Democracy, discussed the budget impacts facing the City and encouraged employee groups to make necessary concessions.

Mayor Davis adjourned to Closed Session at 6:47 P.M.

**CLOSED SESSION: CONFERENCE WITH LABOR NEGOTIATOR** . Employee organizations: Public EmployeesqUnion Local No. 1, Operating Engineers Local Union No. 3, Antioch Police Officersq Association, Antioch Police Sworn Management Association, Management Group, Confidential Group, Treatment Plant EmployeesqAssociation. This Closed Session is authorized by California Government Code §54957.6.

Mayor Davis called the meeting to order at 8:04 P.M., and City Clerk Martin 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 there was no reportable action

### **PUBLIC COMMENTS**

Douglas Tokes, Antioch resident, encouraged the City Council to look 10-15 years into the future when considering the City's budget. He urged the Antioch Police Department to make concessions to help the City balance the budget.

Willie Mims, Black Political Association, questioned if there was any agreement or decision made in Closed Session that was not reported out.

In response to Mr. Mims, Mayor Davis reiterated here were no decisions made in Closed Sessions to report out and public comments were for items not on the agenda therefore he would call on Mr. Mims during the budget item to continue his comments.

Rick Robinson, Antioch resident, stated he would like to keep the old boat ramp open and reported he had a group of individuals who were willing to provide maintenance. He requested the item be agendized before April to further study the issue. He submitted petitions to the City Clerk for the record.

City Manager Jakel stated Capital Improvement Director Harrington would report on the status of the launch ramps in January.

Tue Rust, representing the Academy for College Excellence (ACE), gave a brief history of the program and invited the community to attend the Fall 2010 *Presentation to the Community* on December 16, 2010, 4:00 . 6:00 P.M., at Los Medanos College Library Community Room.

## **BUDGET STUDY SESSION/ COUNCIL REGULAR AGENDA**

### **7. PRESENTATION AND DISCUSSION OF BUDGET DEVELOPMENT FOR THE GENERAL FUND FOR FISCAL YEARS 2011-2012**

City Manager Jakel and Finance Director Merchant presented the staff report and gave a brief overhead presentation of the update from June 30, 2010 and Budget Development for Fiscal Years 2011-2012 recommending the City Council provide direction and feedback.

In response to Mayor Davis, Finance Director Merchant stated she would bring back a report on the premium and deductable for earthquake insurance.

Councilmember Agopian requested staff provide the City Council with monthly updates on the budget.

In response to Councilmember Agopian, Finance Director Merchant stated for the next budget study session, she could provide the figures for calculating out an increase in property tax revenues.

City Manager Jakel cautioned the Assessor's office had not been accurate or forthcoming with information pertaining to property taxes.

Councilmember Kalinowski stated he felt the Council needed to make a policy decision regarding the increased transfer from the Street Impact Fund and Gas Tax Fund. He felt a 0% increase in property tax was more realistic given the history with the Assessor's office. He stated he does not support a 1.6% increase over FY11 sales tax and sales tax in lieu. He questioned if recreational programming benefiting low income residents could be funded through CDBG?

Councilmember Agopian discussed the importance of leasing the large vacant retail spaces in Antioch and suggested formation of a task force to work on the issue and offered to serve on the task force.

Willie Mims, Black Political Association, expressed concern for the status of the budget. He encouraged the City to retain a reserve for litigation and obtain earthquake insurance. He requested the City Council direct staff to keep looking within the existing budget for additional revenue and suggested if any concessions were made, they be fair and equitable among all employees and elected officials.

Carl Carey, Business Representative of Operating Engineers Local 3 and Assistant Director of the Public Employee Division, discussed the impact of the recent budget cuts on the employees and requested concessions are fair and equitable across all employee groups.

Ralph Hernandez, Chairperson for Citizens for Democracy, reviewed several recommendations along with a document he had submitted for Council's consideration. Mayor Davis noted Mr. Hernandez's letter would be added to the record.

Allen Payton, Antioch resident, stated he would like a response to his letter requesting information regarding several budget issues. He voiced his support for closing the Water Park, contracting out plan check services and retaining earthquake insurance. He requested details on road improvement expenditures and filling vacancies in the Police Department with additional budget cuts. Additionally, he suggested opening City offices 9:00 . 5:00 PM, five days per week. He urged the city Council to keep the public apprised of the changes in budget projections as they occur.

Rollie Katz, Public Employee Union Local One, congratulated Council Members Harper and Agopian. He discussed concessions made by the employees. He expressed concern for increasing reserve funds during the current budget crisis. He clarified the budget problems were not caused by the employees and labor unions.

Nancy Fernandez, Antioch resident, suggested using work alternative citizens in Animal Services.

City Manager Jakel clarified revenues and expenditures were more closely aligned at this time, than the previous several years. Additionally, he noted the earthquake insurance does not cover liability. He noted the budget was more accurate and refined as the City received information, and there was ample communications from staff to the City Council.

Councilmember Kalinowski requested the following:

- " Provide a budget document that reflected the actual cuts the City needed to make in 2011 before any concessions or revisions
- " Consideration of a decrease in property tax
- " Consider further reductions beyond \$700K to address the budget deficit
- " Implementation of reduction in expenditures by January 1, 2011

“ Staff to provide service impacts for the reduction in General Fund subsidy to the Recreation Programs for a policy decision of the Council

Councilmember Agopian stated he understood the budget was a moving target; however he stressed the importance of accurate and timely updates. He made the following suggestions:

- “ Reduce the subsidy from the General Fund
- “ Consider concessions that were not temporary
- “ Develop accurate revenue numbers
- “ Keep reserves at 10-12%
- “ Consider a 5-day workweek with shortened days
- “ Consider contracting out plan check
- “ Present a budget document reflecting no concessions
- “ Draft a budget that does not operate in a negative

Councilmember Harper thanked the Unions and employees for the concessions they had made in the past and stated he hoped they would continue to do so, to save positions within the City. He requested staff bring in accurate information with low and high estimates for revenues.

Mayor Davis stated he felt \$700K in budget reductions was not sufficient. He requested staff return with the cost of the earthquake insurance premium and deductible.

On motion by Councilmember Kalinowski, seconded by Councilmember Agopian, the City Council unanimously directed City Manager Jakel to implement an immediate \$700K modification into the Fiscal Year 2010-2011 budget at the proposed 71%/29% split in personnel/non-personnel.

City Manager Jakel responded to Council that he would agendaize a Budget discussion for the December 14, 2010 City Council meeting and he would meet with incoming Council Members Harper and Agopian to provide them with budget details. He stated he would provide more details with regards to the value of the assumptions and revisions.

**PUBLIC COMMENTS - None**

### **STAFF COMMUNICATIONS**

City Manager Jakel announced the Mayor's Conference would be held on December 1, 2010 in Pittsburg. He reminded the public the next City Council meeting would be held on December 14, 2010.

Following discussion the City Council agreed to meet for a Closed Session on December 13, 2010 at 6:30 PM.

### **COUNCIL COMMUNICATIONS**

Mayor Davis announced the Committees and Boards assignments would be agendaized for December 14, 2010.

With no further business, Mayor Davis adjourned the meeting in memory of City Clerk Emeritus Dottie Marks at 10:12 P.M. to the next regular Council meeting on December 14, 2010.

Respectfully submitted,

*L. Jolene Martin*  
**L. JOLENE MARTIN, City Clerk**