

**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.**

**February 25, 2014
Council Chambers**

6:15 P.M. - CLOSED SESSION

- 1. CONFERENCE WITH LEGAL COUNSEL** – Existing Litigation pursuant to California Government Code §54956.9 (d)(1): In re Eva Romero and Gilbert Romero U.S. Bankruptcy Court (Northern District) Case No. 12-44668 and Initiation of Litigation pursuant to California Government Code §54956.9 (d)(4) (Humphrey's Restaurant)

City Attorney Nerland reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LEGAL COUNSEL**, City Council on a 5/0 vote directed City Attorney Nerland to initiate litigation.

Mayor Harper called the meeting to order at 7:00 P.M., and City Clerk Simonsen called the roll.

Present: Council Members Wilson, Rocha, Tiscareno, Agopian and Mayor Harper

PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS

In memory of former Council Member Reginald "Reggie" Moore

Mayor Harper reported a celebration of life had been held on February 22, 2014 for former Councilmember Reggie Moore.

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

The City Council recognized Councilmember Moore for bringing the Martin Luther King Jr. Day celebration to Antioch and thanked him for being a great friend and serving the citizens of Antioch. They expressed their appreciation to Reggie's wife, Dishon for supporting his service to the community.

Mayor Harper announced there would be a community service award in former Councilmember Moore's name at the next Martin Luther King Jr. celebration and he invited his family to attend that event.

The City Council presented the proclamation to Rachel and Joey, who on behalf of Reggie Moore's family, thanked the City Council for the recognition.

Keep Antioch Beautiful Day, April 26, 2014

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

Mayor Harper presented the proclamation to Martha Parsons and members of the Keep Antioch Beautiful committee who thanked the City Council for the recognition and announced the event would take place from 8:30 – 11:00 A.M., April 25, 2014. Contact information was provided for anyone wishing to attend.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Sean Wright announced the Antioch Chamber of Commerce was hosting their Annual Inaugural Gala Dinner and Awards Ceremony on March 14, 2014, at the Lone Tree Golf Course & Event Center. Contact information was provided for anyone wishing to purchase tickets.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen announced the following Commission opening.

- *Parks and Recreation Commission: Four (4) vacancies; extended deadline date is March 13, 2014*

He noted applications were available on the City's website and at the City Clerk and Deputy City Clerk's office.

PUBLIC COMMENTS

Julie Young, Antioch resident, thanked the City for installing the new sound wall between her property and the park. She expressed concern for the financial impacts of implementing the Common Core program in the Antioch School District.

Fred Hoskins, Antioch resident, expressed his appreciation to City Manager Duran for improving communication between the City and citizens with weekly status reports. He complimented everyone who participated in addressing the city's homeless issues and offered his services to the City.

Lori Anzini, Antioch resident, presented the Council with a PowerPoint presentation of neighborhood concerns related to an ice cream truck parking near her home after school. She stated she felt the negative behavior would not stop until the ice cream truck was no longer allowed to park in the location. She presented a petition signed by neighbors and requested the

City consider an ordinance preventing ice cream trucks from stopping at one location for longer than five (5) minutes at a time.

Mayor Harper urged Ms. Anzini to work with the Antioch Police Department and stated he would be following up on her concerns.

Mark Dimercurio, Restore the Delta, invited the community to attend a forum on Lower Delta Water Quality from 6:30 – 8:00 P.M. on March 6, 2014 at the Lone Tree Golf Course. He announced the deadline for submitting comments on the Bay Delta Conservation Plan (BDCP) was April 14, 2014. He questioned what the city's position was and how they were educating residents on the potential impacts of the BDCP.

In response to Mr. Demercurio, Mayor Harper reported on his attendance at the meeting before the State Assembly and announced consultants were representing the City. He read written comment submitted on behalf of the City of Antioch, read to the State Assembly.

Councilmember Rocha discussed the importance of public participation at the Lower Delta Water Quality forum.

COUNCIL SUBCOMMITTEE REPORTS

Councilmember Rocha announced a Covered California workshop would be held from 10:00 – 2:00 P.M. on March 8, 2014, at Fremont Elementary school. She reported on her attendance at the Suburban Poverty Task Force committee meeting and noted the City of Concord had offered to share the Concord Cares program with Antioch. She stated that she had sought out the support of clergy in efforts to address suburban poverty and they had been very supportive.

Sean Wright, Antioch Chamber of Commerce, added that they were very happy to be working with the City, Antioch Police Department and Contra Costa County on the Suburban Poverty Task Force. He announced the City of Concord had offered to bring a template of the Concord Cares program to Antioch.

MAYOR'S COMMENTS - None

PRESENTATION

City of Antioch team for Relay for Life

David Bates, Co-chair for Relay for Life, gave a history of the Relay for Life event. He thanked the City for their involvement in bringing the event back to Antioch and announced the event would be held on June 21 and 22, 2014, at Deer Valley High School.

- 1. COUNCIL CONSENT CALENDAR for City /City as Successor Agency to the Antioch Development Agency**

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- A. APPROVAL OF COUNCIL MINUTES FOR FEBRUARY 11, 2014
- B. APPROVAL OF COUNCIL WARRANTS
- C. APPROVAL OF TREASURER'S REPORT FOR JANUARY 2014
- D. REJECTION OF CLAIM
1. Christopher and Julie Young 13/14-2116 (property damage)
- E. RESOLUTION NO. 2014/11 APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVES PROGRAM UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 IN ORDER TO FUND THE PREPARATION OF A SPECIFIC PLAN FOR THE CITY'S DOWNTOWN AREA
- F. RESOLUTION NO. 2014/12 AMENDMENT OF THE LATERAL POLICE OFFICER HIRING POLICY FOR THE PERIOD OF JANUARY 1, 2013 – JUNE 30, 2014
- G. RESOLUTION NO. 2014/13 APPROVING AND ESTABLISHING AN ASSOCIATED SALARY RANGE FOR THE CLASSIFICATION OF WATER TREATMENT PLANT MAINTENANCE WORKER III
- H. RESOLUTION NO. 2014/14 STREET LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT ENGINEER'S REPORT FOR FISCAL YEAR 2014/2015
- I. RESOLUTION NO. 2014/15 ACCEPTING WORK AND AUTHORIZING CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE NELSON RANCH PARK WALL EXTENSION PROJECT (PW 547-P)
- J. PROPOSED FIRST AMENDMENT TO CALIFORNIA LEASE AGREEMENT AND AUTHORIZE CITY MANAGER TO EXECUTE THE LEASE AMENDMENT AND RELATED DOCUMENTS WITH AT&T FOR CITY-OWNED PROPERTY LOCATED AT 4808 CACHE PEAK DRIVE (APN 072-012-102-9) (AUP-12-13)
- City of Antioch Acting as Successor Agency to the Antioch Development Agency
- K. APPROVAL OF SUCCESSOR AGENCY WARRANTS

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

Item E – At the request of Councilmember Wilson, City Manager Duran presented the staff report dated February 19, 2014 recommending the City Council adopt the resolution.

Councilmember Agopian thanked Councilmember Wilson for pulling this Consent Calendar item so the public could understand the importance of the grant application.

On motion by Councilmember Agopian, seconded by Councilmember Wilson the Council unanimously approved item E.

COUNCIL REGULAR AGENDA

2. ANNUAL CITY COUNCIL UPDATE FROM THE LONE TREE GOLF COURSE SUBCOMMITTEE - CONTINUED DEFERMENT OF THE TWO OUTSTANDING CONSTRUCTION LOANS TO THE CITY OF ANTIOCH

Project Consultant Lonnie Karste and Lone Tree Golf Course General Manager Ron Parish presented the staff report dated February 12, 2014 recommending that the City Council take the following actions: 1) Receive annual report; 2) Maintain the prioritization of the payment of the ABAG loan by the Antioch Golf Corporation Board of Directors. A significant portion of this loan payment must be made annually; and 3) Continue to defer the two construction loan payments (site parking lot and additional club house/event center construction costs) until after the ABAG loan payments are current and there are sufficient revenues available over operational expenses annually to pay the ABAG loan and the two construction loans to the City.

Councilmember Rocha announced the Women's Club fashion show would be held April 5, 2014 and Brighter Beginnings fashion show would be held on May 10, 2014.

Councilmember Tiscareno thanked Project Consultant Karste for the report. He discussed the importance of promoting the facility and making the ABAG payments a priority.

Councilmember Wilson encouraged the Board of Directors to continue to look for ways to increase revenue.

Following discussion, Council consensus requested future reports include a cost-benefit analysis.

Mayor Harper acknowledged the efforts of the non-profit Board of Directors to improve revenue and provide a first-rate facility for the community.

On motion by Councilmember Rocha, seconded by Councilmember Agopian the Council unanimously moved to: 1) Receive annual report; 2) Maintain the prioritization of the payment of the ABAG loan by the Antioch Golf Corporation Board of Directors. A significant portion of this loan payment must be made annually; and 3) Continue to defer the two construction loan payments (site parking lot and additional club house/event center construction costs) until after the ABAG loan payments are current and there are sufficient revenues available over operational expenses annually to pay the ABAG loan and the two construction loans to the City.

3. ORDINANCE ADDRESSING AN EXTENDED ABSENCE BY AN ELECTED OFFICIAL

City Attorney Nerland presented the staff report dated February 19, 2014 and stated if the Council believed that the draft ordinance reflects previous direction, then the following motions should be made: 1) Motion to read the ordinance by title only; and 2) Motion to introduce an ordinance adding sections 2-1.207 and 2-1.703 to the Antioch Municipal Code regarding an extended absence by an elected official.

Mayor Harper stated he agreed with the intent of the ordinance however future Councils may look at the language and not the intent. He stated he would support amending the ordinance to indicate the elected official would not be penalized for the first thirty (30) days, if an absence extended beyond one month.

Following discussion, the Council majority felt the ordinance, as written, was reasonable and what residents expected of elected officials.

On motion by Councilmember Agopian, seconded by Councilmember Rocha the Council 1) Read the ordinance by title only; and 2) Introduced an ordinance adding sections 2-1.207 and 2-1.703 to the Antioch Municipal Code regarding an extended absence by an elected official. The motion carried the following vote:

Ayes: Rocha, Agopian, Wilson, Tiscareno

Noes: Harper

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS

City Manager Duran reported on the meeting he attended with the Brentwood City Manager Paul Eldredge, to discuss the Police Dispatch agreement. He stated they would be scheduling another meeting with City Managers from Pittsburg and Oakley to discuss the BDCP.

COUNCIL COMMUNICATIONS

Councilmember Agopian suggested information on the BDCP be included in City Manager Duran's weekly reports.

Councilmember Tiscareno reported he had received several communications regarding the speed limit in the James Donlon Boulevard area and stated he would like the City to consider how to improve safety in the area.

Councilmember Rocha announced the Neighborhood Cleanup would be held at 9:00 A.M. on March 1, 2014, at City Hall. She requested the City agendize the Suburban Poverty Task Force meeting with a presentation on the Concord Cares program for 9:00 A.M. on March 13, 2014, in Council Chambers.

The Council consensus supported agendizing the Suburban Poverty Task Force meeting for 9:00 A.M, March 13, 2014, in Council Chambers.

Councilmember Wilson reported on her attendance at the Jefferson Awards meeting.

Mayor Harper reported the Mayor's conference had been scheduled for the same time as the BDCP meeting and therefore Mayor's would most likely not be in attendance at the BDCP meeting. He announced Mayor Pro Tem Rocha would facilitate the City Council meeting on March 11, 2014, as he would be in Washington D.C. on City business.

ADJOURNMENT

With no further business, Mayor Harper adjourned the meeting at 8:43 P.M. to the next regular Council meeting on March 11, 2014.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk