

CITY COUNCIL MEETING

Regular Meeting
7:00 P.M.

August 11, 2015
Council Chambers

6:00 P.M. - CLOSED SESSION

- 1. CONFERENCE WITH LABOR NEGOTIATORS** – This Closed Session with the City's Labor Negotiators is authorized by California Government Code section 54957.6; City designated representatives: Michelle Fitzner, Denise Haskett and Glenn Berkheimer; Employee organizations: Operating Engineers Local Union No. 3 (OE3) and Public Employees Union Local 1.

Interim City Attorney Cole reported in addition to this evening, the City Council had been in Closed Session on August 3, 2015. He gave the following report: **August 3, 2015 #1 PUBLIC EMPLOYEE APPOINTMENT; City Attorney**, Direction was given to City's recruiter and **August 11, 2015 #1 CONFERENCE WITH LABOR NEGOTIATORS** – Direction was given.

Mayor Harper called the meeting to order at 7:06 P.M., and City Clerk Simonsen called the roll.

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

PLEDGE OF ALLEGIANCE

Mayor Harper led the Council and audience in the Pledge of Allegiance.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Martha Parsons wished Councilmember Ogorchock a happy belated birthday. As a member of the Contra Costa County Stand Executive Board, she thanked the City Council for their support and announced *Stand Down on the Delta* would take place on September 11 – 14, 2015 at the Contra Costa County Fairgrounds. She thanked the sponsors, volunteers and those donating to the event. She noted anyone wishing to volunteer or register could do so on their website.

Bill Myers, representing Undead Bettys Roller Derby, announced The Skaters Grim vs. San Diego Aftershocks bout would be held on August 15, 2015 at the Antioch Indoor Sports Complex. He noted contact information was available on their website and tickets were available for anyone wishing to attend.

Director of Parks and Recreation Kaiser announced the Antioch Water Park would be open Friday evenings and weekends through Labor Day. Additionally, she noted free summer concerts hosted by the Arts and Cultural Foundation were being held on Saturdays at Waldie Plaza. She provided brochures for the swim program and noted Fall/Winter Recreation Guides would be sent out this week.

PUBLIC COMMENTS

Mayor Harper explained Council was prohibited from discussing matters not on the agenda and assured residents their concerns would be heard.

Battalion Chief Bob Atlas gave an update on fire department activities in Antioch for the month of July. He reported there was a fire in the Sycamore Corridor on August 5, 2015 which had displaced approximately 30 residents. He recognized the apartment complex management and the American Red Cross for assisting residents in finding accommodations.

Mayor Harper thanked Battalion Chief Atlas for the presentation and stated he looked forward to his monthly reports.

Frank Sterling, Antioch resident, questioned why the community had not been informed someone had died in police custody and requested details of this event be made public. He also discussed encounters with Antioch Police Officers in which he felt excessive force had been used and questioned what action would be taken to resolve this issue. He requested City Manager Duran provide more detailed reports in his weekly Police Department updates.

Patty Howard, Antioch resident, reported a landlord in her neighborhood habitually rented to undesirables who threatened and harassed her and her neighbors. She reported on her participation in Neighborhood Watch and National Night Out. She requested contact from the City so she could receive guidance on how to resolve the issue.

Mayor Harper sympathized with Ms. Howard and thanked her for participating in Neighborhood Watch and National Night Out. He stated he would be providing her contact information to Chief Cantando.

Tom Trost, representing the Hickmott Canary properties, requested his Wharf parcel be included in the City's waterfront and zoning maps.

Mayor Harper stated he would provide City Manager Duran with Mr. Trost's contact information.

Mayor Harper read written comment from Antioch resident George Briggs, requesting the City provide a detailed list of all fund balances with increases and decreases for FY 2005 – FY 2015.

Mayor Harper stated he would provide City Manager Duran with Mr. Brigg's contact information.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen announced there was a resignation on the Sales Tax Citizen's Oversight Committee and applications for the vacancy would be available online and at the City Clerk and Deputy City Clerk's offices beginning August 12, 2015.

COUNCIL SUBCOMMITTEE REPORTS - None

MAYOR'S COMMENTS

Mayor Harper welcomed everyone back from summer break.

PRESENTATION

Sarah Meacham, Public Finance Management (PFM), gave an overhead presentation of the Second Quarter 2015 Review of Portfolio Investment Report.

Mayor Harper thanked Ms. Meacham for the presentation.

Director of Public Works/City Engineer Bernal introduced Typhian Rice-Evans who gave an overhead presentation of the Transportation Development Impact Fee Draft Study (PW 644-A)

In response to Council, Mr. Rice-Evans discussed methodology for determining the transportation impact fee, funding mechanisms, and next steps in the process.

Mayor Harper suggested Mr. Rice-Evans discuss the City's transportation needs with Tri-Delta Transit and Dick Loewke.

1. COUNCIL CONSENT CALENDAR

- A. APPROVAL OF COUNCIL SPECIAL MEETING STUDY SESSION MINUTES FOR JUNE 17, 2015
- B. APPROVAL OF COUNCIL MINUTES FOR JULY 28, 2015
- C. APPROVAL OF COUNCIL WARRANTS
- D. REJECTION OF CLAIM
 - 1. April Lujano
- E. ORDINANCE NO. 2105-C-S AMENDING SECTIONS 4-5.1501.4 AND 4-5.1501.5 OF THE ANTIOCH MUNICIPAL CODE AND CHANGING THE PRIMA FACIE SPEED LIMIT ON BUCHANAN ROAD, CANADA VALLEY ROAD, AND SOMERSVILLE ROAD/AUTO CENTER DRIVE (PW 282-3A) (*Introduced on 07/28/15*)
- F. ORDINANCE NO. 2106-C-S WAIVED FIRST READING AND INTRODUCED AN ORDINANCE ADDING CHAPTER 20 TO TITLE 8 OF THE ANTIOCH MUNICIPAL CODE, DEALING WITH EXPEDITED PERMITTING PROCEDURES FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS
- G. RESOLUTION NO. 2015/55 ASSIGNING THE PARKS AND RECREATION COMMISSION TO SERVE AS THE LOCAL BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE (PW 409-4)

- H. **RESOLUTION NO. 2015/56 AUTHORIZING THE CITY MANAGER TO EXECUTE A USE AGREEMENT WITH DELTA 2000 FOR THE RIVERTOWN RESOURCE CENTER**
- I. **RESOLUTION NO. 2015/57, RESOLUTION NO. 2015/58, RESOLUTION NO. 2015,59 PROPERTY ASSESSED CLEAN ENERGY PROGRAMS (PACE) TO OPERATE IN ANTIOCH ADMINISTERED BY CALIFORNIA HOME FINANCE AUTHORITY (YGRENE) PACE PROGRAMS AND ALLIANCE NRG**

On motion by Councilmember Tiscareno, seconded by Councilmember Ogorchock, the City Council unanimously approved the Council Consent Calendar.

Councilmember Rocha thanked Betty Smith for her leadership at Delta 2000.

COUNCIL REGULAR AGENDA

2. FINAL ACCEPTANCE OF PAVEMENT PLUGS AND BASE REPAIRS AT VARIOUS LOCATIONS (PW 328-9)

Director of Public Works/City Engineer Bernal presented the staff report dated August 11, 2015 recommending the City Council adopt a resolution authorizing the Director of Finance to amend the 2014-2015 Capital Improvement Budget to increase Gas Tax funding for the Pavement Plugs and Base Repairs at Various Locations project in the amount of \$210,000 and increase the existing contract with MCK Services, Inc. for this project in the amount of \$209,325.11 for a total of \$2,220,757.11, accepting work and authorizing the Public Works Director/City Engineer to File a Notice of Completion.

Director of Public Works/City Engineer Bernal explained when staff received requests from residents; he put them on a list to prioritize for future improvements.

RESOLUTION NO. 2015/60

On motion by Councilmember Ogorchock, seconded by Councilmember Rocha, the City Council unanimously adopted a resolution authorizing the Director of Finance to amend the 2014-2015 Capital Improvement Budget to increase Gas Tax funding for the Pavement Plugs and Base Repairs at Various Locations project in the amount of \$210,000 and increase the existing contract with MCK Services, Inc. for this project in the amount of \$209,325.11 for a total of \$2,220,757.11, accepting work and authorizing the Public Works Director/City Engineer to File a Notice of Completion.

Councilmember Rocha and Mayor Harper stated they had received positive feedback from the community on the road improvements projects.

3. CONSULTANT CONTRACT WITH CAROLLO ENGINEERS FOR INITIAL PLANNING AND FUNDING ASSISTANCE FOR BRACKISH WATER DESALINATION PROJECT (PW 694)

Director of Public Works/City Engineer Bernal presented the staff report dated August 11, 2015 recommending the City Council adopt a resolution amending the fiscal year 2015/2016 Water Enterprise Fund budget by \$63,718, carrying forward funds designated for this project in fiscal year 2014/2015 and authorize the City Manager to execute a sole source agreement with Carollo Engineers for Phase 1 Initial Planning for a Brackish Water Desalination Project in the amount of \$100,000. Funding for the balance of the purchase is designated in the fiscal year 2015/2016 Capital Improvements expenditure budget.

Lou Carella, representing Carollo Engineers, stated this was an opportunity for the City to optimize their pre-1914 water rights. He noted a business case analysis would consider an engineering component, mitigation for the environmental impact and outside funding to assist with construction.

Mayor Harper thanked Mr. Carella for attending the meeting this evening.

In response to Councilmember Tiscareno, Director of Public Works/City Engineer Bernal stated this process was considering current intake. He noted expanding that was a possibility; however, pre-1914 water rights required the City to utilize water within the City limits. He noted they could assess cost, impact and the process for expansion of capacity to generate revenue.

RESOLUTION NO. 2015/61

On motion by Councilmember Rocha, seconded by Councilmember Ogorchock, the City Council unanimously adopted a resolution amending the fiscal year 2015/2016 Water Enterprise Fund budget by \$63,718, carrying forward funds designated for this project in fiscal year 2014/2015 and authorize the City Manager to execute a sole source agreement with Carollo Engineers for Phase 1 Initial Planning for a Brackish Water Desalination Project in the amount of \$100,000. Funding for the balance of the purchase is designated in the fiscal year 2015/2016 Capital Improvements expenditure budget.

4. BABE RUTH LOAN AGREEMENT

Water Treatment Plant Supervisor Coley presented the staff report dated August 11, 2015 recommending the City Council provide direction regarding the request by Antioch Babe Ruth for annual loan forgiveness.

Ed Davies, President of Antioch Babe Ruth, announced signups for Fall Ball had begun. He reported they would begin using their well once the domestic and well water lines were separated.

Councilmember Rocha thanked Mr. Davies for attending this evening to respond to Council's questions.

Mayor Harper thanked Mr. Davies for overseeing the Antioch Babe Ruth program.

On motion by Councilmember Tiscareno, seconded by Councilmember Rocha, the City Council approved forgiveness of the annual loan in the amount of \$762.92.

5. TRANSPORTATION UPDATE AND PRIORITIES

Director of Public Works/City Engineer Bernal presented the staff report dated August 11, 2015 recommending the City Council receive and file this report, and direct staff regarding the City of Antioch's regional transportation capital project priorities.

Allen Payton, Antioch resident, had no comment as his questions had been answered with the presentation.

Councilmember Rocha and Councilmember Tiscareno agreed that a major emphasis should be placed on promoting Ferry service in Antioch.

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously received and filed the report with direction that the Ferry Terminal be the first priority.

6. DISCUSSION OF RENAMING 'A' STREET AND 'L' STREET

City Manager Duran presented the staff report dated August 11, 2015 recommending the City Council discuss whether or not to rename "A" Street and/or "L" Street and direct staff accordingly.

Lori Cook, Antioch resident, provided the City Council with photos of "A" and "L" Street corridors as well as comments from her facebook page. She stated she did not have an opinion regarding changing the names of the streets; however, both areas were in need of having graffiti, illegal dumping, boarded up homes, panhandling, garbage and homeless issues addressed. She requested the City consider increasing Code Enforcement staff.

Allen Payton, Antioch resident, agreed with Ms. Cook's comments. He noted the concept of the name change was for permanent marketing of downtown Antioch. He reported the Rivertown Business Association was in support of renaming "A" Street to Rivertown Drive and 2nd Street to West or Old Rivertown Drive. He encouraged the City Council to move forward with this matter.

Following discussion, the City Council supported the concept of changing the names of "A" and "L" Streets and agreed to bring the item back for Council consideration following community outreach.

Mayor Harper stated if the street names were changed, he would suggest leaving old signage up temporarily during the transition.

On motion by Councilmember Rocha, seconded by Councilmember Ogorchock, the City Council unanimously directed staff to conduct public outreach regarding the renaming of "A" and "L" Streets and bring back the item in October.

Mayor Harper recognized Lori and Bill Cook for their hard work in cleaning up the community. He stated issues brought up this evening needed to be addressed.

**7. AUTHORIZE RESPONSE TO GRAND JURY REPORT: "COMMUNITY COURTS"
(REPORT 1510)**

Chief Cantando and Captain Brooks presented the staff report dated August 11, 2015 recommending the City Council approve and authorize the Mayor to sign the response to the Grand Jury report: "Community Courts."

Councilmember Ogorchock stated she had observed the community court and felt it was a viable process. Additionally, she stated she had spoken with several City and Judicial officials who supported the program. She suggested the City Council consider implementing the program in Antioch.

Mayor Harper stated he did not support a Community Court for Antioch at this time as it transferred the burden to the local Police Department where resources could be better utilized.

Councilmember Tiscareno stated he did not feel the benefits of a "Community Court" would outweigh the demand on staff at this time. He noted he was willing to readdress this issue in the future.

Mayor Harper read written comment from Iris Archuleta who spoke in support of the staff report recommendation.

Councilmember Ogorchock suggested the letter indicate the City would like to table the matter and reconsider it in the future.

In response to Councilmember Wilson, City Manager Duran gave an overview of the response to the Grand Jury report and explained that it would not prevent the City from reconsidering the matter in the future. He stated he supported staff's recommendation and discussed the importance of deploying City resources strategically and for the highest priorities.

On motion by Councilmember Tiscareno, seconded by Councilmember Wilson, the City Council approved and authorized the Mayor to sign the response to the Grand Jury report: "Community Courts." The motion carried the following vote:

Ayes: Wilson, Tiscareno, Rocha and Harper

Noes: Ogorchock

8. DISCUSSION AND DIRECTION REGARDING CITY COUNCIL COMMITTEES AND APPOINTMENTS

City Manager Duran presented the staff report recommending the City Council review and discuss City Council Committees and Appointments and their functions to determine which committees and appointments should be continued in the present format, discontinued or otherwise changed.

City Manager Duran stated he would reach out to Superintendent Gill to discuss how to move forward with the City/School Relations committee.

In response to Councilmember Rocha, Mayor Harper explained Councilmember Wilson was working with the Chamber of Commerce on the Suburban Poverty Task Force Committee to address homeless issues.

Councilmember Wilson stated with regards to the Sycamore Corridor Committee, Emerald Consulting had launched their Health Wealth Initiative and she sits on that Initiative in her Workforce Development role. She cautioned the City to be mindful of duplication of committees and suggested as an alternative, Council participate as an active liaison or in a leadership role.

Councilmember Rocha suggested Council take a leadership role to address the homeless issue and cleaning up blight in the community.

City Manager Duran clarified liaisons appointed to committees were not bound by the requirements of the Brown Act. He cautioned Council that Code Enforcement work needed to be addressed at a staff level and it may require more resources to deal with the issues.

Mayor Harper agreed with concerns related to panhandling, blight, vandalism, and graffiti. He stated the issue needed to be addressed with compassion. He suggested Antioch Police Department give more attention to this issue.

Councilmember Rocha suggested the City Council adequately fund staff to address this issue.

Councilmember Tiscareno recommended the Graffiti Committee be formalized and expanded to address blight.

A motion was made by Councilmember Ogorchock and seconded by Councilmember Rocha, to direct staff to discontinue the following Council/Appointments/Committee Assignments: ICLEI (International Council for Local Environmental Initiatives), City/School Relations Committee (change to liaison), Historic Preservation Committee, Quality of Life Forum Committee, and Committee on Aging.

Following discussion, the maker of the motion and the second amended the motion as follows:

On motion by Councilmember Ogorchock, seconded by Councilmember Rocha, the City Council unanimously directed staff to discontinue the following Council Appointment/Committee Assignments: ICLEI (International Council for Local Environmental Initiatives), Historic Preservation Committee, Quality of Life Forum Committee, and Committee on Aging.

PUBLIC COMMENTS

Joy Motts, representing the Celebrate Antioch Foundation, encouraged the City Council to advance communications with the Antioch Unified School District. She asked for direction from the Council with regards to their intentions as to the development of the Beede Lumber site and requested the City agendaize consideration of their proposal for the August 25, 2015 meeting.

STAFF COMMUNICATIONS

City Manager Duran reported on his attendance at the Mayor's Conference, Health and Wealth Initiative, and Delta 6 meeting.

COUNCIL COMMUNICATIONS

Councilmember Rocha reported on her attendance at the Antioch Police Department Swearing-in Ceremony and the National Night Out event. She requested staff agendaize direction to the Celebrate Antioch Foundation regarding their proposal for the Beede Lumber Yard parcel.

City Manager Duran responded staff was prepared to take this item to Closed Session under real estate negotiations to discuss proposals received including the Celebrate Antioch Foundation. He explained real property negotiations needed to be addressed in Closed Session rather than through the dais.

Councilmember Tiscareno reported on his attendance at the National Night Out event. He noted he was unable to attend the Antioch Police Department Swearing-in Ceremony due to work obligations; however, he looked forward to meeting the new officers. He requested staff agendaize formalizing and expanding the graffiti committee.

Councilmember Ogorchock reported on her attendance at the Mayor's Conference, the Antioch Police Department Swearing-in Ceremony and National Night out. She requested staff agendaize the following discussion items; six (6) license plate readers for the Sycamore corridor and hiring of an additional Code Enforcement and Community Service Officer. She expressed concern staff had not provided clear and concise information to the Celebrate Antioch Foundation regarding their park/event center proposal for the Beede Lumber parcel. She requested an MOU on this matter be agendaized for the August 25, 2015 City Council meeting.

Councilmember Wilson reported on her attendance at the Neighborhood Cleanup event, National Night Out and Sister City visitation in Chichibu Japan. She requested staff agendaize a presentation from Dr. Sean Wright on the Sister City program.

Mayor Harper reported on his attendance at the Mayor's conference. He requested staff agendaize a discussion on the homeless issue. He congratulated Chief Cantando on the hiring of the new officers and reported on his attendance at National Night Out.

ADJOURNMENT

With no further business, Mayor Harper adjourned the meeting at 10:21 P.M. to the next regular Council meeting on August 25, 2015.

Respectfully submitted:

Kitty Eiden
KITTY EIDEN, Minutes Clerk