

**CITY COUNCIL MEETING
INCLUDING THE ANTIOCH CITY COUNCIL
ACTING AS SUCCESSOR AGENCY/HOUSING SUCCESSOR
TO THE ANTIOCH DEVELOPMENT AGENCY**

**Study Session/Regular Meeting
5:45 P.M.**

**November 24, 2015
Council Chambers**

Mayor Harper called the meeting to order at 5:45 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.

STUDY SESSION – SPECIAL MEETING

1. STRATEGIC PLAN UPDATE AND STATUS REPORT WORKSHOP

Mayor Harper introduced the Strategic Plan Update and Status Report Workshop item.

City Manager Duran presented the staff report dated November 24, 2015 recommending that the City Council review the Draft Strategic Plan Update and Status Report, discuss the Draft and provide staff with a check list of possible changes to be brought back to the City Council for consideration.

Terry Ramus, Antioch resident, provided written comment and reviewed his feedback for the Strategic Plan Update.

Mayor Harper thanked Mr. Ramus for his input.

City Manager Duran suggested Mr. Ramus's comments be included as part of the checklist for Council consideration.

The City Council reviewed the Strategic Management Plan Update and provided the following checklist of items to be brought back for Council consideration:

Long Term Goal A: Crime Reduction

- Proper Technology
- Creation of a restitution process
- Notification system for property owners
- Relocation of Code Enforcement to Antioch Police Department
- Strengthen juvenile curfew
- Re-establishment of the School Resource Officer Unit
- Reduce response times and consider recruiting other agencies after discontinuing dispatch services with Brentwood
- Measures of Success - new hires and quarterly Antioch Police Department updates

Long Term Goal B: (NEW) Emergency Operations

- Include the City Council in emergency planning and training

Long Term Goal C: Animal Control

- Measure of Success – Collaboration with HARP on TNR program

Long Term Goal D: Blight Eradication

- Formation of a Blight and Graffiti Abatement committee
- 48-hour goal for graffiti abatement
- Go Request response times
- Partnership with Republic Waste Services
- Strengthening City's ordinances addressing blight

Long Term Goal G: Improve the City's Business Processes

- Partnership with the Chamber of Commerce, County Workforce Development Board, and County Small Business Development Center
- Increased marketing of the City
- Create Online Resources for Businesses
- Business Retention Program
- Strategic planning of Intersections and Interchanges off of Highway 4
- Prioritize the Ferry Terminal
- Freeway signage such as "Historic Downtown", "Marina", "Boat Launch Area"

Mayor Harper requested an update on the Northern Waterfront Plan.

Long Term Goal H: Planning, Entitlements and Permitting

- Provide photos and renderings of the Specific Plan for the eBART station
- Prioritize the Ferry Terminal, develop a plan including operation and maintenance, from partnerships with East County Cities

Long Term Goal J: Parks and Recreation

- Evaluate parks in need of repairs and upgrades
- Support creative input for alternative recreation opportunities

Councilmember Rocha requested staff provide a report on restroom facilities at neighborhood parks.

Mayor Harper requested an update on the Youth Engagement Program (ACT).

Long Term Goal K: Public Works & Engineering

- Coordination of CDBG, Public Works and Economic Development

- Develop an Internship Program

In response to Councilmember Tiscareno, City Clerk Simonsen gave an update on the City's record management system.

Long Term Goal N: Legal Services

- Hiring a City Attorney

Mayor Harper suggested the City Council consider hiring a Legal Assistant for the City Attorney's office.

Long Term Goal P: Information Systems Services

- Implement the use of portable surveillance cameras for the Antioch Police Department
- Coordination with the City of Pittsburg on surveillance cameras

Councilmember Rocha requested an update for improving programming and public announcements on the City's PEG Channels.

Councilmember Tiscareno requested an update on improving the Council meeting feed for the public.

Mayor Harper questioned if a software program existed to manage constituent's requests to the City Council.

City Manager Duran requested Council email any additional items to him and stated he would attempt to bring this item back for Council consideration in January.

Mayor Harper requested Council consider promoting a strong partnership with Antioch Unified School District, Delta Diablo Sanitation District, and Tri Delta Transit. He suggested the community send their requests for additions to the Strategic Plan to Council or City Manager Duran.

Mayor Harper adjourned the Special Meeting at 6:47 P.M.

Mayor Harper called the meeting to order at 7:02 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.

2. PROCLAMATION

- *East County Regional Group and First 5 Contra Costa, November 21, 2015*

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

The City Council thanked the East County Regional Group and First 5 Contra Costa for their advocacy on behalf of children and partnering with the City of Antioch to improve park facilities.

Mayor Harper presented the *East County Regional Group and First 5 Contra Costa* proclamation to members of the East County Regional Group, First 5 Contra Costa and Healthy and Active Before 5.

Janet Costa, representing East County Regional Group, and Rhea Elina Laughlin, representing First 5 Contra Costa, thanked the City Council for the recognition and their support.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Debbie Blaisure, representing Downtown Merchants and owner of Oddly Unique and Oddly Unique 2, promoted the Small Business Day sale from 10:00 A.M. – 5:00 P.M. on November 28, 2015 and the Holiday Store & Window Décor Contest from November 28 - December 12, 2015. She announced Customer Appreciation Day would be held from 10:00 A.M. – 5:00 P.M. on December 12, 2015.

Melissa Margain, representing Supervisor Mary Piepho office, invited the community to attend the Annual Holiday Party and Open House from 4:00 P.M. – 6:00 P.M. on December 14, 2015 in Brentwood.

Velma Wilson announced the Antioch High School football team would be participating in a playoff game at 7:00 P.M. on November 28, 2015 at Antioch High School. She also announced tickets were available for the Golden State Warriors vs. San Antonio Spurs game on November 30, 2015. Contact information was provided.

Wayne Harrison, Velma Wilson, and Jim Lanter, representing Celebrate Antioch Foundation, announced the Holiday De Lites Parade would begin at 3:30 P.M. on December 5, 2015 and be followed by a lighted boat parade.

Councilmember Ogorchock encouraged residents to shop small businesses throughout Antioch on November 28, 2015. She announced BART Director Joel Keller will present a BART Update on December 1, 2015 from 7:00 P.M. – 8:30 P.M. at the Antioch Community Center.

Councilmember Rocha announced Golden Hills Church would be hosting a free Thanksgiving Day Dinner from 10:30 A.M. - 2:00 P.M. on November 26, 2015 at the American Legion Hall.

City Clerk Simonsen announced he had several items in the lost and found that could be retrieved by contacting the City Clerk's office.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen announced the following Board and Commission openings:

- *Planning Commission: Two vacancies; deadline date is December 11, 2015*
- *Economic Development Commission: One vacancy, deadline date December 11, 2015*

He reported applications would be available in Council Chambers, online at the City's website, at the City Clerk, and Deputy City Clerk's offices.

Mayor Harper announced Administrative Services Director Michelle Fitzer had accepted a position with the City of Pinole as their City Manager.

The City Council thanked Administrative Services Director Fitzer for her professionalism while serving the City of Antioch, wished her well in her new position, and presented her with a bouquet of flowers.

Administrative Services Director Fitzer thanked Council for the recognition and stated it had been a pleasure working for the City of Antioch.

City Manager Duran congratulated Administrative Services Director Fitzer for her appointment as City Manager of Pinole.

PUBLIC COMMENTS

Jim Lanter, Antioch resident and business owner, wished everyone a Happy Thanksgiving. He announced the downtown merchants were attempting to co-op for advertising and marketing of the area. He requested the City consider repairing and maintaining the tree lights and fountain downtown. He noted they would be willing to partner with the City for these endeavors.

Chris Valenta, Antioch resident, wished everyone a Happy Thanksgiving and reported he had observed progress in the feral cat issue. He played a recording from Antioch Animal Services regarding a complaint received against him and stated he believed the message was unprofessional. He suggested planting drought resistant plants in the water fountain downtown.

COUNCIL SUBCOMMITTEE REPORTS

Councilmember Tiscareno reported on his attendance at the TRANSPLAN, ECCRFFA, and Highway 4 meeting.

Councilmember Ogorchock reported she was accepted to the League of California Cities Administrative Policy Committee.

MAYOR'S COMMENTS

Mayor Harper wished everyone a Happy Thanksgiving.

1. **COUNCIL CONSENT CALENDAR for City /City as Successor Agency/Housing Successor to the Antioch Development Agency**
- A. **APPROVAL OF COUNCIL MINUTES FOR NOVEMBER 10, 2015**

- B. APPROVAL OF COUNCIL WARRANTS
- C. APPROVAL OF TREASURER'S REPORT FOR OCTOBER 2015
- D. AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE LEGAL SERVICES AGREEMENT WITH COTA COLE TO EXTEND THE TERM
- E. APPROVAL OF AMENDMENT TO AGREEMENT WITH STEVE DURAN FOR CITY MANAGER SERVICES

City of Antioch Acting as Successor Agency/Housing Successor to the Antioch Development Agency

- F. APPROVAL OF SUCCESSOR AGENCY WARRANTS
- G. APPROVAL OF HOUSING SUCCESSOR WARRANTS

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

COUNCIL REGULAR AGENDA

4. APPOINTMENT TO FILL ONE PARTIAL-TERM VACANCY TO THE SALES TAX CITIZENS' OVERSIGHT COMMITTEE

Mayor Harper appointed Eduardo Cendejas to the Sales Tax Citizens' Oversight Committee for a term expiring in March 2018.

On motion by Councilmember Rocha, seconded by Councilmember Ogorchock, the City Council unanimously approved the appointment of Eduardo Cendejas to the Sales Tax Citizens' Oversight Committee for a term expiring in March 2018.

Eduardo Cendejas stated it was a pleasure to be appointed and to be of service to the City of Antioch.

5. ALLOCATION OF STATE REIMBURSEMENT OF PRE-2004 UNFUNDED MANDATES

Finance Director Merchant presented the staff report dated November 24, 2015 recommending the City Council provide direction on use of reimbursement for prior unfunded State mandates and interest received by the City in the amount of \$883,175.

In response to Councilmember Tiscareno, Director of Public Works/City Engineer Bernal reported staff was currently considering options for repairing the tree lights downtown and this issue would be coming back to Council in January.

City Manager Duran gave a brief overview of the "L" Street redesign process.

Tom Menasco discussed the fundraising program for the Antioch Historical Society fire truck restoration project.

Finance Director Merchant explained approximately \$768,000 in redevelopment funds was under contention with the Department of Finance. She noted the City filed a written petition and a hearing was scheduled in February; however, they were looking at possibility remitting the funds by December 31, 2015 in order to receive the finding of completion to proceed with other items related to redevelopment dissolution.

City Manager Duran added it would be prudent for Council to set-aside these funds pending the outcome of the hearing.

On motion by Councilmember Ogorchock, seconded by Councilmember Rocha, the City Council unanimously directed \$229,377 of the remaining \$441,587 in State mandated reimbursements used for a Habitat Conservation Plan (HCP).

A motion made by Councilmember Rocha, seconded by Mayor Harper, to direct \$75,000 in State mandated reimbursements for consulting services for "L" Street redesigned failed by the following vote:

Ayes: Rocha, Harper

Noes: Wilson, Ogorchock, Tiscareno

On motion by Councilmember Rocha, seconded by Councilmember Tiscareno, the City Council directed \$20,000 of the State mandated reimbursements for restoration of the fire truck recently sold to the Antioch Historical Society. The motion carried the following vote:

Ayes: Harper, Ogorchock, Tiscareno, Rocha

Noes: Wilson

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council directed \$500.00 of the State mandated reimbursements for Sister City activities. The motion carried the following vote:

Ayes: Harper, Ogorchock, Tiscareno, Rocha

Noes: Wilson

On motion by Councilmember Tiscareno, seconded by Councilmember Harper, the City Council directed \$4,300 of the State mandated reimbursements for Antioch Unified School District Deer Valley High School after school library program. The motion carried the following vote:

Ayes: Harper, Tiscareno, Rocha

Noes: Ogorchock, Wilson

On motion by Councilmember Ogorchock, seconded by Councilmember Rocha, the City Council unanimously directed the remainder of the State mandated reimbursements be set aside in reserves for the possibility of a lawsuit pertaining to the redevelopment funds.

6. DISCUSSION OF POSSIBLE PROHIBITION/REGULATION OF MEDICAL MARIJUANA CULTIVATION

City Attorney Galstan presented the staff report dated November 24, 2015 recommending Council hold a study session and direct staff as to its desired course of action.

City Manager Duran stated the State had not provided an adequate amount of time for cities to craft an ordinance that addressed all the issues. He noted it would be easier to prohibit cultivation now and modify the ordinance later, if Council so desired.

Chief Cantando spoke in support of the Council adopting a prohibition ordinance noting that regulating medical marijuana cultivation would negatively impact the Antioch Police Department. He reported the Federal government indicated cultivation and possession of marijuana was illegal and the State and Federal governments conflicted on this issue.

In response to Councilmember Tiscareno, City Attorney Galstan explained the Compassionate Care Act stated it was not illegal to possess a small amount of marijuana if a person was in possession of a medical marijuana card; however, it did not reference selling or cultivation. He noted cities had the opportunity to regulate in that area.

Councilmember Tiscareno stated his concern was if the City had enough information and questioned if there would be legal liabilities regarding people who grow for medicinal purposes.

In response to Council, City Attorney Galstan stated the City had no access to the data bank regarding residents in possession of medical marijuana cards. He clarified the State would not give a permit to cultivate, if the city prohibited cultivation.

Gil Murillo, Antioch resident, spoke in support of the City adopting a prohibition ordinance.

Joseph Salazar, Antioch resident and San Francisco Police Officer, encouraged everyone to read and understand AB266. He spoke in support of the City adopting a prohibition ordinance and offered his assistance in drafting an ordinance.

Chris Valenta, Antioch resident, questioned if the City could generate revenue from an ordinance.

On motion by Councilmember Ogorchock, seconded by Councilmember Rocha, the City Council unanimously directed staff to prepare a prohibition ordinance.

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS - None

COUNCIL COMMUNICATIONS

Councilmember Wilson reported on her attendance at the Veteran's Day ceremonies, Chamber of Commerce Mixer at Servpro, swearing-in at Antioch Police Department, Head

Start 50th Anniversary, Contra Costa County Elected Women's Luncheon, and Contra Loma Park ribbon-cutting.

Councilmember Ogorchock reported on her attendance at Congressman DeSaulnier's Mentor Program, groundbreaking at Pittsburg BART, re-opening of Walmart, Youth Empowerment Gala, and ribbon-cutting for Grocery Outlet.

Councilmember Tiscareno reported he had attended the same community events as Councilmember Wilson and wished everyone a Happy Thanksgiving.

Councilmember Rocha thanked Director of Park and Recreation Kaiser for their partnership with the community stakeholders, for the improvements at Contra Loma Park. She requested staff respond to inquiries she received regarding roosters. She wished the Antioch High School Panthers good luck during the playoffs and wished everyone a Happy Thanksgiving.

Mayor Harper reported on his attendance at the Delta Diablo Sanitation meeting and stated he had attended many other community events. He wished the Antioch High School Panthers and the Golden State Warriors good luck and wished everyone a Happy Thanksgiving.

ADJOURNMENT

With no further business, Mayor Harper adjourned the meeting at 8:54 P.M. to the next regular Council meeting on December 8, 2015.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk