

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

Regular Meeting
7:00 P.M.

January 24, 2017
Council Chambers

5:30 P.M. - CLOSED SESSION

- 1) **CONFERENCE WITH LABOR NEGOTIATORS** – This Closed Session with the City’s Labor Negotiators is authorized by California Government Code § 54957.6; City designated representatives: Nickie Mastay, Denise Haskett and Glenn Berkheimer; Employee organization: Public Employees’ Union Local 1.

- 2) **CONFERENCE WITH LEGAL COUNSEL** – Existing Litigation pursuant to Government Code section 54956.9(d)(1):
 - a. Burch v. City of Antioch, Contra Costa County Superior Court case no. C15-01484;
 - b. Successor Agency to Antioch Development Agency v. Michael Cohen, et. al., Sacramento Superior Court case no. 34-2015-80002092
 - c. Baldwin, et. al. v. City of Antioch, et. al., United States District Court case no. C15-02762 KAW.

- 3) **CONFERENCE WITH LEGAL COUNSEL** – Anticipated Litigation – Significant Exposure to Litigation pursuant to Government Code section 54956.9(d)(2): Receipt of Supplemental Notice of Potential Claim filed by Sierra Valley Construction.

City Attorney Vigilia reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LABOR NEGOTIATORS**, Direction given Labor Negotiators and **#2 CONFERENCE WITH LEGAL COUNSEL**, No reportable action; and, **#3 CONFERENCE WITH LEGAL COUNSEL**, Direction was given to the City Attorney.

Mayor Wright called the meeting to order at 7:02 P.M., and City Clerk Simonsen called the roll.

Present: Council Members Wilson, Ogorchock, Tiscareno, Thorpe and Mayor Wright

PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS

Black History Month, February 2017

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

Director of Park and Recreation Kaiser announced the City had partnered with Rua'h Community Outreach Ministries to host the Black History Month exhibit at the Nick Rodriguez Community Center, Wednesday through Sunday for two weeks beginning February 4, 2017.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Julie Neward, General Manager of Somersville Towne Center introduced members of the management team and discussed their efforts to improve public safety at the mall. Also discussed were marketing events and promotions.

Mayor Wright thanked Ms. Neward for their addition to Antioch.

Director of Park and Recreation Nancy Kaiser announced staff was preparing for the upcoming Water Park season and dedication of the Spray Ground would be held on May 13, 2017. She presented Council with refillable drink cups.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen announced the following Board and Commission openings:

- *Police Crime Prevention Commission: One (1) partial vacancy; deadline date is January 27, 2017*

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

PUBLIC COMMENTS

Marty Fernandez, Antioch resident, presented Council with information on the Assistance with Homeless Act.

Liz Fuller, Antioch Library Manager, introduced herself and provided an update on library services.

Mayor Wright welcomed Ms. Fuller.

COUNCIL SUBCOMMITTEE REPORTS

Councilmember Wilson reported on her attendance at the League of California Cities Policy Committee meetings.

Councilmember Thorpe reported on his attendance at the Mayor's Conference and New Mayor and City Council Academy.

Councilmember Tiscareno reported the Lone Tree Golf Course subcommittee meeting was scheduled for January 30, 2017.

Councilmember Ogorchock reported on her attendance at the League of California Cities committee meetings.

Mayor Wright reported on his attendance at the Delta Diablo meeting, Transportation subcommittee meetings and New Mayor's conference.

MAYOR'S COMMENTS

Mayor Wright announced he had presented his son with the Eagle Scout Award on January 21, 2017.

1. PRESENTATION

City Treasurer Conley introduced Izac Chyou to give the presentation.

Izac Chyou, Public Finance Management (PFM) Senior Managing Consultant, gave an overhead presentation of Investment Performance Review for the Quarter ended December 31, 2016.

Chief Cantando gave a presentation of the Police Statistics for Year 2016 including the following information:

- Part 1 Crime Statistics
- Bureau of Support Services
- Bureau of Field Services
- Current Staffing Levels
- New Developments

He announced a Crab Feed to benefit the Police Explorers would be held March 4, 2017 at the Community Center.

Mayor Wright thanked Chief Cantando for the report and services provided by the Antioch Police Department.

Councilmember Tiscareno thanked Chief Cantando for the report and stated he would support funding to continue proactive details.

Councilmember Ogorchock suggested Council discuss funding for the crime suppression unit during budget discussions. She commended the vehicle abatement team, VIPS and Antioch Police Department for doing a great job.

In response to Councilmember Thorpe, Chief Cantando stated the Antioch Police Department would respond to after hour calls for vehicle abatement issues.

Councilmember Wilson thanked Chief Cantando for the report. She expressed concern that once the City accomplished hiring the funded officer positions, a slowdown in hiring process would create a backlog for filling vacancies.

In response to Councilmember Wilson, Chief Cantando stated he could request cities of similar size provide their crime statistics; however, few cities provided that data for the public. He reported there would be a presentation to Council on the status of Animal Services in February.

Councilmember Thorpe thanked the Antioch Police Department for their hard work.

Mayor Wright stated he supported the Community Engagement Team and thanked the former Council and Antioch Police Department for implementing the unit.

Tim McCall, Antioch resident, expressed concern that Council had not approved Chief Cantando's request for an additional Sergeant position noting it was important for young employees to have good leadership. He further noted a crime free City would facilitate economic development. He thanked Council and the Antioch Police Department for serving the community.

2. **COUNCIL CONSENT CALENDAR for City /City as Successor Agency/Housing Successor to the Antioch Development Agency/Antioch Public Financing Authority**
 - A. **APPROVAL OF COUNCIL MINUTES FOR JANUARY 10, 2017**
 - B. **APPROVAL OF COUNCIL WARRANTS**
 - C. **APPROVAL OF TREASURER'S REPORT FOR DECEMBER 2016**
 - D. **RESOLUTION NO. 2017/08 AMEND THE 2016-2017 CAPITAL IMPROVEMENT BUDGET FOR THE RETAINING WALLS REPLACEMENT PROJECT (P.W. 368-5R)**
 - E. **LEAGUE OF CALIFORNIA CITIES POLICY COMMITTEE MEETINGS HELD ON JANUARY 19 – 20, 2017 IN SACRAMENTO, CA**
 - F. **TECHNICAL TRAINING FOR CLERKS – TTC SERIES 300**
 - G. **CITY OF ANTIOCH COMPREHENSIVE ANNUAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2016**

- H. SINGLE AUDIT REPORTS FOR THE FISCAL YEAR ENDED JUNE 30, 2016
- I. TRANSPORTATION DEVELOPMENT ACT FUND – FINANCIAL STATEMENTS AND INDEPENDENT AUDITORS’ REPORT FOR THE FISCAL YEARS ENDED JUNE 30, 2016

ANTIOCH PUBLIC FINANCING AUTHORITY

- J. ANTIOCH PUBLIC FINANCING AUTHORITY – BASIC FINANCIAL STATEMENTS AND INDEPENDENT AUDITORS’ REPORT FOR THE YEAR ENDED JUNE 30, 2016

CITY OF ANTIOCH ACTING AS SUCCESSOR AGENCY/HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY

- K. APPROVAL OF SUCCESSOR AGENCY WARRANTS
- L. APPROVAL OF HOUSING SUCCESSOR WARRANTS

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council unanimously approved the Council Consent Calendar with the exception of items D, G, H and I, which were removed for further discussion.

Item D – In response to Nancy Fernandez, Antioch resident, Assistant City Manager/Public Works Director/City Engineer Bernal explained this item was the budget amendment for a contract that was awarded at the December 13, 2016 Council meeting. He reported the retaining wall would be an interlocking block wall and if money was recovered from an accident that damaged the existing wall, it would be utilized to pay for this work.

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously approved item D.

Item G – Finance Director Merchant presented the staff report dated January 24, 2017 recommending the City Council receive and file the report.

In response to Councilmember Thorpe, Finance Director Merchant stated she could not foresee the City bridging the gap in sales tax if Measure C were allowed to sunset.

Mayor Wright requested Finance Director Merchant provide Council with the percentage of property tax that was attributed to redevelopment in 2007.

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council unanimously approved item G.

Item H - Finance Director Merchant presented the staff report dated January 24, 2017 recommending the City Council receive and file the report.

Josh Young, Antioch resident, recommended deferring funds for future use.

Mayor Wright responded that there would be opportunity for the public to provide input during budget study sessions.

On motion by Councilmember Thorpe, seconded by Councilmember Wilson, the City Council unanimously approved item H.

Item I - Finance Director Merchant presented the staff report dated January 24, 2017 recommending the City Council receive and file the report.

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, the Council unanimously approved item I.

PUBLIC HEARING

3. RESOLUTION TO VACATE A SURPLUS PUBLIC SERVICE EASEMENT [DOC-2006-0393637] AND QUITCLAIM THE INTEREST TO THE UNDERLYING FEE OWNER, RONCO DEVELOPMENT (PARCELS 3 & 4, MS 357-301-09)

Associate Engineer Warren presented the staff report dated January 24, 2017 recommending that the City Council adopt the resolution to vacate a public service easement [DOC 2006-0393637], quitclaim the interest to the underlying property owner, Ronco Development (Parcels 3 & 4, MS 357-301-09).

In response to Councilmember Wilson, Associate Engineer Warren explained the replacement easement would be recorded at the same time.

Mayor Wright opened and closed the public hearing with no members of the public requesting to speak.

RESOLUTION NO. 2017/09

On motion by Councilmember Wilson, seconded by Councilmember Thorpe, the City Council unanimously adopted the resolution to vacate a public service easement [DOC 2006-0393637], quitclaim the interest to the underlying property owner, Ronco Development (Parcels 3 & 4, MS 357-301-09).

4. FORMATION OF THE PROPOSED CITY OF ANTIOCH COMMUNITY FACILITIES DISTRICT NO. 2016-01 (POLICE PROTECTION)

Assistant City Engineer Filson and City Attorney Vigilia presented the staff report dated January 24, 2017 recommending that the City Council take the following actions: 1) Adopt the Resolution Authorizing Formation of the City of Antioch Community Facilities District (“CFD”) No. 2016-01 (Police Protection); 2) Adopt the Resolution Calling Special Landowner Election; 3) Adopt the Resolution Declaring Results of Special Landowner Election and Directing Recording of Notice of Special Tax Lien; and 4) Introduce the Ordinance Levying Special Taxes within the City of Antioch Community Facilities District No. 2016-01 (Police Protection) by title only.

Assistant City Engineer Filson stated the developer currently grading for their project was conditioned to annex into the CFD or create one. She noted as each additional development came forward they would be required through their Development Agreements to annex into the CFD.

In response to Councilmember Thorpe, City Attorney Vigilia explained the CFD would pay for the incremental increase in police services attributed to new development.

In response to Mayor Wright, City Attorney Vigilia responded that this CFD was for police services and funding for the substation would require authorization for infrastructure through a CFD.

Mayor Wright opened the public hearing.

Gil Murillo, Antioch resident, stated he was opposed to Council approving the Community Facilities District (CFD) No. 2016-01 (Police Protection) noting it would be insufficient to fund police and fire services for the area. He suggested looking at a master plan for the entire area.

Fred Cline, Delizia Ranch, questioned if the CFD would apply to property that remained undeveloped.

City Attorney Vigilia clarified that the CFD would be applied to each residential unit as it was developed.

Mayor Wright closed the public hearing.

RESOLUTION NO. 2017/10
RESOLUTION NO. 2017/11

On motion by Councilmember Tiscareno, seconded by Councilmember Ogorchock, the City Council unanimously adopted the Resolution Authorizing Formation of the City of Antioch Community Facilities District (“CFD”) No. 2016-01 (Police Protection).

On motion by Councilmember Tiscareno, seconded by Councilmember Ogorchock, the City Council unanimously adopted the Resolution Calling Special Landowner Election.

Mayor Wright declared a recess at 9:01 P.M. The meeting reconvened at 9:10 P.M. with all Councilmembers present.

City Clerk Simonsen declared the January 24, 2017 results of the Special Tax Election for Community Facilities District No. 2016-1 (Police Protection) as follows:

- Yes - 170
- No - 0

Mayor Wright opened the public hearing.

RESOLUTION NO. 2017/12

On motion by Councilmember Tiscareno, seconded by Councilmember Ogorchock, the City Council unanimously adopted the Resolution Declaring Results of Special Landowner Election and Directing Recording of Notice of Special Tax Lien.

On motion by Councilmember Tiscareno, seconded by Councilmember Ogorchock, the City Council unanimously introduced the Ordinance Levying Special Taxes within the City of Antioch Community Facilities District No. 2016-01 (Police Protection) by title only.

Mayor Wright closed the public hearing.

COUNCIL REGULAR AGENDA

5. PLANNING COMMISSION APPOINTMENT FOR ONE FULL-TERM VACANCY EXPIRING OCTOBER 2020

Mayor Wright nominated Kenny Turnage II to the Planning Commission for one full-term vacancy expiring October 2020.

On motion by Councilmember Wilson, seconded by Councilmember Tiscareno, the City Council unanimously appointed by resolution, Kenny Turnage II, to the Planning Commission for a full-term vacancy expiring October 2020.

RESOLUTION NO. 2017/13

Mayor Wright encouraged all those who applied to the Planning Commission to reapply for vacancies in the future.

6. AUTHORIZATION TO AMEND THE CONSULTANT CONTRACT WITH ZUMWALT ENGINEERING GROUP TO AN AMOUNT NOT TO EXCEED FOUR HUNDRED THOUSAND DOLLARS (\$400,000)

Assistant City Manager/Director of Public Works/City Engineer Bernal presented the staff report dated January 24, 2017 recommending that the City Council adopt the Resolution to amend the consultant contract with Zumwalt Engineering Group, increasing the contract by \$300,000 to an amount not to exceed four hundred thousand dollars (\$400,000).

In response to Councilmember Thorpe, Assistant City Manager/Public Works Director/City Engineer Bernal explained the City's recruitment process. He noted in addition to the planning projects, the consultant would be reviewing a large plan check for a subdivision.

In response to Mayor Wright, Assistant City Manager/Public Works Director/City Engineer Bernal stated he expected the consultant to be working for approximately 6 months and the work would be paid for by the applicants. He noted the intent was to maximize the new employee's ability to process new projects and supplement current staffing to keep projects moving forward.

Assistant City Engineer Filson added that when a project came in it would be awarded to the contractor after they submitted an estimate of costs. She noted that the contractor had also been performing licensed land surveying work for the City.

RESOLUTION NO. 2017/14

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council adopted the Resolution to amend the consultant contract with Zumwalt Engineering Group, increasing the contract by \$300,000 to an amount not to exceed four hundred thousand dollars (\$400,000). The motion carried the following vote:

Ayes: Wilson, Tiscareno, Ogorchock, Wright

Noes: Thorpe

7. THE MAYOR APPOINT A CITY MANAGER AD HOC RECRUITMENT COMMITTEE TO INTERVIEW RECRUITING FIRMS FOR THE PURPOSE OF SELECTING THE NEXT CITY MANAGER

Mayor Wright presented the staff report dated January 24, 2017 recommending that the Mayor nominate and Council appoint a two (2) member City Manager Ad Hoc Recruitment Committee to interview recruitment firms for the process of selecting the next City Manager.

Councilmember Thorpe and Ogorchock volunteered to serve on the City Manager Ad Hoc Recruitment Committee.

On motion by Councilmember Tiscareno, seconded by Councilmember Wilson, the City Council unanimously appointed Councilmember Thorpe and Ogorchock to serve on the City Manager Ad Hoc Recruitment Committee to interview recruitment firms for the process of selecting the next City Manager.

Councilmember Thorpe commented that Council would ultimately determine the timeline for the City's recruitment efforts.

Mayor Wright thanked Councilmembers Thorpe and Ogorchock for their willingness to serve.

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS

Assistant City Manager/Public Works Director/City Engineer Bernal reported the City would be submitting comments for the WaterFix Project EIR on January 27, 2017.

COUNCIL COMMUNICATIONS

Councilmember Ogorchock stated she would be meeting with Supervisor Burgess regarding the Family Justice Center and she suggested Council consider the composition of the Community Foundation committee.

Councilmember Thorpe suggested Council consider formation of a subcommittee or adhoc committee for the consideration of business incentives.

Mayor Wright thanked Councilmember Wilson for working on the Martin Luther King Jr. celebration.

ADJOURNMENT

With no further business, Mayor Wright adjourned the meeting at 9:34 P.M. to the next regular Council meeting on February 14, 2017.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk