

CITY COUNCIL MEETING

Regular/Special Meeting
7:00 P.M.

November 13, 2014
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 Fitzer, Denise Haskett, and Glenn Berkheimer; Employee organizations: Management Unit, Confidential Unit, Operating Engineers Local Union No. 3 (OE3), Treatment Plant Employees' Association (TPEA), and Public Employees Union Local 1

City Attorney Nerland reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LABOR NEGOTIATORS** – Direction was given to the Labor Negotiators.

Mayor Harper called the meeting to order at 7:03 P.M., and City Clerk Simonsen called the roll.

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

PLEDGE OF ALLEGIANCE

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

PROCLAMATION

16th Delta Blues Festival, September 14, 2014

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

Mayor Harper presented the proclamation to Frank Giovanni and members of the Delta Blues Committee who thanked the City Council for the proclamation. He recognized the volunteers as well as Diane Gibson-Gray and Martha Parsons for dedicating their time to the event.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Claryssa Wilson, Student Body President at Orchard Park School and Vice President of the NAACP Youth and College Division, announced the Dr. Martin Luther King Jr. birthday celebration would be held from 1:00 P.M. – 3:00 P.M. on January 19, 2014 at Antioch High School's Beede Auditorium. Contact information was provided.

Mayor Harper encouraged the community to attend and support the event.

Murkice Carter, and co-owners of Seven Boutique, gave a background of their business and efforts to give back to the community.

Mayor Harper wished Seven Boutique success and encouraged them to continue to support the community.

Velma Wilson, representing the Celebrate Antioch Foundation, announced the Holiday De Lites parade would begin at 4:00 P.M. on Dec 6, 2014 and parade applications were available online at celebrateantioch.org. She noted tree lighting at City Hall and lighted boat show on the river, would take place following the parade. Additionally, Environmental Resource Coordinator, Julie Hass-Wadjowicz was hosting a Holiday De-Lites Craft-in from 12:00 P.M. – 5:00 P.M. on November 24, 2014, at the Antioch Senior Center. Contact information was given.

PUBLIC COMMENTS

Rich Buongiorno, Antioch resident, spoke against the City eliminating furloughs and requested the City Council postpone the item until revenues improved.

Taunyana Baker-Sanchez, Antioch resident, expressed concern regarding unsafe traffic conditions on West 6th and West 10th streets. She suggested various traffic calming measures to improve safety in these areas.

Mayor Harper thanked Ms. Baker-Sanchez for bringing her concerns and suggestions forward. He suggested she discuss this item with Captain Brooks.

Joy Motts, Antioch resident, spoke to the viability of the proposal by Martha Goralka, for consideration of a private/public venture creating an event center at the corner of 2nd and A Streets. She requested a subcommittee be formed to discuss the proposal and the results of the Request For Proposal (RFP) be made public.

Mark Jordan, Antioch resident, thanked the City Council for placing Measure O on the November ballot. He spoke in support of reestablishing the Rental Inspection program and implementing a municipal minimum wage in Antioch.

Lee Ballesteros, representing CRAWDAD, spoke in support of the proposal for an event center plaza in Rivertown and preserving the Nick Rodriguez Theater and Senior Center. She requested the item be put on an agenda for discussion and a subcommittee be formed to work with the City on a private/public partnership.

Lori Ogorchock, Antioch City Councilmember-elect, requested clarification for the City's process for paying the State redevelopment funds. She voiced her support for reallocating the funds set aside to eliminate City furloughs, to hiring more Police and Community Service Officers. She requested the City Council postpone voting on this item until she was seated as a Councilmember.

COUNCIL SUBCOMMITTEE REPORTS

Councilmember Tiscareno reported on his attendance at the Golf Course subcommittee meeting.

MAYOR'S COMMENTS

Mayor Harper reported on his attendance at the following meetings and events: Golf Course Subcommittee meeting, Delta Diablo Sanitation Commission meeting, Tri Delta Transit event, Suburban Poverty Task Force meeting, Economic Development Commission and Park and Recreation Commission interviews, swearing-in of Antioch Police Officers, Veteran's Day event, Mayor's Conference, and the Four 20 Bar and Grill ribbon-cutting.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen announced the deadline for applications for the Police Crime Prevention Commission ended at 5:00 P.M. on November 13, 2014.

PRESENTATIONS

Community Wellness & Prevention Program, presented by Dr. Wendel Brunner, Public Health Director

Dr. Wendel Brunner, Public Health Director, presented the Community Wellness and Prevention Program. He spoke to his desire to partner with cities to improve the quality of life and promote healthy lifestyles for residents. He announced they would be involved in the process of including health in all policies for the northern waterfront project.

Tracey Rattray, MPH, MSW Director Contra Costa Public Health Community Wellness and Prevention Program, invited Mayor Harper and City Manager Duran to attend the Smart Conference or designate representatives to attend on their behalf.

The City Council thanked Dr. Brunner and Tracey Rattray for the presentation.

Police Status Report – Third Quarter 2014, presented by Chief Allan Cantando

Chief Cantando gave a presentation of the Police Statistics for Third Quarter 2014 including the following information:

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

The Council thanked Chief Cantando for the report and the Antioch Police Department for their hard work.

Chief Cantando, speaking to the City of Brentwood terminating their contract, explained City staff had accommodated their request to reduce costs in an effort to keep their business and when notified they were considering terminating their contract, he was taken aback. With regards to reports that complaints were made about dispatch services, he noted he had researched the issue and for the past two years, there had not been any formal complaints filed from Brentwood residents.

Chief Cantando acknowledged the City Council for their support of the Antioch Police Department.

1. **COUNCIL CONSENT CALENDAR**
 - A. **APPROVAL OF COUNCIL MINUTES FOR OCTOBER 28, 2014**
 - B. **APPROVAL OF COUNCIL WARRANTS**
 - C. **APPROVAL OF TREASURER'S REPORT FOR SEPTEMBER 2014**
 - D. **REJECTION OF CLAIMS**
 1. Katherine Lee Hart 14/15-2177 (personal injury, civil rights)
 2. Dia Scott Williams 14/15-2197 (personal injury)
 - E. **RESOLUTION NO. 2014/87 AUTHORIZING THE FILING OF AN APPLICATION FOR A CALRECYCLE GRANT FOR THE PAVEMENT MAINTENANCE, RUBBERIZED CAPE SEAL PROJECT, (P.W. 328-8) AND THE AUTHORIZATION IS TO BE EFFECTIVE FOR FIVE (5) YEARS FROM THE DATE OF ADOPTION OF THE RESOLUTION**
 - F. **RESOLUTION NO. 2014/88 ACCEPTING COMPLETED IMPROVEMENTS FOR NELSON RANCH UNIT 1 (STANDARD PACIFIC HOMES), TRACT NO. 6893 (PW 547)**
 - G. **RESOLUTION NO. 2014/89 APPROVING THE BENEFIT DOCUMENT BETWEEN THE CITY OF ANTIOCH AND THE MANAGEMENT BARGAINING UNIT**
 - H. **RESOLUTION NO. 2014/90 APPROVING THE AMENDED BENEFIT DOCUMENT BETWEEN THE CITY OF ANTIOCH AND THE CONFIDENTIAL EMPLOYEES BARGAINING UNIT**
 - I. **RESOLUTION NO. 2014/91 RESCINDING RESOLUTION NO. 2010/79 REGARDING SALARY DIFFERENTIALS FOR SPECIFIED POSITIONS**
 - J. **CONSIDERATION OF BIDS FOR THE WILLIAMSON RANCH PLAZA WATER MAIN REPLACEMENT (P.W. 650-W)**

On motion by Councilmember Rocha, seconded by Councilmember Tiscareno, the City Council unanimously approved the Council Consent Calendar with the exception of Items G, H and I which were removed for further discussion.

Item G – Sandra McKee, Antioch resident, stated she was opposed to the elimination of employee furloughs until the City was more financially stable and public safety had improved.

Rich Boungiorno, Antioch resident, expressed concern regarding the City's ability to pay the State redevelopment monies owned.

Robin Agopian, Antioch resident, suggested the City Council delay acting on this item until Councilmember-elect Ogorchock was seated.

Mark Jordan, Antioch resident, requested the City Council postpone voting on Consent Calendar Items G, H and I until staff provided a history of what transpired prior to these items coming before Council.

Manuel Soliz Jr., Antioch resident, suggested the City Council postpone voting on Consent Calendar Items G, H and I until more information was provided regarding City revenues and expenditures.

City Manager Duran explained direction was given during Budget Study Sessions to eliminate furloughs as soon as possible and Council approved spending priorities for Measure O on September 23, 2014, which included elimination of employee furloughs. He explained the increase in property tax revenue caused the City to hit the "trigger" which required the City to eliminate furloughs immediately, however the bargaining units agreed to delay until January 11, 2014. With regards to the redevelopment issue, he clarified the City was contesting the issue with the Department of Finance.

Administrative Services Director Fitzner added new statutory requirements require that once the bargaining unit took action to ratify the tentative agreement, the governing body was required to take action within 30 days and if Council did not, they place the City at liability for unfair labor practices

Following discussion, the Council agreed that the citizens' deserved a full service City and based on "trigger" language within the agreement, they were contractually obligated to eliminate furloughs. They recognized all City employees for being instrumental in saving the City from bankruptcy during the financial crisis.

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

Item H – Mark Jordan, Antioch resident, suggested in the future, communication with the residents be better prepared and dispersed to the community.

Manuel Soliz Jr., requested the City Council postpone voting on this item and stated he would be willing to discuss his suggestions to improving service to the community.

Ken Turnage, Antioch resident, expressed concern the City had not disclosed that they were considering eliminating furloughs prior to the election.

City Manager Duran reiterated Council had expressed their desire to eliminate furloughs during Budget Study Sessions and they had approved spending priorities at the September 23, 2014 Council meeting. He noted this item was a contractual obligation based on the “trigger” contained within the agreement.

Following discussion, the Council reiterated their support for approving the amended benefit document.

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

Item I – Marty Fernandez stated he was opposed to Item I and felt all employee contract negotiations should be held in public.

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

Mayor Harper declared a recess at 9:24 P.M. The meeting reconvened at 9:37 P.M. with all Councilmembers present.

Finance Director Merchant clarified the \$1.8M in redevelopment money was not a general fund obligation and did not affect this evening’s previous budget discussion.

COUNCIL REGULAR AGENDA

3. APPROPRIATION OF EXPENDITURES FOR ENCUMBRANCES AND PROJECT BUDGETS OUTSTANDING AS OF JUNE 30, 2014 TO THE 2014/15 FISCAL YEAR BUDGET AND OTHER BUDGET AMENDMENTS

Finance Director Merchant presented the staff report dated November 13, 2014 recommending the City Council adopt the resolution of the City Council of the City of Antioch appropriating expenditures for encumbrances and project budgets outstanding to the 2014/15 fiscal year budget and approving amendments to the 2015 fiscal year budget.

Mayor Harper suggested the City Council review the Budget Policy during upcoming Budget Study Sessions.

Allen Payton, Antioch resident, stated he felt the budget did not address adequate staffing for the Antioch Police Department. He questioned if redevelopment funds could be paid back over time or by the sale of Humphrey’s restaurant.

Finance Director Merchant reiterated the \$1.8M in prior redevelopment money was not a general fund obligation. She noted there was another \$1M in bond funds which the Department of Finance had indicated the City did not need to give back to the State.

RESOLUTION NO. 2014/92

On motion by Councilmember Tiscareno, seconded by Councilmember Wilson, the Council unanimously adopted the resolution of the City Council of the City of Antioch appropriating expenditures for encumbrances and project budgets outstanding to the 2014/15 fiscal year budget and approving amendments to the 2015 fiscal year budget.

4. CARD ROOM ORDINANCE

City Manager Duran presented the staff report dated October 28, 2014 recommending the City Council discuss and provide direction to staff.

Martha Parsons, Antioch resident, voiced her support for future card room applications to be vetted through the State prior to the Council considering applications.

Chief Cantando discussed the challenges card rooms pose from a law enforcement standpoint and noted fewer numbers of these types of establishments, were better for the City.

Following discussion, the City Council directed City Attorney Nerland to bring back the card room ordinance with the following changes: The City shall require card room applicants to acquire State Licenses prior to City approval of a City License and the total number of card rooms within the City shall be limited to two.

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS

City Manager Duran reported on his attendance at the swearing-in of new Police Officers, the Veteran's Day Parade and Mayor's conference.

COUNCIL COMMUNICATIONS

Councilmember Tiscareno reported he had attended a number of community events and he looked forward to attending more.

Councilmember Rocha acknowledged Lori Cook for cleaning up the downtown area prior to the Veteran's Day parade and thanked Don Freitas for spearheading the effort to pass Measure O.

Councilmember Wilson reported she had attended several community events.

At the request of Councilmember Wilson and with Council consensus, the City Council directed staff to agendize consideration of reestablishing the Youth Council.

Mayor Harper congratulated Councilmember Tiscareno for his reelection.

ADJOURNMENT

With no further business, Mayor Harper adjourned the meeting in Memory of Contra Costa Water District Director Karl Wandry at 10:31 P.M. to the next regular Council meeting on November 25, 2014.

Respectfully submitted:

Kitty Eiden
KITTY EIDEN, Minutes Clerk