

CITY COUNCIL MEETING

Regular Meeting
7:00 P.M.

March 8, 2016
Council Chambers

6:00 P.M. - CLOSED SESSION

- 1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION** – This Closed Session is authorized by California Government Code §54957 – City Manager.
- 2. CONFERENCE WITH LEGAL COUNSEL** – Existing Litigation pursuant to California Government Code §54956.9 (d)(1): Mark Jordan vs. City of Antioch, Contra Costa Superior Court Case No. C16-00372.

Interim City Attorney Galstan reported the City Council had been in Closed Session and gave the following report: **#1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION**, No reportable action; and, **#2 CONFERENCE WITH LEGAL COUNSEL**, Direction was given to staff.

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.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Councilmember Ogorchock announced a Lose-A-Lawn Workshop would be held on March 19, 2016 at Prewett Park.

Councilmember Rocha announced U.S. Representatives McNerney and DeSaulnier would be hosting a Town Hall Meeting at 6:00 P.M. on March 9, 2016 at Antioch Middle School.

1. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen announced the following Board and Commission openings:

- Sales Tax Citizens' Oversight Committee: Three (3) vacancies; deadline date is March 11, 2016
- Board of Administrative Appeals: One Alternate (1) vacancy; deadline date is March 11, 2016
- Contra Costa Mosquito & Vector Control Board of Trustees: One (1) vacancy; deadline date is March 11, 2016
- Economic Development Commission: One (1) vacancy; deadline date is March 25, 2016

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.

Mayor Harper requested item #5 moved to immediately after Public Comment.

On motion by Councilmember Tiscareno, seconded by Councilmember Rocha, the City Council unanimously moved agenda item **#5 NEW CITY ATTORNEY APPOINTMENT**, to directly after Public Comments.

PUBLIC COMMENTS

Debra Vinson, Antioch Unified School District Trustee, complimented the Antioch Police Department for the Legos and the Law event and for their quick response to an incident.

Jim Boccio, Antioch resident, expressed concern regarding public safety at the railroad tracks between "F" Street and McElheny Road. He suggested the City consider installing a railroad crossing in the area and stated he would be willing to serve on a committee to address this issue.

Lisa Cox, Antioch resident, expressed concern regarding blight and homelessness. She questioned how the City Council planned to address these issues.

Frank Whitney, Antioch resident, submitted written comment regarding deteriorating roadways in the City.

Mayor Harper stated he would forward Mr. Whitney's concerns to Director of Public Works/City Engineer Bernal for follow up.

COUNCIL REGULAR AGENDA

5. NEW CITY ATTORNEY APPOINTMENT

Mayor Harper presented the staff report dated March 8, 2016 which recommended the City Council adopt a motion appointing Michael Vigilia as City Attorney; approving the Agreement with Michael Vigilia for City Attorney Services and authorizing the Mayor to sign the Agreement.

On motion by Councilmember Rocha, seconded by Councilmember Ogorchock, the City Council unanimously adopted a motion appointing Michael Vigilia as City Attorney; approving the Agreement with Michael Vigilia for City Attorney Services and authorizing the Mayor to sign the Agreement.

Mr. Vigilia introduced himself and stated he looked forward to serving the community of Antioch and joining the team at City Hall.

MAYOR'S COMMENTS

Mayor Harper and the City Council recognized Nasim Lawrence, 10 year old Antioch resident, for returning property he found to the owner and presented him with a Certificate of Recognition.

Erica Rodriguez, representing Assemblyman Frazier, recognized Nasim Lawrence and presented him with a Certificate of Recognition "Everyday Hero Award" and pin from the California State Assembly. She invited Nasim and his family to visit the State Capital and presented them with an invitation to the VFW dinner.

Mayor Harper presented Nasim with the Mayor's pin.

A representative from Congressman DeSaunier, presented Nasim with a Certificate of Special Congressional Recognition.

Velma Wilson, representing Antioch Schools Foundation Association, presented Nasim with an award and thanked him for his random act of kindness.

Mr. and Mrs. Lawrence thanked everyone for honoring their son.

COUNCIL SUBCOMMITTEE REPORTS

Councilmember Wilson reported on her attendance at the Mello Roos meeting.

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

Councilmember Tiscareno announced a TRANSPLAN meeting would be held on March 10, 2016 and a Contra Costa Transportation Authority meeting would be held on March 9, 2016.

Councilmember Rocha reported on her attendance at the Tri Delta Transit meeting.

Mayor Harper announced a Delta Diablo Sanitation District meeting would be held on March 9, 2016 and they had received the Catalyst Award from the East Bay Economic Alliance. He reported on his attendance at a Tri Delta Transit meeting, Mayor's conference and a ribbon-cutting at Fellowship Church.

1. COUNCIL CONSENT CALENDAR

A. APPROVAL OF COUNCIL MINUTES FOR FEBRUARY 9, 2016

B. APPROVAL OF SPECIAL MEETING/CLOSED SESSION MINUTES FOR FEBRUARY 19, 2016

C. APPROVAL OF COUNCIL MINUTES FOR FEBRUARY 23, 2016

D. APPROVAL OF COUNCIL WARRANTS

- E. REJECTION OF CLAIMS: E.J. SMITH, BARI COSTELLO AND STACY BROWN**
- A) Approve the following application to file a late claim: E.J. Smith – application to file a late claim was received on February 11, 2016; and
 - B) Reject the following claims:
 - 1. Bari Costello – Claim was received on May 19, 2015.
 - 2. E.J. Smith – Claim was received on February 11, 2016.
 - 3. Stacy Brown – Claim was received on February 16, 2016.
- F. RESOLUTION NO. 2016/21 FINAL ACCEPTANCE OF CURB RAMPS IMPROVEMENTS (P.W. 409-4)**
- G. RESOLUTION NO. 2016/22 APPROVING ONE (1) LEGAL SECRETARY POSITION IN THE FY2016/17 AND AUTHORIZING THE APPROPRIATE BUDGET ADJUSTMENT**
- H. RESOLUTION NO. 2016/23 APPROVING THE CLASS SPECIFICATION AND SALARY SCHEDULE FOR ASSISTANT-ASSOCIATE-SENIOR PUBLIC WORKS TECHNICIAN**
- I. TECHNICAL TRAINING FOR CLERKS - TTC SERIES 100**

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously approved the Council Consent Calendar with the exception of Item I, which was removed for further discussion.

Item I – In response to Councilmember Ogorchock, City Manager Duran reported it was Clerk Simonsen’s choice whether to seek reimbursement for items Council approved for travel. He noted the City Clerk received a monthly car allowance; however, he did not receive phone reimbursement and that policy could be changed by Council.

Councilmember Ogorchock suggested Mr. Simonsen’s travel, on behalf of the City, be brought forward to the City Council for consideration of reimbursement.

City Clerk Simonsen discussed the staff report and provided a summary of his proposed future budget amendments. He noted he would follow Council procedures when requesting reimbursement for his travel in the future.

City Manager Duran added if Council wished to reimburse City Clerk Simonsen for his expenses beyond the scholarship, it would require Council approval. He noted money for this purpose could be transferred from the City Manager’s budget.

Councilmember Rocha suggested Council review the next budget to determine where it would be appropriate to allocate funds for educational training.

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the Council unanimously approved reimbursing City Clerk Simonsen for out of pocket expenses for this Technical Training Conference for Clerks.

PUBLIC HEARING

3. RESOLUTION EXTENDING THE TEMPORARY CLOSURE OF EMPIRE MINE ROAD BETWEEN MESA RIDGE DRIVE AND DEER VALLEY ROAD

City Clerk Simonsen announced the City had received letters from Duane Martin Jr. Livestock and Louisa Zee Kao regarding the Zeka property. He noted copies were made available to Council, staff and to the public.

Director of Public Works/City Engineer Bernal presented the staff report March 8, 2016 recommending that the City Council conduct a public hearing and approve the resolution extending the temporary closure of Empire Mine Road between Mesa Ridge Drive and Deer Valley Road for an additional period of eighteen (18) months as a continued measure to reduce criminal activity in the area. He noted the letters received regarding this item were requests for additional enforcement in the area.

Following discussion, Director of Public Works/City Engineer Bernal stated he would look at more secure fencing to help prevent dumping and trespassing in the area.

Chief Cantando reported the Antioch Police Department responded to calls for service and patrolled this area. He stated Jack Roddy had indicated he was pleased with enforcement efforts occurring in the area and noted at times the property owner was responsible for opening the gates.

Councilmember Tiscareno stated he supported more secure fencing.

Mayor Harper opened and closed the public hearing, with no speakers requesting to speak.

RESOLUTION NO. 2016/24

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously approved the resolution extending the temporary closure of Empire Mine Road between Mesa Ridge Drive and Deer Valley Road for an additional period of eighteen (18) months as a continued measure to reduce criminal activity in the area.

4. RESOLUTION EXTENDING THE TEMPORARY CLOSURE OF MCELHENY ROAD BETWEEN EAST 6TH STREET AND FULTON SHIPYARD ROAD

Director of Public Works/City Engineer Bernal presented the staff report March 8, 2016 recommending that the City Council conduct a public hearing and approve the resolution extending the temporary closure of McElheny Road between East 6th Street and Fulton Shipyard

Road for an additional period of eighteen (18) months as a measure to reduce criminal activity in the area.

Mayor Harper opened and closed the public hearing, with no speakers requesting to speak.

RESOLUTION NO. 2016/25

On motion by Councilmember Wilson, seconded by Councilmember Ogorchock, the City Council unanimously approved the resolution extending the temporary closure of McElheny Road between East 6th Street and Fulton Shipyard Road for an additional period of eighteen (18) months as a measure to reduce criminal activity in the area.

COUNCIL REGULAR AGENDA

6. SENATE BILL 876 (LIU) ENFORCEMENT OF LOCAL ORDINANCES, INCLUDING ISSUES RELATED TO HOMELESSNESS

City Manager Duran presented the staff report dated March 8, 2016 recommending the City Council authorize the Mayor to sign a letter opposing Senate Bill 876, which would preempt local authority to address important issues affecting public health and safety, including issues related to homelessness.

Interim City Attorney Galstan recommended the City Council authorize the Mayor to sign the letter opposing Senate Bill 876.

On motion by Councilmember Rocha, seconded by Councilmember Ogorchock, the City Council unanimously authorized the Mayor to sign a letter opposing Senate Bill 876, which would preempt local authority to address important issues affecting public health and safety, including issues related to homelessness.

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS

City Manager Duran reported on his attendance at the State Route 160 ramp and Fellowship Church ribbon-cuttings, Mayor's Conference and a meeting at the Friday Morning Breakfast Club. He announced he would be attending the Chamber of Commerce Gala on March 11, 2016.

COUNCIL COMMUNICATIONS

Councilmember Rocha congratulated Councilmember Wilson on receiving the East Bay Leadership Award and California Women's Caucus Rising Star. She requested staff provide an update on homeless issues at the shopping center located at Buchanan Road and San Jose Drive.

Councilmember Tiscareno reported on his attendance at the State Route 160 ramp ribbon-cutting. He sympathized with residents regarding blight in the Somersville corridor and noted the City had been attempting to address the situation. He encouraged residents to continue to report their concerns to the City and property owner.

Councilmember Ogorchock reported on her attendance at the 100 years for Troop #151 event. She requested an update regarding the development of a disc golf course at Prewett Park.

Councilmember Wilson reported on her attendance at the Antioch Police Department promotional ceremony, State Route 160 ramp and Fellowship Church ribbon-cuttings, Read Across America, East Bay Earn and Learn Breakfast, and Neighborhood Cleanup event.

Mayor Harper reported he had attended several events that were mentioned and he had the honor of swearing-in the new Antioch Police Department officers and participating in the Promotional Ceremony. In addition, he noted he had attended the Black History event honoring Thomas Gaines.

ADJOURNMENT

With no further business, Mayor Harper adjourned the meeting at 8:04 P.M. to the next regular Council meeting on March 22, 2016.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk