

CITY COUNCIL MEETING

Regular Meeting
7:00 P.M.

September 13, 2016
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 organizations: Antioch Police Officers' Association and Operating Engineers Local Union No. 3 (OE3).
- 2. CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION** – Potential Litigation pursuant to California Government Code §54956.9 (d)(4): Water Rights BDCP/WaterFix (Bay Delta Conservation Plan/WaterFix)
- 3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to California Government Code §54956.8; Property – Humphrey's Restaurant: Agency Negotiator – City Manager; Parties – Dorothy Everett and John Jernegan.

City Attorney Vigilia 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, **#2 CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION**, Direction was given to Legal Counsel; and, **#3 CONFERENCE WITH REAL PROPERTY NEGOTIATORS**, Direction was given to staff.

Mayor Harper called the meeting to order at 7:04 P.M., in honor of his mother's birthday. Minutes Clerk Eiden 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.

Mayor Harper announced agenda item #10 would be heard after the Consent Calendar.

1. PROCLAMATIONS

California Coastal Clean Up Day, September 17, 2016
18th Annual Delta Blues Festival, September 17, 2016

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno the Council unanimously approved the Proclamations.

Councilmember Wilson presented the California Coastal Cleanup Day proclamation to Director of Parks and Recreation Kaiser and Environmental Resource Coordinator Haas-Wajdowicz who thanked the Council for the proclamation. They stated staff was committed to making this a successful event and encouraged the community to participate.

Mayor Harper thanked staff for organizing the Coast Cleanup event.

Councilmember Rocha announced she would be overseeing the cleanup of the Fulton Shipyard area.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Betty Smith, Antioch Rivertown Jamboree, invited the community to attend the Delta Thunder Boat Show from 11:00 A.M. – 5:00 P.M. on October 1 and 2, 2016. She noted the opening ceremony would begin at 10:00 A.M. and would be honoring former Councilmember Gary Agopian.

Velma Wilson, Antioch Schools Education Foundation, announced the 17th Annual Historical Black College and Universities (HBCU) recruitment fair was held at Deer Valley High School on September 13, 2016. She thanked Mayor Harper, Councilmembers Ogorchock and Wilson for attending as well as stakeholders who hosted the event. She also announced the Mary Allan Fellows Awards Dinner would be held from 4:00 P.M. – 7:00 P.M. on September 20, 2016 at the Lone Tree Golf and Event Center. Contact information was provided. She encouraged residents to support the Rivertown Jamboree on October 1 and 2, 2016.

Councilmember Ogorchock announced the Holy Rosary Harvest Fair would be held at 6:00 P.M. on September 16 and 17, 2016.

Mayor Harper reported 41 Colleges were represented at the Historical Black College and Universities (HBCU) recruitment fair.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

Mayor Harper announced the following Board and Commission openings:

Contra Costa County Library Commission; deadline date is September 23, 2016
Planning Commission: Two (2) vacancies; deadline date is September 30, 2016

He stated applications would be available online at the City's website and at the City Clerk's and Deputy City Clerks offices.

PUBLIC COMMENTS

Ken Lee discussed the city of Galt's efforts to mitigate noise impacts from Walmart and gave a brief history of the Chinese in Antioch.

Michael Amorosa, representing Save the Yard, spoke in support of an event center on the Beede Lumber yard parcel and requested Council pass an ordinance dedicating the space as an open space park and event center.

Greg Enholm, Contra Costa Community College District, invited the Council and public to the State of the District events. The schedule of events was made available in Council Chambers.

Sharon Bennett, Antioch resident, expressed concern regarding the Antioch Animal Shelter and spoke in support of hiring a shelter manager, veterinarian and vet tech for the facility.

Earlene Lanter spoke in support of developing the Beede Lumber Yard site as an event center and requested the item be placed on the City Council agenda. She suggested public forums be held quarterly.

Sal Sbranti reiterated his concerns regarding Measure "C" fund usage and stated he felt this issue needed to be investigated.

Dave Ferrise, Antioch resident, congratulated Mayor Harper on his mother's birthday and for being cancer free. He expressed concern the Antioch Animal Shelter was not utilizing the petfinder and pethelper programs.

Majella Smith stated she represented a group of people from the community concerned about the Antioch Animal Shelter and discussed the importance of identifying, registering and exposing the animals to the community so their owners could find them.

Rick Stadtlander thanked Lamar Thorpe for participating in the candidate forum. He announced Councilmembers Rocha and Wilson spoke in support of the voters deciding what to develop on the Beede Lumber Yard parcel and suggested they take action to place this item on the agenda. He thanked candidate Karl Dietzel for his support of Save the Yard. He requested staff publish the results of the recent phone survey.

Barbara Sobalvarro reported the Antioch Police Department and Animal Shelter Open House was a very successful event. She announced their adoption promotion would be held throughout the month of September. She spoke in support of the Antioch Police Department as well as the shelter staff and volunteers.

Fred Rouse, Antioch resident, commended everyone responsible in locating the alleged perpetrators of the recent hate crime. He recommended the City agendize a discussion on the Beede Lumber Yard parcel to determine the feasibility of an event center on the property.

Louis Lujan, Antioch resident, requested the City's assistance in reestablishing water services to his residence.

Mayor Harper stated he would provide Mr. Lujan's information to City Manager Duran for follow-up.

PROCLAMATION - Continued

18th Annual Delta Blues Festival, September 17, 2016

Councilmember Ogorchock presented the proclamation to Frank Giovanni who recognized the sponsors, City staff and volunteers for their help in bringing this event to Antioch. He announced scholarship flyers were available this evening. He stated the event would begin at 12:00 P.M. on September 17, 2016. He played and sang a song for the audience.

COUNCIL SUBCOMMITTEE REPORTS

Councilmember Tiscareno reported on his attendance at the State Route 4 Bypass Authority and East Contra Costa County Regional Fee & Financing Authority meetings.

Councilmember Rocha announced there would be an eBART tour from 5:00 P.M. – 7:00 P.M. on September 21, 2016.

MAYOR'S COMMENTS

Mayor Harper thanked Fred Rouse for complimenting the Antioch Police Department for their efforts. He reported the victim of the hate crime had been visited by the entire City Council and they were thankful for everyone who offered their support.

PRESENTATION

Members of the Police Crime Prevention Commission in attendance this evening introduced themselves.

Police Crime Prevention Commission Chair Harry Thurston gave an overhead presentation of the Business Watch Program and requested Council support implementation of the program. Business Watch folders were distributed to Council. He stated their vision was to enhance the Neighborhood and Business Watch programs by eventually adding Park and School Watch programs.

Mayor Harper suggested considering a Crime Free Business program.

Following discussion, Council voiced their support of the Business Watch Program and encouraged the Commission to report back on its success.

- 1. COUNCIL CONSENT CALENDAR**
 - A. APPROVAL OF COUNCIL MINUTES FOR AUGUST 9, 2016**
 - B. APPROVAL OF COUNCIL MINUTES FOR AUGUST 23, 2016**
 - C. APPROVAL OF COUNCIL WARRANTS**

- D. REJECTION OF CLAIMS: WILLIAM LEGGAT, D.C., CO-SUCCESSOR-IN-INTEREST TO DECEDENT DEMARCO CHILD, LINDA BIGGS AND MAX COOPER
- E. RESOLUTION NO. 2016/91 GREENHOUSE GASES EMISSION INVENTORY FOR 2010 AND 2015 AND UPDATED 2005 INVENTORY
- F. RESOLUTION NO. 2016/92 AND SA2016-22 CONFLICT OF INTEREST CODE FOR THE CITY OF ANTIOCH AND CITY AS SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT AGENCY
- G. RESOLUTION NO. 2016/93 DELEGATION OF AUTHORITY FOR DISABILITY RETIREMENT CLAIMS APPLICATIONS FOR CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM (CALPERS)
- H. CITY CLERKS WORKSHOP AND LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

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

Item F – City Attorney Vigilia presented the staff report and redlined versions of the exhibits dated September 13, 2016.

On motion by Councilmember Ogorchock, seconded Councilmember Rocha, the City Council unanimously approved item F.

10. UTILITY BOX PAINTING PRESENTATION AND DISCUSSION

Trine Gallegos introduced Breeona McMilin, Karina Vargas and Ayesha Shaikh from Antioch High School who presented exhibits displaying their designs for the Utility Box Painting project.

On motion by Councilmember Ogorchock, seconded by Councilmember Rocha, the City Council unanimously approved the project and gave permission for it to move forward.

Mayor Harper declared a recess at 8:36 P.M. The meeting reconvened at 8:49 P.M. with all Councilmembers present.

PUBLIC HEARING

3. LAUREL RANCH SUBDIVISION (PD-15-03) (PW 698)

Community Development Director Ebbs presented the staff report dated September 13, 2016 recommending the City Council take the following actions: 1) Adopt the resolution approving the Addendum to the Future Urban Area #2 Specific Plan Final Environmental Impact Report. 2)

Introduce the ordinance approving a Development Agreement between the City of Antioch and Richland Planned Communities, Inc. 3) Introduce the ordinance rezoning the project site from Planned Development (PD) District to Planned Development District (PD-15-03). 4) Adopt the resolution approving a Vesting Tentative Map/Final Development Plan (PW 698), subject to conditions of approval.

Mayor Harper opened the public hearing.

Clifton Taylor, Richland Planned Communities, Inc. gave a PowerPoint of the Laurel Ranch project and thanked staff for collaborating with them.

Councilmember Ogorchock suggested street sweeping signs be installed and the retaining walls depict an artistic element representative of the Antioch's history or culture. Additionally, she suggested in the future, the City consider a police department substation in southeast Antioch, cameras at the entrances of developments and the formation of a CFD to mitigate school impacts. She recommended the Project Labor Agreement have a 50% local hire and 25% Helmets to Hardhats workforce.

Councilmember Rocha spoke in support of the project.

Tom Lawson, Assistant Business Managers Plumbers & Steamfitters Local 159, Jim Foley, I.B.E.W Local 302 and John Malchom Jr. spoke in support of the Laurel Ranch project.

Mayor Harper closed the public hearing.

RESOLUTION NO. 2016/94
RESOLUTION NO. 2016/95

On motion by Councilmember Ogorchock, seconded by Councilmember Rocha, the City Council unanimously 1) Adopted the resolution approving the Addendum to the Future Urban Area #2 Specific Plan Final Environmental Impact Report. 2) Introduced the ordinance approving a Development Agreement between the City of Antioch and Richland Planned Communities, Inc. 3) Introduced the ordinance rezoning the project site from Planned Development (PD) District to Planned Development District (PD-15-03). 4) Adopted the resolution approving a Vesting Tentative Map/Final Development Plan (PW 698), subject to conditions of approval.

COUNCIL REGULAR AGENDA

4. LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE RESOLUTIONS PACKET

City Manager Duran and Administrative Services Director Mastay presented the staff report dated September 13, 2016 recommending that the City Council review and discuss the League of California Cities Annual Conference Resolutions Packet and provide direction to the voting delegate (Mayor Pro Tem Ogorchock).

Following discussion, the City Council directed Mayor Pro Tem Ogorchock to consider the financial impacts of Vision Zero and based on that information determine how the City should vote on the resolution.

Councilmember Ogorchock stated she believed this item was informational and no cost was associated.

On motion by Councilmember Tiscareno, seconded by Councilmember Rocha, the City Council directed Mayor Pro Tem Ogorchock to consider the financial impact of supporting Vision Zero and based on that information determine how the City should vote on the resolution.

5. RESOLUTION APPROVING THE CLASS SPECIFICATION UPDATES FOR THE LOCAL 1 BARGAINING UNIT WITH NO SALARY CHANGES

Administrative Services Director Mastay presented the staff report dated September 13, 2016 recommending the City Council adopt a resolution approving class specification updates for the Local 1 Bargaining Unit with no salary changes.

RESOLUTION NO. 2016/96

On motion by Councilmember Rocha, seconded by Councilmember Ogorchock, the City Council unanimously adopted a resolution approving class specification updates for the Local 1 Bargaining Unit with no salary changes.

6. PUBLIC WORKS DEPARTMENT STAFFING REQUEST

Administrative Services Director Mastay presented the staff report dated September 13, 2016 recommending the City Council adopt the following resolutions: 1) Resolution approving one (1) Project Manager position and authorizing the appropriate budget adjustment. 2) Resolution approving one (1) Senior Public Works Inspector position and authorizing the appropriate budget adjustment. 3) Resolution approving one (1) GIS Coordinator position and authorizing the appropriate budget adjustment. 4) Resolution approving two (2) Senior Administrative Assistant positions and authorizing the appropriate budget adjustment.

Assistant City Manager/Public Works Director/City Engineer Bernal explained if there were cost increases they would be funded from the water, sewer, and gas tax funds with a small portion from the General Fund. He clarified none of these proposed positions would cause rate increases.

Councilmember Ogorchock stated she did not support utilizing General Fund monies that could be expended to fund public safety items and noted fees referenced to offset costs were not guaranteed funds.

Councilmember Rocha stated she understood Councilmember Ogorchock concerns; however, the City had been understaffed and water quality issues and state mandates were very important.

Councilmember Tiscareno stated he supported the following motion and suggested adding a condition that General Fund monies would not be expended unless unavoidable.

Mayor Harper stated the City should always look for ways to make positions cost neutral. He noted it was important to support employees and be fiscally prudent.

Councilmember Rocha clarified that Measure C monies were not being expended for this use.

RESOLUTION NO. 2016/97
RESOLUTION NO. 2016/98
RESOLUTION NO. 2016/99
RESOLUTION NO. 2016/100

On motion by Councilmember Rocha, seconded by Councilmember Wilson, the City Council adopted the following resolutions: 1) Resolution approving one (1) Project Manager position and authorizing the appropriate budget adjustment. 2) Resolution approving one (1) Senior Public Works Inspector position and authorizing the appropriate budget adjustment. 3) Resolution approving one (1) GIS Coordinator position and authorizing the appropriate budget adjustment. 4) Resolution approving two (2) Senior Administrative Assistant positions and authorizing the appropriate budget adjustment. The motion carried the following vote:

Ayes: Wilson, Tiscareno, Rocha, Harper

Noes: Ogorchock

7. RESOLUTION ACCEPTING A \$400,000 GRANT FROM THE STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS FOR THE MARINA BOAT LAUNCH FACILITY RESTROOM (P.W. 523-16R)

Assistant City Manager/Public Works Director/City Engineer Bernal presented the staff report dated September 13, 2016 recommending the City Council adopt a resolution authorizing the City Manager to sign the Division of Boating and Waterways (DBW), Harbors and Watercraft Revolving Fund Program Funding Agreement in the amount of \$400,000 for the Marina Boat Launch Facility Restroom.

RESOLUTION NO. 2016/101

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously adopted a resolution authorizing the City Manager to sign the Division of Boating and Waterways (DBW), Harbors and Watercraft Revolving Fund Program Funding Agreement in the amount of \$400,000 for the Marina Boat Launch Facility Restroom.

8. RESOLUTION FOR AUTHORIZATION TO ENTER INTO A GENERATING FACILITY INTERCONNECTION AGREEMENT WITH PG&E FOR THE NRG-DEVELOPED SOLAR SYSTEM (P.W. 699)

Assistant City Manager/Public Works Director/City Engineer Bernal presented the staff report dated September 13, 2016 recommending the City Council adopt a resolution authorizing the City Manager to execute the Generating Facility Interconnection Agreement with PG&E for the NRG-Developed Solar System.

RESOLUTION NO. 2016/102

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously adopted a resolution authorizing the City Manager to execute the Generating Facility Interconnection Agreement with PG&E for the NRG-Developed Solar System.

9. ANTIOCH VETERAN OF THE YEAR DISCUSSION

JR Wilson thanked Council and staff for their commitment to the Veteran's community and spoke in support of recognizing an Antioch Veteran of the Year. He announced the City would be designating Veteran's parking spaces.

On motion by Councilmember Wilson, seconded by Councilmember Ogorchock, the City Council unanimously approved recognition of an Antioch Veteran of the Year on an annual basis.

At the request of Mr. Wilson, Council agreed to participate in 22 pushups in recognition of the 22 Veteran's deaths per day.

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS - None

COUNCIL COMMUNICATIONS

Councilmember Rocha announced Homeless Outreach would take place on October 13, 2016 at the Antioch fairgrounds.

Councilmember Ogorchock announced the Three Brothers Blues Band from Antioch was the first act at the Blues Festival. She requested the Beede Lumber Yard park item be agendaized.

Councilmember Wilson reported on her attendance at the Antioch Police Department Open House.

Mayor Harper acknowledged the Antioch Police Department for being dedicated to providing professional public safety services to the community.

ADJOURNMENT

With no further business, Mayor Harper adjourned the meeting at 10:07 P.M. to the next regular Council meeting on September 27, 2016.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk