

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

**Special/Regular Meeting
5:30 P.M.**

**April 14, 2015
Council Chambers**

4:30 P.M. - CLOSED SESSION

1. **CONFERENCE WITH LABOR NEGOTIATORS** – This Closed Session with the City’s Labor Negotiators is authorized by California Government Code section 54957.6; City designated representatives: Michelle Fitzer, Denise Haskett and Glenn Berkheimer; Employee organizations: Operating Engineers Local Union No. 3 (OE3) and Public Employees Union Local 1.
2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Initiation of litigation pursuant to California Government Code section 54956.9(d)(4): City as Successor Agency to the Antioch Development Agency: 1 matter.
3. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION** – This Closed Session is authorized by California Government Code §54957 – City Attorney.
4. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION** – This Closed Session is authorized by California Government Code §54957 – City Manager.

Mayor Harper called the meeting to order at 5:37 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. **PRESENTATION AND DISCUSSION OF BUDGET DEVELOPMENT FOR THE GENERAL FUND, RECREATION FUND, PREWETT WATER PARK FUND, ANIMAL SERVICES FUND, AND MARINA FUND FOR THE 2015-17 FISCAL YEARS**

Finance Director Merchant gave a power point presentation and presented the staff report dated April 14, 2015 recommending the City Council provide direction and feedback regarding the budget development information provided for fiscal years 2015-17.

Mayor Harper, speaking to Staffing Requests for the Mayor’s Office Assistant position, stated he had brought this item forward and he was not asking for it to be funded at this time. He stated he was in contact with Workforce development to determine if it could be funded through their Earn and Learn program. He also suggested volunteer interns may be able to fill the position.

Mayor Harper thanked Finance Director Merchant for the comprehensive report.

Janet Costa, representing East County Regional Group (ECRG), announced they would be sharing the results of their park assessment with the City Council at the May 28, 2015 City Council meeting. She requested Council consider funding additional programming for children ages 0-5 years.

Rhea Elina Laughlin, representing First 5 Contra Costa, described services they provided in the community. She requested Council consider funding low cost programming for low income children.

Mark Jordan, Antioch resident, expressed concern regarding the City's unfunded retirement accounts and suggested the City consider converting to a Charter City and look for solutions that would produce a large amount of revenue.

In response to Mayor Harper, City Manager Duran reported the Master Fee Schedule would be coming to Council with recommended increases and in the fall staff would be bring back strategic decisions for Council consideration such as various business models for City facilities and recreation programming.

Councilmember Ogorchock suggested Council also consider selling the Marina and some of the City's vacant land.

Mayor Harper requested staff provide Council with more information on converting to a Charter City.

Finance Director Merchant provided the following schedule for budget study sessions: April 25, 2015, May 12, 2015, May 26, 2015 (as a placeholder for items that might be brought back) and June 23, 2015 for final adoption.

Mayor Harper adjourned the Study Session at 6:33 P.M.

Mayor Harper called the meeting to order at 7:07 P.M., and City Clerk Simonsen called the roll.

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

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, **#2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**, Direction was given to Legal Counsel, **#3 PUBLIC EMPLOYEE PERFORMANCE EVALUATION**, Discussed the process, and; **#4 PUBLIC EMPLOYEE PERFORMANCE EVALUATION**, Discussed the process.

PLEDGE OF ALLEGIANCE

Mayor Harper led the Council and audience in the Pledge of Allegiance.

2. PROCLAMATIONS

- *Arbor Day, April 24, 2015*
- *Parkinson's Awareness Month, April 2015*
- *Sexual Assault Awareness Month, April 2015*

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

Councilmember Ogorchock presented the proclamation proclaiming April 24, 2015 as *Arbor Day* to Audrey Kuppenbender and members of the Riverview Garden Club who thanked the City Council for the recognition and presented them with an olive tree, grocery tote and garden seeds. They invited the community to attend the Arbor Day festivities at 3:30 P.M. on April 24, 2015 at Mira Vista Park and a Plant Sale from 9:00 A.M. – 1:00 P.M. on May 9, 2015 at Prewett Park.

Mayor Harper announced the *Parkinson's Awareness Month* and *Sexual Assault Awareness Month* proclamations would be given to the appropriate agencies.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Battalion Chief Richard Sonsteng gave an update on Contra Costa County Fire Department.

Mayor Harper requested Battalion Chief Richard Sonsteng provide Council with the date of the fire academy graduation so that they may attend.

Director of Parks and Recreation Kaiser announced the Summer Recreation Guide had been sent out and discussed various activities available for the community.

Mike Pollard announced the Antioch Prayer Breakfast had sold out and presented tickets for the event to Councilmembers Tiscareno and Rocha.

Martina Schmidt and Brandie Krey, representing the Undead Betty's Roller Derby League, announced they were site captains for the Keep Antioch Beautiful event and they would be hosting a bout on April 18, 2015. They noted tickets would be given away to people who participated in the Keep Antioch Beautiful social media contest. They reported they had completed paperwork to become a 501c3 and anyone wanting their support could contact them. They encouraged the children 7-17 years of age to participate in their junior program. Contact information was provided.

Julie Haas-Wajdowicz provided contact information for the Keep Antioch Beautiful event and encouraged residents to participate in the social media contest. She stated a list of upcoming Eco events were available in Council Chambers.

Martha Parsons encouraged everyone to participate in the Keep Antioch Beautiful event. Velma Wilson, Antioch resident, thanked Mayor Harper for participating in the Stuff the Bus school supply give away and announced the following events:

- 4th of July Luau themed fundraiser from 6:00 P.M. – 8:00 P.M. on April 30, 2015 at Paradise Skate
- Tackling the Taboo Molestation Within the African American Community forum at 6:00 P.M. on April 18, 2015 at the Delta Bay Church of Christ
- Kids Skate Free Program
- East County NAACP Scholarship and Awards banquet beginning at 6:00 P.M. on April 25, 2015 at the Lone Tree Golf and Event Center

Councilmember Rocha announced the Rivertown Jamboree Crab Feed would begin at 6:00 P.M. on April 18, 2015 at St. George's Episcopal Church.

Councilmember Ogorchock announced the Renew, Energize, and Donate (RED) bowling tournament would be held on May 13, 2015 at Delta Bowl with all proceeds going to the Antioch Senior Club.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen stated Board and Commission openings would be announced at the April 28, 2015 City Council meeting. He announced a Small Business Certification workshop would be held from 10:00 A.M. – 12:00 P.M. on April 23, 2015 at the Antioch Chamber of Commerce.

PUBLIC COMMENTS

Martha Parsons, representing the Memorial Day Event Committee, announced the celebration would be held on May 25, 2015 and asked to borrow a Merchant Marine flag for the event.

Don Williams, Antioch resident, offered to loan Ms. Parsons his Merchant Marine flag.

Mark Jordan, Antioch resident, discussed the City's unfunded liability and the benefits of converting to a Charter City. He questioned if the baseline budget for the Police Department assumed projected salary increases were coming from Measure C funds. He stated the Friday Morning Breakfast Club had sent to the City with their suggestions for budget revenues and expenditures.

Mark Mokski, Kids' Club Preschool, reported they lost their lease and requested the City Council's assistance in raising funds for renovations at their new location so that they could keep their services in Antioch.

Mayor Harper suggested Mr. Mokski phone him so that they could further discuss this matter.

Beverly Knight, Parks and Recreation Commissioner, presented the City Council with photos of City Park and requested the City's assistance in addressing homeless loitering in the area.

COUNCIL SUBCOMMITTEE REPORTS

Councilmember Tiscareno reported on his attendance at the TRANSPLAN subcommittee meeting and presented Mayor Harper a certificate from TRANSPLAN in recognition of his outstanding service. He noted he had also attended the Budget Subcommittee meeting, Antioch Police Department Volunteer Appreciation Breakfast, Veteran's Barbeque and the swearing-in ceremony for Officer Aaron Hughes.

Councilmember Ogorchock reported on her attendance at the League of California Cities and Police Department Volunteer Appreciation Breakfast.

Councilmember Wilson reported on her attendance at the Community Development Block Grant subcommittee meeting and Police Department Volunteer Appreciation Breakfast.

Mayor Harper reported on his attendance at a Prayer Breakfast, Delta Diablo Sanitation meeting, Budget subcommittee meeting, swearing-in ceremony for Officer Aaron Hughes, Planning Commission and Economic Development Commission interviews, Delta Diablo award ceremony, School Supply Giveaway and noted he was also teaching a leadership seminar at his church. He announced Tri Delta Transit and ABAG would be meeting next week.

Councilmember Rocha suggested Mayor Harper send a letter to Scott Lobaido, thanking him for his contribution of the United States Flag mural on the American Legion building.

Mayor Harper added that Mr. Lobaido would be painting a flag mural at an American Legions location in every state and it meant a lot that he had chosen Antioch as the location for California.

3. ROLL CALL – for Budget Committee Members Mayor Harper and Council Member Tiscareno

City Clerk Simonsen called the roll for the Budget Committee.

Present: Committee Member Tiscareno and Mayor Harper

A. APPROVAL OF BUDGET COMMITTEE MINUTES FOR MARCH 25, 2015

On motion by Committee Member Tiscareno and seconded by Mayor Harper, the Committee Members unanimously approved the minutes of March 25, 2015.

City Clerk Simonsen called the roll for Council Members/City Council Members acting as Successor Agency/Housing Successor to the Antioch Development Agency

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

MAYOR'S COMMENTS - None

4. COUNCIL CONSENT CALENDAR *for City /City as Successor Agency/Housing Successor to the Antioch Development Agency*

A. APPROVAL OF COUNCIL MINUTES FOR MARCH 24, 2015

B. APPROVAL OF COUNCIL WARRANTS

C. RESOLUTION NO. 2015/14 APPROVING A 60-DAY EXTENSION TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ANTIOCH AND PUBLIC EMPLOYEES' UNION LOCAL 1, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE EXTENSION

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

PUBLIC HEARING

5. 2015-2023 HOUSING ELEMENT (GP-13-03)

Acting Senior Planner Morris presented the staff report dated April 14, 2015 recommending that the City Council adopt a resolution approving an environmental Initial Study/Negative Declaration and adopting the 2015-2023 Housing Element of the General Plan.

Sophie Martin, Dyett & Bhatia Urban, and Regional Planners, gave a Power Point presentation of the City of Antioch Housing Element Update dated April 14, 2015.

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

Councilmember Tiscareno thanked Ms. Martin for the report.

Ms. Martin reviewed the process for determining how the City could meet its Regional Housing Needs Allocation (RHNA).

RESOLUTION NO. 2015/15

On motion by Councilmember Rocha, seconded by Councilmember Wilson, the City Council unanimously adopted a resolution approving an environmental Initial Study/Negative Declaration and adopting the 2015-2023 Housing Element of the General Plan.

COUNCIL REGULAR AGENDA

6. PLANNING COMMISSION APPOINTMENT FOR ONE PARTIAL-TERM VACANCY EXPIRING OCTOBER 2017

Mayor Harper nominated Al Mason for one partial-term vacancy on the Planning Commission.

On motion by Councilmember Rocha, seconded by Councilmember Ogorchock, the City Council unanimously appointed Al Mason for one partial-term expiring in October 2017 on the Planning Commission.

7. ECONOMIC DEVELOPMENT COMMISSION APPOINTMENT FOR ONE PARTIAL-TERM VACANCY EXPIRING JUNE 2015

Mayor Harper nominated Joshua Young for one partial-term vacancy on the Economic Development Commission.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously appointed Joshua Young for one partial-term expiring in June 2015 on the Economic Development Commission.

8. APPROVAL OF PROPOSAL AND AUTHORIZATION FOR THE CITY MANAGER TO SIGN AN AGREEMENT WITH RHAA LANDSCAPE ARCHITECTURE AND PLANNING TO PROVIDE DESIGN SERVICES FOR THE PREWETT COMMUNITY PARK IMPROVEMENTS (PW 567-C4)

Project Consultant Karste, presented the staff report dated April 14, 2015 recommending the City Council adopt a resolution authorizing the City Manager to execute an agreement with RHAA Landscape Architecture and Planning (RHAA) to provide design services for the period of May 1, 2015 through August 30, 2016, for an amount not to exceed \$241,264 and amend the 2014/2015 Capital Improvement Budget funding for this project from \$119,400 to \$410,664.

In response to Mayor Harper, Consultant Karste provided a timeline for the project and a list of project priorities. With regards to a monument sign, he noted the project would most likely not be financially or logistically possible and at this time they were focused on getting the major community service elements developed.

Councilmember Tiscareno suggested the possibility of the monument sign being a marketing component with sponsorships.

RESOLUTION NO. 2015/16

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously adopted a resolution authorizing the City Manager to execute an agreement with RHAA Landscape Architecture and Planning (RHAA) to provide design services for the period of May 1, 2015 through August 30, 2016, for an amount not to exceed \$241,264 and amended the 2014/2015 Capital Improvement Budget funding for this project from \$119,400 to \$410,664.

9. APPROVAL OF A RESOLUTION AND AUTHORIZATION FOR THE CITY MANAGER TO SIGN AN AGREEMENT WITH QPCS TO PROVIDE THE SECURITY CAMERA SYSTEM DESIGN AND INSTALLATION SERVICES FOR THE PREWETT COMMUNITY PARK PROJECT (PW 567-C4)

Consultant Karste presented the staff report dated April 14, 2015 recommending the City Council adopt a resolution authorizing the City Manager to sign the Consultant Services Agreement with QPCS and approve the sole source request and proposal to provide the security camera system design and installation services for the period of May 1, 2015 through October 31, 2015, for an amount not to exceed \$92,500, and authorize the Director of Finance to amend the 2014-2015 Capital Improvement Budget by \$92,500.

Mayor Harper stated with the community park improvements, he felt it would be beneficial to install the security cameras as soon as possible.

RESOLUTION NO. 2015/17

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously adopted a resolution authorizing the City Manager to sign the Consultant Services Agreement with QPCS and approved the sole source request and proposal to provide the security camera system design and installation services for the period of May 1, 2015 through October 31, 2015, for an amount not to exceed \$92,500, and authorized the Director of Finance to amend the 2014-2015 Capital Improvement Budget by \$92,500.

10. YOUTH COMMISSION FOLLOW UP AND REPORT

Parks and Recreation Director Kaiser presented the staff report dated April 14, 2015 recommending the City Council receive the report and provide direction.

Following discussion, the Council majority voiced their support for the formation of the Antioch Council of Teens (ACT) to engage youth in the community and indicated their continued interest in the future development of a formal Youth Commission.

Councilmember Tiscareno stated he felt the City should create a formal Youth Commission now.

On motion by Councilmember Wilson, seconded by Councilmember Ogorchock, the City Council received the report. The motion carried the following vote:

Ayes: Wilson, Ogorchock, Rocha, Harper

Noes: Tiscareno

11. CONSIDERATION OF FUNDING FOR JULY 4TH EVENT

Parks and Recreation Director Kaiser presented the staff report dated April 14, 2015 recommending the City Council discuss and direct staff regarding a request for City funding of a 4th of July event.

Joy Motts, Martha Parsons, and Wayne Harrison gave a history of the 4th of July event and discussed the plans for this year's festivities. They requested the City partner with them and financially sponsor the celebration.

Chief Cantando stated the Antioch Police Department had not received a plan for this year's event. He reported on 4th of July, regularly scheduled officers would be working with officers on overtime and depending on the length of the event, costs would vary. He stated Antioch, being one of only two local jurisdictions having an event, would indicate everyone scheduled for overtime would need to be available.

Mayor Harper expressed concern plans for the event had not been shared with the Antioch Police Department.

In response to Councilmember Wilson, City Manager Duran explained that staff reviewed and was working on revisions to the event policy which would be brought forth for Council consideration on April 28 or May 12, 2015. He noted costs for Police and Public Works assistance were already included in the budget.

Mayor Harper stated the Celebrate Antioch Foundation had done a great job fundraising for a City sponsored event and suggested the City provide \$15,000 in additional funding through the Arts and Cultural Foundation, provided they were willing to serve as the fiscal agent, or otherwise, directly to Celebrate Antioch.

On motion by Councilmember Rocha, seconded by Councilmember Tiscareno, the City Council moved to provide \$15,000 in additional funding for the 4th of July event beyond Police and Public Works assistance with the funds provided to the Arts and Cultural Foundation if they are willing to serve as the fiscal agent or otherwise directly to the Celebrate Antioch Foundation.

12. EAST BAY REGIONAL COMMUNICATIONS SYSTEM AUTHORITY (EBRCSA)

Chief Cantando presented the staff report dated April 14, 2015 recommending the City Council adopt a resolution authorizing the City Manager to execute an agreement with the East Bay Regional Communications System Authority (EBRCSA) allowing the City of Antioch to become a participating member of the EBRCSA Joint Powers Authority before the end of fiscal year 2014/15, and authorizing a budget amendment of \$1.83 million to fund the associated expense.

The Council discussed the importance of Antioch being able to directly communicate with Officers from surrounding allied agencies.

RESOLUTION NO. 2015/18

On motion by Councilmember Ogorchock, seconded by Councilmember Rocha, the City Council unanimously adopted a resolution authorizing the City Manager to execute an agreement with the East Bay Regional Communications System Authority (EBRCSA) allowing the City of Antioch to become a participating member of the EBRCSA Joint Powers Authority before the end of fiscal year 2014/15, and authorized a budget amendment of \$1.83 million to fund the associated expense.

Chief Cantando thanked the City Council for supporting Measure O to help fund this project. He noted Captain Brooks had a meeting scheduled for April 16, 2015 with East Bay Regional Communications System Authority to start the process and with the goal to have it completed in 4 – 6 months.

13. CAVALLO ROAD/COUNTRY HILLS DRIVE PAVEMENT REHABILITATION (P.W. 392-29)

Public Works Director/City Engineer Bernal presented the staff report dated April 14, 2015 recommending the City Council award the Cavallo Road/Country Hills Drive Pavement Rehabilitation project to the low bidder, MCK Services, Inc. in the amount of \$1,436,930.00 and authorize the City Manager to execute an agreement with MCK Services for the work.

On motion by Councilmember Rocha, seconded by Councilmember Ogorchock, the City Council unanimously awarded the Cavallo Road/Country Hills Drive Pavement Rehabilitation project to the low bidder, MCK Services, Inc. in the amount of \$1,436,930.00 and authorized the City Manager to execute an agreement with MCK Services for the work.

14. THREE (3) PERSON LANDSCAPING TRIM AND CLEAN UP BID AWARD

Public Works Director/City Engineer Bernal presented the staff report dated April 14, 2015 recommending the City Council authorize the City Manager or his designee to award the 3-Person Landscaping Trim and Clean Up contract to Silva's Landscape and Design, Patterson, CA for

\$864.00 per day (based on an 8-hour day) not to exceed \$175,000 per year for the term of five years.

Councilmember Tiscareno expressed concern for the length of the contract noting with an improved economy, it may be possible to bring the work back in-house prior to 5 years. He stated he would like to see data associated with City employees performing the work.

A motion was made by Councilmember Tiscareno to table this matter.

City Attorney Nerland explained the motion to table would mean the item would not be brought back unless three Councilmembers vote to bring it back, as opposed to a continuance if there was a request for additional information.

Councilmember Tiscareno clarified he would like to amend his motion to continue this item.

A motion was made by Councilmember Tiscareno and seconded by Councilmember Rocha, to continue this item.

In response to Councilmember Ogorchock, Deputy Director of Public Works Bechtholdt reported the existing contractor defaulted and the work was not being done at this time. He noted if approved, this contractor would be taking over that job.

Councilmember Tiscareno withdrew the motion to continue and Councilmember Rocha withdrew the second.

City Attorney Nerland stated typically the City had a standard termination provision in contracts. She noted a motion could indicate if there was not the provision included, then the matter would be brought back to Council for further discussion. .

On motion by Councilmember Tiscareno, seconded by Councilmember Rocha, the City Council authorized the City Manager or his designee to award the 3-Person Landscaping Trim and Clean Up contract to Silva's Landscape and Design, Patterson, CA for \$864.00 per day (based on an 8-hour day) not to exceed \$175,000 per year for the term of five years with the caveat to bring back to Council if the City's standard contract termination provision was not included.

15. VAC-CON VEHICLE REPLACEMENT

Public Works Director/City Engineer Bernal presented the staff report dated April 14, 2015 recommending the City Council authorize the purchase of one Vac-Con Model V311E/1300 Combination Sewer and Storm Drain Cleaner mounted on a new Peterbuilt truck and chassis under National Joint Powers Alliance (NJPA) cooperative purchase contract number 022014-AMI to Atlantic Machinery, Inc. for \$405,341.57.

On motion by Councilmember Rocha, seconded by Councilmember Wilson, the City Council unanimously authorized the purchase of one Vac-Con Model V311E/1300 Combination Sewer

and Storm Drain Cleaner mounted on a new Peterbuilt truck and chassis under National Joint Powers Alliance (NJPA) cooperative purchase contract number 022014-AMI to Atlantic Machinery, Inc. for \$405,341.57.

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS - None

COUNCIL COMMUNICATIONS

Councilmember Rocha announced Congressman DeSaulnier would be hosting a roundtable discussion at 2:15 P.M. on April 17, 2015 at Antioch High School.

Mayor Harper thanked everyone for their patience with the long agenda and staff for providing detailed staff reports.

ADJOURNMENT

With no further business, Mayor Harper adjourned the meeting at 9:27 P.M. to the next regular Council meeting on April 28, 2015.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk