

## CITY COUNCIL MEETING

**Regular Meeting**  
**7:00 P.M.**

**December 8, 2015**  
**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: Nickie Mastay, Denise Haskett and Glenn Berkheimer; Employee organization: Public Employees Union Local 1.

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

Mayor Harper called the meeting to order at 7:00 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**

Harry Thurston, representing the Contra Costa Clean Energy Alliance, announced a Community Choice Energy (CCE) Informational Workshop would be held from 7:00 P.M. – 9:00 P.M. on December 16, 2015 at the Brentwood Community Center.

Chris Ponsano, Project Manager for KLSN Community Radio, gave a brief background and encouraged local communities to participate in their training program.

Mayor Harper encouraged Mr. Ponsano to email his comments to the City Council.

Councilmember Rocha invited the community to the Women's Club House Tour from 1:00 P.M. – 5:00 P.M. on December 13, 2015 and announced proceeds from the event would go toward scholarships.

### **ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS**

City Clerk Simonsen announced the following Board and Commission openings:

- *Planning Commission: Two vacancies; deadline date is December 11, 2015*
- *Economic Development Commission: One vacancy, deadline date December 11, 2015*

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

## **PUBLIC COMMENTS**

Chris Valenta, Antioch resident, reiterated his concerns regarding a citation he received from Animal Services. He reported the Riverview Restaurant was a health hazard and requested the City instruct the business owner to clean up the property. He gave a history of the City's Ordinance related to RV and boat parking. He suggested the City prohibit Cash for Gold businesses.

Fred Hoskins, Antioch resident, discussed his request for the City to turn over the Hard House property to the Friends of the Roswell Butler Hard House.

Stephanie Sterling, Antioch resident, discussed blight in the 99 Cent Store parking lot and suggested the City contact the landlord and request the property be cleaned up.

Steve Huddleston, Antioch resident, reiterated Ms. Sterling's concerns and urged the City Council to visit the area. He suggested the City consider providing a shelter for the homeless.

## **COUNCIL SUBCOMMITTEE REPORTS**

Councilmember Wilson reported on her attendance at the ABAG Regional Planning Committee.

Councilmember Tiscareno reported State Route 4 Bypass Authority and East County Regional Fee and Financing Authority (ECRFFA) would be meeting on December 10, 2015.

Councilmember Rocha announced the Tri Delta Transit meeting would be held this week.

## **MAYOR'S COMMENTS**

Mayor Harper reported Council had participated in the Holiday De Lites parade and commended everyone who participated in the event. He reported on his attendance at a Delta Diablo Finance Committee meeting, Mayor's Conference, Crab Feed at Antioch High School, and the swearing-in of new Antioch Police Officers.

City Manager Duran introduced Nickie Mastay as the City's new Administrative Services Director.

Administrative Services Director Mastay thanked everyone for the opportunity to serve the City and thanked former Administrative Services Director Fitzer for her assistance during the transition.

Mayor Harper welcomed Administrative Services Director Mastay to the City.

### **1. COUNCIL CONSENT CALENDAR**

#### **A. APPROVAL OF COUNCIL MINUTES FOR NOVEMBER 24, 2015**

- B. APPROVAL OF COUNCIL WARRANTS
- C. **RESOLUTION NO. 2015/85 APPROVING A NEW CLASS SPECIFICATION OF OFFICE ASSISTANT, ASSIGNING A SALARY RANGE, ASSIGNING THE CLASSIFICATION TO THE OPERATING ENGINEERS LOCAL 3 BARGAINING UNIT, AUTHORIZING THE ADDITION OF ONE FULL-TIME REGULAR POSITION IN THE RECREATION BUDGET, AND REALLOCATING PART-TIME TEMPORARY SALARIES IN THE RECREATION BUDGET TO COVER THE ADDITIONAL COST**
- D. AB1600 DEVELOPMENT IMPACT FEE ANNUAL REPORT
- E. **RESOLUTION NO. 2015/86 BUDGET AMENDMENT FOR USE OF STATE REIMBURSEMENT OF PRE-2004 UNFUNDED MANDATES**

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

**Item C** – Director of Park and Recreation Kaiser clarified this item would be budget neutral as there would be a reduction in the amount of money funded in the temporary and part-time salaries and wages line item. She noted it may result in a reduction of hours or elimination of some temporary positions.

In response to Council, Director of Park and Recreation Kaiser clarified she would not be requesting additional temporary staff in the summertime and this position would not affect Senior Center staffing.

Councilmember Ogorchock expressed concern that the amount of temporary staff members being eliminated was unknown.

On motion by Councilmember Rocha, seconded by Councilmember Tiscareno, the City Council approved Item C. The motion carried the following vote:

*Ayes: Harper, Wilson, Tiscareno, Rocha*

*Noes: Ogorchock*

## **COUNCIL REGULAR AGENDA**

### **2. APPROVAL OF BUDGET AMENDMENT**

City Manager Duran presented the staff report dated December 8, 2015 recommending City Council adopt the resolution appropriating and re-allocating fiscal year 2016 budget expenditures and transfers for remittance of funds to the Contra Costa County Auditor-Controller's Office for monies due under the Due Diligence Review of the former Antioch Development Agency in order to receive a Finding of Completion and approval of the Long Range Property Management Plan.

Fred Hoskins, Antioch resident, stated if the City Council approved the budget amendment, he would request expediting process for turning over the Hard House property to the Friends of the Roswell Butler Hard House for restoration.

Councilmember Ogorchock requested in the future, items such as this, be brought forward when Council held discussions regarding the allocation of one time monies.

Finance Director Merchant explained the State needed to approve the outcome of a former redevelopment property. She reported staff had attempted to work with the Department of Finance on an installment payment plan; however, it was rejected after the staff report came to Council pertaining to the allocation of one time monies.

**RESOLUTION NO. 2015/87**

On motion by Councilmember Ogorchock, seconded by Councilmember Rocha, the City Council unanimously adopted the resolution appropriating and re-allocating fiscal year 2016 budget expenditures and transfers for remittance of funds to the Contra Costa County Auditor-Controller's Office for monies due under the Due Diligence Review of the former Antioch Development Agency in order to receive a Finding of Completion and approval of the Long Range Property Management Plan.

**3. RECEIVE REPORT ON AND GIVE DIRECTION CONCERNING POTENTIAL CHANGES TO CITY CODE REGARDING CODE ENFORCEMENT MATTERS**

Interim City Attorney Cole presented the staff report dated December 8, 2015 recommending that the City Council receive a report from the City Attorney and Code Enforcement Staff regarding the subjects of Marijuana Cultivation, Camping on Public and Private Property, Regulation of Donation Bins, Dumping/Littering, and Graffiti. After receiving the report, the Council should give Staff direction regarding any changes to the City Code it wishes to consider regarding these subjects.

Interim City Attorney Cole stated State law limited the level of enforcement, fines, penalties and citations for municipal codes violations. He noted current procedures were as strict as permissible.

In response to Councilmember Wilson, Deputy Director of Community Development/Code Enforcement Graham added current citations and ordinances were sufficient; however, there was a capacity issue due to the staffing levels in Code Enforcement. He noted the most effective deterrent was for residents to stop handing out money to panhandlers.

City Manager Duran explained Council could consider adding Code Enforcement staffing through the budget process.

Interim City Attorney Cole stated a camping ordinance could be brought forward for consideration; however, it was a litigious area.

Councilmember Wilson suggested staff research ordinances developed by other cities pertaining to donation bins and camping on public and private property.

Councilmember Rocha stated she believed the focus should be on funding Code Enforcement and public outreach and education.

In response to Council, City Manager Duran reported Director of Public Works/City Engineer Bernal would meet with Republic Services to discuss extra resources to address illegal dumping. He noted hiring general laborers was a high priority for staff and he would research whether resources were available for contract services until those positions were filled.

Mayor Harper thanked Ms. Sterling and Mr. Huddleston for the previous comments related to this topic.

In response to Councilmember Ogorchock, City Manager Duran responded signage to remind drivers to not give out money to panhandlers could be considered in City controlled areas; however, Caltrans was not receptive to signage on their right-of-ways.

Terry Ramus, Antioch resident, urged Council to take action to address the various code violations throughout the City as expeditiously as possible.

Mayor Harper suggested the City address blight and graffiti proactively and wait with regards to ordinances that may result in legal challenges.

Councilmember Ogorchock voiced her support for a stronger ordinance regarding donations bins and camping on public and private property.

On motion by Councilmember Tiscareno, seconded by Councilmember Wilson, the City Council unanimously received the report.

#### **4. EAST COUNTY FAMILY JUSTICE CENTER RESOLUTION**

City Manager Duran presented the staff report dated December 8, 2015 recommending City Council consider adopting a resolution directing staff to work with County Supervisors, County staff, and other East County Cities toward the establishment of a Family Justice Center in East Contra Costa County.

Following discussion, the Council agreed to continue this item and work with the County Board of Supervisors and Cities regarding establishment of a Family Justice Center.

On motion by Councilmember Ogorchock, seconded by Councilmember Rocha, the City Council unanimously continued this item and appointed Councilmember Ogorchock to work with the County Board of Supervisors, staff and cities.

**PUBLIC COMMENTS** - None

## **STAFF COMMUNICATIONS**

City Manager Duran reported on his attendance at the Mayor's conference and reminded the community that this was the only City Council meeting for the month of December.

## **COUNCIL COMMUNICATIONS**

Mayor Harper thanked staff and the community for a successful year.

Councilmember Rocha reminded the community to patronize downtown merchants.

Councilmember Tiscareno thanked staff and community for a good year. He also thanked the City Council for their hard work in the community. He stated a resident had contacted him with regards to the ordinance related to roosters and he requested it be agendized.

Councilmember Ogorchock requested staff provide an update with regards to the status of Council's requests for agendized items. She supported Council addressing the rooster issue and reaching out to KLSN Community Radio to offer support of their program. She wished everyone a Merry Christmas and Happy New Year.

Mayor Harper encouraged Council to ask City Manager Duran to view the log of agendized items. He stated he was also available to discuss agenda requests and updates.

City Manager Duran stated he would bring that the list of all the follow up items and their status back to Council.

Councilmember Wilson thanked staff, Council, and the community. She wished everyone a Merry Christmas and Happy Holidays. She reported on her attendance at the Holiday De Lites parade and thanked Ken Turnage. She reported on her attendance at the Women's Networking Event in Brentwood. She requested an update on the Health Wealth Initiative be agendized.

Mayor Harper wished everyone a Merry Christmas and Happy Holidays. He announced De'Andre Jeremiah Wallace was in the hospital and wished him Godspeed and to get well.

## **ADJOURNMENT**

With no further business, Mayor Harper adjourned the meeting at 8:41 P.M. to the next regular Council meeting on January 12, 2015.

Respectfully submitted:

*Kitty Eiden*  
KITTY EIDEN, Minutes Clerk