

**CITY COUNCIL MEETING  
INCLUDING THE ANTIOCH CITY COUNCIL  
ACTING AS SUCCESSOR AGENCY/HOUSING SUCCESSOR  
TO THE ANTIOCH DEVELOPMENT AGENCY AND  
ANTIOCH PUBLIC FINANCING AUTHORITY**

**Study Session/Regular Meeting  
6:00 P.M.**

**April 22, 2014  
Council Chambers**

**5:30 P.M. - CLOSED SESSION**

- 1. CONFERENCE WITH LABOR NEGOTIATORS** – This Closed Section is authorized by California Government Code Section 54957.6. City designated representatives: Michelle Fitzer, Denise Haskett, and Glenn Berkheimer; Employee organizations: Management and Confidential Units
  
- 2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to California Government Code section 54956.8; Property – 1811 “C” Street (Bedford Center); Agency Negotiator – City Attorney and City Manager; Parties – Rehabilitation Services of Northern California
  
- 3. CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION** – Initiation of Litigation pursuant to California Government Code §54956.9 (d)(4): one case

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 Negotiator, **#2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS**, Direction was given to staff; and **#3 CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION**, No action was taken.

Mayor Harper called the meeting to order at 6:15 P.M., and Minutes Clerk Eiden called the roll.

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

**PLEDGE OF ALLEGIANCE**

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

Mayor Harper dedicated the meeting in memory of Ralph Garrow Sr.

**STUDY SESSION – SPECIAL MEETING**

- 1. PRESENTATION AND DISCUSSION OF BUDGET DEVELOPMENT FOR SPECIAL REVENUE FUNDS, DEBT SERVICE FUNDS, ANTIOCH PUBLIC FINANCING AUTHORITY AND CITY OF ANTIOCH ACTING AS SUCCESSOR AGENCY/HOUSING SUCCESSOR FOR FISCAL YEARS 2014-15**

City Manager Duran introduced the Budget Study Session.

Finance Director Merchant presented the staff report dated April 7, 2014 recommending the City Council provide direction and feedback to staff.

Diane Gibson-Gray, reported the Arts and Cultural Foundation budget was \$80k and the least amount of money needed to sustain the program, for one operating year, would be \$70-75k.

Councilmember Rocha spoke to the value of the Arts and Cultural Foundation and suggested funds from the Child Care Fund (223) be moved into the Civic Arts Fund (215).

City Manager Duran explained one (1) year remained for the Community Development Block Grant (CDBG) five (5) year consolidated plan. He noted if a qualifying children's program was developed and run under Arts and Cultural, it could potentially be a candidate for funding next year.

Finance Director Merchant clarified staff's recommendation was to keep the Child Care Fund balance at approximately \$100k, in the event maintenance would be required, for the facility. She noted it was Council's discretion to move the funds; however they would run the risk of costs for major repairs impacting the General Fund.

On motion by Councilmember Rocha, seconded by Councilmember Tiscareno, the Council directed staff to move \$25k from the Child Care Fund (223) into the Civic Arts Fund (215). The motion carried the following vote:

*Ayes: Wilson, Rocha, Harper, Tiscareno*

*Noes: Agopian*

Finance Director Merchant presented the Special Revenue Funds, Dept Service Funds, Antioch Public Financing Authority Funds and the Successor Agency Funds.

Mayor Harper requested staff check with Tri-Delta Transit to determine if a portion of the Senior Bus Fund (218) could be used for the youth.

Fred Hoskins, Antioch resident, urged the City Council to maintain the current budgets for the Arts and Cultural Foundation, Recreation Department and Library. He voiced his support for a business tax for rental properties dedicated for these purposes and Code Enforcement.

Mayor Harper declared a recess at 6:57 P.M. The meeting reconvened at 7:07 P.M. with all Councilmembers present.

## **PROCLAMATIONS**

*Arbor Day, April 25, 2014*

*Be Kind to Animals Week, May 4 – 10, 2014*

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

Councilmember Wilson presented the proclamation to members of the Antioch Riverview Garden Club who thanked the City for the proclamation and invited the community to attend the *Arbor Day* celebration at 3:00 P.M. on April 25, 2014 at Mira Vista Park. They presented the City Council with succulent gardens and invited them to the annual plant sale from 9:00 A.M. – 1:00 P.M. on May 10, 2014, at Prewett Park.

Mayor Harper thanked the Antioch Riverview Garden Club for their service.

Councilmember Tiscareno presented the proclamation to the Supervisor of Animal Services Monika Helgemo, staff, and volunteers of the Antioch Animal Shelter who thanked the City Council for the proclamation and announced the *Be Kind to Animals Week* celebration and birthday celebration for the resident dog Peaches, would be held from 11:00 A.M. - 2:00 P.M. on May 10, 2014.

**ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

Councilmember Rocha announced Brighter Beginning 30<sup>th</sup> Anniversary celebration and her retirement party would be held on May 10, 2014 at the Lone Tree Golf Course.

Barbara Sobalvarro, representing Friends of Animal Services, announced they were celebrating 35 years of service to the Animals at the Antioch Animal Shelter. She provided brochures to Council and stated they would be participating in *Be Kind to Animals Week* with an adoption promotion May 3 – 10, 2014. She announced a celebration would be held from 12:00 P.M. – 3:00 P.M. on May 10, 2014 at the Antioch Animal Shelter.

Rosie Poydras, Antioch resident, stated the Antioch Library was a important asset for residents and urged the Council to support increasing the hours of operation for the community.

Martha Parsons, representing the Keep Antioch Beautiful Day committee, announced the Citywide Cleanup event would take place from 8:30 A.M. – 11:00 A.M., April 26, 2014. Contact information was provided for anyone wishing to participate.

Mayor Harper suggested next year the event expand to an entire week of service.

Wayne Harrison, representing the Celebrate Antioch Foundation, announced they would be hosting the Rivertown 4<sup>th</sup> of July parade beginning at 11:00 A.M., from City Hall and leading to the Contra Costa County Fairgrounds where there will be a full day of festivities. Contact information was provided for anyone wishing to volunteer or make a donation.

## ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

Mayor Harper announced the following Commission opening.

- *Planning Commission: One (1) vacancy; deadline date is April 24, 2014*

## PUBLIC COMMENTS

Don Williams, representing the Diablo Valley Mustang Association, announced the 16th Annual Show 'n Shine Car Show would be held from 10:00 A.M. – 3:00 P.M. on May 3, 2014, at the Streets of Brentwood and all proceeds for the event to benefit the Food Bank of Contra Costa and Solano Counties. He expressed concern Prewett Park was not available this year, which made it necessary for them to move the event to Brentwood.

Mayor Harper stated they would have to discuss how to bring the car show back to Antioch.

Ed Judkins Merle Whitburn and Thelma Fields members of the Friends of the Antioch Library, expressed concern regarding the City cutting \$112k of maintenance funds from the budget, for the Library. They stated the Library was valuable resource for the community and urged Council to maintain the current level of funding.

Misti Montenegro, Debbie Toth CEO of Rehabilitation Services of Northern California, Ethan Louis, Peggy Dillon, Charles Crothers representing Rehabilitation Services of Northern California/Bedford Center, Carolyn Drake Pittsburg resident, Darryl Reynolds and Cindy Holland Antioch residents, Rick Smith speaking on behalf of Rehabilitation Services of Northern California/Bedford Center and John Barclay, speaking on behalf of the Contra Costa County and Contra Costa Health Plan, spoke in support of the Bedford Center and their plans to purchase the building from the City and expand their services in Antioch.

Hans Ho, Antioch resident, expressed concern regarding illegal activity occurring at the Deer Valley Plaza shopping center. He requested the Council assist in facilitating a meeting with the owner of the shopping center to improve security in the area.

Mayor Harper stated he would support meeting with Chief Cantando and the owner of the shopping center to make some recommendations for security measures.

Julie Young, Antioch resident, announced the California Education committee would be voting on Assembly Bill AB2307 to repeal Common Core. She voiced her opposition to Common Core standards and suggested residents call California Education Committee Member Joan Buchanan to voice their support of AB2307. She encouraged residents to opt out of testing for Common Core.

Bob Kratochvil, President of Los Medanos College, thanked the voters for the past support of the College. He announced Measure E would be on the June 3<sup>rd</sup> ballot and funds generated would be used for the expansion and modernization of school facilities.

Paul Narducci, Antioch resident, offered to purchase and install speed bumps free of charge, to the City, for his neighborhood. He stated he was willing to work with City staff to review installation practices and code requirements necessary, for their installation.

Kristy Osborn and Tami Riley, representing the Bedford Center, spoke in support of their efforts to purchase the building and expand their services in Antioch. They read letters from caregivers in support of their programs.

Rollie Katz representing Public Employees Local One, urged the Council to support funding maintenance at the library and submitted a petition from members of Public Employees Union Local 1, requesting Council assure the 2014-2015 budget included restoring a 40 hour work week. He informed Council he had accepted a position in another jurisdiction and this would be his last time appearing on behalf of Local 1. He thanked the city Council for their service to the community.

Mayor Harper thanked Mr. Katz for his service and the speakers who spoke in support of the Bedford Center.

City Attorney Nerland reported in Closed Session, Council directed the City Manager and City Attorney on property negotiations and they would be in contact with the representatives of the Bedford Center.

Councilmembers Tiscareno and Councilmember Agopian thanked Mr. Katz and wished him the best in his new position.

## **PRESENTATION**

*Police Statistics First Quarter 2014, presented by Chief Allan Cantando*

Mayor Harper introduced Chief Cantando who recognized Bill and Lori Cook for their volunteerism and gave a presentation of the Police Statistics for Year 2013 including the following information:

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

Chief Cantando reported the Antioch Police Department had put enforcements efforts toward Deer Valley Plaza, panhandling and the homeless issues in the rivertown area. He updated the

community on the status of investigations related to the three (3) homicides that occurred since the quarter ended.

Councilmember Tiscareno thanked Chief Cantando for the report.

Mayor Harper thanked Chief Cantando for the presentation and noted he was a cheerleader for Antioch and there are many positive things occurring in the City.

Councilmember Rocha acknowledged all the volunteers and the hours of service they had donated.

**COUNCIL SUBCOMMITTEE REPORTS - None**

**MAYOR'S COMMENTS - None**

1. **COUNCIL CONSENT CALENDAR for City /City as Successor Agency/Housing Successor to the Antioch Development Agency/Antioch Public Financing Authority**
- A. **APPROVAL OF COUNCIL MINUTES FOR MARCH 25, 2014 AND APRIL 8, 2014**
- B. **APPROVAL OF COUNCIL WARRANTS**
- C. **APPROVAL OF TREASURER'S REPORT FOR MARCH 2014**
- D. **ARBOR DAY CELEBRATION**
- E. **EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) 2014**
- F. **RESOLUTION NO. 2014/33 APPROVING COMPREHENSIVE CLASSIFICATION PLAN UPDATES FOR THE ANTIOCH POLICE SWORN MANAGEMENT ASSOCIATION (APSMA) BARGAINING UNIT**
- G. **RESOLUTION NO. 2014/34 APPROVING THE REMAINING LOCAL 1 CLASS SPECIFICATIONS AND ESTABLISHING A SALARY RANGE FOR METER SERVICE WORKER**
- H. **RESOLUTION NO. 2014/35 ACCEPTING WORK AND AUTHORIZING THE DIRECTOR OF INFORMATION SYSTEMS TO FILE A NOTICE OF COMPLETION FOR THE CITYWIDE WIRELESS SECURITY CAMERA SURVEILLANCE SYSTEM**
- I. **RESOLUTION NO. 2014/36 APPROVING CLASS SPECIFICATIONS FOR CITY MANAGER, CITY ATTORNEY, PARKS AND RECREATION DIRECTOR,**

**ADMINISTRATIVE SERVICES DIRECTOR, AND ECONOMIC DEVELOPMENT  
PROGRAM MANAGER**

**J. APPROVAL OF SUCCESSOR AGENCY WARRANTS**

**K. APPROVAL OF HOUSING SUCCESSOR WARRANTS**

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

**Item I** – City Attorney Nerland announced there was a supplemental staff report on the dais for Item I with a revised job description.

City Manager Duran clarified Item I updated the City Manager and City Attorney position descriptions with no salary changes and the City would be recruiting for the Parks and Recreation Director position. With regards to the Administrative Services Director and Economic Development Program Manager, he explained that the current incumbent salaries are within the established ranges.

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

**PUBLIC HEARING**

**4. ADOPTION OF AN URGENCY ORDINANCE EXTENDING A TEMPORARY  
MORATORIUM ON THE ESTABLISHMENT AND OPERATION OF TOBACCO AND  
PARAPHERNALIA RETAILERS**

Community Development Director Wehrmeister presented the staff report dated April 17, 2014 recommending the City Council adopt the urgency ordinance extending a temporary moratorium on the issuance of permits, licenses, or approvals for construction, establishment or operation of Tobacco and Paraphernalia Retailer businesses within the City of Antioch on an interim basis pending consideration of amendments to the Antioch Municipal Code for a period of one year and declaring the urgency to do so (four-fifths vote).

City Attorney Nerland reviewed recommended revisions to the ordinance.

Mayor Harper opened the public hearing.

Lori Cook, Antioch resident, expressed concern regarding public safety issues associated with smoke shops located near high schools and urged the City Council to adopt the urgency ordinance.

Mayor Harper closed the public hearing.

**ORDINANCE 2086-C-S**

On motion by Councilmember Rocha, seconded by Councilmember Agopian, the Council unanimously adopted the urgency ordinance extending a temporary moratorium on the issuance of permits, licenses, or approvals for construction, establishment or operation of Tobacco and Paraphernalia Retailer businesses within the City of Antioch on an interim basis pending consideration of amendments to the Antioch Municipal Code for a period of one year and declaring the urgency to do so with the following revisions:

- Page 2 – Section 2 F, Third sentence revised to read, “Included below as findings are representational incidents associated with Tobacco and Paraphernalia Retailers for the 12 month period from May 9, 2012 – May 9, 2013 (not all business were in operation for the entire period) when this moratorium was initially adopted by the City Council on May 28, 2013.”
- Page 4 – Section 2 G – Second sentence striking “below” and replacing it with “above”
- Page 4 – Section 3 A - First sentence revised to read, “For a period of one additional year (12 months) following the enactment of this Ordinance, no person shall be issued a permit, license or land use entitlement for the construction, placement or operation of new Tobacco and Paraphernalia Retailer businesses within the City.”
- Page 5 – Section 3 A - Last sentence revised to read, “Tobacco and Paraphernalia Retailer businesses existing on May 28, 2013 when the first urgency ordinance prohibiting these uses was adopted by the City Council, may continue to operate at their current locations provided that they are in compliance with State law and the Antioch Municipal Code ”

**COUNCIL REGULAR AGENDA**

**5. PARK AND RECREATION COMMISSION APPOINTMENTS**

Mayor Harper recommended appointing Janet Farr, Keith Farr, and Manuel Soliz to the Park and Recreation Commission.

On motion by Councilmember Tiscareno, seconded by Councilmember Agopian, the Council unanimously approved the appointments of Janet Farr, Keith Farr and Manuel Soliz to the Parks and Recreation Commission.

**PUBLIC COMMENTS** – None

**STAFF COMMUNICATIONS**



City Manager Duran reported on his attendance at the Contra Costa Ferry Working Group meeting in Walnut Creek.

### **COUNCIL COMMUNICATIONS**

With concurrence of Council, Mayor Harper requested the rental tax measure be agendized for discussion.

Councilmember Rocha suggested the Vice Chair of the Water Emergency Transportation Authority (WETA) Board make a presentation to the City Council.

Councilmember Tiscareno reported on his meeting with WETA Board member Anthony Intintoli and the Lone Tree Golf Course subcommittee.

Councilmember Agopian thanked everyone who participated and attended the Council meeting this evening.

### **ADJOURNMENT**

With no further business, Mayor Harper adjourned the meeting at 8:49 P.M. to the next regular Council meeting on May 13, 2014.

Respectfully submitted:

*Kitty Eiden*  
KITTY EIDEN, Minutes Clerk