

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

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

**January 8, 2013
Council Chambers**

5:45 P.M. - CLOSED SESSION

- 1. CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION** – Significant exposure to litigation pursuant to California Government Code §54956.9 (b): Letter dated November 13, 2012 from the Law Office of Jack Silver on behalf of River Watch and entitled “Notice of Violations and Intent to file suit under the Clean Water Act.”
- 2. PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS** – This Closed Session is authorized by California Government Code §54957 – City Manager.
- 3. PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS** – This Closed Session is authorized by California Government Code §54957 – City Attorney.

City Attorney Nerland reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION**, Direction was given to staff, **#2 PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS**, Direction was given to staff, **#3 PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS**, Direction was given to staff.

Mayor Harper called the meeting to order at 7:03 P.M., and City Clerk Simonsen 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.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Al Anthony, Antioch Recreation Department, announced as participants in the Junior Giants program, the City submitted an application and was chosen to host the San Francisco Giants World Series Trophy at the Antioch Community Center from 6:00 P.M. – 8:00 P.M. on January 28, 2013.

Mayor Harper recognized the success and value of the Junior Giants program. He thanked the Recreation Department for their involvement in youth programs for the community.

Councilmember Agopian spoke to the success of the Junior Giants program.

Councilmember Tiscareno thanked staff for submitting the application that resulted in the trophy coming to Antioch.

Dick Lamb, representing the Patriot Sentinel Riders VMC., requested the City's assistance in the planning and execution of the Memorial Day and Veteran's Day events and asked if Mayor Harper would be interested in being the Masters of Ceremony for the Memorial Day event. He announced the first planning meeting for the Memorial Day event would be held on February 5, 2013, at Oak View Memorial Park.

Mayor Harper agreed to be the Masters of Ceremony for the Memorial Day ceremony and stated he would meet with the Patriot Riders to work out the details for the event.

PUBLIC COMMENTS

Jeanne Horgan, Antioch resident, discussed increased crime and blight occurring in her Meadow Creeks Estates neighborhood. She requested the City's assistance in addressing these issues in her neighborhood.

Mayor Harper thanked Ms. Horgan for coming forward and reported, he was in discussion with staff regarding activity in the area.

Councilmember Agopian reported Deputy Director of Community Development/Recreation Graham supervises Code Enforcement and was in attendance this evening. He encouraged Ms. Horgan to discuss her concerns regarding squatters, with him.

Chris Coles-Morales, Antioch resident, discussed increased crime occurring in her neighborhood and requested the City's assistance in addressing these issues in her neighborhood. She thanked City Attorney Nerland for responding to her email and reported she had followed up with Supervisor Piepho regarding the policing of Section 8 Housing applications.

Mayor Harper responded that he would remain in contact with Ms. Coles-Morales regarding her concerns.

Ms. Coles-Morales stated she was available through email and she expressed her desire to work with the City to create a solution to these problems.

Gil Murillo, Antioch resident, discussed the impact criminal activity had on job creation in Antioch and offered his services to assist the City in promoting itself as a location for businesses to relocate or expand.

COUNCIL SUBCOMMITTEE REPORTS

Councilmember Rocha reported on her attendance at a meeting with Congressman McNerney. She announced an open house for his office would be held on January 17, 2013, at the Prewett Park Community Center.

MAYOR'S COMMENTS

Mayor Harper reported on his attendance at a meeting with Congressman McNerney and a subcommittee meeting dealing with crime issues in the Sycamore area.

1. **COUNCIL CONSENT CALENDAR**
 - A. **APPROVAL OF COUNCIL MINUTES FOR DECEMBER 11, 2012 AND DECEMBER 18, 2012**
 - B. **APPROVAL OF COUNCIL WARRANTS**
 - C. **APPROVAL OF TREASURER'S REPORT FOR NOVEMBER 2012**
 - D. **AUTHORIZATION TO EXTEND CONTRACT FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM SERVICES**

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

Item A was removed from the Consent Calendar for a separate vote on the Minutes.

On motion by Councilmember Agopian, seconded by Councilmember Rocha, the Council approved the Minutes of December 11, 2012. The motion carried the following vote:

Ayes: Wilson, Rocha, Agopian, and Harper

Abstain: Tiscareno

On motion by Councilmember Rocha, seconded by Councilmember Wilson, the Council unanimously approved the Minutes of December 18, 2012.

COUNCIL REGULAR AGENDA

2. **ADOPTION OF AN ORDINANCE PROHIBITING MEDICAL MARIJUANA FACILITIES**

Community Development Director Wehrmeister presented the staff report dated January 3, 2013 recommending the City Council: 1) Motion to read the ordinance by title only; 2) Motion to introduce an ordinance amending Title 5 of the Antioch Municipal Code by adding a new Chapter 21 pertaining to the prohibition of Medical Marijuana Facilities.

Dan Black spoke in opposition of the ordinance and urged the City Council to explore options that could generate revenue to help fund the Police Department and Community Programs.

Ed Breslin, representing the VFCW Local 5, spoke in opposition of the ordinance as currently proposed. He offered to provide information to the Community Development Department and urged them to craft an ordinance with regulations and taxes that would benefit the community.

In response to Councilmember Tiscareno, Director of Community Development Wehrmeister reported the information was the most current information staff could assemble, however, they would research a specific issue, if so directed.

City Attorney Nerland reported the definitions within the ordinance exclude licensed facilities dealing with medical issues, from the prohibition.

Following discussion, Council consensus supported prohibiting medical marijuana facilities noting they feel dispensing cannabis for medical needs should be regulated by licensed facilities dealing with those medical issues.

Councilmember Tiscareno stated he wanted to maintain an open mind as it pertained to generating revenue and job creation. He questioned if there were safer ways of facilitating medical marijuana facilities.

On motion by Councilmember Agopian, seconded by Councilmember Rocha, the Council 1) Read the ordinance by title only, 2) Introduced the ordinance amending title 5 of the Antioch Municipal Code. The motion carried the following vote:

Ayes: Wilson, Rocha, Agopian and Harper

Noes: Tiscareno

3. CITY COUNCIL DISCUSSION OF STRATEGIC PLAN, PRIORITIES, GOALS AND OBJECTIVES

City Manager Jakel presented the staff report dated January 3, 2013, recommending the City Council provide direction to staff related to Strategic Planning, Priorities, Goals and Objectives.

Following discussion, the Council identified their top priorities as follows:

- Public Safety/Code Enforcement/Blight
- Economic Development/Downtown Revitalization/Job Creation
- Growing City Revenues
- Youth programs and employment opportunities
- Community events
- Infrastructure

The Council agreed to have Department Heads review the information to determine how to achieve these goals. They also supported the Budget Subcommittee meeting with staff to discuss how these priorities fit in with budget priorities and future planning.

City Manager Jakel stated he would go back to staff to discuss the general consensus of Council and as part of the budget process include add-on costs and the desired outcome. He noted he would include a discussion regarding returning the existing employees to full-time. He further noted it would be beneficial for the Council and community to begin a vision for 2030.

George Briggs, Antioch resident, presented an email and briefly discussed his disappointment with service he received from the Antioch Police Department.

Mayor Harper stated he would respond to Mr. Brigg's email and encouraged him to contact Captain McConnell, in attendance this evening, regarding his concerns.

4. CITY OF ANTIOCH AS SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT AGENCY

A. REPAYMENT SCHEDULE FOR HOUSING DEFERRED SET-ASIDE

RESOLUTION NO. 2013/05

On motion by Councilmember Rocha, seconded by Councilmember Tiscareno, the Council unanimously adopted the resolution.

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS

City Manager Jakel announced the following meeting and event schedule:

- City Council Meeting January 22, 2013 at 7:00 P.M.
- World Series Trophy January 28, 2013 at the Community Center 6:00 P.M. – 8:00 P.M.

He noted there would be a Water Emergency Transportation Authority update given at the next City Council meeting. He reported there had been some indicators that the economy is beginning to recover with movement in housing prices and some major leasing transactions in commercial space.

COUNCIL COMMUNICATIONS

Councilmember Rocha announced *Coffee with Cops* in Spanish would be held on January 12, 2013, at Holy Rosary Church from 9:00 A.M. – 11:00 A.M.

In response to Councilmember Agopian, City Manager Jakel responded the Veteran's Day and Memorial Day events are in the City's event policy as City sponsored events. He stated he would bring this item back to the City Council and follow up with Mayor Harper.

ADJOURNMENT

With no further business, Mayor Harper adjourned the meeting at 8:18 P.M. to the next regular Council Meeting on January 22, 2013.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk