

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

Special Meeting/Closed Session
2:15 P.M.

January 6, 2015
Public Works Training Room
1201 West 4th Street, Antioch, CA 94509

ROLL CALL *for Closed Session*

Mayor Harper called the meeting to order at 2:20 P.M., and roll was called.

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

1. Study Session/Presentation on General Land Use Concepts and Procedures

City Council received the presentation.

Allen Payton commented on Measure U and the former Residential Development Allocation (RDA) process. There were no public comments on the closed session items.

ADJOURNMENT to Closed Session at approximately 4:15 p.m.

The City Council then adjourned to closed session in the Public Works conference room.

CLOSED SESSIONS:

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – Existing Litigation pursuant to California Government Code §54956.9 (d)(1):

1. Sean and Kelley O’Toole et al v. City of Antioch et al.
U.S. District Court (Northern District) Case No. CV11-1502
2. Virgile Cunningham v. City of Antioch, Antioch Police Department
Contra Costa Superior Court Case No. MSC1102190 and
Contra Costa Superior Court Case No. MSC12-00174
3. Barry White, Jr. and Demitrius Anderson v. City of Antioch et al.
U.S. District Court (Northern District) Case No. C 11-04221

4. Frank Sterling, Robert Barr and Timothy Vierra v. City of Antioch
US District Court (Northern District) Case C13-812
5. Michelle Smiley v. City of Antioch et al.
Contra Costa Superior Court Case CIV MSC14-00766
6. Marcus Duron v. City of Antioch
Contra Costa Superior Court C14-00584
7. Andrea Gonzales v. City of Antioch
U.S. District Court (Northern District) Case C14-04-04728
8. John Burns, Tammy Burns et al. v. City of Concord, City of Antioch,
Contra Costa District Attorney's Office et al.
U.S. District Court (Northern District) Case 14-civ-00535-LB
9. Anthony Michael Mabutus Jr. v. City of Antioch et al.
U.S. District Court (Northern District) Case 14-3796-KAW
10. Ngoc Diem Thi Nguyen and Ezequiel Alavez Nguyen v. City of Antioch
Contra Costa Superior Court Case No. C-14-00445
11. Erika Raulston v. City of Antioch et al.
Contra Costa Superior Court Case No. MSC12-03015
12. Colleen Fisk v. City of Antioch
Contra Costa Superior Court Case No. CivMisc 14-00505
13. Robert Benyamini v. Antioch Police Dept. et al.
Contra Costa Superior Court Case No. 13-01810
14. U.S. ex rel. Hendrix et al. v. J-M Manufacturing
U.S. District Court (Central District) Case NO. EDCV 06-0055
Los Angeles County Superior Court Case No. BC 459943
15. In re Eva Romero and Gilbert Romero
U.S. Bankruptcy Court (Northern District) Case No. 12-44668
(Humphrey's Restaurant)
16. Restraining Order against Stathis "Steve" Maragos
Contra Costa superior Court Case No. N14-1230

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL ANTICIPATED

LITIGATION – Significant exposure to litigation pursuant to California Government Code §54956.9 (d)(2):

1. Letters dated November 27, 2013 and December 12, 2014 from Julia Hunting of Berding Weil representing the Lake Alhambra Property Owners' Association regarding dredging of the Lake
2. Letter dated November 13, 2012 "Notice of Violations and Intent to File Suit under the Clean Water Act" from Law Offices of Jack Silver/River Watch; Settlement Agreement dated January 2013
3. One matter pursuant to Government Code section 54956.9(e)(1)

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL LIABILITY CLAIMS – pursuant to California Government Code §54956(d)(2) and 5§4956.95: 36 claims

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION – Initiation of Litigation pursuant to California Government Code §54956.9 (d)(4):

1. City as Successor Agency to the Antioch Development Agency: 2 matters
2. Second Amendment to the Settlement Agreement, Mutual Release and covenant not to Sue dated April 17, 2014 with Discovery Builders et. al.
3. Draft Environmental Impact Report/Environmental Impact Statement for the Bay Delta Conservation Plan

CLOSED SESSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATION – pursuant to California Government Code §54957: City Attorney

No action was taken on the closed session items.

ADJOURNMENT

With no further business, Mayor Harper adjourned the meeting at 6:36 P.M.

Respectfully submitted:

LYNN TRACY NERLAND
City Attorney