

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

**Special/Regular Meeting  
3:00 P.M.**

**May 23, 2017  
Council Chambers**

**3:00 P.M. - CLOSED SESSION**

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** (Paragraph (1) of subdivision (d) of Section 54956.9) Name of case: In re Antioch Parks & Recreation, Contra Costa Agricultural Commissioner Case No. 1071601.
2. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to California Government Code section 54956.8: City owned Assessor's Parcel Numbers (APN No.'s): 066-110-009; 066-101-001. City and Agency Negotiator, City Manager Ron Bernal; Parties – Orton/Libitzky.
3. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to California Government Code section 54956.8: City and Agency Negotiator, City Manager Ron Bernal; Parties – City Ventures.

Mayor Wright called the meeting to order at 4:04 P.M., and Minutes Clerk Eiden called the roll.

Present: Council Members Wilson, Thorpe, Tiscareno, Ogorchock and Mayor Wright

**PLEDGE OF ALLEGIANCE**

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

**STUDY SESSION – SPECIAL MEETING**

1. **CONTINUATION OF THE GENERAL FUND AND BUDGET DEVELOPMENT FOR ALL REMAINING FUNDS OF THE CITY FOR FISCAL YEARS 2017-19**

City Manager Bernal introduced the Study Session – Special Meeting Item #1.

Finance Director Merchant presented the staff report dated May 23, 2017 recommending the City Council provide feedback and direction regarding the budget development information provided for fiscal years 2017-19.

In response to Councilmember Ogorchock, Finance Director Merchant explained that revising the property tax projected increase to 6 percent resulted in \$160,000 in revenue, which was minimal and could be covered with other revenue or savings, should it become necessary. She noted there would be opportunities for Council to review and amend the budget. Additionally, she stated staff could ensure that the contracts included a yearly performance review.

Councilmember Tiscareno thanked staff for providing Council with the comprehensive budget document.

Councilmember Ogorchock speaking to the landscape surge expenditure item stated she would prefer adding the \$60,000 to a larger pool to begin sustainable rehabilitation of an entire area.

Councilmember Thorpe reported a lighting and landscaping ballot measure would be looked at in 2018.

City Manager Bernal stated expenditure items would be measured and staff would be able to confirm what had been accomplished at mid-year.

Mayor Wright stated the benefit of the landscape surge was to beautify the City while staff continued to work on projects throughout Antioch.

In response to Mayor Wright, Deputy Director of Public Works Bechtholdt explained that the challenge was to find a crew that would work for 6-8 weeks during the growing season. He stated \$60,000 would not fund a significant project and recommended Council allocate \$150,000 for the rehabilitation of a section of median. He noted that that action would result in a cost savings to the City.

Councilmember Ogorchock reiterated her support for funding the rehabilitation of certain medians such as "L" Street, south of the freeway.

Assistant City Engineer Filson speaking to the future "L" Street improvements explained the grant received by the City was for hardscape and a subsequent grant application was submitted for landscaping; however, she was unsure if the City would receive the landscaping grant.

Councilmember Tiscareno voiced his support for the \$60,000 landscape surge noting that due to the significant amount of medians needing to be rehabilitated; he felt Council should consider funding for that project, in the future.

Councilmember Thorpe agreed with funding the landscape surge expenditure item.

On motion by Councilmember Wilson, seconded by Councilmember Thorpe, Council unanimously directed staff to include the FY2017/18 and FY2018/19 expenditure items and revised property tax projections, as presented in the staff report.

Finance Director Merchant stated the final General Fund budget would be coming before Council on June 27, 2017 and it would include tonight's action by Council as well as any minor adjustments necessary.

Finance Director Merchant presented the Special Revenue, Capital Projects, Debt Service, Enterprise, Internal Service, Antioch Public Financing Authority, and Housing Successor & Successor Agency Funds.

In response to Mayor Wright, Finance Director Merchant stated she would report back to Council on the debt balance for the 2015A Lease Revenue Refunding Bond (ABAG 2001) (Fund 410).

Finance Director Merchant stated she would bring back the budget for adoption on June 27, 2017.

Councilmember Tiscareno and Mayor Wright thanked Finance Director Merchant for the comprehensive report.

Mayor Wright adjourned the Budget Study Session at 5:15 P.M.

Mayor Wright called the meeting to order at 7:00 P.M., and Minutes Clerk Eiden called the roll.

Present: Council Members Wilson, Thorpe, Tiscareno, Ogorchock and Mayor Wright

Interim City Attorney Cole reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**, Direction given to City Attorney, **#2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS**, Direction given to City Manager Bernal; and, **#3 CONFERENCE WITH REAL PROPERTY NEGOTIATORS**, Direction given to City Manager Bernal.

Mayor Wright introduced Interim City Attorney Cole.

## **PLEDGE OF ALLEGIANCE**

Councilmember Wilson led the Council and audience in the Pledge of Allegiance.

## **2. PROCLAMATIONS**

*National Police Week, May 14 – 20, 2017*

*National Public Works Week, May 21 – 27, 2017*

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

Mayor Wright introduced newly appointed Police Chief Brooks who accepted the *National Police Week* proclamation on behalf of the men and women of the Antioch Police Department and thanked Council for their support.

Mayor Wright presented the *National Public Works Week* proclamation to Deputy Director of Public Works Bechtholdt, Assistant City Engineer Filson, and President of the Antioch Public Works Employee Association Art Lucero, who thanked the City Council and the management team for their support.

The City Council thanked the Antioch Police Department and Public Works Department employees for their hard work and dedication.

### **ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

Alejandra Plascencia, First 5 Contra Costa, and Janet Costa, East County Regional Group, invited Council and the community to attend the ribbon-cutting ceremony of the new play structure from 10:30 A.M. – 1:30 P.M. on June 10, 2017, at Prosserville Park. They thanked the Council and City staff for their support.

Deputy Director of Public Works Bechtholdt thanked First 5 for their collaborative efforts in bringing the project to fruition.

Director of Parks and Recreation Kaiser thanked everyone who participated in the Open House and Dedication of the Cattail Harbor Spray Ground on May 13, 2017. She announced Opening Day for the Water Park would be 11:00 A.M. on May 27, 2017 and season passes were still available. She also announced the Mayor's Golf Tournament would be held on June 5, 2017.

Martha Parsons announced the Memorial Day Ceremony would be held at 10:00 A.M. at Oak View Memorial Park Cemetery on May 29, 2017.

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

Minutes Clerk Eiden announced the following Commission openings:

- *Economic Development Commission: Three (3) vacancies; deadline date is May 31, 2017*

She reported applications would be available online at the City's website and at the City Clerk's and Deputy City Clerks offices.

### **PUBLIC COMMENTS**

Merle Whitburn, Antioch Library, spoke in support of the City funding additional hours for the Antioch Library. Several members of the audience stood in support of Ms. Whitburn's request.

Julie Neward and Shannon Skinner, Somersville Towne Center, provided an update of leasing efforts, enhancements, security improvements and events at the mall. They thanked the City,

Antioch Police Department, Police Crime Prevention Commission, and community members for supporting their events.

**COUNCIL SUBCOMMITTEE REPORTS - None**

**MAYOR'S COMMENTS**

Mayor Wright announced consideration of extended library hours would be considered by Council during Budget discussions on June 27, 2017 and he thanked those who had indicated they supported additional library hours. He congratulated newly appointed Chief Brooks and his wife Michelle, stating that he looked forward to his leadership of the Antioch Police Department. He announced the State of the City would be held from 12:00 P.M. – 1:30 P.M. on May 26, 2017 and at 7:00 P.M. on June 14, 2017 at the Prewett Park Community Center. He welcomed his father to the meeting and stated he loved him and was pleased he was able to be in attendance this evening.

**PRESENTATIONS**

*Keep Antioch Beautiful Award Checks, presented by Martha Parsons*

Martha Parsons and members of the Keep Antioch Beautiful Committee announced the Elementary, Middle, and High School award winners and presented checks to representatives who were in attendance.

Environmental Resource Coordinator Haas-Wajdowicz thanked the Antioch Council of Teens for volunteering for the event and presented them with a check for their service.

Ms. Parsons thanked all the volunteers and announced a total of \$3,250 had been awarded.

Mayor Wright encouraged residents to participate in future Keep Antioch Beautiful events and thanked Ms. Parsons and Environmental Resource Coordinator Haas-Wajdowicz for their leadership.

*SB 1193 Human Trafficking, presented by Alex Madsen*

Alex Madsen, Contra Costa County Human Trafficking Project Coordinator Alliance to End Abuse, gave a PowerPoint presentation on Human Trafficking. She announced SB1193 *Day of Action* would be held on June 15, 2017 at the Antioch Police Department and she encouraged residents to volunteer for the event. She reported they provided training for the staff at hotels and motels as part of the *No Room for Trafficking Campaign*. Contact information was provided.

Councilmember Wilson thanked Ms. Madsen for the presentation and Chief Brooks for helping to organize the *Day of Action*. She requested staff look into a strategy that would prevent hotels and motels from offering hourly rates.

Mayor Wright thanked Ms. Madsen for the presentation.

*Library Presentation, presented by Melinda S. Cervantes*

Melinda Cervantes, Contra Costa County Library, gave a PowerPoint presentation of Antioch Library Hours and Services.

The City Council thanked Ms. Cervantes for the presentation.

Councilmember Wilson suggested the library include a study skills program and survey students on their choice of programming.

In response to Councilmember Thorpe, Ms. Cervantes stated they would be capturing the data for usage and program participation, to present to Council next year.

In response to Mayor Wright, Ms. Cervantes stated if Council approved funding as discussed, the Antioch Library would receive a second librarian. She spoke to the need for volunteers and provided contact information for anyone wishing to receive additional information.

3. **COUNCIL CONSENT CALENDAR for City /City as Successor Agency/Housing Successor to the Antioch Development Agency**
- A. **APPROVAL OF COUNCIL MINUTES FOR MAY 9, 2017**
- B. **APPROVAL OF COUNCIL WARRANTS**
- C. **APPROVAL OF TREASURER'S REPORT FOR APRIL 2017**
- D. **RESOLUTION NO. 2017/58 ESTABLISHING THE APPROPRIATIONS LIMIT FOR THE 2017-18 FISCAL YEAR**
- E. **RESOLUTION NO. 2017/59 AUTHORIZATION TO AMEND CONSULTANT CONTRACT WITH PLANNING FIRM RANEY PLANNING AND MANAGEMENT TO INCREASE THE CONTRACT VALUE TO A TOTAL NOT TO EXCEED FOUR HUNDRED THOUSAND DOLLARS (\$400,000)**
- F. **RESOLUTION NO. 2017/60 AND RESOLUTION NO. 2017/61 APPROVAL OF IMPROVEMENT AGREEMENTS AND IMPROVEMENT PLANS FOR AN OFFSITE SANITARY SEWER LINE AND IN-TRACT STORM DRAIN OUTFALL IMPROVEMENTS FOR AVIANO UNIT 1 SUBDIVISION 9279 (PW 676)**
- G. **RESOLUTION NO. 2017/62 APPROVING CONSOLIDATED ENGINEER'S REPORT AND DECLARING INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE HILLCREST, CITYWIDE, DOWNTOWN, ALMONDRIDGE, LONE TREE, AND EAST**

**LONE TREE LANDSCAPE MAINTENANCE DISTRICTS, AND SETTING PUBLIC HEARING (PW 500)**

- H. **COMMUNITY DEVELOPMENT BLOCK GRANT DOWNTOWN ROADWAY PAVEMENT REHABILITATION, PHASE 7 (P.W. 678-7)**
- I. **RESOLUTION NO. 2017/63 VERIFYING THAT THE CITY OF ANTIOCH COMPLIES WITH THE TERMS OF THE SURPLUS LAND ACT – ASSEMBLY BILL 2135 (CALIFORNIA GOVERNMENT CODE SECTION 54220) AS A REQUIREMENT FOR OBAG GRANT FUNDING FOR THE “L” STREET PATHWAY TO TRANSIT – PEDESTRIAN AND BIKE IMPROVEMENT PROJECT (P.W. 234-15)**
- J. **RESOLUTION NO. 2017/64 TRAFFIC SIGNAL INSTALLATION – WILD HORSE ROAD AND FOLSOM DRIVE AND TRAFFIC SIGNAL MODIFICATIONS – W. 10TH STREET/L STREET (P.W. 636-8)**
- K. **RESOLUTION NO. 2017/65 WATER TREATMENT CHEMICALS PURCHASE**
- L. **RESOLUTION NO. 2017/66 ANTIOCH BUILDING MATERIALS - ASPHALT CONTRACT AMENDMENT**
- M. **RESOLUTION NO. 2017/67 APPROVING THE CLASS SPECIFICATION UPDATES WITH NO SALARY CHANGES FOR THE FOLLOWING BARGAINING UNITS: ANTIOCH PUBLIC WORKS EMPLOYEES ASSOCIATION; OPERATING ENGINEERS UNION LOCAL NO. 3; CONFIDENTIAL; AND MANAGEMENT**

**City of Antioch Acting as Successor Agency/Housing Successor to the Antioch Development Agency**

- N. **APPROVAL OF SUCCESSOR AGENCY WARRANTS**
- O. **APPROVAL OF HOUSING SUCCESSOR WARRANTS**

On motion by Councilmember Tiscareno, seconded by Councilmember Ogorchock, Council unanimously approved the Council Consent Calendar with the exception of Items F and M, which were removed for further discussion.

Item F – City Manager Bernal introduced Item F.

Assistant City Engineer Filson reported the Aviano project received approval and due to time constraints needed to begin the offsite improvements. She noted representatives from the Aviano and Vineyards projects were working together to resolve the outstanding issues.

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, the Council unanimously approved Item F.

Item M – City Manager Bernal introduced Item M.

Administrative Services Director Mastay presented the staff report and supplemental staff report dated May 23, 2017 recommending the City Council approve Item M.

In response to Councilmember Tiscareno, Administrative Services Director Mastay explained she had approval from the Locals to move forward with the recommended action.

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the Council unanimously approved Item M.

## **PUBLIC HEARING**

### **4. PROPOSED UPDATES TO THE MASTER FEE SCHEDULE EFFECTIVE JULY 1, 2017 (FISCAL YEAR 2017-2018)**

City Manager Bernal introduced Public Hearing Item #4.

Finance Director Merchant presented the staff report and supplemental staff report dated May 23, 2017 recommending that the City Council adopt the resolution approving updates to the Master Fee Schedule effective July 1, 2017.

Mayor Wright opened the public hearing.

Dr. Jeffrey Klingler, Antioch resident, questioned if information regarding the Master Fee Schedule had been made public pursuant to California Government Code. He requested Council consider reducing the fee for paper copies to \$0.10 per page and no more than \$0.5 for electronic copies.

Mayor Wright closed the public hearing.

Interim City Attorney Cole reported that the City had published the public hearing notice in the newspaper 10-days in advance of the item coming to Council.

Finance Director Merchant explained the \$0.20 per page fee was associated with cost recovery and had been in effect for at least 7 years.

Councilmember Thorpe suggested incentivizing the public by reducing costs for electronic copies to \$0.5 -\$0.10, per page.



Finance Director Merchant explained that electronic copies also required a staff person to retrieve and disperse information.

Director of Parks and Recreation Kaiser reviewed the water park rate structure.

In response to Councilmember Wilson, Chief Brooks reviewed fees associated with false alarms. He reported they were currently researching other billing mechanisms and that information would be coming back to Council.

In response to Councilmember Wilson, Director of Community Development Ebbs stated staff was in the educational phase for the shopping cart ordinance. He would report back to Council on the number of carts collected.

Director of Community Development Ebbs explained Code Enforcement was developing a comprehensive strategy plan that would be coming to Council within the next year.

City Manager Bernal added that the City could only charge for the cost of services and fines levied were the maximum permitted by law. He noted the cost allocation study would consider the cost of providing City services.

**RESOLUTION NO. 2017/68**

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the Council unanimously adopted the resolution approving updates to the Master Fee Schedule effective July 1, 2017.

**5. COMMUNITY CHOICE AGGREGATION PROGRAM**

City Manager Bernal introduced Regular Agenda Item #5.

Environmental Resource Coordinator Haas-Wajdowicz presented the staff report dated May 23, 2017 recommending that the City Council join MCE Clean Energy (MCE) and introduce an Ordinance Authorizing the Implementation of a Community Choice Aggregation Program (CCA) and Approving the MCE Joint Powers Agreement.

In response to Council, Environmental Resource Coordinator Haas-Wajdowicz stated if residents or commercial businesses opt out of MCE, they would need to wait a year to opt back in to the program. She reported East Bay Community Energy (EBCE) had been informed that this item would be heard by Council this evening and she was unaware as to why Brentwood had decided to postpone moving forward with MCE.

J.R. Killigrew, Community Development Manager MCE Clean Energy, explained that they were a Joint Powers Authority (JPA), not for profit, agency that acted as the default electric service

provider and conduit between clean energy producers and PG&E's infrastructure. He reviewed their feed-in tariffs program. He noted there were economic benefits and an opportunity to bring 11,000 – 13,000 potential local jobs to Contra Costa County.

In response to Councilmember Tiscareno, Mr. Killigrew explained that jobs were created with the programs they facilitated.

Councilmember Wilson expressed concern the City had not had the opportunity to speak to EBCE or PG&E regarding CCA.

Environmental Resource Coordinator Haas-Wajdowicz responded that PG&E had been relatively silent regarding the program and EBCE was aware this item was on the agenda and had not sent a representative to make a presentation.

Mayor Wright explained that PG&E was not permitted to take a stance on this issue. He stated other entities who chose MCE had indicated their choice was based on the fear the EBCE Board and their decisions would be controlled by Alameda County cities. Additionally, he noted Brentwood hesitated moving forward as they did not agree with the forced entry and because the cost benefit had not been proven.

Mr. Killigrew reviewed their community outreach plan and explained that due to the amount of outreach and staff time it would take; it was not feasible for them to have an opt-in program. He reported their rates were cheaper than PG&E, 70 percent of the time, and their goal was to be cost competitive and catalyze local economic development.

Mayor Wright stated the City was looking for long term job creation and needed to be careful regarding utilizing industrial land for short term gain.

Mr. Killigrew stated the City's partnership with NRG was a solid program and he suggested the City consider other solar sites where they could benefit from the net energy metering program.

Harry Thurston, Antioch resident, spoke in support of the City joining MCE.

Mayor Wright closed the public hearing.

In response to Councilmember Thorpe, Environmental Resource Coordinator Haas-Wajdowicz explained greenhouse gas reduction projections were based on existing PG&E versus the MCE matrix.

Mr. Killigrew added that MCE was 56 percent renewable, 70 percent greenhouse gas free and had adopted a goal of being 100 percent greenhouse gas free by 2025. He stated that they facilitated providing cost effective programs and as a result those programs provided local jobs.

Councilmember Ogorchock expressed concern for the process of notifying homeowners regarding their opportunity to opt out.

Mr. Killigrew explained residents would receive five notices, which equated to five months for them to make a decision with regards to opting out of the program. He noted that due to load and procurement strategies; it would be financially prohibitive for the City to leave the JPA.

In response to Mayor Wright, Mr. Killigrew responded that they provided a cost calculator on their website which was paired with PG&E rates and MCE rates were competitive. He stated the deadline for the decision was June 30, 2017 and their goal was to enroll all customers in 2018. He stated they would be determining whether or not they would open up inclusion again for communities who decided not to participate at this time.

In response to Councilmember Thorpe, Environmental Resource Coordinator Haas-Wajdowicz stated she discussed CCE when she was out in the community and she had posted information on Nextdoor and Facebook.

Councilmember Thorpe expressed concern that Council was being asked to make a decision which would lock in rate payers, prior to engaging the community in the process.

Councilmember Tiscareno stated he liked the concept of choice; however, he was concerned for the financial impact should the City decide to leave the JPA. He requested data on the costs associated with that action.

Environmental Resource Coordinator Haas-Wajdowicz explained that if the City joined CCE, they would make purchasing agreements for power to supply the community and if the City decided to remove themselves, CCE would need to receive cost recovery for the power purchased. She noted that was why it was more feasible to encourage community members to opt out and pay the fee.

Director of Community Development Ebbs explained the program was not a jobs or economic development program; however, it was an uncomplicated way for the City to meet their climate change legislation goals.

Councilmember Ogorchock expressed concern for the process for opting out of the program and that MCE had not determined that there would be a cost savings. She requested additional time to meet with legal Counsel regarding liability issues and to gather more information.

Interim City Attorney Cole stated given the discussion this evening, Council could table the matter or vote to introduce the ordinance and postpone adopting the resolution, recognizing that they would have the opportunity to decide whether or not to move forward on the recommended action at their next meeting.

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, Council introduced an Ordinance Authorizing the Implementation of a Community Choice Aggregation Program (CCA) and continued the resolution approving the MCE Joint Powers Agreement to June 13, 2017. The motion carried the following vote:

*Ayes: Tiscareno, Ogorchock, Wright*

*Noes: Wilson, Thorpe*

Interim City Attorney Cole stated the ordinance would come back for the second reading with the resolution, at the next City Council meeting.

### **COUNCIL REGULAR AGENDA**

#### **6. BOARD OF ADMINISTRATIVE APPEAL APPOINTMENT FOR ONE (1) PARTIAL-TERM VACANCY EXPIRING MARCH 2020**

Mayor Wright nominated April Ussam-Lemmons for a partial-term vacancy expiring March 2020.

#### **RESOLUTION NO. 2017/69**

On motion by Councilmember Tiscareno, seconded by Councilmember Ogorchock, Council unanimously appointed April Ussam-Lemmons by resolution to a partial-term vacancy expiring March 2020.

#### **7. TENTATIVE AGREEMENT BETWEEN THE CITY OF ANTIOCH AND THE ANTIOCH PUBLIC WORKS EMPLOYEES ASSOCIATION FOR THE PERIOD OF APRIL 1, 2017 – MARCH 31, 2022**

City Manager Bernal introduced Regular Agenda Item #7.

Administrative Services Director Mastay presented the staff report dated May 23, 2017 recommending that the City Council adopt a resolution approving the Tentative Agreement between the City of Antioch and the Antioch Public Works Employees Association (APWEA).

#### **RESOLUTION NO. 2017/70**

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, Council unanimously adopted a resolution approving the Tentative Agreement between the City of Antioch and the Antioch Public Works Employees Association (APWEA).

Councilmember Tiscareno thanked and commended staff for resolving the contract negotiation in a timely manner.

**PUBLIC COMMENTS - None**

**STAFF COMMUNICATIONS**

City Manager Bernal announced the following events: State of City on May 26, 2017 at the Antioch Community Center, Memorial Day Celebration beginning at 10:00 A.M. on May 29, 2017 at Oak View Memorial Park, and City offices would be closed May 29, 2017 for Memorial Day.

Chief Brooks announced the Antioch Police Department 2016 Service Awards Ceremony would be held at 3:00 P.M. on May 25, 2017 in Council Chambers.

**COUNCIL COMMUNICATIONS** - None

**ADJOURNMENT**

With no further business, Mayor Wright adjourned the meeting at 10:01 P.M. to the next regular Council meeting on June 13, 2017.

Respectfully submitted:

*Kitty Eiden*

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KITTY EIDEN, Minutes Clerk