

CITY COUNCIL MEETING

Regular Meeting
7:00 P.M.

March 11, 2014
Council Chambers

Mayor Pro Tem Rocha called the meeting to order at 7:01 P.M., and City Clerk Simonsen called the roll.

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

PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS

The Delta Valley Wolfpack Cheer Team
Nati Flores – Contra Costa Commission for Women’s Hall of Fame

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

Mayor Pro Tem Rocha presented the proclamation to Kimberly Scott, founder of Delta Valley Wolfpack, who thanked the City Council for the proclamation. She introduced Wolfpack Cheer Team members who performed for the audience.

Mayor Pro Tem Rocha announced the *Nati Flores – Contra Costa Commission for Women’s Hall of Fame* proclamation would be presented at the Women’s Conference.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Martha Parsons and Joy Motts, members of the Keep Antioch Beautiful Day committee stated the Citywide Cleanup event would take place from 8:30 A.M. – 11:00 A.M., April 25, 2014. They announced there would be 1st (\$500), 2nd (\$300) and 3rd (\$200) cash prizes for the elementary, middle and high schools with the most volunteers. Contact information was provided for anyone wishing to participate.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen announced the following Commission opening.

- *Parks and Recreation Commission: Four (4) vacancies; extended deadline date is March 13, 2014*

He noted applications were available on the City’s website and at the City Clerk and Deputy City Clerk’s office.

PUBLIC COMMENTS

Lori Cook and neighbors of the Deer Valley Plaza Shopping Center presented the City Council with photos and expressed concern regarding people who engaged in criminal activity in the area. They requested the City Council contact the owner of the shopping center and request he address their concerns.

Mayor Pro Tem Rocha apologized for what the residents had experienced and stated the City needed to work with the owner of the shopping center to resolve the issues.

Councilmember Agopian suggested Ms. Cook meet with City Manager Duran to seek his input on how to move forward to resolve the situation.

City Manager Duran added that anyone unsure of who to contact regarding their concerns, could contact him and he would make sure the information would be directed to the proper employee/department.

Councilmember Tiscareno encouraged the nearby Neighborhood Watch Groups include the Deer Valley Shopping Center business owners in their meetings.

Bill Cook added that the business owners were intimidated and afraid to come forward.

Mary Lopez, Antioch resident, expressed concern regarding youth who wear their pants too low and urged the City work with the school to change the attitudes of youth. She thanked the Antioch Police Department for their service.

Julie Linford, Outcast Cat Help, spoke in opposition to the proposed ordinance that would ban the feeding of feral cats on public property. She updated the Council on their efforts to work with the City to humanely control the feral cat population and requested a meeting with an internal operations committee to identify and discuss the issues.

Karen Kops, President of Homeless Animal Response Program (HARP) and Spay Neuter Impact Program (SNIP), reported historically feral cat feeding bans were unsuccessful. She stated volunteers had been operating a Trap Neuter Return (TNR) in Antioch for ten (10) years. She requested the City establish a community endorsed TNR program and she offered to work with the City to accomplish this goal.

Ken Rickner, Bethel Island, encouraged the City to not close homeless encampments in Antioch.

Councilmember Rocha invited Mr. Rickner to attend the Suburban Poverty Task Force meeting at 9:00 A.M. on March 13, 2014, in Council Chambers.

Rafael Scott, Antioch resident, discussed homeless issues in Antioch and encouraged the City to find a workable way to address the problems.

Councilmember Rocha invited Mr. Scott to attend the Suburban Poverty Task Force meeting at 9:00 A.M. on March 13, 2014, in Council Chambers.

Michael Huckathorn, Antioch business owner, reported he had been involved in providing care for the cats that had been abandoned downtown during the housing crisis. He noted preventing people from feeding and providing water to these animals would be cruel and lacked compassion. He urged the City to instead focus their efforts on reducing criminal activity.

COUNCIL SUBCOMMITTEE REPORTS

Mayor Pro Tem Rocha reported on her attendance at the Bay Delta Conservation Plan (BDCP) forum meeting. She announced the Suburban Poverty Task Force meeting would be held at 9:00 A.M. on March 13, 2014, in Council Chambers and Coffee with the Cops for the Spanish speaking population would be held at 9:00 A.M. on March 15, 2014, at Holy Rosary Church.

MAYOR'S COMMENTS - None

1. COUNCIL CONSENT CALENDAR

A. APPROVAL OF COUNCIL MINUTES FOR FEBRUARY 25, 2014

B. APPROVAL OF COUNCIL WARRANTS

C. REJECTION OF CLAIM

- 1. Mayrdawna Davis 14/15-2162 (civil rights claim over Tri-Delta Transit's denial of paratransit service)**

D. ORDINANCE 2078-C-S ADDRESSING AN EXTENDED ABSENCE BY AN ELECTED OFFICIAL

E. RESOLUTION 2014/16 APPROVAL OF SUPPORTING THE INSTALLATION OF ELECTRIC VEHICLE CHARGING (EVC) STATIONS AND AUTHORIZING THE SUBMISSION OF A FUTURE GRANT APPLICATION FOR AN EVC STATION (P.W. 690)

F. RESOLUTION 2014/17 APPROVAL OF AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS FOR THE RESTROOM IMPROVEMENTS AT THE MARINA BOAT LAUNCH FACILITY (P.W. 523-16R)

G. RESOLUTION 2014/18 AND RESOLUTION 2014/19 TO SUMMARILY VACATE SURPLUS PORTIONS OF AUTO CENTER DRIVE AND MAHOGANY WAY AND AUTHORIZE THE CITY MANAGER TO EXECUTE ANY ADDITIONAL DOCUMENTS TO VACATE ANY INTEREST TO LOWE'S HIW, INC., QUITCLAIM INTEREST IN EXISTING

WATER MAIN EASEMENT, AND ACCEPT REPLACEMENT EASEMENTS AND RIGHT-OF-WAY (PW 357-301-13)

On motion by Councilmember Wilson, seconded by Councilmember Tiscareno, the City Council unanimously approved the Council Consent Calendar.

PUBLIC HEARING

2. CONSIDERATION OF ADOPTION OF DEVELOPMENT IMPACT FEES AND AMENDMENTS TO THE GROWTH MANAGEMENT PROGRAM

A) THE CITY OF ANTIOCH IS PROPOSING TO ADOPT DEVELOPMENT IMPACT FEES AND UPDATE PARK IN-LIEU FEES PURSUANT TO THE GOVERNMENT CODE

Director of Community Development Wehrmeister presented the staff report dated 6, 2014 recommending the City Council: 1) Motion to introduce the ordinances by title only. 2) Motion to introduce the ordinance adding Chapter 3 of Title 9 to the Antioch Municipal Code establishing Development Impact Fees. 3) Motion to introduce the ordinance amending Sections -4-1003, 9-4.1005 and 9-4.1007 in Chapter 4, of Title 9 of the Antioch Municipal Code regarding amount of fees in-lieu of land dedication for park and recreational land.

Walter Kieser, Senior Principal Economic and Planning Systems Inc. (EPS) provided a detailed presentation on impact fees and the specific recommendations for the City of Antioch.

In response to Councilmember Agopian, Mr. Kieser explained the primary factor regarding the discrepancy in single-family and multi-family unit cost was persons per dwelling unit, as determined by the existing data. He added that the City Council would have the opportunity to review and adjust fees annually to reflect changing trends and respond to the market

Councilmember Agopian encouraged the City hold discussion with the School District regarding adequately funding schools.

In response to Councilmember Tiscareno, Community Development Director Wehrmeister clarified neighboring jurisdictions have a different type of funding mechanism to fund police operations. She stated staff was looking at putting that type of requirement on future development.

Mayor Pro Tem Rocha opened and closed the public hearing with no speakers requesting to speak.

Councilmember Agopian stated he supports the annual review to assure the fees reflect current trends. He requested staff provide a list of future park facilities.

On motion by Councilmember Agopian, seconded by Councilmember Wilson the Council unanimously 1) Motioned to introduce the ordinances by title only. 2) Motioned to introduce the ordinance adding Chapter 3 of Title 9 to the Antioch Municipal Code establishing Development

Impact Fees. 3) Motioned to introduce the ordinance amending Sections -4-1003, 9-4.1005 and 9-4.1007 in Chapter 4, of Title 9 of the Antioch Municipal Code regarding amount of fees in-lieu of land dedication for park and recreational land.

B) THE CITY OF ANTIOCH IS PROPOSING GENERAL PLAN AND ZONING ORDINANCE AMENDMENTS TO REVISE THE RESIDENTIAL DEVELOPMENT ALLOCATION PROGRAM (GROWTH MANAGEMENT PROGRAM). THE PLANNING COMMISSION RECOMMENDED APPROVAL OF THE PROPOSED AMENDMENTS ON JANUARY 15, 2014.

Community Development Director Wehrmeister presented the staff report dated March 6, 2014 recommending the City Council: 1) Motion to adopt the resolution amending the Growth Management Element of the General Plan to reflect updates to the residential growth management ordinance. 2) Motion to read the ordinance by title only. 3) Motion to introduce an ordinance repealing and reenacting Title 9, Chapter 5, Article 40 or the Antioch Municipal Code regarding Residential Growth Management.

In response to Councilmember Tiscareno, Community Development Director Wehrmeister stated if the ordinance were allowed to sunset, staff could provide Council with quarterly reports of the residential permits issued.

Mayor Pro Tem Rocha opened and closed the public hearing with no speakers requesting to speak.

Councilmember Tiscareno expressed concern the ordinance would be interpreted as a restriction and deter developers from bringing viable projects to Antioch. He stated he felt metering could be done without an ordinance.

Councilmember Agopian stated that he felt metering would allow the City to review and determine if infrastructure was in place to allow more residential growth.

RESOLUTION NO. 2014/20

On motion by Councilmember Agopian, seconded by Councilmember Wilson, the Council 1) Motioned to adopt the resolution amending the Growth Management Element of the General Plan to reflect updates to the residential growth management ordinance with separate direction to staff to provide quarterly reports of residential permits issued. 2) Motioned to read the ordinance by title only. 3) Motioned to introduce an ordinance repealing and reenacting Title 9, Chapter 5, Article 40 or the Antioch Municipal Code regarding Residential Growth Management. The motion carried the following vote:

Ayes: Rocha, Agopian, Wilson

Noes: Tiscareno

Absent: Harper

COUNCIL REGULAR AGENDA

3. AMEND TITLE 3, CHAPTER 1, OF THE ANTIOCH MUNICIPAL CODE TO UPDATE PROCEDURES REGARDING BUSINESS LICENSING

Finance Director Merchant presented the staff report dated February 27, 2014 recommending the City Council approve: 1) Motion to read the ordinance by title only; and 2) Motion to introduce an ordinance amending in its entirety Chapter 1, "Business Licensing," of Title 3 of the Antioch Municipal Code and Adding Chapter 4, "Sound Advertising Regulations" to Chapter 2 of Title 5 of the Antioch Municipal Code regarding business licensing procedures and not the amount of the business license tax.

On motion by Councilmember Agopian, seconded by Councilmember Tiscareno the Council unanimously 1) Motioned to read the ordinance by title only; and 2) Motioned to introduce an ordinance amending in its entirety Chapter 1, "Business Licensing," of Title 3 of the Antioch Municipal Code and Adding Chapter 4, "Sound Advertising Regulations" to Chapter 2 of Title 5 of the Antioch Municipal Code regarding business licensing procedures and not the amount of the business license tax.

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS

City Manager Duran reported on his attendance at the Antioch Rotary Club luncheon, Mayor's Conference and Chamber of Commerce meeting.

COUNCIL COMMUNICATIONS

Councilmember Tiscareno reported on his attendance at the Upper Sand Creek Basin restoration project ribbon-cutting. He announced the *We're Looking Out for You* program was approaching its first year anniversary on March 14, 2014, he, along with Chief Cantando and Police Crime Prevention Commissioner Cook, would be thanking the workers at Republic Waste Management for their service.

Mayor Pro Tem Rocha thanked Councilmember Tiscareno for planting her tree at the ribbon-cutting event.

ADJOURNMENT

With no further business, Mayor Harper adjourned the meeting at 8:48 P.M. to the next regular Council meeting on March 25, 2014.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk