

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

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

**April 26, 2016
Council Chambers**

6:00 P.M. - CLOSED SESSION

- 1. CONFERENCE WITH LEGAL COUNSEL** – Existing Litigation pursuant to California Government Code §54956.9 (d)(1): Maria Ahmed, et. al. v. City of Antioch, et. al., United States District Court Case No. 16-1693 JCS.

- 2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION** – This Closed Session is authorized by California Government Code §54957 – City Manager

City Attorney Vigilia reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LEGAL COUNSEL**, No reportable action; and, **#2 PUBLIC EMPLOYEE PERFORMANCE EVALUATION**, No reportable action.

Mayor Harper called the meeting to order at 7:01 P.M., in recognition of Pittsburg Police Officer Larry Lassiter who, eleven years ago, passed away in the line of duty. Minutes Clerk Eiden called the roll.

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

PLEDGE OF ALLEGIANCE

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

1. PROCLAMATIONS

National Sexual Assault Awareness Month, April 2016
National Water Safety and Drowning Prevention Month May 2016

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

Mayor Harper presented the *National Water Safety and Drowning Prevention Month* proclamation to Director of Parks and Recreation Kaiser who thanked the City for the recognition and discussed the importance of water safety education. She announced the Water Park was hosting a pre-season Open House on May 15, 2016.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Director of Park and Recreation Kaiser announced the Recreation Department was hosting the spring campfires event at 6:00 P.M. on April 29, 2016 at the Antioch Community Center Amphitheater.

Velma Wilson, Antioch resident, thanked Mayor Harper and Councilmembers Ogorchock and Wilson for their support at the East County NAACP Scholarship banquet. She announced the Antioch Rivertown Jamboree was hosting a Crab Feed to benefit the Delta 6 Boat Races, on April 30, 2016 at 6:00 P.M. at St. George's Episcopal Church and Antioch High School was hosting Family Night at the Oakland A's game on May 19, 2016. Contact information was provided.

PUBLIC COMMENTS

David Redford, Antioch resident, thanked Mayor Harper for his show of care and concern during a recent vehicle accident. He expressed concern regarding the City not reporting out how many Police Officers had been hired utilizing Measure "C" funds and requested the City provide the public with the information.

Frank Chong, representing 1401 Broadway LLC, owner of property on Somersville Road, expressed concern regarding homeless activities in the area that created an unsafe environment for tenants and customers. He questioned what resources were available from the City to address the problem.

Sharan Shergill, Mountain Mikes Pizza, agreed with Mr. Chong and stated this issue was negatively impacting her business. She requested the City assist in addressing these concerns.

Mayor Harper suggested Mr. Chong and Ms. Shergill contact the Antioch Police Department and continue to report criminal activity occurring in the area. He noted the City was aware of the issues and were committed to addressing them.

Anthony K, Antioch resident, expressed concern regarding illegal homeless activities occurring near Big Lots and adjacent to the retaining wall on Delta Fair Blvd. He reported the problems appeared to be migrating toward Gentrytown Dr. and the trail area. He spoke in support of the City building a homeless shelter.

Mayor Harper stated he would be requesting staff agendize an update on the City's homeless outreach efforts.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

Mayor Harper announced the following Board and Commission openings:

- Sales Tax Citizens' Oversight Committee: Three (3) vacancies; deadline date is May 13, 2016
- Board of Administrative Appeals: One Alternate (1) vacancy; deadline date is May 13, 2016

He reported applications would be available in Council Chambers, online at the City's website and at the City Clerk's and Deputy City Clerks offices.

COUNCIL SUBCOMMITTEE REPORTS

Councilmember Rocha announced she had been appointed to the BART Subcommittee and she noted Tri Delta Committee would be considering electric buses at their next meeting.

Councilmember Tiscareno reported on his attendance at the TRANSPLAN meeting.

MAYOR'S COMMENTS - None

City Manager Duran announced staff was requesting the following urgency item be placed on the agenda: (*Regular Agenda item #6*)

Resolution of the City Council of the City of Antioch Establishing the Rate Per Equivalent Runoff Unit for Fiscal Year 2016/17 and Requesting the Contra Costa County Flood Control and Water Conservation District to Adopt an Annual Parcel Assessment for Drainage Maintenance and the National Pollution Discharge Elimination System Program.

He noted this was an urgency item as the deadline for staff to be able to submit with a Council resolution was April 29, 2016.

City Attorney Vigilia explained in order for Council to discuss and take action on this item it would require a 2/3 majority vote to place it on the agenda, making a finding that immediate action was necessary, as it had come to the attention of the Council after the agenda was published. He added that since there was no prior notice to the public, he would advise that it be placed as item #6 on the regular agenda.

On motion by Councilmember Tiscareno, seconded by Councilmember Ogorchock, the Council unanimously added the following item to the ***Regular Agenda: #6 Resolution of the City Council of the City of Antioch Establishing the Rate Per Equivalent Runoff Unit for Fiscal Year 2016/17 and Requesting the Contra Costa County Flood Control and Water Conservation District to Adopt an Annual Parcel Assessment for Drainage Maintenance and the National Pollution Discharge Elimination System Program***; and, determined immediate action was necessary.

2. **COUNCIL CONSENT CALENDAR for City /City as Successor Agency/Housing Successor to the Antioch Development Agency**

- A. APPROVAL OF COUNCIL MINUTES FOR APRIL 12, 2016
- B. APPROVAL OF COUNCIL WARRANTS
- C. APPROVAL OF TREASURER'S REPORT FOR MARCH 2016

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

- D. APPROVAL OF SUCCESSOR AGENCY WARRANTS
- E. APPROVAL OF HOUSING SUCCESSOR WARRANTS

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

COUNCIL REGULAR AGENDA

- 3. **RESOLUTION APPROVING THE CLASS SPECIFICATION UPDATES FOR CODE ENFORCEMENT MANAGER POSITION WITH THE MANAGEMENT MID/PROFESSIONAL BARGAINING UNIT WITH NO SALARY CHANGES**

Administrative Services Director Mastay presented the staff report dated April 26, 2016 recommending the City Council adopt a resolution approving class specification updates for the Code Enforcement Manager position with the Management Mid/Professional Bargaining Unit with no salary changes.

Administrative Services Director Mastay explained this position would provide the Community Development Department with Code Enforcement Management specifically focused on blight eradication, funded by Measure "C".

City Manager Duran noted if this position were added, they would consider an internal promotion for the Building Services Manager. He further noted this action would increase headcount within the existing budget.

Councilmember Tiscareno and Mayor Harper spoke in support of a dedicated Code Enforcement Manager.

City Manager Duran added Assistant City Manager Bernal would be chairing an Interdepartmental Task Force on blight and homeless issues.

RESOLUTION NO. 2016/37

On motion by Councilmember Tiscareno, seconded by Councilmember Rocha, the City Council unanimously adopted a resolution approving class specification updates for the Code Enforcement Manager position with the Management Mid/Professional Bargaining Unit with no salary changes.

4. RESOLUTION APPROVING ONE (1) CODE ENFORCEMENT MANAGER POSITION AUTHORIZING THE APPROPRIATE BUDGET ADJUSTMENT

Administrative Services Director Mastay presented the staff report dated April 26, 2016 recommending the City Council adopt a resolution approving one (1) Code Enforcement Manager Position and authorize the appropriate budget adjustment.

In response to Councilmember Ogorchock, Administrative Services Director Mastay explained this position was previously unfunded and if approved, it would be funded through Measure "C".

RESOLUTION NO. 2016/38

On motion by Councilmember Rocha, seconded by Councilmember Tiscareno, the City Council unanimously adopted a resolution approving one (1) Code Enforcement Manager Position and authorized the appropriate budget adjustment.

5. DISCUSSION REGARDING THE EXPENDITURES OF PUBLIC FUNDS TO SUPPORT OR OPPOSE A BALLOT MEASURE

City Attorney Vigilia gave an oral report informing Council on what activities Councilmembers and City employees could take part in with respect to various ballot initiatives. He noted a public agency could not use public funds to engage in advocacy to support or defeat a ballot initiative or candidate; however, they could provide information to the public regarding the potential effects that a ballot measure would have on the agencies operations, policies, and service levels. He stated that information needed to be provided in a fair and accurate manner. With respect to individual employees or officers, state law prohibited them from engaging in political activities during work hours, using work resources and while wearing a work uniform. With respect to Council, they may advocate on behalf or against ballot initiatives and various candidates as long as public funds were not expended. He noted active candidate's expenditures and contributions may need to be reported under the Fair Political Practices Act. He further noted that issue would need to be determined by their legal counsel.

Lamar Thorpe, Antioch resident, agreed with City Attorney Vigilia comments.

URGENCY ITEM

6. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH ESTABLISHING THE RATE PER EQUIVALENT RUNOFF UNIT FOR FISCAL YEAR 2016/17 AND REQUESTING THE CONTRA COSTA COUNTY FLOOD CONTROL AND WATER

CONSERVATION DISTRICT TO ADOPT AN ANNUAL PARCEL ASSESSMENT FOR DRAINAGE MAINTENANCE AND THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM PROGRAM

Assistant City Manager/Public Works Director/City Engineer Bernal presented the staff report dated April 26, 2016 recommending the City Council adopt the resolution.

In response to Councilmember Tiscareno, Administrative Analyst Hoffmeister explained the rate of \$25.00 per equivalent runoff unit (ERU) had been in effect since FY 04/05. That rate will generate the funds used to maintain storm water quality as mandated by the Clean Water Act.

RESOLUTION NO. 2016/39

On motion by Councilmember Rocha, seconded by Councilmember Ogorchock, the City Council unanimously adopted the Resolution of the City Council of the City of Antioch Establishing the Rate Per Equivalent Runoff Unit for Fiscal Year 2016/17 and Requesting the Contra Costa County Flood Control and Water Conservation District to Adopt an Annual Parcel Assessment for Drainage Maintenance and the National Pollution Discharge Elimination System Program.

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS

City Manager Duran reported on his attendance at the Delta 6 meeting.

COUNCIL COMMUNICATIONS

Councilmember Wilson reported on her attendance at Antioch High School Foundation Dinner, School Supply Giveaway hosted by Claryssa Wilson, Brighter Beginning Supporter Party, Keep Antioch Beautiful event, and NAACP Banquet.

Councilmember Ogorchock reported she had also attended the Soroptimists Award dinner.

Councilmember Tiscareno reported he had attended many of the community events discussed. He noted the importance of Council continuing to be engaged and attentive to residents' concerns.

In response to Mayor Harper, City Manager Duran stated he would schedule an update on the City's homeless outreach efforts for the City Council meeting on May 24, 2016.

Mayor Harper reported following the last City Council meeting, Councilmember Ogorchock was involved in a vehicle accident and when he arrived on scene he found that she was not hurt. He stated he was happy she was okay and noted she was appreciated.

ADJOURNMENT

With no further business, Mayor Harper adjourned the meeting at 7:55 P.M. to the next regular Council meeting on May 10, 2016.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk