

## CITY COUNCIL MEETING

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

**June 14, 2016**  
**Council Chambers**

### **5:30 P.M. - CLOSED SESSION**

- 1. CONFERENCE WITH LABOR NEGOTIATORS** – This Closed Session with the City’s Labor Negotiators is authorized by California Government Code § 54957.6; City designated representatives: Nickie Mastay, Denise Haskett and Glenn Berkheimer; Employee organization: Antioch Police Officers’ Association.
- 2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to California Government Code section 54956.8; Property – Humphrey’s Restaurant: Agency Negotiator – City Manager; Parties – Dorothy Everett and John Jernegan.
- 3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION** – This Closed Session is authorized by California Government Code §54957 – City Manager

Interim City Attorney Cole reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LABOR NEGOTIATORS**, Direction given to the Labor Negotiators, and **#2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS**, Direction given to the Real Property Negotiators, and; **#3 PUBLIC EMPLOYEE PERFORMANCE EVALUATION**, Evaluation given.

Mayor Harper reported that an Antioch Police Officer was involved in a motorcycle accident and he wished him well in his recovery. He called the meeting to order at 7:10 P.M., in honor of lives lost in Orlando Florida, and City Clerk Simonsen 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**

*Gerald “JR” Wilson, California Disabled American Veterans State Commander*

Mayor Harper announced the Gerald “JR” Wilson proclamation would be continued.

*In Honor of Leo Fontana*

On motion by Councilmember Tiscareno, seconded by Councilmember Rocha, the Council unanimously approved the Proclamation.

The City Council presented the proclamation and a “Key to the City” to Leo Fontana, who thanked the City for the recognition and stated participation in civic and philanthropic activities was his way of giving back to the community. He appealed to residents to give the gift of volunteerism.

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

Councilmember Rocha announced a Police Activities League (PAL) fundraiser would be held from 6:00 P.M. – 9:00 P.M. on June 16, 2016 at Pete’s Restaurant and Brewhouse. She also announced Contra Costa County was providing dental services for the homeless.

Edward Atrim, Antioch resident, announced he would be serving as an administrator of the *Cleaning Up Antioch One Home at a Time* facebook page, along with Todd Pierson. He acknowledged current administrators, Bill and Lori Cook, and reported they would be moving out of state.

Mayor Harper reported he had acknowledged Leo Fontana and Lori and Bill Cook in the speech he delivered during President Clinton’s visit to Antioch.

Director of Parks and Recreation Kaiser and Velma Wilson announced the Juneteenth Community Celebration would be held on June 18, 2016 in Waldie Plaza. Director of Parks and Recreation Kaiser also announced the Skate Park Demonstration Day would be held on July 9, 2016 at Prewett Park.

Barbara Sobalvarro, Friends of Animal Services, announced an Adopt a Shelter Cat Promotion would be held in June. She recognized the Shirley Perry Foundation for their generous donation.

Wayne Harrison, Velma Wilson, Joy Motts, Celebrate Antioch Foundation, announced the 4<sup>th</sup> of July parade would begin at 11:30 A.M. downtown, followed by a community event and fireworks display at the fairgrounds. They noted the event was free and they would continue to accept donations.

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

City Clerk Simonsen announced the following Board and Commission openings:

- Board of Administrative Appeals: One Alternate (1) vacancy; deadline date is July 8, 2016
- Police Crime Prevention Commission: Two (2) vacancies; deadline date is July 8, 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.

### **PUBLIC COMMENTS**

Chris Valenta, Antioch resident, discussed an accommodation he received while serving in the Navy and a recent citation he received for trespassing on the public pier.

Loretta Sweatt, Antioch resident, discussed Measure C and offered suggestions for increasing staffing and safety for Antioch Police Officers.

Sal Sbranti, Antioch resident, reiterated his concerns regarding the expenditures of Measure C funds.

## **COUNCIL SUBCOMMITTEE REPORTS**

Councilmember Ogorchock reported on her attendance at the League of Cities and Administrative Policy committee meetings.

Councilmember Tiscareno recognized Bill and Lori Cook for their community service. He reported on his attendance at the State Route 4 Bypass Authority and East Contra Costa Fee and Finance Authority meetings.

Councilmember Rocha recognized Rodney Lal, owner of Prime Vintage Realty, for his purchase and renovation of the old Antioch Lumber Company building. She reported on her attendance at the Tri Delta Transit subcommittee meeting.

**MAYOR'S COMMENTS** - None

## **PRESENTATION**

Director of Parks and Recreation/Antioch Community Foundation Board Member Nancy Kaiser gave a presentation of the 2015-2016 Annual Report Update for the Antioch Community Foundation. She reviewed the grant application and approval process.

Mayor Harper thanked Director of Parks and Recreation/Antioch Community Foundation Board Member Nancy Kaiser for the report.

## **2. COUNCIL CONSENT CALENDAR**

**A. APPROVAL OF COUNCIL MINUTES FOR MAY 24, 2016**

**B. APPROVAL OF COUNCIL WARRANTS**

**C. REJECTION OF CLAIMS: MICHAEL KITTERMAN, HORACIO GUTIERREZ AND KAMRY VALARE, MINOR**

**D. RESOLUTION NO. 2016/58 THIRD AMENDMENT TO THE DESIGN CONSULTANT SERVICE AGREEMENT WITH RMC WATER AND ENVIRONMENT FOR ENGINEERING DESIGN, ENVIRONMENTAL PERMITTING AND CONSTRUCTION SUPPORT SERVICES FOR THE WEST ANTIOCH CREEK CHANNEL IMPROVEMENTS PROJECT (P.W. 201-6)**

- E. **RESOLUTION NO. 2016/59 TO SUMMARILY VACATE A SURPLUS PORTION OF AN IRREVOCABLE OFFER OF DEDICATION FOR STREET AND HIGHWAY PURPOSES AND TO QUITCLAIM ANY INTEREST TO ANTIOCH ESTATES, LTD, A CALIFORNIA LIMITED PARTNERSHIP**
  
- F. **RESOLUTION NO. 2016/60 COUNTY ASSISTANCE FINANCING DELTA COURTYARD APARTMENTS**

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

### **PUBLIC HEARING**

- 3. **PUBLIC NOTICE OF INTENT TO FORM A GROUNDWATER SUSTAINABILITY AGENCY (GSA), P.W. 702**

Assistant City Manager, Director of Public Works, City Engineer Bernal presented the staff report dated June 14, 2016 recommending that the City Council conduct a public hearing regarding the City of Antioch's intent to form a Groundwater Sustainability Agency (GSA) through a Memorandum of Agreement (MOA) with other East County water agencies pursuant to Water Code Section 10723.

Mayor Harper opened and closed the public hearing with no members of the public requesting to speak.

On motion by Councilmember Tiscareno, seconded by Councilmember Rocha, the City Council unanimously approved City of Antioch's intent to form a Groundwater Sustainability Agency (GSA) through a Memorandum of Agreement (MOA) with other East County water agencies pursuant to Water Code Section 10723.

- 4. **RESOLUTION ACCEPTING AND ADOPTING THE PROPOSED FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM 2016-2021 (P.W. 150-16)**

Assistant City Manager, Director of Public Works, City Engineer Bernal presented the staff report dated June 14, 2016 recommending that the City Council conduct a Public Hearing to adopt the resolution approving the City's Five-Year Capital Improvement Program 2016-2021.

Councilmember Ogorchock thanked the Public Works Department for improvements made in City Park.

Mayor Harper opened and closed the public hearing with no members of the public requesting to speak.

**RESOLUTION NO. 2016/61**

On motion by Councilmember Ogorchock, seconded by Councilmember Rocha, the City Council unanimously adopted the resolution approving the City's Five-Year Capital Improvement Program 2016-2021.

## COUNCIL REGULAR AGENDA

### 5. **CONSIDERATION AND ADOPTION OF RESOLUTION OF SUPPORT FOR THE COUNTYWIDE IMPOSITION OF ONE HALF OF ONE PERCENT SALES TAX TO FUND TRANSPORTATION IMPROVEMENTS IN CONTRA COSTA AND CONDITIONALLY AMEND THE GROWTH MANAGEMENT PROGRAM IN THE MEASURE J TRANSPORTATION EXPENDITURE PLAN TO MATCH THAT FOUND IN THE 2016 PROPOSED TRANSPORTATION EXPENDITURE PLAN**

City Manager Duran introduced Ross Chittenden, representing Contra Costa Transportation Authority, who presented the 2016 Transportation Expenditure Plan recommending that the City Council consider and adopt the Resolution of Support for the Countywide Imposition of One Half of One Percent Sales Tax to Fund Transportation Improvements in Contra Costa and Conditionally Amend the Growth Management Program in the Measure J Transportation Expenditure Plan to match that found in the 2016 Proposed Transportation Expenditure Plan. (This resolution was provided by the Contra Costa Transportation Authority ("CCTA" or "Authority")).

In response to Council, Mr. Chittenden explained if the measure passed, it would run April 1, 2017 to 2047. He clarified a number of programs available in the region and there would be opportunities to amend the plan to assure all resources would be utilized. He discussed local transportation projects.

### **RESOLUTION NO. 2016/62**

On motion by Councilmember Ogorchock, seconded by Councilmember Rocha, the City Council unanimously adopted the Resolution of Support for the Countywide Imposition of One Half of One Percent Sales Tax to Fund Transportation Improvements in Contra Costa and Conditionally Amend the Growth Management Program in the Measure J Transportation Expenditure Plan to match that found in the 2016 Proposed Transportation Expenditure Plan. (This resolution was provided by the Contra Costa Transportation Authority ("CCTA" or "Authority")).

### 6. **ANTIOCH ANIMAL SERVICES REPORT**

Chief Cantando presented the staff report dated June 14, 2016 recommending that the City Council take the following actions: 1) Approve the hiring of additional support staff at Antioch Animal Services (AAS) and authorize the appropriate budget adjustments to the Fiscal Year 2016-17 budget to help effectively maintain animal control services. The requested staffing is four (4) part-time Animal Care Attendants and one (1) Office Assistant. 2) Direct staff to explore the alternatives for long-term solutions cited in this report, as well as other alternatives that may arise, and report back to the City Council within six (6) months with a more detailed analysis and recommendations.

Mayor Harper requested the long term report include property tax amount collected by the County for animal care. He recognized the volunteers and rescue organizations who supported Antioch Animal Services and thanked them for their volunteerism.

Chief Cantando explained the advantages and disadvantages of outsourcing Animal Services.

Councilmember Wilson suggested Chief Cantando reach out to the County through the Earn and Learn program.

Councilmember Ogorchock suggested staff consider grant opportunities.

Nancy Powell, Palo Alto resident, spoke in support of the City hiring a Shelter Manager and removing Antioch Animal Services from under the purview of the Antioch Police Department.

David Ross, Portola Valley resident, spoke in support of Antioch Animal Services being turned over to Contra Costa County or another City department.

Julie Rasmussen spoke in support of independent oversight for Antioch Animal Services.

Lou Lewis and Sofie Roman, Antioch residents, Paws Crossed Dog Scouts, spoke in support of the staff at the Antioch Animal Shelter and many Antioch businesses who donated to their organization.

Dr. Jeffery Klingler, Antioch resident, spoke in support of the City conducting a review and providing a status report for the UC Davis, Citygate and Grand Jury recommendations. Additionally, he requested staff provide current shelter statistics and include compliance with Hayden's law.

Karen Kops, Antioch resident, President of HARP, spoke in support of moving Antioch Animal Services to another City department or the County and hiring an emergency Shelter Manager.

Cecile Hermida, Antioch resident, spoke in support of the staff at the Antioch Animal Shelter and hiring additional staff for the facility.

Jennie Richards, Concord resident, Community Concern for Cats, spoke in support of removing Animal Services from the Antioch Police Department and into another City Department.

Jewel Pfaffroth, Antioch resident, stated she ran a rescue group for special needs animals and she expressed interest in working with the Antioch Animal Shelter to improve services.

Michelle Kuslits, Antioch resident, Animal Shelter Volunteer, spoke in support of the Antioch Animal Shelter and their partnerships with several rescue organizations.

Mayor Harper stated Council received written comment from Chuck Kuslits in support of the Antioch Animal Shelter staff.

Jennifer Sullenger, Antioch resident, spoke in support of moving Antioch Animal Services out of the Antioch Police Department and placing it in another City department or turning it over to the County.

Tim Moore, Knightson resident representing Memoirs of a Dog and speaking on behalf of Kristy Keuch, spoke in support of increasing the budget for Antioch Animal Services or turning it over to the County or a nonprofit.

Susan Williams, Antioch resident, read written comment expressing concern regarding Antioch Animal Services and suggested a change in management.

Angie Ramirez, Pittsburg resident, spoke in support of Antioch Animal Shelter hiring a part time vet tech and additional staffing.

Holly Cuciz, Brentwood resident, suggested moving Antioch Services into another City department, creating an Animal Advisory committee and hiring a vet tech. She expressed interest in returning to the shelter as a volunteer.

Lisa Kirk, Bethel Island resident representing HALO, suggested shelter medicine be turned over to a nonprofit or the County. She recommended a facilitator work with the rescue organizations and Animal Services. She also spoke in support of hiring a vet tech.

Barbara Sobalvarro, Antioch resident representing Friends of Animal Services, gave a history of Measure A and Antioch Animal Services.

Ellen Barkley-Danielson, Oakley resident representing Paws Crossed Dog Scouts, spoke in support of adequately funding the Antioch Animal Shelter.

Mayor Harper thanked the speakers and spoke in support of the Antioch Animal Shelter staff and the volunteers. He discussed the importance of exploring all suggestions included in the staff report.

City Manager Duran stated the recommendation tonight was for additional staffing and recommendations for the long term alternatives would be developed within six months. Additionally, he noted processes for the volunteers were being reviewed and would be updated in the next few weeks.

Chief Cantando stated the City was working cooperatively with many rescue organizations and he supported an outside organization reviewing all options.

Councilmember Tiscareno stated there were legitimate concerns and he supported the recommendations from staff.

Following discussion, City Manager Duran explained that the long term alternatives and a cost benefit analysis would be researched by an independent consultant working with City staff. He

noted if the support staff positions were approved this evening, budget adjustments would be brought back at the next City Council meeting.

On motion by Councilmember Rocha, seconded by Councilmember Ogorchock, the City Council unanimously: 1) Approved the hiring of additional support staff at Antioch Animal Services (AAS) and authorize the appropriate budget adjustments to the Fiscal Year 2016-17 budget to help effectively maintain animal control services. The requested staffing is four (4) part-time Animal Care Attendants and one (1) Office Assistant. 2) Directed staff to explore the alternatives for long-term solutions cited in this report, as well as other alternatives that may arise, and report back to the City Council within six (6) months with a more detailed analysis and recommendations.

Mayor Harper declared a recess at 10:11 P.M. The meeting reconvened at 10:24 P.M. with all Councilmembers present.

**7. APPROVAL OF SOLE SOURCE REQUESTS FOR COMMUNITY CAMERA AND LICENSE PLATE READER CAMERA SYSTEMS**

Chief Cantando presented the staff report dated June 14, 2016 recommending that the City Council take the following actions: 1) Approve the sole source request for purchase of community cameras from Odin Systems Inc. and Lehr Auto Electric; and 2) Authorize the City Manager to negotiate and execute a purchase agreement with Odin Systems, Inc. in an amount not to exceed \$79,727.02 and with Lehr Auto Electric in an amount not to exceed \$81,444.00.

In response to Councilmember Ogorchock, City Manager Duran stated this project would be funded with Measure C funds.

**RESOLUTION NO. 2016/63**

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously 1) Approved the sole source request for purchase of community cameras from Odin Systems Inc. and Lehr Auto Electric; and 2) Authorized the City Manager to negotiate and execute a purchase agreement with Odin Systems, Inc. in an amount not to exceed \$79,727.02 and with Lehr Auto Electric in an amount not to exceed \$81,444.00.

**8. CONSIDERATION OF BIDS AND AWARD OF 3-PERSON STORM SYSTEM MAINTENANCE CREW SERVICES CONTRACT**

Deputy Director of Public Works Bechtholdt presented the staff report dated June 14, 2016 recommending that the City Council adopt the resolution awarding the 3-Person Storm System Maintenance Crew Services Contract to the lowest, responsive bidder, Pacific Coast Landscape Management, Inc., in the amount of \$742,983.80, for the period July 1, 2016 through June 30, 2021.

**RESOLUTION NO. 2016/64**



On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously adopted the resolution awarding the 3-Person Storm System Maintenance Crew Services Contract to the lowest, responsive bidder, Pacific Coast Landscape Management, Inc., in the amount of \$742,983.80, for the period July 1, 2016 through June 30, 2021.

## **9. COMMUNITY DEVELOPMENT DEPARTMENT ORGANIZATIONAL STRUCTURE**

Administrative Service Director Mastay presented the staff report dated June 14, 2016 recommending that the City Council take the following actions: 1) Adopt a Resolution Removing the Class Specification for Deputy Director Community Development, Removing the Salary Range and Removing the Deputy Director Community Development Class Specification from the Management-Senior Bargaining Unit. 2) Adopt a Resolution Removing the Class Specification for Chief Building Official, Removing the Salary Range, and Removing the Chief Building Official Class Specification from the Management-Senior Bargaining Unit. 3) Adopt a Resolution Approving the New Class Specification for Planning Manager, Assigning a Salary Range, Assigning the Classification to the Management-Senior Bargaining Unit. 4) Adopt a Resolution Approving the New Class Specification for Building Inspection Services Manager, Assigning a Salary Range, Assigning the Classification to the Management-Senior Bargaining Unit. 5) Adopt a Resolution Approving One (1) Planning Manager Position and One (1) Building Inspection Services Manager Position and Authorizing the Appropriate Budget Adjustments.

Following discussion on the following motion, Councilmember Ogorchock stated she was not in support of adding new management positions as she felt it was more important to hire employees and increase office hours.

Director of Community Development Ebbs explained the intent was not to add new positions as this action would create a step up for division supervisors. He stated he had no intent to fill the Senior Planner position if it were vacated to fill the Planning Manager Position and the position would be closed as soon as it went vacant.

**RESOLUTION NO. 2016/65**

**RESOLUTION NO. 2016/66**

**RESOLUTION NO. 2016/67**

**RESOLUTION NO. 2016/68**

**RESOLUTION NO. 2016/69**

On motion by Councilmember Rocha, seconded by Councilmember Tiscareno, the City Council: 1) Adopted a Resolution Removing the Class Specification for Deputy Director Community Development, Removing the Salary Range and Removing the Deputy Director Community Development Class Specification from the Management-Senior Bargaining Unit. 2) Adopted a Resolution Removing the Class Specification for Chief Building Official, Removing the Salary Range, and Removing the Chief Building Official Class Specification from the Management-Senior Bargaining Unit. 3) Adopted a Resolution Approving the New Class Specification for Planning Manager, Assigning a Salary Range, Assigning the Classification to the Management-Senior Bargaining Unit. 4) Adopted a Resolution Approving the New Class Specification for Building Inspection Services Manager, Assigning a Salary Range, Assigning the Classification to the

Management-Senior Bargaining Unit. 5) Adopted a Resolution Approving One (1) Planning Manager Position and One (1) Building Inspection Services Manager Position and Authorizing the Appropriate Budget Adjustments. The motion carried the following vote:

Ayes: Wilson, Tiscareno, Rocha, Harper

Noes: Ogorchock

## **10. FUNDING FOR ANTIOCH/CHICHIBU SISTER CITY FUNCTIONS**

City Manager Duran presented the staff report dated June 14, 2016 recommending that the City Council consider allocating \$5,000 in the 2016-17 fiscal year budget to fund "Sister City" activities for the visiting delegation for Antioch's Sister City, Chichibu, Japan.

Carol Semas, Joshua Carrell and Sean Wright, Antioch residents, spoke in support of the City Council approving funding for Sister City activities.

Jesse and Samantha Carrell, Antioch residents, provided written comment in support the City Council approving funding for Sister City activities.

A video presentation from Chichibu Mayor Kuki was played for the audience.

Councilmember Wilson spoke in support of the Sister City program and funding activities for the visiting delegation.

Councilmember Rocha spoke in support of the Sister City program and urged Councilmembers to participate in 2017.

On motion by Councilmember Wilson, seconded by Councilmember Ogorchock, the City Council unanimously allocated \$5,000 in the 2016-17 fiscal year budget to fund "Sister City" activities for the visiting delegation for Antioch's Sister City, Chichibu, Japan.

## **11. EAST COUNTY FAMILY JUSTICE CENTER**

City Manager Duran presented the staff report dated June 14, 2016 recommending that the City Council: 1) Discuss and direct staff regarding the potential for the City of Antioch to provide resources for the establishment and operation of a "Family Justice Center" in East Contra Costa County; and 2) Discuss the "DRAFT CITY COUNCIL RESOLUTION" regarding a "Family Justice Center" proposed by County Supervisors Piepho and Glover and direct staff regarding changes, if any, to the proposed resolution for City Council consideration at a later date.

Councilmember Ogorchock reported the resolution expressing support for a Family Justice Center was being considered by the cities of Pittsburg, Antioch, Oakley and Brentwood. She noted the outstanding issue was where to locate the facility.

Councilmember Rocha spoke in support of locating the Family Justice Center at the Resource Center on 10<sup>th</sup> Street, until a permanent building could be funded.

Following discussion, the City Council directed staff to provide a cost benefit analysis for locating the Family Justice Center in Antioch.

On motion by Councilmember Ogorchock, seconded by Councilmember Rocha, the City Council unanimously directed staff regarding the potential for the City of Antioch to provide resources for the establishment and operation of a "Family Justice Center" in East Contra Costa County; and 2) Directed staff regarding changes, to the proposed resolution for City Council consideration at a later date.

City Manager Duran stated that based on Council direction this evening, staff would bring back a resolution that included assessing cost benefits for providing resources to establish the Family Resource Center.

**PUBLIC COMMENTS** - None

**STAFF COMMUNICATIONS** - None

**COUNCIL COMMUNICATIONS**

Mayor Harper requested staff agendize a discussion on the installation of cameras on Highway 4.

Councilmember Ogorchock requested staff agendize a discussion on park security.

**ADJOURNMENT**

With no further business, Mayor Harper adjourned the meeting at 11:25 P.M. to the next regular Council meeting on June 28, 2016.

Respectfully submitted:

*Kitty Eiden*  
KITTY EIDEN, Minutes Clerk