

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

**Special/Regular Meeting
5:00 P.M.**

**February 26, 2013
Council Chambers**

Mayor Harper called the Special Meeting to order at 5:03 P.M., and City Clerk Simonsen called the roll.

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

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Rocha led the audience and Council in the Pledge of Allegiance.

SPECIAL MEETING

1. COUNCIL UPDATE ON EMERGENCY OPERATIONS PLAN

City Consultant Lonnie Karste presented the staff report dated February 19, 2013 recommending the City Council receive and file the report.

In response to Council, City Consultant Karste stated that in the event of an emergency, Council should insure their families are safe and then establish contact with the Operations Center, so that they can impart information to their constituents.

On motion by Councilmember Rocha, seconded by Councilmember Tiscareno, the Council unanimously received and filed the report.

Mayor Harper adjourned to Closed Session at 5:40 P.M.

5:40 P.M. - CLOSED SESSION

- 1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Significant exposure to litigation pursuant to subdivision (d)(2) of California Government Code section 54956.9: 2 cases and Claim of Bay Cities regarding Marina Boat Launch
- 2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR** – Property: APN 074-080-029-7; Agency Negotiator: Michelle Fitzer, Brian Nunnally; Negotiating Parties: Mesa Outdoor, LLC; Under negotiation: price, terms of payment
- 3. CONFERENCE WITH LABOR NEGOTIATOR** – This Closed Session is authorized by California Government Code section 54957.6. Agency Designated Representative: City Attorney; Unrepresented employee: City Manager.

4. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION** – This Closed Session is authorized by California Government Code §54957 – City Attorney.

Mayor Harper called the meeting to order at 7:04 P.M.

City Attorney Nerland reported the City Council had been in Closed Session and gave the following report:

#1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Direction was given to Staff; **#2 CONFERENCE WITH REAL PROPERTY NEGOTIATOR**, Direction was given to the Real Property Negotiator; **#3 CONFERENCE WITH LABOR NEGOTIATOR**, No action was taken; and **#4 PUBLIC EMPLOYEE PERFORMANCE EVALUATION**, No action was taken.

City Clerk Simonsen called the roll.

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

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Rocha led the Council and audience in the Pledge of Allegiance.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Sean Wright, Antioch Chamber of Commerce and resident, announced the Chamber of Commerce Inaugural Gala Event would be held at Lone Tree Golf Course on March 8, 2013 and the Tech Palooza Event would be held on March 19, 2013 at Los Medanos College from 10:30 A.M. – 5:00 P.M.

PUBLIC COMMENTS

Todd Northam, spoke on behalf of employees in Local 1, requested the City Council consider reinstating the forty (40) hour work week.

City Manager Jakel reported the Budget Subcommittee and City Council would be dealing with that issue during the Budget Study Sessions.

Jose Haresco, Antioch resident, spoke in regards to Nelson Ranch Park, spoke against any structural changes to the park, and requested the Council stand by their decision made on September 11, 2012, when they voted to extend the wall and revisit the issue 90 days after the wall was built. He thanked the City Council for their transparency and noticing the stakeholders when this issue had been discussed.

Mayor Harper stated this issue would be on the March 12, 2013 City Council Agenda after all stakeholders had been noticed.

Noel Pinto, suggested in an effort to reduce costs, the Council consider a five (5) day work week at thirty-seven and a half (37.5) hours per week. He requested the Council direct Human Resources/Economic Development Director Fitzer to analyze the cost savings.

Thurston Brice, representing Loaves and Fishes, announced they would be hosting a "Texas Hold Em" Tournament benefit on April 13, 2013 at the Veterans of Foreign War Post in Antioch. He announced they were seeking a Board member to serve from Antioch.

COUNCIL SUBCOMMITTEE REPORTS

Councilmember Rocha announced that Antioch resident, Bob Oliver, had passed away and requested the meeting be adjourned with a moment of silence, in his memory.

Councilmember Agopian reported on his attendance at the Chamber of Commerce Government Affairs and Economic Development subcommittee meeting.

Councilmember Rocha reported on her attendance at the Board of Supervisors meeting, Alcohol Prevention Program meeting, and Contra Costa County Health Childhood Obesity Program.

Councilmember Wilson reported on her attendance at the Black History Month Exhibit at the Antioch Historical Society and the East County NAACP Event at the Antioch Church Family.

MAYOR'S COMMENTS

Mayor Harper reported on his attendance at TRANSPLAN and the East Contra Costa Regional Fee and Financing Authority (ECCRFFA) subcommittee meetings.

2. COUNCIL CONSENT CALENDAR

City of Antioch

A. APPROVAL OF COUNCIL MINUTES FOR FEBRUARY 12, 2013

B. APPROVAL OF COUNCIL WARRANTS

C. APPROVAL OF TREASURER'S REPORT FOR JANUARY 2013

D. REJECTION OF CLAIMS

- 1. Paulette Lancaster on behalf of herself and minor child M.D. 12/13-2078 (civil rights)**
- 2. Latoshia Craig 12/13-2092 (property damage)**
- 3. Richard Evaro 13/14-2095 (vehicle damage)**
- 4. Kaesha Johnson 13/14-2095 (vehicle damage)**

- E. **RESOLUTION NO. 2013/08 POLICY ON THE DELEGATION OF AUTHORITY REGARDING CLAIMS**
- F. **CITY MANAGER EMPLOYMENT AGREEMENT**
- G. **ORDINANCE 2062 C-S OF THE CITY OF ANTIOCH AMENDING SECTION 9-5.901 OF THE ANTIOCH MUNICIPAL CODE REGARDING HOME OCCUPATION USE PERMITS**
- H. **RESOLUTION NO. 2013/09 URBANIZED AREA BOUNDARY ADJUSTMENT FOR TRANSPORTATION PURPOSES**
- I. **RESOLUTION 2013/10 OF THE CITY COUNCIL OF THE CITY OF ANTIOCH DIRECTING ENGINEER OF WORK TO PREPARE CONSOLIDATED REPORT FOR THE ANNUAL LEVY OF ASSESSMENTS FOR LANDSCAPING DISTRICTS**
- J. **CONSIDERATION OF BIDS FOR THE CAMBRIDGE BOOSTER PUMPING STATION UPGRADES (P.W. 365-T3)**

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

- K. **APPROVAL OF SUCCESSOR AGENCY WARRANTS**
- L. **APPROVAL OF HOUSING SUCCESSOR WARRANTS**

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

COUNCIL REGULAR AGENDA

3. REVENUE BALLOT MEASURE

City Manager Jakel presented the staff report dated February 20, 2013 recommending the City Council provide direction to staff regarding further research and action items related to putting a Revenue Measure on the ballot for the voters to consider.

Scott Lenheart, Antioch resident, expressed concern regarding criminal activity occurring from criminals using the walking trails to access their neighborhood. He discussed the need for increasing the staffing for Police Officers.

Mayor Harper announced there would be a presentation on trails later in the Agenda.

Following discussion, City Manager Jakel summarized the City Council's request for additional information as follows:

- Cost matrix for maximum, middle, and low staffing levels
- Revenue matrix for sales tax priced out at a low, medium, and high
- Revenue matrix for a parcel tax priced out at a low, medium, and high
- Revenue matrix for a business license tax with regards to rental property owners while freezing the business tax for traditional businesses for five years
- Discussion on election costs to include a possible blending of revenue sources
- Polling information
- League of California Cities results of the 2012 election measures

Councilmember Agopian requested staff get data on the impact of the sales tax collection for the City's that passed ballot Sales Tax Measures.

4. DISCUSSION OF STRATEGIC RECOVERY PLANNING SESSION IN MARCH 2013

City Manager Jakel presented the staff report dated February 20, 2013 recommending the City Council provide direction to staff on the development of the agenda, goals, expectations, and outcomes for the March planning session.

Following discussion, the City Council provided the following direction:

- Council participation in Governance Training
- Utilize a Facilitator for the planning session
- Date for planning session - March 28, 2013
- Agenda topics – reducing crime, beautification, economic development, and revenue growth
- Introductory information on tax measure
- Process for strategic planning
- Budget workshop schedule discussion

5. ANTIOCH TRAIL SYSTEM UPDATE

Director of Public Works/City Engineer Bernal presented the staff report dated February 20, 2013 recommending the City Council receive the Antioch Trail System staff report and provide staff direction as deemed appropriate.

Councilmember Agopian thanked Director of Public Works/City Engineer Bernal for the presentation.

Chief Cantando reported due to staffing levels, trespassers on the trail would be a low priority and difficult for the Police Department to manage. He stated he was not optimistic that closing the trails would reduce law breakers from using them.

Director of Public Works/City Engineer Bernal reported a gate could be installed across the entrance of the trail and a fence would serve as a deterrent however, there was a way around the fence. He noted the cost for a gate would cost \$5,000 - 8,000.

Councilmember Agopian stated he felt the issue would be best addressed by fully staffing the Antioch Police Department.

Councilmember Rocha stated she felt the trail system should be enjoyed for the purpose that they were intended.

Councilmember Tiscareno reported he had attended a Neighborhood Watch meeting and walking tour of the trail. He suggested consideration of additional signage and surveillance cameras for the area.

Mayor Harper stated he also felt the issue could be addressed with additional staffing for the Police Department and suggested implementing an Adopt-a-Park and Trails program.

Councilmember Rocha suggested the Neighborhood cleanup event consider the trail systems for a future event location.

Chris Coles-Morales, Antioch resident, thanked staff for addressing the maintenance issues. She stated they remained concerned regarding the path and she offered their Neighborhood Watch group's assistance. She suggested addressing vandalism at the school level and generating revenue through community events, fees, and from the park service.

On motion by Councilmember Rocha, seconded by Councilmember Agopian, the Council unanimously received the report.

PUBLIC COMMENTS – None

Nancy Fernandez, Antioch resident, stated she would not be willing to consider voting for additional police funding, unless a business licenses fee was implemented on rental property owners.

George Briggs, Antioch resident, stated he was following up on a complaint he filed regarding police services and suggested the City work with School Principals regarding truancy. He reported they have two drug houses in his neighborhood and requested how to report drug dealing in their neighborhood. He requested staff provide him with PERS contributions from 2009-2012.

City Manager Jakel stated he would give Mr. Briggs the information he had requested.

Mayor Harper requested Mr. Briggs contact Chief Cantando and staff regarding his complaint pertaining to police services..

STAFF COMMUNICATIONS

City Manager Jakel announced the following meeting and event schedule:

- Northeast Antioch Annexation meeting on February 27, 2013 at Bridgehead Café
- Crime Prevention discussion on February 28, 2013
- Regular Council Meetings on March 12 and 26, 2013
- Strategic Recovery Planning meeting on March 28, 2013

COUNCIL COMMUNICATIONS

Councilmember Agopian announced the Deer Valley and De La Salle High School NCS Basketball playoff game would be held on February 27, 2013. He questioned if Antioch had a ban on growing marijuana outside and if not, he requested staff provide a report for consideration in the near future.

Councilmember Tiscareno gave a brief report on the Blue Watching Out for You program and reported on his attendance at the World Series Trophy event. He thanked the Antioch Recreation Department for the tour of the facility and commended Deputy Director of Community Development/Recreation Graham for his oversight of the department.

Councilmember Rocha reported there were scholarships available for families that need assistance funding recreational programming.

In memory of Bob Oliver, Councilmember Rocha led the audience in a moment of silence.

ADJOURNMENT

With no further business, Mayor Harper adjourned the meeting at 8:45 P.M. to the next regular Council Meeting on March 12, 2013.

Respectfully submitted:

Kitty Eiden
KITTY EIDEN, Minutes Clerk