

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

**Special/Regular Meeting
6:00 P.M.**

**May 27, 2014
Council Chambers**

5:30 P.M. - CLOSED SESSION

1. **CONFERENCE WITH LABOR NEGOTIATORS** – This Closed Section is authorized by California Government Code Section 54957.6. City designated representatives: Michelle Fitzer, Denise Haskett, and Glenn Berkheimer; Employee organizations: Management and Confidential Units

City Manager Duran reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LABOR NEGOTIATORS**, Direction was given to the Labor Negotiators.

Mayor Harper called the meeting to order at 6:17 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 Council and audience in the Pledge of Allegiance.

1. **STRATEGIC MANAGEMENT PLAN**

City Manager Duran presented the staff report dated May 20, 2014, recommending the City Council review, discuss and provide input to staff, or approve the Strategic Management Plan.

In response to Mayor Harper, City Manager Duran explained that the Strategic Plan was a working document and the expectation was for staff to accomplish the objectives.

Following discussion, Mayor Harper suggested the City begin discussions regarding development of the area around the eBART station, with the land owner of the property, as soon as possible.

Councilmember Agopian discussed the importance of the City pursuing desalinization opportunities.

Following discussion, Council requested the following items be included in the Strategic Management Plan:

- Strengthen water rights issues
- Increase energy efficiency (solar panels)
- Expand community events (Showcase of Art)

- Changing the name of “L” Street, improving the area, bringing in a restaurant for the Humphrey’s property
- Include the Diablo Route State Route 239 extension effort
- Determine how to support the expansion of the Police Activities League (P.A.L.) program
- Companion document - Strategic Plan summary

Jim Bruner, Antioch resident, stated he believed an action plan needed to be included in the Strategic Plan. He spoke to the importance of marketing Antioch to increase revenues and suggested expanding Neighborhood Watch programs.

Alan Lloyd, Founder and President of Stand Together Youth Association, gave an overview of their program and expressed interest in applying for the next round of Community Development Block Grant (CDBG) funding. He invited Council to attend their program from 5:30 P.M. – 7:00 P.M. on May 28, 2014 at the Prewett Park Community Center. He stated he felt Antioch should be first on the priority list for the Keller Canyon mitigation fund.

Director of Community Development Wehrmeister stated she would have the City’s CDBG Consultant contact Mr. Lloyd.

2. PROCLAMATION

In Honor of Dennis M. Guila

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

Mayor Harper announced the proclamation would be sent to Dennis M. Guila.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS - None

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen announced the following Board and Commission openings:

- *Parks and Recreation Commission: deadline date is June 12, 2014*
- *Economic Development Commission: deadline date is June 12, 2014*
- *Planning Commission: deadline date is June 12, 2014*

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. He announced the Contra Costa County Fair begins May 29 and runs through June 2, 2014.

PUBLIC COMMENTS

Sean Wright, Antioch Chamber of Commerce, announced the State of the City event would be held from 12:00 P.M. – 1:30 P.M. on May 30, 2014 at the Antioch Community Center. Contact information was provided for anyone wishing to attend.

Martha Parsons and members of the Keep Antioch Beautiful committee, thanked everyone who participated in the event and announced a video was available on you tube. They presented the 1st (\$500), 2nd (\$300) and 3rd (\$200) cash prizes to representatives from the elementary, middle and high schools, with the most volunteers.

Battalion Chief Richard Sonsteng, Contra Costa County Fire Protection District, gave an update of current staffing levels and recruitment efforts. He reported they had been considering expanding the role of Emergency Medical Services in the County.

Fred Hoskins, Antioch resident, discussed the importance of marketing and advertising to expand economic development in Antioch.

Walter Ruehlig, Baccalaureate Committee, thanked the City Council for his reappointment to the Contra Costa County Library Commission. He announced the Baccalaureate Ceremony would be held at 7:00 P.M., on June 1, 2014, at St. Johns Church.

COUNCIL SUBCOMMITTEE REPORTS

Councilmember Rocha reported on her attendance at the Senior picnic.

Councilmember Agopian announced that due to health reasons, he would not be running for re-election for City Council. He expressed his love and appreciation to everyone and stated he would continue to serve to the best of his ability, for as long as possible.

Mayor Harper declared a recess at 7:34 P.M. The meeting reconvened at 7:46 P.M. with all Councilmembers present.

MAYOR'S COMMENTS

Mayor Harper encouraged students to prepare for their final exams.

- 3. COUNCIL CONSENT CALENDAR for City /City as Successor Agency/Housing Successor to the Antioch Development Agency**
- A. APPROVAL OF COUNCIL MINUTES FOR MAY 13, 2014**
- B. APPROVAL OF COUNCIL WARRANTS**

- C. APPROVAL OF TREASURER'S REPORT FOR APRIL 2014
 - D. RESOLUTION NO. 2014/45 ESTABLISHING THE APPROPRIATIONS LIMIT FOR THE 2014-2015 FISCAL YEAR PURSUANT TO CALIFORNIA CONSTITUTION ARTICLE XIII B
 - E. BRIGHTER BEGINNINGS FEDERALLY QUALIFIED HEALTH CLINIC (FQHC) AND NEW ACCESS POINT (NAP) GRANT APPLICATION
 - F. CONSIDERATION OF BIDS FOR THE MAINTENANCE SERVICE CENTER FUELING SYSTEM IMPROVEMENTS (P.W. 143-Q)
 - G. RESOLUTION NO. 2014/46 CHEVRON PROPERTY TAX REFUND LAWSUIT: CITY OF BRENTWOOD ET AL. V. ROBERT CAMPBELL, CONTRA COSTA COUNTY AUDITOR-CONTROLLER, CONTRA COSTA SUPERIOR COURT CASE NO. N11-1029
 - H. APPROVE AWARD OF BID FOR THE CONTRACT TO PURCHASE CLOSED CAPTION TELEVISION (CCTV) VAN
 - I. APPROVE AWARD OF BID FOR THE CONTRACT FOR JANITORIAL SERVICES
 - J. APPROVE A PARK MAINTENANCE THREE-MONTH CONTRACT EXTENSION
- 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 Agopian, the City Council unanimously approved the Council Consent Calendar with the exception of items E and H, which were removed for further discussion.

Item E – Councilmember Rocha recused herself for conflict of interest.

On motion by Councilmember Tiscareno, seconded by Councilmember Wilson, the Council approved item E. The motion carried the following vote:

Ayes: Harper, Wilson, Tiscareno, Agopian

Recused: Rocha

Item H – Public Works Director/City Engineer Bernal presented the staff report dated May 5, 2014 recommending the City Council award the Closed Caption Television (CCTV) Van bid and issuance of a purchase order to Jack Doheny Company, Antioch CA.

On motion by Councilmember Rocha, seconded by Councilmember Agopian, the Council unanimously approved item H.

COUNCIL REGULAR AGENDA

4. BUSINESS LICENSE TAX BALLOT MEASURE

City Manager Duran presented the staff report dated May 20, 2014 recommending the City Council motion to receive report on a proposed residential rental business license tax, consider alternatives to the Business License Tax formula and direct staff regarding whether or not to bring back a resolution to place a Business License Tax update on the November 2014 ballot.

Fred Hoskins, Antioch resident, voiced his support for the proposed residential rental business license tax. He suggested home occupation business licenses, not categorized as professional, be increased by 10% and the existing business license tax rate be increased to \$60.00.

Joseph Zamora, Antioch resident, stated he owned several rental properties in Antioch and he was opposed to the residential rental business license tax and the provision requiring renters to register with the City.

Gerald Lenhart, stated he was opposed to new taxes and suggested Council consider a more equitable solution to increase revenues.

Sean Wright, Antioch Chamber of Commerce, stated increased business license taxes would affect startup companies and deter them from coming to Antioch. He stated they would support an increase in the minimum tax from \$25.00 to \$50.00 per year.

Mary Engleton, Antioch resident, spoke in support of the proposed residential rental business license tax. She questioned who determined salaries and benefits for City employees.

Mayor Harper encouraged Ms. Engleton to contact Human Resources/Economic Development Director Fitzer for information on salaries and benefits.

Melissa Lucchese, Oakwood Village Apartment – Park Place Asset Management Regional Manager, spoke in opposition to the proposed residential rental business license tax noting it was not fair and equitable to target one industry.

Joseph Lawton, Vice President of Castle Management, spoke in opposition to the proposed residential rental business license tax noting it was not fair and equitable to target one industry. He expressed concern that the tax would be a financial burden that would affect maintenance on properties.

Amanda Thomson, FPI Management & Antioch property owners, spoke in opposition to the proposed multi-family landlord tax. She noted it was excessive, would cause a financial burden

on landlords and result in increased rents. She further noted it was not fair or equitable and would result in lower property values and taxes.

Teresa Karr, California Apartment Association, spoke in opposition to the proposed residential landlord business license tax, as proposed. She stated the City needed to examine the potential impacts and their structural deficit, more thoroughly, before they imposed more taxes.

Terry Petersen CPM Marina Creek Apartments, reviewed a handout presented to Council which indicated his support of a more broad based equitable approach for funding revenue.

Alex Aliforis, Contra Costa Taxpayers Association, stated pension and retirement benefits were responsible for the City's budget crisis. He urged the City to review pension costs.

Maurice Clay Baskin, Antioch resident, spoke in support of the residential rental business license tax as a permanent and fair source of revenue to improve public safety.

Hans Ho, Antioch resident, stated he has owned rental properties outside of Antioch and he was required to pay license fees ranging from \$150.00 – \$300.00 per year. He noted the proposed residential rental business license tax was equitable, fair and would raise revenue to improve safety and the quality of life. He urged Council to follow the direction of staff and put the measure on the ballot.

Marty Fernandez, Antioch resident, stated rental units were a business and the residential rental business license tax was fair and equitable.

City Manager Duran clarified that what was being proposed on an average rent for a 2-3 bedroom property was approximately a 1% increase per month.

Following discussion, Council expressed concern that the California Apartment Association had not come forward with a reasonable compromise for the City to consider. They voiced their support for staff's recommendations for a City sponsored measure.

On motion by Councilmember Wilson, seconded by Councilmember Agopian, the Council unanimously directed staff to bring back a resolution to place a Business License Tax update on the November 2014 ballot with the following:

- Establish that the rental or leasing of real property is a business subject to the City's Business License Tax.
- Approve the existing business license tax rate, but raise the minimum tax to \$100.00 a year for all businesses subject to the gross receipts formula, other than Home Occupation businesses not categorized as "professionals" in the Antioch Municipal Code, for whom the minimum tax will be \$25.00 per year.
- Establish a Business License Tax on the rental or leasing of detached single family dwelling units at \$250.00 per year.

- Establish a Business License Tax on the rental or leasing of attached multi-family dwelling units at \$150.00 per dwelling unit, including condominiums, cooperatives and apartments.

PUBLIC COMMENTS

Hans Ho, Antioch resident, thanked for his service to the community.

STAFF COMMUNICATIONS

City Manager Duran reported on his attendance at the State Route 4/160 groundbreaking, Rotary Club, and Senior picnic.

COUNCIL COMMUNICATIONS

Mayor Harper reported on his attendance at the State Route 4/160 groundbreaking.

Councilmember Agopian stated that due to his physical condition, he had limitations. He asked if Council could assist in picking up subcommittee meetings, he may not be able to attend.

Councilmember Tiscareno reported on his attendance at the Antioch Police Department Awards ceremony, Veteran's events, Karate Tournament, RAW Community Outreach Ministries Scholarships Award ceremony, State Route 4/160 groundbreaking, Senior picnic and Memorial Day observance.

Councilmember Rocha reported she had attended many community events and offered to assist Councilmember Agopian with his duties.

Councilmember Wilson reported she had attended many community events and the Girl Power event at Antioch High School.

Mayor Harper attended several functions and many more were coming up, in the near future.

ADJOURNMENT

With no further business, Mayor Harper adjourned the meeting at 9:11 P.M. to the next regular Council meeting on June 10, 2014.

Respectfully submitted:

Kitty Eiden
KITTY EIDEN, Minutes Clerk