

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

Regular Meeting
7:00 P.M.

**June 23, 2015
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 section 54957.6; City designated representatives: Michelle Fitzer, Denise Haskett and Glenn Berkheimer; Employee organizations: Operating Engineers Local Union No. 3 (OE3) and Public Employees Union Local 1.

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

Mayor Harper called the meeting to order at 7:01 P.M., 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.

PROCLAMATIONS

Parks and Recreation Month, July 2015

Antioch-Brentwood Masonic Lodge #175 F&AM 150th Anniversary, July 25, 2015

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

Councilmember Tiscareno presented the proclamation to Director of Park and Recreation Kaiser who thanked the City Council for the recognition and distributed pencils to those in attendance. She invited the community to attend a Family Campfire at 6:00 P.M. on June 26, 2015 at the Community Center Amphitheater

Mayor Harper announced the *Antioch-Brentwood Masonic Lodge #175 F&AM 150th Anniversary* proclamation would be presented to the organization at a luncheon on July 25, 2015.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Harry Thurston, Antioch resident, invited the City Council and staff to a public informational meeting on Community Choice Energy sponsored by the Contra Costa County Clean Energy Alliance at 6:00 P.M. July 7, 2015 at the Antioch Public Library.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen announced applications for the Economic Development Commission were delivered to staff and Mayor Harper to conduct the interviews.

PUBLIC COMMENTS

Mark Jordan, Antioch resident, recommended the City agendize a discussion on converting Antioch to a Charter City as a way to increase revenue to address the City's unfunded retirement accounts.

Linda Hudson, Antioch resident, reported she had been questioned regarding a letter sent to Councilmember Rocha and explained she was not involved in sending the letter. She announced they had petitions to submit in support of speed bumps in her neighborhood and questioned if she could discuss getting a loan from the City for their installation.

Paula Knight, Antioch resident, encouraged the City Council to be more responsive and accessible to the community.

Kip Stephens, Antioch resident, offered his sympathy to the family of Jeremy "Lumpy" Sturgill. He read an article from the Contra Costa Times which discussed negativity in Antioch and called for residents to be part of the solution.

Larry Elcenko, Antioch resident, requested the City Council move agenda item #10 to be the first item of business after the Consent Calendar.

Frederick Rouse, Antioch resident, read a written statement regarding crime in Antioch and recommended the City Council implement stronger laws.

Lacy Hudson, Antioch resident, announced they had signatures for the petition in support of installing a speed bump in their neighborhood and she was attempting to get letters from Tri-Delta Transit, Antioch Police Department, Fire Department and the School District. She provided photos of a sidewalk hazard in her neighborhood and requested the City address the issue.

In response to Mayor Harper, City Manager Duran stated he would have staff look into the sidewalk hazard.

COUNCIL SUBCOMMITTEE REPORTS

Councilmember Rocha reported on her attendance at the Delta Diablo subcommittee meeting. Councilmember Tiscareno reported on his attendance at TRANSPLAN, East Contra Costa County Regional Fee and Financing Authority, and State Route 4 Board of Directors subcommittee meetings.

MAYOR'S COMMENTS

Mayor Harper congratulated the residents on obtaining signatures needed for their speed table petition and stated he looked forward to working with them.

2. **COUNCIL CONSENT CALENDAR *for City /City as Successor Agency/Housing Successor to the Antioch Development Agency/ Antioch Public Financing Authority***
 - A. **APPROVAL OF COUNCIL SPECIAL MEETING STUDY SESSION MINUTES FOR JUNE 2, 2015**
 - B. **APPROVAL OF COUNCIL MINUTES FOR JUNE 9, 2015**
 - C. **APPROVAL OF COUNCIL WARRANTS**
 - D. **APPROVAL OF TREASURER'S REPORT FOR MAY 2015**
 - E. **DESIGNATION OF MAYOR PRO TEM OGORCHOCK AS THE VOTING DELEGATE AND MAYOR HARPER AS THE ALTERNATE DELEGATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE, AND AUTHORIZATION FOR ASSOCIATED CONFERENCE EXPENSES**
 - F. **RESOLUTION NO. 2015/39 ACCEPTING COMPLETED IMPROVEMENTS FOR SOMERSVILLE ROAD FROM JAMES DONLON BOULEVARD TO THE CONTRA COSTA WATER DISTRICT CANAL BRIDGE (PW 512)**
 - G. **RESOLUTION NO. 2015/40 SANITARY SEWER MAIN REPLACEMENT AT VARIOUS LOCATIONS (PW 632-2)**

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

- H. **APPROVAL OF SUCCESSOR AGENCY WARRANTS**

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

Councilmember Tiscareno, speaking to the request to move item #10 as the first item of business, stated in reviewing the remainder of the agenda, it appeared it could be dealt with in a timely matter. City Council consensus supported maintaining the agenda as posted.

PUBLIC HEARING

3. PUBLIC HEARING TO CONFIRM ASSESSMENTS FOR THE LANDSCAPE MAINTENANCE DISTRICTS 1, 2A, 4, 5, 9, AND 10 FOR FISCAL YEAR 2015/2016 (PW 500)

Director of Public Works/City Engineer Bernal presented the staff report dated June 23, 2015 recommending the City Council adopt the Resolution ordering improvements and levying annual assessments for Landscape Maintenance Districts 1, 2A, 4, 5, 9, and 10 for Fiscal Year 2015/2016.

Mayor Harper opened and closed the Public Hearing with no speakers requesting to speak.

RESOLUTION NO. 2015/41

On motion by Councilmember Tiscareno, seconded by Councilmember Rocha, the City Council unanimously adopted the Resolution ordering improvements and levying annual assessments for Landscape Maintenance Districts 1, 2A, 4, 5, 9, and 10 for Fiscal Year 2015/2016.

4. RESOLUTION ADOPTING THE PROPOSED FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM 2015-2020 (PW 150-15)

Director of Public Works/City Engineer Bernal presented the staff report dated June 23, 2015 recommending the City Council adopt the resolution approving the City's Five-Year Capital Improvement Program (CIP) 2015-2020.

In response to Council, Director of Public Works/City Engineer Bernal reported the Contra Loma Estates Park improvements would be brought before the City Council on July 28, 2015. He noted staff would also be bringing park improvement costs back to the City Council for prioritization.

Mayor Harper opened the public hearing.

Janet Costa, Chair East County Regional Group representing First 5 Contra Costa and Healthy and Active Before 5, thanked City staff for providing them with the staff reports and for their support. She reviewed the findings from their Antioch Park Assessment project. She stated they intended to work with the City to develop programs at the parks and mobilize residents. She urged the City to install the needed amenities and promote more recreational activities at Contra Loma Estates Park.

Wilfred Albanes, representing East County Regional Group, thanked the City Council for working to improve the City. He discussed the importance of converting the tennis courts to a basketball court at Contra Loma Estate Park.

Yerenia Zarak, representing East County Regional Group, requested the City add more lighting and surveillance cameras as well as playground and basketball courts in Contra Loma Estates Park. She reported residents in the area were willing to assist in these efforts.

Tonya Love, representing Healthy and Active Before 5, discussed the positive impact parks had on the community and stated they appreciated the support of the City Council and staff. She questioned when the discussion of park improvements would be before the Parks and Recreation Commission, so they could attend the meeting and provide input.

Mayor Harper closed the public hearing.

RESOLUTION NO. 2015/42

On motion by Councilmember Rocha, seconded by Councilmember Ogorchock, the City Council unanimously adopted the resolution approving the City's Five-Year Capital Improvement Program 2015-2020.

COUNCIL REGULAR/ CITY OF ANTIOCH COUNCIL MEMBERS ACTING AS SUCCESSOR AGENCY/ HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY/ ANTIOCH PUBLIC FINANCING AUTHORITY AGENDA

5. POLICE CRIME PREVENTION COMMISSION APPOINTMENT FOR ONE FULL-TERM VACANCY EXPIRING JUNE 2019

Mayor Harper nominated Harry Thurston to fill the one full-term Vacancy expiring June 2019 on the Police Crime Prevention Commission.

On motion by Councilmember Tiscareno, seconded by Councilmember Ogorchock, the City Council unanimously appointed Harry Thurston to the one full-term vacancy expiring June 2019 on the Police Crime Prevention Commission.

6. CURB RAMPS IMPROVEMENTS (PW 409-4)

Director of Public Works/City Engineer Bernal presented the staff report dated June 23, 2015 recommending the City Council award the Curb Ramps Improvements project to the low bidder, JD Partners Concrete, in the amount of \$142,050 and authorize the Director of Finance to amend the 2014-2015 Capital Improvement Budget to increase the project budget by \$170,000 to \$820,000.

Councilmember Rocha requested staff agendize a local contracting preference policy for Council consideration.

RESOLUTION NO. 2015/43

On motion by Councilmember Rocha, seconded by Councilmember Ogorchock, the City Council unanimously awarded the Curb Ramps Improvements project to the low bidder, JD Partners Concrete, in the amount of \$142,050 and authorized the Director of Finance to amend the 2014-2015 Capital Improvement Budget to increase the project budget by \$170,000 to \$820,000.

7. RESOLUTION APPROVING AND ADOPTING A TWO-YEAR OPERATING BUDGET FOR THE FISCAL YEARS 2015-17 WITH PROPOSED REVISIONS TO THE FISCAL YEAR 2014-15 BUDGET

Finance Director Merchant presented the staff report dated June 23, 2015 recommending the City Council adopt a resolution approving and adopting an operating budget for fiscal years 2016 and 2017, appropriating the funds necessary to meet the expenditures set forth therein, and revising the fiscal year 2014-15 budget.

Mark Jordan, Antioch resident, questioned the legal nexus used to justify transfers out of the Water and Sewer Funds into the Antioch Police Department. He requested legal counsel review the Constitution as it pertained to this matter and suggested the City line out transfers and return the previously transferred funds. He also requested City Manager Duran, Finance Director Merchant, and the Director of Public Works/City Engineer Bernal be censured. He informed Council tiered water rates were likely illegal and urged them to establish rates reflecting the actual cost of providing service.

At the request of Mayor Harper, Mr. Jordan stated he would forward his comments to Council.

City Manager Duran stated he would have legal counsel look into Mr. Jordan's concerns and reported consultants had addressed transfers into the Water and Sewer Funds during the public hearing on that item.

RESOLUTION NO. 2015/44

On motion by Councilmember Tiscareno, seconded by Councilmember Wilson, the City Council unanimously adopted a resolution approving and adopting an operating budget for fiscal years 2016 and 2017, appropriating the funds necessary to meet the expenditures set forth therein, and revising the fiscal year 2014-15 budget.

8. RESOLUTION OF THE CITY OF ANTIOCH PUBLIC FINANCING AUTHORITY ADOPTING A TWO-YEAR OPERATING BUDGET FOR THE FISCAL YEARS 2015-17 WITH PROPOSED REVISIONS TO THE FISCAL YEAR 2014-15 BUDGET

Finance Director Merchant presented the staff report dated June 23, 2015 recommending that the Antioch Public Financing Authority adopt a resolution approving and adopting an operating budget for fiscal years 2016 and 2017, and revising the fiscal year 2014-15 budget.

RESOLUTION NO. 2015/45

On motion by Authority member Rocha, seconded by Authority member Ogorchock, the Antioch Public Financing Authority adopted a resolution approving and adopting an operating budget for fiscal years 2016 and 2017, and revising the fiscal year 2014-15 budget.

9. RESOLUTION OF THE CITY OF ANTIOCH AS SUCCESSOR AGENCY AND HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY ADOPTING A TWO-YEAR OPERATING BUDGET FOR THE FISCAL YEARS 2015-17 WITH PROPOSED REVISIONS TO THE FISCAL YEAR 2014-15 BUDGET

Finance Director Merchant presented the staff report dated June 23, 2015 recommending that the City as Successor Agency and Housing Successor to the Antioch Development Agency adopt a resolution approving and adopting an operating budget for fiscal years 2016 and 2017, and revising the fiscal year 2014-15 budget.

SA RESOLUTION NO. 2015/17

On motion by Councilmember Wilson, seconded by Councilmember Tiscareno, the City of Antioch as Successor Agency and Housing Successor to the Antioch Development Agency adopted a resolution approving and adopting an operating budget for fiscal years 2016 and 2017, and revising the fiscal year 2014-15 budget.

Mayor Harper declared a recess at 8:17 P.M. The meeting reconvened at 8:28 P.M. with all Councilmembers present.

10. DIRECTION ON DOWNTOWN SPECIFIC PLAN ALTERNATIVES AND SELECTION OF PREFERRED ALTERNATIVE

City Manager Duran introduced the item and recognized Project Manager Oshinsky and Dick Loewke for preparing the alternatives for the Specific Plan. He stated staff's recommendation was housing for the Beede lumber parcel and it was based on their experience, expertise and input received.

Project Manager Oshinsky and Dick Loewke presented the staff report dated June 23, 2015 and an overhead presentation recommending the City Council: 1) Review the two Refined Downtown Specific Plan Alternatives; and 2) Provide staff and consultant with direction on selection of a Preferred Alternative for use in preparing the Draft Specific Plan and environmental analysis.

City Clerk Simonsen announced the Clerk's office received two emails from Robert Davis regarding this matter and copies were available on the dais and in Council Chambers.

Lee Ballesteros, Antioch resident, thanked the consultants for preparing the downtown specific plan alternatives and requested it reflect that the Senior Center and Theatre would remain at the current location. She reminded Council the RFP provided them with the flexibility to reject a transaction with a developer and choose an alternative use for the lumber yard site. She expressed concern the addendums referenced were not available on the City's website. She urged the City Council to choose the park/event center alternative for Lumber Yard parcel.

Loretta Sweatt, Antioch resident, spoke in support of high density residential, however; not so high the downtown did not reflect it or so low property values could decline.

Shari Gayle, Antioch resident, spoke in support of a park and event center on the Beede Lumber Yard site.

Karl Dietzel, Antioch resident, spoke in support of a park and event center on the Beede Lumber Yard site and urged the City Council to allow Antioch residents to vote on that matter.

Joy Motts, Antioch resident, discussed the importance of creating a positive image for Antioch and stated a critical component was a park and event plaza at the entrance to Rivertown. She urged the City Council to support the alternative to preserve the Beede Lumber Yard site for a park.

Martha Goralka, Antioch resident, stated she was grateful alternatives included a park for the Beede Lumber Yard property and urged the City Council to consider the option. She stated she was looking forward to positive changes in downtown.

Jim Lanter, Antioch resident, stated he was concerned staff had previously indicated the Specific Plan would not be successful if residential was not built on the Beede Lumber Yard parcel and that a park would never be built on the site. He explained residential development would not be feasible in the area because of noise and health risks associated with the railroad tracks. He stated it would also impact the view of the river and property values for existing residents. He urged the City Council to make the area a place the County could be proud.

Dr. Sean Wright, speaking on behalf of the Antioch Chamber of Commerce, voiced their support for alternative 1B, which he noted gave the City the most flexibility and allowed community groups to prove their concept. He stated a stimulus project was needed downtown and questioned if a second site could be identified for that purpose

Louise Green, Antioch resident, clarified parks, event centers, retail, and restaurants were the first phases of the revitalization of Livermore's downtown. She urged the City Council to focus on rehabilitating existing buildings to increase foot traffic.

Allen Payton, Antioch resident, spoke in support of providing flexibility into the plan in the event funds for the event center project could be raised. He urged the City to consider changing the names of "A" Street to Rivertown Drive and "L" Street to Marina Boulevard as soon as possible so the City could take advantage of new freeway signage.

Councilmember Tiscareno questioned if the City could mandate owner occupancy.

City Manager Duran explained that City could dictate exactly what could be built on City or Successor Agency owned parcels, through the Development Agreement or other regulations.

Project Manager Oshinsky, speaking to the parcels the City did not own, stated staff could look into an owner occupancy requirement for a certain percentage of the units, provided it was legally defensible.

Councilmembers Tiscareno, Rocha, and Wilson stated they supported option 1B as it provided the City and community groups the most flexibility.

Councilmember Rocha suggested a timeline be set for bringing a viable project forward.

Councilmember Ogorchock expressed concern regarding how the event center would be funded and stated she supported alternative 3B.

Mayor Harper thanked the Planning and Economic Development Commissions and community for their participation in the discussions for this item. He stated without a financial plan for the park and event center, he would support alternative 1B.

Councilmember Tiscareno requested the Specific Plan specify that the Senior Center and Theatre would remain at their current location.

A motion was made by Councilmember Ogorchock to approve option 1B with a caveat that the density per unit be 18 per acre. The motion failed for lack of a second.

On motion by Councilmember Ogorchock, seconded by Councilmember Rocha, the City Council unanimously approved Alternative 1B with a maximum of 18 units per acre on opportunity site #5.

PUBLIC COMMENTS

Susan Myers, representing The Drama Factory, spoke in support of retaining the Nick Rodriguez Community Center, Senior Center, and Theatre downtown. She announced their next production was "The Moon Princess" which would open July 17, 2015.

Jim Lanter, Antioch resident, reported on the success of the Block Party held on June 20, 2015 in downtown Antioch and encouraged the City to continue to support their efforts to host events for the community.

Joy Motts, Celebrate Antioch Foundation, announced the 4th of July event would begin with a parade downtown at 3:00 P.M. and cumulate with a fireworks show at 9:30 P.M.

STAFF COMMUNICATIONS

City Manager Duran recognized Director of Park and Recreation Kaiser for her professionalism during an incident that occurred at Prewett Water Park. Additionally, he acknowledged Economic Development Program Manager Zepeda for facilitating merchant oriented events downtown.

COUNCIL COMMUNICATIONS

Councilmember Rocha thanked Director of Park and Recreation Kaiser and her staff for their professionalism. She announced the Antioch Jamboree would be held in October.

Councilmember Tiscareno thanked Mr. Lanter for his report on the Block Party. He requested the City agendize a discussion on bringing Ferry service to Antioch.

City Manager Duran responded that a discussion on Ferry services could be included with the discussion on transportation projects occurring at the July 28, 2015 City Council meeting.

Councilmember Ogorchock thanked Director of Park and Recreation Kaiser for her professionalism and noted staff had done a great job in keeping the children calm during the water park incident. She requested staff provide Council with an update on Measure O.

Councilmember Wilson thanked Director of Park and Recreation Kaiser for her professionalism and reported on her attendance at the Block Party, and Share and Care events.

Mayor Harper thanked Director of Park and Recreation Kaiser for her professionalism. He congratulated the stakeholders on the success of the Block Party and wished all fathers a Happy belated Father's Day. He spoke to the recent passing of Antioch business owner, Jeremy "Lumpy" Sturgill and urged the community to support his restaurant and family. He announced a Memorial Service would be held on June 25, 2015 at Cavalry Temple in Concord.

ADJOURNMENT

With no further business, Mayor Harper adjourned the meeting in honor of Jeremy "Lumpy" Sturgill at 10:05 P.M. to the next regular Council meeting on July 28, 2015.

Respectfully submitted:

Kitty Eiden
KITTY EIDEN, Minutes Clerk