

**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.**

**September 27, 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 organizations: Antioch Police Officers’ Association, Operating Engineers Local Union No. 3 (OE3), and Antioch Police Sworn Management Association (AP SMA).

- 2. CONFERENCE WITH LEGAL COUNSEL** – Existing Litigation pursuant to California Government Code section 54956.9(d)(1): Successor Agency to the Antioch Development Agency of the City of Antioch and the City of Antioch v. Michael Cohen, et. al. Sacramento County Superior Court case no. 34-2015-80002092. Legal Counsel – City Attorney Vigilia, outside counsel Karen Tiedemann and Dolores Dalton, Goldfarb & Lipman LLP.

City Attorney Vigilia 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; and, **#2 CONFERENCE WITH LEGAL COUNSEL**, No reportable action.

Mayor Harper called the meeting to order at 7:06 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.

PRESENTATION

Assemblymember Jim Frazier presented the 2016 Capitol and Legislative Report and thanked constituents for allowing him to serve as Assemblymember for District 11.

The Council thanked Assemblymember Frazier for the report and his service.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Battalion Chief Jim Huntze, Contra Costa County Fire Protection District gave an update on fire department activities for the month of August. He acknowledged the Antioch Police Department for their assistance at a recent house fire in Antioch.

Mayor Harper thanked Battalion Chief Hutze for the report and requested he express the Council's appreciation to fire department personnel.

Roxanna Aranda, Drama Factory, announced they were hosting a Monster Dash 5K Run/Walk, 1 Mile Kid's Run, and Costume Parade on October 15, 2016 at Contra Loma Regional Park.

Director of Park and Recreation Kaiser announced a Senior Resource Fair would be held from 9:00 A.M. – 11:00 A.M. on September 30, 2016 at the Antioch Senior Center. She reported the Antioch Council of Teens (ACT) participated in a kayaking event on September 25, 2016 and noted nomination forms for the Teen Friendly Business Awards were available in Council Chambers. She introduced Linda and John Frederickson, President and Vice President of the Antioch Senior Citizen's Club.

Councilmember Ogorchock announced a Community Outreach Fair would be held on October 8 and 9, 2016 and a Parish Festival would be held from 9:00 A.M. – 3:00 P.M. October 16, 2016 at St. Ignatius Church.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen announced the following Board and Commission openings:

Planning Commission: Two (2) vacancies; deadline date is September 30, 2016
Contra Costa County Library Commission; extended deadline date is October 14, 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. He announced it was National Voter Registration Day and anyone wishing to receive an absentee ballot could request it via email from the County Elections office. He noted ballot boxes would be available in the Clerk's office.

PUBLIC COMMENTS

Julie Neward and Chris Hetrick, representing Somersville Towne Center/Macys, reported on their efforts to improve security at the mall. They thanked the Council and Antioch Police Department for their support.

Mayor Harper thanked Ms. Neward and Mr. Hetrick for their comments.

Sal Sbranti, Antioch resident, speaking to Measure C, expressed concern the Citywide Administration percentage was increasing with an increasing Police Department Budget. He stated he did not believe this was the intent of Measure C.

COUNCIL SUBCOMMITTEE REPORTS

Councilmember Wilson reported within the next couple of weeks Mello Roos would be holding one of their final meetings.

Councilmember Ogorchock reported on her attendance at the League of California Cities meeting.

MAYOR'S COMMENTS

Mayor Harper announced the Tri Delta Transit meeting had been cancelled.

1. **COUNCIL CONSENT CALENDAR for City /City as Successor Agency/Housing Successor to the Antioch Development Agency**
 - A. **APPROVAL OF COUNCIL MINUTES FOR SEPTEMBER 13, 2016**
 - B. **APPROVAL OF COUNCIL WARRANTS**
 - C. **REJECTION OF CLAIMS: CLARENCE GOLDSBY, KRYSTAL APARICIO, AND SEAN ADOLFO O'TOOLE**
 - D. **APPROVAL OF TREASURER'S REPORT FOR AUGUST 2016**
 - E. **ORDINANCE NO. 2115-C-S AND ORDINANCE NO. 2116-C-S LAUREL RANCH SUBDIVISION (PD-15-03) (PW 698) (Introduced on 09/13/16)**
 - 1) **Adopt the Ordinance approving a Development Agreement between the City of Antioch and Richland Planned Communities, Inc.; and**
 - 2) **Adopt the Ordinance rezoning the project site from Planned Development (PD) District to Planned Development District (PD-15-03).**

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

- F. **APPROVAL OF SUCCESSOR AGENCY WARRANTS**
- G. **APPROVAL OF HOUSING SUCCESSOR WARRANTS**

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

PUBLIC HEARING

2. **PUBLIC HEARING ON PRIORITIES FOR HOUSING, HOMELESS, AND COMMUNITY SERVICES FOR THE 2017-20 GRANT CYCLE**

CDBG/Housing Consultant House presented the staff report dated September 27, 2016 recommending the City Council review public comments from the Study Session of August 23, 2016; take public comment at this meeting; and maintain the adopted 2015-20 Consolidated Plan Priorities for funding. It was also recommended that Council approve the implementation in FY 2016-17 of a Mobile Home Grant Program as an expansion of the Homeowner Housing Rehabilitation program, using existing funding.

Councilmember Rocha suggested the CDBG committee review and discuss the percentage of senior program funding versus youth program funding.

CDBG/Housing Consultant House stated once there was a recommendation for funding homeless services, they would bring it forward for Council consideration.

Mayor Harper announced Project Homeless Connect would be held at the fairgrounds from 11:00 A.M. – 3:00 P.M., October 13, 2016 at the Antioch Fairgrounds.

Mayor Harper opened the public hearing.

Caroline Sisen, Anka Behavioral Health, Inc., discussed their efforts to provide homeless services in the region. She requested the City Council consider prioritizing a multiservice center in East County and support of the expansion of the Don Brown Shelter.

Mayor Harper closed the public hearing.

In response to Councilmember Ogorchock, CDBG/Housing Consultant House explained Anka was looking for Council support of the Use Permit for the expansion of the Don Brown Shelter. She stated consideration of supporting Anka's need to provide Saturday outreach, would be coming to Council as a part of the additional funding considerations.

On motion by Councilmember Rocha, seconded by Councilmember Ogorchock, the City Council unanimously reviewed public comments from the Study Session of August 23, 2016; took public comment; maintained the adopted 2015-20 Consolidated Plan Priorities for funding; and approved the implementation in FY 2016-17 of a Mobile Home Grant Program as an expansion of the Homeowner Housing Rehabilitation program, using existing funding.

3. ADOPTION OF A RESOLUTION TO APPROVE A SOLAR REMOTE POWER PURCHASE AGREEMENT WITH NRG RENEW (P.W. 699)

Assistant City Manager/Public Works Director/City Engineer Bernal presented the staff report dated September 27, 2016 recommending the City Council adopt a resolution authorizing the City Manager to negotiate and execute a Solar Remote Power Purchase Agreement with NRG Renew.

Joe Corning, Development Manager / NRG Renew, gave a PowerPoint presentation of the Antioch Solar Development project.

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

Councilmember Ogorchock suggested Council consider adopting a policy requiring 25 percent of the cost saving from this project allocated to pay down the City's Unfunded Liability and 25 percent placed into the City's Reserves (rainy day fund).

City Attorney Vigilia responded that policy direction was outside the scope of this item and could be requested as a future agenda item.

The Council spoke in support of the project providing reduced energy costs, local jobs, and environmental benefits.

RESOLUTION NO. 2016/103

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously adopted a resolution authorizing the City Manager to negotiate and execute a Solar Remote Power Purchase Agreement with NRG Renew.

4. ADOPTION OF A RESOLUTION TO APPROVE A SOLAR SITE SUBLEASE AGREEMENT BETWEEN THE CITY AND NRG SOLAR DG LLC (P.W. 699)

Assistant City Manager/Public Works Director/City Engineer Bernal presented the staff report dated September 27, 2016 recommending the City Council adopt a resolution authorizing the City Manager to enter into a 25-year Solar Site Sublease Agreement with NRG Solar DG LLC.

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

RESOLUTION NO. 2016/104

On motion by Councilmember Tiscareno, seconded by Councilmember Rocha, the City Council unanimously adopted a resolution authorizing the City Manager to enter into a 25-year Solar Site Sublease Agreement with NRG Solar DG LLC.

COUNCIL REGULAR AGENDA

5. PROPOSED SALES TAX SHARING AGREEMENT WITH ONESOURCE SUPPLY SOLUTIONS

City Manager Duran presented the staff report dated September 27, 2016 recommending the City Council adopt a resolution directing and authorizing the City Manager to negotiate and execute a Sales Tax Sharing Agreement with OneSource Supply Solutions that will accomplish the business terms authorized by the City Council, in a form approved by the City Attorney.

Mayor Harper spoke in support of the tax sharing agreement as a means to attract major employers.

John Mayberry, Senior Vice President of Operations, One Source Supply Solutions, stated if approved, their business would relocate from San Leandro and for continuity they would prefer to retain their current workforce; however, if not all of their employees choose to commute, they would look to hire locally. He explained they were a distributor of products PG&E used to maintain and build their electric infrastructure.

Mayor Harper stated he was pleased One Source Supply Solutions considered Antioch for this project.

In response to Councilmember Tiscareno, Mr. Mayberry explained they had entered into a 5-year agreement with PG&E; however, they believed it would be extended due to their integrated supply chain solution. He estimated revenue would grow by 10 percent per year.

In response to Councilmember Wilson, Mr. Mayberry stated they provided employment for a variety of levels from management to warehouse workers and had a tiered system to promote from within. He noted they would be willing to consider working with the County Workforce Development Board on a job shadowing program.

Councilmember Ogorchock voiced her support for the project and suggested a local hire provision for new employees.

Mr. Mayberry responded that he had committed to working closely with Economic Development Program Manager Zepeda through the hiring process. He reported PG&E had expressed interest in developing community outreach in the Antioch area.

Councilmember Rocha spoke in support of the project promoting economic development in the Wilbur Avenue area.

Councilmember Tiscareno stated he was willing to support the following motion; however, he would like a commitment from One Source that they would be in the community for 10 years.

RESOLUTION NO. 2016/105

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously adopted a resolution directing and authorizing the City Manager to negotiate and execute a Sales Tax Sharing Agreement with OneSource Supply Solutions that will accomplish the business terms authorized by the City Council, in a form approved by the City Attorney and support staff recommendation as outlined in the Term Sheet (Resolution Exhibit 1).

6. POLICE CRIME PREVENTION COMMISSION APPOINTMENT FOR ONE PARTIAL-TERM VACANCY EXPIRING OCTOBER 2017

Mayor Harper nominated Richard C. Hanzy PhD., to serve one (1) partial-term vacancy to the Police Crime Prevention Commission expiring October 2017.

RESOLUTION NO. 2016/106

On motion by Councilmember Ogorchock, seconded by Councilmember Rocha, the City Council unanimously appointed Richard C. Hanzy PhD by resolution to one (1) partial-term vacancy to the Police Crime Prevention Commission expiring October 2017.

7. MEMORANDUM OF UNDERSTANDING WITH TONY LA RUSSA'S ANIMAL RESCUE FOUNDATION

Captain Brooks presented the staff report dated September 27, 2016 recommending the City Council adopt a resolution authorizing the City Manager to execute a Memorandum of Understanding (MOU) between the City of Antioch - Antioch Animal Services (AAS) and Tony La Russa's Animal Rescue Foundation (ARF), wherein ARF will work collaboratively with AAS staff to provide expertise and guidance in key areas for a period not to exceed 12 months.

Louise McGuire, Concord Resident, spoke in support of the Memorandum of Understanding (MOU) between the City of Antioch - Antioch Animal Services (AAS) and Tony La Russa's Animal Rescue Foundation (ARF).

Dr. Jeffrey Klingler, spoke in support of the Memorandum of Understanding (MOU) between the City of Antioch - Antioch Animal Services (AAS) and Tony La Russa's Animal Rescue Foundation (ARF) and suggested Council require measureable deliverables.

Karen Kops, HARP, spoke in support of the Memorandum of Understanding (MOU) between the City of Antioch - Antioch Animal Services (AAS) and Tony La Russa's Animal Rescue Foundation (ARF). She questioned when and how staffing would be impacted at the shelter and spoke in support of the City hiring an experienced Shelter Manager.

Captain Brooks stated if Council agreed to the MOU, they would meet with ARF to determine what needed to be accomplished. He noted once it was decided what the deliverables would be; they would recommend the number of staff and hours needed. He noted that information would then be reported back to Council.

Mayor Harper stated these steps would be taken immediately to improve shelter operations. He thanked members of the community for their patience.

Captain Brooks reported the additional Animal Care Attendant and Office Assistant had been hired. He noted the Earn and Learn Personnel were still in process.

RESOLUTION NO. 2016/107

On motion by Councilmember Tiscareno, seconded by Councilmember Rocha, the City Council unanimously adopted a resolution authorizing the City Manager to execute a Memorandum of Understanding (MOU) between the City of Antioch - Antioch Animal Services (AAS) and Tony La Russa's Animal Rescue Foundation (ARF), wherein ARF will work collaboratively with AAS staff to provide expertise and guidance in key areas for a period not to exceed 12 months.

8. PARKING ENFORCEMENT OUTSOURCING

Captain Brooks presented the staff report dated September 27, 2016 recommending the City Council adopt a resolution authorizing the City Manager to execute an agreement, with SP+ (SP Plus) for parking enforcement and vehicle abatement services in the amount of \$150,000 per year for a term of up to 3 (three) years.

In response to Mayor Harper, Captain Brooks explained it was less expensive to contract out services as SP+ paid for salaries, vehicles, and equipment associated with the program.

Councilmember Tiscareno stated he was encouraged with the removal of blight in the community.

Councilmember Rocha spoke in support of the program as it improved parking for merchants. She suggested Council consider bringing this service in house in the future.

Councilmember Ogorchock spoke in support of the program and suggested the creation of an app to report illegally parked vehicles.

RESOLUTION NO. 2016/108

On motion by Councilmember Tiscareno, seconded by Councilmember Ogorchock, the City Council adopted a resolution authorizing the City Manager to execute an agreement, with SP+ (SP Plus) for parking enforcement and vehicle abatement services in the amount of \$150,000 per year for a term of up to 3 (three) years.

9. FINAL ACCEPTANCE OF THE COUNTRY HILLS DRIVE AND VISTA GRANDE DRIVE WATER MAIN REPLACEMENT (P.W. 503-16)

Assistant City Manager/Public Works Director/City Engineer Bernal presented the staff report dated September 27, 2016 recommending the City Council adopt a resolution accepting work and authorizing the Assistant City Manager/Public Works Director/City Engineer to file a Notice of Completion for the Country Hills Drive and Vista Grande Drive Water Main Replacement project.

RESOLUTION NO. 2016/109

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously adopted a resolution accepting work and authorizing the Assistant City

Manager/Public Works Director/City Engineer to file a Notice of Completion for the Country Hills Drive and Vista Grande Drive Water Main Replacement project.

10. FINAL ACCEPTANCE OF THE PAVEMENT PLUGS AND LEVELING COURSES AT VARIOUS LOCATIONS (P.W. 328-10)

Deputy Director of Public Works Bechtholdt presented the staff report dated September 27, 2016 recommending the City Council adopt a resolution, accepting work and authorizing the Assistant City Manager/Public Works Director/City Engineer to file a Notice of Completion for the Pavement Plugs and Leveling Courses at Various Locations project and increase the existing contract with MCK Services, Inc. for this project in the amount of \$394,842.52 for a total of \$2,891,502.52.

Following discussion, the Council supported Mayor Harper writing a letter of appreciation to the employees who were responsible for completing the road improvement project.

RESOLUTION NO. 2016/110

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously adopted a resolution, accepting work and authorizing the Assistant City Manager/Public Works Director/City Engineer to file a Notice of Completion for the Pavement Plugs and Leveling Courses at Various Locations project and increase the existing contract with MCK Services, Inc. for this project in the amount of \$394,842.52 for a total of \$2,891,502.52.

11. RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF ANTIOCH AND PUBLIC EMPLOYEES' UNION LOCAL 1 FOR THE PERIOD OF APRIL 1, 2015 – MARCH 31, 2017 AND ACKNOWLEDGING THE CITY MANAGER AND LOCAL 1 REPRESENTATIVES EXECUTION OF THE MOU

Administrative Services Director Mastay presented the staff report dated September 27, 2016 recommending the City Council adopt a resolution approving the Memorandum of Understanding (MOU) between the City of Antioch and Public Employees' Union Local 1; and Acknowledging the City Manager and Local 1 Representatives execution of the MOU.

RESOLUTION NO. 2016/111

On motion by Councilmember Tiscareno, seconded by Councilmember Rocha, the City Council unanimously adopted a resolution approving the Memorandum of Understanding (MOU) between the City of Antioch and Public Employees' Union Local 1; and Acknowledging the City Manager and Local 1 Representatives execution of the MOU.

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS - None

COUNCIL COMMUNICATIONS

Councilmember Ogorchock requested staff agendaize the following:

- A policy requiring 25 percent of the cost savings from the NRG project being allocated to pay down the City's Unfunded Liability and 25 percent being placed into the City's reserves (rainy day fund)
- A discussion of the Measure "C" Citywide Administration Fee

Councilmember Wilson reported on her participation at the Coastal Cleanup, PAL Golf Tournament, and Squishing Out Cancer events.

Councilmember Rocha reported on her attendance at the Coastal Cleanup event.

Mayor Harper reported he had attended several events.

ADJOURNMENT

With no further business, Mayor Harper adjourned the meeting at 9:29 P.M. to the next regular Council meeting on October 11, 2016.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk