

**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.

**January 13, 2015
Council Chambers**

6:30 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.

City Attorney Nerland 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.

SPECIAL MEETING/CLOSED SESSION ON JANUARY 6, 2015 – City Attorney reported out that no action was taken on the closed session items discussed by the City Council at the Special/Closed Session Meeting held on January 6, 2015.

Mayor Harper called the meeting to order at 7:10 P.M., and City Clerk Simonsen called the roll.

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

PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen announced the following Board and Commission openings:

- *Planning Commission: One (1) vacancy; deadline date is January 16, 2015*
- *Contra Costa Transit Authority-Citizen Advisory Committee: One (1) vacancy; deadline is January 16, 2015*

He reported applications would be available online at the City’s website and at the City Clerk’s and Deputy City Clerks offices.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Parks and Recreation Director Kaiser announced the San Francisco Giants would be displaying their World Series trophies from 4:00 P.M. - 6:00 P.M. on January 27, 2015 at Prewett Park Community Center.

J.R. Wilson, representing Delta Veterans Group, announced they had obtained a building on West 10th Street and would name the building in memory of Sergeant John D. Aragon. He recognized Councilmember Wilson for assisting in their efforts and stated they would be working with service organizations to establish a scholarship for Antioch High School students.

Velma Wilson announced a Dr. Martin Luther King Jr. birthday celebration would be held on January 19, 2015 at Antioch High School Beede Auditorium and the East County NAACP Prayer Breakfast honoring Dr. Martin Luther King Jr. would be held on January 19, 2015 at St. Mark at Bethel Church in Pittsburg.

PUBLIC COMMENTS

Laura Stewart, Antioch resident, announced Mayor Harper was being recalled.

Rich Buongiorno, Antioch resident, questioned why the City had not publicized property tax revenue received in 2014 and why employee furloughs were not eliminated, at that time.

Joy Motts representing CRAWDADS, Rivertown Preservation Society, and the Celebrate Antioch Foundation gave a history of their efforts to develop a proposal for the vacant property at the corner of 2nd and A Streets. She reiterated their request for the City to agendaize the formation of a subcommittee and a discussion on the topic.

Donald Bright, Antioch resident, stated he was aligned with Rivertown Preservation Society and the Celebrate Antioch Foundation gave a history of their proposal for the vacant property at the corner of 2nd and A Streets. He urged the City respond to their requests, as soon as possible.

Fred Hoskins, spoke in opposition to the recall of Mayor Harper and suggested the City improve communication with the public.

Loretta Sweatt, Antioch resident, congratulated the City Council on the election results and thanked them for appointing her to the Economic Development Commission.

Gil Murillo, Antioch resident, suggested the City Council work with the School District to develop programs for the youth.

Karen Kops, President of H.A.R.P., requested an update on an animal cruelty investigation for an incident that occurred on December 3, 2014. She requested resources be made available, if the incident had not been investigated.

Lawrence A. Rasheed, founder of Greatness Rediscovered in Our Time (G.R.I.O.T.), announced a Martin Luther King National Mentoring Day event would be held from 9:30 A.M. – 2:00 P.M. on January 31, 2015 at the Delta Bay Church of Christ in Antioch. He requested the City's endorsement and support of the event.

COUNCIL SUBCOMMITTEE REPORTS

Councilmember Ogorchock reported on her attendance at the Mello Roos oversight committee meeting.

Councilmember Wilson reported on her attendance at the Mello Roos oversight committee meeting and announced Dallas Ranch Middle School would be hosting a solar power grand opening from 3:00 P.M. – 4:00 P.M. on February 4, 2015.

MAYOR'S COMMENTS

Mayor Harper reported on his attendance at the Mayor's Conference and recognized everyone who assisted in organizing the event. He also reported on his attendance at Christmas and Kwanzaa celebrations and stated he had been preparing for the Dr. Martin Luther King Jr. event. He announced he had taught a leadership seminar and attended the following events; County Hazmat Commission meeting, Church at Antioch grand-opening, Eagle Scout award ceremonies, and Antioch Unified School District meeting.

City Clerk Simonsen congratulated Mayor Harper on his election as vice chair of Mayor's conference.

- 1. COUNCIL CONSENT CALENDAR for City /City as Successor Agency/Housing Successor to the Antioch Development Agency/Antioch Public Financing Authority**
- A. APPROVAL OF COUNCIL MINUTES FOR DECEMBER 9, 2014 AND DECEMBER 16, 2014**
- B. APPROVAL OF COUNCIL WARRANTS**
- C. APPROVAL OF TREASURER'S REPORT FOR NOVEMBER 2014**
- D. ORDINANCE 2094-C-S MESSAGE REGULATIONS (*Introduced on 12/16/14*)**
- E. STANDBY CITY COUNCIL MEMBERS**

- F. CITY OF ANTIOCH COMPREHENSIVE ANNUAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2014
- G. SINGLE AUDIT REPORTS FOR THE FISCAL YEAR ENDED JUNE 30, 2014
- H. RESOLUTION NO. 2015/01 MAINTENANCE SERVICE CENTER FUELING SYSTEM IMPROVEMENTS (P.W. 143-Q)

Antioch Public Financing Authority

- I. ANTIOCH PUBLIC FINANCING AUTHORITY – BASIC FINANCIAL STATEMENTS AND INDEPENDENT AUDITORS’ REPORT FOR THE YEAR ENDED JUNE 30, 2014

On motion by Councilmember Wilson, seconded by Councilmember Ogorchock, the City Council unanimously approved the Council Consent Calendar with the exception of item E, which was removed for further discussion.

Item E – Fred Hoskins, Antioch resident, spoke in opposition to the City Council assigning Standby City Council Members.

City Attorney Nerland presented the staff report dated January 13, 2015 and clarified the process of appointing Standby City Council Members had been in place for years.

Allen Payton, Antioch resident, requested the spelling of Mr. Manuel’s and Mr. Soliz’s last names be corrected. He voiced his appreciation to Councilmember Ogorchock’s for nominating him as a Standby City Council member.

In response to Mr. Payton, Councilmember Rocha clarified she was nominating Louie Rocha Jr. as a Standby City Council member.

On motion by Councilmember Rocha, seconded by Councilmember Tiscareno, the Council unanimously appointed the nominated Standby Council Members.

PUBLIC HEARING

- 2. PDP-14-07 – LAUREL RANCH PRELIMINARY DEVELOPMENT PLAN – STRACK FARMS LLC REQUESTS REVIEW OF A PRELIMINARY DEVELOPMENT PLAN, WHICH IS NOT AN ENTITLEMENT, FOR THE DEVELOPMENT OF APPROXIMATELY 191 SINGLE FAMILY HOMES ON APPROXIMATELY 54 ACRES. THE PROJECT SITE IS LOCATED TO THE EAST OF THE CURRENT TERMINUS OF LAUREL ROAD AND TO THE WEST OF THE HIGHWAY 4 BYPASS (APN 053-060-031)

Director of Community Development Wehrmeister presented the staff report dated January 13, 2015 recommending the City Council provide feedback to the applicant and staff regarding the Strack Farms LLC preliminary development plan, which is not an entitlement, for the development of approximately 191 single family homes on approximately 54 acres located to the east of the current terminus of Laurel Road and to the west of the Highway 4 Bypass, and provide direction to the applicant for the Final Development Plan submittal.

Mayor Harper opened the public hearing.

Aaron Ross Swain, representing Richland Communities, gave an overhead presentation which included a property description, initial land plan, revised land plan, architecture and project highlights.

Councilmember Ogorchock expressed concern there was not adequate outdoor play space for children living in the private lane neighborhood.

Councilmember Tiscareno voiced his support for the project incorporating the Helmets to Hardhats program and a local hire/project labor agreement.

Councilmember Rocha suggested the applicant provide public transit access.

Hilda Parham, Antioch resident, questioned if the private lane neighborhood would have sufficient parking and expressed concern for the negative impact of the project on local schools. She voiced her support of an owner occupancy requirement.

Tonya Ward, Antioch resident, stated she was opposed to the project due to the increase in population and the impact it would have on increased traffic and crime.

Allen Payton, Antioch resident, stated there was an excessive amount of small lots and noted he felt there was an ample amount of affordable housing in Antioch. He questioned if there would be a separate Homeowners Association for each street.

Gil Murillo, Antioch resident, stated he supported an owner occupancy requirement and urged the City Council to evaluate similar projects to determine the success of this type of development.

Aaron Ross Swain clarified both product types would have sufficient area to park four vehicles. and parking would be restricted along the edges of the private lanes. He stated they had met with the school district who indicated student generation from the project had been contemplated in their master facilities plan and it would not exceed a threshold in which the schools could no longer operate at normal capacity.

Councilmember Tiscareno requested the applicant provide documentation regarding laws pertaining to an owner occupied restriction.

Mayor Harper requested documentation from the school district regarding the projects impacts.

Councilmember Rocha requested a list of similar projects in nearby communities.

Mayor Harper closed the public hearing.

In response to Council, Director of Community Development Wehrmeister clarified the project would generate the need for .5 to .75 police officers, which it would need to finance annually. Additionally, she noted the project would not generate the need for new school facilities and was mandated by state law to pay school impact fees. She stated she would provide a list of small lot developments built in neighboring communities to Councilmembers.

3. ISSUANCE AND SALE OF CITY OF ANTIOCH PUBLIC FINANCING AUTHORITY LEASE REVENUE BONDS, SERIES 2015A

Finance Director Merchant presented the staff report dated January 13, 2015 recommending the City Council adopt the resolution approving the issuance and sale by the City of Antioch Public Financing Authority of not to exceed \$25,000,000 aggregate principal amount of Lease Revenue Refunding Bonds (Municipal Facilities Project), Series 2015A; authorizing the forms of and directing the execution and delivery of a trust agreement, a site lease, a facility lease, a bond purchase agreement, and a continuing disclosure agreement; approving form of and distribution of a preliminary official statement and official statement; appointing bond and disclosure counsel for such refinancing; and authorizing taking of necessary actions and execution of necessary certificates in connection therewith.

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

RESOLUTION NO. 2015/02

On motion by Councilmember Tiscareno, seconded by Councilmember Wilson, the City Council unanimously adopted the resolution approving the issuance and sale by the City of Antioch Public Financing Authority of not to exceed \$25,000,000 aggregate principal amount of Lease Revenue Refunding Bonds (Municipal Facilities Project), Series 2015A; authorizing the forms of and directing the execution and delivery of a trust agreement, a site lease, a facility lease, a bond purchase agreement, and a continuing disclosure agreement; approving form of and distribution of a preliminary official statement and official statement; appointing bond and disclosure counsel for such refinancing; and authorizing taking of necessary actions and execution of necessary certificates in connection therewith.

COUNCIL REGULAR/ANTIOCH PUBLIC FINANCING AUTHORITY AGENDA

4. ISSUANCE AND SALE OF CITY OF ANTIOCH PUBLIC FINANCING AUTHORITY LEASE REVENUE BONDS, SERIES 2015A

Finance Director Merchant presented the staff report dated January 13, 2015 recommending the City of Antioch Public Financing Authority adopt the resolution approving the issuance and sale by the City of Antioch Public Financing Authority of not to exceed \$25,000,000 aggregate principal amount of Lease Revenue Refunding Bonds (Municipal Facilities Project), Series 2015A; authorizing the forms of and directing the execution and delivery of a trust agreement, a site lease, a facility lease, a bond purchase agreement, and a continuing disclosure agreement; approving form of and distribution of a preliminary official statement and official statement; appointing bond and disclosure counsel for such refinancing; and authorizing taking of necessary actions and execution of necessary certificates in connection therewith.

RESOLUTION NO. 2015/03

On motion by Councilmember Tiscareno, seconded by Councilmember Rocha, the City Council unanimously adopted the resolution approving the issuance and sale by the City of Antioch Public Financing Authority of not to exceed \$25,000,000 aggregate principal amount of Lease Revenue Refunding Bonds (Municipal Facilities Project), Series 2015A; authorizing the forms of and directing the execution and delivery of a trust agreement, a site lease, a facility lease, a bond purchase agreement, and a continuing disclosure agreement; approving form of and distribution of a preliminary official statement and official statement; appointing bond and disclosure counsel for such refinancing; and authorizing taking of necessary actions and execution of necessary certificates in connection therewith.

5. PARKS AND RECREATION COMMISSION TERM ASSIGNMENTS

Park and Recreation Director Kaiser presented the staff report dated January 13, 2015 recommending the Mayor assign and the City Council approve the term assignments for Commissioners Lori Cook and Beverly Knight who were appointed to the Parks and Recreation Commission on November 25, 2014.

Mayor Harper recommended the following term assignments; Beverly Knight to April 2018 and Lori Cook to March 2016.

On motion by Councilmember Rocha, seconded by Councilmember Wilson, the City Council unanimously approved the following term assignments:

- Lori Cook – one term expiring March 2016
- Beverly Knight – one term expiring April 2018

6. APPOINTMENT TO THE ANTIOCH POLICE CRIME PREVENTION COMMISSION – ONE (1) VACANCY

On motion by Councilmember Rocha, seconded by Councilmember Ogorchock, the City Council unanimously appointed Hilda Parham to the Police Crime Prevention Commission.

Mayor Harper declared a recess at 9:00 P.M. the Council reconvened at 9:16 P.M. with all Councilmembers present.

7. ANIMAL SERVICES UPDATE

Chief Cantando introduced the item and Lieutenant Morefield presented the staff report dated January 13, 2015 recommending the City Council receive oral report regarding staff's efforts regarding the implementation of the ban on feeding feral cats except on one's own private property.

Councilmember Tiscareno stated he was a liaison for the scheduling of the meetings with the stakeholders and he appreciated the excellent dialog. He questioned if any parties were willing to work within the confines of the ban.

In response to Council, Lieutenant Morefield reported consensus of the groups indicated the only acceptable feeding areas were on public land which was in opposition to the ordinance. Speaking in regards to a warning citation issued for feeding the feral cats, he noted to alleviate any further confusion; the word "warning" would be written on citations. He further noted the individual cited was never subject to a fine or told he had to take further action. He stated he would look into signage if that were the direction of City staff; however installing signage was not a function of the Antioch Police Department. He reported Animal Services Supervisor Helgemo applied for grants that were denied.

Holly Cuciz, Brentwood resident, stated she had worked with the Mayor of Milpitas to develop a successful Trap, Neuter, and Release (TNR) program. She requested meetings resume with stakeholders and temporarily lifting the ban to determine if the program could be successful in Antioch.

Susan Smith, representing HARP and the Rivertown Cats, Karen Kops, representing Homeless Animals Response Program (HARP) and Spay Neuter Impact Program (SNIP), Leslie Ward, Jason Newcomer, Victoria Barber, Jesse Wilson, Mike Heckathorn, Barbara Sobalvarro, representing Friends of Animal Services, Lisa Kirk and Robyn Hunt, spoke in support of Antioch adopting a TNR program and repealing the ordinance banning the feeding of feral cats on public property.

Fred Hoskins, Paul Schorr, and Nancy Schorr, Antioch residents, spoke in support of the ordinance.

Mayor Harper read written comment from Antioch resident Allen Payton who stated that according to the wording of the ordinance, it appeared if you did not own an animal then you were permitted to feed the feral cats.

City Manager Duran commented unfettered feeding of cats along the environmentally sensitive waterfront caused issues. He stated he was willing to work with the groups and Animal Services in an attempt to develop a plan within the confines of the ordinance.

Councilmember Rocha recommended Lisa Kirk be involved in the process with the understanding that the stakeholders would be working within the confines of the City's ordinance.

On motion by Councilmember Rocha, seconded by Councilmember Ogorchock, the Council unanimously received and filed the report and directed City Manager Duran to continue dialogue with the TNR organizations to include Lisa Kirk and report back in three (3) months.

Mayor Harper declared a recess at 10:13 P.M. The meeting reconvened at 10:19 P.M. with all Councilmembers present.

8. CARD ROOM ORDINANCE

City Attorney Nerland presented the staff report dated January 13, 2015 recommending the City Council consider the revisions to the Card Room Ordinance and, if desired, to: 1) Make a motion to read the ordinance by title only; and 2) Make a motion to introduce the proposed Ordinance to amend sections 5-4.02, 5-4.03, 5-4.07 and 5-4.14 of the Antioch Municipal Code regarding the number of card rooms in Antioch and procedures for Card Room Licenses.

Steve Scudero, representing the 19th Hole, voiced their support for the proposed ordinance. Speaking in regards to Attachment B of the staff report, item 2A, he noted the State allowed for a minor expansion from 6 to 8 tables with approval of the City Council therefore he feels it should not be taken to a vote of the people. With regards to item 2C, he stated the information regarding the Livermore business was inaccurate. With regards to item 4E, he noted third parties were required to go be licensed by the State. He gave a history of their business.

On motion by Councilmember Rocha, seconded by Councilmember Ogorchock, the City Council unanimously 1) Motioned to read the ordinance by title only; and 2) Motioned to introduce the proposed Ordinance to amend sections 5-4.02, 5-4.03, 5-4.07 and 5-4.14 of the Antioch Municipal Code regarding the number of card rooms in Antioch and procedures for Card Room Licenses.

Mayor Harper requested adding a restriction to the ordinance that would prohibit card rooms from locating near churches, schools, daycares and parks.

On motion by Councilmember Tiscareno, seconded by Councilmember Wilson, the City Council unanimously directed City Attorney Nerland to come back with another ordinance to address restrictions on proximity to schools, parks, daycares, churches and existing card rooms to include grandfathering existing card rooms.

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS

City Manager Duran reported on his attendance at the Mayor's conference and announced he would be attending the League of Cities' training session with Mayor Pro Tem Lori Ogorchock in Sacramento.

COUNCIL COMMUNICATIONS

Councilmember Wilson reported on her attendance at the Mayor's conference, Mira Vista Park open house, Neighborhood Cleanup event and Kwanzaa celebration. She requested an update with regards to her previous request for reinstating the Youth Commission and strengthening the City's ordinance as it pertained to donation boxes.

Councilmember Ogorchock requested an update with regards to the hiring of a business license representative as well as the RFQ/RFP process, if the City was considering outsourcing collection of business licenses. She requested the City Council agendaize hiring three community service officers for the January 27, 2015 City Council meeting.

City Manager Duran stated he would provide the updates requested in his next weekly report. He explained agendaizing the hiring of CSOs would need to be directed by a majority of the City Council. He added the City was in the process of midyear budget review and each department would be submitting their spending plans which included staffing.

Councilmember Tiscareno reported on his attendance at the Neighborhood Cleanup and Mayor's conference. He announced he had met with the Delta Associations of Realtors regarding implementing the Looking Out for You Program.

In response to Councilmember Rocha, City Manager Duran stated the report from the consultant regarding downtown would be coming back to Council after it was heard by the Planning Commission.

ADJOURNMENT

With no further business, Mayor Harper adjourned the meeting at 10:53 P.M. to the next regular Council meeting on January 27, 2015.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk