

CITY COUNCIL MEETING

Regular Meeting
7:00 P.M.

February 14, 2017
Council Chambers

6:00 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 organization: Public Employees' Union Local 1.
- 2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: City Manager.** This closed session is authorized pursuant to Government Code section 54957.
- 3. PUBLIC EMPLOYEE APPOINTMENT: Recruitment of City Manager.** This closed session is authorized pursuant to Government Code section 54957.

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 PUBLIC EMPLOYEE PERFORMANCE EVALUATION: City Manager**, Direction was given to staff; and, **#3 PUBLIC EMPLOYEE APPOINTMENT: Recruitment of City Manager**, Direction was given to staff.

Mayor Wright called the meeting to order at 7:31 P.M., and City Clerk Simonsen called the roll.

Present: Council Members Wilson, Thorpe, Tiscareno, Ogorchock, and Mayor Wright

PLEDGE OF ALLEGIANCE

Councilmember Wilson led the Council and audience in the Pledge of Allegiance.

PROCLAMATIONS

John McMullen, Antioch's First Veteran of the Year
Dr. Joseph E. Langston, Global Outreach Divine Ministries, LLC

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

The City Council presented the proclamation to John McMullen who accepted the proclamation on behalf of his family, the VFW, and everyone who supported Veterans. He thanked the City Council for the recognition.

J.R. Wilson congratulated John McMullen and presented him with a plaque honoring him as Veteran of the Year.

The Council presented the proclamation to Dr. Joseph Eugene Langston who thanked the Council for the proclamation.

Mayor Wright thanked Dr. Langston and all those who served the community.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Director of Parks and Recreation Kaiser announced the Black History Month Exhibit was on display February 15 – 19, 2017 at the Nick Rodriguez Community Center. She encouraged youth in the community to apply for spring job opportunities in the recreation department. She announced registration was opened for the spring Skate Board Camp.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen announced the following Board and Commission openings:

- *Economic Development Commission: One (1) partial-term vacancy; deadline date is March 3, 2016*
- *Police Crime Prevention Commission: One (1) partial-term vacancy; deadline date is February 24, 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.

PUBLIC COMMENTS - None

COUNCIL SUBCOMMITTEE REPORTS

Councilmember Wilson reported on her attendance at the Tri Delta Transit meeting.

Councilmember Tiscareno reported on his attendance at the Community Development Block Grant (CDBG) committee meeting with Councilmember Ogorchock. He also reported on his attendance at the Lone Tree Golf Course committee meeting with Mayor Wright.

Councilmember Thorpe reported on his attendance with Councilmember Ogorchock at the ad hoc committee meeting for the recruitment of the new City Manager.

Mayor Wright reported on his attendance at the Mayor's Conference and Delta Diablo committee meeting.

MAYOR'S COMMENTS

Mayor Wright thanked everyone for attending the meeting and recognized the spouses and families of Council for the sacrifices made so that they could serve the community.

PRESENTATION

Jason Crapo, Department of Conservation and Development for Contra Costa County and Consultant Seth Baruch, gave a PowerPoint presentation of the Community Choice Energy Study. Contact information was provided.

Harry Thurston, Antioch resident, spoke in support of implementing a Community Choice Energy (CCE) program in Antioch. He suggested Council request the Board of Supervisors place the stand alone option in the study.

Jamie Tuckey, Director of Public Affairs at MCE and Dawn Weisz CEO of MCE, discussed their programs and recognized Antioch as climate leaders in Contra Costa County. They provided Council with a handout of their local projects.

Carol Weed, Walnut Creek resident, reviewed and provided Council with a Draft Community Choice Aggregation Technical Analysis.

Melissa Yu, Sierra Club, spoke in support of establishing a Community Choice Program in Antioch.

Councilmember Tiscareno thanked Jason and Seth for the presentation. He discussed the value of creating local jobs and including organized labor in the discussions.

Councilmember Thorpe encouraged outreach to the Community College for employment and workforce readiness.

Councilmember Ogorchock stated she would like more information on the stand alone option.

In response to Council, Environmental Resource Coordinator Julie Hass-Wadjowicz reported that CCE programs typically had solar power purchase agreements.

In response to Councilmember Wilson, Dawn Weisz CEO of MCE, gave a history of implementing their program.

In response to Mayor Wright, Mr. Crapo discussed the financial implications of the CCE program options.

Mayor Wright thanked Jason Crapo and Seth Baruch for the presentation.

- 1. COUNCIL CONSENT CALENDAR**
 - A. APPROVAL OF COUNCIL MINUTES FOR JANUARY 10, 2017**
 - B. APPROVAL OF COUNCIL MINUTES FOR JANUARY 24, 2017**
 - C. APPROVAL OF COUNCIL WARRANTS**

- D. **REJECTION OF CLAIMS: (1) FABIOLA PARRA-VILL; (2) FABIOLA VILLA PARRA ON BEHALF OF GERALDINE VILLA, A MINOR; AND (3) KELLY MORIARTY**
- E. **ORDINANCE 2124-C-S SECOND READING – FORMATION OF THE PROPOSED CITY OF ANTIOCH COMMUNITY FACILITIES DISTRICT NO. 2016-01 (POLICE PROTECTION) (Introduced on 01/24/17)**
- F. **RESOLUTION NO. 2017/15 STREET LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT ENGINEER’S REPORT FOR FY 2017/2018**
- G. **RESOLUTION NO. 2017/16 ONESOURCE SUPPLY SOLUTIONS – RESCINDING RESOLUTION NUMBER 2016/105**
- H. **LEAGUE OF CALIFORNIA CITIES**
- **Policy Committee Meeting**
 - **Mayors and Council Members Executive Forum and Advanced Leadership Workshop**

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

COUNCIL REGULAR AGENDA

3. GENERAL PLAN LAND USE ELEMENT UPDATE – SAND CREEK FOCUS AREA

Director of Community Development Ebbs presented the staff report dated February 14, 2017 recommending the City Council receive the report and information on the General Plan Land Use Element Update and offer any questions or comments.

Mayor Wright requested the administrative draft be brought back to Council prior to it going through the CEQA process.

Councilmember Thorpe agreed with Mayor Wright noting he would like to participate in the community forum on this matter prior to the administrative draft going through the CEQA process.

Mayor Wright read written comment submitted from Planning Commissioner Martha Parsons regarding her request to direct staff to revise some of the policies related to the Olive Groves project.

Mike Ramsey, Consultant Olive Groves Senior Housing Project requested the administrative draft not be sent through the CEQA process until they were allowed to address their concerns with staff. He reviewed and provided Council with a packet of information for their consideration.

Alan Iannaccone, Brentwood resident, spoke in support of a senior housing development in the Sand Creek Focus area.

Lucia Albers, Brentwood resident, reviewed and submitted written comment outlining her concerns regarding the impacts of the recommendations on the feasibility of the Olive Groves project.

Monte Albers, Brentwood resident, requested time to work with staff and spoke in support of senior housing in the Sand Creek focus area.

Kerry Motts, Chairman of Planning Commission, stated he felt the process should have been approached in a more formal manner. He discussed the City of Brentwood's strategies for developing specific plans and urged Council to receive more input from the public on the process.

Gil Murillo, Antioch resident, thanked Mayor Wright and Councilmember Thorpe for expressing interest in hearing from the community and noted the public had concerns regarding development in this area. He discussed the importance of addressing the City's infrastructure needs prior to future development. He voiced his support for senior housing and a business park in the Sand Creek focus area as well as a police substation in Southeast Antioch.

Joel Dava'court, Greenbelt Alliance, reported that there were unresolved public comments regarding the Sand Creek Focus area. He invited the Council to attend the community forum on February 23, 2017 and the Prewett Community Center and encouraged the City to invest in a public workshop in Southeast Antioch.

Sherry Starks, Antioch resident, stated she opposed development in the Sand Creek Focus Area.

Aaron Ross-Swain, representing Richland Communities applicant for The Ranch Project, gave a history of the Sand Creek Focus area. He stated he felt the current land use alternative was a good plan that clarified existing policies and provided new policies that implemented predictability and certainty.

Councilmember Ogorchock requested staff clarify how the new plan for the Sand Creek Focus Area differed from the previous plan.

In response to Councilmember Tiscareno, City Attorney Vigilia advised against all Councilmembers attending and/or participating in any discussion about the project at the community forum, to avoid the possibility of a Brown Act Violation.

Mayor Wright thanked the Planning Commission and staff for the efforts they put forth in developing the plan.

Councilmember Thorpe requested staff provide Council with information regarding the challenges of development in the area west of Empire Mine Road.

Councilmember Wilson requested staff provide more information on senior housing options.

Mayor Wright requested staff clarify restriction of development on the top 25 percent of hilltops.

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, the City Council unanimously received the report.

Mayor Wright declared a recess at 9:59 P.M. The meeting reconvened at 10:11 P.M. with all Councilmembers present.

4. ANTIOCH ANIMAL SERVICES UPDATE

Captain Brooks gave an overhead presentation and presented the staff report dated February 14, 2017 recommending the City Council accept the Antioch Animal Services (AAS) staff report and provide direction to staff regarding operational priorities and recommendations by Tony La Russa's Animal Rescue Foundation. He thanked Tony La Russa's Animal Rescue Foundation (ARF) for their support and partnership with Antioch Animal Services.

Mayor Wright thanked Captain Brooks for the report, Tony La Russa's Animal Rescue Foundation (ARF) for their support, and the volunteers who worked with the Antioch Animal Services.

Councilmember Thorpe requested the City consider implementing an Animal Services Commission.

Mayor Wright read written comment submitted by Kristy Keusch speaking in support of ARF and outlining her concerns and recommendations for animal care at the Antioch Animal Shelter.

Karen Kops, President of HARP and SNIP, spoke in support of the recommendations in the staff report and questioned the sustainability of the improvements. She discussed the importance of a long term solution targeted toward the large population of pit bulls and community cats.

Holly Cuciz, thanked Captain Brooks for the report and ARF for their support of the Antioch Animal Shelter. She spoke in support of establishing an Animal Advisory Commission and conducting community outreach. She thanked Council, staff, the volunteers, ARF and Maddies Fund.

Dr. Jeffrey Klingler, Antioch resident, stated the report showed impressive progress toward improvements at the Shelter. He thanked ARF for their support and complimented the Antioch Police Department for accepting their partnership. He suggested Council consider sustainability and transparency.

Sherry Starks, Antioch resident, encouraged the City to allocate sufficient funds to the Antioch Animal Shelter. She supported the staff report recommendations and suggested adding a paid volunteer coordinator position. She also suggested separating Antioch Animal Services from the Police Department to increase volunteerism.

Michelle Kuslits, Antioch resident, thanked ARF for their support of the shelter and their offer to provide the facility improvement. She offered to meet with Council to discuss her recommendations for generating revenue to increase staffing.

Amanda Jimenez thanked Captain Brooks for the report and ARF for their support of the shelter. She encouraged Council to approve the recommendations. She suggested the City post volunteer positions and place applications, on the City's website.

Mike Ramsey, spoke in support of Antioch Animal Services partnership with Tony La Russa's Animal Rescue Foundation (ARF). He encouraged residents to follow his lead and make donations to ARF and Antioch Animal Services.

Mayor Wright recognized Mike Ramsey as former City Manager of Antioch and thanked him for his service.

Councilmember Wilson thanked Captain Brooks, ARF and the shelter volunteers.

Councilmember Ogorchock thanked Captain Brooks for the report, the volunteers, staff, and ARF for their support of the Antioch Animal Shelter. She reported she had toured the shelter and it was greatly improved.

Councilmember Tiscareno thanked Captain Brooks for the report and Tony La Russa's Animal Rescue Foundation (ARF). He discussed the importance of addressing sustainability. He questioned if ARF would be willing to continue supporting the shelter after the contract expired.

Mayor Wright stated that considering intake numbers Antioch should be able to make a case to the County that it was subsidizing animal care in East Contra Costa County. He voiced his support for prioritizing funding to move this item forward.

Captain Brooks explained the return on investment with an on-staff DVM and RVT would occur with medical care and increasing the flow of animals through the shelter. He reported if Council approved the recommendations, the next 9 months would be covered by ARF and Maddies Fund.

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the Council unanimously received the report and directed staff to prioritize hiring a part time DVM and full-time RVT and permanently authorized the positions approved during the June 14, 2016 (four (4) part-time Animal Care Attendants, one full-time Office Assistant).

5. RESOLUTION AUTHORIZING PROPERTY PURCHASE AGREEMENT WITH KHALIL RAHMANY FOR SALE OF SURPLUS OPEN SPACE

City Attorney Vigilia presented the staff report dated February 14, 2017 recommending the City Council adopt a resolution authorizing the City Manager to negotiate and execute a Property Purchase Agreement for the sale of surplus open space land located adjacent to 4420 Belvedere Way to Khalil Rahmany, in a form approved by the City Attorney.

RESOLUTION NO. 2017/17

On motion by Councilmember Thorpe, seconded by Councilmember Wilson, the Council adopted a resolution authorizing the City Manager to negotiate and execute a Property Purchase

Agreement for the sale of surplus open space land located adjacent to 4420 Belvedere Way to Khalil Rahmany, in a form approved by the City Attorney.

6. DISSOLUTION OF CITY/SCHOOL RELATIONS COMMITTEE AND CREATION OF AD HOC CITY/SCHOOL RELATIONS COMMITTEE

City Attorney Vigilia presented the staff report dated February 14, 2017 recommending the City Council: 1) Adopt a resolution dissolving the City/School Relations Committee as standing committee; and, 2) Consider creating a City/School Relations ad hoc committee.

RESOLUTION NO. 2017/18

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the Council unanimously adopted a resolution dissolving the City/School Relations Committee as standing committee.

On motion by Councilmember Wilson, seconded by Councilmember Thorpe, the Council unanimously created an ad hoc City/School Relations Committee being served by Mayor Wright and Councilmember Wilson and directed the committee report back to Council upon termination in 6 months.

7. DISSOLUTION OF SYCAMORE CORRIDOR COMMITTEE AND CREATION OF AD HOC SYCAMORE CORRIDOR COMMITTEE

City Attorney Vigilia presented the staff report dated February 14, 2017 recommending the City Council: 1) Adopt a resolution dissolving the Sycamore Corridor Committee as standing committee; and, 2) Consider creating a Sycamore Corridor Ad Hoc Committee.

RESOLUTION NO. 2017/19

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the Council unanimously adopted a resolution dissolving the Sycamore Corridor Committee as standing committee.

On motion by Councilmember Thorpe, seconded by Councilmember Wilson, the Council unanimously created an ad hoc Sycamore Corridor Ad Hoc Committee served by Mayor Wright and Councilmember Wilson and directed the committee to report back to Council upon termination in 9 months.

8. DISSOLUTION OF CITY COUNCIL'S BUDGET COMMITTEE

City Manager Duran presented the staff report dated February 14, 2017 recommending the City Council adopt a resolution dissolving the City Council's Budget Committee.

Councilmember Ogorchock stated she did not agree with dissolving the Budget Committee.

Mayor Wright stated budget discussions would occur during study sessions with the entire Council and cautioned Council of the potential for a Brown Act violation with a standing committee.

City Attorney Vigilia clarified that any time two members of a committee were together, they could not discuss items within the subject matter or jurisdiction of that committee.

Councilmember Tiscareno stated he had served on the budget committee and it was a repetition of what was presented to Council at their Study Sessions.

Mayor Wright added that members of a budget committee could not speak about any issue related to the city's finances outside Council or committee meetings without a Brown Act Violation.

Allen Payton, Antioch resident, reported when he had served on Council, they did not have a Budget Committee and Council could meet with City staff at any time to address their questions.

RESOLUTION NO. 2017/20

On motion by Councilmember Thorpe, seconded by Councilmember Wilson, the Council adopted a resolution dissolving the City Council's Budget Committee. The motion carried the following vote:

Ayes: Wilson, Thorpe, Tiscareno and Wright

Noes: Ogorchock

9. DELTA DIABLO ALTERNATE REPRESENTATIVE APPOINTMENT

City Manager Duran presented the staff report dated February 14, 2017 recommending the City Council review and approve Mayor Wright's nomination for an Alternate Representative to Delta Diablo.

Mayor Wright nominated Councilmember Thorpe as an Alternate Representative to Delta Diablo.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the Council unanimously appointed Councilmember Thorpe as an Alternate Representative to Delta Diablo.

PUBLIC COMMENTS

Allen Payton wished everyone a Happy Valentine's Day.

STAFF COMMUNICATIONS - None

COUNCIL COMMUNICATIONS

Councilmember Ogorchock requested staff agenda consideration of dissolving the Graffiti Abatement and Northeast Antioch Annexation committees.

Mayor Wright wished City Manager Duran a Happy Birthday.

ADJOURNMENT

With no further business, Mayor Wright adjourned the meeting at 11:59 P.M. to the next regular Council meeting on February 28, 2017.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk