

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

**Regular Meeting
7:00 P.M.**

**March 28, 2017
Council Chambers**

5:00 P.M. - CLOSED SESSION

1. **CONFERENCE WITH LABOR NEGOTIATORS** – This Closed Session with the City’s Labor Negotiators is authorized by California Government Code section 54957.6; City designated representatives: Nickie Mastay and Glenn Berkheimer; Employee organization: Public Employees’ Union Local 1.
2. **PUBLIC EMPLOYMENT: Recruitment of City Manager.** This Closed Session is authorized pursuant to Government Code section 54957.
3. **PUBLIC EMPLOYMENT** – This Closed Session is authorized pursuant to Government Code section 54957 – Interim City Manager.
4. **CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION** – Significant Exposure to Litigation pursuant to California Government Code section 54956.9(d)(2): Two (2) potential cases regarding violation of the Brown Act.

City Attorney Vigilia reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LABOR NEGOTIATORS**, No reportable action, **#2 PUBLIC EMPLOYMENT: Recruitment of City Manager**, Council voted unanimously 4/0 (Councilmember Thorpe – absent) to appoint Ron Bernal as City Manager, **#3 PUBLIC EMPLOYMENT**, Direction given to staff; and, **#4 CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION**, Direction given to City Attorney.

Mayor Wright called the meeting to order at 7:00 P.M., and City Clerk Simonsen called the roll.

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

PLEDGE OF ALLEGIANCE

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

PROCLAMATION

Antioch Police Chief Allan Cantando – Service Recognition

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

Council presented the proclamation to Chief Cantando who thanked the City for the recognition and acknowledged staff at the Antioch Police Department. He stated it was a pleasure to serve the citizens of Antioch and he was grateful to Council and the Community for allowing him to serve.

The City Council thanked Chief Cantando for his service and stated they appreciated his support and friendship. They wished him the best in his future endeavors.

Marcel Caldwell, representing Senator Steve Glazer, presented Chief Cantando with a certificate honoring his service.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Director of Parks and Recreation announced the following events:

- Water Park Season begins April 1, 2017
- Dedication of Cattail Harbor & Swim, Splash and Play Saturday, May 13, 2017
- Season Pass Sale through May 26, 2017
- Skateboard Camp, April 10-14, 2017

She provided Council with Antioch Water Park brochures, Skateboard Camp flyers, and Summer Recreation guides.

Julie Neward, representing Somersville Towne Center, reported on their community involvement, new tenants, and operational plans.

Shannon Skinner, representing Somersville Towne Center, announced the following events:

- Easter Bunny at the Mall April 1-15, 2017
- Easter Breakfast April 9, 2017
- Keep Antioch Beautiful Day April 22, 2017

She stated she would be providing additional information for the following upcoming events at a future Council meeting: painting of the utility boxes, Relay for Life, Cinco de Mayo celebration and a Fashion Show.

Kay Power, Antioch resident, invited the community to the VFW Kiwanis Club of the Delta Social and Silent Auction fundraiser at 5:00 P.M. on April 1, 2017 at the VFW hall.

Velma Wilson, Antioch resident, thanked Chief Cantando for his service and congratulated Captain Brooks on his appointment as Interim Police Chief. She announced the following events:

- East County NAACP Celebration of 60 years, April 22, 2017
- Antioch Jamboree Crab Feed, April 29, 2017 at St. George's Episcopal

Councilmember Ogorchock announced Every 15 Minutes Services would be held at 9:30 A.M. on March 29, 2017 at Deer Valley High School and an auction would be held on April 1, 2017 at Holy Rosary. She reported Director Anthony Ferrante film "Forgotten Evil" would be shown at 7:00 P.M. on April 1, 2017 at the El Campanil Theatre. She stated she was making a donation of \$100.00 so that ten students could attend and anyone wishing to make a similar donation could do so by contacting Trine Gallegos on her facebook page.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen announced the following Board and Commission openings:

- *Sales Tax Citizens' Oversight Committee: One (1) partial vacancy*
- *Board of Administrative Appeals: One (1) partial vacancy*

He reported applications would be available in Council Chambers, online at the City's website, and at the City Clerk and Deputy City Clerk's offices.

PUBLIC COMMENTS

Marikay Batina spoke in support of the Healthy California Act - Senate Bill 562 and offered to make a presentation to Council regarding single payer health care and SB562. She provided a flyer and announced the Health Care for All – Contra Costa County event would be held from 12:00 P.M. – 2:00 P.M. on April 1, 2017 at the Antioch Library.

Loretta Sweatt, Antioch resident, congratulated Chief Cantando on his retirement and Ron Bernal for being appointed as City Manager. She suggested the City consider scenario developments for revitalization of downtown Antioch.

John Goodson, Antioch resident, stated he had opened a store downtown and he was pleased with the collaboration of the rivertown merchants. In an effort to improve esthetics downtown, he requested the City address garbage cans, planter boxes, benches, and street tree lights.

Debbie Blaisure, owner of Oddly Unique and Oddly Unique 2, announced she was opening up a new store downtown, Rivertown Treasure Chest. She requested the City increase police patrols in the area to deter vandalism. She announced a Wine Walk would be held on May 13, 2017 and requested esthetics issues be addressed prior to this event.

COUNCIL SUBCOMMITTEE REPORTS

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

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

Mayor Wright reported on his attendance at the Delta Diablo subcommittee meeting.

MAYOR'S COMMENTS

Mayor Wright stated he had attended Dallas Ranch Middle School and he commended the Antioch Unified School District for doing a great job educating students.

PRESENTATION

City Manager Bernal introduced the Presentation.

Chairperson Hans Ho introduced members of the Sales Tax Citizens' Oversight Committee. Chairperson Ho and Committee Member Susana Williams gave an overhead presentation of the Sales Tax Citizens' Oversight Committee Annual Report.

Councilmembers Tiscareno and Ogorchock stated that they appreciated the Committee's oversight of Measure C funds; however, they felt recommendations were beyond the scope of their service.

The City Council thanked the Sales Tax Citizens' Oversight Committee for their service and providing the report this evening.

Councilmember Thorpe encouraged the Committee to attend and participate in the Budget Study Session.

- 1. COUNCIL CONSENT CALENDAR for City /City as Successor Agency to the Antioch Development Agency**
- A. APPROVAL OF COUNCIL MINUTES FOR MARCH 14, 2017**
- B. APPROVAL OF COUNCIL WARRANTS**
- C. RECRUITMENT FIRM FOR THE CITY MANAGER RECRUITMENT**

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

- D. APPROVAL OF SUCCESSOR AGENCY WARRANTS**

City Attorney Vigilia pulled Item C from the agenda and recommended Council continue the item.

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

On motion by Councilmember Wilson, seconded by Councilmember Ogorchock, the City Council unanimously continued Item C.

PUBLIC HEARING

3. PUBLIC NOTICE OF INTENT TO FORM A GROUNDWATER SUSTAINABILITY AGENCY AND RESOLUTION AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH EAST CONTRA COSTA COUNTY MEMBER AGENCIES THAT WILL FACILITATE THE DEVELOPMENT OF A GROUNDWATER SUSTAINABILITY PLAN FOR THE EAST CONTRA COSTA COUNTY PORTION OF THE TRACY SUBBASIN (P.W. 702)

City Manager Bernal introduced Public Hearing Agenda Item #3.

Project Manager, Capital Improvement Division Buenting presented the staff report dated March 28, 2017 recommending the City Council conduct a public hearing regarding the City's intent to form a Groundwater Sustainability Agency (GSA) and authorize the Interim City Manager to execute a Memorandum of Understanding (MOU) and enter into an agreement with East Contra Costa County member agencies that will facilitate the development of a Groundwater Sustainability Plan (GSP) for the East Contra Costa County Portion of the Tracy Subbasin.

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

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously authorized the City Manager to execute a Memorandum of Understanding (MOU) and enter into an agreement with East Contra Costa County member agencies that will facilitate the development of a Groundwater Sustainability Plan (GSP) for the East Contra Costa County Portion of the Tracy Subbasin.

RESOLUTION NO. 2017/29

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously adopted the resolution authorizing the City Manager to execute a Memorandum of Understanding and become a Groundwater Sustainability Agency under the Sustainable Groundwater Management Act.

COUNCIL REGULAR AGENDA

4. INTERIM CITY MANAGER

City Manager Bernal introduced Regular Agenda Item #4.

Administrative Services Director Mastay presented the staff report dated March 28, 2017 recommending the City Council adopt a resolution: 1) Appointing Ron Bernal as Acting City Manager; and 2) Approving the Acting City Manager Employment Agreement; and 3) Amending the Fiscal Year 2017 General Fund Operating Budget for the Cost of an Acting City Manager.

Administrative Services Director Mastay stated that given Council's action during Closed Session to appoint Ron Bernal as City Manager, staff recommended changing his title from Interim to Acting in the resolution.

City Attorney Vigilia clarified there was no salary classification for an Acting City Manager and this item provided him with the additional pay for performing those duties until Council executes the final agreement for the City Manager's contract. He noted all "Interim" references within the resolution would be changed to "Acting".

RESOLUTION NO. 2017/30

On motion by Councilmember Tiscareno, seconded by Councilmember Ogorchock, the Council unanimously adopted the resolution 1) Appointed Ron Bernal as Acting City Manager; and 2) Approved the Acting City Manager Employment Agreement; and 3) Amended the Fiscal Year 2017 General Fund Operating Budget for the Cost of an Acting City Manager.

5. RESOLUTION APPROVING A NEW CLASS SPECIFICATION FOR DEPUTY PUBLIC WORKS DIRECTOR II AND ASSISTANT CITY ENGINEER II, ASSIGNING A SALARY RANGE, ASSIGNING THE CLASSIFICATION TO THE MANAGEMENT (SENIOR) BARGAINING UNIT

City Manager Bernal introduced Regular Agenda Item #5.

Administrative Services Director Mastay presented the staff report dated March 28, 2017 recommending the City Council adopt a resolution: 1) Approving the class specifications of Deputy Public Works Director II and Assistant City Engineer II; and 2) Assigning the Deputy Public Works Director II and the Assistant City Engineer II classifications to a salary range and to the Management (Senior) Bargaining Unit.

RESOLUTION NO. 2017/31

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council unanimously adopted a resolution 1) Approving the class specifications of Deputy Public Works Director II and Assistant City Engineer II; and 2) Assigning the Deputy Public Works Director II and the Assistant City Engineer II classifications to a salary range and to the Management (Senior) Bargaining Unit.

6. RESOLUTION APPROVING ONE (1) DEPUTY PUBLIC WORKS DIRECTOR II POSITION AND ONE (1) ASSISTANT CITY ENGINEER II POSITION AND AUTHORIZING THE APPROPRIATE BUDGET ADJUSTMENT

City Manager Bernal introduced Regular Agenda Item #6.

Administrative Services Director Mastay presented the staff report dated March 28, 2017 recommending the City Council adopt a resolution approving one (1) Deputy Public Works

Director II position and one (1) Assistant City Engineer II position, and authorize the appropriate budget adjustment.

RESOLUTION NO. 2017/32

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council unanimously adopted a resolution approving one (1) Deputy Public Works Director II position and one (1) Assistant City Engineer II position, and authorized the appropriate budget adjustment.

7. REQUEST FOR FUNDING SPECIAL EVENTS IN FISCAL YEAR 2017-2018

City Manager Bernal introduced Regular Agenda Item #7.

Director of Parks and Recreation Kaiser presented the staff report dated March 28, 2017 recommending the City Council receive and discuss the request for funding of special events that were submitted by the Celebrate Antioch Foundation for Fiscal Year 2017-2018 and provide direction to staff.

Joy Motts and Wayne Harrison, Celebrate Antioch Foundation, gave a history of their fundraising efforts for the 4th of July events and reviewed the schedule for this year's event. They clarified the request for funding included the Holiday DeLites event.

The City Council expressed their appreciation to the Celebrate Antioch Foundation and requested that they provide a financial report prior to their consideration of the funding request.

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

8. FIRST AMENDMENT TO THE CONSULTANT SERVICE AGREEMENT WITH ECONOMIC AND PLANNING SYSTEMS, INC. TO CONDUCT A TRANSPORTATION IMPACT FEE STUDY, (P.W. 644-A)

City Manager Bernal introduced Regular Agenda Item #8.

Assistant City Engineer Filson presented the staff report dated March 28, 2017 recommending the City Council adopt a resolution amending the fiscal year 2016/2017 Capital Improvements budget to increase Measure J funding for the Transportation Impact Fee Study by \$50,000 and authorize the Interim City Manager to execute the First Amendment to the Consultant Service Agreement with Economic and Planning Systems, Inc. (EPS) to conduct a Transportation Impact Fee Study in the amount of \$20,180 for a total contract amount of \$149,680.

RESOLUTION NO. 2017/33

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, the City Council unanimously adopted a resolution amending the fiscal year 2016/2017 Capital Improvements

budget to increase Measure J funding for the Transportation Impact Fee Study by \$50,000 and authorized the City Manager to execute the First Amendment to the Consultant Service Agreement with Economic and Planning Systems, Inc. (EPS) to conduct a Transportation Impact Fee Study in the amount of \$20,180 for a total contract amount of \$149,680.

9. RIVER PUMP ROTARY PUMP CONTROL VALVE PURCHASE

City Manager Bernal introduced Regular Agenda Item #9.

Deputy Director of Public Works Bechtholdt presented the staff report dated March 28, 2017 recommending the City Council adopt a resolution to approve replacing a 20 inch rotary pump control valve for the river pump's discharge line and authorize the Interim City Manager or his designee to authorize the purchase from the sole source distributor, JLR Environmental Consultants, LLC., in the amount not to exceed \$88,806.

In response to Councilmember Tiscareno, Deputy Director of Public Works Bechtholdt stated in the future he could place preventive maintenance items on the Consent Calendar.

RESOLUTION NO. 2017/34

On motion by Councilmember Thorpe, seconded by Councilmember Tiscaeno, the City Council unanimously adopted a resolution to approve replacing a 20 inch rotary pump control valve for the river pump's discharge line and authorize the City Manager or his designee to authorize the purchase from the sole source distributor, JLR Environmental Consultants, LLC., in the amount not to exceed \$88,806.

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS

City Manager Bernal announced the first budget Study Session would be held at 5:30 P.M. on April 11, 2017. He announced with the retirement of Chief Cantando, Tammany Brooks would be appointed to serve as Interim Police Chief on April 4, 2017. He thanked Council for appointing him as City Manager and stated it was an honor. He noted he would work hard to collaborate with the community to execute Council's vision for the City.

COUNCIL COMMUNICATIONS

Councilmember Wilson requested Council consider establishing a Community Event Fund during the budget process.

Councilmember Tiscareno reported on his attendance at the Cesar Chavez event at Los Medanos College.

Councilmember Ogorchock requested the Contra Costa Library make a presentation regarding funding for additional hours at the library.

Councilmember Thorpe reported on his attendance at the Water Education for Latino Leaders conference. He suggested staff agendize a discussion regarding the formation of an ad hoc committee to focus on 2018 Ballot Measures.

Mayor Wright thanked everyone for attending the meeting this evening.

ADJOURNMENT

With no further business, Mayor Wright adjourned the meeting at 8:49 P.M. to the next regular Council meeting on April 11, 2017.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk