

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

**Special/Regular Meeting
5:30 P.M.**

**June 26, 2018
Council Chambers**

4:30 P.M. - CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION** – Initiation of Litigation pursuant to California Government Code §54956.9 (d)(4): One case.
2. **CONFERENCE WITH LABOR NEGOTIATORS** – Agency designated representatives: Mayor Sean Wright and City Attorney Derek Cole. Unrepresented employee: City Manager Ron Bernal.

SPECIAL MEETING/WORKSHOP

Mayor Wright called the special meeting/workshop to order at 5:32 P.M., and City Clerk Simonsen called the roll.

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

PLEDGE OF ALLEGIANCE

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

1. USER FEE STUDY WORK SESSION

City Manager Bernal introduced Item #1 User Fee Study Work Session.

Finance Director Merchant presented the staff report dated June 26, 2018 recommending the City Council discuss and provide direction on the user fee study.

Eric Johnson, Revenue & Cost Specialists, LLC, gave a PowerPoint presentation of the Recreation Cost Study.

Director of Parks and Recreation Kaiser gave an overview of fees associated with Parks and Recreation programs and facilities.

Councilmember Tiscareno suggested staff pursue additional revenues and grant opportunities to subsidize fees for the Jr. Warriors program.

Mayor Wright stated that he had witnessed many fields unutilized and he would like discussion to take place as to how to increase use.

In response to Council, Director of Parks and Recreation Kaiser gave a breakdown for participants in recreational programming and concluded that there was equal participation throughout the community.

Councilmember Ogorchock stated that there was an opportunity to utilize the north side of town by partnering with the Senior Center, Bowling Alley, "C" Street swimming pool and Library for youth programming. She also discussed the need for the youth to have access to computers in the downtown area.

Mayor Wright requested the language be changed from Parks and Recreation Program "subsidy" to Parks and Recreation Program "investment".

Following discussion, the City Council directed staff to maintain a 73.7 percent direct cost recovery and send programming considerations to the Parks and Recreation Commission for a recommendation to the City Council.

Councilmember Thorpe thanked Director of Parks and Recreation Kaiser for providing data related to community participation for recreational programming.

Mayor Wright adjourned the Special Meeting/Workshop at 6:30 P.M.

Mayor Wright called the meeting to order at 7:02 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.

Interim City Attorney Cole reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION**, by unanimous vote, Council authorized the filing of a lawsuit against the Department of Finance regarding future payments associated with the agreement between the City and Department of Boating and Waterways for the downtown marina; **and, CONFERENCE WITH LABOR NEGOTIATORS**, Council and City Manager announced they would not seek any amendments to the City Manager's contract at this time. Council directed to staff to develop a salary schedule for the City Manager that involved a step system tied to performance, for future consideration.

2. PROCLAMATION

Parks and Recreation Month, July 2018

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

Director of Parks and Recreation Kaiser accepted the *Parks and Recreation Month* proclamation and thanked the City Council for the recognition. She discussed the benefits of parks and recreational programming and presented Council with a tumbler.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Shannon Skinner announced the Grateful Garments Project would be held from 6:00 P.M. – 8:00 P.M. on June 29, 2018 at Somersville Towne Center.

J.R. Wilson presented a Veteran’s Memorial Banner that would be installed on “L” Street from 10th Street to the Veteran’s Memorial at the Marina. He thanked Councilmember Ogorchock and City Manager Bernal for bringing the project to fruition. He presented Councilmember Ogorchock with a Certificate of Appreciation and announced applications for banners were available in Council Chambers this evening.

Mayor Wright announced banner applications were also available at the City Clerk’s counter.

Councilmember Wilson invited the community to attend a screening of “Not My Life” on human trafficking from 6:00 P.M. – 8:00 P.M. on June 28, 2018 at the Antioch Community Center. She announced a panel discussion would follow the film.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen announced the following Board and Commission openings:

- Sales Tax Citizens’ Oversight Committee: Seven (7) vacancies; deadline date is July 6, 2018

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

PUBLIC COMMENTS

Janice Lapnisky thanked Councilmember Wilson and Mayor Wright for inviting her to the meeting this evening. She introduced herself as Miss Antioch Plus America and requested the City assist her efforts to bring a Youth Summit to Antioch.

COUNCIL SUBCOMMITTEE REPORTS

Councilmember Wilson reported on her attendance at the Chamber of Commerce Government Affairs Committee meeting.

Councilmember Thorpe announced Quality of Life and Tri Delta Transit committee meetings would be held on June 26, 2018.

Councilmember Tiscareno reported on his trip to Washington D.C. with Mayor Wright and City Manager Bernal where they met with the U.S. Interagency Council on Homelessness, Congressman McNerney, Congressman DeSaulnier, Homeland Security, the Environmental Protection Agency and the Department of Justice.

Mayor Wright added that trip to Washington DC to lobby on the City's behalf was phenomenal and fostered relationships to benefit the community. He stated they arrived on Wednesday, had meetings from 8:00 A.M. - 7:00 P.M. Thursday and arrived home Friday. He thanked Councilmember Tiscareno and City Manager Bernal for their participation. He reported on his attendance at Delta Diablo Sanitation District meeting.

Councilmember Thorpe reported the State budget was approved and allocated \$500 million in homeless emergency aid block grants. He encouraged the public to participate in all discussions affecting the community.

MAYOR'S COMMENTS

Mayor Wright discussed the importance of City representatives making a trip to the State Capital to advocate on behalf of the City of Antioch.

- 3. CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency**
 - A. APPROVAL OF COUNCIL MINUTES FOR MAY 22, 2018**
 - B. APPROVAL OF COUNCIL MINUTES FOR JUNE 12, 2018**
 - C. APPROVAL OF COUNCIL WARRANTS**
 - D. APPROVAL OF TREASURER'S REPORT FOR MAY 2018**
 - E. ORDINANCE NO. 2143-C-S SECOND READING – CANNABIS BUSINESS (CB) ZONING OVERLAY DISTRICT ORDINANCE (*Introduced on 05/22/18*)**
 - F. RESOLUTION NO. 2018/73 AUTHORIZATION TO AMEND CODE ENFORCEMENT CONSULTANT CONTRACT WITH TRB & ASSOCIATES TO EXTEND THE EXPIRATION DATE OF THE CONTRACT TO JUNE 30, 2019 AND INCREASE THE NOT TO EXCEED AMOUNT BY \$250,000**
 - G. RESOLUTION NO. 2018/74 STATEMENT OF INVESTMENT POLICY**
 - H. RESOLUTION NO. 2018/75 BID AWARD – WATER DISTRIBUTION AND SERVICE MATERIALS**

- I. **RESOLUTION NO. 2018/76 FACILITIES BID AWARD – CITY HALL ROOF REPLACEMENT**
- J. **RESOLUTION NO. 2018/77 FIFTH AMENDMENT TO THE CONSULTANT SERVICE AGREEMENT WITH WOODARD & CURRAN FOR ENGINEERING SERVICES DURING CONSTRUCTION FOR THE WEST ANTIOCH CREEK CHANNEL IMPROVEMENTS PROJECT (P.W. 201-6)**
- K. **RESOLUTION NO. 2018/78 APPROVING A LARGE LOT FINAL MAP FOR VINEYARDS AT SAND CREEK SUBDIVISION 9390 (PW 697)**
- L. **RESOLUTION NO. 2018/79 AUTHORIZING THE FILING OF A FINANCIAL ASSISTANCE APPLICATION WITH THE STATE WATER RESOURCES CONTROL BOARD FOR A DRINKING WATER STATE REVOLVING FUND LOAN UP TO \$55,000,000 FOR THE BRACKISH WATER DESALINATION PROJECT (P.W. 694)**
- M. **RESOLUTION NO. 2018/80 SEVENTH AMENDMENT TO THE CONSULTANT SERVICES AGREEMENT FOR PROFESSIONAL SERVICES WITH EXPONENT, INC.**
- N. **RESOLUTION NO. 2018/81 APPROVING THE CLASS SPECIFICATION UPDATES WITH NO SALARY CHANGES FOR THE ANTIOCH PUBLIC WORKS EMPLOYEES ASSOCIATION BARGAINING UNIT**
- O. **RESOLUTION NO. 2018/82 REQUESTING CONSOLIDATION OF ELECTION; LIMITING THE CANDIDATE STATEMENT WORD COUNT; AND CLARIFYING COSTS FOR THE NOVEMBER 6, 2018 GENERAL ELECTION FOR TWO (2) COUNCIL MEMBERS, 2-YEAR TERM**

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

P. APPROVAL OF HOUSING SUCCESSOR WARRANTS

City Clerk Simonsen announced that supplemental staff reports for Consent Calendar Item K were provided to Council, staff and were available in Council Chambers this evening.

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, the City Council unanimously approved the Council Consent Calendar with the exception of Items E and F, which were removed for further discussion.

Item E – Mayor Wright announced that due to the amount of speaker requests, the timer would be set for one and a half minutes.

Mike Pollard, Brentwood resident representing Community Outreach Center, Gene Quiocito, Antioch resident, Miyoko Bonefrake, Pittsburg resident, Jocelyn Perez, Antioch resident, Kelli Murdock, Antioch resident, Andres Linares, Oakley resident, indicated that they were opposed to

cannabis businesses locating in Antioch and urged Council to reconsider and vote no on the ordinance.

Demetrio Ramirez, Pittsburg resident, indicated that he supported some cannabis businesses in Antioch and urged Council to vote yes on the ordinance.

Israel Castro, Antioch resident, Joe Seeley, Antioch resident, Charlie Orkes, Brentwood resident, Joshua, Antioch resident, April Jones, Antioch resident representing the Antioch Unified School District, Charles Davis, Pittsburg resident, Ken Rickner, Antioch resident, indicated that they were opposed to cannabis businesses locating in Antioch and urged Council to reconsider and vote no on the ordinance.

Burt Weinstein, Antioch resident and Daniel Uribe, Oakley resident, indicated that they supported some cannabis businesses in Antioch and urged Council to vote yes on the ordinance. Mr. Uribe provided Council with published data.

Efrem Finn and William Posada, indicated that they were opposed to cannabis businesses locating in Antioch and urged Council to reconsider and vote no on the ordinance.

Mayor Wright read written comment from Robrielle Beverly, Antioch resident, indicating that she opposed cannabis businesses locating in Antioch.

Jessica Bennett, Justin Bennett, Deante Mays, Sharon Brown, Bay Point resident, Nicole Castro, Pete Taranteno, Minister Jelani Killings, Threshing Floor Tabernacle, Henry Killings, Antioch resident, Lusia Killings, Antioch resident, Daniel Patton, Antioch resident, Qwame Mays, Antioch resident, and Pam Gebrosk, Antioch resident, indicated that they were opposed to cannabis businesses locating in Antioch and urged Council to reconsider and vote no on the ordinance.

Greg Kremenliev, representing the Contra Costa Chapter of National Organization for the Reform of Marijuana Laws (NORML), indicated that he supported cannabis businesses locating in Antioch and urged Council to vote yes on the ordinance.

Mayor Wright read written comment from Liz Stahl, Antioch resident, indicating that she opposed cannabis businesses locating in Antioch and urged Council to vote no on the ordinance.

Dr. Jeanah N. Braden, Antioch resident, Kim Moreno, Antioch resident and Al Waters indicated that they were opposed to cannabis businesses locating in Antioch and urged Council to reconsider and vote no on the ordinance.

Councilmember Tiscareno thanked the public speakers this evening. He stated that he was speaking on behalf of the majority of residents who voted to legalize cannabis and he supported approval of the ordinance to regulate the overlay. He noted in the future, Council would hold discussions on which specific businesses to allow.

Councilmember Thorpe clarified that the ordinance approved an overlay. The second part of the process would be to determine if or what businesses to allow within the City. He stated that he supported approval of the ordinance.

Councilmember Wilson agreed with Councilmembers Tiscareno and Thorpe. She noted the ordinance would allow the City to maintain local control. She thanked the speakers this evening and encouraged them to participate in future discussions on what types of businesses the City should allow.

Councilmember Ogorchock thanked everyone for speaking this evening. She stated with the approval of an overlay, the City was indicating their support for cannabis businesses. She noted the Antioch Police Department did not support retail cannabis businesses in Antioch and she did not feel they were safe for the community. She urged the Council to vote no on the overlay ordinance and stated she strongly opposed approving it.

Mayor Wright thanked the public speakers and apologized for limiting them to one and a half minutes. He stated he wanted everyone to have the opportunity to speak and he thanked them for being respectful. He recognized the Economic Development Commission for providing their report and noted that it had indicated that there may be opportunity for lab testing in the City. He reported that the Economic Development Commission and Chief Brooks recommended no dispensaries be allowed in Antioch and he based his opinions on those recommendations.

On motion by Councilmember Tiscareno, seconded by Councilmember Thorpe, the City Council approved Item E. The motion carried the following vote:

Ayes: Wilson, Thorpe, Tiscareno

Noes: Ogorchock, Wright

Mayor Wright declared a recess at 8:45 P.M. The meeting reconvened at 8:58 P.M. with all Councilmembers present.

Item F – City Manager Bernal introduced Consent Calendar Item F. Director of Community Development Ebbs presented the staff report dated June 26, 2018 recommending Council adopt the resolution.

Burt Weinstein, Antioch resident, reported that a recent fire in his neighborhood was caused by a junk yard that his neighbors had been attempting to get rid of and questioned if Code Enforcement was aware of the issues on the property. He reported that there was a similar business operating in his neighborhood that would be reported to Code Enforcement.

Councilmember Thorpe spoke to Code Enforcement challenges in the commercial neighborhoods and suggested the City Council consider funding an additional Code Enforcement Officer to focus on those specific areas.

Councilmember Tiscareno stated he supported extending the contract for one-year and noted he would like discussion to take place with bringing the service in-house.

Following discussion, the City Council agreed to a future agenda item to consider an additional Code Enforcement Officer focused on the City's commercial corridors.

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously approved Item F.

PUBLIC HEARING/ CITY OF ANTIOCH COUNCIL MEMBERS ACTING AS HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY

4. CONSIDERATION OF RECOMMENDATIONS WHICH COMPRISE THE 2018-19 ACTION PLAN, UTILIZING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOUSING SUCCESSOR AGENCY (AGENCY) FUNDS

City Manager Bernal introduced Public Hearing Item #4.

CDBG Housing Consultant House presented the staff report dated June 26, 2018 recommending the City Council adopt the resolution amending the 2018-19 budget and approving the funding recommendations of the CDBG Subcommittee and the draft fiscal year (FY) 2018-19 Action Plan; and, recommending that the Housing Successor to the Antioch Development Agency adopt the resolution approving an amendment to the 2018-19 budget and funding recommendations of the CDBG subcommittee and the Housing Successor funding for homeless services and first time homebuyers outlined in the 2018-19 Action Plan.

Councilmember Tiscareno thanked Ms. House for the report and stated that he had enjoyed sitting on the CDBG Subcommittee.

Mayor Wright opened the public hearing.

Mayor Wright read written comment from Alissa Friedman, representing Opportunity Junction, who discussed the merits of their program and thanked the City for their support.

Mayor Wright closed the public hearing.

Mayor Wright thanked Councilmembers Ogorchock and Tiscareno for sitting on the subcommittee. He announced that through this process they had allocated \$100,000 to assist the homeless and \$385,000 for improvements to downtown.

Councilmember Ogorchock stated it had been an honor to sit and serve on the subcommittee.

RESOLUTION NO. 2018/83
RESOLUTION NO. 2018/84

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously adopted the resolution amending the 2018-19 budget and approving the funding recommendations of the CDBG Subcommittee and the draft fiscal year (FY) 2018-19

Action Plan; and, the Housing Successor to the Antioch Development Agency adopted the resolution approving an amendment to the 2018-19 budget and funding recommendations of the CDBG subcommittee and the Housing Successor funding for homeless services and first time homebuyers outlined in the 2018-19 Action Plan.

5. PUBLIC HEARING TO CONFIRM ASSESSMENTS FOR THE LANDSCAPE MAINTENANCE DISTRICTS 1, 2A, 4, 5, 9, AND 10 FOR FISCAL YEAR 2018/2019 (PW 500)

City Manager Bernal introduced Public Hearing Item #5 and announced it was Assistant City Engineer Filson's last City Council meeting. He thanked her for her years of service and wished her well in her retirement.

Assistant City Engineer Filson presented the staff report dated June 26, 2018 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 2018/2019.

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

The City Council thanked Assistant City Engineer Filson for service to the City and wished her well in her retirement.

RESOLUTION NO. 2018/85

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, 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 2018/2019.

COUNCIL REGULAR AGENDA

6. CONSIDERATION OF PROJECTS UNDER THE ONE-TIME REVENUE POLICY; AUTHORIZE RESOLUTION AMENDING BUDGET

City Manager Bernal introduced Regular Agenda Item #6.

Finance Director Merchant presented the staff report dated June 26, 2018 recommending the City Council discuss and allocate one-time revenues to programs and projects affiliated with parks, recreation and community enhancements; authorize resolution to amend Fiscal Year 17-19 Budget.

Councilmember Thorpe voiced his support for funding mobile recreation programs.

Councilmember Tiscareno stated he would support funding mobile recreation program, license plate readers for two police vehicles and youth scholarships.

Councilmember Wilson stated she would also support funding the vehicle for mobile recreation programs.

Director of Parks and Recreation Kaiser explained that there may be an opportunity to enter into a partnership with Tri-Delta Transit to purchase a vehicle and costs may be reduced. She commented that she could combine funding for all three mobile recreation items to bring one year of programs to the community.

Mayor Wright stated the goal would be that the mobile program funding would be the stimulus that gets these items added to the General Fund budget.

In response to Councilmember Ogorchock, Chief Brooks reported license plate readers had been utilized to apprehend and arrest a convicted felon responsible for a road rage incident.

Councilmember Ogorchock stated she supported sending the list of project recommendations to the Parks and Recreation Commission for their recommendations. She discussed the importance of funding public safety items and requested one-time revenue be focused on license plate readers for the community and patrol vehicles.

In response to Councilmember Thorpe, Chief Brooks stated he was asked to bring items that would be a one-time purchase and the cameras met that criteria and had a preventative and crime solving effect.

Finance Director Merchant explained that everything over the base budget gets applied to Measure C. She clarified the Antioch Police Department budget was approximately 73-74 percent of the City's General Fund budget.

Councilmember Thorpe stated he believed the City should invest in the youth and allow for them to have fun in a safe environment through parks and recreational programming.

Councilmember Tiscareno agreed and stated the City also needed to be affective as a Police Department and adding \$40,000 for license plate readers would assist in those efforts.

Mayor Wright stated he would support the Council majority on their funding recommendations. He noted if the money was allotted to mobile recreational programs, he would support utilizing the Parks and Recreation Commission to provide suggestions on how the money would be spent.

Councilmember Ogorchock suggested agendizing a budget discussion for funding the stand alone license plate readers.

RESOLUTION NO. 2018/86

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council unanimously approved the resolution to amend Fiscal Year 17-19 Budget.

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council unanimously allocated one-time revenues to the following programs:

- Vehicle for Mobile Recreation Programs - \$25,000
- Staff and Supplies for One Year of Planned Mobile Recreation Programs - \$50,000
- FY 18-19 Youth, Teen and Family programs (One year only) staff - \$40,000
- FY 18-19 Youth, Teen and Family programs (One year only) supplies and services - \$15,000
- License Plate Readers for two Police vehicles - \$40,000

With direction to utilize the Parks and Recreation Commission to prioritize programming.

PUBLIC COMMENTS

Fred Hoskins, Antioch resident, stated that he was unsatisfied with the direction in which the City was headed.

STAFF COMMUNICATIONS

City Manager Bernal announced City offices would be closed for the 4th of July and there would be a parade downtown followed by fireworks at the fairgrounds. He stated the first Council Meeting in July was canceled due to Summer Break and the next regularly scheduled Council Meeting would be held on July 24, 2018. He announced Deputy Director of Public Works Bechtholdt was retiring on July 12, 2018 and he thanked him for his service and wished him well in his retirement.

COUNCIL COMMUNICATIONS

Councilmember Wilson reminded the community that a documentary screening of "Not My Life" on human trafficking would take place from 6:00 P.M. – 8:00 P.M. on June 28, 2018 at the Antioch Community Center and the Grateful Garments Project would be held from 6:00 P.M. – 9:00 P.M. on June 29, 2018 at Somersville Towne Center.

Councilmember Ogorchock requested staff agendaize the following items:

- Discussions on the land use impacts associated with Charter Schools within the City limits
- Review of the agreement with the School District for Memorial Park.

ADJOURNMENT

With no further business, Mayor Wright adjourned the meeting at 10:05 P.M. to the next regular Council meeting on July 24, 2018.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk