

## CITY COUNCIL MEETING

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

**October 9, 2018**  
**Council Chambers**

### **6:15 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: Treatment Plant Employees' Association (TPEA).

Interim City Attorney Cole reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LABOR NEGOTIATORS**, direction was given to Labor Negotiators.

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

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

### **PLEDGE OF ALLEGIANCE**

Matthew Royse, Boy Scout, led the Council and audience in the Pledge of Allegiance.

Mayor Wright wished Matthew luck as he pursued his Citizenship in the Community Merit Badge and his rank as Eagle Scout.

### **PROCLAMATION**

*Freedom from Workplace Bullies Week, October 14 – 20, 2018*

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

Mayor Wright presented the *Freedom from Workplace Bullies Week Proclamation* to a member of the California Healthy Workplace Advocates Group who discussed their efforts to make bullying illegal and thanked the City Council for the Proclamation.

### **ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

Director of Parks and Recreation Kaiser announced the following events:

- Free Kids Fishing Derby Day - October 13, 2018 at Waldie Plaza
- Big Truck Day and Food Truck Thursday - October 18, 2018 at the Antioch Community Center
- Unity Day - October 24, 2018 at the Antioch Community Center
- Halloween Rocks - October 26, 2018 at the Antioch Community Center

Councilmember Wilson announced the Red Sand Project to raise awareness for human trafficking would be held from 4:00 P.M. – 8:00 P.M. on October 18, 2018 and the Family Violence Prevention Forum would be held from 5:00 P.M. – 8:00 P.M. on October 25, 2018; both events will be held at the Antioch Community Center.

Councilmember Ogorchock announced An Evening of Innovative Technologies with Jim Marggraff would be held on October 18, 2018, at the Lone Tree Golf Course.

Mayor Wright announced the Antioch Historical Society Dinner would be held on October 18, 2018.

### **ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS**

Mayor Wright announced the following Board and Commission openings:

- Board of Administrative Appeals: One (1) Alternate vacancy; deadline date is October 19, 2018
- Sales Tax Citizens' Oversight Committee: Two (2) vacancies; deadline date is October 19, 2018

### **PUBLIC COMMENTS**

Richard Ksenzulak, Antioch resident, questioned if the Antioch Municipal Code prohibited commercial vehicles from parking in residential areas, and if not, suggested the City consider amending the Antioch Municipal Code to address this issue.

Mayor Wright responded that City Manager Bernal would look into this issue.

### **COUNCIL SUBCOMMITTEE REPORTS**

Councilmember Wilson reported on her attendance at the American Public Transportation Association conference.

Councilmember Thorpe reported on his attendance at the American Public Transportation Association conference. He welcomed Antioch resident, Nancy Fernandez, to the meeting this evening.

Mayor Wright reported on his attendance at the Mayor's conference and Homeless Emergency Aid Program (HEAP) funding workshop.

### **MAYOR'S COMMENTS**

Mayor Wright reported that Comfort Inn Suites held their ribbon-cutting and the renovations made to the hotel were very impressive. He stated that Smith's Landing had been opened for a month and they had been very successful. He announced that the Hillcrest and Wildflower project had started the construction phase and it was exciting to see the project coming being built.

2. CONSENT CALENDAR
  - A. APPROVAL OF COUNCIL MINUTES FOR SEPTEMBER 25, 2018
  - B. APPROVAL OF COUNCIL WARRANTS
  - C. DENIAL OF APPLICATION FOR A LATE CLAIM: FLORENCE JONES
  - D. RESOLUTION NO. 2018/123 AUTHORIZING A COOPERATIVE AGREEMENT WITH DELTA DIABLO RELATED TO THE PROPOSED BRACKISH WATER DESALINATION PROJECT (P.W. 694)
  - E. RESOLUTION NO. 2018/124 TO TERMINATE THE SOLAR REMOTE POWER PURCHASE AGREEMENT WITH NRG RENEW (P.W. 699)
  - F. RESOLUTION NO. 2018/125 BID AWARD – BACKFLOW MATERIALS AND PARTS
  - G. RESOLUTION NO. 2018/126 THIRD AMENDMENT TO THE SOLIDS MANAGEMENT EQUIPMENT RENTAL AGREEMENT WITH KARL NEEDHAM ENTERPRISES, INC.
  - H. RESOLUTION NO. 2018/127 AMENDING THE SEPTEMBER 24, 2018 MASTER FEE SCHEDULE TO CORRECT LANGUAGE RELATED TO THE WATER FEE SCHEDULE
  - I. RESOLUTION NO. 2018/128 ESTABLISHMENT OF A MASSAGE ESTABLISHMENT REGISTRATION FEE AND MASSAGE ESTABLISHMENT REGISTRATION RENEWAL FEE

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

**Item I** – City Manager Bernal introduced Consent Calendar Item I.

Michael Lovett requested clarification with regards to the fees and permitting process for massage establishments. He encouraged the City to continue their efforts to prevent human trafficking. He expressed concern that it would be difficult to compete and remain profitable, with the oversaturation of massage businesses in Antioch.

Lin Sheng stated she was the owner of a massage business and was concerned for the oversaturation of massage businesses as well as those engaged in illegal activities.

Captain Morefield explained that Council had approved an ordinance that established a new process for registering massage establishments and the fees were designed to defray costs incurred by staff.

Mayor Wright added the purpose of the fees was to stop illicit activities that were taking place in some of the establishments.

Councilmember Wilson added that the City worked with the California Massage Therapist Council to develop the Ordinance.

In response to Councilmember Tiscareno, Captain Morefield noted enforcement would be complaint driven and Antioch Police Department would make their best effort to conduct random inspections.

On motion by Councilmember Wilson, seconded by Councilmember Tiscareno, the City Council unanimously approved Item I.

## **PUBLIC HEARING**

### **3. QUAIL COVE SUBDIVISION (PD-15-02)**

City Manager Bernal introduced Public Hearing Item #3.

Director of Community Development Ebbs presented the staff report dated October 9, 2018 recommending the City Council take the following actions: 1) Adopt the Resolution approving the Quail Cove Initial Study and Mitigated Negative Declaration. 2) Introduce the Ordinance for a zoning map amendment from Planned Development District (PD) to Planned Development District (PD-15-02). 3) Adopt the Resolution approving a Vesting Tentative Map/Final Development Plan subject to conditions of approval.

Mayor Wright opened the public hearing.

Kevin English, Director of Forward Planning for Discovery Builders, stated they had worked with staff to address all of their concerns. He commented that he was available to answer any questions this evening and hoped Council would validate the Planning Commission's support for the project.

Mayor Wright closed the public hearing.

Councilmember Ogorchock stated that she supported this infill project, as presented.

Mayor Wright stated that he was pleased to see this project and the infrastructure improvements being made in the area.

Councilmember Tiscareno stated he appreciated the Planning Commission's due diligence in the review of this project.

Councilmember Thorpe stated that this development was a good infrastructure project, and suggested, as developers come forward in the future, they consider exploring development opportunities in older sections of the community.

**RESOLUTION NO. 2018/130**

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously 1) Adopted the Resolution approving the Quail Cove Initial Study and Mitigated Negative Declaration. 2) Introduced the Ordinance for a zoning map amendment from Planned Development District (PD) to Planned Development District (PD-15-02). 3) Adopted the Resolution approving a Vesting Tentative Map/Final Development Plan subject to conditions of approval.

**COUNCIL REGULAR AGENDA**

**4. PLANNING COMMISSION APPOINTMENTS**

Mayor Wright nominated Manuel Soliz to the Planning Commission for one partial-term vacancy expiring October 2020.

**RESOLUTION NO. 2018/131**

On motion by Councilmember Ogorchock, seconded by Mayor Wright, the City Council unanimously appointed by resolution Manuel Soliz to the Planning Commission for one partial-term vacancy expiring October 2020.

**5. SHELTER CRISIS**

City Manager Bernal introduced Regular Agenda Item #5.

CDBG/Housing Consultant House presented the staff report dated October 9, 2018 recommending the City Council adopt a resolution declaring a shelter crisis in the City of Antioch.

Councilmember Ogorchock explained that East Contra Costa County was receiving 45 percent of the funding and the Homeless Emergency Aid Program (HEAP) meeting was a great opportunity for the community to voice their opinion on where the monies should be spent.

Councilmember Tiscareno stated that the HEAP was an excellent program and questioned if there were other funding opportunities that could be pursued.

CDBG/Housing Consultant House explained that they were looking to leverage HEAP funds with other sources of state funding. She commented that historically, there had been an inequity of funding for East Contra Costa County.

Mayor Wright reported that he had attended the HEAP meeting and expressed concern that funding for East Contra Costa County was inequitable. He explained that other areas of the County have had money to build their infrastructure; however, when East Contra Costa County received the same percentage of HEAP money, it would only backfill infrastructure that was lacking. He noted that they needed to continue to voice their concerns and he thanked CDBG/Housing Consultant House for advocating on behalf of Antioch.

Councilmember Ogorchock agreed with Mayor Wright and announced that she was on the Advocacy Committee, HEAP Committee, and the Homelessness Awareness Month Committee. She stated the City would be recognizing Homeless Awareness Month with a Proclamation.

**RESOLUTION NO. 2018/132**

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council unanimously adopted a resolution declaring a shelter crisis in the City of Antioch.

**6. ORDINANCE AMENDING TITLE 3, CHAPTER 2 OF THE ANTIOCH MUNICIPAL CODE TO UPDATE PROCEDURES REGARDING SIGNATURES**

City Manager Bernal introduced Regular Agenda Item #6.

Interim City Attorney Cole presented the staff report dated October 9, 2018 recommending the City Council enact an Ordinance amending Antioch Municipal Code Section 3-2.01 to update procedures regarding Signatures.

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, the City Council unanimously enacted an Ordinance amending Antioch Municipal Code Section 3-2.01 to update procedures regarding Signatures.

**PUBLIC COMMENTS**

Chintan Purchit, Antioch resident, stated that he was a small business owner in Antioch and he was concerned with traffic conditions in downtown.

**STAFF COMMUNICATIONS**

City Manager Bernal announced the Antioch Police Department Citizens' Academy was beginning October 10, 2018 and Councilmembers Thorpe and Tiscareno were participating. He thanked the City Council for taking part in the program.

**COUNCIL COMMUNICATIONS**

Councilmember Tiscareno stated he looked forward to participating in the Antioch Police Department Citizens' Academy.

Councilmember Thorpe commented that as a result of Proposition 68, he was requesting a parks resolution be agendized, for Council consideration.

Councilmember Ogorchock stated she had received requests from the public to name the basketball courts at Contra Loma Park in honor of Karl Dietzel, who had advocated for the project. She requested this item be agendized for Council consideration.

In response to Councilmember Thorpe, Captain Brooks clarified that the Antioch Municipal Code prohibited commercial trucks from parking in residential areas.

**ADJOURNMENT**

With no further business, Mayor Wright adjourned the meeting at 8:01 P.M.

Respectfully submitted:

*Kitty Eiden*

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KITTY EIDEN, Minutes Clerk