

**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.**

**June 27, 2017  
Council Chambers**

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**

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

**1. PROCLAMATION**

*Parks and Recreation Month, July 2017*

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

Mayor Wright presented the proclamation to Director of Parks and Recreation Kaiser who thanked Council for the recognition and discussed the importance of parks and recreational activities. She presented Council and the audience with pencils.

**ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

Kenny Turnage, Celebrate Antioch Foundation, announced the 4<sup>th</sup> of July event would begin with a pancake breakfast at 8:30 A.M. in the El Campanil Theatre parking lot, parade following at 11:00 A.M. downtown and the celebration beginning at 3:00 P.M. at the Contra Costa County Fairgrounds.

Jacob Wallace Sr., Assistant Executive Director T.J. Ward Foundation, announced Ward Boys Bay Area Camp for youth would be held at 8:30 A.M. on July 7, 2017 at Los Medanos College.

Mike Pollard announced *A Call To Prayer* would be held at 7:30 A.M. on July 1, 2017 at Antioch City Park.

**ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS**

City Clerk Simonsen announced the following Board and Commission openings:

- *Board of Administrative Appeals: One (1) alternate vacancy; deadline date is June 30, 2017*

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

## **PUBLIC COMMENTS**

Marty Fernandez, Antioch resident, gave a brief history of a salon business located on Somersville Road. He expressed concern that the City had issued permits to competing businesses within the same shopping center and questioned why the City allowed this to occur when it would negatively impact the existing business.

Louis Kidwell, Antioch resident, expressed concern regarding a neighbor who rented his garage area to an individual who held weekly garage sales, which negatively impacted residents living in the area. He provided Council with language to amend the ordinance and requested that they adopt an urgency ordinance limiting garage sales to three per calendar year.

Jennifer Faddis, Center for Human Development, East County Alcohol Policy Coordinator, announced she was building a coalition of community members in Antioch with a goal to reduce underage drinking in the community.

Frank Sterling, Antioch resident, reported that there was an officer involved shooting that had resulted in a fatal encounter. He discussed his personal experience with the Antioch Police Department and questioned how Chief Brooks would hold officers accountable.

## **COUNCIL SUBCOMMITTEE REPORTS**

Councilmember Wilson reported on her attendance at *Day of Action* for SB 1193 involving Human Trafficking and thanked Chief Brooks for his support of the event.

Councilmember Tiscareno reported on his attendance at the Community Development Block Grant (CDBG) committee meeting with Councilmember Ogorchock. He stated he had been unable to attend the Lone Tree Golf Course meeting and yielded his report to Mayor Wright.

Mayor Wright reported on his attendance at the Lone Tree Golf Course committee meeting.

## **MAYOR'S COMMENTS**

Mayor Wright reported on his attendance at the Jr. Giants and Relay for Life events. He encouraged the community to consider volunteering to coach Jr. Giants so that all children would be provided the opportunity to participate. He challenged the community to participate in the 4<sup>th</sup> of July festivities and thanked the Celebrate Antioch Foundation Committee for organizing the event.

2. **COUNCIL CONSENT CALENDAR *for City /City as Successor Agency/Housing Successor to the Antioch Development Agency***
  - A. **APPROVAL OF COUNCIL MINUTES FOR JUNE 13, 2017**
  - B. **APPROVAL OF COUNCIL WARRANTS**
  - C. **APPROVAL OF TREASURER'S REPORT FOR MAY 2017**
  - D. **RESOLUTION NO. 2017/76 SECOND AMENDMENT TO THE CONSULTANT SERVICE AGREEMENT WITH MUNICIPAL FINANCIAL SERVICES FOR THE PREPARATION OF AN UPDATE OF THE WATER AND SEWER RATE FEE STUDY (P.W. 362-8)**
  - E. **RESOLUTION NO. 2017/77 APPROVING THE CLASS SPECIFICATION UPDATES WITH NO SALARY CHANGES**

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

- F. **APPROVAL OF SUCCESSOR AGENCY WARRANTS**
- G. **APPROVAL OF HOUSING SUCCESSOR WARRANTS**

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

***Item D*** – In response to Councilmember Thorpe, City Manager Bernal explained the timeline for the water and sewer rate fee study. He noted he had asked the consultant to consider single and two-tiered rates.

Mayor Wright reported that he had a discussion with staff regarding Councilmember Thorpe's request to bring the water rate structure to Council and was given the same timeline.

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, Council unanimously approved Item D.

**PUBLIC HEARING**

3. **RESOLUTION ACCEPTING AND ADOPTING THE PROPOSED FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM 2017-2022 (P.W. 150-17)**

City Manager Bernal introduced Public Hearing Item #3.

Assistant City Engineer Filson presented the staff report dated June 27, 2017 recommending that the City Council conduct a Public Hearing to adopt the resolution approving the City's Five-Year Capital Improvement Program 2017-2022.

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

Councilmember Tiscareno requested staff consider repositioning the dais with the Chambers renovation project.

Assistant City Engineer Filson responded that she would provide any record of Council's input regarding the Chamber's redesign project to the architect.

**RESOLUTION NO. 2017/78**

On motion by Councilmember Thorpe, seconded by Councilmember Wilson, the Council unanimously adopted the resolution approving the City's Five-Year Capital Improvement Program 2017-2022.

**4. ORDINANCE AMENDING TOBACCO AND PARAPHERNALIA RETAILER REGULATIONS BY REPEALING ANTIOCH CITY CODE SECTIONS 5-16.01 AND 6-8.14, AND REPEALING AND REPLACING SECTIONS 9-5.203 AND 9-5.3843**

City Manager Bernal introduced Public Hearing Item #4.

Director of Community Development Ebbs presented the staff report dated June 27, 2017. He stated that since the report was made public he had the opportunity to speak with Denise Dennis of the Contra Costa County Health Department Tobacco Prevention Program and there may be opportunities to pursue to strengthen the ordinance from the draft presented this evening. He reported the letter Council received from Ms. Dennis spoke to some actions occurring in other jurisdictions. He requested Council provide feedback on next steps and continue the item for 30 days to allow staff to consult with legal Counsel.

Mayor Wright opened the public hearing.

City Clerk Simonsen requested Director of Community Development Ebbs provide copies of the letter from Denise Dennis be made available for the public and record.

Mayor Wright read written comment from Jamie Rich, Center for Human Development, urging Council to pass ordinance with stricter tobacco regulations.

Denise Dennis, Contra Costa Health Services stated she was available to answer any questions this evening.

Mayor Wright closed the public hearing.

Councilmember Ogorchock stated she appreciated the ordinance being brought forward and the input from Ms. Dennis. She suggested the ordinance address restrictions for smoking near the entrances of buildings. Due to the time it had taken to bring this ordinance forward, she requested the extension not exceed 30-days.

Mayor Wright stated that he would support a 30-day extension to strengthen policies.

In response to Councilmember Tiscareno, Director of Community Development Ebbs explained that in the event a business owner wanted to transfer the property to a family member, he would expect them to form and include them in an LLC.

In response to Councilmember Thorpe, Director of Community Development Ebbs responded if it was Council's will, staff could verify if studies isolated hookah or cigar bars as lesser offenders.

Councilmember Thorpe responded that if cigar or hookah bars had the same impacts, he would support the ordinance, as it pertained to those uses, as written.

Councilmember Ogorchock stated for the safety and health of children, she did not support eliminating cigar or hookah bars from the ordinance.

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, the Council unanimously continued Item #4 to July 25, 2017 with direction to staff to pursue more robust restrictions and include an analysis pertaining to cigar and hookah bars.

**5. CONSIDERATION AND FINAL DETERMINATION OF BOARD OF ADMINISTRATIVE APPEALS DECISION REGARDING: ANTIOCH MUNICIPAL CODE VIOLATIONS AT 701 WILBUR AVENUE, ANTIOCH, OWNED BY JOSEPH AND DEBRA BOSMAN (CE CASE CD1701-026)**

City Manager Bernal introduced Public Hearing Item #5.

Interim City Attorney Cole reported this item had been the source of extensive discussions between the property owner, his legal counsel and staff. He noted it was the belief of both parties that they should attempt to resolve the issues associated with the property from a zoning and land use standpoint. He requested Council take no action and continue this matter. He noted if no progress was made with the property owner, staff would bring the item back to Council at the first available date.

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 Council unanimously continued Item #5 to allow staff the opportunity to resolve the issues with the property owner.

**COUNCIL REGULAR/ CITY OF ANTIOCH COUNCIL MEMBERS ACTING AS SUCCESSOR AGENCY/ HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY/ ANTIOCH PUBLIC FINANCING AUTHORITY AGENDA**

**6. ECONOMIC DEVELOPMENT COMMISSION APPOINTMENTS FOR THREE (3) FULL-TERM VACANCIES EXPIRING JUNE 2021**

Mayor Wright nominated Joseph Adebayo, Robert Kilbourne, Sr., and Tim McCall to three (3) full-term vacancies to the Economic Development Commission expiring June 2021.

**RESOLUTION NO. 2017/79**

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, Council unanimously appointed by resolution Joseph Adebayo, Robert Kilbourne, Sr., and Tim McCall to three (3) full-term vacancies to the Economic Development Commission expiring June 2021.

**7. STATEWIDE COMMUNITY INFRASTRUCTURE PROGRAM (SCIP) FOR HEIDORN VILLAGE**

City Manager Bernal introduced Regular Agenda Item #7.

Assistant City Engineer Filson presented the staff report dated June 27, 2017 recommending that the City Council adopt the resolution approving the application from Meritage Homes for participation in Assessment District 17-03 through the SCIP for the Heidorn Village Subdivision.

**RESOLUTION NO. 2017/80**

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the Council unanimously adopted the resolution approving the application from Meritage Homes for participation in Assessment District 17-03 through the SCIP for the Heidorn Village Subdivision.

**8. AUTHORIZATION TO EXTEND THE AGREEMENT WITH ANTIOCH PUBLIC GOLF, INC., FOR THE OPERATION AND MANAGEMENT OF LONE TREE GOLF COURSE**

City Manager Bernal introduced Regular Agenda Item #8.

Director of Parks and Recreation Kaiser presented the staff report dated June 27, 2017 recommending that the City Council authorize the City Manger to extend the current agreement

with Antioch Public Golf, Inc., through June 30, 2018 which will allow for the development and update of a new comprehensive operational agreement with Antioch Public Golf, Inc.

Councilmember Ogorchock requested staff provide Council with a copy of the agreement.

Councilmember Wilson spoke in support of updating the operational agreement.

**RESOLUTION NO. 2017/81**

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the Council unanimously authorized the City Manager to extend the current agreement with Antioch Public Golf, Inc., through June 30, 2018 which will allow for the development and update of a new comprehensive operational agreement with Antioch Public Golf, Inc.

**9. RESOLUTION APPROVING AND ADOPTING A TWO-YEAR OPERATING BUDGET FOR THE FISCAL YEARS 2017-19**

City Manager Bernal introduced Regular Agenda Items #9, #10, and #11; each to be voted on separately. He recognized staff and Council for their hard work in developing the budget.

Finance Director Merchant gave a PowerPoint presentation and presented staff reports dated June 27, 2017 which included (Item #9) City, (Item #10) Antioch Public Financing Authority, and (Item #11) City of Antioch as Successor Agency and Housing Successor to the Antioch Development Agency's Two-Year Operating Budgets recommending that the City Council, Antioch Public Financing Authority, and the City of Antioch as Successor Agency and Housing Successor to the Antioch Development Agency; 1) Adopt a resolution approving and adopting the City's two-year operating budget for fiscal years 2017-19, appropriating the funds necessary to meet the expenditures set forth therein, and revising the fiscal year 2016-17 budget, 2) Adopt a resolution approving and adopting the Antioch Public Financing Authority's two-year operating budget for fiscal years 2017-2019 and revising the fiscal year 2016-17 budget; and 3) Adopt a resolution approving and adopting the City of Antioch as Successor Agency and Housing Successor to the Antioch Development Agency's two year operating budget for fiscal years 2017-19, and revising the fiscal year 2016-17 budget.

Council thanked Finance Director Merchant for the reports and for providing all of the detailed information for the Budget Study Sessions. They spoke in support of increasing reserves to 20 percent and felt the budget reflected the Council's desire to invest in the City and quality of life of Antioch residents.

Councilmember Ogorchock added that Council needed to make sure Measure C would not Sunset.

Councilmember Thorpe and Mayor Wright stated they supported a six-month timeframe for Council to consider funding for an Economic Development Director in an effort to market the City to increase revenue and job growth.

**RESOLUTION NO. 2017/82**

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, Council unanimously adopted a resolution approving and adopting a two-year operating budget for fiscal years 2017-19, appropriating the funds necessary to meet the expenditures set forth therein, and revising the fiscal year 2016-17 budget.

**10. RESOLUTION OF THE ANTIOCH PUBLIC FINANCING AUTHORITY ADOPTING A TWO-YEAR OPERATING BUDGET FOR THE FISCAL YEARS 2017-19**

City Clerk Simonsen reported Council was sitting as the Antioch Public Financing Authority and all members were present.

**RESOLUTION NO. 2017/83**

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the Antioch Public Financing Authority unanimously adopted a resolution approving and adopting a two-year operating budget for fiscal years 2017-2019 and revising the fiscal year 2016-17 budget.

**11. RESOLUTION OF THE CITY OF ANTIOCH AS SUCCESSOR AGENCY AND HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY ADOPTING A TWO-YEAR OPERATING BUDGET FOR THE FISCAL YEARS 2017-19**

City Clerk Simonsen reported Council was sitting as the as Successor Agency and Housing Successor to the Antioch Development Agency and all members were present.

**SA RESOLUTION 2017/27**

On motion by Councilmember Tiscareno, seconded by Councilmember Thorpe, the City of Antioch as Successor Agency and Housing Successor to the Antioch Development Agency adopted a resolution approving and adopting a two year operating budget for fiscal years 2017-19, and revising the fiscal year 2016-17 budget.

**12. 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 \$500,000**

City Manager Bernal introduced Regular Agenda Item #12.



Administrative Services Director Mastay reported that at the request of OE3 (Operating Engineers Union Local No. 3), she recommended this item be continued so that they could meet and confer with the union and then move forward.

On motion by Councilmember Tiscareno, Councilmember Ogorchock, Council unanimously continued Item #12.

**13. RESOLUTION FOR AN EXCEPTION TO THE 180-DAY WAIT PERIOD FOR POST-RETIREMENT EMPLOYMENT**

City Manager Bernal introduced Regular Agenda Item #13.

Administrative Services Director Mastay presented the staff report dated June 27, 2017 recommending that the City Council adopt a resolution for an exception to the 180-day wait period for post-retirement employment regarding the Water Quality Analyst position.

**RESOLUTION NO. 2017/84**

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, Council unanimously adopted a resolution for an exception to the 180-day wait period for post-retirement employment regarding the Water Quality Analyst position.

**PUBLIC COMMENTS**

Dr. Lawrence Rasheed, Antioch resident, representing Greatness Rediscovered In Our Time (G.R.I.O.T.), thanked Mayor Wright for his support and announced on July 15, 2017 they were hosting a *Tackling the Taboo* event at Delta Bay Church of Christ.

Councilmember Ogorchock announced the next Neighborhood Cleanup event would be held at 9:00 A.M. on July 1, 2017 at Kimball Elementary School.

**STAFF COMMUNICATIONS**

City Manager Bernal reminded the public that City Offices would be closed on July 4, 2017.

**COUNCIL COMMUNICATIONS**

Mayor Wright reminded the public that the Council would be dark on July 11, 2017.

Councilmember Ogorchock requested staff bring the garage sale ordinance to Council for review to determine if there is a per year limit. She stated she supported a six-month timeframe for Council to consider funding for an Economic Development Director and noted that it should be someone who specifically fulfills the City's needs.

Councilmember Tiscareno reported on his attendance at the Jr. Giants event. He agreed with Councilmember Ogorchock regarding the need for Council to address the garage sales issue.

Councilmember Thorpe announced Food Truck Thursday would be held 5:00 P.M. – 9:00 P.M. at the Antioch Community Center. He thanked staff for organizing the event and encouraged the community to attend.

Councilmember Wilson requested an update on the ordinance banning hourly rates at hotels.

City Manager Bernal stated staff was still in the process of bringing that item forward.

### **ADJOURNMENT**

With no further business, Mayor Wright adjourned the meeting at 8:43 P.M. to the next regular Council meeting on July 25, 2017.

Respectfully submitted:

*Kitty Eiden*

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KITTY EIDEN, Minutes Clerk