

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

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

**September 12, 2017  
Council Chambers**

**5:45 P.M. - CLOSED SESSION**

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to California Government Code section 54956.8; Property – Humphrey’s Restaurant: City Negotiator; City Manager. Under negotiation: price and terms.
2. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to California Government Code section 54956.8; Property – former Deerfield Fire Station: City Negotiator; City Manager. Under negotiation: price and terms.
3. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to California Government Code section 54956.8; Property – Antioch City Marina: City Negotiator; City Manager; Parties – Kathy Bunton. Under negotiation: price and terms.
4. **CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION** – Potential Litigation pursuant to California Government Code section 54956.9 (d)(4): Water Rights BDCP/WaterFix (Bay Delta Conservation Plan/WaterFix).

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

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

Interim City Attorney Cole reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS**, Direction given to City Manager, **#2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS**, Direction given to City Manager, **#3 CONFERENCE WITH REAL PROPERTY NEGOTIATORS**, Direction given to City Manager; and, **#4 CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION**, Direction given to City Attorney.

**PLEDGE OF ALLEGIANCE**

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

**1. PROCLAMATIONS**

*In Honor of California Coastal Clean Up Day, September 16, 2017*

*In Honor of 19th Annual Delta Blues Festival, September 16, 2017*

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

Director of Parks and Recreation Kaiser announced the Water Park was a family site for California Coastal Clean Up Day, and would be led by Antioch Council of Teen site captains.

Councilmember Tiscareno presented the *In Honor of California Coastal Clean Up Day Proclamation* to Environmental Resource Coordinator Haas-Wajdowicz who thanked the City for the proclamation and invited residents to participate in the pre-cleanup kayak event at 8:30 A.M. on September 15, 2017, at the Antioch Marina and Coastal Clean Up Day, 9:00 A.M. – 12:00 P.M. on September 16, 2017, at the Antioch Marina, Antioch Water Park and Fulton Shipyard Road at the Red Caboose. Contact information was given for anyone wishing to register for the event.

Director of Parks and Recreation Kaiser introduced Frank Giovanni who accepted the *In Honor of 19th Annual Delta Blues Festival Proclamation* and thanked the City of Antioch for supporting the Delta Blues Festival. He announced the event was run entirely by volunteers and stated he agreed with the City for taking action to withdraw from their support of the event during the downturn in the economy. He thanked Director of Parks and Recreation Kaiser for her support. He invited the community to attend the event on September 16, 2017, in downtown Antioch.

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

Director of Parks and Recreation Kaiser announced the Fall Family Campfire would be held from 6:00 P.M. – 8:00 P.M. on September 15, 2017, at the Antioch Community Center Amphitheatre. He noted Mike Moran from the Big Break Visitor's Center would be providing a program.

Councilmember Ogorchock announced Meals and Wheels Senior Outreach Services was hosting an Ice Cream Social from 2:00 P.M. – 3:30 P.M. on September 15, 2017, at the Commons at Dallas Ranch.

Councilmember Wilson announced a Drag-N-Fly Regional Race would be held at 8:00 A.M. on September 16, 2017, at Contra Loma. She encouraged residents to support the event.

Councilmember Thorpe reminded the community that Food Truck Thursday took place every Thursday night from 5:00 P.M. - 9:00 P.M., at the Community Center.

## **PUBLIC COMMENTS**

Bob Atlas, Battalion Chief Contra Costa County Fire Protection District, gave an incident report for July and also reported that there had been a Church fire September 11, 2017 in which an arson investigation was being conducted. He announced the Fire District held a Celebrate Line of Duty Death Memorial Service. Additionally, he noted personnel responded to incidents throughout the

area, State and Country. He reported ambulance responses times met their goals 97-98 percent of the time and had reduce response times by 2-3 minutes.

Mariana Moore, Director of the Ensuring Opportunity Campaign to End Poverty in Contra Costa, discussed their goal to provide everyone with a safe place to live and invited the community to attend their Housing Town Hall meeting from 10:00 A.M. – 12:00 P.M. on September 23, 2017, at Grace Bible Fellowship Church.

John Goodson, Antioch resident, thanked Mayor Pro Tem Thorpe for attending the Rivertown Preservation Society meeting and City Manager Bernal for attending the Rivertown Merchants meeting. He reported that Public Works had resolved irrigation issues with the planter boxes on “G” Street and they had been planted. He stated he appreciated the City’s response and involvement.

### **COUNCIL SUBCOMMITTEE REPORTS**

Councilmember Wilson reported on her attendance at the Quality of Life subcommittee meeting.

Councilmember Ogorchock reported the Council had attended the Mayor’s Conference in Oakley.

Mayor Pro Tem Thorpe reported he had attended the Quality of Life subcommittee meeting and he would be attending Delta Diablo Board meeting, on behalf of Mayor Wright, on September 13, 2017.

### **MAYOR’S COMMENTS**

Mayor Pro Tem Thorpe, in acknowledgment of the 9/11, recognized Veteran’s in attendance and all those who served and continue to serve in the military. He presented the proclamation for Stand Down on the Delta to JR. Wilson who reported on the services that were provided to Veterans at the event. He thanked everyone who sponsored and volunteered as well as Council for their support. He also thanked his wife for her support and announced they were expecting a son in the very near future.

Mayor Pro Tem Thorpe also recognized and thanked first responders.

Councilmember Ogorchock announced Mayor Wright was in China, on business, for the City and his birthday was September 13, 2017. She wished him a happy birthday and the audience sang Happy Birthday.

### **PRESENTATION**

Director of Parks and Recreation Kaiser gave a PowerPoint presentation of the Prewett Park Disc Golf Course project.

Scott Bartlebaugh, Antioch resident, commented vegetation in the area had been a challenge; however, they would be working to clear the course to make it more playable. He requested the Council's support and announced a volunteer workday would be held September 23, 2017, with the grand opening to be held at the end of October.

Director of Parks and Recreation Kaiser reported the City's partnership with the volunteer groups would continue and they would be reaching out to Deer Valley High School for volunteers.

Councilmember Tiscareno thanked Mr. Bartlebaugh for his persistence in bringing the project to fruition. He recognized all the volunteers and offered to assist them with the project.

Councilmember Ogorchock stated she was pleased the project had been completed and she looked forward to working with the volunteers.

Councilmember Wilson stated she looked forward to opening day of the disc golf facility.

Mayor Pro Tem Thorpe stated he was pleased families would have another opportunity to enjoy recreational activities in Antioch. He thanked staff and the volunteers for their hard work.

Director of Parks and Recreation Kaiser reported the project had become a model for the City of Concord's disc golf course. She noted Antioch was surrounded by and had access to open space recreational opportunities and she looked forward to growing it with the partnerships and expansions of various agencies.

## **2. COUNCIL CONSENT CALENDAR**

### **A. APPROVAL OF COUNCIL MINUTES FOR AUGUST 22, 2017**

### **B. APPROVAL OF COUNCIL WARRANTS**

### **C. RESOLUTION NO. 2017113 PAVEMENT REHABILITATION ONE BAY AREA GRANT (OBAG) 2 PROJECT (P.W. 392-31)**

### **D. RESOLUTION NO. 2017114 AUTHORIZE RESPONSE TO GRAND JURY REPORT NO. 1707: "HOMELESSNESS IN THE CITIES"**

### **E. RESOLUTION NO. 2017115 SIXTH AMENDMENT TO THE CONSULTANT SERVICES AGREEMENT FOR PROFESSIONAL SERVICES WITH EXPONENT, INC.**

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council members present unanimously approved the Council Consent Calendar.

## **PUBLIC HEARING**

**3. URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
EXTENDING A MORATORIUM ON THE CONVERSION OF MOBILE HOME PARKS  
FROM SENIOR-ONLY TO ALL-AGES HOUSING**

City Clerk Simonsen announced the Clerk's office received a letter of opposition from Doug Johnson, Western Manufactured Housing Communities Association, dated September 11, 2017 and copies were provided to Council and staff, and made available in the back of Council Chambers for the public this evening.

Interim City Attorney Cole explained the manner in which the Public Hearing would be conducted and presented the staff report dated September 12, 2017 recommending the City Council adopt the Urgency Ordinance of the City Council of the City of Antioch Extending the Moratorium on the Conversion of Mobile home Parks from Senior-Only to All-Ages Housing for 22 months and 15 days.

Mayor Pro Tem Thorpe opened the public hearing.

Al Ives, Vista Diablo resident, Home Owners Association and Action Committee, spoke in support of adopting the urgency ordinance and questioned when the permanent ordinance would be coming before Council for consideration. He suggested asking the park owners why there were so many refinances and so little ongoing maintenance. He requested Council attempt to continue the rent subsidies provided to residents, noting many of them would not be able afford increases.

Janet Stewart, representing Sierra Corporate Management, stated Rich Pinel was willing to work with the City and HOA regarding the permanent ordinance. She apologized to the residents who believed they would be converting the park to all age and clarified that they had not planned to; however, park owners did not want to give up their rights to do so in the future.

Lola Buck, Antioch resident, President of Vista Diablo HOA, requested residents of the park raise their hands, to which several audience members responded. She noted residents from the Delta Villa Mobile Home Park were also in attendance to show their support. She thanked the Council for bringing the urgency ordinance forward. She stated that she believed maintenance items were only being addressed temporarily and expressed concern that deferred maintenance item remained. She reported when families with children began living in the park, comments were made that in October of 2017 it would be converted to an all-age park. She thanked Council and staff for their support and stated they looked forward to the senior overlay ordinance.

Gil Davis, Vista Diablo Mobile Home Park, thanked Council and staff for bringing the ordinance forward and stated he hoped it would not take two years for completion so the rent control issue could be addressed. He questioned if there was a way to prevent the park owner from bringing in more non-senior residents and if there was any penalty for them breaking the agreement.

Vivian Espinoza, Antioch resident, Secretary/Treasurer of Golden State Manufactured-home Owners League (GSMOL) Chapter 1461, thanked Council for their consideration of the ordinance. She reported park ownership had allowed children under the age of 18 to move into the park and

senior residents were concerned their lifestyle would be disturbed if multiple families became residents. She noted some of the new residents had disregarded park rules and regulations. She reported the new managers had attempted to bring the park up to previous standards

Stacey Hensen, Hometown America Communities, Delta Villa Mobile Home Park, spoke in support of the senior community noting they worked hard their entire lives and took ownership. She noted the potential to convert from a senior to all-family park would negatively impact the senior resident's quality of life and bring in elements not wanted or supported. She stated she supported Council approving the ordinance.

Stephanie Wagner, Delta Villa Mobile Estates, stated their park was a gated senior community where they enjoyed the quietness and camaraderie of senior neighbors. She sympathized with the residents of Vista Diablo and stated they were also fearful they could be facing a conversion to an all age park. She stated they wished to remain a quiet community, deserved to live in a peaceful environment and supported the senior overlay zoning district.

Mayor Pro Tem Thorpe read written comment from Doug Johnson opposing the extension of the urgency moratorium on conversions of 55 and older communities to all-age communities.

Mayor Pro Tem Thorpe closed the public hearing.

Mayor Pro Tem Thorpe thanked Ms. Stewart for attending the meeting and encouraged her to work with staff and park residents on a resolution.

Councilmember Ogorchock requested the permanent ordinance be expedited. In response to the letter from Doug Johnson, she clarified that there were only two senior mobile home parks in Antioch.

In response to Mayor Pro Tem Thorpe, Interim City Attorney Cole responded that by definition, in federal law, a senior only facility was one whereby 80 percent of occupied units were owned by someone 55 years or older which meant 20 percent could be all ages.

In response to Councilmember Ogorchock, Interim City Attorney Cole clarified that the City did not have the ability to enforce contractual obligations with the HOA and action to approve the ordinance would not superseding their contract.

Interim City Attorney Cole stated it was understood that Council wanted staff to proceed as quickly as possible.

**ORDINANCE NO. 2128-C-S**

On motion by Councilmember Tiscareno, seconded by Councilmember Ogorchock, the Council members present unanimously adopted the Urgency Ordinance of the City Council of the City of Antioch Extending the Moratorium on the Conversion of Mobile home Parks from Senior-Only to All-Ages Housing for 22 months and 15 days.

Mayor Pro Tem Thorpe declared a recess at 8:28 P.M. The meeting reconvened at 8:36 P.M. with all Councilmembers present with the exception of Mayor Wright who was previously noted as absent.

**COUNCIL REGULAR AGENDA/HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY**

**4. 2016-17 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER) FOR PROJECTS FUNDED WITH CDBG AND HOUSING SUCCESSOR FUNDS**

City Manager Bernal introduced Regular Agenda Item #4.

Director of Community Development Ebbs introduced CDBG/Housing Consultant House who presented the staff report dated September 12, 2017 recommending the City Council receive and file the FY 2016-17 CAPER year-end report and any public comments received about the achievements of programs funded with CDBG and Housing Successor funds for housing, homeless, and community services to improve the quality of life of lower income Antioch residents and neighborhoods.

Councilmember Tiscareno thanked CDBG/Housing Consultant House for the report and Council for approving the funding recommendations.

Councilmember Wilson thanked CDBG/Housing Consultant House for the report.

In response to Councilmember Wilson, CDBG/Housing Consultant House explained that when an agency fell short of their goals, they evaluated whether they were realistic and provided on-site monitoring and technical assistance. Additionally, she noted there were some natural variances over the course of a year.

Councilmember Ogorchock thanked CDBG/Housing Consultant House for the report.

In response to Councilmember Thorpe, CDBG/Housing Consultant House explained that goals were specific to the City of Antioch and every agency was considered individually to determine if they were reasonable, achievable and proportionate to the amount of funding received. She stated she believed there would be an upcoming report on homelessness and achievements for placing them in housing.

Councilmember Thorpe requested the homelessness report be weighed against CDBG funded agencies.

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the Councilmembers present unanimously received and filed the report.

**5. INTRODUCE ORDINANCE AMENDING BUILDING REGULATIONS FOR EXPEDITED, STREAMLINED PERMITTING PROCEDURES FOR ELECTRIC VEHICLE CHARGING STATIONS**

City Manager Bernal introduced Regular Agenda Item #5.

Director of Community Development Ebbs presented the staff report dated September 12, 2017 recommending the City Council introduce an ordinance adding Chapter 21 to Title 8: Building Regulations to the Antioch Municipal Code relating to expedited, streamlined permitting procedures for electric vehicle charging stations.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the Councilmembers present unanimously introduced an ordinance adding Chapter 21 to Title 8: Building Regulations to the Antioch Municipal Code relating to expedited, streamlined permitting procedures for electric vehicle charging stations.

**6. FOOT OF G STREET PARKING LOT GATE**

City Manager Bernal presented the staff report dated September 12, 2017 recommending the City Council provide direction to staff regarding the installation and operation of a gate across the driveway to the City owned parking lot at the foot of G Street and daily closure of the lot from 7:00 P.M. until 7:00 A.M.

City Clerk Simonsen reported the Clerk's office had received an email from Michael Pohl in favor of closing the parking lot from dusk to dawn. He noted copies were provided to Council and staff, and made available in the back of Council Chambers for the public this evening.

In response to Councilmember Tiscareno, Chief Brooks presented the staff reports response by the Police Department on the potential closure of the public parking lot at the foot of "G" Street (Attachment "F").

In response to Councilmember Tiscareno, Director of Public Works Bechtholdt stated that if the proposal was to close the gates later in the evening, it would not change the cost structure.

Rick Carraher, Downtown Business Owner, stated he understood the need for officer safety and asked Council to also consider the safety of people who walked into parking lot unprotected, after events. He expressed concern that the parking lot could not be seen from the street and provided an opportunity for criminal behavior. He reported the El Campanil hired security to patrol the area during events; however, they could not afford to provide security on non-event evenings. He stated he believed crime in the area was not being reported and he discussed an assault that occurred in the parking lot.

John Goodson, Antioch resident, reported several vehicles entered the parking lot during the day spending 2-3 minutes before leaving and he believed illegal activity occurred during that time. He

stated he supported gating the lot; however, he questioned why illicit activities were not being addressed as opposed to gating the parking lot.

Josie Moneghan, East County Veteran's Support Services, reported the parking lot had been utilized for illegal activities. She stated she understood the concerns of law enforcement; however, because this was the only option being considered; she supported gating the parking lot until a better solution came forward.

Pastor Vickia Brinkley, True Faith Community Baptist Church, stated their concern was that gating the lot felt as though it was an effort to privatize the parking lot in terms of merchant use and they did not want to see it become an effort to criminalize homelessness. She reported that they had been successful at partnering with some people in the area to get them into housing. She noted a majority of traffic to the lot was on foot; therefore, she felt there would be no benefit to limiting access. She stated their church had services at night and they needed the parking lot as a means of egress. Additionally, she supported the Antioch Police Department having access to patrol the lot at night.

Mike Ramsey, Discovery Bay, gave a brief history of downtown Antioch and the El Campanil Theatre. He reported that this lot was the only location they had received complaints concerning what was perceived to be occurring in the lot. He suggested a trial gate closure for the period of one year to determine the impact and noted that there may be a way to improve upon how police officers have access.

In response to Council, Chief Brooks reviewed crime statistics for the area for the last three years. He stated to his knowledge he did not believe any patrons leaving the El Campanil or downtown merchants had been the victim of an assault. He noted the majority of calls for service were officer generated activity.

Councilmember Wilson suggested staff work with the stakeholders to consider other options to gating the parking lot.

Councilmember Ogorchock expressed concern regarding the safety of officers and eliminating access to the parking lot for the church group. She stated she appreciated the downtown merchants; however, she did not feel gating the lot was a viable solution. She suggested the possibility of another option such as VIPS patrolling the area during events at the El Campanil.

Councilmember Tiscareno stated he was proud of the progress with downtown merchant and spoke in support of Council considering options to make the entire area a safer community.

Councilmember Wilson suggested lighting, cameras and private security during high traffic times, be considered as options for the parking lot.

Councilmember Thorpe stated he was interested in looking globally at the downtown area as it related to private security in the evenings and requested the costs associated come back to Council for consideration.

Councilmember Ogorchock suggested the item come back to Council after staff's meeting with the downtown merchants.

City Manager Bernal stated they would be meeting with the downtown merchants on September 28, 2017 and this item would be discussed and broadened to include the overall downtown area.

**PUBLIC COMMENTS** – None

**STAFF COMMUNICATIONS**

City Manager Bernal announced he would be attending the League of California Cities Annual Conference with Councilmember Ogorchock. He encouraged the community to attend the Delta Blues Festival, Coastal Cleanup events and the Senior BBQ.

**COUNCIL COMMUNICATIONS**

Councilmember Tiscareno congratulated the Antioch Police Department on their recent promotions.

Councilmember Ogorchock requested staff agendize ordinances addressing donation bins and garage sales.

**ADJOURNMENT**

With no further business, Mayor Pro Tem Thorpe adjourned the meeting at 9:37 P.M. to the next regular Council meeting on September 26, 2017.

Respectfully submitted:

*Kitty Eiden*  
KITTY EIDEN, Minutes Clerk