

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

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

**January 9, 2018  
Council Chambers**

**6:00 P.M. - CLOSED SESSION**

**1. CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION – Potential Litigation pursuant to Election Code 14025: California Voter Rights Act Demand Letter**

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**, On motion by Councilmember Thorpe, seconded by Councilmember Wilson, the City Council unanimously directed the City Attorney to proceed with a resolution to begin the process to convert from “At-Large” Council Member Elections to a Districting Election System.

Mayor Wright called the meeting to order at 7:09 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.

**ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

Odessa Lafrancous, announced the annual Reverend Doctor Martin Luther King Jr. Prayer Breakfast would be held from 8:00 P.M. – 10:30 A.M. on January 15, 2018 at Martin Luther King Jr. Junior High School in Pittsburg.

Director of Parks and Recreation Kaiser announced the Antioch Unified School District and City would be hosting a Martin Luther King Jr. celebration at 1:00 P.M. on January 15, 2018 at the Deer Valley High School Theater.

Harry Thurston, Antioch resident, announced the East County March for Equality and Unification would be held at 10:00 A.M. on January 27, 2018 at the Somersville Towne Center and it would be followed by a rally at Los Medanos College at 11:00 A.M.

Councilmember Wilson announced the Contra Costa Human Trafficking Coalition would be hosting the documentary screening of, “Me Facing Life: Cyntoia’s Story”, at 6:30 P.M. on January 18, 2018 at the Antioch Police Department Community Room.

Councilmember Ogorchock announced a documentary on homelessness “Storied Streets” would be shown on January 11, 2018 at the El Campanil Theater.

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

City Clerk Simonsen announced the following Board and Commission openings:

- Board of Administrative Appeals: One (1) vacancy; deadline date is January 12, 2018
- Police Crime Prevention Commission: Two (2) vacancies; deadline date is January 12, 2018

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

## **PUBLIC COMMENTS**

Bob Altas, Battalion Chief of Contra Costa County Fire District, provided an update on Fire District activities for December 2017.

Steve Eiden, Antioch resident, expressed concern regarding criminal activity and code enforcement violations occurring in the Sommersville Road/Delta Fair Blvd/Bucannon Road area. He requested the City act more aggressively to improve the quality of life in the area.

## **COUNCIL SUBCOMMITTEE REPORTS**

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

Councilmember Thorpe reported on his attendance at the Adhoc Committee meeting for potential 2018 ballot measures with Councilmember Wilson.

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

## **MAYOR'S COMMENTS**

Mayor Wright recognized National Law Enforcement Appreciation Day and thanked Chief Brooks and the Antioch Police Department for their dedication to the City. He also acknowledged Najee Harris for representing the community and leading Alabama to a victory in the College Football Playoff National Championship game.

## **PRESENTATION**

Director of Parks and Recreation Kaiser announced the "First Senior Walk to Kick-off Alzheimer's Awareness" was a success and she recognized the sponsors of the event.

Field Representatives from Congressman Jerry McNerney, Senator Steve Glazer, Congressman Jim Frazier and Supervisor Diane Burgis offices presented certificates of recognition to

Councilmember Ogorchock, City of Antioch, Elderly Wish Foundation, Somersville Towne Center and Meals on Wheels for hosting the “First Senior Walk to Kick-off Alzheimer’s Awareness”.

Councilmember Ogorchock reported the event was very successful and would be occurring annually on the first Friday of November at Somerville Towne Center. She thanked everyone who participated and Somersville Towne Center for hosting the event.

Director of Parks and Recreation Kaiser thanked the sponsors of the “First Senior Walk to Kick-off Alzheimer’s Awareness”.

1. **COUNCIL CONSENT CALENDAR for City /City as Successor Agency/Housing Successor to the Antioch Development Agency**
  - A. **APPROVAL OF COUNCIL MINUTES FOR DECEMBER 12, 2017**
  - B. **APPROVAL OF COUNCIL WARRANTS**
  - C. **RESOLUTION NO. 2018/01 CONSIDERATION OF BIDS FOR THE CURB RAMPS, BIKE LANE AND PEDESTRIAN IMPROVEMENTS AT VARIOUS LOCATIONS (P.W. 409-5)**
  - D. **MASTER MUNICIPAL CLERK ACADEMY SERIES 201**

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

- E. **SA RESOLUTION NO. 2018-28 RECOGNIZED OBLIGATION PAYMENT SCHEDULE (18-19) FOR THE SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT AGENCY OF THE CITY OF ANTIOCH**
- F. **APPROVAL OF SUCCESSOR AGENCY WARRANTS**
- G. **APPROVAL OF HOUSING SUCCESSOR WARRANTS**

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

**PUBLIC HEARINGS**

2. **REQUESTED MODIFICATIONS TO THE PROJECT APPROVAL FOR THE PROMENADE – VINEYARDS AT SAND CREEK PROJECT**

City Manager Bernal introduced Public Hearing Item #2.

Director of Community Development Ebbs presented the staff report dated January 9, 2018 recommending the City Council continue the public hearing to the February 13, 2018 meeting.

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council unanimously continued the public hearing to February 13, 2018.

### **3. ALBERS RANCH PRELIMINARY DEVELOPMENT PLAN (PD-16-01)**

City Manager Bernal introduced Public Hearing Item #3.

Director of Community Development Ebbs presented the staff report dated January 9, 2018 recommending the City Council consider the project and the Planning Commission direction and offer any other guidance.

Mayor Wright opened the public hearing.

Mike Ramsey, representing Albers Ranch, stated that they had developed a project consistent with staff's previously proposed policy changes for the Sand Creek Focus Area; and even though the City was no longer proceeding with that plan they intended to continue with the process. He noted the project had many positive attributes that were unique to Antioch and they would be asking the City Council through their discretionary authority to allow them to build the project. He reported that they had met with the Flood Control District, Department of Water Resources, Division of Dams and Fire Department regarding their concerns and noted the project would not be brought forward for consideration without those issues being addressed. He gave a PowerPoint presentation of the Albers Ranch project.

Lucia Albers stated in response to concerns raised by the Flood Control District they hired engineers and met with the Department of Dams. She reported that geologist issued a report indicating that there were no issues with the project and a response from the Department of Dams stated the same. She noted there had been a lot of interest from developers who wanted to build the project and the lots they had proposed allowed the project to be economically feasible. She further noted there would be minimal visual impacts from the grading requested. She stated there was a need for an Assisted Living Facility in Antioch and they felt it would complement the Senior Housing project. She concluded that the project would be a very attractive development and provide secure area for senior residents to reside.

Monte Albers requested the City Council approve the plan with the Assisted Living Facility because there was a great need in Antioch.

Alan Iannaccone requested the City proceed with approval as soon as possible as they were currently in negotiations with the Flood Control District and Department of Water Resources for the access road through the property. He requested Council allow for the reduction in lot sizes and the Assisted Living Facility. He also requested Council approve the proposed grading and

increased number of homes noting that those items would greatly improve the feasibility of the project.

Mayor Wright closed the public hearing.

Councilmember Tiscareno stated he believed this could be a good project as the City was in need of a senior community.

In response to Councilmember Tiscareno, Mr. Ramsey gave a history of their interactions with the Flood Control District. He reported that they had engaged the Division of Dams and Department of Water Resources and a geotechnical analysis was performed. He stated if Council supported them moving forward with the project, they would inform the Flood Control District of the support they received from the Division of Dams. He noted that he had also met with the Fire District who was supportive with the exception of the timing of the station and he recognized that something needed to occur for the fire department to be able to provide a more timely response to the facility. He requested the City Council support the project and allow them to bring back an application so they could engage in environmental review as well as other work that needed to be completed. He offered to provide Council with a list of other senior housing developments that had 4000 sq ft lots.

Councilmember Tiscareno stated he believed the Assisted Living Facility was an important component of the development.

Councilmember Thorpe stated he was in support of the senior housing project with an Assisted Living Facility. He stated he remained concerned regarding the grading of the hillsides; however, he believed that issue could be resolved.

Councilmember Wilson stated she was in support of the project; however, she was concerned that the project was inconsistent with the Hillside Ordinance.

Councilmember Ogorchock spoke in support of the project noting that senior housing and an Assisted Living Facility were needed in Antioch. She stated that she was also concerned that the project was inconsistent with the Hillside Ordinance. She supported 4000 square foot lots as seniors did not want to maintain a large yard.

Mayor Wright stated when the City stopped going forward with Sand Creek Specific Plan; they were aware that projects prepared according to that plan would come forward. He noted the direction from Council was to work with those projects to make the General Plan amendments necessary to bring them forward. He directed staff to work with the applicant to address the issues and move the project forward.

**4. ADOPTION OF A RESOLUTION TO APPROVE A POWER PURCHASE AGREEMENT FOR THE LONE TREE GOLF COURSE SOLAR PHOTOVOLTAIC SYSTEM (P.W. 699-1)**

City Manager Bernal introduced Public Hearing Item #4.

Project Manager Buenting presented the staff report dated January 9, 2018 recommending the City Council adopt a resolution authorizing the City Manager to negotiate and execute a Power Purchase Agreement with ForeFront Power for a Photovoltaic System at the Lone Tree Golf Course.

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

**RESOLUTION NO. 2018/02**

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously adopted a resolution authorizing the City Manager to negotiate and execute a Power Purchase Agreement with ForeFront Power for a Photovoltaic System at the Lone Tree Golf Course.

**5. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH DECLARING THE NECESSITY TO COMMENCE EMINENT DOMAIN PROCEEDINGS FOR ACQUISITION OF A PORTION OF ASSESSOR PARCEL NO. 056-130-012 FOR EXTENSION OF PREWETT RANCH ROAD**

City Manager Bernal introduced Public Hearing Item #5.

Interim City Attorney Cole presented the staff report dated January 9, 2018 recommending the City Council adopt the resolution of the City Council of the City of Antioch Declaring the Necessity to Commence Eminent Domain Proceedings for Acquisition of a Portion of Assessor Parcel No. 056-130-012 for Extension of Prewett Ranch Road.

Mayor Wright opened the public hearing.

City Clerk Simonsen announced that he had received an email on January 5, 2018 from Louis Parsons representing West Coast Home Builders., Inc. asking to speak to this item. He read an email sent to Council and staff today from Mr. Parsons that requested any proceedings on the matter be delayed as they felt an agreement would be reached soon.

Mayor Wright closed the public hearing.

City Attorney Cole clarified if the resolution was adopted, there were a number of steps to take prior to filing an action and it would not preclude the parties from reaching a voluntary resolution. He explained that the City entered into a development agreement that required them to move forward and this action was a formality that did not prejudice either party. He recommended the City Council adopt the resolution and stated he would continue to impress upon the parties the need for them to negotiate.

**RESOLUTION NO. 2018/03**

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously adopted the resolution of the City Council of the City of Antioch Declaring the Necessity to Commence Eminent Domain Proceedings for Acquisition of a Portion of Assessor Parcel No. 056-130-012 for Extension of Prewett Ranch Road.

**COUNCIL REGULAR AGENDA**

**6. POLICE CRIME PREVENTION COMMISSION APPOINTMENTS FOR TWO FULL-TERM VACANCIES EXPIRING OCTOBER 2021**

Mayor Wright nominated Lisa LaPoint and Dwayne Eubanks to serve two full-term vacancies expiring October 2021.

Councilmember Ogorchock questioned if Council could request future appointments participate in the Citizen's Police Academy.

Interim City Attorney Cole stated he would look into Councilmember Ogorchock's request.

City Clerk Simonsen added that the above action would require a Municipal Code Amendment.

**RESOLUTION NO. 2018/04**

On motion by Councilmember Tiscareno, seconded by Councilmember Thorpe, the City Council appointed by resolution Lisa LaPoint and Dwayne Eubanks to two full-term vacancies expiring October 2021.

**7. UPDATE ON ARTS AND CULTURAL PROGRAMS**

City Manager Bernal introduced Regular Agenda Item #7.

Director of Parks and Recreation Kaiser presented the staff report dated January 9, 2018 recommending the City Council receive and file the report on arts and cultural programs and services in Antioch.

Following discussion, Mayor Wright stated he would discuss a grant type process for the disbursement of funds for Arts and Cultural Programs with City Manager Bernal.

On motion by Councilmember Tiscareno, seconded by Councilmember Ogorchock, the City Council unanimously received and filed the report on arts and cultural programs and services in Antioch.

**8. CONSIDERATION OF BIDS FOR THE WEST ANTIOCH CREEK CHANNEL IMPROVEMENTS AND REJECTION OF THE BID AWARD PROTEST (P.W. 201-6)**

City Manager Bernal introduced Regular Agenda Item #8.

Project Manager Buenting presented the staff report dated January 9, 2018 recommending the City Council adopt a resolution: 1) Rejecting the bid protest of Granite Construction; and 2) Authorizing an amendment increasing the Capital Improvement Budget for the West Antioch Creek Channel Improvements project in the amount of \$429,000 from the Assessment District 27/31 and Capital Improvement funds for a total of a \$4,439,630; and 3) Awarding a contract to the lowest responsive and responsible bidder, DMZ Builders; and 4) Authorizing the City Manager to execute an agreement in the amount of \$3,999,500.

**RESOLUTION NO. 2018/05**

On motion by Councilmember Tiscareno, seconded by Councilmember Ogorchock, the City Council unanimously adopted a resolution: 1) Rejecting the bid protest of Granite Construction; and 2) Authorizing an amendment increasing the Capital Improvement Budget for the West Antioch Creek Channel Improvements project in the amount of \$429,000 from the Assessment District 27/31 and Capital Improvement funds for a total of a \$4,439,630; and 3) Awarding a contract to the lowest responsive and responsible bidder, DMZ Builders; and 4) Authorizing the City Manager to execute an agreement in the amount of \$3,999,500.

**9. FOURTH AMENDMENT TO THE CONSULTANT SERVICE AGREEMENT WITH WOODARD & CURRAN (FORMERLY KNOWN AS RMC WATER AND ENVIRONMENT) FOR ENGINEERING SERVICES DURING CONSTRUCTION FOR THE WEST ANTIOCH CREEK CHANNEL IMPROVEMENTS PROJECT (P.W. 201-6)**

City Manager Bernal introduced Regular Agenda Item #9.

Project Manager Buenting presented the staff report dated January 9, 2018 recommending the City Council adopt a resolution approving the Fourth Amendment to the Consultant Service Agreement with Woodard & Curran (formerly known as RMC Water and Environment) for engineering services during construction for the West Antioch Creek Channel Improvements Project to increase the contract by \$150,607 for a total contract amount of \$1,480,983.

**RESOLUTION NO. 2018/06**

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously adopted a resolution approving the Fourth Amendment to the Consultant Service Agreement with Woodard & Curran (formerly known as RMC Water and Environment) for engineering services during construction for the West Antioch Creek Channel Improvements Project to increase the contract by \$150,607 for a total contract amount of \$1,480,983.

**10. FORMATION OF THE PROPOSED COMMUNITY FACILITIES DISTRICT NO. 2018-01 (PUBLIC SERVICES)**

City Manager Bernal introduced Regular Agenda Item #10.

Assistant City Engineer Filson presented the staff report dated January 9, 2018 recommending the City Council adopt the Resolution of Intention with Respect to Formation of the Proposed Community Facilities District No. 2018-01 (Public Services).

City Clerk Simonsen announced copies of a map of the proposed boundaries for the community facilities district were available in Council Chambers and on the City's website.

**RESOLUTION NO. 2018/07**

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council unanimously adopted the Resolution of Intention with Respect to Formation of the Proposed Community Facilities District No. 2018-01 (Public Services).

**11. RESOLUTION APPROVING A NEW SALARY RANGE AND HAVING THIS SALARY RANGE PLACED ON THE HOURLY CLASSIFICATION SALARY SCHEDULE FOR THE DOCTOR OF VETERINARY MEDICINE**

City Manager Bernal introduced Regular Agenda Item #11.

Administrative Services Director Mastay presented the staff report dated January 9, 2018 recommending the City Council adopt a resolution approving a new salary range and having this salary range placed on the Hourly Classification Salary Schedule for the Doctor of Veterinary Medicine.

Jeffrey Klingler, Antioch resident, encouraged Council to support the resolution.

Councilmember Thorpe reiterated his request for staff to bring forward information regarding the fiscal impact of this position on the City's approved budget.

Mayor Wright stated that he would also like to have been provided the budget impacts and noted that there may be a cost savings due to the elimination of services that were contracted out.

**RESOLUTION NO. 2018/08**

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously adopted a resolution approving a new salary range and having this salary range placed on the Hourly Classification Salary Schedule for the Doctor of Veterinary Medicine.

**PUBLIC COMMENTS – None**

**STAFF COMMUNICATIONS**

City Manager Bernal announced an “Enhancing Our Quality of Life Join the Conversation” link was available on the City’s website and he encouraged all residents to provide feedback. He noted also included was an FAQ and highlights of a 2017 Fall Survey. He announced the City Council would be participating in a Strategic Plan and Goal Setting Workshop at 9:00 A.M. on January 20, 2018 at the Prewett Park Community Center.

**COUNCIL COMMUNICATIONS**

Mayor Wright stated as previously discussed an event budget process would be coming forth as a future agenda item.

**ADJOURNMENT**

With no further business, Mayor Wright adjourned the meeting at 9:22 P.M. to the next regular Council meeting on January 23, 2018.

Respectfully submitted:

*Kitty Eiden*

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KITTY EIDEN, Minutes Clerk