

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

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

**March 27, 2018  
Council Chambers**

**6:00 P.M. – CLOSED SESSION**

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to California Government Code section 54956.8: Orton/Libitzky owned Assessor's Parcel Numbers (APN No.'s): 066-110-009; 074-040-035; 066-101-001. City and Agency Negotiator, City Manager Ron Bernal; Parties – Orton/Libitzky, Antioch Marina LLC.
  
2. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to California Government Code section 54956.8: City and Agency Negotiator, City Manager Ron Bernal; Parties – City Ventures.

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 Bernal; and, **#2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS**, direction given to City Manager Bernal.

Mayor Wright called the meeting to order at 7:01 P.M., and City Clerk Simonsen called the roll.

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

**PLEDGE OF ALLEGIANCE**

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

**ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

Director of Parks and Recreation Kaiser announced the Spring/Summer Recreation Guide had been mailed out and she invited everyone to attend the Recreation & Health Expo from 10:00 A.M. – 4:00 P.M. on May 12, 2018. She noted on that day they were offering a 15 percent discount registration on all classes, camps and programming.

JR Wilson thanked staff and the Memorial Day Committee for assisting them with hosting for the Memorial Day Delta Softball Tournament of Heroes on May 26 and 27, 2018 at Antioch Community Park. He also thanked Mayor Wright for being available to throw out the first pitch. He announced on Memorial Day, a motorcycle parade from downtown to the Oak View Cemetery would take place and be followed by Memorial Day Services at 10:00 A.M. on May 28, 2018. Immediately following, Antioch VFW Post #6435 would be hosting a free barbeque. He commented that Veteran's Memorial banners would be flown on "L" Street and more information

on the event and how to obtain a banner were available at [deltaveteransgroup.org](http://deltaveteransgroup.org). Additionally, applications and flyers were available in Council Chambers this evening.

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

City Clerk Simonsen announced the following Board and Commission openings:

- Contra Costa Transportation Authority - Citizens Advisory Committee: One (1) vacancy; deadline date is April 20, 2018
- Sales Tax Citizens' Oversight Committee: Seven (7) vacancies; deadline date is April 20, 2018
- Economic Development Commission: One (1) vacancy; deadline date is April 6, 2018
- Board of Administrative Appeals: One (1) alternate vacancy; deadline date is April 20, 2018
- Police Crime Prevention Commission: One (1) vacancy; deadline date is April 13, 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**

Marty Fernandez thanked Councilmember Thorpe, Mayor Wright, City Manager Bernal and Code Enforcement Manager Michael for visiting his neighborhood and reported that there had been a significant reduction in blight. He requested the lights and water be turned on in the park.

Rick Robison, Antioch resident, requested the City Council take action to exempt itself from California's sanctuary state policy and asked them to respond to his request by the next City Council meeting.

Nicole Gardner discussed the needs of the homeless and requested the City consider funding restrooms, dumpsters, showers and shelters for them. She questioned who she could contact with regards to acquiring these items.

Mary Rocha invited the community to attend a breakfast honoring César Chavez at Applebee's on March 31, 2018.

## **COUNCIL SUBCOMMITTEE REPORTS**

Councilmember Wilson stated she would be attending the Tri Delta Transit meeting on March 28, 2018.

Councilmember Thorpe reported on his attendance at the annual Water Education for Latino Leaders (WELL) Conference. He invited colleagues to participate in the conference next year.

Councilmember Tiscareno commented that in the past he had participated in the WELL conference and it was very educational.

Mayor Wright reported on his participation at Delta Diablo Sanitation District meeting.

## **MAYOR'S COMMENTS**

Mayor Wright announced Antioch was awarded \$10,000,000 in State of California Prop 1 Grant Funding for the construction of a water desalination facility. He reported the Antioch Home Ownership Program (AHOP) Forum was a well-attended event. He announced the passing of former Mayor and Police Chief Len Herendeen.

## **PRESENTATION**

### *Sales Tax Citizens' Oversight Committee Annual Report to Council*

Chairperson Williams and Vice Chair Householder introduced committee members in attendance and gave a Measure C Sales Tax Citizens' Oversight Committee PowerPoint presentation.

Ralph Fernandez, Antioch resident, urged Council to support hiring more police officers and background investigators. He stated he believed he was entitled to speak for at least five (5) minutes.

Interim City Attorney Cole clarified that this item was a regular agenda item and not a public hearing; therefore, speakers were allowed three (3) minutes.

Councilmember Tiscareno commented that the City was focused on hiring Antioch Police officers. He thanked the Sales Tax Citizens' Oversight Committee members for the presentation and for serving.

Councilmember Ogorchock thanked the Sales Tax Citizens' Oversight Committee for the report and stated she would also like to see more officers on the street and Chief Brooks was working diligently to increase those numbers. She noted license plate readers, cameras and code enforcement were improving the statistics.

Mayor Wright stated that Measure C funding had provided tools necessary to improve the statistics. He thanked Antioch Police Department, Code Enforcement Officers, and Committee Members for their service.

**1. CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency**

**A. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR MARCH 10, 2018**

- B. APPROVAL OF COUNCIL MINUTES FOR MARCH 13, 2018
- C. APPROVAL OF COUNCIL SPECIAL MEETING/WORKSHOP MINUTES FOR MARCH 24, 2018
- D. APPROVAL OF COUNCIL WARRANTS
- E. APPROVAL OF TREASURER'S REPORT FOR FEBRUARY 2018
- F. ORDINANCE NO. 2140 C-S SECOND READING – ORDINANCE AMENDING TITLE 9, CHAPTER 5 OF THE ANTIOCH MUNICIPAL CODE (ZONING ORDINANCE) REGARDING DONATION BINS AND GARAGE SALES (*Reintroduced on 03/13/18*)
- G. LEAGUE OF CALIFORNIA CITIES POLICY COMMITTEE MEETINGS ON APRIL 12-13, 2018, THE CITY CLERKS ASSOCIATION OF CALIFORNIA (CCAC) ANNUAL CONFERENCE, AND THE CCAC ADVANCED ACADEMY ON APRIL 17-20, 2018
- H. RESOLUTION NO. 2018/38 EMAIL SYSTEM AND MICROSOFT OFFICE SUITE UPGRADE PROJECT
- I. RESOLUTION NO. 2018/39 FOURTH AMENDMENT TO THE CONSULTANT SERVICE AGREEMENT WITH ARC ALTERNATIVES FOR THE LONE TREE GOLF COURSE SOLAR PHOTOVOLTAIC SYSTEM (P.W. 699-1)
- J. RESOLUTION NO. 2018/40 CONSENT AGREEMENT WITH CONTRA COSTA WATER DISTRICT (CCWD) FOR THE WIDENING OF THE HILLCREST AVENUE RIGHT OF WAY AT CCWD LATERAL 9.1 (P.W. 460-4)
- K. RESOLUTION NO. 2018/41 NORTHEAST ANTIOCH ANNEXATION AREA 1 AND 2B (P.W. 693)
- L. RESOLUTION NO. 2018/42 COMMUNITY DEVELOPMENT BLOCK GRANT DOWNTOWN ROADWAY PAVEMENT REHABILITATION, PHASE 7 (P.W. 678-7)
- M. RESOLUTION NO. 2018/43 TRAFFIC SIGNAL INSTALLATION – WILD HORSE ROAD AND FOLSOM DRIVE AND TRAFFIC SIGNAL MODIFICATIONS – W. 10TH STREET/L STREET (P.W. 636-8)

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

- N. APPROVAL OF HOUSING SUCCESSOR WARRANTS
- O. 2017 ANNUAL HOUSING ELEMENT PROGRESS REPORT AND HOUSING SUCCESSOR ANNUAL REPORT

City Manager Bernal pulled Item H from the Consent Calendar.

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

**Item H** – City Manager Bernal amended the resolution under THEREFORE, BE IT RESOLVED, the last sentence, to read: “This is for a multi-year contract, the first year will be a partial payment of \$3.656 with the remaining two years being \$43,848 each.”

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, Item H was approved as amended.

## **PUBLIC HEARING**

### **2. RECEIPT OF ADDITIONAL PUBLIC INPUT REGARDING THE DRAFTING OF PROPOSED MAPS FOR A DISTRICT-BASED SYSTEM OF ELECTING ANTIOCH CITY COUNCIL MEMBERS**

City Manager Bernal introduced Public Hearing Item #2.

Interim City Attorney Cole announced that two translators were present to assist with interpretive services.

At the request of Interim City Attorney Cole, a translator made the above announcement in Spanish.

Interim City Attorney Cole presented the staff report dated March 27, 2018 recommending the City Council receive additional public input regarding the drafting of proposed maps for a district-based system of electing Antioch City Council members. He announced a Supplemental Staff report dated March 27, 2018 was distributed this evening to Council and the public.

Consultant Jaime Clark reviewed each of Working Draft District Maps 1 and 2 as well as Quadrant Draft District Maps A and B.

Mayor Wright opened the public hearing.

Norma and Ralph Hernandez stated they were opposed to district based elections and noted it would segregate the community and disenfranchise voters.

Mayor Wright read written comment submitted from Joette Milano Bright, Susan Welch, and Donald Bright in support of Working Draft District Map 1.

Brendon O'Laskey, East County Regional Group (ECRG), Ellie Householder, Antioch resident, Christine Clark, ECRG, Deborah Polk, ECRG, Susana Williams, Antioch resident, Belem Ramirez, ECRG, Evelyn Lopez, ECRG, Sylvia Angeles ECRG, Berlen and Fredy Leon ECRG, Jennifer Hughes, Antioch resident, Warren Lutz, Antioch resident, Janet Costa, ECRG, Francisco Nazario and Joy Motts, Antioch resident, spoke in support of the district based election process and Working Draft District Map 1.

Kerry Motts, Antioch resident, spoke in support of Working Draft Map 1 and implementing district based elections in 2018.

Tina Price, Antioch resident, read the Change.org petition which had been signed by 52 people and which asked to designate the Hillcrest/Deer Valley corridor as a Community of Interest during the districting process.

Samson Knight, Antioch resident, spoke in support of the district based election process and Working Draft District Maps 1 and 2.

Tim McCall, Antioch resident, stated if the City moved forward with district based elections, he would support a "sliced bread approach" and implementing district based elections in 2020.

Terry Ramus, Antioch resident, spoke in opposition to district based elections but noted that if the City moved forward he would support Quadrant Draft District Maps A or B.

Sharon Johnson, Antioch resident, spoke in opposition to district based elections.

Ken Turnage II, Antioch resident, spoke in opposition to district based elections but noted that if the City moved forward he would support Quadrant Draft District Map B.

Don Freitas, Antioch resident, spoke in opposition to district based elections but noted that if the City moved forward he would support Quadrant Draft District Map B with staggered terms for the north and south. He also suggested implementing district based elections in 2020.

Mayor Wright closed the public hearing and commented that Council allowed everyone who wanted to speak on this to speak for their full five minutes this evening; however, in the future the allotted time may be reduced.

Councilmember Thorpe stated he would have preferred district based election process had gone to the voters. He spoke in support of Working Draft District Map 1 noting north Antioch residents deserved to have their own Council district.

Councilmember Tiscareno thanked everyone for their input. He stated he would support advancing Working Draft District Map 1 and a revised Quadrant Draft District Map B for future consideration. He expressed concern that the City was using census data that was no longer

accurate and questioned if the City could postpone action until the 2020 census. Additionally, he questioned if district based elections could begin in 2018 with all Councilmembers running.

Interim City Attorney Cole explained that new census numbers would not be available until after the 2020 election cycle and if they waited, the City would be vulnerable to claims that they would be depriving individuals of their voting rights. Additionally, he clarified that Councilmembers in the second year of their terms were entitled by law to complete their terms. He noted the decision before Council was if they wanted to phase in two seats this year, assign them to districts, and pick which districts should run or move forward with at large terms for 2018 and phase in everything in 2020.

Councilmember Wilson thanked the community for their input. She spoke in support of the district based election process and advancing Working Draft District Maps 1 or 2.

Councilmember Ogorchock thanked the community for their input. She stated she was opposed to district based elections; however, if they moved forward, she would support implementation occurring in 2020 and advancing both Quadrant maps for consideration.

Mayor Wright expressed concern that "A" Street was not utilized as the dividing line in the Quadrant Map B and that the census data was outdated.

Consultant Jaime Clark clarified that "A" Street was not utilized because of population and in order to respect communities of interest. She noted that they were required to use the 2010 census data.

Mayor Wright, in referencing the quadrant map, suggested working the "C" Street area into the area designated as "A". He offered other suggestions for amending the quadrant map.

Councilmember Tiscareno suggested congressional districts stay within a community of interest.

In response to Council, Interim City Attorney Cole stated he would draft an ordinance adopting a four district system and provide two options for implementation in 2018 and 2020 which could be introduced at the next meeting. Additionally, he would bring back Working Draft District Map 1 and Quadrant Draft District Map B for consideration. He noted he would work with the demographer to reflect the revisions requested by Council.

Councilmember Ogorchock announced she would be out of town for the March 24, 2018 City Council meeting.

Following discussion, the City Council agreed on the following meeting schedule:

- April 10, 2018 – Closed Session – 5:00 P.M.
- April 10, 2018 – Special Meeting/Mapping Workshop 5:30 P.M. – 7:00 P.M.
- April 10, 2018 – Regular Meeting Introduce Ordinance – 7:00 P.M.

- April 23, 2018 – Special Meeting – Second Reading, Enactment of Ordinance, Final Adoption of a Map

Mayor Wright stated Working Draft District Map 1 and a Working Study Session for Quadrant Draft District Map B would be discussed at the Mapping Workshop on April 10, 2018.

### **COUNCIL REGULAR AGENDA**

#### **3. UPDATE TO THE CITY COUNCIL REGARDING DEVELOPMENT OF PERMANENT COMMERCIAL CANNABIS ORDINANCE**

City Manager Bernal introduced Regular Agenda Item #3.

Interim City Attorney Cole presented the staff report dated March 27, 2018 recommending the City Council receive a report regarding development of permanent commercial marijuana ordinance and provide input.

Fran Mancia and Larry Bergkamp representing MuniServices were available to answer any questions this evening.

Daniel Uribe, Oakley resident and Art Uribe, stated as Council drafted the ordinance and decided tax rates for commercial cannabis business, they requested that they keep small business owners in mind.

Susana Williams, Antioch resident, urged Council to allow recreational and consider manufacturing/growing aspect of commercial cannabis as well as the revenue generating opportunities.

Tim McCall, Economic Development Commissioner, encouraged everyone to review the full Economic Development Commission Cannabis Report and contact the Economic Development Commission for more information.

Councilmember Ogorchock requested a link to the report be added to the City's Manager's Weekly Report.

Mayor Wright questioned if there was a way to protect small businesses from increased rents for commercial space.

Mr. Mancia responded that the City could identify zoning or property areas to allow cannabis businesses so as not to impact existing businesses.



#### **4. STRATEGIC PLAN ADOPTION**

Economic Development Program Manager Zepeda announced a second Public Workshop would be held at 9:00 A.M. on May 5, 2018 at the Nick Rodriguez Community Center.

City Manager Bernal and Consultant Kendall Flint of Regional Government Services (RGS), presented the staff report dated March 27, 2018 recommending the City Council review, make comments if appropriate, and then adopt its 2018-2023 Strategic Plan.

Councilmember Tiscareno thanked Ms. Flint for the presentation and noted the information presented was reflective of input received at the community workshops.

Councilmember Ogorchock thanked Ms. Flint for the presentation and noted that while she was impressed with the package, she felt the mission statement needed to be revised.

Ms. Flint stated she would be happy to revisit the mission statement, she noted if the goals were correct they would be able to build implementation plans.

Councilmember Wilson thanked Ms. Flint for the report. She expressed concern that some items were vague and not actionable. She noted that she wanted more details for the goals and sub-items.

Councilmember Thorpe stated that he did not believe the Council had constructed goals that were aspirational.

Ms. Flint suggested that if Council could provide guidance that the goals were correct, they could move to the next phase to fill in the tactics and make it a more compelling document.

Mayor Wright stated the categories created were correct; however, the goals were confusing because they were not specific, timely or relevant and lacked aspirational change.

Ms. Flint stated she would take Council's comments and input and come back with an implementation plan.

Councilmember Tiscareno stated goals had to be attainable; however, he would support adding a visionary plan.

City Manager Bernal recommended Council hold another Council Workshop for vision planning.

Councilmember Ogorchock stated the goals were correct and she supported holding another workshop to expand on the vision plan.

City Manager Bernal stated he would communicate with Council to get their input for the scheduling of a Workshop.

5. UPDATE OF THE WATER AND SEWER RATE FEE STUDY (P.W. 362-8)
6. CONSIDERATION OF PROJECTS UNDER THE ONE-TIME REVENUE POLICY

*[At 11:00 p.m.]* On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously continued Regular Agenda Items 5 and 6 to April 10, 2018.

**PUBLIC COMMENTS** – None

**STAFF COMMUNICATIONS** – None

**COUNCIL COMMUNICATIONS**

Mayor Wright requested staff agendize a policy regarding Antioch business bids for a competitive advantage over outside bids.

**ADJOURNMENT**

Mayor Wright adjourned the meeting at 11:01 P.M. to the next regular Council meeting on April 10, 2018.

Respectfully submitted:

*Kitty Eiden*

---

KITTY EIDEN, Minutes Clerk