

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

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

**July 24, 2018  
Council Chambers**

**5:30 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).
- 2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** (Paragraph (1) of subdivision (d) of Section 54956.9) Contra Costa County Flood Control and Water Conservation District v. Eames, Contra Costa Sup. Ct. Case No. C15-02052.
- 3. CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION** – Significant exposure to litigation pursuant to California Government Code Section 54956.9 (d)(2): One potential case.

Interim City Attorney Cole reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LABOR NEGOTIATORS**, direction given to Labor Negotiators and **#2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**, no reportable action; and, **#3 CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION**, no reportable action.

Mayor Wright called the meeting to order at 7:03 P.M., and City Clerk Simonsen called the roll.

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

Mayor Wright welcomed the Antioch’s DeMolay, Rainbow Girls and Job’s Daughters who were in attendance this evening.

**PLEDGE OF ALLEGIANCE**

Rainbow Girls Diablo Valley #84 led the Council and audience in the Pledge of Allegiance.

On behalf of the Antioch/Brentwood Masonic Lodge, Councilmember Ogorchock was presented with her father’s Golden Veteran’s Award.

**1. PROCLAMATIONS**

*1st Place Finish in the 2018 SWAT Fitness Challenge, Antioch Police Department SWAT Team  
Antioch Christian Center Celebration of 20 Years of Service, August 5, 2018  
In Honor of Antioch City Treasurer Donna Conley*

*In Honor of Antioch Planning Commissioner Jim Conley*

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

Mayor Wright presented the *1st Place Finish in the 2018 SWAT Fitness Challenge, Antioch Police Department SWAT Team* proclamation to Lieutenant Bittner and Detectives Hoffman, Brogdon and Smith.

Mayor Wright presented the *Antioch Christian Center Celebration of 20 Years of Service* proclamation to Keith Archuleta who accepted on behalf of Antioch Christian Center and thanked the City Council for their support.

The City Council presented the *In Honor of Antioch City Treasurer Donna Conley* proclamation to City Treasurer Donna Conley who recognized Finance Director Merchant and Deputy City Clerk Garcia for assisting her in her duties. She stated it was a privilege to have served the citizens of Antioch.

The City Council presented the *In Honor of Antioch Planning Commissioner Jim Conley* proclamation to Antioch Planning Commissioner Jim Conley who stated it was a privilege to have served the citizens of Antioch. He spoke in support of The Ranch project and maintaining local control over development in the City.

The City Council stated they appreciated Jim and Donna Conley's service to the community and wished them the best.

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

Director of Parks and Recreation Kaiser announced the following events:

- Summer Concerts by the River from 6:00 P.M. – 8:00 P.M. in Waldie Plaza
- Mad City Money Event at 12:30 P.M. on August 1, 2018 at the Antioch Water Park
- Family Game Day from 11:00 A.M. – 6:00 P.M. on August 3, 2018 at the Water Park

Velma Wilson, Antioch Schools Education Foundation, invited the Council to attend the Mary Allen Fellow Award Dinner from 4:00 P.M. – 7:00 P.M. on September 18, 2018 at the Lone Tree Golf and Event Center. She announced tickets were available through Eventbrite.

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

City Clerk Simonsen announced the following Board and Commission openings:

- Sales Tax Citizens' Oversight Committee: Seven (7) vacancies; deadline date is August 17, 2018

He reported applications would be available online at the City's website and at the City Clerk's and Deputy City Clerks offices. He announced the nomination period for two seats on the Antioch City Council began July 16, 2018 and would end on August 10, 2018. Anyone wishing to pull papers for City Council were encouraged to contact the City Clerk's office for an appointment.

## **PUBLIC COMMENTS**

Hal Bray and Dennis Clay, representing the Contra Costa Taxpayers Association, discussed and provided Council with the current pension liabilities for cities within Contra Costa County. They questioned how the City was planning to fulfill their obligation to CalPERS and offered to assist the City with this issue.

Lisa Vorderbrueggen, Building Industry Association of the Bay Area, discussed and provided a handout to the Council of the City's Permitted Housing Units 1990-2018 and the Annual Progress Report Permit Summary Table. She offered to be a resource to the City on housing issues.

Gabi Rivas, First 5 Contra Costa, invited the community to participate in the Physical Activity and Community Engagement (PACE) program kickoff event from 11:00 A.M. – 1:00 P.M. August 25, 2018 at Prosserville Park. She encouraged residents to participate in the PACE program.

Claryssa Wilson, Antioch resident, invited the community to the 6<sup>th</sup> Annual Stuff the Bus School Supply Give Away from 10:00 A.M. – 1:00 P.M. on August 4, 2018 at Somersville Towne Center. She thanked the Warriors for donating to the event and asked the City for their support. Contact information was provided for anyone wishing to donate to the event. She suggested the City create a youth taskforce to develop more viable solutions for youth.

Dan Torres, Business Agent for Sprinkler Fitters Local 483, announced the State had adopted a State Certification for Fire Sprinkler Installers and starting January 19, 2018 it required anyone who installs, tests, or maintains life safety fire sprinklers to be a certified journeyman or a State approved registered apprentice.

Allen Payton, Antioch resident, suggested the City Council place the City Treasurer vacancy on the November ballot.

City Clerk Simonsen clarified that when an elected official resigned, there was an 88-day waiting period and the only option for Council was to appoint a replacement or call a special election.

## **COUNCIL SUBCOMMITTEE REPORTS**

Councilmember Wilson announced she would be attending a Tri Delta Transit meeting on July 25, 2018.

Councilmember Thorpe reported that on behalf of Mayor Wright, he had attended the Mayor's conference and Delta Diablo meeting. He thanked Director of Parks and Recreation Kaiser for her excellent work with youth programming.

## MAYOR'S COMMENTS

Mayor Wright reported on his attendance at the Mayors Conference on Entrepreneurship in Kansas City, Missouri.

2. **CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency**
  - A. **APPROVAL OF COUNCIL MINUTES FOR JUNE 26, 2018**
  - B. **APPROVAL OF COUNCIL WARRANTS**
  - C. **APPROVAL OF TREASURER'S REPORT FOR JUNE 2018**
  - D. **ORDINANCE NO. 2144-C-S URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH AMENDING TITLE 3, CHAPTER 2 OF THE ANTIOCH MUNICIPAL CODE TO UPDATE PROCEDURES REGARDING SIGNATURES**
  - E. **RESOLUTION NO. 2018/87 APPROVING THE SMALL LOT FINAL MAPS AND IMPROVEMENT PLANS FOR PROMENADE PHASES 1, 2 AND 3 - VINEYARDS AT SAND CREEK SUBDIVISIONS 9484, 9483 AND 9482 (PW 697-1, PW 697-2 & PW 697-3)**
  - F. **RESOLUTION NO. 2018/88 REIMBURSEMENT RESOLUTION FOR THE FILING OF A FINANCIAL ASSISTANCE APPLICATION WITH THE STATE WATER RESOURCES CONTROL BOARD FOR A DRINKING WATER STATE REVOLVING FUND LOAN UP TO \$55,000,000 FOR THE BRACKISH WATER DESALINATION PROJECT (P.W. 694)**

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

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

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

## PUBLIC HEARING

3. **PROPOSED UPDATES TO THE MASTER FEE SCHEDULE EFFECTIVE SEPTEMBER 24, 2018**

City Manager Bernal introduced Public Hearing Item #3.

Finance Director Merchant presented the staff report dated July 24, 2018 recommending that the City Council adopt the resolution approving updates to the Master Fee Schedule effective September 24, 2018.

Mayor Wright opened the public hearing.

Jacqueline Salvador, Antioch resident, expressed concern that the agenda this evening was so large that it was difficult to review all of the information. She stated if the City was going to raise the false alarm fee, then they should maintain that the first three responses in a calendar year were at no charge. She requested the City Council review the process prior to this item going forward.

Mayor Wright closed the public hearing.

Finance Director Merchant explained that the City Council had held two public Study Sessions on this item. Additionally, consultants had worked with each department over several months analyzing data to determine the maximum costs recovery for all fees.

Councilmember Ogorchock apologized for the lengthy agenda and explained two initiatives had come forward that needed to be considered this evening. She noted the Master Fee Schedule update process had been on previous agendas for discussion prior to it coming back to Council for adoption.

**RESOLUTION NO. 2018/89**

On motion by Councilmember Tiscareno, seconded by Councilmember Ogorchock, the City Council unanimously adopted the resolution approving updates to the Master Fee Schedule effective September 24, 2018.

**4. BLACK DIAMOND RANCH UNIT 4 (PD-16-01)**

City Manager Bernal introduced Public Hearing Item #4.

Director of Community Development Ebbs introduced Contract Planner Junker who presented the staff report dated July 24, 2018 recommending the City Council take the following actions: 1) Adopt the Resolution approving the Black Diamond Ranch Unit 4 Initial Study and Mitigated Negative Declaration; and 2) Introduce and Waive Reading of the Ordinance amending the Black Diamond Ranch Hillside Planned Development District; and 3) Adopt the Resolution approving the Black Diamond Ranch Unit 4 Vesting Tentative Map/Final Development Plan (PD-16-01) subject to conditions of approval.

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

**RESOLUTION NO. 2018/90  
RESOLUTION NO. 2018/91**

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously 1) Adopted the Resolution approving the Black Diamond Ranch Unit 4 Initial

Study and Mitigated Negative Declaration; and 2) Introduced and Waive Reading of the Ordinance amending the Black Diamond Ranch Hillside Planned Development District; and 3) Adopted the Resolution approving the Black Diamond Ranch Unit 4 Vesting Tentative Map/Final Development Plan (PD-16-01) subject to conditions of approval.

Mayor Wright declared a recess at 8:15 P.M. The meeting reconvened at 8:30 P.M. with all Councilmembers present.

## **COUNCIL REGULAR AGENDA**

### **5. RESOLUTION CALLING FOR A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY NOVEMBER 6, 2018 SUBMITTING TO THE VOTERS A BALLOT MEASURE EXTENDING THE TRANSACTION AND USE TAX (SALES TAX) MEASURE**

City Manager Bernal introduced Regular Agenda Item #5.

Curtis Below, FM3 Research, Opinion Research, & Strategy, presented a PowerPoint presentation of the Antioch 2018 Community Survey – Key Findings of a 2018 Survey of Antioch Voters Conducted June 10-15, 2018.

Deborah Polk and Christina Clark, East County Regional Group, spoke in support of the ballot measure and requested that at least 20 percent of the tax revenue go toward program and park equity for children and youth.

Dr. Jeffrey Klingler, Antioch resident, requested Council modify the language to include a sunset date and indicate that it was a permanent sales tax increase not earmarked for specific items.

Beverly Knight, Antioch resident, voiced her support for continuing Measure C to fully staff the Police Department.

Marty Fernandez, Antioch resident, expressed concern that an increase in tax rate would be detrimental to Antioch businesses.

Steve Aiello, Antioch Police Officers Association (APOA), gave a history of Measure C and the positive impact it had on the staffing levels of the Antioch Police Department. He stated the APOA would like to support this measure, with the understanding that at least 80 percent be directed to support public safety and with assurance of an oversight committee.

Ralph Garrow, Antioch resident, former member of the Measure C Sales Tax Citizens' Oversight Committee, stated he believed more than 60 percent of the tax revenue should be directed toward public safety and the remainder toward specific items to reduce crime.

Samson Knight, Antioch resident, voiced his support for the public safety and youth support provisions included within the new Sales Tax Initiative. He recommended 60 percent be allocated

to the Antioch Police Department with the remaining 40 percent going toward quality of life and community services.

Ellie Householder, Antioch resident, former Vice Chair of the Measure C Sales Tax Citizens' Oversight Committee, voiced her support for the new Sales Tax Initiative.

Steven Fuentes, Antioch resident, voiced his support for Measure C and increasing funding for youth programs.

Fredy Leon, East County Regional Group, requested Council consider allocating equitable funds to improve parks and programming in low income communities.

Warren Lutz, Antioch resident, advocated for 60 percent of the sales tax going toward Antioch Police Department with annual audits and at least 20 percent of the remaining revenue going toward youth services.

Rhea Laughlin, East County Regional Group, thanked Council and City Manager Bernal for proposing the Sales Tax Measure and encouraged Council to include a robust amount for children's programming and parks.

Councilmember Ogorchock thanked Councilmembers Wilson and Thorpe as well as staff for their hard work on this item. She expressed concerned that this Measure was coming to Council with a timeline that would not allow them to fully vet it. She stated that she believed the APOA should have been involved in the Adhoc committee.

Councilmember Ogorchock moved to 1) Adopt the resolution of the City Council of the City of Antioch Calling for a Municipal Election on November 6, 2018 to Request City Voters Extend and Increase the City's Transaction and Use Tax from One-Half Cent to One Cent to Provide for Public Safety and 911 Service, Support Youth, and Maintain Other Quality of Life Services; and, 2) Enact an Ordinance of the City Council of the City of Antioch Submitting a Proposition to The Voters of the City of Antioch to Amend Article 4 of Chapter 5 of Title 3 of the Antioch Municipal Code to Increase the City's Transactions and Use Tax from a Half Cent to One Cent and to Impose This Tax Until Repealed by the Voters. 3) Maintain Public Safety target for Antioch Police Department at 80 percent, support youth services 10 percent, support quality of life/fiscal stability and accountability at 10 percent.

Councilmember Tiscareno seconded the motion.

City Clerk Simonsen commented that there was no specificity with regards to the allocation of money in the Resolution or Ordinance. He recommended the Ordinance language be changed striking "Proposition" and replacing it with "Measure".

Interim City Attorney Cole explained that the only action before Council this evening was items #1 and 2. He clarified that spending priorities were essentially a staff discussion and the tax could be spent for any lawful purpose, at any time.

Councilmember Thorpe thanked Council for allowing him to serve on the committee and voiced his appreciation to staff for being part of that process. He clarified that it wasn't until recently that the information had become available and provisions were developed based on data collected.

Councilmember Wilson thanked everyone who participated in their efforts to get public input. She noted a lot of thought was put into the recommendation and the Antioch Police Department were included in the process.

Councilmember Tiscareno stated that it was his opinion that this Measure was an extension of Measure C, and the City should act accordingly. He noted his priority was sustaining and growing the Antioch Police Department and the City would have the opportunity to keep their promise on funding priorities during the budget process.

Mayor Wright stated that Antioch voters would have the opportunity to tax themselves to provide the amenities and services desired. He stated he hoped the community would come together to support the resources needed to do so. He noted that he would support 80 percent of the tax being allocated to public safety.

Interim City Attorney Cole stated he supported striking the word "Proposition" and changing it to "Measure". Additionally, he recommended the "Now, Therefore, Be It Resolved", clause read, "that the People of the City of Antioch do ordain as follows".

City Clerk Simonsen stated if approved, he would request Council consider a future budget amendment for the amount of \$63,950 to place this item on the ballot.

Councilmember Thorpe thanked Council for being understanding and assured the community that every new development would participate in a community facilities district specifically for the Antioch Police Department.

Following discussion, Councilmember Ogorchock amended her motion. Councilmember Tiscareno agreed to second the amended motion, which was approved as follows:

**RESOLUTION NO. 2018/92**  
**ORDINANCE 2145-C-S**

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously 1) Adopted a Resolution of the City Council of the City of Antioch Calling for a Municipal Election on November 6, 2018 to Request City Voters Extend and Increase the City's Transaction and Use Tax from One-Half Cent to One Cent to Provide for Public Safety and 911 Service, Support Youth, and Maintain Other Quality of Life Services; and 2) Enacted an Ordinance of the City Council of the City of Antioch Submitting a Measure to The Voters of the City of Antioch to Amend Article 4 of Chapter 5 of Title 3 of the Antioch Municipal Code to Increase the City's Transactions and Use Tax from a Half Cent to One Cent and to Impose This Tax Until Repealed by the Voters. With the following changes:



- Amending the Ordinance under the “Now, Therefore, Be It Resolved” to read: “that the People of Antioch do ordain as follows:”
- Striking the word “Proposition” from the Ordinance and replacing it with “Measure”

**6. INITIATIVE TO RESTRICT DEVELOPMENT IN PORTIONS OF THE SAND CREEK AREA, APPROVE A DEVELOPMENT AGREEMENT FOR “THE RANCH” PROJECT IN THAT AREA, AND ALLOW AMENDMENT OF THE URBAN LIMIT LINE BY VOTER APPROVAL ONLY**

City Clerk Simonsen announced a letter from Manatt that included comments on items #6 and 7 on behalf of The Zeka Group, had been distributed to Council, staff and were available in Council Chambers this evening. Additionally, copies of the PowerPoint presentation were made available to Council, staff and were available in Council Chambers this evening.

City Manager Bernal introduced Regular Agenda Item #6.

Interim City Attorney Cole clarified there was an error in the staff report and the signature tally for this initiative was 5156. He presented the staff report dated July 24, 2018 recommending the City Council receive and file the Clerk’s Certificate to Initiative Petition and A) Adopt the ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented; or B) Submit the ordinance, without alteration, to the voters; or C) Order a report pursuant to Section 9212 at the regular meeting at which the certification of the petition is presented. When the report is presented to the legislative body, the legislative body shall either adopt the ordinance within 10 days or order an election pursuant to subdivision (b).

Craig Cristina, Richland on behalf of Initiative Proponents, urged Council to adopt the West Sand Creek initiative and gave a PowerPoint Presentation of the Initiative West Sand Creek & The Ranch.

Tom Hansen, IBEW 302, Dan Torres, Sprinkler Fitters Local 483, Tom Lawson, Plumbers & Steamfitters UA Local 159, Richard Pagano, Antioch Chamber of Commerce, Walter Hart on behalf of himself and Terry Ramus, Walter Schlueter, Antioch resident, Brian Peterson, Antioch resident, Anthony Solak, Antioch resident, Mathew Brown, Antioch resident, Tim Riley, Antioch resident, Dale Paris, Antioch resident, William Dee, Antioch Police Officers Association, Daniel Vega, Antioch resident, Ralph Garrow, Antioch resident, Donald Freitas, Antioch resident, Eynar Lechado, Antioch resident, Local 483, Scott MacIntyre, Clayton resident, spoke in support of the Initiative and requested the Council adopt it this evening.

Andrew Bassak, representing The Zeka Group, suggested Council send this matter out for more study and proceed with a multi-stakeholder collaborative process. He noted if enacted, it could not be changed unless there was voter approval of the decision.

Michael Milani, The Zeka Ranch, suggested Council send both initiatives out for study. He expressed concern that the Initiative would eliminate the process and he wanted the developers to be able to present their plans to the City so that they could be fully vetted.

Louisa Kao, President of The Zeka Group and property owner of Zeka Ranch, requested Council send this matter out for a 30-day study. She noted the Initiative was flawed and would eliminate their ability to build homes.

Manny Soliz Jr., Antioch resident, Debbie Toth, President CEO, Choice in Aging, Lorna Van Ackeren, Advisory Council on Aging, spoke in support of the Initiative and requested the Council adopt it this evening.

Wendi Agluly, Antioch resident, stated she opposed The Ranch project and supported submitting the Initiative to the voters.

Kate Hart, Land Use Counsel for Richland Communities, reported this project had been thoroughly and extensively studied. She stated adoption of the Initiative this evening would insure that the development of The Ranch would occur.

Allen Payton, Antioch resident, expressed concern that the Initiative ignored private property rights. He recommended Council send both initiatives to study for 30-days to determine the financial and legal impacts to the City.

Interim City Attorney Cole reviewed the options available to Council this evening.

Councilmember Ogorchock stated that this was a good project and needed, in Antioch.

Councilmember Tiscareno agreed with Councilmember Ogorchock. He stated he was also concerned for the property rights of other developers and he hoped to be able to find mechanisms to protect the integrity of development in the area.

Interim City Attorney Cole explained that the Initiative had language that stated if anyone felt aggrieved by such an adoption, they would have to go through the exemption process before Council prior to going to Court.

Councilmember Wilson commended the developer for reaching out to the community and adjusting the project to meet their concerns. She commented that Kaiser was built with the expectation that houses would be built in the area.

Councilmember Thorpe stated he was concerned with the process in which signatures had been gathered and for the lack of participation from stakeholders in the discussions this evening. He stated the more the City did not meet their housing element, the more they would lose local control.

Mayor Wright stated he was frustrated with the process. He noted if the Council adopted the Initiative this evening, they would end up with a project that may not be the best product for the community.

Councilmember Ogorchock reminded Council that residents supported the Initiative and all property owners had the same rights.

**RESOLUTION NO. 2018/93**  
**ORDINANCE NO. 2146-C-S**

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously adopted the resolution and approved enacting the Initiative to restrict development in portions of the Sand Creek Area, approved a Development Agreement for The Ranch Project in that area and allowed amendment to the Urban Limit Line by Voter Approval Only.

**7. CONSIDERATION OF CERTIFICATION OF AND ACTION TO BE TAKEN REGARDING  
“INITIATIVE TO CHANGE GENERAL PLAN DESIGNATIONS WITHIN THE SAND  
CREEK FOCUS AREA AND PERMANENTLY REQUIRE VOTER APPROVAL OF  
AMENDMENTS TO URBAN LIMIT LINE”**

City Manager Bernal introduced Regular Agenda Item #7.

Interim City Attorney Cole presented the staff report dated July 24, 2018 recommending the City Council receive and file the Clerk’s Certificate to Initiative Petition and A) Adopt the ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented; or B) Submit the ordinance, without alteration, to the voters; or C) Order a report pursuant to Section 9212 at the regular meeting at which the certification of the petition is presented. When the report is presented to the legislative body, the legislative body shall either adopt the ordinance within 10 days or order an election pursuant to subdivision (b).

Juan Pablo Galvan, Land Use Manager for Save Mt Diablo, requested the City Council choose option A and adopt their Initiative.

Beverly Knight, Antioch resident, requested the City Council adopt this Initiative.

Ralph Garrow, Antioch resident, spoke against Council adopting the Ordinance and requested that they approve Option C to order the report.

Mayor Wright read written comment from Christina Wilcox, Antioch resident, requesting Council adopt the Ordinance.

Erwin Mendoza, Antioch resident, thanked Council for serving the community and requested that they adopt the Initiative.

Andrew Bassak, The Zeka Group, stated that given action to adopt the previous Initiative, he supported Option C, to order the report.

Michael Milani, The Zeka Group, stated that he wished they had had the opportunity to work with the park district to bring a quality development to the Zeka property.

Louisa Zee Kao, The Zeka Group, Zeka Ranch, requested Council approve Option C, to order the report.

Cort Wilcox submitted a public speaker request form suggesting Council let the voters decide on whether to approve development or allow the area to remain open space.

Kristina Gutilla, Antioch Community to Save Sand Creek, Therese Kain, Antioch resident, Liz Kain, Antioch resident, Mark Maguire, Antioch resident, stated they were opposed to development in the Sand Creek Focus Area and requested the City Council adopt the Initiative.

Paul Seger, Sierra Club, stated they were opposed to development in the Sand Creek Focus Area and requested the City Council submit the Ordinance to the voters.

Dr. Wendi Agluly, Antioch resident, spoke in opposition to any development in the Sand Creek Focus Area and supported submitting the Ordinance to the voters.

Allen Payton, Antioch resident, questioned if this Initiative passed, how would it affect the previous action of Council this evening.

Dominic Knight, Lodi resident, opposed development in the Sand Creek Focus Area and requested the City Council submit the Ordinance to the voters.

Councilmember Tiscareno expressed concern regarding petitioners for this item misinforming the public. He stated if a compromise was made between Save Mount Diablo and Richland, they had deceived the Antioch voters. He stated with those concerns, he would support Option C ordering the 30-day report.

Councilmember Ogorchock stated she appreciated public comment this evening and noted that she had also experienced petitioners misinforming the public. She discussed the need for Senior Housing in Antioch and stated she would also support ordering the 30-day report.

Councilmember Thorpe expressed concern that the public was being misinformed by the proponents of this Initiative.

Councilmember Wilson stated she had also experienced petitioners misinforming the public and she supported ordering the 30-day report.

Mayor Wright stated the land being discussed this evening was private land and noted the open space would remain.

In response to Councilmember Tiscareno, Interim City Attorney Cole stated if Council wanted to order a 30-day report on the Initiative, he would suggest it come back at a Special Meeting on August 21, 2018, and then brought back for formal action on August 28, 2018.

In response to Councilmember Thorpe, Interim City Attorney Cole explained that adoption of the Save Mount Diablo Initiative would override the previously approved Ordinance; however, the Richland Development Agreement would be executed; therefore, the Initiative would apply to all of the other properties within the Sand Creek Focus Area.

Councilmember Ogorchock requested the 30-day report include the fiscal impacts as well as the impacts to the State's requirements for residential development units.

On motion by Councilmember Tiscareno, seconded by Councilmember Ogorchock, the City Council unanimously ordered a 30-day report pursuant to Section 9212 on the Initiative to be heard at a Special Meeting on August 21, 2018 and to thereafter take action to either approve the Initiative or call an election at the next regular meeting on August 28, 2018.

**PUBLIC COMMENTS** – None

### **STAFF COMMUNICATIONS**

City Manager Bernal introduced the City's new Economic Development Director, Kwame Reed. He announced Smith's Landing would tentatively be opening on August 9, 2018 and August 9-11, 2018, they would be hosting a fundraiser with half of the proceeds going to non-profits. He also announced the delegation from Chichibu Japan would be visiting Antioch from July 30, 2018 – August 10, 2018 in honor of the 50<sup>th</sup> Anniversary with Chichibu as Antioch's Sister City and Mayor Kuki would be in attendance.

### **COUNCIL COMMUNICATIONS**

Councilmember Thorpe requested staff agendize the renaming of the streets downtown.

Councilmember Wilson requested staff agendize the establishment of a property and business improvement district for the Somersville area and a pedestrian and bicycle strategic plan.

### **ADJOURNMENT**

With no further business, Mayor Wright adjourned the meeting at 11:44 P.M. to the next regular Council meeting on August 14, 2018.

Respectfully submitted:

*Kitty Eiden*  
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KITTY EIDEN, Minutes Clerk