

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

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

**October 23, 2018  
Council Chambers**

**6:15 P.M. - CLOSED SESSION**

- 1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to California Government Code section 54956.8; Property – former Deerfield Fire Station: City Negotiator; City Manager. Document: Draft Purchase and Sale Agreement (PSA).

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 was given to Real Property Negotiators.

Mayor Wright called the meeting to order at 7:01 P.M., and Acting Deputy City Clerk/Minutes Clerk Eiden called the roll.

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

**PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Thorpe led the Council and audience in the Pledge of Allegiance.

**1. PROCLAMATIONS**

*Homeless Awareness Month, November 2018*

*Shelter-in-Place Education Day, November 7, 2018*

*National Alzheimer's Disease Awareness Month, November 2018*

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

Mayor Wright presented the *Homeless Awareness Month* proclamation to Candace Collier who discussed her struggles with homelessness, her success at overcoming her situation, and her support for homeless services in Contra Costa County.

Mayor Wright read the *Shelter-in-Place Education Day* proclamation. No one came forward to accept the proclamation.

Mayor Wright and Councilmember Ogorchock presented the *National Alzheimer's Disease Awareness Month* proclamation to Shannon Skinner, representing Somersville Towne Center, and Susannah Meyer, representing Meals on Wheels, who thanked the City for the proclamation and Councilmember Ogorchock for hosting the Senior Walk event.

Mayor Wright commented that his grandfather and Councilmember Ogorchock's mother had Alzheimer's and it was a devastating disease. He reported that Sandra Day O'Connor announced that she had been diagnosed with dementia. He thanked Ms. Skinner and Ms. Meyers for advocating on behalf of those who have this disease.

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

Director of Parks and Recreation Kaiser announced in honor of Unity Day, October 24, 2018, the City was encouraging residents to wear orange to unite for kindness, acceptance and inclusion.

Jeanette J. Abrams, GFWC Women's Club of Antioch, announced their Christmas House Tour fundraiser to benefit local schools, charities, and the restoration of their clubhouse would be held on December 9, 2018. Contact information was provided for anyone wishing to purchase tickets.

Shannon Skinner, Somersville Towne Center, announced the following events taking place at the mall:

- Senior Mall Walk, 9:00 A.M. – 11:00 A.M. on November 2, 2018
- Halloween Event, 6:00 P.M. – 8:00 P.M. on October 31, 2018
- Santa Arrives on November 23, 2018

Councilmember Ogorchock announced the Family Violence Prevention Forum would be held from 5:00 P.M. – 8:00 P.M. on October 25, 2018 at the Antioch Water Park.

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

Mayor Wright announced the following Board and Commission openings:

- Board of Administrative Appeals: One (1) alternate vacancy; deadline date is November 2, 2018
- Parks and Recreation Commission: One (1) vacancy; deadline date is November 16, 2018

**PUBLIC COMMENTS – None**

### **COUNCIL SUBCOMMITTEE REPORTS**

Mayor Wright reported on his attendance at the TRANSPLAN meeting.

### **MAYOR'S COMMENTS**

Mayor Wright thanked the citizens of Antioch for their patience while construction work and street improvements were taking place throughout the City.

## **PRESENTATION**

### *BART Parking Update*

Ric Rattray, BART Project Manager, gave a PowerPoint presentation.

Councilmember Tiscareno thanked Mr. Rattray for the report.

In response to Councilmember Tiscareno, Mr. Rattray stated they were supportive of the road connection from Viera Avenue and the existing parking lot was designed to accommodate the improvements.

Joel Keller, BART Director, added that they would be meeting with staff, property owners, and representatives from CCTA to determine if a partnership could be put together to expedite the process. He noted if they lived within the guidelines of the specific plan, the area could be developed to benefit all stakeholders.

Councilmember Tiscareno discussed the importance of developing the infrastructure to facilitate development of the area.

Mr. Keller pledged to come back to the City Council with an update as the conversations regarding circulation and the road improvements progressed.

In response to Councilmember Wilson, Mr. Rattray commented that he would continue to work with staff to develop a plan to address vehicular wayfinding.

City Engineer/Public Works Director Blank added that he was reviewing the traffic study and would be participating in discussions to improve access to the station.

Councilmember Ogorchock thanked Mr. Rattray and Mr. Keller for the presentation. She reported that she had attended the Pittsburg BART Board of Directors meeting and she thanked them for bringing the meeting to East County. She questioned if the new parking stalls would be added to the reserve list.

Mr. Keller explained that there was a formula, based on performance, that would indicate how many spots should be reserved.

Councilmember Ogorchock commented that additional parking caused additional traffic concerns.

Mr. Keller responded that the additional spaces would require environmental review.

Councilmember Ogorchock spoke in support of building an overpass to Larkspur to alleviate some of the parking issues.

In response to Councilmember Thorpe, Mr. Keller provided an update on parking at the Bay Point/Pittsburg station.

Councilmember Thorpe stated he was supportive of constructing a parking garage, as a sustainable parking solution. He questioned if BART would commit to working with the City on the future planning decisions for the area around the station.

Mr. Keller explained the AB23 process and pledged to support the City of Antioch's desires for development around the station area. He commented that he understood the importance of local decision making and it was important that they work together to make sure the voices of the local residents were heard during the process.

Mayor Wright thanked Mr. Rattray and Mr. Keller for the presentation. He noted that the biggest issue was that the BART Board did not understand suburban problems. He further noted MTC and ABAG models failed in determining the parking and circulation needs, and it was important to develop a solution prior to someone being injured.

Mr. Keller stated that Mayor Wright's observations were legitimate and he pledged to work with staff and stakeholders, and come back in approximately 90-days to report on the options available to improve access to the station.

- 2. CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency**
  - A. APPROVAL OF COUNCIL MINUTES FOR OCTOBER 9, 2018**
  - B. APPROVAL OF COUNCIL WARRANTS**
  - C. REJECTION OF CLAIM: ERIKA HUNT**
  - D. TREASURER'S REPORT – AUGUST 2018**
  - E. TREASURER'S REPORT – SEPTEMBER 2018**
  - F. ORDINANCE NO. 2155-C-S SECOND READING – QUAIL COVE PROJECT**
  - G. ORDINANCE NO. 2156-C-S SECOND READING – WAIVER OF SECOND READING OF AND ENACTMENT OF ORDINANCE AMENDING TITLE 3, CHAPTER 2 OF THE ANTIOCH MUNICIPAL CODE TO UPDATE PROCEDURES REGARDING SIGNATURES**
  - H. RESOLUTION NO. 2018/133 SECOND AMENDMENT TO THE CONSULTANT SERVICE AGREEMENT WITH WOODARD & CURRAN FOR THE BRACKISH WATER DESALINATION PROJECT (P.W. 694)**

- I. **RESOLUTION NO. 2018/134 SIXTH AMENDMENT TO THE CONSULTANT SERVICES AGREEMENT FOR PROFESSIONAL SERVICES WITH WALTER BISHOP CONSULTING**
- J. **RESOLUTION NO. 2018/135 SEWER SYSTEM MANAGEMENT PLAN – PLAN ADOPTION**

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

**K. APPROVAL OF HOUSING SUCCESSOR WARRANTS**

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

**PUBLIC HEARING**

**3. BRACKISH WATER DESALINATION PROJECT (P.W. 694)**

City Manager Bernal introduced Public Hearing Item #3.

Public Works Director/City Engineer Blank and Project Manager Jim O'Toole presented the staff report dated October 23, 2018 recommending the City Council adopt a resolution certifying the Environmental Impact Report (EIR) for the Brackish Water Desalination project, adopting Findings of Fact, adopting the Mitigation Monitoring and Reporting, and approving the project.

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

In response to Council, Public Works Director/City Engineer Blank discussed potential funding opportunities to deliver the project. He clarified that this item would be coming back to the City Council for approval.

Councilmember Ogorchock thanked staff for bringing the EIR to Council and moving the project forward.

In response to Mayor Wright, Public Works Director/City Engineer Blank explained the regulatory environmental process moving forward.

City Manager Bernal explained that they would consider every option on bidding the project and it would be brought back to Council.

**RESOLUTION NO. 2018/136**

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously adopted a resolution certifying the Environmental Impact Report (EIR) for the Brackish

Water Desalination project, adopting Findings of Fact, adopting the Mitigation Monitoring and Reporting Program, and approving the project.

**4. FORMATION OF THE PROPOSED CITY OF ANTIOCH COMMUNITY FACILITIES DISTRICT NO. 2018-02 (POLICE PROTECTION)**

City Manager Bernal introduced Public Hearing Item #4.

Administrative Analyst II Hoffmeister presented the staff report dated October 23, 2018 recommending the City Council take the following actions: 1) Adopt the Resolution Authorizing Formation of the City of Antioch Community Facilities District ("CFD") No. 2018-02 (Police Protection); 2) Adopt the Resolution Calling Special Landowner Election; 3) Adopt the Resolution Declaring Results of Special Landowner Election and Directing Recording of Notice of Special Tax Lien; and 4) Introduce the Ordinance Levying Special Taxes within the City of Antioch Community Facilities District No. 2018-02 (Police Protection) by title only.

City Attorney Cole discussed the process and procedure for this agenda item.

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

In response to Councilmember Tiscareno, Interim City Attorney Cole clarified that the tax rate was based on the consultant's analysis for the cost of services. He explained that if the recommended action were approved, it would be executing conditions of approval for the property owner and they could not add any other stipulations. He noted that fire department staffing issues could be addressed through other means.

A motion was made by Councilmember Ogorchock, seconded by Councilmember Tiscareno, to 1) Adopt the Resolution Authorizing Formation of the City of Antioch Community Facilities District ("CFD") No. 2018-02 (Police Protection); and 2) Adopt the Resolution Calling Special Landowner Election; and 3) Adopt the Resolution Declaring Results of Special Landowner Election and Directing Recording of Notice of Special Tax Lien; and 4) Introduce the Ordinance Levying Special Taxes within the City of Antioch Community Facilities District No. 2018-02 (Police Protection) by title only.

Administrative Services Director Mastay, with concurrence of Interim City Attorney Cole, recommended the Council take action on Items #1 and #2, and delay action on items #3 and #4 until the official ballot from the property owner was counted.

The motion was amended as follows:

**RESOLUTION NO. 2018/137**  
**RESOLUTION NO. 2018/138**

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously: 1) Adopted the Resolution Authorizing Formation of the City of Antioch Community Facilities District ("CFD") No. 2018-02 (Police Protection); and 2) Adopted the Resolution Calling Special Landowner Election.

Mayor Wright declared a recess at 8:16 P.M. for the Acting Deputy City Clerk/Minutes Clerk Eiden to count the ballots.

The meeting reconvened at 8:26 P.M. with all Councilmembers present.

Acting Deputy City Clerk/Minutes Clerk Eiden reported that she had received the official ballot from the property owner and there were 63 YES votes and 0 NO votes.

**RESOLUTION NO. 2018/139**

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council unanimously: 3) Adopted the Resolution Declaring Results of Special Landowner Election and Directing Recording of Notice of Special Tax Lien; and 4) Introduced the Ordinance Levying Special Taxes within the City of Antioch Community Facilities District No. 2018-02 (Police Protection) by title only.

**COUNCIL REGULAR AGENDA**

**5. FORMATION OF COMMUNITY FACILITIES DISTRICT FOR VINEYARDS AT SAND CREEK RESIDENTIAL PROJECT**

City Manager Bernal introduced Regular Agenda Item #5.

Public Works Director/City Engineer Blank presented the staff report dated October 23, 2018 recommending the City Council adopt a resolution: 1) Authorizing the California Statewide Communities Development Authority ("CSCDA") to form a Community Facilities District within the City of Antioch to finance certain public improvements; and 2) Incorporating a Joint Community Facilities Agreement setting forth the terms and conditions of the Community Facilities District financing; and 3) Approving an acquisition agreement between the City and the Developer; and 4) Authorizing City staff to cooperate with CSCDA and its consultants in connection with the Community Facilities District formation and financing.

A representative from Century Communities, explained that a large amount of improvements were being made to service the entire area and this financing mechanism enabled the project to be financially feasible. He noted that it was part of the development agreement and this evening was an implementation of what had always been contemplated.

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, the City Council moved to 1) Adopt the Resolution Authorizing Formation of the City of Antioch Community Facilities District ("CFD") No. 2018-02 (Police Protection).

The motion was approved unanimously; however, it was later pointed out by Interim City Attorney Cole that this motion reflected action already taken in agenda item #4. A subsequent motion was made after Public Comments to correct this action.

## **PUBLIC COMMENTS**

Annette Taylor, Contra Costa County Delta Stars, announced they were hosting a professional men's basketball team game on November 3, 2018, at the Antioch Community Center. She requested Council reconsider the City policy that prohibited food inside the facility because it was a substantial portion of the income for their team.

Mayor Wright requested City Manager Bernal to work with Ms. Taylor or bring the item back to Council.

Interim City Attorney Cole announced that the motion for item #5 reflected action already taken in agenda item #4 and recommended a subsequent motion be made to correct this action.

### **5. FORMATION OF COMMUNITY FACILITIES DISTRICT FOR VINEYARDS AT SAND CREEK RESIDENTIAL PROJECT**

#### **RESOLUTION NO. 2018/140**

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, the City Council unanimously 1) Authorized the California Statewide Communities Development Authority ("CSCDA") to form a Community Facilities District within the City of Antioch to finance certain public improvements; and 2) Incorporating a Joint Community Facilities Agreement setting forth the terms and conditions of the Community Facilities District financing; and 3) Approved an acquisition agreement between the City and the Developer; and 4) Authorized City staff to cooperate with CSCDA and its consultants in connection with the Community Facilities District formation and financing.

#### ***PUBLIC COMMENTS – Continued***

Mayor Wright read written comment from Jeff Belle informing Council and residents of a proposal to create a Contra Costa Veterans education Hall at the Concord Naval Weapons Station.

## **STAFF COMMUNICATIONS**

City Manager Bernal announced this was the final meeting prior to the election and he encouraged everyone to vote on November 6, 2018.

## **COUNCIL COMMUNICATIONS – None**



**ADJOURNMENT**

With no further business, Mayor Wright adjourned the meeting at 8:37 P.M. to the next regular Council meeting on November 13, 2018.

Respectfully submitted:

*Kitty Eiden*

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KITTY EIDEN, Minutes Clerk