

CITY COUNCIL MEETING

Special/Regular Meeting
7:00 P.M.

November 10, 2020
Meeting Conducted Remotely

The City of Antioch, in response to the Executive Order of the Governor and the Order of the Health Officer of Contra Costa County concerning the Novel Coronavirus Disease (COVID-19), held Antioch City Council meetings via Comcast channel 24, AT&T U-verse channel 99, and live stream (at www.antiochca.gov). The City Council meeting was conducted utilizing Zoom Audio/Video Technology.

5:00 P.M. - CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** pursuant to California Government Code section 54956.9(d)(1) – Zeka Ranch One, LLC et al. v. City of Antioch et al., Contra Costa Superior Court Case Nos. N18-0228, N18-0229, N18-0231, and N18-0232.

Mayor Wright called the Special Meeting to order at 6:00 P.M. and City Clerk Simonsen called the roll.

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

The City of Antioch, in response to the Executive Order of the Governor and the Order of the Health Officer of Contra Costa County concerning the Novel Coronavirus Disease, had made the Antioch City Council meeting available via Comcast channel 24, AT&T U-verse channel 99, or live stream at www.antiochca.gov. Anyone wishing to make a public comment, may do so any of the following ways: (1) by filling out an online speaker card, located at <https://www.antiochca.gov/government/city-council-meetings/live/>, (2) by emailing the City Clerk prior to or during the meeting at cityclerk@ci.antioch.ca.us or (3) by dialing (925) 776-3057 during the meeting.

PLEDGE OF ALLEGIANCE

Mayor Wright led the Council and audience in the Pledge of Allegiance.

STUDY SESSION

1. **FISCAL YEAR 2020-21 BUDGET REVIEW AND CONSIDERATION OF MODIFICATIONS TO BUDGET ALLOCATIONS**

City Manager Bernal introduced Study Session Item #1.

Finance Director Merchant presented the staff report dated November 10, 2020 recommending the City Council receive the Fiscal Year (FY) 2020-21 budget information and provide direction to staff.

Councilmember Ogorchock spoke in support of a budget amendment to increase parking enforcement and allocating the one-time revenues toward the City's unfunded liabilities.

In response to Councilmember Ogorchock, Finance Director Merchant explained that as a result of the City committing to paying the full actuarial determined contribution for Other Postemployment Benefits (OPEB), the reduction in the City's unfunded liability was over \$20M.

Councilmember Wilson spoke in support of allocating the one-time revenues toward the City's unfunded liabilities or using it as a placeholder until budget discussions next year.

Councilmember Motts commented that she would support one-time revenues funding Body Cameras for the Antioch Police Department with the remainder allocated toward the City's unfunded liabilities.

Councilmember Thorpe spoke in support of allocating the one-time revenues toward the City's unfunded liabilities and holding off on consideration of body cameras and parking enforcement until budget discussions next year.

Mayor Wright spoke in support of spoke allocating one-time revenues toward the City's unfunded liabilities.

A motion was made by Councilmember Ogorchock to increase the parking enforcing contract for an estimated cost of \$65,575 and allocating one-time revenues to unfunded liabilities for \$385,620.

City Clerk Simonsen explained that according to the agenda, this item was under direction and staff was looking for consensus of Council.

In response to Councilmember Motts, Chief Brooks clarified that there was currently a backlog of approximately 1,000 outstanding parking complaints and funding an additional position would help significantly.

Following discussion, a majority consensus of Council agreed to add parking enforcement as a budget adjustment and apply \$385,000 of one-time revenue to the City's unfunded liability.

Finance Director Merchant stated these changes would be incorporated into the budget report that would be coming to Council on November 24, 2020.

MOTION TO ADJOURN SPECIAL MEETING/STUDY SESSION

On motion by Councilmember Ogorchock, seconded by Councilmember Motts, the City Council unanimously adjourned the Special Meeting at 6:35 P.M.

Mayor Wright called the Regular Meeting to order at 7:00 P.M.

City Attorney Smith reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LEGAL COUNSEL**, no reportable action.

City Clerk Simonsen called the roll.

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

PLEDGE OF ALLEGIANCE

Mayor Wright led the Council and audience in the Pledge of Allegiance.

2. INTRODUCTION OF NEW CITY EMPLOYEES

City Manager Bernal introduced Agenda Item #2.

Chief Brooks introduced Erick Chavez, Steven Miller, Nicco Pedreira and Daniel Navarrette Police Officers, who thanked Chief Brooks for the introduction and stated they looked forward to working for the City of Antioch.

Director of Public Works/City Engineer Samuelson introduced Ronald Chandra, Operations Supervisor, Zachary Hylton, Senior Water Treatment Operator and Chris Molina, Water Treatment Operator who thanked Director of Public Works/City Engineer Samuelson for the introduction and stated they looked forward to working for the City of Antioch.

Finance Director Merchant introduced Patricia Ricks, Customer Service Representative, who thanked Finance Director Merchant for the introduction and stated she looked forward to working in Customer Service for the City of Antioch.

Mayor Wright welcomed the new City employees to the City of Antioch.

City Manager Bernal thanked Council for giving staff the opportunity to introduce new employees.

3. PROCLAMATION

National Alzheimer's Disease Awareness, November 2020

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

Director of Parks and Recreation Kaiser, on behalf of community partners, seniors and staff, thanked the City Council for the National Alzheimer's Disease Awareness proclamation.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Director of Parks and Recreation Kaiser announced the Veteran's Day Celebration would be held on November 11, 2020 at the Veteran's Memorial at the Antioch Marina. She noted that the event would be "Drive in Style" and requested everyone arrive and be parked by 9:50 A.M.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen announced the following Board and Commission openings:

- Parks and Recreation Commission: Two (2) vacancies; deadline date is November 13, 2020
- Police Crime Prevention Commission: One (1) vacancy: deadline date is November 13, 2020
- Sales Tax Citizens' Oversight Committee: Four (4) vacancies: deadline date is December 4, 2020
- Planning Commission: One (1) vacancy: deadline date is December 4, 2020

He reported applications would be available online at the City's website.

PUBLIC COMMENTS

The following public comments were read into the record by Administrative Services Director Mastay.

Melissa Case, Antioch resident, provided written comment encouraging Council to not use taxpayer's money to fund the purchase or lease of a building to house homeless. She offered a variety of guidelines should the City move forward with the project.

Greg Enholm, Contra Costa County Community College District Ward 5 Trustee, provided written comment announcing Bryan Reece, Ph. D. was selected as chancellor of the Contra Costa Community College District and encouraging Council to invite him to a meeting to give a presentation.

COUNCIL SUBCOMMITTEE REPORTS/COMMUNICATIONS

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

Councilmember Motts reported on her attendance at the Community Transportation Update.

MAYOR'S COMMENTS

Mayor Wright congratulated all of those who ran for office and those who will continue to serve the community.

4. **CONSENT CALENDAR**
 - A. **APPROVAL OF COUNCIL MINUTES FOR OCTOBER 27, 2020**
 - B. **APPROVAL OF COUNCIL WARRANTS**
 - C. **RESOLUTION NO. 2020/163 AUTHORIZING THE CITY COUNCIL TO ACCEPT SEGMENTS 1 AND 2 PARCELS OF RELINQUISHMENT 56137 FROM THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION**
 - D. **RESOLUTION NO. 2020/164 CONSULTANT SERVICES AGREEMENT WITH HB CONSULTING GROUP, INC. SOLE SOURCE REQUEST, FOR PROJECT MANAGEMENT SERVICES DURING CONSTRUCTION AND CLOSE OUT OF THE BRACKISH WATER DESALINATION PROJECT (P.W. 694)**
 - E. **RESOLUTION NO. 2020/165 APPROVING A PARTIAL ASSIGNMENT AND ASSUMPTION AGREEMENT FOR VINEYARDS PROMENADE AT SAND CREEK SUBDIVISION 9390 FROM GBN PARTNERS, LLC TO TRI PONTE HOMES, INC. AND HEARTHSTONE, LLC**
 - F. **REJECTION OF CLAIMS: CHINA YOUNG, CLAUD'JANAE YOUNG, MIGUEL MINJARES, MONICA MEADORS-WASHINGTON, AND RAMONA MAYON**

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

City Clerk Simonsen congratulated Councilmember Ogorchock on her appointment as Chair of the League of California Cities Governance Transparency and Labor Relations Policy Committee.

PUBLIC HEARING

5. **Z-80-02 – APPEAL OF REVOCATION OF USE PERMIT FOR AUTOMOTIVE REPAIR SHOP AT 901 A STREET**

City Manager Bernal introduced Public Hearing Item #5.

Director of Community Development Ebbs presented the staff report dated November 10, 2020 recommending the City Council take one of the following actions: 1) Adopt the Resolution Denying the Appeal and Upholding the Planning Commission Revocation of Use Permit Z-80-02; OR 2) Adopt the Resolution Granting the Appeal and modifying Use Permit Z-80-02 to permit the continued operation of the Auto Repair-Major use with new operating conditions. He announced that the revised attachment B was under consideration.

In response to Councilmember Motts, Director of Community Development Ebbs stated he had reviewed the operational conditions with the applicant who had also consented to the refined hours of operation submitted by the neighbor.

Mayor Wright opened the public hearing.

APPEALANT

Jayme Junta, speaking on behalf of the property owner, announced that he along with other family members would be taking over management of the property. He gave a PowerPoint presentation that included a history of the property and explaining letters sent by City staff were only directed to the operator of the business so the property owner was not advised of code enforcement issues at the business. He commented that the business was under new ownership, all code enforcement violations had been resolved and a more stringent lease was in place. He noted there was also a direct line of communication between the property owner and City staff. He further noted they were in agreeance with the conditions of approval and they had had discussions with the neighbor, Diane Gibson-Gray and they agreed to the following hours of operation:

- Monday – Saturday 8:00 A.M. -7:00 P.M.
- Sunday – closed to the public (only cleaning and administrative work permitted)
- Closed New Year’s Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving and Christmas

The following public comments were read into the record by Administrative Services Director Mastay.

Melissa Case provided written comment in support of granting the appeal and modifying the Use Permit to allow for the continued operation of the auto repair use. She suggested the City consider relief options for the business owner.

Diane Gibson Gray provided written comment in support of adopting the resolution granting the appeal and modifying the use permit as well as the conditions related to the new hours/days of operation previously discussed.

Councilmember Wilson urged the property owner to keep the lines of communication open with staff.

Councilmember Motts thanked the appellant for being responsive to staff and the neighbors.

Mayor Wright closed the public hearing.

RESOLUTION NO. 2020/166

On motion by Councilmember Thorpe, seconded by Councilmember Motts, the City Council unanimously adopted the Resolution Granting the Appeal and modifying Use Permit Z-80-02 to

permit the continued operation of the Auto Repair-Major use with new operating conditions (modified attachment "B") and modified hours of operation.

COUNCIL REGULAR AGENDA

6. CDBG-CV3 CARE FUND RECOMMENDATIONS AND SUBSTANTIAL AMENDMENT TO THE 2020-21 ACTION PLAN (Continued from 10/27/20)

City Manager Bernal introduced Regular Agenda Item #6.

Director of Community Development Ebbs presented the staff report dated November 10, 2020 recommending the City Council open the public hearing, consider any public testimony, and then continue the public hearing to the November 24, 2020 City Council meeting.

The following public comments were made by individuals who dialed in via telephone during the meeting.

Christine Clark and Rochelle Pierre representing East County Regional Group, requested the City consider allocating CDBG funds for rental assistance and legal representation for eviction defense.

A motion was made by Councilmember Thorpe, seconded by Councilmember Ogorchock to postpone the item.

Following discussion, the previous motion was amended as follows:

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock the City Council unanimously continued the public hearing to November 24, 2020.

7. RESOLUTION APPROVING THE PARK RIDGE SUBDIVISION "PARK" AND "VALERIANO AND GUISEPPINA JACUZZI KNOLLS OPEN SPACE" MASTER PLAN (P.W. 674)

City Manager Bernal introduced Regular Agenda Item #7.

Director of Public Works/City Engineer Samuelson presented the staff report dated November 10, 2020 recommending the City Council adopt a resolution approving the Park Ridge Subdivision "Park" and "Valeriano and Guiseppina Jacuzzi Knolls Open Space" Master Plan.

Steve Abbs, Davidon Homes, stated this was an exciting project and amenity for the City of Antioch. He announced that they intended to begin construction in the Spring 2021.

Scott Feuer gave a PowerPoint presentation of the Park Ridge Park - Conceptual Landscape Plan (Attachment "C").

Councilmember Ogorchock requested the park include all-access playground equipment.

RESOLUTION NO. 2020/167

On motion by Councilmember Motts, seconded by Councilmember Ogorchock, the City Council unanimously adopted a resolution approving the Park Ridge Subdivision "Park" and "Valeriano and Guiseppina Jacuzzi Knolls Open Space" Master Plan with an added condition requiring ADA accessibility playground equipment.

Mayor Wright thanked Mr. Abbs and Mr. Feuer for the presentation.

PUBLIC COMMENTS – None

STAFF COMMUNICATIONS

City Manager Bernal reminded the community of the Veteran's Day Celebration at 10:00 A.M. on November 11, 2020 at the Veteran's Memorial at the Antioch Marina.

COUNCIL COMMUNICATIONS – None

ADJOURNMENT

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council unanimously adjourned the Regular meeting at 8:19 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk