

## CITY COUNCIL MEETING

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

**August 8, 2017**  
**Council Chambers**

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

- 1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: City Manager.** This closed session is authorized pursuant to Government Code section 54957.

Interim City Attorney Cole reported the City Council had been in Closed Session and gave the following report: **#1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION**, no reportable action.

Mayor Wright called the meeting to order at 7:04 P.M., and City Clerk Simonsen called the roll.

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

### **PLEDGE OF ALLEGIANCE**

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

Mayor Wright opened the meeting and led a moment of silence in memory of Antioch resident and Board of Administrative Appeals Vice Chair, Fred Rouse.

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

Lieutenant Schnitzius announced the Antioch Police Department Citizens Academy would begin on October 4, 2017. He noted applications would be accepted until September 1, 2017 and were available on the City's website or at the Antioch Police Department. He distributed flyers for the event to Council and noted they were also available in Council Chambers.

Chief Brooks announced staff of the Antioch Police Department would be announcing various civic events in the near future. He reported the surveillance cameras in the East 18<sup>th</sup> Street and Cavallo Road corridor were installed and the project was completed ahead of schedule and on budget. He added that since the technology had been implemented, they had recovered six stolen vehicles. He thanked Council for their support of the project.

Director of Park and Recreation Kaiser announced the Fall Recreation Guide would be mailed to residents on August 9, 2017 and provided the following event schedule:

- Antioch Senior Center trip to the Garin Apple Festival on September 9, 2017 at Garin Regional Park, Hayward
- Hot Summer Night Car Show fundraiser from 12:00 P.M. – 5:00 P.M. on September 16, 2017 at the Antioch Senior Center
- Last Call for Summer Fun half price admission on September 4, 2017 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) vacancy; deadline date is August 25, 2017*
- *Economic Development Commission: One (1) vacancy; deadline date is September 1, 2017*

## **PUBLIC COMMENTS**

Dwayne Eubanks, speaking as a citizen and on behalf his neighbors, thanked the City for replacing the retaining wall along James Donlon Blvd. He provided Council with photos of the project and a list of signatures from residents thanking Council for their support. He expressed interested in partnering with the City to landscape the area and requested a trash can be installed at the bus stop.

Jim Lanter, Rivertown Business Owner, discussed the impact increased criminal activity had on downtown business owners. He suggested the Antioch Police Department increase patrols in the area to deter and prevent crime from occurring after dark.

John Goodson requested downtown business owners in attendance stand and noted he along with those in attendance were concerned regarding criminal activities occurring downtown. He requested a task force of business owners, homeowners and City leaders be formed to develop a plan to reduce crime in the area.

Manual Sebrian expressed interest in developing Humphrey's Restaurant as a work program for the school district. He spoke in support of more surveillance cameras in high crime areas and implementing a Body Camera Program for the Antioch Police Department.

Debbie Blaisure, thanked Chief Brooks for meeting with her to discuss the recent burglary that occurred at her business. She spoke in support of increasing police patrols in downtown and stated the Rivertown business owners looked forward to a presentation on the Business Watch Program. She thanked the Council for listening to their concerns and suggested the homeowners, business owners and City work together to address the issues.

Tom Lamonthé, Antioch resident and business owner, spoke to the recent efforts to revitalize the downtown district and urged Council to work with the Rivertown District Merchants in providing police protection and addressing homelessness.

Joy Motts, Antioch resident, discussed increased criminal activity occurring downtown and noted that it was undermining the success of businesses. She suggested increased police or security presence to deter criminal activity in the area. She requested a meeting with the City and representatives of Rivertown to discuss a solution.

Angela deVictoria, expressed concern regarding an abandoned property at 406 H St. and requested the City red tag the home.

Mayor Wright, on behalf of JR Wilson, announced Stand Down on the Delta would be held August 11-14, 2017 at the Contra Costa County Fairgrounds and anyone wishing to volunteer could sign up on their website.

Chief Brooks reported that he took the comments from the Rivertown District business owners seriously and explained that property crime was affecting communities throughout the State. He noted the Police Department patrolled downtown; however, they could not be present at all times. He commented that the Police Crime Prevention Commission would be providing downtown business owners with resources to enable them to help themselves. He announced that the person responsible for the Rivertown Treasure Chest burglary had been identified from surveillance video and was arrested. He stated he looked forward to working with the business owners to address their concerns.

Ladonna Hardman, owner of NuceNuce Deli, stated she felt she was being harassed by a community member and if the situation continued, she would be taking legal action.

### **COUNCIL SUBCOMMITTEE REPORTS**

Councilmember Wilson reported on her attendance at the Mello Roos meeting on August 7, 2017 with Councilmember Ogorchock.

Councilmember Thorpe reported on his attendance at the Mayor's Conference in July and a Transportation Conference in Chicago with Councilmember Wilson and a 2018 Ballot Measures Adhoc committee meeting. He thanked Chief Brooks for his leadership.

Councilmember Tiscareno read an email from CDBG Consultant Teri House updating Council on a warming center program for homeless families, at the Antioch library.

Councilmember Ogorchock added that the warming center program would utilize the conference room at the library and was specifically intended for families. She suggested that she work with Councilmember Tiscareno and CDBG Consultant House on the response to the Grand Jury Report.

Mayor Wright suggested agendizing a discussion regarding the formation of an adhoc committee for the purpose of responding to the Grand Jury report.

Councilmember Ogorchock reported on her attendance at the League of California Cities meeting and her participation in National Night Out. She thanked Chief Brooks and Sergeant Meads for organizing the event.

Councilmember Tiscareno reported on his participation in National Night Out.

Mayor Wright reported on his attendance at the Mayor's Conference and his participation in National Night Out.

### **MAYOR'S COMMENTS**

Mayor Wright thanked Council for participating in National Night Out and encouraged more neighborhoods to participate next year. He reported that he had attended the Citizens' Police Academy and he urged residents to apply for the program.

## PRESENTATION

City Manager Bernal introduced the Presentation.

Izac Chyou, Senior Managing Consultant, presented the Investment Report by Public Finance Management (PFM).

1. **COUNCIL CONSENT CALENDAR**
  - A. **APPROVAL OF COUNCIL MINUTES FOR JULY 25, 2017**
  - B. **APPROVAL OF COUNCIL WARRANTS**
  - C. **ORDINANCE NO. 2125 C-S SECOND READING OF ORDINANCE – AMENDING TOBACCO AND PARAPHERNALIA RETAILER REGULATIONS BY REPEALING ANTIOCH CITY CODE SECTIONS 5-16.01 AND 6-8.14, AND REPEALING AND REPLACING SECTIONS 9-5.203 AND 9-5.3843 (Introduced on 07/25/17)**
  - D. **ORDINANCE NO. 2126 C-S SECOND READING OF ORDINANCE – ALMOND KNOLLS PROJECT (GP-16-03, Z-16-02, UP-16-19, V-17-02, AR-16-14) (Introduced on 07/25/17)**
  - E. **RESOLUTION NO. 2017/99 FINAL ACCEPTANCE OF THE CURB, GUTTER, AND SIDEWALK REPAIR INCLUDING TREE REMOVAL AND STUMP GRINDING AND INSTALLATION OF CONCRETE CURB RAMPS AT MISCELLANEOUS LOCATIONS PROJECT (P.W. 507-15)**
  - F. **RESOLUTION NO. 2017/100 FIRST AMENDMENT TO THE CONSULTANT SERVICE AGREEMENT WITH BROWN AND CALDWELL FOR THE RIVER PUMP STATION EVALUATION, (P.W. 565-6)**
  - G. **RESOLUTION NO. 2017/101 CONSIDERATION OF BIDS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DOWNTOWN ROADWAY PAVEMENT REHABILITATION, PHASE 7 (P.W. 678-7)**
  - H. **UPDATE AND INITIATION OF ENVIRONMENTAL PROCESS FOR THE BRACKISH WATER DESALINATION PROJECT (P.W. 694)**
  - I. **RESOLUTION NO. 2017/102 WATER TREATMENT PLANT - REMOVE/INSTALL GRANULAR ACTIVATED CARBON**
  - J. **RESOLUTION NO. 2017/103 WATER TREATMENT CHEMICALS PURCHASE – VENDOR CHANGE**

On motion by Councilmember Wilson, seconded by Councilmember Ogorchock, the City Council approved the Council Consent Calendar. The motion carried the following vote:

*Ayes: Wilson, Tiscareno, Ogorchock, Wright*

*Absent: Thorpe*

Councilmember Thorpe returned to the dais at 8:17 P.M.

## **PUBLIC HEARING**

### **2. URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH IMPOSING A MORATORIUM ON THE CONVERSION OF MOBILE HOME PARKS FROM SENIOR-ONLY TO ALL-AGES HOUSING (*Continued from 07/25/17*)**

City Manger Bernal introduced Public Hearing Item 2.

Interim City Attorney Cole discussed the manner in which the Public Hearing would be conducted and presented the staff report dated August 8, 2017 recommending the City Council enact an Urgency Ordinance of the City Council of the City of Antioch Imposing a Moratorium on the Conversion of Mobile home Parks from Senior-Only to All-Ages Housing.

Mayor Wright opened the public hearing.

Al Ives, Vista Diablo Mobile Home Park, Homeowners Board of Directors, urged Council to pass the moratorium to retain the park as a senior-only facility. He expressed concern regarding economic eviction and suggested the City pursue rent control. He provided statistics for mobile home parks with rent control ordinances and read a letter authored by Tom Torlakson in favor of a mobile home rent stabilization ordinance. He suggested the City discuss ways to help current homeowners with long-term leases and determine why park owners could not retain managers or provide preventative maintenance.

Lola Buck, President Vista Diablo Association, speaking on behalf of several residents present in Council Chambers, thanked Interim City Attorney Cole for drafting the ordinance. She reported that she believed recent actions by park management were in retaliation for residents speaking out and requesting the City's help. She urged Council to approve the urgency ordinance to impose the moratorium.

Gilbert Davis, Vista Diablo Mobile Home Park, stated the City did not provide an adequate amount of senior housing. He reported that regardless of a moratorium requiring the owners to maintain the park as a senior community for 10 years, management had allowed families, with children under the age of 18, to move into the park. He noted that park owners should be required to respond to the violation of the terms of their agreement with the City. He further noted that there was a discrepancy in space rents being charged. He spoke in support of maintaining the park as a senior community.

Vivian Espinoza, Vista Diablo Mobile Home Park, Secretary/Treasurer of Golden State Manufactured-home Owners League (GSMOL), thanked Interim City Attorney Cole for drafting the

ordinance. She reported the park was advertised as a senior community and residents were concerned their lifestyle would be disturbed if it was converted to a family park. She discussed the negative impacts of a family park environment and noted families had been allowed to move into the park which was in violation of park rules. She stated it was financially infeasible for them to move their homes. She encouraged Council to approve the senior overlay zoning ordinance.

Pat Honchell, Vista Diablo Mobile Home Park, stated she enjoyed living in a senior park with residents in the same age group, who were involved in the same activities. She reported that the structural integrity of her unit had been compromised when trenches were dug for additional spaces adjacent to her home and repairs due to the damage were estimated to cost approximately \$10k. She further noted attempts to contact Sierra Corporate Management regarding this issue were ignored. She urged Council to approve the urgency ordinance.

Emmet Corrigan, Vista Diablo Mobile Home Park, stated the corporate owners were entitled to a fair profit on their investment and he suggested park representatives consider what fair profit meant and how it affected seniors living on a fixed income.

Martha Aranda, Vista Diablo Mobile Home Park, reported that when she moved into the park, it was a quiet and well-maintained community; however, they were not informed about the possible conversion to a family park or the agreement they had with the City. She noted they were told children were required to be over 21 years old to live in the park. She stated owners of the park violated their agreement with Antioch by allowing individuals, with underage children, to purchase homes. She noted the park was built with no amenities or sufficient parking for families. She feared a financial hardship would be created for homeowners; because space rents would continue to increase and they would be unable to move or afford living in the park.

Erlinda Mirza, Vista Diablo Mobile Home Park, expressed concern that families who had moved into the park had resulted in visitor parking no longer being available, blight and vandalism. Additionally, she stated she could no longer enjoy her porch due to people loitering in the area.

Mayor Wright closed the public hearing.

Councilmember Tiscareno stated he supported the ordinance and thanked residents for speaking on this matter. He stated he was disappointed that the owners and management had not attended the meeting to express their point of view.

Councilmember Ogorchock reported that she had toured the area and Vista Diablo Mobile Home Park ownership needed to be held responsible for the health and safety issues that were occurring on the property. She thanked the residents for speaking this evening.

Mayor Wright stated Council had a lot of sympathy and compassion for residents of the park.

**ORDINANCE NO. 2127 C-S**

On motion by Councilmember Thorpe, seconded by Councilmember Wilson, Council unanimously enacted an Urgency Ordinance of the City Council of the City of Antioch Imposing a Moratorium on the Conversion of Mobile home Parks from Senior-Only to All-Ages Housing.

Mayor Wright declared a recess at 9:04 P.M. The meeting reconvened at 9:15 P.M. with all Councilmembers present.

## **COUNCIL REGULAR AGENDA**

### **3. ANTIOCH ANIMAL SERVICES MANAGER**

City Manager Bernal introduced Agenda Item #3.

Chief Brooks and Administrative Services Director Mastay presented the staff report dated August 8, 2017 recommending the City Council adopt a resolution: 1) Accepting funding from Tony La Russa's Animal Rescue Foundation (ARF) through the financial support of Maddies Fund; and 2) Approving the class specification for an Animal Services Manager; and 3) Assigning the Animal Services Manager class specification to a salary range and to the Management/Senior Bargaining Unit; and 4) Approving the cost and reimbursement of one (1) Animal Services Manager position in the fiscal year 2017/19 budget.

Chief Brooks explained that if the Animal Services Manager position were approved the salary savings for the Lieutenant and Captain currently performing oversight of the facility, would go toward the salary of the Manager.

In response to Councilmember Thorpe, Chief Brooks noted the monies from ARF were specifically earmarked for an Animal Services Manager position.

In response to Councilmember Ogorchock, Chief Brooks reported the surgical suite should be completed by the end of September and a person was in process for the DVM position.

Administrative Services Director Mastay added that the RVT class specification was in the process of being approved by Local 3 and should be before Council on August 22, 2017.

Dr. Jeffrey Klingler, spoke in support of the staff recommendations noting that they were aligned with the Grand Jury findings and important to preserve and build on gains made at the shelter.

Karen Kops, President of HARP, spoke in support of the Grand Jury and staff report recommendations. She suggested the City move forward with the selection of an advisory group. She thanked Council for their attention to the welfare of the animals in the shelter and community.

Mayor Wright read written comments from Kim Charef, Antioch resident, Julie Rasmussen, Brentwood resident and Holly Cuciz, Brentwood resident urging Council to approve the resolution to hire an Animal Services Manager.

Lou Lewis, Antioch resident, Antioch Animal Services volunteer, reported the animals in the shelter needed time to overcome trauma and ARF pathways did not provide time for them to do so. She spoke in support of the City hiring more support staff for the shelter and she urged Council to postpone their decision on hiring an Animal Services Manager.

Sofie Roman, Antioch resident, stated she had sent an email to Council suggesting an option to benefit homeless adoptable animals. She thanked Mayor Wright and City Manager Bernal for acknowledging her concerns. She expressed gratitude to Supervisor Helgemo for her oversight of the facility and increasing the save rate of shelter animals. She spoke in support of Antioch participating in the development of a no-kill shelter for East County and suggested Council postpone action this evening to research their options.

Vince Augusta, Antioch resident, stated Supervisor Helgemo had successfully fulfilled the management position for years with minimal resources. He stated he feels Maddie's fund dollars would be better utilized to increase staffing levels and fulfill the recommendations of the Grand Jury. He expressed concern that the surgical suite had not been constructed and the DVM and RVT had not been hired. He urged Council to delay voting on this matter, investigate the proposal by ARF and speak with the volunteers prior to spending the funds.

Barbara Sobalvarro, Friends of Animal Services, stated they had wanted Council to take action to hire an Animal Services Manager for years; however, she recommended Council postpone action and work with the volunteers to determine what other options were available.

In response to Councilmember Thorpe, Chief Brooks stated after the initial 12 months, the City would be responsible for funding the Animal Services Manager position. He added that \$75,000 currently being utilized for management oversight would go toward funding the position and the Manager would look for other potential revenue sources.

Administrative Services Director Mastay added that funding for the position would take the City into the 19/20 budget cycle.

Councilmember Tiscareno thanked Chief Brooks for the report and everyone who spoke this evening.

In response to Councilmember Tiscareno, Chief Brooks reiterated the money from ARF was specifically earmarked for an Animal Services Manager.

Councilmember Tiscareno stated the Lieutenant and Captain overseeing the shelter could return to police work if the Animal Services Manager position was filled. He voiced his support for the Animal Shelter and the volunteers. He noted the goal to improve the shelter and it was his opinion once the RVT and DVM were hired, the City would have a full-functioning business operation. He discussed the importance of having respect for the animals and stated he supported the resolution.

In response to Councilmember Ogorchock, Chief Brooks stated there would be a cost savings with on site spay and neutering. He added that in the future the shelter could possibility generate



revenue by providing low cost spay and neuter services in East County. He noted the Animal Services Manager would be a working position and further noted successful shelters in like size; intake and population had shelter managers. He commented that it would be important to have someone well versed in shelter operations and who had relationships with other animal welfare organizations to move the shelter forward in a successful manner.

Councilmember Ogorchock stated she viewed the Animal Services Manager as an extra person working at the shelter. She noted with the salary savings and revenue generation from spay and neuter clinics; there may be an opportunity to eliminate budget impacts.

Councilmember Wilson stated the City was missing the policy and procedure focus as well as understanding of the budget. She noted the Animal Services Manager would be able to oversee the budget and make staffing recommendations.

In response to Councilmember Thorpe, Chief Brooks responded that Supervisor Helgemo was put into place to act as a quasi manager when the previous Animal Services Manager left the position. He noted at that time, the City provided a Lieutenant and Captain to provide management oversight for budgetary and policy issues. He further noted this position would free up Supervisor Helgemo to adequately supervise day to day shelter operations. He stated the Animal Services Manager would oversee budgetary and policy issues as well as interact with other agencies and develop the future vision for the shelter. He noted the Lieutenant and Captain would return to full-time police work and the Animal Services Manager would assume their responsibilities as well as some of the Supervisor's tasks.

Mayor Wright reported he had toured the shelter and he was happy to hear the surgical suite was moving forward and would be completed by the end of September. He stated he was excited Lieutenant Mendes would be able to return to police work fulltime.

**RESOLUTION NO. 2017/104**

On motion by Councilmember Tiscareno, seconded by Councilmember Ogorchock, Council adopted a resolution: 1) Accepting funding from Tony La Russa's Animal Rescue Foundation (ARF) through the financial support of Maddies Fund; and 2) Approving the class specification for an Animal Services Manager; and 3) Assigning the Animal Services Manager class specification to a salary range and to the Management/Senior Bargaining Unit; and 4) Approving the cost and reimbursement of one (1) Animal Services Manager position in the fiscal year 2017/19 budget. The motion carried the following vote:

*Ayes: Wilson, Tiscareno, Ogorchock, Wright*

*Noes: Thorpe*

**4. LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE RESOLUTIONS PACKET**

City Manager Bernal introduced Agenda item #4.

Administrative Services Director Mastay presented the staff report dated August 8, 2017 recommending the City Council review and discuss the League of California Cities Annual

Conference Resolutions Packet and provide direction to the voting delegate (Council Member Ogorchock).

Mayor Wright thanked Chief Brooks for sharing information regarding crime rates and noted issues were statewide. He thanked Councilmember Ogorchock for representing the City at the annual conference.

Councilmember Ogorchock reported she had a conversation with Chief Brooks regarding the issues and received input that she would be adding to the discussion.

On motion by Councilmember Thorpe, seconded by Councilmember Tiscareno, Council unanimously provided direction to Councilmember Ogorchock to vote on behalf of the City in support of both measures.

**PUBLIC COMMENTS** - None

**STAFF COMMUNICATIONS**

Following discussion, Council indicated they would be available on August 29, 2017 or September 5, 2017 for Brown Act Training.

**COUNCIL COMMUNICATIONS**

Councilmember Ogorchock requested Council consider Veteran's banners for "L" Street.

Mayor Wright requested Council discuss the feasibility of speed bumps and speed tables.

Councilmember Thorpe requested Council discuss infill/smart growth for the Hillcrest Specific Plan.

**ADJOURNMENT**

With no further business, Mayor Wright adjourned the meeting, in honor of Fred Rouse, at 10:12 P.M. to the next regular Council meeting on August 22, 2017.

Respectfully submitted:

*Kitty Eiden*  
KITTY EIDEN, Minutes Clerk