

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

**Special/Regular Meeting
6:00 P.M.**

**September 11, 2018
Council Chambers**

Mayor Wright called the meeting to order at 6:00 P.M., and Minutes Clerk Eiden called the roll.

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

Mayor Wright announced that Councilmember Ogorchock was attending the League of California Cities on behalf of the City.

PLEDGE OF ALLEGIANCE

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

SPECIAL MEETING

1. APPOINTMENT OF INDIVIDUAL TO FILL THE REMAINDER OF THE VACANT CITY TREASURER POSITION

City Manager Bernal introduced the Special Meeting Item #1.

Interim City Attorney Cole presented the staff report dated September 11, 2018 recommending the City Council adopt the resolution appointing one of three applicants to serve as City Treasurer for the remaining term of that office. He suggested candidates leave Council Chambers when they were not making presentations or being questioned, and once Council deliberations began they could be invited back into Council Chambers.

The candidates drew numbers, at random, to determine the order in which they would give a presentation regarding their appointment to the City Treasurer position.

Shelly Richardson, Antioch resident, gave a brief presentation of her personal background and professional qualifications. She stated that she believed she would be an asset to the team and thanked the City Council for the opportunity to be considered for the position.

Jim Davis, Antioch resident, stated it was an honor to be considered for the position of City Treasurer and he thanked Council for serving the community. He gave a brief presentation on his professional qualifications and personal history as well as his volunteer efforts in the community. He stated he was prepared to attend training opportunities and represent the City at public events. He requested Council's support for his appointment to City Treasurer.

Kym Kelley, Antioch resident, thanked Council for the opportunity to be considered for the appointment of City Treasurer. She introduced herself and gave a brief overview of her professional background and qualifications. She stated she was prepared to perform all tasks related to the City Treasurer's position and noted that she would offer a new perspective. She thanked Council for their time and consideration.

Shelley Richardson, Jim Davis and Kym Kelley responded to a series of questions from the City Council regarding the role of the City Treasurer.

Interim City Attorney Cole explained that there would be no conflict of interest for Ms. Richardson pertaining to her employment as Payroll Specialist for the City.

With regards to Mr. Davis's attempt to concurrently run for the Antioch School Board, Interim City Attorney Cole explained that under Government Code Section 1099, there was an incompatible office issue and if a person was found to occupy incompatible offices, they would need to forfeit one of those offices. He reported that he had consulted with City staff and they did not see any situation where the City exercised control of any matter involving the School District. He commented that it was not his duty to advise any candidate on incompatible office issues.

Mr. Davis responded that he had researched the issue and found that the Treasurers position did not vote on any matters coming before Council and, therefore; he believed it would be acceptable to hold both offices. He noted if any issue presented itself, he would remove himself from that action.

Mayor Wright read written comment from Antioch resident, Lauren Posada, recommending Shelley Richardson for Antioch's City Treasurer.

Council discussed the importance of appointing a City Treasurer that was prepared to assume the role immediately and thanked all applicants for applying.

A motion was made by Councilmember Tiscareno, seconded by Councilmember Wilson, to appoint Jim Davis as City Treasurer.

Interim City Attorney Cole recommended the motion be amended to adopt a resolution appointing the successful applicant as City Treasurer.

Councilmember Thorpe stated that he would support the pleasure of the Council and suggested Mr. Davis consider dropping out of the Antioch School Board race to focus on the City Treasurer position due to perception.

The motion was amended as follows:

On motion by Councilmember Tiscareno, seconded by Councilmember Wilson, the City Council adopted the resolution appointing Jim Davis as City Treasurer.

Mayor Wright administered the Oath of Office to Jim Davis.

The special meeting adjourned at 7:10 P.M.

Mayor Wright called the meeting to order at 7:20 P.M., and announced that James Davis had been appointed as the City Treasurer at a Special Meeting this evening. Minutes Clerk Eiden called the roll.

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

Mayor Wright announced that Councilmember Ogorchock was attending the League of California Cities on behalf of the City.

PLEDGE OF ALLEGIANCE

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

2. PROCLAMATION

In Honor of California Coastal Clean Up Day, September, 15, 2018

On motion by Councilmember Tiscareno, seconded by Councilmember Wilson, the Council approved the Proclamation. The motion carried the following vote:

Ayes: Wilson, Thorpe, Tiscareno, Wright

Absent: Ogorchock

Mayor Wright presented the *In Honor of California Coastal Clean Up Day* proclamation to Environmental Resource Coordinator Haas-Wajdowicz who invited the community to participate in the pre-event paddle cleanup on September 14, 2018 and Coastal Cleanup event from 9:00 A.M. – 12:00 P.M. on September 15, 2018, at the Antioch Marina or Antioch Water Park.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Lieutenant Mendes announced the Antioch Police Department was hosting a Charity Poker Tournament and BBQ dinner beginning at 3:00 P.M., October 14, 2018 at the Antioch Community Center. She noted that 100 percent of the proceeds would benefit the Holiday Food Drive, Adopt-a-Family and Trick-or-Treat Events. She provided contact information for anyone wishing to make a monetary donation.

Councilmember Wilson announced the Brazen Racing Drag-N-Fly Marathon/10K/5K Run would be held at 8:00 A.M. on September 15, 2018, at Contra Loma Reservoir.

PUBLIC COMMENTS

Mayor Wright read written comment from Stephen Gibson, thanking the Antioch Police Department for their support.

Mayor Wright also thanked the Antioch Police Department.

Jeni Johnson, Center Director for Antioch/Delta First 5, announced the Grand Opening Event for their center would be held from 10:00 A.M. – 3:00 P.M. on September 29, 2018 and flyers were available in the back of Council Chambers.

COUNCIL SUBCOMMITTEE REPORTS

Mayor Wright reported on his attendance at the Mayor's conference.

MAYOR'S COMMENTS

Mayor Wright led the Council and audience in a moment of silence in remembrance of those who lost their lives on 9/11 and those who survived but suffer with residual health issues.

PRESENTATIONS

Family Justice Center

Dawn Morrow, read a letter from Supervisor Burgis, who requested Council's support for the East County Family Justice Center.

Susun Kim, Executive Director of the Family Justice Center, presented the Family Justice Center Update.

Council thanked Ms. Kim for the presentation and spoke in support of establishing a Family Justice Center location in Antioch.

Following discussion, Ms. Kim offered to connect Councilmember Thorpe with their CPS partners to gather more data on child abuse reports.

City Branding update by Evviva Brands, LLC

City Manager Bernal introduced Economic Development Director Reed to introduce the team giving the presentation.

Economic Development Director Reed introduced David Kippen, Marin Van Young, and Paul Corcino, Evviva Brands, LLC, who gave a PowerPoint presentation of the City Branding Update. They requested Council choose a concept in which to brand the City.

The City Council thanked David Kippen, Marin Van Young, and Paul Corcino for the presentation.

Following discussion, Council censuses supported the “Opportunity lives here.” concept along with building in elements of business attraction and the “Open for opportunity” concept.

Mr. Kippen thanked Council for the feedback and stated he would be bringing back an evolved concept in real art objects and a City logo.

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 AUGUST 21, 2018**
 - B. **APPROVAL OF COUNCIL MEETING MINUTES FOR AUGUST 28, 2018**
 - C. **APPROVAL OF COUNCIL WARRANTS**
 - D. **REJECTION OF CLAIM FOR JESUS CARDOZA AND EDITH RAMIREZ**
 - E. **ORDINANCE NO. 2151-C-S SECOND READING – ACCESSORY DWELLING UNITS ORDINANCE AMENDMENT (Z-18-06) (*Introduced on 08/28/18*)**
 - F. **ORDINANCE NO. 2152-C-S SECOND READING–AN ORDINANCE COMPREHENSIVELY AMENDING TITLE 5, CHAPTER 19, OF THE ANTIOCH MUNICIPAL CODE CONCERNING THE PERMITTING OF MASSAGE ESTABLISHMENTS (*Introduced on 08/28/18*)**
 - G. **CITY CLERKS BUSINESS MEETING/WORKSHOP AND LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE SEPTEMBER 11 – 14, 2018**
 - H. **RESOLUTION NO. 2018/113 FORMATION OF THE PROPOSED CITY OF ANTIOCH COMMUNITY FACILITIES DISTRICT NO. 2018-02 (POLICE PROTECTION)**

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

- I. **RESOLUTION NO. 2018/114 REFINANCING OF THE ANTIOCH DEVELOPMENT AGENCY AND COMMUNITY DEVELOPMENT BLOCK GRANT LOANS WITH RESOURCES FOR COMMUNITY DEVELOPMENT FOR PINECREST AND TERRACE GLEN APARTMENTS**

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

Ayes: Wilson, Thorpe, Tiscareno, Wright

Absent: Ogorchock

PUBLIC HEARING

4. INTRODUCE ORDINANCE REPEALING TITLE 5, CHAPTER 21 OF THE ANTIOCH MUNICIPAL CODE REGARDING MEDICAL MARIJUANA FACILITIES

City Manager Bernal introduced Public Hearing Item #4.

Director of Community Development Ebbs presented the staff report dated September 11, 2018 recommending the City Council introduce an Ordinance repealing Title 5, Chapter 21 of the Antioch Municipal Code regarding Medical Marijuana Facilities.

Mayor Wright opened the public hearing.

Caroleve Prudence Capelle, Antioch resident, announced she was running for Antioch City Council and spoke in support of the Ordinance repealing the prohibition on medical marijuana.

Joshua Samuel, Antioch resident, stated that he was involved in the attempt to overturn the ordinance that allowed for cannabis businesses to come into Antioch. He reported that during that process, the public had expressed interest in taxation of cannabis businesses and he was concerned that the City had not allowed for that process to occur.

Patti O'Brien, Oakland and Antioch resident, introduced herself as the owner of First Nurse owned and operated licensed dispensary in Oakland. She stated she was also part of the Steering Committee for the Oakland Cannabis Business Council and served as a nurse within the Antioch School District. She noted that she supported the Cannabis Ordinance and explained that a City would be able to collect some of the State Revenues from Proposition 64.

Mayor Wright closed the public hearing.

Councilmember Thorpe commented that there was a mechanism through each application to impose a tax through a development agreement.

On motion by Councilmember Thorpe, seconded by Councilmember Tiscareno, the City Council introduced an Ordinance repealing Title 5, Chapter 21 of the Antioch Municipal Code regarding Medical Marijuana Facilities. The motion carried the following vote:

Ayes: Wilson, Thorpe, Tiscareno, Wright

Absent: Ogorchock

Mayor Wright reiterated that there was a mechanism from the development agreement standpoint to address taxation of cannabis businesses until a tax could be voted on by the people.

5. ESTABLISHMENT OF A SENIOR DEVELOPMENT IMPACT FEE AND PARKLAND DEDICATION FEE

City Manager Bernal introduced Public Hearing Item #5.

Director of Community Development Ebbs presented the staff report dated September 11, 2018 recommending the City Council take the following actions: 1) Introduce an Ordinance amending Antioch Municipal Code Sections 9-3.40 and 9-4.1004 to create a Senior Rate Development Impact Fee Category and Parkland Dedication Rate, and 2) Adopt a Resolution amending the Master Fee Schedule to assign a Senior rate for Development Impact Fees with corresponding values. He announced that he had provided Council with a memorandum that had minor revisions to the numbers and any action by Council should refer to the Ordinance and Resolution in that memorandum.

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

Mayor Wright discussed the benefits of a senior housing component in the City.

RESOLUTION NO. 2018/115

On motion by Councilmember Tiscareno, seconded by Councilmember Thorpe, the City Council 1) Introduced an Ordinance amending Antioch Municipal Code Sections 9-3.40 and 9-4.1004 to create a Senior Rate Development Impact Fee Category and Parkland Dedication Rate, and 2) Adopted a Resolution amending the Master Fee Schedule to assign a Senior rate for Development Impact Fees with corresponding values, as provided in the amended Ordinance and Resolution included in the memorandum dated September 11, 2018. The motion carried the following vote:

Ayes: Wilson, Thorpe, Tiscareno, Wright

Absent: Ogorchock

COUNCIL REGULAR AGENDA

6. SALES TAX CITIZENS' OVERSIGHT COMMITTEE APPOINTMENTS

Mayor Wright nominated the following individuals to the Sales Tax Citizens' Oversight Committee:

- Michelle Fitzer - 2-year term
- Diane Gibson-Gray - 2-year term
- Dennis Clay – 2-year term
- Kellie Farrish – 4-year term
- Mika Bell – 4-year term
- Susana Williams – 4-year term
- Nikki Greer Hermeth – 4-year term

Councilmember Thorpe requested each appointment be considered separately.

- Michelle Fitzer - 2-year term

On motion by Councilmember Tiscareno, seconded by Councilmember Wilson, the City Council appointed by resolution Michelle Fitzer to the Sales Tax Citizens' Oversight Committee for a two-year term. The motion carried the following vote:

Ayes: Wilson, Thorpe, Tiscareno, Wright

Absent: Ogorchock

- Diane Gibson-Gray - 2-year term

A motion was made by Councilmember Tiscareno, seconded by Mayor Wright to appoint by resolution Diane Gibson-Gray to the Sales Tax Citizens' Oversight Committee for a two-year term. The motion failed by the following vote:

Ayes: Tiscareno, Wright

Noes: Wilson, Thorpe

Absent: Ogorchock

- Dennis Clay – 2-year term

Mayor Wright nominated Dennis Clay to a 2-year term. There was no motion to approve the nomination.

- Kellie Farrish – 4-year term

On motion by Councilmember Thorpe, seconded by Councilmember Tiscareno, the City Council appointed by resolution Kellie M. Farrish to the Sales Tax Citizens' Oversight Committee for a four-year term. The motion carried the following vote:

Ayes: Wilson, Thorpe, Tiscareno, Wright

Absent: Ogorchock

- Mika Bell – 4-year term

On motion by Councilmember Thorpe, seconded by Councilmember Wilson, the City Council appointed by resolution Mika Bell to the Sales Tax Citizens' Oversight Committee for a four-year term. The motion carried the following vote:

Ayes: Wilson, Thorpe, Tiscareno, Wright

Absent: Ogorchock

- Susana Williams – 4-year term

On motion by Councilmember Thorpe, seconded by Councilmember Wilson, the City Council appointed by resolution Susana Williams to the Sales Tax Citizens' Oversight Committee for a four-year term. The motion carried the following vote:

Ayes: Wilson, Thorpe, Tiscareno, Wright

Absent: Ogorchock

- Nikki Greer Hermeth – 4-year term

On motion by Councilmember Thorpe, seconded by Councilmember Wilson, the City Council appointed by resolution Nikki Greer Hermeth to the Sales Tax Citizens' Oversight Committee for a four-year term. The motion carried the following vote:

Ayes: Wilson, Thorpe, Tiscareno, Wright

Absent: Ogorchock

RESOLUTION NO. 2018/116

The following appointments were approved by resolution.

- Michelle Fitzer - 2-year term
- Kellie Farrish – 4-year term
- Mika Bell – 4-year term
- Susana Williams – 4-year term
- Nikki Greer Hermeth – 4-year term

7. CANNABIS BUSINESS GUIDELINES

City Manager Bernal introduced Regular Agenda Item #7.

Director of Community Development Ebbs presented the staff report dated September 11, 2018 recommending the City Council adopt a Resolution approving the Cannabis Business Guidelines.

Mayor Wright read written comment from Manny Soliz, Antioch resident, who submitted proposed revisions to the guidelines which included Planning Commission review of use permit applications, taxing cannabis businesses at the maximum amount allowed, adding language to the Location and Separation section to include daycare/preschools and private parks and, specifically stating that the City only desired research and development firms and delivery only medical dispensaries.

Luke Bruner, San Francisco resident, Flore Store, stated that he had been involved in cannabis for years and he expressed interested in doing business in Antioch. He questioned if the proposal had expanded the map and requested staff provide a higher quality setback map for the public.

Dr. Jeffrey Klingler, Antioch resident, stated he believed the Ordinance was well crafted and he supported the guidelines; however, in the Purpose and Applicability section, he suggested striking, the fourth sentence of page 6 reading: "If an application is generally consistent with the guidelines, staff and/or the Planning Commission will likely make a favorable recommendation to the City Council". He expressed concern that this sentence was open to misinterpretation.

Joshua Samuel, Antioch resident, stated he appreciated the Council's response to his previous concerns and encouraged the City to be strict on their guidelines.

Patti O'Brien, Oakland and Antioch resident, representing Kanna, reported she held every license type for cannabis businesses in Oakland and had navigated through the regulatory process for the past 3-years. She noted the City's guidelines were a great foundation and explained that the State had extensive requirements. She suggested the City establish a regulatory committee that would oversees cannabis oversight and report back to the City Council.

Director of Community Development Ebbs clarified that the map had not been changed and he would offer a higher resolution version. He noted the official version of the map was on file with the City Clerk and was part of the Ordinance. In regards to Mr. Klingler's request to strike language in the Purpose and Applicability section, he noted it was not critical language and eliminating it would be up to the pleasure of Council. In terms of quality control, he noted that the City would be deferring to State Agencies.

Councilmember Tiscareno discussed the importance of strict guidelines for security of cannabis facilities and the surrounding area.

Following discussion, Council consensus supported the recommendation to strike the language in the Purpose and Applicability section and add separation language pertaining to daycare facilities and preschools, to the guidelines.

Mayor Wright agreed that security was important and he believed it would be a mutual desire of the City and applicant. He discussed the importance of attracting reputable businesses.

Director of Community Development Ebbs responded that through the Use Permit process, they considered the application and were neutral to the party behind it, however; with guidelines in place, there would be a natural filtering process.

In response to Councilmember Thorpe, he explained that if a business did not abide by the guidelines, the Use Permit could be revoked.

RESOLUTION NO. 2018/117

On motion by Councilmember Thorpe, seconded by Councilmember Tiscareno, the City Council adopted a Resolution approving the Cannabis Business Guidelines with the following changes:

- Purpose and Applicability - striking the fourth sentence reading: "If an application is generally consistent with the guidelines, staff and/or the Planning Commission will likely make a favorable recommendation to the City Council"
- Location and Separation - Revising the first bullet point to include daycare center and pre-kindergarten students.

The motion carried the following vote:

Ayes: Wilson, Thorpe, Tiscareno, Wright

Absent: Ogorchock

8. DISCUSSION ON RENAMING 'A' STREET AND/OR 'L' STREET

City Manager Bernal introduced Regular Agenda Item #8.

Public Works Director/City Engineer Blank presented the staff report dated September 11, 2018 recommending the City Council discuss renaming 'A' Street and/or 'L' Street, and provide direction to staff as to whether or not to move forward with a project, or take any further action.

Mayor Wright read written comment submitted by Antioch resident, Joy Motts, Antioch Preservation Society, in support of renaming "A" and "L" Streets.

Allen Payton, Antioch resident, spoke in support of renaming "A" Street and 2nd Street to Rivertown Drive/West Rivertown Drive and "L" Street to Smith's Landing Blvd. He suggested renaming them all at the same time to save money. Additionally, he recommended businesses use both addresses for a period of one year to provide a smoother transition.

Mike Amoroso, Antioch resident, stated he supported the City renaming "A" and "L" Streets as Rivertown Drive and Marina Avenue.

In response to Councilmember Thorpe, Public Works Director/City Engineer Blank stated he would research whether gas tax money could be utilized for the renaming efforts.

Councilmember Wilson suggested reaching out to the businesses on "A" Street to determine if they supported a name change.

Council consensus supported the renaming efforts, including the community in the process and timing them in conjunction with the improvements to "L" Street.

Mayor Wright supported the renaming project and suggested utilizing the branding company to provide input on the timing issue.

City Manager Bernal stated that he would discuss the timing issue with Evviva, develop a budget for the project, and report back to Council at the end of this year.

9. INCUBATOR FOR LAUNCHING SMALL BUSINESSES

City Manager Bernal introduced Regular Agenda Item #9.

Mayor Wright requested Council provide feedback with regards to if they wanted to move forward with an incubator for launching small businesses. He explained that Keith and Iris Archuleta had been working on the Northern Waterfront Initiative, which included different entities interested in bringing an incubator to Antioch. He noted currently the Lynn House Gallery, various locations downtown, and the Somersville Towne Center were being considered as potential incubator opportunities. He questioned if Council supported the incubator concept, and if so, how much staff time they would like to be devoted to this effort.

In response to Councilmember Thorpe, Mayor Wright clarified that staff had been asked to be engaged in the process; however, they were asking Council if they wanted to pursue that direction.

Following discussion, Council directed staff to bring forward a presentation regarding the incubator concept.

PUBLIC COMMENTS – None

STAFF COMMUNICATIONS – None

COUNCIL COMMUNICATIONS

Mayor Wright commented that he appreciated topics being placed on the agenda for discussion by Council.

ADJOURNMENT

With no further business, Mayor Wright adjourned the meeting at 9:57 P.M. to the next regular Council meeting on September 25, 2018.

Respectfully submitted:

Kitty Eiden
KITTY EIDEN, Minutes Clerk