

## CITY COUNCIL MEETING

**Special/Regular Meeting**  
**4:00 P.M.**

**April 9, 2019**  
**Council Chambers**

Mayor Wright called the meeting to order at 4:00 P.M., and City Clerk Simonsen called the roll.

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

### **PLEDGE OF ALLEGIANCE**

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

### **1. BUDGET DEVELOPMENT FISCAL YEARS 2019-21**

City Manager Bernal introduced the Budget Development Fiscal Years 2019-21 and gave a PowerPoint presentation of Antioch City Council Accomplishments for the past two-years.

Finance Director Merchant presented a PowerPoint Presentation and the staff report dated April 9, 2019 recommending the City Council provide feedback and direction regarding the budget development information provided for fiscal years 2019-21.

#### Public Comment

James Stenger, Sergeant Antioch Police Department, stated with the passage of Measure C, the Antioch Police Department had taken huge strides in reducing violent crime and gangs. He noted that they could do more with additional staffing.

Steve Aiello, Antioch Police Officers Association (APOA) President, spoke in support of increasing Antioch Police Department to 115 sworn officers and allocating 80 percent of Measure W revenue to public safety. He discussed police officer's contributions to PERS.

Samantha Peterson, Community Services Officer (CSO), spoke in support of increasing Antioch Police Department staffing.

Mike Barbanica urged Council to support the Antioch Police Department's staffing requests.

Tom Fuhrmann, Retired Antioch Police Officer and past APOA leadership, spoke in support of the Antioch Police Department's staffing requests. He noted voters were told Measure W would fund staffing for the Antioch Police Department and Code Enforcement.

Sal Sbranti, Antioch resident, expressed concern that the budget did not reflect the money allotted for marketing. He requested Council support the Antioch Police Department staffing requests.

Mark Jordan, Antioch resident, recommended that the budget eliminate words such as “other” and suggested anagrams be referenced by footnotes. He commented that additional police and code enforcement staffing would increase property values which would produce more income. He noted if Measure W funds were diverted to youth programming, he wanted to see a plan for those expenditures.

Ralph Garrow, Antioch resident, encouraged Council to consider allocating 80 percent of Measure W toward Antioch Police Department and Code Enforcement with the remaining 20 percent going toward youth and other services. He spoke in support of the City paying as much as they can for the unfunded pension liabilities.

Kim Trupiano, Clayton resident and Antioch Animal Services Volunteer, spoke in support of adding a Volunteer and Rescue Coordinator position for the Animal Shelter.

Mayor Wright read written comment from Tony Tiscareno supporting the enhanced budget.

Kenneth Kent encouraged Council to support funding youth/family services.

Warren Lutz, Antioch resident, spoke in support of expanding youth programs as well as increasing access to the community center and community based organizations.

Shemira Formon, Antioch resident, agreed with comments from Mr. Lutz and encouraged the City to focus on building community.

Stephanie Lopez, Antioch resident, spoke in support of the City hiring more Antioch Police and Code Enforcement.

Kenny Turnage, Antioch resident, spoke in support of Measure W revenue being spent on items that benefit every citizen such as, increasing Antioch Police Department staffing.

Jessica Jollett, Director of Lift Up Contra Costa, expressed concern that the Budget Study Sessions were held too early for many residents to be able to participate. She suggested Council consider innovative ways to engage the community and have a proactive approach that invests in youth programming.

Harry Thurston, Antioch resident, spoke in support of Council approve funding for the Antioch Police Department, Code Enforcement and youth services.

In response to Councilmember Motts, Chief Brooks reviewed the staffing requests for the Animal Shelter.

Mayor Wright spoke in support of adding one additional records technician, six CSOs, two ACAs and funding 115 sworn officers by 2021. He also discussed the importance of providing youth services.

Councilmember Ogorchock made a motion to accept Chief Brooks' recommendations for Antioch Police Department staffing. Mayor Wright seconded the motion. Following discussion, Council determined that they would discuss the budget further and make recommendations to staff.

In response to Councilmember Wilson, Director of Economic Development Reed gave the Proposed Economic Development Budget PowerPoint presentation.

Chief Brooks reviewed his staffing requests for the Antioch Police Department.

Council consensus agreed to work from the balanced budget and discuss building in the following additional requests:

- Increasing funding for Economic Development Budget to \$225,000 each year
- 1 Additional ACA
- 4 CSOs
- 1 Additional Records Technician
- 1 Additional Office Assistant

In response to Council, Director of Community Development Ebbs provided a timeline for the cannabis dispensary applications and Development Agreement.

Councilmember Motts speaking to the City Manager's staffing requests suggested filling the PIO position with a contractor and adding an Assistant or Deputy City Manager position.

Mayor Wright declared a recess at 6:29 P.M. and announced the Special Meeting/Study Session would resume following the Regular meeting this evening.

## **CONTINUE SPECIAL MEETING/STUDY SESSION AFTER REGULAR MEETING**

Mayor Wright called the meeting to order at 7:07 P.M., and City Clerk Simonsen called the roll.

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

## **PLEDGE OF ALLEGIANCE**

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

## **2. PROCLAMATIONS**

*National Library Week, April 7-13, 2019*  
*Arbor Day, April 26, 2019*

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

Mayor Wright presented the *National Library Week* proclamation to the Geneva Moss, Senior Community Library Manager, who thanked the City Council for the proclamation.

Mayor Wright presented the *Arbor Day* proclamation to Olga Shultz, President of the Antioch Riverview Garden Club, who invited the community to attend the Arbor Day tree planting at 3:30 P.M. on April 26, 2019, at Mira Vista Park.

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

Nancy Kaiser announced the following events

- Bug Day at the Community Center - 10:00 A.M. – 3:00 P.M. on April 13, 2019
- Recreation and Health Expo - May 11, 2019

She presented packets of Recreation Department promotional items to Council and staff.

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

City Clerk Simonsen announced the following Board and Commission openings:

- *Antioch Representative to the Contra Costa Transportation Authority (CCTA) Citizens Advisory Committee (CAC): One (1) vacancy: deadline date is April 12, 2019*

He reported applications would be available online at the City's website and at the City Clerk's and Deputy City Clerks offices.

### **PUBLIC COMMENTS**

Ralph Hernandez, Antioch resident, reported that he was involved in a vehicle accident and spoke in support of the Antioch Police Department expanding their traffic enforcement efforts.

Joe Sumners, Contra Costa Central Labor Council, spoke in support of increasing youth services as part of this year's Operating Budget.

Josh Young, Antioch resident, urged Council to focus on public safety and code enforcement staffing, during the budget process.

Christine Clark and members of East County Regional Group, discussed the need for equitable youth programming and requested Council create a budget that invests in the community.

Linda Flower, Climate Reality Project, Contra Costa County Climate Leaders and Harry Thurston and Linda Soliven, Antioch residents, requested Council agendaize a discussion regarding the feasibility of Antioch joining MCE, as their Consumer Choice Aggregate.

Jim Becker, Antioch resident, encouraged the City Council to invest in law enforcement and balance it with investments and strategies, such as student internships, afterschool programs and recreation/community services.

## **COUNCIL SUBCOMMITTEE REPORTS/COMMUNICATIONS**

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

Councilmember Motts reported on her visit to Washington D.C. with Councilmember Ogorchock and City Manager Bernal on April 2-4, 2019 to meet with legislators and agencies. She also reported on her attendance at the Sesquicentennial Committee meeting.

Councilmember Ogorchock reported on her visit to Washington D.C. and the League of California Cities meetings.

Councilmember Thorpe and Mayor Wright gave a PowerPoint presentation of the Antioch Youth Services Task Force.

Mayor Wright announced that the Ad Hoc Committee would continue to bring information back to the City Council.

City Clerk Simonsen requested that the City Clerk's office be provided with an electronic copy of the Antioch Youth Services Task Force presentation, for posting with the agenda.

## **MAYOR'S COMMENTS**

Mayor Wright announced that his mother had lost her sight due to diabetes and his father-in-law was recently diagnosed with congestive heart failure, so he was challenging everyone to spend quality time with their loved ones.

## **PRESENTATION**

Geneva Moss, Senior Community Library Manager, presented pins to Council and staff, and gave a Library Update PowerPoint presentation.

Councilmember Motts thanked Ms. Moss for managing Antioch libraries.

Mayor Wright thanked Council for investing in extra library hours and requested Ms. Moss provide City Manager Bernal with data for the increased hours, in comparison to last year.

### **3. CONSENT CALENDAR**

#### **A. APPROVAL OF COUNCIL MINUTES FOR MARCH 26, 2019**

#### **B. APPROVAL OF COUNCIL WARRANTS**

- C. **REJECTION OF CLAIMS: (1) MARISOL SOLIS (2) LINDY THELXI HERNANDEZ (3) UNBORN DOE**
- D. **ORDINANCE NO. 2164-C-S SECOND READING – SIDEWALK VENDOR ORDINANCE AMENDING TITLE 5 OF THE ANTIOCH MUNICIPAL CODE TO INSERT CHAPTER 23 TO REGULATE SIDEWALK VENDORS ON PUBLIC PROPERTY AND IN PUBLIC RIGHTS-OF-WAY IN ACCORDANCE WITH SENATE BILL NO. 946 AND CALIFORNIA GOVERNMENT CODE (*Introduced on 03/26/19*)**
- E. **RESOLUTION NO. 2019/46 FOURTH AMENDMENT TO THE CONSULTANT SERVICES AGREEMENT WITH BROWN AND CALDWELL, INC. FOR DESIGN OF THE HILLCREST AND JAMES DONLON BOOSTER PUMP STATION UPGRADES (P.W. 477-BP2)**

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

#### **PUBLIC HEARING**

4. **AMENDMENTS TO THE CANNABIS BUSINESS ORDINANCE (AMC 9-5.3845) REGARDING DEVELOPMENT AGREEMENTS, DELIVERY, AND SEPARATION REQUIREMENTS**

City Manager Bernal introduced Public Hearing Item #4.

Director of Community Development Ebbs presented the staff report dated April 9, 2019 recommending the City Council accept the Planning Commission recommendation and introduce the Ordinance to amend the Antioch Municipal Code regarding Cannabis Businesses and Development Agreements, Delivery, and Separation Requirements.

Mayor Wright opened the public hearing.

Charles Westley, Contra Costa Farms, reported that they were developing a large parcel on Wilbur Avenue and staff had deemed their application complete. He questioned what would happen if a day care center submitted an application for a facility within 600-feet of their parcel, while they were going through the CEQA process.

Director of Community Development Ebbs responded that the application was vested as soon as it was deemed complete and only the rules of that day applied.

Mayor Wright closed the Public hearing.

In response to Council, Director of Community Development Ebbs explained that the City did not have a cannabis specific sales tax and the soonest a tax could be considered by the voters would be next year.

City Attorney Smith clarified that there was a provision in the Development Agreement that if a tax was approved that was greater than what had been negotiated, the tax would supplant the Development Agreement.

Councilmember Ogorchock requested public and private parks as well as churches be included in a 1,000-foot separation requirement, so that it would align with the gambling ordinance.

City Attorney Smith stated changes to the Ordinance would require it to come back for a first reading again; however, if Council approved the ordinance this evening, they could make changes to the Ordinance, at a later date.

Councilmember Ogorchock suggested the City also consider requiring incubator space for cannabis businesses which she noted had been very successful in the City of Oakland.

Councilmember Thorpe and Motts spoke in support of moving forward with the framework and coming back later to discuss additional items.

Councilmember Thorpe voiced his support for applying buffer requirements specific to the type of cannabis use.

A motion was made by Councilmember Thorpe, seconded by Councilmember Motts, to accept the Planning Commission recommendation and introduced the Ordinance to amend the Antioch Municipal Code regarding Cannabis Businesses and Development Agreements, Delivery, and Separation Requirement.

Speaking to the motion, Councilmember Ogorchock expressed concern that if Council did not amend the separation requirement now, it would not apply to future applications.

City Attorney Smith reiterated that if Council wanted to increase the buffer and include churches and private park facilities, the Ordinance would have to come back for another first reading. He noted another option would be to approve the Ordinance this evening and come back at a future Council meeting, to make additional changes.

City Clerk Simonsen commented that another first reading would require a public notice to be published 10-days in advance, so the soonest it could come back to Council would be in May.

Following discussion, Council consensus agreed to move forward with the Ordinance as presented this evening.

Director of Community Development Ebbs commented that Council had the ability to look at each application individually.

The motion by Councilmember Thorpe, seconded by Councilmember Motts, to accept the Planning Commission recommendation and introduced the Ordinance to amend the Antioch Municipal Code regarding Cannabis Businesses and Development Agreements, Delivery, and Separation Requirements, was approved. The motion carried the following vote:

*Ayes: Wilson, Motts, Thorpe, Wright*

*Noes: Ogorchock*

## **COUNCIL REGULAR AGENDA**

### **5. RESOLUTION TO FORM HOMELESS ENCAMPMENT AD HOC COMMITTEE**

City Manager Bernal introduced Regular Agenda Item #5.

Administrative Services Director Mastay presented the staff report dated April 9, 2019 recommending the City Council take the following actions: 1) Adopt a resolution to form the Homeless Encampment Ad Hoc Committees; 2) Confirm the appointment of the two (2) members for the Homeless Encampment Ad Hoc Committee; and 3) Confirm the duration of the Homeless Encampment Ad Hoc Committee.

#### **RESOLUTION NO. 2019/47**

On motion by Councilmember Wilson, seconded by Councilmember Motts, Council unanimously adopted a resolution to form the Homeless Encampment Ad Hoc Committee. On motion by Councilmember Wilson, seconded by Councilmember Motts, Council 1) Confirmed the appointment of Councilmember Motts and Thorpe for the Homeless Encampment Ad Hoc Committee for the duration of 6 months. The motion carried the following vote:

*Ayes: Wilson, Motts, Ogorchock, Wright*

*Absent: Thorpe*

Councilmember Thorpe returned to the dais.

### **6. CITY COUNCIL FORMATION OF A SENIOR AD HOC COMMITTEE**

City Manager Bernal introduced Regular Agenda Item #6.

Administrative Services Director Mastay presented the staff report dated April 9, 2019 recommending the City Council discuss and determine if it is their desire to form a Senior Ad Hoc Committee.

Mayor Wright expressed interest in serving on the Committee with Councilmember Ogorchock.

Following discussion, Council directed staff to bring back a resolution formalizing the formation of the Senior Ad Hoc Committee of Councilmember Ogorchock and Mayor Wright, for a period of 6-months.

**PUBLIC COMMENTS** – None

**STAFF COMMUNICATIONS** – None



## **COUNCIL COMMUNICATIONS**

Councilmember Motts requested staff agendaize a discussion on Marin Clean Energy (MCE).

City Clerk Simonsen informed Councilmember Motts that hearings on this issue had been before Council and their request was denied. He noted minutes of those meetings were available for review.

## **ADJOURNMENT**

Mayor Wright adjourned the Regular Meeting at 9:05 P.M. The continuation of the Special Meeting/Study Session began at 9:14 P.M.

City Clerk Simonsen called the roll.

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

## **STUDY SESSION**

### **1. BUDGET DEVELOPMENT FISCAL YEARS 2019-21**

Mayor Wright reported that Council was starting with a balanced budget approach and prior to the Regular meeting, they had brought forward the following additional items for discussion:

- Increasing funding for Economic Development Budget to \$225,000 each year
- 1 Additional ACA
- 4 CSOs
- 1 Additional Records Technician
- 1 Additional Office Assistant

Councilmember Motts requested \$50,000 Sesquicentennial monies be moved from FY 20/21 to 19/20.

Following discussion, Council consensus agreed to the balanced budget approach for Community Development, Information Systems, Public Works, Recreation, Human Resources, and Finance Departments as well as the baseline expenditures for Recreation funding in the amount of \$350,000 for FY 19/20 and \$700,000 for FY 20/21.

Finance Director Merchant reported that in response to previous discussions, she changed the PIO to a contract for the amount of \$50k in FY 19/20 and \$100k for FY 20/21. She stated that staff would continue to fine tune the General Fund Budget until it comes back for final adoption by Council.

Following discussion, Council consensus supported the balanced budget with the following adjustments:

- Economic Development - \$225,000
- One additional Animal Care Attendant
- Three additional Community Service Officers
- One additional Record Technician for the Police Department
- One Office Assistant for Animal Services
- Reclassify \$50,000 Sesquicentennial from FY 20/21 to FY 19/20

Councilmember Ogorchock thanked Finance Director Merchant for all her hard work in developing the budget.

**PUBLIC COMMENT** – None

**ADJOURNMENT OF SPECIAL MEETING/STUDY SESSION**

With no further business, Mayor Wright adjourned the meeting at 9:46 P.M.

Respectfully submitted:

*Kitty Eiden*

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KITTY EIDEN, Minutes Clerk