

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

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

**April 23, 2019  
Council Chambers**

Mayor Wright called the Special Meeting/Study Session to order at 5:30 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.

**1. PRESENTATION OF THE DRAFT 5-YEAR CAPITAL IMPROVEMENT PROGRAM  
2019-2024 (P.W. 150-19)**

City Manager Bernal introduced Study Session Agenda Item #1.

Project Manager Buenting presented the PowerPoint presentation and staff report dated April 23, 2019 recommending the City Council review and provide feedback to staff regarding the draft 5-Year Capital Improvement Program (CIP) 2019-2024.

Councilmember Thorpe stated in an effort to phase projects in, he requested a master plan be developed for the "L" Street corridor improvements as well as other major corridor beautification projects in the CIP.

Councilmember Motts spoke in support of including "A" Street and 10<sup>th</sup> Street in a corridor improvement master plan. She requested development of "The Yard" property be added to the CIP, for a minimum of irrigation and grass.

Councilmember Wilson requested 18<sup>th</sup> Street corridor between Hillcrest and "A" Street be added to a corridor improvement master plan.

In response to Councilmember Wilson, Project Manager Buenting reviewed the vision for the current CIP plan.

In response to Councilmember Motts, Director of Parks and Recreation Kaiser discussed operational and maintenance improvements made at the Antioch Senior Center/Nick Rodriguez Community Center complex. She noted replacement flooring for the dining hall was included in the 5-year CIP.

Public Comment

Lee Ballesteros, representing Drama Factory, suggested utilizing some of the mural and utility box project funding for theater improvements at the Nick Rodriguez Center. She acknowledged Director of Parks and Recreation Kaiser for being proactive and listening to their concerns.

Councilmember Wilson suggested staff, in coordination with East Bay Regional Parks, develop a trail maintenance plan.

City Manager Bernal requested clarification from Council with regards to timing for the additional items requested to be added to the CIP.

Councilmember Thorpe clarified that his request was not for budgeting; it was planning for phasing the corridor improvement projects, in future years.

Councilmember Ogorchock suggested prioritizing the Council list of priorities and waiting until development of “The Yard” property was determined, prior to moving forward with allocating funds for a project.

Councilmember Thorpe responded that all of Council’s priorities had different timelines and were not based on priority at this moment.

Councilmember Motts clarified that her request for “The Yard” project was for staff to provide a cost estimate for the installation of grass and irrigation on the property. She noted private partnerships were willing to support this effort.

Councilmember Thorpe stated irrespective of what “The Yard” property will be, he supported filling it with grass, until it is developed.

City Manager Bernal commented that costs estimates for the project would include ongoing maintenance.

Mayor Wright adjourned the Study Session at 6:15 P.M.

Mayor Wright called the Regular Meeting to order at 7:03 P.M., and City Clerk Simonsen called the roll.

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

**PLEDGE OF ALLEGIANCE**

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

## **2. PROCLAMATIONS**

*National Sexual Assault Awareness Month, April 2019*

*Be Kind to Animals Week, May 5 – 11, 2019*

*Antioch American Legion's 100 Year Anniversary*

*Celebrating the 50th Anniversary of Municipal Clerks Week, May 5- 11, 2019*

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

Mayor Wright and Councilmember Wilson presented the *National Sexual Assault Awareness Month* proclamation to Lucia Ray representing Community Violence Solutions, who thanked the City Council for the recognition and discussed services provided by their organization. She invited the community to participate in a Community Against Rape and Sex Trafficking Solidarity March from 10:00 A.M. – 1:00 P.M. on April 27, 2019, from City Hall to the Antioch Historical Society Museum.

Mayor Wright presented the *Be Kind to Animals Week* proclamation to Barbara Sobalvarro and Michele Kuslits representing Friends of Animal Services (FOAS) and George Harding, Animal Shelter Manager, who thanked the City Council for the recognition. They announced FOAS would be sponsoring adoption fees for the month of May and hosting a celebration at the shelter on May 11, 2019.

The City Council presented the *Antioch American Legion's 100 Year Anniversary* proclamation to members of the Antioch American Legion Harding-Noia Post 161 who thanked the City Council for the recognition.

Mayor Wright presented the *Celebrating the 50th Anniversary of Municipal Clerks Week* proclamation to City Clerk Simonsen who thanked the City Council for the recognition and their support. He acknowledged Deputy City Clerk Garcia for her dedication to the Clerk's office.

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

Councilmember Wilson announced the Community Against Rape and Sex Trafficking Solidarity March and Resource Fair would begin at 10:00 A.M. on April 27, 2019, at City Hall. She announced that Detective Rose from the Antioch Police Department would be one of the speakers.

JR Wilson, Delta Veterans Group, announced the following Memorial Day events:

- Memorial Day Banners Ceremony – May 24, 2019 on "L" Street
- 2<sup>nd</sup> Annual Delta Softball Tournament of Heroes – May 25 - 26, 2019
- Services at Oak View Cemetery – May 27, 2019

He recognized Councilmember Ogorchock and City Manager Bernal for their support of the banner program. He acknowledged Director of Parks and Recreation Kaiser for donating the fields for the tournament and Council for awarding them a grant for the event. Contact information was provided for anyone wishing to participate in the tournament.

Director of Parks and Recreation Kaiser announced Get Active Antioch Recreation and Health Expo would take place on May 11, 2019, at the Antioch Community Center and Water Park.

### **PUBLIC COMMENTS**

Joshua Jones, Antioch resident, thanked Council and staff for their hard work. He announced the Antioch Prayer Breakfast would be held at the Lone Tree Golf Course and Event Center. He presented Council with tickets to the event.

Corey Chan and Linda Solivan, Antioch residents and Linda Flower representing Climate Reality Project, requested Council agendaize a discussion regarding Antioch joining MCE, as their Consumer Choice Aggregate. Ms. Solivan stated that the City may have a conflict of interest with PG&E being named Antioch Large Business of the Year; however, they encouraged them allow residents a choice. They provided literature for Council to review.

### **COUNCIL SUBCOMMITTEE REPORTS/COMMUNICATIONS**

Councilmember Wilson reported on her attendance at the Contra Costa Transportation Authority meeting and Cannabis Conference.

Councilmember Motts reported on her attendance at the City/School District Ah Hoc Committee, Sesquicentennial Committee and Community-Based Transportation Plan Steering Committee meetings.

Councilmember Thorpe announced Tri Delta Transit meeting would be held on April 24, 2019. He reported on his attendance at the Cannabis Regulatory Conference.

Councilmember Ogorchock reported on her attendance at the City/School District Ah Hoc Committee meeting and her participation in the Every 15 Minutes Program at Deer Valley High. She thanked everyone who took part in the program and encouraged everyone to have their children watch the video, and participate.

Councilmember Thorpe, speaking to earlier public comment, clarified that it was not the City, but the Chamber of Commerce, who awarded the Business of the Year.

Mayor Wright reported on his attendance at the Sesquicentennial Committee and Delta Diablo Sanitary District meetings.

### **MAYOR'S COMMENTS**

Mayor Wright thanked everyone to who participated in the Antioch Rotary 5k Bunny Hop event.

3. **CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency**
  - A. **APPROVAL OF COUNCIL MINUTES FOR MARCH 26, 2019**
  - B. **APPROVAL OF COUNCIL MINUTES FOR APRIL 9, 2019**
  - C. **APPROVAL OF COUNCIL WARRANTS**
  - D. **REJECTION OF CLAIMS: (1) CAMERON ROCHA AND (2) BRYAN LOWE**
  - E. **APPROVAL OF TREASURER’S REPORT FOR FEBRUARY 2019**
  - F. **APPROVAL OF TREASURER’S REPORT FOR MARCH 2019**
  - G. **ORDINANCE NO. 2165-S-C SECOND READING – AMENDMENTS TO THE CANNABIS BUSINESS ORDINANCE (AMC 9-5.3845) REGARDING DEVELOPMENT AGREEMENTS, DELIVERY, AND SEPARATION REQUIREMENTS (*Introduced on 04/09/19*)**
  - H. **RESOLUTION NO. 2019/48 CONSIDERATION OF BIDS FOR THE CITY HALL COUNCIL CHAMBERS REMODEL (GENERAL CONSTRUCTION) (P.W. 247-P)**
  - I. **RESOLUTION NO. 2019/49 CONSIDERATION OF BIDS FOR THE CITY HALL COUNCIL CHAMBERS REMODEL (AUDIO-VIDEO COMMUNICATIONS) (P.W. 247-P1)**
  - J. **RESOLUTION NO. 2019/50 WEST ANTIOCH CREEK CHANNEL IMPROVEMENTS (P.W. 201-6)**
  - K. **RESOLUTION NO. 2019/51 RESOLUTION ESTABLISHING THE RATE PER EQUIVALENT RUNOFF UNIT FOR FISCAL YEAR 2019-20 AND REQUESTING THE CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT TO ADOPT AN ANNUAL PARCEL ASSESSMENT FOR DRAINAGE MAINTENANCE AND THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM PROGRAM**
  - L. **RESOLUTION NO. 2019/52 APPROVING CONSOLIDATED ENGINEER’S REPORT AND DECLARING INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE HILLCREST, CITYWIDE, DOWNTOWN, ALMONDRIDGE, LONE TREE WAY, AND EAST LONE TREE WAY LANDSCAPE MAINTENANCE DISTRICTS, AND SETTING A PUBLIC HEARING DATE (PW 500)**

- M. **RESOLUTION NO. 2019/53 STORM SYSTEM MAINTENANCE BID AWARD – 3-PERSON STORM SYSTEM MAINTENANCE CREW**
- N. **RESOLUTION NO. 2019/54 PURCHASE ORDER INCREASE FOR NATIONAL METER AND AUTOMATION INC.**
- O. **RESOLUTION NO. 2019/55 ANIMAL CONTROL BUILDING HVAC UPGRADES WITH SOLE SOURCE/BRAND JUSTIFICATION REQUEST**
- P. **RESOLUTION NO. 2019/56 PARK MAINTENANCE BID AWARD**
- Q. **RESOLUTION NO. 2019/57 ASPHALT OVERLAY HILLCREST PARK PATHWAY AND TRAILS BID AWARD**
- R. **RESOLUTION NO. 2019/58 TERMINATION OF THE JOINT EXERCISE OF POWERS AGREEMENT CREATING THE ANTIOCH AREA PUBLIC FACILITIES FINANCING AGENCY AND OTHER MATTERS RELATED THERETO**
- S. **RESOLUTION NO. 2019/59 WEBLATIVE MARKETING & MEDIA, DBA DUALHARE INC. CONTRACT**

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

**T. APPROVAL OF HOUSING SUCCESSOR WARRANTS**

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council unanimously approved the Council Consent Calendar with the exception of items G, H and S, which were removed for further discussion.

**Item G** – City Manager Bernal introduced Consent Calendar Item G. Director of Community Development Ebbs presented the staff report dated April 12, 2019.

Councilmember Ogorchock requested the City apply the separation requirement to the Antioch Youth Sports Complex and the Babe Ruth fields.

City Attorney Smith stated if Council wanted to change the ordinance, it would need to go through the first and second readings again followed by a 30-day public notice prior to the Ordinance taking effect. He noted that it would be up to Council to determine if they wanted the Ordinance changed now or in the future.

Councilmember Ogorchock expressed concern that if the ordinance passed this evening, the separation requirement would not apply to applications that were currently being brought forward.

Councilmember Thorpe responded that any application deemed compete would not be impacted.

In response to Council, Director of Community Development Ebbs confirmed that the Ordinance had minimum standards and the Use Permit was discretionary. He noted if Council wanted to apply the 600-foot separation requirement to private parks, they would need to reintroduce the Ordinance at a Public Hearing for a first reading, followed by a second reading.

On motion by Councilmember Thorpe, seconded by Councilmember Motts, the City Council approved Item G. The motion carried the following vote:

*Ayes: Wilson, Motts, Thorpe, Wright*

*Noes: Ogorchock*

**Item – H** – City Manager Bernal introduced Consent Calendar Item H. Project Manager Buenting presented the staff report dated April 12, 2019.

In response to Councilmember Thorpe, City Manager Bernal stated if it was Council’s desire to see future projects considered for a Project Labor Agreement, Council would need to provide that direction to staff.

Councilmember Ogorchock requested staff agendize consideration of a citywide Project Labor Agreement.

On motion by Councilmember Motts, seconded by Councilmember Ogorchock, the City Council unanimously approved Item H.

**Item S** – City Manager Bernal introduced Consent Calendar Item S. Economic Development Director Reed presented the staff report dated April 23, 2019 recommending the City Council

In response to Councilmember Thorpe, Economic Development Director Reed gave an overview of the bid process.

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock the City Council unanimously approved Item S.

## **PUBLIC HEARING**

### **4. ONE PLANT CANNABIS DISPENSARY (UP-18-15)**

City Manager Bernal introduced Public Hearing Item #4.

Director of Community Development Ebbs gave an overview of the Use Permit.

Associate Planner Scudero presented the staff report dated April 23, 2019 recommending the City Council consider the Planning Commission’s recommendation to approve a Use Permit

(UP-18-15) for a cannabis dispensary with delivery subject to the conditions contained in the proposed resolution.

Mayor Wright opened the Public Hearing.

Chris Hester, One Plant, announced that they had volunteered to go into a Development Agreement with the City. He gave a brief PowerPoint presentation of their business model which included their executive team, location, safety/security, community outreach, previous partners as well as the project details, brands and design.

Jeffrey Klingler, Antioch resident, discussed the adverse side effects of vaping and suggested Council consider accessibility to vaping products with the approval of this Use Permit. He also suggested a requirement that public information sessions include a presentation on the negative effects of cannabis usage.

Jason Teramoto, stated that he represented another applicant who would be coming to Council for consideration, in the near future. He discussed the positive aspects of cannabis use. He spoke to the benefits of this type of low impact business and in support of the project.

Mayor Wright closed the Public Hearing.

Councilmember Ogorchock reiterated her request to require a 600-foot separation from the business to the sports fields.

In response to Council, Mr. Hester explained their operational procedures and possible future expansion plans.

In response to Councilmember Ogorchock, Director of Community Development Ebbs clarified that the map indicated that this location was 2450 feet from the Babe Ruth fields.

### **RESOLUTION NO. 2019/60**

On motion by Councilmember Thorpe, seconded by Councilmember Wilson, the City Council approved a Use Permit (UP-18-15) for a cannabis dispensary with delivery subject to the conditions contained in the proposed resolution. The motion carried the following vote:

*Ayes: Wilson, Motts, Thorpe and Wright*

*Noes: Ogorchock*

### **COUNCIL REGULAR AGENDA**

- 5. POLICE CRIME PREVENTION COMMISSION APPOINTMENTS FOR ONE FULL-TERM VACANCY EXPIRING FEBRUARY 2023; ONE PARTIAL-TERM VACANCY EXPIRING OCTOBER 2020; AND ONE PARTIAL-TERM VACANCY EXPIRING OCTOBER 2021**



Mayor Wright nominated Clyde H. Lewis, Jr. to the full-term vacancy expiring February 2023, Luis Morales Corona to the partial-term vacancy expiring October 2020 and Chris Ristau to the partial-term vacancy expiring October 2021.

In response to Councilmember Motts, City Clerk Simonsen clarified attendance requirements for the Boards and Commissions, and Mayor Wright provided an overview of the selection process.

Councilmember Thorpe suggested candidates for the Board and Commission vacancies attend the Council meeting when their appointments were being considered.

**RESOLUTION NO. 2019/61**

**RESOLUTION NO. 2019/62**

**RESOLUTION NO. 2019/63**

On motion by Councilmember Ogorchock, seconded by Councilmember Motts, the City Council appointed by resolution: 1) Clyde H. Lewis, Jr., to the full-term vacancy on the Police Crime Prevention Commission expiring February 2023, 2) Luis Morales Corona to the partial-term vacancy on the Police Crime Prevention Commission expiring October 2020; and, 3) Chris Ristau to the partial-term vacancy on the Police Crime Prevention Commission expiring October 2021. The motion carried the following vote:

*Ayes: Motts, Thorpe, Ogorchock and Wright*

*Noes: Wilson*

**6. RESOLUTION FOR AN APPROPRIATION OF EXPENDITURES FOR THE ANTIOCH CHAMBER OF COMMERCE SOMERSVILLE ECONOMIC OPPORTUNITY PLAN IN COLLABORATION WITH SAINT MARY'S COLLEGE OF CALIFORNIA AND FOR THE ASSOCIATED GENERAL FUND BUDGET AMENDMENTS FOR FISCAL YEAR 2018/19 FOR AN AMOUNT NOT TO EXCEED \$15,000**

Mayor Wright recused himself due to his position with the Chamber of Commerce. He turned the gavel over to Mayor Pro Tem Motts and left the dais.

City Manager Bernal introduced Public Hearing Item #6.

Economic Development Director Reed presented the staff report dated April 23, 2019 recommending the City Council adopt a resolution appropriating expenditures for the Antioch Chamber of Commerce Somersville Economic Opportunity Plan in collaboration with Saint Mary's College of California ("Saint Mary's") and for the associated General Fund budget amendment for fiscal year 2018/19 for an amount not to exceed \$15,000.

Richard Pagano, President/CEO, Antioch Chamber of Commerce and Dr. Aksu, Director, Center for Regional Economy, Saint Mary's College of California presented the Antioch's Economic Development Strategy Powerpoint presentation.

Director of Economic Development Reed clarified if this project was approved, that no City funds would be used towards the prize component of the project.

Joseph Adebeyo, Antioch resident, and Ray Waters, General Manager of Somersville Towne Center, spoke in support of the Saint Mary's project and urged Council to adopt the resolution.

Tim McCall, Antioch resident, thanked staff for the comprehensive report. He commented that the Economic Development Commission fully supported the Saint Mary's project and urged Council to approve the resolution.

Mayor Pro Tem Motts read written comment from Robert Kilbourne Sr., who indicated his support of the project.

Following discussion, Councilmember Thorpe stated that in moving forward the City needed to make sure that projects, such as this, were evaluated through a grant process.

In response to Councilmember Wilson, Dr. Aksu reviewed the Scope of Work.

Councilmember Motts spoke in support of the project and the future development of a grant process to evaluate projects, such as this one.

Councilmember Thorpe encouraged Council to support the project; however, he did not believe it was fair for other private organizations that had not had the opportunity.

**RESOLUTION NO. 2019/64**

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council adopted a resolution appropriating expenditures for the Antioch Chamber of Commerce Somersville Economic Opportunity Plan in collaboration with Saint Mary's College of California ("Saint Mary's") and for the associated General Fund budget amendment for fiscal year 2018/19 for an amount not to exceed \$15,000. The motion carried the following vote:

*Ayes: Wilson, Ogorchock, Motts, Thorpe*

Mayor Wright returned to Council Chambers.

**7. HOUSING LAW UPDATE**

City Manager Bernal introduced Regular Agenda Item #7.

Director of Community Development Ebbs presented the staff report dated April 23, 2019 recommending the City Council receive the update and provide any comments or questions to staff.

In response to Council, Director of Community Development Ebbs stated staff would provide Council with a letter in response to the CASA Compact and State Housing Bills, for their consideration.

Councilmember Thorpe stated the City needed to also be deliberate in terms of pushing back on the County regarding their obligations.

## **8. RESOLUTION TO FORM A SENIOR AD HOC COMMITTEE**

City Manager Bernal introduced Regular Agenda Item #8.

Administrative Services Director Mastay presented the staff report dated April 23, 2019 recommending the City Council take the following actions: 1) Adopt a resolution to form the Senior Ad Hoc Committee; and 2) Confirm the appointment of the two (2) members for the Senior Ad Hoc Committee; and 3) Confirm the duration of the Senior Ad Hoc Committee.

In response to Councilmember Thorpe, Councilmember Ogorchock stated that the Senior Ad Hoc Committee would be looking at senior services. Mayor Wright added that there was an opportunity to talk with seniors and bring together the non-profits to determine their specific needs.

Councilmember Thorpe suggested the committee provide a report to Tri Delta with regards to senior's transportation needs.

Councilmember Motts stated the Community-Based Transportation Plan provided a needs assessment for Antioch, which would assist in gathering information with regards to this issue.

### **RESOLUTION NO. 2019/65**

On motion by Councilmember Thorpe, seconded by Councilmember Wilson the City Council unanimously 1) Adopted a resolution to form the Senior Ad Hoc Committee; and 2) Confirmed the appointment of Councilmember Ogorchock and Mayor Wright for the Senior Ad Hoc Committee; and 3) Confirmed the duration of 6-months for the Senior Ad Hoc Committee.

City Clerk Simonsen clarified that the resolution would indicate October 23, 2019 as the termination date of the committee.

**PUBLIC COMMENTS** – None

## **STAFF COMMUNICATIONS**

In response to City Manager Bernal, Council agreed to hold a Closed Session at 5:00 P.M. on April 30, 2019.

**COUNCIL COMMUNICATIONS**

Councilmember Thorpe requested staff agendaize the consideration of a Cannabis Ad-Hoc committee.

**ADJOURNMENT**

With no further business, Mayor Wright adjourned the meeting at 10:06 P.M. to the next regular Council meeting on May 14, 2019.

Respectfully submitted:

*Kitty Eiden*

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KITTY EIDEN, Minutes Clerk