

CITY COUNCIL MEETING

Regular Meeting
7:00 P.M.

August 13, 2019
Antioch Community Center

5:30 P.M. - CLOSED SESSION

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to California Government Code section 54956.8: Property – former Deerfield Fire Station: City Negotiator; City Manager. Document: Draft Purchase and Sale Agreement (PSA).
2. **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.
3. **CONFERENCE WITH LEGAL COUNSEL** – Existing Litigation pursuant to California Government Code section 54956.9(d)(1): Greg & Ramona Mayon vs. Joe Bosman, City of Antioch et al. Contra Costa Superior Court Case Number C18-00168.

Mayor Wright called the meeting to order at 7:00 P.M., and 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.

City Attorney Smith reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS**, no reportable action, **#2 CONFERENCE WITH LEGAL COUNSEL** no reportable action; and, **#3 CONFERENCE WITH LEGAL COUNSEL**, no reportable action.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Director of Parks and Recreation Kaiser announced the Summer Concert Series continues with “The Purple Ones” at 6:00 P.M. on August 17, 2019, in Waldie Plaza. She noted the Fall Recreation Guide has been distributed to residents and Pop Up Recreation was occurring afterschool in neighborhood parks.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen announced the following Board and Commission openings:

- Board of Administrative Appeals: One (1) alternate member vacancy: deadline date is August 23, 2019

- Police Crime Prevention Commission: One (1) vacancy: deadline date is August 16, 2019

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

PUBLIC COMMENTS

J.R. Wilson, Delta Veterans Group, and representatives of VFW, American Legion, DAV and Delta Veterans, presented their proposal for relocating the Antioch Veteran's Memorial. They requested Council agendaize this item for the August 27, 2019 City Council meeting.

Victoria Matthews, Antioch resident, reported she recently encountered a deceased animal and was unsuccessful at finding a location that would accept it. She requested the City Council provide an after hour resource for residents in similar situations.

COUNCIL SUBCOMMITTEE REPORTS/COMMUNICATIONS

Councilmember Wilson reported on her attendance at the Tri Delta Transit subcommittee meeting. She announced Contra Costa Transportation Authority (CCTA) was seeking input for a Measure being placed on the 2020 ballot and the survey was available online.

Councilmember Motts reported on her attendance at the Homeless Encampment Task Force Ad Hoc Committee meeting. She announced that the committee would be making a presentation with recommendations to the City Council at the August 27, 2019 Council meeting.

Councilmember Thorpe reported on his attendance at the Tri Delta Transit meeting, transportation conference in Jacksonville, with Councilmember Wilson and the Homeless Encampment Task Force Ad Hoc committee meeting, with Councilmember Motts.

Mayor Wright reported on his attendance at several transportation meetings and his participation in the CCTA Town Hall meeting, which was conducted by telephone. He encouraged staff to reach out to CCTA to determine how they were able to engage the community.

MAYOR'S COMMENTS

Mayor Wright thanked Council, staff and the Antioch Police Department for participating in National Night Out events throughout Antioch. He noted that each group he had visited spoke highly of their neighborhoods. He encouraged residents to participate in next year's event.

PRESENTATION

Sarah Meacham, Managing Director Public Finance Management (PFM) presented the Portfolio Update Investment Report.

1. **CONSENT CALENDAR**
 - A. **APPROVAL OF COUNCIL MINUTES FOR JUNE 25, 2019**
 - B. **APPROVAL OF COUNCIL WARRANTS**
 - C. **APPROVAL OF TREASURER’S REPORT FOR JUNE 2019**
 - D. **RESOLUTION NO. 2019/119 POLICE COMPUTER AIDED DISPATCH AND RECORDS MANAGEMENT SYSTEM SOFTWARE REPLACEMENT**
 - E. **RESOLUTION NO. 2019/120 POLICE VEHICLE COMPUTER HARDWARE REPLACEMENT**
 - F. **RESOLUTION NO. 2019/121 AMENDING THE CONTRACT WITH TERI HOUSE, CDBG CONSULTANT, INCREASING THE HOURLY RATE FROM \$65 TO \$85 AND OTHER MINOR CHANGES**
 - G. **RESOLUTION NO. 2019/122 APPROVING A PRIVATE STREET/DRIVEWAY NAME CHANGE FROM “ANGELINA ROSE PLACE” TO “TREVISTA PLACE”**
 - H. **RESOLUTION NO. 2019/123 CONSULTANT SERVICE AGREEMENT WITH BROWN AND CALDWELL FOR THE WATER SYSTEM MASTER PLAN UPDATE (P.W. 340-14)**
 - I. **RESOLUTION NO. 2019/124 FIRST AMENDMENT TO THE AGREEMENT WITH SABOO, INC. FOR THE CITY HALL COUNCIL CHAMBERS REMODEL (GENERAL CONSTRUCTION) (P.W. 247-P)**

Councilmember Motts pulled Item D from the Consent Calendar.

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council unanimously approved the Council Consent Calendar with the exception of Item D, which was removed for further discussion.

Item D - City Manager Bernal introduced Item 1D. In response to Councilmember Motts, Lieutenant Bittner explained that the Antioch Police Department was unaware of the vendor or costs associated with the project, when Council was holding their initial budget discussions. In response to Councilmember Thorpe, City Manager Bernal commented that Council could wait until mid-year to determine if the budget needed to be amended to cover the costs.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously approved Item 1D.

PUBLIC HEARING

2. **ALLUVIUM CANNABIS DISPENSARY AND INFUSION (UP-18-21)**

City Manager Bernal introduced Public Hearing Item #2.

Director of Community Development Ebbs presented the staff report dated August 13, 2019 recommending the City Council consider a Use Permit (UP-18-21) for a cannabis business consisting of a dispensary with delivery and Type N infusion license.

Mayor Wright opened the Public Hearing.

Patti O'Brien, CEO of Alluvium gave a brief professional history. She introduced her business partner Nima Gabbay and they gave a PowerPoint presentation of the project which included the following:

- Vision and Mission
- Biographies – Patti O'Brien and Nima Gabbay
- Location, Site Plan and Tenant Improvements
- Security and Surveillance

Dr. Jeffrey Klingler, Antioch resident, encouraged the Council to consider the negative effects of cannabis use. He suggested Council put a hold on future permits until the already approved businesses had demonstrated that they worked, as promised. He questioned if the City had considered how many cannabis businesses were enough.

Partha Chowdhur, Antioch resident, stated he supported business; however, as a registered nurse and former cannabis user, he did not support cannabis businesses.

Derek Baker, Antioch resident, discussed the medicinal benefits of cannabis. He spoke in support of letting the citizens decide on how many businesses would be successful and providing local legal access to cannabis. He commented that citizens approved legalizing cannabis and wanted it in their communities. He noted that it had been proven that cannabis does not attract criminal activity, negatively impact communities or decrease property values.

Mayor Wright closed the Public Hearing.

In response to Councilmember Motts, Ms. O'Brien reviewed their circulation plan, employee benefits and the standard operating procedures for delivery vehicles.

In response to Councilmember Wilson, Director of Community Development Ebbs explained that there may be room for one or two additional cannabis businesses within the Verne Roberts Circle area.

In response to Council, Ms. O'Brien discussed State licensed and non-licensed cannabis facilities and delivery systems. Also discussed was their support of social equity. She encouraged the City to develop a regulatory council for cannabis.

Councilmember Thorpe stated he was concerned for social equity and the opportunities that cannabis businesses could provide.

Ms. O'Brien responded that she had an open door policy for social equity.

Councilmember Ogorchock stated that appreciated the presentation this evening; however, she wanted to see how the already approved businesses vet out prior to considering the approval of additional cannabis businesses in Antioch.

In response to Councilmember Thorpe, Director of Community Development Ebbs clarified that the City had not limited the number of dispensaries.

Discussion ensued regarding security at the site with Planning Manager Morris clarifying that the conditions of approval require no fewer than two uniformed and armed security guards on-site during business operating hours, and one armed security guard shall be onsite even when the facility was closed. She noted that this condition of approval was consistent with the other dispensaries approved by the City Council.

Director of Community Development Ebbs added that if the conditions were not met the Use Permit was revocable by the City Council.

RESOLUTION NO. 2019/125

On motion by Councilmember Thorpe, seconded by Councilmember Wilson the City Council approved a Use Permit (UP-18-21) for a cannabis business consisting of a dispensary with delivery and Type N infusion license. The motion carried the following vote:

Ayes: Wilson, Motts, Thorpe, Wright

Noes: Ogorchock

3. 2019 TRIENNIAL REPORT ON WATER UTILITY PUBLIC HEALTH GOALS

City Manager Bernal introduced Public Hearing Item #3.

Director of Public Works/City Engineer Blank presented the staff report dated August 13, 2019 recommending the City Council adopt a resolution receiving and accepting public comments on the City of Antioch 2019 Triennial Public Health Goals ("PHG") Report.

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

A motion was made by Councilmember Ogorchock, seconded by Councilmember Motts to adopt a resolution receiving and accepting public comments on the City of Antioch 2019 Triennial Public Health Goals ("PHG") Report.

In response to Council, Water Superintendent Coley explaining the City's testing practices and noted that residents experiencing tastes or odors could contact the City's water quality analyst. In addition, he discussed the City's efforts to address unsanitary conditions in areas around the pump stations due to homeless encampments. Also discussed was how the delta tunnels, if approved, would impact the City's water supply. He explained that all surrounding City's had the

same source water; however, they had different techniques to treat the water which resulted in minor differences.

RESOLUTION NO. 2019/126

A vote taken on the previous motion to adopt the resolution unanimously passed.

COUNCIL REGULAR AGENDA

4. NEW CLASS SPECIFICATIONS, ASSIGNING SALARY RANGES, ASSIGNING THE CLASSIFICATIONS TO THE BARGAINING UNITS

City Manager Bernal introduced Regular Agenda Item #4.

Administrative Services Director Mastay presented the staff report dated August 13, 2019 recommending the City Council take the following actions:

- 1) Adopt a Resolution Approving the New Class Specification for Doctor of Veterinary Medicine, Assigning a Salary Range, Assigning the Classification to the Management-Senior Bargaining Unit.
- 2) Adopt a Resolution Approving the New Class Specification for Public Information/Communications Officer, Assigning a Salary Range, Assigning the Classification to the Management-Mid Professional Bargaining Unit.
- 3) Adopt a Resolution Approving the New Class Specification for Assistant/Associate/Senior Community Development Technician, Assigning a Salary Range, Assigning the Classification to the Operating Engineers Local Union No. 3 Bargaining Unit.
- 4) Adopt a Resolution Approving the New Class Specification for Assistant/Associate/Senior Engineering Technician, Assigning a Salary Range, Assigning the Classification to the Operating Engineers Local Union No. 3 Bargaining Unit.
- 5) Adopt a Resolution Approving the New Class Specification for Payroll Specialist II, Assigning a Salary Range, Assigning the Classification to the Confidential Bargaining Unit.
- 6) Adopt a Resolution Approving the New Class Specification for Code Enforcement Maintenance Worker I/II, Assigning a Salary Range, Assigning the Classification to the Antioch Public Works Employees Association (APWEA) Bargaining Unit.

A motion was made by Councilmember Ogorchock, seconded by Councilmember Motts to:

- 1) Adopt a Resolution Approving the New Class Specification for Doctor of Veterinary Medicine, Assigning a Salary Range, Assigning the Classification to the Management-Senior Bargaining Unit.

- 2) Adopt a Resolution Approving the New Class Specification for Public Information/Communications Officer, Assigning a Salary Range, Assigning the Classification to the Management-Mid Professional Bargaining Unit.
- 3) Adopt a Resolution Approving the New Class Specification for Assistant/Associate/Senior Community Development Technician, Assigning a Salary Range, Assigning the Classification to the Operating Engineers Local Union No. 3 Bargaining Unit.
- 4) Adopt a Resolution Approving the New Class Specification for Assistant/Associate/Senior Engineering Technician, Assigning a Salary Range, Assigning the Classification to the Operating Engineers Local Union No. 3 Bargaining Unit.
- 5) Adopt a Resolution Approving the New Class Specification for Payroll Specialist II, Assigning a Salary Range, Assigning the Classification to the Confidential Bargaining Unit.
- 6) Adopt a Resolution Approving the New Class Specification for Code Enforcement Maintenance Worker I/II, Assigning a Salary Range, Assigning the Classification to the Antioch Public Works Employees Association (APWEA) Bargaining Unit.

In response to Councilmember Thorpe, Administrative Services Director Mastay clarified that the Payroll Specialist position would have come back to Council for a budget amendment.

Councilmember Thorpe stated he supported budget amendments coming to Council at midyear budget review so Council would be aware of the overall fiscal impact.

Mayor Wright agreed with Councilmember Thorpe and clarified that the City was not hiring at this time.

RESOLUTION NO. 2019/127
RESOLUTION NO. 2019/128
RESOLUTION NO. 2019/129
RESOLUTION NO. 2019/130
RESOLUTION NO. 2019/131
RESOLUTION NO. 2019/132

A vote taken on the previous motion to adopt the resolutions unanimously passed.

PUBLIC COMMENTS – None

STAFF COMMUNICATIONS

City Manager Bernal thanked the Director of Parks and Recreation Kaiser and staff for setting up City meetings, at the Community Center. He announced that he, accompanied by Economic Development Director Reed, would be touring downtown Antioch with Senator Glazer at 9:45 A.M. on August 16, 2019.

COUNCIL COMMUNICATIONS

Councilmember Thorpe requested staff agendaize a discussion on Charter Cities

Councilmember Ogorchock requested staff agendaize a discussion on the following:

- Ban on plastic bags
- Vaping cigarettes
- Veteran's Memorial Project
- School Crossing Safety Measures

Mayor Wright welcomed everyone back to the meeting following the summer break.

ADJOURNMENT

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, the City Council unanimously adjourned the meeting at 8:51 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk