

## CITY COUNCIL MEETING

Regular Meeting  
7:00 P.M.

September 10, 2019  
Council Chambers

### 5:30 P.M. - CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION** – Potential Litigation pursuant to California Government Code section 54956.9 (d)(4): Water Rights BDCP/WaterFix (Bay Delta Conservation Plan/WaterFix).
2. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to California Government Code section 54956.8: Orton/Libitzky owned Assessor's Parcel Numbers (APN No.'s): 066-110-009; 074-040-035; 066-101-001. City and Agency Negotiator, City Manager Ron Bernal; Parties – Orton/Libitzky, Antioch Marina LLC.

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

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

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

### 1. PROCLAMATION

*In Honor of California Coastal Clean Up Day, September 21, 2019*

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

Mayor Wright presented the *In Honor of California Coastal Clean Up Day* proclamation to Director of Parks and Recreation Kaiser who thanked the City Council for the recognition, and encouraged everyone to become involved in the event.

### ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Councilmember Wilson announced the following events:

- Brazen Racing Drag-N-Fly Half Marathon, 10K and 5K would be held at 8:00 A.M. on September 14, 2019 at Contra Loma Regional Park

- Human Trafficking Day of Action at 2:00 P.M. on September 19, 2019 at the Antioch Police Community Room

Councilmember Motts announced Celebrate Antioch Foundation and the downtown merchants would be hosting a Peddler's Fair from 9:00 A.M. – 3:00 P.M. on September 21, 2019.

Councilmember Ogorchock announced the following events:

- Bedford Center fundraiser honoring Mary and Bill Chapman from the Elderly Wish Foundation, from 2:00 P.M. – 6:00 P.M. on September 21, 2019
- Family Justice Center grand opening from 12:00 P.M. – 2:00 P.M. on September 27, 2019.

JR Wilson invited Council to attend opening ceremonies for Stand Down on the Delta at 4:00 P.M. on September 20, 2019, at the Contra Costa County Fairgrounds. He noted anyone wishing to volunteer for the event could sign at [deltaveteransgroup.org](http://deltaveteransgroup.org).

Director of Parks and Recreation Kaiser announced pop-up recreation was occurring at various parks throughout Antioch.

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

City Clerk Simonsen announced the following Board and Commission openings:

- Parks and Recreation Commission: One (1) vacancy; deadline date is September 27, 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**

Ahmad Khan, Antioch resident, expressed concern regarding the increase in homelessness and criminal activities occurring in the Prewett Ranch area. He urged Council to provide services for the homeless.

Adam and Shannon Dye, Villa Medanos Apartment residents, expressed concern regarding business practices of Reliant Property Management. They urged Council to hold them accountable for their actions and protect the citizens in the community.

Eduardo Torres, Tenants Together, reported that he had been contacted by tenants of the Villa Medanos Apartments regarding the business practices of Reliant Property Management. He requested Council look into this matter.

Chuck Kuslits, Friends of Animal Services, announced they had received donations from the community to help fund the cost of the new air condition at the Animal Shelter and presented Mayor Wright with a check in the amount of \$3780.00.

Beverly Knight, Antioch resident, responded to comments made at the last Council meeting regarding the Veteran's Memorial and unhoused residents. She encouraged Council to show compassion for children and shop owners who had been negatively impacted by the actions of the homeless community.

Thelma Ann Fields, Villa Medanos Apartment resident, expressed concern regarding the business practices of Reliant Property Management.

Johnny Thizuto, Antioch resident, requested that city officials and various staff members resign. He expressed concern regarding parking violations and city's travel expenses. He reported that he had made comments on a Councilmember's official website, which had subsequently been deleted. He stated he would be filing a lawsuit regarding this matter. He expressed concern that a quorum of Council members had attended fundraisers and unsanitary conditions at commercial developments.

Ken Turnage II, Antioch resident, explained that homeless issues were detrimental to the City, businesses, families and public health. He encouraged Council to improve the cleanliness of the City for taxpayers and businesses. He voiced his support for assisting Veterans and those needing a hand up. He commented that those creating unsanitary conditions and uncomfortable shopping experiences needed to be removed.

## **COUNCIL SUBCOMMITTEE REPORTS/COMMUNICATIONS**

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

## **MAYOR'S COMMENTS**

Mayor Wright announced that September 7, 2019 was the 100<sup>th</sup> Neighborhood Clean-Up event and he thanked everyone who participated. He also thanked the Antioch Police Department for organizing the event.

### **2. CONSENT CALENDAR**

#### **A. APPROVAL OF COUNCIL MINUTES FOR AUGUST 27, 2019**

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

#### **C. ORDINANCE NO. 2171-C-S SECOND READING – CITY COUNCIL MEMBERS' SALARIES (*Introduced on 08/27/19*)**

#### **D. RESOLUTION NO. 2019/138 VARIOUS ASPHALT REPAIRS – SERVICE CUTS BID AWARD**

#### **E. RESOLUTION NO. 2019/139 FOURTH AMENDMENT TO THE DESIGN SERVICES AGREEMENT WITH SWATT MIERS ARCHITECTS FOR THE CITY HALL COUNCIL CHAMBERS INTERIOR REMODEL (P.W. 247-P)**

**F. RESOLUTION NO. 2019/140 VETERANS' MEMORIAL – ESTABLISH A CAPITAL IMPROVEMENT PROJECT AND APPROPRIATE FUNDS**

**G. CITY CLERK OVERNIGHT TRAVEL**

On motion by Councilmember Wilson, seconded by Councilmember Ogorchock, the City Council unanimously approved the Council Consent Calendar with the exception of items C and F, which were removed for further discussion.

**Item C** – City Manager Bernal introduced Consent Calendar Item C. City Attorney Smith presented staff report dated September 10, 2019.

Councilmember Ogorchock requested Council reconsider this item and only take a 5% increase in 2021 and every year thereafter.

City Attorney Smith reported that it had been 13 years since the last increase and under the government code a 5% increase per year was allowed. Additionally, he noted that population was a variable that the Government Code used to determine Council salary.

Councilmember Thorpe stated that unlike other cities who had support staff, Antioch City Council did the work themselves.

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

*Ayes: Wilson, Motts, Thorpe and Wright*

*Noes: Ogorchock*

**Item F** - City Manager Bernal introduced Consent Calendar Item C.

In response to Councilmember Motts, Public Works Director/City Engineer Blank stated it was difficult to determine a timeframe for the project; however, they would begin working on it immediately.

Councilmember Motts requested an update from staff as the project progressed.

J.R. Wilson, Antioch resident, mentioned that a great timeline for the project would be to have it partially completed by Veteran's day with a rededication on Memorial Day 2020.

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe the City Council unanimously approved item F.

**PUBLIC HEARING**

**3. CONTRA COSTA FARMS CANNABIS BUSINESS (UP-18-23, AR-18-24, V-19-03)**

City Manager Bernal introduced Public Hearing Item #3.

Director of Community Development Ebbs explained Council was considering the Use Permit and Land Use Entitlement, this evening.

Associate Planner Merideth presented the staff report dated September 10, 2019 recommending the City Council take the following actions: 1) Adopt the resolution approving the Contra Costa Farms Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. 2) Adopt the resolution approving a use permit, design review, and variance for a cannabis business, subject to the conditions of approval (UP-18-23, AR-18-24, V-19-03).

Mayor Wright opened the public hearing.

Martin Wesley, Managing Member of Rio Vista and Coco Farms, gave a PowerPoint presentation which included their mission, managing members, experience, accomplishments and contributions, proposal/site plan, overview of the project, community impact, benefits for Antioch, concerns and risks. He requested the City Council approve the Planning Commission recommendation and stated he was available to answer any questions this evening.

Dr. Jeffrey Klingler, Antioch resident, speaking against the project discussed the health risks associated with recreational cannabis use. He also discussed the medical benefits of cannabis and noted that it was a powerful chemical that belonged in the hands of medical professionals. He commented that neighborhoods with dispensaries experienced a decrease in crime and an increase in property values; however, it had been attributed to the security measures on dispensary sites. He stated that he believed approving dispensaries was counter to what the City had been trying to achieve when they amended the municipal code to reduce the number of tobacco and paraphernalia retailers.

Mayor Wright explained the speaker rules.

Johnny Thizuto stated that he felt the security measures were insufficient. He commented that the marijuana sold at the dispensary would be cost prohibitive making it more attractive to purchase on the black market. He expressed concern for the negative health effects of vape pens.

Lucas Bosman, spoke in support of the business. He commented that once retail shops opened he believed people would stop purchasing marijuana from the black market and that would prevent money from going to gangs and criminal activity.

Andy Perry, spoke in support of the business and noted that the cannabis business zones were limited. She further noted the medicinal benefits of cannabis were significant.

City Clerk Simonsen announced the City Clerk's office had received an email on September 10, 2019 from Lara Welker regarding this item, which would be placed into the record.

Mayor Wright added that Council had received an email on September 10, 2019 from Lucy Meinhardt regarding this item and item #5, which would be placed into the record.

Mayor Wright closed the public hearing.

In response to Councilmember Motts, Mr. Wesley discussed employee compensation, delivery practices, customer verification process and occupancy of the building. He clarified that they had requested to be allowed to open should the Development Agreement (DA) not be finalized by the date they received their certificate of occupancy. He noted that they agreed to make the DA retroactive to that date.

City Attorney Smith confirmed that this application was part of a group of three prior businesses that were given a use permit prior to the amendment to the cannabis ordinance requiring a DA; however, those three prior businesses voluntarily agreed to participate in the DA. He stated the City was now considering an operating agreement instead of a development agreement which would allow them to achieve all of the same goals and streamline the process. He advised Council that staff had provided modified wording for a condition of approval to reflect his recommendation.

Associate Planner Merideth clarified that the previous dispensaries condition read: "The applicant shall enter into a development agreement or operating agreement with the City of Antioch prior to a Certificate of Occupancy being issued for any part of the project. No business license shall be issued without an approved development agreement or operating agreement".

**RESOLUTION NO. 2019/141**  
**RESOLUTION NO. 2019/142**

On motion by Councilmember Thorpe, seconded by Councilmember Wilson the City Council adopted the resolution approving the Contra Costa Farms Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. The motion carried the following vote:

*Ayes: Wilson, Motts, Thorpe, Wright*

*Noes: Ogorchock*

On motion by Councilmember Thorpe, seconded by Councilmember Motts the City Council adopted the resolution approving a use permit, design review, and variance for a cannabis business, subject to the conditions of approval (UP-18-23, AR-18-24, V-19-03).

With the following change to Project Specific Condition K.34.

- The applicant shall enter into a development agreement or operating agreement with the City of Antioch prior to a Certificate of Occupancy being issued for any part of the project. No business license shall be issued without an approved development agreement or operating agreement.

The motion carried the following vote:

*Ayes: Wilson, Motts, Thorpe, Wright*

*Noes: Ogorchock*

**COUNCIL REGULAR AGENDA**

- 4. RESOLUTION AUTHORIZING THE CITY ATTORNEY, IN CONSULTATION WITH THE CANNABIS AD HOC COMMITTEE, TO NEGOTIATE OPERATING AGREEMENTS SUBJECT TO CITY COUNCIL APPROVAL, IN LIEU OF DEVELOPMENT AGREEMENTS, WITH THOSE CANNABIS BUSINESS APPLICANTS WHOSE APPLICATIONS WERE DEEMED COMPLETE PRIOR TO THE APRIL 2019 AMENDMENT OF CHAPTER 5 OF TITLE 9 OF THE ANTIOCH MUNICIPAL CODE**

City Manager Bernal introduced Regular Agenda Item #4.

City Attorney Smith presented the staff report dated September 10, 2019 recommending the City Council adopt a resolution authorizing the City Attorney, in consultation with the Cannabis Ad Hoc Committee, to negotiate operating agreements subject to City Council approval, instead of development agreements, with those cannabis business applicants whose applications were deemed complete prior to the effective date of the April 2019 Amendment to Chapter 5 of Title 9 of the Antioch Municipal Code.

**RESOLUTION NO. 2019/143**

On motion by Councilmember Thorpe, seconded by Councilmember Wilson the Council unanimously adopted a resolution authorizing the City Attorney, in consultation with the Cannabis Ad Hoc Committee, to negotiate operating agreements subject to City Council approval, instead of development agreements, with those cannabis business applicants whose applications were deemed complete prior to the effective date of the April 2019 Amendment to Chapter 5 of Title 9 of the Antioch Municipal Code.

- 5. DISCUSS AND DECIDE IMPLEMENTATION OF IMMEDIATE RECOMMENDED ACTIONS OF THE HOMELESS ENCAMPMENT TASK FORCE COMMITTEE**

City Manager Bernal introduced Regular Agenda Item #5.

Administrative Services Director Mastay presented the staff report dated September 10, 2019 recommending the City Council discuss and decide if they want to implement the immediate recommended actions of the Homeless Encampment Task Force Committee.

Councilmember Thorpe thanked Administrative Services Director Mastay for the report. He commented that the recommendations were specific; however, he believed there should be discretion.

Joe Bosman, thanked Councilmember Thorpe and Councilmember Motts for their dedication to this issue. He suggested the City consider an overlay district for zoning of R-25 properties to create alternate affordable housing opportunities. He stated he believed there was an inequity in funding for homeless services. He suggested streamlining and reducing costs associated with the approval of affordable housing projects.

Ashley Mahan, suggested everyone work together to address homeless issues. She asked the City to clean up the trash adjacent to the delta and place a dumpster in the area. She reported they were working with the homeless to empower them to clean up their environments.

Nicole Gardner thanked Council for allowing her to speak and the Homeless Encampment Task Force for their recommendations. She requested the City allow RVs to remain on the Wilbur Avenue property and suggested Council develop a policy that would legalize camping in public.

Michelle Harrigan, Antioch resident, spoke in support of expanding shelter opportunities by possibly purchasing or negotiating a long term contract for a small hotel to serve as a one-stop facility. She noted that state and federal grants should be available for this purpose.

Leonard Hernandez, Orinda resident, Homeless Advocates of Contra Costa County, spoke in support of having dumpsters available for the homeless. He discussed services he provided to the homeless community.

Danial Loey, Antioch resident, recommended Council not adopt the findings of the task force noting that it would promote more homeless in Antioch. He suggested using the money associated with the hiring of an Unhoused Resident Coordinator to offer the homeless free counseling services and jobs through the City's maintenance department.

Frank Sterling, Antioch resident, thanked the Homeless Encampment Task Force for the recommendations. He encouraged Council to help the homeless community by providing shelter opportunities as well as transitional and sustainable housing.

Olga Smith, Antioch resident, thanked the committee for changing the terminology from homeless to unhoused residents to reduce stigmatizing this segment of the population.

Councilmember Thorpe gave a history of the Homeless Encampment Task Force Ad Hoc committee engagement process.

Councilmember Ogorchock spoke in support of allocating additional CDBG monies for the non-profits providing homeless services.

Mayor Wright discussed a conversation he had had with Lavonna Martin, Director, Health, Housing and Homeless Services, and noted that he was surprised the recommendations were coming forward without input from the County.

Councilmember Thorpe reported that while the recommendations were in consultation with the County they were not dependent on them because it was about what the City had the capacity to do.

Councilmember Motts added that Ms. Martin expertise was used to form their opinions on the recommendations.



In response to Mayor Wright, CDBG/Housing Consultant House reported the Homeless Consortium of Care was the body that all the money flowed through for homeless services. She noted if the City was looking to invest additional funds in homeless services, she had a list of potential projects and costs associated that she could provide to Council. She added that she sat on the Council on Homelessness, Healthcare for the Homeless and the United Way FEMA Board, so she had all the relationships with the non-profit agencies.

Mayor Wright stated Ms. Martin indicated that hiring a consultant would be duplicative of the Ad Hoc Committee efforts and the City could utilize the money for the position, to provide services. She had also commented that if the City moved forward with the recommendations, they would be taking on the obligations and liability into perpetuity.

Councilmember Ogorchock stated she had a similar conversation with Ms. Martin and she had also indicated that the County would be willing to allocate some of the money from the Care Center to assist the City in opening a warming center.

In response to Councilmember Ogorchock, CDBG/Housing Consultant House confirmed that the City could not effectively work outside the Continuum of Care because they would not have access to shelter beds, housing navigation, homeless prevention and resources. She added all state and federal grants flowed through the Homeless Continuum of Care.

Councilmember Ogorchock stated she would rather see the money for the Unhoused Resident Coordinator going to CDBG/Housing Consultant House since she already had the relationships with the non-profit agencies.

In response to Councilmember Wilson, CDBG/Housing Consultant House responded that the City did not have a program for administering direct services.

Councilmember Motts expressed concern that the Care Center was 2-3 years away and when completed, it would not provide enough shelter beds for Antioch's homeless population.

In response to Councilmember Motts, CDBG/Housing Consultant House commented that the only way for the homeless to find transitional housing was through the Continuum of Care. She noted there were services that could be provided outside of that and she would be happy to discuss those opportunities with Council. She confirmed that housing was the first priority because people could not access services without shelter.

Councilmember Thorpe explained that the temporary measures were to address public health concerns; however, the ultimate goal was the housing component.

In response to Mayor Wright, CDBG/Housing Consultant House clarified with the housing first model the City could build its own adjunct system that worked with the Continuum of Care.

Mayor Wright explained that if the City went with a temporary housing model it would become permanent for the City. He stated that he could not move forward with the recommendations until a project and costs analysis was brought forward.

CDBG/Housing Consultant House reported the Continuum of Care had priced out all of the different models so she could provide that information.

Councilmember Thorpe noted housing coupled with a no camping ordinance would reduce the amount of services needed; however, there would always be people that did not want to accept help so they would need to accommodate for that.

In response to Council, City Attorney Smith stated it would be difficult for the City to enforce a no camping ordinance. He noted that he would be happy to give an opinion on this matter outside of a public forum. He stated that there was litigation in other cities regarding this issue.

Councilmember Motts stated that the City needed someone to coordinate their efforts.

CDBG/Housing Consultant House reiterated that she could provide Council with ideas and then they could decide whether a full-time Unhoused Resident Coordinator was needed or if they wanted to work directly with the non-profits.

Mayor Wright stated in his conversations with Ms. Martin, she had indicated if the City was willing to put in extra funds, she could coordinate their efforts.

Councilmember Thorpe stated that the County's model would not address the City's need to immediately house people.

CDBG/Housing Consultant House stated that however it was done; the City needed the ability to access the key components of the Continuum of Care.

In response to Council, City Attorney Smith stated that the wording of the recommendation on this item was problematic because the way it read it appeared as though some action should be taken. He added that there was no real opportunity to take action because there was a lot of unknown information. He suggested Council form this item as direction.

Councilmember Thorpe recommended Council adopt the principles set forth in the staff report.

Council directed staff to further research and provide cost analysis for the following items:

- Portable Restrooms
- Mobile Showers
- Laundry Facilities
- Dumpsters
- Safe Parking Lot
- RV/Trailer Parking
- Tuff Shed Cabins/Villages
- Master Leasing Agreement - Hotel/Motel
- Identifying Locations

City Manager Bernal recommended this item come back to Council at the October 22, 2019 Council meeting when all Councilmembers would be present.

In response to City Attorney Smith, Council confirmed that when this item returned it should be formed in such a way that they could take action on the recommendations.

Councilmember Wilson discussed the importance of expediting the matter.

Mayor Wright declared a recess at 10:07 P.M. The meeting reconvened at 10:22 P.M. with all Councilmembers present.

**6. RESOLUTION APPROVING A NEW CLASS SPECIFICATION OF UNHOUSED RESIDENT COORDINATOR, ASSIGNMENT OF A SALARY RANGE AND PLACEMENT OF THIS SALARY RANGE ON THE HOURLY CLASSIFICATIONS SALARY SCHEDULE, AND AUTHORIZATION THE APPROPRIATE BUDGET ADJUSTMENT**

City Manager Bernal introduced Regular Agenda Item #6.

Administrative Services Director Mastay presented the staff report dated September 10, 2019 recommending the City Council adopt a resolution: 1) Approving the class specification of Unhoused Resident Coordinator. 2) Assigning the Unhoused Resident Coordinator classification to a salary range and placing this salary range on the hourly classification salary schedule. 3) Authorizing the appropriate budget adjustments. She added that if Council wanted to have this position filled by a consultant, it could be done; however, they would need a cost allocation for it.

Councilmember Thorpe stated that to avoid a lengthy HR process, he supported hiring a consultant to fill the Unhoused Resident Coordinator position.

Mayor Wright stated he would like to review the feasibility studies from Lavonna Martin, Director, Health, Housing and Homeless Services and CDBG/Housing Consultant House prior to filling this position. He noted based on that information, there may be an opportunity to spend less on a consultant and more on the deliverables.

Councilmember Ogorchock agreed with Mayor Wright noting that there may be an opportunity to use the funds for this position on housing.

Councilmember Motts stated she believed the position should be filled with a consultant who could devote 30-hours per week on this effort.

Mayor Wright responded that he believed when staff brought back the recommendations, they would include how to manage the tasks involved.

Councilmember Thorpe stated that he believed a consultant was needed because the City declared a homeless emergency. He made a motion to approve the resolution approving a

Consultant for an Unhoused Resident Coordinator assigning a salary range and authorizing the appropriate budget adjustments.

Following discussion, Councilmember Thorpe withdrew his motion and made the following motion.

**RESOLUTION NO. 2019/144**

On motion by Councilmember Thorpe, seconded by Councilmember Motts the City Council adopted a resolution: 1) Approving a Consultant for an Unhoused Resident Coordinator; with the following amendments:

- Inserting “Consultant” prior to “Unhoused Resident Coordinator”
- Authorizing the appropriate budget adjustments of up to \$100,000
- Amending section #2 eliminating the hourly salary range and replacing it with “up to \$100,000”
- Amending section #2 inserting “Consultant” prior to “Unhoused Resident Coordinator”
- Striking section #3
- Renumbering section #4, section #3
- Authorizing Administrative Services Director Mastay to make the necessary changes to exhibit A to reflect the previous changes to the resolution

The motion carried the following vote:

*Ayes: Wilson, Motts, Thorpe*

*Noes: Wright, Ogorchock*

**7. 701 WILBUR AVENUE CODE ENFORCEMENT VIOLATIONS**

City Manager Bernal presented the staff report dated September 10, 2019 recommending the City Council discuss and provide direction to the City Manager.

Lucas Bosman requested the City allow the residents of 701 Wilbur Avenue to stay on the property and urged them to delay Code Enforcement action.

Joe Bosman expressed concern regarding staff’s characterization of his property and reported that he had cooperated with the City to bring his property up to code. He explained that to uphold his word to staff, he had generated the October 1, 2019 deadline to vacate the property. He gave a history of his efforts to improve and develop the property. He stated he respected the decision of Council and asked for more time for his tenants. He recommended Council revise Antioch Municipal Code 9-5.3830.

Jimmy Gordon, resident of 701 Wilbur Avenue, stated he was concerned about losing his trailer and the accountability as well as the respect he had gained. He noted if evicted he would be at risk and if not, he would be an outstanding citizen of Antioch.

Rick Story, resident of 701 Wilbur Avenue, gave a history of how the property developed into an RV lot.

Leonard Hernandez, Homeless Advocates of Contra Costa County, stated he had visited the property and it was sheltered from view. He questioned where the tenants would go if they were evicted and asked Council to be compassionate.

Following discussion, Council agreed that they did not want the tenants of 701 Wilbur Avenue evicted on October 1, 2019. They supported the staff recommendation to research the feasibility of rezoning the property to bring it into compliance with the current uses; however, if unable to do so, they directed staff to investigate relocation opportunities and means of assistance for the current tenants.

In response to Councilmember Thorpe, City Attorney Smith speaking to the eviction deadline commented that City Manager Bernal had discretion to make decisions regarding this issue.

Director of Community Development Ebbs added that if a citation was issued on October 1, 2019 and an appeal was filed everything would be stayed until the course of the appeal was heard.

City Clerk Simonsen added that if an appeal was filed it would not be heard by the Board of Appeals until November 7, 2019 and if the Board did not uphold the appeal, only a member of Council or City Manager Bernal could appeal to the City Council.

Mayor Wright commented that the tenants would not be evicted before Christmas.

## **8. CREATION OF CITY-SCHOOL STANDING COMMITTEE**

City Manager Bernal introduced Regular Agenda Item #8.

### **RESOLUTION NO. 2019/147**

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council  
1) Adopted a resolution to form a City-School Standing Committee. 2) Confirmed the appointment of Councilmember Motts and Ogorchock to the standing committee.

## **9. CREATION OF A SEXUAL VIOLENCE PREVENTION AD HOC COMMITTEE**

### **RESOLUTION NO. 2019/145**

On motion by Councilmember Wilson, seconded by Councilmember Thorpe the City Council unanimously  
1) Adopted a resolution to form the Sexual Violence Prevention Ad Hoc Committee; and,  
2) Confirmed the appointment of Councilmembers Wilson and Motts to the Sexual Violence Prevention Ad Hoc Committee.

**10. CITY COUNCIL OVERNIGHT TRAVEL – NATIONAL STRATEGY CONVENING ON ENDING HUMAN TRAFFICKING CONFERENCE**

City Manager Bernal introduced Regular Agenda Item #10.

Administrative Services Director Mastay presented the staff report dated September 10, 2019 recommending the City Council discuss and appoint up to two (2) Council Members for travel to Arlington, Virginia, October 2 – 3, 2019 for the National Strategy Convening on Ending Human Trafficking in the Illicit Massage Industry conference. It is further recommended that the City Council authorize the associated meeting expenses in an amount not to exceed \$1,869 per participant.

A motion was made by Councilmember Thorpe, seconded by Councilmember Motts to appoint Councilmember Wilson to travel to Arlington, Virginia, October 2 – 3, 2019 for the National Strategy Convening on Ending Human Trafficking in the Illicit Massage Industry Conference and authorized the associated meeting expenses in an amount not to exceed \$1,869.

Speaking to the motion, Councilmember Thorpe discussed the importance of Councilmember Wilson attending this conference and thanked her for her dedication to this issue.

Councilmember Wilson reported that she and Chief Brooks were invited to attend the conference because they were impressed with their efforts to update Antioch's Illicit Massage Parlor Ordinance.

Councilmember Ogorchock stated that she appreciated that Councilmember Wilson wanted to attend; however, she did not know what it would bring to the City since there was no agenda for the meeting.

Councilmember Thorpe spoke in support of building a knowledge base.

Mayor Wright stated that he believed Councilmember Wilson was doing wonderful work. He commented that this issue was not on the City's Strategic Plan; however, it could be added in the future.

Following discussion, Council consensus supported a future policy item regarding Council's attendance at conferences.

A vote taken on the previous motion to appoint Councilmember Wilson to travel to Arlington, Virginia, October 2 – 3, 2019 for the National Strategy Convening on Ending Human Trafficking in the Illicit Massage Industry Conference and authorizing the associated meeting expenses in an amount not to exceed \$1,869, passed. The motion carried the following vote:

*Ayes: Wilson, Motts, Thorpe, Wright*

*Noes: Ogorchock*

**11. NEW CLASS SPECIFICATION, ASSIGNMENT OF A SALARY RANGE, ASSIGNMENT OF THE CLASSIFICATION TO THE BARGAINING UNIT, AND AUTHORIZATION THE APPROPRIATE BUDGET ADJUSTMENT FOR ANIMAL SERVICES TECHNICIAN**

City Manager Bernal introduced Regular Agenda Item #11.

Administrative Services Director Mastay presented the staff report dated September 10, 2019 recommending the City adopt a resolution approving a new class specification for Animal Services Technician, assigning a salary range, assigning the classification to the Operating Engineers Local Union No. 3 Bargaining Unit, and authorizing the appropriate budget adjustments.

**RESOLUTION NO. 2019/146**

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe the City Council unanimously adopted a resolution approving a new class specification for Animal Services Technician, assigning a salary range, assigning the classification to the Operating Engineers Local Union No. 3 Bargaining Unit, and authorizing the appropriate budget adjustments.

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

City Manager Bernal introduced Regular Agenda Item #12.

Administrative Services Director Mastay presented the staff report dated September 10, 2019 recommending the City Council review and discuss the League of California Cities Annual Conference Resolutions Packet and provide direction to the voting delegate (Councilmember Ogorchock).

Councilmember Ogorchock stated she would listen to the arguments for and against, and vote appropriately.

Councilmember Thorpe stated Councilmember Ogorchock had done an outstanding job representing Antioch and he was happy she was attending.

**PUBLIC COMMENTS** – None

**STAFF COMMUNICATIONS** – None

**COUNCIL COMMUNICATIONS**

Councilmember Wilson requested staff look into Reliant Management for the residents in the Villa Medanos apartment complex.

**ADJOURNMENT**

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock the City Council unanimously adjourned the meeting at 11:19 P.M.

Respectfully submitted:

*Kitty Eiden*

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KITTY EIDEN, Minutes Clerk