

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

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

**September 22, 2020
Meeting Conducted Remotely**

The City of Antioch, in response to the Executive Order of the Governor and the Order of the Health Officer of Contra Costa County concerning the Novel Coronavirus Disease (COVID-19), held Antioch City Council meetings via Comcast channel 24, AT&T U-verse channel 99, and live stream (at www.antiochca.gov). The City Council meeting was conducted utilizing Zoom Audio/Video Technology.

Mayor Wright called the meeting to order at 7:00 P.M., and Administrative Services Director Mastay called the roll.

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

The City of Antioch, in response to the Executive Order of the Governor and the Order of the Health Officer of Contra Costa County concerning the Novel Coronavirus Disease, had made the Antioch City Council meeting available via Comcast channel 24, AT&T U-verse channel 99, or live stream at www.antiochca.gov. Anyone wishing to make a public comment, may do so any of the following ways: (1) by filling out an online speaker card, located at <https://www.antiochca.gov/government/city-council-meetings/live/>, (2) by emailing the City Clerk prior to or during the meeting at cityclerk@ci.antioch.ca.us or (3) by dialing (925) 776-3057 during the meeting.

PLEDGE OF ALLEGIANCE

Mayor Wright led the Council and audience in the Pledge of Allegiance.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Director of Parks and Recreation Kaiser announced that due to projected heat wave, the cooling center located at the Nick Rodriguez Community Center will open 12:00 P.M. – 6:00 P.M. September 26-30, 2020.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

Minutes Clerk Eiden announced the following Board and Commission openings:

- Police Crime Prevention Commission: One (1) vacancy: deadline date is October 16, 2020
- Parks and Recreation Commission: One (2) vacancies; deadline date is October 16, 2020

She reported applications would be available online on the City's website.

PUBLIC COMMENTS

The following public comments were read into the record by Administrative Services Director Mastay.

Loretta Sweatt, Antioch resident, provided written comment requesting the City Council start a conversation about a “Youth City Council Night” and supporting bullet proof police cars for Antioch Police Department. She urged Council to read Romans 13:1-2.

Gretchen Tofflemire, Antioch resident, provided written comment in support of the “6 Forced to Strike” and their demands. She questioned when the Bridging the Gap forums would be scheduled and when the results of Officer Mellone’s investigation would be made public.

McKenna Peterson provided written comment discussing police misconduct in Antioch and urging Mayor Wright to hold conversations with the community regarding this matter.

Frank Sterling, Antioch resident, provided written comment in which he discussed his personal experience with police misconduct in Antioch and urged Mayor Wright to engage in conversations with protestors at the Antioch Police Department.

The following public comment was made by an individual who dialed in via telephone during the meeting.

Shagoofa Khan reported she was a protester at the Antioch Police Department, and she was concerned that Mayor Wright had not met with them to discuss police accountability. She provided contact information and encouraged the community to join in their efforts.

The following public comments were read into the record by Administrative Services Director Mastay.

(Name Inaudible) provided written comment requesting Mayor Wright engage with the community.

Audrey Davis provided written comment requesting the City Council agendize a discussion on police reforms.

COUNCIL SUBCOMMITTEE REPORTS/COMMUNICATIONS – None

MAYOR’S COMMENTS

Mayor Wright announced that he and Councilmember Thorpe were continuing interviews for a mediator for the Bridging the Gap forums which should be finalized on Thursday. He noted that hoped they would be able to choose a mediator and begin community forums as soon as possible.

PRESENTATION

Economic Development Director Reed gave a brief background of the City's strategic planning efforts and introduced consultant Roger Dale, The Natelson Dale Group, who gave a PowerPoint presentation of the City of Antioch Economic Development Baseline and Strategic Plans.

Councilmember Ogorchock expressed concern that the perception of crime had not improved with the City's marketing efforts.

Councilmember Motts spoke in support Council being involved in discussions regarding the strategies to obtain the City's goals.

Discussion ensued regarding the second and final phase of the Economic Development Baseline and Strategic Plans with Mr. Dale explaining that it would include specific strategies, the development of marketing materials and speaking with the property owners of the Somersville Towne Center and Slatten Ranch areas.

Mayor Wright thanked Mr. Dale for the presentation.

1. **CONSENT CALENDAR for City /City Council Members acting as Successor Agency/Housing Successor to the Antioch Development Agency**
 - A. **APPROVAL OF COUNCIL MINUTES FOR AUGUST 11, 2020**
 - B. **APPROVAL OF COUNCIL MINUTES FOR AUGUST 25, 2020**
 - C. **APPROVAL OF COUNCIL MINUTES FOR SEPTEMBER 8, 2020**
 - D. **APPROVAL OF COUNCIL WARRANTS**
 - E. **APPROVAL OF HOUSING SUCCESSOR WARRANTS**
 - F. **REJECTION OF CLAIM: MAYBEL WRIGHT AND GLEN HOUSTON**
 - G. **RESOLUTION NO. 2020/150 AND SA RESOLUTION NO. 2020/33 CONFLICT OF INTEREST CODE FOR THE CITY OF ANTIOCH AND CITY AS SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT AGENCY**
 - H. **RESOLUTION NO. 2020/151 ACCEPTANCE OF WORK AND NOTICE OF COMPLETION FOR THE ANTIOCH CAPE SEAL 2020 PROJECT (P.W. 328-12)**

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

Item H – City Manager Bernal introduced Item H. Jeanne Chilcote-Stuart, and Lucas provided written comment expressing concern regarding the quality of the cape seal project on Mastqui Road.

Director of Public Works/City Engineer Samuelson reported that he had reviewed the project and was satisfied with the work performed. He noted that it was typical that temporary roadway marks and aggregate appeared after a project was completed; however, those issues would dissipate in time. He explained that the cost increase was related to additional work on Deer Valley Road as well as additional streets that were added.

Councilmember Ogorchock requested staff review the quality of Matsqui Road.

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

PUBLIC HEARING

2. PUBLIC HEARING TO REVIEW ACCOMPLISHMENTS FOR FY 2019-20 CDBG AND HOUSING SUCCESSOR FUNDS, REPORTED IN THE CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER); AND REVIEW OF PRIORITY NEEDS AND STRATEGIES FOR THE 21-22 ACTION PLAN

City Manager Bernal introduced Public Hearing Item #2.

CDBG Housing Consultant House presented the staff report dated September 22, 2020 recommending the City Council receive and consider public comment on the FY 2019-20 CAPER year-end report and closeout for the 2015-20 Consolidated Plan, detailing achievements of programs funded with CDBG and Housing Successor funds for housing, homeless, and community services to improve the quality of life of lower income Antioch residents and neighborhoods. 2) It is recommended that the City Council receive and consider public comment on the Priority Needs and Strategies for the 21-22 Action Plan.

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

Councilmember Ogorchock stated it was exciting to see CDBG funds being used for their intended purpose. She suggested reaching out to the Delta Learning Center to see if partnership opportunities were available to assist low income youth with distance learning. She thanked CDBG/Housing Consultant House for the report.

CDBG/Housing Consultant House responded that she would work with Director of Parks and Recreation Kaiser to determine what could be done.

Councilmember Motts thanked CDBG/Housing Consultant House for the report and stated it was a privilege to serve on the CDBG committee.

Councilmember Thorpe requested staff reach out to Youth Services Network Manager Johnson to discuss potential funding opportunities to assist with distance learning for low income residents.

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, the City Council unanimously received the Fiscal Year 2019-20 CAPER year-end report and closeout for the 2015-20 Consolidated Plan and Priority Needs and Strategies for the 21-22 Action Plan.

3. DELTA FAIR VILLAGE MULTI-FAMILY PROJECT (GP-18-02, PD-18-03, UP-18-19 and AR-18-20)

City Manager Bernal introduced Public Hearing Item #3.

Director of Community Development Ebbs clarified that the plans reference a condominium project; however, the proposed project was a multi-family rental apartment project. He also clarified that a condition of approval was added that would obligate this project to join the pending Contra Costa Fire Protection District CFD.

Contract Planner Gnos presented the staff report dated September 22, 2020. The Planning Commission recommended that the City Council take the following actions: 1) Adopt the resolution approving the Delta Fair Village Project Initial Study/Mitigated Negative Declaration (IS/MND) and adopting the Mitigation Monitoring and Reporting Program (MMRP); 2) Adopt the resolution approving a General Plan Amendment for purposes of amending the City of Antioch General Plan Land Use Map (GP-18-02); 3) Introduce the ordinance rezoning the property to Planned Development District and adopting the development standards (PD-18-03); and 4) Adopt the resolution approving a Final Development Plan, Use Permit (UP-18-19), and Design Review (AR-18-20).

Mayor Wright opened the public hearing.

The following public comments were read into the record by Administrative Services Director Mastay.

Tony Tiscareno, Antioch resident, provided written comment in support of the project. He suggested the development plan include a CFD for fire protection, a local hire provision and require the property owner to resolve all outstanding code enforcement violations and citations on his properties in Antioch.

Leslie May, Antioch resident, provided written comment suggesting a better use of the site would be to restructure the existing building for transitional housing and resources for the homeless.

The following public comment was made by an individual utilizing Zoom Audio/Video Technology.

Mousaab Atassi requested Council deny the project noting that the City did not have a housing crisis, it had a job crisis.

Thomas Lawson, Business Manager Plumbers and Steamfitters Local 159, spoke in opposition to the project because he believed it did not protect public health, safety, general welfare or provide for local hiring.

Kyle Jones, Adams, Broadwell Joseph and Cardoza, Antioch Residents for Responsible Development, spoke in opposition to the approval of the project until an EIR was prepared to address air quality and greenhouse gas impacts.

Mayor Wright closed the public hearing.

Councilmember Motts stated she was not supportive of moving forward with the project with an applicant that had a history of not maintaining his properties.

Councilmember Thorpe agreed with Councilmember Motts.

Councilmember Ogorchock stated she also had concerns regarding this applicant but felt the City should move forward with an infill apartment project that was needed in the area. She spoke in support of a condition of approval requiring the applicant to resolve code enforcement issues prior to construction, the project designating a certain percentage of senior units, a project labor agreement, and a 24-hour onsite property manager. She stated sidewalks in the area should be wide enough to accommodate wheelchairs.

In response to Councilmember Wilson, Director of Community Development Ebbs commented that code enforcement issues on properties owned by this applicant had been occurring consistently for at least 5-years.

Councilmember Wilson stated she was not confident that the applicant would maintain the site and that would need to be addressed prior to her considering approval. She also spoke in support of a PLA and management plan for the property.

Mayor Wright stated this was an opportunity to take an area that needed investment and spur development in the community. He noted the conditions of approval would require the applicant to bring his properties up to City standards prior to construction. He noted if not approved, they would continue to deal with code enforcement issues and blight in the area and they would send a negative message to the development community.

Councilmember Motts expressed concern that this developer had been non-responsive to the City and it affected economic development in the area and attracted crime and homeless. She stated she would need a broader conversation with the applicant to move to approval.

Councilmember Ogorchock commented the property in its current condition was a drain on City resources and something needed to be done to move forward. She noted approval may give the applicant incentive to maintain his other properties.

A motion was made by Councilmember Ogorchock and seconded by Mayor Wright, to adopt the resolution approving the Delta Fair Village Project Initial Study/Mitigated Negative Declaration (IS/MND) and adopting the Mitigation Monitoring and Reporting Program (MMRP).

Councilmember Thorpe made a substitute motion to postpone the Delta Fair Village Multi-Family Project indefinitely. Councilmember Motts seconded the motion.

Councilmember Thorpe stated he would not support moving forward until the applicant was present to address Council's concerns.

Councilmember Motts agreed with Councilmember Thorpe.

Mayor Wright stated that he felt this project was an opportunity to drive change into an area of town where it was much needed and he hoped that by postponing it, they could work toward a resolution.

A vote taken on the previous motion to postpone the Delta Fair Village Multi-Family Project, indefinitely carried the following vote:

Ayes: Wilson, Thorpe and Motts

Noes: Ogorchock and Wright

COUNCIL REGULAR AGENDA

4. RESOLUTION TO APPROVE OPERATING AGREEMENT WITH CANNABIS BUSINESS OPERATOR THREE HABITAT CONSULTING ANTIOCH LLC DBA ONE PLANT, A LIMITED LIABILITY COMPANY

City Manager Bernal introduced Regular Agenda Item #4.

City Attorney Smith presented the staff report dated September 22, 2020 recommending the City Council adopt a resolution: 1) Approving the operating agreement between the City of Antioch and Three Habitat Consulting Antioch LLC, DBA One Plant; and 2) Authorize the City Manager to execute the operating agreement.

Matthew Emory, representing One Plant, thanked the City Council for their time this evening and voiced his appreciation to the City for assisting them with their operating agreement. He reported

they had found *Beat the Streets* as a strong local partner for their Social Equity Program. He voiced his appreciation to Youth Network Services Manager Johnson for assisting them and the Cannabis Committee for their input. He stated they were excited about their partnership with the City.

In response to Councilmember Ogorchock, Mr. Emory explained that their project was delayed due to vandalism, dumping and the economic impacts of COVID-19. He reported that they had hired 24-hour security and the code violations had been addressed. He stated they looked forward to expanding their Social Equity program.

Councilmember Wilson explained that she along with Councilmember Thorpe and Ruthann Ziegler worked with the applicant to ensure that the operating agreement would meet the City's requirements.

A motion was made by Councilmember Thorpe, seconded by Councilmember Wilson, to adopt the resolution approving the operating agreement between the City of Antioch and Three Habitat Consulting Antioch LLC, DBA One Plant.

In response to Council, Mr. Emory explained his goal to expand their business and discussed employment opportunities. He confirmed that they would be improving the landscaping and signage on the property.

RESOLUTION NO. 2020/152

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

5. FOUNDERS' DAY AD HOC COMMITTEE DISSOLUTION OR CREATION OF A STANDING COMMITTEE

Councilmember Motts commented that they anticipated reestablishing this committee back in January 2021.

On motion by Councilmember Motts, seconded by Councilmember Thorpe, the City Council unanimously dissolved the Founders Day Ad Hoc Committee.

6. TRANSITIONAL HOUSING AD HOC COMMITTEE DISSOLUTION OR CREATION OF A STANDING COMMITTEE

City Manager Bernal introduced Regular Agenda Item #6.

Administrative Services Director Mastay presented the staff report dated September 22, 2020 recommending the City Council: 1) Receive an update from Committee members of the Transitional Housing Ad Hoc Committee on their ad hoc committee activities. 2) Determine whether to dissolve the ad hoc committee or create a standing committee.

On motion by Councilmember Motts, seconded by Councilmember Thorpe, the City Council extended the Transitional Housing Ad Hoc Committee to the first Council meeting in January 2021.

7. LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE RESOLUTIONS PACKET

City Manager Bernal introduced Regular Agenda Item #7.

Administrative Services Director Mastay presented the staff report dated September 22, 2020 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 reported that the League of California Cities Annual Conference would be taking place on zoom this year and she encouraged fellow Councilmembers to participate.

On motion by Councilmember Thorpe, seconded by Councilmember Motts, the City Council unanimously provided direction to Councilmember Ogorchock.

PUBLIC COMMENTS

The following public comments were read into the record by Administrative Services Director Mastay.

Leslie May provided written comment expressing concern regarding the lack of access to the sites selected by the City's consultant Mr. Dale, for economic development. She also stated that the perception of crime in Antioch was incorrect.

STAFF COMMUNICATIONS

City Manager Bernal announced the next regular City Council meeting would be held on October 13, 2020.

COUNCIL COMMUNICATIONS

Councilmember Motts requested staff agendaize a vacancy ordinance and revisit the CARES small business grant policy.

Councilmember Ogorchock requested staff agendaize a discussion regarding requiring all new projects to include the CFD for fire protection as well as presentations by Avviva, Orange 22 and the City's PIO firm regarding the perception of Antioch. She encouraged the Waterfront Committee to discuss hiring an architect for one-way streets downtown. She announced the Bedford Center Block Party fundraiser would be held online on October 3, 2020.

Councilmember Thorpe requested staff agenda consideration of the permanent closure of Empire Mine Road.

ADJOURNMENT

On motion by Councilmember Motts, seconded by Councilmember Thorpe, the City Council unanimously adjourned the meeting at 9:39 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk