

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

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

**December 8, 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. 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/speaker_card, (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.

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.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

The following public comment was read into the record by Administrative Services Director Mastay.

Lucas Stuart-Chilcote, Antioch resident, provided written comment encouraging everyone to visit Californiachristmaslights.com to locate addresses of houses in Antioch with Christmas light displays.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen announced the following Board and Commission openings:

- Parks and Recreation Commission: Two (2) vacancies; deadline date is December 11, 2020
- Sales Tax Citizens' Oversight Committee: Four (4) vacancies: deadline date is January 6, 2021

He reported applications would be available online at the City's website and in the lobby at City Hall. He also announced that there would be several upcoming vacancies on the Police Crime Prevention Commission.

PUBLIC COMMENTS

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

Daniela Mejia Lucero, Antioch resident, provided written comment expressing concern for health and safety violations at her apartment complex on Sycamore Drive and requesting the City help resolve these matters.

Gil Murillo, Antioch resident, provided written comment offering best wishes to the newly elected Council and thanking those leaving office for their community service.

Lucas Stuart-Chilcote, Antioch resident, provided written comment congratulating the newly elected City officials.

Lucy Meinhardt, on behalf of Antioch Committee to Save Sand Creek/Measure T, thanked Mayor Wright and Councilmember Motts for their community service and the City Council for their support of Measure T. She congratulated newly elected City Council members.

John Trizuto, Antioch resident, provided written comment questioning the results of the recent election.

COUNCIL SUBCOMMITTEE REPORTS/COMMUNICATIONS

Councilmember Wilson reported on her attendance at the Cannabis Standing Committee meeting.

Councilmember Ogorchock reported on her attendance at the League of California Cities (Cal Cities) meeting.

MAYOR'S COMMENTS

Mayor Wright thanked fellow Councilmembers for their time, dedication and love for the community.

- 1. CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency/Antioch Public Financing Authority**
 - A. APPROVAL OF COUNCIL MINUTES FOR NOVEMBER 24, 2020**
 - B. APPROVAL OF COUNCIL WARRANTS**

- C. **RESOLUTION NO. 2020/178 APPROVING ONE-YEAR EXTENSION OF CONTRACT FOR PROFESSIONAL AUDITING SERVICES FOR THE FISCAL YEAR ENDED JUNE 30, 2021 WITH BADAWI & ASSOCIATES, CPA'S**
- D. **RESOLUTION NO. 2020/179 AMENDING THE FISCAL YEAR 2020/21 BUDGET**
- E. **AB 1600 DEVELOPMENT IMPACT FEE REPORT**
- F. **RESOLUTION NO. 2020/180 AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE ANTIOCH UNIFIED SCHOOL DISTRICT ("AUSD") TO SUPPORT DISTANCE LEARNING**
- G. **RESOLUTION NO. 2020/181 EMERGENCY DECLARATION AND AWARD OF AGREEMENT WITH PEARSON EXPLORATION FOR EMERGENCY MITIGATION AND REPAIRS TO THE WATER TANK HILLSIDE EROSION AT THE WATER TREATMENT PLANT**

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

PUBLIC HEARING

2. COOKIES CANNABIS DISPENSARY (UP-19-14) (Continued from 11/24/20)

City Manager Bernal introduced Public Hearing Item #2.

Director of Community Development Ebbs introduced Contract Planner Valente who presented the staff report dated December 8, 2020 recommending the City Council consider the Planning Commission's recommendation to adopt the resolution to approve a Use Permit (UP-19-14) for a cannabis dispensary with delivery subject to the conditions contained in the resolution.

Mayor Wright opened the public hearing.

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

Jesse Feldman and Ryan Johnson representing Cookies Cannabis Dispensary thanked the City and stated it was one of the best application processes they had experienced. They gave a PowerPoint presentation of their outreach efforts, background of their company as well as their partnerships with VistAbility and Opportunity Junction. They requested Council consider the following revisions to the project specific conditions:

- Live security during operating hours and live monitoring during non-operating hours
- Operating hours adjusted to either 9:00 A.M. to 9:00 P.M. or 8:00 A.M. to 8:00 P.M.

Alissa Friedman, President and CEO of Opportunity Junction, described their Social Equity Program with Cookies.

City Attorney Smith clarified that the discussion regarding the Operating Agreement would fit best under the following agenda item.

Craig Rose, representing Vistability stated their agency provided jobs and life skills training to individuals with developmental disabilities. He stated their business was adjacent to the project and they did not have any concerns and would benefit by sharing the drive through that would be monitored with 24-hour security cameras.

Mayor Wright closed the public hearing.

In response to Councilmember Ogorchock, Captain Morefield clarified that existing cannabis businesses had 24-hour armed security on site. He reported that since this was a much smaller business, they had agreed to security patrols through the area 24/7 with armed security onsite during working hours.

Following discussion, Councilmember Ogorchock stated she felt there needed to be uniformity across all cannabis businesses as it pertained to security and hours of operation.

Mr. Johnson responded that they would be happy to comply with the City's guidelines.

A motion was made by Councilmember Thorpe and seconded by Councilmember Wilson to adopt the resolution to approve a Use Permit (UP-19-14) for a cannabis dispensary with delivery.

Following discussion, the motion was amended as follows:

On motion by Councilmember Thorpe, seconded by Councilmember Wilson the City Council unanimously adopted the resolution to approve a Use Permit (UP-19-14) for a cannabis dispensary with delivery subject to the conditions contained in the resolution.

- 24 hours live security with two-armed guard during operating hours and one-armed guard during non-business hours
- Hours of operation shall be 8:00 A.M. – 8:00 P.M.

COUNCIL REGULAR AGENDA

3. RESOLUTION TO APPROVE OPERATING AGREEMENT WITH CANNABIS BUSINESS OPERATOR BAKERY ANTIOCH I, INC. (COOKIES DISPENSARY)

City Manager Bernal introduced Regular Agenda Item #3.

City Attorney Smith presented the staff report dated December 8, 2020 recommending the City Council consider adopting the resolution to approve the operating agreement for the cannabis business operator Bakery Antioch I, Inc. (Cookies Dispensary).

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

Brianna Robinson and Shaun Samuels, representing Opportunity Junction, spoke in support of the Social Equity Program within the Operating Agreement for Bakery Antioch I, Inc. (Cookies Dispensary) and provided an overview of their Certified Nursing Assistant (CNA) program.

Councilmember Wilson, Motts and Ogorchock spoke in support of the Social Equity Program with Opportunity Junction.

City Attorney Smith, Councilmember Wilson and Councilmember Thorpe explained the collaborative process between staff, applicants and the Cannabis Standing Committee for the selection of Social Equity partners.

Jesse Feldman acknowledged Youth Services Network Manager Johnson for her efforts to cycle through concepts and find a partner that they mutually agreed would achieve the goals of their program. He thanked the City for their guidance.

In response to Councilmember Ogorchock, Councilmember Thorpe stated that Council would be discussing Social Equity programs at a future meeting.

On motion by Councilmember Thorpe, seconded by Councilmember Wilson the City Council unanimously adopted the resolution to approve the operating agreement for the cannabis business operator Bakery Antioch I, Inc. (Cookies Dispensary).

City Attorney Smith congratulated the applicant.

4. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH CONFIRMING CANVASS BY THE COUNTY CLERK OF CONTRA COSTA COUNTY OF BALLOTS CAST IN THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 3, 2020

City Manager Bernal introduced Regular Agenda Item #4.

City Clerk Simonsen presented the staff report dated December 8, 2020 recommending the City Council adopt the resolution confirming the certified results of the November 3, 2020 General Municipal Election.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously adopted the resolution confirming the certified results of the November 3, 2020 General Municipal Election.

PRESENTATION to outgoing Elected Officials

City Manager Bernal commended everyone who served as elected officials and thanked outgoing Mayor Wright, Councilmember Motts, City Treasurer Davis, and City Clerk Simonsen for their service.

City Clerk Simonsen stated he was grateful for opportunity to serve as City Clerk and recognized the dedication of City employees. He urged everyone to respect and work cooperatively with elected officials.

Councilmember Motts stated it was an honor to serve and discussed her accomplishments on Council as well as key issues she would continue to address. She thanked everyone who supported her campaign, City staff and her fellow Councilmembers. She wished everyone Happy Holidays.

Mayor Wright thanked the voters of Antioch for allowing him to serve as Mayor and noted that he would continue to serve the community. He congratulated all newly elected officials and thanked City Manager Bernal and the outgoing elected officials for serving the community.

City Manager Bernal announced that Mayor Wright, City Councilmember Motts, City Treasurer Davis and City Clerk Simonsen would be presented with their portraits and Mayor Wright would be receiving a gavel.

Supervisor Diane Burgis recognized Mayor Wright, Councilmember Motts, City Clerk Simonsen, and City Treasurer Davis for their public service. She congratulated Mayor Thorpe, Councilmembers Torres-Walker, Barbanica, Ogorchock, Wilson, City Treasurer Posada and City Clerk Householder on their successful campaigns. She reminded everyone that she was available and encouraged the community to become involved in public service.

City Manager Bernal thanked Supervisor Burgis for her comments.

George Escutia, on behalf of Senator Steve Glazer, thanked City Clerk Simonsen, Councilmember Motts and Mayor Wright for their dedicated service. He announced resolutions would be delivered to the City of Antioch for distribution. He congratulated the newly elected City officials.

City Manager Bernal thanked George Escutia for his comments.

Ryan Thomas Brown, representing Congressman DeSaulnier, congratulated newly elected City officials. He thanked Mayor Wright, Councilmember Motts, City Treasurer Davis and City Clerk Simonsen, for their public service and announced certificates of congressional recognition would be delivered to City Hall for distribution.

City Manager Bernal thanked Ryan Thomas Brown for his comments and announced Supervisor Burgis had delivered certificates of recognition to City Hall for distribution.

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

Leslie May, Antioch resident, provided written comment offering a prayer after the newly elected have accepted their appointments.

Ciara Bella, Rachel Motts, Rick Stadlander and Katie and Tom Lamothe provided written comment acknowledging Councilmember Motts' public service.

Councilmembers Ogorchock, Wilson, Thorpe and City Manager Bernal thanked Councilmember Motts, Mayor Wright and City Clerk Simonsen for their public service.

OATHS OF OFFICE FOR NEWLY ELECTED COUNCIL

City Clerk Simonsen administered the Oath of Office to the newly elected officials in the following order:

- Mayor – Lamar Thorpe
- Council Member District 1 – Tamisha Walker
- Council Member District 2 – Michael Barbanica
- Council Member District 3 – Lori Ogorchock
- Council Member District 4 – Monica E. Wilson
- City Treasurer – Lauren Posada
- City Clerk – Elizabeth Householder

City Clerk Householder called the roll.

Present: Council Members Torres-Walker, Barbanica, Ogorchock, Wilson and Mayor Thorpe

MAYOR AND COUNCIL COMMUNICATIONS / COMMENTS – None

5. COUNCIL REORGANIZATION – SELECTION OF MAYOR PRO TEMPORE

City Manager Bernal introduced agenda item #5.

City Attorney Smith presented the staff report dated December 8, 2020 recommending that the City Council select the Mayor Pro Tempore.

Speaking to the following motion, Councilmember Wilson accepted the nomination as Mayor Pro Tempore.

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica, the City Council unanimously appointed Monica Wilson as Mayor Pro Tempore.

City Attorney Smith and Mayor Thorpe congratulated Councilmember Wilson.

6. CITY COUNCIL APPOINTMENTS TO COUNCIL COMMITTEES AND OTHER ENTITIES

City Manager Bernal presented the staff report dated December 8, 2020 recommending the City Council review and discuss the City Council Committees and Appointments. Mayor Thorpe will be making new appointments for City Council approval by majority vote to be acted upon as follows: 1) Motion to approve all appointments for Mayor Thorpe, 2) Motion to approve all appointments for Council Member District 1 – Walker, 3) Motion to approve all appointments for Council Member District 2 – Barbanica, 4) Motion to approve all appointments for Council Member District 3 – Ogorchock; and 5) Motion to approve all appointments for Council Member District 4 – Wilson.

- ABAG – Councilmember Torres-Walker, Councilmember Ogorchock (alternate)
- Chamber of Commerce Liaison - Councilmember Ogorchock
- Community Advisory Board – SF Bay Water Emergency Transit Authority – Councilmember Torres-Walker
- Delta Diablo – Councilmember Wilson, Mayor Thorpe (alternate)
- East Bay Division League of California Cities (Cal Cities) - Councilmember Barbanica
- TRANSPAN – Mayor Thorpe, Councilmember Wilson (alternate)
- East Contra Costa Regional Fee and Financing Authority (ECCRFA) – Mayor Thorpe, Councilmember Wilson (alternate)
- State Route 4 By-Pass Authority – Mayor Thorpe, Councilmember Wilson (alternate)
- East County Water Management Association – Councilmember Barbanica
- Tri-Delta Board of Directors Eastern Contra Costa Transit Authority – Mayor Thorpe and Councilmember Wilson
- Northeast Antioch Annexation – Councilmember Ogorchock
- Mayor’s Conference – Mayor Thorpe and Councilmember Wilson

- CDBG Committee (Community Development Block Grant) – Councilmember Barbanica, Councilmember Torres-Walker
- Lone Tree Golf Course Committee – Councilmember Wilson and Councilmember Ogorchock
- City/School Committee – Direction to staff to bring back to Council at a later date
- Cannabis Committee – Direction to staff to bring back to Council on December 15, 2020
- Waterfront Revitalization Committee – Councilmember Torres-Walker and Councilmember Wilson
- Transitional Housing Ad Hoc Committee – Direction to staff to bring back to Council on December 15, 2020

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council approved appointments for Mayor Thorpe. The motion carried the following vote:

Ayes: Torres-Walker, Barbanica, Ogorchock, Wilson

Abstain: Thorpe

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council approved appointments for Councilmember Wilson. The motion carried the following vote:

Ayes: Torres-Walker, Barbanica, Ogorchock, Thorpe

Abstain: Wilson

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council approved appointments for Councilmember Barbanica. The motion carried the following vote:

Ayes: Councilmember Torres-Walker, Ogorchock, Wilson, Thorpe

Abstain: Barbanica

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council approved appointments for Councilmember Torres-Walker. The motion carried the following vote:

Ayes: Barbanica, Ogorchock, Wilson, Thorpe

Abstain: Torres-Walker

On motion by Councilmember Wilson, seconded by Councilmember Barbanica the City Council approved appointments for Councilmember Ogorchock. The motion carried the following vote:

Ayes: Torres-Walker, Barbanica, Wilson, Thorpe

Abstain: Ogorchock

PUBLIC COMMENTS

Willie Mims congratulated all newly elected City officials and urged them to be mindful of their responsibility to Antioch residents.

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

Debra V. provided written comment wishing incoming elected officials the best in making a difference in the City of Antioch.

STAFF COMMUNICATIONS

City Manager Bernal announced that the Special City Council meeting/Ceremonial Swearing In at 10:00 A.M. on December 11, 2020 at the Marina, would now be held via zoom and another Special City Council meeting was scheduled for December 15, 2020.

City Attorney Smith congratulated newly elected public officials and stated his office would be reaching out those who were new to provide them with materials and conduct a Q&A.

COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

Councilmember Ogorchock requested the following items be agendized for discussion:

- The use of the trailers for the homeless
- An urgency ordinance to establish a 15 percent temporary cap on commission charges by third party food delivery services

Mayor Thorpe stated that he wanted to improve the process for future agenda items so he encouraged Council reach out to him directly with requests so he could work with the City Manager Bernal in formulating agendas and prioritizing agenda items.

Councilmember Torres-Walker requested the following items be agendize for discussion:

- An Ad Hoc Committee to address food insecurity
- The establishment of a Human Rights and Racial Equity Commission

In response to Councilmember Ogorchock, City Attorney Smith explained that Mayor Thorpe was suggesting Council speak with him directly regarding requests for future agenda items and it was permissible under the Brown Act to do so. He noted this process would provide clarity and allow for a more comprehensive staff report.

ADJOURNMENT

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously adjourned the meeting at 9:31 P.M.

Respectfully submitted:

Kitty Eiden
KITTY EIDEN, Minutes Clerk