

CITY COUNCIL MEETING

Regular Meeting
7:00 P.M.

January 26, 2021
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 Thorpe called the meeting to order at 7:02 P.M., and City Clerk Householder called the roll.

Present: Council Members District 1 Torres-Walker, District 2 Barbanica, District 3 Ogorchock, Mayor Pro Tem (District 4) Wilson and Mayor Thorpe

PLEDGE OF ALLEGIANCE

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

1. PROCLAMATIONS

Black History Month, February 2021

Teen Dating Violence Awareness Month, February 2021

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

Vanessa Russell representing Love Never Fails, Jacqlyn Jones and Tyler Gardner, Dozier-Libbey Medical High School students, discussed their efforts to raise awareness of human trafficking and dating violence. They thanked the City Council for the *Teen Dating Violence Awareness Month* proclamation.

Dr. Carrie Frazier, Anthony Randolph, representing Grace Arms of Antioch and Keith Archuleta thanked the City Council, Antioch Community Foundation, Arts and Cultural Foundation and community for their support of the annual Black History and Artifacts exhibit. They also thanked the City Council for the *Black History Month* proclamation. They announced Grace Arms of Antioch would be sponsoring the Black History and Artifacts exhibit virtual presentation from 12:00 P.M. – 4:30 P.M., February 6-27, 2021.

2. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Assistant City Manager Bayon Moore announced the following events:

Virtual Strategic Planning and Visioning Workshop

- February 12, 2021 at 6:00 P.M.
- February 13, 2021 at 9:00 A.M.

She noted these meetings were available to the public via Comcast channel 24, AT&T U-verse channel 99, and live stream at www.antiochca.gov.

“Bridging the Gap” Roundtable Discussions

- Racial Disparities in Policing - Feb 6, 2021 from 10:00 A.M. - 11:30 A.M. - Registration Deadline February 3, 2021 at 12:00 P.M.
- Police – Community Engagement - Feb 18, 2021 from 10:00 A.M. - 11:30 A.M. – Registration Deadline February 15, 2021 at 12:00 P.M.

3. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Householder announced the following Board and Commission openings:

- Police Crime Prevention Commission: Two (2) vacancies: deadline date is January 29, 2021
- Sales Tax Citizens’ Oversight Committee: Two (2) vacancies: deadline date is January 29, 2021
- Planning Commission: One (1) vacancy: deadline date is January 17, 2021

She reported applications would be available at bit.ly/applyantioch, the City’s website, by emailing the City Clerk directly or by social media.

Mayor Thorpe thanked City Clerk Householder for her social media outreach efforts.

PUBLIC COMMENTS

Mayor Thorpe announced beginning in February, written public comments would be accepted until 5:00 P.M. the day of the meeting. He noted after 5:00 P.M., the public would be able to give public comments by calling in via zoom.

Andrew expressed concern regarding the removal of a homeless encampment and offered his services to help find transitional housing for the homeless.

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

Jackie Hooke provided written comment expressing concern that an item had not been agendized to address comments made on social media by a Councilmember. She requested the City address homelessness in Antioch.

Sal Sbranti, Antioch resident, provided written comment expressing concern that an item had not been agendized to address comments made on social media by a Councilmember.

Robert Munton, Antioch resident, provided written comment reporting that he was a victim of a barking dog situation that remained unresolved due to an ineffective barking dog ordinance. He offered to assist the City in rewriting a more effective animal control ordinance.

Mark Long, Antioch resident, provided written comment expressing concern regarding homelessness in Antioch.

Kelly Teal, Antioch resident, provided written comment expressing concern that discussions regarding comments made on social media by a Councilmember and body-worn cameras for Antioch Police Department, had not been agendized.

Tracey Davis-Watkins provided written comment expressing disappointment that the *Bridging the Gap* community session lacked fair representation. She voiced her support of police reform.

Audrey Davis, Antioch resident, provided written comment in which she discussed her attendance at the *Bridging the Gap* community forum and requested the City provide data specific to Antioch.

Gretchen Davis, Antioch resident, provided written comment discussing the need for mental health services, affordable housing, and student support staff.

Karen Bee, Antioch resident, provided written comment requesting the City Council make a statement on race and social equity.

COUNCIL SUBCOMMITTEE REPORTS/COMMUNICATIONS

Councilmember Torres-Walker reported on her attendance at the Cannabis Standing Committee meeting.

Councilmember Barbanica reported on his attendance at CalCities Revenue and Taxation Committee meeting and training for new Councilmembers. He noted that he expected a Transitional Housing committee meeting would be held next week.

Councilmember Ogorchock reported on her attendance at policy committee meeting for Governance Transparency Labor Relations and training for new Councilmembers.

Councilmember Wilson reported on her attendance at Delta Diablo and Cannabis Standing Committee meetings.

Mayor Thorpe reported on his attendance at the Mayor's Conference, Contra Costa Transportation Authority (CCTA), State Highway 4 Bypass Authority and East Contra Costa County Regional Fee and Financing Authority (ECCRFFA) meetings.

Councilmember Barbanica added that Attorneys from CalCities recommended cities determine if they were operating under Roberts Rules of Order or Rosenberg's Rules of Order, which he noted was currently in progress by City Attorney Smith. He commented that CalCites was recommending a possible transition. He reported a new law was enacted addressing elected officials' interactions with each other on social media.

MAYOR'S COMMENTS

Mayor Thorpe discussed Black History Month and read a poem by Langston Hughes titled "I Too". He discussed segregation and the importance of building an inclusive community in which all residents were respected.

4. PRESENTATION

City Manager Bernal introduced Susun Kim representing Contra Costa Family Justice Center, who presented a PowerPoint presentation of their history, clients served and educational opportunities. Contact information was provided. She announced a mobile farmers market would be taking place at their East Center beginning February 23, 2021.

Councilmembers Ogorchock and Torres-Walker thanked Ms. Kim for the presentation.

In response to Councilmember Torres-Walker, Ms. Kim explained substantiated rates for child abuse cases and she offered to provide statistics for the African American/Black clients who received services in Antioch.

Mayor Thorpe thanked Ms. Kim for the presentation.

5. CONSENT CALENDAR

- A. APPROVAL OF COUNCIL MINUTES FOR DECEMBER 8, 2020**
- B. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR DECEMBER 11, 2020**
- C. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR DECEMBER 15, 2020**
- D. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR DECEMBER 18, 2020**
- E. APPROVAL OF COUNCIL MINUTES FOR JANUARY 12, 2021**
- F. APPROVAL OF COUNCIL WARRANTS**

- G. **RESOLUTION NO. 2021/08 CONSIDERATION OF BIDS FOR THE INSTALLATION OF CURB RAMPS AT VARIOUS LOCATIONS (P.W. 409-7)**
- H. **RESOLUTION NO. 2021/09 CONSIDERATION OF BIDS FOR THE PAVEMENT PLUGS AND LEVELING COURSES AT VARIOUS LOCATIONS (P.W. 709-1)**
- I. **RESOLUTION NO. 2021/10 AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE A PIPELINE CROSSING AGREEMENT WITH UNION PACIFIC RAILROAD FOR THE BRACKISH WATER DESALINATION PROJECT (P.W. 694)**
- J. **RESOLUTION NO. 2021/11 FIRST AMENDMENT TO THE CONSULTANT SERVICES AGREEMENT WITH CONSTRUCTION TESTING SERVICES FOR MATERIAL TESTING AND SPECIAL INSPECTION SERVICES FOR THE BRACKISH WATER DESALINATION PROJECT (P.W. 694)**
- K. **UPDATE TO THE EMERGENCY DECLARATION FOR MITIGATION AND REPAIRS TO THE WATER TANK HILLSIDE EROSION AT THE WATER TREATMENT PLANT**
- L. **RESOLUTION NO. 2021/12 ACCEPTING COMPLETED IMPROVEMENTS AND THE RELEASE OF BONDS FOR WILDFLOWER STATION, TRACT NO. 9427 (P.W. 460-4)**
- M. **RESOLUTION NO. 2021/13 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TYLER TECHNOLOGIES, INC. TO PROVIDE A NEW PERMITTING SOFTWARE SYSTEM UPGRADE TO REPLACE CRW**
- N. **APPROVAL OF TREASURER'S REPORT FOR DECEMBER 2020**

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

COUNCIL REGULAR AGENDA

6. SALES TAX CITIZENS' OVERSIGHT COMMITTEE APPOINTMENTS

City Clerk Householder announced that Councilmember Thorpe had nominated Dr. Kate Svyatets to a full-term vacancy on the Sales Tax Citizens' Oversight Committee expiring March 2024 and read her short biography.

In response to Councilmember Ogorchock, Mayor Thorpe explained that he nominated the two applicants which were the only two applications submitted by the deadline date. He noted what he brought forward was what Council could vote on. He explained that there was a partial-term appointment that he had not interviewed for yet.

City Clerk Householder added that there were two outstanding applications for the partial term that had not yet been forwarded to Mayor Thorpe for interviews. She added that there was a

report from the Sales Tax Citizen's Oversight Committee on April 1, 2021, so it was important to fill vacancies as soon as possible.

Councilmember Ogorchock stated as a Councilmember she believed they should be able to view all applications submitted.

Mayor Thorpe reiterated that he nominated the applicants and Council voted on those nominations.

In response to Councilmember Torres-Walker, Dr. Svyatets clarified that she chose to apply to the Sales Tax Citizens' Oversight Committee because it fit her experience and education. She stated she was honored to be considered.

RESOLUTION NO. 2021/14

On motion by Councilmember Wilson, seconded by Councilmember Torres-Walker, the City Council unanimously appointed by resolution Dr. Kate Svyatets to fill (1) one full-term vacancy on the Sales Tax Citizens' Oversight Committee expiring March 2024.

City Clerk Householder administered the Oath of Office to Dr. Kate Svyatets, thanked her for applying and stated she would be contacted this week to sign the Oath.

Dr. Kate Svyatets stated she was excited and honored to serve.

City Clerk Householder announced that Councilmember Thorpe had nominated Cortney Jones to a full-term vacancy on the Sales Tax Citizens' Oversight Committee expiring March 2024 and read her short biography.

In response to Councilmember Torres-Walker, Ms. Jones clarified that she understood the role of a committee member was to ensure Council's priorities were being met.

Councilmember Torres-Walker stated that she hoped in the process that the Committee was considering the communities priorities.

Mayor Thorpe stated during the interview process, he reminded Ms. Jones that in the past, the Committee had come forward with recommendations.

RESOLUTION NO. 2021/14

On motion by Councilmember Wilson, seconded by Councilmember Barbanica, the City Council unanimously appointed by resolution Cortney Jones to a full-term vacancy on the Sales Tax Citizens' Oversight Committee expiring March 2024.

City Clerk Householder administered the Oath of Office to Cortney L. Jones, thanked her for applying and stated she would be contacted this week to sign the Oath.

Councilmember Thorpe thanked those who participated in the interview process.

7. PROPOSED URGENCY ORDINANCE TO AMEND ARTICLE 3845(A) OF CHAPTER 5 OF TITLE 9 OF THE ANTIOCH MUNICIPAL CODE, TEMPORARILY PROHIBITING NEW RETAIL CANNABIS BUSINESSES IN THE CITY

City Attorney Smith presented the staff report dated January 26, 2021 recommending the City Council adopt the urgency ordinance to amend section 9-5.3845(A) of the Antioch Municipal Code.

Mayor Thorpe stated he requested this item after it had been discussed by the Cannabis Standing Committee and in an effort to address oversaturation.

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

Christopher Bloom and Amber Norwood, representing Element 7, provided written comment stating that they had been working with the City for over a year and their application was close to completion. They requested the City allow businesses in progress the ability to retain their ability to move forward with their application.

City Attorney Smith clarified that the ordinance allowed applications deemed complete to move forward. He noted if Council wanted to move forward applications in progress, they could amend the ordinance reflecting that direction.

Director of Community Development Ebbs added that the only application in progress at this time was Element 7 and it was very close to completion.

In response to Councilmember Ogorchock, City Attorney Smith explained that the purpose of the urgency ordinance was to prevent an oversaturation of retail cannabis businesses and ensure those businesses and their social equity programs remained viable. He added that at this time the urgency ordinance could only be enacted for 45 days; however, it could be brought back prior to the expiration for consideration of an extension.

Mayor Thorpe stated this was a pause while the Cannabis Standing Committee looked to expanding into other areas of the City and the ordinance only affected retail cannabis operations.

ORDINANCE NO. 2192 -C-S

On motion by Councilmember Wilson, seconded by Councilmember Torres-Walker, the City Council unanimously approved adopted the urgency ordinance to amend section 9-5.3845(A) of the Antioch Municipal Code replacing language ‘deemed complete’ with “applications received and in progress”.

8. RESOLUTION APPROVING THE FOURTH AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT FOR THE EAST CONTRA COSTA REGIONAL FEE AND FINANCING AUTHORITY AND APPROVING AND ADOPTING THE EAST CONTRA COSTA REGIONAL FEE PROGRAM UPDATE REPORT TO INCLUDE SAND CREEK ROAD FROM STATE ROUTE 4 TO DEER VALLEY ROAD

Director of Public Works/City Engineer Samuelson presented the staff report dated January 26, 2021 recommending the City Council adopt a resolution to: 1) Approve and authorize the Fourth Amendment to the Joint Exercise of Powers Agreement (“JEPA”) for East Contra Costa Regional Fee and Financing Authority (“ECCRFFA”); and 2) Approve and adopt the ECCRFFA Program Update Report to include Sand Creek Road from State Route 4 to Deer Valley Road.

RESOLUTION NO. 2021/15

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously adopted a resolution: 1) Approving and authorizing the Fourth Amendment to the Joint Exercise of Powers Agreement (“JEPA”) for East Contra Costa Regional Fee and Financing Authority (“ECCRFFA”); and 2) Approving and adopting the ECCRFFA Program Update Report to include Sand Creek Road from State Route 4 to Deer Valley Road.

PUBLIC COMMENTS

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

Stephanie provided written comment requesting a moratorium on any new businesses that compete with their neighbors, due to the impacts of COVID-19.

STAFF COMMUNICATIONS – None

COUNCIL COMMUNICATIONS

Councilmember Ogorchock requested staff agendize consideration of Antioch having a 211 service.

Councilmember Barbanica requested staff agendize the accounting details for the 2019 budget to assist the unhoused community.

Mayor Thorpe responded that the budget for the unhoused residents would be discussed at the Transitional Housing Committee meeting and an item on homelessness would be coming to Council in February.

Mayor Thorpe announced that Council would be reviewing the list of requested agenda items at a special meeting at 6:00 P.M. on February 16, 2021. He noted included in that discussion would be a previous request by Councilmember Ogorchock regarding Council’s code of conduct.

ADJOURNMENT

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously adjourned the meeting at 9:09 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk