

**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.**

**June 22, 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.

Written public comments were received by 3:00 p.m. the day of the Council Meeting in the following ways: (1) Filled out an online speaker card, located at [https://www.antiochca.gov/speaker card](https://www.antiochca.gov/speaker_card), or (2) Emailed the City Clerk's Department at cityclerk@ci.antioch.ca.us. Oral public comments received during the meeting were received by registering in advance to access the meeting via Zoom Webinar: <https://www.antiochca.gov/speakers> or by dialing (925) 776-3057.

5:45 P.M. - CLOSED SESSION

- 1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** pursuant to Government Code section 54956.9: City of Long Beach, et al. vs. Monsanto Company et al., United States District Court – Central District of California – Western Division, Case No. 2:16-cv-03493-FMO-AS.
- 2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** pursuant to Government Code section 54956.9: Greg Banks v. the City of Antioch, United States District Court for the Northern District of California, Case No. 4:18-cv-07391-HSG.
- 3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** pursuant to Government Code section 54956.9: Oakhill Park Company, vs. the City of Antioch, Contra Costa County Superior Court, Case No. N21-0048.

Mayor Thorpe called the meeting to order at 7:00 P.M., and City Clerk Householder called the roll.

Present: Council/Agency/Authority 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 Pledge of Allegiance.

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

1. PROCLAMATIONS

Parks Make Life Better Month, July 2021
Commemorating Juneteenth as an Annual Celebration of Black Economic Liberation
Relay for Life of the Delta Day – “Paint the Town Purple”, June 26, 2021

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

Director of Parks and Recreation Helfenberger and Chairperson Arce representing the Park and Recreation Commission accepted the *Parks Make Life Better Month* proclamation and thanked the City Council for the recognition.

Claryssa Wilson accepted the *Commemorating Juneteenth as an Annual Celebration of Black Economic Liberation* proclamation and thanked the City Council for the recognition.

Mayor Thorpe stated he appreciated Ms. Wilson’s efforts to organize the Juneteenth event.

Tina Hannon accepted the *Relay for Life of the Delta Day – “Paint the Town Purple”* proclamation and thanked the City Council for the recognition. She invited everyone to attend the Relay For Life event on June 26, 2021.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS – None

2. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Householder announced the following Commission opening:

- Economic Development Commission: One (1) vacancy; deadline date is June 25, 2021

She reported the City would be posting for a vacancy on the Police Crime Prevention Commission and applications would be available online at the City’s website and at bit.ly/ApplyAntioch.

PUBLIC COMMENTS

The following public comments were read into the record by City Clerk Householder.

Elizabeth Easterday and Raul Vasquez representing ACCE provided written comment in support of tenant protections for Antioch residents.

Christian Cesneros, provided written comment expressing concern regarding a recent hire for the Antioch Police Department.

Durell provided written comment requesting a report out on Angelo Quinto's case.

Holly Mace provided written comment requesting a report out on Angelo Quinto's case and in support of the City Council banning knee to neck restraints as well as other restraints that could cause asphyxia.

Paul Thorton, Antioch resident, provided written comment regarding unsafe driving maneuvers occurring near his residence and requested the City increase patrols in the area.

Habib provided written comment regarding issues related to loitering near his house and requested the City assist in addressing these matters.

The following public comments were made by individuals utilizing Zoom Audio/Video Technology.

Lacey Brown requested a report out on Angelo Quinto's case. She expressed concern regarding a recent hire for the Antioch Police Department and asked for the removal of an officer from the Community Engagement Team. She invited everyone to attend a rally hosted by the Quinto family on June 23, 2021.

Frank Sterling requested a report out on Angelo Quinto's case and discussed his interactions with the Antioch Police Department. He encouraged the Antioch Police Department to have compassion with the homeless and expressed concern regarding the recent hiring of an officer.

Shagoofa Khan expressed concern regarding the recent hiring of an officer for the Antioch Police Department. She spoke in support of the Quinto family and encouraged everyone to attend their event on June 23, 2021.

Diana Collins Puente, Robert Collins and Cassandra Collins requested a report out on Angelo Quinto's case. They invited Council, staff, and the community to attend a gathering at the Antioch Police Department on June 23, 2021. They requested Council vote to ban restraints that cause positional asphyxia and support AB 490.

The following public comment was read into the record by City Clerk Householder.

Francisco Torres representing ACCE provided written comment in support of tenant protections for Antioch residents.

The following public comments were made by individuals utilizing Zoom Audio/Video Technology.

Patricia Granados expressed concern regarding the recent hiring of an officer for the Antioch Police Department and discussions that occurred online that she believed to be harassment. She requested the City investigate the Antioch Unified School District Superintendent's use of funds. She also suggested firing police with abusive history and Chief Brooks. She recognized individuals who were involved in incidents with the Antioch Police Department.

Jessica Tully and Bella Quinto Collins requested a report out on Angelo Quinto's case. They requested Council vote to ban restraints that cause positional asphyxia and support AB 490. They invited Council, staff, and the community to attend a gathering at the Antioch Police Department on June 23, 2021.

Andrew Becker expressed concern regarding the lack of emergency shelter housing in Antioch and requested the City Council contact service organizations and assist in resolving this issue.

COUNCIL SUBCOMMITTEE REPORTS/COMMUNICATIONS

Councilmembers Torres-Walker and Barbanica reported on their attendance at the CDBG Standing Committee meeting.

Councilmember Wilson reported on her attendance at the Delta Diablo meeting and announced Tri Delta Transit would be meeting on June 23, 2021.

MAYOR'S COMMENTS

Mayor Thorpe reported on his attendance at CCTA, TRANSPLAN and Highway 4 Bypass Authority meetings.

3. PRESENTATION

Director of Economic Development Reed introduced Roger Dale, The Natelson Dale Group, Inc. and Ed Del Beccaro, TRI Commercial who presented a PowerPoint presentation of City of Antioch Economic Development Strategic Plans – Status Briefing to City Council.

Mayor Thorpe thanked Mr. Dale and Mr. Del Beccaro for the presentation.

4. CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency/Antioch Public Financing Authority

A. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR MAY 18, 2021

B. APPROVAL OF COUNCIL MINUTES FOR MAY 25, 2021

- C. APPROVAL OF COUNCIL MINUTES FOR JUNE 8, 2021
- D. APPROVAL OF COUNCIL WARRANTS
- E. APPROVAL OF HOUSING SUCCESSOR WARRANTS
- F. REJECTION OF CLAIMS: CODY PRIES, MELLISSA LANDRETH, JAIME TELLEZ, JASON ALLARD
- G. RESOLUTION NO. 2021/105 ACCEPTANCE OF WORK AND NOTICE OF COMPLETION FOR THE CITY HALL COUNCIL CHAMBERS REMODEL (AUDIO-VIDEO COMMUNICATIONS) (P.W. 247-P1)
- H. RESOLUTION NO. 2021/106 ACCEPTANCE OF WORK AND NOTICE OF COMPLETION FOR THE WATER TREATMENT PLANT DISINFECTION IMPROVEMENTS (P.W. 246-29)
- I. RESOLUTION NO. 2021/107 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BAY ALARM COMPANY FOR ACCESS CONTROL AND VIDEO MONITORING
- J. RESOLUTION NO. 2021/108 PROJECT LIST FOR FISCAL YEAR 2021/22 ROAD MAINTENANCE AND REHABILITATION ACCOUNT (“RMRA”)
- K. RESOLUTION NO. 2021/109 CONSIDERATION OF BIDS FOR VARIOUS ASPHALT REPAIRS – SERVICE CUTS BID NO. 968-0526-21A AWARD
- L. RESOLUTION NO. 2021/110 PROPOSED AMENDMENT TO FIRST AMENDED AND RESTATED LEASE AGREEMENT WITH MESA ANTIOCH LLC (BILLBOARD LEASE)
- M. RESOLUTION NO. 2021/111 RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED CONVEYING PROPERTY (ASSESSOR’S PARCEL NUMBER: 071-334-015) TO THE CITY OF ANTIOCH

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

PUBLIC HEARING

- 5. **RESOLUTION ACCEPTING AND ADOPTING THE PROPOSED FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM 2021-2026 (P.W. 150-21)**

City Manager Bernal introduced Public Hearing Item #5.

Director of Public Works/City Engineer Samuelson recognized staff who assisted in the creation of the CIP and introduced Project Manager Buenting who presented the staff report dated June 22, 2021 recommending the City Council adopt the resolution to: 1) Approve the City's Five-Year Capital Improvement Program ("CIP") 2021-2026; and 2) Authorize the City Manager or his designee to carry over and re-appropriate all remaining Fiscal Year 2021 CIP Budgets to the Fiscal Year 2022 Operating Budget.

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

Councilmember Ogorchock requested in the future, the field replacement at James Donlon be added to the CIP. She thanked staff for the CIP presentation.

RESOLUTION NO. 2021/112

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously adopted the resolution: 1) Approving the City's Five-Year Capital Improvement Program ("CIP") 2021-2026; and 2) Authorizing the City Manager or his designee to carry over and re-appropriate all remaining Fiscal Year 2021 CIP Budgets to the Fiscal Year 2022 Operating Budget.

6. RADIX GROWTH CANNABIS FACILITY (UP-20-10, V-20-02, AR-20-12)

Associate Planner Scudero presented the staff report dated June 22, 2021 recommending the City Council adopt the resolution approving a Use Permit, Variance and Design Review application (UP-20-10, V-20-02, AR-20-16) for a cannabis facility with indoor cultivation, distribution, non-volatile manufacturing, and retail dispensary with delivery.

Mayor Thorpe opened the public hearing.

Sufyan Hamouda, Compliance Consultant for Radix Growth, thanked staff for working with them on their application and the City Council for reviewing the project. He stated the project would benefit the Antioch community and they hoped the recommendations put forth by the Planning Department were accepted. He noted they were available to answer any questions this evening.

Mayor Thorpe closed the public hearing.

In response to Councilmember Ogorchock, Hans Benson, President of Radix Growth, stated they had properly noticed neighboring businesses.

Councilmember Ogorchock requested balusters be placed in front of the building and stated she would support Design Review for the project coming back to the City Council for approval. She expressed concern the AMCAL property was within the 600-foot buffer area.

Associate Planner Scudero explained when guidelines were adopted, they specified that the separation should be measured from the business; however, they were informed that because state separation requirements differed, they would not be able to measure from the business to the property line which was why the variance was proposed.

Councilmember Ogorchock stated she supported the project; however, she was concerned that Council would be dismissing the City's 600-foot setback requirement.

In response to Councilmember Barbanica, Captain Morefield explained that with respect to the property line, it was a large parking lot, and the business was setback therefore they had no concerns regarding the variance.

In response to Councilmember Ogorchock, Mr. Hamouda discussed their security operations, employee access and delivery plans.

In response to Mayor Thorpe, Mr. Benson confirmed he would be the Chief of Operations and provided a brief background of his experience in the cannabis industry. He stated he intended to work closely with the City in developing an equity program to benefit Antioch and noted that they wanted to help build the community.

RESOLUTION NO. 2021/113

On motion by Councilmember Wilson, seconded by Councilmember Torres-Walker the City Council adopted the resolution approving a Use Permit, Variance and Design Review application (UP-20-10, V-20-02, AR-20-16) for a cannabis facility with indoor cultivation, distribution, non-volatile manufacturing, and retail dispensary with delivery.

7. INTRODUCTION OF ORDINANCE AMENDING THE ANTIOCH MUNICIPAL CODE TO AUTHORIZE SERVICE OF YOUTH MEMBERS ON CITY ADVISORY BOARDS AND COMMISSIONS

City Attorney Smith presented the staff report dated June 22, 2021 recommending the City Council waive the first reading and introduce by title only, an ordinance amending the Municipal Code to authorize the appointment of youth members, 14 to 17 years of age, to City Advisory Boards and/or Commissions.

Mayor Thorpe opened the public hearing.

The following public comments were read into the record by City Clerk Householder.

Giovanni Terrones, Antioch resident, provided written comment in support of Council amending the ordinance to allow youth members on City Advisory Boards and Commissions.

David Redford provided written comment recommending the addition of a limiting factor of no more than one active youth participant on any particular Board or Commission.

Mayor Thorpe closed the public hearing.

Councilmember Barbanica requested that the ordinance stipulate that each Board and Commission was limited to one youth member's participation.

On motion by Councilmember Torres-Walker, seconded by Councilmember Wilson the City Council waived the first reading and introduced by title only, an ordinance amending the Municipal Code to authorize the appointment of youth members, 14 to 17 years of age, to City Advisory Boards and/or Commissions. The motion carried the following vote:

Ayes: Torres-Walker, Ogorchock, Wilson, Thorpe

Noes: Barbanica

COUNCIL REGULAR/ CITY OF ANTIOCH COUNCIL MEMBERS ACTING AS SUCCESSOR AGENCY/ HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY/ ANTIOCH PUBLIC FINANCING AUTHORITY AGENDA

8. RESOLUTION APPROVING AND ADOPTING A TWO-YEAR OPERATING BUDGET FOR THE FISCAL YEARS 2021-23

City Manager Bernal introduced Regular Agenda Item #8 and recognized the City Council and staff for their work in developing the budget.

Finance Director Merchant presented the staff report dated June 22, 2021 recommending the City Council adopt a resolution approving and adopting a two-year Operating Budget for Fiscal Years 2021-23, appropriating the funds necessary to meet the expenditures set forth therein, and revising the Fiscal Year 2020-21 Budget.

Councilmember Torres-Walker thanked staff for their hard work and the City Council for going through the budget process. She reported that her meetings with the various department heads had been very informative in her consideration of the budget.

A motion was made by Councilmember Torres-Walker, seconded by Councilmember Wilson to adopt a resolution approving and adopting a two-year Operating Budget for Fiscal Years 2021-23, appropriating the funds necessary to meet the expenditures set forth therein, and revising the Fiscal Year 2020-21 Budget.

Speaking to the motion, Councilmember Barbanica thanked everyone who participated in the budget process.

Councilmember Ogorchock thanked staff for their work in preparation of the budget. She expressed concern the budget included a Director for a department that had not been formed

and Code Enforcement positions were being funded without equipment while other departments were shorted support staff. She felt there was an over reliance on the Budget Stabilization Fund at a time when they had yet to address the transitional housing and mental health needs of the community. She concluded the budget before Council this evening for consideration was fiscally irresponsible.

Mayor Thorpe thanked staff and Council for their hard work in developing the budget before them this evening. He explained that it was a living document that could be adjusted moving forward and he felt it reflected Council's priorities and was fiscally responsible.

RESOLUTION NO. 2021/114

A vote taken on the previous motion to adopt the resolution passed. The motion carried the following vote:

Ayes: Torres-Walker, Barbanica, Wilson, Thorpe

Noes: Ogorchock

9. RESOLUTION OF THE CITY OF ANTIOCH AS SUCCESSOR AGENCY AND HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY ADOPTING A TWO-YEAR OPERATING BUDGET FOR THE FISCAL YEARS 2021-23

Finance Director Merchant presented the staff report dated June 22,2021 recommending the City of Antioch as Successor Agency and Housing Successor to the Antioch Development Agency adopt a resolution approving and adopting a two-year Operating Budget for Fiscal Years 2021-23 and revising the Fiscal Year 2020-21 Budget.

SA RESOLUTION NO. 2021/36

On motion by Agency Member Wilson, seconded by Agency Member Torres-Walker the City of Antioch as Successor Agency and Housing Successor to the Antioch Development Agency unanimously adopted a resolution approving and adopting a two-year Operating Budget for Fiscal Years 2021-23 and revising the Fiscal Year 2020-21 Budget.

10. RESOLUTION OF THE ANTIOCH PUBLIC FINANCING AUTHORITY ADOPTING A TWO-YEAR OPERATING BUDGET FOR THE FISCAL YEARS 2021-23

Finance Director Merchant presented the staff report dated June 22,2021 recommending the Board of the Antioch Public Financing Authority adopt a resolution approving and adopting a two-year Operating Budget for Fiscal Years 2021-23 and revising the Fiscal Year 2021-23 Budget.

RESOLUTION NO. 2021/115

On motion by Authority Member Torres-Walker, seconded by Authority Member Wilson the Board of the Antioch Public Financing Authority unanimously adopted a resolution approving and adopting a two-year Operating Budget for Fiscal Years 2021-23 and revising the Fiscal Year 2021-23 Budget.

11. AGREEMENT WITH TERRACARE ASSOCIATES FOR LANDSCAPE MAINTENANCE SERVICES - PROPOSAL NO. 988-0520-21A

Director of Public Works/City Engineer Samuelson presented the staff report dated June 22, 2021 recommending the City Council adopt a resolution: 1) Awarding the Maintenance Services Agreement (“Agreement”) for Landscape Maintenance Services throughout the City’s rights-of-ways and medians, to Terracare Associates; 2) Approving the Agreement with Terracare Associates for the period July 1, 2021 through June 30, 2024 will cost \$3,628,338, and with the option to extend an additional two fiscal years, \$2,418,892, for a total contract amount not to exceed \$6,047,230 over the five (5) year period; and 3) Authorizing the City Manager to execute the Agreement.

RESOLUTION NO. 2021/116

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously adopted a resolution: 1) Awarding the Maintenance Services Agreement (“Agreement”) for Landscape Maintenance Services throughout the City’s rights-of-ways and medians, to Terracare Associates; 2) Approving the Agreement with Terracare Associates for the period July 1, 2021 through June 30, 2024 will cost \$3,628,338, and with the option to extend an additional two fiscal years, \$2,418,892, for a total contract amount not to exceed \$6,047,230 over the five (5) year period; and 3) Authorizing the City Manager to execute the Agreement.

PUBLIC COMMENTS – None

STAFF COMMUNICATIONS

City Manager Bernal announced the Boys and Girls Club offered free pop-up summer camps from 9:00 A.M. – 11:00 A.M. beginning June 25, 2021 running through July at Contra Loma Estates and Chichibu Parks. He reported the Celebrate Antioch Foundation was hosting the Independence Day events on July 4, 2021. He announced staff was working to open City facilities on July 6, 2021 and Council Chambers would be opening in the near future for meetings. He stated that due to summer break, this would be the last City Council meeting until July 27, 2021.

COUNCIL COMMUNICATIONS

Councilmember Ogorchock requested Council Chambers be opened for the July 27, 2021, City Council meeting.

Mayor Thorpe responded that the restrooms had not been completed and opening of Council Chambers would occur in the August/September timeframe.

Councilmember Ogorchock suggested the City reach out to the Delta Association of Realtors to be education partners with the City on rental issues. She wished everyone a great summer break.

Councilmember Torres-Walker thanked Council for the budget process experience and honored the indigenous people of Antioch. She requested anti-displacement dialog and consideration of banning any hold that may cause positional asphyxiation, come back to Council for consideration.

Mayor Thorpe commented that Council had done a lot of work in a short amount of time while keeping the conversation respectful. He thanked Council and staff for their participation and their efforts to facilitate the process. He wished everyone a great summer break.

ADJOURNMENT

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously adjourned the meeting at 9:40 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk