

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

Regular Meeting
7:00 P.M.

October 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.

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](https://www.antiochca.gov/speakers_or_by_dialing) (925) 776-3057.

6:00 P.M. - CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** pursuant to Government Code section 54956.9: Miguel Minjares v. City of Antioch, United States District Court for the Northern District of California, Case No. 3:21-cv-01803-VC.
2. **PUBLIC EMPLOYMENT – Recruitment of City Manager.** This closed session is authorized pursuant to Government Code section 54957.

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; and, **#2 PUBLIC EMPLOYMENT – Recruitment of City Manager**, no reportable action.

MOTION TO ADJOURN CLOSED SESSION

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously adjourned Closed Session at 7:03 P.M.

7:00 P.M. – REGULAR MEETING

Mayor Thorpe called the meeting to order at 7:04 P.M., and City Clerk Householder called the roll.

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

PLEDGE OF ALLEGIANCE

Councilmember Wilson led the Pledge of Allegiance.

1. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Director of Parks and Recreation Helfenberger announced the following civic and community events:

- CONTRA COSTA HEALTH SERVICES – FREE COVID-19 VACCINE
- 2ND ANNUAL FALL-O-WEEN SPOOKTACULAR FAMILY EVENT – Oct. 28, 29 & 30th
- RIVERTOWN TRICK OR TREAT KID’S FEST – Oct. 30th
- TRICK OR TREAT WITH ANTIOCH POLICE DEPARTMENT – Oct. 31st

Councilmember Ogorchock announced Iglesia Ni Cristo Church of Christ would be participating in the Worldwide Aid to Humanity at 10:00 A.M on October 30, 2021, at Contra Loma Estates Park.

2. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Householder announced the following Board and Commission openings:

- Parks and Recreation Commission: deadline date is October 29, 2021
- Sales Tax Citizens’ Oversight Committee: deadline date is October 29, 2021
- Police Crime Prevention Commission: deadline date is November 12, 2021
- Board of Administrative Appeals: deadline date is November 12, 2021

She reported applications were available at: www.bit.ly/ApplyAntioch, on the City’s website or by contacting Councilmembers.

PUBLIC COMMENTS

The following public comment was read and translated in Spanish and English by Assistant City Manager Bayon Moore.

Sandra Compos, Antioch resident, representing ECCE, provided written comment in support of an ordinance against tenant harassments, a moratorium against evictions, the development of a mental health crisis response team and Councilmember Torres-Walker.

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

Donald Lang, Pittsburg resident, ACCE, provided written comment in support of rental protections, just cause and antiharassment ordinances as well as Councilmember Torres-Walker’s accomplishments serving on the City Council.

Raquel Maramag, ACCE, provided written comment in support of tenant anti-harassment and stronger just cause for eviction ordinances.

Mark, District 2, provided written comment welcoming the Department of Justice collaboration with the Antioch Police Department.

Robbie, District 2, provided written comment in support of the recall efforts for Mayor Thorpe.

Lamar Obvious provided written comment expressing concern regarding elected officials who blocked comments on social media and in support of the recall of Councilmembers.

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

Devin Williams, Antioch resident, representing ACCE, spoke in support of the City passing an anti-harassment ordinance. He discussed Councilmember Torres-Walker's accomplishments.

Destiny Briscoe, Pittsburg resident, representing ACCE, spoke in support of Councilmember Torres-Walker's accomplishments.

Francisco Torres representing ACCE, spoke in support of a tenant anti-harassment and stronger just cause for eviction ordinances.

Frank Sterling reported on his attendance at a recent press conference and supported the City Council passing an anti-harassment ordinance.

The Moodys expressed concern regarding illegal activity and animal control issues occurring in their neighborhood. They reported tensions had escalated and police response had been delayed. They urged the City Council to address this matter.

Carmen Ponce, speaking in Spanish and translated by Mayor Thorpe, reported she had been a victim of landlord harassment and feared her family would be evicted. She requested the City Council pass an anti-harassment ordinance. She also spoke in support of Councilmember Torres-Walker.

Mayor Thorpe explained that the purpose of Public Comments was to provide one-way communication to Council on items not agendaized. He noted staff would do their best to follow up and urged residents to contact Councilmembers directly. Contact information was provided.

COUNCIL SUBCOMMITTEE REPORTS/COMMUNICATIONS

Councilmember Torres-Walker thanked Mayor Thorpe for translating for Carmen Ponce. She reported on her attendance at the Violence Prevention Ad Hoc Committee meeting. She announced the Employment Resource Health and Wellness Fair would be held from 11:00 A.M. – 3:00 P.M. on October 30, 2021 at Somersville Towne Center.

Councilmember Barbanica reported on a phone meeting he had with Interim Chief Morefield regarding issues surrounding the methadone clinic. He also reported he had met with the Chair of the Economic Development Commission who was looking for direction from Council regarding ideas brought forward by the Commission. He noted he also met with Director of Economic Development Reed to discuss job creation in the Somersville and Slatten Ranch areas.

Councilmember Wilson announced the Tri Delta Transit meeting would be held on October 27, 2021.

MAYOR'S COMMENTS

Mayor Thorpe announced he would be attending the Tri Delta Transit meeting on October 27, 2021, and the Annual Tri Delta Transportation Conference with Councilmember Wilson. He reported the City Council would be holding a Study Session on November 16, 2021, to discuss follow-up items, one of which was a discussion on rental protections. He requested ACCE be prepared to give a presentation at that meeting.

3. PRESENTATION

Director of Community Development Ebbs introduced Senior Planner Merideth who introduced the item and Curtis Banks, Meredith Rupp, and Javier Silva, Urban Planning Partners Inc., who gave a Housing Element, Environmental Hazard Element, and Environmental Justice Requirements PowerPoint presentation.

Andrew Becker requested the City meet with his organization to discuss affordable housing projects.

Councilmember Ogorchock encouraged the City to engage senior residents in the process.

In response to Councilmember Ogorchock, Senior Planner Merideth gave an overview of the 2015-2020 RHNA units built and permits issued.

Mayor Thorpe encouraged Urban Planning Partners to work closely with Councilmembers Barbanica and Torres-Walker with regards to issues related to their districts. He thanked Urban Planning Partners for the presentation.

- 4. CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency**
 - A. APPROVAL OF COUNCIL MEETING MINUTES FOR SEPTEMBER 28, 2021**
 - B. APPROVAL OF COUNCIL MEETING MINUTES FOR OCTOBER 12, 2021**
 - C. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR OCTOBER 16, 2021**

- D. APPROVAL OF COUNCIL WARRANTS
- E. APPROVAL OF HOUSING SUCCESSOR WARRANTS
- F. REJECTION OF CLAIM: KATHRYN MAGUIRE
- G. ORDINANCE NO. 2198-C-S SECOND READING – ORDINANCE AMENDING §9-5.2507 OF THE ANTIOCH MUNICIPAL CODE REGARDING RULES OF PROCEDURE FOR THE TIMING OF RECOMMENDATIONS BY THE PLANNING COMMISSION (Introduced on 10/12/2021)
- H. ORDINANCE NO. 2199-C-S SECOND READING – ORDINANCE AMENDING THE ANTIOCH MUNICIPAL CODE SECTIONS 9-5.203, 9-5.3801, 9-5.3845, AND THE DOWNTOWN SPECIFIC PLAN, RELATING TO CANNABIS BUSINESSES, BY ALLOWING CANNABIS BUSINESSES IN ADDITIONAL AREAS, MODIFYING THE DEFINITION OF SENSITIVE USES, AND SETTING DISTANCE REQUIREMENTS RELATING TO CANNABIS BUSINESSES (Introduced on 10/12/2021)
- I. RESOLUTION NO. 2021/167 AB 361: RESOLUTION TO CONDUCT BROWN ACT MEETINGS BY TELECONFERENCE
- J. RESOLUTION NO. 2021/168 ACCEPTANCE OF WORK AND NOTICE OF COMPLETION FOR THE ANTIOCH PAVEMENT REHABILITATION (P.W. 392-31)
- K. RESOLUTION NO. 2021/169 APPROVAL OF A NEW-TO-FLEET CATERPILLAR BACKHOE MODEL 430 UTILIZING A SOURCEWELL COOPERATIVE PURCHASING AGREEMENT WITH PETERSON CAT
- L. RESOLUTION NO. 2021/170 APPROVING ANNEXATION OF ASSESSOR'S PARCEL NUMBERS 051-052-112 AND 051-052-113 (ACORN SELF STORAGE) INTO CITY-WIDE STREET LIGHT AND LANDSCAPE MAINTENANCE DISTRICT 2A, ZONE 3 (PW 357-301-19)

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

Item F – On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously referred Item F to Closed Session.

Item H – On motion by Councilmember Wilson, seconded by Councilmember Torres-Walker the City Council approved Item H. The motion carried the following vote:

Ayes: Torres-Walker, Wilson, Thorpe

Noes: Barbanica, Ogorchock

COUNCIL REGULAR AGENDA

5. BEEDE LUMBER SITE UPDATE

City Manager Bernal presented the staff report dated October 26, 2021, recommending the City Council receive the update and provide direction.

Mayor Thorpe reminded the public that the purpose of this item was for Council to begin discussions related to proposals brought forward regarding the use of the Beede Lumber site.

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

Don Bright, Kim Stadtlander, J. A Zuwala, Betty Blaze, Rick Stadtlander, Kerry Motts, Susan Welch, Ann Lake, Antioch resident, Karen Kops, Antioch resident, Michael Gabrielson, Antioch resident, Joy Motts, Katie Bookman Lamothe, Antioch resident and Lucille Meinhardt, Antioch resident provided written comment in support of a public use option such as a park, town square or event plaza for the Beede Lumberyard Site.

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

Lee Ballesteros and Frank Sterling spoke in support of a public use option such as a park for the Beede Lumberyard Site.

In response to Councilmember Torres-Walker, Mayor Thorpe and Councilmembers Wilson and Ogorchock gave a history of what had occurred in the past regarding the development of the property.

Councilmember Barbanica stated he wanted to see the proposals and costs analysis related to the development of the property.

Councilmember Ogorchock reported the City had numerous parks. She noted the original Beede Lumberyard blocked the view from the residential areas and trains had always been in the area. She further noted concerts in the park had been occurring at Waldie Plaza. She suggested beautifying City Park and sending out an RFP/RFQ for development of the Beede parcel.

Mayor Thorpe reminded Council that the City would be considering changing zoning laws to make it easier to develop at higher densities. He stated it was important for Council to be clear on what their intent was for this property.

Councilmember Torres-Walker suggested the City should do more community engagement to engage indigenous, diverse and young community members.

Councilmember Ogorchock reported many new restaurants discussed the need for more people in downtown with disposable incomes.

Following discussion, Council consensus invited the town square proponent to make a presentation to Council on November 23, 2021, City Council meeting. They also requested a recap of City Ventures' proposal for the property as well as the proposal to fill the property with grass.

6. DIRECTION TO STAFF REGARDING AMENDMENT OF ANTIOCH MUNICIPAL CODE TO REMOVE OIL AND GAS DRILLING, PRODUCTION, AND EXPLORATORY OPERATIONS AS PERMITTED USES IN THE M-2 AND S ZONES

City Attorney Smith presented the staff report dated October 26, 2021 recommending the City Council provide direction to staff concerning the following: 1) Whether the City Council is seeking a ban (permanent) or a moratorium (temporary) on oil and gas drilling; and 2) Whether staff should agendaize the proposed ordinance for an upcoming Planning Commission meeting, so that following the Planning Commission's recommendation, the City Council can take subsequent action to adopt the ordinance.

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

Rachael D. Spradley DO, Amanda Millstein MD, J. Illana Weisman, representing 350 Contra Costa, Elizabeth Ortega MD, Jackie Mostow MD, Mike Moore, Oakley resident, Debra, Antioch resident and Charles Davidson, Hercules resident, provided written comment in support of a ban on oil and gas drilling in the City of Antioch.

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

Harry Thurston, Shoshana Wechsler, Jeffrey Mann, Lafayette resident, Josh Odiase, Ian Cohen, Jackie Garcia representing 350 Contra Costa and Interfaith Climate Action Network of Contra Costa County, Sarah Morgan, Alexi Lindeman, Meghan Thompson and Liselle Cannahan spoke in support of a ban on oil and gas drilling in the City of Antioch.

Councilmember Wilson voiced her support of banning oil and gas drilling in the City of Antioch and noted that it was consistent with the Strategic Plan goals set by the City Council and the Climate Action Resilience Plan.

In response to Councilmember Barbanica, staff reported that they were not aware of any owners expressing interest in drilling at the two locations identified.

Councilmember Barbanica commented the Council had not been contacted by anyone in opposition to the ban on oil and gas drilling.

Councilmember Torres-Walker thanked Councilmember Wilson for bringing this item forward and Mayor Thorpe for agendaizing the item for discussion. She spoke in support of a ban on oil and gas drilling so those seeking future projects would not be provided the opportunity. She stated she also hoped the County saw this as a call to action to do the same.

Mayor Thorpe stated he was in support of this item and noted for planning purposes he would not want this item to take priority when other items had been in the pipeline.

City Attorney Smith responded that he could prepare this item relatively quickly and noted other items involved negotiations with multiple parties.

The City Council consensus directed staff to bring back an ordinance banning oil and gas drilling for Council consideration.

7. SESQUICENTENNIAL CELEBRATION UPDATE

City Manager Bernal presented the staff report dated October 26, 2021, recommending the City Council receive the update and provide direction.

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

Lucile Meinhardt, Antioch resident, provided written comment in support of the Sesquicentennial Celebration.

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

Frank Sterling supported the Sesquicentennial Celebration and suggested the City consider inclusion of ceremonies recognizing indigenous people and the historical burial grounds in downtown Antioch.

In response to Councilmember Torres-Walker, City Manager Bernal explained there had not been a formal RFP process for the planning of these events. He noted the process was inherited by the Celebrate Antioch Foundation.

Mayor Thorpe added that this item started as a Council project with former Mayor Wright and former Councilmember Motts; however, when they were not reelected, and the question came back to Council no one expressed interest in participating in the Ad Hoc Committee. He noted there was no formal structure following that connected to the City Council.

Director of Parks and Recreation Helfenberger explained that staff worked with the Celebrate Antioch Foundation because they had a history of providing events that the City had not fully funded or organized. He noted if there was a desire to proceed in a different manner, they would be able to do so. He reported they had actively sought out service organizations who were

interested in participating in the process. He noted several events were envisioned and there were opportunities to evolve those ideas and work with Council on their vision.

Mayor Thorpe added that Councilmember Ogorchock had been participating in some of the planning meetings.

Councilmember Ogorchock explained that the Celebrate Antioch Foundation was comprised of a diverse group. She reported the city would be providing a monetary allocation and in-kind services. She noted the committee stopped meeting in 2020 due to the pandemic and had recently resumed. She stated that she was not in support of the administrative fee, and she had asked for a separate accounting of the \$100k in city funds. She stated there were a lot of expenses and there were various organizations fundraising for these efforts.

Councilmember Barbanica stated he supported the City allocating \$100k for these events; however, he felt it should remain in City funds and be paid directly from the finance department to the vendors. Additionally, he stated he did not support a \$25k administration fee.

Councilmember Torres-Walker expressed concern that an RFP and budget had not come before the city. She stated she did not support the \$25K administration fee. She recognized those who were fundraising for the events. She spoke in support of a more formal process and expanding the conversation to a more diverse population.

In response to Councilmember Wilson, Director of Parks and Recreation Helfenberger reported that a recent fundraiser to obtain sponsors raised approximately \$15-20k before expenses.

Councilmember Wilson voiced her support for incorporating other groups into the program and events occurring throughout the City.

Councilmember Ogorchock expressed concern that going out to the RFP or RFQ process may jeopardize events already planned.

Councilmember Torres-Walker stated she had not provided any input with regards to the timeline, proposal, and budget. She reiterated that she felt there needed to be a more formal process.

Councilmember Ogorchock stated she has shared with the Celebrate Antioch Foundation that they needed to be mindful that City money belong to constituents. She reported that she had requested this item be brought forward to Council at the beginning of the year and that had not occurred. She noted that Celebrate Antioch wanted the celebration to be a success, so they took over organizing efforts. She stated she understood the desire for a more formal process; however, she believed that that time had passed if they wanted events to take place.

In response to Mayor Thorpe, Director of Parks and Recreation Helfenberger reported staff began discussions with Celebrate Antioch for the Sesquicentennial events in August following the planning for this year's 4th of July events.

Councilmember Torres-Walker stated she felt Council should have been invited to the process. She noted it did not alleviate her concerns regarding funding and community engagement.

Director of Parks and Recreation Helfenberger reported the City of Antioch's special event policy identified the 4th of July as a city supported event and provided funding in the past through Civic Enhancement Grants.

Councilmember Wilson suggested inviting Celebrate Antioch to make a presentation of their proposal.

Councilmember Barbanica stated that he believed the City needed to move forward because if there was a delay events may not occur. He noted Celebrate Antioch had a history of doing good work, so he proposed moving forward with the \$100K in funds run through the finance department and eliminating the \$25k admin fee.

Councilmember Torres-Walker stated she supported Councilmember Barbanica's position with a plan, timeline, budget, and community participation.

Mayor Thorpe commented that administrative fees were typical for organizations that volunteered to organize events.

Councilmember Torres-Walker stated she believed there needed to be a process and guidelines developed for administrative fees.

Following discussion, the City Council invited Celebrate Antioch to make a presentation and participate in a dialog with Council at the Work Study Session on November 16, 2021.

PUBLIC COMMENTS – None

STAFF COMMUNICATIONS

City Manager Bernal recognized the Department of Public Works abatement efforts during the recent storms. He announced sandbags were available through the Public Works Department and could be picked up prior to major storm events. He reported the design phase of the City's Mobile Crisis Intervention Program was anticipated to conclude and he encouraged residents to respond to the survey.

COUNCIL COMMUNICATIONS

Councilmember Torres-Walker thanked Councilmember Ogorchock for chairing the Police Oversight Committee meeting and congratulated Councilmember Wilson for becoming the new Chair. She requested the establishment of a Youth Commission and Human Rights and Racial Equity Commission be agendaized for discussion. She also requested discussions for increasing street sweeping, hourly parking and parking enforcement.

Councilmember Wilson reminded staff to bring back a resolution to the County on banning oil and gas drilling.

Councilmember Ogorchock requested the City hold a Youth Appreciation Day.

Mayor Thorpe thanked staff and Assistant City Manager Bayon Moore for attending and helping to organize the Key to the City event.

ADJOURNMENT

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously adjourned the meeting at 10:26 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk