

CITY COUNCIL MEETING

Regular Meeting
7:00 P.M.

October 24, 2023
Council Chambers

7:00 P.M. REGULAR MEETING

Mayor Thorpe called the meeting to order at 7:01 P.M., in memory of Louise Giersch, Antioch's first female Mayor. Councilmember Ogorchock read her biography. Acting City Clerk Rosales called the roll.

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

PLEDGE OF ALLEGIANCE

Mayor Thorpe led the Pledge of Allegiance.

1. PROCLAMATIONS

Filipino American History Month, October 2023

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

Councilmember Wilson recognized Angelo Quinto and his family.

Florivic Paniagua, Robert Collins and Bella Quinto Collins accepted the *Filipino American History Month* proclamation and thanked the City Council for the recognition.

2. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Acting Assistant City Manager Helfenberger announced the following civic and community events:

- 4th Annual Fall-O-Ween – October 26 – 27, 2023
- Trunk or Treat & Car Show – October 28, 2023
- Dia De Los Muertos – November 1, 2023,
- Veteran's Day Celebration – November 11, 2023

Representatives from the Antioch Council of Teens (ACT) announced the following civic and community events:

- ACT Meetings – 2nd and 4th Wednesdays of the month
- Coat Drive – thru November 6, 2023
- Trunk or Treat – October 28, 2023

Frank Sterling announced the 2nd Annual Memorial Walk in honor of Timothy Charles Lee would be held at 3:00 P.M. on November 2, 2023.

3. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

Acting City Clerk Rosales announced the following Board and Commission openings.

- Board of Administrative Appeals
- Sales Tax Citizens' Oversight Committee

For more information and to apply, visit the City's website. Applications were also available in the lobby of City Hall.

PUBLIC COMMENTS

Rosalba Zendejas discussed incidents her sons were involved in with the Antioch Police Department (APD).

Dominique King, Moms Demand Action, provided contact information for anyone wishing to participate in their organization.

Erika Raulston expressed concern regarding illegal activities occurring in her neighborhood and delayed police response. She requested traffic calming measures for her neighborhood.

Leslie May expressed concern regarding illegal activities occurring in her neighborhood and lack of police response. She urged the Council to address public safety and hire outside agencies to assist the APD. She announced that she was prepared to file a lawsuit against the City for a violation of her civil rights. She discussed a recent officer involved shooting.

Frank Sterling and Francisco Torres suggested Council adopt an APD body cam video policy and asked that footage of a recent officer involved shooting be released. They also suggested the City invest APD salary savings in other public safety needs.

Patricia Granados expressed concern for officers collecting pensions when placed on paid administrative leave. She suggested those funds be returned to the City and reallocated toward youth services.

Julia Emego Kwue discussed a recent investigation into police misconduct and spoke in support of defunding APD to fund other community needs. She suggested lowering speed limits throughout Antioch. She requested the City address homelessness, fund home-schooled children and remove security from AUSD.

Devin Williams discussed a recent officer involved shooting and supported restructuring policing.

Gavin Payton, NAACP Youth, discussed gun violence and led the community in prayer.

CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS

Councilmember Ogorchock reported on her attendance at the Girls Empowerment Project event.

Councilmember Wilson reported on her attendance at the APTA Transit Conference and a Delta Diablo meeting. She explained Delta Diablo offered free household hazardous waste disposal service for local residents. She announced that Tri Delta would be meeting on October 25, 2023.

Councilmember Torres-Walker reported on her attendance at the Human Rights and Racial Equity Ad Hoc Committee with Councilmember Ogorchock and announced the Cannabis Standing Committee would be meeting on October 27, 2023. She thanked Gavin Payton for leading the community in prayer. She reported that she had reflected on the loss of her brother. Speaking to a community member whose son passed away in 2022, at Williamson Ranch Park, she stated most had not forgotten her and it was unfortunate that there had not been resolution. She reported on a healing event she attended and spoke in support of humanizing those in the community that needed help. She supported freeing Palestine, condemning all terrorist actions, and called for a cease fire. She discussed finding ways locally to bring communities together.

MAYOR'S COMMENTS

Mayor Thorpe announced he would be attending a Tri Delta meeting on October 25, 2023, and reported on his attendance at the APTA Transit Conference, Contra Costa Transportation Authority, TRANSPLAN, Sutter Delta Ribbon-cutting for their cardiovascular laboratory and the Los Medanos College Investiture ceremony. He announced he would be hosting a Unity and Healing Service that would be held on November 30, 2023, at the Antioch Community Center. He noted that he would be recognizing individuals who served the City with keys to the City.

4. CONSENT CALENDAR

- A. APPROVAL OF COUNCIL MEETING MINUTES FOR SEPTEMBER 12, 2023
- B. APPROVAL OF COUNCIL MEETING MINUTES FOR SEPTEMBER 26, 2023
- C. APPROVAL OF COUNCIL MEETING MINUTES FOR OCTOBER 10, 2023
- D. APPROVAL OF COUNCIL WARRANTS
- E. APPROVAL OF TREASURER'S REPORT FOR AUGUST 2023
- F. REJECTION OF CLAIMS: JOSH FERRER, DONALD LA VANCE, AND VINCENT JONES
- G. RESOLUTION NO. 2023/154 POLICE DEPARTMENT'S COMPUTER AIDED DISPATCH AND RECORDS MANAGEMENT SYSTEM (CAD/RMS) SERVER HARDWARE

H. RESOLUTION NO. 2023/155 CONSULTING SERVICES AGREEMENT WITH KOSMOS GEOSPATIAL, LLC FOR GIS APPLICATION DEVELOPMENT

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

PUBLIC HEARING

5. EAST 18TH STREET – EAST WAREHOUSE PROJECT

Acting Director of Community Development Scudero introduced Contract Planner Valente who presented the staff report dated October 24, 2023. The Planning Commission recommended that the City Council take the following actions: 1) Adopt the resolution approving the 18th Street East Warehouse Project Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP). 2) Adopt the resolution approving the General Plan Map Amendment. 3) Adopt the resolution approving the East 18th Street Specific Plan Map Amendment. 4) Introduce, by title only, and waive the first reading of the Planned Development (PD) Rezone ordinance. 5) Adopt the resolution approving the Final Development Plan, Use Permit, and Design Review.

Mayor Thorpe opened the public hearing.

Daniel Sachs, DECA, introduced Tim Woloshyn, Director of Development / DECA, who gave a PowerPoint presentation of the DECA 18th Street – East Warehouse Project.

Andrew Becker discussed the importance of creating local jobs that provide a living wage and questioned what the impacts would be from this project.

Jason Lindsey, representing District Council of Ironworkers Local 378, Richard Solak, IBEW 302, Socrates Caballero, UA Local 159 Plumbers and Steamfitters, Mark Avalos, UA Local 159 Plumbers and Steamfitters and Vijay Pal, Local 483 Sprinkler Fitters, spoke in support of the East 18th Street – East and West Warehouse Projects.

Alexander Broom suggested the landscape plan be modified to provide only native plants.

Julia Emego Kwue spoke in opposition to the development of the 18th Street – East Warehouse Project.

Devin Williams questioned if the City could require the applicant to provide good paying jobs for Antioch residents.

Daniel Sachs, Applicant, explained their outreach efforts, circulation plan and infrastructure improvements. He commented that they were producing space for tenants and could not control the types of jobs that would be provided; however, many opportunities would be available. He noted the impacts from this project were minimal compared to alternative uses of the site.

Public comments submitted in writing were entered into the record from the following individuals: Chris Cottrel, Bedrock Wine Company and Laura Kindsvater, Antioch resident.

Mayor Thorpe closed the public hearing.

In response to Council, Tim Woloshyn, Director of Development / DECA, explained there was a condition of approval that required them to install signage to direct truck traffic to Highway 160. He offered to prioritize native drought tolerant species in the landscape plan.

Councilmember Ogorchock spoke in support of the project and thanked the applicant for the presentation.

In response to Mayor Thorpe, Mr. Woloshyn reiterated that they would improve the native plant species through their design process.

Mayor Thorpe reminded the community that the City maintained medians and landscaping which included non-native plants, so if they set that standard moving forward it needed to be consistent throughout the City.

RESOLUTION NO. 2023/156

On motion by Councilmember Barbanica, seconded by Councilmember Ogorchock the City Council unanimously adopted the resolution approving the 18th Street East Warehouse Project Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP).

RESOLUTION NO. 2023/157

On motion by Councilmember Barbanica, seconded by Councilmember Ogorchock the City Council unanimously adopted the resolution approving the General Plan Map Amendment.

RESOLUTION NO. 2023/158

On motion by Councilmember Barbanica, seconded by Councilmember Ogorchock the City Council unanimously adopted the resolution approving the East 18th Street Specific Plan Map Amendment.

On motion by Councilmember Barbanica, seconded by Councilmember Ogorchock the City Council unanimously introduced, by title only, and waived the first reading of the Planned Development (PD) Rezone ordinance.

RESOLUTION NO. 2023/159

On motion by Councilmember Barbanica, seconded by Councilmember Ogorchock the City Council unanimously adopted the resolution approving the Final Development Plan, Use Permit, and Design Review.

6. EAST 18TH STREET – WEST WAREHOUSE PROJECT

Contract Planner Valente presented the staff report dated October 24, 2023. The Planning Commission recommended that the City Council take the following actions: 1) Adopt the resolution approving the 18th Street West Warehouse Project Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP). 2) Introduce, by title only, and waive the first reading of the Planned Development (PD) Rezone ordinance. 3) Adopt the resolution approving a Final Development Plan, Use Permit, Lot Merger, and Design Review.

Mayor Thorpe opened the public hearing.

Tim Woloshyn gave a PowerPoint presentation of the DECA 18th Street West Warehouse Project. He commented that they had the same commitment with regards to drought tolerant and native species landscaping for this project.

Andrew Becker announced that he would investigate the history of the winery property and questioned if surrounding property owners were committed to the City. He commented that he believed jobs created from this project would not provide a living wage.

Jason Lindsey, representing District Council of Ironworkers Local 378, and Richard Solak, IBEW 302, Socrates Caballero, UA Local 159 Plumbers and Steamfitters and Mark Avalos, UA Local 159 Plumbers and Steamfitters spoke in support of the West Warehouse Project.

Alexander Broom congratulated the developer on the approval of their East Warehouse Project and suggested delaying approval of the West Warehouse Project until the impacts of the east project were known. He expressed concern that the trees in the landscape plan would require excessive water usage.

Laura Kindsvater encouraged the developer to select drought tolerant and locally native keystone species for their landscaping.

Julia Emego Kwue expressed her disappointment in Council for their support of the East Warehouse Project and opposed approval of the West Warehouse Project.

Gavin Payton expressed concern regarding the displacement of wildlife during development of the area.

Daniel Sachs, Applicant, reiterated that they would remove the redwood and pine trees from their landscape plan and work to provide keystone species. He reported the Bedrock Wine Company were members of the community and deeply committed as stewards of the 100-year-old vineyards. He clarified that they were not displacing any businesses and adjacent businesses were excited about the future development of the area. He commented that they had studied the site and made sure no endangered species or important wildlife were located on the property. Lastly, he noted they were required to survey and mitigate if any important species were located during construction.

Public comments submitted in writing were entered into the record from the following individuals: Chris Cottrel, Bedrock Wine Company, Laura Kindsvater and Alexander Broom, Antioch residents.

Mayor Thorpe closed the public hearing.

RESOLUTION NO. 2023/160

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously adopted the resolution approving the 18th Street West Warehouse Project Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP).

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously introduced, by title only, and waived the first reading of the Planned Development (PD) Rezone ordinance.

RESOLUTION NO. 2023/161

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously adopted the resolution approving a Final Development Plan, Use Permit, Lot Merger, and Design Review.

COUNCIL REGULAR AGENDA

7. DISCUSSION ITEM – REVIEW AND CONSIDERATION OF CITY ORDINANCE PROHIBITING RECKLESS DRIVING EXHIBITIONS (“SIDESHOWS”) AND STREET RACING

City Attorney Smith presented the staff report dated October 24, 2023, recommending the City Council: 1) Review and discuss the sideshow ordinances from other cities; and 2) Direct staff to: a. Prepare a sideshow and street racing organizer and by-stander ordinance for the City of Antioch; or b. Take no further action.

Lindsay Amezcua discussed the importance of prevention and diversion. She noted punishment to prevent sideshows should be the last course of action.

Andrew Becker agreed with the previous speaker and cautioned that innocent witnesses could be identified as spectators. He reported the infill infrastructure grant could provide funds for the necessary infrastructure improvements.

Julia Emego Kwue spoke in opposition to the adoption of this ordinance.

Alex Broom reported traffic calming measures and enforcement efforts had been ineffective at preventing sideshows. He expressed concern that innocent witnesses could be identified as spectators. He suggested providing a safer space for people to experience the culture safely.

Melissa Case expressed concern for vehicles doing donuts and supported previous comments to create a safe space for people who wish to participate in these types of behaviors.

Councilmember Torres-Walker stated there had been proactive efforts to reduce large scale sideshows. She noted spinouts were experienced often and needed to be addressed. She discussed the challenges of identifying spectators.

Councilmember Barbanica stated side shows were occurring often and from people coming from outside the City. He noted he did not support creating and paying for a site for people from outside the community to participate in this type of activity. He further noted the court system would determine if solicitors violated the law. He reported the City had been unsuccessful and preventing and diverting sideshows. He spoke in support of the ordinance.

Councilmember Ogorchock spoke in support of the ordinance.

Councilmember Wilson stated she witnessed more burnouts instead of sideshows. She noted the City needed an ordinance; however, a bystander ordinance was a concern.

Councilmember Torres-Walker commented that sideshows in Antioch were most likely organized by Antioch residents. She noted the issue was how to use the city's resources to prevent burnouts/donuts.

Mayor Thorpe thanked everyone for their comments and agreed that burnouts were nuisance and Council could discuss how to prevent them later. He spoke in support of a large-scale sideshow by-stander ordinance.

City Attorney Smith stated there were different ways Council could determine who was considered a bystander and he could provide options should they choose to move forward with the ordinance.

Council consensus directed staff to bring back an ordinance for Council consideration.

Mayor Thorpe stated he would bring back a discussion for mitigating burnouts and donuts.

8. ADMINISTRATIVE ANALYST I POSITION ALLOCATION

Director of Human Resources Cortez presented the staff report dated March 24, 2023, recommending the City Council adopt a resolution approving the allocation of an Administrative Analyst I in the City Attorney's Office in lieu of an Executive Legal Assistant and authorizing the Acting City Manager to make the necessary budget adjustments.

RESOLUTION NO. 2023/162

On motion by Councilmember Ogorchock, seconded by Councilmember Torres-Walker the City Council unanimously adopted a resolution approving the allocation of an Administrative Analyst

I in the City Attorney's Office in lieu of an Executive Legal Assistant and authorizing the Acting City Manager to make the necessary budget adjustments.

9. DISCUSSION OF PROPOSAL TO INCREASE STREET SWEEPING SERVICES TO IMPROVE STREET CLEANLINESS THROUGHOUT THE CITY

Acting Director of Public Works/City Engineer Buenting introduced Dean Eckerson, Delta Diablo who presented the staff report dated March 24, 2023, recommending the City Council: 1) Receive a presentation from Delta Diablo on the existing street sweeping services for reducing pollutants from entering surface waters. 2) Provide direction to staff regarding increasing frequency of the existing street sweeping services, and potentially expanding the street sweeping program utilizing the City's existing service provider. 3) Provide direction to staff on a possible funding source for extra street sweeping expenses.

Andrew Becker suggested street sweepers report abandoned vehicle obstructions in the right of way so City staff could have them removed. He noted renters who did not receive water bills were not receiving the inserts explaining street sweeping services. He suggested the City partner with Allied Waste.

Julia Emego Kwue questioned if Delta Diablo was a private organization or governmental agency and discussed the importance of maintaining landscaping.

Councilmember Torres-Walker thanked staff for the report and presentation. She stated the challenge was enforcement and getting residents to move their vehicles on street sweeping days.

Mayor Thorpe stated signage could be a mechanism to identify vehicles that should not be on the street. He noted he believed street sweeping services should be more robust throughout the City.

Acting Director of Public Works/City Engineer Buenting clarified that they had worked with Delta Diablo to review routes and identify problem areas. He reported the main issue was isolated areas, so they developed the two alternatives before Council this evening to target specific needs in the community. He stated that they could begin an awareness campaign.

Councilmember Torres-Walker thanked Acting Director of Public Works/City Engineer Buenting for the information.

Following discussion, Council consensus directed staff to pursue an awareness campaign and bring back both aspects of the street sweeping proposal with the mid-year budget review.

PUBLIC COMMENT

Melissa Case stated she recently had an incident with a client who had a restraining order; however, the restrained party continued to violate the order without repercussions. She asked that this matter be discussed at the next Mayor's Conference.

Andrew Becker reported that Tri Delta Transit had taken action to acquire residentially zoned property on Apollo Court; however, he had contacted the agency and they had stopped the process from moving forward.

Teki Flow thanked the Council for their service and time. She spoke in support of utilizing traffic calming measures to increase safety. She expressed concern regarding a recent officer involved shooting. She spoke in opposition to extensive landscaping plans for a previously approved project. She requested the Council reimplement zoom for Council meetings.

STAFF COMMUNICATIONS

Acting City Manager Reed reported the City of Antioch 6th Cycle of the Housing Element was adopted by HCD on October 12, 2023. He acknowledged staff involved in completing that work.

COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS

Councilmember Ogorchock requested the following future agenda items; an update on the waterpark and reducing public hearing times.

ADJOURNMENT

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica, the City Council unanimously adjourned the meeting at 11:12 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk