

**AGENDA SPECIAL MEETING ANTIOCH CITY COUNCIL
CANNABIS STANDING COMMITTEE
COUNCIL MEMBERS WILSON AND TORRES-WALKER
THURSDAY, APRIL 22, 2021
2:00 P.M.**

Special Meeting
2:00 P.M.

April 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 the Cannabis Standing Committee meeting live stream (at www.antiochca.gov/csc/meeting/). The Cannabis Standing Committee meeting was conducted utilizing Zoom Audio/Video Technology.

1. ROLL CALL

Mayor Pro Tem/Committee Chair Wilson called the meeting to order at 2:04 P.M. City Attorney Smith called the roll.

Present: Mayor Pro Tem/Committee Chair Wilson and Council/Committee Member Torres-Walker

Staff: City Attorney, Thomas Lloyd Smith
Outside Legal Counsel, Ruthann Ziegler
Director of Economic Development, Kwame Reed
Director of Community Development, Forrest Ebbs
Planning Manager, Alexis Morris
Minutes Clerk, Kitty Eiden

2. INTRODUCTIONS

City Attorney Smith gave introductory comments and discussed parliamentary procedures.

PLEDGE OF ALLEGEANCE

3. PUBLIC COMMENT ON UNAGENDIZED ITEMS – None

4. APPROVAL OF CANNABIS STANDING COMMITTEE SPECIAL MEETING MINUTES FOR JANUARY 15, 2021.

On motion by Mayor Pro Tem/Committee Chair Wilson, seconded by Council/Committee Member Torres-Walker the Cannabis Standing Committee unanimously continued the minutes for January 15, 2021.

5. PROPOSED AMENDMENT TO EXISTING BILLBOARD LEASE WITH MESA ANTIOCH, LLC

City Attorney Smith and Legal Counsel Ziegler presented the staff report dated April 22, 2021 recommending the Cannabis Standing Committee review the proposed changes to the existing billboard lease between the City and Mesa Antioch, LLC, and provide direction to staff either to prepare further modifications or to present the matter to the City Council for review and possible action. Ms. Ziegler reported there was a typographical error in the staff report, and it should read that the City shall receive 25% percent of the gross revenue for advertisements related to cannabis.

Discussion and Direction to staff

Mayor Pro Tem/Committee Chair Wilson stated that previous discussion suggested that a portion of the billboard revenue be allocated to youth programs. She questioned if that was part of the agreement.

City Attorney Smith clarified the City could handle the allocation of revenue internally. He noted if the Committee wanted that item to move forward, staff would bring the issue to Council with the contact amendment.

Mayor Pro Tem/Committee Chair Wilson opposed extending the contract past 2048, at this time.

Public Comment

Mike McCoy, Mesa Outdoor thanked the Cannabis Standing Committee for their consideration of the contract modifications. He noted they looked forward to continuing to work in partnership with local businesses.

On motion by Mayor Pro Tem/Committee Chair Wilson, seconded by Council/Committee Member Torres-Walker the Cannabis Standing Committee unanimously moved the proposed amendment to first amended and restated lease agreement with Mesa Antioch LLC (Billboard Lease) to the City Council with the recommendation to delete the prohibition and allow the advertising of medical or commercial marijuana if it related to businesses located in the City of Antioch. The also agreed to maintain 2048 as the term of the lease.

City Attorney Smith confirmed that this item would go before the City Council in May.

6. PROPOSED CHANGES TO CANNABIS BUSINESS ORDNIANCE RELATING TO LOCATION AND TYPES OF CANNABIS BUSINESSES (ANTIOCH MUNICIPAL CODE SECTIONS 9-5.203, 9-5.3801, 9-5.3845)

City Attorney Smith and Legal Counsel Ziegler presented the staff report dated April 22, 2021 recommending the Cannabis Standing Committee review the attached proposed ordinance and provide direction to staff for further modifications or to begin environmental review, with the goal of presenting the draft ordinance to the Planning Commission for review and ultimately to the City Council for review and possible adoption.

In response to Council/Committee Member Torres-Walker, Outside Legal Counsel Ziegler explained type #9, #13, #6 and #7 licenses. She noted the State had many restrictions on type 7 licenses and those applications would be carefully evaluated prior to going to Council.

Director of Economic Development Reed added that volatile solvents could lend themselves to explosions which was why they would only be allowed in buildings designed for that purpose and prohibited from locating in multi-tenant building. He noted this use would be under professional guidance and would need to be approved by many agencies.

Outside Legal Counsel Ziegler stated a type 7 business had not yet been approved in Antioch; however, there was an application that had been deemed complete for a cannabis business that included retail, distribution, and a type 7 license for Wilbur Avenue.

Planning Manager Morris added that the application was for a freestanding building that would be developed from the ground up and it was their hope that it would be contained if something negative occurred. She noted in addition to the state, multiple agencies would be involved in the review and permitting process.

City Attorney Smith suggested that Committee may want to discuss whether to include the downtown area into the discussion of expanding the overlay to create more vibrancy into the area.

Director of Economic Development Reed reported that there had been interest of operators for the downtown area.

A. Public Comment

Hugh Henderson, representing property owners at 2615 Somersville Road, thanked the Committee for allowing him to comment and stated they were excited the Committee was considering the expansion of the overlay that included their area. He announced property owners were prepared to move forward with a shovel ready project, should the expansion occur.

B. Discussion and Direction to staff

Mayor Pro Tem/Committee Chair Wilson voiced her support for including the downtown area when this item was brought to Council and noted that since it had been discussed previously, she would consider the Somersville area a priority.

Director of Economic Development Reed reported several boutique/upscale dispensary businesses had expressed interest in established retail areas.

Council/Committee Member Torres-Walker requested consumer data for current cannabis businesses in Antioch.

Director of Economic Development Reed stated he could reach out to the businesses; however, they may not want to disclose the information.

Mayor Pro Tem/Committee Chair Wilson suggested staff provide an overview of the data associated with existing cannabis businesses in Antioch.

In response to Mayor Pro Tem/Committee Chair Wilson, Director of Community Development Ebbs explained the Downtown Specific Plan defined downtown as 10th Street north from "A" to Auto Center Drive; however, some people considered downtown extended to 18th Street and others to Highway 4.

Director of Economic Development Reed commented for this proposed use he would suggest utilizing the geographical boundaries for the Rivertown Dining District which was 5th Street to the River and E Street to Marina.

Council/Committee Member Torres-Walker stated she would like to see the proposed area and purpose defined prior to this matter going to Council. She questioned if adding this area would impact the overlay.

Outside Legal Counsel Ziegler stated that the City could restrict the downtown area to retail uses.

City Attorney Smith commented that retail uses would generate foot traffic, help the economy and be an attraction for downtown.

Mayor Pro Tem/Committee Chair Wilson agreed with directing staff to bring this item back to the Committee.

City Attorney Smith stated he would bring this item back as soon as possible so it could be discussed and brought forward to Council with the Ordinance amendments.

Outside Legal Counsel Ziegler stated she could have a report prepared next week.

City Attorney Smith stated that a Standing Committee Meeting would be scheduled in two weeks to discuss the Ordinance amendments.

Outside Legal Counsel Ziegler explained that the Ordinance amendments needed to go before the Planning Commission prior to Council for consideration.

In response to Director of Community Development Ebbs, the Committee recommended including the core downtown area as well as the 10th Street in the analysis.

Director of Community Development Ebbs announced that Planning Manager Morris had taken a position elsewhere and tomorrow would be her last day with the City.

Planning Manager Morris reported that she would be the Community Development Director for the City of Brentwood and would miss working for the City of Antioch.

7. ADJOURNMENT

On motion by Council/Committee Member Torres Walker, seconded by Mayor Pro Tem/Committee Chair Wilson the Committee adjourned the meeting a 2:49 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk