

# REGULAR MEETING AGENDA OF THE ANTIOCH CITY COUNCIL MEETING AS THE POLICE OVERSIGHT STANDING COMMITTEE COUNCIL CHAMBERS, 200 H STREET, ANTIOCH, CA 94531 TUESDAY, APRIL 26, 2022 AT 5PM

In February of 2021, the Antioch City Council convened a special meeting to consider several dimensions of Police Reform. On April 13, 2021, the City Council then established the Police Reform Standing Committee of the Whole City Council, subsequently renamed the Police Oversight Standing Committee.

The City of Antioch Police Oversight Standing Committee is an entity intended to operate on an interim basis prior to the formation of an independent review body. Responsibilities of the Police Oversight Standing Committee are defined by Antioch City Council Resolution No. 2021/67 and are described as follows:

- 1) To review and recommend modifications to Antioch Police Department policy that integrate community input and expertise.
- 2) To review and audit on duty police officer complaints and the resolution of said complaints.
- 3) To review Antioch Police Department use of force policies and provide community updates.
- 4) To guide the future formation of an Antioch Police Department Civilian Oversight Commission for On Duty Officer Complaints.

### Notice of Opportunity to Address the Standing Committee

Members of the public wishing to provide <u>public comment</u> may do so in the following ways:

- 1) <u>In Person</u>. Fill out a Speaker Request Form, available near the entrance doors, and place in the Speaker Card Tray near the City Clerk before the City Council Meeting begins.
- 2) <u>Via Written Public Comment</u>. Written comments may be submitted electronically by the deadline of 3PM the day of the meeting to <u>policeoversight@antiochca.gov</u>. All comments received by the deadline will be provided to the Police Oversight Standing Committee. Please indicate the agenda item and title in your email subject line.
- 3) <u>By Virtual Appearance</u>. Oral comments can be submitted to the Police Reform Oversight Committee during the meeting with advance registration. You may register and attend the webinar by visiting <a href="https://us02web.zoom.us/webinar/register/WN-3F2WJK5ITk-kSyVEY7Wulw">https://us02web.zoom.us/webinar/register/WN-3F2WJK5ITk-kSyVEY7Wulw</a>

- You will be asked to enter an email address and a name. Your email address will
  not be disclosed to the public. After registering, you will receive an email with
  instructions on how to connect to the meeting.
- When the public comments are announced, click the "raise hand" feature in Zoom. For instructions on using the "raise hand" feature in Zoom, visit: <a href="https://www.antiochca.gov/raise hand">https://www.antiochca.gov/raise hand</a>.
- When calling into the meeting using the Zoom Webinar telephone number, press
   \*9 on your telephone keypad to "raise your hand". Please ensure your Zoom client is updated so staff can enable your microphone when it is your turn to speak.

Please be advised that the City cannot guarantee that its network and/or the site will be uninterrupted. To ensure that the Standing Committee receives your comments, you are strongly encouraged to submit your comments in writing in advance of the meeting.

After hearing from the public, the agenda item will be closed. Deliberations will then be limited to members of the Standing Committee.

### **Notice of Availability of Reports**

This agenda is a summary of the discussion items/actions proposed to be taken by the Standing Committee. The Agenda, including Staff Reports, will be posted on the City's Website. To view the agenda information, please visit <a href="https://www.antiochca.gov/government/agendas-and-minutes/posc/">https://www.antiochca.gov/government/agendas-and-minutes/posc/</a>

CHAIR Monica E. Wilson, Council Member - D4
VICE CHAIR Lori Ogorchock, Council Member - D3
Tamisha Torres Walker, Council Member - D1
Lamar A. Thorpe, Mayor
Michael Barbanica, Mayor Pro Tem - D2

Cornelius H. Johnson, Interim City Manager Thomas Lloyd Smith, City Attorney

- 1. ROLL CALL
- 2. PUBLIC COMMENTS ON UNAGENDIZED ITEMS
- 3. POLICE OVERSIGHT STANDING COMMITTEE MINUTES OF MARCH 22, 2022
  Recommended Action: Motion to approve the minutes.

### 4. REVIEW AND DISCUSS ASSEMBLY BILL (AB) 481 - MILITARY EQUIPMENT USE

Recommended Action: It is recommended that the committee accepts the report and seeks clarity regarding discussed equipment, if needed.

#### 5. FUTURE AGENDA TOPICS

Recommended Action: It is recommended that the Police Oversight Standing Committee motion to establish the meeting topic/s as proposed.

**6. ADJOURNMENT:** Committee Member will make a motion to adjourn the meeting. A second of the motion is required, and then a majority vote is required to adjourn the meeting.

In accordance with the Americans with Disabilities Act and California law, it is the policy of the City of Antioch to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including individuals with disabilities. If you are a person with a disability and require information or materials in an appropriate alternative format; or if you require any other accommodation, please contact the ADA Coordinator at the number or email address below at least 72 hours prior to the meeting or when you desire to receive services. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility. The City's ADA Coordinator can be reached at (925) 779-6950 or via e-mail: publicworks@ci.antioch.ca.us.



# SPECIAL MEETING MINUTES ANTIOCH CITY COUNCIL MEETING AS THE POLICE OVERSIGHT STANDING COMMITTEE TUESDAY, MARCH 22, 2022 AT 4:30PM

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), live streamed the Police Oversight Standing Committee at <a href="https://www.antiochca.gov">www.antiochca.gov</a>. The meeting was conducted in person and utilizing Zoom Audio/Video Technology.

### 1. ROLL CALL

Meeting is called to order at 4:30 p.m.

Present: Council Member/Vice Chair (District 3) Ogorchock, Mayor Thorpe, Council

Member (District 1) Torres-Walker, Mayor Pro Tem/Council Member (District 2) Barbanica, City Clerk, Ellie Householder. Council Member (District 4)/Chair Wilson

absent.

Staff: Interim City Manager Cornelius Johnson

Assistant City Manager Rosanna Bayon Moore

City Attorney Thomas Lloyd Smith Interim Police Chief Anthony Morefield

Lieutenant Joseph Vigil Corporal Adrian Gonzalez Lieutenant John Fortner Sergeant James Colley

### 2. PUBLIC COMMENT ON UNAGENDIZED ITEMS

No public comment.

### 3. POLICE OVERSIGHT STANDING COMMITTEE MINUTES OF JANUARY 25, 2022

Motion by Mayor Pro Tem/Council Member (District 2) Barbanica and seconded by Council Member (District 1) Torres-Walker to approve minutes of January 25, 2022. Motion passes.

Roll Call Vote:

Ayes: Thorpe, Ogorchock, Barbanica, Torres-Walker

Absent: Wilson

### 4. REVIEW AND DISCUSS ASSEMBLY BILL (AB) 481 – MILITARY EQUIPMENT USE

Presentation by Interim Chief Morefield, Lieutenant Vigil, Corporal Gonzalez, Lieutenant Fortner, Sergeant Colley and City Council discussion.

## 5. REVIEW AND DISCUSS FORMATION OF THE ANTIOCH POLICE OVERSIGHT COMMISSION - SUMMARY OF CONTENT FOR A DRAFT ORDINANCE FORMATION OF A CIVILIAN POLICE OVERSIGHT BODY

Motion by Mayor Pro Tem/Council Member (District 2) Barbanica and seconded by Council Member/Vice Chair (District 3) Ogorchock to not proceed with a presentation to Antioch City Council for the formation of a Civilian Police Oversight Body.

### Roll Call Vote:

Ayes: Barbanica, Ogorchock

Noes: None

Abstain: Thorpe, Torres-Walker

Absent: Wilson

### 6. FUTURE AGENDA ITEMS

Mayor Thorpe – Reconciliation of City policy is needed and the definition of military equipment (military, State and private)

### 7. ADJOURNMENT

On motion by Mayor Thorpe and seconded by Mayor Pro Tem/Council Member (District 2) Barbanica, the Standing Committee unanimously adjourned the meeting at-approximately 5:56 p.m.



### STAFF REPORT TO THE CITY COUNCIL MEETING AS THE POLICE OVERSIGHT STANDING COMMITTEE

**DATE:** Meeting of April 26, 2022

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Joseph Vigil, Police Lieutenant

APPROVED BY: Anthony Morefield, Interim Chief of Police

**SUBJECT:** Assembly Bill 481 - Military Equipment Use

### RECOMMENDED ACTION

It is recommended that the committee accepts the report and seeks clarity regarding discussed equipment, if needed.

### FISCAL IMPACT

There is no fiscal impact in accepting this report.

### **DISCUSSION**

Assembly Bill 481 (AB 481), approved on September 30, 2021, by Governor Gavin Newsom (codified as Chapter 12.8 of the California Government Code and commencing with section 7070 et seq.), requires all local law enforcement agencies obtain approval from the applicable governing body (City Council) via adoption of a "military equipment" use policy by ordinance prior to requesting, seeking funding, acquiring, collaborating with other jurisdictions about the deployment of military equipment, or using military equipment.

On March 22, 2022, members of the Antioch Police Department commenced the City Council approval process by presenting a Military Equipment Policy and Military Equipment Inventory list to the City Council for review. On April 1, 2022 the draft policy was posted on the Antioch Police Department's website for public viewing.

During the meeting on March 22, 2022, questions arose regarding the Unmanned Aircraft Systems (UAS), Projectile Launch Platforms, and Projectiles. Members of the Antioch Police Department have brought in these pieces of equipment to be viewed by the City Council and to answer any other questions regarding their use or maintenance.

Staff seeks to introduce the military equipment use ordinance adopting the military equipment use policy at the May 10, 2022 City Council meeting.

## ATTACHMENTS None