

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

**Regular Meeting
7:00 P.M.**

**November 23, 2021
Council Chambers**

5:30 P.M. - CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** pursuant to Government Code section 54956.9: Blanco v. City of Antioch, United States District Court Northern District of California, Case No. 3:20-cv-02764-TSH.
2. **CONFERENCE WITH LABOR NEGOTIATORS** – This Closed Session with the City’s Labor Negotiators is authorized by California Government Code section 54957.6; City designated representatives: Nickie Mastay, Jazzman Brown, and Jeff Bailey; Employee organizations: Antioch Police Officers’ Association, Operating Engineers Local Union No. 3 (OE3), and Confidential Unit, Management Unit, and Treatment Plant Employees’ Association.
3. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Significant exposure to litigation pursuant to California Government Code section 54956.9(b): One Case.

7:00 P.M. - REGULAR MEETING

Mayor Thorpe called the meeting to order at 7:02 P.M., in memory of Louis Rocha and led a moment of silence. 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

Mayor Thorpe led the Council and audience in the Pledge of Allegiance.

CITY ATTORNEY TO REPORT OUT ON CLOSED SESSION

City Attorney Smith reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**, City Council approved a settlement by a 4-1 vote with Councilmember Barbanica voting no; and, **#2 CONFERENCE WITH LABOR NEGOTIATORS**, no reportable action; and, **#3 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**, no reportable action.

1. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

- HOLIDAY DELITES CELEBRATION – DECEMBER. 4, 2021

Director of Parks and Recreation Helfenberger announced the civic and community event.

2. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

- Sales Tax Citizens' Oversight Committee: deadline date is November 24, 2021

City Clerk Householder announced the Board and Commission opening. She reported applications were available at: www.bit.ly/ApplyAntioch and on the City's website

PUBLIC COMMENTS

Kathy Cabrera provided an update on the recall efforts for Mayor Thorpe. Contact information was provided.

Lindsey Amezcua informed Council that the mapping software on the city's' website for redistricting was very difficult to use.

Public comments submitted in writing were entered into the record from the following individuals:

1. River 1
2. Gretchen Tofflemire

1. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS – Continued

- HELP FOR THE HOLIDAYS – DECEMBER 18, 2021
- GIVING TUESDAY – NOVEMBER 30, 2021

Captain Schintzius announced the following civic and community event.

COUNCIL SUBCOMMITTEE REPORTS/COMMUNICATIONS

Councilmember Barbanica reported on his attendance at the Ad Hoc meeting for Unhoused Residents.

Councilmember Wilson reported on her attendance at the Delta Diablo meeting and the APTA Conference in Florida which she had attended with Mayor Thorpe.

MAYOR'S COMMENTS

Mayor Thorpe welcomed everyone back to Council Chambers.

3. **CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency**
 - A. **APPROVAL OF COUNCIL MEETING MINUTES FOR OCTOBER 26, 2021**
 - B. **APPROVAL OF COUNCIL SPECIAL MEETING/CLOSED SESSION MINUTES FOR NOVEMBER 2, 2021**
 - C. **APPROVAL OF COUNCIL MEETING MINUTES FOR NOVEMBER 9, 2021**
 - D. **APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR NOVEMBER 16, 2021**
 - E. **APPROVAL OF TREASURER'S REPORT FOR SEPTEMBER 2021**
 - F. **APPROVAL OF COUNCIL WARRANTS**
 - G. **APPROVAL OF HOUSING SUCCESSOR WARRANTS**
 - H. **RESOLUTION NO. 2021/177 SIXTH AMENDMENT TO THE CONSULTANT SERVICES AGREEMENT WITH SWATT MIERS ARCHITECTS FOR IMPROVEMENTS TO CITY HALL**
 - I. **RESOLUTION NO. 2021/178 ACCEPTANCE OF WORK AND NOTICE OF COMPLETION FOR THE PAVEMENT PLUGS AND LEVELING COURSES AT VARIOUS LOCATIONS (P.W. 709-1)**
 - J. **RESOLUTION NO. 2021/179 CONSIDERATION OF BIDS FOR THE TRAFFIC SIGNAL INSTALLATION AT THE LAUREL ROAD AND CANADA VALLEY ROAD INTERSECTION (P.W. 674-TS)**
 - K. **RESOLUTION NO. 2021/180 APPROVING THE FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR PROMENADE VINEYARDS AT SAND CREEK PHASES 5 AND 6, SUBDIVISION 9568 & 9569 (P.W. 697-5 & 697-6)**
 - L. **RESOLUTION NO. 2021/181 FIRST AMENDMENT TO THE CONSULTANT SERVICES AGREEMENT WITH CSI SERVICES, INC. FOR THE REHABILITATION OF THE 3 MILLION GALLON AND HALF MILLION GALLON WATER STORAGE TANKS (P.W. 246-31)**
 - M. **RESOLUTION NO. 2021/182 APPROVING AMENDMENT NO. 5 TO THE CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF ANTIOCH AND VOLER STRATEGIC ADVISORS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT**

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

PUBLIC HEARING

4. DELTA LABS, INC.(UP-21-06)

Director of Community Development Ebbs introduced Associate Planner Cortez who presented the staff report dated November 23, 2021, recommending the City Council adopt the resolution approving a Use Permit (UP-21-06) for a cannabis operations facility (non-volatile manufacturing), subject to conditions of approval.

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

Rick Hoke, Project Applicant, gave an overview of the Delta Labs, Inc. proposal and displayed the floor plan.

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

In response to Councilmember Ogorchock, Mr. Hoke explained the operational and educational components of the business.

In response to Councilmember Barbanica, Interim Chief Morefield reported the Antioch Police Department had reviewed the security plan and had no concerns regarding expansion of the Delta Dispensary business.

RESOLUTION NO. 2021/183

On motion by Councilmember Wilson, seconded by Councilmember Barbanica the City Council unanimously adopted the resolution approving a Use Permit (UP-21-06) for a cannabis operations facility (non-volatile manufacturing), subject to conditions of approval.

COUNCIL REGULAR AGENDA

5. RESOLUTIONS APPROPRIATING EXPENDITURES FOR ENCUMBRANCES AND PROJECT BUDGETS OUTSTANDING TO THE 2021/22 FISCAL YEAR BUDGET AND APPROVING OTHER AMENDMENTS TO THE 2021/22 AND 2022/23 FISCAL YEAR BUDGETS

Finance Director Merchant presented the staff report dated November 23, 2021, recommending the City Council adopt the following resolutions: 1) Resolution of the City Council of the City of Antioch appropriating expenditures for encumbrances and project budgets outstanding to the 2021/22 fiscal year budget and approving other amendments to the 2022 and 2023 fiscal year

budgets. 2) Resolution of the City Council of the City of Antioch approving amendments to the 2022 and 2023 fiscal year budgets for items considered at the meeting of November 23, 2021. Mayor Thorpe thanked Finance Director Merchant for the presentation.

Councilmember Torres-Walker reported the Community Resources Department title should be the Office of Community Resources and Public Safety.

BUDGET ITEMS TO REVISIT

Following discussion, Council consensus agreed to postpone funding for the following items:

- Community Resource Department - Administrative Analyst
- Community Resource Department - Administrative Assistant
- Community Resources Department - building/remodel and repairs

A motion was made by Councilmember Ogorchock, seconded by Councilmember Barbanica to approve funding the remaining budget items. The motion failed by the following vote:

Ayes: Barbanica, Ogorchock

Noes: Torres-Walker, Wilson, Thorpe

Following discussion, Council consensus agreed to fund the following items:

- Vehicles and equipment for seven (7) new Code Enforcement Officers
- Administrative Assistant – Human Resources Department
- Finance Analyst – Finance Department
- Community Development Technician – Community Development Department
- GIS Technician - Public Works
- Administrative Assistant – Public Works

Council consensus agreed to **not** fund the following items:

- Police Department Community Room Technology Upgrades
- Prewett Park Perimeter Fence Replacement
- L Street Improvements
- Dedicated Core Team

NEW BUDGET REQUESTS

Following discussion, Council consensus agreed to fund the following items:

- Recreation Coordinator for Youth Services
- Promotion of Senior Computer Technician position to a Network Administrator
- Administrative Analyst I position in the City Clerk's office
- Reclassification of one (1) Administrative Assistant I position to Administrative Analyst I position in the City Clerk's office

- Addition of two (2) General Laborer positions funded with NPDES funds
- Add \$150,000 to Information Systems Fund FY22 budget to cover cybersecurity measures
- Addition of one (1) Payroll Specialist position
- Reclassification of two (2) Office Assistant positions to Administrative Assistant II positions in Recreation
- Reclassification of one (1) Administrative Assistant III position to Administrative Analyst I position in Recreation
- Remodel of 2nd floor and basement of City Hall

ADDITIONAL ITEMS REQUESTED BY COUNCIL FOR CONSIDERATION

- Hard House renovation costs for City Council offices and community space
- Support Staff for City Council
- Police Department Community Room Technology Upgrades

ONE TIME REVENUE

Following discussion, Council consensus agreed to defer allocation of the one-time revenue until 2022 with direction to staff to bring back costs associated for the additional items requested by Council.

RESOLUTION NO. 2021/184

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously adopted the resolution of the City Council of the City of Antioch appropriating expenditures for encumbrances and project budgets outstanding to the 2021/22 fiscal year budget and approving other amendments to the 2022 and 2023 fiscal year budgets.

RESOLUTION NO. 2021/185

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously adopted the resolution of the City Council of the City of Antioch approving amendments to the 2022 and 2023 fiscal year budgets for items considered at the meeting of November 23, 2021.

6. BEEDE LUMBERYARD SITE UPDATE

Joy Motts, Lee Ballesteros and Antonio Hernandez gave a PowerPoint presentation of the Rivertown Town Square project.

Joe Goralka, Martha Goralka and Rick Standtlander, Antioch residents, spoke in support of the Rivertown Town Square project.

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

Frank Sterling and Kerry Motts spoke in support of the Rivertown Town Square project.

Public comment submitted in writing was entered into the record from the following individual:

1. Carla Baker Marymee

Mayor Thorpe thanked the public for their comments this evening and clarified that the city was not pursuing housing on this site and there were no applications or pending projects.

Councilmember Torres-Walker thanked everyone for the presentation. She discussed the importance of community engagement and all residents having access to open public spaces. She expressed concern regarding the hazards related to building on contaminated land.

Antonio Hernandez explained the purpose of the presentation was to present a vision and a direction for the city. He noted they envisioned more community participation by all segments of the population once they received a commitment from the City Council.

Lee Ballesteros added that the soil on the property could be easily mitigated, and air contamination was an acceptable level for public use of the site. She noted the presentation was their vision to facilitate the city developing a green space plan for the property.

Joy Motts added that this was a community-based process to address an area that had been underserved and it would provide a gathering place to bring foot traffic to downtown.

Councilmember Torres-Walker stated she believed this proposal would allow residents the opportunity to enjoy local events.

Councilmember Wilson thanked everyone for the presentation and discussed the benefits of these types of projects.

Joy. Motts thanked Brian Hollaran for providing renderings for the presentation.

Following discussion, Council consensus directed staff to begin exploring a community gathering place/public space for the Beede Lumberyard Site.

7. FORMATION OF A CITY MANAGER AD HOC RECRUITMENT COMMITTEE TO INTERVIEW/EVALUATE RECRUITING FIRMS FOR THE PURPOSE OF SELECTING THE NEXT CITY MANAGER

Administrative Services Director Mastay presented the staff report dated November 23, 2021, recommending the Mayor nominate two council members for the City Manager Ad Hoc Recruitment Committee and that the City Council: 1) Approve the formation of the City Manager

Ad Hoc Recruitment Committee to interview/evaluate recruitment firms for the process of selecting the next City Manager; 2) Approve the Mayor's nomination of two (2) council members for appointment to the ad hoc committee; and 3) Set and approve a termination date for the ad hoc committee.

Councilmember Wilson stated given the current projects being developed at this time she would suggest waiting until after the new year to consider this item.

Councilmembers Ogorchock and Barbanica volunteered to serve on the City Manager Ad Hoc Recruitment Committee.

Mayor Thorpe nominated Councilmembers Ogorchock and Barbanica to the City Manager Ad Hoc Recruitment Committee.

A motion was made by Councilmember Ogorchock and seconded by Councilmember Barbanica to 1) Approve the formation of the City Manager Ad Hoc Recruitment Committee to interview/evaluate recruitment firms for the process of selecting the next City Manager; 2) Approve the Mayor's nomination and appointment of Councilmember Ogorchock and Councilmember Barbanica to the ad hoc committee; and 3) Approve a termination date of April 2022 for the ad hoc committee. The motion failed by the following vote:

Ayes: Barbanica, Ogorchock

Noes: Torres-Walker, Wilson, Thorpe

PUBLIC COMMENTS – None

STAFF COMMUNICATIONS

City Manager Bernal thanked the community in attendance this evening. He recognized Director of Public Works/City Engineer Samuelson and Director of Information Services Barton and their staff for completing the Council Chambers renovation project. He wished everyone a happy and blessed Thanksgiving.

COUNCIL COMMUNICATIONS

Councilmember Wilson requested staff agendize a discussion on the Sister City Program.

Councilmember Ogorchock reported the redistricting mapping tool on the city's website was difficult to use.

Mayor Thorpe wished everyone a Happy Thanksgiving. He recognized City Manager Bernal for his public service and announced the December 14, 2021, City Council meeting would be his last meeting before he retired.

ADJOURNMENT

On motion by Councilmember Wilson, seconded by Councilmember Torres-Walker the City Council unanimously adjourned the meeting at 9:30 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk