

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

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

**August 13, 2024
Council Chambers**

5:15 P.M. - CLOSED SESSION

Mayor Hernandez-Thorpe called the Closed Session to order at 5:16 P.M., and Acting City Clerk Rosales called the roll.

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

PLEDGE OF ALLEGIANCE

Mayor Hernandez-Thorpe led the Pledge of Allegiance.

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – pursuant to California Government Code section 54956.9: National Prescription Opiate Litigation, United States District Court Northern District of Ohio Eastern Division, Case No. 1:17-md-2804.
2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**, Initiation of litigation pursuant to California Government Code section 54956.9(c): Two Cases.
3. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – pursuant to California Government Code section 54956.9: California Resources Production v. City of Antioch et al. Contra Costa County Superior Court Case No. N21-2354; Delta Gas Gathering, Inc. and California Energy Exchange Corporation v. City of Antioch et al. Contra Costa County Superior Court Case No. N21-2355; and Enerfin Resources Northwest Limited Partnership v. City of Antioch et al. Contra Costa County Superior Court Case No. N21-2356.
4. **PUBLIC EMPLOYMENT** – Recruitment of City Manager. This closed session is authorized pursuant to California Government Code Section 54957(b).

PUBLIC COMMENTS – None

ADJOURN TO CLOSED SESSION

Mayor Hernandez-Thorpe adjourned to Closed Session at 5:17 P.M.

7:00 P.M. REGULAR MEETING

Mayor Hernandez-Thorpe called the meeting to order at 7:02 P.M., and Acting City Clerk Rosales called the roll.

Present: Council/Agency Members District 3 Ogorchock, Mayor Pro Tem (District 4) Wilson and Mayor Hernandez-Thorpe
Absent: Council/Agency Members District 1 Torres-Walker (arrived at 7:04 P.M.) and District 2 Barbanica

PLEDGE OF ALLEGIANCE

Mayor Hernandez-Thorpe led 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 unanimously approved a settlement, **#2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**, direction given to City Attorney, **#3 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**, direction given to City Attorney; and, **#4 PUBLIC EMPLOYMENT**, direction given to the Director of Human Resources and City Attorney.

Councilmember Torres-Walker arrived at 7:04 P.M.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS – None

1. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

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

- Contra Costa County Mosquito & Vector Control Board
- Economic Development Commission
- Parks and Recreation Commission

For more information and to apply, visit the City's website.

PUBLIC COMMENTS

Erika Raulston expressed public safety concerns related to insufficient lighting and encampments in downtown Antioch.

Bruce Ohlson, Mister Bicycle, Delta Pedalers and Robert Prinz, Bike East Bay, discussed a recent bicycle fatality on Lone Tree Way and offered suggestions for improving safety for bicyclists in the area.

Mario Moren, Sarah Nichols and Janae Tan, Bella Rose Apartment residents, expressed safety concerns related to homeless encampments in their neighborhood.

Ralph Hernandez announced the passing of former City of Antioch employee, Bill Davis.

Kimberly Kidd-Bailey and Linnette Kidd discussed a bicycle fatality involving a family member on Lone Tree Way and offered suggestions for improving safety for bicyclists in the area. They also requested City staff and elected officials respond to their family regarding this incident.

Patricia Granados requested Council bring back a zoom option for public participation during City meetings.

Krystle Law discussed her homeless outreach efforts and requested anyone offering services provide their information so she could distribute a list of resources to the unhoused. Contact information was provided.

Leslie May expressed concern regarding unsafe traffic conditions in Antioch and discussed incidents related to unhoused residents that were negatively impacting her neighborhood.

An unidentified speaker expressed concern that the City had not pursued affordable housing sustainable community grant dollars from the State to improve infrastructure in Antioch.

Devin Williams offered his condolences to Ms. Kidd and led a moment of silence for lives that were lost to community violence.

Public comments submitted in writing were entered into the record from the following individuals: Valerie Randolph, Bo Dash, Deborah Cullen, Kristy Jardim, Vince Augusta., Mark Murray, Laurence White, Nati Flores Paniagua, Denise Baquing, Carol Kuhn, Yensi Kaplan, Wilmetta Silva, Dennis Daigle, Steven Amaral, Sandra Fuentes, Rosanne Carey, Kirin White, Bernabe Leiva, Johanna Leiva, Lisa Florez, Karen Spangler, Joe Sousa, Mike Hopkins, Nicole Geeting, Jake DeSoto, Noelle Ochinang, Marcel Saunders, Taneshia Jackson, Joan Scotto, an unidentified Individual and Mozell Quarles, Antioch residents, Samantha S, Brentwood resident, Sally de Becker, Berkeley resident, Lizbeth Gutierrez and Nicole Armstrong Pittsburg residents, Sierra Asnicar, Dublin resident, Dani Lanis, Advocacy Manager, Robert Prinz, Advocacy Director, Linda Kallenberger, RJ Erbeau, Walnut Creek, Will Leben, Bike East Bay, Kristin Tennessen, Walnut Creek resident, Nicole Cavanaugh, Annelise Meunier, Paige, Zach Fraser, District 4 Local Assistance Area Engineer, Danielle LoPresti, Robbie Williams, Hydeh Ghaffari, M.A. Caruso, Annemarie Dompe, Benicia resident and Carla Castillo.

CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS

Councilmember Torres-Walker reported on her attendance at the Cannabis Standing Committee meeting. She offered her condolences to the mother of the bicycle fatality victim and encouraged her to reach out to her directly with her concerns. She voiced her support for investing in the appropriate infrastructure for traffic safety. She reported on Council's efforts to address

homelessness. She requested Council hold a workshop to address the Governor's mandate and suggested bringing back Acting City Manager Reed's request for an analyst to seek out grant opportunities.

Councilmember Wilson agreed with Councilmember Torres-Walker's comments. She supported dedicated bicycle lanes and crime prevention through environmental design. She announced Delta Diablo would be meeting on August 14, 2024, and Tri Delta would be meeting next week.

MAYOR'S COMMENTS

Mayor Hernandez-Thorpe reported on his attendance at a Tri Delta Transit meeting. He provided an overview of encampment cleanup efforts. He reported on the results of an analysis that was conducted of votes taken by Council. He offered his condolences to the family of the bicycle fatality. He reported on the efforts Council had taken with regards to traffic calming measures and spoke in support of developing a bicycle master plan. He stated he would be meeting with Interim Police Chief Addington to discuss improving customer service from APD. He commented that Council would continue to move forward on the encampment and homelessness issues, and there had been funding requests at the state level.

2. PRESENTATIONS

2.01. PFM ASSET MANAGEMENT LLC Presented by Justin Resuello, Client Relations Manager

City Treasurer Posada introduced Justin Resuello, Client Relations Manager, PFM Asset Management LLC, who gave a PowerPoint presentation of the Investment Performance Review for the Quarter Ended June 30, 2024.

2.02. PROJECT UPDATE FOR THE BRACKISH WATER DESALINATION PROJECT (P.W. 694)

Project Manager Sbranti presented the staff report and Brackish Water Desalination Project Update PowerPoint presentation recommending the City Council receive and file the Brackish Water Desalination Project update.

Leslie May asked if the Brackish Water Desalination Project was similar to the state water project.

Mayor Hernandez-Thorpe explained that the state water project was a separate issue.

In response to Councilmember Wilson, Acting Director of Public Works/City Engineer Buenting explained that they had looked into solar to help supplement power.

3. CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency

- A. APPROVAL OF COUNCIL MEETING MINUTES FOR JULY 23, 2024
- B. APPROVAL OF COUNCIL WARRANTS
- C. APPROVAL OF HOUSING SUCCESSOR WARRANTS
- D. RESOLUTION NO. 2024/108 AWARD OF AGREEMENT TO ADVANCED TRENCHLESS INC. FOR EMERGENCY UNDERGROUND WATER AND SEWER/STORM UTILITY INFRASTRUCTURE REPAIRS
- E. RESOLUTION NO. 2024/109 FIRST AMENDMENT TO THE CONSULTING SERVICES AGREEMENT WITH COASTLAND FOR ON-CALL CONSULTANT INSPECTION SERVICES
- F. RESOLUTION NO. 2024/110 AWARD OF AGREEMENT TO BARTLEY PUMP, PM LLC, DBA PUMPMAN CO. FOR ON-CALL PUMP REPAIRS AND REBUILDS

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

PUBLIC HEARING

4. EAST LONE TREE SPECIFIC PLAN PROJECT

Planning Manager Merideth introduced Contract Planner Gnos who presented the staff report dated August 13, 2024. The Planning Commission recommended the City Council take the following actions: 1) Adopt the resolution certifying the East Lone Tree Specific Plan Supplemental Environmental Impact Report (SEIR). 2) Adopt the resolution approving the East Lone Tree Specific Plan amendment.

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

Public comment submitted in writing was entered into the record from the following individual: Pete Sheehan, Golden State Environmental Justice Alliance.

RESOLUTION NO. 2024/111

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council members present unanimously adopted the resolution certifying the East Lone Tree Specific Plan Supplemental Environmental Impact Report (SEIR).

RESOLUTION NO. 2024/112

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council members present unanimously adopted the resolution approving the East Lone Tree Specific Plan amendment.

COUNCIL REGULAR AGENDA

5. REQUEST TO OVERHIRE ONE POLICE CAPTAIN FOR THE REMAINDER OF FISCAL YEAR 2024/25

Interim Police Chief Addington presented the staff report dated August 13, 2024, recommending the City Council adopt a resolution to authorize the overhire of one Police Captain position for the remainder of Fiscal Year 2024/25.

RESOLUTION NO. 2024/113

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council members present unanimously adopted a resolution to authorize the overhire of one Police Captain position for the remainder of Fiscal Year 2024/25.

6. REQUEST TO ADD ONE ADMINISTRATIVE ANALYST I POSITION FOR THE POLICE DEPARTMENT

Interim Police Chief Addington presented the staff report dated August 13, 2024, recommending the City Council adopt a resolution to approve the addition of one Administrative Analyst I position to the Police Department and the necessary Fiscal Year 2024/25 General Fund budget adjustment.

RESOLUTION NO. 2024/114

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council members present unanimously adopted a resolution to approve the addition of one Administrative Analyst I position to the Police Department and the necessary Fiscal Year 2024/25 General Fund budget adjustment.

7. DISPOSITION OF REAL PROPERTY LOCATED AT 275 WEST TREGALLAS ROAD, ANTIOCH, CA (APN 071-050-047); AUTHORIZATION OF THE ACTING CITY MANAGER TO EXECUTE THE PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS WITH DELTA LEARNING CENTER; APPROVAL OF CERTAIN RELATED ACTIONS; AND CEQA EXEMPTION FINDINGS

Acting City Manager Reed presented the staff report dated August 13, 2024 recommending the City Council adopt a resolution: 1) Approving the disposition of the real property located at 275 West Tregallas Road, Antioch, California (APN 071-050-047) ("Property"); 2) Authorizing the Acting City Manager to execute the Purchase and Sale Agreement and Joint Escrow Instructions with Delta Learning Center for disposition of the Property with a purchase price in the amount of

One Dollar (\$1.00) with certain reservations of rights and deed use restrictions; and 3) Making a finding that the disposition of the Property is found to be categorically exempt from environmental review under the California Environmental Quality Act (CEQA).

Kimberly Ahumada, Executive Director / Delta Learning Center, Cara Begley, Soroptimist International of Antioch, Antonio Hernandez, Delta Learning Center Board of Directors, LeAndra Turner and Osayi Edigin, Antioch residents and an unidentified speaker spoke in support of Council adopting the resolution approving the disposition of the property.

RESOLUTION NO. 2024/115

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council members present unanimously adopted a resolution: 1) Approving the disposition of the real property located at 275 West Tregallas Road, Antioch, California (APN 071-050-047) ("Property"); 2) Authorizing the Acting City Manager to execute the Purchase and Sale Agreement and Joint Escrow Instructions with Delta Learning Center for disposition of the Property with a purchase price in the amount of One Dollar (\$1.00) with certain reservations of rights and deed use restrictions; and 3) Making a finding that the disposition of the Property is found to be categorically exempt from environmental review under the California Environmental Quality Act (CEQA).

Mayor Hernandez-Thorpe congratulated Delta Learning Center.

8. CONSIDERATION OF A CANNABIS OPERATING AGREEMENT FOR ANT GREEN LLC

Assistant City Attorney Kundinger presented the staff report dated August 13, 2024, recommending the City Council: 1) Adopt a resolution approving a cannabis operating agreement between the City and ANT Green LLC and 2) Authorize the Acting City Manager to execute the agreement in a form approved by the City Attorney.

Ralph Hernandez and Kibibi Columbus spoke in opposition to Council approving the Operating Agreement for ANT Green LLC.

Leslie May spoke in support of Council approving the Operating Agreement for ANT Green LLC.

Councilmember Ogorchock stated she did not support cannabis businesses.

In response to Councilmember Torres-Walker, Acting Director of Community Development Scudero reviewed the security plan associated with cannabis businesses.

Councilmember Torres-Walker thanked Monument Impact and City staff for identifying organizations to benefit from these agreements.

Mayor Hernandez-Thorpe clarified that this item was for consideration of the Operating Agreement and noted the application for the business had received prior approval. He added that Council had taken previous actions to extend the green zone and apply buffers to restrict the concentration of cannabis operations. He reported there had been no issues related to public safety with current cannabis businesses.

RESOLUTION NO. 2024/116

On motion by Councilmember Wilson, seconded by Councilmember Torres-Walker the City Council 1) Adopted a resolution approving a cannabis operating agreement between the City and ANT Green LLC and 2) Authorized the Acting City Manager to execute the agreement in a form approved by the City Attorney. The motion carried the following vote:

Ayes: Torres-Walker, Wilson, Thorpe

Noes: Ogorchock

Absent: Barbanica

9. CONSIDERATION OF A CANNABIS OPERATING AGREEMENT FOR OTC ANTIOCH, LLC

Assistant City Attorney Kunding presented the staff report dated August 13, 2024, recommending the City Council: 1) Adopt a resolution approving a cannabis operating agreement between the City and OTC Antioch, LLC and 2) Authorize the Acting City Manager to execute the agreement in a form approved by the City Attorney.

Adam Mernit, Chief Development Officer, OTC Antioch LLC dba Off the Charts, gave a brief background of their company and requested approval of their Operating Agreement and Social Equity Program.

Ralph Hernandez and Kibibi Columbus spoke in opposition to Council approving the Operating Agreement for OTC Antioch, LLC.

Leslie May spoke in support of Council approving the Operating Agreement for OTC Antioch, LLC.

In response to Councilmember Ogorchock, Mayor Hernandez-Thorpe clarified the approval of these operating agreements would bring the number of cannabis operations to seven (7) within the City.

Councilmember Torres-Walker encouraged operators to provide educational programs centered on the impacts of cannabis.

RESOLUTION NO. 2024/117

On motion by Councilmember Wilson, seconded by Councilmember Torres-Walker the City Council 1) Adopted a resolution approving a cannabis operating agreement between the City

and OTC Antioch, LLC and 2) Authorized the Acting City Manager to execute the agreement in a form approved by the City Attorney. The motion carried the following vote:

Ayes: Torres-Walker, Wilson, Thorpe Noes: Ogorchock Absent: Barbanica

10. CITY COUNCIL REQUESTED DISCUSSION ITEM – DISCUSSION ON WORKING WITH CONTRA COSTA COUNTY TO CREATE A COORDINATED OUTREACH REFERRAL, ENGAGEMENT (C.O.R.E.) TEAM FOR ANTIOCH

Councilmember Ogorchock stated she requested this agenda item and gave an update on cities that had CORE teams. She reported that Director of Public Safety and Community Resources Johnson had applied for a grant through the state and would like to use at least 50% for a CORE team. She provided projected costs and requested Council reconsider funding a CORE team or request Acting City Manager Reed contact neighboring cities to determine if there was interest in sharing a CORE team and the costs associated.

Leslie May explained the Contra Costa County CORE Team did not operate in Antioch.

Following discussion, the Council consensus directed staff to agendize a workshop on homelessness.

PUBLIC COMMENT – None

STAFF COMMUNICATIONS – None

COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS

Councilmember Torres-Walker thanked the public for their attendance this evening. She requested staff agendize consideration of hiring an analyst in the City Manager’s office for the purpose of seeking grant opportunities.

Councilmember Ogorchock restated a previous agenda request for consideration of the formation of a Senior Ad Hoc Committee.

Councilmember Wilson restated a previous Agenda request for a discussion on the development of a bicycle specific plan for Antioch.

ADJOURNMENT

On motion by Councilmember Ogorchock, seconded by Councilmember Torres-Walker the City Council members present unanimously adjourned the meeting at 9:46 P.M.

Respectfully submitted:
Kitty Eiden
KITTY EIDEN, Minutes Clerk