

CITY OF
ANTIOCH
CALIFORNIA

ANNOTATED AGENDA

Antioch City Council
SPECIAL AND REGULAR MEETING
Including the Board of the
Antioch Public Financing Authority

Date: **Tuesday, March 8, 2022**

Time: 4:30 P.M. – Closed Session
5:30 P.M. – Special Meeting/Study Session
7:00 P.M. – Regular Meeting

Place: **Council Chambers**
200 'H' Street
Antioch, CA 94509

City Council meetings are televised live on Comcast channel 24, AT&T U-verse channel 99, or live stream (at www.antiochca.gov). Please see inside cover for detailed Speaker Rules.

PLEASE TURN OFF CELL PHONES BEFORE ENTERING COUNCIL CHAMBERS.

Lamar Thorpe, Mayor

Michael Barbanica, Mayor Pro Tem (District 2)

Tamisha Torres-Walker, Council Member District 1

Lori Ogorchock, Council Member District 3

Monica E. Wilson, Council Member District 4

Ellie Householder, City Clerk

Lauren Posada, City Treasurer

Cornelius Johnson, Interim City Manager

Thomas Lloyd Smith, City Attorney

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 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 @ Phone: (925) 779-6950, and e-mail: publicworks@ci.antioch.ca.us.

Notice of Availability of Reports

This agenda is a summary of the actions proposed to be taken by the City Council. For almost every agenda item, materials have been prepared by the City staff for the Council's consideration. These materials include staff reports which explain in detail the item before the Council and the reason for the recommendation. The materials may also include resolutions or ordinances which are proposed to be adopted. Other materials, such as maps and diagrams, may also be included. City Council Agendas, including Staff Reports are posted onto our City's Website 72 hours before each Council Meeting. To be notified when the agenda packets are posted onto our City's Website, simply click on this link: <https://www.antiochca.gov/notifications/> and enter your e-mail address to subscribe. To view the agenda information, click on the following link: <https://www.antiochca.gov/government/agendas-and-minutes/city-council/>. Questions may be directed to the staff member who prepared the staff report, or to the City Clerk's Office, who will refer you to the appropriate person.

Notice of Opportunity to Address Council

The public has the opportunity to address the Council on each agenda item. Please see the Speaker Rules on the inside cover of this Agenda for additional information on public participation.

4:30 P.M. ROLL CALL – CLOSED SESSION – for Council Members – *No Quorum (Council Members District 1 Torres-Walker, District 4 Wilson and Mayor Thorpe Absent)*

PUBLIC COMMENTS for Closed Session

CLOSED SESSION:

1) CONFERENCE WITH REAL PROPERTY NEGOTIATIONS – pursuant to California Government Code section 54956.8: Property: 4.79-acre property on Delta Fair Blvd., Antioch, CA (APN 074-080034-7); Agency Negotiation: Cornelius Johnson, City Manager; Negotiating Parties: Christy Saxton Interim Director, Health, Housing and Homeless Services, Contra Costa County; Under Negotiation: Price and Terms of Payment.

No Quorum

2) CONFERENCE WITH LABOR NEGOTIATORS – pursuant to 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), Confidential Unit, Management Unit, and Treatment Plant Employees' Association.

No Quorum

3) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – significant exposure to litigation pursuant to California Government Code section 54956.9(b): Two Cases.

No Quorum

ADJOURNED TO CLOSED SESSION – NO QUORUM

5:30 P.M. **ROLL CALL – SPECIAL MEETING/STUDY SESSION** – for Council Members – *All Present*

PLEDGE OF ALLEGIANCE

SPECIAL MEETING/STUDY SESSION

SM-1. REDISTRICTING: RECEIPT OF PUBLIC INPUT AND SELECTION OF FINAL MAP
Received presentation and public comment with Council motion to move forward with "Draft Map A"; attached, 3/2 (Barbanica, Ogorchock)

Recommended Action: It is recommended that the City Council receive public comment and select the final redistricting map redefining the boundaries of all City Council electoral districts of the City.

ADJOURNED SPECIAL MEETING/STUDY SESSION

Motioned to adjourn meeting at 5:45 p.m., 5/0

7:00 P.M. **ROLL CALL – REGULAR MEETING** – for City /Board of the Antioch Public Financing Authority – *All Present*

PLEDGE OF ALLEGIANCE

CITY ATTORNEY TO REPORT OUT ON CLOSED SESSION

No Closed Session to report out due to lack of a quorum; Council did not meet in Closed Session

1. INTRODUCTION OF NEW CITY EMPLOYEES

2. PROCLAMATIONS

- In Honor of Staff Sergeant Daniel R. Scheile
- In Honor of Sergeant John D. Aragon
- In Honor of Contra Costa County Blue Star Moms

Approved, 5/0

Recommended Action: It is recommended that the City Council approve the proclamations.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

3. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

- PARKS AND RECREATION COMMISSION
- ECONOMIC DEVELOPMENT COMMISSION
- SALES TAX CITIZENS' OVERSIGHT COMMITTEE

PUBLIC COMMENTS – *Members of the public may comment only on unagendized items. The public may comment on agendized items when they come up on this Agenda.*

CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS

MAYOR'S COMMENTS

4. PRESENTATIONS – *Contra Costa County District Attorney Diana Becton*

– *PFM Asset Management LLC Report on City Investments, presented by Sarah Meacham, Managing Director*

5. CONSENT CALENDAR

A. APPROVAL OF COUNCIL MEETING MINUTES FOR JANUARY 25, 2022

Continued, 5/0

Recommended Action: It is recommended that the City Council continue the Meeting Minutes.

B. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR FEBRUARY 4, 2022

Continued, 5/0

Recommended Action: It is recommended that the City Council continue the Special Meeting Minutes.

C. APPROVAL OF COUNCIL MEETING MINUTES FOR FEBRUARY 8, 2022

Continued, 5/0

Recommended Action: It is recommended that the City Council continue the Meeting Minutes.

D. APPROVAL OF COUNCIL MEETING MINUTES FOR FEBRUARY 22, 2022

Continued, 5/0

Recommended Action: It is recommended that the City Council continue the Meeting Minutes.

E. APPROVAL OF COUNCIL WARRANTS

Approved, 5/0

Recommended Action: It is recommended that the City Council approve the warrants.

CONSENT CALENDAR – Continued

- F.** SECOND READING – ORDINANCE AMENDING SECTION 9-5.3843 (E) OF THE ANTIOCH MUNICIPAL CODE TO MODIFY THE DISTANCE BETWEEN NEW TOBACCO BUSINESSES AND SPECIFIED USES AND TO CLARIFY THE LIMIT ON NEW TOBACCO RETAILERS (*Introduced on February 22, 2022*)

Ord No. 2206-C-S adopted, 4/1 (Barbanica)

Recommended Action: It is recommended that the City Council adopt the proposed ordinance amending Section 9-5.3843(E) of the City’s Municipal Code. The proposed amendment would:

- 1) Require new tobacco businesses to be at least 1,000 feet from schools and similar uses.
- 2) Clarify the City’s existing ban on new tobacco retailers.

- G.** SECOND READING – ORDINANCE AMENDING SECTION 6-8.02 OF THE ANTIOCH MUNICIPAL CODE TO ADD THE DEFINITIONS OF CHARACTERIZING FLAVOR, CIGAR, AND LITTLE CIGAR (INCLUDING CIGARILLO) AND AMENDING SECTION 6-8.14 BOTH TO RESTRICT TOBACCO RETAILERS OR BUSINESSES FROM SELLING OR PROVIDING TOBACCO WITH CHARACTERIZING FLAVOR, SELLING OR PROVIDING ELECTRONIC CIGARETTES OR E-CIGARETTES, AND TO REGULATE THE SIZE AND PRICE OF SPECIFIED PACKAGES OF CIGARETTES, LITTLE CIGARS, AND CIGARS (*Introduced on February 22, 2022*)

Ord No. 2207-C-S adopted, 3/2 (Torres-Walker, Barbanica)

Recommended Action: It is recommended that the City Council adopt the proposed ordinance amending Section 6-8.02 and 6-8.14 of the City’s Municipal Code. The proposed amendment would:

- 1) Add the definition of “characterizing flavor”.
- 2) Prohibit the sale of tobacco or tobacco products with characterizing flavor.
- 3) Prohibit a tobacco retailer or business from selling, offering for sale, possessing with the intent to sell, offer in exchange for any form of consideration, or provide at no cost any electronic cigarette or e-cigarette for use with tobacco or tobacco products.
- 4) Add the definitions of “cigars” and “little cigars,” with the latter including cigarillos.
- 5) Prohibit a tobacco retailer or business from selling, offering for sale, possessing with the intent to sell, offering in exchange for any form of consideration, or providing at no cost:
 - a. Any package of fewer than twenty little cigars.
 - b. Any package of fewer than six cigars.
 - c. Any package of cigarettes, little cigars or cigars at a price that is less than ten dollars per package, including applicable fees and taxes.

CONSENT CALENDAR – Continued

- H.** SECOND READING – TRANSITIONAL HOUSING ZONING OVERLAY DISTRICT ORDINANCE AMENDMENT AND ZONING MAP AMENDMENT (*Introduced on February 22, 2022*)

Ord No. 2208-C-S adopted, 3/2 (Barbanica, Ogorchock)

Recommended Action: It is recommended that the City Council adopt an ordinance amending Title 9: Chapter 5 of the Antioch Municipal Code (Zoning Ordinance) to:

- 1) Create a Transitional Housing Overlay District; and
- 2) Amend the zoning of the parcels at 515 E. 18th Street (APN 065-143-018, 19) to include the Transitional Housing Overlay District.

- I.** AB 361: RESOLUTION MAKING FINDINGS NECESSARY TO CONDUCT BROWN ACT MEETINGS BY TELECONFERENCE FOR THE CITY COUNCIL, BOARDS, COMMISSIONS, AND COMMITTEES

Reso No. 2022/35 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt the resolution authorizing remote teleconference/virtual meetings of the legislative bodies of the City of Antioch, which includes the City Council, boards, commissions, and committees.

- J.** REJECTION OF BIDS FOR BID NO. 770-0105-22A ROOF REPLACEMENTS AND ON-CALL ROOF MAINTENANCE SERVICES

Reso No. 2022/36 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt a resolution rejecting all bids received for Bid No. 770-0105-22A Roof Replacements and On-Call Roof Maintenance Services.

- K.** CONSIDERATION OF PROPOSALS FOR RESIDENTIAL SERVICE LINE PROTECTION, PROPOSAL NO. 961-0202-22A AWARD

Reso No. 2022/37 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt a resolution to:

- 1) Approve the Proposal submitted by American Water Resources as the sole provider to the City of Antioch for Residential Service Line Protection for four (4) years.
- 2) Authorize the City Attorney to release the City Logo for the purpose of publication regarding the Residential Service Line Protection to American Water Resources.
- 3) Authorize the City Manager to execute a four (4) year agreement with American Water Resources in a form approved by the City Attorney.

CONSENT CALENDAR – Continued

L. AMENDMENT NO. 2 TO THE CONSULTING SERVICES AGREEMENT FOR PROFESSIONAL SERVICES WITH BARTLE WELLS ASSOCIATES

Reso No. 2022/38 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt a resolution:

- 1) Approving the Amendment No. 2 to the Consulting Services Agreement with Bartle Wells Associates for on-call independent utility rate services which increases the agreement by \$50,000 for a total agreement amount of \$99,900 through December 31, 2023; and
- 2) Authorizing and directing the City Manager or designee to execute the Amendment No. 2 to the Agreement with Bartle Wells Associates in a form approved by the City Attorney.

M. FOURTH AMENDMENT TO THE CONSULTING SERVICES AGREEMENT FOR PROFESSIONAL SERVICES WITH THE GUALCO GROUP, INC.

Reso No. 2022/39 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt a resolution:

- 1) Approving the fourth amendment to the Consulting Services Agreement with The Gualco Group, Inc. for continued support related to permitting and funding activities for the Brackish Water Desalination Project with an extension of the contract through December 31, 2023, in the amount of \$92,000 for a total contract amount of \$292,000.
- 2) Authorizing and directing the City Manager or designee to execute the fourth amendment to the Agreement with The Gualco Group, Inc. in a form approved by the City Attorney.

N. CITY OF ANTIOCH ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2021

Received and filed, 5/0

Recommended Action: It is recommended that the City Council receive and file the City of Antioch Annual Comprehensive Financial Report for the Fiscal Year Ended June 30, 2021, inclusive of the City of Antioch Single Audit Reports for the Fiscal Year Ended June 30, 2021.

CONSENT CALENDAR – Continued

ANTIOCH PUBLIC FINANCING AUTHORITY

- O. ANTIOCH PUBLIC FINANCING AUTHORITY – BASIC FINANCIAL STATEMENTS AND INDEPENDENT AUDITOR’S REPORT FOR THE YEAR ENDED JUNE 30, 2021

Received and filed, 5/0

Recommended Action: It is recommended that the Board of the Antioch Public Financing Authority receive and file the Antioch Public Financing Authority – Basic Financial Statements and Independent Auditor’s Report for the Year Ended June 30, 2021.

COUNCIL REGULAR AGENDA

6. PLANNING COMMISSION APPOINTMENTS FOR THREE FULL-TERM VACANCIES EXPIRING OCTOBER 2025

***Reso No. 2022/40 adopted
Appointing Robert Martin, Warren Lutz, and Christian Hills
to the full-term vacancies expiring October 2025, 5/0***

Recommended Action: It is recommended that the Mayor nominate and City Council appoint by resolution, three members to the Planning Commission to fill three full-term vacancies expiring October 2025.

7. FORMATION OF A PUBLIC SAFETY AND COMMUNITY RESOURCES AD HOC COMMITTEE

***Reso No. 2022/41 adopted appointing
Council Members District 1 Torres-Walker and District 4 Wilson
for the duration of six (6) months, 5/0***

Recommended Action: It is recommended that the City Council take the following actions:

- 1) Determine if the City Council wishes to form a Public Safety and Community Resources Ad Hoc Committee for the purposes described in the resolution;
- 2) Confirm the appointment of two (2) members for the Public Safety and Community Resources Ad Hoc Committee;
- 3) Confirm the duration of the Public Safety and Community Resources Ad Hoc Committee; and
- 4) Adopt the resolution forming the Public Safety and Community Resources Ad Hoc Committee.

COUNCIL REGULAR AGENDA – Continued

8. RESOLUTION APPROVING THE CLASS SPECIFICATION UPDATES FOR THE MANAGEMENT BARGAINING UNIT WITH NO SALARY CHANGES

Reso No. 2022/42 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt a resolution approving class specification updates for the Management Bargaining Unit.

PUBLIC COMMENT

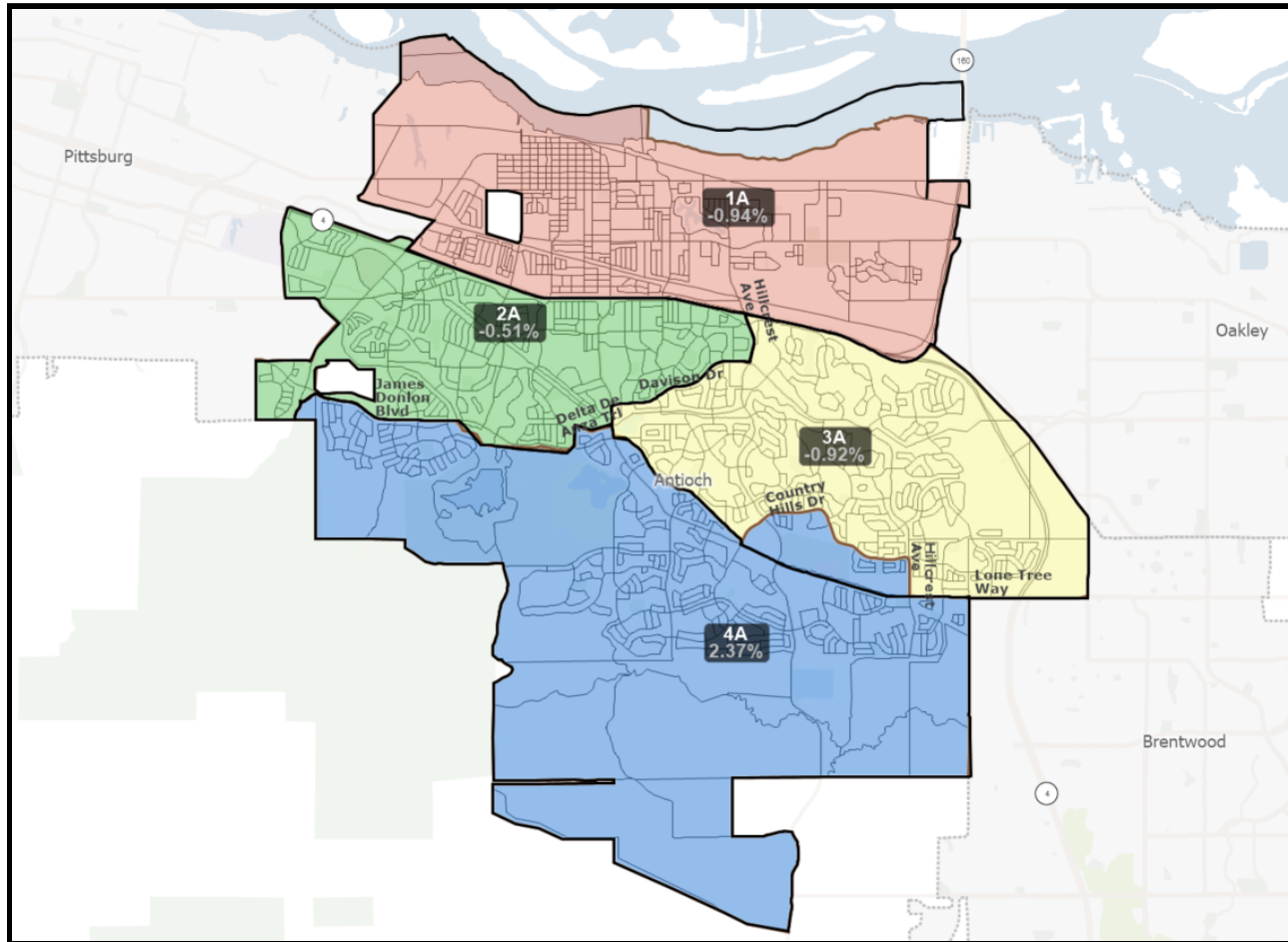
STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS – *Council Members report out various activities and any Council Member may place an item for discussion and direction on a future agenda. Timing determined by Mayor and City Manager – no longer than 6 months.*

MOTION TO ADJOURN – *After Council Communications and Future Agenda Items, the Mayor 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.*

Motioned to adjourn meeting at 9:49 p.m., 5/0

**City of Antioch Redistricting:
Draft Map A
November 2, 2021**



Current Antioch City Council boundaries are shown in **black** on this map. Proposed boundaries are shown in **brown** and filled in with color. Draft Map A only modifies the boundary between District 3 and 4.