

CITY OF  
**ANTIOCH**  
CALIFORNIA

**ANNOTATED AGENDA**

Antioch City Council

**REGULAR MEETING**

Including the Antioch City Council acting as  
Housing Successor to the Antioch Development Agency

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Date: **Tuesday, April 26, 2022**

Time: 6:00 P.M. – Closed 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](http://www.antiochca.gov)). Please see inside cover for detailed Speaker Rules.*

**PLEASE TURN OFF CELL PHONES BEFORE ENTERING COUNCIL CHAMBERS.**

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**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](mailto:publicworks@ci.antioch.ca.us).

## **SPEAKER RULES**

Welcome to a meeting of the Antioch City Council. Your attendance is appreciated. The State Ralph M. Brown Act guarantees the public's right to address the City Council, within the framework of Speaker Rules. Because agendas encompass many business items, Speaker Rules enable the meeting to be efficiently conducted and concluded at a reasonable hour.

The City Council can only take action on items that are listed on the agenda. If you wish to speak about an item **not on the agenda**, the "Public Comments" section of the agenda is for you. Unagendized comments are provided until no later than 7:30 p.m. when the City Council moves on to agenda items. There is another opportunity for public comments at the end of the meeting.

If you wish to speak, either during "public comments" or during an agenda item, fill out a Speaker Request Form and place in the Speaker Card Tray near the City Clerk. This will enable us to call upon you to speak. Important: Please identify if the comment is for Announcement of Community Events, Public Comment, or a specific Agenda Item Number on your Speaker Request Form. No one may speak more than once on an agenda item or during "public comments." *(Please see next page for additional information on public participation.)*

Each speaker is limited to not more than three minutes under Public Comments and three minutes on non-public hearing agenda items. During public hearings, each side is entitled to one "main presenter" who may have not more than 10 minutes; all other speakers during public hearing items, are entitled to a maximum of 5 minutes. These time limits may be modified depending on the number of speakers, number of items on the agenda, or circumstances. Groups who are here regarding an item may identify themselves by raising their hands at the appropriate time to show support for one of their speakers.

During certain types of hearings, the applicant is allowed to give his or her presentation first. After all testimony is received, the applicant has an opportunity for rebuttal.

The "Consent Calendar" is a group of items which are determined to be routine. These items are usually considered all at once and approved without further discussion. If you are opposed to action which is recommended for an item on the "Consent Calendar," please submit a Speaker Request Form before the meeting, and place in the Speaker Card Tray near the City Clerk. This will enable the item to be removed from the "Consent Calendar" and call on you to speak.

After having heard from the public, the agenda item will be closed. Deliberations will then be limited to members of the City Council.

If the meeting appears to be going late, the City Council may decide to continue some items until a subsequent meeting. The City Council will try to make this determination around 10:00 p.m. It is the goal to stop discussing agenda items by not later than 11:00 p.m.

The City Council meets regularly on the second and fourth Tuesdays of the month at 7:00 p.m., with Closed Sessions often occurring before or after the regular meeting. The City Council also holds adjourned meetings and study sessions on other days.

### **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.

**6:00 P.M.      ROLL CALL – CLOSED SESSION – for Council Members – *All Present***

**PUBLIC COMMENTS** for Closed Session – *None*

**CLOSED SESSION:**

- 1) CONFERENCE WITH LABOR NEGOTIATORS** – pursuant to California Government Code section 54957.6; City designated representatives: Nickie Mastay, Jazzman Brown, and Jeff Bailey; Employee organizations: Management Unit, Treatment Plant Employees' Association, Antioch Public Works Association, and Antioch Police Sworn Management Association.

***No reportable action***

- 2) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Significant exposure to litigation pursuant to California Government Code section 54956.9(b): One Case.

***Direction provided to City Attorney and City Manager***

**6:01 P.M.      ADJOURNED TO CLOSED SESSION**

**7:01 P.M.      ROLL CALL – REGULAR MEETING – for City /City Council Members acting as Housing  
Successor to the Antioch Development Agency – *All Present***

**PLEDGE OF ALLEGIANCE**

**CITY ATTORNEY TO REPORT OUT ON CLOSED SESSION**

**1. PROCLAMATIONS**

- In Honor of A Home within CASA (Court Appointed Special Advocates) Therapy Project
- Arbor Day, April 29, 2022

**Approved, 5/0**

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

**2. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

- RECREATION EXPO – MAY 7, 2022

**3. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS**

- ECONOMIC DEVELOPMENT COMMISSION
- SALES TAX CITIZENS' OVERSIGHT COMMITTEE
- CONTRA COSTA MOSQUITO & VECTOR CONTROL BOARD OF TRUSTEES

**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. PRESENTATION** – *Brackish Water Desalination Project Update presented by John Samuelson, Public Works Director/City Engineer*

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

- A. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR MARCH 11, 2022**

**Approved, 5/0**

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

**CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency – Continued**

- B.** APPROVAL OF COUNCIL MEETING MINUTES FOR MARCH 22, 2022  
**Approved, 5/0**  
Recommended Action: It is recommended that the City Council approve the Meeting Minutes.
- C.** APPROVAL OF COUNCIL MEETING MINUTES FOR APRIL 12, 2022  
**Continued, 5/0**  
Recommended Action: It is recommended that the City Council continue the Meeting Minutes.
- D.** APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR APRIL 19, 2022  
**Continued, 5/0**  
Recommended Action: It is recommended that the City Council continue the Special Meeting Minutes.
- E.** APPROVAL OF COUNCIL WARRANTS  
**Approved, 5/0**  
Recommended Action: It is recommended that the City Council approve the warrants.
- F.** APPROVAL OF HOUSING SUCCESSOR WARRANTS  
**Approved, 5/0**  
Recommended Action: It is recommended that the City Council approve the warrants.
- G.** REJECTION OF CLAIMS: NIRIVANA ALLEN, OLIVIA ALLEN, NIRIVANA ALLEN, JR., KANAI ALLEN, QZAIHAH ALLEN, AND CARLA MCLAURIN  
**Rejected, 5/0**  
Recommended Action: It is recommended that the City Council reject the claims submitted by Nirivana Allen, Olivia Allen, Nirivana Allen, Jr., Kanai Allen, Qzaiah Allen, and Carla McLaurin.
- H.** SECOND READING – FORMATION OF THE PROPOSED CITY OF ANTIOCH COMMUNITY FACILITIES DISTRICT NO. 2022-01 (PUBLIC SERVICES) FOR LAUREL RANCH SUBDIVISION (PW 698) (*Introduced on April 12, 2022*)  
**Ord No. 2209-C-S adopted, 5/0**  
Recommended Action: It is recommended that the City Council adopt the Ordinance Levying Special Taxes within the City of Antioch Community Facilities District No. 2022-01 (Public Services).

**CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency – Continued**

**I. SECOND READING – STRATEGIC INFILL HOUSING STUDY (Introduced on April 12, 2022)**

**Ord No. 2210-C-S adopted, 5/0**

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

- 1) Adopt the ordinance for a Zoning Map Amendment to rezone ten (10) sites to include a “Commercial Infill Housing (CIH) Overlay District” designation, zoning map amendment (Z-22-01).

**Ord No. 2211-C-S adopted, 5/0**

- 2) Adopt the ordinance for Zoning Text Amendments amending Sections 9-5.203 “Definitions,” 9-5.301 “Districts Established and Defined,” 9-5.3801 “Summary of Zoning Districts,” 9-5.3808 “Table of Land Use Regulations,” and 9-5.601 “Height, Area and Setback Regulations for Primary Structure” of the Antioch Municipal Code.

**J. RESOLUTION FOR ON-CALL CONTRACT PLANNING AND ENVIRONMENTAL CONSULTING SERVICES**

**Reso No. 2022/64 adopted, 5/0**

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

- 1) Adopt the Resolution approving Agreements for On-Call Planning and Environmental Consulting Services with Stantec, Raney, and MIG; and
- 2) Authorize the City Manager to execute the Agreements.

**K. RESOLUTION AMENDING AN EXISTING CONTRACT FOR CONSULTANT SERVICES WITH URBAN PLANNING PARTNERS FOR THE PREPARATION OF THE 6TH CYCLE HOUSING ELEMENT 2023-2031 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT**

**Reso No. 2022/65 adopted, 5/0**

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

- 1) Approving a contract amendment in the amount of \$157,300 with Urban Planning Partners; and
- 2) Authorize the City Manager to execute the amended agreement.

**CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency – Continued**

**L. ACCEPTANCE OF WORK AND NOTICE OF COMPLETION FOR PREWETT PARK CONCRETE IMPROVEMENTS, PHASE II (P.W. 567-9)**

***Reso No. 2022/66 adopted, 5/0***

Recommended Action: It is recommended that the City Council adopt the resolution accepting work and authorizing the City Manager or designee to file a Notice of Completion for Prewett Park Concrete Improvements, Phase II.

**M. WATER RATE STUDY**

***Reso No. 2022/67 adopted, 5/0***

Recommended Action: It is recommended that the City Council adopt a resolution to approve water rates for Fiscal Year 2022-23 and Fiscal Year 2023-24 with no increases in rates.

**N. CONSIDERATION OF BIDS FOR CITY PARK LANDSCAPE ENHANCEMENT BID NO. 988-0309-22A**

***Reso No. 2022/68 adopted, 5/0***

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

- 1) Approving an amendment to increase the Fiscal Year 2021/22 Capital Improvement Budget for the City Park Landscape Enhancement in the amount of \$20,000 from the Parks Division General Fund;
- 2) Awarding the construction agreement for the City Park Landscape Enhancement to the lowest, responsive, and responsible bidder, Elite Landscape Construction Inc.;
- 3) Approving a construction agreement with Elite Landscape Construction Inc. in the amount of \$205,839.99; and
- 4) Authorizing the City Manager to execute the construction agreement with Elite Landscape Construction Inc. for a total amount of \$205,839.99 in a form approved by the City Attorney.

**O. RESOLUTION ACCEPTING THE OFFERS OF DEDICATION FOR LAUREL ROAD RELATED TO THE LAUREL RANCH SUBDIVISION (P.W. 698)**

***Reso No. 2022/69 adopted, 5/0***

Recommended Action: It is recommended that the City Council adopt a resolution accepting the offers of dedication from the property owner for Laurel Road.

## COUNCIL REGULAR AGENDA

6. UNHOUSED RESIDENT SERVICES – FALL 2022 CYCLE STATE OF CALIFORNIA HOMEKEY PROGRAM AND EXECUTIVE INN LOCATED AT 515 EAST 18TH STREET

**Council motioned to postpone to a later date, 4/1 (Barbanica)**

Recommended Action: It is recommended that the City Council receive the presentation and adopt the resolution:

- 1) Authorizing the City to pursue State of California Homekey Program funding for housing opportunities associated with the Executive Inn located at 515 East 18th Street;
- 2) Pledging the 5-year City commitment of a subsidy estimated at \$12.3 million dollars in local funds; and
- 3) Authorizing pursuit of the public procurement process to identify an experienced developer partner to assist with financing, development, long term ownership and operations of the future Homekey site.

7. BICYCLE GARDEN – SELECTION OF PREFERRED LOCATION AND ONE ALTERNATE LOCATION, IDENTIFICATION OF CONTRA COSTA TRANSPORTATION AUTHORITY AS LEAD AGENCY OF THE PROJECT, AND FUNDING AUTHORIZATION FOR SCOPE AND DESIGN PHASE

**Reso No. 2022/70 adopted *changing approval date to April 26, 2022, To include Prewett Park as the preferred location with Gentrytown Park as the alternate location, 5/0***

Recommended Action: It is recommended that the City Council receive the presentation and adopt the resolution:

- 1) Selecting the preferred location and one alternate location for the Bicycle Garden;
- 2) Identifying the Contra Costa Transportation Authority (CCTA) as the lead agency with the intent to enter in a funding agreement in an amount not to exceed \$550,000 for the planning and design of the Bicycle Garden to be **approved by City Council at a future meeting**; and
- 3) Authorizing the Finance Director to make an adjustment to the Fiscal Year 2021/22 and Fiscal Year 2022/23 budget in an amount not to exceed \$550,000 from the General Fund for the planning and design of the Bicycle Garden.

**9:51 P.M. ADJOURNED TO BREAK**

**9:59 P.M. RECONVENED WITH ALL COUNCIL PRESENT**



**COUNCIL REGULAR AGENDA – Continued**

8. DISCUSSION ITEM: TOBACCO ORDINANCE GRACE PERIOD TEMPORARILY SUSPENDING THE IMPLEMENTATION OF NEW RESTRICTIONS ON SALES OF TOBACCO OR TOBACCO PRODUCTS WITH CHARACTERIZING FLAVOR, ELECTRONIC CIGARETTES, CIGARS, AND LITTLE CIGARS

***Direction provided to staff to prepare an amendment to the Tobacco Ordinance implementing a grace period until December 1, 2022, focus on community education; and suspend enforcement***

Recommended Action: It is recommended that the City Council provide direction to staff concerning:

- 1) Whether staff should prepare an amendment to the tobacco ordinance implementing a grace period temporarily suspending the implementation of new restrictions on sales of tobacco or tobacco products with characterizing flavor, electronic cigarettes, cigars, and little cigars;
- 2) The duration of the grace period, if any and
- 3) Whether staff should focus on community education and suspend enforcement activity until the passage of the amendment to the ordinance.

9. TENTATIVE AGREEMENT BETWEEN THE CITY OF ANTIOCH AND THE CONFIDENTIAL UNIT FOR THE PERIOD OF OCTOBER 1, 2021 – SEPTEMBER 30, 2025

***Reso No. 2022/71 adopted, 5/0***

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

- 1) Approving the Tentative Agreement between the City of Antioch and the Confidential Unit; and
- 2) Authorizing the City Manager or designee to make any necessary adjustments to the Fiscal Year 2021/22 and 2022/23 budgets to implement the provisions of the Tentative Agreement.

10. RESOLUTION APPROVING THE FOURTH AMENDMENT TO THE EMPLOYMENT AGREEMENT WITH THOMAS LLOYD SMITH FOR CITY ATTORNEY SERVICES AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT

***Reso No. 2022/72 adopted, 5/0***

Recommended Action: It is recommended that the City Council adopt a resolution approving the Fourth Amendment to the Employment Agreement with Thomas Lloyd Smith for City Attorney Services and authorizing the Mayor to sign the Agreement.

**COUNCIL REGULAR AGENDA – Continued**

11. TENTATIVE AGREEMENT BETWEEN THE CITY OF ANTIOCH AND OPERATING ENGINEERS LOCAL UNION NO. 3 REPRESENTATIONAL UNIT IV FOR THE PERIOD OF OCTOBER 1, 2021 – SEPTEMBER 30, 2025

**Reso No. 2022/73 adopted, 5/0**

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

- 1) Approving the Tentative Agreement between the City of Antioch and Operating Engineers Local Union No. 3 Representational Unit IV (OE3); and
- 2) Authorizing the City Manager or designee to make any necessary adjustments to the Fiscal Year 2021/22 and 2022/23 budgets to implement the provisions of the Tentative Agreement.

**COUNCIL MEMBER OGORCHOCK REQUESTED A MOTION TO SUSPEND THE RULES TO MOVE COUNCIL REGULAR AGENDA ITEMS #15 AND #16 TO BE HEARD BEFORE ITEM #12; APPROVED 5/0**

15. TENTATIVE AGREEMENT BETWEEN THE CITY OF ANTIOCH AND THE MANAGEMENT UNIT FOR THE PERIOD OF OCTOBER 1, 2021 – SEPTEMBER 30, 2025

**Reso No. 2022/74 adopted, 5/0**

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

- 1) Approving the Tentative Agreement between the City of Antioch and the Management Unit; and
- 2) Authorizing the City Manager or designee to make any necessary adjustments to the Fiscal Year 2021/22 and 2022/23 budgets to implement the provisions of the Tentative Agreement.

16. TENTATIVE AGREEMENT BETWEEN THE CITY OF ANTIOCH AND THE TREATMENT PLANT EMPLOYEES' ASSOCIATION FOR THE PERIOD OF OCTOBER 1, 2021 – SEPTEMBER 30, 2025

**Reso No. 2022/75 adopted, 5/0**

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

- 1) Approving the Tentative Agreement between the City of Antioch and the Treatment Plant Employees Association (TPEA); and
- 2) Authorizing the City Manager or designee to make any necessary adjustments to the Fiscal Year 2021/22 and 2022/23 budgets to implement the provisions of the Tentative Agreement.

**COUNCIL REGULAR AGENDA – Continued**

**COUNCIL MEMBER OGORCHOCK HAD REQUESTED A MOTION TO SUSPEND THE RULES TO MOVE COUNCIL REGULAR AGENDA ITEMS #15 AND #16 TO BE HEARD BEFORE ITEM #12; APPROVED 5/0**

12. RECRUITMENT SIGNING BONUS/INCENTIVES FOR QUALIFIED LATERAL AND ACADEMY GRADUATE POLICE OFFICERS

***Direction to Mayor to work with staff to develop a policy to bring back to Council for further discussion***

Recommended Action: It is recommended that the City Council discuss and direct staff regarding modification of the City's recruitment signing bonus/incentive program to include qualified lateral and academy graduate police officers.

13. OVER HIRE OF SWORN POLICE OFFICERS

***Direction to Mayor to work with staff to develop a policy to bring back to Council for consideration***

Recommended Action: It is recommended that the City Council discuss and direct staff regarding the over hire of sworn police officers.

14. DISCUSSION ITEM: FORMATION OF THE PUBLIC SERVICES AND COMMUNITY RESOURCES DEPARTMENT

***Direction to staff to not bring back ordinance***

Recommended Action: It is recommended that the City Council provide direction including the following:

- 1) Whether staff should prepare an ordinance forming the Public Safety and Community Resources Department; and
- 2) If so, whether the ordinance should include a Public Safety Manager position or remain silent until later determination.

**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 11:16 p.m., 5/0***