



ANNOTATED AGENDA

Antioch City Council SPECIAL AND REGULAR MEETING

**Including the Antioch City Council acting as Housing Successor/
Successor Agency to the Antioch Development Agency/
Antioch Public Finance Authority**

Date: Tuesday, May 24, 2022

Time: 4:30 P.M. – Closed Session
5:00 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.

4:46 P.M. ROLL CALL – CLOSED SESSION – for Council Members – ***Council Members District 3 Ogorchock, District 4 Wilson and Mayor Thorpe (Council Members District 1 Torres-Walker and Mayor Pro Tem (District 2) Barbanica – Absent)***

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: Antioch Public Works Association, and Antioch Police Sworn Management Association.

No reportable action

4:47 P.M. ADJOURNED TO CLOSED SESSION

5:09 P.M. ROLL CALL – SPECIAL MEETING/STUDY SESSION – for City /City Council Members acting as Successor Agency/Housing Successor to the Antioch Development Agency/ Antioch Public Financing Authority – ***Council Members District 1 Torres-Walker, District 3 Ogorchock, and District 4 Wilson [District 4 Wilson Opened the meeting] (Mayor Pro Tem (District 2) Barbanica and Mayor Thorpe – Absent)***

PLEDGE OF ALLEGIANCE

STUDY SESSION

SM-1. PRESENTATION OF THE DRAFT 5-YEAR CAPITAL IMPROVEMENT PROGRAM 2022-2027 (P.W. 150-22)

Presentation received

Recommended Action: It is recommended that the City Council review and provide feedback to staff regarding the draft 5-Year Capital Improvement Program (CIP) 2022-2027.

MAYOR THORPE ARRIVED DURING THE PRESENTATION OF AGENDA ITEM SM-1

SM-2. FISCAL YEAR 2021-23 MID-YEAR BUDGET REVIEW

Direction provided to staff

Recommended Action: It is recommended that the City Council provide input and direction on the draft mid-year budget options and adjustments to the Fiscal Year 2021-23 budget.

PUBLIC COMMENT

ADJOURNED SPECIAL MEETING/STUDY SESSION

7:00 P.M. **ROLL CALL – REGULAR MEETING** – for City Council Members – ***Council Members District 1 Torres-Walker, District 3 Ogorchock, District 4 Wilson, and Mayor Thorpe (Mayor Pro Tem (District 2) Barbanica – Absent)***

MOMENT OF SILENCE IN MEMORY OF TEXAS ELEMENTARY SCHOOL VICTIMS

PLEDGE OF ALLEGIANCE

CITY ATTORNEY TO REPORT OUT ON CLOSED SESSION

1. PROCLAMATION

- In Honor of State Farm’s 100th Anniversary, June 7, 2022

Approved, 4/0

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

2. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

- DELTA VETERAN’S GROUP MEMORIAL DAY COMMEMORATION
Oak View Memorial Park: May 30th
- SESQUICENTENNIAL SWIM & PLAY DAY
Antioch Water Park: June 4th
- SESQUICENTENNIAL OUTDOOR MOVE NIGHTS
Antioch Water Park Hill: June 16, 23, & 30th

3. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

- SALES TAX CITIZENS' OVERSIGHT COMMITTEE
- CONTRA COSTA MOSQUITO & VECTOR CONTROL BOARD OF TRUSTEES
- BOARD OF ADMINISTRATIVE APPEALS

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. CONSENT CALENDAR

A. APPROVAL OF COUNCIL MEETING MINUTES FOR APRIL 12, 2022

Approved, 3/1 (Torres-Walker)

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

B. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR APRIL 19, 2022

Approved, 3/1 (Torres-Walker)

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

C. APPROVAL OF COUNCIL MEETING MINUTES FOR APRIL 26, 2022

Continued, 3/1 (Torres-Walker)

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

D. APPROVAL OF COUNCIL MEETING MINUTES FOR MAY 10, 2022

Continued, 3/1 (Torres-Walker)

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

E. APPROVAL OF COUNCIL WARRANTS

Approved, 3/1 (Torres-Walker)

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

CONSENT CALENDAR – Continued

- F.** SECOND READING: ORDINANCE CREATING THE ANTIOCH POLICE OVERSIGHT COMMISSION (*Introduced on 05/10/2022*)

Ord No. 2212-C-S adopted, 3/1 (Ogorchock)

Recommended Action: It is recommended that the City Council adopt the Ordinance creating the Antioch Police Oversight Commission.

- G.** SECOND READING – ADOPTION OF AN ORDINANCE ESTABLISHING A MILITARY USE EQUIPMENT POLICY (#706) PURSUANT TO ASSEMBLY BILL 481 (*Introduced on 05/10/2022*)

Ord No. 2213-C-S adopted, 3/1 (Torres-Walker)

Recommended Action: It is recommended that the City Council adopt the ordinance establishing a Military Use Equipment Policy pursuant to Assembly Bill 481.

- H.** SECOND READING – PROPOSED ORDINANCE AMENDMENT OF SECTION 4-5.411.1(C) OF THE ANTIOCH MUNICIPAL CODE AUTHORIZING ENFORCEMENT OF THE CALIFORNIA VEHICLE CODE TO PRIVATELY OWNED ROADS WITHIN THE LAUREL RANCH SUBDIVISION (P.W. 698)

Ord No. 2214-C-S adopted, 3/1 (Torres-Walker)

Recommended Action: It is recommended that the City Council adopt the Ordinance Amending Section 4-5.411.1(C) of the Antioch Municipal Code Authorizing Enforcement of the California Vehicle Code to Privately Owned Roads Within the Laurel Ranch Subdivision (P.W. 698).

- I.** RESOLUTION ESTABLISHING THE APPROPRIATIONS LIMIT FOR THE 2022-23 FISCAL YEAR

Reso No. 2022/85 adopted, 3/1 (Torres-Walker)

Recommended Action: It is recommended that the City Council adopt the resolution selecting the California per capita personal income cost of living growth factor for Fiscal Year 2022-23, selecting the population percent change certified by the State Department of Finance for Fiscal Year 2022-23, and establishing the appropriations limit for the 2022-23 Fiscal Year as \$164,309,832.

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

Reso No. 2022/86 adopted, 3/1 (Torres-Walker)

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.

CONSENT CALENDAR – Continued

- K.** APPROVAL TO RECEIVE FUNDING THROUGH THE CALIFORNIA NATURAL RESOURCE AGENCY (CNRA) FOR THE NICK RODRIGUEZ COMMUNITY CENTER REHABILITATION PROJECT IN THE AMOUNT OF \$2,200,000

Reso No. 2022/87 adopted, 3/1 (Torres-Walker)

Recommended Action: It is recommended that the City Council adopt the resolution authorizing the filing of a project application through the California Natural Resources Agency (CRNA) for the rehabilitation of the Nick Rodriguez Community Center.

- L.** ANNUAL WATER TREATMENT CHEMICALS PURCHASE

Reso No. 2022/88 adopted, 3/1 (Torres-Walker)

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

- 1) Approving the joint agency cooperative purchase agreement for Water Treatment Plant chemicals for the period of July 1, 2022, through June 30, 2023, in the total amount not to exceed \$1,121,629; and
- 2) Authorizing the City Manager to execute the cooperative purchase agreement.

- M.** ACCEPTANCE OF GRANT DEED AND ASSIGNMENTS OF EASEMENTS FROM CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT IN CONNECTION WITH THE WEST ANTIOCH CREEK CHANNEL IMPROVEMENTS PROJECT (P.W. 201-6)

Reso No. 2022/89 adopted, 3/1 (Torres-Walker)

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

- 1) Accepting a Grant Deed conveying five (5) fee parcels; an Assignment of Easement Agreement conveying permanent utility and access easement rights; and an Assignment of Easement Agreement conveying access easement rights to portions of two (2) parcels from Contra Costa County Flood Control and Water Conservation District; and
- 2) Authorizing and directing the City Attorney to sign the Certificate of Acceptance for said property.

CONSENT CALENDAR – Continued

- N.** RESOLUTION APPROVING THE CLASS SPECIFICATION UPDATES FOR THE OPERATING ENGINEERS LOCAL UNION NO. 3 REPRESENTATIONAL UNIT I BARGAINING UNIT

Reso No. 2022/90 adopted, 3/1 (Torres-Walker)

Recommended Action: It is recommended that the City Council adopt a resolution approving class specification updates for Operating Engineers Local Union No. 3 Representational Unit IV Bargaining Unit.

- O.** RESOLUTION APPROVING AMENDMENT NO. 6 TO THE CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF ANTIOCH AND VOLER STRATEGIC ADVISORS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT

Reso No. 2022/91 adopted, 3/1 (Torres-Walker)

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

- 1) Approve Amendment No. 6 to the Consulting Services Agreement between the City of Antioch and Voler Strategic Advisors, which extends the term of the Agreement for thirty-six months to May 15, 2025, and increases the value of the Agreement by \$288,000 for a total amount not to exceed \$544,000; and
- 2) Authorize the City Manager to execute Amendment No. 6 to the Consulting Services Agreement between the City of Antioch and Voler Strategic Advisors.

- P.** APPROVAL OF PURCHASE OF ELEVEN (11) POLICE VEHICLES UTILIZING THE SOURCEWELL COOPERATIVE PURCHASING CONTRACT NO. 091521-NAF WITH NATIONAL AUTO FLEET GROUP

Reso No. 2022/92 adopted, 3/1 (Torres-Walker)

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

- 1) Approving the purchase of eleven (11) Police vehicles from National Auto Fleet Group for an amount not to exceed \$523,141.10.
- 2) Authorize the City Manager to execute the purchase of eleven (11) Police vehicles utilizing Sourcewell Cooperative Purchasing Contract No. 091521-NAF with National Auto Fleet Group.

PUBLIC HEARING

5. PROPOSED ORDINANCE AMENDING ORDINANCE NO. 2207-C-S (RELATING TO THE SALE, POSSESSION, OR PROVISION OF SPECIFIED PRODUCTS BY TOBACCO RETAILERS OR BUSINESSES) BY PROVIDING A GRACE PERIOD PRIOR TO THE EFFECTIVE DATE OF ORDINANCE NO. 2207-C-S

To 06/14/2022 for Adoption, 3/1 (Thorpe)

Recommended Action: It is recommended that the City Council introduce, waive the first reading, and read by title only, the proposed ordinance amending Ordinance No. 2207-C-S by providing a grace period prior to the effective date of amending Ordinance No. 2207-C-S.

6. INTRODUCTION OF ORDINANCE FORMING THE PUBLIC SAFETY AND COMMUNITY RESOURCES DEPARTMENT

To 06/14/2022 for Adoption, 3/1 (Ogorchock)

Recommended Action: It is recommended that the City Council introduce, waive the first reading, and read by title only an ordinance forming the Public Safety and Community Resources Department.

7. PROPOSED ORGANICS COLLECTION RATES FOR COLLECTION SERVICES WITH REPUBLIC SERVICES AS REQUIRED BY SENATE BILL (SB) 1383

Recommended Action: It is recommended that the City Council:

Council approved Option #4 for Residential with amendments*, 3/1 (Wilson)

- 1) Approve one of the following rate structures to provide the organics collection programs mandated by SB 1383, and

Reso No. 2022/93 adopted with amendments*, 3/1 (Wilson)

- 2) Adopt the resolution authorizing the City Manager to enter into an agreement with Republic Services for the collection of organics material in accordance with Senate Bill (SB) 1383:

Program Options	*Residential % increase	Commercial % increase
1. Antioch proposed bi-weekly compost - basic conversion of existing green waste carts to Organics and diversion to a composting facility. Commercial program to continue with current implementation and service.	9.8	12.6
2. Antioch proposed Residential weekly compost, Commercial same as above.	19.2	12.6
3. Antioch Proposed Residential weekly compost and SB1383 assistance for all customers.	20.1	13.9
4. Contract extension to 2028 with weekly Residential compost collection and SB1383 assistance (*Includes a 10% franchise fee for Residential and 12% for Commercial).	15.2 *7.6% to be spread over 2 years	7.7*

PUBLIC HEARING - Continued

8. PROPOSED UPDATES TO THE MASTER FEE SCHEDULE EFFECTIVE JULY 1, 2022
Council received; no action taken
Recommended Action: It is recommended that the City Council adopt a resolution updating and approving the Master Fee Schedule effective July 1, 2022.

COUNCIL REGULAR AGENDA

9. RESOLUTION FOR APPROVAL OF CANNABIS OPERATING AGREEMENT FOR DELTA FAMILY PHARMS, INC.
Reso No. 2022/94 adopted, 4/0
Recommended Action: It is recommended that the City Council adopt a resolution approving the operating agreement for Delta Family Pharms, Inc.
10. RESOLUTION FOR APPROVAL OF CANNABIS OPERATING AGREEMENT FOR DELTA LABS, INC.
Reso No. 2022/95 adopted, 4/0
Recommended Action: It is recommended that the City Council adopt a resolution approving the operating agreement for Delta Labs, Inc.
11. RESOLUTION FOR APPROVAL OF CANNABIS OPERATING AGREEMENT FOR KWMA COLLECTIVE, LLC
Reso No. 2022/96 adopted, 4/0
Recommended Action: It is recommended that the City Council adopt a resolution approving the Operating Agreement for KWMA Collective, LLC.
12. REQUEST BY CONTRA COSTA FARMS FOR AUTHORIZATION TO CONDUCT A TEMPORARY CANNABIS EVENT WITHIN THE CITY OF ANTIOCH
Failed, 2/1/1 (Ogorchock-No / Thorpe-Abstained)
Recommended Action: It is recommended that the City Council adopt the resolution authorizing Contra Costa Farms to conduct a temporary cannabis event within the City consistent with State law and the City's municipal code.

COUNCIL REGULAR AGENDA – Continued

13. RESOLUTION TO APPROVE THE FIRST AMENDED AND RESTATED OPERATING AGREEMENT FOR BAKERY ANTIOCH I, LLC TO REFLECT CHANGE IN OWNERSHIP FROM COOKIES TO RED WORKSHOP

Reso No. 2022/97 adopted, 3/1 (Ogorchock)

Recommended Action: It is recommended that the City Council adopt the resolution to approve the First Amended and Restated Operating Agreement for Bakery Antioch I, LLC to reflect the change in ownership from Cookies to Red Workshop.

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 10:33 p.m., 4/0