



ANNOTATED AGENDA

**Antioch City Council
SPECIAL AND REGULAR MEETING
Including the Antioch City Council acting as
Housing Successor to the Antioch Development Agency**

Date: Tuesday, June 14, 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 – *Council Members District 1 Torres-Walker, District 3 Ogorchock, District 4 Wilson and Mayor Pro Tem (District 2) Barbanica (Mayor Thorpe – Absent at Roll Call). Mayor Pro Tem (District 2) Barbanica Opened the meeting.*

PUBLIC COMMENTS for Closed Session – *None*

ADJOURNED TO CLOSED SESSION

MAYOR THORPE ARRIVED DURING CLOSED SESSION AND ATTENDED VIRTUALLY VIA ZOOM WEBINAR.

CLOSED SESSION:

- 1) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION –** pursuant to California Government Code section 54956.9: Monika Helgemo v. City of Antioch Contra Costa County Superior Court Case No. C20-00767.
City settled the case in the amount of \$250,000, Approved 5/0

- 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 Public Works Association and Antioch Police Sworn Management Association.

No reportable action

CLOSED SESSION – Continued

- 3) **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, Interim City Manager and Thomas Lloyd Smith, City Attorney; Negotiating Parties: Christy Saxton, Interim Director, Health, Housing and Homeless Services, Contra Costa County; Under Negotiation: Price and Terms of Payment.

No reportable action

- 4) **PUBLIC EMPLOYEE PERFORMANCE EVALUATION: INTERIM CITY MANAGER.** This closed session is authorized pursuant to Government Code section 54957.

No reportable action

5:41 P.M. ROLL CALL – SPECIAL MEETING/STUDY SESSION – for City Council Members – ***Council Members District 1 Torres-Walker, District 3 Ogorchock, District 4 Wilson, Mayor Pro Tem (District 2) Barbanica and (Mayor Thorpe attended via Zoom Webinar).***

PLEDGE OF ALLEGIANCE

SPECIAL MEETING/STUDY SESSION

SM-1. CITY OF ANTIOCH 6TH CYCLE HOUSING ELEMENT UPDATE
Council provided feedback to staff to bring back policy language on: (1) anti-tenant harassment, (2) rent control, (3) Just Cause Eviction, plus further discussions on (4) senior housing, and (5) proposed housing areas from DeNova Item was continued to 06/28/22

Recommended Action: It is recommended that the City Council:

- 1) Provide feedback on the draft Housing Element and
- 2) Motion to approve and submit the draft Housing Element to the California Department of Housing and Community Development (HCD) for review.

PUBLIC COMMENT

7:01 P.M. FIVE MINUTE RECESS

7:09 P.M. RETURNED FROM RECESS, All Present

7:38 P.M. MOTIONED TO ADJOURN SPECIAL MEETING/STUDY SESSION

7:39 P.M.

ROLL CALL – REGULAR MEETING – for Council Members – ***Council Members District 1 Torres-Walker, District 3 Ogorchock, District 4 Wilson, Mayor Pro Tem (District 2) Barbanica and (Mayor Thorpe attended via Zoom Webinar).***

PLEDGE OF ALLEGIANCE

CITY ATTORNEY TO REPORT OUT ON CLOSED SESSION

1. INTRODUCTION OF NEW CITY EMPLOYEES

2. PROCLAMATIONS

- Recognizing June 2022 as Pride Month in the City of Antioch
- Proclamation Commemorating Juneteenth, 2022

Approved, 5/0

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

3. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

- JUNETEENTH COMMUNITY CELEBRATION – June 17 & 18, 2022
- JUNETEENTH COMMUNITY CELEBRATION – June 19, 2022
- SESQUICENTENNIAL 5K RUN – June 25, 2022
- SESQUICENTENNIAL COMMUNITY BIKE RIDE – June 26, 2022

4. 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

- 5. PRESENTATIONS** – *Contra Costa County Fire Protection District – Overview for Community Leaders, presented by Fire Chief Lewis Broschard*
- *Antioch Police Department – June 2022 Crime and Activity Report, presented by Interim Police Chief Steven Ford*

6. CONSENT CALENDAR

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

Approved, 5/0

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

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

Approved, 5/0

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

C. APPROVAL OF COUNCIL MEETING MINUTES FOR MAY 24, 2022

Continued, 5/0

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

D. APPROVAL OF COUNCIL WARRANTS

Approved, 5/0

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

E. REJECTION OF CLAIM: MARY BARKER

Rejected, 5/0

Recommended Action: It is recommended that the City Council reject the claim submitted by Mary Barker.

F. APPROVAL OF TREASURER'S REPORT FOR MARCH 2022

Received and filed, 5/0

Recommended Action: It is recommended that the City Council receive and file the March 2022 Treasurer's Report.

G. SECOND READING – 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 (*Introduced on 05/24/2022*)

Ord No. 2215-C-S adopted, 5/0

Recommended Action: It is recommended that the City Council adopt the proposed ordinance amending Ordinance No. 2207-C-S by providing a grace period until December 1, 2022.

CONSENT CALENDAR – Continued

- H.** SECOND READING – ORDINANCE FORMING THE PUBLIC SAFETY AND COMMUNITY RESOURCES DEPARTMENT (*Introduced on 05/24/2022*)

Ord No. 2216-C-S adopted, 5/0

Recommended Action: It is recommended that the City Council adopt the proposed ordinance forming the Public Safety and Community Resources Department.

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

Reso No. 2022/98 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.** STATEMENT OF INVESTMENT POLICY

Reso No. 2022/99 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt a resolution approving the Statement of Investment Policy.

- K.** RESOLUTION APPROVING CONSOLIDATED ENGINEER'S REPORT AND DECLARING INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE HILLCREST, CITYWIDE, DOWNTOWN, ALMONDRIDGE, LONE TREE, AND EAST LONE TREE LANDSCAPE MAINTENANCE DISTRICTS, AND SETTING PUBLIC HEARING (P.W. 500)

Reso No. 2022/100 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt the Resolution approving the Consolidated Engineer's Report and setting June 28, 2022 as the date for the Public Hearing.

CONSENT CALENDAR – Continued

- L.** CONSIDERATION OF BIDS FOR THE PURCHASE OF METER BOX LIDS WITH CELLULAR NETWORK PROBE HOLES FOR ADVANCED METERING INFRASTRUCTURE (AMI) CELLULAR METER READING UPGRADE, BID NO. 670-0510-22A

Reso No. 2022/101 adopted, 5/0

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

- 1) Approving an amendment to increase the Fiscal Year 2022/23 Water Enterprise Fund budget for the purchase of meter box lids with cellular network probe holes for Advanced Metering Infrastructure Cellular Meter Reading Upgrade in the amount of \$300,000;
- 2) Awarding the bid for the supply of concrete meter box lids with cellular network probe holes for the Cellular Network Meter Reading Upgrade program to the lowest, responsive, and responsible bidder, Pace Supply Co.; and
- 3) Authorizing the City Manager to approve the purchase of the concrete meter box lids with Pace Supply Co., for an amount not to exceed \$300,000 per fiscal year, and a total project cost of \$1,500,000 for the entire 5-Year project term starting July 1, 2022 and ending June 30, 2027.

- M.** ROAD MAINTENANCE AND REHABILITATION ACCOUNT (P.W. 707)

Reso No. 2022/102 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt a resolution approving and adopting a list of projects for submittal to the California Transportation Commission for Fiscal Year 2022/23 that are eligible for funding by Senate Bill (SB) 1: the Road Repair and Accountability Act of 2017.

CONSENT CALENDAR – Continued

- N. FORMATION OF A COMMUNITY FACILITIES DISTRICT FOR THE PROMENADE SAND CREEK RESIDENTIAL PROJECT (P.W. 697)**

Reso No. 2022/103 adopted, 5/0

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

- 1) Authorizing the California Statewide Communities Development Authority to form a Community Facilities District within the City of Antioch to finance certain public improvements,
- 2) Incorporating a Joint Community Facilities Agreement setting forth the terms and conditions of the Community Facilities District financing,
- 3) Approving an acquisition agreement between the City and the Developer or its assignee; and
- 4) Authorizing City staff to cooperate with California Statewide Communities Development Authority and its consultants in connection with the Community Facilities District formation and financing.

9:28 P.M. MAYOR THORPE ASKED MAYOR PRO TEM (DISTRICT 2) BARBANICA TO PRESIDE OVER AND CONTINUE THE MEETING; MAYOR THORPE LEFT THE MEETING.

PUBLIC HEARING

- 7. RESOLUTION ACCEPTING AND ADOPTING THE PROPOSED FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM 2022-2027 (P.W. 150-22)**

Reso No. 2022/104 adopted, 4/0

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

- 1) Approving the Five-Year Capital Improvement Program 2022-2027;
- 2) Authorize the City Manager or his designee to amend the Fiscal Year 2022/23 Capital Improvement and Operating Budgets to include all unspent Fiscal Year 2021/22 Capital Improvement budgets as of June 30, 2022; and
- 3) Authorize the City Manager or his designee to amend the Fiscal Year 2022/23 Operating Budget for any changes to the previously adopted Fiscal Year 2022/23 Capital Improvement Budget.

PUBLIC HEARING – Continued

8. ORDINANCE AMENDING ARTICLE 15 OF CHAPTER 5 OF TITLE 4 OF THE ANTIOCH MUNICIPAL CODE AND CHANGING THE PRIMA FACIA SPEED LIMIT ON VARIOUS ROADWAY (P.W. 282-3A)

To 06/28/2022 for Adoption, 3/1 (Torres-Walker)

Recommended Action: It is recommended that the City Council introduce, waive the first reading, and read by title only, an Ordinance amending Article 15 of Chapter 5 of Title 4 of the Antioch Municipal Code “Special Speed Zones” in order to change the prima facie speed limit on certain streets.

COUNCIL REGULAR AGENDA

9. FISCAL YEAR 2021-23 MID-YEAR BUDGET

Item was pulled per staff request

Recommended Action: It is recommended that the City Council adopt the resolution amending the Fiscal Year 2022 and Fiscal Year 2023 budgets.

10. DECLARATION OF WATER SHORTAGE

Reso No. 2022/105 adopted, 4/0

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

- 1) Declaring a Stage 2 water shortage and implementing the measures identified in the City of Antioch’s Water Shortage Contingency Plan, and
- 2) Implementing the requirements of the State Water Resources Control Board’s Emergency Conservation Regulations Dated May 24, 2022.

COUNCIL REGULAR AGENDA – Continued

11. SIDE LETTER AGREEMENT BETWEEN THE CITY OF ANTIOCH AND THE ANTIOCH PUBLIC WORKS EMPLOYEES ASSOCIATION AND THE CITY OF ANTIOCH AND THE ANTIOCH POLICE SWORN MANAGEMENT ASSOCIATION OBSERVING THE JUNETEENTH HOLIDAY

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

Reso No. 2022/106 adopted, 4/0

- 1) Approving the Side Letter Agreement between the City of Antioch and the Antioch Public Works Employees Association observing the Juneteenth Holiday;

Reso No. 2022/107 adopted, 4/0

- 2) Approving the Side Letter Agreement between the City of Antioch and the Antioch Police Sworn Management Association observing the Juneteenth Holiday;
- 3) Authorizing the City Manager or designee to execute the Side Letter Agreements between the City of Antioch and the Antioch Public Works Employees Association and the City of Antioch and the Antioch Police Sworn Management Association; and
- 4) Authorizing the City Manager or designee to make any necessary adjustments to the Fiscal Year 2021/22 and Fiscal Year 2022/23 budget to implement the provisions of the Side Letter Agreements.

PUBLIC COMMENT

STAFF COMMUNICATIONS – First Council Meeting in July is not scheduled due to Summer Break. The next regularly scheduled Council Meeting will be held on July 26, 2022, beginning at 7:00 p.m.

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 10:08 p.m., 4/0