

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, August 23, 2022**  
**Time: 5:15 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).

### **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.

**5:15 P.M.      ROLL CALL – CLOSED SESSION – for Council Members – *All Present***

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

**CLOSED SESSION:**

- 1) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – pursuant to California Government Code section 54956.9: Banks et al. v. City of Antioch et al. (CASE NO. C18-7391 HSG).  
***Case Settlement of \$495,000 was Approved by Council, 5/0***
  
- 2) **CONFERENCE WITH REAL PROPERTY NEGOTIATIONS – EXISTING LITIGATION** – Pursuant to California Government Code section 54956.8; Property: 4527 Deerfield Drive, Antioch, CA; Agency Negotiation: City of Antioch Negotiator: Interim City Manager, Cornelius H. Johnson and City Attorney, Thomas Lloyd Smith; Negotiating Parties: City of Antioch and Yellow Roof Foundation; Under Negotiation: Price and terms of payment.  
***Direction provided to City Attorney and Assistant City Manager***
  
- 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.  
***Direction provided to City Attorney***

**CLOSED SESSION – Continued**

- 4) **CONFERENCE WITH REAL PROPERTY NEGOTIATIONS** pursuant to California Government Code section 54956.8; Property: 275 W. Tregallas Road, Antioch, CA; Agency Negotiation: City of Antioch Negotiators: Interim City Manager, Cornelius H. Johnson and City Attorney, Thomas Lloyd Smith; Negotiating Parties: Richard Hobin, Esq.; Under Negotiation: Price and terms of payment.

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

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

***No reportable action***

- 6) **CONFERENCE WITH LABOR NEGOTIATORS** – pursuant to California Government Code section 54957.6; City designated representatives: Ana Cortez, Jazzman Brown, and Jeff Bailey; Employee organizations: Antioch Public Works Association and Antioch Police Sworn Management Association.

***Direction provided to Labor Negotiators***

**5:18 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**

**MAYOR PRO TEM BARBANICA REQUESTED A MOTION TO SUSPEND THE RULES AND MOVE PUBLIC HEARING ITEM #4 TO FOLLOW THE PLEDGE OF ALLEGIANCE; APPROVED 5/0**

**PUBLIC HEARING**

**4. RENT STABILIZATION ORDINANCE INTRODUCTION**

**9:56 P.M. FIVE MINUTE RECESS**

**10:07 P.M. RECONVENED, ROLL CALL – All Present**

*Recommended Action: It is recommended that the City Council:*

**Council motioned with sixty percent (60%) of (CPI) Consumer Price Index or three percent (3%) cap; whichever is less, 3/2 (Barbanica, Ogorchock)**

1) Set a limit on rental rate increases as the greater of \_\_\_\_ percent (\_\_\_\_%) or \_\_\_\_ percent (\_\_\_\_%) of the Consumer Price Index for All Urban Consumers in the San Francisco-Oakland-Hayward Area published by the Bureau of Labor Statistics.

**To 09/13/2022 for Adoption, 3/2 (Barbanica, Ogorchock)**

2) Introduce, waive the first reading, and introduce by title only the Rent Stabilization Ordinance.

**MAYOR THORPE MOTIONED TO SUSPEND THE RULES AND MOVED PUBLIC COMMENTS, CONSENT CALENDAR ITEM #3G, AND PUBLIC HEARING ITEMS #5 AND #6 TO BE HEARD AS THE NEXT ORDER OF BUSINESS, APPROVED 5/0**

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

**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.

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

**G. SECOND READING – PROPOSED ORDINANCE AMENDING THE ANTIOCH MUNICIPAL CODE REGARDING THE PARKING OF MOTOR VEHICLES, INCLUDING RECREATIONAL VEHICLES, ON RESIDENTIAL PROPERTY (Introduced on 07/26/2022) Ord No. 2218-C-S adopted, 4/1 (Barbanica)**

*Recommended Action: It is recommended that the City Council adopt an ordinance amending the Antioch Municipal Code regarding the parking of motor vehicles, including Recreational vehicles.*

**PUBLIC HEARING – Continued**

5. ONE PLANT CANNABIS DISTRIBUTION AT 2710 WEST 10TH STREET (UP-21-17)  
**Reso No. 2022/140 adopted, 3/2 (Barbanica, Ogorchock)**  
Recommended Action: It is recommended that the City Council adopt the resolution approving a Use Permit to operate a cannabis distribution facility subject to conditions of approval (UP-21-17).

**COUNCIL MEMBER WILSON RECUSED HERSELF FROM THE DAIS BEFORE PUBLIC HEARING ITEM #6 WAS HEARD**

6. 300 G STREET RETAIL CANNABIS DISPENSARY (UP-22-01)  
**Motion did not pass, 2/2 (Barbanica, Ogorchock)**  
Recommended Action: It is recommended that the City Council adopt the Resolution approving a Use Permit to operate a retail cannabis dispensary subject to findings and Conditions of Approval (UP-22-01).

**MAYOR THORPE ASKED COUNCIL IF THEY WOULD LIKE TO PRESS ON OR MOVE THE REMAINING MATTERS (AGENDA ITEMS) TO A LATER MEETING, PREFERABLY FRIDAY. MAYOR PRO TEM BARBANICA STATED HE WOULD LIKE TO PRESS ON, COUNCILMEMBER OGORCHOCK STATED SHE WOULD NOT. MAYOR THORPE ASKED STAFF TO MOVE THE REST OF THE AGENDA ITEMS TO THE SPECIAL MEETING ON FRIDAY, AUGUST 26, 2022.**

**12:22 A.M. COUNCIL MEMBER WILSON RETURNED TO THE DAIS**

**MAYOR THORPE MOVED ITEM #7 TO BE HEARD AS THE NEXT ORDER OF BUSINESS BEFORE THE MOTION TO ADJOURN THE REGULAR MEETING.**

**COUNCIL REGULAR AGENDA**

7. CONTRA COSTA MOSQUITO AND VECTOR CONTROL BOARD OF TRUSTEES' (ANTIOCH RESIDENT REPRESENTATIVE) APPOINTMENT FOR ONE (1) PARTIAL-TERM VACANCY EXPIRING APRIL 2024  
**Reso No. 2022/141 adopted appointing Wade Finlinson to the partial-term vacancy expiring April 2024, 5/0**  
Recommended Action: It is recommended that the Mayor nominate, and Council approve by resolution, one (1) Antioch Resident Representative to the Contra Costa Mosquito and Vector Control Board of Trustees for one partial-term vacancy expiring April 2024.

**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 Regular Meeting at 12:27 a.m., 5/0**

**[THE FOLLOWING COUNCIL MEETING AGENDA ITEMS WILL BE MOVED TO THE 08/26/2022 COUNCIL SPECIAL MEETING TO BE HEARD]**

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

- *HOT AUGUST CRUISE NIGHT – AUGUST 27, 2022*  
*Downtown Antioch’s Rivertown District, W. 2<sup>nd</sup> Street, Antioch*
- *PEDDLER’S FAIRE – SEPTEMBER 10, 2022*  
*Downtown Antioch’s Rivertown District, G Street & 2<sup>nd</sup> Street, Antioch*

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

- *SALES TAX CITIZENS’ OVERSIGHT COMMITTEE*
- *BOARD OF ADMINISTRATIVE APPEALS*

**CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS**

**MAYOR’S COMMENTS**

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

**A. APPROVAL OF COUNCIL MEETING MINUTES FOR JUNE 28, 2022**

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

**B. APPROVAL OF COUNCIL MEETING MINUTES FOR JULY 26, 2022**

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

**C. APPROVAL OF COUNCIL MEETING MINUTES FOR AUGUST 9, 2022**

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

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

**D. APPROVAL OF COUNCIL WARRANTS**

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

**E. APPROVAL OF HOUSING SUCCESSOR WARRANTS**

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

**F. REJECTION OF CLAIM: EDWARD BURKHALTER**

*Recommended Action: It is recommended that the City Council reject the claim submitted by Edward Burkhalter.*

**H. FIRST AMENDMENT TO THE DESIGN CONSULTING SERVICES AGREEMENT WITH BROWN AND CALDWELL FOR ON-CALL PROFESSIONAL ENGINEERING DESIGN SERVICES (P.W. 700-1)**

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

- 1) *Approving the first amendment to the Design Consulting Services Agreement with Brown and Caldwell for On-Call Professional Engineering Design Services in the amount of \$50,000 for a total contract amount of \$100,000; and*
- 2) *Authorizing and directing the City Manager or designee to execute the first amendment to the Design Consulting Services Agreement in a form approved by the City Attorney.*

**I. RESOLUTION APPROVING THE FINAL MAP AND IMPROVEMENT PLANS FOR PARK RIDGE PHASE 5 SUBDIVISION 9578 (DAVIDON HOMES) AND ANNEXING TO CITYWIDE LIGHTING AND LANDSCAPING DISTRICT 10 ZONE 1 (P.W. 674-5)**

*Recommended Action: It is recommended that the City Council adopt a resolution approving the final map and improvement plans for Park Ridge Phase 5, Subdivision 9578, and annexing to City Wide Lighting and Landscaping District 10, Zone 1.*

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

**J. CROWDSTRIKE CYBER SECURITY SERVICES 5-YEAR CONTRACT**

*Recommended Action: It is recommended that the City Council adopt a resolution authorizing the City Manager or designee to execute a 5-year contract for CrowdStrike cyber security services via ePlus Technology, Inc. in the amount not to exceed \$340,000.*

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

*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.*

**L. CRITICAL INCIDENT STRESS MANAGEMENT & WELLNESS CONTRACT**

*Recommended Action: It is recommended that the City Council adopt a resolution approving a one-year sole source contract with Public Safety Family Counseling Group, INC. to provide critical incident stress management and facilitate the emotional wellness roof of Police Department personnel from July 1, 2022 to June 30, 2023 and authorizing the City Manager to execute an agreement with Public Safety Family Counseling Group, INC., not to exceed \$75,000 for a one year period with an option to extend.*

**COUNCIL REGULAR AGENDA**

**8. CODE ENFORCEMENT STAFFING UPDATE**

*Recommended Action: It is recommended that the City Council receive the update on Code Enforcement staffing.*



## **COUNCIL REGULAR AGENDA – Continued**

### **9. RESOLUTION APPROVING THE CLASS SPECIFICATION UPDATES FOR THE MANAGEMENT AND ANTIOCH POLICE SWORN MANAGEMENT BARGAINING UNITS**

*Recommended Action: It is recommended that the City Council adopt the resolutions approving two class specification updates to the Management Bargaining Unit and the Antioch Police Sworn Management Association.*

### **10. EMPLOYEE REFERRAL AND RECRUITMENT SIGNING BONUS AND INCENTIVE PROGRAM FOR QUALIFIED LATERAL AND ENTRY LEVEL POLICE OFFICERS**

*Recommended Action: It is recommended that the City Council:*

- 1) Adopt the resolution authorizing an increase in employee referral and recruitment signing bonus and incentive program for qualified lateral and entry level (academy graduate and recruit) Police Officers; and*
- 2) Authorize staff to perform additional research on the Antioch Homeownership Incentive Program for Police Academy graduates.*

### **11. RESOLUTION SEEKING APPROVAL OF CITY CLERK'S REQUEST FOR THE CITY ATTORNEY TO PROVIDE MANAGERIAL OVERSIGHT OF THE CITY CLERK'S DEPARTMENT**

*Recommended Action: It is recommended that the City Council adopt the resolution approving the City Clerk's request for the City Attorney to provide day-to-day managerial oversight of the City Clerk's Department.*

## **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.