



ANNOTATED AGENDA

Antioch City Council REGULAR MEETING

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

Date: Tuesday, September 27, 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). 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.

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

PUBLIC COMMENTS for Closed Session

CLOSED SESSION:

- 1) **PUBLIC EMPLOYEE APPOINTMENT: CITY MANAGER.** This closed session is authorized pursuant to Government Code section 54957.

Council Motioned and directed the City Attorney to prepare a contract for the appointment of Cornelius Johnson as the permanent City Manager, 3/2 (Barbanica, Ogorchock)

- 2) **CONFERENCE WITH LABOR NEGOTIATORS** – pursuant to California Government Code section 54957.6; City designated representatives: Ana Cortez, Nikki Ausk, and Jeff Bailey; Employee organizations: Antioch Public Works Association.

No reportable action

6:04 P.M. ADJOURNED TO CLOSED SESSION

7:02 P.M. ROLL CALL – REGULAR MEETING – for City /City Council Members acting as Successor Agency/Housing Successor to the Antioch Development Agency – *All Present*

MOMENT OF SILENCE IN MEMORY OF GIANATON VINCENT COMFORT

PLEDGE OF ALLEGIANCE

CITY ATTORNEY TO REPORT OUT ON CLOSED SESSION

MAYOR THORPE REQUESTED A MOTION TO SUSPEND THE RULES TO MOVE PUBLIC HEARING ITEMS #8 AND #5 TO BE HEARD AS THE NEXT ORDER OF BUSINESS; APPROVED 5/0

AFTER READING THE TITLE OF PUBLIC HEARING ITEM #8, MAYOR THORPE THEN REQUESTED A MOTION TO SUSPEND THE RULES TO MOVE PUBLIC HEARING ITEM #7 TO BE HEARD AS THE NEXT ORDER OF BUSINESS INSTEAD OF ITEM #8; APPROVED 5/0

PUBLIC HEARING/ CITY OF ANTIOCH COUNCIL MEMBERS ACTING AS HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY

- 7. UP-22-09 USE PERMIT FOR 2615 SOMERSVILLE ROAD CANNABIS DISPENSARY – THE APPLICANT IS SEEKING USE PERMIT APPROVAL TO OPERATE A NEW RETAIL CANNABIS DISPENSARY AT 2615 SOMERSVILLE ROAD. THE SUBJECT SITE IS A 25,000 SQUARE FOOT LOT WITH AN EXISTING 4,057 SQUARE FOOT COMMERCIAL BUILDING BUILT IN 1975. THE BUSINESS IS PROPOSED TO OPERATE FROM 9AM-8PM, SEVEN (7) DAYS A WEEK.**

Reso No. 2022/169 adopted, 3/2 (Barbanica, Ogorchock)

Recommended Action: It is recommended that the City Council adopt the resolution approving UP-22-09, a Use Permit for a new cannabis dispensary at 2615 Somersville Road.

- 5. RENT STABILIZATION ORDINANCE – FIRST READING**

To 10/11/2022 for Adoption, 3/2 (Barbanica, Ogorchock)

Recommended Action: It is recommended that the City Council introduce the Rent Stabilization Ordinance by title only and waive further reading.

9:43 P.M. FIVE MINUTE RECESS, MAYOR THORPE LEFT THE MEETING.

9:53 P.M. RECONVENED, ROLL CALL – Council Members District 1 Torres-Walker, District 3 Ogorchock, and District 4 Wilson (Mayor Thorpe – Absent). Mayor Pro Tem (District 2) Barbanica continued to preside over the meeting.

COUNCIL MEMBER WILSON REQUESTED A MOTION TO SUSPEND THE RULES TO MOVE COUNCIL REGULAR AGENDA ITEM #9 TO BE HEARD BEFORE PUBLIC HEARING ITEM #8; APPROVED 4/0

COUNCIL REGULAR AGENDA

9. TRAFFIC CALMING NEEDS IN THE CITY OF ANTIOCH

Direction provided to staff

Recommended Action: It is recommended that the City Council discuss and direct staff regarding traffic calming needs.

PUBLIC HEARING/ CITY OF ANTIOCH COUNCIL MEMBERS ACTING AS HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY – Continued

- 8.** *UP-22-06 USE PERMIT FOR DELTA VIEW NURSERY 2101 WEST 10TH STREET, SUITE C – THE APPLICANT IS SEEKING USE PERMIT APPROVAL FOR A NEW CANNABIS NURSERY AT 2101 WEST 10TH STREET, SUITE C. THE SUBJECT SITE IS 1.95 ACRES WITH AN EXISTING 25,380 SQUARE FOOT BUILDING BUILT IN 2005. THERE ARE EXISTING DISPENSARY, CULTIVATION, AND MANUFACTURING USES WITHIN THE BUILDING.*

10:30 P.M. MAYOR THORPE ATTENDED THE MEETING VIA ZOOM WEBINAR DURING PUBLIC COMMENTS FOR ITEM #8

Reso No. 2022/170 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt the resolution approving a Use Permit (UP-22-06) for a cannabis nursery at 2101 West 10th Street.

1. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

- FALL FEST & BARBEQUE COOK-OFF – OCTOBER 1, 2022
Downtown Antioch's Rivertown, W. 2nd Street, Antioch
- FREE KIDS FISHING DERBY – OCTOBER 8, 2022
Waldie Plaza & Public Fishing Pier (Across from City Hall), 2nd Street, Antioch

2. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

- SALES TAX CITIZENS' OVERSIGHT COMMITTEE
- 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.*

10:53 P.M. MAYOR THORPE, ATTENDING VIA ZOOM WEBINAR, LEFT THE MEETING DURING PUBLIC COMMENTS

CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS

MAYOR'S COMMENTS

- 3. PRESENTATION – *Build Antioch 2022 Design Studio***
presented by Earl Hudson, Amethyst Ziemam, and Trish Callo
Postponed to the October 11, 2022 Council Meeting
- 4. CONSENT CALENDAR for City /City Council Members acting as Successor Agency/
Housing Successor to the Antioch Development Agency**

 - A. APPROVAL OF COUNCIL MEETING MINUTES FOR AUGUST 9, 2022**
Approved, 4/0
Recommended Action: It is recommended that the City Council approve the Meeting Minutes.
 - B. APPROVAL OF COUNCIL MEETING MINUTES FOR AUGUST 23, 2022**
Continued, 4/0
Recommended Action: It is recommended that the City Council continue the Meeting Minutes.
 - C. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR AUGUST 26, 2022**
Continued, 4/0
Recommended Action: It is recommended that the City Council continue the Special Meeting Minutes.
 - D. APPROVAL OF COUNCIL MEETING MINUTES FOR SEPTEMBER 13, 2022**
Continued, 4/0
Recommended Action: It is recommended that the City Council continue the Meeting Minutes.
 - E. APPROVAL OF COUNCIL WARRANTS**
Approved, 4/0
Recommended Action: It is recommended that the City Council approve the warrants.

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

F. UPDATED CONFLICT OF INTEREST CODE FOR THE CITY OF ANTIOCH AND CITY AS SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT AGENCY

Recommended Action: It is recommended that:

Reso No. 2022/171 adopted, 4/0

- 1) The City Council adopt a resolution approving the updated Conflict of Interest Code for the City of Antioch and authorizing the City Manager to execute the Biennial Notice.

S.A. Reso No. 2022/38 adopted, 4/0

- 2) The City Council as Successor Agency to the Antioch Development Agency adopt a resolution approving the updated Conflict of Interest Code for the City as Successor Agency to the Antioch Development Agency and authorizing the City Manager to execute the Biennial Notice.

G. SHORT TERM LEASE AGREEMENT WITH RIVERTOWN JAMBOREE FOR TEMPORARY OFFICE SPACE AT THE NICK RODRIGUEZ COMMUNITY CENTER

Reso No. 2022/172 adopted, 4/0

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

- 1) Approving a short-term lease agreement between the City of Antioch and Rivertown Jamboree for designated space at the Nick Rodriguez Center; and
- 2) Authorizing the City Manager to execute the Agreement.

H. SHORT TERM LEASE AGREEMENT WITH TODOS UNIDOS FOR TEMPORARY OFFICE SPACE AT THE NICK RODRIGUEZ COMMUNITY CENTER

Reso No. 2022/173 adopted, 4/0

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

- 1) Approving a short-term lease agreement between the City of Antioch and Todos Unidos for designated space at the Nick Rodriguez Center; and
- 2) Authorizing the City Manager to execute the Agreement.

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

I. SHORT TERM LEASE AGREEMENT WITH PRISON FROM THE INSIDE OUT FOR TEMPORARY OFFICE SPACE AT THE NICK RODRIGUEZ COMMUNITY CENTER

Reso No. 2022/174 adopted, 4/0

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

- 1) Approving a short-term lease agreement between the City of Antioch and Prison From the Inside Out for designated space at the Nick Rodriguez Center; and
- 2) Authorizing the City Manager to execute the Agreement.

J. SHORT TERM LEASE AGREEMENT WITH MISSION POSSIBLE FOR TEMPORARY OFFICE SPACE AT THE NICK RODRIGUEZ COMMUNITY CENTER

Reso No. 2022/175 adopted, 4/0

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

- 1) Approving a short-term lease agreement between the City of Antioch and Mission Possible for designated space at the Nick Rodriguez Center; and
- 2) Authorizing the City Manager to execute the Agreement.

K. AUTHORIZATION FOR THE CITY MANAGER TO PURCHASE ADVERTISING WITH NORTHWEST MEDIA PARTNERS FOR THE FACES OF OPPORTUNITY CAMPAIGN FOR AN AMOUNT NOT TO EXCEED \$60,000 FOR FISCAL YEAR 2022/23

Reso No. 2022/176 adopted, 4/0

Recommended Action: It is recommended that the City Council adopt a resolution authorizing the City Manager to purchase advertising with Northwest Media Partners for the Faces of Opportunity campaign for an amount not to exceed \$60,000 for Fiscal Year 2022/23.

L. ACCEPTANCE OF WORK AND NOTICE OF COMPLETION FOR THE TRENCHLESS REHABILITATION OF SANITARY SEWER MAIN USING CURED IN PLACE PIPE AT VARIOUS LOCATIONS (P.W. 684-2)

Reso No. 2022/177 adopted, 4/0

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

- 1) Authorizing the City Manager to execute the first amendment to the construction agreement with Southwest Pipeline and Trenchless Corporation for this Project in the amount of \$73,196.59 for a total contract amount of \$1,215,436.59; and
- 2) Accepting work and authorizing the City Manager or designee to file a Notice of Completion for the Project.

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

- M.** CONSIDERATION OF BIDS FOR THE CURB, GUTTER, AND SIDEWALK REPAIR INCLUDING TREE REMOVAL AND STUMP GRINDING AND INSTALLATION OF CONCRETE CURB RAMPS AT MISCELLANEOUS LOCATIONS 2022/23 (P.W. 507-19)

Reso No. 2022/178 adopted, 4/0

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

- 1) Awarding the construction agreement for the Curb, Gutter, and Sidewalk Repair Including Tree Removal and Stump Grinding and Installation of Concrete Curb Ramps at Miscellaneous Locations 2022/23 to the lowest, responsive, and responsible bidder, MG and JC Concrete;
- 2) Approving an Agreement with MG and JC Concrete in the amount of \$340,900; and
- 3) Authorizing the City Manager to execute the Agreement with MG and JC Concrete for a total amount of \$340,900.

**PUBLIC HEARING/ CITY OF ANTIOCH COUNCIL MEMBERS ACTING AS HOUSING
SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY – Continued**

- 6.** PUBLIC HEARING TO REVIEW ACCOMPLISHMENTS FOR FISCAL YEAR 2021-22 CDBG AND HOUSING SUCCESSOR FUNDS REPORTED IN THE CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER); AND REVIEW OF PRIORITY NEEDS AND STRATEGIES FOR THE 2023-24 CDBG ACTION PLAN

Received

- Recommended Action:
- 1) It is recommended that the City Council receive and consider public comment on the Fiscal Year 2021-22 CAPER year-end report, detailing achievements of programs funded with CDBG and Housing Successor funds for housing, homeless, and community services to improve the quality of life of lower income Antioch residents and neighborhoods.
 - 2) It is recommended that the City Council receive and consider public comment on the Priority Needs and Strategies for the 2023-24 Action Plan.

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 Regular Meeting at 12:01 a.m., 4/0