

CITY OF  
**ANTIOCH**  
CALIFORNIA

**AGENDA**

**Antioch City Council  
REGULAR MEETING**

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

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**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](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 OPPORTUNITY TO ADDRESS CITY COUNCIL**

The public has the opportunity to address the City Council on each agenda item. No one may speak more than once on an agenda item or during "Public Comments".

Members of the public wishing to provide public comments, may do so in one of the following ways (#2 pertains to the Zoom Webinar Platform):

1. **IN PERSON** – Fill out a Speaker Request Form, available near the entrance doors, and place in the Speaker Card Tray near the City Clerk before the City Council Meeting begins.
  
2. **VIRTUAL** – To provide oral public comments during the meeting, please click the following link to register in advance to access the meeting via Zoom Webinar: <https://www.antiochca.gov/speakers>
  - You will be asked to enter an email address and a name. Your email address will not be disclosed to the public. After registering, you will receive an email with instructions on how to connect to the meeting.
  
  - When the Mayor announces public comments, click the "raise hand" feature in Zoom. For instructions on using the "raise hand" feature in Zoom, visit: [https://www.antiochca.gov/raise\\_hand](https://www.antiochca.gov/raise_hand). When calling into the meeting using the Zoom Webinar telephone number, press \*9 on your telephone keypad to "raise your hand". Please ensure your Zoom client is updated so staff can enable your microphone when it is your turn to speak.

Speakers will be notified shortly before they are called to speak. When you are called to speak, please limit your comments to the time allotted (350 words, up to 3 minutes, at the discretion of the Mayor).

*The City cannot guarantee that its network and/or the site will be uninterrupted.*

3. **WRITTEN PUBLIC COMMENT** – If you wish to provide a written public comment, you may do so in one of the following ways **by 3:00 p.m. the day of the City Council Meeting**:
  - (1) Fill out an online speaker card, located at [https://www.antiochca.gov/speaker\\_card](https://www.antiochca.gov/speaker_card),
  
  - Or,
  
  - (2) Email the City Clerk's Department at [cityclerk@ci.antioch.ca.us](mailto:cityclerk@ci.antioch.ca.us).

*Please note: Written public comments received **by 3:00 p.m. the day of the City Council Meeting** will be shared with the City Council before the meeting, entered into the public record, retained on file by the City Clerk's Office, and available to the public upon request. Written public comments will not be read during the City Council Meeting.*

### **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**

**PUBLIC COMMENTS** for Closed Session

**CLOSED SESSION:**

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

**ADJOURN TO CLOSED SESSION**

**7:00 P.M.      ROLL CALL – REGULAR MEETING – for City /City Council Members acting as Successor Agency/Housing Successor to the Antioch Development Agency**

**PLEDGE OF ALLEGIANCE**

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

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

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

**CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS**

**MAYOR’S COMMENTS**

- 3. PRESENTATION** – *Build Antioch 2022 Design Studio*  
*presented by Earl Hudson, Amethyst Ziemam, and Trish Callo*

- 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**

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

- B. APPROVAL OF COUNCIL MEETING MINUTES FOR AUGUST 23, 2022**

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

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

**C. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR AUGUST 26, 2022**

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

**D. APPROVAL OF COUNCIL MEETING MINUTES FOR SEPTEMBER 13, 2022**

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

**E. APPROVAL OF COUNCIL WARRANTS**

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

**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:

- 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.
- 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**

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.

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

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

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.

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

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**

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**

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.

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

**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)**

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.

**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)**

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**

**5. RENT STABILIZATION ORDINANCE – FIRST READING**

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

**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**

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.

**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.**

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.

**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.**

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.

## **COUNCIL REGULAR AGENDA**

### **9. TRAFFIC CALMING NEEDS IN THE CITY OF ANTIOCH**

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

## **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.*