

CITY COUNCIL MEETING

Regular Meeting
7:00 P.M.

March 22, 2022
Council Chambers

6:00 P.M. - CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – pursuant to California Government Code section 54956.9: Philadelphia Indemnity Insurance Company v. City of Antioch et al. Contra Costa County Superior Court Case No. Case No. MSC18-00327.
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 Police Officers' Association, Operating Engineers Local Union No. 3 (OE3), Confidential Unit, Management Unit, Treatment Plant Employees' Association, Antioch Public Works Association, and Antioch Police Sworn Management Association.
3. **CONFERENCE WITH REAL PROPERTY NEGOTIATIONS** – pursuant to California Government Code section 54956.8: Property: Antioch Marina Harbor Masters Building Unit #3 (approximately 608 square feet) and Unit #7 (approximately 1,028 square feet) at Marina Plaza, Antioch California 94509-7905; Agency Negotiation: Cornelius Johnson, City Manager, and Thomas Lloyd Smith, City Attorney; Negotiating Parties: Gary Clausen, Twin Rivers Marine Insurance Agency; Under Negotiation: Price and Terms of Payment.
4. **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, City Manager; Negotiating Parties: Christy Saxton Interim Director, Health, Housing and Homeless Services, Contra Costa County; Under Negotiation: Price and Terms of Payment.

ADJOURN TO CLOSED SESSION – Council adjourned to Closed Session at 6:03 P.M.

7:00 P.M. REGULAR MEETING

Mayor Thorpe called the meeting to order at 7:06 P.M., and City Clerk Householder called the roll.

Present: Council Members District 1 Torres-Walker, District 3 Ogorchock, District 4 Wilson (attended via Zoom), Mayor Pro Tem (District 2) Barbanica and Mayor Thorpe

PLEDGE OF ALLEGIANCE

Mayor Thorpe led the Pledge of Allegiance.

CITY ATTORNEY TO REPORT OUT ON CLOSED SESSION

City Attorney Smith reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**, no reportable action, **#2 CONFERENCE WITH LABOR NEGOTIATORS**, no reportable action, **#3 CONFERENCE WITH REAL PROPERTY NEGOTIATIONS**, no reportable action; and **#4 CONFERENCE WITH REAL PROPERTY NEGOTIATIONS**, direction given to Interim City Manager and City Attorney.

1. PROCLAMATION

Prescription Drug Abuse Awareness Month, March 2022

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the Council unanimously approved the Proclamation.

April Rovero, Founder of Medication Education and Disposal Safety (MEDS) Coalition and National Coalition Against Prescription Drug Abuse, accepted and thanked the City Council for the *Prescription Drug Abuse Awareness Month* proclamation. Contact information was provided.

2. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Mayor Thorpe announced the following civic and community event.

- ANTIOCH HISTORICAL SOCIETY SESQUICENTENNIAL KICKOFF BBQ – April 2, 2022

3. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Householder announced the following Board and Commission openings:

- Parks and Recreation Commission
- Economic Development Commission
- Sales Tax Citizens' Oversight Committee

For more information and to apply, visit: www.bit.ly/ApplyAntioch or the City's homepage.

ON MOTION BY COUNCILMEMBER OGORCHOCK, SECONDED BY COUNCILMEMBER BARBANICA THE CITY COUNCIL UNANIMOUSLY SUSPENDED THE RULES AND MOVED COUNCIL REGULAR AGENDA ITEM #9, TO BE HEARD AFTER PUBLIC COMMENTS.

PUBLIC COMMENTS

Due to the amount of speaker requests, Mayor Thorpe reduced speaker times to two-minutes. He declined Councilmember Barbanica's request to vote on reduced speaker times.

Norma Hernandez, Antioch resident, requested City Council put a hold the tobacco ordinances and requested they be placed on a future agenda for reconsideration.

Ralph Hernandez, Antioch resident, stated that Mayor Thorpe was entitled to due process with regards to his DUI. He discussed the City's ban on tobacco and noted it favored cannabis businesses, which was unlawful.

Chuck Kuslits, Antioch resident, requested Mayor Thorpe resign as an elected official and spoke in support of the recall effort. He discussed comments made by Councilmember Torres-Walker at a previous Council meeting and noted the speaker's comments she referenced, were not racist.

Michelle Kuslits, Antioch resident, expressed concern Mayor Thorpe had been cited for a DUI and requested he resign as an elected official. She spoke to other allegations against Mayor Thorpe and cautioned those that supported him if the accusations were determined to be true.

Mayor Thorpe requested members of the audience refrain from interrupting speakers.

City Clerk Householder announced Robyn Kuslets presented information that had been provided to Council.

Robyn Kuslits, Concord resident, representing Lambda Democratic Club of Contra Costa County, discussed remarks made on social media by a former Councilmember regarding a transgender public official. She also discussed the Municipal Equality Index and requested Council commit to submitting Antioch's score for this year. She committed to working with the City to raise their score to the highest level.

Greg Dimo, Antioch resident, reported the city of San Francisco was rebuking their policies that lead to soft on crime issues. He spoke in support of the Antioch Police Department and requested certain Councilmembers resign for not serving the entire constituency of Antioch.

Mark Jordan, Antioch resident, discussed a demand letter he sent regarding the redistricting process and requested an item be agendized to withdraw the maps approved by Council. He noted if the maps were not withdrawn, he would be proceeding with legal action against the city.

Hector Melo, Antioch resident, yielded his time to Roshon Williams.

Roshon Williams and Marlene Hartigan, Antioch residents, requested the Council place the RV ordinance on the City Council agenda for further discussion.

Ahmed Qassem Naser, Antioch resident, stated Council's action to ban flavored tobacco was harmful to small business and requested Council delay enforcement to allow them sufficient time to sell their products.

Kathy Cabrera, Antioch resident, requested Mayor Thorpe resign. She discussed reasons for the recall and encouraged residents to sign the recall initiative.

Frank Sterling stated he was disappointed Mayor Thorpe had received a DUI because he depended on his support. He spoke to an incident he was involved in with the Antioch Police Department.

Robert Conner, Antioch resident, expressed concern that the paving of his street remained unfinished. He also expressed concern regarding items posted on social media by a member of the City Council.

Kathryn Wade voiced her appreciation to Mayor Thorpe and Councilmember Torres-Walker for the changes they had made in the community. She stated everyone's personal life should remain private.

Lacey Brown, Antioch resident, requested Council publicly denounce comments made on social media by a former Councilmember pertaining to trans people.

Mariah Williams, Antioch resident, stated everyone's personal business should remain private and spoke to the accomplishments of Mayor Thorpe.

Patricia Granados thanked Councilmember Barbanica for denouncing Antioch Back the Blue participants for comments made on social media. She discussed actions of the Pittsburg Police Department and those who promoted violence.

Sandra Talbert spoke in support of Mayor Thorpe.

Edgar Martinez, Antioch resident, wished Council the best with their personal issues and commented that they needed to do better. He asked how easy it was for developers to build affordable housing projects in Antioch.

Danielle Aubin, Patient Advocator for BAART Programs, thanked the City Council for the *Prescription Drug Abuse Awareness Month* proclamation. She noted anyone needing treatment for opioid use disorder could contact them for help.

Public comments submitted in writing were entered into the record from the following individuals: Michael Kerr, Pittsburg resident, Marchelle Johnson, Antioch resident, Marlene Hartigan and Natasha Thomas representing Mothers Against Drunk Driving.

COUNCIL SUBCOMMITTEE REPORTS/COMMUNICATIONS

Councilmember Torres-Walker reported on her attendance at the Community Violence Solutions Ad Hoc Committee meeting.

MAYOR'S COMMENTS

Mayor Thorpe reported on his attendance at the Community Violence Solutions Ad Hoc Committee meeting and his participation at the CCTA groundbreaking for the construction of the Highway 4 overcrossing for the Mokelumne Trail.

COUNCIL REGULAR AGENDA

9. EXISTING STREET SWEEPING SERVICES IN THE CITY OF ANTIOCH

Director of Public Works/City Engineer Samuelson presented the staff report dated March 22, 2022, and Dean Ekerson presented a PowerPoint presentation recommending the City Council receive a presentation by Delta Diablo on their existing street sweeping services and provide feedback.

Councilmember Torres-Walker thanked Mr. Ekerson for the presentation. She discussed the possibility of increasing services and supported Council discussing signage and notification citywide.

Mayor Thorpe suggested Council discuss increasing frequency to twice monthly citywide and weekly for major thoroughfares. He stated signage indicating street sweeping days could also address parking enforcement.

Director of Public Works/City Engineer Samuelson discussed the responsibilities of the Street Sweeping Program.

Councilmember Barbanica supported printing the street sweeping schedule on water bills.

Councilmember Torres-Walker suggested the possibility of surveying the community to determine the level of street sweeping needed.

Councilmember Ogorchock stated she would rather go through the prop 218 process for funding the increase level of service. She commented that she did not support more signage and the City did not have the ability to address parking violations.

Following discussion, the City Council consensus directed staff to bring back potential costs for increasing the level of street sweeping services and signage.

In response to Mayor Thorpe, Director of Public Works/City Engineer Samuelson stated he would investigate whether enterprise funds could be used for signage.

3. PRESENTATION

Chairperson Jones and Committee Member Iwuoma presented the Sales Tax Citizens' Oversight Committee's Annual Committee Report for FY 2020-2021.

Committee Member Williams explained the report was developed by the entire committee. She recognized Vice Chair Syvetets and Committee Members Bell and Farrish.

Councilmember Ogorchock requested the Sales Tax Citizens' Oversight Committee report out on the funds directed towards senior services.

Council thanked the Sales Tax Citizens' Oversight Committee for the report.

Mayor Thorpe commented that 80% of Measure W funds were allocated to the Antioch Police Department and Council met the expectations of the voters. He commented that they would continue to invest in youth and code enforcement.

5. CONSENT CALENDAR

- A. APPROVAL OF COUNCIL MEETING MINUTES FOR JANUARY 25, 2022**
- B. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR FEBRUARY 4, 2022**
- C. APPROVAL OF COUNCIL MEETING MINUTES FOR FEBRUARY 8, 2022**
- D. APPROVAL OF COUNCIL MEETING MINUTES FOR FEBRUARY 22, 2022**
- E. APPROVAL OF COUNCIL MEETING MINUTES FOR MARCH 8, 2022**
- F. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR MARCH 11, 2022**
- G. APPROVAL OF COUNCIL WARRANTS**
- H. REJECTION OF CLAIMS: JOSE AMAYA AND MARIA SANTOS CRUZ**
- I. RESOLUTION NO. 2022/43 LETTER OF SUPPORT FOR THE CITY OF ANTIOCH'S REBUILDING AMERICA INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY 2022 GRANT APPLICATION**
- J. RESOLUTION NO. 2022/44 APPROVING A FOURTH AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT WITH 4LEAF, INC. TO PROVIDE SUPPORT TO THE BUILDING INSPECTION SERVICES DIVISION OF THE COMMUNITY DEVELOPMENT DEPARTMENT AND AUTHORIZING THE CITY MANAGER TO ENTER INTO THE AGREEMENT**
- K. 2021 ANNUAL HOUSING ELEMENT PROGRESS REPORT, HOUSING SUCCESSOR ANNUAL REPORT AND PROGRESS REPORT FOR THE GENERAL PLAN**
- L. RESOLUTION NO. 2022/45 AB 361: RESOLUTION MAKING FINDINGS NECESSARY TO CONDUCT BROWN ACT MEETINGS BY TELECONFERENCE FOR THE CITY COUNCIL, BOARDS, COMMISSIONS, AND COMMITTEES**
- M. RESOLUTION NO. 2022/46 CONSIDERATION OF BIDS FOR THE ANTIOCH RIVERTOWN GATEWAY SIGN (P.W. 679-2)**

- N. **RESOLUTION NO. 2022/47 MARINA OFFICE SPACE LEASE: APPROVE AND AUTHORIZE THE EXECUTION OF A NEW LEASE AGREEMENT WITH TWIN RIVERS MARINE INSURANCE AGENCY FOR A TERM OF FIVE (5) YEARS**
- O. **RESOLUTION NO. 2022/48 UNHOUSED RESIDENT SERVICES – AMENDMENT NO. 3 TO CONSULTING SERVICES AGREEMENT WITH FOCUS STRATEGIES**

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica, the City Council unanimously approved the Council Consent Calendar with the exception of items K, L and O, which were removed for further discussion.

Item K – Mr. Becker expressed concern that the Land Use Table did not acknowledge Transitional Housing.

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously approved item K.

Item L – Councilmember Ogorchock pointed out that the last paragraph of page 1 of the resolution should state Contra Costa County and the date should be changed accordingly.

City Attorney Smith responded that the reference was to the recital and was not material to the action of the resolution. He noted he would make the changes requested to the resolution when it came back to Council.

Councilmember Ogorchock stated she wanted Council to consider sunseting the resolution.

City Attorney Smith responded that eliminating a teleconference option would impact all Boards, Commissions and Committees that continued to meet virtually.

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously approved item L.

Item O – Patricia Granados suggested the city look at the Glide Program in San Francisco as an example of services to provide the houseless.

Mayor Thorpe explained that this item was related to the City's consultant who provided professional expertise.

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously approved item O.

PUBLIC HEARING

6. **FORMATION OF THE PROPOSED CITY OF ANTIOCH COMMUNITY FACILITIES DISTRICT NO. 2022-01 (PUBLIC SERVICES) FOR LAUREL RANCH SUBDIVISION (P.W. 698)**

Director of Public Works/City Engineer Samuelson presented the staff report dated March 22, 2022 recommending the City Council take the following actions: 1) Adopt the Resolution Authorizing Formation of the City of Antioch Community Facilities District (“CFD”) No. 2022-01 (Public Services); 2) Adopt the Resolution Calling Special Landowner Election; 3) Motion to continue the following public hearing items until the April 12, 2022, City Council Meeting: a. Adoption of the Resolution Declaring Results of Special Landowner Election and Directing Recording of Notice of Special Tax Lien until the April 12, 2022, City Council Meeting; and b. Introduction of the Ordinance Levying Special Taxes within the City of Antioch Community Facilities District No. 2022-01 (Public Services) by title only until the April 12, 2022, City Council Meeting.

Mayor Thorpe opened and closed the public hearing with no members of the public requesting to speak.

RESOLUTION NO. 2022/49

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously adopted the Resolution Authorizing Formation of the City of Antioch Community Facilities District (“CFD”) No. 2022-01 (Public Services).

RESOLUTION NO. 2022/50

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously adopted the Resolution Calling Special Landowner Election.

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously continued the following public hearing items until the April 12, 2022, City Council Meeting: a) Adoption of the Resolution Declaring Results of Special Landowner Election and Directing Recording of Notice of Special Tax Lien until the April 12, 2022, City Council Meeting; and b) Introduction of the Ordinance Levying Special Taxes within the City of Antioch Community Facilities District No. 2022-01 (Public Services) by title only until the April 12, 2022, City Council Meeting.

COUNCIL REGULAR AGENDA – Continued

7. MAYOR’S APPRENTICESHIP PROGRAM OVERVIEW

Youth Services Network Manager Johnson presented the staff report dated March 22, 2022, recommending the City Council receive the presentation and provide direction to staff.

In response to Councilmember Ogorchock, Youth Services Network Manager Johnson explained that they would put out an RFP or RFQ to identify a provider that had experience with this population. She commented that the provider would cover the training, support, coaching and program evaluations. She provided a breakdown of the budget.

Councilmember Wilson thanked Youth Services Network Manager Johnson for the report and spoke in support of the program.

Councilmember Barbanica stated he wanted to support the program; however, he believed Council should prioritize public safety and his request to increase police staffing.

Mayor Thorpe commented that investing in youth was a public safety program.

Councilmember Torres-Walker spoke in support of the apprenticeship program. She reported that she had had conversations regarding staffing at the police department and was told the focus should be on hiring the currently funded positions. She wished the program was expanded to more individuals.

Mayor Thorpe reported that this program was fully endorsed by the Community Violence Solutions Ad Hoc Committee. He noted with that and Councilmember Wilson support, direction had been provided to Youth Services Network Manager Johnson.

8. AMERICAN RESCUE PLAN ACT FUNDING

Finance Director Merchant presented the staff report dated March 22, 2022, recommending the City Council provide feedback and direction regarding the allocation of American Rescue Plan Act funding received by the City of Antioch and adopt a resolution authorizing the necessary Fiscal Year 2022 and 2023 budget amendments for expenditures approved at the March 22, 2022, meeting.

Andrew Becker discussed the potential for investing funds for a transitional housing project on Delta Fair Blvd and improving the Carnegie Library building.

The following additional items were added by Council for consideration of ARPA funding:

- Solar
- Cinderblock wall repairs
- Water/sewer infrastructure for Wilbur Avenue
- City cost incurred due to COVID-19 (cleaning, sanitation, extra staffing)
- AUSD youth program partnership
- School Safety Crossing Guards
- Upgraded dog play area at Antioch Animal Services
- Carnegie Library improvements
- Expanded Wi-Fi/broadband across District 1
- Land acquisition for unhoused resident services
- A street, E. 18th Street and Sycamore Improvements

Following discussion, Council consensus supported the following ARPA Spending Ideas:

1. Mental Health Crisis Response pilot
2. Bridge Housing Support Services pilot (excluding the 2 CORE Team members)

3. Small business grants
4. Façade Improvement grants
5. Small business support
6. Bicycle Garden
7. Mayor's Apprenticeship Program
8. Rehabilitation of the building for the Public Safety & Community Resources Department
9. L Street Improvements
10. Wi-Fi for downtown area
11. Upgrade of City facility ventilation systems
12. Park Enhancements
13. Two all-inclusive parks

Council agreed to bring back the remaining items and resolution once a funding analysis was completed.

PUBLIC COMMENTS

Frank Sterling supported providing opportunities for residents. He expressed concern regarding incidents involving the Antioch Police Department.

Lacey Brown reiterated her request for Council to consider a proclamation denouncing comments made by a former elected official.

Edgar Martinez, District 1 resident, stated he appreciated Councilmember Torres-Walker addressing the improvements needed to East 18th and "A" Streets. He spoke in support of a CORE team for Antioch.

STAFF COMMUNICATIONS – None

COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS

Councilmember Ogorchock requested staff provide an update on the 6-month agenda item list.

Councilmember Wilson requested staff agendaize a discussion on Empire Mine Road.

Councilmember Torres-Walker thanked everyone for participating in the meeting. She requested staff agendaize the following: Human Rights and Equity Index discussion, proclamation denouncing hateful language toward the LGBTQIA+ and trans community members, and the role, budget and equipment utilized by Community Resource Officers.

She discussed an election mailer she received during the last election that disparaged Mayor Thorpe. She cautioned everyone to get the facts prior to accusing people of illegal activities. She read a letter she received from Pat Young, former chair of the Los Medanos Community Health District, in support of Mayor Thorpe and disputing comments made by Councilmember Ogorchock. She spoke to Mayor Thorpe's character.

Mayor Thorpe apologized to Robyn Kuslets for the way she had been treated by the community. He stated he was proud of her and announced that the City would raise the Pride flag for the remainder of the year. He thanked Councilmember Torres-Walker for her comments.

ADJOURNMENT

On motion by Councilmember Ogorchock, seconded by Councilmember Torres-Walker the City Council unanimously adjourned the meeting at 10:15 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk