

**CITY COUNCIL MEETING
INCLUDING THE ANTIOCH CITY COUNCIL
ACTING AS HOUSING SUCCESSOR
TO THE ANTIOCH DEVELOPMENT AGENCY**

**Regular Meeting
7:00 P.M.**

**May 10, 2022
Council Chambers**

6:00 P.M. - CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – pursuant to California Government Code section 54956.9: Joshua Bickham v. City of Antioch et al. United States District Court Northern District of California Case No. Case No. 3:21-cv-05017-SK.
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.

7:00 P.M. REGULAR MEETING

Mayor Thorpe called the meeting to order at 7:01 P.M., and City Clerk Householder called the roll.

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

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; and **#2 CONFERENCE WITH LABOR NEGOTIATORS**, no reportable action.

CITY ATTORNEY TO REPORT OUT ON CLOSED SESSION FROM MARCH 22, 2022

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, Council approved a settlement in the amount of \$218,000.*

1. **INTRODUCTION OF NEW CITY EMPLOYEES**

Interim City Manager Johnson introduced Dr. Steven Ford, Interim Police Chief who thanked Interim City Manager Johnson for the introduction.

Finance Director Merchant introduced Rashila Chaudhary, Finance Services Supervisor, who thanked Finance Director Merchant for the introduction.

Administrative Services Director Mastay introduced Jazzman Brown, Risk Manager, Pamela Siliezar and Lilia Barajas Lopez, Human Resources Technicians who thanked Administrative Services Director Mastay for the introduction.

Director of Public Works/City Engineer Samuelson introduced Gonzalo Ramos, Collection Systems Supervisor who thanked Director of Public Works/City Engineer Samuelson for the introduction and Matthew McCullough, Equipment Operator.

Director of Parks and Recreation Helfenberger introduced Shahad Wright, Recreation Supervisor who thanked Director of Parks and Recreation Helfenberger for the introduction.

Mayor Thorpe welcomed the new and newly promoted employees.

2. PROCLAMATIONS

Honoring Our Elders Month, May 2022

Be Kind to Animals Month, May 2022

Asian-American Pacific Islander Heritage Month, May 2022

National Public Works Week, May 15-21, 2022

On motion by Councilmember Wilson, seconded by Councilmember Barbanica the City Council members present unanimously approved the proclamations.

Adrianna and Trinity presented the *Honoring Our Elders Month* proclamation to Mr. Wilson who thanked the City of Antioch for the recognition and presented Mayor Thorpe with a t-shirt.

Animal Control Manager Harding on behalf of Barbara Sobalvarro accepted the *Be Kind to Animals Month* proclamation and thanked the City Council for the recognition.

Vy Vo, Contra Costa API Advocacy Coalition and another individual, accepted the *Asian-American Pacific Islander Heritage Month* proclamation and thanked the City Council for the recognition.

Director of Public Works/City Engineer Samuelson and Public Works staff accepted the *National Public Works Week* proclamation and thanked the City Council for the recognition.

3. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

- ANTIOCH HISTORICAL SOCIETY HISTORY WALK – MAY 14, 2022

- BLACK DIAMOND DAY – MAY 21, 2022

Mayor Thorpe announced that he would be giving the State of the City at 11:00 A.M. on May 11, 2022, at City Hall.

4. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Householder announced the following Board and Commission openings.

- Sales Tax Citizens' Oversight Committee
- Contra Costa Mosquito and Vector Control Board of Trustees

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

PUBLIC COMMENTS

Due to the amount of speaker requests Mayor Thorpe reduced speaker times to one and a half minutes.

Patricia Granados spoke in support of the proclamations approved this evening. She expressed concern regarding comments made on The WTF California Podcast and Councilmembers who participated in discussions on that platform. She played a portion of a podcast and asked that anyone participating be investigated by the District Attorney and Department of Justice.

Romy Barrera expressed interest in starting a summer camp to provide children with jobs.

Edgar Martinez stated as a nonpartisan voter he received most of his local information from The WTF California Podcast. He discussed a shooting that occurred on Delta View and expressed concern that he had clients who resided in the area.

Frank Sterling discussed the lack of media coverage in Antioch. He welcomed the newly hired employees. He thanked Councilmember Torres-Walker for attending the community speak out. He encouraged the Antioch Police Department to cooperate with an investigation.

CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS

Councilmember Torres-Walker reported on her attendance at the CDBG Committee, Community Violence Solutions Ad Hoc Committee and Cannabis Standing Committee meetings.

Councilmember Wilson reported on her attendance at Tri Delta and Cannabis Standing Committee meetings. She announced a Delta Diablo meeting would be held on May 11, 2022.

Councilmember Barbanica reported on his attendance at the CDBG Committee meeting. He thanked CDBG/Housing Consultant House and Councilmember Torres-Walker for their input.

Mayor Thorpe reported on his attendance at Tri Delta Transit. He read a portion of his State of the City remarks in which he discussed Council's accomplishments. He encouraged the community to focus on the facts and the work that had been completed in a collective process.

MAYOR'S COMMENTS

5. **CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency**
 - A. **APPROVAL OF COUNCIL MEETING MINUTES FOR APRIL 12, 2022**
 - B. **APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR APRIL 19, 2022**
 - C. **APPROVAL OF COUNCIL MEETING MINUTES FOR APRIL 26, 2022**
 - D. **APPROVAL OF COUNCIL WARRANTS**
 - E. **APPROVAL OF HOUSING SUCCESSOR WARRANTS**
 - F. **REJECTION OF CLAIMS: SUSANA SHIPPAM AND ISURU KARUNARATNE**
 - G. **RESOLUTION NO. 2022/76 AB 361: RESOLUTION MAKING FINDINGS NECESSARY TO CONDUCT BROWN ACT MEETINGS BY TELECONFERENCE FOR THE CITY COUNCIL, BOARDS, COMMISSIONS, AND COMMITTEES**
 - H. **RESOLUTION NO. 2022/77 URGING CONTRA COSTA COUNTY TO ENACT IMMEDIATE MEASURES TO PHASE OUT EXISTING OIL AND GAS OPERATIONS ON COUNTY LANDS, AND TO PROHIBIT ANY NEW DRILLING**
 - I. **RESOLUTION NO. 2022/78 ARCTIC WOLF NETWORK ANNUAL CONTRACT RENEWAL**
 - J. **RESOLUTION NO. 2022/79 SEVENTH AMENDMENT TO THE CONSULTING SERVICES AGREEMENT WITH COASTLAND FOR ON-CALL CONSULTANT INSPECTION SERVICES**
 - K. **RESOLUTION NO. 2022/80 FIRST AMENDMENT TO THE HUNT AND SONS AGREEMENT TO INCREASE THE CONTRACT AMOUNT AND AMEND THE AGREEMENT END DATE FOR THE PURCHASE GASOLINE AND DIESEL FUEL**
 - L. **RESOLUTION NO. 2022/81 PURCHASE OF NEW FURNITURE FOR THE PUBLIC WORKS OFFICE REMODEL PROJECT**
 - M. **RESOLUTION NO. 2022/82 APPROVAL OF PURCHASE OF ONE (1) 2023 TEREX HI-RANGER XT PRO 56 TREE TRUCK ON A FORD F750 REGULAR CAB BASE**

UTILIZING SOURCEWELL COOPERATIVE PURCHASING CONTRACT NO. 110421-TER WITH TEREX UTILITIES, INC.

N. APPROVING AMENDMENT NO. 6 TO THE CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF ANTIOCH AND VOLER STRATEGIC ADVISORS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT

On motion by Councilmember Wilson, seconded by Councilmember Barbanica, the City Council members present unanimously approved the Council Consent Calendar with the exception of items H and N which were removed for further discussion.

Item H – Harry Thurston, Antioch resident, Alexi Linderman, Sustainable Leaders in Action, Shoshana Wechsler, Frank Sterling and Ian Cohen spoke in support of Council adopting the resolution. Mr. Sterling requested Council stop the injection of wastewater near the drill site.

Luca Stuart-Chilcote took a neutral position on the resolution.

Councilmember Barbanica stated this item had been before Council three times and there had been no opposition from landowners, so he supported the resolution.

Councilmember Wilson spoke in support of this item and commended Alexi Linderman for organizing a march in support of a healthy environment.

On motion by Councilmember Wilson, seconded by Councilmember Barbanica the City Council members present unanimously approved item H.

Mayor Thorpe added that along with preventing the future drilling of gas and oil in Antioch, they had decommissioned an active pipeline, started replacing current vehicle fleets with zero emission vehicles, and were building a desalination plant. He noted they were stewarding the environment to protect it for future generations.

Item N – Interim City Manager Johnson stated he pulled this item so staff could review the agreement.

On motion by Councilmember Barbanica, seconded by Councilmember Wilson the City Council members present unanimously postponed Item N.

PUBLIC HEARING

6. INTRODUCTION OF ORDINANCE CREATING THE ANTIOCH POLICE OVERSIGHT COMMISSION

City Attorney Smith presented the staff report dated May 10, 2022, recommending the City Council introduce the ordinance, waive the first reading, and read by title only the ordinance creating the Antioch Police Oversight Commission.

Frank Sterling discussed incidents involving law enforcement and suggested survivors of police violence be included in the discussions. He urged Council to support the formation of the Antioch Police Oversight Commission. He suggested the City look into the Antioch Police Department hiring practices and initiate drug testing for officers.

Dr. Jeffrey Klingler, Antioch resident, spoke in support of a Citizens' Police Oversight Commission; however, he did not believe the ordinance was ready to move forward because it did not have consensus from the Police Oversight Standing Committee. He stated he would have liked to have seen the findings from staff regarding these types of Commissions. He offered suggested revisions to the Ordinance and requested this item be reagendaized so a more robust hearing could be held.

Lucas Stuart-Chilcote, Harry Thurston, Antioch resident, Lacey Brown and Edgar Martinez spoke in support of the formation of the Antioch Police Oversight Commission.

Mayor Thorpe clarified government code as it pertained to a General Law City. He noted the Commission was advisory so any recommendations or policies would have to be codified by the City Council.

Councilmember Barbanica stated he believed they should give Interim Police Chief Ford more time in his position and get input from him prior to the formation of this Commission.

Councilmember Torres-Walker thanked everyone for their comments and City Attorney Smith for his research of this item. She noted it was an amazing process to be able to inform public policy and felt civilian oversight could potentially save lives. She spoke in support of including those with past convictions to local bodies because she believed attempting to exclude them would be a disservice to democracy. She urged Council to pass the ordinance.

Councilmember Wilson stated she supported the formation of the Police Oversight Commission since it would allow the community to provide input in an advisory role.

Mayor Thorpe spoke in support of the formation of a Police Oversight Commission. He acknowledged Captain Morefield for bringing forward the public safety partnership. He reported Interim Chief Ford and Interim City Manager Johnson came from Police Departments that worked with Oversight Boards. He also noted City Attorney Smith was the Chair of the Oakland Oversight Commission therefore he believed current staff had the experience to manage an advisory Commission.

On motion by Councilmember Torres-Walker, seconded by Councilmember Wilson the City Council introduced the ordinance, waived the first reading, and read by title only the ordinance creating the Antioch Police Oversight Commission. The motion carried the following vote:

Ayes: Torres-Walker, Wilson, Thorpe

Noes: Barbanica

Absent: Ogorchock

ON MOTION BY COUNCILMEMBER BARBANICA, SECONDED BY COUNCILMEMBER WILSON THE CITY COUNCIL MEMBERS PRESENT UNANIMOUSLY SUSPENDED THE RULES AND MOVED COUNCIL REGULAR AGENDA ITEM #9 TO BE HEARD AS THE NEXT ORDER OF BUSINESS. THE MOTION CARRIED THE FOLLOWING VOTE:

Ayes: Barbanica, Torres-Walker, Wilson, Thorpe

Absent: Ogorchock

Mayor Thorpe declared a recess at 9:04 P.M. The meeting reconvened at 9:14 P.M. with all Councilmembers present with the exception of Councilmember Ogorchock who was previously noted as absent.

COUNCIL REGULAR AGENDA

9. RECREATIONAL VEHICLE PERMITTING UPDATE

Director of Community Development Ebbs presented the staff report dated May 10, 2022, recommending the City Council: 1) Receive the information on Recreational Vehicle Permits; and 2) Provide direction to staff.

Marlene Hartigan and Roshon Williams, Antioch resident, spoke in support of amending the Antioch Municipal Code (AMC) to allow recreational vehicles to be stored in front yards.

Michelle Barlow spoke in support of amending the AMC to allow recreational vehicles to be stored in the front yard or expanding the registration process.

Richard spoke in support of continuing the current process.

Mayor Thorpe thanked the speakers for their comments.

In response to Councilmember Barbanica, Director of Community Development Ebbs stated that given the City's resources, amending the AMC to eliminate restrictions would have the highest chance of successful enforcement.

Councilmembers Barbanica and Torres-Walker spoke in support of amending the AMC to eliminate the restrictions which would allow recreational vehicles to be stored in front yards.

In response to Councilmember Wilson, Director of Community Development Ebbs explained that the options to allow recreational vehicles and expand registration process required an ordinance amendment to include clear standards for lawfully storing an RV in the front yard. He noted the question was whether Council wanted to move forward with a new permitting process and fees. He commented that a 5-year sunset on permits could address tracking issues.

Mayor Thorpe stated his only concern was if a permitting process would fit into the workflow of Code Enforcement. He suggested a new registration process with a minimal fee and height/size restrictions could be considered.

Director of Community Development Ebbs suggested continuing the process and bringing forward some of the regulations for a permitting system and a process that would allow RVs by right. He noted Council could then decide on how to move forward.

Council consensus supported staff coming back to Council with models and based on those they could inform an ordinance as to how they wanted to move forward.

Director of Community Development Ebbs reported the City would not enforce the RV permit registration element of the ordinance until this item was resolved.

Councilmember Torres-Walker suggested staff bring back a more affordable option for residents.

Mayor Thorpe stated he wanted what was brought back to be as close to an ordinance as possible so it could be adopted at the following meeting.

PUBLIC HEARING – Continued

7. ORDINANCE AND MILITARY EQUIPMENT POLICY (#706) PURSUANT TO ASSEMBLY BILL 481

Interim Chief Ford and Captain Morefield presented the staff report dated May 10, 2022, recommending the City Council introduce, waive the first reading, and read by title only, the Ordinance adopting a Military Equipment Policy pursuant to Assembly Bill 481.

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

On motion by Councilmember Wilson, seconded by Councilmember Barbanica the City Council members present unanimously introduced, waived the first reading, and read by title only, the Ordinance adopting a Military Equipment Policy pursuant to Assembly Bill 481.

8. PUBLIC HEARING ON THE PROPOSED ORDINANCE AMENDMENT OF SECTION 4-5.411.1(C) OF THE ANTIOCH MUNICIPAL CODE AUTHORIZING ENFORCEMENT OF THE CALIFORNIA VEHICLE CODE TO PRIVATELY OWNED ROADS WITHIN THE LAUREL RANCH SUBDIVISION (P.W. 698)

Director of Public Works/City Engineer Samuelson presented the staff report dated May 10, 2022, recommending the City Council introduce, waive the first reading, and read by title only, the proposed Ordinance Amendment of Section 4-5.411.1(C) of the Antioch Municipal Code authorizing enforcement of the California Vehicle Code to Privately Owned Roads within the Laurel Ranch Subdivision.

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

On motion by Councilmember Wilson, seconded by Councilmember Barbanica the City Council members present unanimously introduced, waived the first reading, and read by title only, the proposed Ordinance Amendment of Section 4-5.411.1(C) of the Antioch Municipal Code authorizing enforcement of the California Vehicle Code to Privately Owned Roads within the Laurel Ranch Subdivision.

COUNCIL REGULAR AGENDA – Continued

10. UNHOUSED RESIDENT SERVICES – FALL 2022 CYCLE STATE OF CALIFORNIA HOMEKEY PROGRAM AND EXECUTIVE INN LOCATED AT 515 EAST 18TH STREET

Assistant City Manager Bayon Moore presented the staff report dated May 10, 2022, recommending the City Council receive the presentation and adopt the resolution: 1) Authorizing the City to pursue State of California Homekey Program funding for housing opportunities associated with the Executive Inn located at 515 East 18th Street; 2) Pledging the 5-year City commitment of a subsidy estimated at \$12.3 million dollars in local funds; and 3) Authorizing pursuit of the public procurement process to identify an experienced developer partner to assist with financing, development, long term ownership and operations of the future Homekey site.

Katie Felch and Edgar Martinez yielded their time to Andrew Becker.

Andrew Becker announced he had provided Council with documents from the City of Antioch's Housing Element. He discussed the opportunity that existed on the Delta Fair site and requested Council consider other opportunities. He expressed concern that discussions regarding other possibilities for round 2 of Homekey funding had not occurred.

Councilmember Barbanica applauded the City's efforts; however, he felt allocating \$82K for 30 rooms, per year, was not a good use of taxpayer money.

Councilmember Wilson stated she believed it was time to assist unhoused residents and noted that she was opened to discuss other possibilities in Antioch.

Councilmember Torres-Walker stated she had been clear regarding her concerns about this project. She noted that it would cost less to be proactive and move forward with this proposal. She also noted that she wanted to look at other opportunities.

Mayor Thorpe discussed the ongoing costs associated with addressing the unhoused. He noted investing \$12M a year would house several people and potentially move them to permanent housing. He reminded Council that \$12M would be the cost if the City did not pursue Homekey funding. He supported moving forward with this item.

RESOLUTION NO. 2022/83

On motion by Councilmember Wilson, seconded by Councilmember Torres-Walker the City Council adopted the resolution: 1) Authorizing the City to pursue State of California Homekey

Program funding for housing opportunities associated with the Executive Inn located at 515 East 18th Street; 2) Pledging the 5-year City commitment of a subsidy estimated at \$12.3 million dollars in local funds; and 3) Authorizing pursuit of the public procurement process to identify an experienced developer partner to assist with financing, development, long term ownership and operations of the future Homekey site. The motion carried the following vote:

Ayes: Torres-Walker, Wilson, Thorpe

Noes: Barbanica

Absent: Ogorchock

11. UNHOUSED RESIDENT SERVICES – PURSUIT OF ADDITIONAL HOUSING SOLUTIONS, INCLUDING THE HOMEKEY PROGRAM AND OTHER FUNDING OPPORTUNITIES

Assistant City Manager Bayon Moore presented the staff report dated May 10, 2022, recommending the City Council discuss and provide direction to City staff.

Councilmember Torres-Walker stated this item was important because it would give the City the opportunity to consider additional sites for temporary housing solutions with resources that would allow the unhoused to transition into permanent housing. She noted the hope was that they could have an RFP for city-owned parcels suitable to submit a second application for Homekey funding or future potential funding opportunities.

Mayor Thorpe reported that he along with Councilmember Torres-Walker met with staff and Focus Strategies and learned there were other opportunities that had a longer timeline through the state, to seek additional funding. He commented that he wanted to remain mindful of staff's capacity.

Katie Felch, Edgar Martinez and Lindsey Amezcua yielded their time to Andrew Becker.

Andrew Becker spoke in support of pursuing additional opportunities for housing solutions and the City selecting an independent project manager, to work on an application.

Councilmember Barbanica, Wilson and Councilmember Torres-Walker supported exploring additional options for housing solutions.

Councilmember Wilson expressed concern for staff capacity.

Councilmember Torres-Walker commented that she felt the City needed to act with a sense of urgency as requested by the community.

Mayor Thorpe suggested Council be specific with regards to what areas they were interested in looking into for housing options.

Councilmember Torres-Walker stated the community had voiced their support for exploring the Delta Fair site since there was sufficient infrastructure on the property.

Assistant City Manager Bayon Moore reported in discussions with Focus Strategies there was value placed in identifying city owned properties as well as other properties within the city limits so an RFP could be structured to encourage the private sector to examine the potential of certain parcels. She suggested as a follow-up they could return to the City Council with a report on how they proposed to structure the RFP with the intent of maximizing the quality and potential of a partner to work with the City.

Councilmember Torres-Walker thanked Assistant City Manager Bayon Moore and suggested the process start with the City's Housing Element document which provided details on city owned sites.

Councilmember Barbanica stated he was open for exploring options and talking with community groups such as the Delta Veterans.

Assistant City Manager Bayon Moore added that the benefit of coming back to Council was that if the city also wished to augment the RFP with a pledge of financial support, it could be included in the document.

Following discussion, Council directed staff to come back with a proposal to structure an RFP for additional opportunities.

12. FORMATION OF A HUMAN RIGHTS AND RACIAL EQUITY AD HOC COMMITTEE

City Attorney Smith presented the staff report dated May 10, 2022, recommending the City Council take the following actions: 1) Determine if the City Council wishes to form a Human Rights and Racial Equity Ad Hoc Committee for the purposes described in the resolution; 2) Confirm the appointment of two (2) members for the Human Rights and Racial Equity Ad Hoc Committee; 3) Confirm the duration of the Human Rights and Racial Equity Ad Hoc Committee; and 4) Adopt the resolution forming the Human Rights and Racial Equity Ad Hoc Committee.

RESOLUTION NO. 2022/84

On motion by Councilmember Barbanica, seconded by Councilmember Wilson the City Council Members present unanimously adopted the resolution forming the Human Rights and Racial Equity Ad Hoc Committee appointing Mayor Thorpe and Councilmember Torres-Walker for a duration of 6-months.

13. DISCUSSION ITEM: FORMATION OF THE PUBLIC SERVICES AND COMMUNITY RESOURCES DEPARTMENT

City Attorney Smith presented the staff report dated May 10, 2022, recommending the City Council provide direction whether staff should prepare an ordinance forming the Public Safety and Community Resources Department.

Following discussion, Council consensus directed staff to prepare an ordinance forming the Public Safety and Community Resources Department.

PUBLIC COMMENT

Lacey Brown expressed concern regarding discussions that occurred between staff and homeless advocates. She requested action be taken regarding this matter.

STAFF COMMUNICATIONS – None

COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS

Councilmember Torres-Walker announced it was Mental Health Awareness Month and she was looking forward to a presentation from the Antioch Police Department on officer wellness at the Police Oversight Committee meeting. She announced May 12, 2022, was her 40th birthday and she was blessed. She encouraged others who woke up this morning to consider that they were blessed with the opportunity every day to do it over again.

ADJOURNMENT

On motion by Councilmember Barbanica, seconded by Councilmember Wilson the City Council unanimously adjourned the meeting at 10:37 P.M.

Respectfully submitted:

Kitty Eiden
KITTY EIDEN, Minutes Clerk