

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

**Special/Regular Meeting
5:30 P.M.**

**June 14, 2022
Council Chambers**

4:30 P.M. - CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – pursuant to California Government Code section 54956.9: Monika Helgemo v. City of Antioch Contra Costa County Superior Court Case No. C20-00767.
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.
3. **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, Interim City Manager and Thomas Lloyd Smith, City Attorney; Negotiating Parties: Christy Saxton, Interim Director, Health, Housing and Homeless Services, Contra Costa County; Under Negotiation: Price and Terms of Payment.
4. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION: INTERIM CITY MANAGER.**
This closed session is authorized pursuant to Government Code section 54957.

ADJOURN TO CLOSED SESSION

Mayor Pro Tem Barbanica adjourned to Closed Session.

5:30 P.M. SPECIAL MEETING/STUDY SESSION

Mayor Thorpe called the meeting to order at 5:41 P.M., and City Clerk Householder called the roll.

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

PLEDGE OF ALLEGIANCE

Mayor Thorpe led the Pledge of Allegiance.

SM-1. CITY OF ANTIOCH 6TH CYCLE HOUSING ELEMENT UPDATE

City Clerk Householder and a Spanish speaking interpreter announced translations services were available in-person and on Zoom.

Director of Community Development Ebbs introduced Planning Manager Hersch who presented the staff reports dated June 14, 2022, recommending the City Council: 1) Provide feedback on the draft Housing Element and 2) Motion to approve and submit the draft Housing Element to the California Department of Housing and Community Development (HCD) for review.

Curtis Banks and Alexia Rothberg, Urban Planning Partners, gave a PowerPoint presentation of the 6th Cycle Housing Element 2023-2031 Update.

PUBLIC COMMENT

Due to the amount of speaker requests, Mayor Thorpe reduced speaker times to two-minutes.

Judith Ortiz, Monument Impact, spoke in support of a housing ordinance that addressed displacement and tenant protections.

Jesus Frusto, Ruth Salas, Heglo Marena, Antioch resident representing ACCE, Elia Perez, Antioch resident representing ACCE, Yadira Santillan, Antioch resident representing ACCE, Victoria Munoz, Antioch resident representing ACCE, Silvia Angeles, Antioch resident representing ECRG, provided public comment in Spanish. Council was provided earphones that simultaneously translate their comments to English.

Tony Bravo, Monument Impact, Marissa Henriquez, Antioch resident representing ACCE, Denese Dillihant, Antioch resident, Archie Brumfield, Antioch resident representing ACCE, Francisco Torres, ACCE, Myriam Saenz, Antioch resident representing ECRG, Treveyon Carlson, Antioch resident representing ACE, Christine Clark, Antioch resident representing ECRG, Kamilah Nelson Miller, Antioch resident representing ACCE, Andrea Martinez, Eduardo Torres, representing Tenants Together, Frank Sterling, Deborah Polk, Antioch resident representing ECRG and Jackie Lowery, Antioch resident, representing ACCE, spoke in support of Antioch passing tenant protections such as rent control, just cause and anti-harassment policies. Several speakers requested these policies be included in the draft Housing Element.

Crystal Henderson representing tenants of Delta Pine Apartments expressed concern for their large rent increases and substandard living conditions.

Daniel Duncan, tenant of Delta Pines Apartments, expressed concern for the lack of parental supervision and substandard living conditions.

Mayor Thorpe reminded the public that this item was related to the Housing Element Update.

Kimberly Carlson, Antioch resident representing ACE, advocated for the tenants of the Delta Pine Apartments, and encouraged Council to pass rent control ordinances. She expressed

concern regarding the substandard living conditions and invited Mayor Thorpe to tour the apartments.

Erica McBroom, Antioch resident representing ECRG, spoke in support of adding tenant protections such as rent control, just cause, anti-harassment and pathways to home ownership policies to the Housing Element.

Cecilia Perez, representing First 5 Contra Costa and ECRG, announced that they along with fifteen other organizations had submitted a letter urging Council to include tenant protections in the Housing Element.

Teresa Lua, Antioch resident, provided public comment in Spanish that was translated into English discussing her rent increase and requesting the City Council intervene.

Rice, Antioch resident, discussed her struggles with homelessness and spoke in support of rent control.

Andrew Becker, Here Today Home Tomorrow, expressed concern that speaker times were reduced to two-minutes this evening. He encouraged Council to contact him with regards to his thoughts on the Housing Element. He spoke in support of tenant protections, inclusionary zoning and in lieu fees.

Tachina Garrett, Antioch resident representing ACCE, stated she was a tenant of Delta Pines Apartments and discussed the substandard living conditions.

Della Currie representing ACCE, requested the City Council assist them with their increased rents.

Lisa Sanders representing ACCE, reviewed their concerns with the Delta Pines Apartments and encouraged Council to pass rent control, just cause eviction and anti-harassment policies.

Trent Sanson, representing DeNova Homes, Inc. and Yellow Roof Foundation, stated he represented property owners who requested Council add 17-acres of undeveloped land off Viera Avenue and a 6-acre parcel off Slatten Ranch Road, to the housing opportunity sites list.

Mayor Thorpe declared a recess at 7:01 P.M. The meeting reconvened at 7:08 P.M. with all Councilmembers present. He announced Council would continue with the Special meeting to hear the remaining public comments.

Ali Uscilka, representing Healthy and Active Before 5 and Brendon O'Laskey representing ECRG, spoke in support of local protections for renters such as rent control, just cause for evictions and anti-harassment policies. Additionally, they supported inclusionary zoning and Tenant Opportunity Purchase Act (TOPA) strategies.

Courtney Fields yielded her time to Andrew Becker.

Andrew Becker encouraged the City to slow the process and consider how the Housing Element addressed affordable and equitable housing.

Public comments submitted in writing were entered into the record from the following individuals: Alex Navarro, Monument Impact, Maria Velazquez, Byron resident and Andrew Becker, California Modular and Here Today Home Tomorrow Inc.

Mayor Thorpe stated the public speakers were critical to shaping policy. He questioned if Council would support giving direction to staff to come back with language specifically reflecting just cause eviction, rent control and anti-tenant harassment policies in the draft Housing Element.

Councilmembers Torres-Walker and Wilson stated they would support a vote at the next meeting to approve tenant projection policies.

Director of Community Development Ebbs responded that staff was committed to bringing language back that expressed the City's strong commitment to tenant protections; however, details of the program warranted special consideration and community outreach which could not be delivered in two-weeks. He noted beyond the Housing Element they understood there was a desire to have a conversation regarding inclusionary housing and tenant protections.

Mayor Thorpe added that the City could not place rent control, just cause and anti-harassment policies in the Housing Element because they needed to be adopted by ordinance.

Following discussion, Council supported continuing the review of the draft Housing Element to June 28, 2022. They directed staff to provide specific language addressing tenant protection policies, inclusionary and senior housing as well as the proposed Housing Element Opportunity Sites located on Viera Avenue and Slatten Ranch Road.

MOTION TO ADJOURN SPECIAL MEETING/STUDY SESSION

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council adjourned the Special meeting at 7:38 P.M.

7:00 P.M. REGULAR MEETING

Mayor Thorpe called the meeting to order at 7:38 P.M., and City Clerk Householder called the roll.

Present: Council/Agency Members District 1 Torres-Walker, District 3 Ogorchock, District 4 Wilson, 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**, Monika Helgemo v. City of Antioch Contra Costa County Superior Court Case No. C20-00767 - On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council approved a settlement for a sum of \$250,000. The motion carried the following vote: Ayes: Torres-Walker, Wilson, Ogorchock, Barbanica and Thorpe, **#2 CONFERENCE WITH LABOR NEGOTIATORS**, no reportable action, **#3 CONFERENCE WITH REAL PROPERTY NEGOTIATIONS**, no reportable action; and **#4 PUBLIC EMPLOYEE PERFORMANCE EVALUATION: INTERIM CITY MANAGER**, no reportable action.

1. INTRODUCTION OF NEW CITY EMPLOYEES - None

2. PROCLAMATIONS

- Recognizing June 2022 as Pride Month in the City of Antioch
- Proclamation Commemorating Juneteenth, 2022

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously approved the proclamations.

Jeff accepted the *Recognizing June 2022 as Pride Month in the City of Antioch* proclamation and thanked the City Council for the recognition.

Anaya Morgan accepted the *Proclamation Commemorating Juneteenth, 2022* and thanked the City Council for the recognition.

3. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Director of Parks and Recreation Helfenberger announced the following civic and community events.

- Juneteenth Community Celebration - June 17 & 18, 2022
- Juneteenth Community Celebration - June 19, 2022
- Sesquicentennial 5K Run - June 25, 2022
- Sesquicentennial Community Bike Ride - June 26, 2022

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 & Vector Control Board of Trustees
- Board of Administrative Appeals

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

PUBLIC COMMENTS

Lacey Brown commented that she along with Mr. Becker had been trying to engage with the community on the Housing Element Draft and she encouraged the city to be more focused on community outreach.

Ralph Hernandez commented that he believed flying the Pride flag on City property was illegal because laws prohibited governmental agencies from using public property for political actions.

CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS

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

Councilmember Wilson reported on her attendance at the Tri Delta meeting. She announced Delta Diablo would be meeting next week.

MAYOR'S COMMENTS

Mayor Thorpe reported on his attendance at the Tri Delta and CCTA meetings as well as the Mayor's conference. He noted he also participated in the Buford College Dialogue Series. He stated he was being hosted by the Mayor of San Juan Puerto Rico to discuss their city's respective histories.

5. PRESENTATIONS

Fire Chief Broschard gave a PowerPoint presentation of the Contra Costa County Fire Protection District – Overview for Community Leaders and responded to questions from the City Council.

The City Council thanked Fire Chief Broschard for the presentation.

Interim Police Chief Ford gave a PowerPoint presentation of the Antioch Police Department June 2022 Crime and Activity Report and responded to questions from the City Council.

The City Council thanked Interim Chief Ford for the presentation.

6. CONSENT CALENDAR

A. APPROVAL OF COUNCIL MEETING MINUTES FOR APRIL 26, 2022

B. APPROVAL OF COUNCIL MEETING MINUTES FOR MAY 10, 2022

C. APPROVAL OF COUNCIL MEETING MINUTES FOR MAY 24, 2022

- D. APPROVAL OF COUNCIL WARRANTS
- E. REJECTION OF CLAIM: MARY BARKER
- F. APPROVAL OF TREASURER’S REPORT FOR MARCH 2022
- G. ORDINANCE NO. 2215-C-S SECOND READING – ORDINANCE AMENDING ORDINANCE NO. 2207-C-S (RELATING TO THE SALE, POSSESSION, OR PROVISION OF SPECIFIED PRODUCTS BY TOBACCO RETAILERS OR BUSINESSES) BY PROVIDING A GRACE PERIOD PRIOR TO THE EFFECTIVE DATE OF ORDINANCE NO. 2207-C-S (Introduced on 05/24/2022)
- H. ORDINANCE NO. 2216-C-S SECOND READING – ORDINANCE FORMING THE PUBLIC SAFETY AND COMMUNITY RESOURCES DEPARTMENT (Introduced on 05/24/2022)
- I. RESOLUTION NO. 2022/98 AB 361: RESOLUTION MAKING FINDINGS NECESSARY TO CONDUCT BROWN ACT MEETINGS BY TELECONFERENCE FOR THE CITY COUNCIL, BOARDS, COMMISSIONS, AND COMMITTEES
- J. RESOLUTION NO. 2022/99 STATEMENT OF INVESTMENT POLICY
- K. RESOLUTION NO. 2022/100 APPROVING CONSOLIDATED ENGINEER’S REPORT AND DECLARING INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE HILLCREST, CITYWIDE, DOWNTOWN, ALMONDRIDGE, LONE TREE, AND EAST LONE TREE LANDSCAPE MAINTENANCE DISTRICTS, AND SETTING PUBLIC HEARING (P.W. 500)
- L. RESOLUTION NO. 2022/101 CONSIDERATION OF BIDS FOR THE PURCHASE OF METER BOX LIDS WITH CELLULAR NETWORK PROBE HOLES FOR ADVANCED METERING INFRASTRUCTURE (AMI) CELLULAR METER READING UPGRADE, BID NO. 670-0510-22A
- M. RESOLUTION NO. 2022/102 ROAD MAINTENANCE AND REHABILITATION ACCOUNT (P.W. 707)
- N. RESOLUTION NO. 2022/103 FORMATION OF A COMMUNITY FACILITIES DISTRICT FOR THE PROMENADE SAND CREEK RESIDENTIAL PROJECT (P.W. 697)

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica, the City Council unanimously approved the Council Consent Calendar with the exception of Item G which was pulled for further discussion.

Item G – Ralph Hernandez thanked the City Council for reconsidering the ban and spoke in support of approving the grace period.

Brian Davis, Project Director of LGBTQ Use Tobacco, discussed the adverse effects of tobacco use.

Amaya Wooding Project Coordinator, LGBTQ Minus Tobacco, spoke in support of the City's Tobacco Ordinance and discussed the adverse effects of tobacco use.

Raymond discussed his work in creating awareness of the risks of tobacco use and spoke in support of the ordinance.

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously approved Item G.

Mayor Thorpe requested Mayor Pro Tem Barbanica to preside over and continue the meeting. Mayor Thorpe left the meeting.

PUBLIC HEARING

7. RESOLUTION ACCEPTING AND ADOPTING THE PROPOSED FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM 2022-2027 (P.W. 150-22)

Director of Public Works/City Engineer Samuelson presented the staff report dated June 14, 2022 recommending the City Council adopt the resolution: Approving the Five-Year Capital Improvement Program 2022-2027; Authorize the City Manager or his designee to amend the Fiscal Year 2022/23 Capital Improvement and Operating Budgets to include all unspent Fiscal Year 2021/22 Capital Improvement budgets as of June 30, 2022; and Authorize the City Manager or his designee to amend the Fiscal Year 2022/23 Operating Budget for any changes to the previously adopted Fiscal Year 2022/23 Capital Improvement Budget.

Mayor Pro Tem Barbanica opened and closed the public hearing with no members of the public requesting to speak.

RESOLUTION NO. 2022/104

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council members present unanimously adopted the resolution: 1) Approving the Five-Year Capital Improvement Program 2022-2027; 2) Authorized the City Manager or his designee to amend the Fiscal Year 2022/23 Capital Improvement and Operating Budgets to include all unspent Fiscal Year 2021/22 Capital Improvement budgets as of June 30, 2022; and 3) Authorized the City Manager or his designee to amend the Fiscal Year 2022/23 Operating Budget for any changes to the previously adopted Fiscal Year 2022/23 Capital Improvement Budget.

8. ORDINANCE AMENDING ARTICLE 15 OF CHAPTER 5 OF TITLE 4 OF THE ANTIOCH MUNICIPAL CODE AND CHANGING THE PRIMA FACIA SPEED LIMIT ON VARIOUS ROADWAY (P.W. 282-3A)

Director of Public Works/City Engineer Samuelson presented the staff report dated June 14, 2022, recommending the City Council introduce, waive the first reading, and read by title only, an Ordinance amending Article 15 of Chapter 5 of Title 4 of the Antioch Municipal Code "Special Speed Zones" in order to change the prima facie speed limit on certain streets.

Mayor Pro Tem Barbanica opened the public hearing.

Atticus Finch stated he was opposed to increasing the speed limits on various roadways.

Mayor Pro Tem Barbanica closed the public hearing.

In response to Councilmember Ogorchock, Director of Public Works/City Engineer Samuelson explained that they were required to establish speed limits based on the 85-percentile speed and if they did not follow that state requirement, it would not be radar enforceable.

Mayor Pro Tem Barbanica and Councilmember Ogorchock encouraged Director of Public Works/City Engineer Samuelson to consider all options for mitigating speeding traffic on James Donlon Blvd.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council introduced, waived the first reading, and read by title only, an Ordinance amending Article 15 of Chapter 5 of Title 4 of the Antioch Municipal Code "Special Speed Zones" in order to change the prima facie speed limit on certain streets. The motion carried the following vote:

Ayes: Ogorchock, Wilson, Barbanica

Noes: Torres-Walker

Absent: Thorpe

COUNCIL REGULAR AGENDA

9. FISCAL YEAR 2021-23 MID-YEAR BUDGET

This item was pulled from the agenda.

10. DECLARATION OF WATER SHORTAGE

Director of Public Works/City Engineer Samuelson presented the staff report dated June 14, 2022, recommending the City Council adopt a resolution: Declaring a Stage 2 water shortage and implementing the measures identified in the City of Antioch's Water Shortage Contingency Plan and Implementing the requirements of the State Water Resources Control Board's Emergency Conservation Regulations Dated May 24, 2022.

Councilmember Wilson stated conservation is appropriate; however, there needed to be long term solutions brought forward from stakeholders.

Councilmember Ogorchock requested the city's irrigation system be set for 5:00 P.M. – 9:00 A.M. and the seeclickfix app have an option to report irrigation leaks.

RESOLUTION NO. 2022/105

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council members present unanimously adopted a resolution: Declaring a Stage 2 water shortage and implementing the measures identified in the City of Antioch's Water Shortage Contingency Plan and Implementing the requirements of the State Water Resources Control Board's Emergency Conservation Regulations Dated May 24, 2022.

11. SIDE LETTER AGREEMENT BETWEEN THE CITY OF ANTIOCH AND THE ANTIOCH PUBLIC WORKS EMPLOYEES ASSOCIATION AND THE CITY OF ANTIOCH AND THE ANTIOCH POLICE SWORN MANAGEMENT ASSOCIATION OBSERVING THE JUNETEENTH HOLIDAY

Administrative Services Director Mastay presented the staff report dated June 14, 2022 recommending the City Council adopt a resolution: Approving the Side Letter Agreement between the City of Antioch and the Antioch Public Works Employees Association observing the Juneteenth Holiday; Approving the Side Letter Agreement between the City of Antioch and the Antioch Police Sworn Management Association observing the Juneteenth Holiday; Authorizing the City Manager or designee to execute the Side Letter Agreements between the City of Antioch and the Antioch Public Works Employees Association and the City of Antioch and the Antioch Police Sworn Management Association; and Authorizing the City Manager or designee to make any necessary adjustments to the Fiscal Year 2021/22 and Fiscal Year 2022/23 budget to implement the provisions of the Side Letter Agreements.

RESOLUTION NO. 2022/106
RESOLUTION NO. 2022/107

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council members present unanimously adopted a resolution: Approving the Side Letter Agreement between the City of Antioch and the Antioch Public Works Employees Association observing the Juneteenth Holiday; Approving the Side Letter Agreement between the City of Antioch and the Antioch Police Sworn Management Association observing the Juneteenth Holiday; Authorizing the City Manager or designee to execute the Side Letter Agreements between the City of Antioch and the Antioch Public Works Employees Association and the City of Antioch and the Antioch Police Sworn Management Association; and Authorizing the City Manager or designee to make any necessary adjustments to the Fiscal Year 2021/22 and Fiscal Year 2022/23 budget to implement the provisions of the Side Letter Agreements.

PUBLIC COMMENT

Frank Sterling thanked the Antioch Police Department for the update. He stated he was concerned for Officer Hoffman being involved in any department programs. He played an audio clip of a homeless individual's complaints against the Community Engagement Team.

Lacey Brown denounced comments made from an individual who did not support raising the Pride Progress flag at City Hall.

STAFF COMMUNICATIONS

Interim City Manager Johnson announced the first City Council meeting in July was not scheduled due to Summer Break. The next regularly scheduled Council meeting would be July 26, 2022, beginning at 7:00 P.M.

COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS

Councilmember Torres-Walker thanked the residents who provided public comment and stated she hoped some action would come from their remarks. She thanked City Clerk Householder for providing translation services this evening.

Councilmember Ogorchock stated she had requested staff provide her with the date Council approved the location for the Public Safety and Community Resources Department and she had not received that information. She requested an update on that item as well as the results of the feasibility study for the proposed location.

Councilmember Wilson requested SeeClickFix be agendaized. She encouraged Council to take time during the Council break to self-reflect, relax and regenerate.

ADJOURNMENT

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council members present unanimously adjourned the meeting at 10:08 P.M.

Respectfully submitted:

Kitty Eiden
KITTY EIDEN, Minutes Clerk