

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

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

**November 15, 2022
Council Chambers**

7:00 P.M. SPECIAL MEETING

Mayor Thorpe called the meeting to order at 7:00 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 COUNCIL COMMITTEE REPORTS/COMMUNICATIONS

Councilmember Torres-Walker reported on her attendance at the Cannabis Standing Committee meeting.

Councilmember Wilson reported on her attendance at the Cannabis Standing Committee, Tri Delta Transit and Delta Diablo meetings.

Mayor Thorpe reported on his attendance at the Delta Diablo meeting and Contra Costa Transportation Authority Conference.

MAYOR'S COMMENTS

Mayor Thorpe thanked those who ran for public office. He spoke to disruptions occurring at Council meetings and recognized the respect Council had for each other. He announced that he would no longer allow speakers to yield their public comment time to others and he would be overseeing the speaker cards for Council meetings. He stated he looked forward to serving the community in a professional manner, for the remainder of his term.

1. PROCLAMATIONS

*Family Court Awareness Month, November 2022
America's Recycle Day, November 15, 2022*

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

Environmental Resource Coordinator Haas-Wajdowicz accepted the *America's Recycle Day* proclamation. She recognized the Commercial Organics Participants in attendance this evening. Tina Swithin accepted the *Family Court Awareness Month* proclamation and thanked the City Council for the recognition.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Lucas Stuart-Chilcoat announced a list of Christmas light displays was located at californiachristmaslights.com. He provided his address and noted they would be participating in the event.

Mayor Thorpe announced a turkey giveaway event would be held at 4:00 P.M. on November 18, 2022, at the Antioch Community Center.

2. **CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency**
 - A. **APPROVAL OF COUNCIL WARRANTS**
 - B. **APPROVAL OF HOUSING SUCCESSOR WARRANTS**
 - C. **REJECTION OF CLAIMS: KIMBERLY KIRKLAND AND JAVIER AGUILAR**
 - D. **RESOLUTION NO. 2022/190 INCREASE TO THE CURRENT PURCHASE ORDER WITH BADGER METER, INC. FOR WATER METER PURCHASES**
 - E. **RESOLUTION NO. 2022/191 SECOND AMENDMENT TO THE CONSULTING SERVICES AGREEMENT WITH CDM SMITH, INC. FOR CONSTRUCTION MANAGEMENT SERVICES RELATED TO THE BRACKISH WATER DESALINATION PROJECT (P.W. 694)**
 - F. **RESOLUTION NO. 2022/192 ACCEPTANCE OF BID AND AWARD OF CONTRACT TO SATELLITE PAINTING, INC. FOR THE MAINTENANCE SERVICE CENTER INTERIOR WALL PAINTING, BID NO. 968-1019-22B**
 - G. **RESOLUTION NO. 2022/193 RESCINDING THE SEPTEMBER 27, 2022, AWARD OF THE CURB, GUTTER, AND SIDEWALK REPAIR INCLUDING TREE REMOVAL AND STUMP GRINDING AND INSTALLATION OF CONCRETE CURB RAMPS AND MISCELLANEOUS LOCATIONS 2022/2023 AGREEMENT TO MG AND JC CONCRETE; REJECTING THE BIDS OF MG AND JC CONCRETE AND ANCHOR CONCRETE AS NON-RESPONSIVE AND AWARDING THE AGREEMENT TO MAURI CONCRETE (P.W. 507-19)**

- H. **RESOLUTION NO. 2022/194 APPROVING THE FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR PROMENADE VINEYARDS AT SAND CREEK PHASE 4 SUBDIVISION 9567 (TRI POINTE HOMES HOLDINGS) (P.W. 697-4)**
- I. **RESOLUTION NO. 2022/195 SECOND AMENDMENT TO THE CONSULTING SERVICES AGREEMENT WITH INDIGO HAMMOND+PLAYLE ARCHITECTS, LLP FOR DESIGN ENGINEERING SERVICES RELATED TO THE COMMUNITY RESOURCES AND PUBLIC SAFETY DEPARTMENT (P.W. 700-1)**
- J. **RESOLUTION NO. 2022/196 CONSIDERATION OF BIDS FOR THE MAINTENANCE SERVICE CENTER WAREHOUSE IMPROVEMENTS (P.W. 143-R)**
- K. **RESOLUTION NO. 2022/197 CONSIDERATION OF QUOTE AND AWARD OF CONTRACT TO NC FLOORING GROUP, INC. OF UNION CITY, CA FOR MAINTENANCE SERVICE CENTER AND MARINA FLOORING REPLACEMENTS**

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously approved the Council Consent Calendar with the exception of items H and I which were pulled for further discussion.

Item H – Andrew Becker expressed concern that the City would be adding more market rate housing at a time when there was a housing crisis in Antioch.

Katie Felch yielded her speaker time to Andrew Becker.

Andrew Becker encouraged the City to seek program incentives that would allow them to provide the correct type of housing.

Mayor Thorpe clarified that he had allowed Ms. Finch to yield her speaker time since Mr. Becker was not aware of new procedures. He reiterated that moving forward, he would no longer allow speakers to yield their time to others.

Director of Public Works/City Engineer Samuelson clarified that this project was approved several years ago. He noted it was the final phase of the project and the applicant had met all obligations of their approval.

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

Item I – Director of Public Works/City Engineer Samuelson explained that this item was brought forward because there was direction to staff and the Ad Hoc Committee to explore locations for the Public Safety and Community Resources Department. He reported upon investigation of the Rivertown Community Center as a possible location, the consultant determined extensive renovations would be required. He noted direction was then given to explore construction of a new building. He further noted this action was to increase the agreement amount with the

consultant so they could perform the evaluation and then both options would be presented to Council for consideration.

On motion by Councilmember Wilson, seconded by Councilmember Torres-Walker the City Council approved item I. The motion carried the following vote:

Ayes: Torres-Walker, Wilson, Thorpe

Noes: Ogorchock, Barbanica

PUBLIC HEARING

3. RESOLUTION ANNEXING CERTAIN PARCELS OF AG EHC II (MTH) CA 2, L.P. (DEER VALLEY ESTATES), INTO CFD NO. 2018-02 (POLICE PROTECTION)

Director of Public Works/City Engineer Samuelson presented the staff report dated November 15, 2022, recommending the City Council adopt the resolution annexing certain parcels of AG EHC II (MTH) CA 2, L.P. (Deer Valley Estates), into Community Facilities Districts (CFD) No. 2018-02 (Police Protection).

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

In response to Councilmember Ogorchock, Director of Public Works/City Engineer Samuelson reported this development was in the process of annexing into the new fire department CFD. He noted that item would not be coming to Council because the City did not oversee or administer the fire department's CFD.

RESOLUTION NO. 2022/198

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously adopted the resolution annexing certain parcels of AG EHC II (MTH) CA 2, L.P. (Deer Valley Estates), into Community Facilities Districts (CFD) No. 2018-02 (Police Protection).

4. RESOLUTION ANNEXING CERTAIN PARCELS OF AG EHC II (MTH) CA 2, L.P. (DEER VALLEY ESTATES) INTO CFD NO. 2022-01 (PUBLIC SERVICES)

Director of Public Works/City Engineer Samuelson presented the staff report dated November 15, 2022, recommending the City Council adopt the resolution annexing certain parcels of AG EHC II (MTH) CA 2, L.P. (Deer Valley Estates), into Community Facilities Districts No. 2022-01 (Public Services).

Mayor Thorpe opened the public hearing.

Johnny Walker asked if Mayor Thorpe would read his comment.

Mayor Thorpe instructed City Clerk Householder to turn off the audio for the speaker and closed the public hearing.

RESOLUTION NO. 2022/199

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica, the City Council unanimously adopted the resolution annexing certain parcels of AG EHC II (MTH) CA 2, L.P. (Deer Valley Estates), into Community Facilities Districts No. 2022-01 (Public Services).

COUNCIL REGULAR AGENDA

5. CALIFORNIA ASSEMBLY BILL (AB) 844: GREEN EMPOWERMENT ZONE

Michael Sponsler, District Director representing Assemblyman Tim Greyson, provided a brief presentation of California Assembly Bill (AB) 844 Green Empowerment Zone.

Johnny Walker question if this item was related to an increase in garbage service fees.

Mayor Thorpe responded that this was not related to that item and instructed City Clerk Householder to turn off the audio for the speaker.

Councilmember Ogorchock and Mayor Thorpe nominated themselves to serve as the city's representative.

Following discussion, Council consensus supported appointing Mayor Thorpe as the city's representative and Mayor Thorpe nominated himself to serve in the position.

On motion by Councilmember Wilson, seconded by Councilmember Torres-Walker, the City Council appointed Mayor Thorpe to the Green Empowerment Zone Board of Directors for a two (2) year term. The motion carried the following vote:

Ayes: Torres-Walker, Wilson, Thorpe

Noes: Ogorchock, Barbanica

6. PURCHASE OF SHOTSPOTTER RESPOND TECHNOLOGY WITH SOLE SOURCE JUSTIFICATION REQUEST

Interim Police Chief Ford introduced Sergeant Gonzalez who presented the staff report dated November 15, 2022, recommending the City Council adopt a resolution: 1) Approving the sole source request for the purchase and deployment of ShotSpotter, Inc.'s Respond Services; 2) Selecting a five-year purchase agreement with ShotSpotter, Inc., with a one-time \$10,000 startup fee: a. In an annual amount of \$210,000, not to exceed a total amount of \$1,060,000 over 5 years OR b. In an annual amount of \$280,000, not to exceed a total amount of \$1,410,000 over 5 years; 3) Authorizing the City Manager to execute the agreement; and 4) Re-allocating Police Department salary savings in the Fiscal Year 2022/23 General Fund budget to fund the first-year cost per the agreement selected.

Terri Greene, Western Region Director, stated they were grateful for the opportunity to serve Antioch and bring technology that would help reduce gun violence, be a deterrent and improve response times.

Ron Teachman introduced himself and provided a professional history. He stated he was grateful to serve Antioch and available to answer any questions.

Andrew Becker questioned which areas would be served by ShotSpotter.

Leslie May spoke in support of the purchase and deployment of the ShotSpotter program.

Johnny Walker and Mike Katz-Lacabe spoke in opposition to the purchase and deployment of the ShotSpotter program.

Councilmember Ogorchock questioned if there was an RFP or RFQ process for this item.

Lieutenant Fortner explained the sole source justification letter was included as exhibit A to the resolution. He noted that ShotSpotter technology and resources would be sole source and integrate with other ShotSpotter technology in the area.

City Attorney Smith added that the Sole Source justification was correct; however, if Council had concerns related to the costs, it could be further researched.

Lieutenant Fortner reported the APD had researched other technology; however, they did not offer the same services, so they did not consider them a competitor.

Councilmember Ogorchock suggested utilizing ARPA funding to pay for the ShotSpotter technology.

In response to Councilmember Barbanica, Lieutenant Fortner confirmed other technologies would not integrate with ShotSpotter utilized in nearby jurisdictions.

Ron Teachman explained ShotSpotter provided technology and human review to determine if the noise detected was gunfire.

Councilmember Barbanica stated he supported this item since there had been an increase in gunfire and because it was supported by Chief Ford.

Councilmember Torres-Walker thanked staff for the presentation. She reported other communities utilized ShotSpotter technology; however, it had not resulted in reduced gun violence.

Interim Police Chief Ford explained ShotSpotter detected gun violence and crime scenes as well as improved response times. He commented that there had been a lot of gun activity and confiscations in Antioch. He stated he believed that collectively all their tools and resources in

conjunction with ShotSpotter would mitigate some gun violence. He encouraged Council to look at this expense as an investment in public safety.

Councilmember Torres-Walker stated she believed the cost of gun violence was much higher than the cost to prevent gun violence and the City could do more to address public safety.

Mayor Thorpe thanked Lieutenant Fortner for bringing this item forward. He stated with concerns related to police staffing levels, he felt it was important to use technology to help provide services needed to assist the police department. He discussed the investments Council had made in public safety and aiding the APD.

A motion was made by Councilmember Barbanica to adopt a resolution: 1) Approving the sole source request for the purchase and deployment of ShotSpotter, Inc.'s Respond Services; 2) Selecting a five-year purchase agreement with ShotSpotter, Inc., with a one-time \$10,000 startup fee: In an annual amount of \$280,000, not to exceed a total amount of \$1,410,000 over 5 years; 3) Authorizing the City Manager to execute the agreement; and 4) Re-allocating Police Department salary savings in the Fiscal Year 2022/23 General Fund budget to fund the first-year cost per the agreement selected.

Councilmember Ogorchock seconded the motion and requested a friendly amendment to utilize ARPA funds to fund the first-year cost per the agreement selected. Councilmember Barbanica agreed to the amendment which was then followed by a substitute motion by Mayor Thorpe.

Councilmember Ogorchock speaking to the following substitute motion, clarified that if she voted against this item, it was only a vote against the funding source.

In response to Councilmember Barbanica, Interim Police Chief Ford stated that this cost would not place an undue hardship on the Antioch Police Department.

Councilmember Ogorchock commented the City had historically used salary savings on one-time items.

RESOLUTION NO. 2022/200

On motion by Mayor Thorpe, seconded by Councilmember Torres-Walker, the City Council adopted a resolution: 1) Approving the sole source request for the purchase and deployment of ShotSpotter, Inc.'s Respond Services; 2) Selecting a five-year purchase agreement with ShotSpotter, Inc., with a one-time \$10,000 startup fee: In an annual amount of \$280,000, not to exceed a total amount of \$1,410,000 over 5 years; 3) Authorizing the City Manager to execute the agreement; and 4) Re-allocating Police Department salary savings in the Fiscal Year 2022/23 General Fund budget to fund the first-year cost per the agreement selected. The motion carried the following vote:

Ayes: Torres-Walker, Wilson, Barbanica, Thorpe

Noes: Ogorchock

7. TENTATIVE AGREEMENT BETWEEN THE CITY OF ANTIOCH AND ANTIOCH POLICE SWORN MANAGEMENT ASSOCIATION (APSMA) FOR THE PERIOD OF MARCH 1, 2022 – AUGUST 31, 2025

Director of Human Resources Cortez presented the staff report dated November 15, 2022, recommending the City Council adopt a resolution: 1) Approving the Tentative Agreement between the City of Antioch and the Antioch Police Sworn Management Association (APSMA); and 2) Authorizing the City Manager or designee to make any necessary adjustments to the Fiscal Year 2021/23 budget to implement the provisions of the Tentative Agreement.

RESOLUTION NO. 2022/201

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica, the City Council unanimously adopted a resolution: 1) Approving the Tentative Agreement between the City of Antioch and the Antioch Police Sworn Management Association (APSMA); and 2) Authorizing the City Manager or designee to make any necessary adjustments to the Fiscal Year 2021/23 budget to implement the provisions of the Tentative Agreement.

8. TENTATIVE AGREEMENT BETWEEN THE CITY OF ANTIOCH AND ANTIOCH PUBLIC WORKS EMPLOYEES' ASSOCIATION (APWEA) FOR THE PERIOD OF APRIL 1, 2022 – MARCH 31, 2026

Director of Human Resources Cortez presented the staff report dated November 15, 2022, recommending the City Council adopt a resolution: 1) Approving the Tentative Agreement between the City of Antioch and the Antioch Public Works Employees Association (APWEA); and 2) Authorizing the City Manager or designee to make any necessary adjustments to the Fiscal Year 2022/23 budget to implement the provisions of the Tentative Agreement.

RESOLUTION NO. 2022/202

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica, the City Council unanimously adopted a resolution: 1) Approving the Tentative Agreement between the City of Antioch and the Antioch Public Works Employees Association (APWEA); and 2) Authorizing the City Manager or designee to make any necessary adjustments to the Fiscal Year 2022/23 budget to implement the provisions of the Tentative Agreement.

ADJOURNMENT

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously adjourned the Special Meeting at 8:41 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk