



## AGENDA

### Antioch City Council REGULAR MEETING

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Date: **Tuesday, January 10, 2023**

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  
**Tamisha Torres-Walker**, Mayor Pro Tem (District 1)  
**Michael Barbanica**, Council Member District 2  
**Lori Ogorchock**, Council Member District 3  
**Monica E. Wilson**, Council Member District 4

**Ellie Householder**, City Clerk  
**Lauren Posada**, City Treasurer  
**Cornelius Johnson**, 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. Unless otherwise noted, City Council actions include a determination that the California Environmental Quality Act (CEQA) does not apply. 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) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – pursuant to Government Code section 54956.9: DAVID L. COOK, Plaintiff, v. MARCOS TORRES, et al., Defendants, United States District Court, Northern District of California, Case 4:19-cv-01270-PJH.
- 2) CONFERENCE WITH REAL PROPERTY NEGOTIATIONS** pursuant to California Government Code section 54956.8; Property: 275 W. Tregallas Road, Antioch, CA; Agency Negotiation: City of Antioch Negotiators: City Manager, Cornelius H. Johnson and City Attorney, Thomas Lloyd Smith; Negotiating Parties: Richard Hobin, Esq.; Under Negotiation: Price and terms of payment.
- 3) PUBLIC EMPLOYEE PERFORMANCE EVALUATION: CITY MANAGER.** This closed session is authorized pursuant to Government Code section 54957(b)(1).
- 4) PUBLIC EMPLOYEE PERFORMANCE EVALUATION: CITY ATTORNEY.** This closed session is authorized pursuant to Government Code section 54957(b)(1).

#### **ADJOURN TO CLOSED SESSION**

7:00 P.M. **ROLL CALL – REGULAR MEETING** – for Council Members

**PLEDGE OF ALLEGIANCE**

**1. INSPIRATION FOR THE NEW YEAR BY ANTIOCH POET LAUREATE JOSE CORDON**

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

**2. INTRODUCTION OF NEW CITY EMPLOYEES**

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

- MARTIN LUTHER KING, JR., DAY OF SERVICE – January 16, 2023

**4. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS**

- SALES TAX CITIZENS' OVERSIGHT COMMITTEE
- CONTRA COSTA COUNTY LIBRARY COMMISSION
- ANTIOCH POLICE OVERSIGHT COMMISSION

**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**

**5. PRESENTATION** – *Overview of Potential Economic Development Financing Tools, presented by Kosmont Companies*

**6. CONSENT CALENDAR**

**A. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR NOVEMBER 15, 2022**

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

**CONSENT CALENDAR – Continued**

**B. APPROVAL OF COUNCIL MEETING MINUTES FOR NOVEMBER 22, 2022**

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

**C. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR DECEMBER 13, 2022**

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

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

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

**E. APPROVAL OF COUNCIL WARRANTS**

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

**F. PROFESSIONAL SERVICES CONTRACT WITH RANEY PLANNING & MANAGEMENT, INC. FOR \$111,084 FOR AMENDMENT TO THE EAST LONE TREE SPECIFIC PLAN**

Recommended Action: It is recommended that the City Council adopt a resolution:

- 1) Approving the sole source request and professional services contract in the amount of \$111,084; and
- 2) Authorizing the City Manager to execute the agreement.

**G. UNHOUSED RESIDENT SERVICES – AMENDMENT NO. 4 TO CONSULTING SERVICES AGREEMENT WITH FOCUS STRATEGIES**

Recommended Action: It is recommended that the City Council adopt a resolution authorizing the City Manager to execute Amendment No. 4 to the Consulting Services Agreement with Focus Strategies.

**CONSENT CALENDAR – Continued**

**H. SHORT TERM LEASE AGREEMENT WITH MEALS ON WHEELS DIABLO REGION 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 Meals on Wheels Diablo Region for designated space at the Nick Rodriguez Center; and
- 2) Authorizing the City Manager to execute the Agreement.

**I. SECOND AMENDMENT TO THE BAY ALARM COMPANY AGREEMENT TO EXPAND THE AGREEMENT FOR ACCESS CONTROL, INTRUSION AND VIDEO MONITORING AT VARIOUS CITY OF ANTIOCH FACILITIES**

Recommended Action: It is recommended that the City Council adopt a resolution:

- 1) Approving the second amendment to the Maintenance Services Agreement with Bay Alarm Company, which increases the agreement by \$549,384 for a total agreement amount of \$1,447,844, to expand Access Control, Intrusion and Video Monitoring at various City of Antioch facilities; and
- 2) Authorizing the City Manager or designee to execute the second amendment to the Agreement in a form approved by the City Attorney.

**J. REQUEST FOR AN INCREASE TO THE PURCHASE ORDER WITH CORE & MAIN FOR THE PROCUREMENT OF WATER DISTRIBUTION AND COLLECTION SYSTEMS MAINTENANCE PARTS AND SUPPLIES**

Recommended Action: It is recommended that the City Council adopt a resolution:

- 1) Approving an increase to the purchase order with Core & Main in the amount of \$275,000 in Fiscal Year 2022/23 for a total purchase order amount not to exceed \$635,000; and
- 2) Authorizing the City Manager or designee to make the necessary budget adjustment to the Fiscal Year 2022/23 Water and Sewer Enterprise budgets to cover the purchase order increase.

**CONSENT CALENDAR – Continued**

- K.** AMENDMENT OF THE CITY OF ANTIOCH'S SURPLUS PROPERTY LIST TO INCLUDE 275 W. TREGALLAS ROAD, ANTIOCH CA

Recommended Action: It is recommended that the City Council adopt a resolution amending the City of Antioch's Surplus Property List to include 275 W. Tregallas Road, Antioch, CA.

**PUBLIC HEARING**

- 7.** BILLBOARD REGULATIONS (Z-22-04)

Recommended Action: It is recommended that the City Council introduce, waive the first reading, and read by title only the ordinance amending Antioch Municipal Code section "Sign Regulations" (Chapter 5, Article 5).

- 8.** ORDINANCE AMENDING CERTAIN CHAPTERS OF TITLE 8 OF THE ANTIOCH MUNICIPAL CODE "BUILDING REGULATIONS", ADOPTING THE CALIFORNIA CODE OF REGULATIONS TITLE 24, 2019 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODES AND RELATED MODEL CODES AS AMENDED

Recommended Action: It is recommended that the City Council introduce, read by title only, and waive further reading of the ordinance amending Title 8 of the Antioch Municipal Code, adopting by reference the California Code of Regulations Title 24, 2019 Edition of the California Building Standards Codes and related model codes, as amended.

- 9.** (UP-22-15) USE PERMIT FOR DELTA DISTRIBUTION 2101 W. 10TH STREET, SUITE D

Recommended Action: It is recommended that the City Council adopt the resolution approving UP-22-15, a Use Permit for a cannabis distribution business at 2101 W. 10th Street.



## **COUNCIL REGULAR AGENDA**

### **10. DISCUSSION ITEM: REORGANIZATION OF THE PUBLIC WORKS DEPARTMENT AND COMMUNITY DEVELOPMENT DEPARTMENT**

Recommended Action: It is recommended that the City Council provide direction to staff concerning:

- 1) Whether staff should prepare an ordinance amending the Municipal Code:
  - a. reorganizing the Public Works Department and changing the position and responsibilities of "Director of Public Works/City Engineer" to become a new position entitled, "Public Works Director";
  - b. creating a new Engineering Department and position description for the City Engineer;
  - c. reorganizing the Community Development Department; and
  - d. implementing other actions necessary to carry out the reorganization described above.
- 2) Whether staff should create new job classifications for the following positions:
  - a. Public Works Director
  - b. City Engineer

### **11. DISCUSSION ITEM: CITY COUNCIL MEMBERS' SALARIES**

Recommended Action: It is recommended that the City Council provide direction to staff regarding salaries for City Council Members.

**COUNCIL REGULAR AGENDA – Continued**

**12. RESOLUTION APPROVING ALLOCATION FOR PART-TIME SECRETARY POSITIONS TO PROVIDE ADMINISTRATIVE SUPPORT TO CITY COUNCIL**

Recommended Action: It is recommended that the City Council consider taking the following actions:

- 1) Adopt a resolution approving the allocation of a part-time Secretary position to provide administrative support to District 2 and District 3 Council Members and authorizing the necessary Fiscal Year 2023 General Fund budget adjustment.
- 2) Adopt a resolution approving the allocation of a part-time Secretary position to provide administrative support to District 1 and District 4 Council Members and authorizing the necessary Fiscal Year 2023 General Fund budget adjustment.
- 3) Adopt a resolution approving the allocation of a part-time Secretary position to provide administrative support to the Mayor and authorizing the necessary Fiscal Year 2023 General Fund budget adjustment.

**13. STANDBY CITY COUNCIL MEMBERS**

Recommended Action: It is recommended that the City Council appoint the following nominees as standby city council members:

- Mayor Thorpe: 1) ; 2) ; 3)
- Mayor Pro Tem Torres-Walker: 1) ; 2) ; 3)  
(District 1)
- Council Member Barbanica: 1) ; 2) ; 3)  
(District 2)
- Council Member Ogorchock: 1) ; 2) ; 3)  
(District 3)
- Council Member Wilson: 1) ; 2) ; 3)  
(District 4)

## **COUNCIL REGULAR AGENDA – Continued**

### **14. CITY COUNCIL APPOINTMENTS TO COUNCIL COMMITTEE ASSIGNMENTS**

Recommended Action: It is recommended that the City Council review and discuss City Council Committee Assignments. Mayor Thorpe will advance appointments for City Council approval by majority vote to be acted upon as follows:

- 1) Motion to approve all appointments for Mayor Thorpe,
- 2) Motion to approve all appointments for Mayor Pro Tem (Council Member District 1) – Torres-Walker,
- 3) Motion to approve all appointments for Council Member District 2 – Barbanica,
- 4) Motion to approve all appointments for Council Member District 3 – Ogorchock, and
- 5) Motion to approve all appointments for Council Member District 4 – Wilson.

### **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.*