



## **ANNOTATED AGENDA**

### **Antioch City Council REGULAR MEETING**

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**Date:** Tuesday, January 24, 2023

**Time:** 6:15 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).

### **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.

**6:15 P.M.      ROLL CALL – CLOSED SESSION – for Council Members – *All Present***

**PUBLIC COMMENTS** for Closed Session – *None*

#### **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.  
***Case Settlement of \$10,000 was approved by Council, 4/1 (Torres-Walker)***

**2) PUBLIC EMPLOYEE PERFORMANCE EVALUATION: CITY MANAGER.** This closed session is authorized pursuant to Government Code section 54957(b)(1).

***No reportable action***

**3) PUBLIC EMPLOYEE PERFORMANCE EVALUATION: CITY ATTORNEY.** This closed session is authorized pursuant to Government Code section 54957(b)(1).

***No reportable action***

**6:16 P.M.      ADJOURNED TO CLOSED SESSION**

**7:08 P.M.      ROLL CALL – REGULAR MEETING – for Council Members – *All Present***

**PLEDGE OF ALLEGIANCE**

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

**COUNCIL MEMBER OGORCHOCK REQUESTED A MOTION TO SUSPEND THE RULES TO MOVE COUNCIL REGULAR AGENDA ITEM #10 TO BE HEARD AFTER ITEM #3 PROCLAMATIONS; APPROVED 5/0**

- 1. IN HONOR OF MARTIN LUTHER KING, JR., DAY – “I HAVE A DREAM”,  
REMARKS BY DR. LAMONT FRANCIES, SENIOR PASTOR OF DELTA BAY CHURCH**
  
- 2. INSPIRATION FOR THE NEW YEAR BY ANTIOCH’S HONORARY POET LAUREATE  
JOSE CORDON**

**MAYOR THORPE REQUESTED A MOTION TO SUSPEND THE RULES TO MOVE COUNCIL REGULAR AGENDA ITEMS #7 AND #8 TO BE HEARD AS THE NEXT ORDER OF BUSINESS; APPROVED 5/0**

**COUNCIL REGULAR AGENDA**

- 7. BOARD OF ADMINISTRATIVE APPEALS APPOINTMENT FOR ONE VACANCY EXPIRING MARCH 2024**

**Reso No. 2023/09 adopted appointing Antwon R. Webster, Sr., to the Board of Administrative Appeals for the vacancy expiring March 2024, 5/0**

*Recommended Action: It is recommended that:*

- 1) The Mayor nominate one (1) member to the Board of Administrative Appeals for the vacancy expiring March 2024.*
- 2) The City Council appoint [Antwon R. Webster, Sr.] by resolution as a member of the Board of Administrative Appeals for the vacancy expiring March 2024.*

- 8. PARKS AND RECREATION COMMISSION APPOINTMENTS FOR ONE (1) VACANCY EXPIRING APRIL 2026**

**Reso No. 2023/10 adopted appointing Dorothy Ellis to the Parks and Recreation Commission for the vacancy expiring April 2026, 5/0**

*Recommended Action: It is recommended that:*

- 1) The Mayor nominate one (1) member to the Parks and Recreation Commission for the vacancy expiring April 2026.*
- 2) The City Council appoint [Dorothy Ellis] by resolution as a member of the Parks and Recreation Commission for the vacancy expiring April 2026.*

### 3. PROCLAMATIONS

- In Honor of Autrey James, Antioch's 2022/23 Lifetime Veteran of the Year
- In Recognition of Health for Humanity – Yogathon, January 14 – 29, 2023
- Proclamation Recognizing Human Trafficking Prevention Month, January 2023
- Proclamation Declaring Grace Bible Fellowship of Antioch Day, January 27, 2023

**Approved, 5/0**

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

### COUNCIL REGULAR AGENDA

#### 10. DEPARTMENT DIRECTOR SALARY ADJUSTMENTS

**Tabled, 4/1 (Torres-Walker)**

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

- 1) Approving a new salary range for department directors;
- 2) Approving an effective date of the first full pay period after October 1, 2022; and
- 3) Authorizing the City Manager or designee to make the necessary Fiscal Year 2023 budget adjustments.

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

- SALES TAX CITIZENS' OVERSIGHT COMMITTEE
- 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. CONSENT CALENDAR**

- A.** APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR NOVEMBER 15, 2022  
*Approved, 5/0*  
Recommended Action: It is recommended that the City Council approve the Special Meeting Minutes.
- B.** APPROVAL OF COUNCIL MEETING MINUTES FOR NOVEMBER 22, 2022  
*Approved, 5/0*  
Recommended Action: It is recommended that the City Council approve the Meeting Minutes.
- C.** APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR DECEMBER 13, 2022  
*Approved, 5/0*  
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  
*Approved, 5/0*  
Recommended Action: It is recommended that the City Council approve the Regular Meeting Minutes.
- E.** COUNCIL MEETING FOR JANUARY 10, 2023 – NO QUORUM  
*Approved, 5/0*  
Action: January 10, 2023 – Order of Adjournment due to lack of a quorum.
- F.** APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR JANUARY 13, 2023  
*Continued, 5/0*  
Recommended Action: It is recommended that the City Council continue the Special Meeting Minutes.
- G.** APPROVAL OF COUNCIL WARRANTS  
*Approved, 5/0*  
Recommended Action: It is recommended that the City Council approve the warrants.
- H.** REJECTION OF CLAIMS: DYNISHA HODGES; PAT AND CORY STACK  
*Rejected, 5/0*  
Recommended Action: It is recommended that the City Council reject the claims submitted by Dynisha Hodges and Pat and Cory Stack.

**CONSENT CALENDAR – Continued**

**I. APPROVAL OF TREASURER'S REPORT FOR OCTOBER 2022**

***Received and filed, 5/0***

Recommended Action: It is recommended that the City Council receive and file the October 2022 Treasurer's Report.

**J. APPROVAL OF TREASURER'S REPORT FOR NOVEMBER 2022**

***Received and filed, 5/0***

Recommended Action: It is recommended that the City Council receive and file the November 2022 Treasurer's Report.

**K. RESOLUTION CONTINUING THE DECLARATION OF A LOCAL EMERGENCY CONCERNING THE SEVERE WINTER STORMS**

***Reso No. 2023/11 adopted, 5/0***

Recommended Action: It is recommended that the City Council adopt the resolution continuing the declaration of a local emergency associated with the State Declared Severe Winter Storms, locally identified as the 2023 January Winter Storm Event.

**L. APPROVAL OF LICENSE & MARKETING AGREEMENT FOR THE RESIDENTIAL SERVICE LINE PROTECTION, PROPOSAL NO. 961-0202-22A, AWARD**

***Reso No. 2023/12 adopted, 5/0***

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

- 1) Approve the Proposal included in the Draft License & Marketing Agreement submitted by HomeServe as the Sole Provider to the City of Antioch for Residential Service Line Protection for four (4) years,
- 2) Authorize the City Attorney to release the City Logo for the purpose of publication regarding the Residential Service Line Protection to HomeServe; and
- 3) Authorize the City Manager to execute a four (4) year License & Marketing agreement with HomeServe in a form approved by the City Attorney.

**CONSENT CALENDAR – Continued**

**M. ARPA FUNDED SMALL BUSINESS AND FAÇADE UPGRADE GRANT PROGRAMS**

***Reso No. 2023/13 adopted, 5/0***

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

- 1) Approving the City’s Small Business Grant Program and Façade Upgrade Program to be administered by the Economic Development Department; and
- 2) Authorizing the Economic Development Director to disburse American Rescue Plan Act funds up to \$500,000 for Small Business Grants and up to \$500,000 for Façade Upgrade Grants, provided that all such funds are disbursed in accordance with the required contract provisions for federal awards and the City.

**N. AB 361: RESOLUTION MAKING FINDINGS NECESSARY TO CONDUCT BROWN ACT MEETINGS BY TELECONFERENCE FOR THE CITY COUNCIL, BOARDS, COMMISSIONS, AND COMMITTEES**

***Reso No. 2023/14 adopted, 5/0***

Recommended Action: It is recommended that the City Council adopt the resolution authorizing remote teleconference/virtual meetings of the legislative bodies of the City of Antioch, which includes the City Council, boards, commissions, and committees.

**9:35 P.M. FIVE MINUTE RECESS**  
**9:44 P.M. RECONVENED, ROLL CALL – All Present**

**PUBLIC HEARING**

**6. CITY OF ANTIOCH 6TH CYCLE HOUSING ELEMENT UPDATE**

Recommended Action: It is recommended that the City Council adopt the 2023-2031 following Resolutions and Ordinances related to the 6th Cycle Housing Element Update:

***Reso No. 2023/15 adopted, 4/1 (Barbanica)***

- 1) Adopt a Resolution certifying the Environmental Impact Report (EIR) and make all the findings required to approve the project, including a Statement of Overriding Considerations, and adopting a Mitigation Monitoring and Reporting Program.

***Reso No. 2023/16 adopted, 4/1 (Barbanica)***

- 2) Adopt a Resolution approving the Housing Element.

***Reso No. 2023/17 adopted, 4/1 (Barbanica)***

- 3) Adopt a Resolution approving the Amendments to the Land Use and Environmental Hazards Elements.

***To 02/14/2023 for Adoption, 4/1 (Barbanica)***

- 4) Introduce, read by title only, and waive further reading of the ordinance approving Amendments to the East Lone Tree Specific Plan.

***To 02/14/2023 for Adoption, 4/1 (Barbanica)***

- 5) Introduce, read by title only, and waive further reading of the ordinance approving the Zoning Text Amendments and Zoning Map Amendments to implement the 6<sup>th</sup> Cycle Housing Element.

***Reso No. 2023/18 adopted, 4/1 (Barbanica)***

- 6) Adopt a Resolution approving the Multi-Family Residential Objective Design Standards.

**CEQA:** An Environmental Impact Report (EIR) has been prepared for the project.

**COUNCIL REGULAR AGENDA**

**9. RESOLUTION FOR APPROVAL OF CANNABIS OPERATING AGREEMENT FOR NATURAL SUPPLEMENTS, INC.**

***Reso No. 2023/19 adopted, 3/2 (Barbanica, Ogorchock)***

Recommended Action: It is recommended that the City Council consider and take action to adopt a resolution approving the operating agreement for Natural Supplements, Inc.



**COUNCIL REGULAR AGENDA – Continued**

**11. STANDBY CITY COUNCIL MEMBERS**

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

Council Member District 2 Barbanica: **1) William Barbanica, II; 2) Benjamin McCurdy; 3) Michael Schneider**

**12. CITY COUNCIL APPOINTMENTS TO COUNCIL COMMITTEE ASSIGNMENTS**

**[“Exhibit 1” Appointments Attached]**

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:

**Approved, 5/0**

1) Motion to approve all appointments for Mayor Thorpe.

**Approved, 5/0**

2) Motion to approve all appointments for Mayor Pro Tem (Council Member District 1) – Torres-Walker.

**Approved, 4/0/1 (Barbanica abstained)**

3) Motion to approve all appointments for Council Member District 2 – Barbanica.

**Approved, 4/0/1 (Ogorchock abstained)**

4) Motion to approve all appointments for Council Member District 3 – Ogorchock.

**Approved, 5/0**

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.*

**Motioned to adjourn Regular Meeting at 11:19 p.m., 5/0**

## Council Appointments

**December 2022 to December 2024**

COMMITTEE	REPRESENTATIVES	COMMITTEE INFORMATION
ABAG (Association of Bay Area Govmt)	Mayor Pro Tem Torres-Walker Council Member Ogorchock (alt.)	General Assembly- once a year
Chamber of Commerce Liaison	Council Member Ogorchock	2nd Thursday of month, 8:00 A.M. Chamber Conference Room
Community Advisory Board- SF Bay Water Emergency Transit Authority	Mayor Pro Tem Torres-Walker	TBD
Delta Diablo	Mayor Thorpe Council Member Wilson (alt.)	2nd Wednesday of month, 4:30 P.M., 2500 Pittsburg/Antioch Highway
East Bay Division (League of California Cities)	Council Member Barbanica	3rd Thursday of month, 6:00 P.M. Rotates between Contra Costa and Alameda Counties
TRANSPLAN	Mayor Thorpe Council Member Wilson (alt.)	2nd Thursday of month, 6:30 P.M. Tri Delta Transit - 801 Wilbur Ave
East Contra Costa Regional Fee and Financing Authority (ECCRFA)	Mayor Thorpe Council Member Wilson (alt.)	2nd Thursday of month, 6:30 P.M. Tri Delta Transit - 801 Wilbur Ave
State Route 4 By-Pass Authority	Mayor Thorpe Council Member Wilson (alt.)	2nd Thursday of month, 6:30 P.M. Tri Delta Transit - 801 Wilbur Ave
East County Water Management Association	Council Member Barbanica	As needed, 2-3 times per year
Tri Delta Board of Directors Eastern Contra Costa Transit Authority	Mayor Thorpe Council Member Wilson (alt.)	4th Wednesday of month, 4:00 P.M., Tri Delta Transit, 801 Wilbur Ave
Northeast Antioch Annexation	Council Member Ogorchock	As needed
Mayors' Conference	Mayor Thorpe Council Member Wilson (alt.)	1st Thursday of month, 6:30 P.M. Rotates between cities of Contra Costa County

<b>Council Committee Assignments</b>		
Community Development Block Grant (CDBG) Committee	Mayor Pro Tem Torres-Walker Council Member Barbanica	Standing Committee - As needed Community Development Dept. to develop agenda and handle noticing
Lone Tree Golf Course Committee	Council Member Wilson Council Member Ogorchock	Standing Committee - As needed Parks and Rec. Dept. to develop agenda and handle noticing
City/School Committee	Mayor Pro Tem Torres-Walker Council Member Ogorchock	Standing Committee - As needed City Manager's to develop agenda and handle noticing
Cannabis Committee	Mayor Pro Tem Torres-Walker Council Member Wilson	Standing Committee - As needed City Attorney's Office to develop agenda and handle noticing
Waterfront Revitalization Committee	Mayor Pro Tem Torres-Walker Council Member Wilson	Standing Committee - As needed City Manager's Office to develop agenda and handle noticing