

CITY OF
ANTIOCH
CALIFORNIA

ANNOTATED AGENDA

**Antioch City Council
REGULAR MEETING**

**Including the Antioch City Council acting as
Housing Successor to the Antioch Development Agency**

Date: **Tuesday, May 9, 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). Please see the inside cover for detailed Speaker Rules.

PLEASE TURN OFF CELL PHONES BEFORE ENTERING COUNCIL CHAMBERS.

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
Forrest B. Ebbs, Acting City Manager
Thomas Lloyd Smith, City Attorney

ACCESSIBILITY: 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@antiochca.gov.

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. Unless otherwise noted, City Council actions include a determination that the California Environmental Quality Act (CEQA) does not apply. The 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. 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: [Notifications – City of Antioch, California \(antiochca.gov\)](https://www.antiochca.gov/notifications) and enter your e-mail address to subscribe. To view the agenda information, click on the following link: [City Council – City of Antioch, California \(antiochca.gov\)](https://www.antiochca.gov/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 City Council on each agenda item. To address the Council, fill out a Speaker Request form and place in the Speaker Card Tray near the City Clerk before the meeting begins. This will enable us to call upon you to speak. Comments regarding matters not on this Agenda may be addressed during the "Public Comments" section. No one may speak more than once on an agenda item or during "Public Comments". The Speaker Request forms are located at the entrance of the Council Chambers. Please see the Speaker Rules on the inside cover of this Agenda.

6:01 P.M. ROLL CALL – CLOSED SESSION – for Council Members – ***Council Members District 2 Barbanica, District 3 Ogorchock, and District 4 Wilson [Mayor Pro Tem (District 1) Torres-Walker and Mayor Thorpe – Absent] Council Member Wilson opened and presided over the meeting.***

PUBLIC COMMENTS *for Closed Session*

CLOSED SESSION:

1) PUBLIC EMPLOYEE PERFORMANCE EVALUATION – This closed session is authorized pursuant to Government Code section 54957. Title: City Manager.

No reportable action

2) CONFERENCE WITH REAL PROPERTY NEGOTIATIONS – pursuant to California Government Code section 54956.8; Property: 800 W. 2nd Street, Antioch, CA; Agency Negotiation: City of Antioch Negotiators: Forrest Ebbs, Acting City Manager and Thomas Lloyd Smith, City Attorney; Negotiating Parties: Chris Burns, Broker/Owner Representative; Under Negotiation: Price and terms of payment.

No reportable action

3) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to California Government Code section 54956.9(d)(2): One Case.

Direction provided to Acting City Manager and City Attorney

6:09 P.M. ADJOURNED TO CLOSED SESSION

7:05 P.M.

ROLL CALL – REGULAR MEETING – for City /City Council Members acting as Housing Successor to the Antioch Development Agency – ***Council Members District 2 Barbanica, District 3 Ogorchock, and District 4 Wilson [Mayor Pro Tem (District 1) Torres-Walker and Mayor Thorpe – Absent] Council Member Wilson opened and presided over the meeting.***

PLEDGE OF ALLEGIANCE

CITY ATTORNEY TO REPORT OUT ON CLOSED SESSION

1. PROCLAMATION

- Public Works Week, May 21 – 27, 2023

Approved, 3/0

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

2. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

- ASIAN AMERICAN & PACIFIC ISLANDER HISTORICAL SYMPOSIUM – May 20, 2023
Antioch Historical Museum, 1500 West 4th Street, Antioch, CA

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

3. CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency

A. APPROVAL OF COUNCIL MEETING MINUTES FOR APRIL 11, 2023

Direction to staff to bring back amended minutes to include verbatim comments by Mayor Thorpe [page 5], 3/0

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

B. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR APRIL 18, 2023

Continued, 3/0

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

CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency – Continued

C. APPROVAL OF COUNCIL MEETING MINUTES FOR APRIL 25, 2023

Continued, 3/0

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

D. APPROVAL OF COUNCIL WARRANTS

Approved, 3/0

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

E. APPROVAL OF HOUSING SUCCESSOR WARRANTS

Approved, 3/0

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

F. SECOND READING – PROPOSED ORDINANCE AMENDING SECTION 6-8.14 OF THE ANTIOCH MUNICIPAL CODE REGARDING RESTRICTIONS ON THE SALE OF TOBACCO PRODUCTS (Introduced on April 25, 2023)

Failed, 2/1 (Wilson)

Recommended Action: It is recommended that the City Council adopt the ordinance amending Section 6-8.14 of the Antioch Municipal Code regarding restrictions on the Sale of Tobacco Products.

G. ACCEPTANCE OF BID AND AWARD OF CONTRACT TO E.E. GILBERT CONSTRUCTION, INC. FOR THE ASPHALT OVERLAY OF DEERFIELD CORRIDOR, CANADA VALLEY, AND SILVERADO TRAILS, BID NO. 988-0413-23A

Reso No. 2023/67 adopted, 3/0

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

- 1) Award the agreement to the lowest, responsive, and responsible bidder, E. E. Gilbert Construction, Inc.;
- 2) Approve the agreement with E.E. Gilbert Construction Inc. in the amount of \$163,922.50; and
- 3) Authorize the Acting City Manager to execute an agreement with E.E. Gilbert Construction, Inc. of Martinez CA, for the Asphalt Overlay of Deerfield Corridor, Canada Valley, and Silverado Trails in a form approved by the City Attorney for a total amount of \$163.922.50.

CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency – Continued

H. RESOLUTION APPROVING THE FIRST AMENDMENT TO THE CONSULTING SERVICES AGREEMENT WITH INTERWEST CONSULTING GROUP, INC. FOR DEVELOPMENT AND TRAFFIC ENGINEERING SERVICES

Reso No. 2023/68 adopted, 3/0

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

- 1) Approving the first amendment with Interwest Consulting Group, Inc. to continue providing Development and Traffic Engineering Services;
- 2) Authorizing the Finance Director to make the necessary adjustments to the Fiscal Year 2022/23 Budget; and
- 3) Authorizing the Acting City Manager to execute the first amendment to the Agreement with Interwest Consulting Group, Inc.

PUBLIC HEARING / CITY OF ANTIOCH COUNCIL MEMBERS ACTING AS HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY

4. PUBLIC HEARING TO REVIEW THE SUBSTANTIAL AMENDMENT TO THE FISCAL YEAR 2020-2021 ACTION PLAN AND REVIEW THE FISCAL YEAR 2023-23 ACTION PLAN FOR EXPENDING FEDERAL CDBG, LOCAL HOUSING SUCCESSOR, AND PERMANENT LOCAL HOUSING ALLOCATION (PLHA) FUNDING

8:04 P.M. MAYOR THORPE ARRIVED DURING THE PUBLIC HEARING PRESENTATION.

Reso No. 2023/69 adopted, 4/0

Recommended Action: 1) It is recommended that the City Council approve the Substantial Amendment to the Fiscal Year 2020-21 Action Plan recommended by the CDBG Committee and adopt the resolution approving the City of Antioch Amended Fiscal Year 2020-21 Action Plan for expending federal CDBG funds.

Reso No. 2023/70 adopted, 4/0

2) It is recommended that the City Council approve the funding recommendations of the CDBG Committee and adopt the resolution approving the City of Antioch Fiscal Year 2023-24 Action Plan for expending federal CDBG funds.

Reso No. 2023/71 adopted, 4/0

3) It is recommended that the City Council approve the funding recommendations of the CDBG Committee and adopt the resolution approving Permanent Local Housing Allocation (PLHA) funding for homeless services outlined in the Fiscal Year 2023-24 Annual Action Plan.

Reso No. 2023/72 adopted, 4/0

4) It is recommended that the City of Antioch as the Housing Successor to the Antioch Development Agency approve the funding recommendations of the CDBG Committee and adopt the resolution approving Housing Successor funding for homeless services outlined in the Fiscal Year 2023-24 Annual Action Plan.

COUNCIL REGULAR AGENDA

- 5. PRESENTATION AND DISCUSSION ON TENANT PROTECTION POLICIES AND PROGRAMS, INCLUDING RENT PROGRAM, ANTI-HARASSMENT, AND JUST CAUSE EVICTION

9:32 P.M. **RECESS** – After presentation and public comments received for Agenda Item #5

9:38 P.M. **RECONVENED, ROLL CALL** – Council Members District 2 Barbanica, District 3 Ogorchock, District 4 Wilson and Mayor Thorpe [Mayor Pro Tem (District 1) Torres-Walker – Absent]

Direction provided to staff to follow timeline presented

Recommended Action: It is recommended that the City Council receive presentation and provide direction on next phase of tenant protection policies and programs.

- 6. FISCAL YEAR 2023-25 BUDGET DEVELOPMENT

Direction provided to staff to bring back ‘Chart B’ budget with Code Enforcement funded with ARPA funds, and one-time revenue discussion

Recommended Action: It is recommended that the City Council provide feedback and direction regarding the budget development of the Fiscal Year 2023-25 Budget.

- 7. DISCUSSION ITEM: CITY COUNCIL REVIEW OF THE POLICY FOR THE CITY, INCLUDING ALL OF ITS DEPARTMENTS, REGARDING THE SELECTION OF ATTORNEYS PROVIDING CONTRACT SERVICES, AND THE REVIEW, AUTHORIZATION AND EXECUTION OF ALL AGREEMENTS FOR LEGAL SERVICES AND SERVICES TO BE PROVIDED BY ATTORNEYS TO THE CITY

Item postponed to the next meeting

Recommended Action: It is recommended that the City Council discuss and provide direction to the City Attorney.

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 Acting 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 motion is required, and then a majority vote is required to adjourn the meeting.

Motioned to adjourn Regular Meeting at 10:55 p.m., 4/0