

CITY OF
ANTIOCH
CALIFORNIA

***ANNOTATED AMENDED AGENDA**

**Antioch City Council
ADJOURNED SPECIAL AND REGULAR MEETING
Including the Antioch City Council acting as
Housing Successor to the Antioch Development Agency**

Date: **Tuesday, June 27, 2023**

Time: ***5:00 P.M.** – Closed Session

***6:00 P.M.** – *Adjourned Special Meeting*

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

Kwame Reed, Acting City Manager

Thomas Lloyd Smith, City Attorney

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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.

***5:01 P.M.**

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

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

CLOSED SESSION:

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

No reportable action

- 2) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** pursuant to Government Code section 54956.9: **ANDREA RODRIGUEZ AND CALVIN PRIETO v. CITY OF ANTIOCH et al.**, Contra Costa Superior Court, Case No. C21-02687.

No reportable action

5:02 P.M. MOTIONED TO ADJOURN CLOSED SESSION

PLEDGE OF ALLEGIANCE

***SPECIAL MEETING**

- SM-1.** DISCUSSION ITEM: UPDATE ON THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDING
Council Determination: Completed
Recommended Action: It is recommended that the City Council discuss, receive public comments, and provide direction to staff.
- SM-2.** DISCUSSION ITEM: CONSIDERATION OF LIGHTING THE PEDESTRIAN CROSSING ON JAMES DONLON BOULEVARD
Direction provided to staff to bring back to a future meeting, [Council consensus, 5/0]
Recommended Action: It is recommended that the City Council discuss, receive public comments, and provide direction to staff.
- SM-3.** DISCUSSION ITEM: UPDATE ON PARK PERMITTING FEES
Direction provided to staff to not charge fees to use parks, except Community Park, [Council consensus, 5/0]
Recommended Action: It is recommended that the City Council discuss, receive public comments, and provide direction to staff.
- SM-4.** DISCUSSION ITEM: CONSIDERATION OF A FREE COMMUNITY EVENT AT PREWETT WATER PARK SPONSORED BY THE ANTIOCH POLICE DEPARTMENT
Council Members can work with staff to coordinate events, [Council consensus, 5/0]
Recommended Action: It is recommended that the City Council discuss, receive public comments, and provide direction to staff.
- SM-5.** DISCUSSION ITEM: UPDATE ON CAMERA INSTALLATION ON CITY STREETS
Direction provided to staff to bring back to a future meeting, [Council consensus, 5/0]
Recommended Action: It is recommended that the City Council discuss, receive public comments, and provide direction to staff.
- SM-6.** DISCUSSION ITEM: CONSIDERATION OF A PRESENTATION BY WHITE PONY EXPRESS NON-PROFIT ORGANIZATION (FOOD RESCUE AND GENERAL STORE)
Direction provided to staff to bring back to a future meeting, [Council consensus, 5/0]
Recommended Action: It is recommended that the City Council discuss, receive public comments, and provide direction to staff.

***SPECIAL MEETING – Continued**

SM-7. DISCUSSION ITEM: HIGHWAY 4 AND L STREET GRAFFITI ABATEMENT AND CALTRANS COORDINATION

Direction provided to staff to work with Caltrans, [Council consensus, 5/0]

Recommended Action: It is recommended that the City Council discuss, receive public comments, and provide direction to staff.

MAYOR THORPE REQUESTED A MOTION TO SUSPEND THE RULES TO MOVE ITEM SM-14 TO BE HEARD AS THE NEXT ORDER OF BUSINESS; 5/0

SM-14. DISCUSSION ITEM: MORATORIUM ON RENT INCREASES AND EVICTIONS

Direction provided to staff to stop the moratorium on rent increases, [Council consensus, 4/0/1 (Barbanica – Abstain)]

Recommended Action: It is recommended that the City Council discuss, receive public comments, and provide direction to staff.

6:25 P.M. MAYOR THORPE LEFT THE MEETING AFTER ITEM SM-14 AND MAYOR PRO TEM TORRES-WALKER PRESIDED OVER THE MEETING.

SM-8. DISCUSSION ITEM: POLICE CHIEF ATTENDANCE AT CITY COUNCIL MEETINGS

Direction provided to have APD to attend all future meetings, [Council consensus, 4/0]

Recommended Action: It is recommended that the City Council discuss, receive public comments, and provide direction to staff.

SM-9. DISCUSSION ITEM: ANTIOCH POLICE DEPARTMENT MANAGEMENT OF OWN FLEET PURCHASING

Direction provided to staff to bring back to a future meeting, [Council consensus, 4/0]

Recommended Action: It is recommended that the City Council discuss, receive public comments, and provide direction to staff.

SM-10. DISCUSSION ITEM: EMERGENCY OPERATIONS CENTER (EOC) UPGRADE AND UPDATE

Council Determination: Completed

Recommended Action: It is recommended that the City Council discuss, receive public comments, and provide direction to staff.

SM-11. DISCUSSION ITEM: CODE ENFORCEMENT SERVICES FOR THE DELTA FAIR BOULEVARD AREA

Council Determination: Completed

Recommended Action: It is recommended that the City Council discuss, receive public comments, and provide direction to staff.

***SPECIAL MEETING – Continued**

- SM-12.** DISCUSSION ITEM: MORATORIUM ON NEW GAS STATIONS
Direction provided to staff to bring back to a future meeting, [Council consensus, 4/0]
Recommended Action: It is recommended that the City Council discuss, receive public comments, and provide direction to staff.
- SM-13.** DISCUSSION ITEM: JUST CAUSE EVICTION AND ANTI-TENANT HARRASSMENT ORDINANCE
Council Determination: In progress
Recommended Action: It is recommended that the City Council discuss, receive public comments, and provide direction to staff.
- SM-15.** DISCUSSION ITEM: PRESENTATION ON CURRENT REPARATION EFFORTS
Direction to move this item to Human Rights & Racial Equity Ad Hoc Committee, [Council consensus, 4/0]
Recommended Action: It is recommended that the City Council discuss, receive public comments, and provide direction to staff.
- SM-16.** DISCUSSION ITEM: HUMAN RIGHTS AND RACIAL EQUITY COMMISSION
Direction to move this item to Human Rights & Racial Equity Ad Hoc Committee, [Council consensus, 4/0]
Recommended Action: It is recommended that the City Council discuss, receive public comments, and provide direction to staff.
- SM-17.** DISCUSSION ITEM: REVIEW OF THE CURRENT RENTAL INSPECTION ORDINANCE
Council Determination: Completed
Recommended Action: It is recommended that the City Council discuss, receive public comments, and provide direction to staff.
- SM-18.** DISCUSSION ITEM: IMPROVING CONNECTIVITY (WI-FI, INTERNET) FOR NEIGHBORHOODS HARDEST IMPACTED DURING THE PANDEMIC
Direction provided to staff to bring back to a future meeting, [Council consensus, 4/0]
Recommended Action: It is recommended that the City Council discuss, receive public comments, and provide direction to staff.

6:50 P.M. MOTIONED TO ADJOURN SPECIAL MEETING

7:00 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, District 4 Wilson, Mayor Pro Tem (District 1) Torres-Walker [Mayor Thorpe – Absent]***
Mayor Pro Tem Torres-Walker opened & presided over the meeting.

PLEDGE OF ALLEGIANCE

CITY ATTORNEY TO REPORT OUT ON CLOSED SESSION

1. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

- ANTIOCH COUNCIL OF TEENS SWIM NIGHT– POOL PARTY
 - Antioch Water Park, 4701 Lone Tree Way, Antioch, CA – July 19, 2023

- ANTIOCH RECREATION CENTER – SPECIAL EVENTS
 - 4th of July Celebration Parade and Fireworks
 - Waldie Plaza, Historic Downtown Antioch, CA – July 4, 2023

 - Summer Outdoor Movie Night
 - Prewett Park, 4701 Lone Tree Way, Antioch, CA – July 6, 20, and August 3, 2023

 - Summer Concert Series
 - Prewett Park, 4701 Lone Tree Way, Antioch, CA – July 13 and 27, 2023
 - Waldie Plaza, Historic Downtown Antioch, CA – July 22 and August 5, 2023

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

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

A. APPROVAL OF COUNCIL MEETING MINUTES FOR MAY 9, 2023

Recommended Action: It is recommended that the City Council approve the Meeting Minutes. ***Approved, 4/0***

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

- B.** APPROVAL OF COUNCIL MEETING MINUTES FOR MAY 23, 2023 **Approved, 4/0**
Recommended Action: It is recommended that the City Council approve the Meeting Minutes.
- C.** APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR MAY 30, 2023 **Continued, 4/0**
Recommended Action: It is recommended that the City Council continue the Special Meeting Minutes.
- D.** APPROVAL OF COUNCIL MEETING MINUTES FOR JUNE 13, 2023 **Continued, 4/0**
Recommended Action: It is recommended that the City Council continue the Meeting Minutes.
- E.** APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR JUNE 23, 2023 **Continued, 4/0**
Recommended Action: It is recommended that the City Council continue the Special Meeting Minutes.
- F.** APPROVAL OF COUNCIL WARRANTS **Approved, 4/0**
Recommended Action: It is recommended that the City Council approve the warrants.
- G.** APPROVAL OF HOUSING SUCCESSOR WARRANTS **Approved, 4/0**
Recommended Action: It is recommended that the City Council approve the warrants.
- H.** SECOND READING – PROPOSED ORDINANCE AMENDING CHAPTER 1 OF TITLE 3 AND TITLE 11 OF THE ANTIOCH MUNICIPAL CODE REGARDING REGULATION OF RESIDENTIAL LANDLORDS AND RENTAL UNITS (*Introduced on June 13, 2023*) **Ord. No. 2227-C-S adopted, 3/0/1 (Barbanica – Abstain)**
Recommended Action: It is recommended that the City Council adopt an ordinance amending Chapter 1 of Title 3 and Title 11 of the Antioch Municipal Code regarding regulation of residential landlords and rental units.

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

- I. SECOND READING – PROPOSED ORDINANCE AMENDING SECTION 6-8.14 OF THE ANTIOCH MUNICIPAL CODE REGARDING RESTRICTIONS ON THE SALE OF TOBACCO PRODUCTS (*Introduced on June 13, 2023*)

Ord. No. 2228-C-S adopted, 4/0

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.

- J. RESOLUTION ADOPTING THE MEASURE J GROWTH MANAGEMENT PROGRAM COMPLIANCE CHECKLIST FOR REPORTING CALENDAR YEARS 2020 AND 2021 FOR THE SALES TAX/TRANSPORTATION INITIATIVE

Reso No. 2023/100 adopted, 4/0

Recommended Action: It is recommended that the City Council adopt a resolution finding the City of Antioch in compliance with the Growth Management requirements of Measure “J”.

- K. LICENSE AGREEMENT FOR SEASONAL USE OF REAL PROPERTY LOCATED AT DELTA FAIR AND CENTURY BOULEVARDS (APN 074-080-029)

Reso No. 2023/101 adopted, 4/0

Recommended Action: It is recommended that the City Council adopt a resolution authorizing the Acting City Manager to execute a License Agreement for Seasonal Use of Real Property with ABC Tree Farms, LLC, for property located at Delta Fair and Century Boulevards (APN 074-080-029).

- L. FIRST AMENDMENT TO THE ROOT FOAM SERVICES CONTRACT FOR DUKE’S ROOT CONTROL, INC.

Reso No. 2023/102 adopted, 4/0

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

- 1) Approving the First Amendment for the Root Foam Services Contract with Duke’s Root Control, Inc. in a form approved by the City Attorney; and
- 2) Authorizing the Acting City Manager to execute the First Amendment for the Root Foam Services Contract with Duke’s Root Control, Inc.

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

M. ANNUAL WATER TREATMENT CHEMICAL PURCHASE

Reso No. 2023/103 adopted, 4/0

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

- 1) Approving the joint agency cooperative purchase agreement for Water Treatment Plant chemicals for the period of July 1, 2023, through June 30, 2024, in the total amount not to exceed \$1,766,484.80; and
- 2) Authorizing the Acting City Manager to execute the cooperative purchase agreement.

N. ROAD MAINTENANCE AND REHABILITATION ACCOUNT (P.W. 707)

Reso No. 2023/104 adopted, 4/0

Recommended Action: It is recommended that the City Council adopt a resolution approving and adopting a list of projects for submittal to the California Transportation Commission for Fiscal Year 2023/24 that are eligible for funding by SB 1: the Road Repair and Accountability Act of 2017.

O. STATEWIDE COMMUNITY INFRASTRUCTURE PROGRAM FOR DEER VALLEY ESTATES

Reso No. 2023/105 adopted, 4/0

Recommended Action: It is recommended that the City Council adopt the resolution approving the application from Meritage Homes for participation in Assessment District 23-01 through the Statewide Community Infrastructure Program for the Deer Valley Estates residential project.

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

P. AGREEMENT WITH THE PROFESSIONAL TREE CARE CO. FOR ON CALL TREE TRIMMING SERVICES – PROPOSAL NO. 988-0601-23C

Reso No. 2023/106 adopted, 4/0

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

- 1) Awarding the Maintenance Services Agreement (“Agreement”) for On Call Tree Trimming Services throughout the City to The Professional Tree Care Co;
- 2) Approving the Agreement with The Professional Tree Care Co. of Berkeley CA, for a three (3) year term for amount up to \$750,000 with an option to extend two (2) additional years for an amount up to \$500,000 for a total contract amount not to exceed \$1,250,000 over a five (5) year period; and
- 3) Authorizing the Acting City Manager or designee to execute the Agreement in a form approved by the City Attorney.

8:01 P.M. MAYOR THORPE ARRIVED BEFORE THE DISCUSSION AND VOTE OF CONSENT CALENDAR - ITEM Q

Q. RESOLUTION ON AGENDA-SETTING PROCESSES AND PROCEDURES

Reso No. 2023/107 adopted with the amendment to change #1 to “no later than 11:00 P.M.”, 5/0

Recommended Action: It is recommended that the City Council adopt the resolution implementing rules for agenda-setting processes and procedures.

COUNCIL MEMBER WILSON REQUESTED A MOTION TO SUSPEND THE RULES TO MOVE COUNCIL REGULAR AGENDA ITEM #4 TO BE HEARD BEFORE THE PUBLIC HEARING; 5/0

4. DISCUSSION AND DIRECTION ON DRAFT ORDINANCE PROHIBITING RETALIATION AND HARASSMENT BY RESIDENTIAL LANDLORDS

Direction provided to staff to bring back ordinance with revisions, [Council Consensus 4/0/1 (Barbanica – Abstain)]

Recommended Action: It is recommended that the City Council discuss and provide direction to staff on the draft ordinance prohibiting retaliation and harassment by residential landlords.

9:15 P.M. RECESS

9:21 P.M. RECONVENED – ALL PRESENT

PUBLIC HEARING

3. THE RANCH PHASE I PROJECT

Recommended Action: The Planning Commission recommends that the City Council take the following actions:

To July 25, 2023, for adoption, 4/1 (Torres-Walker)

- 1) Introduce, by title only, and waive the first reading of the Planned Development Guidelines Ordinance.

Reso No. 2023/108 adopted, 4/1 (Torres-Walker)

- 2) Adopt the Resolution approving the Master Development Plan Amendment.

Reso No. 2023/109 adopted, 4/1 (Torres-Walker)

- 3) Adopt the Resolution approving two Vesting Tentative Maps, a Use Permit and Design Review.

CEQA: Environmental Impact Report for The Ranch Project was approved by the Antioch City Council in July 2020.

COUNCIL REGULAR AGENDA

5. RESOLUTION AMENDING THE MASTER SALARY SCHEDULE FOR THE CODE ENFORCEMENT MANAGER CLASSIFICATION

Reso No. 2023/110 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt a resolution amending the Master Salary Schedule for the Code Enforcement Manager Classification and authorizing the Finance Director to make the necessary Fiscal Year 2024 and 2025 budget adjustments.

PUBLIC COMMENTS

STAFF COMMUNICATIONS - FIRST COUNCIL MEETING IN JULY IS NOT SCHEDULED DUE TO SUMMER BREAK. THE NEXT REGULARLY SCHEDULED COUNCIL MEETING WILL BE HELD ON JULY 25, 2023, BEGINNING AT 7:00 P.M.

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 meeting at 11:02 P.M., 5/0