



ANNOTATED AGENDA

Antioch City Council REGULAR MEETING

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

Date: Tuesday, November 28, 2023

**Time: 5:45 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
Kwame P. Reed, 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.

5:45 P.M. ROLL CALL – CLOSED SESSION – for Council Members – *Council Members District 2 Barbanica, District 3 Ogorchock, District 4 Wilson and Mayor Thorpe [Mayor Pro Tem (District 1) Torres-Walker arrived at 5:48 p.m.]*

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS *for Closed Session*

CLOSED SESSION:

1) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** pursuant to California Government Code section 54956.9(d)(1); Justin Nartea v. Pamela Sabedra et al., Contra Costa County Superior Court Case C23-01521.

Council voted to settle case for \$35,000, 5/0

2) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** pursuant to California Government Code section 54956.9(d)(1); Wade v. City of Antioch, United States District Court for the Northern District of California, Case No. 23-cv-01130-DMR.

Direction provided to City Attorney

3) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** pursuant to California Government Code section 54956.9(d)(1); Collier Jr. v. City of Antioch, Superior Court for the State of California, Contra Costa County Case No. C22-02806.

Direction provided to City Attorney

5:51 P.M. MOTIONED TO ADJOURN TO CLOSED SESSION

5:52 P.M. REOPENED CLOSED SESSION – ROLL CALL – for Council Members – *All Present*

CLOSED SESSION – Continued

- 4) CONFERENCE WITH REAL PROPERTY NEGOTIATIONS** – pursuant to California Government Code section 54956.8; Property: 1915 D Street, Antioch, CA; Negotiating Parties: City of Antioch Negotiators: Kwame P. Reed, Acting City Manager and Thomas Lloyd Smith, City Attorney; Negotiating Parties: Mickie Marchetti, Executive Director, R.E.A.C.H. Project; Under Negotiation: Price and terms of payment.

Direction provided to Acting City Manager and City Attorney

5:53 P.M. *MOTIONED TO ADJOURN TO CLOSED SESSION*

7:02 P.M. ROLL CALL – REGULAR MEETING – for City /City Council Members acting as Successor Agency/Housing Successor to the Antioch Development Agency – *All Present*

PLEDGE OF ALLEGIANCE

OPENED MEETING AND MOMENT OF SILENCE IN MEMORY OF CONTRA COSTA COUNTY FIREFIGHTER JOHN MARTINEZ

CITY ATTORNEY TO REPORT OUT ON CLOSED SESSION

1. PROCLAMATIONS

- In Memory of the City of Antioch’s first female Mayor Louise Giersch, September 23, 1925 – September 4, 2023

7:09 P.M. *RECESS DURING PROCLAMATIONS DUE TO CCTV TECH/AUDIO ISSUE*

7:10 P.M. *RECONVENED – All Present*

- In Memory of Former Council Member Frank L. Stone, April 29, 1927 – October 25, 2023
Approved, 5/0

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

2. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

- HEALING & UNITY + KEY TO THE CITY EVENT – November 30, 2023
Antioch Community Center, 4703 Lone Tree Way, Antioch
- HOLIDAY DELITES CELEBRATION – December 2, 2023
Antioch’s Historic Rivertown, Downtown, G Street and 2nd Street, Antioch

3. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

- PLANNING 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

COUNCIL MEMBER OGORCHOCK REQUESTED A MOTION TO SUSPEND THE RULES TO MOVE COUNCIL REGULAR AGENDA ITEMS #5 AND #6 TO BE HEARD BEFORE THE CONSENT CALENDAR; APPROVED, 5/0

COUNCIL REGULAR AGENDA

5. SALES TAX CITIZENS’ OVERSIGHT COMMITTEE APPOINTMENT FOR THE VACANCY EXPIRING MARCH 2026

Recommended Action: 1) *It is recommended that the Mayor nominate the candidate for appointment.*

Reso No. 2023/167 adopted appointing Ami Odom to the Sales Tax Citizens’ Oversight Committee for the partial-term vacancy expiring March 2026, 5/0

2) *It is recommended that the City Council adopt a resolution appointing [name of appointee] to the Sales Tax Citizens’ Oversight Committee for the partial-term vacancy expiring March 2026.*

COUNCIL REGULAR AGENDA – Continued

6. BOARD OF ADMINISTRATIVE APPEALS APPOINTMENTS FOR ONE VACANCY EXPIRING MARCH 2024 AND ONE VACANCY EXPIRING MARCH 2026

Recommended Action: 1) *It is recommended that the Mayor nominate the candidates for appointment.*

2) *It is recommended that the City Council:*

Reso No. 2023/168 adopted appointing Sharif Umair to the Board of Administrative Appeals for the partial-term vacancy expiring March 2024, 5/0

I. *Adopt a resolution appointing [name of appointee] to the Board of Administrative Appeals for the partial-term vacancy expiring March 2024.*

Reso No. 2023/169 adopted appointing John Constantine Richelsen to the Board of Administrative Appeals for the partial-term vacancy expiring March 2026, 5/0

II. *Adopt a resolution appointing [name of appointee] to the Board of Administrative Appeals for the partial-term vacancy expiring March 2026.*

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

A. APPROVAL OF COUNCIL MEETING MINUTES FOR OCTOBER 24, 2023

Continued, 5/0

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

B. APPROVAL OF COUNCIL MEETING MINUTES FOR NOVEMBER 14, 2023

Continued, 5/0

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

C. APPROVAL OF COUNCIL WARRANTS

Approved, 5/0

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

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

D. APPROVAL OF SUCCESSOR AGENCY WARRANTS

Approved, 5/0

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

E. APPROVAL OF HOUSING SUCCESSOR WARRANTS

Approved, 5/0

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

F. SECOND READING – INNOVATIVE HOUSING (IH) OVERLAY DISTRICT AND ACCESSORY DWELLING UNITS (LA2023-0003) (Introduced on November 14, 2023)

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

Ord. No. 2235-C-S adopted, 5/0

- 1) Adopt an ordinance amending Title 9 Chapter 5 of the Antioch Municipal Code to implement State legislation regarding Accessory Dwelling Units and to permit multiple Accessory Dwelling Units in the Innovative Housing (IH) Overlay District.

Ord. No. 2236-C-S adopted, 5/0

- 2) Adopt an ordinance to rezone 33 parcels to include an IH Overlay District.

G. SECOND READING – ZONING TEXT AMENDMENTS (LA2023-0004) (Introduced on November 14, 2023)

Ord. No. 2237-C-S adopted, 5/0

Recommended Action: It is recommended that the City Council adopt an ordinance amending Title 9 Chapter 5 of the Antioch Municipal Code to implement Housing Element programs, codify legislation, and clarify existing regulations.

H. AMENDMENT TO PURPOSE-BUILT CONTRACT FOR SAFETY APPAREL, UNIFORMS, AND PERSONAL PROTECTIVE EQUIPMENT PURCHASES

Reso No. 2023/170 adopted, 5/0

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

- 1) Approving an increase to the Purpose-Built contract in the amount of \$150,000 for a two-year contract extension for Fiscal Years 2023/24 and 2024/2025; and
- 2) Authorizing the Acting City Manager or designee to execute an increase to the current purchase order with Purpose-Built.

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

- I. CONSIDERATION OF A COOPERATIVE AGREEMENT BETWEEN THE CITY OF ANTIOCH AND THE CONTRA COSTA TRANSPORTATION AUTHORITY FOR THE ANTIOCH BICYCLE GARDEN PROJECT FUNDED IN PART BY A SAFE STREETS AND ROADS FOR ALL GRANT

Reso No. 2023/171 adopted, 5/0

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

- 1) Approving the Cooperative Agreement between the City of Antioch and the Contra Costa Transportation Authority for the Antioch Bicycle Garden Project;
- 2) Authorizing the expenditure of up to \$1,000,000 of budgeted funds from City's General Fund to pay an advancement to the Contra Costa Transportation Authority for estimated costs for each phase of project delivery for the Antioch Bicycle Garden Project, which is a required match to receive a \$4,000,000 Safe Streets and Roads for All Grant; and
- 3) Authorizing the Acting City Manager to execute the agreement.

- J. CONSIDERATION OF BIDS FOR THE CONTRA LOMA ESTATES PARK RENOVATION (P.W. 298-P3)

Reso No. 2023/172 adopted, 5/0

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

- 1) Awarding the construction agreement to the lowest, responsive, and responsible bidder, Star Construction, Inc. for the Contra Loma Estates Park Renovation in the amount of \$2,499,900; and
- 2) Authorizing the Acting City Manager or designee to execute the construction agreement with Star Construction, Inc. for a total amount of \$2,499,900.

- K. AUTHORIZATION TO RESPOND TO REQUEST FOR STATUS UPDATE TO GRAND JURY REPORT NO. 2106 "MENTAL HEALTH CRISIS RESPONSE"

Reso No. 2023/173 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt the resolution to approve the response to the request for status updates to Grand Jury Report #2106 "Mental Health Crisis Response" and authorize the Mayor to sign the response letter.

8:59 P.M. RECESS

9:05 P.M. RECONVENED, ROLL CALL – All Present

COUNCIL REGULAR AGENDA – Continued

7. RESOLUTIONS APPROPRIATING EXPENDITURES FOR ENCUMBRANCES AND PROJECT BUDGETS OUTSTANDING TO THE 2023/24 FISCAL YEAR BUDGET AND APPROVING OTHER AMENDMENTS TO THE 2023/24 AND 2024/25 FISCAL YEAR BUDGETS

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

Reso No. 2023/174 adopted, 5/0

- 1) Resolution of the City Council of the City of Antioch appropriating expenditures for encumbrances and project budgets outstanding to the 2023/24 fiscal year budget and approving other amendments to the 2023/24 and 2024/25 fiscal year budgets.

Reso No. 2023/175 adopted approving the following projects:

- \$50,000 – Sister City Expenses
- \$110,000 – July 4th Event
- \$1,579,605 – Water Park Needs

5/0

- 2) Resolution of the City Council of the City of Antioch approving amendments to the 2023/24 and 2024/25 fiscal year budgets for items considered at the meeting of November 28, 2023.

PUBLIC COMMENTS

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 90 days.*

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 10:10 p.m., 5/0