

**CITY COUNCIL MEETING
INCLUDING THE ANTIOCH CITY COUNCIL
ACTING AS HOUSING SUCCESSOR
TO THE ANTIOCH DEVELOPMENT AGENCY
ANTIOCH PUBLIC FINANCING AUTHORITY**

**Regular Meeting
7:00 P.M.**

**February 14, 2023
Council Chambers**

6:30 P.M. - CLOSED SESSION

Mayor Thorpe called Closed Session to order at 6:30 P.M., and City Clerk Householder called the roll.

Present: Council/Agency Members District 2 Barbanica, District 3 Ogorchock, District 4 Wilson, Mayor Pro Tem (District 1) Torres-Walker and Mayor Thorpe

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – pursuant to California Government Code section 54956.9: California Resources Production v. City of Antioch et al. Contra Costa County Superior Court Case No. N21-2354; Delta Gas Gathering, Inc. and California Energy Exchange Corporation v. City of Antioch et al. Contra Costa County Superior Court Case No. N21-2355; and Enerfin Resources Northwest Limited Partnership v. City of Antioch et al. Contra Costa County Superior Court Case No. N21-2356.
2. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION: CITY ATTORNEY.** This closed session is authorized pursuant to Government Code section 54957(b)(1).

PUBLIC COMMENTS – None

ADJOURN TO CLOSED SESSION

Mayor Thorpe adjourned to Closed Session at 6:32 P.M.

7:00 P.M. REGULAR MEETING

Mayor Thorpe called the meeting to order at 7:25 P.M., and City Clerk Householder called the roll.

Present: Council/Agency Members District 2 Barbanica, District 3 Ogorchock, District 4 Wilson, Mayor Pro Tem (District 1) Torres-Walker and Mayor Thorpe

PLEDGE OF ALLEGIANCE

Mayor Thorpe led the Pledge of Allegiance.

CITY ATTORNEY TO REPORT OUT ON CLOSED SESSION

City Attorney Smith reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**, no reportable action and, **#2 PUBLIC EMPLOYEE PERFORMANCE EVALUATION: CITY ATTORNEY**, direction was given to the City Attorney.

1. INTRODUCTION OF NEW CITY EMPLOYEES

Interim Director of Public Works/City Engineer Buenting introduced Rachel Harris, Assistant Public Works Technician, Andrew Finley, General Laborer and Juan Luis Garcia Codinez, General Laborer, who thanked Interim Director of Public Works/City Engineer Buenting for the introduction and stated they looked forward to serving the City.

Finance Director Merchant introduced Emily Modar, Business License Representative I, who thanked Finance Director Merchant for the introduction and stated she looked forward to serving the City.

Director of Community Development Ebbs announced introductions of new employees for Community Development would be rescheduled for March 14, 2023.

Police Chief Ford introduced Andrew Schnitzius, Community Service Officer, Ryan Tryner, Community Service Officer, Vanessa Flores, Community Service Officer (not in attendance), Cathie Marlow, Lead Records Technician and Cat Cottle, Animal Services Supervisor who thanked Police Chief Ford for the introduction and stated they looked forward to serving the City.

Director of Parks and Recreation Helfenberger introduced Jun Clyde Aquino Gandia, Recreation Supervisor and Dustin Daroy, Aquatics Maintenance Worker, who thanked Director of Parks and Recreation Helfenberger for the introduction and stated they looked forward to serving the City.

Mayor Thorpe thanked the new employees for choosing public service.

2. PROCLAMATIONS

*In Memory of Ronald A. Grant, Public Servant Leader
In Honor of Black History Month, February 2023*

On motion by Councilmember Wilson, seconded by Councilmember Ogorchock the City Council unanimously approved the Proclamations.

Family members of Mr. Grant accepted the *In Memory of Ronald A. Grant, Public Servant Leader* proclamation.

Representatives from the ECNAACP accepted the *In Honor of Black History Month, February 2023* proclamation.

3. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Householder announced the following Board and Commission openings.

- Sales Tax Citizens' Oversight Committee
- Antioch Police Oversight Commission

For more information and to apply, visit the City's website.

ON MOTION BY COUNCILMEMBER WILSON, SECONDED BY COUNCILMEMBER BARBANICA THE CITY COUNCIL UNANIMOUSLY SUSPENDED THE RULES AND MOVED REGULAR AGENDA ITEM #9, TO BE HEARD AS THE NEXT ORDER OF BUSINESS.

COUNCIL REGULAR AGENDA

9. CONTRA COSTA COUNTY LIBRARY COMMISSION APPOINTMENT FOR ONE VACANCY EXPIRING JUNE 30, 2025 (ANTIOCH REPRESENTATIVE)

Mayor Thorpe nominated Dr. John M.Huh to the Contra Costa County Library Commission.

City Clerk Householder read Dr. Huh's biography.

RESOLUTION NO. 2023/20

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously appointed by resolution Dr. John Huh to the Contra Costa County Library Commission for the vacancy expiring June 30, 2025.

City Clerk Householder administered the Oath of Office to Dr. Huh.

PUBLIC COMMENTS

Eddie, Della Currie, Kim Carlson, Devin Williams and Treyveon Carlson representing ACCE and Tachina Garrett, spoke in support of Council enacting Anti-Harassment and Just Cause ordinances.

Norma Hernandez, Antioch resident, reported on her attempts to meet with the City Attorney to discuss the legality of the tobacco ordinance and requested the tobacco ordinance be agendized for reconsideration.

Ralph Hernandez, Antioch resident, discussed adverse side effects of vaccinations and commended the City for not requiring employees to be vaccinated.

Lucas Stuart-Chilcote wished Ms. Gardner well. He commented that he had installed a device on his vehicle to prevent catalytic converter theft and urged residents to be vigilant. He announced he won a seat as a delegate of the California Democratic Party for Assembly District 15.

Leslie May requested Council advance a discussion on the creation of a committee to consider reparations in Antioch.

Frank Sterling spoke in support of reparations as well as Anti-Harassment and Just Cause ordinances. He encouraged the City to consider safety of the rail system running along the Delta.

Edgar advocated for improving street lighting along East 18th Street and addressing blight in plazas within District 1 and along major arterials. He announced the Antioch Boys Varsity Cross Country Team won the Bay Valley Athletic League title. He also announced the retirement of a local Veterinary Clinic.

Patricia Granados expressed concern regarding the investigation of the DOJ into the Antioch Police Department. She discussed harassment occurring in the community and suggested the community members watch films addressing racism.

CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS

Councilmember Wilson reported on her attendance at a Delta Diablo meeting. She announced she would be attending a Conference next week.

Councilmember Torres-Walker reported on her participation in a meeting with Councilmember Wilson regarding the new location for the Department of Public Safety and Community Resources. She also reported on her attendance at a Lion's event. She recognized and thanked her stand-in Councilmembers.

Mayor Thorpe reported on his attendance at the Highway 4 Bypass Authority, East Contra Costa Regional Fee & Financing Authority (ECCRFFA), Contra Costa Transportation Authority (CCTA) and Tri Delta Transit meetings.

MAYOR'S COMMENTS – None

4. PRESENTATION

Approaches to the State of California's Homekey Program by Dignity Moves

Elizabeth Funk and Joanne Price, representing Dignity Moves and Steve Good, representing Five Keys, gave the Dignity Moves PowerPoint presentation.

Andrew Becker, Devin Williams, ACCE, Lucas Stuart-Chilcote, Edgar, Patricia Granados and Frank Sterling spoke in support of a Homekey Project in Antioch for the unsheltered homeless. Councilmember Ogorchock thanked the speakers for the presentation and spoke in support of a Homekey Project for Antioch.

Councilmember Torres-Walker and Councilmember Wilson thanked the speakers for the presentation and spoke in support of a Homekey Project for Antioch. They recognized Mr. Becker for his attention to this matter.

Mr. Good explained their trauma informed care approach.

Mayor Thorpe provided a history of the City's Project Homekey RFP process. He stated he hoped there were competitive bids for several organizations including Dignity Moves for a future Homekey project.

Mayor Thorpe and Councilmember Torres-Walker acknowledged that timelines had been a challenge.

Ms. Funk commented that several cities had reached a legal decision that Homekey was the vetting process with the state and generally they did not have to reply to RFPs. She noted this matter was up to the discretion of the City.

Assistant City Manager Bayon Moore stated discussion needed to occur regarding the City's financial commitment and obligation. She reported that staff had previously come forward with a request for \$6M; however, only \$2M was approved which had influenced the interest level of applicants.

Following discussion, Mayor Thorpe discussed the possibility of calling a special meeting to consider the financial pledge for the City. He suggested a sidebar conversation occur leading up to the special meeting to evaluate City's that had not utilized the RFP process.

- 5. CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency/Antioch Public Financing Authority**
 - A. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR JANUARY 13, 2023**
 - B. APPROVAL OF COUNCIL MEETING MINUTES FOR JANUARY 24, 2023**
 - C. APPROVAL OF COUNCIL WARRANTS**
 - D. APPROVAL OF HOUSING SUCCESSOR WARRANTS**

- E. **ORDINANCE NO. 2223-C-S AND ORDINANCE NO. 2224-C-S SECOND READING – CITY OF ANTIOCH 6TH CYCLE HOUSING ELEMENT UPDATE REZONE AND EAST LONE TREE SPECIFIC PLAN AMENDMENT (Introduced on 01/24/2023)**
- F. **CITY OF ANTIOCH ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2022**
- G. **ANTIOCH PUBLIC FINANCING AUTHORITY – BASIC FINANCIAL STATEMENTS AND INDEPENDENT AUDITOR’S REPORT FOR THE YEAR ENDED JUNE 30, 2022**
- H. **RESOLUTION NO. 2023/21 TERMINATING THE DECLARATION OF A LOCAL EMERGENCY CONCERNING THE SEVERE WINTER STORMS**
- I. **RESOLUTION NO. 2023/22 CONSIDERATION OF BIDS FOR THE ANTIOCH WATER PARK PERIMETER FENCE REPAIR (P.W. 567-11)**
- J. **RESOLUTION NO. 2023/23 AB 361: RESOLUTION MAKING FINDINGS NECESSARY TO CONDUCT BROWN ACT MEETINGS BY TELECONFERENCE FOR THE CITY COUNCIL, BOARDS, COMMISSIONS, AND COMMITTEES**
- K. **RESOLUTION 2023/24 APPROVING THE FINAL MAP, IMPROVEMENT PLANS AND SUBDIVISION IMPROVEMENT AGREEMENT FOR DEER VALLEY ESTATES 9518 (MERITAGE HOMES OF CALIFORNIA) (PW 681-2)**
- L. **RESOLUTION NO. 2023/25 INCREASE TO THE PURCHASE ORDER OF NATIONAL AUTO FLEET GROUP FOR THE PROCUREMENT OF ELEVEN (11) POLICE VEHICLES UTILIZING THE SOURCEWELL COOPERATIVE PURCHASING CONTRACT NO. 091521-NAF**

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously approved the Council Consent Calendar with the exception of items J and L which were removed for further discussion.

Item J – Mayor Thorpe suggested the resolution have a date certain of February 28, 2023, since the state of emergency would be over at the end of February.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council approved Item J with an end date of February 28, 2023. The motion carried the following vote:

Ayes: Torres-Walker, Ogorchock, Wilson, Thorpe

Noes: Barbanica

Item L – Councilmember Ogorchock stated that she believed the Antioch Police Department needed to oversee the purchase of their vehicles since they were aware of their needs.

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously approved Item L.

ON MOTION BY COUNCILMEMBER TORRES-WALKER, SECONDED BY COUNCILMEMBER BARBANICA THE CITY COUNCIL UNANIMOUSLY SUSPENDED THE RULES AND MOVED PUBLIC HEARING AGENDA ITEM #7, TO BE HEARD AS THE NEXT ORDER OF BUSINESS.

ON MOTION BY COUNCILMEMBER OGORCHOCK, SECONDED BY COUNCILMEMBER BARBANICA THE CITY COUNCIL UNANIMOUSLY SUSPENDED THE RULES AND MOVED PUBLIC HEARING AGENDA ITEM #8, TO BE HEARD AS THE NEXT ORDER OF BUSINESS.

PUBLIC HEARING

8. UP-22-15 USE PERMIT FOR DELTA DISTRIBUTION 2101 W. 10TH STREET, SUITE D

Associate Planner Cortez presented the staff report dated February 14, 2023, recommending the City Council adopt the resolution approving UP-22-15, a Use Permit for a cannabis distribution business at 2101 W. 10th Street.

Mayor Thorpe opened the public hearing.

Rick Hoke, Delta Distribution, explained distribution would occur within their facility with deliveries of their products from their extraction and cultivation facilities to the dispensary.

Ralph and Norma Hernandez, Antioch residents, discussed the adverse effects of cannabis use and businesses.

Patricia Granados spoke in support of cannabis use and businesses.

In response to Councilmember Ogorchock, Mr. Hoke reviewed the building tenants and site security plan.

Mayor Thorpe closed the public hearing.

RESOLUTION NO. 2023/26

On motion by Councilmember Wilson, seconded by Councilmember Torres-Walker the City Council adopted the resolution approving UP-22-15, a Use Permit for a cannabis distribution business at 2101 W. 10th Street. The motion carried the following vote:

Ayes: Torres-Walker, Ogorchock, Wilson, Thorpe

Noes: Barbanica

7. 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

Director of Community Development Ebbs presented the staff report dated February 14, 2023, recommending 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.

Mayor Thorpe opened and closed the public hearing with no members of the public requesting to speak.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously introduced, read by title only, and waived 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.

6. BILLBOARD REGULATIONS (Z-22-04)

Senior Planner Merideth presented the staff report dated February 14, 2023, recommending 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).

Mayor Thorpe opened and closed the public hearing with no members of the public requesting to speak.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously introduced, waived the first reading, and read by title only the ordinance amending Antioch Municipal Code section “Sign Regulations” (Chapter 5, Article 5).

COUNCIL REGULAR AGENDA – Continued

10. STREET SWEEPING SERVICES

Interim Director of Public Works/City Engineer Buenting presented the staff report dated February 14, 2023, recommending the City Council: 1) Provide direction to staff regarding potentially increasing Street Sweeping Services utilizing the City’s existing service provider, Delta Diablo, or bringing services in-house. 2) Provide direction to staff on a funding source for additional street sweeping services.

Lucas-Stuart-Chilcote suggested Council discuss installing signage mandating vehicles be removed during street sweeping to assist with identifying abandoned vehicle for abatement purposes.

In response to Councilmember Torres-Walker, Project Manager Buenting clarified that the cost for signage had not been included.

Mayor Thorpe reported Delta Diablo had a third-party contractor that could provide enhanced services.

Interim Director of Public Works/City Engineer Buenting stated if the options provided this evening were insufficient with what Council wanted to accomplish, he would work with Delta Diablo to determine if they would be able to provide enhanced services to include litter pick up.

Councilmembers Ogorchock and Barbanica stated they did not support increasing street sweeping and requested staff provide costs analysis for hiring laborers to address litter abatement/pollution prevention.

Councilmember Torres-Walker discussed the importance of parking enforcement and street sweeping services working together.

Following discussion, Council consensus directed staff to bring back options for expanding street sweeping and adding litter abatement through Delta Diablo.

11. CITY COUNCIL ASSISTANTS

Director of Human Resources Cortez presented the staff report dated February 14, 2023, recommending the City Council: 1) Adopt a resolution approving the allocation of up to three part-time Secretaries to provide administrative support to City Council; and/or 2) Provide direction to City staff to create a Citywide paid Internship Program including class specifications for City interns and a proposed program budget.

Lucas Stuart-Chilcote spoke in support of adopting the resolution approving the allocation of part-time secretaries to provide administrative support to City Council. He questioned which positions would be available for the internship program.

Patricia Granados spoke in support of adopting the resolution approving the allocation of part-time secretaries to provide administrative support to City Council. She stated that she was available for an internship position for graphics communications.

Following discussion, Council consensus supported adopting a resolution approving up to five part-time secretaries to provide administrative support to the City Council. They also directed staff to create a Citywide paid Internship Program.

RESOLUTION NO. 2023/27

On motion by Councilmember Torres-Walker, seconded by Councilmember Wilson the City Council adopted an amended resolution approving the allocation of up to **five** part-time Secretaries to provide administrative support to City Council. The motion carried the following vote:

Ayes: Torres-Walker, Wilson, Thorpe

Noes: Barbanica, Ogorchock

PUBLIC COMMENT – None

STAFF COMMUNICATIONS – None

COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS

Councilmember Torres-Walker wished everyone a Happy Valentine's Day and encouraged the community to celebrate Black History month. She stated she looked forward to working with Mayor Thorpe on the potential creation of a Human Rights and Racial Equity Commission. She requested the City agenda the following items: a presentation on current reparation efforts, a review of the current rental inspection ordinance, Anti-Harassment and Just Cause for Eviction policies, and improving connectivity for neighborhoods hardest impacted during the pandemic.

Councilmember Ogorchock requested staff agenda consideration of the Antioch Police Department overseeing the purchase of their fleet vehicles, and a review of the smoking ordinance as it related to cigars and packaging limits.

Councilmember Wilson requested the City agenda a discussion on EV charging stations, and a ban on new gas stations.

Mayor Thorpe announced he would be scheduling a Special Meeting for Homekey as soon as possible.

ADJOURNMENT

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously adjourned the meeting at 11:00 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk