

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

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

**May 23, 2023
Council Chambers**

7:00 P.M. REGULAR MEETING

Mayor Pro Tem Torres-Walker called the meeting to order at 7:00 P.M., and City Clerk Householder called the roll.

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

Absent: Mayor Thorpe (arrived at 7:17 P.M.)

PLEDGE OF ALLEGIANCE

Councilmember Barbanica led the Pledge of Allegiance.

1. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Youth Services Network Coordinator Cabral introduced Sarah Morgan Antioch Council of Teens (ACT) who announced the following events:

- RFY Metropolis Dance Showcase – A Night On Broadway – May 24, 2023
- The Antioch Council of Teens – Youth Block Party – June 9, 2023

Contact information was provided for anyone interested in joining ACT.

PUBLIC COMMENTS

Christian Gutierrez discussed incidents he was involved in with law enforcement.

Rosalba Zendejas discussed an incident family members were involved in with the Antioch Police Department (APD) and spoke in support of removing the statute of limitations.

David Burnham and Carrie Davis, Antioch residents, expressed concern regarding the effectiveness of the city's new weed abatement methods and requested they revert to the previous process for the open space adjacent to their residence. Photos were submitted to the City Clerk.

Kathryn Wade discussed comments made by Attorney General Bonta, Mayor Thorpe and Councilmember Torres-Walker as well as incidents involving a family member and APD.

Mayor Thorpe arrived at 7:17 P.M.

Frank Sterling, Antioch resident, expressed concern regarding a recent statement issued by the Antioch Police Officers Association (APOA). He requested the statute of limitation be lifted for cases involving APD and suggested Internal Affairs be prohibited from serving as APOA leadership.

Devin Williams expressed concern that he would not see change in the world.

Andrew Becker expressed concern that community engagement did not occur for the Permanent Local Housing Allocation (PLHA) funding and discussed Project Homekey opportunities.

Leslie May discussed investigations related to the APD. She encouraged Antioch to seek funding opportunities for housing.

CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS

Councilmember Barbanica reported on his attendance at the East County Water Management Association meeting and thanked Acting Director of Public Works/City Engineer Buenting for representing the City at that event.

Councilmember Wilson reported on her attendance at the East County Water Management Association meeting on behalf of Delta Diablo. She announced she would be attending a Tri Delta Transit meeting on May 24, 2023, and youth bus passes would go on sale June 1, 2023.

MAYOR'S COMMENTS

Mayor Thorpe reported he would be attending the Tri Delta meeting tomorrow and the Mayor's Conference next week.

ON MOTION BY COUNCILMEMBER WILSON, SECONDED BY COUNCILMEMBER OGORCHOCK, THE CITY COUNCIL UNANIMOUSLY SUSPENDED THE RULES AND MOVED REGULAR AGENDA ITEMS #6 AND #7 TO BE HEARD BEFORE THE CONSENT CALENDAR; APPROVED 5/0.

COUNCIL REGULAR AGENDA

6. RESOLUTION APPROVING AN AGREEMENT FOR SERVICES OF INDEPENDENT CONTRACTOR WITH CIVICWELL AND AUTHORIZING THE ACTING CITY MANAGER TO ENTER INTO THE AGREEMENT

Director of Public Safety and Community Resources Johnson presented the staff report dated May 23, 2023, recommending the City Council adopt the resolution: 1) Approving an agreement with CivicWell to provide two CivicSpark Fellows in the amount not to exceed \$62,000, and 2)

Authorizing the Acting City Manager to execute the Agreement in a form approved by the City Attorney.

RESOLUTION NO. 2023/73

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council adopted the resolution: 1) Approving an agreement with CivicWell to provide two CivicSpark Fellows in the amount not to exceed \$62,000, and 2) Authorizing the Acting City Manager to execute the Agreement in a form approved by the City Attorney.

7. APPROVAL OF AWARDS FOR THE CALIFORNIA VIOLENCE INTERVENTION & PREVENTION (CALVIP) PROGRAM OUTREACH, PROGRAM DESIGN AND IMPLEMENTATION WITH ONE DAY AT A TIME WITH FISCAL SPONSOR COMMUNITY INITIATIVES

Director of Public Safety and Community Resources Johnson presented the staff report dated May 23, 2023, recommending the City Council adopt a resolution authorizing the Acting City Manager or designee to agree with One Day at a Time (ODAT) for grant program support and replication of evidence-based violence reduction initiatives and programs that interrupt cycles of violence for \$346,500 funded by CalVIP grant funds.

Mayor Thorpe thanked Director of Public Safety and Community Resources Johnson for applying for grant funds.

Councilmember Torres-Walker spoke in support of the resolution and discussed the success of this program in Richmond. She thanked Andrew Becker for advocating for housing and for mentioning the violence that occurred in the community. She suggested the City conduct community outreach to explain the initiatives.

RESOLUTION NO. 2023/74

On motion by Councilmember Wilson, seconded by Councilmember Torres-Walker the City Council unanimously adopted a resolution authorizing the Acting City Manager or designee to agree with One Day at a Time (ODAT) for grant program support and replication of evidence-based violence reduction initiatives and programs that interrupt cycles of violence for \$346,500 funded by CalVIP grant funds.

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

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

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

- C. APPROVAL OF COUNCIL MEETING MINUTES FOR APRIL 25, 2023
- D. APPROVAL OF COUNCIL MEETING MINUTES FOR MAY 9, 2023
- E. APPROVAL OF HOUSING SUCCESSOR WARRANTS
- F. APPROVAL OF COUNCIL WARRANTS
- G. RESOLUTION NO. 2023/75 ESTABLISHING THE APPROPRIATIONS LIMIT FOR THE 2023-24 FISCAL YEAR
- H. RESOLUTION NO. 2023/76 ARCTIC WOLF NETWORK ANNUAL CONTRACT RENEWAL
- I. RESOLUTION NO. 2023/77 ACCEPTANCE OF WORK AND NOTICE OF COMPLETION FOR THE TRAFFIC SIGNAL INSTALLATION AT THE LAUREL ROAD AND CANADA VALLEY ROAD INTERSECTION (P.W. 674-TS)
- J. RESOLUTION NO. 2023/78 CONSIDERATION OF BIDS FOR THE NEIGHBORHOOD TRAFFIC CALMING PROJECT (P.W. 282-19A)
- K. RESOLUTION NO. 2023/79 CONSIDERATION OF BIDS FOR THE 3-PERSON STORM MAINTENANCE CREW AT VARIOUS LOCATIONS THROUGHOUT THE CITY OF ANTIOCH, RFB NO. 988-0503-23A
- L. RESOLUTION NO. 2023/80 CONSIDERATION OF BIDS FOR THE FULTON SHIPYARD RECYCLING PROJECT
- M. APPROVAL OF TREASURER'S REPORT FOR MARCH 2023
- N. RESOLUTION NO. 2023/81 CONSIDERATION OF BIDS FOR THE CLEAN AGENT FIRE SUPPRESSION SYSTEM INSTALLATION IN CITY HALL SERVER ROOM, BID NO. 990-0426-23A
- O. REJECTION OF CLAIM: KIM BROWN

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously approved the Council Consent Calendar with the exception of Item A which was pulled for further discussion.

Item A – Mayor Thorpe moved to rescind the direction provided at the May 9, 2023, Council meeting regarding inclusion of verbatim comments in the April 11, 2023, Council meeting minutes. He explained they typically had not gone outside the summary minutes process.

In response to Councilmember Torres-Walker, City Clerk Householder explained a dedicated contractor provided minutes for the City Council, as well as various Boards, Commissions and Committees and requiring verbatim minutes would be a tremendous burden.

Mayor Thorpe added the Clerk's office did not have capacity to provide verbatim minutes and felt it would be unfair and unnecessary.

Councilmember Ogorchock commented that the previous request for verbatim minutes was approved 3/0.

On motion by Mayor Thorpe, seconded by Councilmember Torres-Walker, the City Council rescinded direction given at the May 9, 2023, Council meeting to include verbatim minutes for the April 11, 2023, meeting and directed staff to continue with the summary minute format. The motion carried the following vote:

Ayes: Wilson, Torres-Walker and Thorpe

Noes: Barbanica, Ogorchock

PUBLIC HEARING

3. PROPOSED UPDATES TO THE MASTER FEE SCHEDULE EFFECTIVE JULY 1, 2023

Finance Director Merchant presented the staff report dated May 23, 2023, recommending the City Council adopt a resolution updating and approving the Master Fee Schedule effective July 1, 2023.

Andrew Becker expressed concern Antioch's developer fees were inconsistent with other communities in the County.

Acting City Manager Ebbs explained the fees were based on services provided.

Following discussion, Councilmember Ogorchock requested the Senior Center Annual Membership fee be eliminated from the Master Fee Schedule.

RESOLUTION NO. 2023/82

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council adopted a resolution updating and approving the Master Fee Schedule effective July 1, 2023, with the exception of the Senior Center Annual Membership Fee which was eliminated from the Master Fee Schedule. The motion carried the following vote:

Ayes: Barbanica, Ogorchock, Wilson, Thorpe

Abstain: Torres-Walker

COUNCIL REGULAR AGENDA – Continued

4. FISCAL YEAR 2023-25 BUDGET DEVELOPMENT

Finance Director Merchant presented the staff report dated May 23, 2023, recommending the City Council provide feedback and direction regarding the budget development of the fiscal year 2023-25 budget.

Andrew Becker expressed concern the City had not allocated funding for affordable housing opportunities and suggested the Water Park be sold since it had not been profitable.

Councilmember Torres-Walker requested setting aside money to pursue funding for a Homekey application.

Councilmember Barbanica requested funding the upgrades for the Emergency Operations Center (EOC).

Mayor Thorpe, for the record, commented that the City had made investments in the Park and Recreation Department to maintain a quality of life in Antioch.

Following discussion, Council consensus provided the following direction:

- Bring back Study Session for Parks and Recreation
- Allocate \$2.5M to Homekey using ARPA and One Time Revenue Funds
- Fund EOC with remainder of One Time Revenue Funds
- Support 60/20/20 percent Sales Tax Allocation

Finance Director Merchant stated she would bring back the draft budget based on Council's direction.

5. ANNUAL MILITARY EQUIPMENT USE REPORT

Lieutenant Vigil presented the staff report dated May 23, 2023, recommending the City Council receive the 2022 Annual Military Equipment Use Report.

Mayor Thorpe announced the City had a policy that they would no longer accept military equipment.

Frank Sterling, Antioch resident, stated that he understood the usage of the MRAP could be appropriate for serious incidents; however, he did not support its use during parades.

Devin Williams agreed with Mr. Sterling.

Andrew Becker stated that he understood the usage of the MRAP was appropriate for specific circumstances.

Following discussion, Council consensus agreed that the current MRAP vehicle would remain operational as the APD searched for an alternative law enforcement based armored vehicle. The alternative vehicle and the military use equipment policy would be brought back for Council consideration.

8. PROJECT UPDATE AND FIRST AMENDMENT TO THE CONSTRUCTION AGREEMENT WITH SHIMMICK CONSTRUCTION COMPANY, INC. FOR THE BRACKISH WATER DESALINATION PROJECT (P.W. 694)

Acting Director of Public Works/City Engineer Buenting introduced Project Manager Sbranti who presented the staff report dated May 23, 2023 recommending the City Council adopt a resolution to: 1) Receive project update; 2) Approve an amendment to the Fiscal Year 2022/23 Capital Improvement and Operating Budget to increase the funding from the Water System Improvements Fund for the Brackish Water Desalination Project by \$6,100,000 for an additional contingency of, approximately 7 percent of the original bid amount, resulting in a total amount for project construction of \$97,123,450; and 3) Authorize and direct the Acting City Manager to execute the first amendment to the Construction Agreement, in a form approved by the City Attorney.

Andrew Becker spoke in support of the desalination project. He questioned the quality of water brought in from the delta and why costs for the project had been projected inaccurately.

Councilmember Barbanica thanked Project Manager Sbranti for work done on this project.

RESOLUTION NO. 2023/83

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously adopted a resolution to: 1) Receive project update; 2) Approved an amendment to the Fiscal Year 2022/23 Capital Improvement and Operating Budget to increase the funding from the Water System Improvements Fund for the Brackish Water Desalination Project by \$6,100,000 for an additional contingency of, approximately 7 percent of the original bid amount, resulting in a total amount for project construction of \$97,123,450; and 3) Authorized and direct the Acting City Manager to execute the first amendment to the Construction Agreement, in a form approved by the City Attorney.

9. PRESENTATION OF THE DRAFT 5-YEAR CAPITAL IMPROVEMENT PROGRAM 2023-2028 (P.W. 150-23)

Acting Director of Public Works/City Engineer Buenting presented the staff report dated May 23, 2023, recommending the City Council review and provide feedback to staff regarding the draft 5-Year Capital Improvement Program 2023-2028.

Mayor Thorpe thanked Acting Director of Public Works/City Engineer Buenting for the report.

Andrew Becker expressed concern that the City was investing in Amtrak Station Improvements, Prewett Park / Water Park Improvements and the bicycle garden.

Devin Williams suggested the City invest in weed abatement around the Sycamore Square shopping center and along "L" Street. He spoke in support of the Rivertown Community Park project and expanding the traffic calming program.

Following discussion, Council consensus directed staff to bring back streetlights and the bicycle garden for funding consideration.

Mayor Thorpe declared a recess at 10:07 P.M. The meeting reconvened at 10:12 P.M. with all Councilmembers present with the exception of Councilmember Wilson who arrived at 10:13 P.M.

10. 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

City Attorney Smith presented the staff report dated May 23, 2023, recommending the City Council discuss and provide direction to the City Attorney.

Andrew Becker thanked City Attorney Smith for the report and commented that the City should follow the municipal code.

Councilmembers Ogorchock and Barbanica stated they did not support revising the current policy.

Following discussion, Council consensus directed staff to bring back a revised policy excluding the City Council.

PUBLIC COMMENT

Stephanie requested the City build a new fishing pier.

Devin Williams requested Council bring back the antiharassment ordinance as soon as possible and terminate officers guilty of misconduct.

Frank Sterling, Antioch resident, agreed with the previous speaker and suggested police officers be drug tested. He also requested reopening investigations of previous cases involving APD.

Andrew Becker spoke in support of developing a safety plan for the County Fair to prevent future incidents from occurring. He urged Council to address traffic safety.

STAFF COMMUNICATIONS – None

COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS

Councilmember Barbanica expressed concern that he had requested the tobacco policy return to this meeting for consideration. He called for a Special Meeting at 7:00 P.M. on May 30, 2023, to revise the agenda setting process. He reported that he had met with Councilmember Torres-Walker and developed a plan for placing items on agendas.

Councilmember Torres-Walker stated she agreed with holding a Special meeting to discuss the agenda setting process and timeline.

Councilmember Ogorchock supported the request to hold a Special meeting. She asked that Council discuss the holiday for July. She requested an update on Contra Loma Estates Park and the bicycle garden.

Mayor Thorpe explained that he had been transparent regarding delaying agenda items because of staffing issues, and he was also waiting to complete the budget process. He stated he planned to call a Special meeting for the 6-month review of agenda items. He commented that he understood Council's concerns and requested they allow him to work with staff to develop a realistic timeline.

Councilmember Barbanica explained that with the support of a majority of Council he had requested an item be placed on this agenda and it had not been brought forward. He noted his special meeting request stands and they would be discussing revising the way the agenda was set to give the power to the majority of Council.

Mayor Thorpe confirmed that the tobacco ordinance would be placed on a future agenda.

ADJOURNMENT

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously adjourned the meeting at 10:49 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk