



ANNOTATED AGENDA

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

Date: Tuesday, March 26, 2024

Time: 5:00 P.M. – Special Meeting/Study Session
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 A. Hernandez-Thorpe, Mayor
Monica E. Wilson, Mayor Pro Tem (District 4)
Tamisha Torres-Walker, Council Member District 1
Michael Barbanica, Council Member District 2
Lori Ogorchock, Council Member District 3

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.

5:00 P.M. ROLL CALL – SPECIAL MEETING – for Council Members – *All Present*

PLEDGE OF ALLEGIANCE

STUDY SESSION

SM-1. EMINENT DOMAIN: PUBLIC ACQUISITIONS “THE CONDEMNATION PROCESS”
Received
Recommended Action: It is recommended that the City Council receive and file.

5:42 P.M. *MOTIONED TO ADJOURN SPECIAL MEETING/STUDY SESSION*

6:00 P.M. ROLL CALL – CLOSED SESSION – for Council Members – *All Present*

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS *for Closed Session* – *None*

CLOSED SESSION:

- 1) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – pursuant to California Government Code section 54956.9: James Adams v. New Way Management Services, Veronica Dean, and City of Antioch, Superior Court of California Contra Costa County, Case No. MSC 20-01457.

***Council motioned to settle the case in the amount of \$325,000
4/1 (Ogorchock)***

- 2) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – pursuant to California Government Code section 54956.9: Bullock v. City of Antioch, Superior Court of California Contra Costa County, Case No. MSC19-01331.

Direction provided to City Attorney

- 3) **PUBLIC EMPLOYMENT – RECRUITMENT OF CITY MANAGER.** This closed session is authorized pursuant to California Government Code section 54957(b).

Direction provided to Human Resources Director and City Attorney

6:02 P.M. MOTIONED TO ADJOURN TO CLOSED SESSION

7:09 P.M. ROLL CALL – REGULAR MEETING – for City /City Council Members acting as Housing Successor to the Antioch Development Agency – **All Present**

PLEDGE OF ALLEGIANCE

CITY ATTORNEY TO REPORT OUT ON CLOSED SESSION

COUNCIL MEMBER BARBANICA REQUESTED A MOTION TO SUSPEND THE RULES TO MOVE UP REGULAR AGENDA ITEM #4 TO BE HEARD AFTER AGENDA ITEM #1.

COUNCIL MEMBER OGORCHOCK MADE A SUBSTITUTE MOTION TO MOVE REGULAR AGENDA ITEM #4 TO BE HEARD AFTER THE CONSENT CALENDAR ITEM #3. THE SUBSTITUTE MOTION FAILED 2/3 (BARBANICA, TORRES-WALKER, AND HERNANDEZ-THORPE-NO).

THE PREVIOUS MOTION BY COUNCIL MEMBER BARBANICA TO SUSPEND THE RULES TO MOVE UP REGULAR AGENDA ITEM #4 TO BE HEARD AFTER AGENDA ITEM #1, WAS APPROVED; 5/0

1. INTRODUCTION OF NEW CITY EMPLOYEE

COUNCIL REGULAR AGENDA

4. DISCUSSION ITEM: JUST CAUSE EVICTION ORDINANCE

Council consensus directing staff to bring back a just cause eviction ordinance

Recommended Action: It is recommended that the City Council:

1) *Review, discuss, and provide feedback to staff on the staff report and just cause eviction ordinances from other cities; and*

2) *Direct staff to:*

a) *Prepare a just cause eviction ordinance for the City of Antioch;*

or

b) *Take no further action.*

2. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

- **3RD ANNUAL EGGSTRAVAGANZA & REC EXPO** – March 30, 2024
Antioch Water Park, 4701 Lone Tree Way, 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 FEBRUARY 27, 2024

Approved, 5/0

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

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

- B.** APPROVAL OF COUNCIL MEETING MINUTES FOR MARCH 12, 2024
Continued, 5/0
Recommended Action: It is recommended that the City Council continue the Meeting Minutes.
- C.** COUNCIL SPECIAL MEETING FOR MARCH 19, 2024 – NO QUORUM
Approved, 5/0
Action: March 19, 2024 – Order of Adjournment due to lack of a quorum.
- D.** APPROVAL OF COUNCIL WARRANTS
Approved, 5/0
Recommended Action: It is recommended that the City Council approve the warrants.
- E.** REJECTION OF CLAIMS: THOMAS O’CONNOR, INEZ ROGERS, ELIJAH SWANSON, MAVERICK SWANSON, HARLEY SWANSON, KENNEDY SWANSON, BILLIE SWANSON, SARAH SWANSON, AND TANIA SWANSON
Rejected, 5/0
Recommended Action: It is recommended that the City Council reject the claims submitted by Thomas O’Connor, Inez Rogers, Elijah Swanson, Maverick Swanson, Harley Swanson, Kennedy Swanson, Billie Swanson, Sarah Swanson, and Tania Swanson.
- F.** 2023 ANNUAL HOUSING ELEMENT PROGRESS REPORT, HOUSING SUCCESSOR ANNUAL REPORT AND PROGRESS REPORT FOR THE GENERAL PLAN
Received and filed, 5/0
Recommended Action: It is recommended that the City Council receive and file the 2023 Annual Housing Element Progress Report, Housing Successor Annual Report, and Progress Report for the General Plan.
- G.** PEREGRINE TECHNOLOGIES CONTRACT AGREEMENT
Reso No. 2024/37 adopted, 5/0
Recommended Action: It is recommended that the City Council adopt a resolution authorizing the Acting City Manager to execute an agreement with Peregrine Technologies for a software license for a term of three years with an option for two one-year extensions in an amount up to \$127,000 annually for a total amount not to exceed \$635,000.

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

- H.** RESOLUTION APPROVING PROGRAM SUPPLEMENT AGREEMENT NO. F017 TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 04-5038F15 FOR FEDERAL AID PROJECTS FOR THE ANTIOCH – L STREET PATHWAY TO TRANSIT (P.W. 234-15)

Reso No. 2024/38 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt a resolution authorizing the Acting City Manager or designee to execute the Program Supplement Agreement No. F017 to Administering Agency-State Agreement No. 04-5038F15 for Federal Aid Projects for the Antioch – L Street Pathway to Transit.

- I.** AWARD OF AGREEMENT WITH GOLDEN GATE TRANS INC. FOR LANDSCAPING MATERIAL PURCHASES AND DELIVERIES

Reso No. 2024/39 adopted, 5/0

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

- 1) Awarding a multi-year agreement to Golden Gate Trans Inc., for the purchase and deliveries of landscaping materials on an as needed basis beginning Fiscal Year 2023/24 through Fiscal Year 2025/26 in the amount of \$986,568, and a two-year extension period from Fiscal Year 2026/27 through Fiscal Year 2027/28 in the amount of \$691,294.50 for a total five-year amount not to exceed \$1,677,862.50; and
- 2) Authorizing the Acting City Manager to execute the Agreement with Golden Gate Trans Inc., of Richmond, CA, in a form approved by the City Attorney.

- J.** INCREASE TO THE PURCHASE ORDER WITH CORE AND MAIN FOR THE PROCUREMENT OF WATER DISTRIBUTION MAINTENANCE PARTS AND SUPPLIES

Reso No. 2024/40 adopted, 5/0

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

- 1) Approving an increase to the Fiscal Year 2023/24 purchase order with Core and Main for procurement of water distribution maintenance parts and supplies in the amount of \$100,000 for a total purchase order amount not to exceed \$600,000; and
- 2) Authorizing the Acting City Manager to execute the purchase order increase.

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

K. FIRST AMENDMENT TO THE CONSULTING SERVICES AGREEMENT WITH CENTRICITY GIS, LLC FOR IMPLEMENTATION OF CITYWORKS ASSET MANAGEMENT SOFTWARE

Reso No. 2024/41 adopted, 5/0

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

- 1) Approving the first amendment to the consulting services agreement with Centricity GIS, LLC for implementation of asset management software in the amount of \$70,000 for a total contract amount of \$141,000, and extending the term of the agreement to July 4, 2025; and
- 2) Authorizing the Acting City Manager to execute the first amendment to the consulting services agreement in a form approved by the City Attorney.

L. INCREASE TO THE PURCHASE ORDER WITH BACKFLOW DISTRIBUTORS FOR THE PROCUREMENT OF WATER DISTRIBUTION BACKFLOW PARTS AND SUPPLIES

Reso No. 2024/42 adopted, 5/0

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

- 1) Approving an increase to the Fiscal Year 2023/24 purchase order with Backflow Distributors for procurement of water distribution backflow parts and supplies in the amount of \$100,000 for a total purchase order amount not to exceed \$265,000; and
- 2) Authorizing the Acting City Manager to execute the purchase order increase.

M. APPROVAL OF A PURCHASE ORDER WITH BADGER METER, INC. FOR WATER METERS AND REPAIR PARTS

Reso No. 2024/43 adopted, 5/0

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

- 1) Approving a purchase order in the amount of \$500,000 with Badger Meter, Inc. for the purchase of water meters and repair parts; and
- 2) Authorizing the Acting City Manager to execute the purchase order.

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

N. ACCEPTANCE OF WORK AND NOTICE OF COMPLETION FOR THE MAINTENANCE SERVICE CENTER WAREHOUSE IMPROVEMENTS (P.W. 143-R)

Reso No. 2024/44 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt a resolution accepting work and authorizing the Acting City Manager to file a Notice of Completion for the Maintenance Service Center Warehouse Improvements Project.

O. RESOLUTION ESTABLISHING THE RATE PER EQUIVALENT RUNOFF UNIT FOR FISCAL YEAR 2024/25 AND REQUESTING THE CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT TO ADOPT AN ANNUAL PARCEL ASSESSMENT FOR DRAINAGE MAINTENANCE AND THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM PROGRAM

Reso No. 2024/45 adopted, 5/0

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

- 1) Determining that the rate to be assigned to a single Equivalent Runoff Unit for Fiscal Year 2024/25 shall be set at twenty-five dollars (\$25.00); and
- 2) Requesting the Contra Costa County Flood Control and Water Conservation District adopt Stormwater Utility Assessment Drainage levies based on the rate for a single Equivalent Runoff Unit for Fiscal Year 2024/25, which shall be set at twenty-five dollars (\$25.00).

COUNCIL REGULAR AGENDA – Continued

[ITEM #4 MOVED UP]

COUNCIL REGULAR AGENDA – Continued

5. APPROVING THE PURCHASE OF REAL PROPERTY LOCATED AT 800 WEST 2ND STREET, ANTIOCH, CA (APN 066-091-017); AUTHORIZING ACTING CITY MANAGER TO EXECUTE THE PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS WITH SKEJUL, LLC; APPROVING CERTAIN RELATED ACTIONS; AND MAKING CEQA EXEMPT FINDINGS

Reso No. 2024/46 adopted, 4/1 (Ogorchock)

Recommended Action: It is recommended that the City Council adopt a resolution approving the purchase of the real property located at 800 W. 2nd Street, Antioch, California (APN 066-091-017) (“Property”); authorizing the Acting City Manager or designee to execute the Purchase and Sale Agreement and Joint Escrow Instructions with SKEJUL, LLC for purchase of the Property with a purchase price in the amount of \$1,830,000.00 plus closing costs and fees, and take all related actions necessary to complete the acquisition; and making a finding that the purchase of the Property is found to be categorically exempt from environmental review under the California Environmental Quality Act (CEQA).

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 10:02 p.m., 5/0