



ANNOTATED AGENDA

Antioch City Council

REGULAR MEETING

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

Date: Tuesday, August 27, 2024

Time: 5:15 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.

5:15 P.M. ROLL CALL – CLOSED SESSION – for Council Members – ***Council Members District 2 Barbanica, District 3 Ogorchock, Mayor Pro Tem (District 4) Wilson, and Mayor Hernandez-Thorpe [Council Member District 1 Torres-Walker – Absent]***

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: Susana Shippam v. City of Antioch, Superior Court of California Contra Costa County (Case No. C22-01129).

City Council voted to approve to settle case in the amount of \$85,000, 5/0

2) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Initiation of litigation pursuant to California Government Code section 54956.9(c): Three Cases.

Direction provided to City Attorney

3) PUBLIC EMPLOYEE PERFORMANCE EVALUATION: ACTING CITY MANAGER. This closed session is authorized pursuant to California Government Code section 54957(b)(1).

No reportable action

CLOSED SESSION – Continued

- 4) **PUBLIC EMPLOYEE PERFORMANCE EVALUATION: CITY ATTORNEY.** This closed session is authorized pursuant to California Government Code section 54957(b)(1).

No reportable action

- 5) **A. PUBLIC EMPLOYEE APPOINTMENT: CITY MANAGER.** This closed session is authorized pursuant to California Government Code section 54957(b)(1).

- B. CONFERENCE WITH LABOR NEGOTIATORS –** pursuant to California Government Code section 54957.6. City designated representatives: Human Resources Director Ana Cortez and City Attorney Thomas Lloyd Smith. Employee Organization: Unrepresented Employee – City Manager Candidate.

No reportable action

5:29 P.M. MOTIONED TO ADJOURN TO CLOSED SESSION

7:10 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

1. INTRODUCTION OF NEW CITY EMPLOYEES

2. PROCLAMATIONS

- International Overdose Awareness Day, August 31, 2024
- Childhood Cancer Awareness Month, September 2024

Approved, 5/0

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

3. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

- THE “YOCH” TEEN VOLUNTEER PROGRAM – Visit: antiochca.gov/Youth
- MAYOR’S APPRENTICESHIP PROGRAM (MAP) – Visit: antiochca.gov/MAP

4. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

- CONTRA COSTA COUNTY MOSQUITO & VECTOR CONTROL BOARD
- ECONOMIC DEVELOPMENT 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

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

A. APPROVAL OF COUNCIL MEETING MINUTES FOR JULY 23, 2024

Approved, 5/0

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

B. APPROVAL OF COUNCIL MEETING MINUTES FOR AUGUST 13, 2024

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.

D. APPROVAL OF HOUSING SUCCESSOR 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 Housing Successor to the Antioch Development Agency – Continued

- E.** APPROVAL OF THE PROPOSAL FROM LILYPAD EV UTILIZING THE SOURCEWELL COOPERATIVE PURCHASING AGREEMENT NO. 04221-CPI FOR PHASE 1 OF THE ZERO EMISSION VEHICLE TRANSITION PROJECT (P.W. 690-1)

Reso No. 2024/118 adopted, 5/0

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

- 1) Approving the proposal from Lilypad EV to purchase twelve (12) electric vehicle chargers supplied by ChargePoint in the amount of \$195,895 utilizing the Sourcewell Cooperative Purchasing Agreement No. 04221-CPI for Phase 1 of the Zero Emission Vehicle Transition Project; and
- 2) Authorizing the Acting City Manager to execute the cooperative purchasing agreement.

- F.** CONSIDERATION OF BIDS FOR THE JACOBSEN PARK RENOVATIONS (P.W. 59-P2)

Reso No. 2024/119 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt a resolution awarding the construction agreement to the lowest, responsive, and responsible bidder, Frontline General Engineering Construction, Inc., for the Jacobsen Park Renovations in the amount of \$595,830.55 with an additional \$100,000 contingency for a total project budget of \$695,830.55 and authorizing the Acting City Manager to execute the construction agreement.

- G.** FIRST AMENDMENT TO THE MAINTENANCE SERVICE AGREEMENT WITH DC ELECTRIC GROUP INC. FOR ELECTRIC VEHICLE CHARGER INSTALLATIONS

Reso No. 2024/120 adopted, 5/0

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

- 1) Approving the first amendment to the Maintenance Service Agreement with DC Electric Group Inc. extending the contract term for an additional two years and amending the scope to include electric vehicle charger installations increasing the agreement by \$145,000 and a 20 percent contingency in the amount of \$29,000 for a total increase amount of \$174,000, bringing the total agreement amount to \$2,174,000; and
- 2) Authorizing the Acting City Manager to execute the amendment to the agreement in a form approved by the City Attorney.

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

- H. APPROVAL OF THE REPLACEMENT PURCHASE OF A CATERPILLAR WHEEL LOADER MODEL CAT 914 UTILIZING A SOURCEWELL COOPERATIVE PURCHASING AGREEMENT WITH PETERSON CAT AGREEMENT NO. 011723-CAT

Reso No. 2024/121 adopted, 5/0

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

- 1) Approving the replacement purchase of one (1) new 2024 Caterpillar Wheel Loader Model CAT 914 utilizing a Sourcewell Cooperative Purchasing Agreement with Peterson Cat Agreement No. 011723-CAT in the amount not to exceed \$209,152; and
- 2) Authorizing the Acting City Manager to execute the Sourcewell cooperative purchasing Agreement No. 011723 with Peterson CAT in a form approved by the City Attorney.

- I. RESOLUTION ACCEPTING COMPLETED IMPROVEMENTS, AUTHORIZING FILING A NOTICE OF COMPLETION AND AUTHORIZING THE RELEASE OF BONDS FOR AVIANO SUBDIVISION PHASE 3 IMPROVEMENTS NOT PREVIOUSLY ACCEPTED WITH CITY COUNCIL RESOLUTION NO. 2023/142, TRACT NO. 9489 (P.W. 676-3)

Reso No. 2024/122 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt a resolution accepting completed improvements, authorizing the Acting City Manager or designee to file a notice of completion and authorizing the release of bonds for Aviano Subdivision Phase 3, Tract No. 9489 (P.W. 676-3) Aviano Phase 3 improvements not previously accepted per City Council Resolution 2023/142.

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

- J. RESOLUTION APPROVING PROGRAM SUPPLEMENT AGREEMENT NO. HSIPSL-5038(029) TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 04-5038S21 FOR STATE FUNDS FROM THE HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) AND APPROVING A FISCAL YEAR 2024/25 BUDGET AMENDMENT FOR THE INSTALLATION OF HAWK SIGNALS AT VARIOUS LOCATIONS (P.W. 282-25)

Reso No. 2024/123 adopted, 5/0

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

- 1) Authorizing the Acting City Manager or designee to execute the Program Supplement Agreement No. HSIPSL-5038(029) to Administering Agency-State Agreement No. 04-5038S21 for State funds from the Highway Safety Improvement Program (HSIP) for the Installation of Hawk Signals at Various Locations; and
- 2) Approving an amendment to allocate \$70,000 in the Fiscal Year 2024/25 Traffic Signal Operating Budget for preliminary engineering for the Installation of Hawk Signals at Various Locations.

PUBLIC HEARING

6. INTRODUCTION OF THE JUST CAUSE EVICTION ORDINANCE

To September 10, 2024, for adoption incorporating two amendments, 5/0

Recommended Action: It is recommended that the City Council introduce by title only and waive further reading of the Ordinance Adding Chapter 6 of Title 11 of the Antioch Municipal Code Providing Just Cause Eviction Protection within the City of Antioch.

COUNCIL MEMBER BARBANICA RECUSED HIMSELF PRIOR TO THE DISCUSSION OF PUBLIC HEARING ITEM #7.

7. GOOD CHANCE PRELIMINARY DEVELOPMENT PLAN (PRE2023-0004)

Council consensus to not approve.

Recommended Action: It is recommended that the City Council provide feedback to the applicant and staff regarding the proposal and provide direction to the applicant for the entitlement submittal.

COUNCIL MEMBER BARBANICA RETURNED TO THE DAIS AFTER PUBLIC HEARING ITEM #7

PUBLIC HEARING – Continued

8. INTRODUCTION OF AN ORDINANCE: APPROVING COUNCILMEMBER INCREASES IN SALARY IN ACCORDANCE WITH SENATE BILL 329. THE COUNCIL PAY WILL INCREASE FROM \$1,604 PER MONTH TO \$1,900 PER MONTH AND WILL NOT TAKE EFFECT UNTIL THE NEXT CITY COUNCIL IS SEATED AFTER THE NOVEMBER 2024 ELECTION.

To September 10, 2024, for Adoption, 4/1 (Ogorchock – No)

Recommended Action: It is recommended that the City Council introduce by title only and waive the further reading of the ordinance increasing councilmember compensation to one thousand nine hundred dollars (\$1,900) per month for a total of twenty-two thousand eight hundred dollars (\$22,800) per year.

COUNCIL REGULAR AGENDA

9. APPOINTMENT OF BESSIE M. SCOTT AS CITY MANAGER AND APPROVAL OF AN EMPLOYMENT AGREEMENT WITH BESSIE M. SCOTT FOR CITY MANAGER SERVICES

Appointed Bessie M. Scott as City Manager for a term of two years with an annual salary of \$263,880 (Salary Schedule Step B); and approved reimbursement of additional moving expenses up to \$20,000, 3/2 (Barbanica, Ogorchock - No)

Recommended Action: It is recommended that the City Council

- 1) Approve the Agreement appointing Bessie M. Scott as City Manager for a term of two years with an annual salary of \$ [REDACTED] (Salary Schedule Step [REDACTED]);
- 2) Approve reimbursement of additional moving expenses up to [REDACTED]; and
- 3) Authorize the Mayor to sign the Agreement in a form approved by the City Attorney.

COUNCIL REGULAR AGENDA – Continued

10. 2023 ANNUAL MILITARY EQUIPMENT REPORT

Recommended Action: It is recommended that the City Council review and approve the 2023 Annual Military Equipment Report.

11. RESPONSE TO GRAND JURY REPORT NO. 2405, “CHALLENGES FACING THE CITY OF ANTIOCH”

Recommended Action: It is recommended that the City Council adopt the resolution to approve the response to the Grand Jury report: “Challenges Facing the City of Antioch” and authorize the Mayor to sign it.

12. DESIGNATION OF A VOTING DELEGATE AND ALTERNATE DELEGATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE AND AUTHORIZATION FOR ASSOCIATED CONFERENCE EXPENSES NOT TO EXCEED \$2,238 PER PARTICIPANT

Recommended Action: It is recommended that the City Council appoint a Voting Delegate and Alternate Delegate for the 2024 League of California Cities Annual Conference. It is further recommended that the Council authorize the associated conference expenses for one participant in an amount not to exceed \$2,238.

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 11:09 p.m., 5/0