



ANNOTATED AGENDA

Antioch City Council REGULAR MEETING

Date: **Tuesday, October 22, 2024**
Time: 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
Bessie Marie Scott, 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.

7:01 P.M. ROLL CALL – REGULAR MEETING – for Council Members – *Council Members District 2 Barbanica, District 3 Ogorchock, and Mayor Hernandez-Thorpe [Council Member District 1 Torres-Walker and Mayor Pro Tem (District 4) Wilson – Absent]*

OPENED MEETING AND MOMENT OF SILENCE IN MEMORY OF BETTY JANE BOATMAN

PLEDGE OF ALLEGIANCE

1. INTRODUCTION OF NEW CITY EMPLOYEES, PROMOTIONS AND RETIREMENTS

2. PROCLAMATION

- In Honor of Most Holy Rosary Church

Approved, 3/0

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

3. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

- DOMESTIC VIOLENCE AWARENESS WALK – October 26, 2024
Antioch Community Center, 4703 Lone Tree Way, Antioch, CA
- DIA DE LOS MUERTOS – November 2, 2024
Nick Rodriguez Community Center, 213 F Street, Antioch, CA
- VETERAN'S DAY CELEBRATION AND PARADE – November 11, 2024
Antioch Marina, 5 Marina Plaza, Antioch, CA

4. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

- CONTRA COSTA COUNTY MOSQUITO & VECTOR CONTROL BOARD
- PLANNING COMMISSION
- ANTIOCH POLICE OVERSIGHT 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

A. APPROVAL OF COUNCIL MEETING MINUTES FOR SEPTEMBER 10, 2024

Approved, 3/0

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

B. APPROVAL OF COUNCIL MEETING MINUTES FOR SEPTEMBER 24, 2024

Approved, 3/0

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

C. APPROVAL OF COUNCIL MEETING MINUTES FOR OCTOBER 8, 2024

Approved, 3/0

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

CONSENT CALENDAR – Continued

D. APPROVAL OF COUNCIL WARRANTS

Approved, 3/0

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

E. REJECTION OF CLAIM: STEPHAN FOBBS

Rejected, 3/0

Recommended Action: It is recommended that the City Council reject the claim submitted by Stephan Fobbs.

F. SECOND READING – ORDINANCE AMENDING SECTION 9-5.3843 OF THE ANTIOCH MUNICIPAL CODE REGARDING RESTRICTIONS ON THE SALE AND TRANSFER OF TOBACCO AND DRUG PARAPHERNALIA RETAILERS (LA2024-0001) (*Introduced on October 8, 2024*)

Ord No. 2242-C-S adopted, 3/0

Recommended Action: It is recommended that the City Council adopt the ordinance making text amendments to Section 9-5.3843 of Article 38 (Land Use Regulations) of Chapter 5 (Zoning) of Title 9 (Planning and Zoning) of the Antioch Municipal Code Relating to Tobacco and Paraphernalia Retailers.

G. AWARD OF A CONSULTING SERVICES AGREEMENT TO SMARTWAVE TECHNOLOGIES LLC IN AN AMOUNT OF \$130,000 FOR A FULLY INSTALLED, SERVICED, AND MANAGED WI-FI SYSTEM FOR THE CITY'S DOWNTOWN BUSINESS DISTRICT

Reso No. 2024/147 adopted, 3/0

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

- 1) Awarding of a consulting services agreement to SmartWave Technologies LLC for an amount not to exceed \$130,000 for a downtown Wi-Fi system that will provide a fully installed, serviced, and managed Wi-Fi for the downtown business district including all equipment, installation, configuration, testing and ongoing maintenance and support;
- 2) Authorizing the City Manager to execute the agreement in a form approved by the City Attorney; and
- 3) Authorizing the City Manager or designee to make the necessary budget amendment to the Fiscal Year 2024/25 American Rescue Plan Act Budget to appropriated \$110,000 of ("ARPA") funds for a downtown Wi-Fi project and has considered re-allocating \$20,000 in ARPA funds from the EBRCS radio purchase to the Wi-Fi project for a total project installation cost budget of \$130,000.

CONSENT CALENDAR – Continued

- H. SIXTH AMENDMENT IN THE AMOUNT OF \$50,000 TO THE CONSULTING SERVICES AGREEMENT FOR PROFESSIONAL SERVICES WITH THE GUALCO GROUP, INC.**

Reso No. 2024/148 adopted, 3/0

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

- 1) Approving the sixth amendment to the Consulting Services Agreement with The Gualco Group, Inc. for continued support related to the Brackish Water Desalination Project in the amount of \$50,000 for a total contract amount of \$392,000 and extending the term of the agreement through December 31, 2025; and
- 2) Authorizing the City Manager to execute the sixth amendment to the Agreement in a form approved by the City Attorney.

- I. PURCHASE OF A HOT MIX PAVING MACHINE UTILIZING A SOURCEWELL COOPERATIVE PURCHASING AGREEMENT WITH HERRMANN EQUIPMENT IN THE AMOUNT OF \$322,629**

Reso No. 2024/149 adopted, 3/0

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

- 1) Approving the replacement purchase of one (1) new 2024 Carlson CP100II Hot Mix Paving Machine utilizing a Sourcewell Cooperative Purchasing Agreement with Herrmann Equipment Contract #060122-ATE in the amount not to exceed \$322,629; and
- 2) Authorizing the City Manager or designee to execute the Sourcewell agreement #060122-ATE with Herrmann Equipment in a form approved by the City Attorney.

- J. COMMUNICATIONS SITE GROUND LEASE AGREEMENT WITH DISH WIRELESS L.L.C. ON CITY-OWNED PROPERTY NEAR PREWETT RANCH DRIVE (APN 056-240-032)**

Reso No. 2024/150 adopted, 3/0

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

- 1) Approving the Communications Site Ground Lease Agreement with Dish Wireless L.L.C. on City-owned property near Prewett Ranch Drive (APN 056-240-032); and
- 2) Authorizing the City Manager or designee to execute the Communications Site Ground Lease Agreement in the form approved by the City Attorney.

CONSENT CALENDAR – Continued

K. COMMUNICATIONS SITE GROUND LEASE AGREEMENT WITH DISH WIRELESS L.L.C. ON CITY-OWNED PROPERTY NEAR QUESADA COURT (APN 075-232-006)

Reso No. 2024/151 adopted, 3/0

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

- 1) Approving the Communications Site Ground Lease Agreement with Dish Wireless L.L.C. on City-owned property near Quesada Court (APN 075-232-006); and
- 2) Authorizing the City Manager to execute the Communications Site Ground Lease Agreement in the form approved by the City Attorney.

L. COMMUNICATIONS SITE GROUND LEASE AGREEMENT WITH DISH WIRELESS L.L.C. ON CITY-OWNED PROPERTY NEAR BANBURY WAY (APN 052-333-020)

Reso No. 2024/152 adopted, 3/0

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

- 1) Approving the Communications Site Ground Lease Agreement with Dish Wireless L.L.C. on City-owned property near Banbury Way (APN 052-333-020); and
- 2) Authorizing the City Manager to execute the Communications Site Ground Lease Agreement in the form approved by the City Attorney.

M. FIRST AMENDMENT TO TELECOMMUNICATION NETWORK LICENSE AND ENCROACHMENT AGREEMENT WITH CROWN CASTLE FIBER LLC

Council motioned to postpone, 3/0

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

- 1) Approving a First Amendment to Telecommunication Network License and Encroachment Agreement with Crown Castle Fiber LLC; and
- 2) Authorizing the City Manager to execute the First Amendment to Telecommunication Network License and Encroachment Agreement in a form approved by the City Attorney.

CONSENT CALENDAR – Continued

- N.** RENAMING GEOGRAPHICAL LOCATIONS OF “SQ_ COURT” IN COMPLIANCE WITH ASSEMBLY BILL 2022

Reso No. 2024/153 adopted, 3/0

Recommended Action: It is recommended that the City Council adopt a resolution approving the street name change from “Sq_ Court” to “Julpun Court” in compliance with Assembly Bill 2022.

PUBLIC HEARING

- 6.** PUBLIC HEARING TO CONSIDER ADOPTION OF RESOLUTION TO APPROVE A FIFTH AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT FOR THE EAST CONTRA COSTA REGIONAL FEE AND FINANCING AUTHORITY AND APPROVE AND ADOPT THE EAST CONTRA COSTA REGIONAL FEE PROGRAM UPDATE REPORT TO ADD THE 18 NEW PROJECTS INTO THE LIST OF PROJECTS TO BE FUNDED WITH RTDIM FEE REVENUES (P.W. 631)

Reso No. 2024/154 adopted, 3/0

Recommended Action: It is recommended that the City Council adopt a resolution approving and authorizing the City Manager or designee to execute a Fifth Amendment to the Joint Exercise of Powers Agreement for the East Contra Costa Regional Fee and Financing Authority and approving and adopting the East Contra Costa Regional Fee Program 2024 Update Report to add the 18 new projects into the list of projects to be funded with RTDIM fee revenues, with no change to the RTDIM fee rates.

COUNCIL MEMBER BARBANICA REQUESTED TO MOVE THE MOTION TO ADJOURN AS THE NEXT ORDER OF BUSINESS; APPROVED, 3/0

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 8:53 p.m., 3/0

[THE FOLLOWING COUNCIL MEETING AGENDA ITEMS WILL BE MOVED TO THE 11/12/2024 COUNCIL MEETING]

COUNCIL REGULAR AGENDA

7. CITY COUNCIL REQUESTED DISCUSSION ITEM – POTENTIAL UPGRADES TO ANTIOCH AMTRAK STATION

Recommended Action: It is recommended that the City Council discuss and provide direction to City staff.

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

Recommended Action: It is recommended that the City Council adopt a resolution approving an addendum to specific Findings and Recommendations identified in the Grand Jury Noncompliance letters dated October 3, 2024 in response to the Findings and Recommendations resulting from the 2023-2024 Contra Costa County Civil Grand Jury report of June 12, 2024 entitled: “Challenges Facing the City of Antioch” Addendum and authorize the Mayor to sign it.

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.