



ANNOTATED AGENDA

Antioch City Council REGULAR MEETING

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

Date: Tuesday, November 12, 2024

**Time: 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
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.

6:01 P.M. ROLL CALL – CLOSED SESSION – for Council Members – *Council Members District 1 Torres-Walker, District 3 Ogorchock, Mayor Pro Tem (District 4) Wilson, and Mayor Hernandez-Thorpe [Council Member District 2 Barbanica – Absent]*

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: Trent Allen, et al. v. City of Antioch, United States District Court Northern District of California Case No. 3:23-cv-01895-TSH.

City Council voted to approve a settlement of the following plaintiffs' claims in the case:

<i>i.</i>	<i>Tahjay McCullough:</i>	<i>\$100,000.00</i>
<i>ii.</i>	<i>Daunte Gellington:</i>	<i>\$95,000.00</i>
<i>iii.</i>	<i>Dejon Richards:</i>	<i>\$80,000.00</i>
<i>iv.</i>	<i>Kaycee Sutter:</i>	<i>\$50,000.00</i>
<i>v.</i>	<i>Amadeo Garcia Jr:</i>	<i>\$20,000.00</i>

Approved as follows:

***Mayor Hernandez-Thorpe, Mayor Pro Tem Wilson, Council Member Ogorchock – Yes
Council Member Torres-Walker – Abstained
[Council Member Barbanica – Absent]***

City Council voted to approve a settlement of the following plaintiffs' claim in the case:

Robert Young: \$2,000.00

Approved as follows:

**Mayor Hernandez-Thorpe, Mayor Pro Tem Wilson, Council Member Ogorchock – Yes
Council Member Torres-Walker – Abstained
[Council Member Barbanica – Absent]**

- 2) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION –**
pursuant to California Government Code section 54956.9: Juan Laspada, et al. v. City of Antioch, United States District Court Northern District of California Case No. 3:23-cv-01955-JSC.

**City Council voted to settle case in the amount of \$29,000,
Approved 4/0**

6:03 P.M. MOTIONED TO ADJOURN TO CLOSED SESSION

7:01 P.M. ROLL CALL – REGULAR MEETING – for City /City Council Members acting as Successor Agency to the Antioch Development Agency – **Council Members District 1 Torres-Walker, District 3 Ogorchock, Mayor Pro Tem (District 4) Wilson, and Mayor Hernandez-Thorpe [Council Member District 2 Barbanica – Absent]**

OPENED MEETING AND MOMENT OF SILENCE IN MEMORY OF BARBARA SOBALVARRO

PLEDGE OF ALLEGIANCE

CITY ATTORNEY TO REPORT OUT ON CLOSED SESSION

COUNCIL REGULAR AGENDA – Continued from October 22, 2024, Council Meeting

- 1. CITY COUNCIL REQUESTED DISCUSSION ITEM – POTENTIAL UPGRADES TO ANTIOCH AMTRAK STATION**

Postponed to a future date, 4/0

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

COUNCIL REGULAR AGENDA – Continued from October 22, 2024, Council Meeting

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

Postponed to the next meeting, 4/0

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

- 1) 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
- 2) Authorizing the Mayor to sign and submit it to the Contra Costa County Civil Grand Jury.

3. PROCLAMATION

- Homeless Awareness Month, November 2024

Approved, 4/0

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

4. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

- BICYCLE GARDEN AT PREWETT PARK – November 16, 2024
Community Design Workshop – Antioch Senior Center
415 W. 2nd Street, Antioch, CA

5. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

- CONTRA COSTA COUNTY MOSQUITO & VECTOR CONTROL BOARD
- 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

6. **PRESENTATIONS** – *State of the Contra Costa Community College District
Presented by Chancellor Mojdeh Mehdizadeh*
- *Contra Costa Mosquito and Vector Control District Update
Presented by Public Information & Technology Officer Andrew Pierce*
7. **CONSENT CALENDAR for City /City Council Members acting as Successor Agency
to the Antioch Development Agency**
- A. APPROVAL OF COUNCIL MEETING MINUTES FOR OCTOBER 22, 2024 **Approved, 4/0**
Recommended Action: It is recommended that the City Council approve the Meeting Minutes.
- B. APPROVAL OF COUNCIL WARRANTS **Approved, 4/0**
Recommended Action: It is recommended that the City Council approve the warrants.
- C. APPROVAL OF SUCCESSOR AGENCY WARRANTS **Approved, 4/0**
Recommended Action: It is recommended that the City Council approve the warrants.
- D. REJECTION OF CLAIM: MONIE RENEE ELLIS **Rejected, 4/0**
Recommended Action: It is recommended that the City Council reject the claim submitted by Monie Renee Ellis.
- E. RATIFICATION OF THE FIRST AMENDMENT TO THE TELECOMMUNICATION NETWORK LICENSE AND ENCROACHMENT AGREEMENT WITH CROWN CASTLE FIBER LLC **Reso No. 2024/155 adopted, 4/0**
Recommended Action: It is recommended that the City Council adopt a resolution ratifying the First Amendment to the Telecommunication Network License and Encroachment Agreement with Crown Castle Fiber LLC.

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

- F.** FIRST AMENDMENT TO THE CONSTRUCTION AGREEMENT WITH STAR CONSTRUCTION, INC. IN THE AMOUNT OF \$100,000 FOR THE CONTRA LOMA ESTATES PARK RENOVATION PROJECT (P.W. 298-P3)

Reso No. 2024/156 adopted, 4/0

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

- 1) Approving an amendment increasing the Fiscal Year 2024/25 Capital Improvement and Operating Budget in the amount of \$200,000 from the Park-in-Lieu fund for a total project budget of \$2,972,809;
- 2) Approving a first amendment to the construction agreement with Star Construction Inc. for the Contra Loma Estates Park Renovation Project in the amount of \$100,000, from \$2,499,900 to a total contract amount of \$2,599,900; and
- 3) Authorizing the City Manager to execute the first amendment to the Construction Agreement, in a form approved by the City Attorney.

- G.** AUTHORIZATION FOR CITY MANAGER TO NEGOTIATE WITH CONTRA COSTA ANIMAL SERVICES TO PROVIDE DISPATCH AND REPORT WRITING PLATFORM SERVICES

Approved, 4/0

Recommended Action: It is recommended that the City Council authorize the City Manager to negotiate with the Contra Costa Animal Services Department for the Antioch Police Department to provide dispatch and report writing platform services.

PUBLIC HEARING

8. ADOPT THE RESOLUTION APPROVING WATER RATES PROPOSED IN THE WATER RATE STUDY LISTED IN THE PROP 218 NOTICE PUBLIC HEARING (P.W. 362-9)
Motioned failed, 2/1/1 (Wilson and Ogorchock-YES) (Hernandez-Thorpe-NO) (Torres-Walker-Abstained)

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

- 1) Adopting the findings and the *Water Utility Cash Flow Evaluation and Rates Study* from Pavletic Consulting LLC dated August 2024;
- 2) Approving the Water Rate Schedule effective January 1, 2025; and
- 3) Amending the Master Fee Schedule to include the updated water rates.

9. DOWNTOWN SPECIFIC PLAN UPDATE (LA2024-0004)

Reso No. 2024/157 adopted, 4/0

Recommended Action: It is recommended that the City Council adopt a resolution to adopt text amendments to the City of Antioch’s Downtown Specific Plan (“DTSP”) to enable missing middle housing, correct mistakes, and provide more clarity in certain sections.

COUNCIL REGULAR AGENDA

10. RESOLUTIONS APPROPRIATING EXPENDITURES FOR ENCUMBRANCES AND PROJECT BUDGETS OUTSTANDING TO THE 2024/25 FISCAL YEAR BUDGET AND APPROVING OTHER AMENDMENTS TO THE 2024/25 FISCAL YEAR BUDGET

Recommended Action: It is recommended that the City Council adopt the following resolutions:

Reso No. 2024/158 adopted, 4/0

- 1) Resolution of the City Council of the City of Antioch appropriating expenditures for encumbrances and project budgets outstanding to the 2024/25 fiscal year budget and approving other amendments to the 2024/25 fiscal year budget.

Reso No. 2024/159 adopted approving amendments to the 2024/25 Fiscal Year Budget for items considered at the Nov. 12, 2024, Council Meeting, 4/0

- 2) Resolution of the City Council of the City of Antioch approving amendments to the **2023/24 and 2024/25 fiscal year budgets** for items considered at the meeting of November 12, 2024.

COUNCIL REGULAR AGENDA – Continued

11. VIOLENCE REDUCTION INITIATIVE – OVERTIME INCREASE FOR CERTAIN CURRENT ANTIOCH POLICE DEPARTMENT EMPLOYEES

Reso No. 2024/160 adopted, 4/0

Recommended Action: It is recommended that the City Council adopt a resolution authorizing the Chief of Police to pay double the standard hourly wage (“double-time”) to Antioch Police Department Sergeants, Corporals, Officers, Community Service Officers, and Dispatch personnel for working extra shifts in designated areas of the City to reduce violence.

12. RESOLUTION ACCEPTING A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT DIVISION OF HOUSING POLICY DEVELOPMENT (HCD) ENCAMPMENT RESOLUTION FUNDING (ERF) AWARD OF \$6,812,686

Reso No. 2024/161 adopted, 4/0

Recommended Action: It is recommended that the City Council adopt a resolution accepting the Department of Housing and Community Development Division of Housing Policy Development (HCD) Encampment Resolution Funding (ERF) award for the application under ERF Round 3R, Window 2, in the amount of \$6,812,686.

13. RESOLUTION RESCINDING RESOLUTION NO. 2022/167 “RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROVING THE CITY CLERK’S REQUEST FOR THE CITY ATTORNEY TO PROVIDE MANAGERIAL OVERSIGHT OF THE CITY CLERK’S DEPARTMENT IN COOPERATION WITH THE CITY CLERK”

Reso No. 2024/162 adopted, 4/0

Recommended Action: It is recommended that the City Council adopt a resolution rescinding Resolution No. 2022/167, “Resolution of the City Council of the City of Antioch Approving the City Clerk’s Request for the City Attorney to Provide Managerial Oversight of the City Clerk’s Department in Cooperation with the City Clerk”.

14. BAKERY ANTIOCH I, LLC.: REVIEW AND POSSIBLE ADOPTION OF RESOLUTION APPROVING PROPOSED CHANGE IN OWNERSHIP

Reso No. 2024/163 adopted, 3/1-(Ogorchock-NO)

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

- 1) Approving Bakery Antioch I, LLC. dba Flame’s change of ownership and
- 2) Authorizing the City Manager to sign an amended operating agreement, in a form approved by the City Attorney, to incorporate Bakery Antioch I, LLC’s change of ownership.

COUNCIL REGULAR AGENDA – Continued

15. CITY COUNCIL REQUESTED DISCUSSION ITEM – DISCUSSION ON POTENTIAL TO LEASE VACANT LOT AT SYCAMORE DRIVE AND L STREET

Direction provided to staff to research potential for community garden for vacant lot

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

16. CITY COUNCIL REQUESTED DISCUSSION ITEM – DISCUSSION ON POTENTIAL TO LEASE VACANT RETAIL SPACE AT SYCAMORE SQUARE FOR APD SUBSTATION

Direction provided to staff to meet with property owner to discuss short- and long-term options

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

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 11:23 p.m., 4/0