

## CITY COUNCIL MEETING

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

**January 23, 2024**  
**Council Chambers**

### **5:30 P.M. - CLOSED SESSION**

Mayor Thorpe called the Closed Session to order at 5:30 P.M., and Acting City Clerk Rosales called the roll.

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

### **PLEDGE OF ALLEGIANCE**

Mayor Thorpe led the Pledge of Allegiance.

- 1. CONFERENCE WITH LEGAL COUNSEL** – Existing Litigation pursuant to California Government Code section 54956.9; Frank Sterling v. City of Antioch, et al. United States District Court Northern District of California Case No. 3:22-cv-07558-TSH.
- 2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Initiation of litigation pursuant to California Government Code section 54956.9(c): Nine Cases.
- 3. CONFERENCE WITH REAL PROPERTY NEGOTIATIONS** pursuant to California Government Code section 54956.8; Property: 275 W. Tregallas Road, Antioch, CA; Agency Negotiation: City of Antioch Negotiators: Kwame P. Reed, Acting City Manager and Thomas Lloyd Smith, City Attorney; Negotiating Parties: Richard Hobin, Esq.; Under Negotiation: Price and terms of payment.
- 4. CONFERENCE WITH REAL PROPERTY NEGOTIATIONS** – pursuant to California Government Code section 54956.8; Property: Approximately 2,540 square feet of property adjacent to 1 Marine Plaza (APN 066-010-017), Antioch, CA; Negotiating Parties: City of Antioch Negotiators: Kwame P. Reed, Acting City Manager and Thomas Lloyd Smith, City Attorney; Negotiating Parties: Sean McCauley, Owner of Adjacent Property; Under Negotiation: Price and terms of payment.

**PUBLIC COMMENTS** – None

### **ADJOURN TO CLOSED SESSION**

Mayor Thorpe adjourned to Closed Session at 5:32 P.M.

### **7:00 P.M. REGULAR MEETING**

Mayor Thorpe called the meeting to order at 7:05 P.M., and City Clerk Householder called the roll.

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

## PLEDGE OF ALLEGIANCE

Mayor Thorpe led the Pledge of Allegiance.

## CITY ATTORNEY TO REPORT OUT ON CLOSED SESSION

City Attorney Smith reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LEGAL COUNSEL**, City Council approved a case settlement in the amount of \$150,000, by a 4-1 vote with Councilmember Barbanica voting no, **#2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**, direction given to City Attorney, **#3 CONFERENCE WITH REAL PROPERTY NEGOTIATIONS**, direction given to City Attorney and Acting City Manager; and, **#4 CONFERENCE WITH REAL PROPERTY NEGOTIATIONS**, , direction given to City Attorney and Acting City Manager.

### 1. INTRODUCTION OF NEW CITY EMPLOYEES

Acting Director of Public Works/City Engineer Buenting introduced Stephen Hopkins, Water Distribution Operator 1, Aaron Carrasco, General Laborer and Jordan Castillo, General Laborer.

Acting Assistant City Manager Helfenberger introduced Savoy Fraine, Recreation Supervisor.

Lieutenant Bittner introduced Alma Rodriguez, Police Records Technician.

Mayor Thorpe welcomed the new employees and thanked current employees for supporting their colleagues.

### 2. PROCLAMATIONS

- *Proclamation Recognizing Human Trafficking Prevention Month, January 2024*
- *In Honor of Black History Month, February 2024*
- *Celebrating Thomas Gaines Day in Antioch, February 9, 2024*

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously approved the Proclamations.

Representatives from Community Violence Solutions and Love Never Fails accepted the *Proclamation Recognizing Human Trafficking Prevention Month* and thanked the City Council for the recognition.

A representative from East County NAACP accepted the *In Honor of Black History Month* proclamation and thanked the City Council for the recognition.

### **3. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

Acting Assistant City Manager Helfenberger announced the following civic and community events:

Antioch Rivertown Community Space – Community Design Workshops

- Antioch Community Center – February 8, 2024
- Nick Rodriguez Community Center – February 18, 2024

A representative from the Antioch Council of Teens announced the following civic and community events:

Join the Antioch Council of Teens – The ‘Youth Voice’ for the City of Antioch

- Make a difference and represent your City – Visit us at: [antiochca.gov/act](http://antiochca.gov/act). For more information, email: [Youth@antiochca.gov](mailto:Youth@antiochca.gov)
- Teen Paint Night 6:00 P.M. – 8:00 P.M. on February 9, 2024

### **PUBLIC COMMENTS**

Roderick Coleman encouraged the City to work with property owners to open a detox center and homeless shelter on Delta Fair Blvd.

Nadia King, East County NAACP Council, encouraged the community to register to vote and participate in future elections.

Patricia Granados, Antioch resident, spoke in support of keeping the Amtrak station opened in Antioch and requested Council enact a Just Cause for Eviction Ordinance. She opposed building ADUs for rent. She suggested those guilty of harassment be held accountable.

Addison Peterson thanked Council for acknowledging Dr. Martin Luther King Jr. Day and Thomas Gaines.

Rena Moore discussed unacceptable living conditions at her apartment complex.

### **CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS**

Councilmember Torres-Walker reported on a meeting she attended with staff and Mayor Thorpe to discuss gun violence. She encouraged the community to attend the Special City Council meeting on January 30, 2024. She acknowledged the passing of Antioch residents who were victims of domestic violence. She encouraged the community to reflect on how they could increase resources for victims and report incidences of domestic violence.

Councilmember Barbanica reported he had conducted interviews for the Police Oversight Commission vacancies and thanked everyone who participated in the interview process.

Councilmember Ogorchock reported on her attendance at the Cal Cities Policy Committee Meeting. She offered suggestions for Antioch to become an age-friendly city. She reported an Antioch resident was the victim of a hit and run on January 14, 2024, and requested anyone with information regarding this incident, report it to authorities.

Councilmember Wilson thanked the organizations who provided services for the victims of Human Trafficking and encouraged residents to remain aware.

## **MAYOR'S COMMENTS**

Mayor Thorpe reported on his attendance at the Contra Costa Mayor's Conference, a meeting with Concord Mayor Birsan, Martin Luther King Jr. Day events and the U.S. Conference of Mayors.

## **4. PRESENTATIONS**

Friends of the Library, presented by Walter Ruehlig

Walter Ruehlig, Friends of the Library provided a history of their organization, announced their Book Sale March 7th-9<sup>th</sup>, and presented a \$60,000 donation to Antioch Library Manager Mahasin Aleem.

Ms. Aleem thanked Friends of the Antioch Library, volunteers, and residents who supported the library.

Lieutenant Bittner gave a Community Services Officer PowerPoint presentation.

An unidentified speaker requested a more detailed report on activities performed by Community Services Officers and an introduction to those who served in Antioch.

In response to Councilmember Torres-Walker, Lieutenant Bittner reviewed the duties performed by CSOs as well as their training, evaluation, hiring and complaint processes.

Kristin B. Connelly, Contra Costa County Clerk-Recorder-Registrar gave a 2024 Election Cycle PowerPoint presentation.

Gavin Payton thanked Ms. Connelly for the presentation and encouraged everyone to vote.

Councilmember Torres-Walker stated she would be in contact with Ms. Connelly with regards to her questions about disenfranchised voters and state laws pertaining to individuals on probation and incarcerated.

Mayor Thorpe thanked Ms. Connelly for the presentation and protecting the integrity of voting.

**5. CONSENT CALENDAR**

**A. APPROVAL OF COUNCIL MEETING MINUTES FOR DECEMBER 12, 2023**

**B. APPROVAL OF COUNCIL MEETING MINUTES FOR JANUARY 9, 2024**

**C. APPROVAL OF COUNCIL WARRANTS**

**D. RESOLUTION NO. 2024/07 ACCEPTANCE OF WORK AND NOTICE OF COMPLETION FOR THE CURB, GUTTER, AND SIDEWALK REPAIR INCLUDING TREE REMOVAL AND STUMP GRINDING AND INSTALLATION OF CONCRETE CURB RAMPS AT MISCELLANEOUS LOCATIONS 2022/23 (P.W. 507-19)**

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously approved the Council Consent Calendar.

**PUBLIC HEARING**

**6. VINEYARD CROSSING PRELIMINARY DEVELOPMENT PLAN (PRE2023-003)**

Acting Director of Community Development Scudero introduced Contract Planner Valente, Raney Planning & Management Inc., who presented the staff report dated January 23, 2024, recommending the City Council provide feedback to the applicant and City staff regarding the proposal and provide direction to the applicant for the Final Development Plan submittal.

Mayor Thorpe opened the public hearing.

Kerri Watt, Director of Entitlements / DeNova Homes / Bright Sky gave a Vineyard Crossing Preliminary Development Plan PowerPoint presentation.

Mary Lutz reported that the Planning Commission had opposed this project. She expressed concern for the project's location, projected rents, and density. She noted the resident renting the larger home would have no input as to who would be renting the Accessory Dwelling Unit (ADU). She commented that not having the ability to purchase the home would result in a lower commitment to maintaining the property. She stated lack of infrastructure was also a concern.

Gavin Payton, NAACP Youth Council, discussed the impact of the project on native species in the area.

Laura Kindsvater, Antioch resident, encouraged the City to ask the developer to include keystone native plants and requested artificial turf be eliminated from the landscape plan.

Devin Williams spoke in opposition to the project and suggested the property be utilized for a tiny home project.

Dr. Kimberly Payten questioned how this project would be affected by the pollution prevention project in Antioch and if infrastructure was sufficient to support these residents.

An unidentified speaker suggested alternatives to the proposed preliminary development plan.

Public comments submitted in writing were entered into the record from the following individuals: Laura Kindsvater, Antioch resident and Bruce "Ole" Ohlson.

Councilmember Ogorchock supported the developer adding a park to the area. She stated that future applicants should be informed that Council wanted native species in projects. She suggested additional outreach be conducted in the community and a percentage of units be available for senior citizens. She stated the project needed to be more affordable.

In response to Councilmember Wilson, Acting Director of Community Development Scudero commented that staff had required a Homeowners Association (HOA) if the units were sold individually in the future.

Ms. Watt clarified if the project remained rentals there would be no HOA fees because a property management company would be maintaining the property. She noted if all the homes were sold, then the HOA would be put into place.

In response to Councilmember Wilson, Acting Director of Community Development Scudero stated the project would meet storm water filtration requirements. He added that if an entitlement application was submitted, it would go through a thorough environmental review.

Councilmember Wilson spoke in support of incorporating native plant species and expressed concern regarding affordability of the project.

Acting Director of Community Development Scudero responded that the City was limited in their discretion and viewed projects from zoning, general plan and objective design standards. He added that this was a market rate development and the City had no control over rents. He announced that staff was currently drafting an RFP for the inclusionary housing ordinance.

Councilmember Wilson stated she would like to see the inclusionary housing ordinance prior to consideration of this project.

In response to Councilmember Barbanica, Acting Director of Community Development Scudero explained that staff would consult with legal counsel through the entitlement process regarding how to implement an HOA in the event any of the properties sold to ensure the project remained maintained.

Councilmember Barbanica commented that an HOA should begin as soon as one unit is sold.

In response to Councilmember Wilson, Acting Director of Community Development Scudero confirmed that Tri Delta Transit was routed the project and offered the opportunity to comment. He noted that if the project moved forward to entitlement, it would be rerouted to them.

Councilmember Ogorchock expressed concern regarding lot sizes. She reiterated her concern for the projected rents and her support that a certain percentage be set aside as senior housing. Acting Director of Community Development Scudero stated that he did not believe the City had discretion to require a senior affordability component without an inclusionary housing ordinance. He noted if the applicant asked for a development agreement, then discretion would be broadened.

Mayor Thorpe reiterated that these apartments would be market rate housing.

### **PUBLIC COMMENT**

Frank Sterling, Reimagine Antioch, suggested the City adopt a resolution in support of a cease fire.

Tachina Garrett, ACCE Antioch and Devin Williams spoke in support of keeping the Amtrak station in Antioch.

An unidentified speaker spoke in support of building a new Amtrak station in Antioch and investing in infrastructure downtown.

### **STAFF COMMUNICATIONS**

Acting City Manager Reed announced there were employment opportunities in the City of Antioch.

### **COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS**

Councilmember Torres-Walker thanked those who participated in the meeting this evening. In honor of Alexis Parsons, she encouraged everyone to check on their loved ones and connect with an organization committed to preventing domestic violence. She asked for an update on the status of hiring a grant writer. She requested staff agenda consideration of a just cause for evictions ordinance and a resolution in support of a cease fire.

Councilmember Ogorchock requested formation of a Senior Commission or that Parks and Recreation review a Master Plan on Aging in an effort towards Antioch becoming an Age Friendly City. She also suggested looking at grants to support that effort.

Mayor Thorpe clarified that the San Joaquin Joint Power Authority removed the Amtrak station from Antioch with the consent of a former City Manager and without consulting Council. He reported Assemblyman Grayson had started conversations with Amtrak at the federal level regarding this matter. He stated without the Amtrak station, Antioch would not have access to some grant opportunities. He discussed the importance of Antioch hiring a grant writer and noted the matter would be discussed at a future meeting. He announced a Special Workshop would be held at 6:30 P.M. on January 30, 2024, at the Nick Rodrigues Community Center. He noted the workshop would not be televised and encouraged everyone to attend in person.

**ADJOURNMENT**

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously adjourned the meeting at 10:26 P.M.

Respectfully submitted:

*Kitty Eiden*

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KITTY EIDEN, Minutes Clerk