

CITY COUNCIL MEETING

Regular Meeting
7:00 P.M.

October 22, 2024
Council Chambers

7:00 P.M. REGULAR MEETING

Mayor Hernandez-Thorpe called the meeting to order at 7:01 P.M., in memory of Bette Jane Boatman and led a moment of silence. City Clerk Householder called the roll.

Present: Council Members District 2 Barbanica, District 3 Ogorchock, and Mayor Hernandez-Thorpe

Absent: Council Members District 1 Torres-Walker and Mayor Pro Tem (District 4) Wilson

PLEDGE OF ALLEGIANCE

Mayor Hernandez-Thorpe led the Pledge of Allegiance.

1. INTRODUCTION OF NEW CITY EMPLOYEES, PROMOTIONS AND RETIREMENTS

Captain Vigil introduced Daniel Fachner, Police Sergeant, Ashley Lundin and Junio Penn, Police Officers, who thanked Captain Vigil for the introduction and stated they looked forward to serving the citizens of Antioch.

Acting Director of Public Works/City Engineer Buenting introduced Harry Marr, Assistant Engineer, Adam Steventon, Water Treatment Plant Operator, Mike Thompson, Water Treatment Plant Trainee, Lorilee Mederios, Administrative Analyst II and Benjamin (Marcus) Woodland, Water Treatment Plant Superintendent (not in attendance). Those in attendance thanked Acting Director of Public Works/City Engineer Buenting for the introduction and stated they looked forward to serving the citizens of Antioch.

Mayor Hernandez-Thorpe recognized the newly promoted and new employees. He introduced City Manager Scott who thanked Mayor Hernandez-Thorpe for the introduction and stated she looked forward to serving the residents of Antioch. She congratulated the new City employees and those who were promoted.

2. PROCLAMATION

In Honor of Most Holy Rosary Church

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council members present unanimously approved the Proclamation.

Father Romero accepted the *In Honor of Most Holy Rosary Church* 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:

- Domestic Violence Awareness Walk – October 26, 2024, Antioch Community Center
- Dia De Los Muertos – November 2, 2024, Nick Rodriguez Community Center
- Veteran’s Day Celebration and Parade - November 11, 2024, Antioch Marina

4. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Householder announced the following Board and Commission openings.

- Planning Commission
- Antioch Police Oversight Commission
- Contra Costa County Mosquito and Vector Control Board

For more information and to apply, visit the City’s website.

PUBLIC COMMENTS

David Nichols, Antioch resident, expressed concern regarding health and safety violations occurring at a homeless encampment located behind his property.

Ricka Davis Sheard advocated for the homeless population.

Ralph Hernandez, Antioch resident, discussed shooting deaths that occurred in Antioch and encouraged the City to pursue investigations of everyone involved.

Devin Williams expressed concern for comments made on social media and for candidates running for office who had changed their party preference.

Kathryn R. Wade clarified that a former City Manager was responsible for overseeing the Antioch Police Department (APD) when they were involved in an investigation and suggested that they be held accountable.

Cecelia Martinez reported she was a witness to a hit and run and encouraged APD to collect available dashcam footage of the event. She requested traffic cameras be installed in the area.

Tachina Garrett, ACCE Antioch, discussed a positive interaction she had with Officer Green.

Kimberly Kidd-Bailey announced that the person responsible for a family member’s bicycle fatality would be arraigned at 8:30 A.M. on October 24, 2024, in Pittsburg. She requested details on the intake process for Opportunity Village. She invited female residents 40+ to the Double Dutch Jump Rope Club in the Antioch Walmart parking lot 6:30 P.M. – 8:00 P.M. on Wednesdays.

Ray Rodriguez discussed criminal activity occurring in the Sycamore corridor and urged the City to hold property managers responsible.

Leslie May discussed criminal activity that had occurred in District 1 and clarified that those responsible were from various ethnicities.

Gavin Payton, NAACP, thanked everyone who attended their youth banquet. He discussed their efforts to address racism and expressed concern regarding comments made about elected officials on social media.

Andrew Becker discussed homelessness and community outreach efforts.

Jocelyn Valdez and several representatives from People Who Care (PWC) expressed concern regarding statements made on an election flyer for Pittsburg candidates.

Mike requested the City address criminal activity occurring in District 1.

CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS

Councilmember Barbanica, speaking to a previous public comment, mentioned that he had taken information from that resident concerning shooting deaths and shared it with the District Attorney (DA) and the Chief of Police. He reported that the DA's office investigated the information; however, they concluded there was no basis to proceed further with any actions.

Councilmember Ogorchock requested that her Community Events Funds be reallocated toward employees who remained with the City through COVID.

MAYOR'S COMMENTS

Mayor Hernandez-Thorpe announced he would be attending the Tri Delta Transit meeting on October 22, 2024.

5. CONSENT CALENDAR

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

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

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

D. APPROVAL OF COUNCIL WARRANTS

E. REJECTION OF CLAIM: STEPHAN FOBBS

- F. **ORDINANCE NO. 2242-C-S 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)**
- G. **RESOLUTION NO. 2024/147 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**
- H. **RESOLUTION NO. 2024/148 SIXTH AMENDMENT IN THE AMOUNT OF \$50,000 TO THE CONSULTING SERVICES AGREEMENT FOR PROFESSIONAL SERVICES WITH THE GUALCO GROUP, INC.**
- I. **RESOLUTION NO. 2024/149 PURCHASE OF A HOT MIX PAVING MACHINE UTILIZING A SOURCEWELL COOPERATIVE PURCHASING AGREEMENT WITH HERRMANN EQUIPMENT IN THE AMOUNT OF \$322,629**
- J. **RESOLUTION NO. 2024/150 COMMUNICATIONS SITE GROUND LEASE AGREEMENT WITH DISH WIRELESS L.L.C. ON CITY-OWNED PROPERTY NEAR PREWETT RANCH DRIVE (APN 056-240-032)**
- K. **RESOLUTION NO. 2024/151 COMMUNICATIONS SITE GROUND LEASE AGREEMENT WITH DISH WIRELESS L.L.C. ON CITY-OWNED PROPERTY NEAR QUESADA COURT (APN 075-232-006)**
- L. **RESOLUTION NO. 2024/152 COMMUNICATIONS SITE GROUND LEASE AGREEMENT WITH DISH WIRELESS L.L.C. ON CITY-OWNED PROPERTY NEAR BANBURY WAY (APN 052-333-020)**
- M. **FIRST AMENDMENT TO TELECOMMUNICATION NETWORK LICENSE AND ENCROACHMENT AGREEMENT WITH CROWN CASTLE FIBER LLC**
- N. **RESOLUTION NO. 2024/153 RENAMING GEOGRAPHICAL LOCATIONS OF "SQ_ COURT" IN COMPLIANCE WITH ASSEMBLY BILL 2022**

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica, the City Council members present unanimously approved the Council Consent Calendar with the exception of Items F, G, J, K, L and M, which were removed for further discussion.

Item F – Kristen Lockhart, Antioch resident, discussed the physical and financial impacts of tobacco products and spoke in opposition to Council approving the Ordinance.

Ralph A. Hernandez, Antioch resident, spoke in support of Council approving the Ordinance.

Public comment submitted in writing was entered into the record from the following individual: Mayra Lopez, Tobacco Prevention Program Manager.

On motion by Councilmember Barbanica, seconded by Councilmember Ogorchock the City Council members present unanimously approved item F.

Item G – Andrew Becker spoke in support of the program.

Councilmember Ogorchock suggested the ARPA funds remaining from this project be reallocated to a fund for employees who remained with the City through COVID.

Councilmember Barbanica offered his Community Events Funds to be reallocated toward employees who remained with the City through COVID.

Mayor Hernandez-Thorpe responded that staff could bring that item back for consideration.

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council members present unanimously approved Item G.

Item J – Andrew Becker stated his following comments would be the same for Consent Calendar Items J, K and L. He proposed that the revenue generated from the ground leases be assigned to specific projects and requested contracts be updated with the new City Manager’s name.

Councilmember Ogorchock stated her following comments would be the same for Consent Calendar Items J, K and L. She requested a future agenda item to discuss the allocation of the revenue generated from ground leases.

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council members present unanimously approved Item J.

Item K - On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council members present unanimously approved Item K.

Item L - On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council members present unanimously approved Item L.

Item M – On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council members present unanimously postponed Item M.

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)

Mayor Hernandez-Thorpe opened the public hearing.

Acting Director of Public Works/City Engineer Buenting introduced Julie Morgan, Fehr and Peers, who presented the staff report dated October 22, 2024 recommending 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.

Andrew Becker questioned the purpose of the West Tregallas/Fitzuren project. He requested staff provide an update on all new projects and take a comprehensive look at the City's needs.

Julie Morgan clarified East Contra Costa Regional Fee and Financing Authority (ECCRFFA) held public meetings at the Tri Delta Transit offices and provided an overview of how the fee program operated.

Mayor Hernandez-Thorpe closed the public hearing.

Councilmember Ogorchock suggested a separate list of new projects be included in future staff reports.

In response to Councilmember Ogorchock, Mayor Hernandez-Thorpe and Ms. Morgan reported on their attendance at ECCRFFA meetings and discussed how projects were prioritized. They also gave a brief history of the City of Pittsburg's participation in ECCRFFA.

RESOLUTION NO. 2024/154

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council members present unanimously adopted 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

ADJOURNMENT

On motion by Councilmember Barbanica, seconded by Councilmember Ogorchock the City Council members present unanimously adjourned the meeting at 8:53 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk

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

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS