

**CITY COUNCIL MEETING
INCLUDING THE ANTIOCH CITY COUNCIL
ACTING AS HOUSING SUCCESSOR
TO THE ANTIOCH DEVELOPMENT AGENCY**

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

**February 27, 2024
Council Chambers**

5:30 P.M. - CLOSED SESSION

Mayor Hernandez-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 Hernandez-Thorpe

PLEDGE OF ALLEGIANCE

Mayor Hernandez-Thorpe led the Pledge of Allegiance.

- 1. CONFERENCE INVOLVING JOINT POWERS AGENCY** – Municipal Pooling Authority and ERMA (Employment Risk Management Authority) – This closed session is authorized pursuant to California Government Code section 54956.96. Discussion will concern: City risk management assessment; Name of local agency representative on joint powers agency board: City Attorney Thomas Lloyd Smith, City of Antioch; Appearing on behalf of joint powers board: Linda Cox, Municipal Pooling Authority and Rob Kramer, ERMA (Employment Risk Management Authority).
- 2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – pursuant to California Government Code section 54956.9: Bullock v. City of Antioch, Superior Court of California Contra Costa County, Case No. MSC19-01331.
- 3. PUBLIC EMPLOYMENT – RECRUITMENT OF CITY MANAGER.** This closed session is authorized pursuant to California Government Code section 54957(b).
- 4. CONFERENCE WITH LABOR NEGOTIATORS** – This Closed Session with the City's Labor Negotiators is authorized by California Government Code section 54957.6; City designated representatives: Acting City Manager Kwame P. Reed, City Attorney Thomas Lloyd Smith, and Human Resources Director Ana Cortez; Employee organizations: Antioch Public Works Employees Association and Management Unit.

PUBLIC COMMENTS – None

ADJOURN TO CLOSED SESSION

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

7:00 P.M. REGULAR MEETING

Mayor Hernandez-Thorpe called the meeting to order at 7:02 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 Hernandez-Thorpe

PLEDGE OF ALLEGIANCE

Mayor Hernandez-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 INVOLVING JOINT POWERS AGENCY**, direction given to Acting City Manager and City Attorney, **#2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**, no reportable action, **#3 PUBLIC EMPLOYMENT – RECRUITMENT OF CITY MANAGER**, direction given to Director of Human Resources and City Attorney; and, **#4 CONFERENCE WITH LABOR NEGOTIATORS**, direction given to Acting City Manager.

A MOTION WAS MADE BY COUNCILMEMBER OGROCHOCK AND SECONDED BY COUNCILMEMBER BARBANICA TO SUSPEND THE RULES TO MOVE ITEM #3 AS THE NEXT ORDER OF BUSINESS.

A SUBSTITUTE MOTION WAS MADE BY COUNCILMEMBER WILSON AND SECONDED BY COUNCILMEMBER OGROCHOCK TO SUSPEND THE RULES AND MOVE ITEMS #3 INTRODUCTION OF NEW CITY EMPLOYEES AND #4 PROCLAMATIONS, TO BE HEARD AS THE NEXT ORDER OF BUSINESS. THE MOTION PASSED UNANIMOUSLY.

3. INTRODUCTION OF NEW CITY EMPLOYEES

Acting Director of Public Works/City Engineer Buenting introduced Anna Davis, Administrative Assistant II, Deanna Wells, Administrative Assistant II and Deric Mutulo, Water Plant Maintenance Worker.

Acting Director of Community Development Scudero introduced Nathan Tinclair, Associate Planner.

Acting City Manager Reed introduced Interim Chief of Police Addington.

Frank Sterling requested Acting City Manager Reed reconsider the appointment of Interim Police Chief Addington.

4. PROCLAMATIONS

- *In Honor of Bob Butler Week, February 23 – 29, 2024*
- *American Red Cross Month, March 2024*

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

Larry Ford accepted the *American Red Cross Month* proclamation and discussed their community outreach efforts.

Bob Butler accepted the *In Honor of Bob Butler Week* proclamation and discussed his journalism career and volunteer efforts during the pandemic.

ON MOTION BY COUNCILMEMBER WILSON, SECONDED BY COUNCILMEMBER OGORCHOCK, THE CITY COUNCIL UNANIMOUSLY SUSPENDED THE RULES AND MOVED COUNCIL CONSENT CALENDAR ITEM #6F AS THE NEXT ORDER OF BUSINESS.

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

F. DISPLAY OF THE PAN-AFRICAN FLAG AT CITY HALL

Leslie May requested Council extend the time the Pan-African flag would be flown in Antioch.

Tachina Garrett provided a history of the Pan African Flag and thanked the City for displaying the flag at City Hall.

Mayor Hernandez-Thorpe explained that the request to fly the flag, which came from ACCE Antioch, was submitted in a timely fashion; however, due to an error, it was not brought forward. Therefore, he requested extending the time of flying the flag through May.

RESOLUTION NO. 2024/23

On motion by Councilmember Wilson, seconded by Councilmember Barbanica the City Council approved Consent Calendar Item F to fly the Pan-African Flag at City Hall until Juneteenth 2024.

Mayor Hernandez-Thorpe declared a recess to raise the flag at 7:35 P.M. The meeting reconvened at 7:40 P.M. with all Councilmembers present.

ON MOTION BY COUNCILMEMBER OGORCHOCK, SECONDED BY COUNCILMEMBER BARBANICA, THE CITY COUNCIL UNANIMOUSLY SUSPENDED THE RULES AND MOVED THE REMAINING COUNCIL CONSENT CALENDAR ITEMS TO BE HEARD AS THE NEXT ORDER OF BUSINESS.

6. **CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency**
 - A. **APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR JANUARY 30, 2024**
 - B. **APPROVAL OF COUNCIL MEETING MINUTES FOR FEBRUARY 13, 2024**
 - C. **APPROVAL OF COUNCIL WARRANTS**
 - D. **APPROVAL OF HOUSING SUCCESSOR WARRANTS**
 - E. **ORDINANCE NO. 2238-C-S SECOND READING – PG&E SERVICE CENTER SECOND READING (PD-21-05, UP-21-14, DR2023-0022) (*Introduced on February 13, 2024*)**
 - F. ***(THIS ITEM WAS MOVED UP IN THE AGENDA)***
 - G. **RESOLUTION NO. 2024/24 ACCEPTANCE OF WORK AND NOTICE OF COMPLETION FOR THE WATER MAIN REPLACEMENT AT VARIOUS LOCATIONS (P.W. 503-19)**
 - H. **RESOLUTION NO. 2024/25 ACCEPTANCE OF WORK AND NOTICE OF COMPLETION FOR THE WEST ANTIOCH CREEK SILT REMOVAL (P.W. 201-5A)**
 - I. **RESOLUTION NO. 2024/26 APPROVAL OF EXTRA STREET SWEEPING SERVICES FROM SWEEPING CORPORATION OF AMERICA UTILIZING THE SOURCEWELL COOPERATIVE PURCHASING AGREEMENT NO. 062421-SWP**
 - J. **RESOLUTION NO. 2024/27 CONSIDERATION OF BIDS FOR THE COUNTRY HILLS DRIVE SOUNDWALL REPLACEMENT (P.W. 561-3)**
 - K. **RESOLUTION NO. 2024/28 AMENDMENT TO THE CONSTRUCTION AGREEMENT WITH CRUSADER FENCE COMPANY FOR THE ANTIOCH WATER PARK PERIMETER FENCE REPAIR (P.W. 567-11)**
 - L. **RESOLUTION NO. 2024/29 INITIATE PREPARATION OF THE STREET LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT CITY ENGINEER’S REPORT FOR FISCAL YEAR 2024/25**

On motion by Councilmember Ogorchock seconded by Councilmember Wilson, the City Council unanimously approved the Council Consent Calendar with the exception of Items H, I, J and L which were removed for further discussion.

Item H – An unidentified speaker requested details on the costs of this project.

Acting Director of Public Works/City Engineer Buenting reported that the bid for this project was awarded to the lowest responsible and qualified bidder. He explained that it was funded through a grant, and the project removed silt to improve flow in the creek.

On motion by Councilmember Ogorchock, seconded by Mayor Hernandez-Thorpe the City Council unanimously approved Item H.

Item I – Leslie May reported street sweeping was not occurring in her neighborhood (District 1).

Acting Director of Public Works/City Engineer Buenting stated he would investigate Ms. May's concerns.

A motion was made by Councilmember Ogorchock, seconded by Councilmember Torres-Walker to approve Item I.

Councilmember Torres-Walker expressed her ongoing concern regarding parking enforcement and emphasized the importance of coordination between parking enforcement and street sweepers to ensure effective street sweeping services. She inquired about the city's plans for notifying residents of their street sweeping days.

Acting City Manager Reed responded that parking enforcement was a priority for the Antioch Police Department (APD). He added that they would work with the contractor on proper notification and to accomplish effective street sweeping services.

A vote taken on the previous motion to approve Item I unanimously passed.

Item J – An unidentified speaker reviewed the bids received for the project and expressed concern regarding the cost of temporary fencing. He requested licenses be included for the subcontractors and questioned who was quoting the work. He also discussed emergency shelter housing.

Acting Director of Public Works/City Engineer Buenting explained that while unit prices varied, the bidder in question was the lowest bidder, and all bids contained the same amount of work. He clarified that estimates were often prepared by him, and they aimed to provide accurate costs based on the project. He emphasized that his estimate did not influence bids, as contractors were bidding against each other.

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

Item L – Erika Raulston expressed concern regarding the lack of efficient street lighting in her neighborhood.

An unidentified speaker voiced support for the previous comments and expressed concern about the absence of lighting improvements. He discussed a potential funding source for new street lighting.

Acting Director of Public Works/City Engineer Buenting clarified that the item under discussion pertained to lighting and landscape district assessments. However, he mentioned that staff was exploring the replacement of streetlights funded through another source.

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

PUBLIC HEARING – Continued from February 13, 2024

1. ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH, CALIFORNIA, ADDING CHAPTER 4 TO TITLE 4 (PUBLIC SAFETY) OF THE ANTIOCH MUNICIPAL CODE RELATING TO ORGANIZING OR ADVERTISING STREET RACING, SIDESHOWS, AND RECKLESS DRIVING EXHIBITIONS

City Attorney Smith presented the staff report dated February 27, 2024, recommending the City Council introduce by title only and waive further reading of the ordinance adding Chapter 4 to Title 4 (Public Safety) of the Antioch Municipal Code relating to “Organizing or Advertising Street Racing, Sideshows, and Reckless Driving Exhibitions.”

Mayor Hernandez-Thorpe opened the public hearing.

Addison Peterson expressed support for fining spectators at sideshows.

Mayor Hernandez-Thorpe closed the public hearing.

Councilmember Ogorchock expressed concern that events that had caused emergency responders to be unable to reach their destinations had not been addressed in the Ordinance. She requested that the ordinance be stronger, like other nearby jurisdictions, which had escalating fines and penalties.

Mayor Hernandez-Thorpe explained that the Ordinance had returned based on Council discussion and direction. He clarified that Antioch was a General Law city and did not have the same capacity as Charter cities regarding their fine structure.

Councilmember Torres-Walker commented that other cities had stronger ordinances, yet they had not been able to prevent sideshows. She voiced her support for this ordinance and discussed the importance of proactive measures to prevent sideshows from occurring. Additionally, she emphasized the need to address traffic enforcement.

Mayor Hernandez-Thorpe mentioned that Acting Director of Public Works/City Engineer Buenting was working on deterrents for spinouts at intersections, which would be brought to Council in the future.

City Attorney Smith commented that there was a range of penalties for individuals involved in sideshows, with some falling under state and others under the city's jurisdiction. He noted that this ordinance would support the APD in their efforts to prevent these activities from occurring.

Councilmember Wilson expressed concern for the organizers of these events.

Interim Chief of Police Addington commented that sideshows were illegal, dangerous, and needed to be stopped. He reported that in years past, Antioch had the best system for proactive monitoring and stopping events from occurring, but that program no longer existed, and now APD was reactive in their response. He further noted there were existing California laws that dealt with those participating in sideshows. He stated this ordinance would be a helpful tool for officers and would send a strong message that this behavior would not be tolerated. He reported no one had ever been arrested under Pittsburg's spectator ordinance. He stated that he understood that this was one of the city's priorities.

On motion by Councilmember Torres-Walker, seconded by Councilmember Barbanica, the City Council unanimously introduced by title only and waived further reading of the ordinance adding Chapter 4 to Title 4 (Public Safety) of the Antioch Municipal Code relating to "Organizing or Advertising Street Racing, Sideshows, and Reckless Driving Exhibitions."

COUNCIL REGULAR AGENDA – Continued from February 13, 2024

2. BUDGET REQUESTS CONTINUED FROM NOVEMBER 28, 2023

Finance Director Merchant presented the staff report dated February 27, 2024, recommending the City Council adopt a resolution approving amendments to the 2023/24 and 2024/25 fiscal year budgets for staffing and other items considered at the meeting of February 27, 2024.

Frank Sterling, Francisco Torres, Teki Flow, Sara B, Rena Moore, representing Reimagine Antioch and Sumaya Alkatib requested the City Council reallocate the proposed CSO position funding to programming opportunities within the Public Safety and Community Resources Department.

An unidentified speaker expressed concern that the Human Resources Specialist was only being funded for \$30,000 and supported the previous requests from Reimagine Antioch.

An unidentified speaker expressed concern that the Water Park maintenance fund would be insufficient since the Water Park was running deficit every year. He suggested reallocating the maintenance fund to the library and reclassifying the Assistant City Manager position as a grant writer.

Finance Director Merchant explained the request related to the Human Resources Specialist was a reclassification and the cost was the differential between the existing position and what it would be at the higher rate. She commented that all the salaries listed included all benefits.

Councilmember Torres-Walker stated that she believed the City's Risk Manager needed additional support. She questioned why Antioch did not have an Occupational Health & Safety Analyst or Coordinator.

Finance Director Merchant stated in speaking with Director of Human Resources Cortez she indicated that she wanted to recognize that an individual was already performing in this capacity, and she wanted to compensate them for providing the additional services.

Councilmember Torres-Walker stated she supported reclassification of this position so this person could receive the pay for the job they were performing outside of their classification. She stated she believed HR was understaffed, especially for Risk Management.

Acting City Manager Reed stated he would discuss an overall assessment of Human Resources needs with Director of Human Resources Cortez. He explained the primary portion of the Assistant to the City Manager's job would be grant writing and assisting with requests from City Council. He noted if the position were approved it would come back to Council with a job specification tailored to looking at grant opportunities.

Councilmember Wilson stated she supported additional dispatchers to help support the crisis response team. She noted in the future, she would support a dedicated dispatcher for the crisis response team.

In response to Councilmember Barbanica, Interim Chief of Police Addington stated he was aware of the APD staffing requests; however, he was not part of the analysis. He confirmed that there was a need for two additional dispatchers; however, he had not yet analyzed a need for CSO positions.

Councilmember Barbanica stated he would like Acting Chief Addington to review the CSO staffing requests to determine if there were additional needs.

In response to Mayor Hernandez-Thorpe, Acting City Manager Reed stated the staffing requests came from the department heads and there were no requests from the Department of Public Safety and Community Resources.

Mayor Hernandez-Thorpe stated he would not support any staff requests. He explained that the Department of Public Safety and Community Resource had taken some burden off the APD, and he felt the City Council should take that under consideration when determining additional staffing needs for that department. He stated he would not support consideration of an Assistant to the City Manager position until a permanent City Manager was hired.

Discussion ensued regarding the additional staff and other budget requests with Council consensus supporting funding for the 2 Dispatchers (Police) for \$386,807 and the Water Park Maintenance Fund for \$200,000.

RESOLUTION NO. 2024/30

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica, the City Council adopted a resolution approving amendments to the 2023/24 and 2024/25 fiscal year budgets to include funding for two Police Dispatchers and the Water Park Maintenance Fund. The motion carried the following vote:

Ayes: Barbanica, Ogorchock, Wilson, Hernandez-Thorpe

Abstain: Torres-Walker

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Mayor Hernandez-Thorpe announced a Black History Month Closing Celebration and Key to the City Presentation would be held at 6:30 P.M. on February 29, 2024, at Delta Bay Community Church.

5. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Householder announced the following Board and Commission openings.

- Board of Administrative Appeals
- Parks and Recreation Commission
- Sales Tax Citizens' Oversight Committee

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

PUBLIC COMMENTS

Deborah Polk, Rising Juntos, requested Council place a Just Cause for Evictions Ordinance on a future Council agenda.

Christine Clark, Rising Juntos, requested Council place a Just Cause for Evictions Ordinance on a future City Council agenda and spoke in support of a ceasefire in Gaza.

Abu Bakr Elgarguri, BMCC, speaking on behalf of Muslim Community, Isabella Klaus, Ahmad, Antioch resident, Hasan Elwir and Mushda Farez requested the Council agendize a Cease Fire Proclamation or Resolution.

Lynette and Daniel Solario spoke in opposition to Antioch Unified School District Bond Measure B.

Sumaya Alvatib, Contra Costa & Palestine, Antioch resident, spoke in support of freeing Palestine.

Leslie May requested staff launch an investigation into AMR and Sutter Hospital for alleged misconduct.

Francisco Torres, Reimagine Antioch Police Accountability Working Committee, expressed concern regarding the appointment of Interim Chief of Police Addington.

Several speakers discussed Black History events in honor of Black History Month.

Sara B., Reimagine Antioch Police Accountability Working Committee, spoke in opposition to the appointment of Interim Chief of Police Addington. She urged Council to support a ceasefire in Palestine. She discussed misconduct of medical professionals and law enforcement.

Frank Sterling thanked everyone who recognized Black History Month and discussed Black History events. He requested the Council support a resolution in support of a ceasefire.

Al Dargma, Antioch resident, stated the Muslim community supported justice, civil rights, and equality. He opposed the use of American tax dollars supporting war crimes.

Patricia Granados, Reimagine Antioch Police Accountability Oversight Working Committee, expressed concern regarding the appointment of Interim Chief of Police Addington. She spoke in opposition to Measure B and requested Council support a ceasefire.

Vanessa O. reported that her vehicle had been stolen and there was a delay in receiving a police report. She stated the lack of police enforcement and the increased presence of encampments had caused an increase in vehicle and retail theft.

An unidentified speaker discussed his efforts to advance affordable housing projects.

CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS

Councilmember Torres-Walker reported on her attendance at the Human Rights and Racial Equity Ad Hoc Committee meeting. She congratulated Acting Captain Vigil for completing Command College. Additionally, she addressed the community's concerns regarding the appointment of Interim Police Chief Addington, encouraging residents to observe his actions and give him a chance to demonstrate his commitment to community policing and ensuring a non-biased police department. She spoke in support of a resolution endorsing a ceasefire.

Councilmember Barbanica provided a brief history of an investigation that occurred during his employment with the Pittsburg Police Department. He reported that Interim Chief Addington was responsible for bringing forward information on alleged text messages, which led to the FBI's investigation of the APD. He welcomed Interim Chief of Police Addington to Antioch.

Councilmember Ogorchock reported on her attendance at the Cal Cities meeting. Additionally, she welcomed Interim Chief of Police Addington to the APD.

Councilmember Wilson reported that the Cannabis Standing Committee should be meeting soon, and she would be attending Tri Delta Transit on February 27, 2024.

MAYOR’S COMMENTS

Mayor Hernandez-Thorpe expressed gratitude to everyone for attending the meeting and acknowledged ACCE for requesting the Pan-African Flag to be flown at City Hall. He announced that the Just Cause Ordinance would be coming to Council in the form of a Special Work Session in March. reported an increase in property crimes throughout the Bay Area, highlighting the importance of addressing public safety concerns. He requested the community allow Interim Chief of Police Addington the opportunity to lead the City and stated he appreciated that he had taken the position. He commented on the request for a Resolution in support of a Cease Fire and acknowledged important issues it raised. He spoke in support of ending funding that allowed wars to continue in other countries and for the responsible use of tax dollars by the government. He mentioned that he would decide when to bring this item back for discussion.

PUBLIC COMMENT – None

STAFF COMMUNICATIONS

Acting City Manager Reed announced that the Economic Development Department had successfully obtained a fellow, Gaby Seltzer, through the Economic Recovery Corp who would be assisting the City for a term of two and a half years.

COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS – None

ADJOURNMENT

On motion by Councilmember Ogorchock, seconded by Mayor Hernandez-Thorpe, the City Council unanimously adjourned the meeting at 10:30 P.M.

Respectfully submitted:

Kitty Eiden
KITTY EIDEN, Minutes Clerk