

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

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

**May 14, 2024  
Council Chambers**

**5:00 P.M. – SPECIAL MEETING/STUDY SESSION**

Mayor Hernandez-Thorpe called the Special Meeting / Work Session to order at 5:00 P.M., and Acting City Clerk Rosales called the roll.

Present: Council 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.

**STUDY SESSION**

**SM-1. FISCAL YEAR 2023-25 MID-YEAR BUDGET REVIEW**

Acting City Manager Reed introduced the Fiscal Year 2023-25 Mid-Year Budget Review.

Finance Director Merchant presented the staff report dated May 14, 2024, recommending the City Council provide feedback and direction on the draft mid-year budget options and adjustments to the fiscal year 2023-25 budget.

Councilmember Barbanica thanked Finance Director Merchant for the presentation. For the record, Finance Director Merchant confirmed that the City would be saving approximately \$12M by purchasing the former PG&E property for the Public Safety and Community Resources Department.

Council consensus supported holding a Study Session on vacant positions, salary savings and the cause of separations across all departments.

Councilmember Torres-Walker thanked Finance Director Merchant for the presentation. She spoke in support of a community design process for the new Public Safety and Community Resources facility.

Following discussion Council consensus supported funding the following staffing requests:

- Administrative Analyst II/III in Capital Improvement in lieu of an Administrative Analyst I
- General Laborer (Public Works)
- Two (2) Water Distribution Operators I/II (Public Works)

- Two (2) Water Treatment Plant Operators (Public Works)
- Water Treatment Maintenance Worker I/II/III (Public Works)
- Water Treatment Instrument Technician I/II (Public Works)
- Fund one (1) Equipment Mechanic I/II position in lieu of one (1) Fleet Technician (PW)
- Two (2) Community Service Officers (CSOs) (Police) – dedicated to parking enforcement
- Fund one (1) Human Resources Specialist position in lieu of one (1) Human Resources Technician (HR)
- Fund one (1) Building Inspector position in lieu of one (1) Code Enforcement Officer (Community Development)
- Increase Recreation Part-Time Help Budget

### **Other Budget Requests and ARPA Funding**

Council consensus supported allocating \$140,000 from the General Fund in Fiscal Year 2025 to purchase two (2) new fleet vehicles for parking enforcement.

Council directed staff to bring back the remainder of Other Budget Requests and ARPA Funding after this evening's budget adjustments were made to the Fiscal Year 2023-25 budget.

### **Sewer Rate Increases**

Council consensus supported implementing staggered rate increases.

### **Other Items**

Mayor Hernandez-Thorpe suggested Council consider hiring incentives for Code Enforcement Officers.

### **MOTION TO ADJOURN SPECIAL MEETING/STUDY SESSION**

Mayor Hernandez-Thorpe adjourned the Special Meeting/Study Session at 6:25 P.M.

### **6:30 P.M. - CLOSED SESSION**

Mayor Hernandez-Thorpe called the Closed Session to order at 6:30 P.M., and Acting City Clerk Rosales called the roll.

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

1. **CONFERENCE INVOLVING JOINT POWERS AGENCY** – Municipal Pooling Authority and California Affiliated Risk Management Authority (CARMA). Discussion will concern EXISTING LITIGATION pursuant to California Government Code section 54956.9 MARIA QUINTO-COLLINS, et al., v. CITY OF ANTIOCH, et al., United States District Court Northern District of California CASE NO.: 3:21-cv-06094-AMO; Name of local agency

representative on joint powers agency board: Thomas Lloyd Smith, City of Antioch;  
Appearing on behalf of joint powers board: Linda Cox, Municipal Pooling Authority and  
Amanda Griffith, ERMA (Employment Risk Management Authority).

- 2. CONFERENCE WITH LEGAL COUNSEL** – Existing Litigation pursuant to Government Code section 54956.9 JESSE WILSON AND DAJON SMITH v. CITY OF ANTIOCH, United States District Court for the Northern District of California CASE NO.: 3:24-cv-02758-SK.

**PUBLIC COMMENTS** – None

### **PLEDGE OF ALLEGIANCE**

Mayor Hernandez-Thorpe led the Pledge of Allegiance.

### **ADJOURN TO CLOSED SESSION**

Mayor Hernandez-Thorpe adjourned to Closed Session at 6:32 P.M.

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

Mayor Hernandez-Thorpe called the meeting to order at 7:04 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**, City Council approved a settlement in the amount of \$7,500,000, by a 5/0 vote; and, **#2 CONFERENCE WITH LEGAL COUNSEL**, no reportable action.

### ***COUNCIL REGULAR AGENDA – Continued from April 23, 2024, Council Meeting***

- 1. CITY COUNCIL REQUESTED DISCUSSION ITEM – DISCUSSION ON A FUTURE PRESENTATION FROM THE ANTIOCH POLICE DEPARTMENT ON THE TOOLS AND EQUIPMENT UTILIZED BY THE DEPARTMENT**

**2. CITY COUNCIL REQUESTED DISCUSSION ITEM – DISCUSSION ON THE CREATION OF A CITY COMMISSION FOR SENIORS/MATURE ADULTS**

**3. FUTURE PLANS FOR THE ANTIOCH POLICE CRIME PREVENTION COMMISSION**

On motion by Councilmember Barbanica, seconded by Councilmember Wilson, the City Council unanimously continued Council Regular Agenda Items #1-3 to the next Council meeting.

**ON MOTION BY COUNCILMEMBER BARBANICA, SECONDED BY COUNCILMEMBER OGORCHOCK, THE CITY COUNCIL UNANIMOUSLY SUSPENDED THE RULES AND MOVED COUNCIL REGULAR AGENDA ITEM #9, AFTER ITEM #4 PROCLAMATIONS.**

**4. PROCLAMATIONS**

- In Honor of Older Americans' Month, May 2024
- National Public Works Week, May 19 – 25, 2024
- Be Kind to Animals Month, May 2024
- Affordable Housing Month, May 2024
- Mental Health Awareness Month, May 2024
- Asian American & Pacific Islander Heritage Month, May 2024
- Jewish American Heritage Month, May 2024
- National Water Safety Month, May 2024

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council approved the Proclamations. The motion carried the following vote:

Ayes: Barbanica, Ogorchock, Wilson, Hernandez-Thorpe

Abstain: Torres-Walker

Lucy Meinhardt, Antioch Friends of Seniors, accepted the *In Honor of Older Americans' Month* proclamation.

Acting Director of Public Works/City Engineer Buenting introduced Chad Trisdell who accepted the *National Public Works Week* Proclamation.

Barbara Sobalvarro, Friends of Animal Services, accepted the *Be Kind to Animals Month* proclamation.

Jasmine Tarkoff, Hope Solutions and housing advocates accepted the *Affordable Housing Month* proclamation and recognized the winners of the Fair Housing Poster Contest.

Leslie May accepted the *Mental Health Awareness* proclamation.

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**COUNCIL REGULAR AGENDA**

**9. SALES TAX CITIZENS' OVERSIGHT COMMITTEE APPOINTMENTS FOR THE VACANCIES EXPIRING MARCH 2026 AND MARCH 2028**

City Clerk Householder reported that Katherine Mundhenk was unable to attend the meeting for her reappointment this evening due to a previous engagement. She announced that Mayor Hernandez-Thorpe nominated Courney L. Jones to the Sales Tax Citizens' Oversight Committee for the vacancy expiring March 2028 and she read her biography.

**RESOLUTION NO. 2024/57**

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica, the City Council members present unanimously adopted the resolution approving the Mayor's appointment of Courney L. Jones to the Sales Tax Citizens' Oversight Committee for the vacancy expiring March 2028.

City Clerk Householder administered the Oath of Office to Courney L. Jones.

**RESOLUTION NO. 2024/58**

On motion by Councilmember Barbanica, seconded by Councilmember Ogorchock, the City Council members present unanimously adopted the resolution approving the Mayor's appointment of Katherine Mundhenk to the Sales Tax Citizens' Oversight Committee for the partial-term vacancy expiring March 2026.

**ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS – None**

**5. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS**

City Clerk Householder announced the following Board and Commission openings.

- Economic Development Commission
- Contra Costa Mosquito & Vector Control Board

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

**ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS – Continued**

Leslie May announced Reimagine Antioch in conjunction with the State Return Project was hosting a Healing Circle from 1:00 P.M. – 6:00 P.M. on June 1, 2024.

A representative from ACCE Antioch announced they would be holding a press conference regarding the Pittsburg/Antioch Amtrak Station on May 22, 2024.

Gavin Payton, NAACP Youth Council announced their Swearing-In Ceremony would be held on May 25, 2024, and they would also be hosting a Talent Show Fundraiser.

### **PUBLIC COMMENTS**

Leslie May encouraged the City to hire grant writers.

Erika Raulston spoke in support of Antioch becoming a Charter City.

Krystal Law-Brooks advocated for the City to streamline housing services.

Savannah and Gavin Payton, East County NAACP Youth Council, spoke in support of preserving and maintaining public transportation.

Katherine Ressa, Cal-American Corporation / Manager of Raley's Shopping Center and an unidentified speaker, addressed issues they had with the patients of the methadone clinic located near their shopping center. They spoke in support of retention bonuses for Antioch Police Department (APD) and placing a police substation on their property.

Frank Sterling recognized the advocacy efforts of the Quinto family. He spoke in support of mandating that an officer facing discipline be ineligible for employment in Antioch. He requested Council agendaize a Ceasefire Resolution and divestment.

Lucy Meinhardt, Antioch resident, suggested replacing the Police Crime Prevention Commission with neighborhood councils.

An unidentified speaker discussed several commercial properties for sale in Antioch and the finance documents of an elected official.

An unidentified speaker suggested a zoom option for public comments. She recognized various non-profits, She discussed an effort for Antioch to become a Charter City and encouraged everyone to support the Youth NAACP Talent Show.

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

Councilmember Wilson stated that given the agenda this evening she would report out on her committees at the next Council meeting.

### **MAYOR'S COMMENTS**

Mayor Hernandez-Thorpe announced CCTA would be meeting on May 15, 2025, and he would save the remainder of his remarks for the next Council meeting.

6. **CONSENT CALENDAR for City /City Council Members acting as Successor Agency/Housing Successor to the Antioch Development Agency**
  - A. **APPROVAL OF COUNCIL MEETING MINUTES FOR APRIL 9, 2024**
  - B. **APPROVAL OF COUNCIL MEETING MINUTES FOR APRIL 23, 2024**
  - C. **APPROVAL OF COUNCIL WARRANTS**
  - D. **APPROVAL OF TREASURER’S REPORT FOR DECEMBER 2023**
  - E. **APPROVAL OF TREASURER’S REPORT FOR JANUARY 2024**
  - F. **APPROVAL OF TREASURER’S REPORT FOR FEBRUARY 2024**
  - G. **APPROVAL OF HOUSING SUCCESSOR WARRANTS**
  - H. **FIRST AMENDMENT TO THE CONSULTING SERVICES AGREEMENT WITH THE KPA GROUP FOR CITYWIDE SPACE PLANNING AND ARCHITECTURAL CONSULTATION SERVICES (P.W. 700-4)**
  - I. **RESOLUTION NO. 2024/59 ACCEPTANCE OF WORK AND NOTICE OF COMPLETION FOR THE ANTIOCH CAPE SEAL PROJECT 2023 (P.W. 328-13)**
  - J. **RESOLUTION NO. 2024/60 FIRST AMENDMENT TO THE CONSULTING SERVICES AGREEMENT WITH TESTING ENGINEERS, INC. FOR ON-CALL MATERIAL TESTING AND SPECIAL INSPECTION SERVICES**
  - K. **RESOLUTION NO. 2024/61 FIRST AMENDMENT TO THE MAINTENANCE SERVICE AGREEMENT WITH ALTA FENCE CO. FOR FENCING PARTS AND INSTALLATION SERVICES**
  - L. **RESOLUTION NO. 2024/62 AWARD OF A MULTI-YEAR MAINTENANCE SERVICE AGREEMENT WITH TERRACARE ASSOCIATES FOR PARK MAINTENANCE SERVICES**
  - M. **RESOLUTION NO. 2024/63 ZENCITY PUBLIC SURVEY TOOL CONTRACT EXTENSION**
  - N. **2024 ANNUAL EMPLOYEE SERVICE AWARDS**
  - O. **REJECTION OF CLAIMS: KEITH BURTON, JUAN PABLO SAUCEDA, DASON MELIUS**

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

**Item H** – In response to an unidentified speaker, Acting Director of Public Works/City Engineer Buenting explained the RFQ and contract process for the project.

Acting City Manager Reed requested this item be postponed for further review.

City Clerk Householder announced that Councilmember Barbanica was ill and left the meeting at 8:26 P.M.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council members present unanimously postponed Item H.

**Item K** – An unidentified speaker expressed concern regarding some of the terms of the contract.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council approved Item K. The motion carried the following vote:

Ayes: Ogorchock, Wilson, Hernandez-Thorpe      Abstain: Torres-Walker      Absent: Barbanica

**Item L** – An unidentified speaker expressed concern regarding some of the terms of the contract.

Acting Director of Public Works/City Engineer Buenting reviewed the terms of the contract with Terra Care.

Councilmember Torres-Walker stated she had questions regarding how the City measured accountability, so she would be abstaining from the vote.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council approved Item L. The motion carried the following vote:

Ayes: Ogorchock, Wilson, Hernandez-Thorpe      Abstain: Torres-Walker      Absent: Barbanica

**Item N** – Acting City Manager Reed recognized employees who served the City for 20, 25 and 30 years.

**PUBLIC HEARING**

- 7.      ADOPTING NEW FACILITY RESERVE FEE FOR TREATED WATER CAPACITY IN THE BRACKISH WATER DESALINATION FACILITY REPLACING THE EXISTING CHARGE FOR CAPACITY IN CONTRA COSTA WATER DISTRICT'S RANDALL-BOLD WATER TREATMENT PLANT**



Acting Director of Public Works/City Engineer Buenting presented the staff report dated May 14, 2024 recommending the City Council adopt a resolution: 1) Approving the Technical Memorandum – Facility Reserve Fee for Brackish Water Desalination Facility Assets, dated April 30, 2024, and prepared by Pavletic Consulting LLC (the “Study”); 2) Adopting a new Facility Reserve Fee for Treated Water Capacity based on the Study; 3) Repealing and superseding the existing Facility Reserve Fee for Treated Water Capacity; and 4) Directing the Acting City Manager or his designee to notify Contra Costa Water District pursuant to the Treated Water Service Amendatory Agreement between the City and Contra Costa Water District that it is capping its capacity right thereunder.

Mayor Hernandez-Thorpe opened and closed the public hearing with no members of the public requesting to speak.

Councilmember Ogorchock suggested Council consider designating a certain amount of money to go directly to paying down the loan faster.

**RESOLUTION NO. 2024/64**

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council members present unanimously adopted the resolution 1) Approving the Technical Memorandum – Facility Reserve Fee for Brackish Water Desalination Facility Assets, dated April 30, 2024, and prepared by Pavletic Consulting LLC (the “Study”); 2) Adopting a new Facility Reserve Fee for Treated Water Capacity based on the Study; 3) Repealing and superseding the existing Facility Reserve Fee for Treated Water Capacity, 4) Apply \$500k per year toward DWR Loan; and 5) Directing the Acting City Manager or his designee to notify Contra Costa Water District pursuant to the Treated Water Service Amendatory Agreement between the City and Contra Costa Water District that it is capping its capacity right thereunder.

**COUNCIL REGULAR AGENDA – Continued**

**7. DISCUSSION ITEM: JUST CAUSE EVICTION DRAFT ORDINANCE**

Mayor Hernandez-Thorpe announced that translation services were available this evening.

Assistant City Attorney Kundinger presented the staff report dated May 14, 2024 recommending the City Council: 1) Review, discuss, and provide feedback to staff on the staff report and draft Just Cause Eviction Ordinance; and 2) Direct staff to: a) Add, delete, modify or retain provisions of the draft Just Cause Eviction Ordinance and return to the City Council for further review; b) Prepare a final version of the Just Cause Eviction Ordinance and introduce it at an upcoming City Council Meeting; or c) Take no further action.

Rev. Millie Phillips representing FAME / ERASE, Brendon O’laskey, Chip Washington and Cecilia Perez, representing Rising Juntos, Eddie Gums and Tachina Garrett, representing ACCE Antioch, Gavin Payton, representing NAACPYC, Melvin Willis, representing ACCE Contra Costa, Shagoofa Khan and Patricia Granados representing Monument Impact, Ethan Silverstein

and Leah Simon-Weisberg, representing California Center for Legal Services / ACCE, Devin W. and Leslie May offered suggested revisions to the draft ordinance.

Greg Tezzakis, California Apartment Association requested the City provide them the opportunity to meet with staff to discuss the terms outlined in the ordinance.

Following discussion, Council consensus directed staff to engage with the stakeholders to create the policies for the draft ordinance to bring back to Council for consideration.

Mayor Hernandez-Thorpe offered to participate in the stakeholder meeting.

Councilmember Ogorchock and Mayor Hernandez-Thorpe thanked Assistant City Attorney Kunding for his comprehensive staff report.

**PUBLIC COMMENT – None**

**STAFF COMMUNICATIONS – None**

**COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS**

Councilmember Torres-Walker requested staff agendize a discussion on the formation of neighborhood councils.

Mayor Hernandez-Thorpe explained that fees and taxes, police oversight and neighborhood councils existed in Charter Cities and the component to have those items was not provided for general law cities.

**ADJOURNMENT**

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council members present unanimously adjourned the meeting at 10:03 P.M.

Respectfully submitted:

*Kitty Eiden*

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KITTY EIDEN, Minutes Clerk