

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

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

**September 10, 2024
Council Chambers**

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 3 Ogorchock, Mayor Pro Tem (District 4) Wilson and Mayor Hernandez-Thorpe

Absent: Council Members District 1 Torres-Walker (arrived at 6:32 P.M.) and District 2 Barbanica

PLEDGE OF ALLEGIANCE

Mayor Hernandez-Thorpe led the Pledge of Allegiance.

- 1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – pursuant to California Government Code section 54956.9: Kimberly Kirkland v. City of Antioch, Superior Court of California Contra Costa County (Case No. C23-01113).

PUBLIC COMMENTS – None

ADJOURN TO CLOSED SESSION

Mayor Hernandez-Thorpe adjourned to Closed Session at 6:31 P.M.

7:00 P.M. REGULAR MEETING

Mayor Hernandez-Thorpe called the meeting to order at 7:01 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.

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 – EXISTING LITIGATION**, City Council approved a settlement in the amount of \$55,000, by a 4-0 vote with Councilmember Barbanica absent.

COUNCIL REGULAR AGENDA – Continued from August 27, 2024, Council Meeting

1. 2023 ANNUAL MILITARY EQUIPMENT REPORT

Captain Vigil presented the staff report dated September 10, 2024, recommending the City Council review and approve the 2023 Annual Military Equipment Report.

On motion by Councilmember Ogorchock, seconded by Councilmember Torres-Walker the City Council unanimously approved the 2023 Annual Military Equipment Report.

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

Acting City Manager Reed presented the staff report dated September 10, 2024, recommending the City Council adopt the resolution to approve the response to the Grand Jury report: “Challenges Facing the City of Antioch” and authorize the Mayor to sign it.

Leslie May agreed with the recommendations and urged Council to approve the response.

Councilmember Barbanica stated he would be abstaining from voting on this agenda item as he was preparing his personal response to the report.

Acting City Manager Reed reviewed the City of Antioch Response to Grand Jury Report No. 2405 (Attachment C Exhibit 1 to the staff report) and Council consensus provided staff with direction as to which responses to the Findings were supported.

Patricia Granados discussed community members’ failed attempts at being hired for positions within the City.

Devin Williams acknowledged the findings in the Grand Jury Report.

An unidentified speaker recommended the findings in the Grand Jury Report be displayed for the public this evening.

RESOLUTION NO. 2024/124

On motion by Councilmember Torres-Walker, seconded by Councilmember Wilson the City Council adopted the resolution to approve the response to the Grand Jury report: “Challenges Facing the City of Antioch” and authorized the Mayor to sign it incorporating the following responses to the findings:

- F1. *The City agrees with this finding. The City's overall budget including general operations and capital improvements is \$146 million.*
- F2. *The City agrees with this finding*
- F3. *The City agrees with this finding*
- F4. *The City partially disagrees with the finding. The Antioch City Council has appointed five (5) city managers since December 2013, Human Resources Director, Ana Cortez, was delegated the authority and responsibilities of the city manager position by a former city manager prior to him being placed on administrative leave. Ms. Cortez fulfilled those responsibilities for a period of two (2) days, bridging the period between the city manager being placed on administrative leave and the City Council appointing an Acting City Manager. Ms. Cortez was not appointed Acting City Manager by the City Council.*
- F5. *The City agrees with this finding*
- F6. *The City disagrees with this finding*
- F7. *The City disagrees with this finding. Staff is under the direction from the City Manager to always inform him of these conversations once they have occurred. There has been a history of Council working with staff on topics including Measure W, salary studies, ad hoc committees and standing committees. Committee topics have included matters such as cannabis businesses, social equity and racial justice, unsheltered people and the Rivertown/Downtown area*
- F8. *The City agrees with this finding. As of February 15, 2024, the City-wide vacancy rate was 21% (Acting City Manager)*
- F9. *The City agrees with this finding*
- F10. *The City agrees with this finding*
- F11. *The City agrees with this finding*
- F12. *The City partially disagrees with this finding. Not knowing when the Grand Jury sourced the staffing information for the abovementioned departments, the City cannot verify the information. As of June 30, 2024, the Public Works Department had a 17% vacancy rate, and the Community Development Department had a 25% vacancy rate (Acting City Manager)*
- F13 *The City disagrees with this finding*
- F14. *The City agrees with this finding*
- F15 *The City agrees with this finding*

The motion carried the following vote:

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

3. DESIGNATION OF A VOTING DELEGATE AND ALTERNATE DELEGATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE AND AUTHORIZATION FOR ASSOCIATED CONFERENCE EXPENSES NOT TO EXCEED \$2,238 PER PARTICIPANT

Acting City Manager Reed presented the staff report dated September 10, 2024, recommending the City Council appoint a Voting Delegate and Alternate Delegate for the 2024 League of

California Cities Annual Conference. It is further recommended that the Council authorize the associated conference expenses for one participant in an amount not to exceed \$2,238.

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously appointed Councilmember Torres-Walker as a Voting Delegate and Mayor Hernandez-Thorpe as an Alternate Delegate for the 2024 League of California Cities Annual Conference and authorized the associated conference expenses for one participant in an amount not to exceed \$2,238.

ON MOTION BY COUNCILMEMBER WILSON, SECONDED BY COUNCILMEMBER BARBANICA THE CITY COUNCIL UNANIMOUSLY SUSPENDED THE RULES AND MOVED COUNCIL REGULAR AGENDA ITEM #12, TO BE HEARD AS THE NEXT ORDER OF BUSINESS.

COUNCIL REGULAR AGENDA

12. CITY COUNCIL APPOINTMENT OF STANDBY CITY COUNCIL MEMBERS

Acting City Manager Reed presented the staff report dated September 10, 2024, recommending the City Council appoint the following nominees as standby city council members:

- Mayor Hernandez-Thorpe: 1) Filled; 2) Filled; 3) [open]
- Council Member (District 1) Torres-Walker: 1) Filled; 2) Filled; 3) [open]

Councilmember Torres-Walker reported that one of her standby Councilmembers had been displaced from Antioch and she was nominating Raymond Rodrigues as her replacement.

Raymond Rodrigues introduced himself and expressed interest in serving as a standby Councilmember.

Mayor Hernandez-Thorpe reported that one of his standby Councilmembers had moved out of the area and he was nominating Ricka Davis-Sheard as her replacement.

Ricka Davis-Sheard introduced herself and expressed interest in serving as a standby Councilmember.

On motion by Councilmember Torres-Walker, seconded by Councilmember Wilson the City Council unanimously appointed Raymond Rodrigues as standby Councilmember for District 1 Councilmember Torres-Walker.

On motion by Mayor Hernandez-Thorpe, seconded by Councilmember Wilson the City Council unanimously appointed Ricka Davis-Sheard as standby Councilmember for Mayor Hernandez-Thorpe.

4. PROCLAMATIONS

- 9/11 Day of Service and Remembrance, September 11, 2024
- In Honor of Hispanic Heritage Month, September 2024

A motion was made by Councilmember Ogorchock, seconded by Councilmember Wilson to approve the Proclamations.

Ralph Hernandez, Antioch resident, discussed the Independence of Mexico and his family's contributions to the Hispanic community.

Teresa Lua and members of Rising Juntos thanked Council for honoring Hispanic Heritage Month and requested interpretation services for Council meetings.

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

5. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

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

- BIG TRUCK DAY – September 19, 2024, at the Antioch Community Center
- CALIFORNIA COASTAL CLEANUP DAY – September 21, 2024, at the Antioch Marina and Antioch Water Park

Youth Services Network Manager Cabral announced Antioch Council of Teens (ACT) meets at 4:00 P.M. every 2nd and 4th Wednesday at the Antioch Water Park.

Representatives from ACT announced the City was accepting applications for the YOCH and Mayor's Apprenticeship programs. They also announced they were holding their Annual Coat and Food Drive. Contact information was provided.

6. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

Acting City Clerk Rosales announced the following Board and Commission openings.

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

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

PUBLIC COMMENTS

Raymond Rodriques expressed concern regarding criminal activity that occurred in the Sycamore area and suggested the City provide a mentorship program.

Jaime Landeros, Antioch resident, expressed safety concerns related to a homeless encampment in his neighborhood.

Ralph Hernandez, Antioch resident, requested Council take a stand against illegal immigration.

Linnette Kidd and Kimberly Kidd-Bailey discussed their family member's bicycle fatality and urged the City to respond to their requests for information on the case. Also discussed were remarks made about elected officials on social media.

Erika Raulston expressed safety concerns related to illegal activity and a homeless encampment in her neighborhood. She also discussed remarks made on social media.

Leslie May discussed actions she had taken that involved a former City Manager.

Tachina Garrett, ACCE Antioch, discussed their efforts to keep the Antioch Amtrak Station open and invited the community to attend the Antioch Whistle Stop Tour and Celebration at 3:00 P.M. on September 14, 2024, at the Amtrak Station. She announced on September 20, 2024, they would be riding the train from Antioch to Martinez to speak to the San Joaquin JPA.

Gavin Payton, East County NAACP Youth, announced their banquet would be held at 4:00 P.M. on October 28, 2024, in Concord and he thanked everyone who attended last year's event. He discussed comments he made at a previous Council meeting and apologized if they appeared aggressive.

Mike Korin requested a meeting with the City regarding criminal activity occurring at "L" Street and Sycamore.

Devin Williams discussed the election process and accomplishments of the current City Council.

Frank Sterling expressed concern regarding comments made on social media, spoke in support of a Cease Fire Resolution and invited the community to attend a candidate's forum.

Teki encouraged residents to attend a Community Forum from 6:30 P.M. – 8:30 P.M. on September 13, 2024, at Delta Bay Community.

Nicole Arrington discussed the City's unhoused outreach efforts.

Patricia Granados expressed concern for a previous public comment regarding immigrants and recognized their contributions to the community.

An unidentified speaker expressed concern for businesses closed after school in the Deer Valley Plaza Shopping Center. He questioned why EV charging stations that were funded by a subsidized program were charging more than stations in other communities.

CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS

Councilmember Torres-Walker announced the Cannabis Standing Committee would be meeting at 2:00 P.M. on September 20, 2024. She discussed the importance of open communication with people who had experienced incidents in the City. She recognized the Bay Miwok people. She spoke in support of a fair and equitable immigration system as well as a ceasefire resolution. She thanked the NAACP Youth Council for their advocacy efforts. She discussed the importance of supporting youth in the community and residents in the Sycamore corridor.

The City Council recognized Gavin Payton and encouraged him to continue advocating on behalf of the NAACP Youth Council.

Councilmember Wilson announced Delta Diablo, Tri Delta and the Cannabis Standing Committee would be meeting soon.

MAYOR'S COMMENTS

Mayor Hernandez-Thorpe encouraged everyone to respect one another's experiences. He reported on his attendance at the CCTA meeting and announced Tri Delta would be meeting soon. He discussed efforts to keep the Amtrak station open and he thanked Acting City Manager Reed for facilitating a meeting with the San Joaquin JPA. He stated he would be bringing a proposal to the JPA to keep the Amtrak Station opened and he would then bring the proposal back to the City Council for consideration. He recognized ACCE for their advocacy work and thanked everyone for participating in tonight's meeting. He commented that Council would continue to work together on the interests of the people.

An unidentified speaker spoke in support of keeping the Amtrak station open in Antioch. He questioned the process for Council addressing citywide concerns with partner agencies.

7. PRESENTATION - *BUILD Internship Presentation*

Youth Services Network Manager Cabral introduced Marin and Kevin who gave a BUILD Internship PowerPoint Presentation.

The Council thanked the BUILD Internship participants for the presentation.

Mayor Hernandez-Thorpe requested Acting City Manager Reed work with staff to integrate some of the items from the presentation into the new building design.

Councilmember Torres-Walker requested the Board of Supervisors provide the City with funding to increase youth services.

8. **CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency**
 - A. **APPROVAL OF COUNCIL MEETING MINUTES FOR AUGUST 13, 2024**
 - B. **APPROVAL OF COUNCIL MEETING MINUTES FOR AUGUST 27, 2024**
 - C. **APPROVAL OF COUNCIL WARRANTS**
 - D. **APPROVAL OF HOUSING SUCCESSOR WARRANTS**
 - E. **APPROVAL OF TREASURER’S REPORT FOR MAY 2024**
 - F. **APPROVAL OF TREASURER’S REPORT FOR JUNE 2024**
 - G. **ORDINANCE NO. 2240-C-S SECOND READING: ORDINANCE ADDING CHAPTER 6 TO TITLE 11 (JUST CAUSE EVICTION ORDINANCE) (*Introduced on August 27, 2024*)**
 - H. **ORDINANCE NO. 2241-C-S SECOND READING OF ORDINANCE: COUNCIL MEMBER COMPENSATION – SENATE BILL 329 INCREASES THE COMPENSATION LIMITS FOR CITY COUNCILMEMBERS (*Introduced on August 27, 2024*)**
 - I. **RESOLUTION NO. 2024/125 AWARD OF PROPOSAL NO. 946-0701-24G FOR LOCKBOX SERVICES**
 - J. **RESOLUTION NO. 2024/126 AWARD OF AGREEMENT TO NAVIGATING PREPAREDNESS ASSOCIATES FOR HAZARD MITIGATION PLAN PREPARATION**
 - K. **RESOLUTION NO. 2024/127 AMENDMENT TO THE CONSTRUCTION AGREEMENT WITH CONSOLIDATED ENGINEERING INC. FOR THE NEIGHBORHOOD TRAFFIC CALMING PROJECT (P.W. 282-19A)**
 - L. **RESOLUTION NO. 2024/128 UNHOUSED RESIDENTS’ SERVICES – AMENDMENT NO. 1 TO SUPPORTIVE SERVICES AGREEMENT WITH BAY AREA COMMUNITY SERVICES**
 - M. **RESOLUTION NO. 2024/129 AND RESOLUTION NO. 2024/130 TO CHANGE AUTHORIZED SIGNATORY TO SUBMIT ANNUAL APPLICATION FOR PERMANENT LOCAL HOUSING ALLOCATION (PLHA) FUNDING**

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

Item G – Shagoofa Khan, Monument Impact, Rocio Arambura, Rising Juntos, Deborah Polk, Rising Juntos, Rev Millie Phillips, Faith Alliance for a Moral Economy, Dr. Kimberly Payton, Addison Peterson, Devin Williams and Nicole Addington spoke in support of Council adopting the Just Cause Eviction Ordinance.

Councilmember Torres-Walker thanked the stakeholders who contributed to creating an ordinance that was supported by all parties.

Mayor Hernandez-Thorpe announced there would be an Ordinance signing and Key to the City Ceremony on October 2, 2024. He invited Councilmembers to submit names to take under consideration to be awarded Keys to the City.

On motion by Councilmember Torres-Walker, seconded by Councilmember Barbanica the City Council unanimously approved Item G.

Item H – Councilmember Ogorchock announced she pulled this item because she was voting against the Ordinance.

Councilmember Barbanica clarified that this Ordinance would not take effect until the next Council was seated and he felt it was important to support smaller incremental increases to prevent substantial increases in the future.

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

Ayes: Torres-Walker, Barbanica, Wilson, Hernandez-Thorpe

Noes: Ogorchock

Item L – An unidentified speaker expressed concern that the fiscal impact was excluded from the agenda packet and data had not been provided for the deliverables.

City Attorney Smith stated that the motion needed to include the amount of \$818,771.24.

Councilmember Ogorchock requested the original contract terms be provided.

A motion was made by Councilmember Barbanica, seconded by Councilmember Torres-Walker to table Item L.

In response to Council, representatives from BACS gave an overview of their services and the request for additional funding.

Following discussion, Council agreed to take action on this item this evening in order to meet ARPA funding deadlines.

Councilmember Barbanica withdrew his previous motion.

On motion by Councilmember Wilson, seconded by Councilmember Torres-Walker the City Council unanimously approved Item L in the amount of \$818,771.24.

Item M – An unidentified speaker discussed PLHA program opportunities and the importance of addressing the housing needs of Antioch’s unhoused. In response to Councilmember Ogorchock, Acting City Manager Reed explained that the amendment request pertained to changing the authorized signatory from a specific name to the title of City Manager or Acting City Manager.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously adopted the resolution rescinding Resolution No. 2020/110.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously adopted the resolution authorizing the City Manager or acting City Manager to execute the Permanent Local Housing Allocation Program Application, the Permanent Local Housing Allocation Standard Agreement and any subsequent amendment or modifications.

Councilmember Ogorchock requested a PLHA discussion as a future agenda item.

PUBLIC HEARING / CITY OF ANTIOCH COUNCIL MEMBERS ACTING AS HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY

9. PUBLIC HEARING TO REVIEW THE FISCAL YEAR 2023-24 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER) FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOUSING SUCCESSOR, AND PERMANENT LOCAL HOUSING ALLOCATION (PLHA) FUNDS

CDBG/Housing Consultant House announced there was a error in the accomplishment number for the CORE Outreach Team by Contra Costa County Health Services on page 2 of the staff report and the final number was 1789 unduplicated contacts. She presented the staff report dated September 10, 2024, recommending the City Council receive and consider public comment on the Fiscal Year 2023-24 CAPER year-end report, detailing achievements of programs funded with CDBG, Housing Successor and PLHA funds for housing, homeless, and community services to improve the quality of life of lower income Antioch residents and neighborhoods.

Mayor Thorpe opened the public hearing.

An unidentified speaker requested staff clarify the criteria for those who qualified for Shelter Inc. and encouraged community engagement for PLHA funding.

Mayor Thorpe closed the public hearing.

In response to Councilmember Ogorchock, CDBG/Housing Consultant House confirmed that unused allocations go back into the pool of funds.

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously received and filed the report.

A motion was made by Councilmember Barbanica, seconded by Councilmember Ogorchock to adjourn the meeting.

Following discussion, Councilmember Barbanica withdrew the previous motion.

COUNCIL REGULAR AGENDA – Continued

10. RECEIVE REPORT ON UTILITY REVENUE REQUIREMENTS AND ADOPT RESOLUTION SETTING PUBLIC HEARING FOR WATER CHARGE INCREASES FOR NOVEMBER 12, 2024, AND AUTHORIZING DISTRIBUTION OF PROPOSITION 218 NOTICES

Acting Director of Public Works/City Engineer Buenting introduced Consultant Pavletic who presented the staff report dated September 10, 2024, recommending the City Council adopt a resolution setting a Public Hearing on proposed Water Service Charge adjustments and authorize the distribution of Proposition 218 notices addressing proposed adjustments and notifying owners of the public hearing on this issue.

RESOLUTION NO. 2024/131

On motion by Councilmember Wilson, seconded by Councilmember Torres-Walker the City Council adopted a resolution setting a Public Hearing on proposed Water Service Charge adjustments and authorized the distribution of Proposition 218 notices addressing proposed adjustments and notifying owners of the public hearing on this issue. The motion carried the following vote:

Ayes: Barbanica, Torres-Walker, Ogorchock, Wilson

Noes: Hernandez-Thorpe

Councilmembers Barbanica and Ogorchock left the meeting at 11:00 P.M., following the vote on Regular Agenda Item #10.

13. RESOLUTION FOR APPROVAL OF CANNABIS OPERATING AGREEMENT FOR 2615 SOMERSVILLE RD LLC DBA FLAVORS ANTIOCH

Assistant City Attorney Kunding presented the staff report dated September 10, 2024, recommending the City Council: 1) Adopt a resolution approving a cannabis operating agreement between the City and 2615 Somersville Rd LLC dba Flavors Antioch (“Flavors Antioch”); and 2) Authorize the Acting City Manager to execute the agreement in a form approved by the City Attorney.

RESOLUTION NO. 2024/132

On motion by Councilmember Wilson, seconded by Councilmember Torres-Walker the City Council members present unanimously 1) Adopted a resolution approving a cannabis operating agreement between the City and 2615 Somersville Rd LLC dba Flavors Antioch (“Flavors Antioch”); and 2) Authorized the Acting City Manager to execute the agreement in a form approved by the City Attorney.

The Council recessed at 11:02 P.M. The meeting reconvened at 11:03 P.M. with all Councilmembers present with the exception of Councilmembers Barbanica and Ogorchock who were absent.

ADJOURNMENT

On motion by Councilmember Torres-Walker, seconded by Councilmember Wilson the City Council members present unanimously adjourned the meeting at 11:03 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk

[THE FOLLOWING COUNCIL MEETING AGENDA ITEMS WILL BE MOVED TO THE 09/24/2024 COUNCIL MEETING TO BE HEARD]

COUNCIL REGULAR AGENDA - Continued

11. **AMENDMENT OF EMPLOYEE REFERRAL AND RECRUITMENT SIGNING BONUS AND INCENTIVE PROGRAM FOR PEACE OFFICERS, ADDITION OF INCENTIVE PROGRAM FOR DISPATCHERS**
14. **CITY COUNCIL REQUESTED DISCUSSION ITEM – DISCUSSION ON REVISIONS TO OVERNIGHT/CAMPING ORDINANCE**
15. **CITY COUNCIL REQUESTED DISCUSSION ITEM – DISCUSSION ON ADOPTING COMMUNITY POLICING RESOLUTION**

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS