

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

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

**November 12, 2024
Council Chambers**

6:00 P.M. - CLOSED SESSION

Mayor Hernandez-Thorpe called the Closed Session to order at 6:01 P.M., and Assistant City Clerk Garcia called the roll.

Present: Council Members District 1 Torres-Walker, District 3 Ogorchock, Mayor Pro Tem (District 4) Wilson and Mayor Hernandez-Thorpe
Absent: Council Member 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: Trent Allen, et al. v. City of Antioch, United States District Court Northern District of California Case No. 3:23-cv-01895-TSH.
2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – pursuant to California Government Code section 54956.9: Juan Laspada, et al. v. City of Antioch, United States District Court Northern District of California Case No. 3:23-cv-01955-JSC.

PUBLIC COMMENTS – None

ADJOURN TO CLOSED SESSION

Mayor Hernandez-Thorpe adjourned to Closed Session at 6:03 P.M.

7:00 P.M. REGULAR MEETING

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

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

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**, A) City Council voted to approve a settlement of the following plaintiffs' claims in the case: i) Tahjay McCullough: \$100,000.00, ii) Daunte Gellington: \$95,000.00, iii) Dejon Richards: \$80,000.00, iv). Kaycee Switter: \$50,000.00 and v) Amadeo Garcia Jr: \$20,000.00, Approved as follows: Mayor Hernandez-Thorpe, Mayor Pro Tem Wilson, Council Member Ogorchock – Yes, Council Member Torres-Walker – Abstained and [Council Member Barbanica – Absent]; and, B) City Council voted to approve a settlement of the following plaintiffs' claim in the case: Robert Young: \$2,000.00, Approved as follows: Mayor Hernandez-Thorpe, Mayor Pro Tem Wilson, Council Member Ogorchock – Yes, Council Member Torres-Walker – Abstained and [Council Member Barbanica – Absent]; and, **#2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**, City Council voted to settle case in the amount of \$29,000, Approved 4/0.

COUNCIL REGULAR AGENDA – Continued from October 22, 2024, Council Meeting

1. CITY COUNCIL REQUESTED DISCUSSION ITEM – POTENTIAL UPGRADES TO ANTIOCH AMTRAK STATION

In the absence of City Manager Scott, Mayor Hernandez-Thorpe requested this item be postponed to a later date.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council members present unanimously postponed Council Regular Agenda Item #1.

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

Director of Economic Development Reed presented the staff report dated November 12, 2024 recommending the City Council adopt the resolution: 1) Approving an addendum to specific Findings and Recommendations identified in the Grand Jury Noncompliance letters dated October 3, 2024 in response to the Findings and Recommendations resulting from the 2023-2024 Contra Costa County Civil Grand Jury report of June 12, 2024 entitled: “Challenges Facing the City of Antioch” Addendum; and 2) Authorizing the Mayor to sign and submit it to the Contra Costa County Civil Grand Jury.

In the absence of City Manager Scott, Councilmember Ogorchock requested this item be postponed to the next meeting.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council members present unanimously postponed Council Regular Agenda Item #2.

3. PROCLAMATION

Homeless Awareness Month, November 2024

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

Unhoused Resident Coordinator Ridley introduced J.R. Wilson, Delta Veteran's Group, who accepted and thanked the City Council for the *Homeless Awareness Month* proclamation.

Mayor Hernandez-Thorpe recognized Mr. Wilson's advocacy for the needs of the unhoused.

Andrew Becker commended Mr. Wilson and other advocates for homeless veterans and spoke in support of the proclamation.

4. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

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

- Bicycle Garden at Prewett Park – at 10:00 A.M. on November 16, 2024, Community Design Workshop at Antioch Senior Center

Councilmember Ogorchock suggested the QR code for the event be made interactive.

5. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Householder announced the following Board and Commission openings.

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

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

PUBLIC COMMENTS

Tachina Garrett, ACCE Antioch, requested the City reimplement zoom for Council meetings.

Ralph Hernandez, Antioch resident, congratulated the candidates who ran for election in Antioch. He discussed his efforts to support the recall of the Alameda County District Attorney.

Leslie May thanked Council for their professionalism and congratulated J.R. Wilson for the proclamation. She discussed projects she had brought forward for consideration.

Krystle Brooks inquired about the possibility of repurposing the boarded-up housing development on West 9th Street for transitional housing and shared her ongoing efforts to find suitable property for establishing a Boys and Girls Club.

CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS

Councilmember Ogorchock extended her congratulations to all the election winners.

Councilmember Wilson reported the Contra Costa Continuum of Care had honored community members for their work with the unhoused community.

MAYOR'S COMMENTS

Mayor Hernandez-Thorpe announced the Mayor's Conference would be held later this week.

6. PRESENTATIONS

Chancellor Mojdeh Mehdizadeh and President Pamela Ralston delivered a PowerPoint presentation on the State of the Contra Costa Community College District.

Leslie May requested an update on the College District's foster care program services.

An unidentified speaker requested an update on the College District's plans for development space on their property.

Chancellor Mehdizadeh and Ms. Ralston addressed inquiries about foster care services and future development plans.

Mayor Hernandez-Thorpe thanked representatives from the Contra Costa Community College District for the presentation.

Public Information & Technology Officer Andrew Pierce provided an update on the Contra Costa Mosquito and Vector Control District.

Mayra requested additional information regarding mosquito fish and community outreach.

Mr. Pierce addressed questions about mosquito fish and their outreach efforts.

Councilmember Ogorchock encouraged the community to subscribe to the district's newsletter.

Mayor Hernandez-Thorpe thanked Mr. Pierce for the informative presentation.

7. **CONSENT CALENDAR for City /City Council Members acting as Successor Agency to the Antioch Development Agency**
 - A. **APPROVAL OF COUNCIL MEETING MINUTES FOR OCTOBER 22, 2024**
 - B. **APPROVAL OF COUNCIL WARRANTS**
 - C. **APPROVAL OF SUCCESSOR AGENCY WARRANTS**
 - D. **REJECTION OF CLAIM: MONIE RENEE ELLIS**
 - E. **RESOLUTION NO. 2024/155 RATIFICATION OF THE FIRST AMENDMENT TO THE TELECOMMUNICATION NETWORK LICENSE AND ENCROACHMENT AGREEMENT WITH CROWN CASTLE FIBER LLC**
 - F. **RESOLUTION NO. 2024/156 FIRST AMENDMENT TO THE CONSTRUCTION AGREEMENT WITH STAR CONSTRUCTION, INC. IN THE AMOUNT OF \$100,000 FOR THE CONTRA LOMA ESTATES PARK RENOVATION PROJECT (P.W. 298-P3)**
 - G. **AUTHORIZATION FOR CITY MANAGER TO NEGOTIATE WITH CONTRA COSTA ANIMAL SERVICES TO PROVIDE DISPATCH AND REPORT WRITING PLATFORM SERVICES**

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council members present unanimously approved the Council Consent Calendar with the exception of Item G, which was removed for further discussion.

ITEM G – In response to Councilmember Ogorchock, Interim Police Chief Addington confirmed that these services would require two additional dispatchers, and the dollar amount would exceed the costs, so they anticipated additional revenue.

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

PUBLIC HEARING

8. **ADOPT THE RESOLUTION APPROVING WATER RATES PROPOSED IN THE WATER RATE STUDY LISTED IN THE PROP 218 NOTICE PUBLIC HEARING (P.W. 362-9)**

Tom Pavletic representing Pavletic Consulting LLC, presented the staff report dated November 12, 2024, recommending the City Council adopt a resolution: 1) Adopting the findings and the Water Utility Cash Flow Evaluation and Rates Study from Pavletic Consulting LLC dated August 2024; 2) Approving the Water Rate Schedule effective January 1, 2025; and 3) Amending the Master Fee Schedule to include the updated water rates.

Mayor Hernandez-Thorpe opened the public hearing.

Hector Navarez, Antioch resident, Mauricio Ulloa, representing the Wildflower Station Place Condos Homeowners Association, and three unidentified speakers spoke in opposition to the proposed water rate increases.

Mayor Hernandez-Thorpe closed the public hearing.

In response to public comments, Acting Director of Public Works/City Engineer Buenting and Tom Pavletic clarified the details of Antioch's pre-1914 adjudicated water rights and the associated costs of supplying water to residents, as well as the structure of the tiered water rate system. Acting Director of Public Works/City Engineer Buenting emphasized that the City had not offered subsidized water rates and expressed a willingness to look into concerns regarding the presence of fluoride in the water supply.

Councilmember Torres-Walker raised concerns about how the escalating costs of services were adversely affecting residents with limited incomes

Mayor Hernandez-Thorpe stated he did not support an increase in water rates.

A motion was made by Councilmember Ogorchock, seconded by Councilmember Wilson to adopt a resolution: 1) Adopting the findings and the Water Utility Cash Flow Evaluation and Rates Study from Pavletic Consulting LLC dated August 2024; 2) Approving the Water Rate Schedule effective January 1, 2025; and 3) Amending the Master Fee Schedule to include the updated water rates. The motion failed by the following vote:

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

9. DOWNTOWN SPECIFIC PLAN UPDATE (LA2024-0004)

Acting Director of Community Development Scudero introduced Assistant Planner Boyd who presented the staff report dated November 12, 2024, recommending the City Council adopt a resolution to adopt text amendments to the City of Antioch's Downtown Specific Plan ("DTSP") to enable missing middle housing, correct mistakes, and provide more clarity in certain sections.

Mayor Hernandez-Thorpe opened the public hearing.

Andrew Becker expressed gratitude to staff for the update and urged the City to collaborate with stakeholders to explore plans aimed at enhancing housing and economic development initiatives.

Mayor Hernandez-Thorpe closed the public hearing.

In response to Councilmember Ogorchock, Assistant Planner Boyd reviewed the height and setback requirements.

Councilmember Ogorchock thanked staff for the presentation.

RESOLUTION NO. 2024/157

On motion by Councilmember Wilson, seconded by Councilmember Ogorchock, the City Council members present unanimously adopted a resolution to adopt text amendments to the City of Antioch's Downtown Specific Plan ("DTSP") to enable missing middle housing, correct mistakes, and provide more clarity in certain sections.

COUNCIL REGULAR AGENDA

10. RESOLUTIONS APPROPRIATING EXPENDITURES FOR ENCUMBRANCES AND PROJECT BUDGETS OUTSTANDING TO THE 2024/25 FISCAL YEAR BUDGET AND APPROVING OTHER AMENDMENTS TO THE 2024/25 FISCAL YEAR BUDGET

Director of Economic Development Reed announced that City Manager Scott requested the removal of a request for a second Assistant City Manager at this time.

Finance Director Merchant presented the staff report dated November 12, 2024, recommending the City Council adopt the following resolutions: 1) Resolution of the City Council of the City of Antioch appropriating expenditures for encumbrances and project budgets outstanding to the 2024/25 fiscal year budget and approving other amendments to the 2024/25 fiscal year budget. 2) Resolution of the City Council of the City of Antioch approving amendments to the 2023/24 and 2024/25 fiscal year budgets for items considered at the meeting of November 12, 2024.

Andrew Becker discussed his efforts to work with Team Jesus Outreach Ministries and recommended Council reallocate ARPA funding for these types of projects.

Leslie May announced that the City was not leaving FY2024 in a deficit.

Mayor Hernandez-Thorpe announced Council had previously set aside \$250,000 for non-profits. He reiterated there was a healthy reserve and the City was not deficit spending.

Following discussion, Council requested a comprehensive report on the needs of the Antioch Water Park and reached a consensus to allocate One-Time Revenue towards upgrading Police Department Facilities. Additionally, they directed staff to explore a process for nonprofit grant applications. Regarding ARPA funding, the Council agreed that unspent or unobligated ARPA funds should revert to the General Fund for government services, with \$25,713 earmarked to finalize the hotel lease. They supported redirecting interest earnings from the ARPA fund to the CIP fund for upgrades to the Public Safety and Community Resources building, if not utilized by December 31, 2024.

RESOLUTION NO. 2024/158

On motion by Councilmember Torres-Walker, seconded by Councilmember Wilson the City Council members present unanimously adopted the resolution of the City Council of the City of Antioch appropriating expenditures for encumbrances and project budgets outstanding to the 2024/25 fiscal year budget and approving other amendments to the 2024/25 fiscal year budget.

Finance Director Merchant explained there was a misprint in the staff report and 2023 was referenced in error; however, the resolution referenced the correct fiscal year budgets.

RESOLUTION NO. 2024/159

On motion by Councilmember Torres-Walker, seconded by Councilmember Wilson the City Council members present unanimously adopted a resolution of the City Council of the City of Antioch approving amendments to the 2024/25 fiscal year budgets for items considered at the meeting of November 12, 2024.

11. VIOLENCE REDUCTION INITIATIVE – OVERTIME INCREASE FOR CERTAIN CURRENT ANTIOCH POLICE DEPARTMENT EMPLOYEES

Interim Police Chief Addington presented the staff report dated November 12, 2024, recommending the City Council adopt a resolution authorizing the Chief of Police to pay double the standard hourly wage (“double-time”) to Antioch Police Department Sergeants, Corporals, Officers, Community Service Officers, and Dispatch personnel for working extra shifts in designated areas of the City to reduce violence.

Ralph Hernandez spoke in support of the APD and in opposition to authorizing double pay for Antioch Police Officers.

Councilmember Torres-Walker expressed her support for the initiative, noting it would not require additional funding and emphasized the selection process prioritized the well-being of officers by ensuring they were well-rested and considering their mental health. She commented that this approach aligned with the ongoing efforts of the Public Safety and Community Resources Department to develop a pilot program focused on violence prevention and intervention.

RESOLUTION NO. 2024/160

On motion by Councilmember Ogorchock, seconded by Councilmember Torres-Walker, the City Council members present unanimously adopted a resolution authorizing the Chief of Police to pay double the standard hourly wage (“double-time”) to Antioch Police Department Sergeants, Corporals, Officers, Community Service Officers, and Dispatch personnel for working extra shifts in designated areas of the City to reduce violence.

12. RESOLUTION ACCEPTING A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT DIVISION OF HOUSING POLICY DEVELOPMENT (HCD) ENCAMPMENT RESOLUTION FUNDING (ERF) AWARD OF \$6,812,686

Director of Public Safety and Community Resources Johnson presented the staff report dated November 12, 2024, recommending the City Council adopt a resolution accepting the Department of Housing and Community Development Division of Housing Policy Development (HCD) Encampment Resolution Funding (ERF) award for the application under ERF Round 3R, Window 2, in the amount of \$6,812,686.

Andrew Becker questioned who developed the model for ERF program funding and why community engagement had not occurred.

In response to Councilmember Ogorchock, Director of Public Safety and Community Resources Johnson clarified that the CORE team would comprise two individuals and confirmed that the state permitted up to 5% for administrative costs. She explained that the Economy Inn was the only potential site that expressed interest. She mentioned the model was inspired by the success of Opportunity Village and emphasized that there would be a Request for Proposals (RFP) process for the service provider and the transitional housing site before funds were allocated. Additionally, she confirmed that the individuals served would be those residing in the Devpar Court area.

Councilmember Torres-Walker requested clarification from staff on how CDBG funding allocated toward the CORE team would be utilized.

In response to Councilmember Torres-Walker, Director of Public Safety and Community Resources Johnson explained that if motels did not show interest in the RFP process, they would explore other options for transitional and interim housing.

RESOLUTION NO. 2024/161

On motion by Councilmember Torres-Walker, seconded by Mayor Hernandez-Thorpe, the City Council members present unanimously adopted a resolution accepting the Department of Housing and Community Development Division of Housing Policy Development (HCD) Encampment Resolution Funding (ERF) award for the application under ERF Round 3R, Window 2, in the amount of \$6,812,686.

13. RESOLUTION RESCINDING RESOLUTION NO. 2022/167 “RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROVING THE CITY CLERK’S REQUEST FOR THE CITY ATTORNEY TO PROVIDE MANAGERIAL OVERSIGHT OF THE CITY CLERK’S DEPARTMENT IN COOPERATION WITH THE CITY CLERK”

City Attorney Smith presented the staff report dated November 12, 2024, recommending the City Council adopt a resolution rescinding Resolution No. 2022/167, “Resolution of the City Council

of the City of Antioch Approving the City Clerk’s Request for the City Attorney to Provide Managerial Oversight of the City Clerk’s Department in Cooperation with the City Clerk”.

RESOLUTION NO. 2024/162

On motion by Councilmember Torres-Walker, seconded by Councilmember Wilson, the City Council members present unanimously adopted a resolution rescinding Resolution No. 2022/167, “Resolution of the City Council of the City of Antioch Approving the City Clerk’s Request for the City Attorney to Provide Managerial Oversight of the City Clerk’s Department in Cooperation with the City Clerk”.

14. BAKERY ANTIOCH I, LLC.: REVIEW AND POSSIBLE ADOPTION OF RESOLUTION APPROVING PROPOSED CHANGE IN OWNERSHIP

Assistant City Attorney Kunding presented the staff report dated November 12, 2024, recommending the City Council adopt a resolution: 1) Approving Bakery Antioch I, LLC. dba Flame’s change of ownership and 2) Authorizing the City Manager to sign an amended operating agreement, in a form approved by the City Attorney, to incorporate Bakery Antioch I, LLC’s change of ownership.

RESOLUTION NO. 2024/163

On motion by Councilmember Torres-Walker, seconded by Councilmember Wilson, the City Council adopted a resolution: 1) Approving Bakery Antioch I, LLC. dba Flame’s change of ownership and 2) Authorizing the City Manager to sign an amended operating agreement, in a form approved by the City Attorney, to incorporate Bakery Antioch I, LLC’s change of ownership. The motion carried the following vote:

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

15. CITY COUNCIL REQUESTED DISCUSSION ITEM – DISCUSSION ON POTENTIAL TO LEASE VACANT LOT AT SYCAMORE DRIVE AND L STREET

Councilmember Torres-Walker provided a brief update to her request to bring this item forward for discussion by the City Council.

Ralph Hernandez and Leslie May discussed the former use of the site and encouraged Council to determine if there were environmental hazards in the area prior to development of the parcel.

Andrew Becker suggested public funds be targeted for an affordable housing development in the area.

Mike reported that the property was cleaned after the fuel station was removed from the site.

Councilmember Wilson suggested the City investigate a Brown Field Grant for this parcel.

Following discussion, Council directed staff to explore the feasibility of establishing a community garden on the vacant lot as a temporary use, while the City considered long-term plans for the location.

16. CITY COUNCIL REQUESTED DISCUSSION ITEM – DISCUSSION ON POTENTIAL TO LEASE VACANT RETAIL SPACE AT SYCAMORE SQUARE FOR APD SUBSTATION

Councilmember Torres-Walker discussed her efforts to bring forward a discussion on the potential lease of a vacant retail space at the Sycamore Square Shopping Center for an Antioch Police Department (APD) substation.

Leslie May spoke in support of exploring this use provided the APOC community engagement subcommittee could utilize the space.

Ralph Hernandez opposed leasing the space for an APD substation and suggested holding a discussion on leasing the space for a community room for non-police activities.

Susan Smith, Antioch resident, spoke in support of leasing vacant retail space for an APD substation.

Andrew Becker spoke in support of a substation in the Sycamore Square Shopping Center and encouraged the City to consider revitalizing the area through the NEVI program for EV charging stations.

Mike discussed his efforts to address public safety in the Sycamore Square Shopping Center.

Following discussion, Council directed staff to meet with the property owner to discuss short- and long-term lease options.

PUBLIC COMMENT – None

STAFF COMMUNICATIONS – None

COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS

Councilmember Torres-Walker thanked Councilmember Ogorchock for allowing the meeting to go beyond 11:00 P.M. and urged the community to keep Councilmember Barbanica's family in their prayers. She requested staff agendaize discussions on the duties of the Mayor's office and changing the name of the Mayor's Apprenticeship Program.

Councilmember Ogorchock requested staff agendaize a discussion on the establishment of guidelines for the use of the Council's Community Event Funds.

ADJOURNMENT

On motion by Councilmember Ogorchock, seconded by Councilmember Torres-Walker the City Council members present unanimously adjourned the meeting at 11:23 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk