

**CITY COUNCIL MEETING  
SPECIAL MEETING/CLOSED SESSION**

**Special Meeting/Closed Session  
6:00 P.M.**

**December 19, 2024  
Council Chambers**

**6:00 P.M. – SPECIAL MEETING**

Mayor Bernal called the Special Meeting to order at 6:00 P.M., and City Clerk Rhodes called the roll.

Present: Council Members District 1 Torres-Walker, District 4 Wilson, Mayor Pro Tem (District 2) Rocha and Mayor Bernal (Council Member District 3 Freitas arrived at 6:01 P.M.)

**PLEDGE OF ALLEGIANCE**

Mayor Bernal led the Pledge of Allegiance.

**PUBLIC COMMENTS**

Ralph Hernandez expressed concern that an agenda packet for this meeting was not available at the library. He suggested Council require administrative inquiries/investigations for litigation involving personnel matters.

Melissa Case suggested the Council establish realistic and obtainable goals for City Manager Scott.

**CLOSED SESSIONS:**

1. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION: CITY MANAGER.** This closed session is authorized pursuant to Government Code section 54957(b)(1).
2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – pursuant to California Government Code section 54956.9(d)(1):

In response to Councilmember Freitas, Assistant City Attorney Kundinger stated he would summarize the existing litigation cases so that it was clear for the public. He noted if Council wanted to make a motion to abbreviate the reading of existing litigation it would be amiable.

Councilmember Freitas commented that under Robert's Rules, no motion would be necessary and the Mayor could direct staff to move forward.

Mayor Bernal directed staff to continue summarizing the existing litigation cases.

Councilmember Freitas requested the City Attorney review Robert's Rules and advise Council on this matter in writing.

- 2-1)** Trent Allen, et al. v. City of Antioch, et al., United States District Court Northern District of California, (Case No. 3:23-cv-01895-TSH).
- 2-2)** Claudjanae Young v. City of Antioch, et al., United States District Court Northern District of California, (Case No.3:23-cv-02691-SI).
- 2-3)** Joel Tolbert III v. Antioch Police Department, et al., United States District Court Northern District of California, (Case No.3:22-cv-02026-JSC).
- 2-4)** Antioch Police Officers Association v. City of Antioch, Superior Court of the State of California, Contra Costa County, (Case No. N23-1629).
- 2-5)** King David Levon Donahue v. Antioch Police Department, et al., United States District Court, Northern District, Case No. C23-05564 AGT.
- 2-6)** Ramello Randle v. Antioch Police Department, et al., United States District Court, Northern District, Case No. 3:23-cv-05800-JSC.
- 2-7)** Lamar Young v. Sgt. Stenger, et al., United States District Court Northern District of California, (Case No. 21-cv-08131-DMR).
- 2-8)** Ashika Kanji v. City of Antioch, Superior Court of the State of California, Contra Costa County, (Case No. C24-00795).
- 2-9)** Mary Reed v. City of Antioch, et al., Superior Court of the State of California, Contra Costa County, (Case No. C24-01367).
- 2-10)** Jordan Davis v. County of Contra Costa, et al., United States District Court Northern District of California, (Case No.4:21-cv-04651).
- 2-11)** O.Y. a Decedent, et al., v. Contra Costa County, et al., United States District Court Northern District of California, (Case No. 3:24-cv-05154-PHK).
- 2-12)** Nicholas Shipilov v. City of Antioch, Kwame Reed, Ana Cortez, et. al, Contra Costa County, Case No. N24-1095.
- 2-13)** Christopher Martinez v. City of Antioch, Antioch Police Department, et al., Contra Costa County Superior Court, Case No. C24-03123.
- 2-14)** Javier Elias Aguilar v. City of Antioch, et al., Superior Court of the State of California, Contra Costa County, (Case No.C23-00410).
- 2-15)** Jessie Wilson and Dajon Smith v. City of Antioch, et al., United States District Court Northern District of California, (Case No. 4:24-cv-02758-JSW).

- 2-16)** Reagan DeGuzman v. City of Antioch, et al., Superior Court of the State of California, Contra Costa County, (Case No.C23-00666).
- 2-17)** Nicholas Roark v. City of Antioch, et al., Superior Court of the State of California, Contra Costa County, (Case No.C23-00410).
- 2-18)** Jason Allard; Jamie Tellez v. City of Antioch; Superior Court of the State of California, Contra Costa County, (Case No. MSC21-00171).
- 2-19)** Nicholas Warner v. County of Contra Costa, City of Antioch, Superior Court of the State of California, Contra Costa County, (Case No. C23-02689).
- 2-20)** Susan Shintaku v. City of Antioch, Superior Court of the State of California, Contra Costa County, Case No. C24-00356.
- 2-21)** Nirivana Allen v. City of Antioch, Superior Court of the State of California, Contra Costa County, (Case No.C22-02401).
- 2-22)** Pat Stack, et al., v. City of Antioch, et al., Superior Court of the State of California, Contra Costa County, (Case No. C24-01065).
- 2-23)** Jayson Robinson v. Antioch Unified School District, Antioch Water Park, City of Antioch, Contra Costa Superior Court, (Case No.C20-02420).
- 2-24)** Annette Bullock, et al. v. City of Antioch, Contra Costa County Superior Court Case No.C19-01331
- 2-25)** California Resources Production Corporation v. City of Antioch, Before the Public Utilities Commission of the State of California, A.23-07-008.
- 2-26)** California Resources Production Corporation v. City of Antioch, Antioch City Council, Court of Appeal, State of California, First Appellate District, Division Four, A168517, A168558.
- 2-27)** Delta Gas Gathering, Inc., et al. v. City of Antioch, et al., Contra Costa County, Superior Court Case No. MSN21-2355.
- 2-28)** Enerfin Resources Northwest Limited Partnership v. City of Antioch, et al., Contra Costa County Superior, Court Case No. MSN21-2356.

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION –** pursuant to California Government Code section 54956.9(d)(2): 58 claims.

**ADJOURN TO CLOSED SESSION**

On motion by Councilmember Rocha, seconded by Councilmember Torres-Walker the City Council unanimously adjourned to Closed Session at 6:10 P.M.

Councilmember Torres-Walker left during Closed Session.

**RETURN TO OPEN SESSION FROM CLOSED SESSION TO REPORT OUT**

**ROLL CALL**

The City Council returned to Open Session at 9:52 P.M., and Mayor Bernal called the roll.

Present: Council Members District 3 Freitas, District 4 Wilson, Mayor Pro Tem (District 2) Rocha and Mayor Bernal  
Absent: Council Member District 1 Torres-Walker

**CITY ATTORNEY TO REPORT OUT ON CLOSED SESSION ITEMS**

Assistant City Attorney Kunding reported the City Council had been in Closed Session and gave the following report: **#1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION: CITY MANAGER**, direction given to the City Manager, **#2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**, Cases 2-5 through Cases 2-8: Direction was provided to the City Attorney, Cases 2-1 through 2-4 and Cases 2-9 through 2-28: No Reportable Action; and, **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**, direction given to City Attorney.

**ADJOURNMENT**

On motion by Councilmember Wilson, seconded by Councilmember Rocha the City Council members present unanimously adjourned the Special Meeting at 9:54 P.M.

Respectfully submitted:

*Kitty Eiden*  
KITTY EIDEN, Minutes Clerk