

## CITY COUNCIL MEETING

Regular Meeting  
7:00 P.M.

March 24, 2020  
Meeting Conducted Remotely

*The City of Antioch, in response to the Executive Order of the Governor and the Order of the Health Officer of Contra Costa County concerning the Novel Coronavirus Disease (COVID-19), held Antioch City Council meetings via Comcast channel 24, AT&T U-verse channel 99, and live stream (at [www.antiochca.gov](http://www.antiochca.gov)). The City Council meeting was conducted utilizing Zoom Audio/Video Technology.*

Mayor Wright called the meeting to order at 7:01 P.M. City Clerk Simonsen called the roll.

Present: Council Members Wilson, Motts, Thorpe, Ogorchock and Mayor Wright

### PLEDGE OF ALLEGIANCE

Mayor Wright led the Council and audience in the Pledge of Allegiance.

City Manager Bernal announced that The City of Antioch, in response to the Executive Order of the Governor and the Order of the Health Officer of Contra Costa County concerning the Novel Coronavirus Disease, had made the Antioch City Council meeting available via Comcast channel 24, AT&T U-verse channel 99, or live stream at [www.antiochca.gov](http://www.antiochca.gov). He stated anyone wishing to make a public comment, may do so any of the following ways: (1) by filling out an online speaker card, located at <https://www.antiochca.gov/government/city-council-meetings/live/>, (2) by emailing the City Clerk prior to or during the meeting at [cityclerk@ci.antioch.ca.us](mailto:cityclerk@ci.antioch.ca.us) or (3) by dialing (925) 776-3057 during the meeting.

### 1. RESOLUTION RATIFYING THE PROCLAMATION OF THE DIRECTOR OF EMERGENCY SERVICES AND PROCLAIMING A LOCAL EMERGENCY CONCERNING THE NOVEL CORONAVIRUS DISEASE 2019 (“COVID-19”)

City Manager Bernal introduced Regular Agenda Item #1.

City Manager Bernal presented the staff report dated March 24, 2020 recommending the City Council adopt the resolution ratifying the proclamation of the Director of Emergency Services and proclaiming a local emergency concerning the novel coronavirus disease 2019 (“COVID-19”).

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, the City Council unanimously adopted the resolution ratifying the proclamation of the Director of Emergency Services and proclaiming a local emergency concerning the novel coronavirus disease 2019 (“COVID-19”).

## **2. PROCLAMATION**

### *American Red Cross Month, March 2020*

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, the Council unanimously approved the Proclamation.

Mayor Wright stated he wanted to honor the American Red Cross and thank them for all they were doing to assist those in need.

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

### **ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS**

City Clerk Simonsen announced the following Board and Commission openings:

- Board of Administrative Appeals: Five (5) vacancies; deadline date is April 17, 2020
- Sales Tax Citizens' Oversight Committee : Three (3) vacancies; deadline date is April 17, 2020
- Police Crime Prevention Commission: Two (2) vacancies; deadline date is April 17, 2020
- Parks and Recreation Commission: Three (3) vacancies; deadline date is April 17, 2020
- Contra Costa Mosquito & Vector Control Board of Trustees: One (1) vacancy; deadline date is April 17, 2020

He reported applications would be available online at the City's website.

### **PUBLIC COMMENTS**

The following public comments were read into the record by City Clerk Simonsen.

Christine Clark, Antioch resident, Co-Chair of the East County Regional Group, provided written comment requesting the City of Antioch call a special meeting and take immediate action to enact a citywide moratorium on evictions during the COVID-19 public health crisis.

Manuel Sidrian provided written comment in support of the City establishing a Work to Stay program and mental services for the homeless.

Silvia Angeles, Antioch resident, East County Regional Group, provided written comment in support of the City Council calling a special meeting to take immediate action to enact a citywide moratorium on evictions and a rent freeze during the COVID-19 public health crisis.

Maricela Lopez, Antioch resident, East County Regional Group, provided written comment in support of the City Council calling a special meeting to take immediate action to enact a citywide moratorium on evictions during the COVID-19 public health crisis.

Brendon O'Laskey, Antioch resident, East County Regional Group, provided written comment urging the City Council to call a special meeting to take immediate action to enact a citywide moratorium on evictions during the COVID-19 public health crisis.

Jess Jollett, provided written comment urging Council to call a special meeting to take immediate action to enact a citywide moratorium on evictions and rent increases during the COVID-19 public health crisis. Additionally, they requested the City send a letter to the Contra Costa Superior Court urging a moratorium on new eviction and foreclosure filings. They also requested the City work with the County to establish an emergency fund for rental assistance.

Debra Ballinger, Executive Director of Monument Impact, provided written comment urging Council to enact a temporary moratorium on evictions during the COVID-19 public health crisis.

Mariana Moore, Senior Director, Ensuring Opportunity Campaign to End Poverty in Contra Costa, provided written comment requesting the City of Antioch to call a special meeting to take immediate action to enact a citywide moratorium on evictions during the COVID-19 public health crisis.

Ali Uscilka, Director of Healthy & Active Before 5, provided written comment requesting the City of Antioch call a special meeting to take immediate action to enact a citywide moratorium on evictions during the COVID-19 public health crisis.

Nicole Gardner, Facing Homelessness, provided written comment discussing the needs of the homeless community and requesting the City address their need for services.

David Sharples, Director of Contra Costa County ACCE (Alliance of Californians for Community Empowerment), provided written comment thanking Council for their support of families during this time. He urged Council to call a special meeting to take immediate action to enact a citywide moratorium on evictions and rent increases during the COVID-19 public health crisis.

Joshua Anijar, Executive Director of Contra Costa Labor Council, provided written comment in support of enacting a moratorium on evictions and rent increases in the City of Antioch.

Cecilia Perez provided written comment asking the City of Antioch to call a special meeting to take immediate action to enact a citywide moratorium on evictions and rent increases during the COVID-19 public health crisis.

Rocheall Pierre, provided written comment in support of a moratorium on evictions for renters in Antioch and Contra Costa County.

## **COUNCIL SUBCOMMITTEE REPORTS/COMMUNICATIONS**

Councilmember Motts reported on her attendance at the Homeless Encampment Ad Hoc Committee meeting with Councilmember Thorpe and Community Development Block Grant (CDBG) interviews with Councilmember Ogorchock. She thanked non-profits for the work they have done in the community.

Councilmember Wilson reported Tri Delta Transit would be meeting on March 25, 2020 and announced that they would not be charging fares for the fixed bus routes. Additionally, for the safety of drivers, they were requesting riders enter from the rear of the bus. She announced the Cannabis Ad Hoc Committee meeting would be held on March 25, 2020 and the Waterfront Ad Hoc Committee meeting would be held on March 26, 2020. She spoke in support of Council calling an emergency meeting to discuss a moratorium on rent increases and evictions.

Councilmember Thorpe reported on his attendance at the Homeless Encampment Ad Hoc Committee meeting with Councilmember Motts. He announced he would be attending the Tri Delta Transit and Cannabis Ad Hoc Committee meetings.

Councilmember Ogorchock reported on her attendance at the Community Development Block Grant (CDBG) non-profit interviews with Councilmember Motts.

Mayor Wright reported the City Council had been in contact with the County and State regarding COVID-19 public health crisis. He noted they were working diligently to stay informed and bring information back to the community.

### **MAYOR'S COMMENTS**

Mayor Wright expressed his gratitude to Council, citizens and staff for their response to the COVID-19 health crisis. He reported the City was working with Fellowship Church to establish an emergency hotline for seniors who were unable to go shopping. He announced he had been in contact with Kaiser Permanente and Sutter Hospitals who may be looking for donations of masks and gowns. He commented that the community would get through this crisis and Antioch would continue to thrive.

### **PRESENTATION**

Susana Williams, Chair of the Sales Tax Citizens' Oversight Committee, thanked all the Committee Members for their participation and presented the Sales Tax Citizens' Oversight Committee Annual Report for 2020.

In response to Mayor Wright, Chairperson Williams confirmed that the Committee had determined that the City and Council were using the funds as intended.

Councilmember Thorpe suggested future reports separate funds allocated for youth programs from quality of life items.

The City Council thanked the Sales Tax Citizens' Oversight Committee for the report.

### **3. CONSENT CALENDAR**

**A. APPROVAL OF COUNCIL MINUTES FOR FEBRUARY 25, 2020**

**B. APPROVAL OF COUNCIL MINUTES FOR MARCH 10, 2020**

- C. APPROVAL OF COUNCIL WARRANTS
- D. ORDINANCE NO. 2181-C-S SECOND READING – ACCESSORY DWELLING UNIT FEE ORDINANCE (*Introduced on 03/10/20*)
- E. 2019 ANNUAL HOUSING ELEMENT PROGRESS REPORT, HOUSING SUCCESSOR ANNUAL REPORT, AND PROGRESS REPORT FOR THE GENERAL PLAN
- F. RESOLUTION NO. 2020/39 ROAD MAINTENANCE AND REHABILITATION ACCOUNT (“RMRA”)
- G. RESOLUTION NO. 2020/40 AND RESOLUTION NO. 2020/41 MULTIPLE SITE ROOF REPLACEMENT BID NO. 770-0224-20A AWARD
- H. RESOLUTION NO. 2020/42 POLICE VEHICLE UPFITTING BID NO. 070-0312-20A AWARD
- I. RESOLUTION NO. 2020/43 APPROVING THE FINAL MAP, IMPROVEMENT PLANS, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR AVIANO PHASE 1 SUBDIVISION 9249 (P.W. 676-1)
- J. COUNCIL OVERNIGHT TRAVEL TO THE LEAGUE OF CALIFORNIA CITIES:
- POLICY COMMITTEE MEETINGS
  - MAYORS AND COUNCIL MEMBERS EXECUTIVE FORUM AND ADVANCED LEADERSHIP WORKSHOP
  - ANNUAL CONFERENCE
- K. RESOLUTION NO. 2020/44 HEAVY DUTY VEHICLES FOR PUBLIC WORKS AND CODE ENFORCEMENT VEHICLES BID AWARD

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

Item E – City Manager Bernal introduced Item E. Director of Community Development Ebbs presented the staff report dated March 24, 2020 recommending the City Council receive and file the report.

Councilmember Motts commented that the RHNA numbers were accurate until 2023, and they did not reflect the AMCAL Family and Senior Apartments project which would impact allocation numbers.

On motion by Councilmember Motts, seconded by Councilmember Ogorchock, the City Council unanimously approved Item E.

**Item J** – In response to Councilmember Motts, Administrative Services Director Mastay clarified that if there was a budget allotment, more than two Councilmembers could attend the Mayor’s and Council Members Executive Forum and Advanced Leadership Workshop.

Councilmember Ogorchock announced that the League of California Cities Policy Committee Meetings on June 4 through June 5, 2020 would be held as a webinar. She noted that as of today, the June 17 through 19 and October 7 through October 9, 2020 events had not been cancelled.

Mayor Wright commented that if Agenda Item #6, *RESOLUTION APPROVING A REVISED TRAVEL AND EXPENSE POLICY FOR ELECTED AND APPOINTED OFFICIALS*, was approved this evening, any Councilmember could use their allotment to attend the conferences.

Councilmember Motts expressed interest in attending the Executive Forum and Advanced Leadership Workshop.

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

#### **COUNCIL REGULAR AGENDA**

#### **4. PLANNING COMMISSION APPOINTMENT FOR ONE (1) PARTIAL-TERM VACANCY EXPIRING OCTOBER 2021**

Mayor Wright nominated Timothy Barrows to fill (1) one partial-term vacancy on the Planning Commission expiring October 2021.

#### **RESOLUTION NO. 2020/46**

On motion by Councilmember Ogorchock, seconded by Councilmember Motts, the City Council unanimously appointed by resolution, Timothy Barrows to fill (1) one partial-term vacancy on the Planning Commission expiring October 2021.

#### **5. INFORMATION ON MOBILEHOME SPACE RENT STABILIZATION ORDINANCES**

City Manager Bernal introduced Regular Agenda Item #5.

City Attorney Smith presented the staff report dated March 24, 2020 recommending the City Council direction to staff included: 1) Whether to draft a mobile home space rent stabilization ordinance and, if so, 2) Whether to include vacancy control provisions in the ordinance; and 3) Whether to schedule a public hearing to gather feedback on the proposed draft mobile home park space rent stabilization ordinance.

The following public comments were read into the record by City Clerk Simonsen.

Doug Johnson, Western Manufactured Housing Communities Association (WMA), provided written comment expressing concern that this item was on the agenda without the City requesting feedback from the stakeholders. He explained that most of the MHP spaces in Antioch were under long-term lease agreements that were exempt from rent control. He noted the few spaces subject to rent control would be burdened with having to pay half of a rent control administration fee with park owners having to pay the other half. He further noted the cost of defending a rent control ordinance in court would be borne by city taxpayers. He commented that there were viable alternatives to rent control and requested that an ad hoc committee be formed with stakeholders to address policy options.

Thomas Pacelli, J & H Asset Property Mgt., Inc., provided written comment explaining that their company managed Chateau Mobile Home Park and Vista Diablo Mobile Home Park, in Antioch. He reported that all their residents were protected by long-term lease agreements that were exempt from rent control. He noted that rent control ordinances were expensive, complex and had unintended consequences. He requested the City Council vote no on passing a rent control ordinance and suggested that long-term lease agreements, and a rental assistance program were better options.

Dani Crawford, Hometown America operator of Delta Villa Estates, provided written comment explaining that most of their residents were on long-term leases that were exempt from rent control. They indicated that an ordinance was unnecessary and could be costly for residents and Antioch taxpayers. They commented that they did not believe that this was the time to create such a burden and a rent control administration fee. They noted that their rent increase in 2020 was 3 percent, which was not unreasonable.

In response to Councilmember Thorpe, City Attorney Smith explained that leases longer than one year were outside the ability of the City to regulate so a rent control ordinance would be limited to leases of a year or less. He noted upon renewal if they negotiated a shorter-term lease it would be subject to the rent control ordinance. He further noted the landlord would have discretion on whether to offer shorter term leases.

City Attorney Smith read written comment from Lola Buck, President of Vista Diablo Homeowners Association, requesting the City assist them with rapidly increasing rents. She expressed concern that most rents in their park were the highest in Contra Costa County which decreased the value of their homes. She asked Council to support them and the other Antioch Parks on the Antioch Mobile Home Rent Stabilization Ordinances and offered to assist the City in the process.

In response to Councilmember Ogorchock, City Attorney Smith confirmed that if a short-term lease was signed it would be subject to a rent control ordinance.

Councilmember Ogorchock asked the following questions: 1) What could be added to a senior mobile home park ordinance, 2) Could there be any state or federal funds/grants to assist with rents, 3) How can the City work with seniors and Mobile Home Parks to help seniors with aging in place, 4) Were CDBG funds available for mobile home repairs for seniors, 5) Could the Homeless Coordinator position be expanded to be a Housing Coordinator; and, 6) Were rents

in Antioch the highest in the County. She noted the City Council had promised the senior community living in the mobile home parks that they would work on this ordinance and she supported it moving forward.

Councilmember Thorpe stated he was also in support of moving forward and questioned what renewal leases would look like going forward.

In response to Councilmember Thorpe, City Attorney Smith explained that the difference between a rent control ordinance for a mobile home park versus the entire City, was that the population in mobile home parks tended to be price sensitive. He commented that upon renewal if someone wanted to sign a shorter-term lease and there was no reason for them to be removed, it should be offered by the landlord. He noted he would want to further research this issue.

Councilmember Motts stated she was concerned that it had been stated that Antioch had the highest space rentals in the County. She also expressed concern that the lack of supply and availability allowed mobile home park owners the ability to do whatever they wanted. She spoke in support of scheduling a public hearing on this matter.

Mayor Wright stated there were three mobile home parks in town and they received complaints from the tenants of one of them indicating that there was a potential bad player. He questioned if there was a way to deal with this park and not affect the other two.

City Attorney Smith responded, that question was stepping outside the broader ordinance and was an issue of enforcement and monitoring.

Director of Community Development Ebbs added that California Department of Housing and Community Development (HCD) regulated mobile home parks and the City had a very limited role which involved only expansions and building construction inspection authority.

Following discussion, Council directed City Attorney Smith to bring back a draft mobile home space rent stabilization ordinance with a vacancy control option for Council consideration as soon as possible.

Mayor Wright declared a recess at 9:00 P.M. The meeting reconvened at 9:07 P.M. with all Councilmembers present.

## **6. RESOLUTION APPROVING A REVISED TRAVEL AND EXPENSE POLICY FOR ELECTED AND APPOINTED OFFICIALS**

City Manager Bernal introduced Regular Agenda Item #6.

Administrative Services Director Mastay presented the staff report dated March 24, 2020 recommending the City Council: 1) Discuss and provide direction to staff regarding the redlined revised Travel and Expense Policy for Elected and Appointed Officials, and 2) Adopt a resolution approving any revisions to the Travel and Expense Policy for Elected and Appointed Officials.



Mayor Wright spoke in support of the Travel and Expense Policy. He noted the budget allotment for this item would be considered at Mid-Year Budget Review.

**RESOLUTION NO. 2020/45**

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council unanimously adopted a resolution approving any revisions to the Travel and Expense Policy for Elected and Appointed Officials.

**7. HOMELESS ENCAMPMENT AD HOC COMMITTEE DISSOLUTION OR CREATION OF A STANDING COMMITTEE**

City Manager Bernal introduced Regular Agenda Item #7.

Administrative Services Director Mastay presented the staff report dated March 24, 2020 recommending the City Council: 1) Receive an update from Committee members of the Homeless Encampment Ad Hoc Committee on their ad hoc committee activities. 2) Determine whether to dissolve the ad hoc committee or create a standing committee. (Please note: Ad Hoc Committees may be dissolved, and another created with a different and specific purpose, in the same genre).

The following public comment was read into the record by City Clerk Simonsen.

Nicole Gardner provided written comment in support of Council forming a Homeless Encampment Standing Committee.

Councilmember Motts and Councilmember Thorpe reported on the Homeless Encampment Ad Hoc Committee and requested that it be dissolved. They gave direction to staff to bring back at the next meeting, the formation of an Ad Hoc Committee with a different purpose, in the same genre focused on transitional housing.

**8. CITY COUNCIL MEETINGS DURING CONTRA COSTA HEALTH SERVICES SHELTER IN PLACE ORDER AND GOVERNOR'S EXECUTIVE ORDER N-29-20**

City Manager Bernal presented the staff report dated March 24, 2020 recommending the City Council discuss and provide direction to staff about conducting City Council meetings during the Contra Costa Health Services Shelter In Place Order and the Governor's Executive Order N-29-20.

Following discussion, the City Council directed staff to continue holding City Council meetings utilizing the same or similar technologies during the Contra Costa Health Services Shelter In Place Order and the Governor's Executive Order N-29-20.

**PUBLIC COMMENTS** – None

**STAFF COMMUNICATIONS**

City Manager Bernal commented that staff would provide more training for participants on zoom before the next meeting. He thanked Information Systems Director Barton, staff, and all essential workers in the City. He announced the Lone Tree Golf Course was closed as of March 24, 2020; however, the food and beverage operation would remain open.

**COUNCIL COMMUNICATIONS**

Councilmember Wilson announced Dominique Hall, Graduate from Deer Valley High School 2017, was the elected Student Body President at the University of Nevada Reno and she was the first African American to hold the title.

Councilmember Motts requested staff agendize a Special Meeting to discuss an ordinance regarding a moratorium on evictions during the COVID-19 Public Health Crisis. She requested staff also agendize the formation of a Transitional Housing Ad Hoc subcommittee for the duration of one-year.

Councilmember Thorpe agreed with Councilmember Motts regarding the ordinance for a moratorium on evictions and requested that it include rent increases.

**ADJOURNMENT**

On motion by Councilmember Ogorchock, seconded by Councilmember Motts, the City Council unanimously adjourned the meeting at 9:25 P.M.

Respectfully submitted:

*Kitty Eiden*  
KITTY EIDEN, Minutes Clerk