



ANNOTATED AGENDA

Antioch City Council REGULAR MEETING

Date: **Tuesday, October 11, 2022**

Time: 5:45 P.M. – Closed Session
7:00 P.M. – Regular Meeting

Place: **Council Chambers**
200 'H' Street
Antioch, CA 94509

City Council meetings are televised live on Comcast channel 24, AT&T U-verse channel 99, or live stream (at www.antiochca.gov). Please see inside cover for detailed Speaker Rules.

PLEASE TURN OFF CELL PHONES BEFORE ENTERING COUNCIL CHAMBERS.

Lamar Thorpe, Mayor

Michael Barbanica, Mayor Pro Tem (District 2)

Tamisha Torres-Walker, Council Member District 1

Lori Ogorchock, Council Member District 3

Monica E. Wilson, Council Member District 4

Ellie Householder, City Clerk

Lauren Posada, City Treasurer

Cornelius Johnson, Interim City Manager

Thomas Lloyd Smith, City Attorney

In accordance with the Americans with Disabilities Act and California law, it is the policy of the City of Antioch to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including individuals with disabilities. If you are a person with a disability and require information or materials in an appropriate alternative format; or if you require any other accommodation, please contact the ADA Coordinator at the number or address below at least 72 hours prior to the meeting or when you desire to receive services. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility. The City's ADA Coordinator can be reached @ Phone: (925) 779-6950, and e-mail: publicworks@ci.antioch.ca.us.

SPEAKER RULES

Welcome to a meeting of the Antioch City Council. Your attendance is appreciated. The State Ralph M. Brown Act guarantees the public's right to address the City Council, within the framework of Speaker Rules. Because agendas encompass many business items, Speaker Rules enable the meeting to be efficiently conducted and concluded at a reasonable hour.

The City Council can only take action on items that are listed on the agenda. If you wish to speak about an item **not on the agenda**, the "Public Comments" section of the agenda is for you. Unagendized comments are provided until no later than 7:30 p.m. when the City Council moves on to agenda items. There is another opportunity for public comments at the end of the meeting.

If you wish to speak, either during "public comments" or during an agenda item, fill out a Speaker Request Form and place in the Speaker Card Tray near the City Clerk. This will enable us to call upon you to speak. Important: Please identify if the comment is for Announcement of Community Events, Public Comment, or a specific Agenda Item Number on your Speaker Request Form. No one may speak more than once on an agenda item or during "public comments." *(Please see next page for additional information on public participation.)*

Each speaker is limited to not more than three minutes under Public Comments and three minutes on non-public hearing agenda items. During public hearings, each side is entitled to one "main presenter" who may have not more than 10 minutes; all other speakers during public hearing items, are entitled to a maximum of 5 minutes. These time limits may be modified depending on the number of speakers, number of items on the agenda, or circumstances. Groups who are here regarding an item may identify themselves by raising their hands at the appropriate time to show support for one of their speakers.

During certain types of hearings, the applicant is allowed to give his or her presentation first. After all testimony is received, the applicant has an opportunity for rebuttal.

The "Consent Calendar" is a group of items which are determined to be routine. These items are usually considered all at once and approved without further discussion. If you are opposed to action which is recommended for an item on the "Consent Calendar," please submit a Speaker Request Form before the meeting, and place in the Speaker Card Tray near the City Clerk. This will enable the item to be removed from the "Consent Calendar" and call on you to speak.

After having heard from the public, the agenda item will be closed. Deliberations will then be limited to members of the City Council.

If the meeting appears to be going late, the City Council may decide to continue some items until a subsequent meeting. The City Council will try to make this determination around 10:00 p.m. It is the goal to stop discussing agenda items by not later than 11:00 p.m.

The City Council meets regularly on the second and fourth Tuesdays of the month at 7:00 p.m., with Closed Sessions often occurring before or after the regular meeting. The City Council also holds adjourned meetings and study sessions on other days.

Notice of Availability of Reports

This agenda is a summary of the actions proposed to be taken by the City Council. For almost every agenda item, materials have been prepared by the City staff for the Council's consideration. These materials include staff reports which explain in detail the item before the Council and the reason for the recommendation. The materials may also include resolutions or ordinances which are proposed to be adopted. Other materials, such as maps and diagrams, may also be included. City Council Agendas, including Staff Reports are posted onto our City's Website 72 hours before each Council Meeting. To be notified when the agenda packets are posted onto our City's Website, simply click on this link: <https://www.antiochca.gov/notifications/> and enter your e-mail address to subscribe. To view the agenda information, click on the following link: <https://www.antiochca.gov/government/agendas-and-minutes/city-council/>. Questions may be directed to the staff member who prepared the staff report, or to the City Clerk's Office, who will refer you to the appropriate person.

Notice of Opportunity to Address Council

The public has the opportunity to address the Council on each agenda item. Please see the Speaker Rules on the inside cover of this Agenda for additional information on public participation.

5:45 P.M. ROLL CALL – CLOSED SESSION – for Council Members – ***Council Members District 1 Torres-Walker, District 3 Ogorchock, District 4 Wilson and Mayor Pro Tem (District 2) Barbanica (Mayor Thorpe – Absent). Mayor Pro Tem Barbanica opened and presided over the meeting.***

PUBLIC COMMENTS for Closed Session

CLOSED SESSION:

- 1) CONFERENCE WITH LABOR NEGOTIATORS** – pursuant to California Government Code section 54957.6; City designated representatives: Ana Cortez, Nikki Ausk, and Jeff Bailey; Employee organizations: Antioch Public Works Employee Association.

No reportable action

- 2) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Significant exposure to litigation pursuant to California Government Code section 54956.9(d)(2): Two Cases.

No reportable action

- 3) PUBLIC EMPLOYEE PERFORMANCE EVALUATION: CITY ATTORNEY.** This closed session is authorized pursuant to Government Code section 54957.

No reportable action

5:50 P.M. ADJOURNED TO CLOSED SESSION

7:00 P.M.

ROLL CALL – REGULAR MEETING – for Council Members – ***Council Members District 1 Torres-Walker, District 3 Ogorchock, District 4 Wilson and Mayor Pro Tem (District 2) Barbanica (Mayor Thorpe – Absent). Mayor Pro Tem Barbanica opened and presided over the meeting.***

PLEDGE OF ALLEGIANCE

CITY ATTORNEY TO REPORT OUT ON CLOSED SESSION

1. INTRODUCTION OF NEW CITY EMPLOYEES

2. PROCLAMATIONS

- In Honor of Bill Ridle, Antioch Veteran of the Year 2020-2021
- In Honor of James Douglas Bean, Antioch Lifetime Veteran of the Year 2020-2021
- In Honor of Gerald “J.R.” Wilson, Jr., Antioch Veteran of the Year 2021-2022
- In Honor of Tom Menasco, Antioch Lifetime Veteran of the Year 2021-2022
- Recognizing Red Ribbon Week, October 23 – 31, 2022

Approved, 4/0

Recommended Action: It is recommended that the City Council approve the proclamations.

3. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

- BIG TRUCK DAY – OCTOBER 13, 2022
Antioch Community Center, 4703 Lone Tree Way, Antioch

4. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

- SALES TAX CITIZENS’ OVERSIGHT COMMITTEE

PUBLIC COMMENTS – *Members of the public may comment only on unagendized items. The public may comment on agendized items when they come up on this Agenda.*

CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS

MAYOR’S COMMENTS

5. **PRESENTATIONS** – *Build Antioch 2022 Design Studio*, presented by
- *Earl Hudson, Amethyst Ziemam, and Trish Callo*
- *Antioch Veterans Memorial Park*, presented by
- *Donald P. Freitas, President, Veterans Blvd Community Projects*
 - *Gerald “JR” Wilson, President/CEO Delta Veterans Group (DVG), Commander of VFW Post 6435*
 - *Pat Jeremy, MCPO USN Ret., VP. Of DVG Veteran of Foreign Wars, Post 6435*
 - *Autrey James, State Commander of the American Legion*
- Council motioned to direct staff to prepare a staff report addressing action items proposed, 4/0***

9:14 P.M. **FIVE MINUTE RECESS**

9:23 P.M. **RECONVENED, ROLL CALL** – *Council Members District 1 Torres-Walker, District 3 Ogorchock, and District 4 Wilson (Mayor Thorpe – Absent). Mayor Pro Tem (District 2) Barbanica continued to preside over the meeting.*

6. **CONSENT CALENDAR**

- A. APPROVAL OF COUNCIL MEETING MINUTES FOR AUGUST 23, 2022
Approved, 3/1 (Torres-Walker)
Recommended Action: It is recommended that the City Council approve the Meeting Minutes.
- B. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR AUGUST 26, 2022
Approved, 3/1 (Torres-Walker)
Recommended Action: It is recommended that the City Council approve the Special Meeting Minutes.
- C. APPROVAL OF COUNCIL MEETING MINUTES FOR SEPTEMBER 13, 2022
Continued, 3/1 (Torres-Walker)
Recommended Action: It is recommended that the City Council continue the Meeting Minutes.
- D. APPROVAL OF COUNCIL MEETING MINUTES FOR SEPTEMBER 27, 2022
Continued, 3/1 (Torres-Walker)
Recommended Action: It is recommended that the City Council continue the Meeting Minutes.

CONSENT CALENDAR – Continued

E. APPROVAL OF COUNCIL WARRANTS

Approved, 3/1 (Torres-Walker)

Recommended Action: It is recommended that the City Council approve the warrants.

F. SECOND READING – RENT STABILIZATION ORDINANCE ADOPTION *(Introduced on September 27, 2022)*

9:26 P.M. MAYOR THORPE ATTENDED THE MEETING VIA ZOOM WEBINAR DURING CONSENT ITEM F TO VOTE.

Ord. No. 2219-C-S adopted, 3/2 (Barbanica, Ogorchock)

Recommended Action: It is recommended that the City Council adopt the proposed Rent Stabilization Ordinance.

9:30 P.M. MAYOR THORPE, ATTENDING VIA ZOOM WEBINAR, LEFT THE MEETING AFTER THE MOTION TO VOTE ON ITEM F.

G. AB 361: RESOLUTION MAKING FINDINGS NECESSARY TO CONDUCT BROWN ACT MEETINGS BY TELECONFERENCE FOR THE CITY COUNCIL, BOARDS, COMMISSIONS, AND COMMITTEES

Motion failed, 2/2 (Torres-Walker, Wilson)

Recommended Action: It is recommended that the City Council adopt the resolution authorizing remote teleconference/virtual meetings of the legislative bodies of the City of Antioch, which includes the City Council, boards, commissions, and committees.

H. AUTHORIZATION TO PURCHASE UP TO SEVEN (7) 2023 NEW-TO-FLEET VEHICLES AND UP TO SIXTEEN (16) 2023 REPLACEMENT VEHICLES UTILIZING COOPERATIVE PURCHASE AGREEMENTS

Reso No. 2022/179 adopted with the following amendments: Authorizing the purchase of up to nine (9) 2023 new-to-fleet vehicles; up to twenty-five (25) 2023 replacement vehicles with a total vehicle count to 34; and utilizing cooperative purchase agreements not to exceed the amount of \$2,552,000, 4/0

Recommended Action: It is recommended that the City Council adopt the resolution:

- 1) Approving an amendment to the Fiscal Year 2022/23 Operating Budget to increase the funding from the General Fund for the purchase of one (1) new-to-fleet vehicle for the Public Safety and Community Resources Department in an amount of \$50,000; and
- 2) Authorizing the City Manager to execute the purchase of up to seven (7) 2023 new-to-fleet vehicles and up to sixteen (16) 2023 replacement vehicles utilizing cooperative purchase agreements for a not to exceed amount of \$1,940,000.

CONSENT CALENDAR – Continued

- I. APPROVAL OF PURCHASE OF A VAC-CON G2 T350/850 UTILIZING SOURCEWELL COOPERATIVE PURCHASING AGREEMENT 101221-VAC WITH MUNICIPAL MAINTENANCE EQUIPMENT

Reso No. 2022/180 adopted, 3/1 (Torres-Walker)

Recommended Action: It is recommended that the City Council adopt the resolution:

- 1) Approving the purchase of one (1) new 2023 Vac-Con G2 T350/850 for an amount not to exceed \$525,826.04; and
- 2) Authorizing the City Manager to execute the Sourcewell Cooperative Purchasing Agreement 101221-VAC with Municipal Maintenance Equipment of Sacramento CA.

COUNCIL REGULAR AGENDA

7. PARKS AND RECREATION COMMISSION APPOINTMENTS FOR ONE (1) VACANCY EXPIRING MARCH 2024; AND TWO (2) VACANCIES EXPIRING APRIL 2026

Reso No. 2022/181 adopted appointing

Mariah Williams for the vacancy expiring April 2026, 4/0

(*The remaining appointments to be scheduled at a future meeting)

Recommended Action: It is recommended that the City Council adopt the resolution approving the Mayor's nomination of the following appointments for membership on the Parks and Recreation Commission:

- **Jacob Pedrotte for a vacancy expiring March 2024*
- **Lesley Eubanks for a vacancy expiring April 2026*
- Mariah Williams for a vacancy expiring April 2026

8. SHOTSPOTTER TECHNOLOGY PRESENTATION

Received presentation with direction to staff to bring back proposal

Recommended Action: It is recommended that the City Council take the following actions:

- 1) Receive the presentation for review.
- 2) Discuss and direct staff regarding the potential future use of ShotSpotter technology.

COUNCIL REGULAR AGENDA – Continued

9. DISCUSSION OF PROPOSALS TO INCREASE STREET SWEEPING SERVICES UTILIZING CURRENT SERVICE PROVIDER OR TO BRING STREET SWEEPING SERVICES IN-HOUSE

Received with direction to staff to bring back and provide comparison of cost and service from current to proposed

Recommended Action: It is recommended that the City Council take the following actions:

- 1) Discuss and provide direction to staff regarding potentially increasing Street Sweeping Services utilizing the City's existing service provider, Delta Diablo, or bringing services in-house.
- 2) Provide direction to staff on a funding source for extra street sweeping services.

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS – *Council Members report out various activities and any Council Member may place an item for discussion and direction on a future agenda. Timing determined by Mayor and City Manager – no longer than 6 months.*

MAYOR PRO TEM BARBANICA ANNOUNCED THAT THE REGULARLY SCHEDULED COUNCIL MEETING ON ELECTION DAY, NOVEMBER 8, 2022, WILL BE HELD ON TUESDAY, NOVEMBER 15, 2022.

MOTION TO ADJOURN – *After Council Communications and Future Agenda Items, the Mayor will make a motion to adjourn the meeting. A second of the motion is required, and then a majority vote is required to adjourn the meeting.*
Motioned to adjourn Regular Meeting at 10:55 p.m., 4/0



INTRODUCTION OF NEW CITY EMPLOYEES

DATE: Regular Meeting of October 11, 2022

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Ana Cortez, Human Resources Director

➤ Public Works Director/City Engineer John Samuelson would like to introduce:

- Brandy Brooks, Associate Public Works Technician
-

➤ Public Safety and Community Resources Director Tasha Johnson would like to introduce:

- Monserrat Cabral, Youth Services Network Manager



In Honor of
BILL RIDLE

ANTIOCH VETERAN OF THE YEAR 2020-2021

WHEREAS, Bill Ridle was born in Denver, Colorado in 1948 and after graduating high school in 1966, he enlisted in the United States Marine Corps the very next day;

WHEREAS, Bill served in Vietnam and Alaska with the 3rd batallion, 26th Marine and was awarded two Purple Hearts while fighting in Vietnam and was honorably discharged in 1970;

WHEREAS, Bill married longtime Antioch resident Darlene Horn in 2003 and moved to Antioch in 2014 to Darlene's childhood home;

WHEREAS, Bill is active in the local Disabled American Veterans (DAV), is a member of the Antioch VFW Post 6435 and in 2015, volunteered at the "Stand Down on the Delta", cooking over 3,800 meals for 400 veterans and volunteers over an 8-day period when he was "hooked;

WHEREAS, Bill took over management of the kitchen in 2017 and has been doing it ever since and in 2019, started the first Veterans Lions Club in our District, "Antioch Rivertown Veterans Lions Club";

WHEREAS, Bill has been a member of Lions Clubs International for 29 years working on projects to serve our local Communities throughout the Bay Area, is a Life Member of Ear of the Lion Foundation, a Progressive Melvin Jones Fellow, and a Helen Keller Fellow;

WHEREAS, Bill has been awarded several District Governor Appreciation Awards - the MD-4 Excellence Award, numerous International President's Certificate of Appreciation, 3 Leadership Medals, District Lion of the Year, District Pioneer Lion, and served as District Governor of the Lions of Alameda & Contra Costa Counties (District 4-C3) in 2002-2003, 2020-2021; and

WHEREAS, Bill has spent a lifetime serving not only his country, but also his community and is dedicated to helping Veterans and the community he lives through service.

NOW, THEREFORE, I, LAMAR A. THORPE, Mayor of the City of Antioch, do hereby salute, commend and honor BILL RIDLE for his dedication, commitment, and positive influence to our community and the Veterans in the City of Antioch.

OCTOBER 11, 2022

LAMAR A. THORPE, Mayor

2.01
10-11-22



In Honor of
JAMES DOUGLAS BEAN

ANTIOCH LIFETIME VETERAN OF THE YEAR 2020-2021

WHEREAS, James Douglas Bean was born in Arkansas in 1943 and his family moved to Pittsburg, California when he was young and graduated from Pittsburg High School in 1961;

WHEREAS, on March 6, 1965, James married Roseann Dolezal of Salinas, California;

WHEREAS, James was drafted into the U.S. Army on January 12, 1966, obtained the rank of E-5, and served in the HHC 1st, 48th Infantry, 3rd Armored Division located in Gelnhausen, Germany (USAEUR);

WHEREAS, James retired after 30 years from Stanley Works in Pittsburg, and during the past 49 years, James went up through the Officer Chairs in the Post (Sgt-at-Arms, Chaplain, 2nd Vice Commander, 1st Vice Commander) and served as Post Commander 14 times and 9th District Commander;

WHEREAS, James, serves on the post Executive-Board and has been the American Legion Boy's State Chairman for over 15 years;

WHEREAS, James helped form the Antioch American Legion where he is a lifetime Member and Post Commander, and is a Harding-Noia Post 161 "Kilted Color Guards", having led parades in Antioch and participated in the Antioch Memorial Day services at Oak View Memorial Cemetery; and

WHEREAS, James also volunteers and helps feed our local citizens with Loaves and Fishes from the Antioch Veterans Memorial Building.

NOW, THEREFORE, I, LAMAR A. THORPE, Mayor of the City of Antioch, do hereby salute, commend and honor JAMES DOUGLAS BEAN for his dedication, commitment, and positive influence to our community and the Veterans in the City of Antioch.

OCTOBER 11, 2022

LAMAR A. THORPE, Mayor

2.02
10-11-22



In Honor of
GERALD “J.R.” WILSON
ANTIOCH VETERAN OF THE YEAR 2021-2022

WHEREAS, Gerald “J.R.” Wilson was born in Concord, California in 1971 and attended schools throughout Pittsburg and Antioch;

WHEREAS, as a teenager, J.R. was homeless, living on the streets, at night sleeping under freeway overpasses or in baseball dugouts at Los Medanos College, and at age 19, J.R. decided to change his life and practiced the Military Armed Services Vocational Aptitude Battery until he was ready to test and join the U.S. Military;

WHEREAS, J.R. served honorably in the U.S. Army from 1990-1994 as part of the “Military Intelligence (MI) Corps” as a Non-Communication Interceptor / Analyst and was “Airborne Qualified”;

WHEREAS, J.R. attended Advanced Individual Training (AIT) at the U.S. Army Military Intelligence School at Ft. Devens, MA and after AIT, J.R. was stationed at Ft. Bragg, NC in 3rd Special Forces Group as the Headquarters Elint Team Chief from 1991-1993, where he unfortunately injured his knee on an airborne jump which ultimately shortened his career in the U.S. Army;

WHEREAS, in 1997, J.R. joined the Disabled American Veterans (DAV) as a life member and attended the DAV National Service Officer (NSO) Academy in 1998 and served as a NSO in National Service Offices in Virginia, Nevada, and San Diego, CA;

WHEREAS, in 2012, J.R. founded Delta Veterans Group (DVG) in his hometown of Antioch, CA and in 2015, DVG hosted Contra Costa County’s first ever “Stand Down on the Delta”, a 4-day event for homeless Veterans, held at the County Fairgrounds in Antioch, bringing more than 350 Veterans and families for services like medical treatment, dental, housing and educational assistance; and

WHEREAS, J.R. currently serves as DAV National Executive Committee Member for District 16, DAV State Legislative Director, DAV State Executive Committee Chair for District 3, State Commanders Veterans Council Chair, Commander Antioch VFW post 6435, a Life Member of American Legion and Amvets, and a member of the Rotary, Mason's, Lions and Elk's.

NOW, THEREFORE, I, LAMAR A. THORPE, Mayor of the City of Antioch, do hereby salute, commend and honor GERALD “J.R.” WILSON for his dedication, commitment, and positive influence to our community and the Veterans in the City of Antioch.

OCTOBER 11, 2022

LAMAR A. THORPE, Mayor

2.03
10-11-22



In Honor of
TOM MENASCO
ANTIOCH LIFETIME VETERAN OF THE YEAR 2021-2022

WHEREAS, Tom Menasco was born and raised in the City of Antioch, is a 1961 graduate of Antioch High School, and loved playing most sports; but his greatest love was always baseball, playing on teams at Antioch High School and Diablo Valley College (DVC);

WHEREAS, after receiving his A.A. degree from DVC in 1965, he earned his B.S. in Recreation Management from Sacramento State and later in life, he earned his Masters in Recreation Administration from San Francisco State;

WHEREAS, Tom served in the U.S. Army after graduation in 1965, with service in Monterey, California and Germany; and was later awarded the prestigious Joint Services Commendation, Meritorious Special Services Award for Base Recreation Programs in Germany;

WHEREAS, Tom continued public service with the City of Antioch Recreation Department in 1971, as part of a 28-year tenure with the City that impacted so many through community recreation programs;

WHEREAS, Tom founded the Antioch Youth Football Program, the Los Medanos College Booster Club and the local chapter of the Elderly Wish Foundation; serving as a board member of the Antioch Historical Society (16 years), Delta Memorial Hospital Foundation, Antioch Senior Citizens Club, Antioch Kids Club, the Salvation Army, and Community Scholarship Board;

WHEREAS, Tom was named the Jaycee of the Year in 1972, the Citizen of the Year “Most Impact” by the Antioch Chamber of Commerce in 2007, and Lifetime Achievement in 2015; and

WHEREAS, in 2005, Tom helped form the Antioch Sports Legends program and in 2019, chaired Delta Veterans Group’s Antioch Veterans Memorial Banner Program, and grew the program from 10 to the current 179 Veterans Memorial Banners displayed throughout Antioch.

NOW, THEREFORE, I, LAMAR A. THORPE, Mayor of the City of Antioch, do hereby salute, commend and honor TOM MENASCO for his dedication, commitment, and positive influence to our community and the Veterans in the City of Antioch.

OCTOBER 11, 2022

LAMAR A. THORPE, Mayor

2.04
10-11-22



**RECOGNIZING
RED RIBBON WEEK**

October 23-31, 2022

WHEREAS, the abuse of alcohol and other drugs in this nation has reached epidemic levels;

WHEREAS, it is imperative that visible, unified prevention education efforts by community members be launched to eliminate the demand for drugs;

WHEREAS, the National Family Partnership is sponsoring the National Red Ribbon Campaign® offering citizens the opportunity to demonstrate their commitment to drug-free lifestyles - no use of illegal drugs, no illegal use of legal drugs;

WHEREAS, the National Red Ribbon Campaign® will be celebrated in every community in America during "Red Ribbon Week®", October 23rd-31st;

WHEREAS, businesses, government agencies, parents, law enforcement, media, medical institutions, religious organizations, schools, senior citizens, service organizations, and youth will demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying Red Ribbons during this week-long campaign; and

WHEREAS, the City of Antioch further commits its resources to ensure the success of the Red Ribbon Campaign®.

NOW, THEREFORE, I, LAMAR A. THORPE, Mayor of the City of Antioch, do hereby proclaim October 23-31, 2022, as RED RIBBON WEEK® and encourage the citizens of Antioch to participate in drug prevention education activities, making a visible statement that we are strongly committed to a drug – free community.

OCTOBER 11, 2022

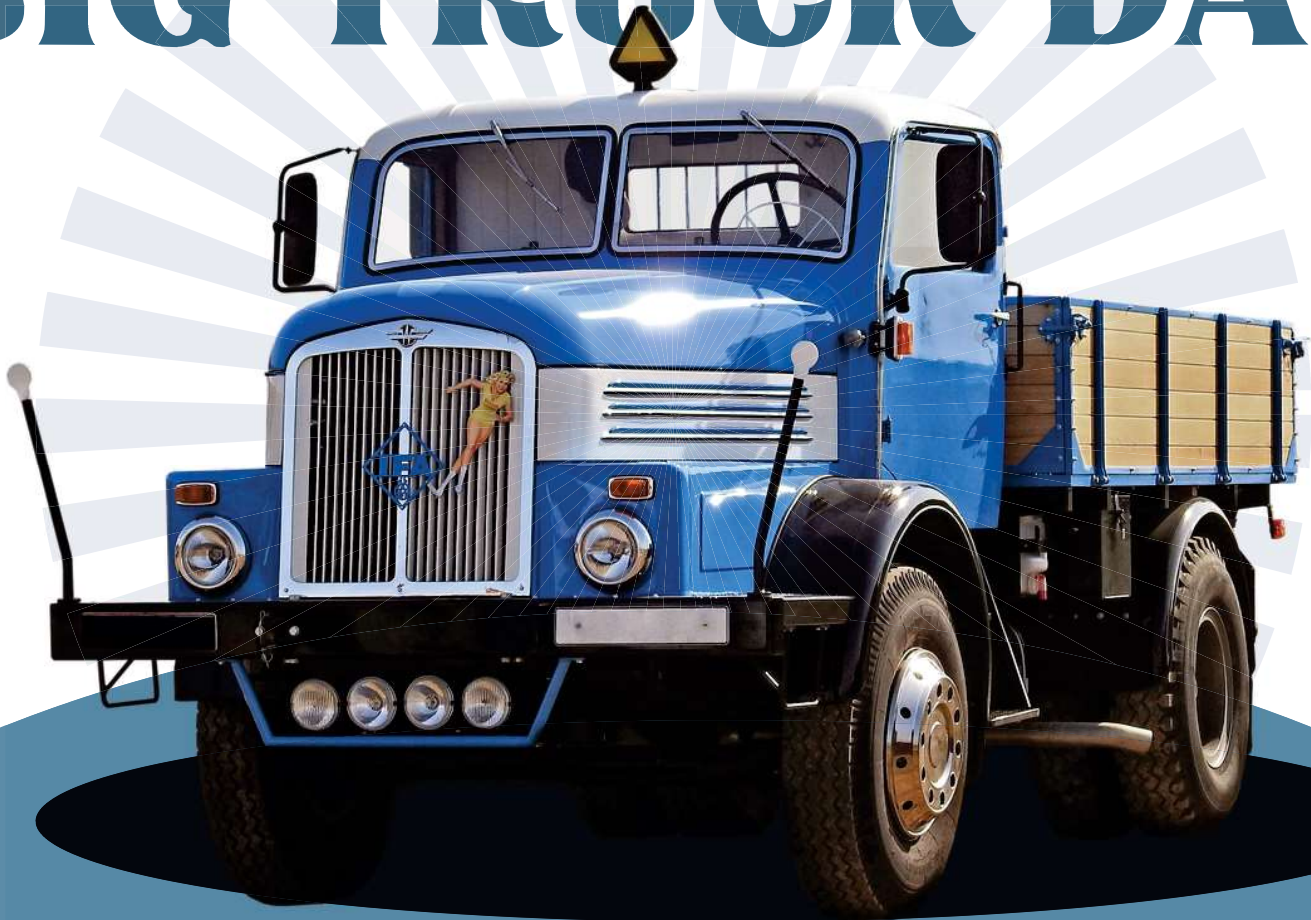
LAMAR A. THORPE, Mayor

2.05
10-11-22

FOOD TRUCK
THURSDAY

OCTOBER 13, 2022
4PM-8PM

BIG TRUCK DAY



Come out to see and touch the big trucks that service the city such as:

10 WHEEL DUMP TRUCK
APD ARV & COMMAND UNIT
CEMENT TRUCK
CONSTRUCTION TRUCKS

FIRE ENGINE
PUBLIC TRANSIT BUS
MONSTER TRUCK
AND MORE...

ANTIOCH COMMUNITY CENTER
4703 LONE TREE WAY

ANTIOCH
CALIFORNIA
OPPORTUNITY LIVES HERE

CITY OF
ANTIOCH
CALIFORNIA
OPPORTUNITY LIVES HERE

BOARDS / COMMISSION / COMMITTEE
VACANCY ANNOUNCEMENTS

The City of Antioch encourages residents to become involved in their local community. One way to do so is to serve on various commissions, boards and committees. Any interested resident is encouraged to apply for the vacancy listed below. To be considered for this volunteer position, a completed application must be received in the Office of the City Clerk **by the EXTENDED Deadline Date on October 28, 2022, by 5:00 p.m.** Applications are available at <https://www.antiochca.gov/#>.

➤ **SALES TAX CITIZENS' OVERSIGHT COMMITTEE**

Your interest and desire to serve our community is appreciated.

SALES TAX CITIZENS' OVERSIGHT COMMITTEE
(EXTENDED Deadline date: 10/28/2022)
Four (4) Committee Members, full-term vacancies, expiring March 2026

- A Sales Tax Citizens' Oversight Committee has been established following the voters passing Ballot Measure C – Transaction and Use (Sales) Tax. This passed at the November 5, 2013 Consolidated Election. At the November 6, 2018 Consolidated Election, the voters passed Ballot Measure W – Transaction and Use (Sales) Tax.
- Each year, an independent auditor shall complete a public audit report of the revenue raised and its expenditure. The Sales Tax Citizens' Oversight Committee shall review the expenditures and report publicly how the funds are being used to address the City Council's stated priorities of maintaining Antioch's fiscal stability, police patrols, 911 emergency response, youth violence prevention programs; ensuring water quality/safety; repairing streets; cleaning up parks/illegal dumping; restoring youth afterschool/summer programs; and other essential services. The Committee's review shall be completed in conjunction with the City's budget process. The Committee's report on its review, whether oral or written, shall be considered by the City Council at a public meeting before April 1 of each year. Any written report shall be a matter of public record.
- The Committee shall meet at least twice a year. The meetings will be public.
- The Sales Tax Citizens' Oversight Committee consists of seven members who are Antioch residents. At least one member of the Committee shall have a financial, accounting or auditing background. The Committee will be nominated by the Mayor and approved by the City Council.
- Members of the Sales Tax Citizens' Oversight Committee will be required to file an annual "Statement of Economic Interest".

BUILD ANTIOCH 2022 DESIGN STUDIO

Build Antioch 2022 Design Studio
Antioch City Council Meeting
October 11, 2022

#5.01

Welcome

ANTIOCH
CALIFORNIA



Build Antioch 2022 Design Studio
Antioch City Council Meeting
October 11, 2022

BuildAntioch 2022 Design Studio Team

Interior Design

Amiah Jacobs

Alexis Brooks

Jaelloni Goodwin

Jalliyah Williams

Marcellus Duncan

Cassity O'Kon

Saafir Farrell

Building Exterior & Landscape Design

Amethyst Ziemann

Amari Farrell

Ma'zon Gant

A'Nizah Williams

Vincent Perry

Sustainability

Stephanie Smith

Research

Shamy Etherart

Daniel Frise

Ivan Clark

O'Lana Hickman

Project Program & Space Planning

Earl Hudson

Brandon Frise

Chitu Onyeader

Tyler Thomas

Build Antioch 2022 Design Studio
Antioch City Council Meeting
October 11, 2022

A New City Department

Dept. of Public Safety & Resources



July 27, 2022
Mayor Thorpe signing a city ordinance for the new city Department, which will be located at 301 W. 10th Street.

Youth Services Network

Unhoused Residents Service

Housing Division and Community Grants

Violence Prevention and Intervention

Environmental Sustainability and Resilience

**Build Antioch 2022 Design Studio
Antioch City Council Meeting
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Public Safety and Community Resources Ad-Hoc Committee

“Public safety is a lot more than policing. It’s about quality of life, environmental justice, youth services, housing. Public safety is about economic dignity, access to jobs, clean water, clean air. And I think being able to have this department be called the Department of Public Safety and Community Resources will also help reorient our community to understand that public safety doesn’t just mean policing.”

- District 1 Councilmember Tamisha Torres-Walker

“I understand the challenges facing our city. It is of vital importance to build a department that utilizes all resources, supports and collaborates to address environmental, economic and social factors that negatively impact our community. This department will diligently work to serve and partner for sustained change.”

- District 4 Councilmember Monica Wilson

Rivertown Resource Center...



Build Antioch 2022 Design Studio
Antioch City Council Meeting
October 11, 2022

Our Big Ideas for This Project

**Creating an Exciting &
Bold Building That
Energizes & Uplifts the
Community**

**Creating a
Community-centered
&
Community-centric
Building**

**Creating a Home for
Antioch's Essential
Services**

**Better Design &
Construction Practice for a
Healthier, More
Sustainable Building &
Environment**

**Build Antioch 2022 Design Studio
Antioch City Council Meeting
October 11, 2022**

Design Process

RESEARCH & SUSTAINABILITY



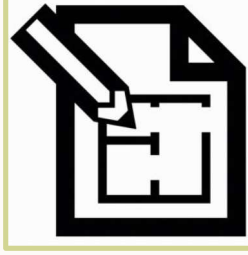
better, smarter,
more efficient,
healthier

LANDSCAPE DESIGN



create a beautiful
and sustainable
landscape

PROJECT PROGRAM & SPACE PLANNING



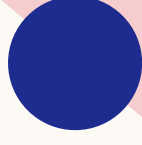
organize and optimize
the function of the
building

INTERIOR DESIGN



spaces that promote
wellbeing, positivity,
and healthy work and
community spaces

RESEARCH & SUSTAINABILITY



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SUSTAINABILITY

The ability to be maintained at a certain rate or level.

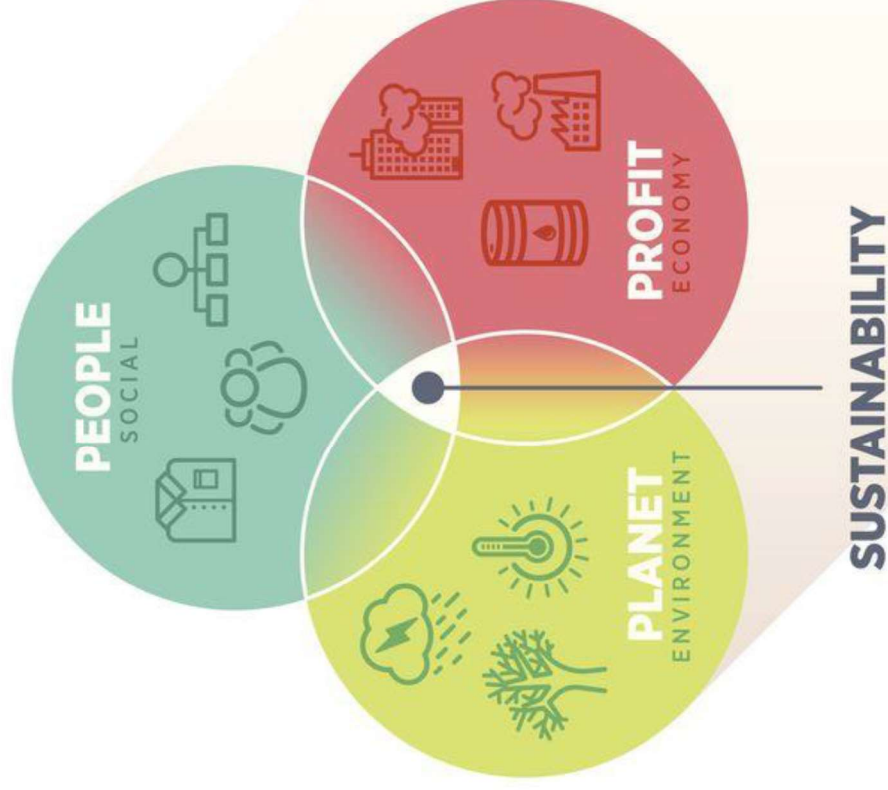
“The sustainability of economic growth”

- Avoidance of the depletion of natural resources in order to maintain an ecological balance.

“The pursuit of global environmental sustainability”

The goal of the Research & Sustainability team is to not only incorporate this mindset into the building and design concepts; but to create a space where the community can actively implement these practices into our daily lives.

3 Pillars





RESILIENCE

1. The capacity to recover quickly from difficulties; toughness
2. The ability of a substance or an object to spring back into shape; elasticity

advancing despite adversity

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Design Strategies:

Better, Cleaner, and More Efficient Energy Use

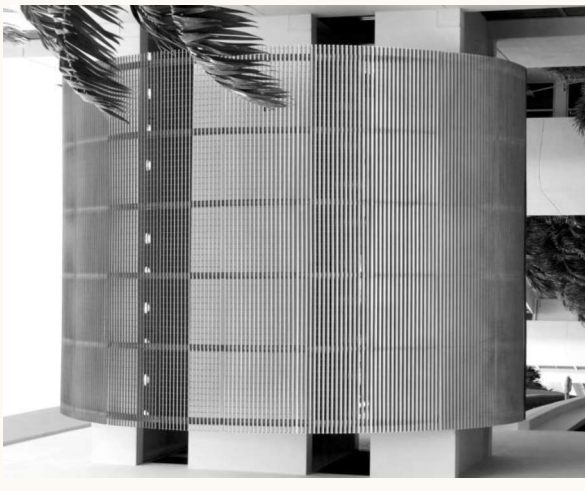
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Passive Design

“Passive systems are structures whose design, placement, or materials optimize the use of heat or light directly from the Sun.”

- Environmental and Energy Study Institute (EESI)

Continuous Insulation



Louvers, Grilles, and Shades

Increase Windows for more Natural Light & Better Ventilation, Daylighting, and Natural Ventilation





Green Roofs and Walls

Benefits

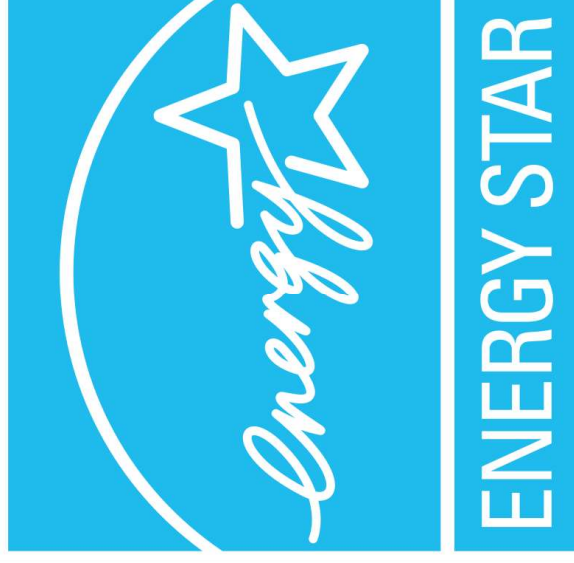
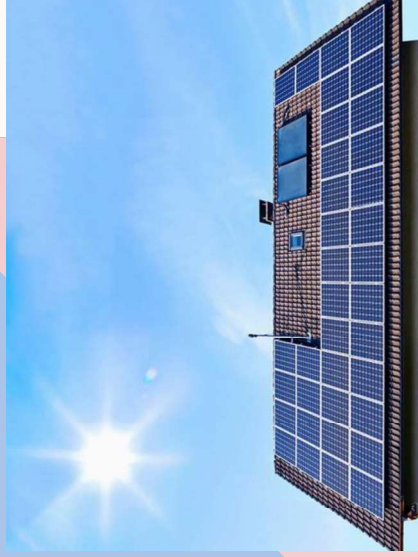
- Beautiful aesthetic
- Improved air quality
- Reduced energy costs
- Noise reduction
- Increased biodiversity
- Healthier people



Active Design

“Active systems have devices to convert the sun’s energy into a more usable form, such as hot water or electricity.”

- Environmental and Energy Study Institute (EESI)



Ways we can support these concepts

17



LEED Certification

Leadership in Energy & Environmental Design

Required by California since 2004

Administered by the U.S. Green Building Council



Partnering with Compost & Recycling Programs

Receive a waste management plan through the city

Work with SCOCO

Youth network: Sustainable Leaders in Action



Staff training & representation/ signage

Encourage engagement, growth, & development within the workplace

Create an inspiring structure that will bring (+) changes

Teach staff how to properly dispose different types of waste



PROJECT PROGRAM AND SPACE PLANNING

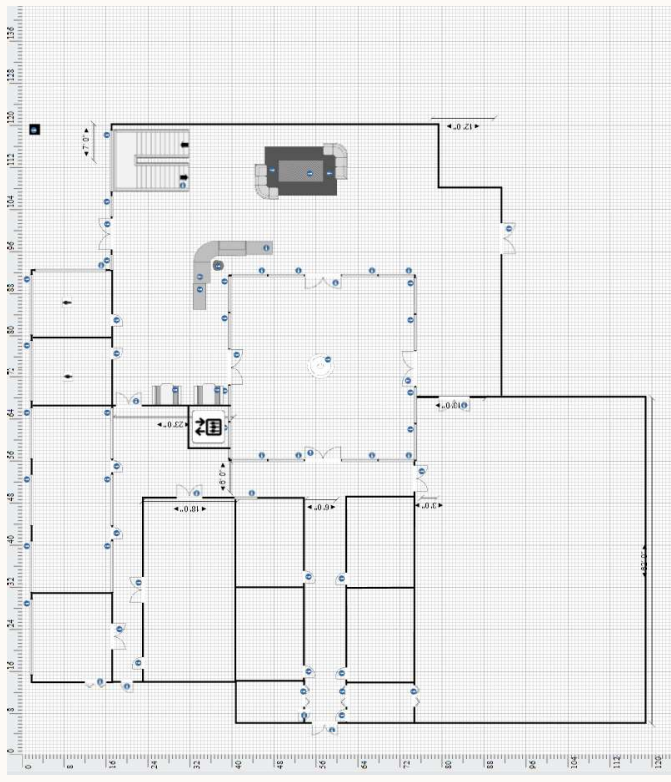
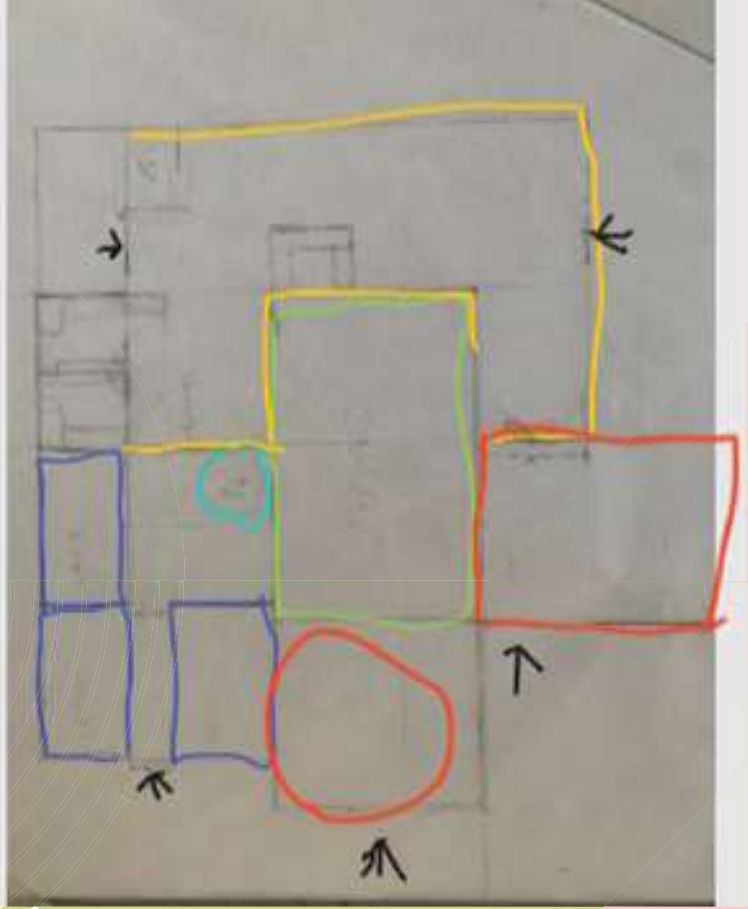
Create a Contemporary Look

Bringing More Natural Light into the Building

Open & Welcoming When People Enter the Building

Flexibility for After-hours Use

What Do We Mean By Space Planning?



Build Antioch 2022 Design Studio
Antioch City Council Meeting
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Space Planning Diagrams

- Central Courtyard
- Natural Light
- Multi-use open spaces
- Outdoor 2nd Floor terraces for Staff Use

The Ground Floor diagram shows a large Multipurpose Hall on the right, an Interior Courtyard in the center, and two Lobbies on the left. Other rooms include Counselor Offices, Meeting Space, Computer Lab, Bathrooms, and Storage. Arrows indicate entrances from the top and bottom.

The 2nd Floor diagram features a large 2nd Floor Roof Garden on the right, a central Open to Below area, and various Department Office Open Work Spaces. Other rooms include a Conference Room, Staff Break Room, Kids Corner, and a Dept Head/Supr Offices. A red dashed line outlines the main building footprint.

Ground Floor

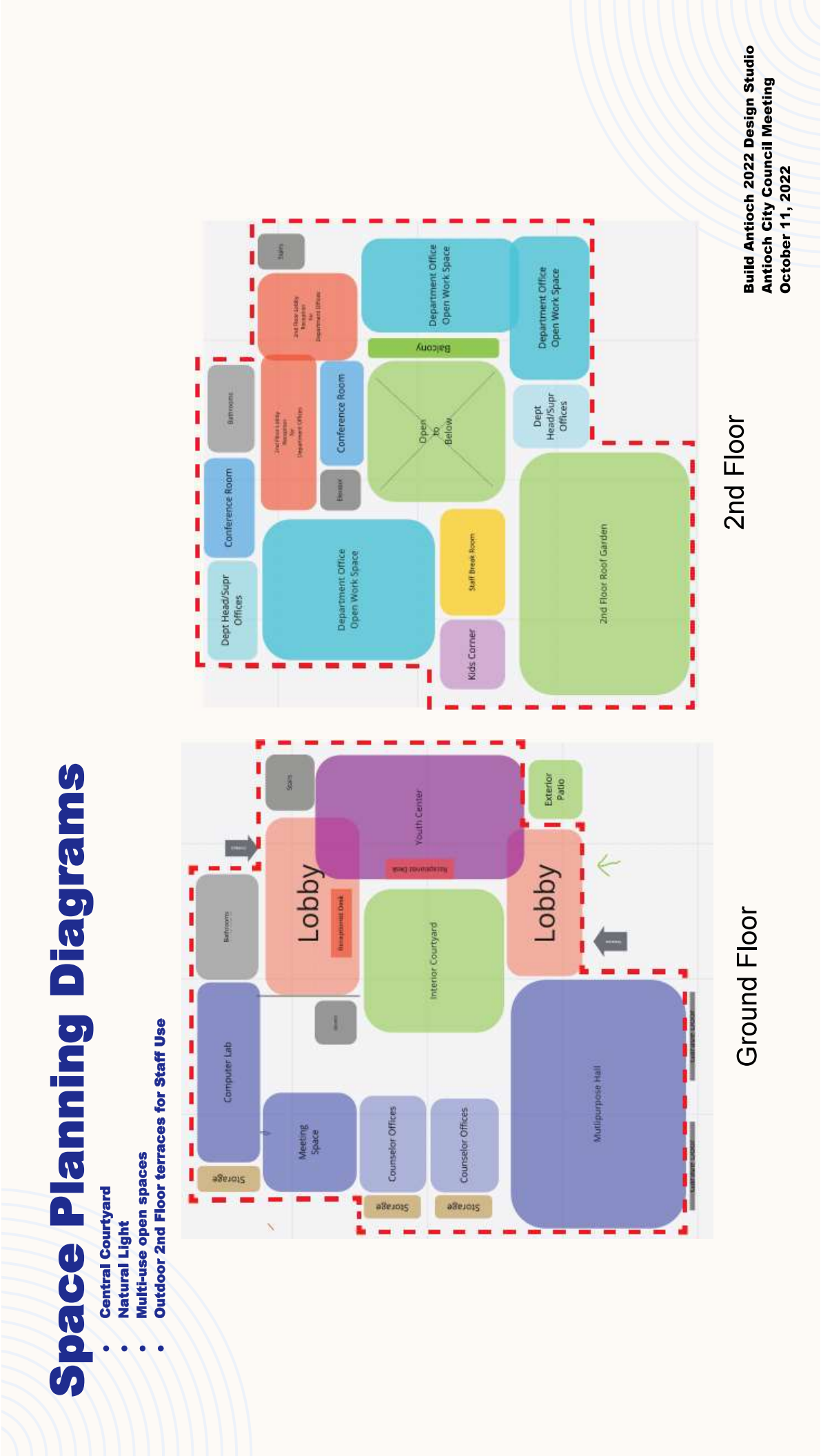
2nd Floor

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October 11, 2022

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- Ground Floor

2nd Floor
- Build Antioch 2022 Design Studio
Antioch City Council Meeting
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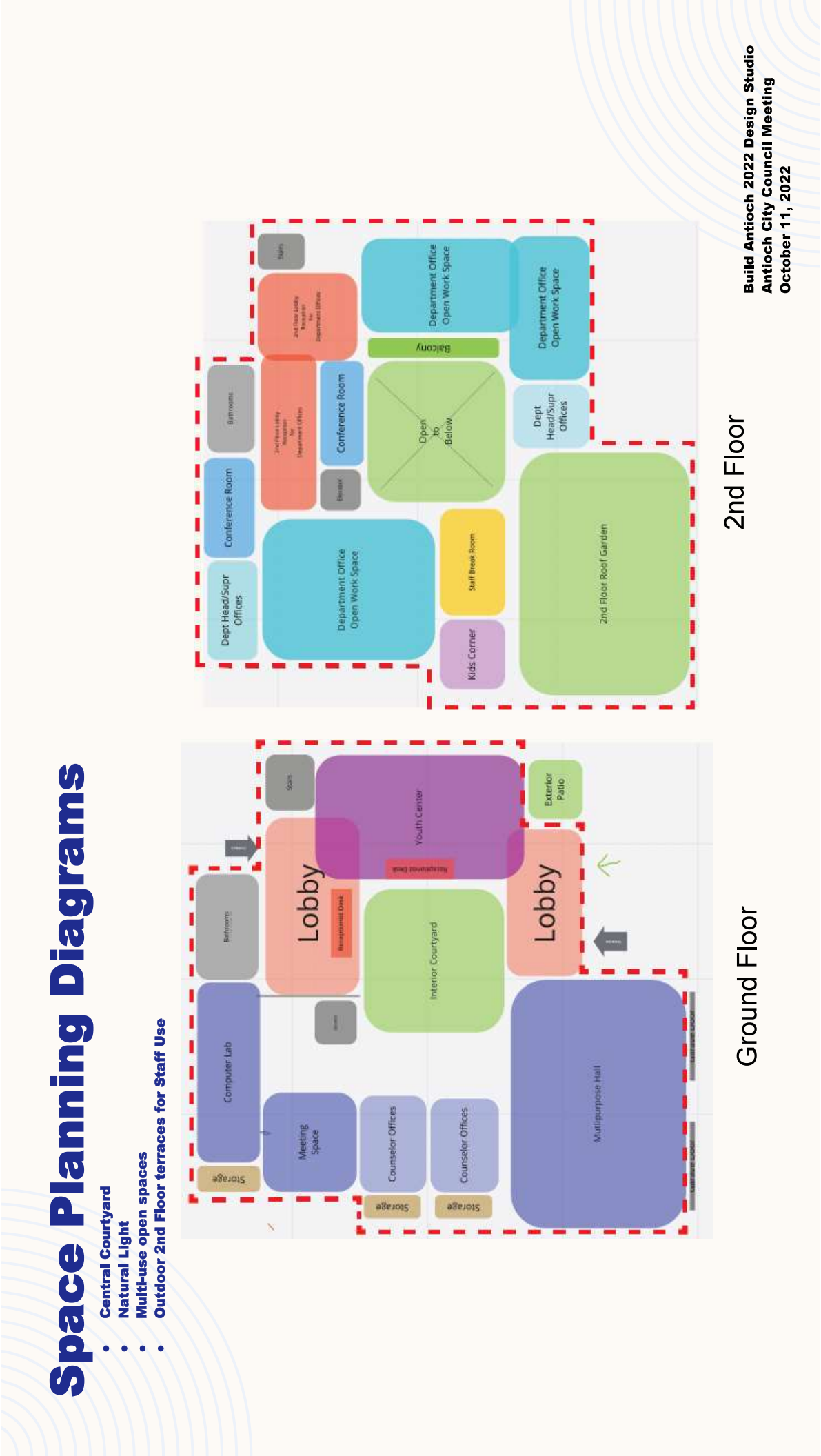
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Ground Floor

2nd Floor

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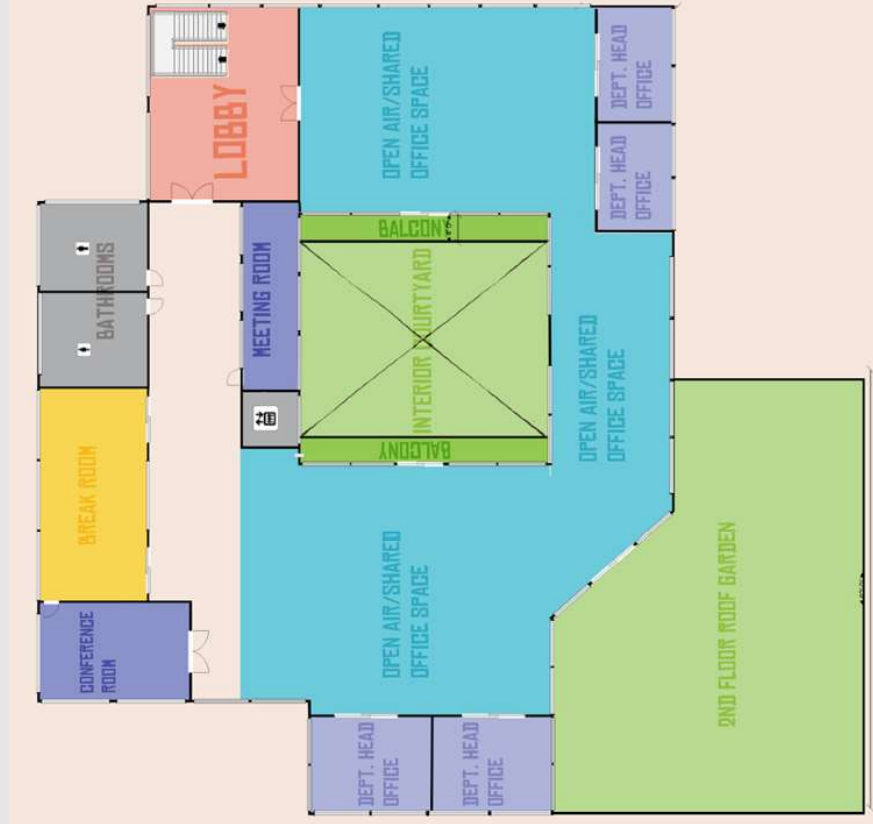
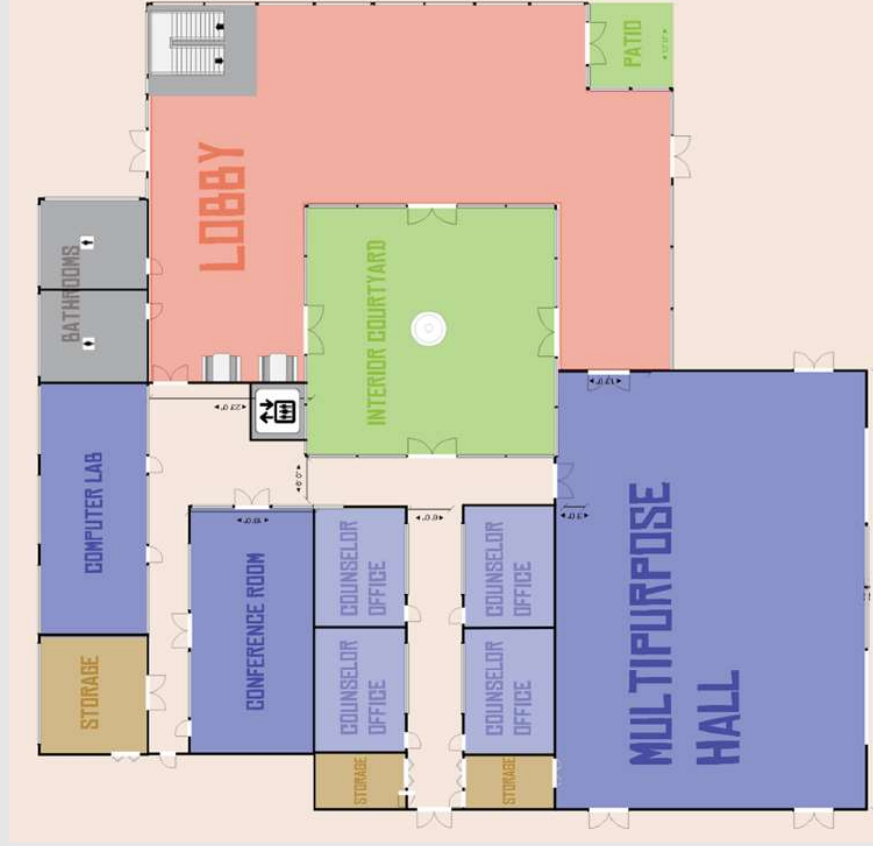
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Ground Floor

2nd Floor

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Floor Plan



3D Rendering of Proposed Newly Renovated Building



Exterior of New Dept of Public safety & Resource
Main Entrance D St & W 10th St

INTERIOR DESIGN



Create a spaces where people can have fun as a community



Create a beautiful, low-maintenance, and sustainable garden where local flora & fauna can thrive



Space for community events & get-togethers



Space to get outside & be active

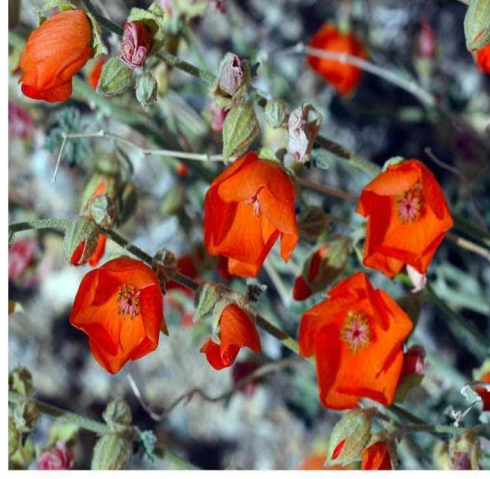


LANDSCAPE DESIGN



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LANDSCAPE DESIGN



Build Antioch 2022 Design Studio
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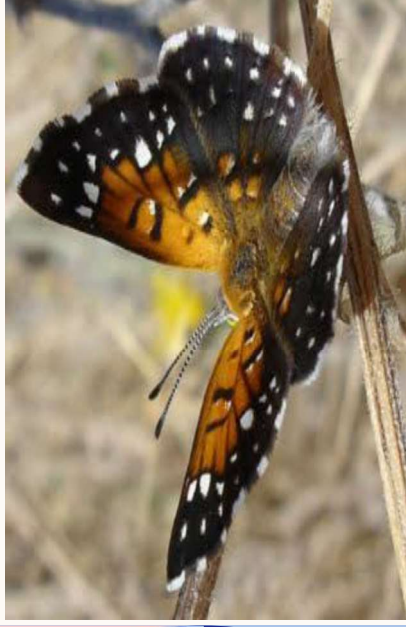
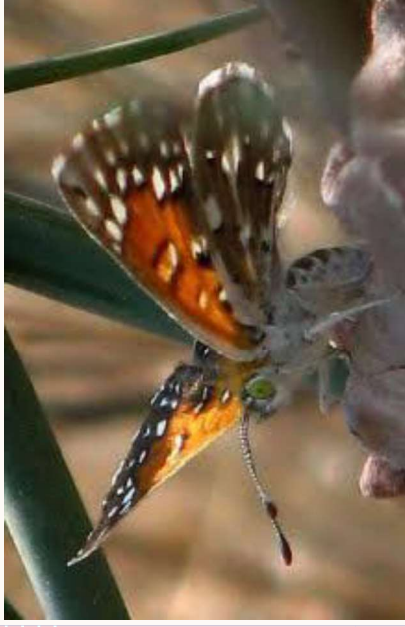
Scheme B

LANDSCAPE DESIGN



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LANDSCAPING DESIGN

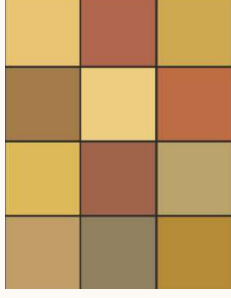


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BUILDING EXTERIOR



Improved signage & wayfinding to uplift the building identity and be easier for community to access



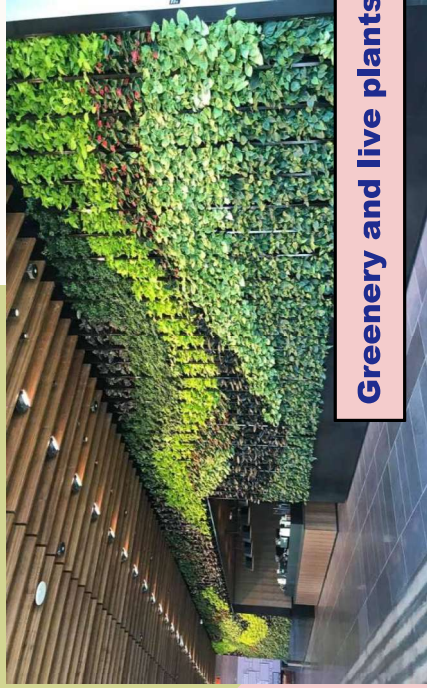
Brighter, warmer colors & public art to showcase local artists and Antioch history



Larger windows to allow for more natural light

INTERIOR DESIGN

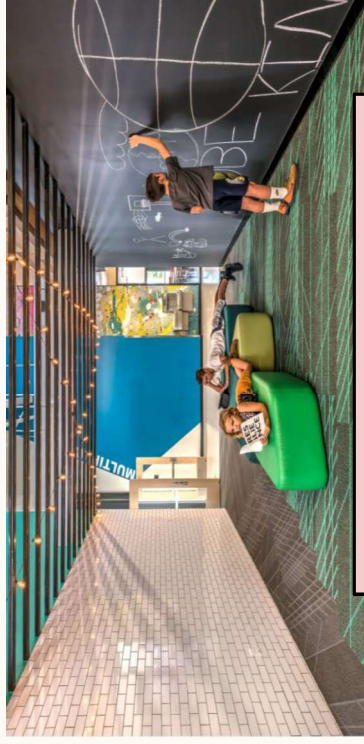
Our design will stand with pride & comfort for the Antioch community. It will bring more joy than tears. Our design is important for a lot of reasons and being a resource for the community will be one of many.



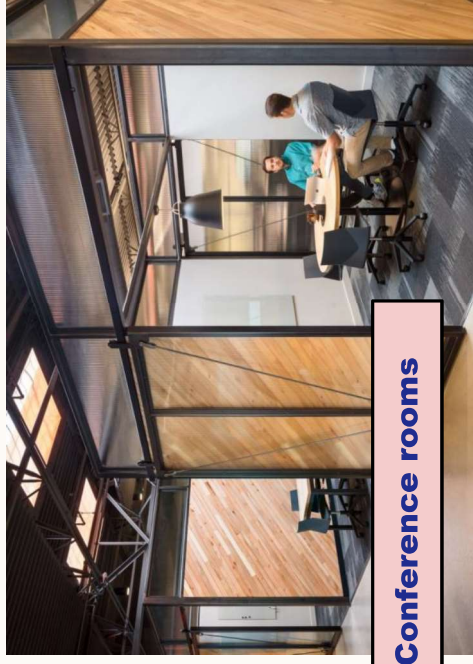
Greenery and live plants



Bright & Vibrant



Safe spaces for all age groups



Conference rooms

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INTERIOR DESIGN

Our Audience

Community Resources



From hosting events and conference room bookings to posting available jobs in the area. Every community department has a home here.

Staff



Comfortable and flexible workspaces to encourage productivity. Employees can expect their workstations to be as exciting as the building they live in.

Youth

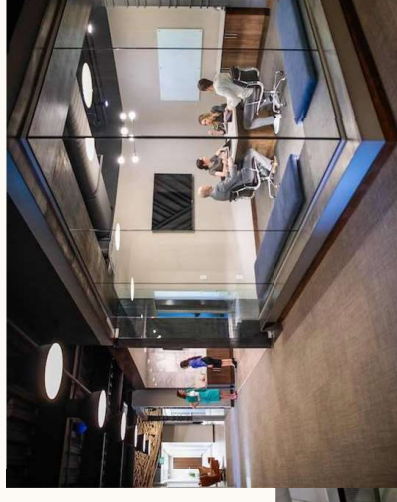


Spaces where youth can meet & find the support & the tools to aim for bigger and brighter futures.

Administration & Staff

After:

- Multiple areas for working and relaxing.
- Conference and meeting rooms of various sizes.
- A few privacy pods for phone calls, one-on-one's, etc.
- Workspaces are more open and inviting.
- Maintaining the natural greenery part of the aesthetic.



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This new building will provide access to these resources.

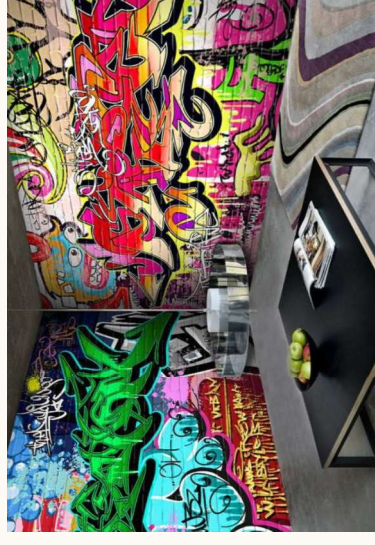
Spaces/Materials available:

- **Meeting Rooms**
- **Large Conference Hall**
- **Youth Center/Kid's Corner**
- **Kiosks and Directories**



Youth Center

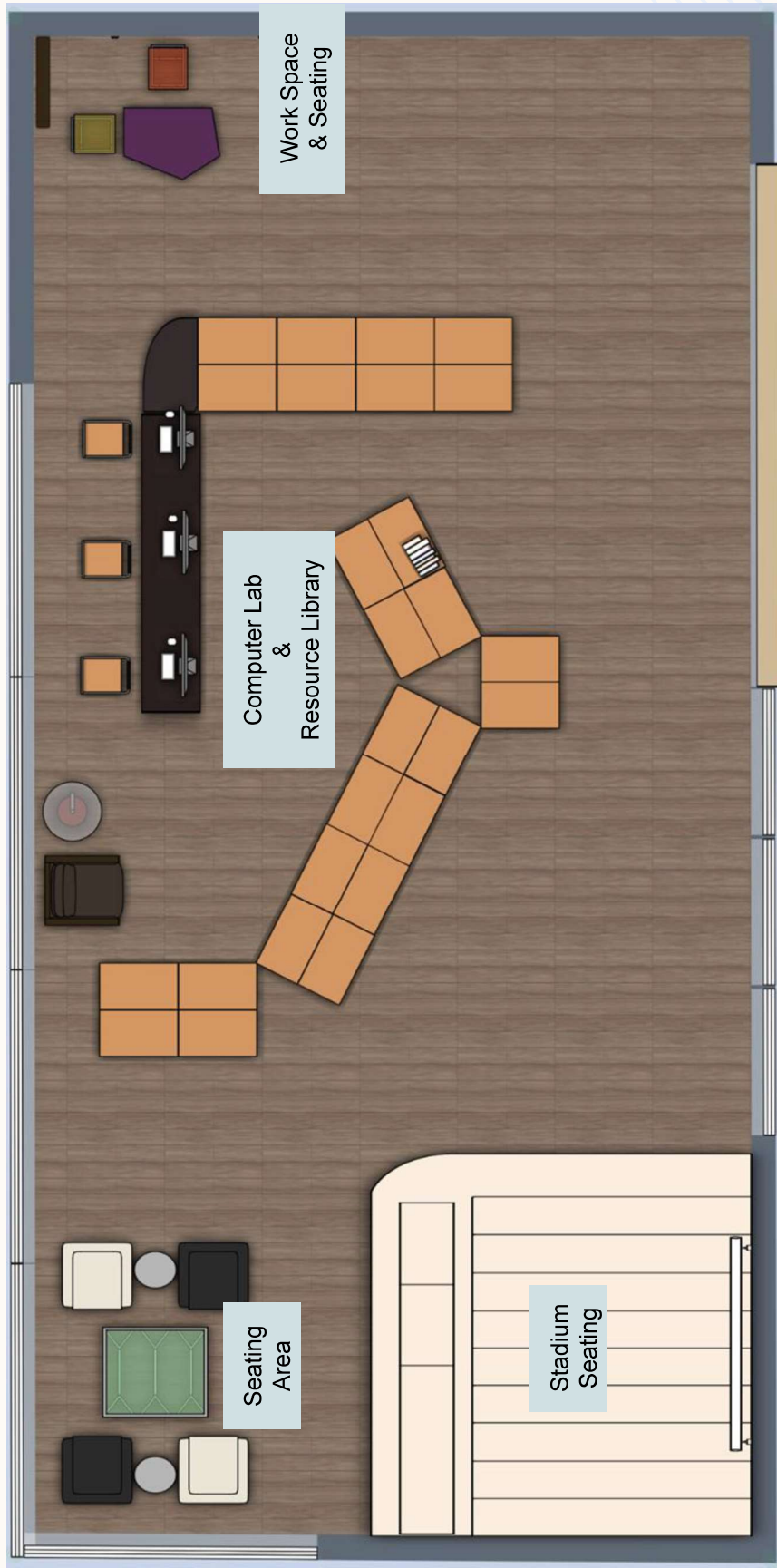
- Variety in workspace styles, bar stools, bean bag-like chairs, raised floors
- Computer lab in the same space? (either against a wall or more 360 view)
- Bright striking colors
- Mix of hard and soft shapes



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Youth Center

Floor Plan



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Antioch City Council Meeting
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Youth Center



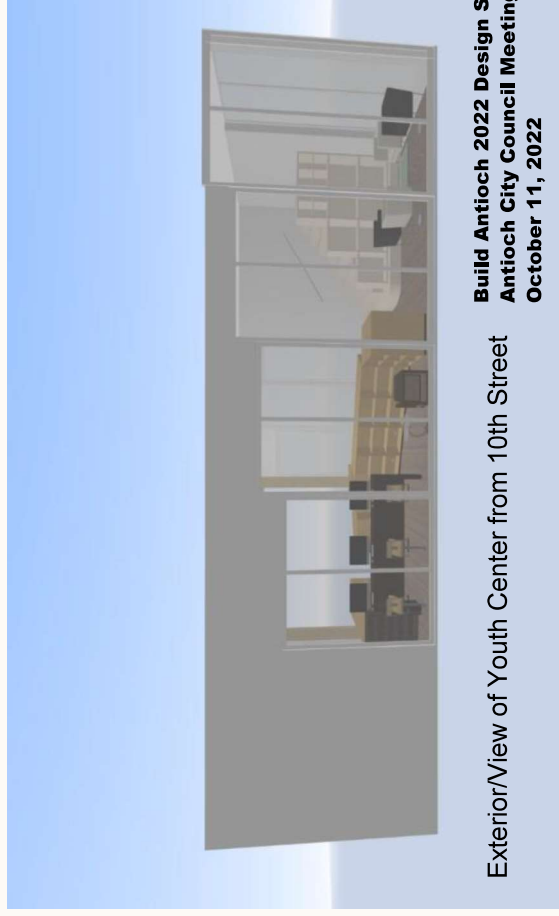
Example of Stadium Seating for Youth Center



Interior/View Into Youth Center from Lobby



Interior/View of Youth Center
Computer Lab & Resource



Exterior/View of Youth Center from 10th Street

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October 11, 2022

THANK YOU



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Antioch City Council Meeting
October 11, 2022

Acknowledgements

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Antioch City Council Meeting
October 11, 2022

Veterans Community Projects Veterans Memorial Park “PATH OF HEROES”



#5.02

Donald P. Freitas
President, Veterans Blvd
Community Projects

Gerald “JR” Wilson
President/CEO Delta Veterans Group (DVG),
Commander of VFW Post 6435

Pat Jeremy
MCPO USN Ret., VP. of DVG
Veteran of Foreign Wars, Post 6435

Autrey James
State Commander
of the American Legion

Introductions





Potential Space For Veterans Memorial Park

W 2nd

W 3rd

W 4th

W 5th

W 6th

W 7th

L St K St

Veterans
Memorial



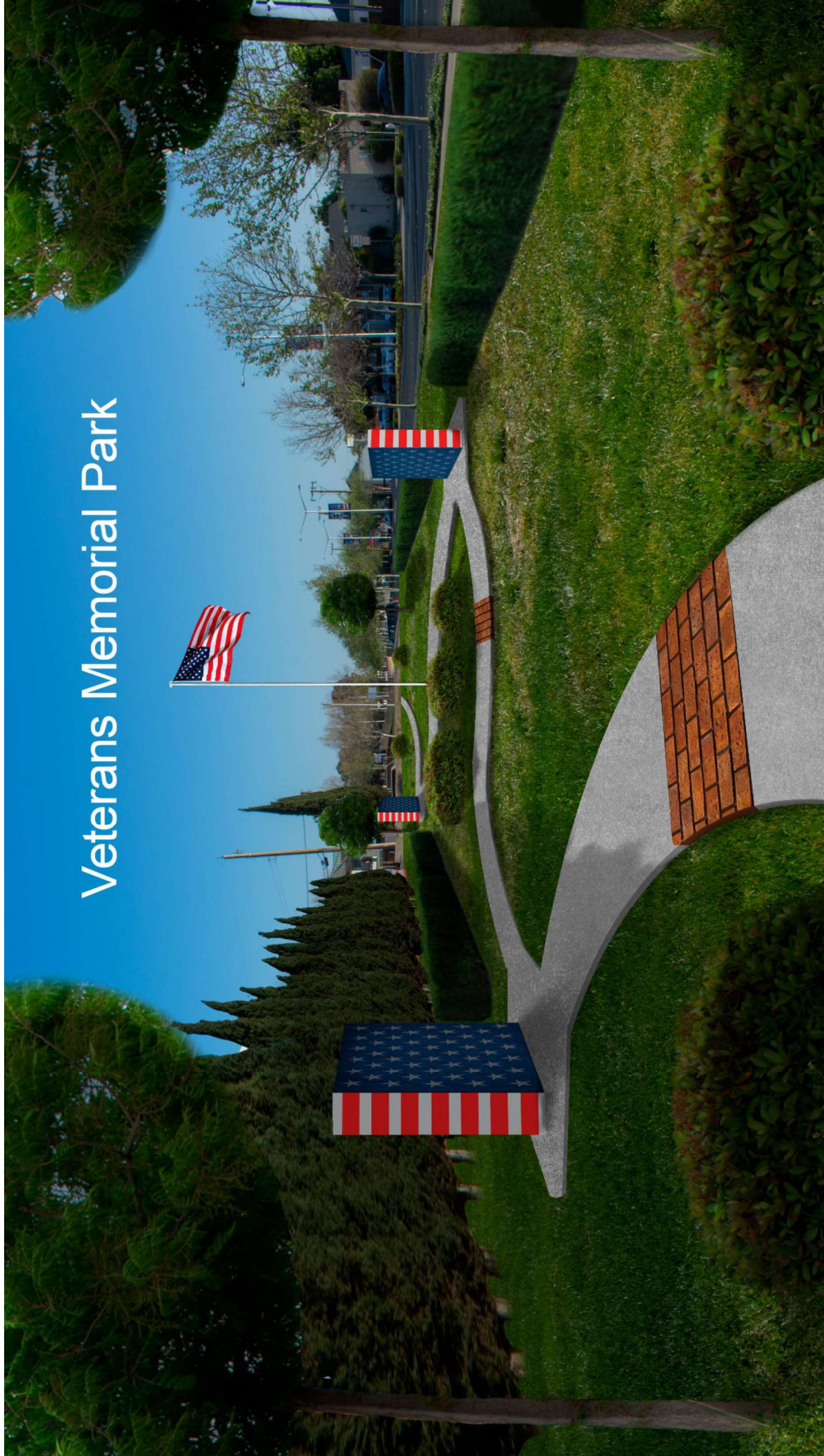
Lots



Existing L Street

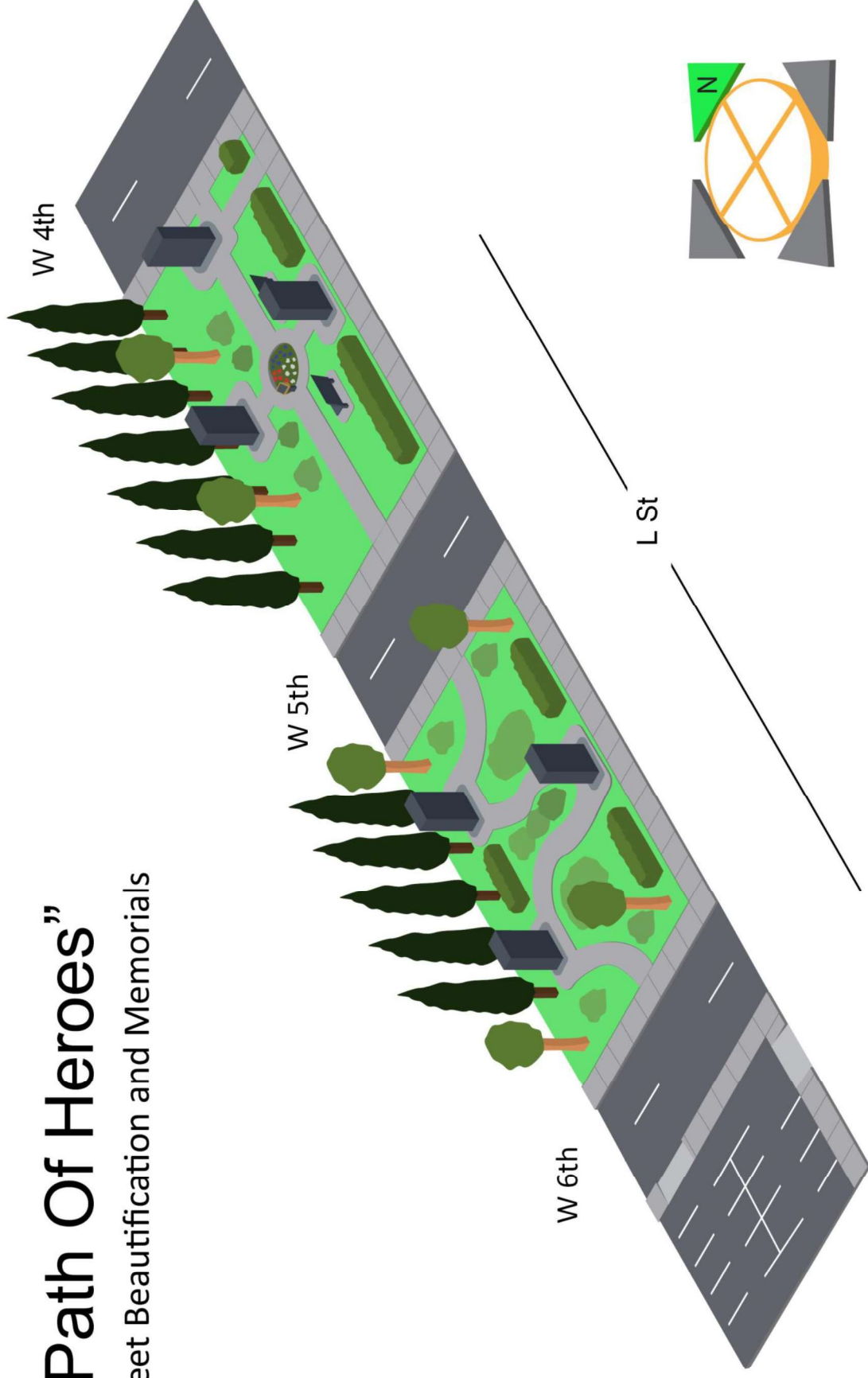


Veterans Memorial Park



“Path Of Heroes”

Street Beautification and Memorials

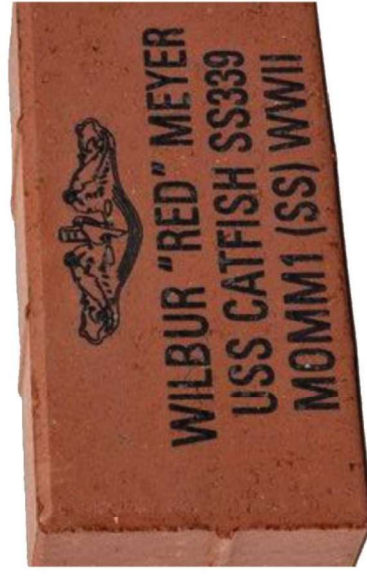
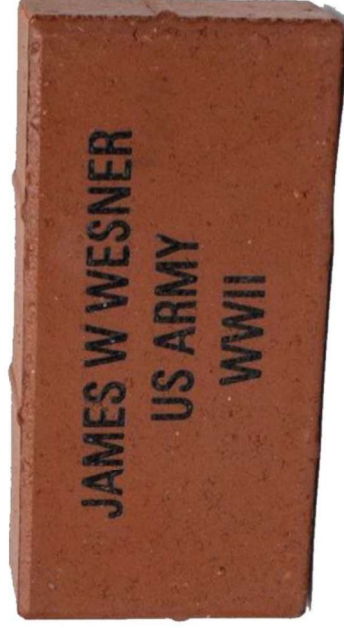


“Path of Heroes”



US ARMY 1976-1979	1775-1836	US ARMY CORPORAL 1952-1954	US AIR FORCE VIETNAM 1963-1967
ING MEMORY OF OUR DAD STINE N. KRUEGER 4 - 2005 WW 2	CPL RYAN FERIS US MARINE CORP 1992-1996	USAF A1C SAMMY J. WELCH 1959-1963	US ARMY CORPORAL RONNIE C. COFFEY 1968-1971
JOSEPH J GYALOG US ARMY WW 2 13TH FIGHTER COMMAND 1943-1945	SGM FRANK J VIRGINIAK SERVED WITH HONOR 1965-1992 RETIRED	EARL SLAVEN US ARMY 1962-1968 E-5 SERGEANT VIETNAM 1963-1964	VICTOR M SANCHEZ 1SG US ARMY RETIRED ABN / AASLT PFDR, CIB MFO,OIF,OEF
	US ARMY PFC J C MORTON SERVED WITH HONOR 1941-1945		VICTOR M SANCHEZ JR SGT US ARMY - OEF OCT 2011 - FEB 2016 173RD ABN / 82ND ABN
ARMY SIGNAL CORPS COL			E5-JAMES-F-TEAGUE
			www.lave.mil.gov/199/Boy-4-Brick

“Path of Heroes”





“PATH OF HEROES”

Recognize men and women who have served their
country honorably in the United States Armed Services
(living and deceased).



Community Project

Involve residents throughout Antioch in a positive, inclusive, unifying effort to recognize our “heroes” through the work of dedicated volunteers.



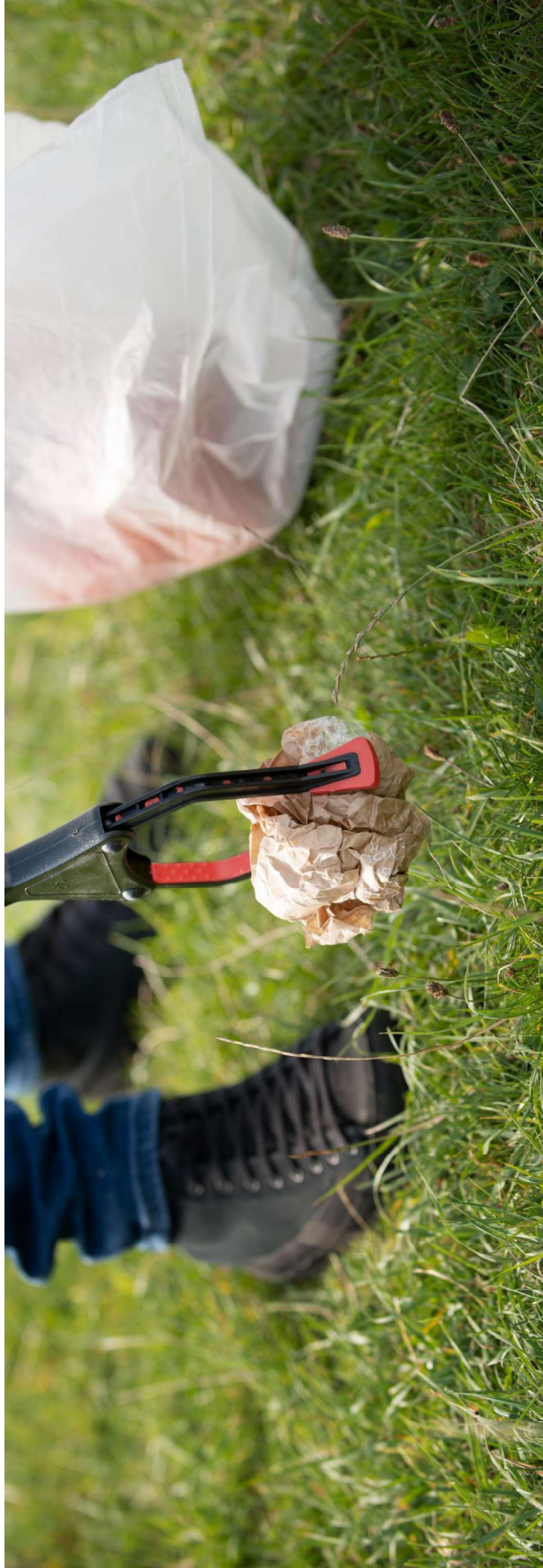
Recreation Opportunity

Provide the ability to walk and relax in an unique
intresting landscaped area.



Educational and Informative

The Path of Heroes teaches our children about
Veterans' sacrifice and history.



Elimination of Plight

Remove three parcels of City owned plighted properties.



Revitalizing Rivertown

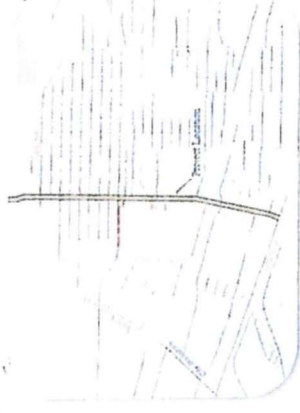
Street beautification and route improvements will bring commerce to Rivertown and contribute to revitalization.

L Street Improvements

Location: L St. from Highway 4 to Antioch Marina

Project Manager: Scott Buenting

Estimated Completion: 2022



Project Description: The project will consist of construction of new sidewalks under the railroad tracks and along the fairgrounds, install curb ramps and re-striping to allow for complete bike lanes from Highway 4 to the Antioch Marina.

Justification: Improve traffic flow and aesthetics from Highway 4 to the Marina and the Rivertown District. The project will improve access and connection to the Antioch Amtrak Station as well.

Opportunity

Excellent timing for involvement due to the Council approved and currently planned Capital Improvement Project - "L" Street Improvement Projects.

Project Financing	Current		Proposed					Total
	Prior	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	
Expenditures								
Planning/Design	\$ -	\$ 500,000	\$ 900,000	\$ -	\$ -	\$ -	\$ -	\$ 1,400,000
Construction	\$ -	\$ -	\$ 3,600,000	\$ 10,000,000	\$ -	\$ -	\$ -	\$ 13,600,000
TOTAL	\$ -	\$ 500,000	\$ 4,500,000	\$ 10,000,000	\$ -	\$ -	\$ -	\$ 15,000,000
Funding Sources								
2097925 RMRA	\$ -	\$ 1,000,000	\$ 2,550,000	\$ -	\$ -	\$ -	\$ -	\$ 3,550,000
OBAG2 - Safe Routes to								
2097925 School	\$ -	\$ -	\$ 1,469,000	\$ -	\$ -	\$ -	\$ -	\$ 1,469,000
2097925 Measure J	\$ -	\$ 500,000	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ 700,000
Unfunded	\$ -	\$ -	\$ 9,281,000	\$ -	\$ -	\$ -	\$ -	\$ 9,281,000
TOTAL	\$ -	\$ 1,500,000	\$ 13,500,000	\$ -	\$ -	\$ -	\$ -	\$ 15,000,000



The Veterans Blvd Community Projects

A joint effort to improve Antioch and Rivertown.

“Veterans Improving Antioch”

Proposal

Authorize community involvement in the planning of the landscaped area of three City owned properties in the “L” Street Improvement Project.

Support the fundraising efforts of the Veterans Blvd. Community Projects non-profit organization for the acquisition of veteran memorials.

Authorize a Memorandum of Understanding be developed and authorized between the City of Antioch and the Veterans Blvd Community Projects non-profit organization detailing the approved duties and responsibilities of the organization (e.g. the sale of memorial bricks, ect.)

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

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

**August 23, 2022
Council Chambers**

5:15 P.M. - CLOSED SESSION

Mayor Thorpe called the meeting to order at 5:15 P.M., and City Clerk Householder called the roll.

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

PUBLIC COMMENT – None

- 1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – pursuant to California Government Code section 54956.9: Banks et al. v. City of Antioch et al. (CASE NO. C18-7391 HSG).
- 2. CONFERENCE WITH REAL PROPERTY NEGOTIATIONS – EXISTING LITIGATION** – Pursuant to California Government Code section 54956.8; Property: 4527 Deerfield Drive, Antioch, CA; Agency Negotiation: City of Antioch Negotiator: Interim City Manager, Cornelius H. Johnson and City Attorney, Thomas Lloyd Smith; Negotiating Parties: City of Antioch and Yellow Roof Foundation; Under Negotiation: Price and terms of payment.
- 3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – pursuant to California Government Code section 54956.9: California Resources Production v. City of Antioch et al., Contra Costa County Superior Court Case No. N21-2354; Delta Gas Gathering, Inc. and California Energy Exchange Corporation v. City of Antioch et al., Contra Costa County Superior Court Case No. N21-2355; and Enerfin Resources Northwest Limited Partnership v. City of Antioch et al., Contra Costa County Superior Court Case No. N21-2356.
- 4. CONFERENCE WITH REAL PROPERTY NEGOTIATIONS** pursuant to California Government Code section 54956.8; Property: 275 W. Tregallas Road, Antioch, CA; Agency Negotiation: City of Antioch Negotiators: Interim City Manager, Cornelius H. Johnson and City Attorney, Thomas Lloyd Smith; Negotiating Parties: Richard Hobin, Esq.; Under Negotiation: Price and terms of payment.
- 5. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – significant exposure to litigation pursuant to California Government Code section 54956.9(b): One Case.

6. **CONFERENCE WITH LABOR NEGOTIATORS** – pursuant to California Government Code section 54957.6; City designated representatives: Ana Cortez, Jazzman Brown, and Jeff Bailey; Employee organizations: Antioch Public Works Association and Antioch Police Sworn Management Association.

ADJOURN TO CLOSED SESSION

Mayor Thorpe adjourned to Closed Session at 5:18 P.M.

7:00 P.M. REGULAR MEETING

Mayor Thorpe called the meeting to order at 7:01 P.M., and City Clerk Householder called the roll.

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

PLEDGE OF ALLEGIANCE

Mayor Thorpe led the Pledge of Allegiance.

City Clerk Householder and a translator announced in English and Spanish that translation services and transmitters were available for the public.

ON MOTION BY COUNCILMEMBER BARBANICA, SECONDED BY COUNCILMEMBER TORRES-WALKER, THE CITY COUNCIL UNANIMOUSLY SUSPENDED THE RULES AND MOVED PUBLIC HEARING ITEM #4, TO BE HEARD AS THE NEXT ORDER OF BUSINESS.

PUBLIC HEARING

4. RENT STABILIZATION ORDINANCE INTRODUCTION

City Attorney Smith presented the staff report dated August 23, 2022, recommending the City Council: 1) Set a limit on rental rate increases as the greater of ____ percent (____%) or ____ percent (____%) of the Consumer Price Index for All Urban Consumers in the San Francisco-Oakland-Hayward Area published by the Bureau of Labor Statistics. 2) Introduce, waive the first reading, and introduce by title only the Rent Stabilization Ordinance.

Mayor Thorpe opened the public hearing.

Ralph Hernandez, Proponent, Antioch resident, spoke in support of the rent stabilization ordinance. He reported there were tenants that needed legal intervention and representation from the City to address illegal rent increases and their complaints related to uninhabitable units.

Greg Lyons, Antioch resident, stated he was a former landlord who sold his rental property due to the fees associated with rental units and the difficulties he had finding tenants who would maintain the property. He stated he was opposed to the ordinance because it would prevent landlords from raising rents after tenants vacated, to address damages and increased costs.

Jackie Lowery, Juan Souzalez, Yolanda Roberts, Treveyon Carlson, Thomas Heidt and Della Currie, Antioch residents, representing ACCE, Frank Sterling, Joshua Gonzalez, Antioch resident, Saabir Locket, Faith Alliance for a Moral Economy, Rhea Laughlin, First 5 Contra Costa and East County Regional Group, Betty Geboldon, Todos Santos Tenants Union, Lawrence Elliott, Evette Gelard, Dalieyah Marie Dollarhide and Deborah Polk representing ECRG, Tony Bravo and Judith Ortiz, representing Monument Impact, Joe Summers, Contra Costa Labor Counsel, Traci Young, Contra Costa Labor Counsel and United Way Bay Area, spoke in support of the rent stabilization ordinance. Several speakers requested Council set a limit on rent increases as the greater of 60% or 3% of the CPI. Additional suggestions included making the ordinance retroactive, eliminating exceptions for low-income housing, and instituting a rent board to settle disputes.

Cecelia Canchos, Antioch resident, ACCE, discussed a fire that occurred at her apartment and the substandard living conditions that resulted. She spoke in support of the rent stabilization ordinance.

Kristi Laughlin, East Bay Alliance for Sustainable Economy (EBASE), Chris Schildt, Urban Habitat, Francisco Torres, Leah Simon-Weisberg, ACCE, Ali Uscilka, Healthy and Active Before 5 and Debra Ballinger, Monument Impact, requested Council heed the recommendations in the letter they submitted on behalf of several organizations, regarding rent control.

Myriam Saenz ECRG, Dulce Franco, Maria Lopez, Rocio Arambulo, Theresa Lua, Berta and Susana Sanchez, provided comments in Spanish that were simultaneously translated into English transmitters for Council and the public.

Leslie May spoke in support of the rent stabilization ordinance and requested Council set a limit on rent increases at 2% of the CPI.

Ethan Silverstein, ACCE, spoke in support of the rent stabilization ordinance. He requested Council set a limit on rent increases at 60% CPI with a 3% cap. Additionally, he requested a petition process for decreases in housing services and asked that the ordinance be retroactive to January 2022. He also spoke in support of anti-harassment, just cause and fair chance ordinances.

Stephany Morris, Delta View Apartments, discussed her substandard and unsafe living conditions.

Brendon O'Laskey, ECRG, spoke in support of the rent stabilization ordinance with a limit on rent increases at 60% CPI with a 3% cap. Additionally, he requested the ordinance be

retroactive and asked for the establishment of a rent board to mediate disputes. He also spoke in support of just cause and anti-harassment protections.

Taylor Rosa and Linda Willis, ACCE, residents of the Twin Creeks Apartments, discussed their substandard living conditions and inadequate property management. They spoke in support of the rent stabilization ordinance.

Devin Williams, spoke in support of a rent stabilization ordinance that included LIHTC properties, with a limit on rent increases at 60% CPI with a 3% cap. He also spoke in support of just cause and anti-harassment protections.

Sandra Withrow, Antioch resident representing ACCE, discussed her struggles with homelessness.

Charlotte Rivers, Antioch resident, discussed her substandard living conditions and spoke in support of the rent stabilization ordinance.

Devin Williams read a statement from Raquel Maramag, ACCE, regarding a notice to vacate her apartment.

Joe Stokley, Property Manager, sympathized with the speakers; however, he believed the issues were contained to a limited number of unethical landlords. He commented there were current laws in place and suggested stakeholders protect the tenants. He felt more bureaucracy would cause property owners to remove their properties from the rental market.

Reverend Sophia DeWitt, East Bay Housing Organizations, spoke in support of the rent stabilization ordinance and addressing corporate landlords who took advantage of the low-income housing tax credit program. She expressed concern that a strict rent formula could negatively impact mission-driven non-profit affordable housing properties.

Peter Pan spoke in opposition to the rent stabilization ordinance because he felt it would have an adverse effect on the rental market.

Rhovy Antonio, California Apartment Association, explained that rents were regulated statewide under the California Tenant Protection Act of 2019 (AB1482). She commented that passing a one-sided ordinance was bad public policy. She requested the City investigate an exemption so the fair rate of petition fees could be waived for low-income housing providers. Additionally, she requested flexibility for those whose primary income was from rental properties. She supported strong code enforcement processes to ensure health and safety codes were maintained in rental housing.

Patricia Granados sympathized with tenants who spoke this evening and encouraged the City to protect their families.

Jazmine Washington, Delta View Apartments, discussed her substandard living conditions and inadequate property management. She requested the City provide resources for those facing evictions.

Mac Zhu stated he was a landlord with properties in Antioch. He sympathized with the tenants and noted this appeared to be an isolated issue that needed to be addressed. He emphasized supply and demand in Antioch was reasonably balanced without rent control. He believed this ordinance would affect that balance because non-corporate landlords would leave the rental business, decreasing inventory and increasing rents. He felt providing more housing was the solution.

Public comments submitted in writing were entered into the record from the following individuals: Hannah Garcia on behalf of Interim CEO Pamela Calloway East Bay Community Foundation, Rhea Laughlin, Community Engagement & Advocacy Program, Coalition of Antioch Residents, Workers, Parents and Organizations, Mark Jordan, Patricia Agular, Pittsburg resident representing ACCE, Maria Velazquez and Jazmine Washington, Antioch resident.

Mayor Thorpe declared a recess at 9:56 P.M. The meeting reconvened at 10:07 P.M. with all Councilmembers present.

Mayor Thorpe closed the public hearing.

Councilmember Torres-Walker thanked everyone for their comments and spoke in support of the City providing more affordable housing with tenant protections. She spoke in support of the recommendations set forth in the letter they received from the coalition of non-profit organizations.

In response to Councilmember Torres-Walker, Leah Simon Weisberg clarified that they did not believe the rent stabilization ordinance would have a negative impact on mission driven non-profit affordable housing properties.

Councilmembers Ogorchock and Wilson thanked the public speakers this evening.

In response to Councilmember Wilson, Leah Simon Weisberg provided a definition of housing services.

Councilmember Wilson requested the ordinance include a definition of housing services and be retroactive to January.

Councilmember Barbanica thanked the public speakers. He explained that most offenders were corporate landlords, and he would like to find a way to close the loopholes that allowed them to unreasonably raise rents. He expressed concern regarding the harm this ordinance would create for the single property landlords who were not arbitrarily increasing rents. He stated this ordinance would not apply to most properties in Antioch because of case and state laws.

Councilmembers Wilson and Torres-Walker supported setting a limit on rental rate increases as the greater of 60% CPI with a 3% cap.

Councilmember Ogorchock recommended setting a limit at 5 with 10%.

Councilmember Barbanica suggested the City follow the guidelines for increases set by AB1482.

Councilmember Torres-Walker stated she believed landlords who purchased a single-family residence, condominium, or duplex to turn them into rental units were committed to keeping rents affordable and would not be impacted by this ordinance.

Mayor Thorpe appreciated the comments this evening. He announced this was the first part of the City's tenant protections and just cause and anti-harassment would be coming soon.

A motion was made by Councilmember Barbanica to adopt the resolution setting the limit on rental rate increases consistent with AB1482, that follows the guidelines of AB 1482 eliminating the loophole to raise rents any higher than what is outlined in AB1482. The motion failed due to the lack of a second.

On motion by Councilmember Wilson, seconded by Councilmember Torres-Walker the City Council set a limit on rental rate increases as the lesser of sixty percent (60%) or three percent (3%) as a flat cap of the Consumer Price Index. The motion carried the following vote:

Ayes: Councilmember Torres-Walker, Wilson, Thorpe

Noes: Ogorchock, Barbanica

In response to Councilmember Ogorchock, Mayor Thorpe agreed to revisit landlord fees at a later date.

On motion by Councilmember Wilson, seconded by Councilmember Torres-Walker the City Council introduced, waived the first reading, and introduced by title only the Rent Stabilization Ordinance. The motion carried the following vote:

Ayes: Councilmember Torres-Walker, Wilson, Thorpe

Noes: Ogorchock, Barbanica

Mayor Thorpe moved to suspend the rules to move Public Comment and Public Hearing Items #5 and 6 as the next order of business. Councilmember Barbanica seconded the motion.

Following discussion, Mayor Thorpe withdrew the motion and made the following motion to include Consent Calendar Item G.

ON MOTION BY MAYOR THORPE, SECONDED BY COUNCILMEMBER BARBANICA, THE CITY COUNCIL UNANIMOUSLY SUSPENDED THE RULES AND MOVED PUBLIC COMMENTS, CONSENT CALENDAR ITEM #3G, AND PUBLIC HEARING ITEMS #5 AND #6 TO BE HEARD AS THE NEXT ORDER OF BUSINESS.

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**, case settlement of \$495,000 was approved by Council 5/0, **#2 CONFERENCE WITH REAL PROPERTY NEGOTIATIONS – EXISTING LITIGATION**, direction provided to City Attorney and Assistant City Manager, **#3 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**, direction provided to City Attorney, **#4 CONFERENCE WITH REAL PROPERTY NEGOTIATIONS**, direction provided to City Attorney and Assistant City Manager, **#5 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**, no reportable action; and, **#6 CONFERENCE WITH LABOR NEGOTIATORS**, direction provided to Labor Negotiators.

PUBLIC COMMENTS

Flori Paniagua, Team Jesus Outreach Ministries, provided information on their organization.

Ralph Hernandez stated he supported a majority of the Antioch police officers and discussed the ongoing investigation of the APD.

Chris Schildt, Leah Simon Weisberg and Rhea Laughlin requested Council revisit the Rent Stabilization Ordinance and the recommendations they submitted in the letter previously referenced.

Patricia Granados acknowledged Interim Police Chief Ford for his apology related to the recent investigation of the APD.

Andrew Becker announced he had a comment for Consent Calendar Item #1 and questioned why it had not been brought forward. He discussed an unhoused resident that needed assistance and acknowledged Facing Homelessness for assisting them. He expressed concern that the Hotel Voucher Program was not available for these individuals.

3. **CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency**

G. **ORDINANCE NO. 2218-C-S SECOND READING - PROPOSED ORDINANCE AMENDING THE ANTIOCH MUNICIPAL CODE REGARDING THE PARKING OF MOTOR VEHICLES, INCLUDING RECREATIONAL VEHICLES, ON RESIDENTIAL PROPERTY (Introduced on 07/26/2022)**

Ralph Hernandez, Antioch resident, stated he did not support restricting recreational vehicles or charging fees for annual permits.

Ralph Hernandez read written comment from Norma Hernandez stating she did not support restricting Recreational Vehicles on private property.

Michelle Barlow yielded her speaker time to Roshon Williams

Roshon Williams spoke in support of Council approving the Ordinance.

Linda Jones, Antioch resident, spoke in opposition to amending the Ordinance.

Suzanne Miller yielded her speaker time to Richard.

Richard reported the ordinance amendment did not address limiting permits, restrictions for camper shells and a process for non-conforming units. He believed the ordinance did not take under consideration the opinion of a majority of residents who opposed this item.

Leslie May spoke in opposition to camper shells being allowed on supports in driveways and encouraged Council to consider all public comments.

Greg Farina yielded his speaker time to Roshon Williams.

Roshon Williams suggested residents opposed to this ordinance purchase homes in HOA communities. She discussed challenges associated with storing recreational vehicles off of their property.

Public comment submitted in writing was entered into the record from the following individual: Joe Canepa.

On motion by Councilmember Ogorchock, seconded by Councilmember Torres-Walker, the City Council approved Item G. The motion carried the following vote:

Ayes: Torres-Walker, Ogorchock, Wilson, Thorpe

Noes: Barbanica

PUBLIC HEARING – Continued

5. ONE PLANT CANNABIS DISTRIBUTION AT 2710 WEST 10TH STREET (UP-21-17)

Director of Community Development Ebbs presented the staff report dated August 23, 2022, recommending the City Council adopt the resolution approving a Use Permit to operate a cannabis distribution facility subject to conditions of approval (UP-21-17).

Mayor Thorpe opened the public hearing.

Ralph Hernandez stated cannabis was illegal federally and noted that the benefits did not outweigh the negative effects of this business. He requested Council deny the application.

Mayor Thorpe closed the public hearing.

Councilmember Ogorchock stated she was disappointed the applicant was not in attendance this evening. She requested the owner update landscaping around the building.

Councilmember Torres-Walker reported the owner had been present; however, the initial agenda item ran long. She clarified that this application was for an expansion of an existing business, and it was not located in a residential neighborhood.

Mayor Thorpe commented that the initial One Plant application discussed the future use of this space.

RESOLUTION NO. 2022/140

On motion by Councilmember Wilson, seconded by Councilmember Torres-Walker, the City Council adopted the resolution approving a Use Permit to operate a cannabis distribution facility subject to conditions of approval (UP-21-17). The motion carried the following vote:

Ayes: Torres-Walker, Wilson, Thorpe

Noes: Ogorchock, Barbanica

6. 300 G STREET RETAIL CANNABIS DISPENSARY (UP-22-01)

Councilmember Wilson announced that an issue was brought to her attention that she discussed with City Attorney Smith and as a result, she would have to recuse herself from this agenda item. She left the dais.

Director of Community Development Ebbs presented the staff report dated August 23, 2022, recommending the City Council adopt the Resolution approving a Use Permit to operate a retail cannabis dispensary subject to findings and Conditions of Approval (UP-22-01).

Mayor Thorpe opened the public hearing.

Vinayak Shastry provided a PowerPoint presentation of their project which included interior design, introduction of their team, neighborhood compatibility plan, labor and employment, youth education and use prevention.

Ralph Hernandez stated he opposed the project and discussed the adverse effects of cannabis use. He reported that cannabis was illegal federally. He expressed concern that this project was located near residential property and asked what the financial benefits would be for the City.

Andrew Becker spoke in support of the project and discussed the advantages of medicinal cannabis use.

Leslie May discussed the advantages of medicinal cannabis use and the financial stability provided by cannabis businesses.

Melissa Case spoke in opposition to this project. She stated cannabis use often led to harder drugs and homelessness. She spoke in support of managing marketing to prevent cannabis businesses from advertising to children.

Patricia Granados reported cannabis dispensaries were contributing to the City financially and had had a positive impact on the community.

Mayor Thorpe closed the public hearing.

Councilmember Barbanica stated he had not supported the overlay for cannabis businesses in this area because it lacked restrictions for their proximity to sensitive uses. He noted that because he did not support the overlay, he could not support the business in this location.

In response to Councilmember Ogorchock, Mr. Shastry stated his security plan would be compliant with the requirements of the City of Antioch.

Captain Morefield and Director of Community Development Ebbs confirmed that a requirement for two security guards was in their conditions of approval.

A motion made by Councilmember Torres-Walker, seconded by Mayor Thorpe to adopt the Resolution approving a Use Permit to operate a retail cannabis dispensary subject to findings and Conditions of Approval (UP-22-01) failed by the following vote:

Ayes: Torres-Walker, Thorpe

Noes: Ogorchock, Barbanica

Following discussion, Mayor Thorpe announced that the remaining agenda items would be moved to a special meeting on August 26, 2022. He stated at the request of Director of Public Works/City Engineer Samuelson, there would be additional items added to the agenda.

Councilmember Wilson returned to the dais.

After further consideration, Council agreed to hear item #7 prior to Adjournment.

COUNCIL REGULAR AGENDA

7. CONTRA COSTA MOSQUITO AND VECTOR CONTROL BOARD OF TRUSTEES' (ANTIOCH RESIDENT REPRESENTATIVE) APPOINTMENT FOR ONE (1) PARTIAL-TERM VACANCY EXPIRING APRIL 2024

City Clerk Householder announced Mayor Thorpe nominated Wade Finlinson to serve as the Antioch Resident Representative to the Contra Costa Mosquito and Vector Control Board of Trustees. She read Mr. Finlinson's biography.

Mr. Finlinson thanked the City Council for the opportunity to serve.

Mayor Thorpe thanked Mr. Finlinson for volunteering to represent Antioch.

RESOLUTION NO. 2022/141

On motion by Councilmember Barbanica, seconded by Councilmember Ogorchock, the City Council unanimously approved by resolution, Wade Finlinson as one (1) Antioch Resident Representative to the Contra Costa Mosquito and Vector Control Board of Trustees for one partial-term vacancy expiring April 2024.

City Clerk Householder administered the Oath of Office to Mr. Finlinson.

ADJOURNMENT

On motion by Councilmember Barbanica, seconded by Councilmember Torres-Walker the City Council unanimously adjourned the meeting at 12:27 P.M.

[THE FOLLOWING COUNCIL MEETING AGENDA ITEMS WILL BE MOVED TO THE 08/26/2022 COUNCIL SPECIAL MEETING TO BE HEARD]

1. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

- *HOT AUGUST CRUISE NIGHT – AUGUST 27, 2022*
Downtown Antioch's Rivertown District, W. 2nd Street, Antioch
- *PEDDLER'S FAIRE – SEPTEMBER 10, 2022*
Downtown Antioch's Rivertown District, G Street & 2nd Street, Antioch

2. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

- SALES TAX CITIZENS' OVERSIGHT COMMITTEE
- BOARD OF ADMINISTRATIVE APPEALS

CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS

MAYOR'S COMMENTS

3. CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency

A. APPROVAL OF COUNCIL MEETING MINUTES FOR JUNE 28, 2022

Recommended Action: It is recommended that the City Council approve the Meeting Minutes.

B. APPROVAL OF COUNCIL MEETING MINUTES FOR JULY 26, 2022

Recommended Action: It is recommended that the City Council continue the Meeting Minutes.

C. APPROVAL OF COUNCIL MEETING MINUTES FOR AUGUST 9, 2022

Recommended Action: It is recommended that the City Council continue the Meeting Minutes.

D. APPROVAL OF COUNCIL WARRANTS

Recommended Action: It is recommended that the City Council approve the warrants.

E. APPROVAL OF HOUSING SUCCESSOR WARRANTS

Recommended Action: It is recommended that the City Council approve the warrants.

F. REJECTION OF CLAIM: EDWARD BURKHALTER

Recommended Action: It is recommended that the City Council reject the claim submitted by Edward Burkhalter.

(G. COUNCIL MOTIONED TO MOVE ITEM G TO BE HEARD AFTER PUBLIC COMMENTS)

H. FIRST AMENDMENT TO THE DESIGN CONSULTING SERVICES AGREEMENT WITH BROWN AND CALDWELL FOR ON-CALL PROFESSIONAL ENGINEERING DESIGN SERVICES (P.W. 700-1)

Recommended Action: It is recommended that the City Council adopt a resolution:

- 1) Approving the first amendment to the Design Consulting Services Agreement with Brown and Caldwell for On-Call Professional Engineering Design Services in the amount of \$50,000 for a total contract amount of \$100,000; and*
- 2) Authorizing and directing the City Manager or designee to execute the first amendment to the Design Consulting Services Agreement in a form approved by the City Attorney.*

- I. RESOLUTION APPROVING THE FINAL MAP AND IMPROVEMENT PLANS FOR PARK RIDGE PHASE 5 SUBDIVISION 9578 (DAVIDON HOMES) AND ANNEXING TO CITYWIDE LIGHTING AND LANDSCAPING DISTRICT 10 ZONE 1 (P.W. 674-5)**

Recommended Action: It is recommended that the City Council adopt a resolution approving the final map and improvement plans for Park Ridge Phase 5, Subdivision 9578, and annexing to City Wide Lighting and Landscaping District 10, Zone 1.

- J. CROWDSTRIKE CYBER SECURITY SERVICES 5-YEAR CONTRACT**

Recommended Action: It is recommended that the City Council adopt a resolution authorizing the City Manager or designee to execute a 5-year contract for CrowdStrike cyber security services via ePlus Technology, Inc. in the amount not to exceed \$340,000.

- K. AB 361: RESOLUTION MAKING FINDINGS NECESSARY TO CONDUCT BROWN ACT MEETINGS BY TELECONFERENCE FOR THE CITY COUNCIL, BOARDS, COMMISSIONS, AND COMMITTEES**

Recommended Action: It is recommended that the City Council adopt the resolution authorizing remote teleconference/virtual meetings of the legislative bodies of the City of Antioch, which includes the City Council, boards, commissions, and committees.

- L. CRITICAL INCIDENT STRESS MANAGEMENT & WELLNESS CONTRACT**

Recommended Action: It is recommended that the City Council adopt a resolution approving a one-year sole source contract with Public Safety Family Counseling Group, INC. to provide critical incident stress management and facilitate the emotional wellness roof of Police Department personnel from July 1, 2022 to June 30, 2023 and authorizing the City Manager to execute an agreement with Public Safety Family Counseling Group, INC., not to exceed \$75,000 for a one year period with an option to extend.

COUNCIL REGULAR AGENDA

8. CODE ENFORCEMENT STAFFING UPDATE

Recommended Action: It is recommended that the City Council receive the update on Code Enforcement staffing.

9. RESOLUTION APPROVING THE CLASS SPECIFICATION UPDATES FOR THE MANAGEMENT AND ANTIOCH POLICE SWORN MANAGEMENT BARGAINING UNITS

Recommended Action: It is recommended that the City Council adopt the resolutions approving two class specification updates to the Management Bargaining Unit and the Antioch Police Sworn Management Association.

10. EMPLOYEE REFERRAL AND RECRUITMENT SIGNING BONUS AND INCENTIVE PROGRAM FOR QUALIFIED LATERAL AND ENTRY LEVEL POLICE OFFICERS

Recommended Action: It is recommended that the City Council:

- 1) Adopt the resolution authorizing an increase in employee referral and recruitment signing bonus and incentive program for qualified lateral and entry level (academy graduate and recruit) Police Officers; and*
- 2) Authorize staff to perform additional research on the Antioch Homeownership Incentive Program for Police Academy graduates.*

11. RESOLUTION SEEKING APPROVAL OF CITY CLERK'S REQUEST FOR THE CITY ATTORNEY TO PROVIDE MANAGERIAL OVERSIGHT OF THE CITY CLERK'S DEPARTMENT

Recommended Action: It is recommended that the City Council adopt the resolution approving the City Clerk's request for the City Attorney to provide day-to-day managerial oversight of the City Clerk's Department.

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS – Council Members report out various activities and any Council Member may place an item for discussion and direction on a future agenda. Timing determined by Mayor and City Manager – no longer than 6 months.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk

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

**Special Meeting
4:30 P.M.**

**August 26, 2022
Council Chambers**

4:30 P.M. – SPECIAL MEETING/CLOSED SESSION

Mayor Thorpe called the meeting to order at 4:30 P.M., and City Clerk Householder called the roll.

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

PLEDGE OF ALLEGIANCE

Mayor Thorpe led the Pledge of Allegiance.

PUBLIC COMMENTS

Lindsay Amezcua acknowledged Women's Equality Day and spoke in support of appointing Assistant City Manager Bayon Moore as City Manager.

Mark Jordan, Antioch resident, requested the City open the recruitment process or hire Assistant City Manager Bayon Moore as City Manager.

Ralph Hernandez, Antioch resident, stated both he and his wife were in support of appointing Interim City Manager Johnson as City Manager.

1. **PUBLIC EMPLOYEE APPOINTMENT** pursuant to Government Code section 54957:
Title: City Manager.

ADJOURN TO CLOSED SESSION

Mayor Thorpe adjourned to Closed Session at 4:38 P.M.

5:00 P.M. SPECIAL MEETING

Mayor Thorpe called the meeting to order at 5:05 P.M., and City Clerk Householder called the roll.

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

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 PUBLIC EMPLOYEE APPOINTMENT pursuant to Government Code section 54957: Title: City Manager**, no reportable action.

OPENING REMARKS BY MAYOR AND CITY COUNCIL – None

1. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Assistant City Manager Bayon Moore announced the following civic and community events.

- Hot August Cruise Night – August 27, 2022
- Peddler's Faire – September 10, 2022

Ralph Hernandez, Antioch resident, spoke in support of the Hot August Cruise Night events and announced that he would be participating.

2. CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency

A. APPROVAL OF COUNCIL WARRANTS

B. APPROVAL OF HOUSING SUCCESSOR WARRANTS

C. REJECTION OF CLAIM: EDWARD BURKHALTER

D. RESOLUTION NO. 2022/142 FIRST AMENDMENT TO THE DESIGN CONSULTING SERVICES AGREEMENT WITH BROWN AND CALDWELL FOR ON-CALL PROFESSIONAL ENGINEERING DESIGN SERVICES (P.W. 700-1)

E. RESOLUTION NO. 2022/143 APPROVING THE FINAL MAP AND IMPROVEMENT PLANS FOR PARK RIDGE PHASE 5 SUBDIVISION 9578 (DAVIDON HOMES) AND ANNEXING TO CITY-WIDE LIGHTING AND LANDSCAPING DISTRICT 10 ZONE 1 (P.W. 674-5)

F. RESOLUTION NO. 2022/144 CROWDSTRIKE CYBER SECURITY SERVICES 5-YEAR CONTRACT

G. RESOLUTION NO. 2022/145 AB 361: RESOLUTION MAKING FINDINGS NECESSARY TO CONDUCT BROWN ACT MEETINGS BY TELECONFERENCE FOR THE CITY COUNCIL, BOARDS, COMMISSIONS, AND COMMITTEES

H. RESOLUTION NO. 2022/147 AUTHORIZATION TO PURSUE SAFE STREETS AND ROADS FOR ALL GRANT PROGRAM APPLICATION

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

Item E – Andrew Becker expressed concern that park spaces for this development were incomplete.

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

COUNCIL REGULAR AGENDA

3. RESOLUTION APPROVING THE CLASS SPECIFICATION UPDATES FOR THE MANAGEMENT AND ANTIOCH POLICE SWORN MANAGEMENT BARGAINING UNITS

Director of Human Resources Cortez presented the staff report dated August 26, 2022, recommending the City Council: 1) Adopt the resolution approving one class specification update to the Management Bargaining Unit; and 2) Adopt the resolution approving one class specification update to the Antioch Police Sworn Management Association.

RESOLUTION NO. 2022/146

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica, the City Council unanimously adopted the resolution approving one class specification update to the Management Bargaining Unit.

RESOLUTION NO. 2022/148

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica, the City Council unanimously adopted the resolution approving one class specification update to the Antioch Police Sworn Management Association.

4. EMPLOYEE REFERRAL AND RECRUITMENT SIGNING BONUS AND INCENTIVE PROGRAM FOR QUALIFIED LATERAL AND ENTRY LEVEL POLICE OFFICERS

Interim Police Chief Ford presented the staff report dated August 26, 2022, recommending the City Council: 1) Adopt the resolution authorizing an increase in employee referral and recruitment signing bonus and incentive program for qualified lateral and entry level (academy graduate and recruit) Police Officers; and 2) Authorize staff to perform additional research on the Antioch Homeownership Incentive Program for Police Academy graduates.

Mayor Thorpe commented that the numbers provided in the staff report were examples and if Council wanted to move forward with an incentive program, those amounts could be adjusted.

City Attorney Smith added that if Council decided to move forward, they could provide direction.

Mayor Thorpe explained that additional legal analysis would be needed for the down payment assistance program.

Ralph Hernandez, Antioch resident, agreed that the City needed more police officers; however, he felt incentives proposed were excessive.

Ralph Hernandez read written comment from Norma Hernandez, Antioch resident, expressing concern for potential ramifications and the financial impacts of this program.

Lynette Harte spoke in support of an incentive/bonus program. She suggested Council consider the impact this program would have on current officers and questioned what the process would be for collecting funds in the event they did not follow through with their obligations.

Councilmember Ogorchock spoke in support of providing incentives to officers, dispatchers and staff who remained with the City during COVID. She discussed the difficulties associated with collecting on loans that were defaulted on. She requested that all areas of the program where it stated "shall", be amended to read "must".

Mayor Thorpe explained the intent of the down payment assistance program was to allow officers to use their incentives for that option; however, legal analysis needed to take place prior to consideration.

City Attorney Smith added if Council wanted to explore a down payment assistance program, he would provide models for Council to consider.

Councilmember Torres-Walker stated she supported a lateral and new recruitment incentive program; however, she felt \$40k was excessive.

Mayor Thorpe commented that this initial proposal was for a period of one year and he believed the program needed to be significant to be effective.

Councilmember Wilson expressed concern regarding the down payment assistance program. She felt a \$40k incentive program was excessive and requested to see other options.

Mayor Thorpe stated they had discussed mirroring the payment increments to correspond with employment, completion of field training and then looking at a timeframe after that.

Interim Police Chief Ford stated he appreciated everyone's input this evening. He reported the organization was in a staffing crisis and public as well as officer safety was a concern. He noted this program would be an investment in public safety. He commented that good leadership kept officers in policing and discussed future training modules. He reviewed his role in recruitment for SFPD.

Councilmember Barbanica spoke in support of increasing the incentive program to \$25k and noted they should also provide a bonus program for employees who remained with the City during COVID. He expressed concern regarding the feasibility of the escrow program.

Councilmember Torres-Walker reported that every City department was understaffed. She thanked Interim Police Chief Ford for his insight and discussed the importance of recruiting the right people to serve.

Interim Police Chief Ford reiterated his focus was public safety followed closely by officer safety. He noted the first concern of any City in America was a safe environment and from a public safety perspective, there were not enough officers to keep Antioch safe. He acknowledged the need to hire the right personnel in a transparent and prudent manner. He discussed the importance of having a robust recruitment that marketed the organization so they could illicit like-minded people to serve the community. He offered to work with the City Attorney on researching the down payment assistance portion of this item.

Councilmember Barbanica thanked Interim Police Chief Ford for the presentation and thanked him for bringing this item forward.

Mayor Thorpe thanked everyone for their comments and noted that this tool would help the Antioch Police Department address the needs of the City. He stated that he hoped this program could be used as a model for incentivizing all of the City's vacant authorized positions.

Following discussion, Council consensus directed staff to bring back an incentive program at the \$25,000 and \$30,000 levels, front loading both models at \$15,000. There was no consensus to bring back the homeownership incentive option.

Mayor Thorpe suggested Council consider ARPA funding for a potential employee incentive program for those individuals who remained with the City during COVID.

PUBLIC COMMENTS

Velma Wilson spoke in support of the APD incentive program and noted the narrative was also important. She recognized the APD and Interim Police Chief Ford for their hard work. She also recognized Women's Equality Day, dedicated it to Assistant City Manager Bayon Moore and suggested Council consider hiring her as the City Manager.

Richard expressed concern that Council had approved an RV Ordinance amendment without addressing the number of permits allowed and offered his suggestions for additional amendments to the ordinance. He spoke in support of Antioch banning new gas stations and encouraged the City to install more public EV charging stations.

STAFF COMMUNICATIONS – None

COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS

Councilmember Ogorchock requested the following updates be agendaized: installation of intersection cameras and ARPA fund expenditures.

ADJOURNMENT

On motion by Councilmember Barbanica, seconded by Councilmember Ogorchock, the City Council unanimously adjourned the meeting at 6:21 P.M.

Respectfully submitted:

Kitty Eiden
KITTY EIDEN, Minutes Clerk



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of October 11, 2022

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Ellie Householder, MPP, City Clerk
Christina Garcia, CMC, Deputy City Clerk *Cg*

SUBJECT: City Council Meeting Minutes of September 13, 2022

RECOMMENDED ACTION

It is recommended that the City Council continue the Meeting Minutes of September 13, 2022, to the next meeting.

FISCAL IMPACT

None

DISCUSSION

N/A

ATTACHMENT

None.



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of October 11, 2022

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Ellie Householder, MPP, City Clerk
Christina Garcia, CMC, Deputy City Clerk *Cg*

SUBJECT: City Council Meeting Minutes of September 27, 2022

RECOMMENDED ACTION

It is recommended that the City Council continue the Meeting Minutes of September 27, 2022, to the next meeting.

FISCAL IMPACT

None

DISCUSSION

N/A

ATTACHMENT

None.



CLAIMS BY FUND REPORT
FOR THE PERIOD OF
SEPT. 15 - SEPT. 28, 2022
FUND/CHECK #

100 General Fund
Non Departmental

00002599	ELITE PERMITS SERVICES	BOND REFUND	500.00
00002600	OAK PLUMBING INC	BOND REFUND	1,200.00
00402614	CLARKE MD, RANDOLTH J	OVERPAYMENT REFUND	4.00
00402621	COURT ORDERED DEBT COLLECTIONS	PAYROLL	39.76
00402622	DIAMOND HILLS SPORT CLUB	PAYROLL	80.00
00402636	HOME DEPOT, THE	REFUND CBSC FEE	1.50
00402639	IN SHAPE HEALTH CLUBS	PAYROLL	368.99
00402643	LAW OFFICE OF RUTHANN G ZIEGLER	LEGAL SERVICES	5,472.50
00402645	LIFE INSURANCE CO OF NORTH AMERICA	PAYROLL	4,361.42
00402650	MUNICIPAL POOLING AUTHORITY	PAYROLL	2,074.27
00402651	MUNICIPAL POOLING AUTHORITY	PAYROLL	999.75
00402652	MUNICIPAL POOLING AUTHORITY	PAYROLL	4,943.67
00402656	OPERATING ENGINEERS LOCAL NO 3	PAYROLL	3,752.00
00402660	PARS	PAYROLL	5,881.01
00402666	STANTEC CONSULTING SERVICES INC	CONSULTING SERVICES	4,006.25
00402667	STATE OF CALIFORNIA	PAYROLL	50.00
00402668	STATE OF CALIFORNIA	PAYROLL	184.54
00402669	STATE OF CALIFORNIA	PAYROLL	75.00
00402677	US DEPARTMENT OF THE TREASURY	PAYROLL	435.00
00402684	AFLAC	INSURANCE PREMIUM	4,625.64
00402706	BLUE SHIELD LIFE	INSURANCE PREMIUM	4,453.78
00402729	DELTA DENTAL	INSURANCE PREMIUM	41,720.91
00402761	LAW OFFICE OF RUTHANN G ZIEGLER	LEGAL SERVICES	412.50
00402766	LIFE INSURANCE COMPANY	PAYROLL	7,888.69
00402786	PENGUIN HOME SOLUTIONS INC	OVERPAYMENT REFUND	1.50
00943544	ANTIOCH PD SWORN MGMT ASSOC	PAYROLL	660.00
00943545	ANTIOCH POLICE OFFICERS ASSOCIATION	PAYROLL	21,039.36
00943546	ANTIOCH PUBLIC WORKS EMPLOYEE'S ASSOC.	PAYROLL	4,587.01
00943555	NATIONWIDE RETIREMENT SOLUTIONS	PAYROLL	39,259.73
00943557	VANTAGEPOINT TRANSFER AGENTS 301362	PAYROLL	7,834.49
00943558	NATIONWIDE RETIREMENT SOLUTION	PAYROLL	29,452.34
<i>City Attorney</i>			
00402630	FEDEX	SHIPPING	24.91
00402694	ATKINSON ANDELSON LOYA RUUD & ROMO	LEGAL SERVICES	13,988.25
00402696	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	752.00
00402700	BARRY ANINAG INVESTIGATIONS LLC	LEGAL SERVICES	3,009.75
00402702	BERTRAND FOX & ELLIOT	LEGAL SERVICES	330.00
00402703	BEST BEST AND KRIEGER LLP	LEGAL SERVICES	16,590.60
00402713	COLE HUBER LLP	LEGAL SERVICES	1,166.00
00402717	CONTINUING EDUCATION OF THE BAR	SUPPLIES	522.81
00402749	HANSON BRIDGETT LLP	LEGAL SERVICES	43,103.94
00402757	KRAMER WORKPLACE INVESTIGATIONS	LEGAL SERVICES	2,931.00

CITY OF
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00402762	LEONE AND ALBERTS A PROFESSIONAL CORP.	LEGAL SERVICES	962.33
00402763	LEXISNEXIS	SUBSCRIPTION	236.00
00402764	LIEBERT CASSIDY WHITMORE	LEGAL SERVICES	5,381.00
00402765	LIEBERT CASSIDY WHITMORE	LEGAL SERVICES	1,158.65
00402773	MEYERS NAVE A PROFESSIONAL CORP.	LEGAL SERVICES	85,288.48
00402801	TELECOM LAW FIRM PC	LEGAL SERVICES	1,035.00
00943560	CANON FINANCIAL SERVICES	COPIER LEASE	146.25

City Manager

00402632	FOCUS STRATEGIES	CONSULTING SERVICES	10,682.50
00402633	FOODIE CREW, THE	EVENT SERVICE	6,900.00
00402687	AMBIUS	PROFESSIONAL SERVICES	322.24
00402738	FEDEX	SHIPPING	37.54
00943560	CANON FINANCIAL SERVICES	COPIER LEASE	146.25

City Clerk

00206793	ALHAMBRA	WATER SERVICE	53.41
00301304	DELIA COLORADO	INTERPRETATION SERVICES	200.00
00402655	OFFICE DEPOT INC	SUPPLIES	337.78
00402735	EIDEN, KITTY J	PROFESSIONAL SERVICES	525.00
00402755	JOSE LUIS FERNANDEZ	INTERPRETATION SERVICES	500.00
00402778	OFFICE DEPOT INC	SUPPLIES	65.87
00943548	BAY AREA NEWS GROUP - EAST BAY	LEGAL AD	576.90
00943549	COMPUTERLAND	SUPPLIES	2,441.97
00943552	EIDIM GROUP, INC	SUPPLIES	567.39

Human Resources

00402697	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	1,375.00
00402753	INABNETT, KELLY	EXPENSE REIMBURSEMENT	800.00
00402758	LANGUAGE TESTING INTERNATIONAL INC	LANGUAGE TESTING	290.00
00402778	OFFICE DEPOT INC	SUPPLIES	153.59
00943550	DELL COMPUTER CORP	SUPPLIES	1,442.46

Economic Development

00943560	CANON FINANCIAL SERVICES	COPIER LEASE	146.25
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Finance Accounting

00402655	OFFICE DEPOT INC	SUPPLIES	57.06
00943571	SUPERION LLC	PROFESSIONAL SERVICES	19,768.13

Finance Operations

00402597	ACCOMTEMP	TEMP SERVICES	1,139.52
00402655	OFFICE DEPOT INC	SUPPLIES	12.71
00402681	ACCOMTEMP	TEMP SERVICES	1,424.40
00402788	PITNEY BOWES INC	EQUIPMENT LEASE	1,421.45
00402790	QUADIENT LEASING USA INC	POSTAGE METER RENTAL	1,403.39

Non Departmental

00207137	JIMY LANDSCAPE AND HAULING	OVERPAYMENT REFUND	43.75
00301312	FERRER REVOCABLE TRUST, THE	OVERPAYMENT REFUND	150.00
00301313	FOUNTAIN BLUE POOL SERVICES LLC	OVERPAYMENT REFUND	102.50



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00402614	CLARKE MD, RANDOLTH J	OVERPAYMENT REFUND	322.50
00402620	CONTRA COSTA COUNTY LIBRARY	4TH QTR LIBRARY	38,675.26
Public Works Administration			
00402608	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	89.36
Public Works Street Maintenance			
00301228	CALIFORNIA SHINGLE AND SHAKE	SUPPLIES	184.70
00402608	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	75.00
00402623	DISPENSING TECHNOLOGY CORPORATION	SUPPLIES	4,185.59
00402706	BLUE SHIELD LIFE	INSURANCE PREMIUM	33.62
00402737	FASTENAL CO	SUPPLIES	358.94
00402769	LOWES COMPANIES INC	SUPPLIES	273.10
00402799	SUBURBAN PROPANE	CHEMICALS	628.51
00943565	GRAINGER INC	SUPPLIES	192.61
Public Works-Signal/Street Lights			
00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	7,966.65
00402719	CONTRA COSTA COUNTY	TRAFFIC SIGNAL MAINTENANCE	19,495.75
00402782	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	2,002.25
00402783	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	93.96
Public Works-Facilities Maintenance			
00402604	ANIXTER INC	SUPPLIES	14.58
00402608	BANK OF AMERICA	VARIOUS BUSNIESS EXPENSES	281.93
00402631	FIRE PROTECTION PLUS INC	FIRE ALARM SERVICE	120.00
00402659	PACIFIC GAS AND ELECTRIC CO	GAS	18,262.70
00402701	BAY CITIES PYROTECTOR	TESTING SERVICES	960.00
00402706	BLUE SHIELD LIFE	INSURANCE PREMIUM	12.26
00402730	DEPARTMENT OF INDUSTRIAL RELATIONS	ELEVATOR INSPECTION	225.00
00402752	IDN WILCO	SUPPLIES	98.13
00402769	LOWES COMPANIES INC	SUPPLIES	516.20
00402782	PACIFIC GAS AND ELECTRIC CO	GAS	144.26
00402784	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	431.80
00402792	REAL PROTECTION INC	FIRE ALARM TESTING	535.00
00943565	GRAINGER INC	SUPPLIES	231.62
Public Works-Parks Maint			
00402608	BANK OF AMERICA	VARIOUS BUSNIESS EXPENSES	453.00
00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	1,130.66
00402661	PEPPER INVESTMENTS INC	PEST CONTROL	150.00
00402671	TERRACARE ASSOCIATES	LANDSCAPE SERVICES	95,862.25
00402680	WATERSAVERS IRRIGATION	SUPPLIES	464.96
00402688	AMERICAN PLUMBING INC	PLUMBING SERVICE	870.00
00402691	ANTIOCH ACE HARDWARE	SUPPLIES	110.85
00402782	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	195.83
00402807	WATERSAVERS IRRIGATION	SUPPLIES	107.61
Public Works-Median/General Land			
00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	2,163.87



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00402778	OFFICE DEPOT INC	SUPPLIES	87.79
00402782	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	155.02
00402807	WATERSAVERS IRRIGATION	SUPPLIES	532.70

Police Administration

00301258	CLEAR INC	MEMBERSHIP DUES	50.00
00301259	CITY OF ANTIOCH	PETTY CASH	80.50
00301285	LEXISNEXIS	OVERPAYMENT REFUND	9.00
00301286	LEXISNEXIS	OVERPAYMENT REFUND	14.00
00301287	POLICE REPORT PROCUREMENT INC	OVERPAYMENT REFUND	10.00
00402611	BORG, THOMAS	CHECK REPLACEMENT	46.00
00402630	FEDEX	SHIPPING	28.36
00402649	MOREFIELD, ANTHONY W	PER DIEM	222.00
00402665	SMITH, THOMAS S	CHECK REPLACEMENT	563.00
00402695	BAGEL STREET CAFE	ORAL BOARD INTERVIEWS	95.48
00402698	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	0.63
00402699	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	0.75
00402710	CHAPLIN AND HILL INVESTIGATIVE SERVICES	PROFESSIONAL SERVICES	3,900.00
00402712	CLONINGER, NAHLEEN R	EXPENSE REIMBURSEMENT	56.50
00402725	COX, JOHN SPENCER	EXPENSE REIMBURSEMENT	120.00
00402726	CRUMP INVESTIGATIONS	PRE-EMPLOYMENT	6,309.12
00402727	CRYSTAL CLEAR LOGOS INC	UNIFORMS	64.00
00402739	FERNANDES AUTO WRECKING AND TOWING	TOW SERVICE	3,500.00
00402743	GALLS LLC	SUPPLIES	841.30
00402745	GRAHAM RESEARCH CONSULTANTS	TRAINING	5,561.66
00402756	KIM TURNER LLC	TRAINING	598.00
00402771	MEADS, KORINA M	EXPENSE REIMBURSEMENT	16.80
00402772	MESA OUTDOOR	RECRUITMENT AD	6,400.00
00402776	NET TRANSCRIPTS	TRANSCRIPTION SERVICES	49.64
00402777	OFFICE DEPOT INC	SUPPLIES	63.63
00402778	OFFICE DEPOT INC	SUPPLIES	1,680.85
00402787	PETERSON, SAMANTHA GENOVEVA	EXPENSE REIMBURSEMENT	45.58
00402791	REACH PROJECT INC	AUGUST 2022 SERVICES	17,083.00
00402793	REINKE, LISA MARIE	EXPENSE REIMBURSEMENT	35.00
00402802	TRANSUNION RISK AND ALTERNATIVE DATA	DATABASE	88.20
00943560	CANON FINANCIAL SERVICES	COPIER LEASE	91.16
00943566	IMAGE SALES INC	SUPPLIES	63.60

Police Community Policing

00301259	CITY OF ANTIOCH	PETTY CASH	22.50
00402704	BHALLA SERVICES INC	CARWASHES	1,053.00
00402706	BLUE SHIELD LIFE	INSURANCE PREMIUM	102.55
00402728	D TAC K9 LLC	TRAINING	1,850.00
00402729	DELTA DENTAL	INSURANCE PREMIUM	345.68
00402734	EGAN, JOSHUA	EXPENSE REIMBURSEMENT	23.00
00402745	GRAHAM RESEARCH CONSULTANTS	FUEL	16.50



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Police Investigations

00402718	CONTRA COSTA COUNTY	EVIDENCE LAB WORK	485.00
00402720	CONTRA COSTA COUNTY	EVIDENCE LAB WORK	14,098.00
00402741	FORTNER, JOHN C	EXPENSE REIMBURSEMENT	82.60
00402800	T MOBILE USA INC	CELL ANALYSIS	225.00
00402805	VERIZON WIRELESS	CELL ANALYSIS	1,259.00

Police Special Operations Unit

00402732	EAN SERVICES LLC	RENTAL VEHICLE	4,566.82
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Police Communications

00402617	COMCAST	INTERNET SERVICES	3,216.33
00402689	AMERICAN TOWER CORPORATION	TOWER FEES	772.35
00402690	AMS DOT NET INC	PROFESSIONAL SERVICES	2,691.74
00402715	COMCAST	INTERNET SERVICES	312.18
00402721	CONTRA COSTA COUNTY	RADIO SERVICES	4,043.99
00402744	GLOBALSTAR USA	PHONE SERVICE	273.75
00402785	PACIFIC TELEMAGEMENT SERVICES	PAY PHONE	156.00
00943543	ALTURA COMMUNICATION SOLUTIONS LLC	SUPPLIES & INSTALLATION	8,332.16

Police Facilities Maintenance

00402601	AMERICAN PLUMBING INC	SERVICES	5,920.00
00402659	PACIFIC GAS AND ELECTRIC CO	GAS	33,898.07
00402688	AMERICAN PLUMBING INC	PLUMBING SERVICES	175.00
00402701	BAY CITIES PYROTECTOR	TESTING SERVICES	480.00
00943563	COMPUTERLAND	SUPPLIES	324.86

Youth Network Services

00943560	CANON FINANCIAL SERVICES	COPIER LEASE	169.58
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Housing and Homelessness

00402759	LAUNDERLAND	LAUNDRY VOUCHER PROGRAM	360.00
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Administrative Support

00402794	RIDLEY, JAZMIN K	EXPENSE REIMBURSEMENT	146.80
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Community Development Land Planning Services

00402735	EIDEN, KITTY J	PROFESSIONAL SERVICES	150.00
00402804	URBAN PLANNING PARTNERS	PROFESSIONAL SERVICES	76,755.28

CD Code Enforcement

00402708	CACEO	TRAINING	40.00
00402729	DELTA DENTAL	INSURANCE PREMIUM	52.48
00402798	STAMM ENTERPRISES, LTD	STORAGE	235.00

PW Engineer Land Development

00402627	EAST BAY WORK WEAR	SAFETY SHOES	250.00
00402778	OFFICE DEPOT INC	SUPPLIES	75.17

Community Development Building Inspection

00402603	ANIXTER INC	SUPPLIES	1,453.65
00402604	ANIXTER INC	SUPPLIES	38.45
00402636	HOME DEPOT, THE	DEPOSIT REFUND	145.14
00402655	OFFICE DEPOT INC	SUPPLIES	40.89



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00402786	PENGUIN HOME SOLUTIONS INC	DEPOSIT REFUND	118.90
Capital Imp. Administration			
00207051	ISINGS CULLIGAN	WATER SERVICE	60.50
00402608	BANK OF AMERICA	VARIOUS BUSNIESS EXPENSES	315.54
00402627	EAST BAY WORK WEAR	SAFETY SHOES	246.92
00402778	OFFICE DEPOT INC	SUPPLIES	22.99
211	Delta Fair Property Fund		
Parks & Open Space			
00402707	BPX PRINTING AND GRAPHICS	PRINTING SERVICES	193.34
213	Gas Tax Fund		
Streets			
00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	43,693.67
00402782	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	1,368.22
214	Animal Services Fund		
Animal Services			
00402625	EAST BAY VETERINARY EMERGENCY	VETERINARY SERVICES	1,383.30
00402635	HILLS PET NUTRITION	SUPPLIES	720.48
00402642	KOEFRAN SERVICES INC	PROFESSIONAL SERVICES	2,423.00
00402653	MWI VETERINARY SUPPLY CO	PROFESSIONAL SERVICES	439.88
00402659	PACIFIC GAS AND ELECTRIC CO	GAS	1,784.11
00402685	AIRGAS USA LLC	SUPPLIES	420.23
00402688	AMERICAN PLUMBING INC	PROFESSIONAL SERVICES	306.25
00402706	BLUE SHIELD LIFE	INSURANCE PREMIUM	75.87
00402716	CONCORD FEED	SUPPLIES	469.00
00402729	DELTA DENTAL	INSURANCE PREMIUM	172.84
00402775	MWI VETERINARY SUPPLY CO	VETERINARY SUPPLIES	3,471.02
00943561	CDW GOVERNMENT INC	SUPPLIES	1,287.44
00943567	MOBILE MINI LLC	STORAGE	140.69
219	Recreation Fund		
Non Departmental			
00402607	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	1,160.02
Nick Rodriguez Community Cent			
00402659	PACIFIC GAS AND ELECTRIC CO	GAS	4,734.58
00402701	BAY CITIES PYROTECTOR	TESTING SERVICES	480.00
00402731	DIABLO LIVE SCAN LLC	PRE-EMPLOYMENT	100.00
Senior Programs			
00402659	PACIFIC GAS AND ELECTRIC CO	GAS	3,118.26
00402674	TRI DELTA TRANSIT	BUS TICKETS	5,500.00
00402701	BAY CITIES PYROTECTOR	TESTING SERVICES	480.00
Recreation Sports Programs			
00402607	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	1,612.67
00402612	BSN SPORTS LLC	SUPPLIES	223.27
00402634	GONZALEZ-ALSTON, ZONIA	INSTRUCTOR SERVICE	546.00
00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	4,543.40



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Recreation-Comm Center

00207039	DIRECTV	MUSIC CHANNELS	39.99
00207040	QUADIENT LEASING USA INC	POSTAGE METER RENTAL	65.52
00402596	AAA FIRE PROTECTION SVCS	PROFESSIONAL SERVICES	1,386.19
00402607	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	2,348.43
00402615	COLE SUPPLY CO INC	SUPPLIES	836.42
00402616	COLE SUPPLY CO INC	SUPPLIES	730.78
00402617	COMCAST	INTERNET SERVICES	50.01
00402629	FASTSIGNS	ELECTRICAL SIGNS	127.94
00402655	OFFICE DEPOT INC	SUPPLIES	25.03
00402670	STERICYCLE INC	SHRED SERVICE	222.00
00402672	THOMPSON, RANDALL	PROFESSIONAL SERVICES	189.00
00402676	UNITED STATES POSTAL SERVICE	POSTAGE	9,255.23
00402688	AMERICAN PLUMBING INC	PROFESSIONAL SERVICES	175.00
00402731	DIABLO LIVE SCAN LLC	PRE-EMPLOYMENT	20.00
00402769	LOWES COMPANIES INC	SUPPLIES	44.06
00402782	PACIFIC GAS AND ELECTRIC CO	GAS	28,730.26

Recreation Water Park

00402607	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	2,233.47
00402616	COLE SUPPLY CO INC	SUPPLIES	1,130.32
00402619	COMMERCIAL POOL SYSTEMS INC	CHEMICALS	69.14
00402638	ICEE COMPANY, THE	SUPPLIES	989.79
00402654	NATIONAL AQUATICS INC	TESTING SERVICES	270.00
00402659	PACIFIC GAS AND ELECTRIC CO	GAS	26,044.91
00402670	STERICYCLE INC	SHRED SERVICE	220.47
00402675	ULINE	EVENT RENTALS	3,968.41
00402683	ADVANTASOFT INC	PROFESSIONAL SERVICES	2,791.32
00402701	BAY CITIES PYROTECTOR	TESTING SERVICES	480.00
00402769	LOWES COMPANIES INC	SUPPLIES	196.18

226 Solid Waste Reduction Fund

Solid Waste

00402636	HOME DEPOT, THE	SUPPLIES	35.00
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229 Pollution Elimination Fund

Channel Maintenance Operation

00402599	AL FRESCO LANDSCAPING INC	LANDSCAPE SERVICES	10,800.00
00402686	AL FRESCO LANDSCAPING INC	LANDSCAPE SERVICES	13,320.00
00402706	BLUE SHIELD LIFE	INSURANCE PREMIUM	62.02
00402742	FURBER SAW INC	SUPPLIES	745.85
00402809	WILSON, TYRONE DEMETRUS	EXPENSE REIMBURSEMENT	200.00

238 PEG Franchise Fee Fund

Non Departmental

00943564	EIDIM GROUP, INC	PROFESSIONAL SERVICES	1,640.00
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251 Lone Tree SLLMD Fund

Lonetree Maintenance Zone 1



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00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	1,217.18
<i>Lonetree Maintenance Zone 2</i>			
00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	902.10
252	Downtown SLLMD Fund		
<i>Downtown Maintenance</i>			
00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	350.95
253	Almondridge SLLMD Fund		
<i>Almondridge Maintenance</i>			
00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	269.36
254	Hillcrest SLLMD Fund		
<i>Hillcrest Maintenance Zone 1</i>			
00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	765.00
<i>Hillcrest Maintenance Zone 2</i>			
00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	952.86
<i>Hillcrest Maintenance Zone 4</i>			
00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	848.75
255	Park 1A Maintenance District Fund		
<i>Park 1A Maintenance District</i>			
00402618	COMCAST	INTERNET SERVICES	113.80
00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	265.93
00402782	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	47.32
256	Citywide 2A Maintenance District Fund		
<i>Citywide 2A Maintenance Zone 3</i>			
00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	100.76
<i>Citywide 2A Maintenance Zone 4</i>			
00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	452.46
<i>Citywide 2A Maintenance Zone 5</i>			
00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	571.76
<i>Citywide 2A Maintenance Zone 6</i>			
00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	301.83
<i>Citywide 2A Maintenance Zone 9</i>			
00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	620.66
<i>Citywide 2A Maintenance Zone10</i>			
00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	155.96
257	SLLMD Administration Fund		
<i>SLLMD Administration</i>			
00207064	DPR	LICENSE RENEWAL	60.00
00402608	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	50.00
00943556	RED WING SHOE STORE	SAFETY SHOES	300.00
311	Capital Improvement Fund		
<i>Non Departmental</i>			
00402724	CORPORATE SIGN SYSTEMS INC	PROFESSIONAL SERVICES	11,864.87
570	Equipment Maintenance Fund		
<i>Non Departmental</i>			



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00402637	HUNT AND SONS INC	FUEL	23,744.33
Equipment Maintenance			
00402598	AFFORDABLE TIRE CENTER	SMOG TEST	50.00
00402610	BILL BRANDT FORD	VEHICLE REPAIR	860.10
00402626	EAST BAY WELDING SUPPLY	SERVICES	15.95
00402641	KEN KELLER SALES	REPAIR PARTS	766.90
00402644	LES SCHWAB TIRES OF CALIFORNIA	TIRES	1,467.22
00402646	LIM AUTOMOTIVE SUPPLY INC	SUPPLIES	587.35
00402655	OFFICE DEPOT INC	SUPPLIES	66.29
00402657	OREILLY AUTO PARTS	SUPPLIES	110.66
00402658	OREILLY AUTO PARTS	SUPPLIES	551.13
00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	940.52
00402662	PHILS DIESEL CLINIC INC	PROFESSIONAL SERVICES	2,386.07
00402673	TRED SHED, THE	TIRES	1,700.45
00402678	WALNUT CREEK FORD	SUPPLIES	138.77
00402693	ARROWHEAD 24 HOUR TOWING INC	TOW SERVICE	307.00
00402711	CHUCKS BRAKE AND WHEEL SERVICE INC	SUPPLIES	484.98
00402722	CONTRA COSTA FIRE EQUIPMENT	FIRE EXTINGUISHER SERVICE	543.96
00402767	LIM AUTOMOTIVE SUPPLY INC	SUPPLIES	1,205.48
00402769	LOWES COMPANIES INC	SUPPLIES	50.64
00402774	MUNICIPAL MAINT EQUIPMENT INC	SUPPLIES	1,855.79
00402779	OREILLY AUTO PARTS	SUPPLIES	223.03
00943554	KIMBALL MIDWEST	SUPPLIES	291.73
00943556	RED WING SHOE STORE	SAFETY SHOES	323.48
00943559	BIG SKY ENVIRONMENTAL SOLUTIONS	WASTE OIL PICKUP SERVICE	160.00
00943568	PETERSON TRACTOR CO	SUPPLIES	389.29
573 Information Services Fund			
Network Support & PCs			
00402600	AMERICAN MESSAGING	PROFESSIONAL SERVICE	77.60
00402618	COMCAST	INTERNET SERVICES	328.10
00402648	MISAC NORTHERN CA REGION	ASSOCIATION DUES	130.00
00402715	COMCAST	INTERNET SERVICES	282.46
00402729	DELTA DENTAL	INSURANCE PREMIUM	77.78
00402754	INSIGHT PUBLIC SECTOR INC	MICROSOFT LICENSING	5,574.70
00943551	DIGITAL SERVICES	MAINTENANCE	16,295.00
00943561	CDW GOVERNMENT INC	SOFTWARE	7,829.50
Telephone System			
00402729	DELTA DENTAL	INSURANCE PREMIUM	8.64
GIS Support Services			
00402736	ESRI INC	PROFESSIONAL SERVICES	3,800.00
00402795	ROK TECHNOLOGIES LLC	PROFESSIONAL SERVICES	93,280.00
Office Equipment Replacement			
00943549	COMPUTERLAND	SUPPLIES	2,441.97
577 Post Retirement Medical-Police Fund			



CLAIMS BY FUND REPORT
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Non Departmental

00402770	MCLEOD WATTS	INTERNET SERVICES	675.00
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578 Post Retirement Medical-Misc Fund

Non Departmental

00402770	MCLEOD WATTS	INTERNET SERVICES	675.00
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579 Post Retirement Medical-Mgmt Fund

Non Departmental

00402770	MCLEOD WATTS	INTERNET SERVICES	675.00
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580 Loss Control Fund

Human Resources

00402607	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	329.25
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611 Water Fund

Non Departmental

00402616	COLE SUPPLY CO INC	SUPPLIES	257.47
00402627	EAST BAY WORK WEAR	SUPPLIES	6,439.23
00402705	BISHOP CO	SUPPLIES	1,346.59
00402714	COLE SUPPLY CO INC	SUPPLIES	2,270.58
00402737	FASTENAL CO	SUPPLIES	2,748.88
00402767	LIM AUTOMOTIVE SUPPLY INC	SUPPLIES	573.56
00402769	LOWES COMPANIES INC	SUPPLIES	484.67
00402778	OFFICE DEPOT INC	SUPPLIES	3,106.43
00943553	GRAINGER INC	SUPPLIES	841.52
00943565	GRAINGER INC	SUPPLIES	149.47

Water Production

00402602	ANIMAL DAMAGE MANAGEMENT	PEST CONTROL	425.00
00402604	ANIXTER INC	SUPPLIES	15,545.32
00402605	ANTIOCH ACE HARDWARE	SUPPLIES	28.63
00402609	BAY ALARM COMPANY	SECURITY INSTALL	48,056.28
00402659	PACIFIC GAS AND ELECTRIC CO	GAS	215,113.91
00402679	WALTER BISHOP CONSULTING	PROFESSIONAL SERVICES	32.50
00402692	ARAMARK UNIFORM SERVICES	SUPPLIES	78.13
00402723	CONTRA COSTA WATER DISTRICT	RAW WATER	1,741,250.06
00402731	DIABLO LIVE SCAN LLC	PRE-EMPLOYMENT	20.00
00402740	FINBERG FENCING INC	FENCE REPAIR	625.00
00402746	GRAPHIC CONTROLS LLC	SUPPLIES	374.30
00402747	GUALCO GROUP INC, THE	PROFESSIONAL SERVICES	4,003.65
00402748	HACH CO	CHEMICALS	879.54
00402750	HARRINGTON INDUSTRIAL PLASTICS LLC	SUPPLIES	1,156.83
00402751	HONEYWELL INTERNATIONAL INC	PROFESSIONAL SERVICES	2,503.63
00402760	LAW OFFICE OF MATTHEW EMRICK	LEGAL SERVICES	1,660.00
00402769	LOWES COMPANIES INC	SUPPLIES	1,423.72
00402778	OFFICE DEPOT INC	SUPPLIES	93.83
00402782	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	61.10
00402796	ROYAL BRASS INC	SUPPLIES	2,733.82

Finance Accounting

Prepared by: Michele Milo

10/6/2022



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00402803	UNIVAR SOLUTIONS USA INC	CHEMICALS	28,900.47
00402806	WALTER BISHOP CONSULTING	PROFESSIONAL SERVICES	2,345.00
00943553	GRAINGER INC	SUPPLIES	1,750.11
00943562	CHEMTRADE CHEMICALS US LLC	CHEMICALS	7,539.39
00943565	GRAINGER INC	SUPPLIES	13.56

Water Distribution

00207062	NORTHERN CALIFORNIA BACKFLOW	REGISTRATION FEE	60.00
00207063	NORTHERN CALIFORNIA BACKFLOW	MEMBERSHIP DUES	80.00
00402605	ANTIOCH ACE HARDWARE	SUPPLIES	36.83
00402606	AQUA TAP	SUPPLIES	660.00
00402608	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	860.91
00402613	CHECK PROCESSORS INC	MONTHLY LOCKBOX	583.54
00402617	COMCAST	INTERNET SERVICES	1,016.33
00402624	DU ALL SAFETY LLC	TRAINING	962.50
00402627	EAST BAY WORK WEAR	UNIFORMS	830.20
00402628	FASTENAL CO	SUPPLIES	69.77
00402647	LOGRASSO, JOHN A	EXPENSE REIMBURSEMENT	60.00
00402655	OFFICE DEPOT INC	SUPPLIES	30.22
00402664	ROBERTS AND BRUNE CO	SUPPLIES	25,027.40
00402737	FASTENAL CO	SUPPLIES	475.40
00402768	LOWES COMPANIES INC	SUPPLIES	133.90
00402769	LOWES COMPANIES INC	SUPPLIES	814.46
00402778	OFFICE DEPOT INC	SUPPLIES	7.46
00943547	BADGER METER INC	METERS	49,946.56
00943553	GRAINGER INC	SUPPLIES	60.33
00943565	GRAINGER INC	SUPPLIES	1,467.76

Public Buildings & Facilities

00402709	CDM SMITH INC	CONSULTING SERVICES	210,036.01
00943570	SHIMMICK CONSTRUCTION INC	PROFESSIONAL SERVICES	3,849,944.98

621 Sewer Fund

Swr-Wastewater Administration

00402608	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	338.16
00402613	CHECK PROCESSORS INC	MONTHLY LOCKBOX	583.54
00402617	COMCAST	INTERNET SERVICES	1,016.33
00402624	DU ALL SAFETY LLC	TRAINING	962.50
00402640	JACK DOHENY COMPANY	SUPPLIES	960.36
00402655	OFFICE DEPOT INC	SUPPLIES	90.20
00402659	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	900.20
00402663	ROBERTS AND BRUNE CO	SUPPLIES	12,813.73
00402664	ROBERTS AND BRUNE CO	SUPPLIES	4,078.13
00402682	ADVANCED TRENCHLESS INC	PROFESSIONAL SERVICES	8,245.60
00402691	ANTIOCH ACE HARDWARE	SUPPLIES	296.27
00402701	BAY CITIES PYROTECTOR	TESTING SERVICES	480.00
00402706	BLUE SHIELD LIFE	INSURANCE PREMIUM	7.99



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00402733	EBMUD	MEMBERSHIP DUES	2,493.00
00402769	LOWES COMPANIES INC	SUPPLIES	25.99
00402778	OFFICE DEPOT INC	SUPPLIES	7.46
00402780	OWEN EQUIPMENT SALES	SUPPLIES	14,230.14
00402789	PONDER ENVIRONMENTAL SERVICES INC	PROFESSIONAL SERVICES	2,998.55
00402797	SPARTAN TOOL LLC	SUPPLIES	114.71
00402808	WECO INDUSTRIES INC	SUPPLIES	20,290.86
00943569	SCOTTO, CHARLES W AND DONNA F	OCTOBER 2022 RENT	5,000.00
631	Marina Fund		
Marina Administration			
00402608	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	1,295.00
00402659	PACIFIC GAS AND ELECTRIC CO	GAS	4,698.43
00402688	AMERICAN PLUMBING INC	PLUMBING SERVICE	695.00
00402706	BLUE SHIELD LIFE	INSURANCE PREMIUM	40.53
00402729	DELTA DENTAL	INSURANCE PREMIUM	259.26
00402769	LOWES COMPANIES INC	SUPPLIES	198.42

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of October 11, 2022

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Thomas Lloyd Smith, City Attorney *TLS*

SUBJECT: Rent Stabilization Ordinance – Second Reading

RECOMMENDED ACTION:

It is recommended that the City Council adopt the proposed Rent Stabilization Ordinance (Attachment A).

FISCAL IMPACT

The City Attorney's Office will require staffing to perform hearings rendering decisions related to tenant Rent Reduction Petitions and landlord Fair Return Petitions. The City Attorney's Office will also require staffing to respond to legal questions associated with the Rent Stabilization Ordinance. The ordinance will also require the dedication of staff time to engage in public education and enforcement activities regarding rent stabilization. The City Attorney's Office projects that the staff commitment necessary to implement the functions associated with this ordinance and related housing issues will be one full-time Deputy City Attorney. The estimated cost of salary and benefits for this position is \$294,714. Administrative assistance may also be necessary depending on the volume of tenant and landlord petitions and hearings. Staff will prepare a budget request for a subsequent City Council meeting.

DISCUSSION

The City Council held a Study Session on rent stabilization at a Special Meeting on July 26, 2022 and directed staff to prepare a Rent Stabilization Ordinance ("RSO"). Staff reviewed rent stabilization ordinances from other California general law cities, and applicable State law.

On August 23, 2022, a Rent Stabilization Ordinance was introduced by the City Council. At the September 13, 2022 City Council meeting, the City Council did not adopt the ordinance. Instead, Council provided direction to modify the ordinance to include retroactivity to August 23, 2022, include housing services as a part of rent, and to reintroduce the ordinance at the next City Council meeting.

On September 27, 2022 a revised Rent Stabilization Ordinance was introduced by the City Council. The ordinance included retroactivity to August 23, 2022 and included a definition of housing services that is incorporated as a part of rent.

The Rent Stabilization Ordinance (Attachment A) incorporates those changes and is based on the City's power to protect public health, safety, and welfare within the City. The definition of housing services is included in section 11-1.03(A)(1) and 11-1.03(A)(3). The retroactive application of rent is addressed in section 11-1.04(B)-(D). The City Attorney's Office has received questions as to whether the ordinance contains a provision for attorneys' fees. Section 11-1.11(D) contains an attorneys' fees provision enabling the prevailing party in any civil action brought pursuant to this section to recover reasonable attorneys' fees and costs.

Overview of Rent Stabilization Ordinance

Although the City of Antioch's housing prices are lower than many neighboring cities, rent in the City continues to rise. Many local residents, in particular low-income households, struggle with paying for rising housing costs and meeting other basic needs such as food, transportation and health care. The effect of high rents coupled with low incomes, critical shortages of affordable rental housing, and rapidly rising costs for other basic necessities leaves residents vulnerable to economic hardship, housing insecurity and displacement, threatening the public health, safety and welfare of a substantial number of City residents.

The Rent Stabilization Ordinance is intended to provide stability with respect to rent increases and housing by establishing additional tenant protections exceeding those set forth in State law. Many of the findings in the recitals of the Rent Stabilization Ordinance, which are found on the first three pages of the ordinance, are drawn from the City's draft Housing Element and support the need for rent stabilization in the City as a means to address threats to public health, safety and welfare caused by cost burden, displacement, and eviction. In particular, the findings highlight the disproportionate risk and impacts borne by households headed by women, large family households, households in areas identified as "Low Resource" or "High Segregation and Poverty," and senior households.

What is the Difference Between Rent Control vs Rent Stabilization?

Although the terms "rent control" and "rent stabilization" are often used interchangeably, they are technically distinct. Both regulate the amount of rent that may be increased during a tenancy, but only "rent control" regulates the amount of rent charged when the tenancy begins. Under "rent stabilization," annual increases of a tenant's rent are limited. However, when a tenant moves out, the initial amount of rent for the next tenant is not restricted.

Cities in California can no longer adopt "full" rent control, which would regulate the amount of initial rent, due to the Costa-Hawkins Rental Housing Act ("Costa-Hawkins" or Civil Code § 1954.50 et seq.). Costa-Hawkins is a state law that, except in very limited circumstances, prohibits local restrictions on the amount of rent a landlord can charge at the beginning of a tenancy. Rent control ordinances that existed in 1995 when Costa-Hawkins was adopted were grandfathered, and the result is that there are a handful of cities with full rent control on certain types and ages of units within those cities.

Costa-Hawkins effectively prohibits new local “rent control,” so cities adopting local regulations after 1995 focus instead on “rent stabilization.” This type of regulation protects tenants during their tenancy by limiting how much the rent may be increased each year.

The Tenant Protection Act of 2019 (Civil Code § 1946.2 et seq.) enacted statewide rent stabilization. Beginning January 1, 2020, where applicable, rent may be annually increased no more than 5% plus the regional consumer price index (CPI) or 10%, whichever is less.

What Are Some Provisions Incorporated Within the Proposed City Rent Stabilization Ordinance?

1. What Types of Limits Does the Ordinance Propose on Rent Increases?

Under the Rent Stabilization Ordinance, one increase is allowed per 12-month period. The City Council set a ceiling on rental rate increases by using a combination of a set percentage and a percent of CPI. The City Council introduced a Rent Stabilization Ordinance that proposes that increases in Rent on residential real property in the City may not exceed the lesser of three percent (3%) or sixty percent (60%) of the most recent 12-month increase in the Consumer Price Index for All Urban Consumers in the San Francisco-Oakland-Hayward Area published by the Bureau of Labor Statistics.

To assist the City Council in its discussion and deliberation, staff provided a table of maximum annual limits on rent increases in California general law cities is below.

General Law City	Annual Rent Increase Limit	Notes
Baldwin Park	CPI up to 5%	Increased from 3% in 2021
Beverly Hills	Greater of 3% or CPI	
Commerce	5% plus CPI up to 10%	Same as AB 1482 (2019)
East Palo Alto	80% of CPI up to 10%	Annual cap calculated by City once a year
Gardena	5%	Increases above limit subject to binding arbitration
Inglewood	Greater of 3% or CPI up to 10% Greater of 5% or CPI up to 10%	Five or more units Four or fewer units
Los Gatos	70% of CPI up to 5%	Up to 10% if no increase in two years
Oxnard	4%	Adopted in May 2022
West Hollywood	75% of CPI up to 7%	Annual cap calculated by City once a year

2. Which Rental Units Would Be Subject to the Proposed City Rent Stabilization Ordinance?

The Costa-Hawkins Rental Housing Act (“Costa-Hawkins”) is a state law that, except in very limited circumstances, prohibits local restrictions on the amount of rent a landlord can charge at the beginning of a tenancy. For this reason, the City Council is pursuing a Rent Stabilization Ordinance, which regulates rent increases during a tenancy. Costa-Hawkins also significantly restricts which units may be subject to local rent stabilization. There are two categories of units for which rent increases during a tenancy cannot be regulated by the City Council. The first, with narrow exceptions, is single family homes that do not have an accessory unit, condominiums, and cooperatives. The second category is units first receiving a certificate of occupancy after February 1, 1995.

The Rent Stabilization Ordinance complies with Costa-Hawkins by exempting units protected by the statute and regulating residential rental units constructed on or before February 1, 1995 that share a property with at least one other unit that cannot be sold separately. Units first receiving a certificate of occupancy after this date but at least 15 years prior to the current date on a rolling basis would remain protected by the California Tenant Protections Act, which limits annual rent increases to 5% plus the regional consumer price index (CPI) or 10%, whichever is less, where a tenant has resided in a rental unit for at least 12 months. The Rent Stabilization Ordinance does not have a minimum residency requirement for its rent-increase protections.

At the July 26, 2022 Study Session, the City Council provided direction to staff to exclude owner-occupied duplexes and Low-Income Tax Credit Program-funded developments from the exemptions to the Rent Stabilization Ordinance. This direction was implemented by using the narrower exemption of “A unit owned, operated, or managed by a governmental unit, agency, or authority, or that is specifically exempted from municipal Rent regulation by state or federal law or regulation” instead of a broader exemption used by some cities that includes all “affordable housing” subject to deed-restriction or agreement with a government agency, which would include Low-Income Tax Credit Program-funded developments. The Rent Stabilization Ordinance exemptions do not include any duplex.

3. Implementation and Enforcement of the City’s Rent Stabilization Ordinance?

Enforcement Mechanisms

The Rent Stabilization Ordinance includes a process for tenants to report or contest unlawful rent increases. The Rent Stabilization Ordinance directs the City Manager to designate an office or department to provide information and receive tenant complaints pertaining to violation of the Rent Stabilization Ordinance and directs the City Attorney to designate a Hearing Officer for hearings concerning tenant and landlord petitions.

Tenant Rent Reduction Petition

The Rent Stabilization Ordinance also offers a procedure for accommodating certain tenant requests for rent reductions and landlord requests for increases in rent above the established limit if needed to comply with the constitutional right of “fair return.” The Rent Stabilization Ordinance uses a petition process that is reviewed and determined by a Hearing Officer.

A tenant may petition for a reduction of rent (“Rent Reduction Petition”) if the tenant believes that the Landlord has charged the tenant a higher rent than is permitted by the Rent Stabilization Ordinance. The Landlord shall be informed of the tenant’s complaint and shall have the opportunity to respond to the tenant’s claim of rent overcharge. The Rent Reduction Petition shall be on an application form prescribed by the City Manager or designee and shall be decided by a Hearing Officer designated by the City Attorney.

The tenant shall provide a copy of any Rent Reduction Petition submitted to the City to the applicable landlord and shall provide the City with proof of completing such service to the landlord. The landlord shall have thirty (30) days from the date of receiving the Rent Reduction Petition to reply or provide additional materials to the City in response to the Rent Reduction Petition.

The tenant shall bear the burden of establishing that a rent reduction is necessary to comply with the City’s Rent Stabilization Ordinance by providing information including the type of dwelling, dates of tenancy, dates of rent increases, amount of rent increases, dates of charges, and amounts of charges.

The factors the Hearing Officer may consider in deciding a Rent Reduction Petition shall be matters related to the amount of rent that the landlord could lawfully charge and the amount of rent that the landlord has actually demanded, accepted, or retained from the tenant.

A Rent Reduction Petition shall be decided by the Hearing Officer within sixty (60) calendar days of the date that the application has been deemed complete, including submission of proof of service of the Rent Reduction Petition on the applicable Landlord(s), provided that an extension of this time may be agreed upon by the parties. The decision shall be sent by mail and shall be emailed with proof of mailing to the applicable tenant(s), the designated representative of the tenant(s), the subject Landlord, and the Landlord’s designated representative(s) for the Rent Reduction Petition, if any. The decision of the Hearing Officer shall be final and not appealable.

Landlord Fair Return Petition

A Landlord may petition for a Rent increase in excess of that provided in the Rent Stabilization Ordinance (§ 11-1.03) in order to obtain a fair and reasonable return on the Landlord’s property (“Fair Return Petition”).

The Fair Return Petition will be provided on an application form prescribed by the City Manager or designee and shall be decided by a Hearing Officer subject to § 1-6.01 (Antioch Municipal Code) designated by the City Attorney.

The Landlord will be required to provide a copy of any Fair Return Petition submitted to the City to the applicable tenant(s) and must provide the City with proof of completing such service to the applicable tenant(s). The tenant(s) will have thirty (30) days from the date of receiving the Fair Return Petition to reply or provide additional materials to the City in response to the Fair Return Petition.

The landlord will bear the burden of establishing that a rate increase in excess of that permitted by the Rent Stabilization Ordinance (§ 11-1.03) is necessary to provide the landlord with a fair and reasonable return on the property, including by providing an independent financial report and verified financial data demonstrating that without such an increase, they will not realize a fair and reasonable return on their property.

The landlord will be responsible for all costs associated with the City's review of the Fair Return Petition. Upon receipt of a Fair Return Petition, the Hearing Officer shall determine the anticipated costs of review and if the employment of expert(s) will be necessary or appropriate for a proper analysis of the landlord's request. If the Hearing Officer so determines, the Hearing Officer shall also determine the anticipated costs of employing such expert(s). The resulting figure shall be communicated to the landlord, and the Fair Return Petition shall not be processed until the landlord has paid to the City the estimated cost of the complete analysis. City will provide the landlord with an invoice of all costs incurred after the review of the Fair Return Petition. Any unused portion of the advance payment for analysis shall be refunded to the landlord. If additional funds are required, payment will be required before the landlord receives the determination on the Fair Return Petition from the City.

A Fair Return Petition shall be decided by the Hearing Officer within ninety (90) calendar days of the date that the application has been deemed complete, including submission of proof of service of the Fair Return Petition on the applicable tenant(s), unless the Landlord has failed to pay all applicable fees or an extension of this time is agreed upon by the parties. The decision shall be sent by mail and shall be emailed with proof of mailing to the subject landlord, the landlord's designated representative(s) for the Fair Return Petition, the applicable tenant(s), and the designated representative of the tenant(s), if any. The decision of the Hearing Officer shall be final and not appealable.

Additional Enforcement Remedies

The Rent Stabilization Ordinance also allows tenants to bring an action to recover damages, which could include actual damages (the cost of the harm suffered) or two types of statutory damages: three times the difference between the amount of rent actually charged and the amount authorized to be charged or \$1,000, whichever is greater. Persons or entities that may "fairly and adequately represent a protected class" may also bring a civil action for injunction under the Rent Stabilization Ordinance.

The Rent Stabilization Ordinance also includes a variety of enforcement remedies ranging from criminal prosecution—a declaration that is necessary for the City to utilize its authority to issue administrative citations—to a civil action for injunction by the City for injunctions to stop and prevent violations or for monetary damages.

Rent Program Fee and Registration Requirement

The Rent Stabilization Ordinance establishes a regulatory fee charged to landlords to fund the Rent Stabilization Ordinance program for the sole purpose of reimbursing the City for the costs of administering this Rent Stabilization Ordinance. The fee will be imposed on each rental unit and paid by landlords. Landlords subject to this Rent Stabilization Ordinance will be required to register all units subject to the Rent Stabilization Ordinance with the City and pay the Rent Program Fee at such time and in such manner as established by City Council resolution.

What is the Process for Adopting Rent Stabilization?

Rent stabilization would be adopted by ordinance. An ordinance requires two readings and must be adopted at a regular meeting or a regular adjourned meeting not earlier than five days following introduction (Government Code § 36931 et seq.). Following adoption, the entire ordinance must be published in a newspaper of general circulation. Generally effective on the 30 days following adoption. An ordinance must not conflict with the Constitutions (U.S. and California) and laws of California or United States (Government Code section 37100). Following adoption, the entire ordinance must be published in a newspaper of general circulation.

ATTACHMENTS

- A. Rent Stabilization Ordinance
- B. AB 1482: The Tenant Protection Act of 2019
- C. The Costa-Hawkins Rental Housing Act (1995)
- D. The Ellis Act (1985)

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
ADDING TITLE 11, CHAPTER 1 TO THE ANTIOCH MUNICIPAL CODE
ESTABLISHING RENT STABILIZATION REGULATIONS
INCLUDING PROHIBITING RESIDENTIAL REAL PROPERTY RENTAL RATE
INCREASES THAT EXCEED THE LESSER OF THREE PERCENT (3%) OR SIXTY
PERCENT (60%) OF THE CONSUMER PRICE INDEX ANNUALLY**

WHEREAS, the City Council of the City of Antioch (“City”) hereby finds, determines, and declares as follows:

- A. The increased cost burdens of rent and increased risk of displacement and overcrowding faced by many residents in the City threaten public health, safety, and welfare. Many City residents are struggling to pay for rent, food, clothing, and medical care for themselves and their families. The specter of eviction and increased homelessness for inability to pay rent looms as a further threat to public health, safety, and welfare in the City.
- B. The Area Median Income (“AMI”) for a household of four in the Oakland-Fremont Metro Area is \$125,600.¹ Households that earn less than 30% AMI are considered “extremely low-income,” and 18.5% or 6,233 households in the City meet this criteria. Most are renters. Conversely, the 41.5% of households in the City that earn more than 100% AMI also constitute the largest proportion of homeowners. The City is home to 49,236 employed residents, two-thirds of whom earn less than \$50,000 per year.
- C. Household income disparity is even more prevalent for City seniors, 41.2% of which are people of color, who often live on fixed incomes and are more likely to have disabilities, chronic health conditions, and/or reduced mobility. Approximately 44% of seniors making less than 30 percent of AMI are spending the majority of their income on housing, while 91% of seniors making more than 100% of AMI spend less than 30% of their income on housing and thus are not considered cost burdened. The largest proportion of senior households who rent are extremely low-income.
- D. Large family households, defined by the U.S. Census Bureau as households containing five or more persons, are also cost burdened at a higher rate due to the higher costs required for homes with multiple bedrooms and which can increase the risk of housing insecurity. Approximately 40% of large family households in the City are cost burdened, almost half of which is “severely cost burdened,” meaning the households pay more than half of their income on housing. Citywide, 21.3% of all households spend more than 50% of their income on housing.

¹ Data sources and additional information can be found in Chapter 2, Housing Needs Assessment, of the Draft Antioch Housing Element 2023-2031. Implementing Program 5.1.9 in Chapter 7 of the draft Housing Element, entitled “Tenant Protections” and pertaining to Goal 5, Fair Housing, further provides that the City will “[p]ursue the development of citywide tenant protection policies for consideration by the City Council” to address, among other things, rent stabilization.

- E. Households headed by women are also disproportionately impacted by increasing housing costs. This segment constitutes 20.4% of all households in the City, which is significantly higher than the country (12.2% of households) and the larger Bay Area region (10.4% of households). Pervasive gender equality may result in lower wages for these households, and women with children face the added barrier of childcare costs to securing adequate employment. As a result, 32.7% of households in the City headed by women with children fall below the Federal Poverty Line compared to 8.1% percent households headed by women *without* children.
- F. The City's housing stock consists of 34,028 units, approximately a quarter of which are attached to another unit. Of the 97% of total units that are occupied, 40% are occupied by a renter. Rental prices increased by 50.8% from 2009 to 2019. To rent a typical apartment in the City without cost burden, defined by the U.S. Department of Housing and Urban Development (HUD) as less than 30% of household income, a household would need to make \$64,560 per year.
- G. No neighborhoods in the City are identified as "Highest Resource" or "High Resource" areas by State-commissioned research, while 89.6% of residents live in areas identified by this research as "Low Resource" or "High Segregation and Poverty" areas. These neighborhood designations are based on a range of indicators, including education, poverty, proximity to jobs and economic opportunities, low pollution levels, and other factors. Research reveals 31.3% of households in the City live in neighborhoods that are susceptible to or experiencing displacement, and 19.2% live in areas at risk of or undergoing gentrification.
- H. The housing rent burden faced by many residents in the City threatens the health, safety, and welfare of its residents, particularly when resulting in eviction and displacement. Studies have shown that evictions play an impactful role in the lives of low-income renter households, contribute to poverty through disruptive effects such as job loss, adverse health effects, and negative consequences for children, and impacts renters' credit histories and ability to rent and find employment opportunities. Increasing the number of City residents who are unhoused, particularly elderly residents who may need medical or other care, could create a public health and safety risk.
- I. The Costa-Hawkins Rental Housing Act, California Civil Code Section 1954.50, *et seq.*, limits the applicability of local rent stabilization policies, including prohibiting local jurisdictions from applying rent stabilization to certain residential rental properties. It is the intent of the City Council that this ordinance complies with the Costa-Hawkins Rental Housing Act, and all other applicable state and federal laws.
- J. The economic conditions and recognized housing shortage in the Bay Area have the potential to detrimentally impact a substantial number of City residents and impose a particular hardship on senior citizens, persons living on fixed incomes, and other vulnerable persons living in the City.
- K. The City has not previously regulated the setting and increasing of rents for residential real property. Given the concerns discussed herein, the City Council desires to establish rent

stabilization policies protecting residents while ensuring that the Landlords of residential real property may earn a fair and reasonable return on their property.

- L. At the City Council meetings on June 14, 2022, June 28, 2022, and July 27, 2022, the City Council discussed and received public comment concerning tenant protections, including policies regulating rent increases on residential properties in the City.
- M. Pursuant to the City's police power, as granted broadly under Article XI, section 7 of the California Constitution, the City Council has the authority to enact and enforce ordinances and regulations for the public peace, health, and welfare of the City and its residents.
- N. Based on the foregoing facts, and the facts presented to the City Council at the meetings at which this ordinance was introduced and adopted, the City Council finds that allowing Landlords of residential real property to have unfettered discretion to increase rents would pose a threat to the public health, safety, and welfare, and that a prohibition of rent increases, except as allowed herein, is therefore necessary.
- O. The City Council hereby adopts these regulations in order to address the threats set forth below.
 - 1. Absent the adoption of this ordinance, as a result of the economic conditions and recognized housing shortage in the Bay Area, including the East Bay and Contra Costa County, significant rent increases will impact a substantial number of residents in the City and constitute a threat to public health, safety, and welfare, and a particular hardship for senior citizens, persons living on fixed incomes, and other vulnerable persons living in the City;
 - 2. For the preservation of the public peace, health, and safety, the City Council finds that it is necessary to adopt an ordinance stabilizing rents for all of the reasons set forth in the recitals above, which are hereby incorporated by reference;
 - 3. Certain aspects of public health, safety, and welfare are not adequately protected due to the City's lack of rent stabilization mechanics or controls on residential real property generally, and it is in the interest of the City, property owners, residents, and the community as a whole that the City adopt regulations to protect affordable housing within the City, including, but not limited to, rent stabilization regulations applicable to residential real property generally; and
 - 4. The City Council finds that a rent rollback to August 23, 2022, the date a draft of this ordinance was first introduced by the City Council, and the application of the limitation of one increase per twelve months to increases occurring prior to the effective date of this ordinance are necessary to counteract any rent increases imposed in anticipation of the adoption of rent stabilization in the City and to more fully effectuate the legislative and public purposes of this ordinance.
- P. This recitals for this ordinance, any amendments or supplements, and oral testimony provided on June 14, 2022, June 28, 2022, July 27, 2022, August 23, 2022, September 13,

2022, and September 27, 2022 shall be incorporated herein by this reference, and, shall constitute the necessary findings for this ordinance.

- Q. The City Council finds, determines, and declares that the threat to the public health, safety, and welfare of the City and its residents necessitates the enactment of the ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ANTIOCH HEREBY ORDAINS as follows:

Section 1 The recitals and statements of fact set forth in the preamble to this ordinance, above, are true and correct, constitute a substantive part of this ordinance, and are incorporated herein by reference.

Section 2 Title 11, entitled “Tenant Protections,” is hereby added to the Antioch Municipal Code.

Section 3 Chapter 1, entitled “Rent Stabilization,” is hereby added to Title 11, Tenant Protections, of the Antioch Municipal Code to read as follows:

**CHAPTER 1
RENT STABILIZATION**

§ 11-1.01. TITLE; REFERENCE TO CHAPTER.

This Chapter 1 shall be known as the “Rent Stabilization Ordinance”.

§ 11-1.02. APPLICATION.

The provisions of this Rent Stabilization Ordinance are applicable to any building or part of a building that is used for residence and that is rented to a tenant as a dwelling place, except those units exempted by § 11-1.08 (“**Rental Unit**”). This Rent Stabilization Ordinance shall be interpreted and administered in a manner consistent with the Costa-Hawkins Rental Housing Act codified in California Civil Code Section 1954.50, *et seq.* (“**Costa-Hawkins**”), if any conflict exists between the provisions of Costa-Hawkins and this ordinance, Costa-Hawkins shall prevail.

§ 11-1.03. DEFINITIONS.

(A) The following terms shall have the meaning provided below when used in this Rent Stabilization Ordinance, whether plural or singular.

- (1) “**Housing Services**” means all amenities and services related to the use or occupancy of a Rental Unit and common areas that are provided by the Landlord. Housing Services includes without limitation hot and cold water, heat, utilities, painting, elevator service, refuse removal, janitorial service, maintenance, repairs, replacement, recreational areas (including pools or gyms), laundry facilities, furnishings, storage space, parking (including one or more automobiles), employee services, security services, insurance, the payment of property taxes, and any other benefits or

privileges permitted to the tenant by agreement, whether express or implied, including the right to have a specific number of occupants and the right to one-for-one replacement of roommates, regardless of any prohibition against subletting and/or assignment. Housing Services also includes those basic housing services required by California Civil Code Section 1941.1. Housing Services includes a proportionate part of services provided to common facilities of the building and property in which the Rental Unit is contained.

- (2) **“Landlord”** shall mean an owner of record, lessor, sublessor or any other person, entity, or nonnatural person entitled to receive Rent for the use or occupancy of any dwelling place subject to this Rent Stabilization Ordinance, or an agent representative, affiliate, member, shareholder, trustee, or successor of any of the foregoing. If an owner of a Rental Unit is other than a single natural person, then all entities and persons that share ownership and/or control (direct or indirect) of the units under this Rent Stabilization Ordinance shall be considered one and the same Landlord.
- (3) **“Rent”** means the sum of all consideration demanded accepted, or retained for the use or occupancy of a Rental Unit or for Housing Services provided, or both. Rent includes all periodic payments and all nonmonetary consideration, including, but not limited to, the fair market value of goods or services rendered to or for the benefit of the Landlord, under an agreement concerning the use or occupancy of residential real property.

(B) Terms defined in other sections of this Rent Stabilization Ordinance shall have such meaning when used in this Rent Stabilization Ordinance, whether singular or plural.

§ 11-1.04. LIMIT ON RENTAL RATE INCREASES.

(A) Increases in Rent on residential real property in the City may not exceed the lesser of three percent (3%) or sixty percent (60%) of the most recent 12-month increase in the Consumer Price Index for All Urban Consumers in the San Francisco-Oakland-Hayward Area published by the Bureau of Labor Statistics. Only one Rent increase in any twelve (12) month period is permitted. A reduction in Housing Services is an increase in Rent.

(B) Subdivision (A) of this section shall apply to all Rent increases occurring on or after August 23, 2022.

- (1) In the event that a Landlord has increased the Rent by more than the amount permissible under subdivision (A) between August 23, 2022 and the effective date of this Rent Stabilization Ordinance, the applicable Rent on the effective date of this Rent Stabilization Ordinance shall be the Rent as it existed on August 23, 2022 plus the maximum permissible increase authorized under subdivision (A) of this section and applicable State law, if any.

- (2) A Landlord has no duty to refund otherwise lawful Rent received prior to the effective date of this Rent Stabilization Ordinance in excess of the amount authorized by this section.

(C) The twelve (12) month period referenced in subdivision (A) of this section shall begin on the date of the last Rent increase regardless of whether the last increase occurred prior to the effective date of the Rent Stabilization Ordinance.

(D) The City Council finds that the limited retroactive effect enacted by subdivisions (B) and (C) of this section are necessary to counteract any Rent increases imposed in anticipation of the adoption of rent stabilization in the City of Antioch and to more fully effectuate the legislative and public purposes of this Rent Stabilization Ordinance.

§ 11-1.05. REASONABLE RATE OF RETURN.

This Rent Stabilization Ordinance allows for an annual adjustment of residential real property Rent of up to the exceed the lesser of three percent (3%) or sixty percent (60%) of the Consumer Price Index for All Urban Consumers in the San Francisco-Oakland-Hayward Area published by the Bureau of Labor Statistics pursuant to § 11-1.04. Such an increase is found and determined to provide a just and reasonable return on a Landlord's property, and has been adopted to encourage good management, reward efficiency, and discourage the flight of capital, as well as to be commensurate with returns on comparable investments, but not so high as to defeat the purpose of curtailing excessive rents and rental increases. Notwithstanding the foregoing, any Landlord who contends that the limit on rental increases set forth in § 11-1.04 will prevent the Landlord from receiving a fair and reasonable return on the property may petition for relief from the limit set forth in § 11-1.04 pursuant to the procedures set forth in § 11-1.07.

§ 11-1.06. TENANT PETITION FOR RENT REDUCTION.

(A) A tenant may petition for a reduction of rent ("**Rent Reduction Petition**") if the tenant believes that the Landlord has demanded, accepted, or retained from the tenant any Rent in excess of the Rent permitted by this Rent Stabilization Ordinance. The Landlord shall be informed of the tenant's complaint and shall have the opportunity to respond to the tenant's claim of rent overcharge.

- (1) Such Rent Reduction Petition shall be on an application form prescribed by the City Attorney or designee and shall be decided by a Hearing Officer subject to § 1-6.01 designated by the City Attorney.
- (2) The tenant shall provide a copy of any Rent Reduction Petition submitted to the City to the applicable Landlord and shall provide the City with proof of completing such service to the applicable Landlord. The Landlord shall have thirty (30) days from the date of receiving the Rent Reduction Petition to reply or provide additional materials to the City in response to the Rent Reduction Petition.
- (3) The tenant shall bear the burden of establishing that a rent reduction is necessary to comply with the City's Rent Stabilization Ordinance by

providing information including the type of dwelling, dates of tenancy, dates of rent increases, amount of rent increases, dates of charges, and amounts of charges.

(B) The factors the Hearing Officer may consider in deciding a Rent Reduction Petition shall be matters related to the Landlord's failure to comply with the City's Rent Stabilization Ordinance and regulations. For example, the amount of Rent that the Landlord has actually demanded, accepted, or retained from the tenant exceeds the amount of Rent that the Landlord could lawfully charge. The Hearing Officer may also consider a Landlord's decrease of Housing Services.

(C) A Rent Reduction Petition shall be decided by the Hearing Officer within sixty (60) calendar days of the date that the application has been deemed complete, including submission of proof of service of the Rent Reduction Petition on the applicable Landlord(s), unless an extension of this time has been agreed upon by the parties. The decision shall be sent by mail and shall be emailed with proof of mailing to the applicable tenant(s), the designated representative of the tenant(s), the subject Landlord, and the Landlord's designated representative(s) for the Rent Reduction Petition, if any. The decision of the Hearing Officer shall be the final decision.

§ 11-1.07. LANDLORD PETITION FOR RENT INCREASE.

(A) A Landlord may petition for a Rent increase in excess of that provided in § 11-1.04 in order to obtain a fair and reasonable return on the Landlord's property ("**Fair Return Petition**").

- (1) Such Fair Return Petition shall be on an application form prescribed by the City Attorney or designee and shall be decided by a Hearing Officer subject to § 1-6.01 designated by the City Attorney.
- (2) The Landlord shall provide a copy of any Fair Return Petition submitted to the City to the applicable tenant(s) and shall provide the City with proof of completing such service to the applicable tenant(s). The tenant(s) shall have thirty (30) days from the date of receiving the Fair Return Petition to reply or provide additional materials to the City in response to the Fair Return Petition.
- (3) The Landlord shall bear the burden of establishing that a rate increase in excess of that provided in § 11-1.04 is necessary to provide the Landlord with a fair and reasonable return on the property, including by providing an independent financial report and verified financial data demonstrating that without such an increase, the Landlord will not realize a fair and reasonable return on the property.
- (4) The Landlord shall be responsible for all costs associated with the City's review of the Fair Return Petition. Upon receipt of a Fair Return Petition, the Hearing Officer shall determine the anticipated costs of review and if the employment of expert(s) will be necessary or appropriate for a proper analysis of the Landlord's request. If the Hearing Officer so determines, the Hearing Officer shall also determine the anticipated costs of employing

such expert(s). The resulting figure shall be communicated to the Landlord, and the Fair Return Petition shall not be processed until the Landlord has paid to the City the estimated cost of the complete analysis. City will provide the Landlord with an invoice of all costs incurred after the review of the Fair Return Petition. Any unused portion of the advance payment for analysis shall be refunded to the Landlord. If additional funds are required, payment will be required before the Landlord receives the determination on the Fair Return Petition from the City.

(B) The factors the Hearing Officer may consider in deciding a Fair Return Petition include, but are not limited to, the following:

- (1) Changes in the Consumer Price Index for All Urban Consumers in the San Francisco-Oakland-Hayward Area published by the Bureau of Labor Statistics arising after commencement of the tenancy.
- (2) The length of time since the last determination by a Hearing Officer on a Rent increase application, or the last Rent increase if no previous Rent increase application has been made, after commencement of the tenancy.
- (3) The completion of any capital improvements to the residential real property specified in the Fair Return Petition, and the cost thereof, including materials, labor, construction interest, permit fees, and other items the Hearing Officer deems appropriate, arising after commencement of the tenancy and averaged on a per-unit basis and amortized over a period of not less than sixty (60) months.
- (4) Documented rehabilitation work averaged on a per-unit basis and amortized over a period of not less than thirty-six (36) months.
- (5) Changes in property taxes or other taxes related to the subject residential real property arising after commencement of the tenancy.
- (6) Changes in the utility charges for the subject residential real property by the Landlord, and the extent, if any, of reimbursement from the tenants arising after commencement of the tenancy.
- (7) Changes in reasonable operating and maintenance expenses arising after commencement of the tenancy.
- (8) The need for repairs caused by circumstances other than ordinary wear and tear arising after commencement of the tenancy.
- (9) The amount and quality of services provided by the Landlord to the affected tenant(s) arising after commencement of the tenancy.

(C) A Fair Return Petition shall be decided by the Hearing Officer within ninety (90) calendar days of the date that the application has been deemed complete, including submission of

proof of service of the Fair Return Petition on the applicable tenant(s), unless the Landlord has failed to pay all applicable costs associated with the City's review of the Fair Return Petition or an extension of this time has been agreed upon by the parties. The decision shall be sent by mail and shall be emailed with proof of mailing to the subject Landlord, the Landlord's designated representative(s) for the Fair Return Petition, the applicable tenant(s), and the designated representative of the tenant(s), if any. The decision of the Hearing Officer shall be the final decision.

§ 11-1.08. EXEMPTIONS.

(A) Pursuant to Costa-Hawkins, the provisions of this Rent Stabilization Ordinance regulating the amount of Rent that a Landlord may charge shall not apply to the following:

- (1) Any residential real property that has a certificate of occupancy issued after February 1, 1995 (California Civil Code Section 1954.52(a)(1));
- (2) Any residential real property that is alienable separate from the title to any other dwelling unit or is a subdivided interest in a subdivision, as specified in subdivision (b), (d), or (f) of Section 11004.5 of the California Business and Professions Code.
- (3) Any other residential real property for which Rent may not be regulated by the City pursuant to Costa-Hawkins.

(B) The provisions of this Rent Stabilization Ordinance regulating the amount of Rent that a Landlord may charge shall not apply to the following:

- (1) A unit owned, operated, or managed by a governmental unit, agency, or authority, or that is specifically exempted from municipal Rent regulation by state or federal law or regulation.
- (2) Dormitories owned and operated by an institution of higher education or a kindergarten and grades 1 to 12, inclusive, school.
- (3) Mobile homes located in mobile home parks.
- (4) A unit in a hotel, motel, inn, tourist home, or rooming and boarding house which is rented primarily to transient guests for a period of 30 consecutive calendar days or less, counting portions of calendar days as full days; and other transient occupancies as defined in California Civil Code Section 1940, subdivision (b).
- (5) A unit in an institutional facility, including a hospital, medical care facility, residential care facility, asylum, group home for seniors or the disabled, or transitional housing program that assists homeless persons as defined in California Civil Code Section 1954.12.

- (6) A unit that the Landlord or the Landlord's immediate family occupied as their principal place of residence at the beginning of the tenancy so long as the Landlord or the Landlord's immediate family continues in occupancy.
- (7) A unit within a dwelling unit, if the dwelling unit is the principal residence of a Landlord, and Landlord shares the bathroom or kitchen facilities with the tenant.

§ 11-1.09. RENT INCREASE INEFFECTIVE; NO WAIVER.

(A) No Rent increase shall be effective if the Landlord:

- (1) Fails to substantially comply with all provisions of this Rent Stabilization Ordinance, as that Ordinance may be amended from time to time, and with any other applicable policies, regulations or resolutions concerning Rent, including without limitation the service of the tenant with a legally required notice of a rent increase under State law, the registration of all Rental Units within the City, and the payment of all Rent Program Fees set forth in the City's Master Fee Schedule; or
- (2) Fails to maintain the residential real property in compliance with California Civil Code Sections 1941.1 et seq. and California Health and Safety Code sections 17920.3 and 17920.10; or
- (3) Fails to make repairs ordered by the City or court of competent jurisdiction.

(B) Any waiver or purported waiver by a tenant of rights granted under this article prior to the time when such rights may be exercised shall be void as contrary to public policy.

(C) If a tenant reasonably believes a Landlord has increased the tenant's Rent in violation of this section, the tenant may submit to the City a Petition to Determine Compliance for consideration by a Hearing Officer designated by the City Attorney. The Landlord shall have an opportunity to respond to the Petition to Determine Compliance and to participate in the administrative proceeding. The City Attorney shall promulgate administrative regulations to effectuate this section, in addition to those authorized by § 1-6.01 (Antioch Municipal Code). The decision of the Hearing Officer shall be final and not appealable.

§ 11-1.10. NOTICE REQUIREMENTS.

(A) On or before the date of commencement of a tenancy, the Landlord of any residential real property subject to this Rent Stabilization Ordinance shall deliver to the tenant written notice of the following in a form prescribed by the City:

- (1) The tenancy is regulated by this Rent Stabilization Ordinance, Antioch Municipal Code, Title 11, Chapter 1; and

- (2) The tenant has a right to submit a complaint to the City pursuant to § 11-1.13 or a Rent Reduction Petition pursuant to § 11-1.06 for Rent charged in violation of this Rent Stabilization Ordinance; and
- (3) The Landlord has a right to respond to any Rent Reduction Petition filed by the tenant with the City pursuant to § 11-1.06.
- (4) The tenant has a right to respond to any Fair Return Petition filed by the Landlord with the City pursuant to § 11-1.07.

(B) At the same time and with any notice to increase Rent, the Landlord must deliver written notice of the following:

- (1) The tenancy is regulated by this Rent Stabilization Ordinance, Antioch Municipal Code, Title 11, Chapter 1; and
- (2) The tenant has a right to submit a complaint to the City pursuant to the procedures established pursuant to § 11-1.13 or a Rent Reduction Petition pursuant to § 11-1.06 for Rent charged in violation of this Rent Stabilization Ordinance; and
- (3) The tenant has a right to respond to any Fair Return Petition filed by the Landlord with the City pursuant to § 11-1.07; and
- (4) No Rent increase is effective unless and until the requirements of this Rent Stabilization Ordinance have been met.

(C) When a Landlord and tenant have entered into a written lease, the Landlord must give notices to the tenant in the language primarily used in the lease. When a Landlord and tenant have not entered into a written lease, the Landlord must give notices to the tenant in the language that a Landlord and tenant used primarily when negotiating the terms of the tenancy.

§ 11-1.11. VIOLATIONS; REMEDIES.

(A) It shall be unlawful for any person to violate or fail to comply with any provision of this Rent Stabilization Ordinance, including charging increased Rent in violation of this Rent Stabilization Ordinance or a determination by a Hearing Officer.

(B) Any person who violates or aids or incites another person to violate the provisions of this Rent Stabilization Ordinance is liable for each and every such offense for actual damages suffered by an aggrieved party (including damages for mental or emotional distress); or for statutory damages in the sum of three times the amount by which the payment demanded, accepted, or retained exceeds the maximum amount that could be lawfully demanded, accepted, or retained, or for statutory damages in the sum of one thousand dollars (\$1,000), whichever is greater; and whatever other relief the court deems appropriate. In the case of an award of damages for mental or emotional distress, said award may be trebled if the trier of fact finds that the Landlord acted in knowing violation of or in reckless disregard of this Rent Stabilization Ordinance. The trier of fact

may also award punitive damages to any plaintiff, including the City, in a proper case as defined by Civil Code Section 3294.

(C) Any person who is convicted of violating this Rent Stabilization Ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not greater than one thousand dollars (\$1,000) or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

(D) Any person, including the City, may enforce the provisions of this Rent Stabilization Ordinance by means of a civil action. The burden of proof in such cases shall be by preponderance of the evidence. The prevailing party in any civil action brought pursuant to this section shall be entitled to recover reasonable attorneys' fees and costs. A violation of this Rent Stabilization Ordinance may be asserted as an affirmative defense in an unlawful detainer action.

(E) Any person who commits an act, proposes to commit an act, or engages in any pattern and practice that violates this Rent Stabilization Ordinance may be enjoined therefrom by any court of competent jurisdiction. An action for injunction under this subsection may be brought by an aggrieved person, by the City Attorney, or by any person or entity who will fairly and adequately represent the interest of the protected class.

(F) This Rent Stabilization Ordinance may be enforced as provided in Chapter 2 of Title 1 of this code in addition to the remedies provided herein, which shall be in addition to any other existing remedies which may be available.

§ 11-1.12. RENT PROGRAM FEE AND REGISTRATION REQUIREMENT.

For the sole purpose of reimbursing the City for the costs of administering this Rent Stabilization Ordinance, there is hereby imposed on each Rental Unit, subject to the provisions of this Rent Stabilization Ordinance, a regulatory fee ("**Rent Program Fee**") to cover the costs to provide and administer the programs created by this Chapter in such amount as the City Council may establish by resolution from time to time. Landlords subject to this Rent Stabilization Ordinance shall register all units subject to this ordinance with the City and pay the Rent Program Fee at such time and in such manner as established by City Council resolution.

§ 11-1.13. IMPLEMENTATION.

The City Manager and City Attorney shall take or cause to be taken such actions necessary to implement this Rent Stabilization Ordinance and effectuate the intent of the City Council in adopting this Rent Stabilization Ordinance, including the preparation of informational materials and forms and promulgation of administrative regulations. The City Manager shall designate a City department to provide information and receive tenant complaints pertaining to violation of this ordinance.

Section 4 Chapter 6, entitled "Hearing Procedures, Hearing Officers' Decisions and Administrative Regulations," is hereby added to Title 1, General Administration, of the Antioch Municipal Code to read as follows:

**CHAPTER 6
ADMINISTRATIVE HEARINGS; REGULATIONS**

§ 1-6.01. HEARING PROCEDURES, DECISIONS, AND ADMINISTRATIVE REGULATIONS.

(A) In any administrative proceeding conducted under this code by a Hearing Officer or Hearing Examiner:

- (1) The Hearing Officer or Hearing Examiner shall have no authority to consider the constitutionality of any Federal, State, or local law or regulation.
- (2) The Hearing Officer or Hearing Examiner, in the performance of duties, shall comply with all applicable Federal, State, and local laws, regulations and codes of conduct.

(B) No administrative decision issued by a Hearing Officer or Hearing Examiner shall establish legal precedent applicable beyond the case presented by the decision.

(C) No administrative decision shall be cited as controlling or persuasive legal precedent in any subsequent administrative hearing in a separate case.

(D) This section shall not preclude the use of an administrative decision to establish factual issues, such as showing a pattern or practice in any proceeding.

(E) The City Attorney or designee may promulgate administrative regulations to implement the administrative hearing procedures set forth in this Chapter. Such regulations may set forth instructions relating to topics such as conflicts of interest, disqualification and selection of Hearing Officer or Hearing Examiners.

Section 5 The City Council finds that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to sections 15060(c)(2), 15060(c)(3), and 15061(b)(3) of the State CEQA Guidelines because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, because there is no possibility it will have a significant effect on the environment, and it is not a “project”, as defined in Section 15378 of the State CEQA Guidelines.

Section 6 If any section, subsection, provision or part of this ordinance, or its application to any person or circumstance, is held to be unconstitutional or otherwise invalid, the remainder of this ordinance, and the application of such provision to other person or circumstances, shall not be affected thereby and shall remain in full force and effect and, to that end, the provisions of this ordinance are severable.

Section 7 This ordinance shall take effect and be enforced thirty (30) days from and after the date of its adoption and shall be published once within fifteen (15) days upon passage and adoption in a newspaper of general circulation printed and published in the City of Antioch.

* * * * *

I HEREBY CERTIFY that the forgoing ordinance was introduced and adopted at a regular meeting of the City Council of the City of Antioch, held on the ____ of _____ 2022, and passed and adopted at a regular meeting thereof, held on the ____ day of _____ 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Lamar A. Thorpe
Mayor of the City of Antioch

ATTEST:

Elizabeth Householder, MPP
City Clerk of the City of Antioch

State of California Tenant Protection Act of 2019 (AB 1482)

Name of Legislation

(AB 1482)

California Civil Code

Division 3. Obligations

Part 4. Obligations Arising from Particular Transactions

Title 5. Hiring

Chapter 2. Hiring of Real Property

Tenant Protection Act of 2019

1946.2 Just Cause

1947.12. Cap on rent increases.

1947.13 Assisted and Affordable Housing

Effective Dates

Effective 1/1/20 and scheduled to expire on 1/1/30.

Note: AB 1482 is preempted by more protective local rent control ordinances, and ordinances requiring just cause that were 1); adopted on or before 9/1/19, or 2); adopted or amended after that date and with *more protective* just cause provisions than AB 1482.

Exemptions

Apartments built within 15 years of the current date are exempt (“rolling” exemption), along with hotels and related short-term housing, medical facilities, dormitories, and religious, extended, or residential care facilities. Duplexes are exempt where the owner occupies one unit as a principal place of residence at the start of the tenancy, and continues to live there throughout.

Single family homes are exempt where 1) the owner is a “natural person” rather than an institutional investor like a corporation, real-estate investment trust, or LLC with at least one corporate member, 2) the owner maintains a principal residence in the unit and shares a bathroom or kitchen with the tenant, or 3) owner-occupied homes where the owner rents two or less units (granny flats, ADU).



CAUTION

Tenants of an exempt single family dwelling must be notified in writing in the lease or rental agreement that the unit is exempt, using the exact language specified in Cal. Civ. Code. §§ 1946.2(8)(B)(i-iii) and 1947.12(5)(B)(i-iii).

Administration

No state agency is responsible for enforcement. Tenant must file a lawsuit to enforce rights.

Cap on rent increases

Annual rent increases are limited to the lesser of 5% plus the metropolitan area Consumer Price Index, or 10% of the total of the lowest gross rental rate charged at any time during the 12 months prior to the effective date of the increase.

Starting 1/1/20 the base rent for calculating increases is the rent in effect as of 3/15/19. Rent may be increased only twice over any 12 month period. (Cal Civ. Code § 1947.12.)

Just Cause required for Eviction?

Just cause applies once the tenant has continuously and lawfully occupied the unit for 12+ months. If additional tenant(s) are added *before the existing tenant has occupied for 24 months*, then *all* tenants must have occupied the unit for 12+ months, or *one or more* tenants for 24+ months. (Cal Civ. Code § 1946.2(a).)

Other

Tenants subjected to a no-fault eviction are entitled to either relocation assistance or a rent waiver equal to one month’s rent. (Cal Civ. Code § 1946.2.)

For a curable lease violation (tenant at fault, see below), the owner must first give the tenant notice and an opportunity to cure pursuant to California Code CCP 1161(3) (i.e., 3 day notice to cure or quit). A three-day notice to quit without an opportunity to cure can then be served to terminate the tenancy. For a no-fault termination, the tenant must be informed of the right to relocation assistance or rent waiver.

Reasons Allowed for Just Cause Evictions—Tenant at Fault (Cal. Civ. Code § 1946.2(a))	Additional Local Notice Requirements and Limitations
Failure to pay rent.	
Breach of the lease.	Breach as described in Cal. Civ. Proc. § 1161(3), including violation of a provision of the lease after being issued a written notice to correct the violation.
Maintaining, committing, or permitting nuisance.	Tenant commits or maintains a public nuisance as described in Cal. Civ. Proc. § 1161(4), Cal Civ. Code § 3482.8 (dog/cockfighting), 3485(c) (guns & ammo) or 3486(c) (drugs).
Committing waste.	See Cal Civ. Code § 1161(4).
Tenant refuses to renew.	A written lease terminates after 1/1/20, and following a written request tenant refuses to execute a renewal of similar duration and terms. Refusal to renew can include tenant's failure to agree to a clause allowing for landlord move-in. Cal Civ. Code § 1161(2)(A)(ii).
Criminal activity.	Tenant engages in criminal activity on the property, (including common areas), or criminal activity or threats, as defined in Penal Code 422(a) (death or great bodily injury to another person), on or off the property, directed at owner or owner's agent.
Assigning or subletting in violation of lease.	Assigning or subletting the premises in violation of the lease, per Cal Civ. Code § 1161(4).
Tenant refuses to allow landlord reasonable access to the unit.	Tenant's refusal to allow access as authorized by Cal Civ. Code § 1101.5, 1954, and 1946.2 and Cal. Health and Safety Code §§ 13113.7 and 17926.1.
Using premises for unlawful purpose.	Unlawful purpose as described in Cal Civ. Proc. § 1161(4), i.e., Cal. Civ. Code §§ 3482.8 (dog/cockfighting), 3485(c) (guns & ammo) and 3486(c) (drugs).
Terminated employee refuses to vacate.	Tenant is landlord's employee, agent, or licensee who refuses to vacate following termination. (Cal. Civ. Code § 1161(1).)
Hold-over tenant.	Tenant fails to deliver possession after providing written notice pursuant to Cal. Civ. Code §1946 of tenant's intention to terminate the lease; or tenant's written offer to surrender is accepted in writing by the landlord, but tenant fails to deliver. (Cal Civ. Proc. § 1161(5).)

Reasons Allowed for Just Cause Evictions—No Fault	
Owner move-in by owner or owner’s spouse, domestic partner, children, grandchildren, parents, or grandparents.	<p>For leases entered into on or after 7/1/20, move-ins are available only if the tenant agrees in writing, or if a lease provision specifically allows termination for owner move-ins.</p> <p>Adding a provision to a renewal which allows termination for owner move-in constitutes a “similar provision” for the purposes of refusing to renew a lease.</p>
Withdrawal of property from the rental market.	
Landlord must evict tenant to comply with a local ordinance or an order from a court or government agency.	<p>Eviction must be necessary to comply with (I) a government agency or court order relating to habitability that requires vacating the property; (II) a government agency or court order to vacate the property; or (III) a local ordinance that requires vacating the property.</p> <p>If a government agency or court determines tenant is at fault for triggering the order/need to vacate under Clause (I), the tenant is not entitled to relocation assistance.</p>
Intent to demolish or to substantially remodel the property.	<p>“Substantially remodel” means the replacement or substantial modification requiring a permit, or abatement of hazardous materials that requires the tenant to vacate for at least 30 days. Cosmetic improvements alone that can be performed safely without vacating, don’t qualify as substantial rehabilitation.</p>

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CIVIL CODE - CIV**DIVISION 3. OBLIGATIONS [1427 - 3273.16]** (*Heading of Division 3 amended by Stats. 1988, Ch. 160, Sec. 14.*)**PART 4. OBLIGATIONS ARISING FROM PARTICULAR TRANSACTIONS [1738 - 3273.16]** (*Part 4 enacted 1872.*)**TITLE 5. HIRING [1925 - 1997.270]** (*Title 5 enacted 1872.*)**CHAPTER 2.7. Residential Rent Control [1954.50 - 1954.535]** (*Title 5 added by Stats. 1995, Ch. 331, Sec. 1.*)**1954.50.** This chapter shall be known and may be cited as the Costa-Hawkins Rental Housing Act.(*Added by Stats. 1995, Ch. 331, Sec. 1. Effective January 1, 1996.*)**1954.51.** As used in this chapter, the following terms have the following meanings:

(a) "Comparable units" means rental units that have approximately the same living space, have the same number of bedrooms, are located in the same or similar neighborhoods, and feature the same, similar, or equal amenities and housing services.

(b) "Owner" includes any person, acting as principal or through an agent, having the right to offer residential real property for rent, and includes a predecessor in interest to the owner, except that this term does not include the owner or operator of a mobilehome park, or the owner of a mobilehome or his or her agent.

(c) "Prevailing market rent" means the rental rate that would be authorized pursuant to 42 U.S.C.A. 1437 (f), as calculated by the United States Department of Housing and Urban Development pursuant to Part 888 of Title 24 of the Code of Federal Regulations.

(d) "Public entity" has the same meaning as set forth in Section 811.2 of the Government Code.

(e) "Residential real property" includes any dwelling or unit that is intended for human habitation.

(f) "Tenancy" includes the lawful occupation of property and includes a lease or sublease.

(*Added by Stats. 1995, Ch. 331, Sec. 1. Effective January 1, 1996.*)**1954.52.** (a) Notwithstanding any other provision of law, an owner of residential real property may establish the initial and all subsequent rental rates for a dwelling or a unit about which any of the following is true:

(1) It has a certificate of occupancy issued after February 1, 1995.

(2) It has already been exempt from the residential rent control ordinance of a public entity on or before February 1, 1995, pursuant to a local exemption for newly constructed units.

(3) (A) It is alienable separate from the title to any other dwelling unit or is a subdivided interest in a subdivision, as specified in subdivision (b), (d), or (f) of Section 11004.5 of the Business and Professions Code.

(B) This paragraph does not apply to either of the following:

(i) A dwelling or unit where the preceding tenancy has been terminated by the owner by notice pursuant to Section 1946.1 or has been terminated upon a change in the terms of the tenancy noticed pursuant to Section 827.

(ii) A condominium dwelling or unit that has not been sold separately by the subdivider to a bona fide purchaser for value. The initial rent amount of the unit for purposes of this chapter shall be the lawful rent in effect on May 7, 2001, unless the rent amount is governed by a different provision of this chapter. However, if a condominium dwelling or unit meets the criteria of paragraph (1) or (2) of subdivision (a), or if all the dwellings or units except one have been sold separately by the subdivider to bona fide purchasers

for value, and the subdivider has occupied that remaining unsold condominium dwelling or unit as his or her principal residence for at least one year after the subdivision occurred, then subparagraph (A) of paragraph (3) shall apply to that unsold condominium dwelling or unit.

(C) Where a dwelling or unit in which the initial or subsequent rental rates are controlled by an ordinance or charter provision in effect on January 1, 1995, the following shall apply:

(i) An owner of real property as described in this paragraph may establish the initial and all subsequent rental rates for all existing and new tenancies in effect on or after January 1, 1999, if the tenancy in effect on or after January 1, 1999, was created between January 1, 1996, and December 31, 1998.

(ii) Commencing on January 1, 1999, an owner of real property as described in this paragraph may establish the initial and all subsequent rental rates for all new tenancies if the previous tenancy was in effect on December 31, 1995.

(iii) The initial rental rate for a dwelling or unit as described in this paragraph in which the initial rental rate is controlled by an ordinance or charter provision in effect on January 1, 1995, may not, until January 1, 1999, exceed the amount calculated pursuant to subdivision (c) of Section 1954.53. An owner of residential real property as described in this paragraph may, until January 1, 1999, establish the initial rental rate for a dwelling or unit only where the tenant has voluntarily vacated, abandoned, or been evicted pursuant to paragraph (2) of Section 1161 of the Code of Civil Procedure.

(b) Subdivision (a) does not apply where the owner has otherwise agreed by contract with a public entity in consideration for a direct financial contribution or any other forms of assistance specified in Chapter 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code.

(c) Nothing in this section shall be construed to affect the authority of a public entity that may otherwise exist to regulate or monitor the basis for eviction.

(d) This section does not apply to any dwelling or unit that contains serious health, safety, fire, or building code violations, excluding those caused by disasters for which a citation has been issued by the appropriate governmental agency and which has remained unabated for six months or longer preceding the vacancy.

(Amended by Stats. 2004, Ch. 568, Sec. 4. Effective January 1, 2005.)

1954.53. (a) Notwithstanding any other provision of law, an owner of residential real property may establish the initial rental rate for a dwelling or unit, except where any of the following applies:

(1) The previous tenancy has been terminated by the owner by notice pursuant to Section 1946.1 or has been terminated upon a change in the terms of the tenancy noticed pursuant to Section 827, except a change permitted by law in the amount of rent or fees. For the purpose of this paragraph, the owner's termination or nonrenewal of a contract or recorded agreement with a governmental agency that provides for a rent limitation to a qualified tenant, shall be construed as a change in the terms of the tenancy pursuant to Section 827.

(A) In a jurisdiction that controls by ordinance or charter provision the rental rate for a dwelling or unit, an owner who terminates or fails to renew a contract or recorded agreement with a governmental agency that provides for a rent limitation to a qualified tenant may not set an initial rent for three years following the date of the termination or nonrenewal of the contract or agreement. For any new tenancy established during the three-year period, the rental rate for a new tenancy established in that vacated dwelling or unit shall be at the same rate as the rent under the terminated or nonrenewed contract or recorded agreement with a governmental agency that provided for a rent limitation to a qualified tenant, plus any increases authorized after the termination or cancellation of the contract or recorded agreement.

(B) Subparagraph (A) does not apply to any new tenancy of 12 months or more duration established after January 1, 2000, pursuant to the owner's contract or recorded agreement with a governmental agency that provides for a rent limitation to a qualified tenant, unless the prior vacancy in that dwelling or unit was pursuant to a nonrenewed or canceled contract or recorded agreement with a governmental agency that provides for a rent limitation to a qualified tenant as set forth in that subparagraph.

(2) The owner has otherwise agreed by contract with a public entity in consideration for a direct financial contribution or any other forms of assistance specified in Chapter 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code.

(3) The initial rental rate for a dwelling or unit whose initial rental rate is controlled by an ordinance or charter provision in effect on January 1, 1995, may not until January 1, 1999, exceed the amount calculated pursuant to

subdivision (c).

(b) Subdivision (a) applies to, and includes, renewal of the initial hiring by the same tenant, lessee, authorized subtenant, or authorized sublessee for the entire period of his or her occupancy at the rental rate established for the initial hiring.

(c) The rental rate of a dwelling or unit whose initial rental rate is controlled by ordinance or charter provision in effect on January 1, 1995, shall, until January 1, 1999, be established in accordance with this subdivision. Where the previous tenant has voluntarily vacated, abandoned, or been evicted pursuant to paragraph (2) of Section 1161 of Code of Civil Procedure, an owner of residential real property may, no more than twice, establish the initial rental rate for a dwelling or unit in an amount that is no greater than 15 percent more than the rental rate in effect for the immediately preceding tenancy or in an amount that is 70 percent of the prevailing market rent for comparable units, whichever amount is greater.

The initial rental rate established pursuant to this subdivision may not substitute for or replace increases in rental rates otherwise authorized pursuant to law.

(d) (1) Nothing in this section or any other provision of law shall be construed to preclude express establishment in a lease or rental agreement of the rental rates to be applicable in the event the rental unit subject thereto is sublet. Nothing in this section shall be construed to impair the obligations of contracts entered into prior to January 1, 1996.

(2) If the original occupant or occupants who took possession of the dwelling or unit pursuant to the rental agreement with the owner no longer permanently reside there, an owner may increase the rent by any amount allowed by this section to a lawful sublessee or assignee who did not reside at the dwelling or unit prior to January 1, 1996.

(3) This subdivision does not apply to partial changes in occupancy of a dwelling or unit where one or more of the occupants of the premises, pursuant to the agreement with the owner provided for above, remains an occupant in lawful possession of the dwelling or unit, or where a lawful sublessee or assignee who resided at the dwelling or unit prior to January 1, 1996, remains in possession of the dwelling or unit. Nothing contained in this section shall be construed to enlarge or diminish an owner's right to withhold consent to a sublease or assignment.

(4) Acceptance of rent by the owner does not operate as a waiver or otherwise prevent enforcement of a covenant prohibiting sublease or assignment or as a waiver of an owner's rights to establish the initial rental rate, unless the owner has received written notice from the tenant that is party to the agreement and thereafter accepted rent.

(e) Nothing in this section shall be construed to affect any authority of a public entity that may otherwise exist to regulate or monitor the grounds for eviction.

(f) This section does not apply to any dwelling or unit if all the following conditions are met:

(1) The dwelling or unit has been cited in an inspection report by the appropriate governmental agency as containing serious health, safety, fire, or building code violations, as defined by Section 17920.3 of the Health and Safety Code, excluding any violation caused by a disaster.

(2) The citation was issued at least 60 days prior to the date of the vacancy.

(3) The cited violation had not been abated when the prior tenant vacated and had remained unabated for 60 days or for a longer period of time. However, the 60-day time period may be extended by the appropriate governmental agency that issued the citation.

(Amended by Stats. 2004, Ch. 568, Sec. 5. Effective January 1, 2005.)

1954.535. Where an owner terminates or fails to renew a contract or recorded agreement with a governmental agency that provides for rent limitations to a qualified tenant, the tenant or tenants who were the beneficiaries of the contract or recorded agreement shall be given at least 90 days' written notice of the effective date of the termination and shall not be obligated to pay more than the tenant's portion of the rent, as calculated under the contract or recorded agreement to be terminated, for 90 days following receipt of the notice of termination of nonrenewal of the contract.

(Added by Stats. 1999, Ch. 590, Sec. 3. Effective January 1, 2000.)

Assembly Bill No. 1399

CHAPTER 596

An act to amend Sections 7060.2, 7060.4, and 7060.7 of the Government Code, relating to residential real property.

[Approved by Governor October 8, 2019. Filed with Secretary of State October 8, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1399, Bloom. Residential real property: rent control: withdrawal of accommodations.

(1) Existing law, commonly known as the Ellis Act, generally prohibits public entities from adopting any statute, ordinance, or regulation, or taking any administrative action, as specified, to compel the owner of residential real property to offer or to continue to offer accommodations, as defined, in the property for rent or lease. Existing law authorizes a public entity acting pursuant to the Ellis Act to require an owner who offers accommodations for rent or lease within a period not exceeding 10 years from the date on which they were withdrawn, as specified, to first offer the unit to the tenant or lessee displaced from that unit by the withdrawal, subject to certain requirements. If the owner fails to comply with this requirement, the owner is liable to a displaced tenant or lessee for punitive damages not to exceed 6 months' rent.

This bill would prohibit a payment of the above-described punitive damages from being construed to extinguish the owner's obligation to offer the accommodations to a prior tenant or lessee, as described above.

(2) Existing law qualifies the Ellis Act prohibition on compelling owners to offer or to continue to offer accommodations by, among other things, permitting a public entity to require an owner to provide notice that the owner has initiated actions to terminate tenancies and, in this situation, the date of withdrawal of accommodations would be 120 days from the delivery of the notice. Existing law extends the term for the withdrawal of accommodations, in this context, to one year if the tenant or lessee is 62 years of age or older, or disabled, and other conditions are met.

This bill, with regard to the withdrawal of accommodations and the extension of tenancies, as described above, would require the date of withdrawal for the accommodations as a whole to be the latest termination date among all tenants within the accommodations for purposes of calculating specified time periods, as specified. The bill would make conforming changes to clarify the application of these provisions with respect to accommodations with multiple units and with respect to requirements to give notice to public entities and tenants with extended tenancies. The bill would also conform a statement of legislative intent relating to the Ellis Act

to specify that it is not intended to permit an owner to return to the rental market less than all of the accommodations, among other things. The bill would also amend this statement of legislative intent to make further statements regarding what the act is not intended to permit on the part of an owner.

The people of the State of California do enact as follows:

SECTION 1. Section 7060.2 of the Government Code is amended to read:

7060.2. If a public entity, by valid exercise of its police power, has in effect any control or system of control on the price at which accommodations may be offered for rent or lease, that entity may, notwithstanding any provision of this chapter, provide by statute or ordinance, or by regulation as specified in Section 7060.5, that any accommodations which have been offered for rent or lease and which were subject to that control or system of control at the time the accommodations were withdrawn from rent or lease, shall be subject to the following:

(a) (1) For all tenancies commenced during the time periods described in paragraph (2), the accommodations shall be offered and rented or leased at the lawful rent in effect at the time any notice of intent to withdraw the accommodations is filed with the public entity, plus annual adjustments available under the system of control.

(2) The provisions of paragraph (1) shall apply to all tenancies commenced during either of the following time periods:

(A) The five-year period after any notice of intent to withdraw the accommodations is filed with the public entity, whether or not the notice of intent is rescinded or the withdrawal of the accommodations is completed pursuant to the notice of intent.

(B) The five-year period after the accommodations are withdrawn.

(3) This subdivision shall prevail over any conflicting provision of law authorizing the landlord to establish the rental rate upon the initial hiring of the accommodations.

(b) If the accommodations are offered again for rent or lease for residential purposes within two years of the date the accommodations were withdrawn from rent or lease, the following provisions shall govern:

(1) The owner of the accommodations shall be liable to any tenant or lessee who was displaced from the property by that action for actual and exemplary damages. Any action by a tenant or lessee pursuant to this paragraph shall be brought within three years of the withdrawal of the accommodations from rent or lease. However, nothing in this paragraph precludes a tenant from pursuing any alternative remedy available under the law.

(2) A public entity which has acted pursuant to this section may institute a civil proceeding against any owner who has again offered accommodations for rent or lease subject to this subdivision, for exemplary damages for

displacement of tenants or lessees. Any action by a public entity pursuant to this paragraph shall be brought within three years of the withdrawal of the accommodations from rent or lease.

(3) Any owner who offers accommodations again for rent or lease shall first offer the unit for rent or lease to the tenant or lessee displaced from that unit by the withdrawal pursuant to this chapter, if the tenant has advised the owner in writing within 30 days of the displacement of the tenant's desire to consider an offer to renew the tenancy and has furnished the owner with an address to which that offer is to be directed. That tenant, lessee, or former tenant or lessee may advise the owner at any time during the eligibility of a change of address to which an offer is to be directed.

If the owner again offers the accommodations for rent or lease pursuant to this subdivision, and the tenant or lessee has advised the owner pursuant to this subdivision of a desire to consider an offer to renew the tenancy, then the owner shall offer to reinstitute a rental agreement or lease on terms permitted by law to that displaced tenant or lessee.

This offer shall be deposited in the United States mail, by registered or certified mail with postage prepaid, addressed to the displaced tenant or lessee at the address furnished to the owner as provided in this subdivision, and shall describe the terms of the offer. The displaced tenant or lessee shall have 30 days from the deposit of the offer in the mail to accept the offer by personal delivery of that acceptance or by deposit of the acceptance in the United States mail by registered or certified mail with postage prepaid.

(c) A public entity which has acted pursuant to this section, may require by statute or ordinance, or by regulation as specified in Section 7060.5, that an owner who offers accommodations again for rent or lease within a period not exceeding 10 years from the date on which they are withdrawn, and which are subject to this subdivision, shall first offer the unit to the tenant or lessee displaced from that unit by the withdrawal, if that tenant or lessee requests the offer in writing within 30 days after the owner has notified the public entity of an intention to offer the accommodations again for residential rent or lease pursuant to a requirement adopted by the public entity under subdivision (c) of Section 7060.4. The owner of the accommodations shall be liable to any tenant or lessee who was displaced by that action for failure to comply with this paragraph, for punitive damages in an amount which does not exceed the contract rent for six months, and the payment of which shall not be construed to extinguish the owner's obligation to comply with this subdivision.

(d) If the accommodations are demolished, and new accommodations are constructed on the same property, and offered for rent or lease within five years of the date the accommodations were withdrawn from rent or lease, the newly constructed accommodations shall be subject to any system of controls on the price at which they would be offered on the basis of a fair and reasonable return on the newly constructed accommodations, notwithstanding any exemption from the system of controls for newly constructed accommodations.

(e) The amendments to this section enacted by the act adding this subdivision shall apply to all new tenancies created after December 31, 2002. If a new tenancy was lawfully created prior to January 1, 2003, after a lawful withdrawal of the unit under this chapter, the amendments to this section enacted by the act adding this subdivision may not apply to new tenancies created after that date.

SEC. 2. Section 7060.4 of the Government Code is amended to read:

7060.4. (a) Any public entity which, by a valid exercise of its police power, has in effect any control or system of control on the price at which accommodations are offered for rent or lease, may require by statute or ordinance, or by regulation as specified in Section 7060.5, that the owner notify the entity of an intention to withdraw those accommodations from rent or lease and may require that the notice contain statements, under penalty of perjury, providing information on the number of accommodations, the address or location of those accommodations, the name or names of the tenants or lessees of the accommodations, and the rent applicable to each residential rental unit.

Information respecting the name or names of the tenants, the rent applicable to any residential rental unit, or the total number of accommodations, is confidential information and for purposes of this chapter shall be treated as confidential information by any public entity for purposes of the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code). A public entity shall, to the extent required by the preceding sentence, be considered an “agency,” as defined by subdivision (d) of Section 1798.3 of the Civil Code.

(b) The statute, ordinance, or regulation of the public entity may require that the owner record with the county recorder a memorandum summarizing the provisions, other than the confidential provisions, of the notice in a form which shall be prescribed by the statute, ordinance, or regulation, and require a certification with that notice that actions have been initiated as required by law to terminate any existing tenancies. In that situation, the date on which the accommodations are withdrawn from rent or lease for purposes of this chapter is 120 days from the delivery in person or by first-class mail of that notice to the public entity. However, if the tenant or lessee is at least 62 years of age or disabled, and has lived in their accommodations or unit within the accommodations for at least one year prior to the date of delivery to the public entity of the notice of intent to withdraw pursuant to subdivision (a), then the date of withdrawal of the accommodations of that tenant or lessee shall be extended to one year after the date of delivery of that notice to the public entity, provided that the tenant or lessee gives written notice of their entitlement to an extension to the owner within 60 days of the date of delivery to the public entity of the notice of intent to withdraw. In that situation, the following provisions shall apply:

(1) The tenancy shall be continued on the same terms and conditions as existed on the date of delivery to the public entity of the notice of intent to

withdraw, subject to any adjustments otherwise available under the system of control.

(2) No party shall be relieved of the duty to perform any obligation under the lease or rental agreement.

(3) The owner may elect to extend the tenancy on any other unit within the accommodations up to one year after date of delivery to the public entity of the notice of intent to withdraw, subject to paragraphs (1) and (2).

(4) Within 30 days of the notification by the tenant or lessee to the owner of their entitlement to an extension, the owner shall give written notice to the public entity of the claim that the tenant or lessee is entitled to stay in their accommodations or unit within the accommodations for one year after date of delivery to the public entity of the notice of intent to withdraw.

(5) Within 90 days of date of delivery to the public entity of the notice of intent to withdraw, the owner shall give written notice of the owner's election to extend a tenancy under paragraph (3) and the revised date of withdrawal to the public entity and any tenant or lessee whose tenancy is extended.

(6) The date of withdrawal for the accommodations as a whole, for purposes of calculating the time periods described in Section 7060.2, shall be the latest termination date among all tenants within the accommodations, as stated in the notices required by paragraphs (4) and (5). An owner's further voluntary extension of a tenancy beyond the date stated in the notices required by paragraphs (4) and (5) shall not extend the date of withdrawal.

(c) The statute, ordinance, or regulation of the public entity adopted pursuant to subdivision (a) may also require the owner to notify any tenant or lessee displaced pursuant to this chapter of the following:

(1) That the public entity has been notified pursuant to subdivision (a).

(2) That the notice to the public entity specified the name and the amount of rent paid by the tenant or lessee as an occupant of the accommodations.

(3) The amount of rent the owner specified in the notice to the public entity.

(4) Notice to the tenant or lessee of their rights under paragraph (3) of subdivision (b) of Section 7060.2.

(5) Notice to the tenant or lessee of the following:

(A) If the tenant or lessee is at least 62 years of age or disabled, and has lived in their accommodations for at least one year prior to the date of delivery to the public entity of the notice of intent to withdraw, then tenancy shall be extended to one year after date of delivery to the public entity of the notice of intent to withdraw, provided that the tenant or lessee gives written notice of their entitlement to the owner within 60 days of date of delivery to the public entity of the notice of intent to withdraw.

(B) The extended tenancy shall be continued on the same terms and conditions as existed on date of delivery to the public entity of the notice of intent to withdraw, subject to any adjustments otherwise available under the system of control.

(C) No party shall be relieved of the duty to perform any obligation under the lease or rental agreement during the extended tenancy.

(d) The statute, ordinance, or regulation of the public entity adopted pursuant to subdivision (a) may also require the owner to notify the public entity in writing of an intention to again offer the accommodations for rent or lease.

SEC. 3. Section 7060.7 of the Government Code is amended to read:

7060.7. It is the intent of the Legislature in enacting this chapter to supersede any holding or portion of any holding in *Nash v. City of Santa Monica*, 37 Cal.3d 97 to the extent that the holding, or portion of the holding, conflicts with this chapter, so as to permit landlords to go out of business. However, this act is not otherwise intended to do any of the following:

(a) Interfere with local governmental authority over land use, including regulation of the conversion of existing housing to condominiums or other subdivided interests or to other nonresidential use following its withdrawal from rent or lease under this chapter.

(b) Preempt local or municipal environmental or land use regulations, procedures, or controls that govern the demolition and redevelopment of residential property.

(c) Override procedural protections designed to prevent abuse of the right to evict tenants.

(d) Permit an owner to do any of the following:

(1) Withdraw from rent or lease less than all of the accommodations, as defined by paragraph (1) or (2) of subdivision (b) of Section 7060.

(2) Decline to make a written retenant offer to any tenant or lessee who occupied a unit at the time when the owner gave the public entity notice of its intent to withdraw the accommodations, in the manner and within the timeframe specified in paragraph (3) of subdivision (b), or in subdivision (c), of Section 7060.2. But the requirements of this paragraph shall not apply to:

(A) A unit that was the principal place of residence of any owner or owner's family member at the time of withdrawal, provided that it continues to be that person's or those persons' principal place of residence when accommodations are returned to the rental market as provided in this section.

(B) A unit that is the principal place of residence of an owner when the accommodations are returned to the rental market, if it is the owners' principal place of residence, at the time of return to the rental market, as provided in this section. If the owner vacates the unit within 10 years from the date of withdrawal, the owner shall, within 30 days, offer to retenant if required under this paragraph.

(e) Grant to any public entity any power which it does not possess independent of this chapter to control or establish a system of control on the price at which accommodations may be offered for rent or lease, or to diminish any such power which that public entity may possess, except as specifically provided in this chapter.

(f) Alter in any way either Section 65863.7 relating to the withdrawal of accommodations which comprise a mobilehome park from rent or lease or

subdivision (f) of Section 798.56 of the Civil Code relating to a change of use of a mobilehome park.

O

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of October 11, 2022

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Thomas Lloyd Smith, City Attorney *725*

SUBJECT: AB 361: Resolution Making Findings Necessary to Conduct Brown Act Meetings by Teleconference for the City Council, Boards, Commissions, and Committees

RECOMMENDED ACTION

It is recommended that the City Council adopt the resolution authorizing remote teleconference/virtual meetings of the legislative bodies of the City of Antioch, which includes the City Council, boards, commissions, and committees.

FISCAL IMPACT

There is no anticipated direct or indirect fiscal impact as a result of this item.

DISCUSSION

Even though cases of COVID-19 have dropped, AB 361 is expressly intended “to protect the health and safety of civil servants and the public and does not preference the experience of members of the public who might be able to attend a meeting in a physical location over members of the public who cannot travel or attend that meeting in a physical location” because of physical status.

The City of Antioch has utilized teleconference technology for some time, and since the State of Emergency is still in effect and state officials are still recommending measures to promote social distancing, especially for immunocompromised and sensitive groups (as described in the attached Resolution), the City’s legislative bodies, which include the City Council, boards, commissions, and committees can continue to meet while providing access to the public via teleconference. This resolution makes the findings required by AB 361, and would apply Citywide – i.e., not just to the City Council but to all City commissions and committees subject to the Brown Act as well. Staff requests passage of the attached resolution, which enables “hybrid meetings” including in-person and teleconference public participation or virtual meetings via teleconference for the City Council, boards, commissions, and committees.

Under this resolution, City Council, commissions, boards, and committees can continue holding virtual meetings or hybrid meetings in compliance with the following more flexible standards:

- The City is not required to provide a physical location for the public to attend or provide comments.
- Public access to the meeting via a call-in or an internet-based service option must be allowed, but the City is not required to have members of the public attend at each teleconference location.
- The City is only required to notice and post an agenda in accordance with the Brown Act provisions for in-person meetings. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.
- When notice of the time of the teleconferenced meeting given or the agenda for the meeting is posted, the City shall also give notice of the means by which members of the public may access the meeting and offer public comment.
- The City must provide an opportunity for the public to address and offer comment in real time and cannot require all public comments to be submitted in advance of the meeting.

ATTACHMENTS

A. Resolution

RESOLUTION NO. 2022-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
MAKING THE REQUIRED FINDINGS TO AUTHORIZE REMOTE
TELECONFERENCE/VIRTUAL MEETINGS OF THE LEGISLATIVE
BODIES OF THE CITY OF ANTIOCH FOR A PERIOD OF THIRTY
DAYS PURSUANT TO BROWN ACT PROVISIONS**

WHEREAS, the City of Antioch is committed to preserving and nurturing public access and participation in public meetings under the Ralph M. Brown Act;

WHEREAS, all meetings of the City's legislative bodies, which includes the City Council, boards, commissions, and committees, are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), such that any member of the public may attend, participate, and watch the City's legislative bodies conduct their business;

WHEREAS, as recently amended by AB 361, Government Code section 54953(e) of the Brown Act makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions;

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558;

WHEREAS, it is further required that state or local officials have recommended or imposed measures to promote social distancing, or the legislative body determines by majority vote that meeting in person would present imminent risks to the health and safety of attendees;

WHEREAS, such conditions now exist in the City; specifically, on March 4, 2020, the Governor of the State of California proclaimed a State of Emergency, and such proclamation remains in effect and has not been rescinded or cancelled, and the "SMARTER" plan that the Governor unveiled specifically indicates that the State of Emergency will not be terminated;

WHEREAS, in addition to the above, state officials have issued orders recommending social distancing measures for certain individuals and in certain situations. For example, and not by way of limitation, social distancing is referenced in guidance on vaccine doses for persons who are immunocompromised and in certain situations under general industry safety orders;

WHEREAS, the state legislature has also made findings that by removing the requirement that public meetings be conducted at a primary physical location with a quorum of members present, AB 361 protects the health and safety of civil servants and

the public and does not preference the experience of members of the public who might be able to attend a meeting in a physical location over members of the public who cannot travel or attend that meeting in a physical location;

WHEREAS, the City Council does hereby find that all of the legislative bodies of the City shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the City will provide live call-in and/or internet service-based option for remote public participation and will provide notice for such participation in the agendas posted in advance of the meetings.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ANTIOCH DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Findings. The City Council hereby finds that, as set forth above, due to the novel coronavirus a State of Emergency declared by the Governor of the State of California is currently in effect, and that state or local officials are recommending measures promote social distancing.

Section 3. Remote Teleconference Meetings. The City Manager and City Attorney are hereby authorized and directed to take all actions necessary to conduct open and public meetings for all the legislative bodies of the City in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 4. Effective Date of Resolution. This Resolution shall be effective immediately upon its adoption and shall remain in effect until the earlier of 30 days from the effective date of this Resolution, or such time the City Council adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the City may continue to teleconference.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 11th day of October, 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

**ELIZABETH HOUSEHOLDER
CITY CLERK OF THE CITY OF ANTIOCH**




STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of October 11, 2022

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Carlos Zepeda, Deputy Public Works Director

APPROVED BY: John Samuelson, Public Works Director/City Engineer 

SUBJECT: Authorization to Purchase Up to Seven (7) 2023 New-to-Fleet Vehicles and Up to Sixteen (16) 2023 Replacement Vehicles Utilizing Cooperative Purchase Agreements

RECOMMENDED ACTION

It is recommended that the City Council adopt the resolution:

1. Approving an amendment to the fiscal year 2022/23 Operating Budget to increase the funding from the General Fund for the purchase of one (1) new-to-fleet vehicle for the Public Safety and Community Resources Department in an amount of \$50,000; and
2. Authorizing the City Manager to execute the purchase of up to seven (7) 2023 new-to-fleet vehicles and up to sixteen (16) 2023 replacement vehicles utilizing cooperative purchase agreements for a not to exceed amount of \$1,940,000.

FISCAL IMPACT

Adoption of this resolution will amend the fiscal year 2022/23 Operating Budget to increase General Fund expenditures by \$50,000 to allow the purchase of one (1) new-to-fleet vehicle for the Public Safety and Community Resources Department to meet their operational needs.

Funding for the remaining vehicles in the total amount of \$1,890,000 is included in the adopted fiscal year 2022/23 budget within the Vehicle Replacement Fund, Water Enterprise Fund, Sewer Enterprise Fund, and General Fund. Replaced vehicles will be sold at auction and revenue from the sales will be returned to the Vehicle Replacement Fund.

DISCUSSION

The City's inventory of vehicles and equipment is examined annually in conjunction with the budget process to determine which existing units meet replacement criteria and which divisions have new operational needs. The Fleet Division is committed to pursuit of alternative fuel options such as all electric or hybrid service vehicles. City staff is

actively securing alternative fuel options for service trucks in the F150 line or smaller. Options for larger service trucks in the F250, F350, F450, or F650 line are not available or accessible at this time to meet City needs.

The Public Works Department has been notified by its vendors that the vehicle ordering banks will only be open for short periods of time. In order to be able to purchase vehicles on short notice, the City Council's authorization is requested to purchase up to seven (7) 2023 new-to-fleet and sixteen (16) 2023 replacement vehicles for a not to exceed amount of \$1,940,000. The ability to place the order during this short time frame is critical to ensure that work crews have the vehicles necessary to continue to provide services to the residents of Antioch. Exhibit A of the resolution is a list of the vehicles included in the request.

City Staff will utilize cooperative purchase agreements as outlined in the City's municipal code to obtain pricing and purchase the vehicles.

ATTACHMENT

A. Resolution

ATTACHMENT "A"

RESOLUTION NO. 2022/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPROVING AN AMENDMENT TO INCREASE THE FISCAL YEAR 2022/23
OPERATING BUDGET, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO
PURCHASE UP TO SEVEN (7) 2023 NEW-TO-FLEET VEHICLES AND UP TO
SIXTEEN (16) REPLACEMENT VEHICLES AND AUTHORIZING THE CITY
MANAGER TO PURCHASE THE VEHICLES UTILIZING COOPERATIVE PURCHASE
AGREEMENTS IN AN AMOUNT NOT TO EXCEED \$1,940,000.**

WHEREAS, the City's Fleet Division annually assesses its inventory of vehicles and equipment in conjunction with the operational needs of each division based on standard replacement criteria;

WHEREAS, the City's Fleet Division maintains the City's fleet through timely replacement of vehicles and equipment that are at or beyond their useful life, which is critical in managing costs and liability associated with an aging fleet;

WHEREAS, the Public Works Department has been notified by its vendors that order banks will only be open for short periods of time;

WHEREAS, the Public Works Department seeks authorization to purchase the vehicles listed in Exhibit A in order to be able to purchase the vehicles during these short periods of time;

WHEREAS, the City of Antioch will obtain quotes from qualified vendors offering cooperative purchase agreements; and

WHEREAS, by utilizing cooperative purchasing agreements as outlined in the City's Municipal Code, the City of Antioch will be guaranteed a significant cost savings while maintaining the principles of fair and open competition in public procurement.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch hereby:

1. Approves an amendment to the fiscal year 2022/23 Operating Budget to increase the funding from the General Fund for the purchase of one (1) new-to-fleet vehicle for the Public Safety & Community Resources Department in an amount of \$50,000;
2. Authorizes the City Manager to execute the purchase up to seven (7) 2023 new-to-fleet vehicles and up to sixteen (16) 2023 replacement vehicles, as listed in Exhibit A, utilizing cooperative purchase agreements for a not to exceed amount of \$1,940,000.

RESOLUTION NO. 2022/**

October 11, 2022

Page 2

* * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 11th day of October 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

**ELIZABETH HOUSEHOLDER
CITY CLERK OF THE CITY OF ANTIOCH**

Exhibit A

Vehicles to be Replaced						Replacement Vehicle			
Public Works									
Vehicle #	Year	Make	Model	Division		Year	Make	Model	Engine Type
792R	2006	Ford	Expedition	Collections		2023	Ford	F-150 Regular Cab	Hybrid
102	2012	Ford	F-350 Super Duty	Collections		2023	Ford	F-650 Crew Cab	Diesel
682	2001	Ford	F-350	Collections		2023	Ford	F-350 Crew Cab	Gas
200	2014	Ford	F-150	Fleet/Facilities		2023	Ford	F-150 Regular Cab	Hybrid
262	2002	Ford	F-250	Landscape		2023	Ford	F-250 Regular Cab	Gas
266	2003	Ford	F-250	Landscape		2023	Ford	F-250 Regular Cab	Gas
267	2003	Ford	F-250	Landscape		2023	Ford	F-250 Regular Cab	Gas
265	2003	Ford	F-250	Water Distribution		2023	Ford	F-350 Super Cab	Gas
302	2012	Ford	F-350 Super Duty	Water Distribution		2023	Ford	F-450 Crew Cab	Gas
303	2012	Ford	F-350 Super Duty	Water Distribution		2023	Ford	F-450 Crew Cab	Gas
304	2012	Ford	F-350 Super Duty	Water Distribution		2023	Ford	F-350 Super Cab	Gas
624	2004	Ford	F-350 Super Duty	Water Distribution		2023	Ford	F-350 Super Cab	Gas
648	2005	Dodge	2500	Water Distribution		2023	Ford	F-350 Super Cab	Gas
Police Department									
Vehicle #	Year	Make	Model	Division		Year	Make	Model	Engine Type
746	2006	Harley Davidson	Motorcycle	Traffic		2023	BMW	R1250RT-P 753	Gas
1373	2016	Harley Davidson	Motorcycle	Traffic		2023	BMW	R1250RT-P 753	Gas
Parks and Recreation									
Vehicle #	Year	Make	Model	Division		Year	Make	Model	Engine Type
252	2007	Ford	F-150	NA		2023	Ford	F-150 Regular Cab	Hybrid

Vehicles New to Fleet					
Public Works					
Year	Make	Model	Division	Engine Type	
2023	Ford	F-350 Regular Cab	Facilities	Gas	
2023	Ford	F-150 Regular Cab	GIS	Hybrid	
2023	Ford	F-250 Regular Cab 4x4	NPDES	Gas	
2023	Ford	F-350 Regular Cab	Streets	Gas	
2023	Ford	F-350 Super Cab	Water Distribution	Gas	
Public Safety & Community Resources					
Year	Make	Model	Division	Engine Type	
2023	Ford	Transit Van	NA	Gas	

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of October 11, 2022

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Jeff Cook, Collections Superintendent

APPROVED BY: John Samuelson, Public Works Director/City Engineer ^{JS}

SUBJECT: Approval of Purchase of a Vac-Con G2 T350/850 Utilizing Sourcewell Cooperative Purchasing Agreement 101221-VAC with Municipal Maintenance Equipment

RECOMMENDED ACTION

It is recommended that the City Council adopt a resolution:

1. Approving the purchase of one (1) new 2023 Vac-Con G2 T350/850 for an amount not to exceed \$525,826.04; and
2. Authorizing the City Manager to execute the Sourcewell Cooperative Purchasing Agreement 101221-VAC with Municipal Maintenance Equipment of Sacramento CA.

FISCAL IMPACT

Funding for the replacement of vehicle #697 is included in adopted fiscal year 2022/23 budget. Funding will include \$381,029.00 from the Vehicle Replacement Fund and \$144,797.04 from the Sewer Enterprise Fund. The replaced vehicle #697 will be sold at auction and revenue from the sale will be returned to the Vehicle Replacement Fund.

DISCUSSION

The City's inventory of vehicles and equipment is examined annually in conjunction with the budget process to determine which existing units meet replacement criteria and which divisions have new operational needs. Criteria includes, but is not limited to, vehicles which have reached or exceeded 100,000 miles, vehicles which require frequent and costly maintenance repairs and older model vehicles that lack available parts.

City staff recommends replacing its 2011 Vac-Con #697 which needs a complete engine replacement with a 2023 Vac-Con G2 T350/850 mounted on a new Freightliner 114SD 4x2 Truck. The Collections Systems Division utilizes the Vac-Con for sewer maintenance. Replacement of Vac-Con #697 with a new Vac-Con truck will allow the Collections division to perform the necessary maintenance of the City of Antioch's sanitary sewer

system. This replacement will also ensure that the City of Antioch remains in compliance with State of California regulations.

The City received a quote for the purchase of one (1) New 2023 Vac-Con G2 T350/850 from Municipal Maintenance Equipment, a Sourcewell Cooperative Purchasing vendor. The City can utilize Sourcewell Cooperative Purchasing contracts for the purchase of goods and services per Antioch Municipal Code section 3-4.12 (C) (1), which allows the dispensing of bidding procedures for purchasing goods or services. Many public agencies, including neighboring cities and special districts, use certain national cooperative purchasing programs such as Sourcewell to obtain significant savings while maintaining the principles of fair and open competition in public procurement.

City staff explored alternative fuel options for this vehicle. Staff found no alternative fuel options are available for this vehicle at this time.

ATTACHMENTS

- A. Resolution
- B. Quote

ATTACHMENT "A"

RESOLUTION NO. 2022/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPROVING THE SOURCEWELL QUOTE FROM MUNICIPAL MAINTENANCE
EQUIPMENT FOR A VAC-CON G2 T350/850 AND AUTHORIZING THE CITY
MANAGER TO EXECUTE A PURCHASE WITH MUNICIPAL MAINTENANCE
EQUIPMENT FOR AN AMOUNT NOT TO EXCEED \$525,826.04**

WHEREAS, Vac-Con Truck #697 is eleven (11) years old and is out of commission due to a complete engine failure;

WHEREAS, the Collections Division received a quote from Municipal Maintenance Equipment, a Sourcewell cooperative purchasing vendor with fair pricing for government agencies;

WHEREAS, by utilizing Sourcewell Cooperative Purchasing Contract 101221-VAC, the City will be guaranteed a significant cost savings while maintaining the principles of fair and open competition in public procurement; and

WHEREAS, funding for this expenditure for replacement equipment is included in the adopted fiscal year 2022/23 budget under the Vehicle Replacement Fund and the Sewer Enterprise Fund.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch hereby,

1. Approves the purchase of one (1) new Vac-Con G2 T350/850 for an amount not to exceed \$525,826.04, and
2. Authorizes the City Manager to execute the purchase order utilizing Sourcewell Cooperative Purchasing Agreement 101221-VAC with Municipal Maintenance Equipment of Sacramento CA.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 11th day of October 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

**ELIZABETH HOUSEHOLDER
CITY CLERK OF THE CITY OF ANTIOCH**

ATTACHMENT "B"



**MUNICIPAL
MAINTENANCE
EQUIPMENT**

CSLB #980409
DIR 1000004282
www.source-mme.com
Toll Free 1-888-484-9968

September 27, 2022

City of Antioch
1201 W. 4th Street
Antioch, CA 94531

Tel: 925-779-6962
Cell: 925-383-1919
jcook@ci.antioch.ca.us

Attention: Jeff Cook

We are pleased to provide the enclosed contract pricing sheet off the Sourcewell Contract No. 101221-VAC for the Vac-Con G2 T350/850 mounted on a new Freightliner 114SD 4x2 truck chassis for your review.

Summary:	Complete Unit per attached Sourcewell price sheet	
	Price F.O.B. Antioch, CA	\$479,103.00
	9.75% Estimated Sales Tax	46,712.54
	CA Tire Fee (6 @ \$1.75)	10.50
	Total	<u>\$525,826.04</u>

- Vac-Con is the Sourcewell contract holder and all purchasing documents are to go directly to them. **City's Purchase Order to be prepared and sent directly to Vac-con, Inc.**
969 Hall Park Drive, Green Cove Springs, FL 32043
M.J. Dubois (410) 924-1004 mjdubois@ducollc.com
- Municipal Maintenance Equipment, Inc. is the local dealer and will provide warranty support and future service for the Vac-Con products.
- Pricing includes delivery and on-site training.
- Normal delivery 150-210 days A.R.O., depending on chassis availability.
- Due to California emissions requirements, special permits may be required on engines. MME cannot provide these permits and we recommend you contact your local Air Resources Management District for the specific requirements.
- Sales tax applicable at time of delivery will be shown on invoice.
- Terms per Sourcewell Program.
- Quotation valid for 30 days.

Thank you for your interest in this fine product. Should you have any questions or need additional information, please let us know. We look forward to being of service.

Sincerely,

James Wheeler,
General Manager

Enclosure

4634 Mayhew Road
Sacramento, CA 95827
Office: 916-922-1101
Fax: 916-922-1034

4750 Caterpillar Road, #D
Redding, CA 96003
Office: 530-243-4856
Fax: 530-243-1447

13922 Gracebee Avenue
Norwalk, CA 90650
Office: 714-528-8770
Fax: 714-528-8744

1930 W. Winton Avenue, #1
Hayward, CA 94545
Office: 510-670-0230
Fax: 510-670-9003



09/26/2022

NEW SOURCEWELL TITAN COMBINATION JET/VACUUM SEWER CLEANER

Sourcewell Contract: 101221-VAC

Customer: CITY OF ANTIOCH

Shipping: CALIFORNIA

Requirement Specification	
Combination jet/vacuum sewer cleaner with all standard equipment TAQD311HE/1300 (TITAN PACKAGE)	
Upgrade to Vac-Con Model G2 T350/850	
5 Yard debris tank in lieu of 11 Yard	
Freightliner model 114SD 4 x 2 chassis 43,000 GVWR, 370 HP Engine, 3000RDS, California CARB Only *Special Order Chassis	
Body mounting on Chassis	
AQD Fan Drive for Titan	
10" Aluminum telescoping boom with pendant control station	
Front mounted, articulating to Driver's side hose reel, 600' (1") Capacity (Std Pivot)	
800' x 3/4" Jet rodder hose - non-continuous	
50 GPM @ 3000 PSI Giant water system with a GM 5.7 Gas 140 HP auxiliary engine with auxiliary engine hydraulics	
850 Gallon polyethylene water tank capacity with 10 year warranty	
6" Knife valve, lower rear door mounted with cam-lock	
Dump high option	
Rear splash guard (2 - 10 O'clock) tank mounted	
100' Capacity hand gun hose reel	
Debris body Power Flush-out system with 8 jets	
Hydro-excavation package	

Requirement Specification	
Variable flow valve	
Water pump remote oil drain	
Hose footage counter	
Two Cone storage racks	
Rear bumper assembly	
Rear mounted tow hooks	
Remote boom grease zerk assembly	
Remote debris tank grease assembly	
LED 4 Strobes (2) front bumper, (2) rear bumper	
LED Arrow board	
LED Boom mounted flood lights with limb guard	
LED Flood light - Level wind guide	
LED Mid-body flood lights with guards	
LED Rear mounted flood lights with limb guards	
Midbody LED strobes	
Two Mirror mounted LED strobe lights with limb guards	
Low water alarm with lights	
Rear camera placement	
Wireless remote control	
Traffic camera with color monitor	
Water ring	
Centrifugal Compressor Silencer	
Debris body up alarm in dash	
Factory Inspection for Two Employees	

Requirement Specification	
Front bumper basket	
Lakos Sand Separator	
Lazy Susan pipe rack	
Pac-Tool Long handle storage	
PVC Storage on behind cab storage box	
Remote transfer case engagement	
3/4" x 20' Length leader hose	
Front bumper tool boxes 8" x 14" x 6" aluminum	
Roll out shelves for storage box behind cab	
Two 35" x 14" x 24" Aluminum side mounted tool box	
Dry decking - behind cab storage box (96")	
Two Dry decking - side tool boxes	
Vac-Con unit painted: Elite White	
Safety Striping package - Blue	
Remote chassis engine start switch	
Local dealer pre delivery and inspection	
On site customer training	
Delivery to customer facility	
Additional discount offered by local dealer	
TOTAL PRICE OFFERED TO SOURCEWELL MEMBER	\$479,103.00
SALES TAX - 9.75%	\$46,712.54
California Tire Fee	\$10.50
TOTAL PRICE OFFERED TO SOURCEWELL MEMBER INCLUDING TAX	\$525,826.04

Delivery is Days after receipt of order.

SOURCEWELL CONTRACT NO 101221-VAC

VENDOR/CONTRACT HOLDER: VAC-CON, INC.

CONTACT: M.J. DUBOIS

EMAIL: MDUBOIS@DUCOLLC.COM

969 HALL PARK RD
PHONE: 410-924-1004

GREEN COVE SPRINGS, FL 32043

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of October 11, 2022

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Brad Helfenberger, Parks and Recreation Director

SUBJECT: **PARKS AND RECREATION COMMISSION APPOINTMENTS
FOR ONE (1) VACANCY EXPIRING MARCH 2024 AND TWO (2)
VACANCIES EXPIRING APRIL 2026**

RECOMMENDED ACTION

It is recommended that the City Council adopt a resolution approving the Mayor's nomination of the following appointments for membership on the Parks and Recreation Commission:

- Jacob Pedrotte for a vacancy expiring March 2024
- Lesley Eubanks for a vacancy expiring April 2026
- Mariah Williams for a vacancy expiring April 2026

FISCAL IMPACT

Administering the Parks and Recreation Commission is a budgeted function of the Parks and Recreation Department. There is no additional fiscal impact. Commissioners serve in a voluntary role.

DISCUSSION

In March 2020, the terms for three members of the Parks and Recreation Commission expired and the City Clerk posted the position openings as outlined in City policies and procedures. One opening was filled in July 2020 and a second opening was filled in August 2021. Since then, two additional applications were received. One applicant, Jacob Pedrotte, is being nominated for appointment to the Parks and Recreation Commission. The term for this appointment expires March 2024.

In April 2022, the terms for four members of the Parks and Recreation Commission expired and the City Clerk posted the position openings as outlined in City policies and procedures. The Clerk has since received five applications for these openings. Two applicants, Lesley Eubanks and Mariah Williams are being nominated for appointment to the Parks and Recreation Commission. The terms for these appointments expire April 2026.

ATTACHMENTS

- A. Resolution
- B. Applications

RESOLUTION NO. 2022/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPOINTING [INSERT NAME OF APPOINTEE AFTER APPOINTMENT] TO
THE PARKS AND RECREATION COMMISSION FOR THE FULL-TERM VACANCY
ENDING IN MARCH 2024, [INSERT NAME OF APPOINTEE AFTER APPOINTMENT]
TO THE PARKS AND RECREATION COMMISSION FOR THE FULL-TERM
VACANCY ENDING IN APRIL 2026, AND [INSERT NAME OF APPOINTEE AFTER
APPOINTMENT] TO THE PARKS AND RECREATION COMMISSION FOR THE
FULL-TERM VACANCY ENDING IN APRIL 2026**

WHEREAS, there is currently (1) one full-term vacancy on the Parks and Recreation Commission ending in March 2024;

WHEREAS, there are currently (4) four full term vacancies on the Parks and Recreation Commission ending in April 2026;

WHEREAS, the City Clerk's Office made announcement of the vacancies and solicited applications for the (5) five full-term vacancies;

WHEREAS, Mayor Lamar Thorpe considered the applications received and interviewed the interested applicants;

WHEREAS, Antioch Municipal Code Section 2-5.201 requires that the Mayor nominate candidates for membership on all boards and commissions and requires that the City Council approve, by a majority vote, the appointments of said nominees; and

WHEREAS, Mayor Lamar Thorpe has nominated Jacob Pedrotte, Leslie Eubanks, and Mariah Williams to the Parks and Recreation Commission.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Antioch hereby approves the Mayor's nomination for appointment of [insert name of appointee(s) after appointment] to serve on the Parks and Recreation Commission, as a Commissioner with a term ending in March 2024, [insert name of appointee(s) after appointment] to serve on the Parks and Recreation Commission, as a Commissioner with a term ending in April 2026, and [insert name of appointee(s) after appointment] to serve on the Parks and Recreation Commission, as a Commissioner with a term ending in April 2026.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 11th day of October 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

**ELIZABETH HOUSEHOLDER
CITY CLERK OF THE CITY OF ANTIOCH**

CITY OF
ANTIOCH
CALIFORNIA

APPLICATION EXTENDED DEADLINE DATE: 5:00 p.m. Friday, October 29, 2021

APPLICATION FOR COMMUNITY SERVICE

PARKS & RECREATION COMMISSION

One (1) Full-term vacancy expiring March 2024

Print your name Jacob Ray Piacos-Pedrotti

Address [REDACTED] City Antioch

ZIP Code 94509 Phone (H) [REDACTED] (W) [REDACTED] (C) [REDACTED]

E-mail address [REDACTED]

Employer [REDACTED]

Address [REDACTED] City [REDACTED]

Occupation [REDACTED]

How long have you lived in Antioch? 7 + yrs

List the three (3) main reasons for your interest in this appointment: [REDACTED]

1. Create a program to help teens
2. Become a role model to my peers
3. Get involved with my community

Have you attended any meetings of this commission? NO

Have you had any previous city community service on this commission? (If yes, please explain) NO

What skills/knowledge do you have that would be helpful in serving on the Parks & Recreation Commission? I have an idea for teens to become more involved with our city + network with business owners-city officials, learn to be more successful, learn more about career opportunities.

Please indicate any further information or comments you wish to make that would be helpful in reviewing your application.

My mom is with the Antioch Chamber as an Ambassador + Secretary, she brings me with her to events like the East Bay Business Expo, Antioch 150th Celebration, business mixers, where I can network with people, volunteer to help local business that may need help. I'm also a full time student and a part of the water Polo Team at Antioch High.

Please read the attached general information regarding boards and commission so you are aware of the duties, time and frequency of meetings. Can you attend meetings for this commission at the designated times? yes.

PLEASE ATTACH YOUR RESUME (Recommended to enhance your application).

PLEASE NOTE THIS COMPLETED APPLICATION IS AVAILABLE FOR PUBLIC REVIEW.

Email completed application with resume to: cityclerk@ci.antioch.ca.us. You can also mail/deliver to:

Office of the City Clerk
200 "H" Street
P.O. Box 5007
Antioch, CA 94531-5007

Jacob Pechotto

Signature

10/27

Date

Sabrina Pechotto
parent

10-27-21

T.A.P

TEEN AMBASSADOR PROGRAM

They will have a selection of questions and scenarios to answer, then from there we will see if we can teach them networking skills and more.

The T.A.P will go / help assist in Business Expos, meetings Antioch Chamber meetings for leadership team, grand openings, mixers, city meetings, and more.

This will help teens network with business professionals, City Officials, and more. T.A.P will also teach teens how to speak professionally while networking and possibly future job internships or employment. Teens will be empowered and more confident, giving them a sense of responsibility in our community and provide a positive outlet for our youth.

T.A.P will have different phases / levels depending on attendance and participation. Which will include attending and participating in meetings or events, volunteer time to serve our community. Volunteering will include, help cleaning up certain low-income parks, vandalized business assist with cleaning up, removing graffiti, help paint, or whoever or whatever business or persons in need of help, tutor younger youth, big brother/ sister program and more. Ideas are unlimited with possibilities.

We can start this program at our local high schools or interested teens can participate. Applications will be looked over by T.A.P leadership, once voted, then applicants will go through an interview process.

This is just an outline of the T.A.P. I know there is still a lot of work to go into this, I'm willing to do what it takes with all your help and with the help of Sabrina Pedrotte

Thank you for your time.

Best,

Jacob Piocos- Pedrotti

APPLICATION FOR COMMUNITY SERVICE: Parks and Recreation Commission

PRINT YOUR NAME: **Lesley Eubanks**

ADDRESS: [REDACTED] CITY: **Antioch** ZIP CODE: **94509**

PHONE: (H) [REDACTED] (C) [REDACTED] (best number to call)

eMail ADDRESS: [REDACTED]

EMPLOYER: **Retired**

ADDRESS: **N/A**

OCCUPATION: **N/A**

How long have you lived in Antioch? **19 Years**

List the three (3) main reasons for your interest in this appointment:

1. **I love the positive ways that Parks can affect the Community – An outlet for recreation, relaxation, learning, exercise, fellowship and fun**
2. **I love being out in nature**
3. **The positive experience of being involved in my community. For me, it is a way to share feeling of pride for our city, connectedness with its people and a desire to make a positive difference.**

Have you attended any meetings of this commission? **Yes, currently on this commission.**

Have you had any previous city community service on this commission? **Yes, seeking second term.**

What skills/knowledge do you have that would be helpful in serving on the Parks & Recreation Commission? **Interpersonal and communication skills, a willingness to learn and a team player**

Please indicate any further information or comments you wish to make that would be helpful in reviewing your application.

I would love to serve a second term with the commission and continue to see this as a worthwhile way to make a positive difference. It is also a great way to learn about the function of local government and the city of Antioch. I also feel shortchanged with the onset of COVID-19 during my first term and its effect on the Commission and the City. I believe I have a lot to offer and look forward to the opportunity to continue serving my community as Commissioner for the Parks & Recreation Commission.

Thank you for your time!

Lesley Eubanks
Signature

March 27, 2022
Date

City of Antioch Application for Community Service Parks and Recreation Commission (PRC)

APPLICATION DEADLINE

Thursday, March 31, 2022, 5 00 p m

AVAILABLE POSITIONS

Three (3) Commissioners, full term vacancies, expiring April 2026

PARKS AND RECREATION COMMISSION BACKGROUND

- The Commissioners serve in an advisory capacity to the City Council in matters pertaining to Parks and Recreation functions
- Must be a resident of the City of Antioch
- Surveying all current and future public and private recreation facilities
- Recommend coordinated recreation programs for the City
- Survey current and future park and recreational needs of the community to provide a sound and year round recreational program for all ages
- 7 member board 4 year terms
- Meetings are held the third Thursday of every other month at 7 00 p m
- Commissioners are required to submit a FPPC Form 700 (Statement of Economic Interests) upon assuming office, and every year thereafter no later than April 1st
- Newly appointed Commissioners are also required to complete the AB 1234 Ethics training within 1 year of their appointment All Commissioners must then take the AB 1234 Ethics training every two years thereafter The Ethics training is available online

Board and Commission Application Page bit.ly/ApplyAntioch

Questions? Email the Office of the City Clerk at cityclerk@antiochca.gov, call (925) 779 7008, or visit bit.ly/AntiochCityClerk to find answers to most frequently asked questions

Email *

[REDACTED]



Name *

mariah williams

Address (example: 200 H Street, Antioch, CA 94509) *

[REDACTED] Antioch, CA 94531

Phone number *

[REDACTED]

Employer *

Antioch Unified School District

Occupation *

Teacher

How long have you lived in Antioch? *

five years

List the three (3) main reasons for your interest in this appointment. *

work to protect wetland/ wildlife conservation and sustainability, ensure safe infrastructure for our parks and playgrounds for our community and youth, and plan culturally diverse activities and celebrations to bring cultural awareness

Have you attended any meetings of this board? *



Yes



No



Maybe

Have you previously served on one of Antioch's Boards, Commissions, or Committees? If so, please list what you served on and when *

If you have not previously served, write "N/A"

N/A

What skills/knowledge do you have that would be helpful in serving on the board for which you are applying? *

Excellent communication skills, knowledge of national and city parks, understanding of park planning, in depth knowledge of environmental safety and sustainability, proficiency in planning safe events, and coordinating with schools and community members

Please indicate any further information or comments you wish to make that would be helpful in reviewing your application.

I care deeply about Antioch and the community it serves. I believe that our residences deserve safe infrastructure and strive to enhance the already beautiful parks our city has.

As a board member, I would work to make our parks clean and litter-free, including ways to educate our residents about pollution and littering. I would like to plant more trees and keep the trees we have in good condition with pruning and trimming. I would like to work involving school officials to bring the youth to parks. Plan culturally diverse activities and celebrations to bring cultural awareness and provide safe gatherings. Antioch is an important city, especially because of its wetlands and delta. I would work to keep our wetlands protected and our wildlife safe, this includes reducing litter, pollution, illegal dumping in parks.

Have you reviewed the meeting times, and can attend meetings at the designated time? *

- ☒ Yes
- ☐ No
- ☐ Maybe

Upload resume (optional - recommended to enhance your application)



Please read the general information regarding boards and commissions prior to submitting an application so you are aware of the duties, time and frequency of meetings. *

☒ I have read the information relating to the Parks and Recreation Commission

Please note this completed application is available for public review. *



I understand that the application I submit is available to the public

Please review the application deadline and enter it here (to review deadline, visit: bit.ly/ApplyAntioch) *

MM DD YYYY

03 / 27 / 2022

Electronic Signature *

Please type your full name

Mariah Williams

NOTE: You also have the option to download a PDF version of this application and email, mail, or drop it off to the Clerk's Office. To download a PDF PRC application,

visit: www.antiochca.gov/fc/community/boards/parks-app.pdf

(Mail) Office of the City Clerk, City of Antioch, 200 "H" Street P.O. Box 5007, Antioch, CA 94531-5007 (Email) cityclerk@antiochca.gov

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CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of October 11, 2022

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: John Fortner, Police Lieutenant

APPROVED BY: Steven A. Ford, Interim Chief of Police *Amy #3320*

SUBJECT: ShotSpotter Technology Presentation

RECOMMENDED ACTION

It is recommended that the City Council:

1. Receive this presentation for review;
2. Discuss and direct staff regarding the potential future use of ShotSpotter technology.

FISCAL IMPACT

The recommended action has no direct fiscal impact.

DISCUSSION

The ShotSpotter Respond solution is designed to identify, locate, and track active gunfire, and will support the Antioch Police Department's efforts to more effectively respond to and investigate gunfire incidents. ShotSpotter supports agencies of all sizes that are committed to leveraging real-time gunfire intelligence to reduce gun violence and build community trust.

ShotSpotter will detect and accurately locate to within 25 meters of the actual gunshot location 90% of unsuppressed, outdoor gunshots fired inside the contracted coverage area using standard, commercially available rounds greater than .25 caliber.

In 2021, there was a 40% surge in gun violence reported in the City of Antioch. ShotSpotter has proven to be a crime deterrent in many cities and can support two of the City's anti-crime related initiatives:

- Community Engagement & Crime Prevention

- ShotSpotter's *Community Engagement Directors* will work with the Antioch Police Department to help establish and support community outreach groups by leveraging ShotSpotter Respond data to facilitate proactive communication with community groups, schools, and other stakeholders when shootings occur. This will allow the City to bring trauma-informed care to children exposed to persistent gun violence.
 - ShotSpotter Respond data provides information on exactly where and when shootings occur within the coverage areas to help the Department efficiently direct resources.
 - Using Respond's Insight investigative tool, the Department can easily create community-facing dashboards (shared on the Department's website) to display statistics about shootings with dates, times, and locations.
- Gun Violence Reduction Strategies
 - ShotSpotter Respond provides alerts to Police and Dispatch in less than 60 seconds to allow Officers to arrive on-scene faster, which can help save lives and keep communities safer.
 - With the precise location provided, alerts can help Officers find victims, witnesses, and evidence (shell casings) that often lead to suspects and arrests.
 - Respond alerts have assisted police in uncovering and confiscating illegal firearms and identifying ghost gun manufacturing operations.

The core capabilities of the ShotSpotter solution are:

- **DETECT** – ShotSpotter detects and locates gunfire incidents enabling a fast, precise response to over 90% of shooting incidents within the targeted areas. This has a powerful deterrent effect and disrupts the gun violence cycle.
- **PROTECT** – ShotSpotter helps to protect officers by providing them with comprehensive data on the actual amount of gunfire activity that occurs in the neighborhoods they patrol and provides critical situational awareness when responding to specific incidents.
- **CONNECT** – By applying community policing-oriented best practices, ShotSpotter provides a unique opportunity for law enforcement agencies to connect with vulnerable communities. Rapid response to gunfire incidents in communities that have been most impacted by gun violence builds positive attitudes towards law enforcement and leads to more constructive engagements and cooperation.

The ShotSpotter gunshot detection, alert, and analysis services provide what would be otherwise unobtainable, critical real-time gunfire intelligence. City Council direction

regarding potential future use of ShotSpotter technology is requested to be provided this evening after evaluation of the presentation.

ATTACHMENTS

A. ShotSpotter Presentation



Addressing Gun Violence in Antioch, CA

October 11, 2022





ShotSpotter Respond™





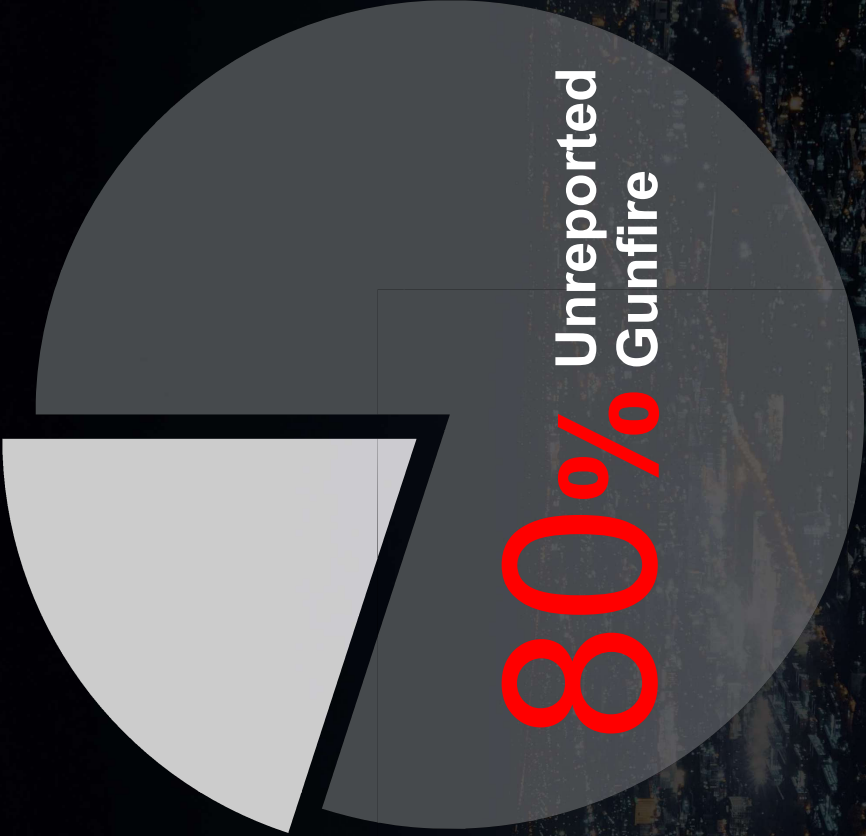


ShotSpotter® Respond™



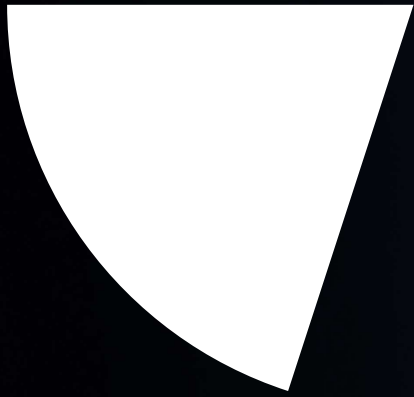


80% Unreported
Gunfire



80% Unreported
Gunfire

Category	Percentage
Unreported Gunfire	80%
Reported Gunfire	20%



< 20% Unreported
Gunfire

| Why don't people call 911?

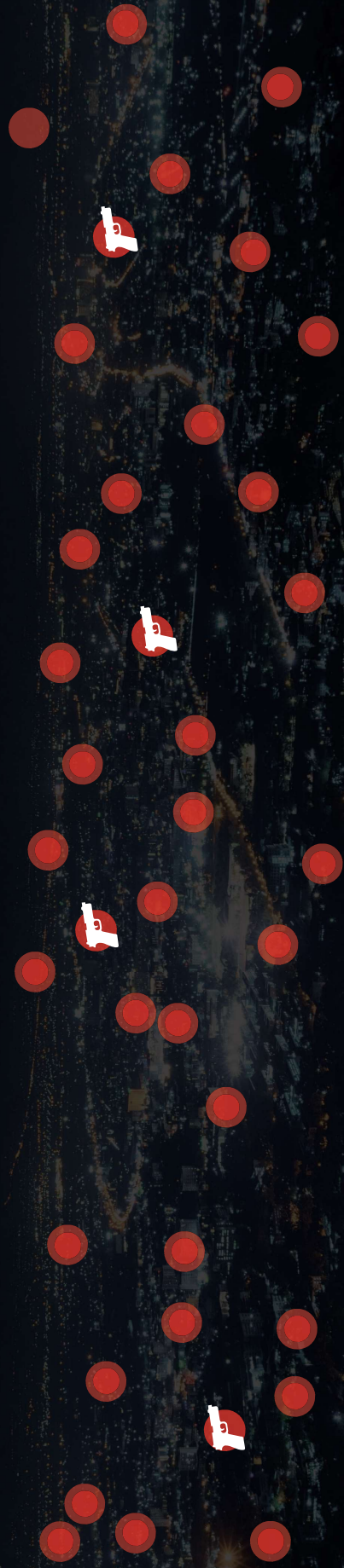
Recognition

Redundancy

Retaliation

Resignation

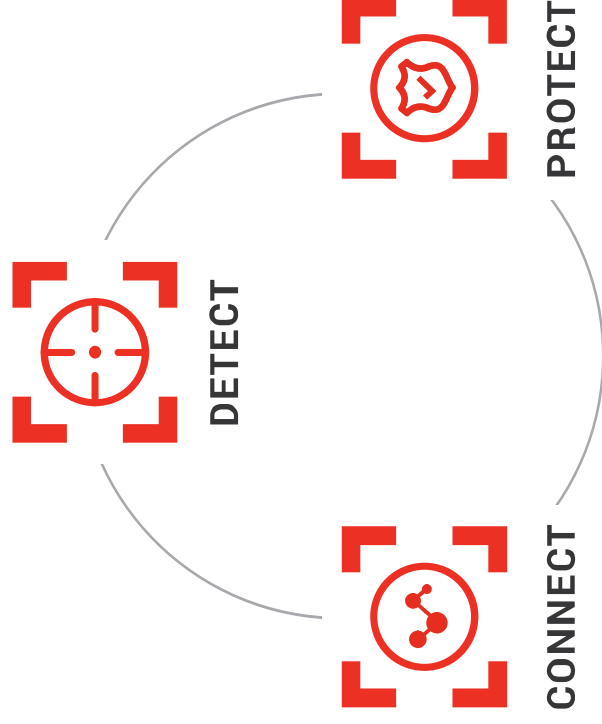
| Persistent Gunfire Spreads Fear

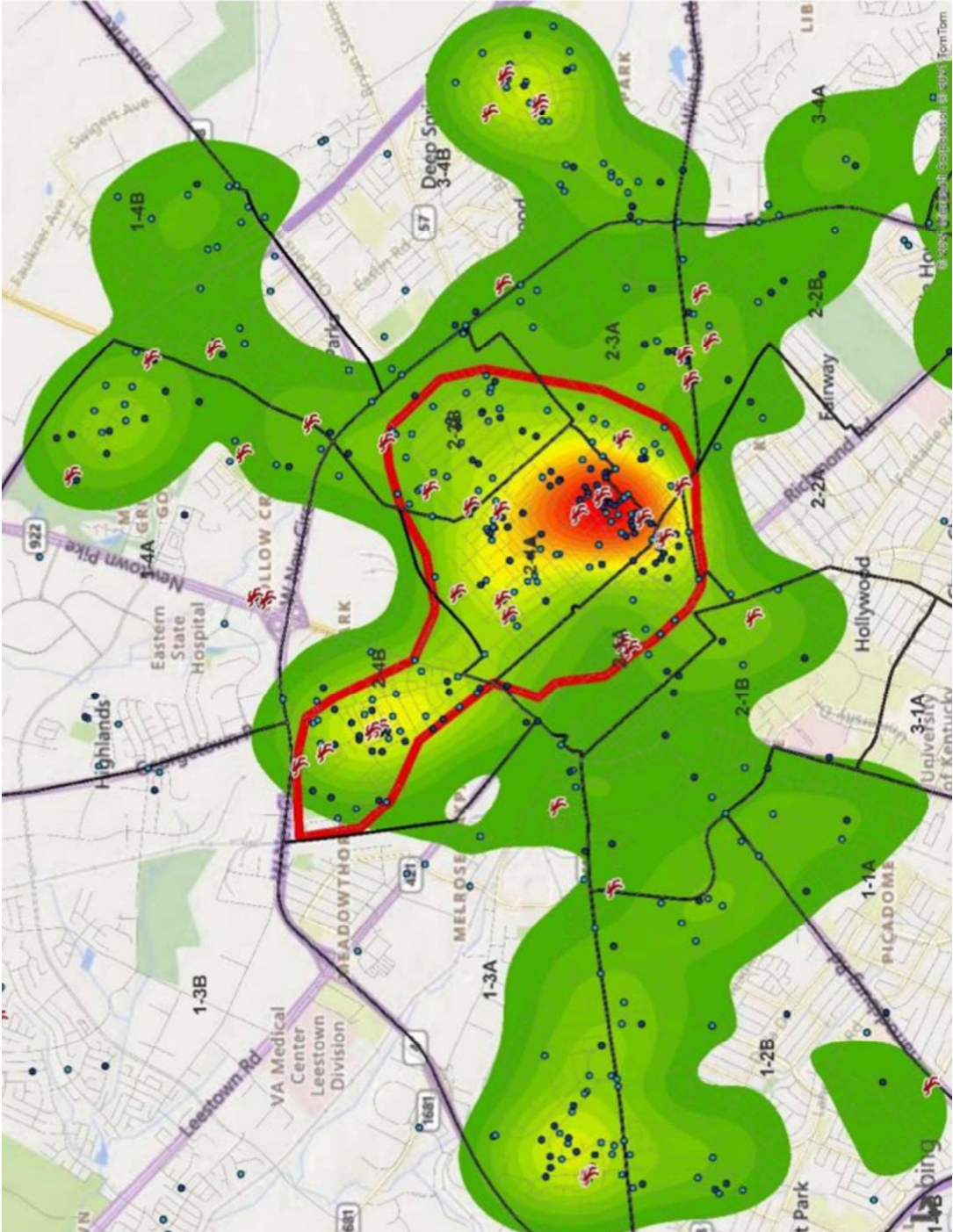


| They don't care!



| What If...







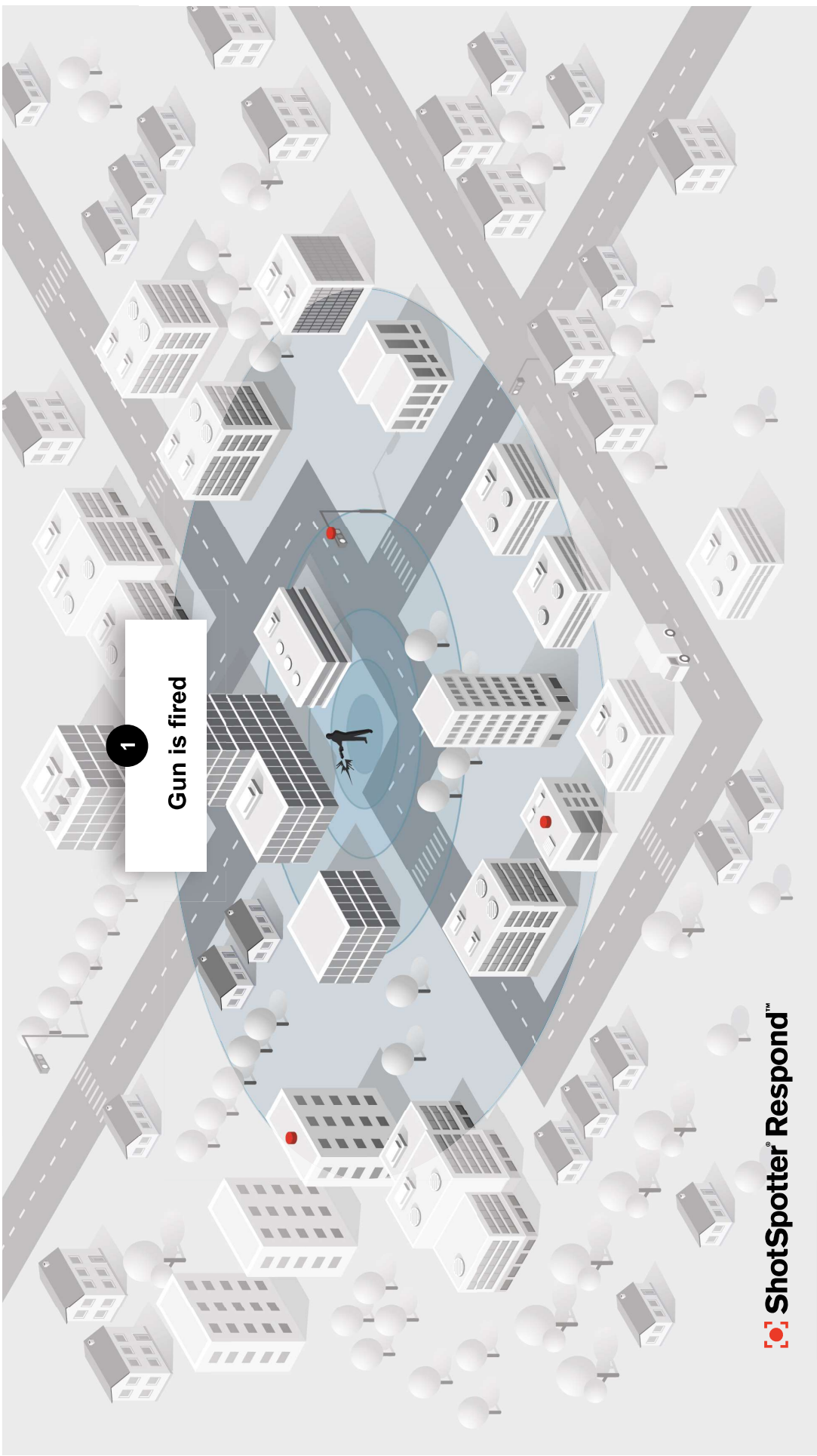
How ShotSpotter Respond Works

Sensor

Sensor

Sensor

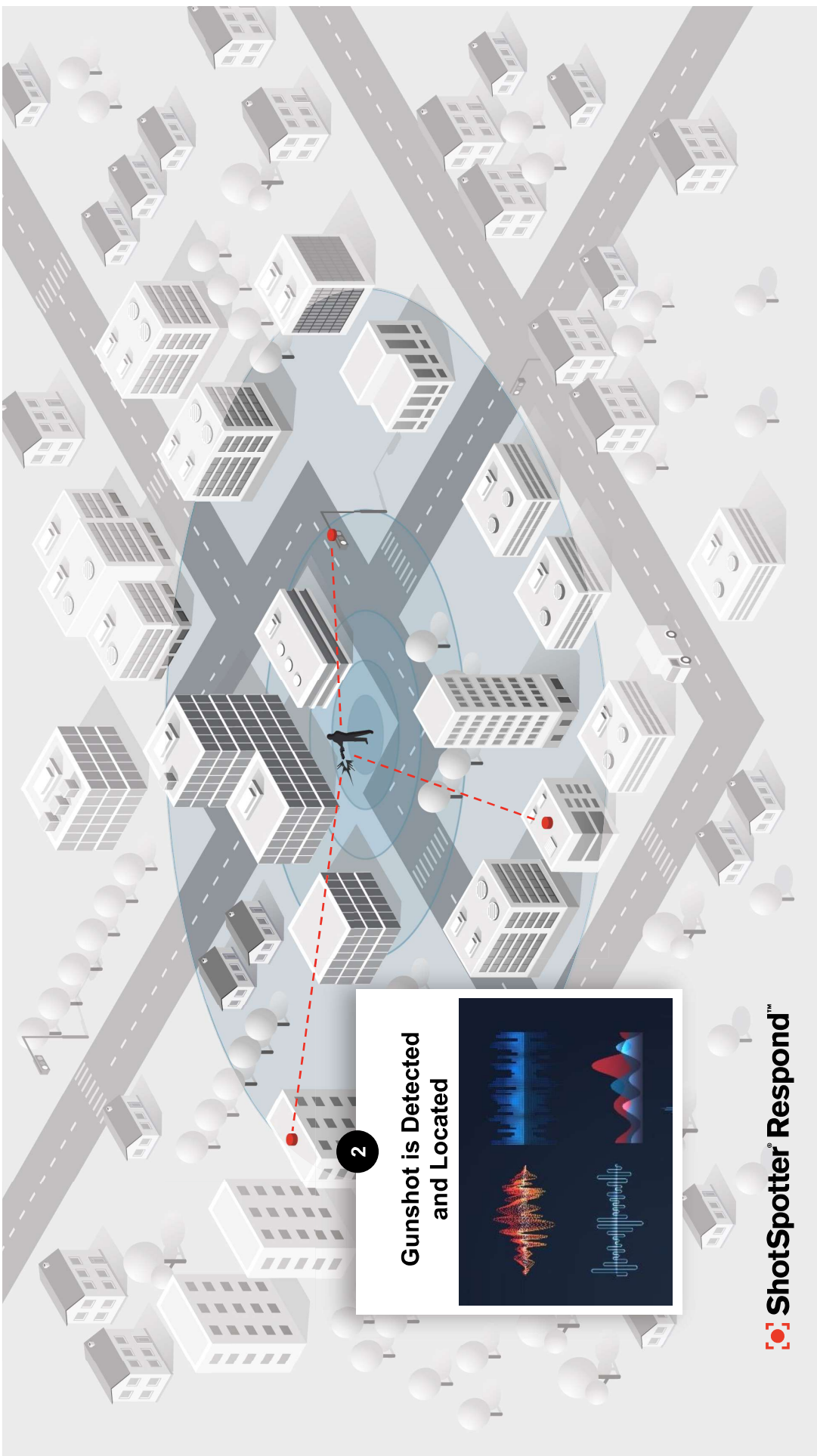
 ShotSpotter® Respond™



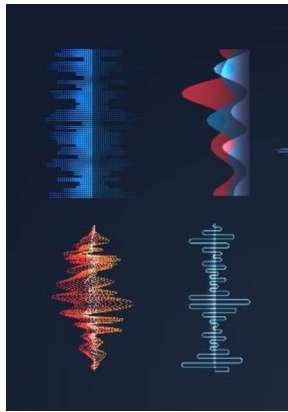
1

Gun is fired

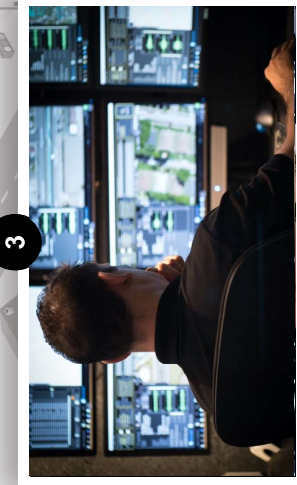
 ShotSpotter® Respond™



**Gunshot is Detected
and Located**



ShotSpotter[®] Respond[™]



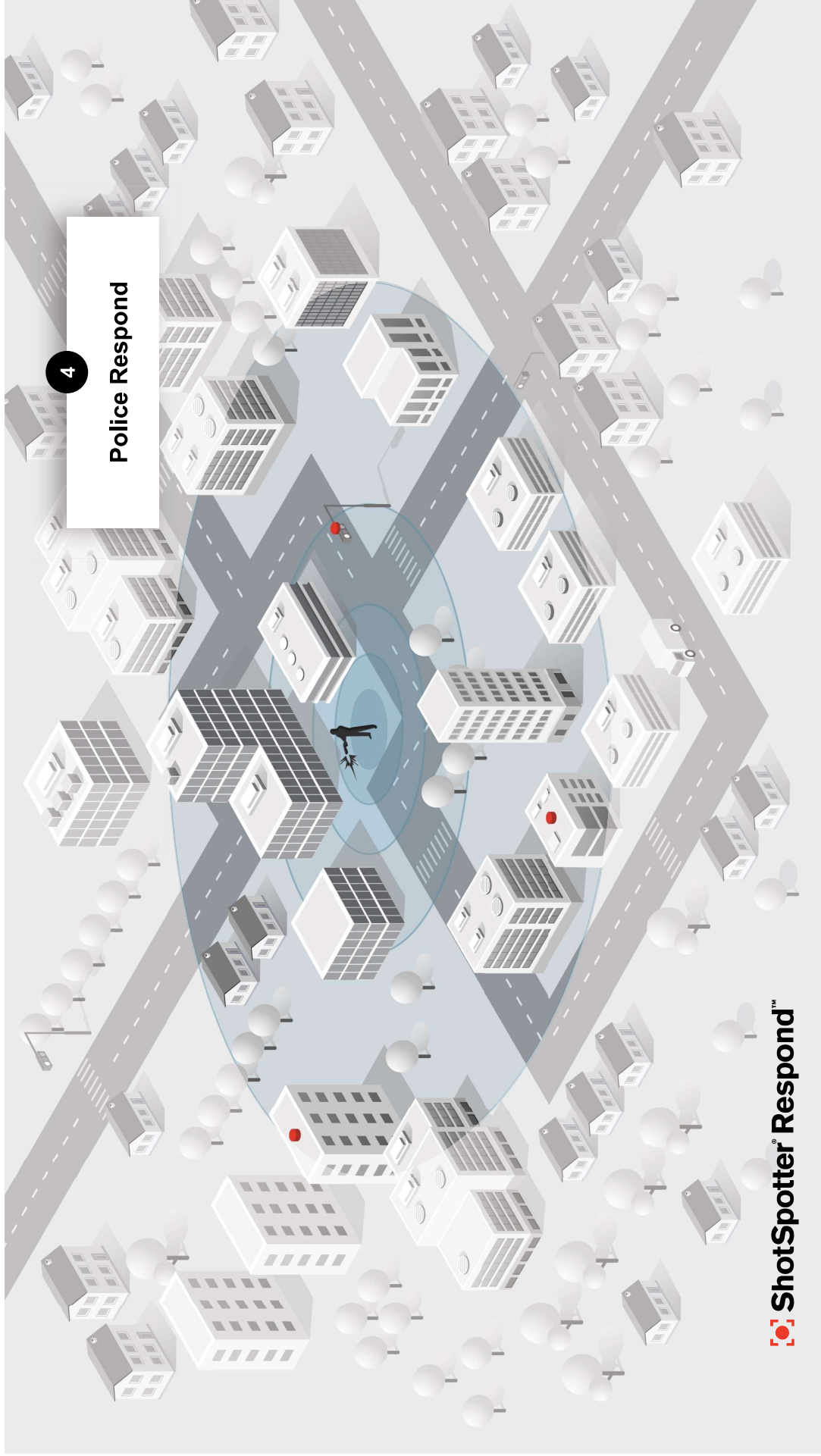
**Gunshot is Reviewed
and Published**

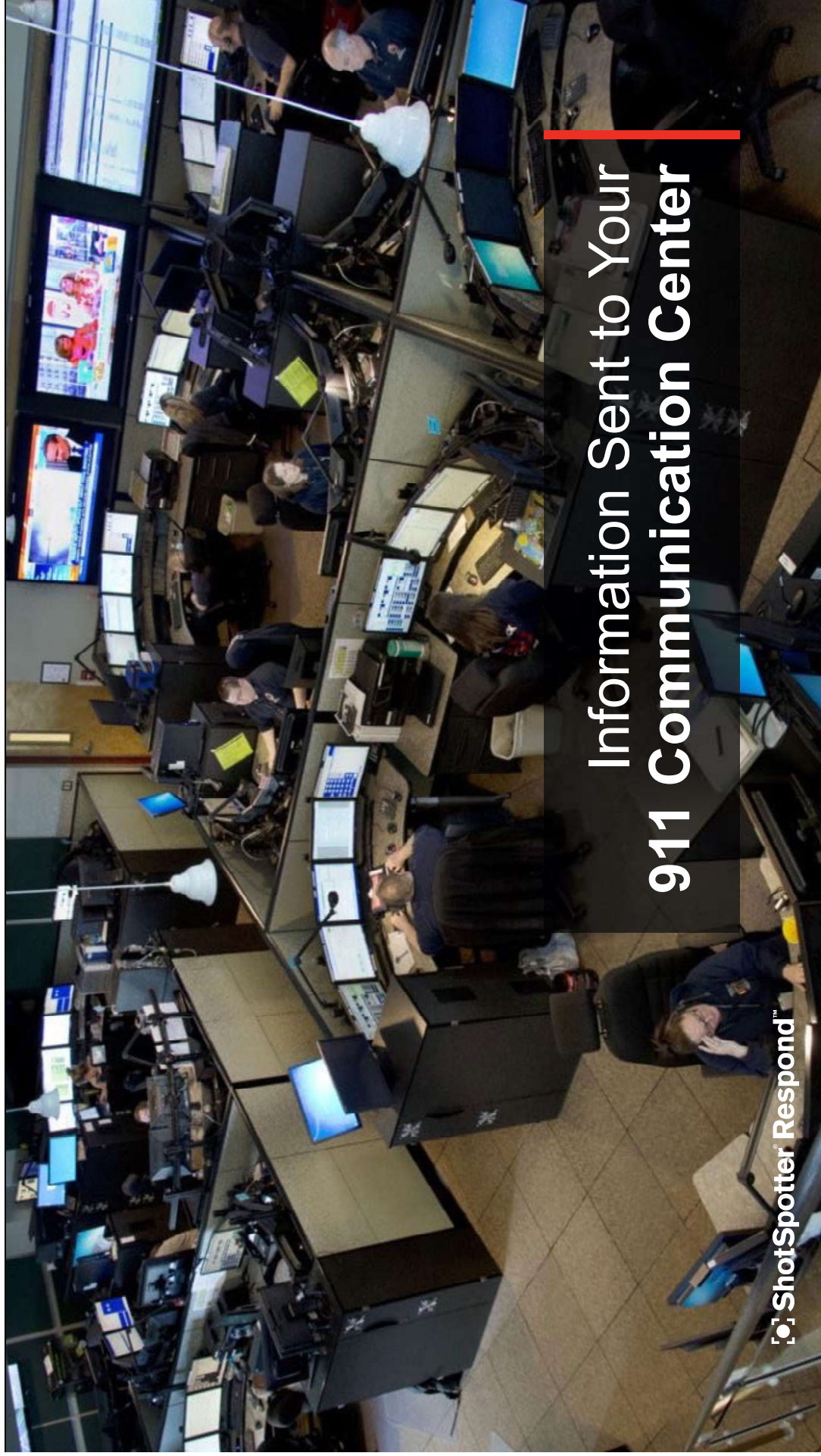
 **ShotSpotter® Respond™**



4

Police Respond



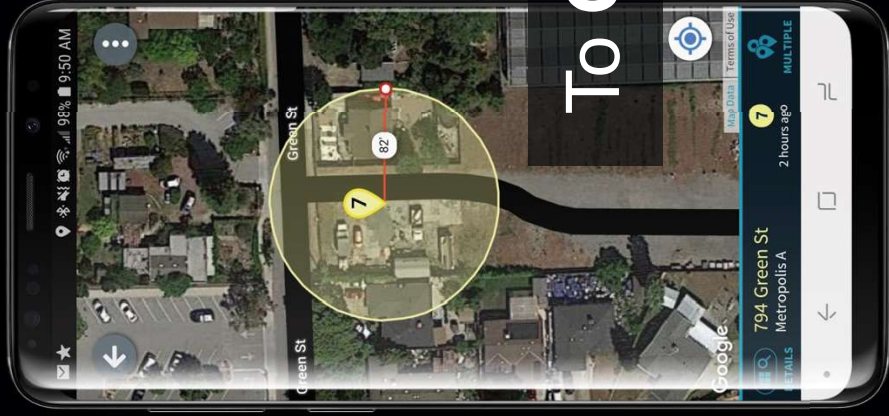


Information Sent to Your 911 Communication Center

ShotSpotter® Respond™

To the Patrol Cars

 ShotSpotter® Respond™



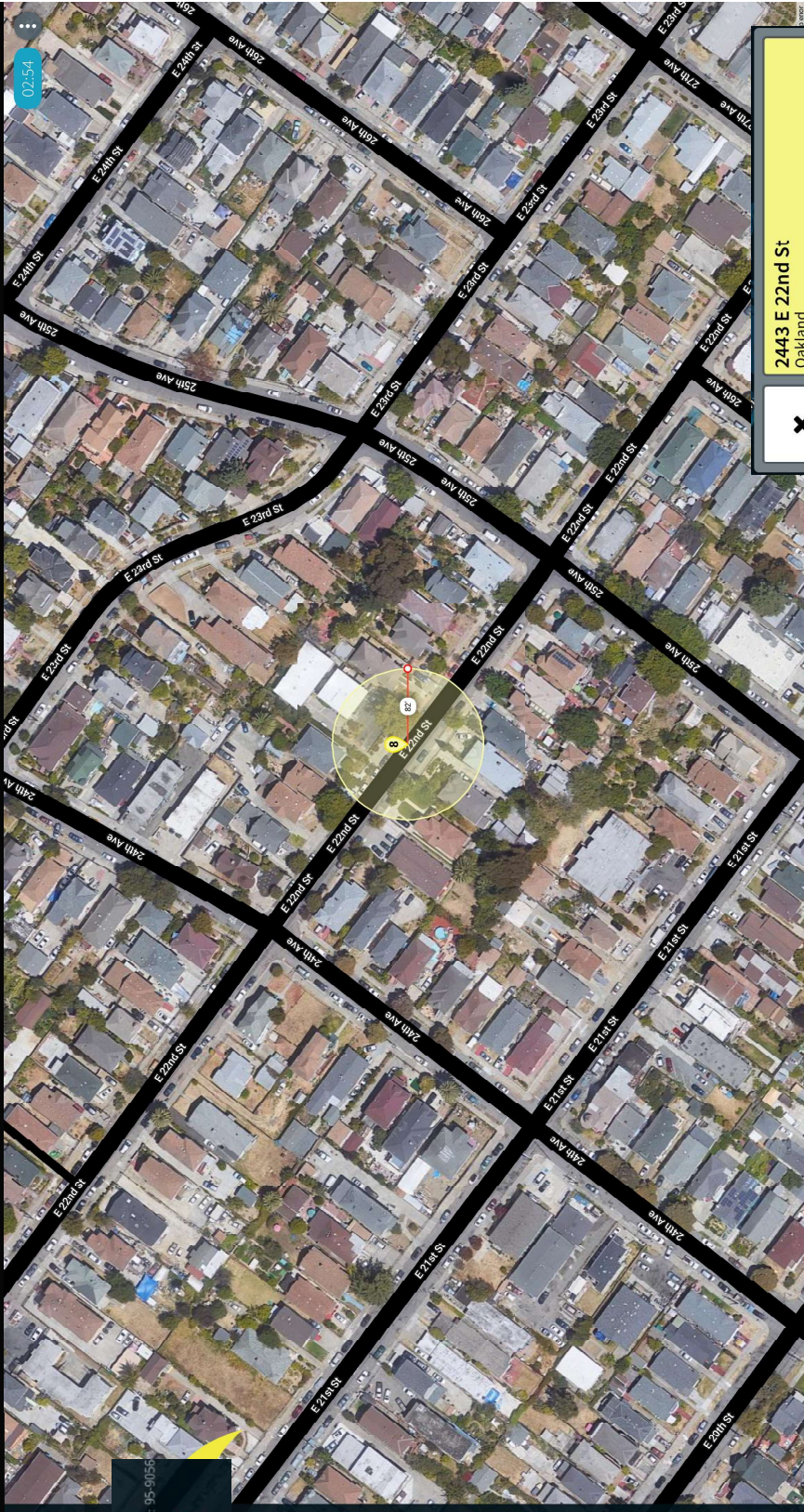
To Officer's Phone

ShotSpotter Respond™



To Officer's Watch

 ShotSpotter® Respond™



2443 E 22nd St
Oakland

DETAILS

Today 2:02:52-50 (17:52:50) AVE

Incident: 95-9056

220108000743

15mph NW

Moving

Moving Shooter

REPORT

REFP.NET

COMMENTS

MOST RECENT

calltaker1@okland.com: a minute ago

Refined CAC 122103000743

calltaker1@okland.com: 2 minutes ago

acknowledged

reviewer@shotspotter.com: 2 minutes ago

Published

Chat or email support@shotspotter.com

2443 E 22nd St
Oakland, California

2 minutes ago

DETAILS

2443 E 22nd St
Oakland

TODAY

20:52:50

AREA

ROUNDS

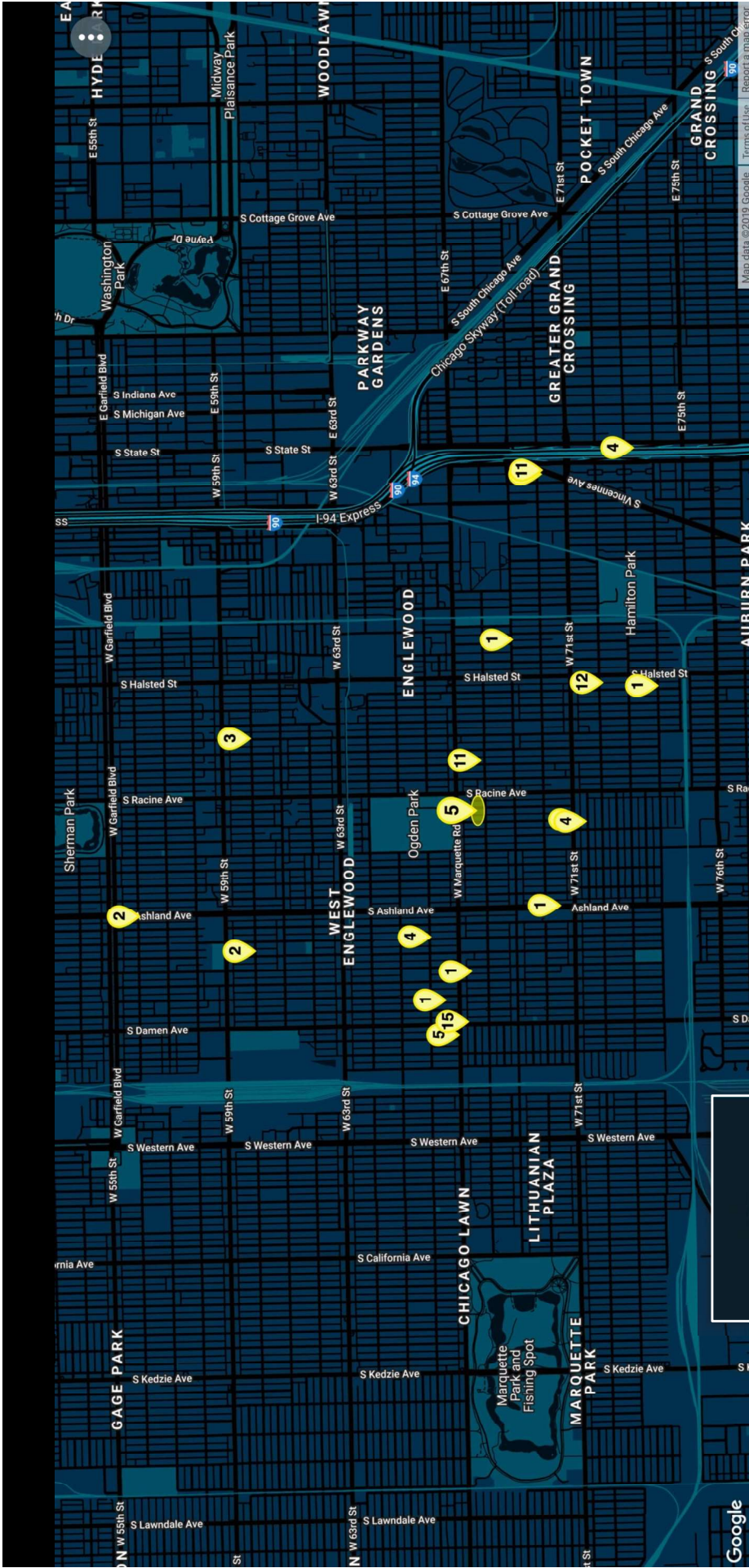
8

DETAILS

DISMISS

ShotSpotter Respond™





Map data ©2019 Google

Terms of Use

Report a map error

ZOOM IN

ZOOM OUT

SINGLE

ShotSpotter® Respond

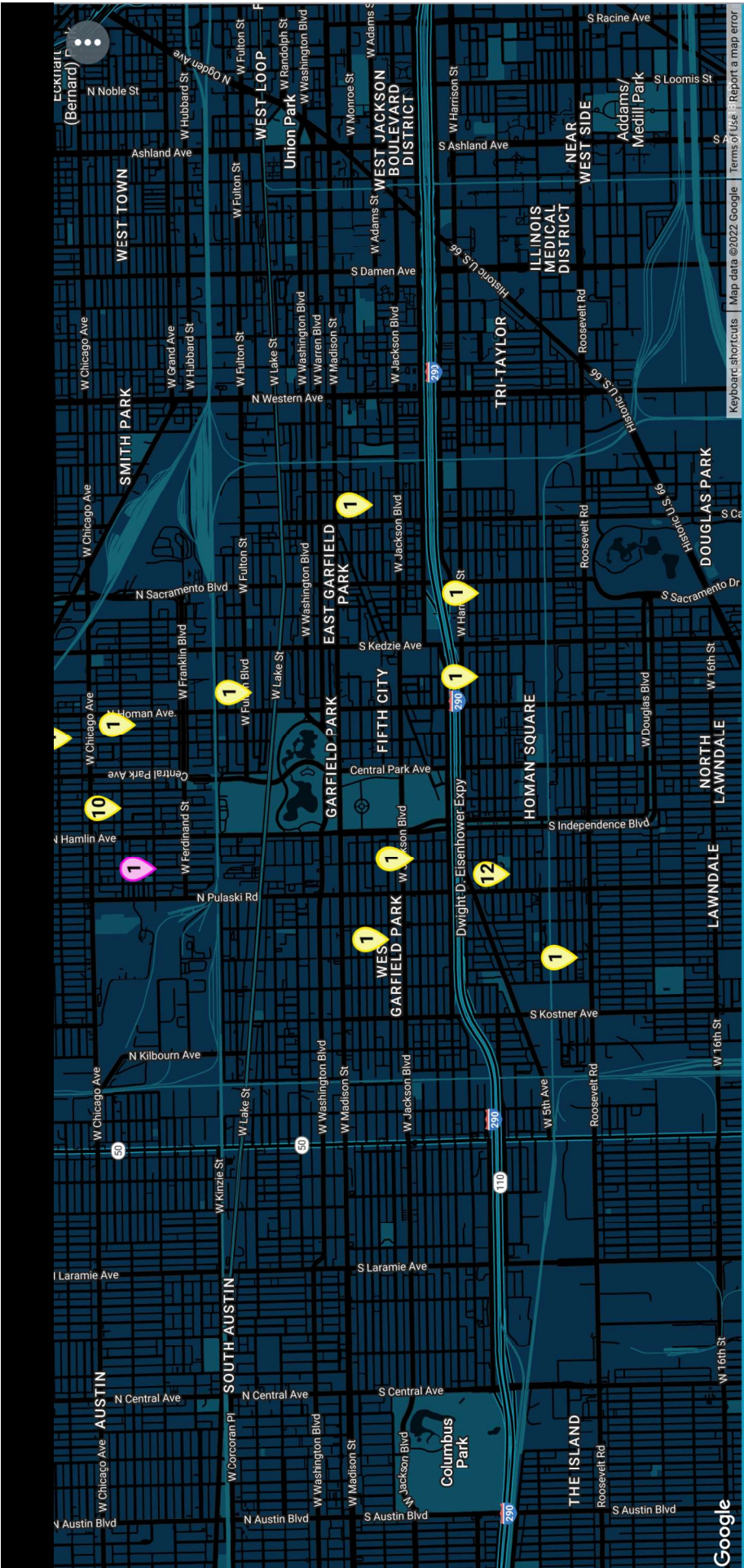
3 DAYS

113 RESULTS

LIST

Google





64 RESULTS

24 HOURS

ShotSpotter Respond™

ZOOM OUT ZOOM IN

SINGLE





341 RESULTS

 LIST

7

DAYS

 ShotSpotter Respond™

 ZOOM OUT

 ZOOM IN

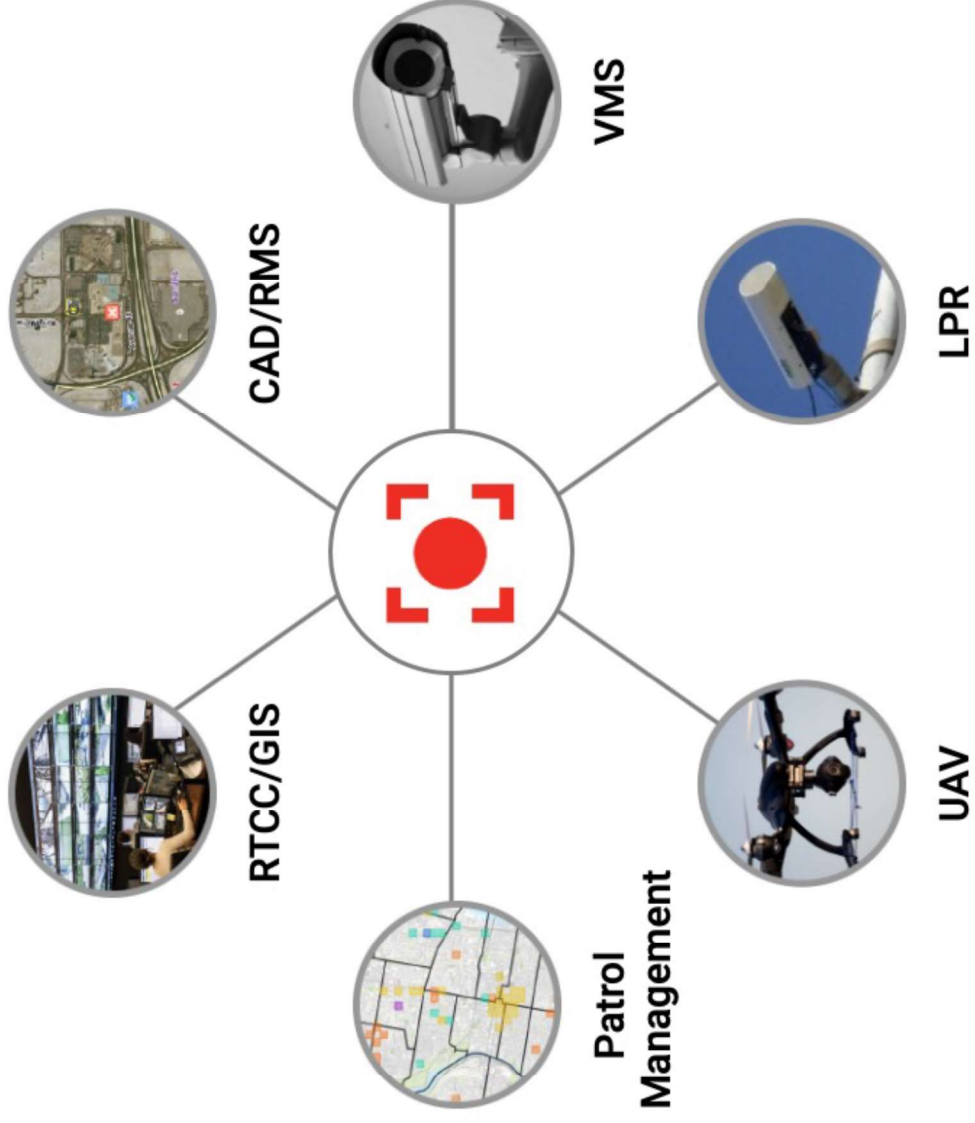
 SINGLE

Keyboard shortcuts

Map data ©2022 Google

Terms of Use

Report a map error



Effectively Inform Your Stakeholders

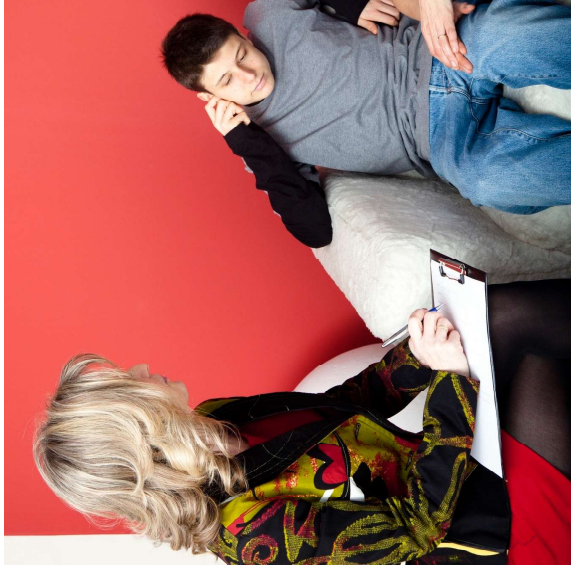
Street Outreach



Focused Deterrence



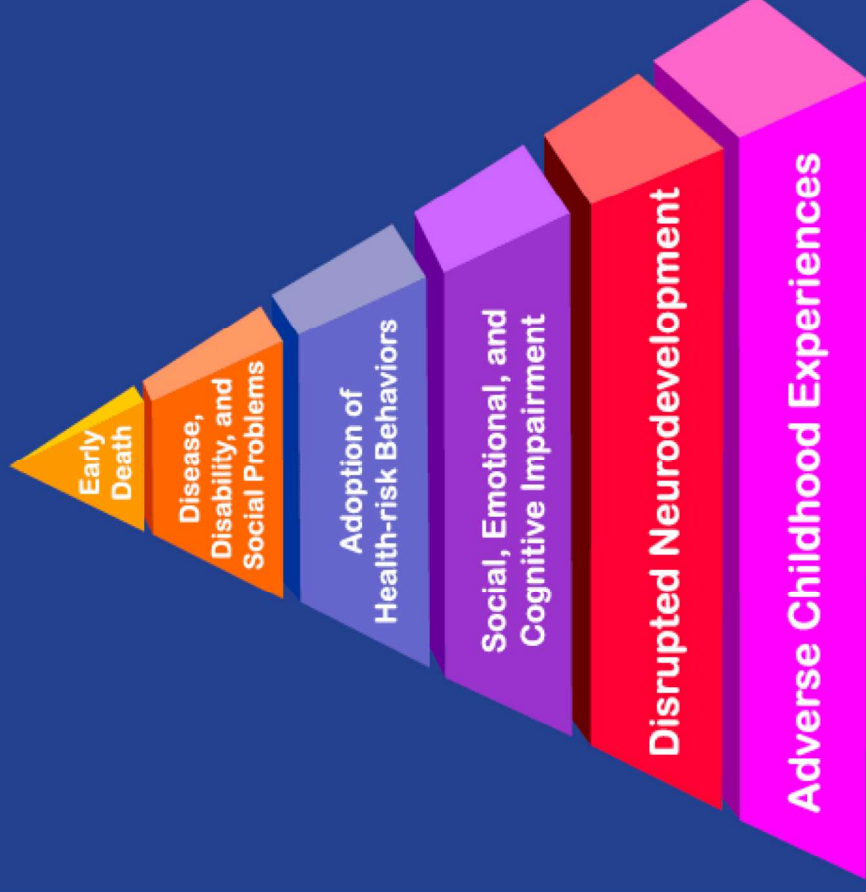
Trauma Informed Care



Death



Conception

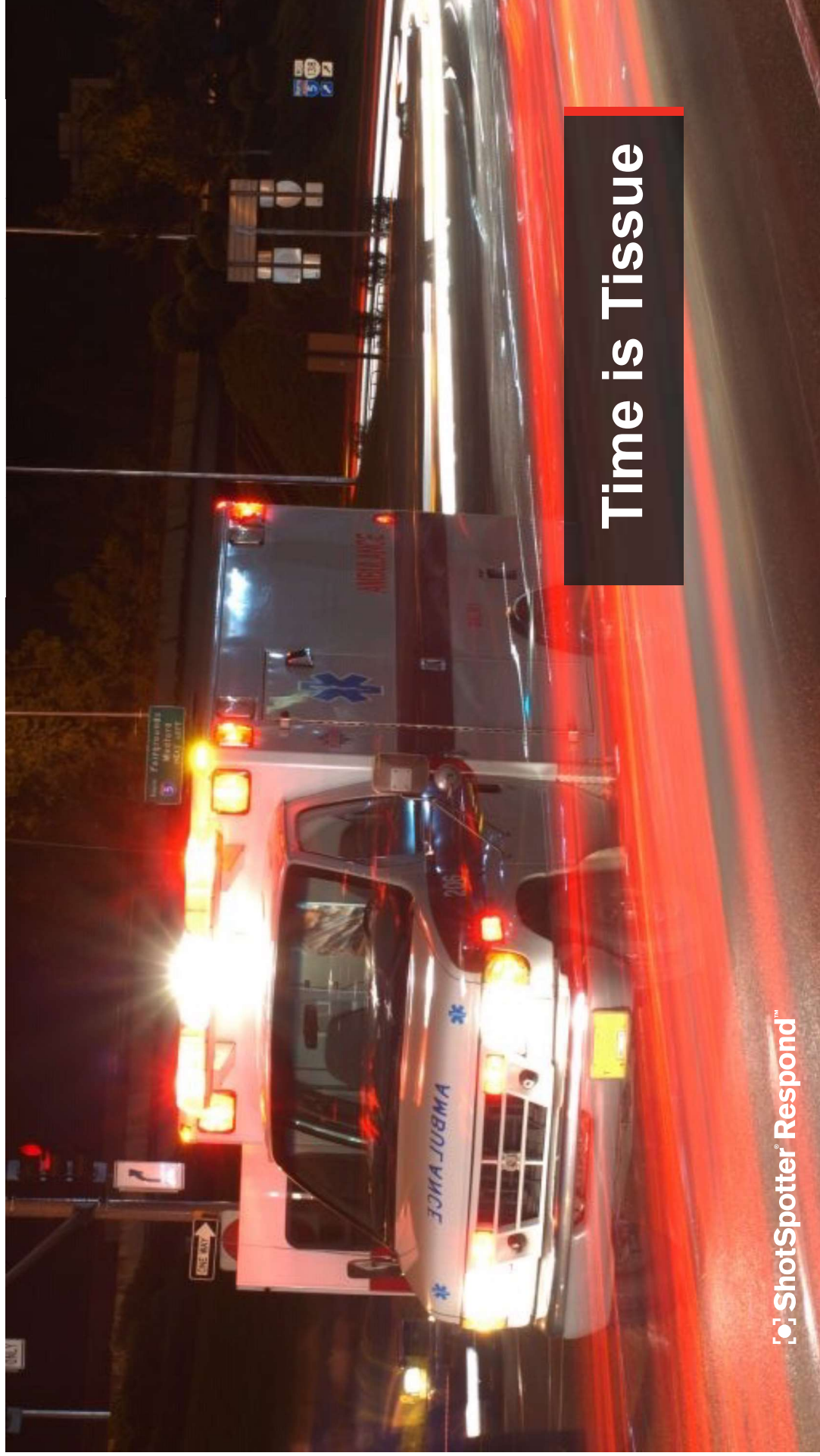


Mechanisms by Which Adverse Childhood Experiences Influence Health and Well-being Throughout the Lifespan





ShotSpotter® Respond™



Time is Tissue

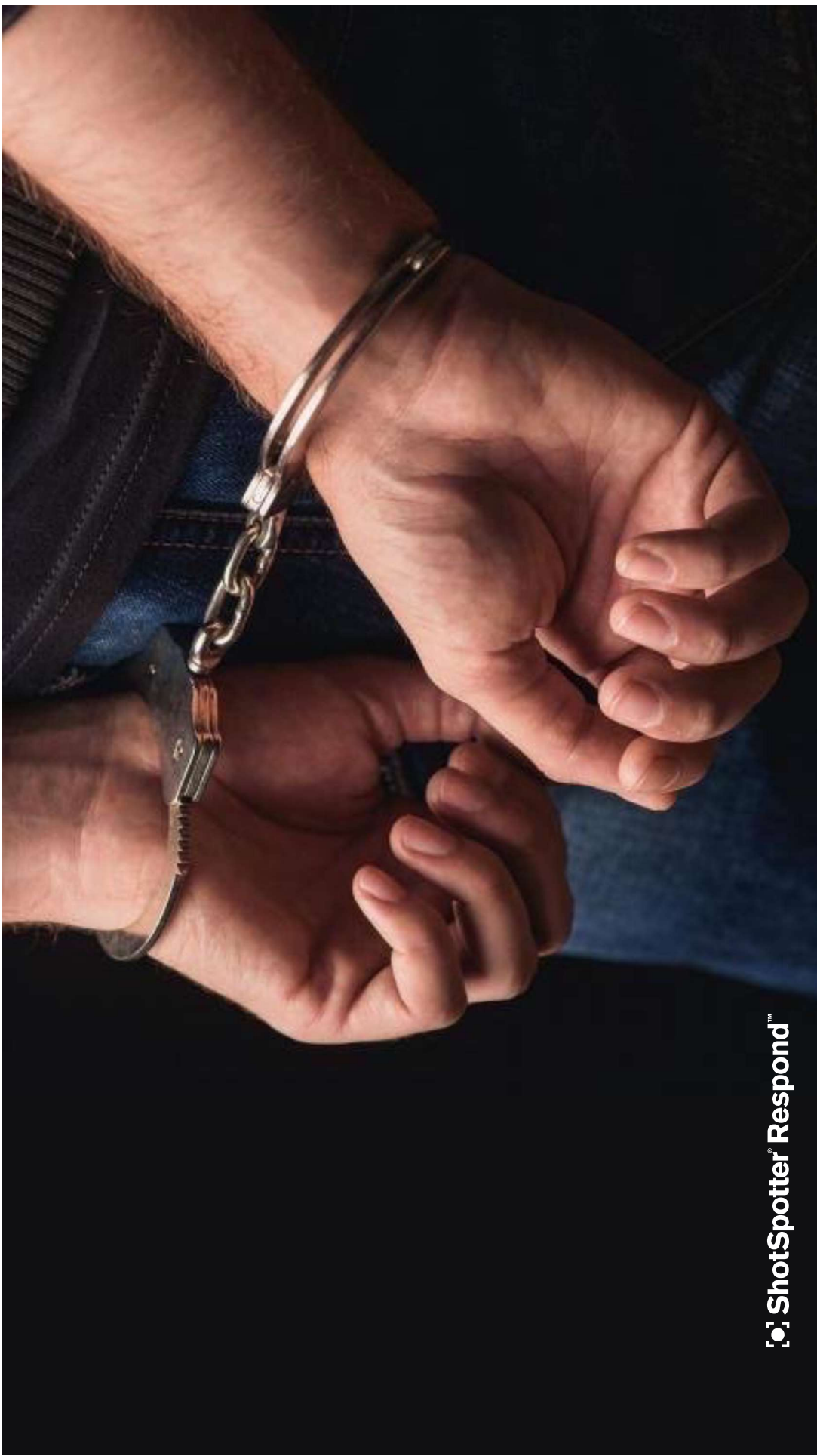


POLICE LINE DO NOT CROSS

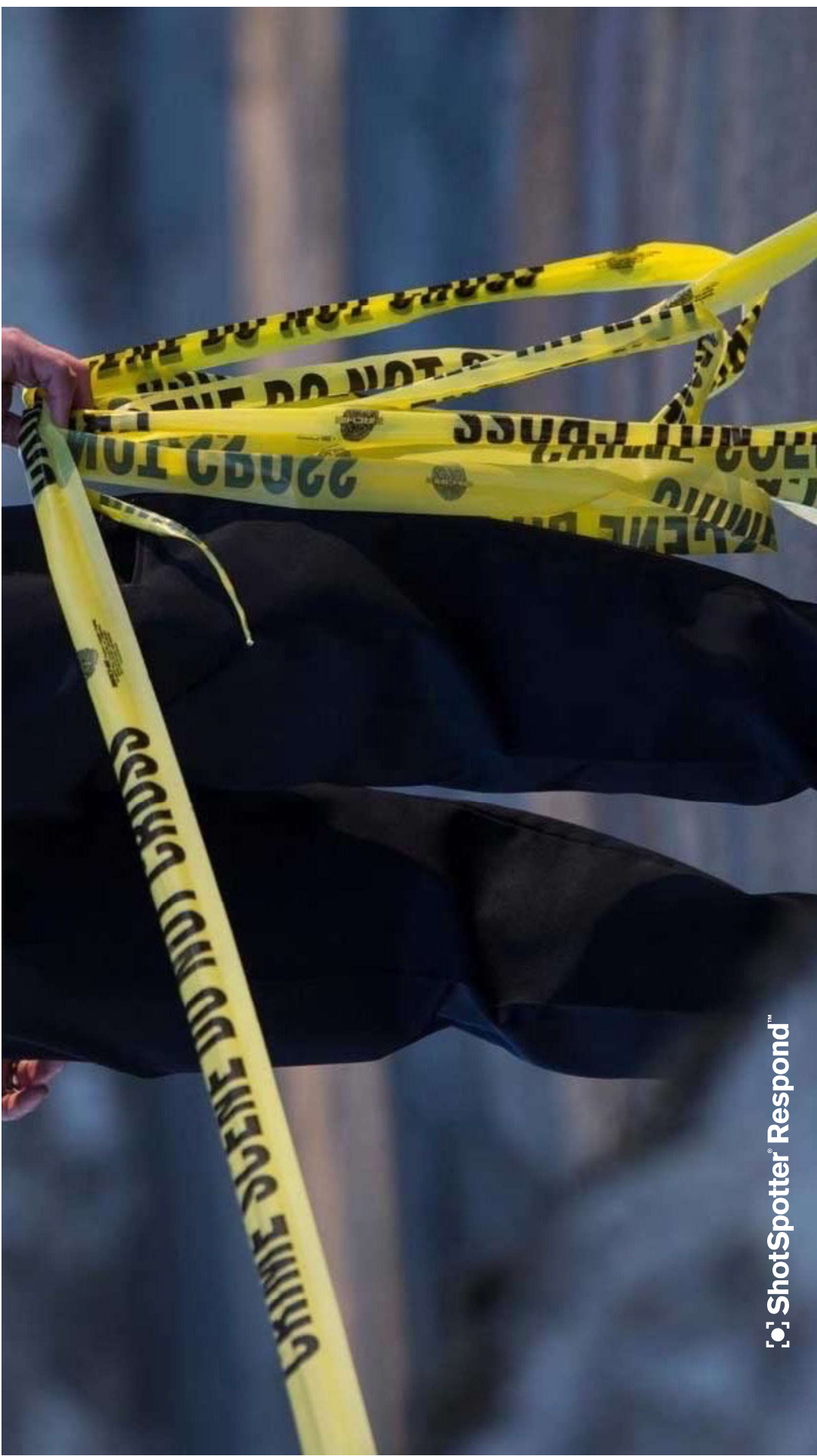
 ShotSpotter® Respond™







 ShotSpotter® Respond™

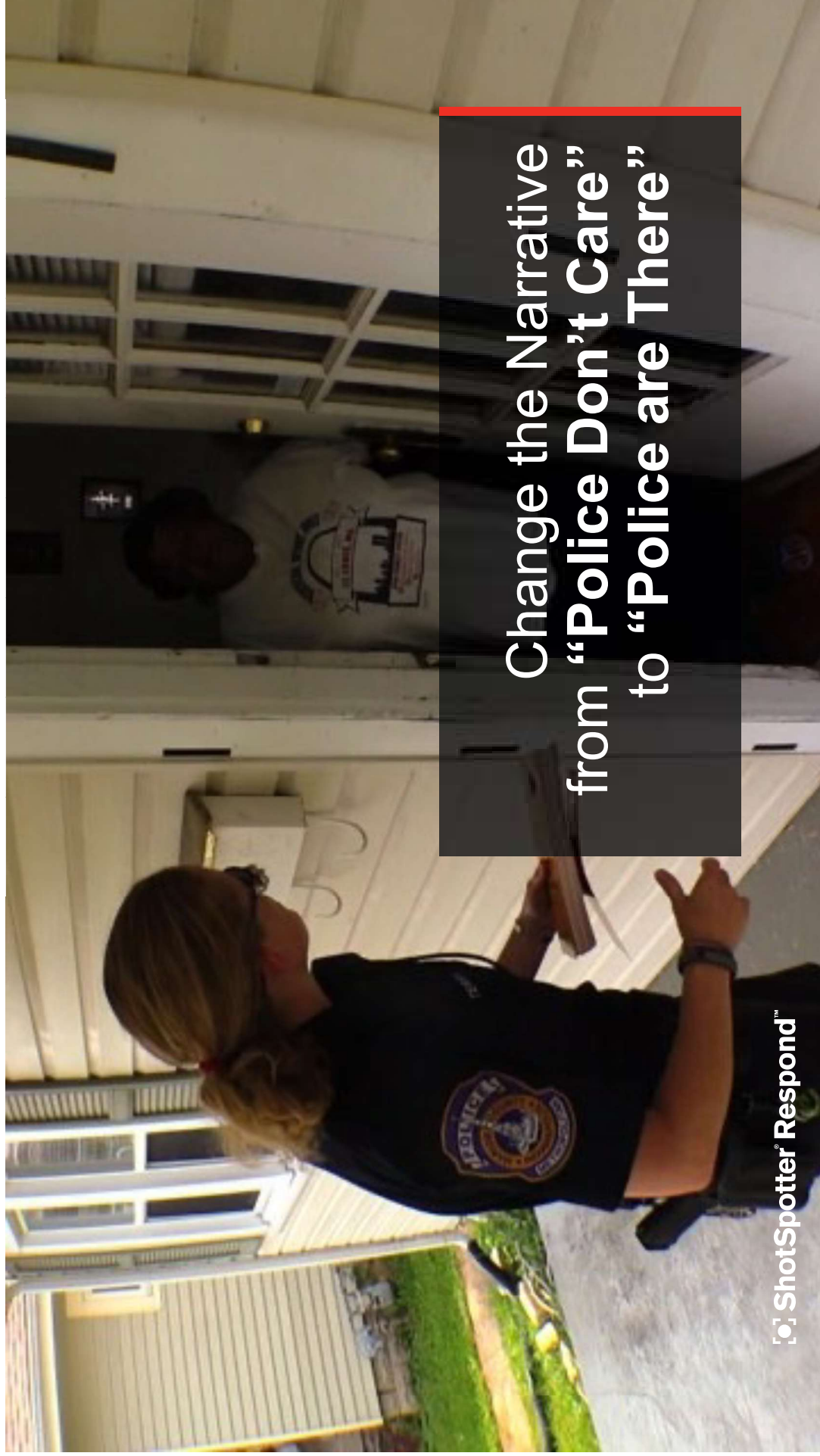


ShotSpotter® Respond™



ShotSpotter® Respond™

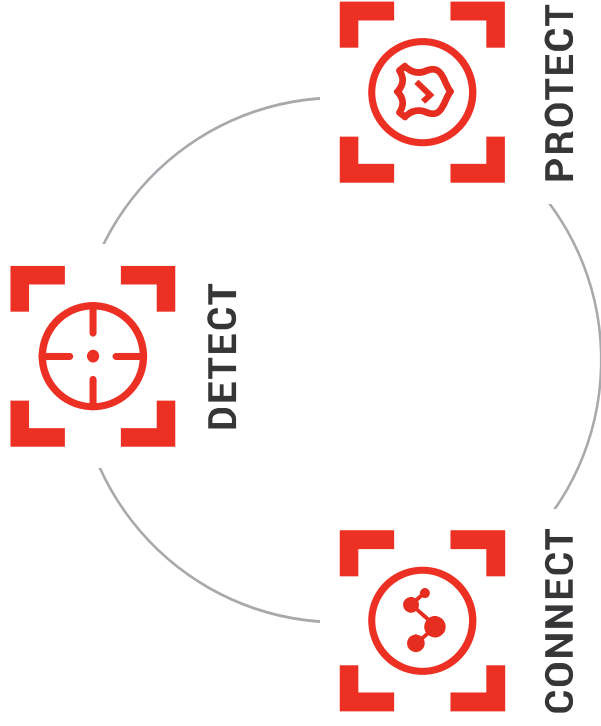




Change the Narrative
from **“Police Don’t Care”**
to **“Police are There”**

[o] ShotSpotter® Respond™

| With ShotSpotter You Will...



Make Your
Community Safer

 ShotSpotter® Respond™



What do you think?



DETECT



PROTECT



CONNECT

Thank you

GET IN TOUCH

rteachman@shotspotter.com

FIND OUT MORE

www.shotspotter.com

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of October 11, 2022

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Carlos Zepeda, Deputy Public Works Director

APPROVED BY: John Samuelson, Public Works Director/City Engineer JS

SUBJECT: Discussion of Proposals to Increase Street Sweeping Services Utilizing Current Service Provider or to Bring Street Sweeping Services In-House

RECOMMENDED ACTION

It is recommended that the City Council:

1. Discuss and provide direction to staff regarding potentially increasing Street Sweeping Services utilizing the City's existing service provider, Delta Diablo, or bringing services in-house; and
2. Provide direction to staff on a funding source for extra street sweeping services.

FISCAL IMPACT

The current cost for the street sweeping services through the existing service provider, Delta Diablo ("DD"), is estimated to be \$371,468.21 per year. Existing service levels are described as once per month for residential, twice per month for arterial roads and four times per month for commercial areas. Current street sweeping costs are paid by property owner taxes. Any increase to the level of service currently provided will require identification of a funding source (for example, initiation of a Prop. 218 process to increase property taxes or a General Fund contribution).

The estimated cost for extra street sweeping services ranges from \$125,539 to \$ 363,641 annually. This amounts to total street sweeping costs between \$497,007 to \$735,109 annually depending on the level of service desired.

DISCUSSION

Since 1989, DD has partnered with the City of Antioch to provide street sweeping services. DD uses a private street sweeping contractor to sweep all residential City streets one (1) time per month, arterials two (2) times per month, and commercial areas four (4) times per month as shown on the Street Sweeping Map (Attachment A).

For comparison, neighboring cities such as Brentwood and Pittsburg, which utilize inhouse street sweeping services, provide the following level of street sweeping: both sweep all City residential streets twice per month and arterial streets one time per week; Neither Brentwood or Pittsburg sweep HOA maintained areas.

City Staff asked the existing service provider's subcontractor, Contract Sweeping, to provide cost estimates for three (3) extra service options. (See Attachment B Contracted Street Sweeping Options for complete breakdown)

Option 1: Residential service one (1) time per month, arterials four (4) times per month and commercial four (4) times per month.....

Option 2: Residential service two (2) times per month, arterials two (2) times per month and commercial four (4) times per month.....

Option 3: Residential service two (2) times per month, arterials four (4) times per month, and commercial four (4) times per month.....

In addition, City Staff has also put together a cost estimate to bring street sweeping services inhouse. Providing inhouse services will require the City's purchase of five (5) new to fleet street sweeping machines and the City's hire of five (5) full time street maintenance workers to perform the sweeping on an annual basis. The level of service that can be achieved is comparable to the highest level of service listed above as Option 3.

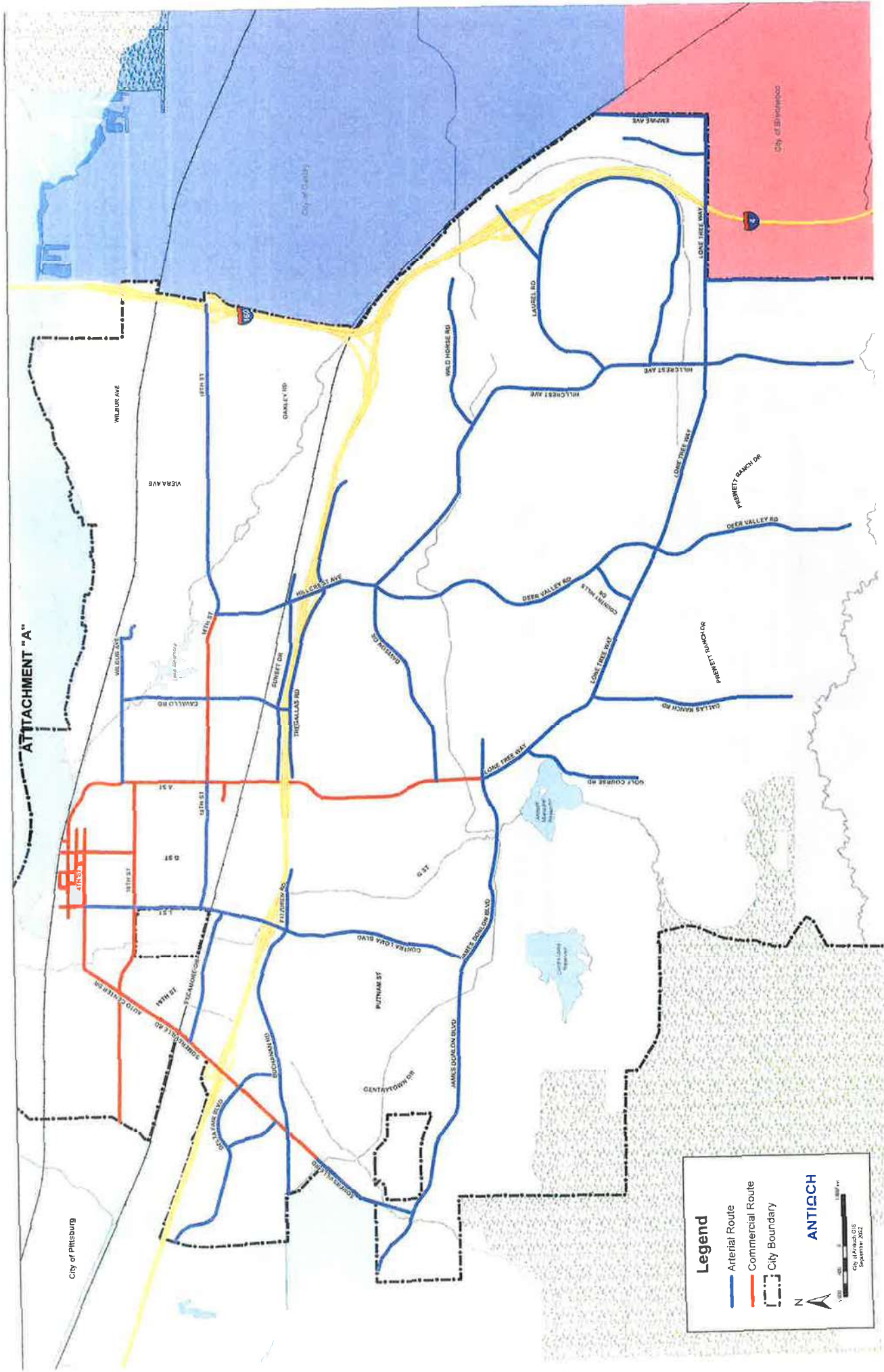
The estimated annual cost per year to bring street sweeping services in house, including the initial capital investment to purchase equipment and annual operating costs, is \$1,127,769 per year over the nine (9) year useful life expectancy of the equipment. See Attachment C Inhouse Street Sweeping Services for cost estimate breakdown.

Based on the different options provided, staff is requesting direction from Council to:

1. Increase the level of service utilizing the existing contractor DD, or
2. Bring street sweeping services inhouse, or
3. Maintain street sweeping services at the current level of service.

ATTACHMENTS

- A. Street Sweeping Map
- B. Contracted Street Sweeping Options
- C. Inhouse Street Sweeping Services



ATTACHMENT "B"

Contracted Street Sweeping Services with Extra Service Options

Services Per Month	Current Contractor Services	Option 1			Option 2			Option 3		
		1.00			2.00			2.00		
Residential Service(R):	1.00	1.00			2.00			2.00		
Arterial Service(A)	2.00	4.00			2.00			4.00		
Commercial Service (C)	4.00	4.00			4.00			4.00		
Estimated Total Cost Per Year	\$	371,468.21			497,007.41			\$		
								609,569.76		
								\$		
								735,108.96		

ATTACHMENT "C"



Annual Cost for Inhouse Street Sweeping Services

Item Description (Type)	Qty	Cost per Unit	Total Cost
Vehicle Purchase			
Street Sweeping Trucks	5	\$395,000.00	\$1,975,000.00
Equipment Cost Spread Over 9 Year Life			\$219,444.44
Operating and Maintenance			
Gutter Broom Maintenance/Replacement	5	\$10,000.00	\$50,000.00
General Maintenance and Repairs	5	\$15,000.00	\$75,000.00
Fuel	5	\$21,000.00	\$105,000.00
Subtotal			\$230,000.00
Labor:			
Street Maintenance Workers I/II	5	\$83.23	\$678,324.50
Total Annual Cost			\$1,127,768.94