

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

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

**September 13, 2022**  
**Council Chambers**

**6:15 P.M. - CLOSED SESSION**

Mayor Pro Tem Barbanica called the Closed Session to order at 6:15 P.M. and Acting City Clerk Villanueva called the roll.

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

1. **PUBLIC EMPLOYEE APPOINTMENT: CITY MANAGER.** This closed session is authorized pursuant to Government Code section 54957.
2. **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 Association.

**PUBLIC COMMENT**

Leslie May spoke in support of appointing Interim City Manager Johnson as permanent City Manager.

Mayor Thorpe arrived at 6:18 P.M.

Willie Mims, East County ECNAACP, spoke in support of appointing Interim City Manager Johnson as permanent City Manager.

Atticus Finch requested Closed Session Item #1 be continued so staff could provide a more accurate description of the agenda item.

Public comment submitted in writing was entered into the record from the following individual: Sandra White.

**ADJOURN TO CLOSED SESSION**

Mayor Thorpe adjourned to Closed Session at 6:25 P.M.

**7:00 P.M. REGULAR MEETING**

Mayor Thorpe called the meeting to order at 7:01 P.M. and Acting City Clerk Villanueva 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 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: CITY MANAGER**, no reportable action; and **#2 CONFERENCE WITH LABOR NEGOTIATORS**, no reportable action.

### **1. INTRODUCTION OF NEW CITY EMPLOYEES**

Director of Human Resources Cortez introduced Samantha Peterson, Human Resources Technician who thanked Director of Human Resources Cortez for the introduction and stated she looked forward to serving the City of Antioch.

Interim Police Chief Ford introduced Lisa Reinke, Administrative Analyst II, Amanda Donahue, Police Records Supervisor, Diane Nieves, Lead Records Technician and Devin Eigard, Police Officer who thanked Interim Police Chief Ford for the introduction and stated they looked forward to serving the City of Antioch.

Director of Public Safety and Community Resources Johnson introduced Anita Robinson, Administrative Assistant II who thanked Director of Public Safety and Community Resources Johnson for the introduction and stated she looked forward to serving the City of Antioch.

Assistant City Manager Bayon Moore announced that Monserrat Cabral, Youth Services Network Manager was unable to attend this evening and would be recognized at a future Council meeting.

Director of Public Works/City Engineer Samuelson introduced Tania Briceno, Administrative Assistant, who thanked Director of Public Works/City Engineer Samuelson for the introduction and stated she looked forward to serving the City of Antioch.

Director of Community Development Ebbs introduced Joseph "Craig" Andrews, Building Inspection Services Manager who thanked Director of Community Development Ebbs for the presentation and stated he looked forward to serving the City of Antioch.

Mayor Thorpe welcomed the new and newly promoted employees. He acknowledged the diversity of employees serving the City and all City staff.

## 2. PROCLAMATIONS

*Recognizing Library Card Sign-Up Month, September 2022*  
*In Honor of Hispanic Heritage Month, September 2022*

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously approved the proclamations.

Ms. Holmes accepted the *Recognizing Library Card Sign-Up Month, September 2022* proclamation.

Pastor Sandro Trujillo accepted the *In Honor of Hispanic Heritage Month, September 2022* proclamation.

## 3. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Director of Parks and Recreation Helfenberger announced the following civic and community event.

Coastal Clean Up Day – September 17, 2022

- Antioch Water Park, 4701 Lone Tree Way (behind the skate park), Antioch
- Antioch Marina, 5 Marina Plaza (at the foot of L Street), Antioch

## 4. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

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

- Sales Tax Citizen's Oversight Committee
- Board of Administrative Appeals

He announced applications were available in the lobby of City Hall.

## PUBLIC COMMENTS

Patricia Granados requested the Department of Justice (DOJ) add the past two former Police Chiefs to their investigation. She also requested they investigate which officers received illicit photos in exchange for preferential treatment. She spoke in support of the current leadership of the APD.

Beverly Knight suggested Council implement a citywide campaign to address litter, public street and parking lot maintenance.

Carolyn Simmons, Antioch resident, expressed concern regarding police officers who did not report the inappropriate behavior of other officers. She spoke in support of the APD releasing the names of the officers being investigated.

Kathryn Wade named the APD officers who had contact with her son and questioned if they were a part of the DOJ investigation. She requested the names of those being investigated be released.

Sandra Talbert discussed the death of her son and the involvement of the Pittsburg Police Department.

Ken Rickner, Antioch resident, Homeless Advocate and Chaplain, expressed concern that residents living in the Family/Senior Citizen Apartment Complex on East 18<sup>th</sup> Street were smoking, littering, and loitering adjacent to their home because smoking was not allowed on the premises. He requested Council consider requiring the facility to provide a smoking area on their own property.

Jeanne Krieg, Tri Delta Transit, announced she was retiring and introduced incoming CEO Rashidi Barns.

Rashidi Barns thanked Ms. Krieg for the introduction and stated he looked forward to working with the cities they represent.

Barbara Sobalvarro, Antioch Friends of Animal Services, invited everyone to attend their Fall Equinox Celebration from 1:00 P.M. to 3:00 P.M. on September 24, 2022, at the Antioch Animal Shelter. She reported that their organization had paid adoption fees through the pandemic.

Ronald Muhammad, Making Moves, announced they were hosting a Get Out to Vote event from 11:00 A.M.– 6:00 P.M. on September 25, 2022, at Williamson Ranch Park.

Leslie May reported after the last Council meeting her house was shot at and she reported it to the APD who had not responded. She announced that she was able to obtain the license plate of the responsible party and stated she would not be intimidated.

Willie Mims, ECNAACP, stated he was disappointed no action was reported out of Closed Session on the appointment of the City Manager.

Frank Sterling expressed concern regarding the appointment of the APOA President and requested that he be investigated.

### **CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS**

Councilmember Ogorchock reported on her attendance at the Cal Cities Conference and announced she was reelected to the Board.

Councilmember Wilson announced she would be attending Delta Diablo and Tri Delta Transit meetings in the near future.

Mayor Thorpe reported on his attendance at the Cal Cities Conference.

## MAYOR'S COMMENTS

Mayor Thorpe reported on the actions Council had taken to address blight in the community and noted they would continue with these efforts.

### 5. PRESENTATION

Tim Haile, Contra Costa Transportation Authority Executive Director, gave a Connecting Communities PowerPoint presentation.

Mayor Thorpe thanked Mr. Haile for the presentation.

6. **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**
  - B. **APPROVAL OF COUNCIL MEETING MINUTES FOR JULY 26, 2022**
  - C. **APPROVAL OF COUNCIL MEETING MINUTES FOR AUGUST 9, 2022**
  - D. **APPROVAL OF COUNCIL MEETING MINUTES FOR AUGUST 23, 2022**
  - E. **APPROVAL OF COUNCIL SPECIAL MEETING MINUTES FOR AUGUST 26, 2022**
  - F. **APPROVAL OF COUNCIL WARRANTS**
  - G. **APPROVAL OF TREASURER'S REPORT FOR JUNE 2022**
  - H. **APPROVAL OF TREASURER'S REPORT FOR JULY 2022**
  - I. **APPROVAL OF HOUSING SUCCESSOR WARRANTS**
  - J. **SECOND READING – RENT STABILIZATION ORDINANCE (*Introduced on 08/23/2022*)**
  - K. **RESOLUTION NO. 2022/149 ADDENDUM TO LICENSE AGREEMENT WITH PACIFIC GAS AND ELECTRIC FOR A COMMUNITY RESOURCE CENTER AT THE NICK RODRIGUEZ COMMUNITY CENTER**
  - L. **RESOLUTION NO. 2022/150 APPROVING A FIFTH AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT WITH 4LEAF, INC. TO PROVIDE SUPPORT TO THE BUILDING INSPECTION SERVICES DIVISION OF THE COMMUNITY DEVELOPMENT DEPARTMENT AND AUTHORIZING THE CITY MANAGER TO ENTER INTO THE AGREEMENT**

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- M. **RESOLUTION NO. 2022/151** AUTHORIZE CITY MANAGER TO EXECUTE AN AGREEMENT WITH LIND MARINE FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$220,000
- N. **RESOLUTION NO. 2022/152** LICENSE AGREEMENT FOR SEASONAL USE OF REAL PROPERTY LOCATED AT DELTA FAIR AND CENTURY BOULEVARDS (APN 074-080-029)
- O. **RESOLUTION NO. 2022/153** AMENDMENT TO THE FISCAL YEAR 2022/23 CAPITAL IMPROVEMENT AND OPERATING BUDGET TO INCLUDE THE BICYCLE ACCESS IMPROVEMENTS ASSOCIATED WITH THE ANTIOCH EBART STATION
- P. **RESOLUTION NO. 2022/154** CONSIDERATION OF BIDS FOR THE WATER MAIN REPLACEMENT AT VARIOUS LOCATIONS (P.W. 503-19)
- Q. **RESOLUTION NO. 2022/155** ACCEPTANCE OF WORK AND NOTICE OF COMPLETION FOR THE SPEED HUMP, SPEED TABLE AND RAISED CROSSWALK SYSTEM INSTALLATION PROJECT (P.W. 282-19)
- R. **RESOLUTION NO. 2022/156** ACCEPTANCE OF WORK AND NOTICE OF COMPLETION FOR THE CURB, GUTTER, AND SIDEWALK REPAIR INCLUDING TREE REMOVAL AND STUMP GRINDING AND INSTALLATION OF CONCRETE CURB RAMPS AT MISCELLANEOUS LOCATIONS 2021/2022 (P.W. 507-18)
- S. **RESOLUTION NO. 2022/157** CONSIDERATION OF BIDS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DOWNTOWN ROADWAY PAVEMENT REHABILITATION, PHASE 9 (P.W. 678-9)
- T. **RESOLUTION NO. 2022/158** APPROVAL OF PURCHASE OF HYDRO EXCAVATION TRUCK UTILIZING A SOURCEWELL COOPERATIVE PURCHASING AGREEMENT 101221-VAC WITH MUNICIPAL MAINTENANCE EQUIPMENT
- U. **RESOLUTION NO. 2022/159** APPROVING THE FINAL MAP FOR LAUREL RANCH SUBDIVISION 8741 (KB HOMES NORTH BAY) (P.W. 698)
- V. **RESOLUTION NO. 2022/160** AWARDING AN AGREEMENT WITH FRONTIER ENERGY FOR A ZERO EMISSION VEHICLE FEASIBILITY ASSESSMENT AND PROJECT MANAGEMENT SERVICES
- W. **RESOLUTION NO. 2022/161** AWARDING AN AGREEMENT WITH STOMMEL, INC. DBA LEHR FOR POLICE VEHICLE UPFITTING SERVICES
- X. **RESOLUTION NO. 2022/162** APPROVAL OF PURCHASE OF EIGHT (8) 2023 FORD HYBRID POLICE VEHICLES UTILIZING THE SOURCEWELL COOPERATIVE PURCHASING CONTRACT NO. 091521-NAF WITH NATIONAL AUTO FLEET GROUP

- Y. **RESOLUTION NO. 2022/163 CRITICAL INCIDENT STRESS MANAGEMENT & WELLNESS CONTRACT**
- Z. **RESOLUTION NO. 2022/164 AB 361: RESOLUTION MAKING FINDINGS NECESSARY TO CONDUCT BROWN ACT MEETINGS BY TELECONFERENCE FOR THE CITY COUNCIL, BOARDS, COMMISSIONS, AND COMMITTEES**

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

**Item J** – Jose Cordon, Kim Carlson, ACCE, Devin Williams, Raul Vasquez, Richmond resident, ACCE, Theresa Farias, ECRG, Silvia Angeles, ECRG, Rhea Laughlin, ECRG, Ethan Silverstein, ACCE, Jackie Zaneri, ACCE, Rev Millie Phillips, Faith Alliance for a Moral Economy, Victor Mora, ACCE, Betty Gabalden, Todos Santos Tenants Union, Nancy Martinez Ornelas, Antioch resident and Frank Sterling, thanked Council for supporting the Rent Stabilization Ordinance and requested Council roll back the effective date to August 23, 2022. Several speakers also requested a definition of housing services be included and asked Council to pass just cause and anti-harassment ordinances.

Willie Mims, ECNAACP, requested Council roll back the effective date of the ordinance to August 23, 2022, and he also requested comments made in Spanish be translated for the public.

Mayor Thorpe explained that headsets to translate comments were available from the City Clerk and translation services were also available via zoom.

Tachina Garnet thanked Council for their support of the Rent Stabilization Ordinance and requested Council roll back the effective date to January or at least April 2022.

Public comments submitted in writing were entered into the record from the following individuals: Debra Ballinger, Monument Impact and Rhea Laughlin.

Mayor Thorpe stated if Council supported retroactivity it would be a substantial change and the ordinance would have to be reintroduced at the next meeting.

City Attorney Smith confirmed that if Council wanted to make changes to the ordinance, they could specify the modifications and reintroduce the ordinance at the next Council meeting.

Councilmember Wilson supported retroactivity to August 23, 2022 and requested more clarity regarding housing services.

Councilmember Torres-Walker stated the housing services definition should include access to utilities, water, garbage services, pool, laundry facilities and parking.

Councilmember Barbanica stated he did not agree with the actions taken by corporate landlords; however, his lack of support for the ordinance was based on the results being too heavy handed for private landlords.

City Attorney Smith speaking to the following motion stated he would come back with a clear definition of housing services and Council could make modifications at that time if necessary.

On motion by Councilmember Wilson, seconded by Councilmember Torres-Walker the City Council directed staff to modify the ordinance to include retroactivity back to August 23, 2022, and to incorporate Housing Services as a part of the definition of rent; and reintroduce the ordinance on September 27, 2022. The motion carried the following vote:

Ayes: Torres-Walker, Wilson, Thorpe

Noes: Ogorchock, Barbanica

Mayor Thorpe declared a recess at 9:04 P.M. The meeting reconvened at 9:14 P.M. with all Councilmembers present.

**Item R** - Public comment submitted in writing was entered into the record from the following individual: Christine Clark

**Item V** – Director of Public Works/City Engineer Samuelson presented the staff report dated August 23, 2022, recommending the City Council adopt the resolution.

Councilmember Wilson acknowledged the City’s commitment to changing to a clean energy fleet and providing public charging stations.

On motion by Councilmember Wilson, seconded by Councilmember Barbanica the City Council unanimously approved Item V.

**Item X** – In response to Councilmember Barbanica, Director of Public Works/City Engineer Samuelson explained they were confident that they could recommend the purchase of hybrid vehicles for patrol vehicles.

On motion by Councilmember Barbanica, seconded by Councilmember Ogorchock the City Council unanimously approved Item X.

## **PUBLIC HEARING**

### **7. 300 G STREET RETAIL CANNABIS DISPENSARY (UP-22-01)**

Director of Community Development Ebbs presented the staff report dated September 13, 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 stated he placed this item back on the agenda because there had been a misunderstanding. He reported that Councilmember Wilson had met with City Attorney Smith and concluded that she did not need to recuse herself from this item when it was originally brought before Council.

Sean McCauley reported that one of the main reasons he wanted to bring this project forward was to create foot traffic for the Downtown District.

Mayor Thorpe opened the public hearing.

Johnny Walker, Opponent, expressed concern that APD was lacking critical staffing and discussed criminal activity occurring near cannabis businesses in other cities. He commented that he had raised his hand to speak regarding Consent Calendar Item B and was not recognized.

In response to Mayor Thorpe, Captain Morefield reported there had been a couple minor incidences at cannabis businesses and a shooting at a dispensary that was not related to the business.

Mayor Thorpe commented that the city mandated cannabis businesses provide two armed guards during the day and one armed guard outside normal business hours.

Mayor Thorpe closed the public hearing.

In response to Councilmember Ogorchock, Director of Community Development Ebbs confirmed that condition #30 spoke to security guard requirements.

**RESOLUTION NO. 2022/165**

On motion by Mayor Thorpe, seconded by Councilmember Torres-Walker the City Council adopted the Resolution approving a Use Permit to operate a retail cannabis dispensary subject to findings and Conditions of Approval (UP-22-01). The motion carried the following vote:

Ayes: Torres-Walker, Wilson, Thorpe

Noes: Barbanica, Ogorchock

**8. ECONOMIC DEVELOPMENT STRATEGIC PLAN ADOPTION**

Director of Economic Development Reed presented the staff report dated September 13, 2022, recommending the City Council adopt a resolution approving the 2022 Economic Development Strategic Plan including the "Reinvest Antioch" Economic Development Program - Action Plan and Toolkit.

Due to technical difficulties during the video presentation, Mayor Thorpe declared a recess at 9:44 P.M. The meeting reconvened at 9:45 P.M. with all Councilmembers present

Roger Dale, The Natelson Dale Group, provided the “Reinvest Antioch” Economic Development Program Action Plan and Tool Kit PowerPoint presentation.

Councilmembers Ogorchock and Wilson thanked Mr. Dale for the presentation.

Director of Economic Development Reed explained the “war chest” to provide development/business incentives and announced a workforce development job fair would take place on September 28, 2022, at the Antioch Community Center.

In response to Councilmember Barbanica, Director of Economic Development Reed explained the implementation of this plan would begin with funding and staffing. He noted they would be bringing in consultants because they were experts at completing the goals. He further noted there were elements of existing bay area industries that could be solicited to bring those companies that already employed Antioch residents to the City.

Councilmember Torres-Walker thanked Director of Economic Development Reed for the report and stated she understood his need for additional staff. She appreciated the commute data and the potential for local job opportunities.

Mayor Thorpe stated he believed the consultants did a good job and the failure to act on past plans was due to the lack of political will from previous elected officials. He stated Economic Development needed a budget to support these efforts.

**RESOLUTION NO. 2022/166**

On motion by Councilmember Ogorchock, seconded by Councilmember Torres-Walker the City Council unanimously adopted a resolution approving the 2022 Economic Development Strategic Plan including the "Reinvest Antioch" Economic Development Program - Action Plan and Toolkit.

**9. RESOLUTION ESTABLISHING ANNUAL AND/OR TOTAL MAXIMUM ON RECREATIONAL VEHICLE PERMITS**

Director of Community Development Ebbs presented the staff report dated September 13, 2022, the City Council adopt the resolution establishing an annual cap of two hundred Recreational Vehicle Permits to be issued each calendar year.

Roshon Williams thanked the Council for approving the ordinance amendment and suggested those who hold permits have the first opportunity to receive a replacement if they relocated to another property within Antioch. She requested Council reconsider offering permits to those who did not already own a recreational vehicle and noted if the City maintained that option she would suggest a 30-day grace period for those who owned them.

Marlene Hartigan thanked Council for passing the ordinance and requested the allotment of permits be unlimited or increased to 800 for this year.

David Trebatich, Antioch resident, felt an annual cap of two hundred Recreational Vehicle Permits would be insufficient.

Michelle Barlow felt an annual cap of two hundred Recreational Vehicle Permits would be insufficient. She questioned what the process would be if a resident with a current permit moved within the City and asked if the permit list would be made public.

In response to Councilmember Torres-Walker, Director of Community Development Ebbs explained that they were allowing residents who did not currently own an RV to obtain a permit because it was brought to his attention that they would not want to purchase a recreational vehicle unless they had a permit to park it on their property. He noted the City would be permitting the property not the individual or recreational vehicle. He further noted if someone moved within the City they would have to acquire a new permit.

Councilmember Wilson expressed concern that residents who did not have or intend to purchase a recreational vehicle could obtain permits to limit the amount available.

Director of Community Development Ebbs responded that Council could amend the number of permits available, if the need increased; however, he did not anticipate the need for over 200 per year. He added that the amount of time a permit was valid was not defined.

In response to Councilmember Ogorchock, Director of Community Development Ebbs clarified CCRs were private agreements among neighbors that were tied to the property owner and the City did not enforce them. He noted enforcement of the City's permits would be complaint driven.

City Attorney Smith confirmed that the City did not enforce CCRs.

Mayor Thorpe stated his concern was related to making sure recreational vehicles did not create blight and that there was a strong application process with compliance follow up from staff. He noted a fee structure could provide for that process.

Director of Community Development Ebbs explained the new standards were firmer to prevent blight.

Councilmember Ogorchock expressed concern that there was no verification process. She felt two hundred Recreational Vehicle Permits would be excessive.

Councilmember Torres-Walker reminded Council that they had already voted on the ordinance.

Mayor Thorpe responded that the ordinance did not include the application process.

Director of Community Development Ebbs stated he believed the program would be successful and he asked for Council's support. He noted they could provide a status update to Council at any time.

A motion was made by Councilmember Torres-Walker and seconded by Mayor Thorpe to adopt the resolution establishing an annual cap of two hundred Recreational Vehicle Permits to be issued each calendar year.

Councilmember Wilson reiterated her concern regarding residents who obtain permits just to prevent others from receiving them.

Director of Community Development Ebbs responded that the application could ask if a recreational vehicle was owned or if the resident planned to purchase one in the future.

Councilmember Ogorchock stated she would support opening the permit process only for past permits spots that were no longer being utilized.

A vote taken on the previous motion to adopt the resolution failed by the following vote:

Ayes: Torres-Walker, Thorpe

Noes: Ogorchock, Wilson, Barbanica

Mayor Thorpe announced the program would begin on September 23, 2022, and all residents were welcomed to apply.

**10. RESOLUTION SEEKING APPROVAL OF CITY CLERK'S REQUEST FOR THE CITY ATTORNEY TO PROVIDE MANAGERIAL OVERSIGHT OF THE CITY CLERK'S DEPARTMENT IN COOPERATION WITH THE CITY CLERK**

City Attorney Smith presented the staff report dated September 13, 2022, 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 in cooperation with the City Clerk.

**RESOLUTION NO. 2022/167**

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council adopted 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 in cooperation with the City Clerk. The motion carried the following vote:

Ayes: Torres-Walker, Ogorchock, Wilson, Barbanica

Noes: Thorpe

**11. CODE ENFORCEMENT OFFICERS INCENTIVE PROGRAM**

Human Resources Director Cortez presented the staff report dated September 13, 2022, recommending the City Council: Receive the update on Code Enforcement Officer staffing levels; and Provide direction to staff on developing and implementing a Code Enforcement Incentive Program.

In response to Councilmember Barbanica, Director of Human Resources Cortez explained there was a delay in starting the recruitment process due to a HR staffing shortage. She noted recruitment efforts began on August 22, 2022.

Councilmember Barbanica stated he supported an Incentive Program for Code Enforcement Officers; however, not to the level of the Antioch Police Department Incentive Program.

Mayor Thorpe spoke in support of the Code Enforcement Incentive Program with funds coming from Code Enforcement salary savings.

Councilmember Torres-Walker stated she wanted to look at this item after salary savings were depleted by the program.

Director of Community Development Ebbs commented that as the department grew to fourteen there would be space constraints and structural issues with regards to personnel. He noted the creation of a mid-supervisor position may also entice applicants.

Mayor Thorpe commented that this program would be reevaluated after one-year.

Council consensus directed staff to bring back a Code Enforcement Incentive Program.

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

Interim Police Chief Steven Ford presented the staff report dated September 13, 2022, recommending the City Council:

- 1) Determine whether or not the following clawback provision should be included to require employees benefiting from the signing bonus and incentive program to reimburse the City for the bonuses as outlined below:
  - a. If separation occurs before completion of the probationary period, applicant shall reimburse the City for \$15,000.
  - b. If separation occurs before completion of three (3) years of employment, applicant shall reimburse the City for \$17,500.
  - c. If separation occurs before completion of four (4) years of employment, applicant shall reimburse the City for \$20,000 (Exhibit A to the staff report) or \$22,500 (Exhibit B to the staff report).
  - d. If separation occurs before completion of five (5) years of employment, applicant shall reimburse the City for \$22,500 (Exhibit A to the staff report) or \$25,000 (Exhibit B to the staff report).
- 2) 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:

- a. [with or without] a clawback provision and
- b. in the total amount of [\$25,000 (Exhibit A) or \$30,000 (Exhibit B)].

Councilmember Barbanica and Ogorchock stated they supported the employee referral and recruitment signing bonus and incentive program in the total amount of \$25,000.

Mayor Thorpe stated he supported the employee referral and recruitment signing bonus and incentive program in the total amount of \$30,000.

Councilmember Torres-Walker supported the employee referral and recruitment signing bonus and incentive program for either of the total amounts of \$25,000 or \$30,000; however, she did not support awarding \$15,000 for the successful completion of field training. She suggested the increment amounts be adjusted to \$5,000 upon successful completion of FTO, \$10,000 upon successful completion of probation and \$5,000 upon 3 years, 4 years and 5 years of service.

Mayor Thorpe and Interim Police Chief Ford explained the goal of front loading at \$15,000 was to generate interest and allow the City to create a pool of candidates. Interim Police Chief Ford added that it was the relationship between the members and leadership of the organization that would make new employees want to stay.

Councilmember Torres-Walker stated she would not support front loading the incentive program at \$15,000 and discussed the feasibility of the clawback/repayment provision.

Councilmember Barbanica felt lowering the initial amount below the current incentive would make the new program pointless. He noted it would be difficult to recover money from people the city had separated employment with; however, he believed it could be possible.

City Attorney Smith explained that he did not support the clawback provision because it would cost the City more to try to recover the money, than the incentive.

Councilmember Barbanica stated he could not support the program without the clawback/repayment option because it was the public's money.

Captain Morefield commented if the incentive was not returned upon separation, the City would have to sue the employee to get the money back.

Councilmember Torres-Walker reiterated that she did not agree with frontloading the program with \$15,000 and noted a clawback provision requiring additional funds to get the money back would be irresponsible. She stated she wanted to support incentives; however, not as currently proposed. She wished Interim Police Chief Ford the best moving forward.

Interim Police Chief Ford commented that he believed these were unprecedented times and the City needed to be creative and forward thinking with this incentive package.

Councilmember Torres-Walker questioned at what point would the City lose the ability to utilize salary savings.

Interim Police Chief Ford responded that they would be aggressive with recruiting efforts; however, it was a lengthy process, and it was unlikely that they could fill all the positions.

Mayor Thorpe clarified that this was a one-year program and Council would be reevaluating whether to continue the program.

City Attorney Smith stated there were two parts to the recommended action so if Council knew whether they would be supporting the clawback provision they could go straight to adoption of the resolution.

**RESOLUTION NO. 2022/168**

On motion by Mayor Thorpe, seconded by Councilmember Wilson the City Council adopted 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 in the total amount of \$30,000 with the clawback provision. The motion carried the following vote:

Ayes: Ogorchock, Wilson, Thorpe

Noes: Torres-Walker, Barbanica

**PUBLIC COMMENT**

Andrew Becker reported he had submitted a speaker card regarding Consent Calendar Items N and U, and he was not recognized to speak. With regards to Item N, he commented that the site was identified viable for a Homekey application and expressed concern that the lease and billboard on the property would impede the process if a housing development came forward. With regards to Consent Calendar Item U, Mr. Becker stated the Laurel Ranch subdivision should be subject to affordable housing in lieu fees.

**STAFF COMMUNICATIONS – None**

**COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS**

Councilmember Wilson commented that she had never seen a Consent Calendar that had Items A-Z.

**ADJOURNMENT**

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously adjourned the meeting at 11:27 P.M.

Respectfully submitted:

*Kitty Eiden*

\_\_\_\_\_  
KITTY EIDEN, Minutes Clerk