



ANNOTATED AGENDA

Antioch City Council REGULAR MEETING

**Including the Antioch City Council acting as Successor Agency/
Housing Successor to the Antioch Development Agency**

Date: Tuesday, November 28, 2023

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 the inside cover for detailed Speaker Rules.

PLEASE TURN OFF CELL PHONES BEFORE ENTERING COUNCIL CHAMBERS.

Lamar Thorpe, Mayor

Tamisha Torres-Walker, Mayor Pro Tem (District 1)

Michael Barbanica, Council Member District 2

Lori Ogorchock, Council Member District 3

Monica E. Wilson, Council Member District 4

Ellie Householder, City Clerk

Lauren Posada, City Treasurer

Kwame P. Reed, Acting City Manager

Thomas Lloyd Smith, City Attorney

ACCESSIBILITY: 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@antiochca.gov.

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. Unless otherwise noted, City Council actions include a determination that the California Environmental Quality Act (CEQA) does not apply. The 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. 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: [Notifications – City of Antioch, California \(antiochca.gov\)](https://www.antiochca.gov/notifications) and enter your e-mail address to subscribe. To view the agenda information, click on the following link: [City Council – City of Antioch, California \(antiochca.gov\)](https://www.antiochca.gov/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 City Council on each agenda item. To address the Council, fill out a Speaker Request form and place in the Speaker Card Tray near the City Clerk before the meeting begins. This will enable us to call upon you to speak. Comments regarding matters not on this Agenda may be addressed during the "Public Comments" section. No one may speak more than once on an agenda item or during "Public Comments". The Speaker Request forms are located at the entrance of the Council Chambers. Please see the Speaker Rules on the inside cover of this Agenda.

5:45 P.M. ROLL CALL – CLOSED SESSION – for Council Members – ***Council Members District 2 Barbanica, District 3 Ogorchock, District 4 Wilson and Mayor Thorpe [Mayor Pro Tem (District 1) Torres-Walker arrived at 5:48 p.m.]***

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS *for Closed Session*

CLOSED SESSION:

- 1) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** pursuant to California Government Code section 54956.9(d)(1); Justin Nartea v. Pamela Sabedra et al., Contra Costa County Superior Court Case C23-01521.

Council voted to settle case for \$35,000, 5/0

- 2) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** pursuant to California Government Code section 54956.9(d)(1); Wade v. City of Antioch, United States District Court for the Northern District of California, Case No. 23-cv-01130-DMR.

Direction provided to City Attorney

- 3) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** pursuant to California Government Code section 54956.9(d)(1); Collier Jr. v. City of Antioch, Superior Court for the State of California, Contra Costa County Case No. C22-02806.

Direction provided to City Attorney

5:51 P.M. MOTIONED TO ADJOURN TO CLOSED SESSION

5:52 P.M. REOPENED CLOSED SESSION – ROLL CALL – for Council Members – *All Present*

CLOSED SESSION – Continued

- 4) CONFERENCE WITH REAL PROPERTY NEGOTIATIONS** – pursuant to California Government Code section 54956.8; Property: 1915 D Street, Antioch, CA; Negotiating Parties: City of Antioch Negotiators: Kwame P. Reed, Acting City Manager and Thomas Lloyd Smith, City Attorney; Negotiating Parties: Mickie Marchetti, Executive Director, R.E.A.C.H. Project; Under Negotiation: Price and terms of payment.

Direction provided to Acting City Manager and City Attorney

5:53 P.M. MOTIONED TO ADJOURN TO CLOSED SESSION

7:02 P.M. ROLL CALL – REGULAR MEETING – for City /City Council Members acting as Successor Agency/Housing Successor to the Antioch Development Agency – *All Present*

PLEDGE OF ALLEGIANCE

OPENED MEETING AND MOMENT OF SILENCE IN MEMORY OF CONTRA COSTA COUNTY FIREFIGHTER JOHN MARTINEZ

CITY ATTORNEY TO REPORT OUT ON CLOSED SESSION

1. PROCLAMATIONS

- In Memory of the City of Antioch's first female Mayor Louise Giersch, September 23, 1925 – September 4, 2023

7:09 P.M. RECESS DURING PROCLAMATIONS DUE TO CCTV TECH/AUDIO ISSUE

7:10 P.M. RECONVENED – *All Present*

- In Memory of Former Council Member Frank L. Stone, April 29, 1927 – October 25, 2023
Approved, 5/0

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

2. ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

- HEALING & UNITY + KEY TO THE CITY EVENT – November 30, 2023
Antioch Community Center, 4703 Lone Tree Way, Antioch
- HOLIDAY DELITES CELEBRATION – December 2, 2023
Antioch's Historic Rivertown, Downtown, G Street and 2nd Street, Antioch

3. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

- PLANNING COMMISSION

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

COUNCIL MEMBER OGORCHOCK REQUESTED A MOTION TO SUSPEND THE RULES TO MOVE COUNCIL REGULAR AGENDA ITEMS #5 AND #6 TO BE HEARD BEFORE THE CONSENT CALENDAR; APPROVED, 5/0

COUNCIL REGULAR AGENDA

5. SALES TAX CITIZENS' OVERSIGHT COMMITTEE APPOINTMENT FOR THE VACANCY EXPIRING MARCH 2026

Recommended Action: 1) *It is recommended that the Mayor nominate the candidate for appointment.*

Reso No. 2023/167 adopted appointing Ami Odom to the Sales Tax Citizens' Oversight Committee for the partial-term vacancy expiring March 2026, 5/0

- 2) *It is recommended that the City Council adopt a resolution appointing [name of appointee] to the Sales Tax Citizens' Oversight Committee for the partial-term vacancy expiring March 2026.*

COUNCIL REGULAR AGENDA – Continued

6. BOARD OF ADMINISTRATIVE APPEALS APPOINTMENTS FOR ONE VACANCY EXPIRING MARCH 2024 AND ONE VACANCY EXPIRING MARCH 2026

Recommended Action: 1) *It is recommended that the Mayor nominate the candidates for appointment.*

2) *It is recommended that the City Council:*

***Reso No. 2023/168 adopted appointing
Sharif Umair to the Board of Administrative Appeals
for the partial-term vacancy expiring March 2024,
5/0***

*I. Adopt a resolution appointing [name of appointee] to the
Board of Administrative Appeals for the partial-term
vacancy expiring March 2024.*

***Reso No. 2023/169 adopted appointing
John Constantine Richelsen to the Board of Administrative Appeals
for the partial-term vacancy expiring March 2026,
5/0***

*II. Adopt a resolution appointing [name of appointee] to the
Board of Administrative Appeals for the partial-term
vacancy expiring March 2026.*

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

A. APPROVAL OF COUNCIL MEETING MINUTES FOR OCTOBER 24, 2023

Continued, 5/0

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

B. APPROVAL OF COUNCIL MEETING MINUTES FOR NOVEMBER 14, 2023

Continued, 5/0

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

C. APPROVAL OF COUNCIL WARRANTS

Approved, 5/0

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

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

D. APPROVAL OF SUCCESSOR AGENCY WARRANTS

Approved, 5/0

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

E. APPROVAL OF HOUSING SUCCESSOR WARRANTS

Approved, 5/0

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

F. SECOND READING – INNOVATIVE HOUSING (IH) OVERLAY DISTRICT AND ACCESSORY DWELLING UNITS (LA2023-0003) (Introduced on November 14, 2023)

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

Ord. No. 2235-C-S adopted, 5/0

- 1) Adopt an ordinance amending Title 9 Chapter 5 of the Antioch Municipal Code to implement State legislation regarding Accessory Dwelling Units and to permit multiple Accessory Dwelling Units in the Innovative Housing (IH) Overlay District.

Ord. No. 2236-C-S adopted, 5/0

- 2) Adopt an ordinance to rezone 33 parcels to include an IH Overlay District.

G. SECOND READING – ZONING TEXT AMENDMENTS (LA2023-0004) (Introduced on November 14, 2023)

Ord. No. 2237-C-S adopted, 5/0

Recommended Action: It is recommended that the City Council adopt an ordinance amending Title 9 Chapter 5 of the Antioch Municipal Code to implement Housing Element programs, codify legislation, and clarify existing regulations.

H. AMENDMENT TO PURPOSE-BUILT CONTRACT FOR SAFETY APPAREL, UNIFORMS, AND PERSONAL PROTECTIVE EQUIPMENT PURCHASES

Reso No. 2023/170 adopted, 5/0

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

- 1) Approving an increase to the Purpose-Built contract in the amount of \$150,000 for a two-year contract extension for Fiscal Years 2023/24 and 2024/2025; and
- 2) Authorizing the Acting City Manager or designee to execute an increase to the current purchase order with Purpose-Built.

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

I. CONSIDERATION OF A COOPERATIVE AGREEMENT BETWEEN THE CITY OF ANTIOCH AND THE CONTRA COSTA TRANSPORTATION AUTHORITY FOR THE ANTIOCH BICYCLE GARDEN PROJECT FUNDED IN PART BY A SAFE STREETS AND ROADS FOR ALL GRANT

Reso No. 2023/171 adopted, 5/0

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

- 1) Approving the Cooperative Agreement between the City of Antioch and the Contra Costa Transportation Authority for the Antioch Bicycle Garden Project;
- 2) Authorizing the expenditure of up to \$1,000,000 of budgeted funds from City's General Fund to pay an advancement to the Contra Costa Transportation Authority for estimated costs for each phase of project delivery for the Antioch Bicycle Garden Project, which is a required match to receive a \$4,000,000 Safe Streets and Roads for All Grant; and
- 3) Authorizing the Acting City Manager to execute the agreement.

J. CONSIDERATION OF BIDS FOR THE CONTRA LOMA ESTATES PARK RENOVATION (P.W. 298-P3)

Reso No. 2023/172 adopted, 5/0

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

- 1) Awarding the construction agreement to the lowest, responsive, and responsible bidder, Star Construction, Inc. for the Contra Loma Estates Park Renovation in the amount of \$2,499,900; and
- 2) Authorizing the Acting City Manager or designee to execute the construction agreement with Star Construction, Inc. for a total amount of \$2,499,900.

K. AUTHORIZATION TO RESPOND TO REQUEST FOR STATUS UPDATE TO GRAND JURY REPORT NO. 2106 "MENTAL HEALTH CRISIS RESPONSE"

Reso No. 2023/173 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt the resolution to approve the response to the request for status updates to Grand Jury Report #2106 "Mental Health Crisis Response" and authorize the Mayor to sign the response letter.

8:59 P.M. RECESS
9:05 P.M. RECONVENED, ROLL CALL – All Present

COUNCIL REGULAR AGENDA – Continued

7. RESOLUTIONS APPROPRIATING EXPENDITURES FOR ENCUMBRANCES AND PROJECT BUDGETS OUTSTANDING TO THE 2023/24 FISCAL YEAR BUDGET AND APPROVING OTHER AMENDMENTS TO THE 2023/24 AND 2024/25 FISCAL YEAR BUDGETS

Recommended Action: It is recommended that the City Council adopt the following resolutions:

Reso No. 2023/174 adopted, 5/0

- 1) Resolution of the City Council of the City of Antioch appropriating expenditures for encumbrances and project budgets outstanding to the 2023/24 fiscal year budget and approving other amendments to the 2023/24 and 2024/25 fiscal year budgets.

Reso No. 2023/175 adopted approving the following projects:

- ***\$50,000 – Sister City Expenses***
- ***\$110,000 – July 4th Event***
- ***\$1,579,605 – Water Park Needs***

5/0

- 2) Resolution of the City Council of the City of Antioch approving amendments to the 2023/24 and 2024/25 fiscal year budgets for items considered at the meeting of November 28, 2023.

PUBLIC COMMENTS

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 Acting City Manager – no longer than 90 days.*

MOTION TO ADJOURN – *After Council Communications and Future Agenda Items, the Mayor will make a motion to adjourn the meeting. A second motion is required, and then a majority vote is required to adjourn the meeting.*

Motioned to adjourn meeting at 10:10 p.m., 5/0



***IN MEMORY OF THE CITY OF ANTIOCH'S
FIRST FEMALE MAYOR
LOUISE GIERSCH***

September 23, 1925 – September 4, 2023

WHEREAS, Louise Giersch moved to Antioch with her husband Lauron and three daughters, Leslie, Linda and Lori, where she became a substitute teacher and was then appointed to the Antioch Planning Commission on May 11, 1964;

WHEREAS, following her 4 years on the Planning Commission, Louise Giersch was then elected to the Antioch City Council on April 16, 1968;

WHEREAS, during her 8 years on City Council, Louise Giersch made history as the first female appointed as Mayor from 1970-1971 and 1975-1976;

WHEREAS, in addition to the City Council and thereafter, Louise Geirsch served in other County Commissions and Boards, such as, the Metropolitan Transportation Commission (MTC), Association of Bay Area Government (ABAG), Seismic Safety Commission, Architectural Review Board, and Delta Learning Center's Board of Directors;

WHEREAS, Louise obtained her pilot's license in 1966 and after retirement, she loved to travel with her husband and had visted all seven continents; and

WHEREAS, Louise loved exploring the Eastern Sierras and became an oil painter and often painted scenes of the Sierra foothills.

NOW, THEREFORE, I, LAMAR A. THORPE, Mayor of the City of Antioch, hereby recognize Louise Giersch for her service, commitment, and many accomplishments to the City of Antioch.

NOVEMBER 28, 2023

LAMAR A. THORPE, Mayor

**1.01
11-28-23**



***IN MEMORY OF FORMER COUNCILMEMBER
FRANK L. STONE***

APRIL 29, 1927 – OCTOBER 25, 2023

WHEREAS, Frank L. Stone was a Tennessee native, and lived in Antioch where he worked for Pacific Gas & Electric and was an active community member for the City of Antioch;

WHEREAS, Frank L. Stone was one of the founding members of the Association of Responsible Citizens in 1978, and a founding member of the Friends of Animal Services in 1979;

WHEREAS, Frank L. Stone served on the Planning Commission from 1979 through 1984, then was elected to City Council from 1984 through 1992. During his service on Council, he also was appointed as Mayor Pro Tem for two (2-year) terms;

WHEREAS, after his service on the Antioch City Council, Frank L. Stone continued to stay active with the community by being a member of the Contra Costa's Fairgrounds Board and was later appointed to the Antioch Rivertown Senior Housing Board of Directors in 1993;

WHEREAS, in 1994, the City of Antioch dedicated the Antioch Animal Shelter to Frank L. Stone, honoring Mr. Stone's accomplishments with the City; and

WHEREAS, Frank L. Stone was a huge animal lover and was never without a canine companion.

NOW, THEREFORE, I, LAMAR A. THORPE, Mayor of the City of Antioch, hereby recognize Frank L. Stone for his commitment, dedication, and positive influence in our community.

NOVEMBER 28, 2023

LAMAR A. THORPE, Mayor

**1.02
11-28-23**

ANTIOCH

OFFICE OF THE MAYOR

Healing & Unity + Key to the City Event

Antioch Community Center

4703 Lone Tree Way

Thursday, November 30, 2023

6:30 pm





ANTIOCH
CALIFORNIA

Holiday *Delites* Celebration



DECEMBER 2ND 🎄 RIVERTOWN

Sip & Shop Artisan Faire

G Street

Street 1PM-5PM

Vendor Sign-up



Parade & Tree Lighting

Waldie Plaza

5PM-7PM

Parade Registration



[ANTIOCHCA.GOV/RECREATION/SPECIAL-EVENTS](https://antiochca.gov/recreation/special-events)

**Parade & Tree Lighting tentative based on weather conditions.

#2

The City of Antioch encourages residents to become involved in their local community. One way to do so is to serve on one of the various Boards, Commissions, and Committees. Any interested resident is invited to apply for the following vacancies by the **Extended Deadline Date: 5:00 p.m., on Friday, December 15, 2023:**

➤ **PLANNING COMMISSION**

- One (1) Vacancy, expiring October 2027

To be considered for the vacancy position(s) listed above, please fill out and sign the “Community Service Application” form available online on the City’s website at: <https://bit.ly/COA-BC23>. Printed applications are also available at Antioch City Hall, 200 H Street, Antioch, CA.

Please return the completed application by the deadline date listed above, by email to: cityclerk@antiochca.gov. You can also drop off the application (Attn: City Clerk), in the water billing drop-off box outside Antioch City Hall.



***Your interest and desire to serve our community can
make a difference.***



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.

Purpose:

The Planning Commission review and make recommendations to the City Council on the physical development of the City: all provisions of the General Plan, land use, and zoning as specified by the Zoning Code, and as set forth in the State Government Code and the California Environmental Quality Act (CEQA). The Commission also reviews site plans, architectural design, signs, or other exterior design features of new and remodeled buildings.

Commission Seats:

- Seven (7) Commission Members, 4-year terms.

Meetings:

- Held every first and third Wednesday of every month at 6:30 p.m. in the City Council Chambers; or on other dates as needed.

Requirements:

- Must be a resident of the City of Antioch.
- Members are subject to The Brown Act open meeting law.
- Commissioners are required to submit the Fair Political Practices Commission (FPPC) Form 700 (Statement of Economic Interests) upon assuming office, and every year thereafter.
- Commissioners are required to complete a 2-hour online AB1234 Ethics course within one year of their appointment.
- Newly appointed and reappointed Members are required to take an Oath of Office administered by the City Clerk.



To be considered for these volunteer position(s), a completed application must be emailed to: cityclerk@antiochca.gov, or mailed/delivered to the Office of the City Clerk, by the deadline date listed above. Applications are available on the City's website at: <https://bit.ly/COA-BC23>, and at the City Clerk's Office.

*Required field

Deadline Date: By 5:00 p.m., December 15, 2023

APPLICANT INFORMATION			<input type="checkbox"/> Youth 14-17				
*Full Name:	Main Phone: ()	Alternate Phone: ()					
*Residence Address: Antioch, CA	E-mail Address:						
Employer/School:	Occupation:	Resident since:					
*PARENT/GUARDIAN INFORMATION (If applicant is age 14-17 years)							
*Full Name:	Main Phone: ()	Alternate Phone: ()					
*Residence Address: Antioch, CA	E-mail Address:						
*QUESTIONNAIRE							
<p>Please answer the questions below on a <u>separate sheet(s)</u> and attach. Applications without these questions answered will <u>not</u> be considered. Please attach your resume (<i>recommended to enhance your application</i>).</p> <ol style="list-style-type: none"> List (3) main reasons for your motivation to join the Planning Commission. What skills or experience do you have that will serve the Planning Commission? What do you think is the single most important skill for a Planning Commissioner? Do you have any particular areas of interest with respect to Planning? Please add any other information/comments that would be helpful in reviewing your application. 							
*ACKNOWLEDGEMENTS							
<p>My signature below indicates my understanding and acknowledgement that:</p> <p><input type="checkbox"/> *This completed application is available for public review (<i>youth applications are exempt</i>).</p> <p><input type="checkbox"/> *I have read and agree to the requirements listed on the Vacancy Announcement.</p> <p><input type="checkbox"/> *To the best of my ability, I will attend the Planning Commission regular meetings: Every 1st and 3rd Wednesday of the month at 6:30 p.m.</p>							
<p><u>Please return completed application by:</u></p> <ul style="list-style-type: none"> • Mail to: Office of the City Clerk P.O. Box 5007, Antioch CA 94531 • In Person: Antioch City Hall-Clerk's Office 200 H Street, 3rd Floor • Email to: cityclerk@antiochca.gov 		<table border="1"> <tr> <td>_____ *Applicant Signature</td> <td>_____ *Date</td> </tr> <tr> <td>_____ *Parent/Guardian Signature (An original, signed application with parent/ guardian signature is required, if a minor)</td> <td>_____ *Date</td> </tr> </table>		_____ *Applicant Signature	_____ *Date	_____ *Parent/Guardian Signature (An original, signed application with parent/ guardian signature is required, if a minor)	_____ *Date
_____ *Applicant Signature	_____ *Date						
_____ *Parent/Guardian Signature (An original, signed application with parent/ guardian signature is required, if a minor)	_____ *Date						



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of November 28, 2023

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 October 24, 2023

RECOMMENDED ACTION

It is recommended that the City Council continue the Meeting Minutes of October 24, 2023.

FISCAL IMPACT

None

DISCUSSION

N/A

ATTACHMENT

None.



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of November 28, 2023

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 November 14, 2023

RECOMMENDED ACTION

It is recommended that the City Council continue the Meeting Minutes of November 14, 2023.

FISCAL IMPACT

None

DISCUSSION

N/A

ATTACHMENT

None.



CLAIMS BY FUND REPORT
FOR THE PERIOD OF
NOVEMBER 3 - 16 , 2023
FUND/CHECK#

100 General Fund

Non departmental

00409731	AFLAC	INSURANCE PREMIUM	6,358.64
00409760	CHC CONSULTING	DEPOSIT REFUND	3,218.00
00409762	CHRISTOPHER ELLIOTT	REFUND SMIP FEE	5.20
00409764	COLONIAL LIFE	MONTHLY PREMIUM	618.70
00409781	FIRE RISK MANAGEMENT SERVICES	INSURANCE PREMIUM	46,903.54
00409817	SEFNCO COMMUNICATIONS	DEPOSIT REFUND	5,000.00
00409827	TOM BETTENCOURT	REFUND CBSC FEE	1.50
00409854	CONTRA COSTA COUNTY	PAYROLL	567.19
00409855	CONTRA COSTA COUNTY	PAYROLL	50.00
00409888	LIFE INSURANCE COMPANY OF NA	PAYROLL	4,761.17
00409898	MUNICIPAL POOLING AUTHORITY	PAYROLL	2,138.03
00409906	PARS	PAYROLL	6,564.42
00409907	PHOTO LUXE LLC	CHECK REPLACEMENT	4.00
00409908	QUADIENT LEASING USA INC	POSTAGE	2,119.90
00409921	STATE OF CALIFORNIA	PAYROLL	30.00
00409922	STATE OF CALIFORNIA	PAYROLL	120.00
00946884	NATIONWIDE RETIREMENT SOLUTIONS	PAYROLL	52,896.49
00946889	NATIONWIDE RETIREMENT SOLUTIONS	PAYROLL	30,783.31

City Council

00409734	AMAZON CAPITAL SERVICES INC	OFFICE SUPPLIES	29.88
00409767	COSTCO	VARIOUS BUSINESS EXPENSES	242.39
00409804	OGORCHOCK, LORI ANN	EXPENSE REIMBURSEMENT	573.64
00409847	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	675.00

City Attorney

00409849	BURKE WILLIAMS AND SORENSEN LLP	LEGAL SERVICES RENDERED	41,325.00
00409871	HANKINSLAW	CHECK REPLACEMENT	562.50
00409872	HANSON BRIDGETT LLP	LEGAL SERVICES RENDERED	39,218.03
00409881	JACKSON LEWIS PC	LEGAL SERVICES RENDERED	10,408.52
00409885	KRAMER WORKPLACE INVESTIGATIONS	LEGAL SERVICES RENDERED	7,583.00
00409886	LEXISNEXIS	PROFESSIONAL SERVICES	244.00
00409887	LIEBERT CASSIDY WHITMORE	LEGAL SERVICES RENDERED	792.00
00409896	MEYERS NAVE	LEGAL SERVICES RENDERED	47,114.34
00409897	MICHAEL H ROUSH	PROFESSIONAL SERVICES	5,250.00
00409927	TELECOM LAW FIRM PC	LEGAL SERVICES RENDERED	1,730.15

City Manager

00409732	ALHAMBRA	CM BOTTLED WATER SERVICE	109.05
00409734	AMAZON CAPITAL SERVICES INC	OFFICE SUPPLIES	78.26
00409747	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	121.19
00409767	COSTCO	CITY HALL LOBBY MAP	71.50
00409788	HELFENBERGER, BRADLEY K	EXPENSE REIMBURSEMENT	153.65
00409847	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	2,435.84

City Clerk

00409877	IIMC	MEMBERSHIP DUES	125.00
00409878	IIMC	MEMBERSHIP DUES	125.00
00946879	CARTER, RONN	CAMERA OPERATOR	378.00

City Treasurer



CLAIMS BY FUND REPORT
FOR THE PERIOD OF
NOVEMBER 3 - 16 , 2023
FUND/CHECK#

00409891	LOOMIS ARMORED LLC	ARMORED CAR PICKUP	296.75
00409902	OFFICE DEPOT INC	OFFICE SUPPLIES	379.72
Human Resources			
00409759	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTS	693.00
00409774	DIABLO LIVE SCAN LLC	FINGERPRINTS	340.00
00409791	IEDA INC	PROFESSIONAL SERVICES	11,274.64
00409822	STERICYCLE INC	SHREDDING SERVICES	862.29
00409869	FEDEX	SHIPPING	7.65
Economic Development			
00409734	AMAZON CAPITAL SERVICES INC	OFFICE SUPPLIES	149.54
00409847	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	1,242.19
00409858	CONWAY DATA INC	MARKETING ADVERTISEMENTS	7,000.00
00409924	SWEET, BRET ALEXANDER	EXPENSE REIMBURSEMENT	343.82
Finance Administration			
00409750	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	324.07
Finance Accounting			
00409742	BADAWI & ASSOCIATES	AUDIT SERVICES	28,849.50
00409750	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	1,447.00
00409781	FIRE RISK MANAGEMENT SERVICES	INSURANCE PREMIUM	226.12
00409902	OFFICE DEPOT INC	OFFICE SUPPLIES	43.02
Finance Operations			
00409750	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	750.00
00409781	FIRE RISK MANAGEMENT SERVICES	INSURANCE PREMIUM	10.20
00409902	OFFICE DEPOT INC	OFFICE SUPPLIES	69.13
Non Departmental			
00409750	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	210.45
00409832	WAGeworks	ADMIN FEE	434.00
00409907	PHOTO LUXE LLC	CHECK REPLACEMENT	435.00
00946870	AVENU	SUTA SERVICES	5,811.21
Public Works Administration			
00409734	AMAZON CAPITAL SERVICES INC	OFFICE SUPPLIES	168.33
00409930	VERIZON WIRELESS	DATA USAGE	38.01
Public Works Street Maintenance			
00409836	AMS DOT NET INC	WIFI EXPANSION	2,220.07
00409837	ANRAK CORPORATION	ASPHALT GRINDING	4,300.00
00409839	ANTIOCH BUILDING MATERIALS	ASPHALT MATERIALS	22,326.53
00409865	EAST BAY WELDING SUPPLY	WELDING SUPPLIES	22.39
00409867	FALCON COLLISION REPAIR INC	REPAIR SERVICES	4,999.98
00409868	FASTENAL CO	INDUSTRIAL SUPPLIES	226.55
00409919	SHARJO LLC	ABATEMENT SERVICES	6,641.71
00409925	TAPCO	SIGNAGE AND MATERIALS	344.56
00409930	VERIZON WIRELESS	DATA USAGE	128.64
00946876	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	157.50
Public Works-Signal/Street Lights			
00409843	AT AND T MCI	PHONES	135.50
00409860	DC ELECTRIC GROUP INC	STREETLIGHT MAINTENANCE	9,372.16
00409889	LIGHTPOLESPLUS.COM	LIGHT POLES	3,291.41
00409905	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	1,447.58



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Public Works-Facilities Maintenance

00409734	AMAZON CAPITAL SERVICES INC	OFFICE SUPPLIES	1,178.29
00409748	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	224.00
00409754	BAY ALARM COMPANY	MONITORING SERVICE	4,343.00
00409823	STERICYCLE INC	SHREDDING SERVICE	91.25
00409836	AMS DOT NET INC	WIFI EXPANSION	2,220.07
00409843	AT AND T MCI	PHONES	79.76
00409856	CCC TAX COLLECTOR	PROPERTY TAX	408.80
00409860	DC ELECTRIC GROUP INC	ELECTRICAL SERVICES	3,478.20
00409862	DEPT OF INDUSTRIAL RELATIONS	ELEVATOR COMPLIANCE FEE	675.00
00409874	HOME DEPOT, THE	PARTS	2,318.97
00409909	REAL PROTECTION INC.	LABOR	3,077.65
00409910	REINHOLDT ENGINEERING CONSTR	FUEL STORAGE TANK TESTING	750.00
00409913	ROBINS LOCK AND KEY	DOOR REPAIR	195.00
00409929	ULINE	FACILITY SUPPLIES	381.31
00409930	VERIZON WIRELESS	DATA USAGE	90.63
00946876	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	5,987.50

Public Works-Parks Maint

00409748	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	148.71
00409836	AMS DOT NET INC	WIFI EXPANSION	2,220.07
00409843	AT AND T MCI	PHONES	135.50
00409879	IN DEMAND PLUMBING	PLUMBING PARTS	10,550.00
00409905	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	67.34
00409931	WATERSAVERS IRRIGATION	IRRIGATION PARTS	719.97
00946886	SITEONE LANDSCAPE SUPPLY	MATERIALS	3,149.83

Public Works-Median/General Land

00409734	AMAZON CAPITAL SERVICES INC	OFFICE SUPPLIES	218.83
00409825	TERRACARE ASSOCIATES	LANDSCAPE MAINTENANCE	8,881.36
00409843	AT AND T MCI	PHONES	408.79
00409928	TERRACARE ASSOCIATES	IRRIGATION REPAIR	525.00
00409931	WATERSAVERS IRRIGATION	SUPPLIES	6,433.80
00946886	SITEONE LANDSCAPE SUPPLY	MATERIALS	7,011.54

PW-Work Alternative-Strt Maint

00409785	FURBER SAW INC	REPAIR PARTS	35.10
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Police Administration

00409739	ARROWHEAD 24 HOUR TOWING INC	EVIDENCE STORAGE	5,074.50
00409743	BAGEL STREET CAFE	MEETING REFRESHMENTS	63.49
00409751	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	3,465.47
00409756	BECERRA, ARTURO MODESTO	TRAINING PER DIEM	345.00
00409763	CLONINGER, NAHLEEN R	MEAL REIMBURSEMENT	40.78
00409776	EAN SERVICES LLC	TRAINING RENTAL VEHICLES	1,384.73
00409807	PALMA, KRISTIAN	TRAINING PER DIEM	345.00
00409810	PREFERRED ALLIANCE INC	PRE-EMPLOYMENT TESTS	441.00
00409815	SAFESTORE INC	EVIDENCE STORAGE	3,962.60
00409816	SCHNEIDER, MICHAEL C	EXPENSE REIMBURSEMENT	25.98
00409845	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	4,035.82
00409846	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	5,132.97
00409900	NATIONAL TRAINING CONCEPTS INC	TRAINING	512.00



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00409902	OFFICE DEPOT INC	OFFICE SUPPLIES	248.87
Police Community Policing			
00409751	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	475.00
00409795	LENDERMAN, THOMAS E	MILEAGE REIMBURSEMENT	351.12
00409846	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	70.46
Police Traffic Division			
Police Investigations			
00409751	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	508.70
00409781	FIRE RISK MANAGEMENT	INSURANCE PREMIUM	22.80
00409917	SEROLOGICAL RESEARCH	TESTING SERVICES	2,500.00
Police Communications			
00409736	AMERICAN TOWER CORPORATION	TOWER FEES	269.16
00409781	FIRE RISK MANAGEMENT	INSURANCE PREMIUM	62.41
00409806	PACIFIC TELEMAGEMENT	PAY PHONE	156.00
00409841	AT AND T	PHONES	62.38
00409843	AT AND T MCI	PHONES	202.71
Office Of Emergency Management			
00409843	AT AND T MCI	PHONES	215.39
Police SRO Program			
00409754	BAY ALARM COMPANY	MONITORING SERVICE	176.00
Police Facilities Maintenance			
00409751	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	310.08
00409754	BAY ALARM COMPANY	MONITORING SERVICE	5,400.00
00409843	AT AND T MCI	PHONES	252.43
00409909	REAL PROTECTION INC.	FIRE ALARM MAINTENANCE	411.27
00409929	ULINE	FACILITY SUPPLIES	719.29
00946876	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	6,030.00
Youth Network Services			
00409812	RFY DANCE AND ACADEMIC ACADEMY	PROFESSIONAL SERVICES	1,890.00
00409859	CRAFT AND GATHER	PROFESSIONAL SERVICES	300.00
00409915	RR TRANSITIONAL HOUSING	PROFESSIONAL SERVICES	3,408.00
Housing and Homelessness			
00409918	SHARE COMMUNITY	SHOWER MAINTENANCE FEES	844.95
PSCR Administration			
00409734	AMAZON CAPITAL SERVICES INC	OFFICE SUPPLIES	40.79
00409754	BAY ALARM COMPANY	MONITORING SERVICE	700.00
00409768	CRAFT AND GATHER	PROFESSIONAL SERVICES	275.00
00409781	FIRE RISK MANAGEMENT SERVICES	INSURANCE PREMIUM	205.00
00409901	NICHOLAS K CORPORATION	VEHICLE	38,495.80
Community Development Administration			
00409734	AMAZON CAPITAL SERVICES INC	OFFICE SUPPLIES	138.15
00409902	OFFICE DEPOT INC	OFFICE SUPPLIES	443.77
Community Development Land Planning Services			
00409744	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	422.50
00409827	TOM BETTENCOURT	REFUND GP MAINT FEE	8.05
00409831	URBAN PLANNING PARTNERS	PROFESSIONAL SERVICES	10,007.50
CD Code Enforcement			
00409741	AVILA-ARMENTA, ERNESTO	EXPENSE REIMBURSEMENT	220.41



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00409744	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	2,212.30
00409758	CACEO	MEMBERSHIP DUES	400.00
00409926	TAYLOR, SEQUOIA JANNEL	EXPENSE REIMBURSEMENT	90.06
PW Engineer Land Development			
00409843	AT AND T MCI	PHONES	52.66
00409930	VERIZON WIRELESS	DATA USAGE	52.62
Community Development Building Inspection			
00409762	CHRISTOPHER ELLIOTT	REFUND BLDG PERMIT FEE	289.45
00409827	TOM BETTENCOURT	REFUND BLDG PERMIT	173.88
Capital Imp. Administration			
00409734	AMAZON CAPITAL SERVICES INC	OFFICE SUPPLIES	68.30
00946885	RED WING SHOE STORE	SAFETY SHOES	248.55
206 American Rescue Plan Fund			
Non departmental			
Mayor's Apprenticeship Program			
00409916	RUBICON PROGRAMS INC	PROFESSIONAL SERVICES	12,420.48
Non Departmental			
00409755	BAY AREA COMMUNITY SERVICES INC	BRIDGE HOUSING SERVICES	85,678.44
00409780	FELTON INSTITUTE	CIT PROGRAM	331,277.88
00409799	MAGDALENA SAUCEDO	SMALL BUSINESS GRANT	10,000.00
P & R Community Center			
00409769	CRUSADER FENCE COMPANY LLC	PROGRESS PAYMENT	41,239.00
212 CDBG Fund			
CDBG			
00409766	CC SENIOR LEGAL SERVICES	CDBG SERVICES	2,973.03
00409853	CONTRA COSTA CHILD CARE COUNCIL	CDBG SERVICES	4,519.84
00409857	CC FAMILY JUSTICE ALLIANCE	CDBG SERVICES	319.65
00409894	MEALS ON WHEELS	CDBG SERVICES	2,500.18
213 Gas Tax Fund			
Streets			
00409905	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	518.53
214 Animal Services Fund			
Animal Services			
00409745	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	1,306.84
00409751	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	613.78
00409765	CONCORD FEED	CAT LITTER	466.50
00409777	EAST BAY VETERINARY EMERGENCY	VETERINARY SERVICES	2,714.15
00409789	HILLS PET NUTRITION	PET FOOD	244.44
00409794	KOEFRAN SERVICES INC	CREMATION SERVICES	209.00
00409801	MWI VETERINARY SUPPLY CO	VETERINARY SUPPLIES	1,427.43
00409833	ZOETIS LLC	VACCINATIONS	358.06
00409846	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	450.00
00409851	CHAMELEON SOFTWARE PRODUCTS	SOFTWARE UPGRADE	4,214.40
00409864	EAST BAY VETERINARY EMERGENCY	VETERINARY SERVICES	203.82
00409873	HILLS PET NUTRITION	PET FOOD	623.60
00409899	MWI VETERINARY SUPPLY CO	VETERINARY SUPPLIES	417.00
00409933	ZOETIS LLC	VACCINES	897.48
219 Recreation Fund			



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00409746	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	907.59
00409747	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	903.32
00409749	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	108.11
00409761	CHRISTINA JETHI	DEPOSIT REFUND	1,000.00
00409771	DANIELLE LOWE-ROBINSON	DEPOSIT REFUND	500.00
00409787	HEALTHRIGHT 360	DEPOSIT REFUND	500.00
00409821	STELLA OMOSOWHO	DEPOSIT REFUND	1,000.00

Nick Rodriguez Community Cent

00409746	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	629.94
00409757	BRADY INDUSTRIES	JANITORIAL SUPPLIES	801.37
00409909	REAL PROTECTION INC.	FIRE ALARM MAINTENANCE	114.49
00946876	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	500.00

Senior Programs

00409734	AMAZON CAPITAL SERVICES INC	OFFICE SUPPLIES	1,117.63
00409735	AMERICAN STAGE TOURS	SENIOR TRIP	2,112.00
00409746	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	874.45
00409749	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	5,496.76
00409781	FIRE RISK MANAGEMENT SERVICES	INSURANCE PREMIUM	113.89
00409818	SIERRA LINES INC	SENIOR TRIP	1,550.00
00409850	CALIPRINTS LLC	STAFF UNIFORMS	801.56
00946876	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	5.00

Recreation Sports Programs

00409734	AMAZON CAPITAL SERVICES INC	OFFICE SUPPLIES	399.49
00409747	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	798.91
00409754	BAY ALARM COMPANY	MONTHLY MAINTENANCE	300.00
00409781	FIRE RISK MANAGEMENT SERVICES	INSURANCE PREMIUM	187.64
00409843	AT AND T MCI	PHONES	27.10
00409850	CALIPRINTS LLC	STAFF UNIFORMS	801.54
00409852	CONCORD SOFTBALL UMPIRES	UMPIRE SERVICES	2,464.00

Recreation-Comm Center

00409734	AMAZON CAPITAL SERVICES INC	OFFICE SUPPLIES	856.60
00409746	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	587.94
00409747	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	1,132.57
00409749	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	1,287.69
00409754	BAY ALARM COMPANY	MONITORING SERVICE	660.00
00409757	BRADY INDUSTRIES	JANITORIAL SUPPLIES	1,130.33
00409775	DUGAND, KARINA	CONTRACTOR PAYMENT	297.00
00409826	THOMPSON, RANDALL	CONTRACTOR PAYMENT	324.00
00409829	UNITED STATES POSTAL SERVICE	NEWSLETTER MAILING	530.00
00409830	UNITED STATES POSTAL SERVICE	POSTAGE	10,470.00
00409838	ANTIOCH ACE HARDWARE	KEYS	34.16
00409842	AT AND T MCI	PHONES	62.87
00409843	AT AND T MCI	PHONES	28.15
00409850	CALIPRINTS LLC	STAFF UNIFORMS	801.56
00409861	DEFINITIVE SAFETY GROUP LLC	CONTRACTOR PAYMENT	396.00
00409874	HOME DEPOT, THE	SUPPLIES	63.05
00409882	JAMES R. LEWIS	PROFESSIONAL SERVICES	450.00



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00409883	JENNIFER LYNN HINES	RECREATION GUIDE	4,752.74
00409891	LOOMIS ARMORED LLC	ARMORED CAR PICKUP	271.92
Recreation Water Park			
00409730	ADVANTAGE INDUSTRIAL SEWING	PROFESSIONAL SERVICES	972.00
00409734	AMAZON CAPITAL SERVICES INC	OFFICE SUPPLIES	603.88
00409747	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	342.44
00409749	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	3,751.07
00409793	KIS	INSTALLATION	1,781.95
00409797	LINCOLN EQUIPMENT INC	POOL CHEMICALS	307.36
00409828	TRINITY SAFEETY SOLUTIONS LLC	SAFETY CONSULTING	8,000.00
00409834	ADVANTASOFT INC	SOFTWARE	118.05
00409843	AT AND T MCI	PHONES	157.96
00409850	CALIPRINTS LLC	STAFF UNIFORMS	801.56
00409909	REAL PROTECTION INC.	PREWETT TESTING	346.92
00409913	ROBINS LOCK AND KEY	DOOR REPAIR	195.00
00946876	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	500.00
00946883	NATIONAL AQUATICS SERVICES INC	PROFESSIONAL SERVICES	1,012.50
226 Solid Waste Reduction Fund			
Solid Waste			
00409827	TOM BETTENCOURT	REFUND WMP FEE	35.00
00409866	ECOHERO SHOW LLC, THE	PROFESSIONAL SERVICES	1,200.00
00409911	REPUBLIC SERVICES INC	CURBSIDE OIL PICKUP	1,667.95
00946887	STEWARDSHIP ACTION FOUNDATION	ANNUAL DUES	500.00
229 Pollution Elimination Fund			
Channel Maintenance Operation			
00409740	ATLANTIS DIVING AND SALVAGE CO	GATE INSPECTION	3,000.00
00409748	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	1,000.00
00409808	PEPPER INVESTMENTS INC	RODENT CONTROL	600.00
00409819	SILVA LANDSCAPE	3-PERSON STORM SYSTEM	5,400.00
00409895	MECOM EQUIPMENT LLC	RENTAL DELIVERY CHARGES	3,147.07
00409920	SILVA LANDSCAPE	3-PERSON STORM SYSTEM	10,800.00
251 Lone Tree SLLMD Fund			
Lonetree Maintenance Zone 1			
00409825	TERRACARE ASSOCIATES	LANDSCAPE MAINTENANCE	5,100.75
00409843	AT AND T MCI	PHONES	108.40
00409928	TERRACARE ASSOCIATES	TURF MOWING	378.34
Lonetree Maintenance Zone 2			
00409825	TERRACARE ASSOCIATES	LANDSCAPE MAINTENANCE	10,681.11
00409835	ALTA FENCE	FENCE REPAIR	1,778.00
00409843	AT AND T MCI	PHONES	186.61
00409884	JETMULCH INC	MULCH INSTALLATION	18,705.38
Lonetree Maintenance Zone 3			
00409825	TERRACARE ASSOCIATES	LANDSCAPE MAINTENANCE	9,162.86
00409843	AT AND T MCI	PHONES	81.30
00409884	JETMULCH INC	MULCH INSTALLATION	18,705.37
Lonetree Maintenance Zone 4			
00409825	TERRACARE ASSOCIATES	LANDSCAPE MAINTENANCE	2,723.82
00409928	TERRACARE ASSOCIATES	TURF MOWING	605.22



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252 Downtown SLLMD Fund
Downtown Maintenance

00409825	TERRACARE ASSOCIATES	LANDSCAPE MAINTENANCE	1,462.39
00409928	TERRACARE ASSOCIATES	TURF MOWING	378.34

253 Almondridge SLLMD Fund
Almondridge Maintenance

00409825	TERRACARE ASSOCIATES	LANDSCAPE MAINTENANCE	2,363.29
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254 Hillcrest SLLMD Fund
Hillcrest Maintenance Zone 1

00409825	TERRACARE ASSOCIATES	LANDSCAPE MAINTENANCE	8,548.74
00409843	AT AND T MCI	PHONES	54.20
00409928	TERRACARE ASSOCIATES	TURF MOWING	983.68

Hillcrest Maintenance Zone 2

00409825	TERRACARE ASSOCIATES	LANDSCAPE MAINTENANCE	8,678.90
00409840	ARBORICULTURAL SPECIALTIES	TREE SERVICE	9,000.00
00409843	AT AND T MCI	PHONES	189.70
00409928	TERRACARE ASSOCIATES	TURF MOWING	1,346.88

Hillcrest Maintenance Zone 4

00409825	TERRACARE ASSOCIATES	LANDSCAPE MAINTENANCE	9,044.69
00409843	AT AND T MCI	PHONES	161.06
00409928	TERRACARE ASSOCIATES	TURF MOWING	756.68

255 Park 1A Maintenance District Fund
Park 1A Maintenance District

00409754	BAY ALARM COMPANY	MONITORING SERVICE	580.00
00409825	TERRACARE ASSOCIATES	LANDSCAPE MAINTENANCE	1,888.07
00409905	PACIFIC GAS AND ELECTRIC CO	GAS	34.26
00409928	TERRACARE ASSOCIATES	TURF MOWING	983.68

256 Citywide 2A Maintenance District Fund
Citywide 2A Maintenance Zone 3

00409825	TERRACARE ASSOCIATES	LANDSCAPE MAINTENANCE	1,474.41
00409928	TERRACARE ASSOCIATES	TURF MOWING	15.12

Citywide 2A Maintenance Zone 4

00409825	TERRACARE ASSOCIATES	LANDSCAPE MAINTENANCE	5,152.26
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Citywide 2A Maintenance Zone 5

00409825	TERRACARE ASSOCIATES	LANDSCAPE MAINTENANCE	2,381.42
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Citywide 2A Maintenance Zone 6

00409825	TERRACARE ASSOCIATES	LANDSCAPE MAINTENANCE	2,696.69
00409928	TERRACARE ASSOCIATES	TURF MOWING	908.00

Citywide 2A Maintenance Zone 8

00409825	TERRACARE ASSOCIATES	LANDSCAPE MAINTENANCE	4,108.26
00409928	TERRACARE ASSOCIATES	TURF MOWING	75.66

Citywide 2A Maintenance Zone 9

00409825	TERRACARE ASSOCIATES	LANDSCAPE MAINTENANCE	5,494.96
00409843	AT AND T MCI	PHONES	108.40
00409928	TERRACARE ASSOCIATES	TURF MOWING	227.00

Citywide 2A Maintenance Zone10

00409825	TERRACARE ASSOCIATES	LANDSCAPE MAINTENANCE	2,581.23
00409931	WATERSAVERS IRRIGATION	IRRIGATION PARTS	142.75



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257 SLLMD Administration Fund
SLLMD Administration

00409734	AMAZON CAPITAL SERVICES INC	OFFICE SUPPLIES	564.27
00409825	TERRACARE ASSOCIATES	TURF MOWING	453.70
00409836	AMS DOT NET INC	WIFI EXPANSION	2,220.07
00409928	TERRACARE ASSOCIATES	TURF MOWING	907.40
00409930	VERIZON WIRELESS	DATA USAGE	76.02

259 East Lone Tree SLLMD Fund
Zone 1-District 10

00409825	TERRACARE ASSOCIATES	LANDSCAPE MAINTENANCE	3,357.92
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311 Capital Improvement Fund
Energy Efficiency

00409876	ICLEI USA MEMBERSHIP	ANNUAL MEMBERSHIP	2,250.00
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Public Buildings & Facilities

00409824	STRATEGIC THREAT MANAGEMENT INC	SECURITY SERVICES	1,987.44
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323 Development Impact-Police Fund
Dev Impact - Police

00409802	NATIONAL AUTO FLEET GROUP	PATROL VEHICLE	169,327.83
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569 Vehicle Replacement Fund
Equipment Maintenance

00409901	NICHOLAS K CORPORATION	VEHICLE	43,593.69
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570 Equipment Maintenance Fund
Non departmental

00409790	HUNT AND SONS INC	FUEL	10,469.17
00409875	HUNT AND SONS INC	FUEL	9,497.26

Equipment Maintenance

00409734	AMAZON CAPITAL SERVICES INC	OFFICE SUPPLIES	117.69
00409748	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	110.00
00409836	AMS DOT NET INC	WIFI EXPANSION	2,220.07
00409930	VERIZON WIRELESS	DATA USAGE	38.01

573 Information Services Fund
Information Services

00409843	AT AND T MCI	PHONES	103.75
00409930	VERIZON WIRELESS	DATA USAGE	262.55

Network Support & PCs

00409737	AMS DOT NET INC	SOFTWARE	455.34
00409779	EPLUS TECHNOLOGY INC	ANNUAL SUBSCRIPTION	66,244.22
00946880	DIGITAL SERVICES	WEBSITE MAINTENANCE	8,060.00

Telephone System

00409842	AT AND T MCI	PHONES	2,612.38
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GIS Support Services

00409930	VERIZON WIRELESS	DATA USAGE	38.01
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577 Post Retirement Medical-Police Fund
Non Departmental

00946875	RETIREE	MEDICAL AFTER RETIREMENT	1,454.75
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611 Water Fund
Non departmental

00409729	ACE INDUSTRIAL SUPPLY INC	SUPPLIES	2,099.55
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CITY OF
ANTIOCH
CALIFORNIA

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00409734	AMAZON CAPITAL SERVICES INC	OFFICE SUPPLIES	91.86
00409757	BRADY INDUSTRIES	JANITORIAL SUPPLIES	3,046.60
00409796	LIM AUTOMOTIVE SUPPLY INC	GLOVES	3,015.38
00409820	STANDARD PLUMBING SUPPLY	GLOVES	30.01
00409848	BRADY INDUSTRIES	JANITORIAL SUPPLIES	253.76
00409870	GEMPLER'S INC	SAFETY MATERIALS	1,813.61
00946873	GRAINGER INC	SAFETY SUPPLIES	257.98
00946881	GRAINGER INC	SUPPLIES	752.81
Water Supervision			
00409930	VERIZON WIRELESS	DATA USAGE	349.94
Water Production			
00409738	AQUATIC INFORMATICS INC	SOFTWARE SUBSCRIPTION	10,765.00
00409754	BAY ALARM COMPANY	MONITORING SERVICE	3,688.00
00409778	ELITE SCAFFOLD LLC	SCAFFOLDING RENTAL	4,995.00
00409781	FIRE RISK MANAGEMENT SERVICES	INSURANCE PREMIUM	790.72
00409783	FISHER SCIENTIFIC COMPANY	LAB SUPPLIES	1,037.30
00409786	HACH CO	LAB SUPPLY	4,778.26
00409798	LOZA, VICTOR MANUEL	SAFETY SHOES	350.00
00409813	RICE LAKE WEIGHING SYSTEMS INC	ANNUAL CALIBRATION	239.00
00409838	ANTIOCH ACE HARDWARE	LIGHT	26.64
00409842	AT AND T MCI	PHONES	126.10
00409843	AT AND T MCI	PHONES	37.90
00409874	HOME DEPOT, THE	TOOLS	1,488.07
00409893	MARATHON POWER	POWER SUPPLIES	2,461.00
00409923	STATE WATER RESOURCES CONTROL	LAB ANNUAL FEE	5,525.00
00409930	VERIZON WIRELESS	DATA USAGE	183.45
00946871	CANON FINANCIAL SERVICES	COPIER	334.35
00946876	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	400.00
Water Distribution			
00409729	ACE INDUSTRIAL SUPPLY INC	SUPPLIES	315.36
00409734	AMAZON CAPITAL SERVICES INC	OFFICE SUPPLIES	704.91
00409748	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	273.19
00409754	BAY ALARM COMPANY	MONITORING SERVICE	420.00
00409773	DELTA DIABLO	RECYCLE WATER	20,297.02
00409781	FIRE RISK MANAGEMENT SERVICES	INSURANCE PREMIUM	141.32
00409782	FIRST VANGUARD RENTALS	MAINTENANCE SUPPLIES	437.18
00409784	FOUNDRY CONSTRUCTION INC	PROGRESS PAYMENT	62,621.75
00409803	NA BACKFLOW PREVENTION ASSOC	BACKFLOW TRAINING CLASS	300.00
00409820	STANDARD PLUMBING SUPPLY	TOOLS	453.04
00409835	ALTA FENCE	FENCE REPAIR	322.50
00409836	AMS DOT NET INC	WIFI EXPANSION	2,220.07
00409838	ANTIOCH ACE HARDWARE	CLEANING SUPPLIES	188.00
00409843	AT AND T MCI	PHONES	27.10
00409844	BACKFLOW APPARATUS AND VALVE	BACKFLOW PARTS	638.80
00409874	HOME DEPOT, THE	SHOP VAC	173.71
00409880	ISINGS CULLIGAN	WATER SERVICE	14.40
00409890	LIM AUTOMOTIVE SUPPLY INC	CLEANER	13.71
00409904	PACIFIC CREDIT SERVICES	COLLECTION FEES	10.20



CLAIMS BY FUND REPORT
FOR THE PERIOD OF
NOVEMBER 3 - 16 , 2023
FUND/CHECK#

00409912	ROBERTS AND BRUNE CO	PARTS	853.86
00409914	ROYAL BRASS INC	HOSE FITTING	71.21
00409929	ULINE	FACILITY SUPPLIES	127.69
00409930	VERIZON WIRELESS	DATA USAGE	3,429.53
00409932	WHITE CAP LP	MATERIALS	311.69
00946873	GRAINGER INC	CLEANING SUPPLIES	189.56
00946874	KLEINFELDER INC	PROFESSIONAL SERVICES	315.00
00946876	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	157.50
00946878	WILLIAMS SCOTSMAN INC	STORAGE CONTAINER RENTAL	1,596.68
00946881	GRAINGER INC	PUMP	292.04
00946882	INFOSEND INC	PRINT AND MAIL SERVICES	9.90
00946888	WILLIAMS SCOTSMAN INC	STORAGE CONTAINER RENTAL	400.52
Public Buildings & Facilities			
00409805	PACIFIC GAS AND ELECTRIC CO	PROFESSIONAL SERVICES	37,182.65
00946872	CAROLLO ENGINEERS INC	PROFESSIONAL SERVICES	94,403.27
621	Sewer Fund		
Non departmental			
Swr-Wastewater Administration			
00409734	AMAZON CAPITAL SERVICES INC	OFFICE SUPPLIES	89.84
00409748	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	3,929.07
00409770	CWEA SFBS	MEMBERSHIP DUES	334.00
00409784	FOUNDRY CONSTRUCTION INC	PROGRESS PAYMENT	62,621.77
00409792	JACK DOHENY COMPANY	COMMUNICATION DEVICES	4,943.79
00409800	MCCAMPBELL ANALYTICAL INC	TESTING SERVICES	116.00
00409809	PONDER ENVIRONMENTAL SERVICES	GRIT HAULING	5,528.18
00409814	ROBERTS AND BRUNE CO	PARTS	1,294.13
00409835	ALTA FENCE	FENCE REPAIR	322.50
00409836	AMS DOT NET INC	WIFI EXPANSION	2,220.06
00409843	AT AND T MCI	PHONES	55.25
00409880	ISINGS CULLIGAN	WATER SERVICE	14.40
00409895	MECOM EQUIPMENT LLC	EQUIPMENT RENTAL	12,010.58
00409903	PAC MACHINE CO INC	GAS POWERED TRASH PUMP	4,835.99
00409930	VERIZON WIRELESS	DATA USAGE	3,214.30
00409932	WHITE CAP LP	MATERIALS	77.94
00946869	A AND B CREATIVE TROPHIES	NAME TAGS	362.18
00946871	CANON FINANCIAL SERVICES	LATE FEE	25.00
00946876	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	157.50
00946877	SCOTTO, CHARLES W AND DONNA F	DECEMBER 2023 RENT	5,000.00
00946878	WILLIAMS SCOTSMAN INC	STORAGE CONTAINER RENTAL	1,596.70
00946881	GRAINGER INC	SUPPLIES	68.89
00946882	INFOSEND INC	PRINT AND MAIL SERVICES	9.91
00946888	WILLIAMS SCOTSMAN INC	STORAGE CONTAINER RENTAL	400.54
631	Marina Fund		
Marina Administration			
00409733	ALHAMBRA	WATER SERVICE	264.36
00409754	BAY ALARM COMPANY	MONITORING SERVICE	970.00
00409772	DC ELECTRIC GROUP INC	LABOR	533.73
00409790	HUNT AND SONS INC	FUEL	9,432.69



CLAIMS BY FUND REPORT
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00409811	PRINT CLUB	MARINA KAYAK DECALS	76.82
00409863	DIGITAL SIGN NETWORK LLC	DIGITAL ADVERTISEMENTS	1,000.00
00409909	REAL PROTECTION INC.	FIRE ALARM MAINTENANCE	79.39
00409913	ROBINS LOCK AND KEY	LOCK REPAIR	195.00
00409930	VERIZON WIRELESS	DATA USAGE	38.01
00946876	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	1,300.00



AS SUCCESSOR AGENCY TO
THE ANTIOCH DEVELOPMENT AGENCY
CLAIMS BY FUND REPORT
FOR THE PERIOD OF
NOVEMBER 3 - 16 , 2023
FUND/CHECK#

431 Redevelopment Obligation Retirement Fund (for former Project Area #1)

Non departmental

00409752	BANK OF NEW YORK MELLON	FISCAL AGENT FEES	550.00
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Non Departmental

00409752	BANK OF NEW YORK MELLON	FISCAL AGENT FEES	1,650.00
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AS HOUSING SUCCESSOR TO
THE ANTIOCH DEVELOPMENT AGENCY
CLAIMS BY FUND REPORT
FOR THE PERIOD OF
NOVEMBER 3 - 16 , 2023
FUND/CHECK#

227 **Housing Fund**

Housing

00409892	LYN-MATEO, ANDREA M	TRAINING EXPENSE REIMBURSEMENT	463.20
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CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of November 28, 2023

SUBMITTED BY: Meredith Rupp, Partnership for the Bay's Future Fellow
Zoe Merideth, Acting Planning Manager

APPROVED BY: Kevin Scudero, Acting Community Development Director

SUBJECT: Innovative Housing (IH) Overlay District and Accessory Dwelling Units (LA2023-0003) - Second Reading of the Ordinance

RECOMMENDED ACTION

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

- 1) Adopt an ordinance amending Title 9 Chapter 5 of the Antioch Municipal Code to implement State legislation regarding Accessory Dwelling Units and to permit multiple Accessory Dwelling Units in the Innovative Housing (IH) Overlay District (Attachment A).
- 2) Adopt an ordinance to rezone 33 parcels to include an IH Overlay District (Attachment B).

FISCAL IMPACT

There are no direct fiscal impacts incurred by the City for the approval of these ordinances.

DISCUSSION

The adoption of an ordinance requires two separate readings. The City Council introduced the subject ordinances at its November 14, 2023 regular meeting. This second reading will finalize the adoption of the two ordinances. The ordinances will take effect 30 days after their final passage. (Gov. Code, § 36937).

Zoning Text Amendments are needed to implement State Accessory Dwelling Unit (ADU) law and to codify the Innovative Housing (IH) Overlay District and its associated development standards. Zoning Map Amendments are needed to add the IH Overlay to 33 parcels. The Council introduced the Zoning Text and Zoning Map Amendments at the November 14, 2023 Council meeting.

ATTACHMENT

- A. ADU and IH Overlay Zoning Text Amendment Ordinance
- B. IH Overlay Zoning Map Amendment Ordinance

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
TO AMEND TITLE 9 CHAPTER 5 OF THE MUNICIPAL CODE TO IMPLEMENT
STATE LEGISLATION REGARDING ACCESSORY DWELLING UNITS AND TO
PERMIT MULTIPLE ACCESSORY DWELLING UNITS IN THE INNOVATIVE
HOUSING (IH) OVERLAY DISTRICT
(LA2023-0003)**

The City Council of the City of Antioch does ordain as follows:

SECTION 1:

The proposed amendments to the City's Municipal Code are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines §15282(h), which statutorily exempts the adoption of Accessory Dwelling Unit ordinances. Furthermore, the amendments are not considered a project under CEQA under the common sense exemption (CEQA Guidelines §15061(b)(3)) because the proposed amendments will not have a direct or reasonably foreseeable indirect physical change or effect on the environment.

SECTION 2:

At its regular meeting of October 18, 2023, the Planning Commission adopted Resolution 2023-29 recommending that the City Council adopt an ordinance amending sections of Title 9 Chapter 5 of the Antioch Municipal Code.

SECTION 3:

The City Council finds that adoption of this Ordinance would not be detrimental to the public interest, health, safety, convenience, or welfare of the City, as the proposed Ordinance will comply with, implement, and adopt State Accessory Dwelling Unit Law.

SECTION 4:

The City Council has reviewed, considered, and evaluated all of the information prior to acting upon the Ordinance and finds that the Zoning Text Amendments will:

1. Implement State Accessory Dwelling Unit Law.
2. Implement the policies in the Housing Element and comply with State requirements, including the mandate to incentivize and promote the creation of Accessory Dwelling Units that can be offered at affordable rents (Gov. Code Section 65583).
3. Support implementation of Housing Element Programs and the required regional housing allocation of 3,016 housing units, including below-market rate units affordable to a range of income levels, and to affirmatively further fair housing in Antioch.

ATTACHMENT A

4. Conform with the General Plan and support Housing Element policies that support housing at a range of household income levels.

SECTION 5:

The Zoning Text Amendments shown in Exhibit 1, attached hereto, amend the following sections of Title 9 "Planning and Zoning" of the Antioch Municipal Code: Section 9-5.203 "Definitions," Section 9-5.301 "Districts Established And Defined," Section 9-5.601 "Height, Area & Setback Regulations For Primary Structure," Section 9-5.701 "Purpose and Applicability," Section 9-5.702 "Procedures," Section 9-5.1702 "Basic Requirements," Section 9-5.1703.1 "Off-Street Parking Requirements By Use," Section 9-5.1704 "Parking Requirements," Section 9-5.3801 "Summary Of Zoning Districts," Section 9-5.3803 "Table Of Land Use Regulations," Section 9-5.3805 "Accessory Dwelling Units," and 9-5.3850 "Innovative Housing Overlay District."

SECTION 6: Severability.

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: Publication; Effective Date

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 foregoing ordinance was introduced at a regular meeting of the City Council of the City of Antioch, held on the 14th day of November 2023, and passed and adopted at a regular meeting thereof, held on the 28th day of November 2023, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

LAMAR A. THORPE
MAYOR OF THE CITY OF ANTIOCH

ATTEST:

ELIZABETH HOUSEHOLDER
CITY CLERK OF THE CITY OF ANTIOCH

EXHIBIT 1

ZONING TEXT AMENDMENTS: ACCESSORY DWELLING UNITS AND INNOVATIVE HOUSING OVERLAY

§ 9-5.203 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ACCESSORY DWELLING UNIT (ADU). An attached or detached residential dwelling that provides complete independent living facilities for one or more persons and is either 1) located on a lot with a proposed or existing primary residence, or 2) located in the IH Overlay District. An accessory dwelling unit also includes the following:

(a) An efficiency unit, as defined by California Health and Safety Code Section 17958.1; and

(b) A manufactured home, as defined by California Health and Safety Code Section 18007.

ACCESSORY STRUCTURE. See “building, accessory.”

ACCESSORY USE. See “use, accessory.”

AFFORDABLE HOUSING. Ownership or rental housing that is restricted by recorded document to provide the housing at an affordable housing cost, as defined in Section 50052.5 of the California Health and Safety Code, or an affordable rent, as defined in Section 50053 of the California Health and Safety Code, as applicable.

AREA MEDIAN INCOME or AMI. The midpoint of a region's income distribution, meaning that half of the households in a region earn more than the median and half earn less than the median. As used in this Code, AMI refers to the median income for Contra Costa County, which is part of the Oakland Metropolitan Statistical Area.

ASSEMBLY USE. See “use, assembly.”

ASSUMED HOUSEHOLD SIZE. Generally, a household of one person in a studio apartment, two persons in a one-bedroom unit, three persons in a two bedroom unit, and one additional person for each additional bedroom thereafter. However, the assumed household size is subject to the requirements of different funding sources and may differ accordingly.

...

EFFICIENCY KITCHEN means a kitchen that includes each of the following:

- (a) A cooking facility with appliances.
- (b) A food preparation counter or counters that total at least 15 square feet in area.
- (c) Food storage cabinets that total at least 30 square feet of shelf space.

...

HOUSEHOLD, EXTREMELY LOW INCOME. Persons and households whose income does not exceed 30% of the area median income, adjusted for household size and revised annually.

HOUSEHOLD, LOW INCOME. Persons and ~~families~~ households whose income does not exceed 80% of the area median income, adjusted for ~~family~~ household size and revised annually.

HOUSEHOLD, MODERATE INCOME. Persons and households whose income does not exceed 120% of the area median income, adjusted for household size and revised annually.

HOUSEHOLD, VERY LOW INCOME. Persons and ~~families~~ households whose income does not exceed 50% of the area median income, adjusted for ~~family~~ household size and revised annually.

...

JUNIOR ACCESSORY DWELLING UNIT (JADU). A residential unit that satisfies all of the following:

- (a) Is no more than 500 square feet in size.
- (b) Is contained entirely within an existing or proposed single-family structure. An enclosed use within the residence, such as an attached garage, is considered to be a part of and contained within the single-family structure.
- (c) Includes its own separate sanitation facilities, or shares sanitation facilities with the existing or proposed single-family structure.
- (d) If the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the existing or proposed single-family structure in addition to an exterior entrance that is separate from the main entrance to the primary dwelling.

(e) Includes an efficiency kitchen.

...

KITCHEN. Any room or space within a building designed to be used or maintained for the cooking and/or preparation of food. Kitchens shall contain at least 15 square feet of food preparation counter space, 30 square feet of food storage space, a sink, a refrigerator, and either a cooktop and oven or a range.

...

RELIGIOUS INSTITUTION. An organization owned, controlled, and operated and maintained by a bona fide church, religious denomination, or religious organization composed of multid denominational members of the same well-recognized religion, lawfully operating as a nonprofit religious corporation pursuant to Part 5 (commencing with Section 9110), or as a corporation sole pursuant to Part 6 (commencing with Section 10000), of Division 2 of Title 1 of the California Corporations Code.

...

USE. The purpose for which land or premises, or a building thereon, is designed, arranged, intended, occupied or maintained.

USE, ACCESSORY. A use incidental to the principal use of a lot or of a building located on the same lot.

USE, ASSEMBLY. Land or premises used to facilitate people coming together for a common purpose. Examples of assembly uses include religious assembly (i.e., houses of worship) and public assembly (e.g., entertainment, education).

ARTICLE 3: ESTABLISHMENT OF DISTRICTS

§ 9-5.301 DISTRICTS ESTABLISHED AND DEFINED.

(A) *RE Rural Estate Residential District.*

(1) This district is consistent with the General Plan Designation of Estate Residential, allowing up to one dwelling units per gross developable acre according to divisions (a) through (c), as well as within any Focused Planning Area designated by the General Plan that permits residential development allowing up to one dwelling unit per gross developable acre.

(a) A gross developable acre equals 43,560 square feet, exclusive of public and private rights-of-way existing at the time a development application for the subject property is deemed complete.

(b) New public or private rights-of-way to be created as part of the proposed development are counted as part of the gross developable acreage of the site.

(c) Where a park or school site is to be dedicated as part of a proposed application, the land subject to such dedication may be counted as part of the gross developable acreage of the site, and subsequently yield development density to the proposed project, only if there is no further compensation for the site.

(2) This district establishes areas for single-family homes on lots that average one-half acre or larger on land that is relatively uneven and constrained by geologic formations, a lack of urban services and unique environmental constraints. Where natural features dictate, clustering of units is appropriate.

(B) *RR Rural Residential District.* This district is consistent with the General Plan Designation of Estate Residential allowing up to one dwelling units per gross developable acre, as well as with any Focused Planning Area designated by the General Plan that permits residential development, allowing up to one unit per gross developable acre, allowing large custom-built homes on large lots. Typical lot sizes should conform to a minimum of one unit per half acre lot. Lot size and dimensions will depend on topography and surrounding land uses. The district provides areas in close proximity to urban services which may incorporate many characteristics of residential development on the urban fringe including deep front yards, maintenance of existing grade and vegetation.

(C) *R-4, R-6 Single-Family Residential Districts.* These districts are the standard single-family zones allowing a maximum of four (R-4 District) or six (R-6 District) dwelling units per gross acre respectively. The districts are consistent with the Low Density Residential General Plan Designation, of two to four dwelling units per gross developable acre, and with the Medium-Low Density Residential General Plan Designation of four to six dwelling units per gross developable acre. The R-4 district is also consistent with any Focused Planning Area designated by the General Plan

permitting single family residential development up to four dwelling units per gross developable acre. The R-6 district is also consistent with any Focused Planning Area designated by the General Plan permitting single family residential development up to six dwelling units per gross developable acre.

(D) *R-10 Medium Density Residential District.* This district allows residential densities for attached single-family and multiple-family units. This district is consistent with the Medium Density Residential General Plan Designation which allows six to 10 dwelling units per gross developable acre. Typical development would include attached and/or cluster-type, ownership, oriented units including some with private yards and common recreation areas.

(E) *R-20 Medium Density Residential District.* These districts allow multiple-family densities up to 20 dwelling units per gross developable acre respectively. The districts are consistent with the High Density Residential General Plan Designation of up to 35 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived such as the provision of senior housing or low to moderate income housing units as specified within this chapter and pursuant to applicable requirements of state law.

(F) *R-25 High Density Residential District.* This district allows multiple-family development at a minimum density of 20 and a maximum density of 25 dwelling units per gross acre. This district is consistent with the High Density Residential General Plan Designation of up to 35 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived, such as the provision of senior housing or low or moderate income housing units as specified in this chapter and pursuant to applicable requirements of state law. Typical development would include multiple-family dwellings on sites that create an attractive and high-quality living environment and include amenities such as usable open space.

(G) *R-35 High Density Residential District.* This district allows multiple-family development at a minimum of 25 and maximum of 35 dwelling units per gross acre. This district is consistent with the High Density Residential General Plan Designation of up to 35 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived, such as the provision of senior housing or low to moderate income housing units as specified in this chapter and pursuant to applicable requirements of state law. Typical development would include multiple-family dwellings on sites that create an attractive and high-quality living environment and include amenities such as usable open space.

(H) *C-0 Professional Office District.* This district allows development of business office centers and institutional or professional buildings. This district is consistent with the Office, Neighborhood/Community Commercial, Regional Commercial, and Transit-

Oriented Development General Plan Designations, as well as with Focused Planning Areas permitting professional office uses.

(I) *C-1 Convenience Commercial District.* This district usually occupies one to four acres of area and contains a mix of retail uses that provide goods and services to the immediate residential neighborhood area. These uses typically have a service area of a one-mile radius or less.

(J) *C-2 Neighborhood/Community Commercial District.* This district allows limited commercial offices, retail stores and service establishments which are compatible with, and dependent upon residential developments. The neighborhood district may typically occupy four to 10 acres of area and be located at appropriate arterial and/or collector street intersections. The primary purpose of the Neighborhood Commercial District is to provide for the sale of convenience goods, food, drugs, sundries and personal necessities. It meets the daily needs of the neighborhood area of a one to three mile radius. Usually one supermarket is the primary anchor. The Community Commercial District provides for both neighborhood uses and adds a junior department store, large variety store, or discount store as an anchor. This district may occupy 10 acres or more and serves residents within three to five miles. This district is consistent with the Neighborhood/Community Commercial and Transit-Oriented Development General Plan Designations, as well as with Focused Planning Areas permitting commercial land use types.

(K) *C-3 Regional Commercial District.* This district provides for retail and service commercial uses of a regional nature, including those in and adjacent to large centers with one or more full-time department stores with a typical minimum of 75,000 square feet of floor area. Regional commercial uses typically serve a population residing within an eight to 20-mile radius and occupy 30 to 50 acres or more. This district also provides for highway or travel-oriented functions along freeways, major thoroughfares, and major roadways. This district is consistent with the Regional Commercial, and Transit-Oriented Development General Plan Designations, as well as with Somersville Road Corridor Focused Planning Area and other Focused Planning Areas permitting the types of commercial uses intended for this district.

(L) *M-1 Light Industrial District.* This district allows light industrial uses and excludes those heavy industrial uses with potentially hazardous or negative effects. This district is consistent with the Business Park, Light Industrial, and Rail-Served Industrial General Plan Designations, as well as with the Eastern Waterfront, SR-4/SR-160 Business Park, and East Lone Tree Focused Planning Areas. Uses include the fabrication, assembly, processing, treatment, or packaging of finished parts or products from previously prepared materials typically within an enclosed building.

(M) *M-2 Heavy Industrial District.* This district allows heavy industrial uses which may generate adverse impacts on health or safety. This zone applies primarily to existing heavy industrial uses. The district is consistent with the General and Rail-Served Industrial General Plan Designations. Uses include production of and extraction of metals or chemical products from raw materials, steel works and finishing mills,

chemical or fertilizer plants, petroleum and gas refiners, paper mills, lumber mills, asphalt, concrete and hot mix batch plants, power generation plants, glassworks, textile mills, concrete products manufacturing and similar uses.

(N) *PBC Planned Business Center*. This district provides sites in landscaped settings for office centers, research and development facilities, limited industrial activities (including production and assembly, but no raw materials processing or bulk handling), limited warehouse type retail and commercial activities, and small-scale warehousing distribution. Individual business centers would have a common architectural and landscape treatment, while architectural variation is encouraged between centers. The district is consistent with the Business Park and Light Industrial General Plan Designations, as well as with the Somersville Road Corridor, Eastern Waterfront, SR-4/SR-160 Business Park, and East Lone Tree Focused Planning Areas.

(O) *T Manufactured Housing Combining District*. This combining zone provides a district designation which shall be applied to land uses such as manufactured housing or trailer park uses, establish rules and regulations by which the city may regulate standards of lot, yard, and park area, landscaping, walls or enclosures, signs, access, and vehicle parking in relation to mobile home or trailer parks pursuant to the powers granted to the city under the California Health and Safety Code, and name the Commission as its agent for executing the provisions of this section. The provisions of this section shall apply to travel trailer parks, recreational trailer parks, and temporary trailer parks or tent camps, unless specifically exempted by Cal. Health and Safety Code Part 2 of Division 13 or by the provisions of this chapter. This combining zone is consistent with all principal zones to which it is attached.

(P) *P-D Planned Development District*. This district accommodates various types of development, such as neighborhood and district shopping centers, professional and administrative offices multiple housing developments, single-family residential developments, commercial service centers, and industrial parks, or any other use or combination of uses which are appropriately a part of a planned development. This district is intended to enable and encourage flexibility in the design and development of land so as to promote its most appropriate use; to allow diversification in the relationship of various uses, structures, and space; to facilitate the adequate and economical provision of streets and utilities; to preserve the natural and scenic qualities of open space; to offer recreational opportunities convenient to residents to enhance the appearance of neighborhoods through the preservation of natural green spaces; and to counteract the effects of urban congestion and monotony. The minimum area required for the establishment of a residential Planned Development shall be three contiguous acres of land and the minimum area for an exclusively non-residential Planned Development shall be one contiguous acre of land.

(Q) *HPD Hillside Planned Development District*. This district is similar to the Planned Development District. The purpose of this zone is to assure the preservation of the predominant hillsides, ridges, ridgelines, and other natural features and land forms by promoting a more harmonious visual and functional relationship between the existing natural environment and the needs of a growing community.

(R) *OS Open Space/Public Use District.* This district allows undeveloped public open space and areas for public use where shown on the General Plan and in Specific Plans. This zone also can apply to public utility easements for electrical lines, gas lines and canals to prevent encroachment by urban development. This district is consistent with the Public/Institutional and Open Space General Plan Designations, as well as within Focused Planning Areas.

(S) *MCR Mixed Commercial/Residential District.* This district allows retail, office, and residential uses to exist in a compatible manner through the use of special design standards. The intent is to allow uses that do not contribute to the furthering of a commercial strip pattern. This district is compatible with the Transit-Oriented Development, General Plan Designation, as well as with Focused Planning Areas that permit mixed use development.

(T) *DSP Downtown Specific Plan District.* This district applies to the area contained within the Downtown Specific Plan planning area, adopted by the City Council on February 13, 2018, as amended. Properties with this designation are subject to the land use regulations, development standards, and other policies contained within the Downtown Specific Plan. For general matters not specifically addressed in the Downtown Specific Plan, this code shall apply.

(U) *WF Urban Waterfront District.* This district applies specifically to the Rivertown/Urban Waterfront and Eastern Employment Area Focused Planning Areas shown on the General Plan. Uses could include a mix of commercial and industrial uses generally restricted to those which are thematically compatible with a waterfront setting. Water related uses include marinas, and boat sales, and maintenance in conjunction with a marina and compatible public uses. This district is consistent with the Urban Waterfront General Plan Designation. Retail uses could include restaurants, commercial, recreation, and other water oriented uses. Public open space, walkways and other elements are also allowed to provide access to the river.

(V) *H Hospital/Medical Center Overlay District.* This overlay district is intended to protect the Delta Memorial Medical Center area of influence from potentially incompatible land uses to and allow for the expansion of medical services. Compatible uses include medical offices, medical supply and retail sales, laboratories and medical related housing (short and long term care). This overlay zone is consistent with the Delta Memorial Medical Center General Plan Overlay Designation.

(W) *MUMF Mixed Use Medical Facility District.* This district accommodates medical office buildings, hospitals/acute care facilities, ancillary medical and other complementary uses including professional office, retail (as support to the medical facilities, such as restaurants, convenience shops, and the like) residential (including congregate or convalescent care), parking structures and helicopter pads. Non-medical uses are not permitted unless they are compatible with medical uses, but are otherwise not required with medical uses. The minimum area required for the establishment of a Mixed-Use Medical Facility District shall be one contiguous acre of land.

(X) *SH Senior Housing Overlay District.*

(1) This overlay district provides additional densities beyond the minimum required by state law for senior housing projects that include increased percentages for elderly and/or affordable units.

(2) The Senior Housing Overlay District may be combined with any residential zoning district. The senior housing density bonus applies to housing developments consisting of five or more dwelling units.

(3) The Senior Housing Overlay District applies only to projects zoned with the overlay district prior to the effective date of this section.

(Y) *S Study District.* This district is intended as an interim designation which is utilized until all necessary detailed land use studies are completed for a given area. This district is most appropriately applied to properties at the time that they are rezoned prior to annexation by the city.

(Z) *SP Specific Plan District.* This district is intended to provide a base designation to further implement the goals, objectives, and policies of the General Plan with respect to specific areas and uses which, because of their unique character, require a more comprehensive and intense evaluation and planning effort. This district will apply to individual parcel(s) only after the adoption of a specific plan by the City Council, pursuant to Government Code § 65450 *et seq.* Within the SP zoning district, permitted uses and development standards shall be as specified in the adopted Specific Plan.

(AA) *TOD Transit-Oriented Development District.* This district is intended to provide for a mix of high-density uses that are oriented toward rail or bus transit stations within and adjacent to the city. This district thus accommodates development of an integrated mix of residential, commercial, and employment-generating uses as appropriate in both horizontal mixed-use (different types of uses located in adjacent buildings) and vertical mixed-use (different types of uses within the same building) patterns.

(BB) *RRMP Roddy Ranch Master Plan District.* This zoning designation applies to the Roddy Ranch Focus Area, as described and defined in the General Plan. This district accommodates various types of development, consistent with the General Plan, including residential, neighborhood and district shopping centers, visitor serving commercial uses as well as significant open space and recreational uses. This district is intended to enable and encourage flexibility in the design and development of the land, pursuant to a discretionary non-legislative final development plan prepared according to the regulatory zoning requirements described in this article, so as to promote its most appropriate use in the context of Roddy Ranch's unique natural qualities and existing recreational uses.

(CC) *ES Emergency Shelter Overlay District.* This overlay district provides sites suitable for the development of emergency shelters. It allows emergency shelters by right when they are developed in accordance with a set of standards and requirements.

The allowance for emergency shelters supersedes any land use regulation for shelters of the base zone; otherwise, all regulations of the base zone apply.

(DD) *CB Cannabis Business Overlay District*. This overlay district provides sites suitable for the establishment of a cannabis business when compatible with the underlying zoning designation and upon approval by the City Council.

(EE) *CIH Commercial Infill Housing Overlay District*. This overlay district provides sites suitable for the development of high-quality medium-and high- density residential mixed- use projects on infill sites in commercial areas of the city when compatible with the Commercial Infill Housing description in the Land Use Element of the Antioch General Plan. This overlay district allows residential development at a minimum of 12 dwelling units per gross acre. This overlay district is consistent with the Commercial Infill Housing General Plan description.

(FF) *IH Innovative Housing Overlay District*. This overlay district facilitates affordable housing development on sites currently developed with religious assembly uses.

ARTICLE 6: HEIGHT AND AREA REGULATIONS AND TABLE

§ 9-5.601 HEIGHT AND AREA REGULATIONS.

The following chart and text are adopted as the city's basic height and area regulations. First find the appropriate zoning district on the left hand side of the table. Read across the chart opposite the specific zone in question and the height or area requirement for that zone, or a letter, will appear in the appropriate column. If a letter appears in any cell, it refers to the, requirement listed in the footnotes following the table.

Table 9-5.601 Height, Area & Setback Regulations for Primary Structure

Table 9-5.601 Height, Area & Setback Regulations for Primary Structure

HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE											
Zone	Maximum Height Feet ^b	Minimum Building Site Sq. Ft.	Minimum Lot Width in Feet		Maximum Lot Coverage	Minimum Density Allowed (Units per Gross Developable Acre)	Maximum Density Allowed Units Per Gross Developable Acre ^d	Front Yard Minimum ^a	Minimum Side Yard Required in Feet ^e		Minimum Rear Yard Required in Feet
			Corner	Interior					Corner	Interior	
RE	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS										
RR	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS										
CIH	IN COMPLIANCE WITH THE COMMERCIAL INFILL HOUSING OVERLAY DISTRICT OBJECTIVE DESIGN STANDARDS DOCUMENT.										
IH	<u>IN COMPLIANCE WITH THE INNOVATIVE HOUSING OVERLAY DISTRICT OBJECTIVE STANDARDS IN §9-5.3850.</u>										
R-4	35	6,000	65	60	40%	NA	4 du/acre	f	f	5 ft.	20 ft.
R-6	35	6,000	65	60	40%	NA	6 du/acre	f	f	5 ft.	20 ft.
R-10	45	6,000	65	60	40%	NA	10 du/acre	f	f	5 ft.	10 ft.
R-20	45	20,000	70	70	40%	NA	20 du/acre	f	f	5 ft.	10 ft.
R-25	45	20,000	70	70	50%	20 du/acre	25 du/acre	f	f	5 ft.	10 ft. ^m
R-35	45	20,000	70	70	50%	25 du/acre	35 du/acre	f	f	5 ft.	10 ft. ^m
PBC	35	20,000	65	60	35%	NA	0	f	f	0 ft.	0 ft.
C-0	35	20,000	65	60	35%	NA	0	f	f	0 ft.	10 ft.
C-1	35	20,000	65	60	35%	NA	0	f	f	0 ft.	10 ft.

HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE											
Zone	Maximum Height Feet ^b	Minimum Building Site Sq. Ft.	Minimum Lot Width in Feet		Maximum Lot Coverage ^e	Minimum Density Allowed (Units per Gross Developable Acre)	Maximum Density Allowed Units Per Gross Developable Acre ^d	Front Yard Minimum	Minimum Side Yard Required in Feet ^c		Minimum Rear Yard Required in Feet
			Corner	Interior					Corner	Interior	
C-2	35	20,000	65	60	35%	NA	0	f	f	0 ft.	10 ft.
C-3	70	20,000	65	60	35%	NA	0	f	f	0 ft.	10 ft.
MCR ^j	45	6,500	65	60	50%	NA	20 du/acre	f	f	5 ft.	10 ft.
RTC ^j	50	2,500	25 ^g	25 ^g	100%	NA	20 ^h	0 ⁱ	0 ⁱ	0 ft.	0 ft.
RTR- 10	45	3,500	45	45	50%	NA	12	15	10	5 ft.	15 ft.
RTR- 20	45	20,000	100	100	50%	NA	20	15	10	5 ft.	10 ft.
WF	45	6,500	60	60	60%	NA	0	0	0	0 ft.	0 ft.
M-1	45	40,000	100	100	50%	NA	0	f	f	0 ft.	0 ft.
M-2	70	40,000	100	100	50%	NA	0	f	f	0 ft.	0 ft.
HPD	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS										
PD	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS										
RRMP	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS IN A MANNER CONSISTENT WITH ARTICLE 41 OF THE MUNICIPAL CODE										
TOD	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS										
H	70	SAME AS C-0 ZONE ^k									

HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE											
Zone	Maximum Height Feet ^b	Minimum Building Site Sq. Ft.	Minimum Lot Width in Feet		Maximum Lot Coverage	Minimum Density Allowed (Units per Gross Developable Acre)	Maximum Density Allowed Units Per Gross Developable Acre ^d	Front Yard Minimum	Minimum Side Yard Required in Feet ^e		Minimum Rear Yard Required in Feet
			Corner	Interior					Corner	Interior	
OS	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
S	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS										
SH	SAME AS UNDERLYING BASE ZONE										
T	SAME AS UNDERLYING BASE ZONE										

HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE

- ^a Where 40% or more of the frontage (excluding reversed frontage lots) in a block has been improved with buildings, the minimum required front yard for main buildings shall be the average of the improved lots if less than the front yard requirements, but not less than six feet from the property line.
- ^b Height shall mean the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the structure, excluding below ground basements, to the topmost point of the roof. Exceptions to the specified height limitation shall include the spires, belfries, cupolas and domes of churches, monuments, water towers, fire and hose towers, observation towers, distribution and transmission towers, lines and poles, chimneys, smokestacks, flag poles, radio towers, excluding wireless communications facilities subject to § 9-5.3846, equipment penthouses encompassing less than 20% of total roof area and less than eight feet in height, and parapets less than 30 inches in height, unless otherwise governed by this chapter.
- ^c Minimum lot area in all zones shall not apply to the condominium parcelization of a larger project where land is being divided for individual building envelopes.
- ^d Maximum density allowed is defined in the city General Plan as per the maximum developable gross acreage definition found in this chapter.
- ^e For at least 25% of the lots in a given subdivision, one side yard of an interior lot shall be 10 feet in width and the other side yard can be five feet. The 10- foot side yard area shall remain as unrestricted open area. This shall also apply to all two-story single-family residential lots. On any parcel of land of an average width of less than 50 feet, which parcel was under one ownership or is shown as a lot on any subdivision map filed in the office of the County Recorder prior to April 11, 1950, when the owner thereof owns no adjoining land, the width of each side yard may be reduced to 10% of the width of such parcel, but in no case to less than three feet.
- ^f Front yard and street side setbacks shall be reserved for landscaping only, excluding access and egress driveways and shall be determined on a graduated scale based upon type of street and land use as follows:
- (1) Non-residential uses.
 - Arterial street: minimum 30-foot setback with 30-foot landscaping on all frontages.
 - Collector street: minimum 25-foot setback with 25-foot landscaping.
 - Local street: minimum 20-foot setback with 20-foot landscaping.
 - (2) Single-family detached and two-family dwelling uses.
 - Arterial street: minimum 30-foot setback with 30-foot landscaping on all frontages.
 - Collector street: minimum 25-foot setback and landscaping for front yard and 10-foot street side yard setback with landscaping
 - Local street: minimum 20-foot front yard setback with 20 foot of landscaping and 10-foot street side yard setback with landscaping.
 - (3) Multi-family dwelling uses.
 - Arterial street: minimum 15-foot setback with 15-foot landscaping on all frontages.
 - Collector street: minimum 15-foot setback with 15-foot landscaping.
 - Local street: minimum 10-foot setback with 10-foot landscaping.
- ^g New construction with frontage in excess of the minimum lot width shall reflect the pattern of building widths in facade design.

HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE	
^h	<p>Within the area bounded by the Burlington Northern Santa Fe Railroad, "I" Street, Second Street, and "E" Street, residential density may be increased to 45 dwelling units per acre provided:</p> <ol style="list-style-type: none"> (1) The residential use is part of a mixed-use development with the entire first floor devoted to commercial use; (2) The proposed development provides public amenities as described in § 4 (relating to residential use in RTC); and (3) The project has received use permit approval from the Planning Commission.
ⁱ	<p>Buildings in the RTC district shall be placed on the property line except for:</p> <ol style="list-style-type: none"> (1) Setbacks to accommodate outdoor dining and plazas, provided that such setbacks do not exceed a depth of one-third of the lot depth; (2) Courtyards, promenades, and plazas located on any portion of the site; and (3) Where a setback is necessary to maintain the uniform setback of building facades.
^j	<p>The first floor of a building shall extend from property line to property line except:</p> <ol style="list-style-type: none"> (1) In setback areas for outdoor dining, plazas; and (2) For required vehicular or pedestrian access.
^k	Notwithstanding any other provisions of this chapter for yard requirements, in any residential district the front of any garage shall be not less than 20 feet from the exterior property line on which such garage faces.
^l	For projects that consist of attached single-family dwellings (townhomes), in which each dwelling occupies its own lots, the minimum lot area is 1,800 square feet and the minimum required interior side setback is zero.
^m	Where a multi-family dwelling abuts a lot that is zoned RR, RE, R4 or R6, a minimum rear yard of 20 feet shall be provided.

ARTICLE 7: MULTI-FAMILY RESIDENTIAL OBJECTIVE DESIGN STANDARDS

§ 9-5.701 PURPOSE AND APPLICABILITY.

Multi-family Residential Objective Design Standards apply to residential mixed use and multiple-family dwellings in any district in which they are permitted or conditionally permitted, except for projects in the CIH Overlay, which are subject to § 9-5.3848 Commercial Infill Housing Overlay District regulations, and cottage communities in the IH Overlay, which are subject to § 9-5.3850 Innovative Housing Overlay District regulations. Multi-family Residential Objective Design Standards shall be adopted by resolution and may be amended from time to time. The purpose of these regulations is to promote high-quality design and provide a pleasant residential environment within the context of higher-density development; ensure the provision of amenities for residents of multi-family developments; foster pedestrian access; and create visually attractive street frontages that offer architectural and landscape interest.

§ 9-5.702 PROCEDURES.

The Planning Commission may allow modifications to the dimensional requirements, design standards, and other requirements of the Multi-family Residential Objective Design Standards and IH Overlay District regulations when so doing is consistent with the purposes of the General Plan and the district and would, because of practical difficulties, topography, and similar physical conditions, result in better design, environmental protection, and land use planning. The Zoning Administrator may review and approve modifications that are requested because a lot is substandard. All other modifications shall require Planning Commission approval. All modifications under this section shall be processed as use permits pursuant to the procedures of Article 27 of this Code.

(A) Required findings for approval. In addition to any findings required by § 9-5.2703 of this Code, the Administrator or the Planning Commission may only approve a modification to the requirements of this article based on the following findings:

- (1) The project is consistent with the General Plan and any applicable area or specific plan.
- (2) The modification meets the intent and purpose of the applicable zone district and is in substantial compliance with the district regulations.
- (3) The modification is necessary due to the physical characteristics of the property and the proposed use or structure or other circumstances, including, but not limited to, topography, noise exposure, irregular property boundaries, or other unusual circumstance including the architectural or historical significance of the structure, and building or site features that will demonstrably reduce use of nonrenewable energy resources or greenhouse gas emissions.
- (4) There are no alternatives to the requested modification that could provide an equivalent level of benefit to the applicant with less potential detriment to surrounding owners and occupants or to the general public.

(5) The granting of the requested modification will not be detrimental to the health or safety of the public or the occupants of the property or result in a change in land use or density that would be inconsistent with the requirements of this chapter.

(6) If the modification is requested because it will result in superior or more sustainable design, the review authority must also make the following findings:

(a) The proposed design is of superior quality or is intended to incorporate features that would demonstrably reduce use of nonrenewable energy resources or greenhouse gas emissions;

(b) The structure is an existing residential building and the alteration or addition is intended to increase the habitability and function of the structure, is compatible with the existing neighborhood character, will not substantially interfere with the privacy, sunlight, or air available to neighboring residential uses; and

(c) The proposed design has been reviewed and approved pursuant to Article 26: Design Review Duties and Responsibilities, of this chapter.

(B) Conditions of approval. In approving a modification, the Planning Commission may impose reasonable conditions deemed necessary to:

(1) Ensure that the proposal conforms in all significant respects with the General Plan and with any other applicable plans or policies adopted by the City Council;

(2) Achieve the general purposes of this chapter or the specific purposes of the zoning district in which the project is located;

(3) Achieve the findings for a modification granted; or

(4) Mitigate any potentially significant impacts identified as a result of review conducted in compliance with the California Environmental Quality Act.

(C) Appeals, expiration, extensions, and modifications.

(1) Appeals. The applicant or any other aggrieved party may appeal a decision on a modification in the same manner as a use permit as provided for in Article 27, Design Review, Use Permits, Administrative Use Permits and Variances.

(2) Expiration, extensions, and modifications. Modifications granted under this chapter are effective and may only be extended or modified as provided for in Article 27.

(D) Applicability. These procedures are not applicable to a project that is entitled to a density bonus concession or waiver pursuant to Article 34, Senior Housing Overlay District, or Article 35, Density Bonus Program, of this Code and may not be used to approve an increase in maximum density or reduction in required parking or to approve a use that is not permitted on the site proposed for development.

ARTICLE 17: PARKING REQUIREMENTS

§ 9-5.1701 PURPOSE.

The specific purposes of the off-street parking and loading regulations are to:

(A) Ensure that off-street parking and loading facilities are provided for new land uses and for enlargements of existing uses in proportion to the need for such facilities created by each use.

(B) Establish parking standards for commercial uses consistent with need and with the feasibility of providing parking on specific commercial sites.

(C) Ensure that off-street parking and loading facilities are designed in a manner that will ensure efficiency, protect the public safety, and where appropriate, insulate surrounding land uses from adverse impacts.

(D) Contribute to a balanced transportation system with a choice of transit, bicycle, pedestrian, and private automobile modes.

(E) Encourage the use of bicycles by providing safe and convenient places to park bicycles.

(F) Facilitate the development of common parking area that serve multiple establishments or uses.

(G) Minimize the area of land consumed by parking by allowing reductions to the number of required spaces near major transit stations, for uses with lower parking demand characteristics, and for shared parking facilities serving uses with different peak demand times.

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 2089-C-S, passed 6-24-14)

§ 9-5.1702 BASIC REQUIREMENTS.

(A) At the time of initial occupancy of a site, construction of a structure, or alteration or enlargement of a site or structure, off-street parking facilities and off-street loading facilities shall be provided in accord with the regulations prescribed in this chapter. Any building or structure moved from one lot to another shall provide parking as required for a new building.

(B) The number of additional parking spaces or loading berths required for an alteration or enlargement of an existing use or structure, or for a change of occupancy, shall be provided before the alteration, enlargement, or change of occupancy is allowed.

(C) If more than one use is located on a site other than a shopping center, the number of off-street parking spaces and loading berths to be provided shall be equal to the sum of the required spaces prescribed for each use, with the following exception:

(1) Shared parking is permitted when residential land uses are added to sites

currently developed with religious assembly uses per § 9-5.1704(F).

(D) Off-street parking and loading facilities required by this article for any use shall not be considered as providing parking spaces or loading berths for any other use except where a shared parking arrangement applies or a joint facility exists, including shared parking for residential and religious assembly uses per § 9-5.1704(F). Such a facility shall contain not less than the total number of spaces or berths as required individually, or fewer spaces may be permitted where adjoining uses on the same site have different hours of operation and the same parking spaces or loading berths can serve both without conflict, according to the procedures and required findings of § 9-5.1704, Parking Reductions.

(E) Parking ratios for shopping center uses shall assume 90% of the available spaces are located at the front of a building. No more than 10% of the required parking is to be provided at the rear of a building and this parking should be designated and enforced as employee parking.

(F) If, in the application of the requirements of this chapter, a fractional number is obtained, one parking space or loading berth shall be required for a fraction of more than one-half, and no space or berth shall be required for a fraction of one-half or less.

(G) Any off-street parking specifically required for a given use shall be without charge.

(H) Off-street parking must be located on the same site as the use it serves, except where off-site parking has been approved according to the procedures and standards of § 9-5.1705, Off-Site Parking Facilities.

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 2089-C-S, passed 6-24-14) Penalty, see § 9-5.2904

§ 9-5.1703 [RESERVED].

§ 9-5.1703.1 OFF-STREET PARKING REQUIREMENTS BY USE

(A) Off-street motor vehicle parking spaces shall be provided according to the following table. Each land use shall be provided with at least the number of off-street parking spaces stated in the table.

(B) When the table does not list a proposed use, the Zoning Administrator shall determine the most appropriate equivalent use and the number of parking and loading spaces required. In order to make this determination, the Zoning Administrator may require the submission of survey data from the applicant or direct a study to be conducted at the applicant's expense. The Administrator's determination may be based on the most recent data published by the Institute of Transportation Engineers or comparable analyses.

<i>TABLE: 9-5.1703.1: OFF-STREET PARKING REQUIRED</i>	
<i>Use Classification</i>	<i>Off-Street Parking Spaces</i>

RESIDENTIAL	
Multi-family residential	1.5 spaces per unit up to 2 bedrooms; one space to be covered
	2 spaces per unit = 3 bedrooms; one space to be covered plus 1 space per 5 units for guest parking (Applies to all multi-family units)
Convalescent facilities	1 per 2 residents
Single-family residential (attached)	2 spaces per unit, one of which must be covered, plus 1 space per 5 units for guest parking
Single-family residential (detached)	2 spaces per unit in a garage, plus one guest parking space on the street within close proximity to the unit served
Elderly residential (Senior Housing Overlay) ^A	.75 covered space per unit, plus guest parking as determined during project review
<u>Accessory Dwelling Units and Junior Accessory Dwelling Units</u>	<u>See § 9-5.3805</u>
<u>Cottage Communities</u>	<u>1 space per unit. May be shared with religious assembly use</u>
PUBLIC AND SEMI-PUBLIC	
Clubs and lodges	1 per 100 sq. ft. of floor area which is used for assembly purposes

Emergency shelters	1 space per employee on the largest shift plus 0.30 spaces per bed
Day care, general and preschools	1 per employee on the largest shift plus 1 per 8 children
Government offices	1 per 250 sq. ft. of gross floor area
Hospitals	1 per bed, plus 1 space per employee on the largest shift
Maintenance and service facilities	1 per 400 sq. ft. of gross floor area
Park and Recreation Facilities	As specified by zoning permit or use permit for private facilities based upon I.T.E. studies
Public Safety Facilities	As specified by use permit
Religious assembly	1 per 4 fixed seats, and/or 1 per 50 sq. ft. of seating area if there are no fixed seats
Schools, public or private	As specified by use permit, as per I.T.E. studies
Utilities, major	As specified by use permit, as per I.T.E. studies
COMMERCIAL/RETAIL/OFFICE	
Ambulance services	1 per ambulance, plus 1 per employee on the largest shift
Animal sales and services:	
Animal boarding	1 per 400 sq. ft. of gross floor area
Animal grooming	1 per 400 sq. ft. of gross floor area

Animal hospitals (veterinary clinic)	1 per 250 sq. ft. of gross floor area
Artists' studios	1 per 1,000 sq. ft. of gross floor area
Banks and savings and loans:	1 per 250 sq. ft. of gross floor area
Drive-up service	Queue space for 5 cars per teller
Building materials and services; hardware	1 per 300 sq. ft. of sales floor area; plus 1 per 1,000 sq. ft. of outdoor storage and/or interior warehouse area
Chapels and mortuaries	1 per 3 seats and/or; 1 per 50 sq. ft. of seating area if no fixed seats
Commercial recreational and entertainment:	
Bowling alleys	6 per lane
Electronic game centers	1 per 2 machines
Golf courses	4 per each hole, plus 1 per 200 sq. ft. of floor area
Gymnasium	1 per 100 sq. ft. of floor area
Skating rinks	1 per 3 fixed seats, and/or 1 per 50 sq. ft. of seating area if there are no fixed seats; plus 1 per 75 sq. ft. of floor area for skating
Swimming pools	1 per 150 sq. ft. of pool area
Tennis and racquetball clubs	4 per court
Theaters	1 per 3 fixed seats, and/or 1 per 35 sq. ft. of seating area if there are no fixed seats

Other commercial recreation and entertainment	As specified by the Zoning Administrator, as per I.T.E. studies
Computer gaming and internet access business	As specified by use permit and required parking study (§ 9-5.3835)
Eating and drinking establishments:	1 per employee on the largest shift
General restaurant	1 per 3 seats
Cocktail lounge/bar	1 per 2.5 seats
Fast food	1 per 50 sq. ft. of gross floor area for public seating plus queue space for 6 cars if drive-up service provided
With outdoor seating	1 additional space per 3 seats
Take-out only/no seating	1 per employee on the largest shift plus additional spaces as determined by the Zoning Administrator
Gas station/ service station ^B	2 per service bay plus 1 per employee on the largest shift; with no less than 4 parking spaces provided
Gymnasium	1 per 100 sq. ft. of floor space
Health clubs	1 per 200 sq. ft. of floor space
Nurseries	1 per 1,000 sq. ft. of outside display and/or interior warehouse area, plus 1 per 300 sq. ft. of sales floor area
Offices, business, and professional	1 per 250 sq. ft. of gross floor area

Offices, medical and dental	1 per 225 sq. ft. of gross floor area
Music or dance studio, martial arts training or similar facility	1 per 250 sq. ft. of gross floor area
Mini-storage	1 per 100 rental units plus 1 per caretaker
Personal services (barber shop, beauty shop)	2 spaces per chair
Recycling facility:	
Large collection	6 spaces per facility minimum
Processing facility	10 spaces per facility minimum
Research and community development	1 per 250 sq. ft. of gross floor area
Retail sales not listed under another use classification	5 spaces/1000 sq. ft. of gross floor area
Shopping center	5 spaces/1000 sq. ft. of gross floor area
Furniture and appliance stores, households equipment, and furniture repair and warehouse sale	1 per 400 sq. ft. of gross floor area
Automobile rentals	1 per 4,000 sq. ft. of outdoor area plus 1 per rental vehicle
Automobile washing:	
Fully automated	7 spaces outside washing area
Coin-operated	1 queuing space per bay
Vehicle/equipment repair	4 per service bay or 1 per 225 sq. ft. of gross floor area whichever is greater

Vehicle/equipment sales and rentals, and other outdoor storage	1 per 4,000 sq. ft. of outdoor display area
Visitor accommodations:	
Bed and breakfast inns	1 per guest room; plus 2 spaces
Hotels, motels and time share facilities	1 per guest room; plus 1 per employee on the largest shift and one per 50 sq. ft. of banquet or conference seating area
Warehousing, distribution, storage	1 per 1,000 sq. ft. of gross floor area
INDUSTRIAL	
Light manufacturing	1 per 400 sq. ft. of gross floor area
Heavy manufacturing	1 per employee on the largest shift
^A Parking for senior housing projects may be reduced during project review to less than 0.75 space per unit based upon residents' ages and vehicle ownership patterns and must be documented by studies prepared by the project proponents, according to the procedure and findings in § 9-5.1704 , Parking Reductions.	
^B For a service station combined with a food mart, one space per 250 square feet of retail sales area shall be provided (office and bathroom areas may be excluded from calculations) in addition to the required employee parking, and service bay parking, if any. In no case shall there be less than four spaces provided for a service station or six spaces provided for a service station combined with a food mart. If combined with a towing service, in addition to the above requirements, one additional space per towing vehicle shall be provided at the rear of the site.	

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 930-C-S, passed 7-29-97; Am. Ord. 1064-C-S, passed 12-13-05; Am. Ord. 2075-C-S, passed 11-26-13; Am. Ord. 2089-C-S, passed 6-24-14) Penalty, see § [9-5.2904](#)

§ 9-5.1704 PARKING REDUCTIONS.

(A) *Purpose.* The purpose of this section is to establish procedures and criteria for allowing reductions to the number of required automobile parking spaces for projects that

are anticipated to generate lower-than-usual parking demand due to factors such as proximity to major transit stops and stations, the characteristics of the use, or implementation of transportation demand management measures, as well as for shared parking facilities serving uses with different peak demand times. These provisions are also intended to allow modifications to parking standards when necessary to preserve the architectural or historical character of a structure or property.

(B) *Qualifying projects.* Reduced parking requirements may be considered for the following types of projects:

(1) *Senior housing.* The required parking for a senior housing development may be reduced below the normally required 0.75 spaces per dwelling unit for projects anticipated to generate lower parking demand due to vehicle ownership patterns of the residents and/or characteristics of the project (e.g., proximity to commercial services, proximity to public transportation systems).

(2) *Shared (joint) parking facilities.* Parking facilities that are cooperatively established and operated to serve multiple uses and these uses generate parking demands primarily during hours when the remaining uses are not in operation.

(a) The addition of residential units to religious assembly sites shall be deemed an appropriate use case for shared parking facilities.

(3) *Transit-supportive development.* Residential or mixed-use projects that contain no more than 50 dwelling units and are located within one-half mile of a major transit stop.

(4) *Infill sites.* Residential or mixed-use projects that contain no more than 30 dwelling units and are located on infill sites.

(5) *Uses near public parking facilities.* Uses located within one-quarter mile of a publicly accessible parking facility, the use of which is not limited to a specific business or activity during the use's peak parking demand. Such parking facilities shall meet the requirements of § [9-5.1705](#), Parking Location/Off-Site Parking Facilities.

(6) *Projects incorporating TDM measures.* Projects for which the developer proposes a set of transportation demand management (TDM) measures-such as rideshare programs, shuttle services, bicycle trip-end facilities, staggered work shifts, and telecommuting programs-projected to reduce parking demand generated by the use. Such projects shall be required to document the implementation and impacts of such programs, as described in division (E), Monitoring of TDM Programs, below.

(7) *Historic structures.* Projects for which allowing a reduction in the number of required spaces (and/or modifications to dimensional requirements for parking areas) will facilitate the re-use of an existing building that is an historic resource as defined by the State Public Resources Code or is a designated historic building.

(C) *Procedure.* A request for a reduction to the number of parking spaces consistent with the requirements of this section shall be processed as a use permit, according to the procedures of Article 27-, except for residential development on religious assembly sites, which is regulated according to division (F). Any parking reduction that is not in

accordance with this section (i.e., is not a qualifying project pursuant to division s (B) or (F) or cannot meet the findings for approval in division (D)) shall require a variance.

(1) *Application materials.* In addition to other application materials required for the consideration of the use permit, the Zoning Administrator may require submission of a parking demand study prepared by an independent traffic engineering professional approved by the city that substantiates the basis for granting a reduction in required parking spaces.

(2) *Parking demand study.* In order to evaluate a proposed project's compliance with the required findings for approval, the Zoning Administrator may require submittal of a parking demand study that substantiates the basis for granting a reduced number of spaces and includes any of the following information:

(a) Total square footage of all uses within existing and proposed development and the square footage devoted to each type of use.

(b) A survey of existing on-street and on-site parking within 350 feet of the project site.

(c) Parking requirements for the net change in square footage and/or change in use, based on the requirements of § [9-5.1703.1](#), Off-Street Parking Requirements by Use.

(d) Estimated net change in parking demand between existing and proposed development, using any available existing parking generation studies from the Institute for Transportation Engineers (ITE) or other sources. If appropriate parking demand studies are not available, the city may require the applicant to conduct a parking demand survey of a development similar to the proposed project.

(e) Comparison of proposed parking supply with parking requirements and net change in parking demand.

(f) A shared parking analysis, as appropriate.

(g) A description of proposed transportation demand management measures, such as preferential carpool spaces, telecommuting or staggered work shifts, provision of transit passes or other transit incentives for residents or employees, incorporation of spaces for car share vehicles, bicycles, or other measures that will result in reduced parking demand.

(h) Other information as required by the city.

(D) *Required findings for approval.* Except as outlined in division (F), ~~h~~ⁱn addition to the required findings for approval of any use permit in § [9-5.2703](#), Required Findings, an application for a use permit for a parking reduction may only be approved if the Zoning Administrator or the Planning Commission makes all of the findings of this section that are applicable to the particular project, as stated.

(1) *All projects.* For any project for which a parking reduction is requested, the Zoning Administrator or the Planning Commission must make all of the following findings based on information in the record:

- (a) The use will adequately be served by the proposed parking;
- (b) Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on-street parking in the surrounding area; and
- (c) If required, a parking demand study prepared by an independent traffic engineering professional approved by the city supports the proposed reduction.

(2) *Shared (joint) parking.* Where a shared parking facility serving more than one use is proposed, the Zoning Administrator or Planning Commission may only approve a parking reduction if it finds that:

- (a) The peak hours of use will not overlap or coincide to the degree that peak demand for parking spaces from all uses will be greater than the total supply of spaces;
- (b) The proposed shared parking to be provided will be adequate to serve each use;
- (c) A written agreement between landowner(s) and the city, in a form satisfactory to the City Attorney, has been submitted to and approved by the Zoning Administrator. This agreement shall be in a form capable of and subject to being recorded to constitute a covenant running with the land and shall include:

1. A guarantee that there will be no substantial alteration in the uses that will create a greater demand for parking;
2. A guarantee among the landowner(s) for access to and use of the shared parking facilities;
3. A provision that the city may require parking facilities in addition to those originally approved upon a finding that adequate parking to serve the use(s) has not been provided; and
4. A provision stating that the agreement shall not be modified or terminated without the approval of the Community Development Director and City Attorney.

(3) *Other parking reductions.* For applications for a parking reduction that do not involve a shared parking facility, the Zoning Administrator or Planning Commission may only approve a use permit if it finds that special conditions-including, but not limited to, the nature of the proposed operation; proximity to frequent transit service; transportation characteristics of persons residing, working, or visiting the site; or because the applicant has undertaken a transportation demand management program-will reduce parking demand at the site below the level of the normal requirement.

(E) *Monitoring of TDM programs.* Any project that is granted a parking reduction on the basis of TDM measures that will be incorporated to reduce parking demand shall submit an Annual Status Report to the city. The report shall be in a manner prescribed by the Zoning Administrator, and shall describe the implementation and maintenance of TDM measures and the parking demand generated by the project. Annual Status Reports will be reviewed to determine if property owners have implemented and/or maintained the TDM program. City staff may request auditable documentation to determine compliance.

(1) *Revocations.* A use permit issued to allow a parking reduction may be revoked by the Planning Commission according to the procedure in § [9-5.2707.1](#), Violation, Revocation, Fine.

(2) After holding a hearing, the Planning Commission may revoke or modify the use permit for a parking reduction if any one (or more) of the following findings are made:

(a) The use permit was obtained by misrepresentation or fraud.

(b) The land use for which the permit was granted has ceased or has been suspended for six or more consecutive calendar months.

(c) The conditions of the permit have not been met, or the permit granted is being or has recently been exercised contrary to the terms of the approval or in violation of a specific statute, ordinance, law or regulation.

(F) *Residential development on religious assembly sites.* Notwithstanding divisions (C) and (D), parking reductions and shared parking arrangements are permitted for religious assembly sites to accommodate residential development of four or more units as outlined below.

(1) *Qualification.*

(a) The proposed housing development must be located on or adjacent to the religious-use parking.

(b) A religious institution must own the site (whether directly, through a wholly owned company or corporation, or through an affiliated or associated nonprofit public benefit corporation), or the religious institution must have entered into an agreement or transaction (including a land sale) with a housing developer.

(c) The housing development project must meet at least one of the following - criteria:

1. Rent or sell at least 5 percent of units, excluding any density bonus, at amounts affordable to very low-income households for at least 20 years.

2. Rent or sell at least 10 percent of units, excluding any density bonus, at amounts affordable to low-income households for at least 20 years.

3. Meet one of the criteria in California Government Code Section 65915(b)(1)(C) through § 65915(b)(1)(G), inclusive, also known as State Density Bonus Law.

(c) Consistent with California Government Code Section 65915(c)(3), the housing development project must replace eligible on-site rental housing units that are demolished or removed.

(2) *Existing parking.* The curing or correcting of nonconforming religious assembly parking is not required unless there is a threat to public health and safety.

(3) *Parking reduction.* The number of existing religious assembly parking spaces on-site may be eliminated by up to 50 percent to accommodate the construction of the residential development. The remaining parking may be shared by the religious assembly use and residential use. If the post-construction parking accommodates at least one on-site parking space per residential unit, no parking studies are required and the City shall ministerially approve the parking reduction and shared parking agreement.

(a) A parking ratio of less than one parking space per residential unit may apply in certain cases, such as for sites are within one-half mile walking distance of a major transit stop, consistent with California Government Code Section 65913.6(f)(3).

(b) Development projects that remove more than 50 percent of the existing religious assembly parking are only permitted if the remaining parking meets the required off-street parking for religious assembly uses.

(4) *Shared (joint) parking.* Any shared parking agreements shall be shared in writing with the Zoning Administrator and shall include:

(a) A guarantee that there will be no substantial alteration beyond the approved uses that will create a greater demand for parking;

(b) A guarantee among the landowner(s) for access to and use of the shared parking facilities; and

(c) A provision stating that the agreement shall not be modified or terminated without the approval of the Community Development Director.

(5) *Additional reductions.* Eligible projects may request additional parking reductions to allow parking ratios less than one space per unit either:

(a) Pursuant to this article (e.g., senior housing, transit-supported development, projects incorporating TDM measures, etc.) and in adherence with the requirements and procedures of divisions (C) through (E), or

(b) Pursuant to State Density Bonus Law and in adherence with the requirements and procedures of Article 35.

(Ord. 2089-C-S, passed 6-24-14)

ARTICLE 38: LAND USE REGULATIONS

§ 9-5.3801 SUMMARY OF ZONING DISTRICTS.

The following is a summary of all zoning districts. (*Note: The Study District (S) is not included in the proceeding chart as the ultimate land uses for such a district are not determined until all necessary studies are completed and the appropriate land use designations can be applied.*)

RE	Rural Estate District: 0-2 du/acre
RR	Rural Residential District: 0-2 du/acre
R-4	Single-Family Low Density Residential District: 2-4 du/acre
R-6	Single-Family Low Density Residential District: 4-6 du/acre
R-10	Medium Density Residential District: 6-10 du/acre
R-20	Medium Density Residential District: 11-20 du/acre
R-25	High Density Residential District: 20-25 du/acre
R-35	High Density Residential District: 30-35 du/acre
PBC	Planned Business Center District
C-0	Professional Office District
C-1	Convenience Commercial District
C-2	Neighborhood/Community Commercial District
C-3	Regional Commercial District
SP	Specific Plan
MCR	Mixed Commercial/Residential District
WF	Urban Waterfront District
OS	Open Space/Public Use District
M-1	Light Industrial District
M-2	Heavy Industrial District
H	Hospital/Medical Center Overlay District
PD	Planned Development District

HPD Hillside Planned Development District
T Manufactured Housing Combining District
SH Senior Housing Overlay District
ES Emergency Shelter Overlay District
S Study District
MUMF Mixed Use Medical Facility District
P Exclusive Parking District
CB Cannabis Business Overlay District

CB 1: The area designated as the Cannabis Business Overlay District prior to August 1, 2021. CB 1 allows the broadest range of cannabis businesses.

CB 2 Downtown Antioch: The area designated as Mixed Use within the Downtown Specific Plan. CB 2 allows storefront retail only.

CB 3 Somersville District: The area bounded by Buchanan Rd., Delta Fair Blvd., and Fairview Dr. CB 3 allows storefront retail only.

TH Transitional Housing Overlay District

CIH Commercial Infill Housing Overlay District

IH Innovative Housing Overlay District

§ 9-5.3802 INTRODUCTION TO LAND USE REGULATIONS.

(A) The charts and text in § [9-5.3803](#) are adopted as the city's basic land use regulations. The uses shown in this chart are divided into five groups:

- (1) Residential;
- (2) Public and semi-public;
- (3) Commercial;
- (4) Industrial; and
- (5) Temporary uses.

(B) To determine in which zone a specific use is allowed:

- (1) Find the use on the left hand side of the table.

(2) Read across the chart until either a number or a letter appears in one of the columns.

(3) If a number appears, this means that the use is allowed in the zone represented by that column, but only if certain special requirements are met. The requirements applicable to that use are listed in this article. The number appearing in the zoning column corresponds to the number of the footnote.

(4) If a “P” appears in the column, the use is permitted in that zone by right. If a “U” appears in the column, a use permit is required. If an “A” appears, an administrative use permit is required which can be issued by the Zoning Administrator or designated staff. If no letter or number appears in the column, then the use is not allowed in that zone.

(5) The Planning Commission shall interpret the appropriate zone for any land use not specifically mentioned in this chart and not similar to any use listed.

(6) If a specific use does not appear in the chart, contact the Community Development Department for assistance.

(7) In the Hillside Planned Development (HPD), Planned Development (PD), Combining (B), Manufactured Housing Combining (T), and Senior Housing Overlay (SH) Districts use permit approval is required for all uses.

(8) In the Mixed Use Medical Facility (MUF) District, a final development plan and use permit approval is required for all uses. Processing of final development plans and use permits in the MUMF District shall be as outlined in the Planned Development District (PD) section of this chapter.

(C) Legend.

P Permitted by right

U Use permit

A Administrative use permit

(—) Not allowed

(*) Regulations of base zoning district apply

(1 to 29) - See Land Use Footnotes

§ 9-5.3803 TABLE OF LAND USE REGULATIONS.

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES 9	CB	TH	CIH 14	II
RESIDENTIAL USES																							
Day-care centers(§ 9- 5.3832)	U	U	U	U	U	U	U	U	U	U	U	U	U	U	—	U	—	U	*	—	—	—	—¹⁸
Day-care: largefamily (§ 9-5.3818)	A	A	A	A	A	A	A	—	—	—	—	—	—	—	—	—	—	—	*	—	—	A	—
Day-care: smallfamily (§ 9-5.3817)	P	P	P	P	P	P	P	—	—	—	—	—	—	—	—	—	—	—	*	—	—	P	—
Senior Group Housing	U	U	U	U	U	U	U	—	—	—	—	—	U	—	—	—	—	U	*	—	—	—	P
Family care home	P	P	P	P	P	P		—	—	—	—	—	U	—	—	—	—	—		—	—	—	P
Fraternity- sorority house/ dormitory	U	U	U	U	U	U	U	—	—	—	—	—	U	—	—	—	—	—	*	—	—	—	—
Home occupations	A	A	A	A	A	A	A						A	—	—	—	—	—	*	—	—	P	P
Hospice ¹⁰	—	—	U	U	U	U	U	—	U	U	—	—	U	—	—	—	—	U ₂	*	—	—	—	—

	RE RR	R-4 R-6	R-10	R-2 0	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES ⁹	CB	TH	CIH ₁₄	III
Low Barrier Navigation Center												P					P	P		P	P	<u>P</u>
Manufactured, modular home; mobile home (§9-5.3804)	P	P	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	*	—	—	—	—
Mobile homepark	—	—	U	U	U	U	—	—	—	—	—	—	—	—	—	—	—	*	—	—	—	==
Multiple- family: condominium , apartment, town-house (§9- 5.3820)	—	—	P ¹¹	P ¹¹	P ₁₁	P ₁₁	—	—	—	—	—	P ¹¹	—	—	—	—	U ₂	*	—	—	P ¹⁵ U ¹⁶	<u>—¹⁹</u>
Recreational vehicle park (§9-5.3830)	—	—	—	—	—	—	—	—	—	—	U	—	U	—	—	—	—	*	—	—	—	==
Residential care facility ¹⁰	—	—	U	U	U	U	—	U	U	—	—	U	—	—	—	—	U	*	—	—	—	==
Supportive Housing			P ^{11, 17}	P ^{11, 17}	P ^{11, 17}	P ^{11, 17}						P ^{11, 17}					U	P ¹⁷		P ¹⁷	P ^{15, 17}	<u>P¹⁷</u>
Residential hotel	—	—	U	U	U	U	—	U	U	U	U	U	—	—	—	—	—	*	—	—	—	==

	RE RR	R-4 R-6	R-10	R-2 0	R-2 5	R- 35	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES ⁹	CB	TH	CIH ₁₄	III
Room & boarding house	—	—	U	U	U	U	—	U	U	U	U	U	—	—	—	—	—	*	—	—	—	—
Second residential unit (§9-5.3805)	A	A	A	A	A	A	—	—	—	—	—	—	—	—	—	—	—	*	—	—	—	—
<u>Cottage Community</u>	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	P
Single-family dwelling	P	P	U	P ¹	P ¹	P ¹	—	—	—	—	—	U	U	—	—	—	—	*	—	—	—	—
Tobacco and paraphernalia retailers (§9-5.3843)	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—	—	—	—	—	—
Two-family dwelling	—	—	P	P	P	P	—	—	—	—	—	U	—	—	—	—	—	*	—	—	—	—
Transitional Housing	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	P
PUBLIC AND SEMI-PUBLIC USES																						
Bus & transit maintenance facility	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	U	U	—	*	—	—	—
Bus & train terminal	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	U	U	—	*	—	—	—
Clubs & Lodges(private & public)	—	U	U	U	U	U	U	U	U	U	U	U	U	—	—	—	—	*	—	—	—	—

	R E R R	R-4 R-6	R-10	R-2 0	R-2 5	R-35	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES ⁹	CB	TH	CIH ₁₄	III
Convalescent and Extended Care	—	—	U	U	U	U	—	—	—	—	—	U	—	—	—	—	U	—	—	—	—	==
Correctional facility ¹²	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	==
Cultural institutions	—	—	—	—	—	—	U	U	—	U	U	U	U	—	U	—	U	*	—	—	—	==
Government offices	—	—	—	—	—	—	U	P	P	P	P	U	—	—	U	U	—	*	—	—	—	==
Heliport (§9- 5.3806)	—	—	—	—	—	—	U	—	—	—	—	—	U	—	U	U	U	*	—	—	—	==
Emergency shelter	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	P	—	—	—	==

	RE RR	R-4 R-6	R-1 0	R-20	R-2 5	R- 3 5	P B C	C-0	C-1	C- 2	C-3	MC R	WF	OS	M-1	M-2	H	ES 9	CB	TH	CIH 14	III
Hospitals (§ 9-5.3827):																						
Acute care	—	—	—	—	—	—	U	U	—	—	—	U	—	—	U	—	U	*	—	—	—	—
Rehabilitation	—	—	—	—	—	—	U	U	—	—	—	U	—	—	U	—	U	*	—	—	—	—
Psychiatric/ chemical dependency	—	—	—	—	—	—	U	U	—	—	—	U	—	—	U	—	U	*	—	—	—	—
Medical care—urgent	—	—	—	—	—	—	U	U	—	—	—	U	—	—	P	U	U	*	—	—	—	—
Parks	P	P	P	P	P	P	P	P	—	U	U	U	P	P	U	U	—	*	—	—	—	—
Public assembly	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	—	—	—	¹⁸ —
Public safety facilities	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	—	—	—	—
Public utility yard	—	—	—	—	—	—	—	—	—	—	—	—	U	—	U	U	—	*	—	—	—	—
Religious assembly ³ (§9- 5.3832)	—	U	U	U	U	U	U	U	U	U	U	U	U	—	—	—	U	*	—	—	—	—
Satellite antenna (§ 9-5.3807)	A	A	A	A	A	A	A	A	A	A	A	A	A	—	A	A	A	*	—	—	—	—
Schools, private and preschools	U	U	U	U	U	U	U	U	U	U	—	U	—	—	U	—	U	*	—	—	—	¹⁸ —

	RE RR	R-4 R-6	R-10	R-20	R-2 5	R-35	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES 9	CB	TH	CIH 14	III
Utility substations	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	—	—	—	—
COMMERCIAL USES																						
Adult book stores, motion picture arcades, and model studios (§ 9-5.3808)	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—	*	—	—	—	—
Adult entertainment, other (§ 9-5.3808)	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—	*	—	—	—	—
Agricultural uses (§ 9-5.3809)	P	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	*	—	—	—	—
Appliance maintenance & repair services:																						
Major	—	—	—	—	—	—	—	—	—	P	P	P	—	—	P	P	—	*	—	—	—	—
Minor	—	—	—	—	—	—	—	P	P	P	P	P	—	—	P	P	—	*	—	—	—	—
Amusement center (§ 9-5.3813)	—	—	—	—	—	—	—	—	U	U	U	U	U	—	—	—	—	*	—	—	—	—

	RE R R	R-4 R-6	R-1 0	R-20	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	CB	TH CIH ₁₄	III
Animal hospital veterinary clinics	—	—	—	—	—	—	U	—	U	U	U	U	—	—	U	U	—	*	—	—	—
Antique store	—	—	—	—	—	—	—	—	—	P	P	A	U	—	U	—	—	*	—	—	—
Auto sales, rental	—	—	—	—	—	—	U	—	—	U	U	U	—	—	—	—	—	*	—	—	—
Auto storage	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Auto service station (§ 9-5.3815)	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	—	*	—	—	—
Auto repair:																					
Major	—	—	—	—	—	—	U	—	—	—	U	U	—	—	U	P	—	*	—	—	—
Minor	—	—	—	—	—	—	U	—	U	U	U	U	—	—	P	P	—	*	—	—	—
Bakeries-retail	—	—	—	—	—	—	—	—	P	P	P	P	U	—	P	P	—	*	—	—	—
Bank or savings & loan	—	—	—	—	—	—	P	P	P	P	P	P	—	—	—	—	—	*	—	—	—
Bar (§ 9-5.3831)	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	*	—	—	—
Barber & beauty shop	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	*	—	—	—

	RE RR	R-4 R-6	R-1 0	R-20	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	CB	TH	CIH ₁₄	III
Bed and breakfast inns (§9-5.3819)	U	U	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	*	—	—	—	==
Boat repair																						
Major	—	—	—	—	—	—	U	—	—	—	U	U	U	—	U	P	—	*	—	—	—	==
Minor	—	—	—	—	—	—	U	—	U	U	U	U	U	—	P	P	—	*	—	—	—	==
Boat, RV— storage facility (§ 9-5.3810)	—	—	—	—	—	—	—	—	—	—	U	U	U	—	—	P	—	*	—	—	—	==
Bowling alleys (§9- 5.3831)	—	—	—	—	—	—	—	—	—	U	U	U	—	—	—	—	—	*	—	—	—	==
Cannabis business (§ 9-5.3845)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U ¹³	—	—	==
Car and vehicle wash	—	—	—	—	—	—	—	—	—	—	U	U	U	—	U	U	—	*	—	—	—	==
Card room	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—	*	—	—	—	==
Catering services	—	—	—	—	—	—	—	—	—	P	P	P	A	—	U	—	—	*	—	—	—	==
Clothing store	—	—	—	—	—	—	—	—	—	P	P	P	A	—	—	—	—	*	—	—	—	==

	RE RR	R-4 R-6	R-1 0	R-20	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	CB	TH	CIH 14	IH
Combined residential/comm ercial structure	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	*	—	—	—	==
Computer gaming and internet access business	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—	—	—	—	—	==
Confectionery stores	—	—	—	—	—	—	—	—	P	P	P	P	A	—	—	—	—	*	—	—	—	==
Dance hall	—	—	—	—	—	—	—	—	—	U	U	U	—	—	U	—	—	*	—	—	—	==

	RE RR	R-4 R-6	R-1 0	R-20	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	CB	TH	CIH ₁₄	III
Drive-up window (all uses)	—	—	—	—	—	—	U	U	U	U	U	U	—	—	U	U	U	*	—	—	—	—
Dry cleaning agencies; pick-up and self-serve	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	*	—	—	—	—
Florist shop	—	—	—	—	—	—	P	—	P	P	P	P	—	—	—	—	P	*	—	—	—	—
Food stores (§9-5.3831):																						
Convenience store	—	—	—	—	—	—	—	—	U	U	U	U	U	—	—	—	U	*	—	—	—	—
Supermarket	—	—	—	—	—	—	—	—	U	P	P	U	—	—	—	—	—	*	—	—	—	—
Fortune-teller's	—	—	—	—	—	—	—	—	—	U	U	U	—	—	—	—	—	*	—	—	—	—
Funeral parlor & mortuary	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	—	*	—	—	—	—
Furniture stores	—	—	—	—	—	—	—	—	—	P	P	U	—	—	—	—	—	*	—	—	—	—
Gift shop	—	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	*	—	—	—	—
Gun sales (§ 9-5.3833)	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	*	—	—	—	—
Hardware store	—	—	—	—	—	—	—	—	U	P	P	U	U	—	—	—	—	*	—	—	—	—
Health club/fitness center	—	—	—	—	—	—	U	—	U	P	P	U	—	—	U	—	U	*	—	—	—	—

	RE RR	R-4 R-6	R-1 0	R-20	R-2 5	R- 3 5	PB C	C-0	C-1	C- 2	C-3	MC R	WF	OS	M-1	M- 2	H	E S ⁹	CB	TH	CIH 14	III
Hotel & motels	—	—	—	—	—	—	U ⁵	U	—	P	P	P	U	—	U5	—	U	*	—	—	—	—
Jewelry store	—	—	—	—	—	—	—	—	—	P	P	P	U	—	—	—	—	*	—	—	—	—
Kennels	—	—	—	—	—	—	—	—	—	U	U	—	—	—	U	U	—	*	—	—	—	—
Laboratories; medical, dental, optical	—	—	—	—	—	—	P	P	U	U	U	U	—	—	U	—	P	*	—	—	—	—

	RE RR	R-4 R-6	R-1 0	R-20	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	CB	TH	CIH ₁₄	IH
Laundrette	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	*	—	—	—	—
Liquor stores (§9-5.3831)	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	—	*	—	—	—	—
Live entertainment	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	*	—	—	—	—
Marina	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	*	—	—	—	—
Miniature golf courses	—	—	—	—	—	—	—	—	—	U	U ⁶	U	—	—	U	—	—	*	—	—	—	—
Mini-storage	—	—	—	—	—	—	—	—	—	—	—	U	U	—	U	P	—	*	—	—	—	—
Nurseries (horticulture) (§9-5.3824)	—	—	—	—	—	—	—	—	—	P	P	U	U	—	P	P	—	*	—	—	—	—
Offices:																						
Business & professional	—	—	—	—	—	—	P	P	U	P	P	P	U	—	—	—	P	*	—	—	—	— ¹⁸
Medical (includes clinics)	—	—	—	—	—	—	P	P	U	P	P	P	U	—	—	—	P	*	—	—	—	—
Paint store	—	—	—	—	—	—	—	—	—	P	P	U	—	—	U	—	—	*	—	—	—	—
Parking lot (commercial) (§9-5.3837)	—	—	—	—	—	—	A	A	A	A	A	A	A	A	P	P	A	*	—	—	—	—

	RE RR	R-4 R-6	R-1 0	R-20	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	CB	TH	CIH ₁₄	III
Pawn shops	—	—	—	—	—	—	—	—	—	U	U	U	—	—	—	—	—	*	—	—	—	—
Pet shop	—	—	—	—	—	—	—	—	P	P	P	P	U	—	—	—	—	*	—	—	—	—
Pharmacy	—	—	—	—	—	—	U	P	P	P	P	P	A	—	P	P	P	*	—	—	—	—
Photographer	—	—	—	—	—	—	—	P	P	P	P	P	A	—	U	—	—	*	—	—	—	—

	RE RR	R-4 R-6	R-1 0	R-20	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H E S ⁹	CB	TH	CIH 14	III
Printing & blue printing	—	—	—	—	—	—	—	P	P	U	U	U	—	—	P	P	—	*	—	—	—
Radio & TV sales & repair	—	—	—	—	—	—	—	—	U	P	P	P	—	—	—	—	—	*	—	—	—
Recycling facilities:																					
Reverse vending machines (§ 9-5.3811)	—	—	—	—	—	—	—	—	—	P	P	P	—	—	P	P	—	*	—	—	—
Small collection facility (§ 9-5.3812)	—	—	—	—	—	—	—	—	A	A	A	A	—	—	A	A	—	*	—	—	—
Large collection facility (§ 9-5.3813)	—	—	—	—	—	—	—	—	A	A	A	A	—	—	A	A	—	*	—	—	—
Light processing facility	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Heavy processing facility (§ 9-5.3815)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Repair service	—	—	—	—	—	—	—	—	—	—	U	U	U ⁷	—	P	P	—	*	—	—	—

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	TH	CIH 14	III
Restaurants (§§ 9-5.3823 and 9-5.3831):																					
General	—	—	—	—	—	—	P	P	P	P	P	P	P	—	U ⁵	—	—	*	—	—	—
Fast food	—	—	—	—	—	—	U	—	—	U	U	U	U	—	U ⁵	—	—	*	—	—	—
Outdoor seating & food service	—	—	—	—	—	—	U	U	U	U	U	U	U	—	U ⁵	U	—	*	—	—	—
Take out/delivery	—	—	—	—	—	—	P	U	P	P	P	P	U	—	U ⁵	—	—	*	—	—	—

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	CB	TH	CIH 14	III
With bar & live entertainment	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	*	—	—	—	—
Retail; general and specialty	—	—	—	—	—	—	—	—	P	P	P	P	A	—	—	—	—	*	—	—	—	—
Secondhand sales	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	*	—	—	—	—
Shoe repair shop	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	*	—	—	—	—
Sign shop	—	—	—	—	—	—	—	—	—	U	U	—	—	—	U	—	—	*	—	—	—	—
Studios (e.g., dance, martial arts)	—	—	—	—	—	—	—	—	—	P	P	P	—	—	—	—	—	*	—	—	—	—
Tailor shop	—	—	—	—	—	—	—	—	—	P	P	P	—	—	—	—	—	*	—	—	—	—
Tattoo studio	—	—	—	—	—	—	—	—	—	U	U	U	—	—	—	—	—	*	—	—	—	—
Theaters	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	*	—	—	—	—
Upholstery shop	—	—	—	—	—	—	—	—	—	U	U	U	—	—	U	P	—	*	—	—	—	—
Wireless Communications Facilities (§ 9-5.3846)	As subject to § 9-5.3846																					
Variety store	—	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	*	—	—	—	—

	RE RR	R-4 R-6	R-10	R-2 0	R-2 5	R-35	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H S ⁹	CB	TH	CIH ₁₄	III
Vehicle/boat/ equipment sales& rental (§ 9-5.3825)	—	—	—	—	—	—	U ⁸	—	—	U	U	U	U	—	U	U	—	—	—	—	==
INDUSTRIAL USES																					
Animal rendering	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	==
Bakery- commercial	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	—	—	—	==

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	M C R	WF	OS	M-1	M-2	H	ES 9	CB	TH	CIH 14	III
Beverage bottling plant	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	—	==
Boat building	—	—	—	—	—	—	—	—	—	—	—	—	U	—	U	P	—	*	—	—	—	==
Cement or clay products manufacturing	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—	==
Concrete batch plant	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—	==
Contractor's storage yard	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	—	==
Dairy products processing	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	—	==
Dry cleaners processing	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—	==
Exterminator	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	—	==
Finished paper production	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—	==
Food processing plant	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	—	==
Fuel yard; bulk petroleum storage	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—	==

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	M C R	WF	OS	M-1	M-2	H	ES 9	CB	TH	CIH 14	III
Garment manufacture	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—	==
Hazardous waste facilities (§ 9-5.3826):	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	==
Small generator (§ 9-5.3826)	—	—	—	—	—	—	—	—	U	U	U	U	—	—	U	U	—	*	—	—	—	==

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-35	PB C	C-0	C-1	C-2	C-3	M CR	WF	OS	M-1	M-2	H	ES 9	CB	TH	CIH 14	III
Large generator (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—	—
Processor (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—	—
Household hazardous waste facility (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—	—
Junk yard/auto wrecking yard	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—	—
Lumber yard	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—	—
Machine shop	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	—	—
Manufacturing or storage of explosives, acid, cement, fertilizer, gas, inflammable fluids, glue, gypsum, lime, plaster of paris	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—	—
Mining & quarry; resource extraction	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—	—
Oil & gas drilling	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—	—

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	M C R	WF	OS	M-1	M-2	H	ES ₉	CB	TH	CIH ₁₄	III
Oil & gas production	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—	—
Photographic plants	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Plastic fabrication	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Research & development	—	—	—	—	—	—	U	—	—	—	—	U	—	—	—	U	U	—	*	—	—	—

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H ES ₉	CB	TH	CIH ₁₄	III
Residual repository (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	==
Salvage/war surplus yards	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	==
Solid waste transfer station	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	==
Smelting or processing of iron, tin zinc or other ore	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	*	—	—	==
Stockyards/slaughterhouses	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	*	—	—	==
Stone monument works	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	==
Truck terminal yard	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	*	—	—	==
Truck & tractor repair	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	*	—	—	==
Warehousing & wholesaling	—	—	—	—	—	—	U	—	—	—	—	—	—	—	—	U	P	*	—	—	==
TEMPORARY USES																					

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1 2	C-3	MC R	WF	OS	M-1	M-2	HES 9	CB	TH	CIH 14	III
Removal of earth (§ 9-5.3822)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	—	—	—	—
Temporary construction building and uses (§ 9-5.3821)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	—	—	—	A
Outdoor display of merchandise (in conjunction with a non-residential use)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	—	—	—	—
Special outdoor events (§§ 9-5.3828 and 9-5.3831)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	—	—	—	—
Christmas tree and pumpkin sale lots (§ 9-5.3829)	—	—	—	—	—	—	A	A	A	A	A	—	—	A	A	—	—	—	—	—

1. Single-family dwellings existing prior to the effective date of this section are permitted uses, conforming to the R-20 zone; however, development of new single-family dwelling units, other than replacement of existing single-family dwellings, are prohibited within the R-20, R-25, and R-35 zones.
2. Use may be permitted as an ancillary use if it is incidental to an otherwise permitted or conditionally permitted use within this zoning district.
3. Legally established churches existing prior to the effective date of this section are permitted uses, conforming to the PBC, C-O, C-1, C-2, and C-3 zone; however, development of new religious assembly uses, other than replacement of existing uses, is prohibited within these zoning districts.

4. Funeral services are limited to "J" Street, Fourth Street, and the area between Fourth and Fifth Streets.
5. May be located only on sites adjacent to freeway interchanges.
6. May be located along Somersville Road north of the SR-4 freeway.
7. Marine repair only. Permitted as an ancillary service for waterfront activities.
8. Boat sales and repair only.
9. In the case of the Emergency Shelter Overlay District, where no letter or number is included in the table for a particular land use, the regulations of the base zone apply. Emergency shelters are permitted by right in the Emergency Shelter Overlay District if they meet all standards of § 9-5.3835, Emergency Shelters, of this article.
10. Hospices and residential care facilities providing care for up to six patients are a permitted use in any district where residential uses are allowed.
11. Permitted by right subject to compliance with all other applicable standards and design review pursuant to Article 26 and 27.
12. Subject to a conditional use permit on a site at least one quarter mile from any type of residential care facility, social service institution, welfare institution, or a similar type of facility; at least one mile from another correctional facility; and at least 1,000 feet from a school, library, public park, recreation area or any property zoned or used for residential development. See § 9-5.3838, Correctional Facilities, for additional requirements.
13. Cannabis business requires approval of a use permit by the City Council upon recommendation by the Planning Commission.
See § 9-5.3845.
(Am. Ord. 930-C-S, passed 7-29-97; Am. Ord. 1080-C-S, passed 10-24-06; Am. Ord. 2072-C-S, passed 10-22-13; Am. Ord. 2075-C-S, passed 11-26-13; Am. Ord. 2077-C-S, passed 12-10-13; Am. Ord. 2089-C-S, passed 6-24-14; Am. Ord. 2096-C-S, passed 2-24-15; Am. Ord. 2143-C-S, passed 6-26-18; Am. Ord. 2158-C-S, passed 12-11-18; Am. Ord. 2169-C-S, passed 6-25-19)
14. In the Commercial Infill Housing Overlay District, allowable commercial uses and standards remain as determined by the underlying zoning.
15. Up to 35 units/acre and building height of four stories or 45 feet permitted by right subject to compliance with all other applicable standards.
16. 35 to 50 units/acre and building height above 45 feet permitted with approval of a use permit.
17. Supportive housing developments must meet the requirements of Government Code Section 65651.0(a) to be permitted by right and reviewed consistent with Government Code Section 65653(a) and (b). Developments which do not meet such requirements shall require approval of a use permit, except that cottage community supportive housing developments may be deed restricted for 20 years instead of 55 years.
18. Permitted as supportive services/community spaces that are accessory to residential land uses in a cottage community.
19. The IH Overlay does not preclude the development of multiple-family residential where otherwise allowed. When multiple-family residential uses are permitted per the underlying zoning, such as with sites identified in the Housing Element, the site may develop in compliance with Articles 26 and 27.

§ 9-5.3805 ACCESSORY DWELLING UNITS.

(A) *Purpose.* The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with ~~Cal. Gov't~~ California Government Code §§ Sections 65852.2 and 65852.22.

(B) *Effect of conforming.* An ADU or JADU that conforms to the standards in this section will not be:

(1) Deemed to be inconsistent with the city's general plan and zoning designation for the lot on which the ADU or JADU is located.

(2) Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.

(3) Considered in the application of any local ordinance, policy, or program to limit residential growth.

(4) Required to correct a nonconforming zoning condition, as defined in subsection (C)(7) below.

(C) *Definitions.* As used in this section, terms are defined as follows:

(1) **ACCESSORY DWELLING UNIT** or **ADU** means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is either 1) located on a lot with a proposed or existing primary residence, or 2) located in the IH Overlay District. An accessory dwelling unit also includes the following:

(a) An efficiency unit, as defined by ~~California-~~ Health and Safety Code §Section 17958.1; and

(b) A manufactured home, as defined by ~~California-~~ Health and Safety Code §Section 18007.

(2) **ACCESSORY STRUCTURE** means a structure that is accessory and incidental to a dwelling located on the same lot.

(3) **COMPLETE INDEPENDENT LIVING FACILITIES** means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.

(4) **COTTAGE** means a small detached residential structure. A cottage may be one detached accessory dwelling unit or two accessory dwelling units attached to one another (i.e., creating a duplex or two-family dwelling).

(5) **COTTAGE COMMUNITY** means a cluster of no fewer than three cottages (which can range from three units if each cottage is a single ADU to six units if each cottage is a two-family dwelling) that interact together as a small community and are designed with a coherent concept. Cottage communities are their own category of residential facilities and are not considered single-family or multiple-family dwellings. An existing or proposed single-family or multiple-family dwelling is not required in order to develop a cottage community.

(46) **EFFICIENCY KITCHEN** means a kitchen that includes each of the following:

- (a) A cooking facility with appliances.
- (b) A food preparation counter or counters that total at least 15 square feet in area.
- (c) Food storage cabinets that total at least 30 square feet of shelf space.

(57) **JUNIOR ACCESSORY DWELLING UNIT** or **JADU** means a residential unit that satisfies all of the following:

- (a) Is no more than 500 square feet in size;.
- (b) Is contained entirely within an existing or proposed single-family structure;.
An enclosed use within the residence, such as an attached garage, is considered to be a part of and contained within the single-family structure.
- (c) Includes its own separate sanitation facilities, or shares sanitation facilities with the existing or proposed single-family structure.
- (d) If the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the existing or proposed single-family structure in addition to an exterior entrance that is separate from the main entrance to the primary dwelling.

(e) Includes an efficiency kitchen, as defined in subsection (C)(46) above.

(8) **KITCHEN** means any room or space within a building designed to be used or maintained for the cooking and/or preparation of food. Kitchens shall contain at least 15 square feet of food preparation counter space, 30 square feet of food storage space, a sink, a refrigerator, and either a cooktop and oven or a range.

(69) **LIVING AREA** means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

(710) **NONCONFORMING ZONING CONDITION** means a physical improvement on a property that does not conform with current zoning standards.

(811) **PASSAGEWAY** means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.

(912) **PROPOSED DWELLING** means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

(4013) **PUBLIC TRANSIT** means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(14) **QUALIFIED NONPROFIT CORPORATION** means an entity organized pursuant to Section 501(c)(3) of the Internal Revenue Code that has received a welfare exemption under Section 214.15 of the Revenue and Taxation Code for properties intended to be sold to low-income families who participate in a special no-interest loan program.

(4415) **TANDEM PARKING** means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(16) **TENANCY IN COMMON** means a legal arrangement in which two or more parties, known as tenants in common, share ownership of real estate property or land. Each owner may control an equal or different percentages of the total property.

(D) *Approvals.* The following approvals apply to ADUs and JADUs under this section:

(1) *Building-permit only.* If an ADU or JADU complies with each of the general requirements in subsection division (E) below, it is allowed with only a building permit in the following scenarios:

(a) *Converted on single-family lot:* ~~Only one~~ One ADU or and one JADU on a per lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:

1. Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or within the existing space of an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress.

2. Has exterior access that is independent of that for the single-family dwelling.

3. Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.

4. The JADU complies with the requirements of Government Code Section 65852.22.

(b) *Small detached on single-family lot:* One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any ADU or JADU

that might otherwise be established on the lot under subsection (D)(1)(a) above), if the detached ADU satisfies the following limitations:

1. The side- and rear-yard setbacks are at least four feet.
2. The total floor area is 800 square feet or smaller.
3. The maximum height above grade ~~is 16 feet.~~ does not exceed the applicable height limit in subsection (E)(2) below.
4. ADUs in the front yard shall not obstruct the clear vision zones required in § 9-5.1101 unless the only physically feasible location for the ADU requires obstructing the clear vision zone.

(c) *Converted on multifamily lot:* Multiple ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. At least one converted ADU is allowed within an existing multifamily dwelling, and up to 25 percent of the existing multifamily dwelling units may each have a converted ADU under this paragraph. ~~The ADU shall satisfy the following limitation:~~

(d) *Detached on multifamily lot:* No more than two detached ADUs on a lot that has an existing multifamily dwelling if each detached ADU satisfies the following limitations:

1. The side- and rear-yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the city will not require any modification to the multifamily dwelling as a condition of approving the ADU.
2. The maximum height above grade ~~is 16 feet~~ does not exceed the applicable height limit in subsection (E)(2) below.

(2) *ADU permit.*

(a) Except as allowed under subsection (1) above, no ADU, including a new-construction, detached ADU over 800 square feet or a new-construction attached ADU, may be created without a building permit and an ADU permit in compliance with the standards set forth in ~~subsections~~ divisions (E) and (F) below.

(b) The ADU permit processing fee is determined by the Community Development Director and approved by the City Council by resolution.

(3) *Cottage community permit.*

(a) Multiple ADUs are allowed as cottage communities in the IH Overlay District. See § 9-5.3850, Innovative Housing Overlay District, for the applicable standards and procedures.

(34) Process and timing.

(a) ~~An~~ ADU permits, including cottage community permits, isare considered and approved ministerially, without discretionary review or a hearing.

(b) The city must ~~act on deny or approve~~ an application to create an ADU ~~or JADU, or cottage community~~ within 60 days from the date that the city receives a completed application, and in the absence of a denial or approval within 60 days, the applications will be deemed approved, unless either:

1. The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay; or

2. In the case of an ADU or JADU and the application to create an ADU or JADU is submitted with a permit application to create a new single-family dwelling on the lot, the city may delay acting on the permit application for the ADU or JADU until the city acts on the permit application to create the new single-family dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.

(c) If the city denies an application to create an ADU or JADU, the city must provide the applicant with comments that include, among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the 60-day time period established by subsection (D)(4)(b) above.

(d) Demolition permits for a detached garage that is to be replaced with an ADU shall be reviewed concurrently with the ADU application and issued at the same time as the ADU permit. No written notices or signs for demolition of the detached garage are required, unless the property is located within an architecturally and historically significant historic district.

(E) *General ADU and JADU requirements.* The following requirements apply to all ADUs and JADUs that are approved under subsections (D)(1) or (D)(2) above:

(1) Zoning.

(a) An ADU or JADU subject only to a building permit under subsection (D)(1) above may be created on a lot in a residential or mixed-use zone.

(b) An ADU or JADU subject to an ADU permit under subsection (D)(2) above may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.

(2) Height. For the purposes of this section (E)(2), height is measured above existing legal grade to the peak of the structure.

(a) Except as otherwise provided by subsections (E)(2)(b) and (E)(2)(c) below, a detached ADU created on a lot with an existing or proposed single-family or multifamily dwelling unit may not exceed 16 feet in height.

(b) A detached ADU may be up to 18 feet in height if it is created on a lot with an existing or proposed single family or multifamily dwelling unit that is located within one-half mile walking distance of a major transit stop or a high quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code, and the ADU may be up to two additional feet in height (for a maximum of 20 feet) if necessary to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

(c) A detached ADU created on a lot with an existing or proposed multifamily dwelling that has more than one story above grade may not exceed 18 feet in height.

(d) An ADU that is attached to the primary dwelling may not exceed 25 feet in height or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower. Notwithstanding the foregoing, ADUs subject to this subsection (E)(2)(d) may not exceed two stories.

(23) Fire sprinklers. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence. The construction of an ADU shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

(34) Rental term. No ADU or JADU may be rented for a term that is shorter than 30 days.

(45) ~~No s~~Separate conveyance. An ADU or JADU may be rented, but no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot), except as allowed below.

(a) ADUs may be sold or separately conveyed to low- or moderate-income persons and families when the ADU or primary dwelling was developed or built by a qualified nonprofit corporation and the property is part of a recorded tenancy in common agreement, pursuant to Government Code Section 65852.26.

(56) Owner occupancy.

(a) All ADUs created before January 1, 2020 are subject to the owner-occupancy requirement that was in place when the ADU was created.

(b) An ADU that is created after that date ~~but before January 1, 2025~~, is not subject to any owner-occupancy requirement.

~~——(c) All ADUs that are created on or after January 1, 2025 are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.~~

(dc) All JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement of this paragraph does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.

~~——(6) *Deed restriction.* Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Community Development Director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the city and must provide that:~~

~~——(a) The ADU or JADU may not be sold separately from the primary dwelling.~~

~~——(b) The ADU or JADU is restricted to the approved size and to other attributes allowed by this section.~~

~~——(c) The deed restriction runs with the land and may be enforced against future property owners.~~

~~——(d) JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement of this paragraph does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.~~

~~——(e) The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.~~

~~——(f) The deed restriction is enforceable by the Director or his or her designee for the benefit of the city. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the city is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an~~

~~injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.~~

(7) Building and safety.

(a) Must comply with building code. Subject to subsection (E)(7)(b) below, all ADUs and JADUs must comply with all local building code requirements.

(b) No change of occupancy. Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code, unless the building official or a code enforcement officer makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this subsection (E)(7)(b) prevents the city from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this section.

~~(78)~~ *Parking.* No parking is required for an ADU or JADU unless an ADU permit is required under subsection (D)(2) above and the ADU requires parking as described in subsection (F)(~~6~~5) below.

(F) *Specific ADU requirements for ADU permits.* The following requirements apply only to ADUs that require an ADU permit under subsection (D)(2) above.

(1) *Maximum size.*

(a) The maximum size of a detached or attached ADU subject to this ~~subsection~~ division (F) is 850 square feet for a studio or one-bedroom unit and 1,000 square feet for a unit with two bedrooms. ~~No more than two bedrooms are allowed.~~

(b) An attached ADU that is created on a lot with an existing primary dwelling is further limited to 50 percent of the floor area of the existing primary dwelling.

(c) Application of other development standards in this ~~subsection~~ division (F); ~~such as lot coverage~~, might further limit the size of the ADU, but no application of lot coverage limits or front setback requirements may require the ADU to be less than 800 square feet.

(2) *Lot coverage.* No ADU subject to this ~~subsection~~ division (F) may cause the total lot coverage of the lot to exceed 60 percent, subject to subsection (F)(1)(c) above.

(3) *Setbacks.* The ADU must be at least four feet from rear and side property lines, at least 30 feet from the front property line, and at least 20 feet from a street-facing property line, if different from the front property line, subject to subsection (F)(1)(c) above.

(a) No setback is required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an ADU or to a portion of an ADU.

~~—(4) *Height.* No ADU subject to this subsection (F) may exceed 16 feet in height above grade~~

(54) *Passageway.* No passageway, as defined by subsection (C)(811) above, is required for an ADU.

(65) *Parking.*

(a) *Generally.* One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by subsection (C)(4415) above.

(b) *Exceptions.* No parking under subsection (F)(65)(a) is required in the following situations:

1. The ADU is located within one-half mile walking distance of public transit, as defined in subsection (C)(4013) above.

2. The ADU is located within an architecturally and historically significant historic district.

3. The ADU is part of the proposed or existing primary residence or an accessory structure under subsection (D)(1)(a) above.

4. When on-street parking permits are required but not offered to the occupant of the ADU.

5. When there is an established car share vehicle stop located within one block of the ADU.

6. When the permit application to create an ADU is submitted with an application to create a new single-family or new multifamily dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria listed in subsections (F)(5)(b)(1-5) above.

(c) *No replacement.* When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

(d) Each unenclosed parking space shall be at least eight and a half feet wide and 18 feet long.

(e) Each parking space that is provided in an enclosed garage shall be at least 10 feet wide and 20 feet long and have at least seven and a half feet vertical clearance.

~~(76)~~ *Architectural requirements.*

(a) The materials and colors of the exterior walls, roof, and windows and doors must match the appearance and architectural design of those of the primary dwelling.

(b) The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.

(c) Fencing, landscaping, or privacy glass in the windows shall be used to provide screening between the ADU and an adjoining residential property.

(d) All windows and doors in an ADU that are less than 30 feet from a property line that is not a right-of-way line must either be (for windows) clerestory with the bottom of the glass at least six feet above the finished floor, or (for windows and for doors) utilize frosted or obscure glass.

(G) Specific requirements for cottage communities. See § 9-5.3850, Innovative Housing Overlay District, for standards regarding ADUs in cottage communities.

~~(GH)~~ *Fees.* The following requirements apply to all ADUs and JADUs that are approved under subsections (D)(1), ~~or~~ (D)(2), or D(3) above.

(1) *Impact fees.*

(a) No impact fee is required for an ADU or JADU, including an ADU in a cottage community, that is less than 750 square feet in size.

(b) Any impact fee that is required for an ADU that is 750 square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. ~~(E.g., the floor area of the primary dwelling, divided by the floor area of the ADU, the typical fee amount charged for a new dwelling.)~~ per the requirements of § 9-3.60 **IMPACT FEE** here does not include any connection fee or capacity charge for water or sewer service.

1. In the case of cottage communities, proportionality is defined in § 9-5.3850(K).

(2) *Utility fees.*

(a) If an ADU is constructed with a new single-family home, a separate utility connection directly between the ADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.

(b) Except as described in subsection (H)(2)(a), ~~C~~converted ADUs and JADUs on a single-family lot, created under subsection (D)(1)(a) above, are not required to

have a new or separate utility connection directly between the ADU or JADU and the utility. ~~nor is a connection fee or capacity charge required unless the ADU or JADU is constructed with a new single-family home.~~

(c) Except as described in subsection (H)(2)(a), all ADUs that are not covered by subsection (H)(2)(b) require a new, separate utility connection directly between the ADU and the utility.

1. The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.

2. The portion of the fee or charge that is charged by the city may not exceed the reasonable cost of providing this service.

(I) *Nonconforming zoning code conditions, building code violations, and unpermitted structures.*

(1) *Generally.* The city will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.

(2) *Unpermitted ADUs constructed before 2018.*

(a) *Permit to legalize.* As required by state law, the city may not deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if denial is based on either of the following grounds:

1. The ADU violates application building standards, or

2. The ADU does not comply with the state ADU law (Government Code section 65852.2) or this ADU ordinance (section 9-5.3805).

(b) *Exceptions.*

1. Notwithstanding subsection (I)(2)(a) above, the city may deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if the city makes a finding that correcting a violation is necessary to protect the health and safety of the public or of occupants of the structure.

2. Subsection (I)(2)(a) above does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code section 17920.3.

~~—(H!) *Nonconforming ADUs and discretionary approval.* Any proposed ADU or JADU that does not conform to the objective standards set forth in subsections divisions (A)~~

~~through (GH)(2) of this section may be allowed by the city with a conditional use permit, in accordance with the other provisions of this title.~~

(Ord. 2180-C-S, passed 3-10-20) Penalty, see § [9-5.2904](#)

§ 9-5.3850 INNOVATIVE HOUSING OVERLAY DISTRICT.

(A) *Purpose.* The purpose of the Innovative Housing (IH) Overlay District is to regulate and encourage affordable housing production in new and novel ways, including expanding where residential development is permitted and the forms it may take. The IH Overlay applies to sites currently developed with religious assembly uses with unused or underutilized land. In compliance with Government Code Section 65583(c)(7), the IH Overlay District also facilitates the development of accessory dwelling units that can be offered at affordable rent.

(B) *Definitions.* As used in this section, terms are defined as follows:

(1) **ACCESSORY DWELLING UNIT** or **ADU** means a residential dwelling unit that provides complete independent living facilities for one or more persons. An accessory dwelling unit also includes the following:

(a) An efficiency unit, as defined by California Health and Safety Code Section 17958.1; and

(b) A manufactured home, as defined by California Health and Safety Code Section 18007.

(2) **AFFORDABLE HOUSING** means rental housing that is restricted by recorded document to provide the housing at an affordable rent, as defined in Section 50053 of the California Health and Safety Code.

(3) **ASSUMED HOUSEHOLD SIZE** means generally, a household of one person in a studio apartment, two persons in a one bedroom unit, three persons in a two bedroom unit, and one additional person for each additional bedroom thereafter. However, the assumed household size is subject to the requirements of different funding sources and may differ accordingly.

(4) **COTTAGE** means a small detached residential structure. A cottage may be one detached accessory dwelling unit or two accessory dwelling units attached to one another (i.e., creating a duplex or two-family dwelling).

(5) **COTTAGE COMMUNITY** means a cluster of no fewer than three cottages (which can range from three units if each cottage is a single ADU to six units if each cottage is a two-family dwelling) that interact together as a small community and are designed with a coherent concept. Cottage communities are their own category of

residential facilities and are not considered single-family or multiple-family dwellings. An existing or proposed single-family or multiple-family dwelling is not required in order to develop a cottage community.

(6) **PUBLIC TRANSIT** means either a high-quality transit corridor as defined in Section 21155(b) of the Public Resources Code, or a major transit stop as defined in Section 21064.3 of the Public Resources Code.

(7) **RELIGIOUS ASSEMBLY USE** means land or premises to gather together for common religious purposes, including worship, religious study, and related religious, philanthropic, or social activities. Churches, chapels, mosques, synagogues, and temples, are examples of properties developed with religious assembly uses.

(8) **SITE DEVELOPMENT AREA** means the portion of a parcel identified for housing development, including the associated setbacks, usable open space, and on-site parking and circulation. For example, a religious institution may own a 2-acre site and plan to develop only half the site, making the site development area 1 acre.

(C) **Review process.** Sites shown within the IH Overlay District on the Antioch Zoning Map are qualified by-right for development of cottage communities and can submit an application to the Planning Department for ministerial review. For sites outside of the IH Overlay District, a rezone of the site to be included in the IH Overlay District is required with approval from City Council prior to submitting an application to the Planning Division.

(1) Sites within the IH Overlay District may be developed pursuant to their underlying zoning instead of the IH Overlay District regulations. In this case, development shall be regulated and approved according to the underlying zoning district regulations and its associated standards, such as the Multi-family Residential Objective Design Standards.

(D) **Affordability.** Consistent with Government Code Sections 65583(c)(7) and 65852.2(g), the IH Overlay District goes beyond the statutory minimum to further the creation of ADUs offered at affordable rate. Housing development in the IH Overlay District is subject to the following affordability requirements:

(1) One hundred percent of the development project's total units, exclusive of a manager's unit or units, are for lower income households, except that up to 20 percent of the total units in the development may be for moderate-income households and up to 5 percent of the total units in the development may be for staff of the religious institution on site. Calculations resulting in fractional units may be rounded to the next whole number.

(2) All affordable units shall be subject to a recorded deed restriction of 20 years, unless a local ordinance or the terms of a federal, state, or local grant, tax credit, or other project financing requires, as a condition of the development of residential units, that the development include a certain percentage of units that are affordable to, and

occupied by, low-income, lower income, very low income, or extremely low income households for a term that exceeds 20 years.

(a) This requirement does not apply to any manger's unit or units or any unit or units reserved for staff of the on-site religious institution.

(E) *Density.* Cottage communities shall contain a minimum of three cottages on a site. The density of a cottage community shall not exceed 15 dwelling units per acre, where the site development area is used to calculate the site acreage and each ADU counts as one unit. A cottage community with a density greater than 15 dwelling units per acre requires the approval of a use permit.

(1) ADUs may be attached to one another in sets of two; no more than two units shall be contained within one building footprint. There is no limit on the total number of attached structures (e.g., duplexes) in one cottage community, subject to the density requirements of division (E).

(F) *Development standards.* Cottage communities are not subject to the multi-family design standards and shall comply with the standards below.

(1) *Building footprint.* All units shall be self-contained and include their own kitchen and bathroom facilities. No unit shall be smaller than 150 square feet and no greater than 1,200 square feet; a cottage with two attached units must then be at least 300 square feet and no more than 2,400 square feet. The building footprint shall be measured by calculating the total square foot area of a building that covers a portion of a lot, when viewed directly from above, except for the following structures or parts of structures:

(a) Any part of the structure without a roof.

(b) Roof eaves.

(c) Carports, porches, and balconies that are open at least 50 percent of their respective perimeter.

(d) Detached garages or sheds.

(2) *Height.* Cottages shall have a maximum height of 18 feet and no structure shall exceed two stories.

(a) *Exception.* Where the ridge of a roof is pitched with at least a slope of 6 to 12, the maximum roof height may extend up to 25 feet. All parts of the roof above 18 feet must be pitched.

(3) *Cottage orientation.* Cottages shall generally be oriented towards common open space, with at least 50 percent of cottages abutting common open space.

(a) Exception. This standard may be reduced to 40 percent of cottages abutting common open space for cottage communities that include at least 15 percent of units, exclusive of a manager unit or units, for extremely or very low income households.

(4) Usable open space.

(a) Common open space open to all residents shall be provided and maintained for cottage communities as follows:

<u>Total Number of Units</u>	<u>Amount of Common Open Space Per Unit</u>
<u>3-9</u>	<u>100 square feet per dwelling unit if all cottages are separated by at least 10 feet. 150 square feet per dwelling unit if any of the cottages are separated by less than 10 feet.^A</u>
<u>10-20</u>	<u>200 square feet per dwelling unit, of which up to 60 square feet may be private open space.</u>
<u>More than 20</u>	<u>250 square feet per dwelling unit, of which up to 70 square feet may be private open space.</u>
<u>A. Duplexes separated from other duplexes (or ADUs) by ten feet may utilize the 100 square foot/unit requirement.</u>	

1. Exception. Sites that are within one-half mile walking distance of a public park are not required to provide common open space if there is unobstructed access to the park from the development.

(b) Cottage communities that include 10 or more units shall be required to include and maintain at least one of the following features in the required common open space:

1. Children's play area with play equipment (not an option for senior housing developments)

2. Community garden

3. Dog park

4. Sports court

5. Barbeque/grill area or fire pit

6. Outdoor seating area with gazebo, arbor, or similar shade structure

(c) Usable open space shall include a mix of landscaping and greenery, including but not limited to trees, shrubs, gardens, and green spaces. Off-street parking and

loading areas, driveways, and service areas shall not be counted as usable open space. Pedestrian and bicycles paths or trails may not be counted as usable open space.

(d) On-site recreational facilities for the religious assembly use may count towards open space requirements for the cottage community if a written agreement is provided that allows shared use of the facilities between the cottage community and religious institution.

(5) Setbacks.

(a) When the development site area is adjacent to a property line, the following standards apply:

1. Minimum front yard setback of 15 feet on arterial and collector streets and 10 feet on local streets.

2. Minimum interior side yard setback of five feet.

3. Minimum street side yard setbacks (for corner lots) of 15 feet on arterial and collector streets and 10 feet on local streets.

4. Minimum rear yard setback of ten feet.

5. Front and street side setbacks shall be reserved for landscaping only, excluding access and egress driveways.

(b) When the development site area is internal to the religious assembly use and not adjacent to a property line, there are no setback requirements.

(6) Building separation. Cottages shall be separated from other cottages by at least 5 feet. The minimum distance between all other structures shall be in accordance with fire and building code requirements.

(7) Architectural standards. Cottage communities shall have a cohesive architectural theme across all cottages. This could be conveyed through consistent buildings materials and colors; consistent roof pitch wherein each cottage's roof pitch is within 10 degrees of all adjacent cottages; horizontal articulation such as siding, cladding, and floor separation that is parallel across cottages; and/or consistent window proportions and window spacing dimensions.

(8) Community buildings. Cottage communities may include community buildings for the shared use of residents that provide space for accessory uses and/or supportive services, such as community centers, case manager offices, and childcare centers for the residents.

(a) Parking shall be provided for employees of community buildings at a rate of at least 1 space per employee on the largest shift, or according to the rates in Table 9-5.17031.1, whichever is less.

(9) *Pedestrian connectivity.* A hard-surfaced, all-weather (e.g., concrete, asphalt, pavers) pedestrian path of at least four feet wide must be provided that connects the main entrance of each cottage to the following:

(a) Any common usable open space or recreational facilities on site or to any public park facilities located on an adjacent lot.

(b) The parking area that serves it.

(c) Community buildings.

(d) Sidewalks and public rights-of-way (including pathways or trails) abutting the site.

(10) *Waste and recycling.* Cottage communities must subscribe to the city's three-container collections services for trash, recyclable materials, and organics and comply with all requirements of Antioch Municipal Code § 9-5.1401.

(a) *Exception.* Cottage communities may share an existing trash enclosure with the on-site religious institution if the existing trash enclosure has enough capacity to meet the additional demand from the cottage communities per State and local regulations.

(11) *Nonconforming cottage communities and discretionary approval.* Any proposed cottage community that does not conform to the objective standards set forth in division (F) may be allowed by the city with a conditional use permit.

(G) *Fire protection.* Cottage communities must meet fire code requirements and fire sprinklers are required in cottages when required by building code.

(H) *Rental term.* No unit in a cottage community may be rented for a term that is shorter than 30 days.

(I) *Parking.* Parking shall be provided consistent with § 9-5.1704(F) and § 9-5.3850(F)(8)(a) of this Municipal Code.

(J) *Nonconformity of existing use.* The development of affordable housing pursuant to this section shall not require the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the new residential development.

(K) *Impact fees.* Cottage communities are subject to the impact fee provisions of § 9-3.60 and no impact fee is required for a unit that is less than 750 square feet in size. Units that are 750 square feet or larger in size shall be charged proportionately in relation to a 1,940-square foot single-family home, which is the average size of a detached, single-family home in Antioch (e.g., the floor area of the cottage, divided by 1,940 square feet, times the typical fee amount charged for a new dwelling).

(L) *Fair housing.* Housing built in the IH Overlay is required to comply with all applicable state and federal fair housing requirements, including the California Fair Employment and Housing Act, Unruh Civil Rights Acts, and federal Fair Housing Act. This includes but is not limited to religion-based discrimination.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
AMENDING THE ANTIOCH ZONING MAP TO INCLUDE THE INNOVATIVE
HOUSING (IH) OVERLAY DISTRICT
(LA2023-0003)**

The City Council of the City of Antioch does ordain as follows:

SECTION 1:

The City Council determined on November 14, 2023 pursuant to the California Environmental Quality Act (CEQA) Guidelines §15061(b)(3), the “Common Sense” Exemption and CEQA Guidelines §15282(h), which statutorily exempts the adoption of Accessory Dwelling Unit ordinances, there is no possibility that this rezone will have a significant impact on the physical environment. The rezoning complies with, implements, and adopts State Accessory Dwelling Unit Law. The rezoning does not directly or indirectly authorize or approve any actual changes in the physical environment. When a specific development project occurs on a project site, it will be subject to environmental review pursuant to CEQA, if applicable.

SECTION 2:

At its regular meeting of October 18, 2023, the Planning Commission recommended that the City Council adopt the Ordinance to amend the City’s Zoning Map to include an Innovative Housing (IH) Overlay District for 25 sites; the Planning Commission motion removed Cornerstone Christian Center from the list of properties to be rezoned with the IH Overlay District. The City Council has reviewed and rejected this recommendation given the desire to provide greater flexibility for Cornerstone Christian Center and therefore includes 26 sites as listed below.

Map #	Faith Institution	Address	Accessor Parcel Number (APN)
1	Cornerstone Christian Ctr.	E 18th St	51140034
	Cornerstone Christian Ctr.	1715 E 18th St	51140008
2	Grace Bible Fellowship	3415 Oakley Rd	51200065
3	St. Johns Lutheran Church/ Antioch Christian Center	1360 E Tregallas Rd	52013015
4	Antioch Seventh-day Adventist Church	2200 Country Hills Dr	55071105
	Antioch Seventh-day Adventist Church	2200 Country Hills Dr	55071104
5	Heritage Baptist	5200 Heidorn Ranch Rd	56130014
6	Templo Santo Church	201 E 18th St	65164023
7	Most Holy Rosary Catholic Church	1313 A St	65181018

Map #	Faith Institution	Address	Accessor Parcel Number (APN)
	Most Holy Rosary Catholic Church	1403 A St	65181014
8	Jubilee Christian Center/ Pentecostal Holiness Church	11 Texas St	67283019
9	Iglesia Ni Cristo	548 Texas St	67291026
	Iglesia Ni Cristo	508 Texas St	67291046
10	Wesleyan Church	2800 Sunset Ln	68161050
11	Hillside Baptist Church	108 Hillside Rd	68181009
	Hillside Baptist Church	108 Hillside Rd	68181010
12	Antioch Family Church	330 Worrell Rd	68221068
13	Kings Chapel of Antioch	320 Worrell Rd	68221069
14	First Missionary Baptist Church	620 E Tregallas Rd	68251011
15	The Landing Place (Acts Full Gospel East County) (formerly Salvation Army)	620 E Tregallas Rd	68251012
16	Eastside Church of Christ	1020 E Tregallas Rd	68351003
17	First Christian Church	2725 Minta Ln	71024013
18	New Life Free Will Baptist/ Rivertown Community Church	11 Worrell Rd	71071021
19	Antioch United Methodist Church on the Rock	50 Walton Ln	71080009
20	First Family Church	3195 Contra Loma Blvd	71130026
	First Family Church	3195 Contra Loma Blvd	71241001
	First Family Church	3195 Contra Loma Blvd	71234001
21	St. Ignatius of Antioch Church	3351 Contra Loma Blvd	71370026
22	Palabra de Dios	501 Auto Center Dr	74130080
23	Iglesia Nueva Esperanza/ Antioch Covenant Church	1919 Buchanan Rd	76231007
24	The Church of Jesus Christ of Latter-day Saints	3015 Rio Grande Dr	76310001
25	Journey Church	1200 Putnam St	76310003
26	Antioch Church Family	55 E 18 th St	65183036

SECTION 3:

The City Council makes the following findings pursuant to Section 9-5.2802 "FINDINGS REQUIRED" of the Antioch Municipal Code for the proposed zoning change:

1. That the proposed zone reclassification will allow uses more suitable for the area than the present classification.
The IH Overlay would allow sites the flexibility to develop with housing while maintaining existing uses. The proposed IH Overlay sites are in neighborhoods well-served by amenities and services and have land capacity that is feasible for residential development, making residential land uses suitable.
2. That uses permitted by the proposed zone will not be detrimental to adjacent or surrounding property.
Allowing multiple accessory dwelling units configured in cottage communities is a gentle way to add needed affordable housing without disrupting neighbors. Development standards related to setbacks, separation between buildings, required open space, minimum parking, and maximum height will ensure that cottages respect the neighborhood context and do not have a detrimental effect on neighbors.
3. That evidence has been presented documenting land use changes in the area to warrant a change of zone.
Evidence has been presented in the form of a written staff report, maps, and oral staff presentation at the Planning Commission and City Council meetings.
4. That the requested zone change is in conformance with the General Plan.
Per California Government Code Section 3552.2(a)(1)(C), accessory dwelling units are a residential use that is consistent with the existing General Plan and zoning designation for the lot. Moreover, per General Plan Land Use Policy 4.4.2.2(b), religious assembly uses are permitted and appropriate for sites designated for residential uses, indicating that coinciding residential and religious assembly land uses is consistent with the General Plan.

SECTION 4:

The real property shown in Exhibit 1, attached hereto, is hereby rezoned to include the IH Overlay District, and the zoning map is hereby amended accordingly.

SECTION 5: Publication; Effective Date

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 foregoing ordinance was introduced at a regular meeting of the City Council of the City of Antioch, held on the 14th day of November 2023, and passed and adopted at a regular meeting thereof, held on the 28th day of November 2023, by the following vote:

AYES:

NOES:

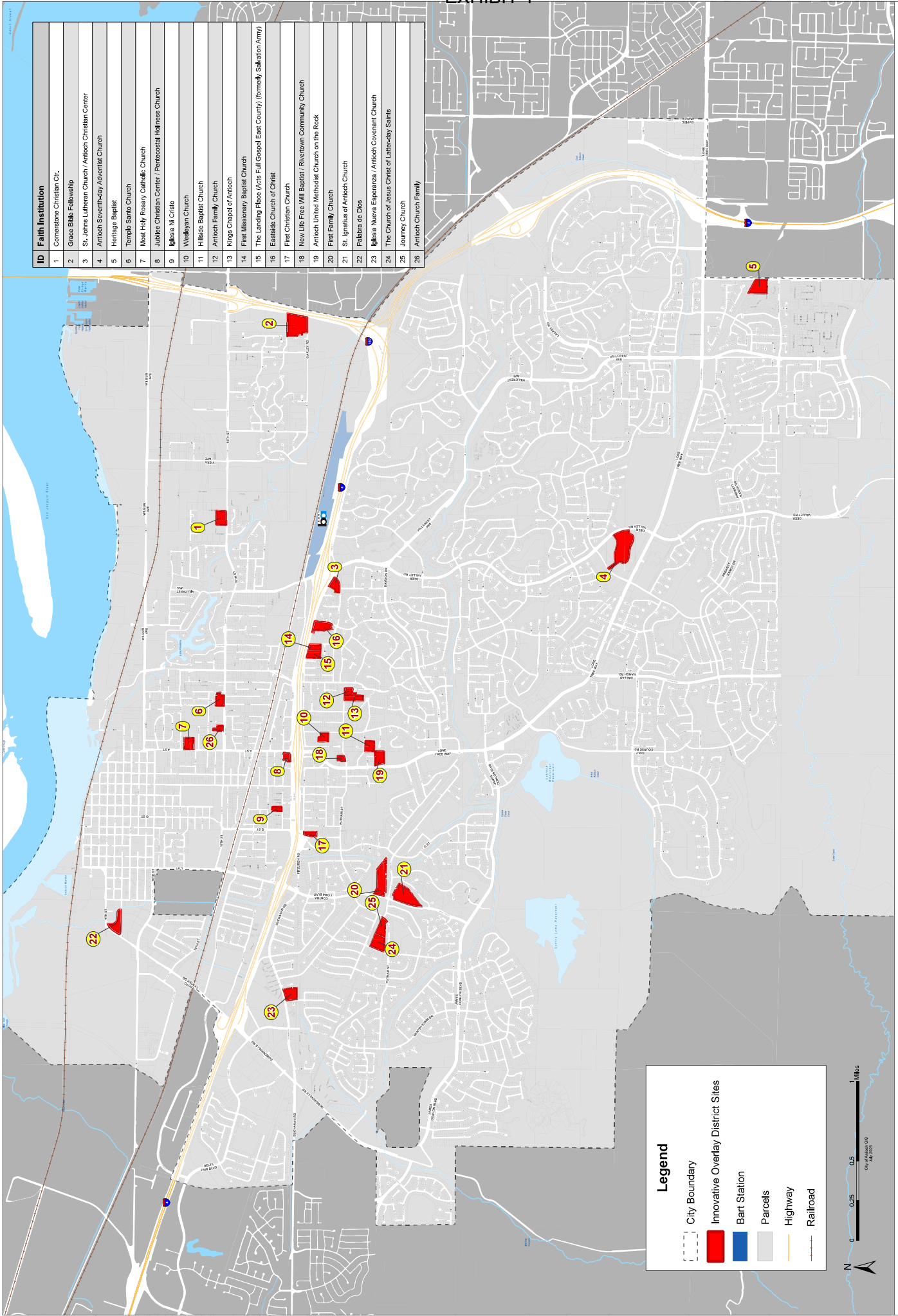
ABSTAINED:

ABSENT:

LAMAR A. THORPE
MAYOR OF THE CITY OF ANTIOCH

ATTEST:

ELIZABETH HOUSEHOLDER
CITY CLERK OF THE CITY OF ANTIOCH



Innovative Housing Overlay District Sites

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of November 28, 2023

SUBMITTED BY: Meredith Rupp, Partnership for the Bay's Future Fellow
Zoe Merideth, Acting Planning Manager

APPROVED BY: Kevin Scudero, Acting Community Development Director

SUBJECT: Zoning Text Amendments (LA2023-0004) - Second Reading of the Ordinance

RECOMMENDED ACTION

It is recommended that the City Council adopt an ordinance amending Title 9 Chapter 5 of the Antioch Municipal Code to implement Housing Element programs, codify legislation, and clarify existing regulations (Attachment A).

FISCAL IMPACT

There are no direct fiscal impacts incurred by the City for the approval of the ordinance.

DISCUSSION

The adoption of an ordinance requires two separate readings. The City Council introduced the subject ordinance at its November 14, 2023 regular meeting. This second reading will finalize the adoption of the ordinance. The ordinance will take effect 30 days after their final passage. (Gov. Code, § 36937).

Zoning Text Amendments are needed to implement Housing Element programs, codify State and federal legislation, and clarify existing regulations. The Council introduced the Zoning Text Amendments at the November 14, 2023 Council meeting.

ATTACHMENT

A. Zoning Text Amendments Ordinance

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
AMENDING TITLE 9 CHAPTER 5 OF THE MUNICIPAL CODE TO IMPLEMENT
HOUSING ELEMENT PROGRAMS, CODIFY LEGISLATION, AND CLARIFY
EXISTING REGULATIONS
(LA2023-0004)**

The City Council of the City of Antioch does ordain as follows:

SECTION 1:

The City Council is committed to taking the steps necessary to promote and protect the public health, safety and general welfare. The City of Antioch has the authority to make and enforce within its limits all ordinances and regulations not in conflict with general laws (Cal. Const. art. XI § 7) including, but not limited to, all rights and powers that are expressly granted and necessarily or fairly implied by state law.

SECTION 2:

The City Council has reviewed, considered, and evaluated all of the information prior to acting upon the Ordinance and finds that the Zoning Text Amendments will:

1. Support implementation of Housing Element Program 3.1.1 "Housing Opportunities for Extremely Low-Income Households and Special Needs," Program 3.1.5 "Emergency Shelters, Supportive, and Transitional Housing," and Program 4.1.6 "Review and Revise Residential Parking Requirements."
2. Implement State and federal legislation related to family daycare homes (California Health and Safety Code Section 1597.40), religious assembly uses (42 US Code Section 2000cc), and manufactured homes (California Government Code Section 65852.3).
3. Improve clarity and consistency across the Municipal Code and conform with the General Plan.

SECTION 3:

At its regular meeting of October 18, 2023, the Planning Commission adopted Resolution 2023-31 recommending that the City Council adopt an ordinance amending sections of Title 9 Chapter 5 of the Antioch Municipal Code.

SECTION 4:

The Zoning Text Amendments shown in Exhibit 1, attached hereto, amend the following sections of Title 9 "Planning and Zoning" of the Antioch Municipal Code: Section 9-5.203 "Definitions," Section 9-5.601 "Height, Area & Setback Regulations For Primary Structure," Section 9-5.603 "Accessory Buildings," Section 9-5.1602 "Height Restrictions," Section 9-5.1703.1 "Off-Street Parking Requirements By Use," Section 9-

ATTACHMENT A

5.1704 "Parking Requirements," Section 9-5.3803 "Table Of Land Use Regulations," and Section 9-5.3804 "Manufactured Home."

SECTION 5: Severability.

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 6. CEQA.

The amendments to the City's Municipal Code are not considered a project under the California Environmental Quality Act (CEQA) under the common sense exemption (CEQA Guidelines §15061(b)(3)) because the proposed amendments will not have a direct or reasonably foreseeable indirect physical change or effect on the environment.

SECTION 7: Publication; Effective Date

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 foregoing ordinance was introduced at a regular meeting of the City Council of the City of Antioch, held on the 14th day of November 2023, and passed and adopted at a regular meeting thereof, held on the 28th day of November 2023, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

LAMAR A. THORPE
MAYOR OF THE CITY OF ANTIOCH

ATTEST:

ELIZABETH HOUSEHOLDER
CITY CLERK OF THE CITY OF ANTIOCH

**EXHIBIT 1
PROPOSED ZONING TEXT AMENDMENTS**

§ 9-5.203 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

...

MAJOR TRANST STOP. Consistent with California Public Resources Code Section 21064.3, a site containing any of the following:

(a) An existing rail or bus rapid transit station

(b) A ferry terminal served by either a bus or rail transit service

(c) The intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

...

ARTICLE 6: HEIGHT AND AREA REGULATIONS AND TABLE

§ 9-5.601 HEIGHT AND AREA REGULATIONS.

The following chart and text are adopted as the city's basic height and area regulations. First find the appropriate zoning district on the left hand side of the table. Read across the chart opposite the specific zone in question and the height or area requirement for that zone, or a letter, will appear in the appropriate column. If a letter appears in any cell, it refers to the, requirement listed in the footnotes following the table.

Table 9-5.601 Height, Area & Setback Regulations for Primary Structure

Table 9-5.601 Height, Area & Setback Regulations for Primary Structure

HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE											
Zone	Maximum Height Feet ^b	Minimum Building Site Sq. Ft.	Minimum Lot Width in Feet		Maximum Lot Coverage	Minimum Density Allowed (Units per Gross Developable Acre)	Maximum Density Allowed Units Per Gross Developable Acre ^d	Front Yard Minimum ^{a,k}	Minimum Side Yard Required in Feet ^e		Minimum Rear Yard Required in Feet
			Corner	Interior					Corner	Interior	
RE	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS										
RR	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS										
CIH	IN COMPLIANCE WITH THE COMMERCIAL INFILL HOUSING OVERLAY DISTRICT OBJECTIVE DESIGN STANDARDS DOCUMENT.										
R-4	35	6,000	65	60	40%	NA	4 du/acre	f	f	5 ft.	20 ft.
R-6	35	6,000	65	60	40%	NA	6 du/acre	f	f	5 ft.	20 ft.
R-10	45	6,000	65	60	40%	NA	10 du/acre	f	f	5 ft.	10 ft.
R-20	45	20,000	70	70	40%	NA	20 du/acre	f	f	5 ft.	10 ft.
R-25	45	20,000	70	70	50%	20 du/acre	25 du/acre	f	f	5 ft.	10 ft. ^m
R-35	45	20,000	70	70	50%	25 du/acre	35 du/acre	f	f	5 ft.	10 ft. ^m
PBC	35	20,000	65	60	35%	NA	0	f	f	0 ft.	0 ft.
C-0	35	20,000	65	60	35%	NA	0	f	f	0 ft.	10 ft.
C-1	35	20,000	65	60	35%	NA	0	f	f	0 ft.	10 ft.

HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE											
Zone	Maximum Height Feet ^b	Minimum Building Site Sq. Ft.	Minimum Lot Width in Feet		Maximum Lot Coverage ^c	Minimum Density Allowed (Units per Gross Developable Acre)	Maximum Density Allowed Units Per Gross Developable Acre ^d	Front Yard Minimum	Minimum Side Yard Required in Feet ^e		Minimum Rear Yard Required in Feet
			Corner	Interior					Corner	Interior	
C-2	35	20,000	65	60	35%	NA	0	f	f	0 ft.	10 ft.
C-3	70	20,000	65	60	35%	NA	0	f	f	0 ft.	10 ft.
MCR ^j	45	6,500	65	60	50%	NA	20 du/acre	f	f	5 ft.	10 ft.
RTC ^j	50	2,500	25 ^g	25 ^g	100%	NA	20 ^h	0 ⁱ	0 ⁱ	0 ft.	0 ft.
RTR- 10	45	3,500	45	45	50%	NA	12	15	10	5 ft.	15 ft.
RTR- 20	45	20,000	100	100	50%	NA	20	15	10	5 ft.	10 ft.
WF	45	6,500	60	60	60%	NA	0	0	0	0 ft.	0 ft.
M-1	45	40,000	100	100	50%	NA	0	f	f	0 ft.	0 ft.
M-2	70	40,000	100	100	50%	NA	0	f	f	0 ft.	0 ft.
HPD	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS										
PD	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS										
RRMP	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS IN A MANNER CONSISTENT WITH ARTICLE 41 OF THE MUNICIPAL CODE										
TOD	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS										
H	70	SAME AS C-0 ZONE ^k									

HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE											
Zone	Maximum Height Feet ^b	Minimum Building Site Sq. Ft.	Minimum Lot Width in Feet		Maximum Lot Coverage ^e	Minimum Density Allowed (Units per Gross Developable Acre)	Maximum Density Allowed Units Per Gross Developable Acre ^d	Front Yard Minimum	Minimum Side Yard Required in Feet ^e		Minimum Rear Yard Required in Feet
			Corner	Interior					Corner	Interior	
OS	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
S	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS										
SH	SAME AS UNDERLYING BASE ZONE										
T	SAME AS UNDERLYING BASE ZONE										

HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE	
a	Where 40% or more of the frontage (excluding reversed frontage lots) in a block has been improved with buildings, the minimum required front yard for main buildings shall be the average of the improved lots if less than the front yard requirements, but not less than six feet from the property line.
b	Height shall mean the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the structure, excluding below ground basements, to the topmost point of the roof. Exceptions to the specified height limitation shall include the spires, belfries, cupolas and domes of churches <u>religious facilities (e.g., churches, mosques, temples)</u> , monuments, water towers, fire and hose towers, observation towers, distribution and transmission towers, lines and poles, chimneys, smokestacks, flag poles, radio towers, excluding wireless communications facilities subject to § 9-5.3846, equipment penthouses encompassing less than 20% of total roof area and less than eight feet in height, and parapets less than 30 inches in height, unless otherwise governed by this chapter.
c	Minimum lot area in all zones shall not apply to the condominium parcelization of a larger project where land is being divided for individual building envelopes.
d	Maximum density allowed is defined in the city General Plan as per the maximum developable gross acreage definition found in this chapter.
e	For at least 25% of the lots in a given subdivision, one side yard of an interior lot shall be 10 feet in width and the other side yard can be five feet. The 10- foot side yard area shall remain as unrestricted open area. This shall also apply to all two-story single-family residential lots. On any parcel of land of an average width of less than 50 feet, which parcel was under one ownership or is shown as a lot on any subdivision map filed in the office of the County Recorder prior to April 11, 1950, when the owner thereof owns no adjoining land, the width of each side yard may be reduced to 10% of the width of such parcel, but in no case to less than three feet.
f	<p>Front yard and street side setbacks shall be reserved for landscaping only, excluding access and egress driveways and shall be determined on a graduated scale based upon type of street and land use as follows:</p> <ol style="list-style-type: none"> (1) Non-residential uses. <ul style="list-style-type: none"> Arterial street: minimum 30-foot setback with 30-foot landscaping on all frontages. Collector street: minimum 25-foot setback with 25-foot landscaping. Local street: minimum 20-foot setback with 20-foot landscaping. (2) Single-family detached and two-family dwelling uses. <ul style="list-style-type: none"> Arterial street: minimum 30-foot setback with 30-foot landscaping on all frontages. Collector street: minimum 25-foot setback and landscaping for front yard and 10-foot street side yard setback with landscaping Local street: minimum 20-foot front yard setback with 20 foot of landscaping and 10-foot street side yard setback with landscaping. (3) Multi-family dwelling uses. <ul style="list-style-type: none"> Arterial street: minimum 15-foot setback with 15-foot landscaping on all frontages. Collector street: minimum 15-foot setback with 15-foot landscaping. Local street: minimum 10-foot setback with 10-foot landscaping.
g	New construction with frontage in excess of the minimum lot width shall reflect the pattern of building widths in facade design.

HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE	
^h	<p>Within the area bounded by the Burlington Northern Santa Fe Railroad, "I" Street, Second Street, and "E" Street, residential density may be increased to 45 dwelling units per acre provided:</p> <ol style="list-style-type: none"> (1) The residential use is part of a mixed use development with the entire first floor devoted to commercial use; (2) The proposed development provides public amenities as described in § 4 (relating to residential use in RTC); and (3) The project has received use permit approval from the Planning Commission.
ⁱ	<p>Buildings in the RTC district shall be placed on the property line except for:</p> <ol style="list-style-type: none"> (1) Setbacks to accommodate outdoor dining and plazas, provided that such setbacks do not exceed a depth of one-third of the lot depth; (2) Courtyards, promenades, and plazas located on any portion of the site; and (3) Where a setback is necessary to maintain the uniform setback of building facades.
^j	<p>The first floor of a building shall extend from property line to property line except:</p> <ol style="list-style-type: none"> (1) In setback areas for outdoor dining, plazas; and (2) For required vehicular or pedestrian access.
^k	Notwithstanding any other provisions of this chapter for yard requirements, in any residential district the front of any garage shall be not less than 20 feet from the exterior property line on which such garage faces.
^l	For projects that consist of attached single-family dwellings (townhomes), in which each dwelling occupies its own lots, the minimum lot area is 1,800 square feet and the minimum required interior side setback is zero.
^m	Where a multi-family dwelling abuts a lot that is zoned RR, RE, R4 or R6, a minimum rear yard of 20 feet shall be provided.

§ 9-5.603 ACCESSORY BUILDINGS.

(A) In residential districts, the maximum allowable height is 15 feet for accessory structures. Detached accessory structures shall be located behind the required front yard setback and cover no more than 40% of the rear yard area required for the main building. The minimum side yard for accessory structures is 20 feet on corner lots and ~~zero~~ 5 feet on interior lots. ~~No minimum~~ A 5 foot rear yard setback is required, unless the property is a double-frontage lot in which case a 10 foot rear yard setback is required.

(1) Exception. Portable storage sheds are exempt from setback requirements when placed in the rear yard. The required minimum setback from the front property line and/or street side yard property lines (for corner lots) must be maintained. A shed is considered portable when it meets the following criteria and does not need a building permit:

- (a) Freestanding, moveable, and has no permanent foundation
- (b) Less than 120 square feet in area
- (c) Building height no greater than 8 feet
- (d) Does not contain plumbing or electrical installations

(B) In the event an accessory building is attached to the main building, it shall be considered structurally a part of the main building and shall comply in all respects with the requirements of this chapter applicable to the main building. Unless so attached, an accessory building in a residential district shall be at least five feet from any dwelling building existing or under construction on the same lot or any adjacent lot. In the case of a corner lot adjacent to a reversed frontage lot, accessory buildings shall not project beyond the front yard required or existing on the adjacent reversed frontage lot.

ARTICLE 16: FENCES, WALLS, HEDGES AND SCREEN PLANTINGS

§ 9-5.1601 GENERAL REQUIREMENTS.

(A) Fences, walls, hedges, and other structures or vegetation shall not obstruct a clear vision zone.

(B) Barbed wire, razor ribbon and other similar wire shall be prohibited on top of any fence. Exceptions may be granted by the Zoning Administrator for special circumstances.

(C) Where chain link fencing is proposed or required adjacent to a public right-of-way, park or open space, the fence fabric, posts, top rails, and hardware shall be vinyl clad.

(D) All retaining walls that are adjacent to public streets shall be placed outside the right-of-way and shall be constructed of decorative masonry block or an equivalent material approved by Community Development Department staff.

(E) All fences existing at the time of the adoption of this chapter which then became non-conforming due to height and/or setback requirements can remain subject to the provisions of the non-conforming use regulations of this chapter.

(F) Walls between residential and non-residential uses shall be of masonry construction.

§ 9-5.1602 HEIGHT RESTRICTIONS.

(A) For fences adjacent to a public right-of-way, fence height shall be measured from the finished grade at the fence location. Should the back of side-walk be at a higher elevation than finished grade, the fence height shall be measured from the back of side-walk.

(B) For interior and rear yard fences, height shall be measured from the grade level of the property line. In the event the ground elevation is not the same on both sides of a fence or wall, the height thereof may be measured from the higher ground elevation.

(C) No fence, wall, hedge or screen planting shall exceed a maximum height of 36 inches in the required front yard. All such fences shall be located outside the public right-of-way unless an encroachment permit is issued by the Director of Public Works.

(D) Fences, hedges or screen plantings shall be a minimum height of 30 inches around or within a parking lot.

(E) No fence, wall or similar structure shall exceed six feet in height in any zoning district, with the following exceptions:

(1) In commercial and industrial districts, the maximum height may be eight feet subject to approval of an administrative use permit by the Zoning Administrator. Higher walls may be approved by the Planning Commission if required by an acoustical study, and there are no feasible alternatives that would allow for a wall eight feet in height or less.

(2) In residential districts, a masonry sound wall built adjacent to an arterial street or school site may be eight feet in height subject to a documented sound study. Higher walls may be approved by the Planning Commission if required by an acoustical study and there are no feasible alternatives that would allow for a wall eight feet in height or less.

(3) In residential districts the fence height on interior side and rear property lines may be increased to eight feet, provided that the top two feet of such is constructed of open lattice, wrought iron, tubular steel, or a similar material.

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 1064-C-S, passed 12-15-05) [Penalty, see § 9-5.2904](#)

§ 9-5.1603 SETBACKS; STREETSIDE AND SIDEYARD FENCES.

(A) Fences of up to six feet may be placed within the required corner sideyard building setback or at the public right-of-way line.

(B) The following restrictions shall apply:

(1) The fence does not obstruct a clear vision zone.

(2) In cases where the fence is to be built in conjunction with a retaining wall, and the wall face is exposed to the street, the fence shall be setback a minimum of three feet from the retaining wall.

(Ord. 897-C-S, passed 10-25-94) [Penalty, see § 9-5.2904](#)

ARTICLE 17: PARKING REQUIREMENTS

§ 9-5.1701 PURPOSE.

The specific purposes of the off-street parking and loading regulations are to:

(A) Ensure that off-street parking and loading facilities are provided for new land uses and for enlargements of existing uses in proportion to the need for such facilities created by each use.

(B) Establish parking standards for commercial uses consistent with need and with the feasibility of providing parking on specific commercial sites.

(C) Ensure that off-street parking and loading facilities are designed in a manner that will ensure efficiency, protect the public safety, and where appropriate, insulate surrounding land uses from adverse impacts.

(D) Contribute to a balanced transportation system with a choice of transit, bicycle, pedestrian, and private automobile modes.

(E) Encourage the use of bicycles by providing safe and convenient places to park bicycles.

(F) Facilitate the development of common parking area that serve multiple establishments or uses.

(G) Minimize the area of land consumed by parking by allowing reductions to the number of required spaces near major transit stations, for uses with lower parking demand characteristics, and for shared parking facilities serving uses with different peak demand times.

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 2089-C-S, passed 6-24-14)

§ 9-5.1702 BASIC REQUIREMENTS.

(A) At the time of initial occupancy of a site, construction of a structure, or alteration or enlargement of a site or structure, off-street parking facilities and off-street loading facilities shall be provided in accord with the regulations prescribed in this chapter. Any building or structure moved from one lot to another shall provide parking as required for a new building.

(B) The number of additional parking spaces or loading berths required for an alteration or enlargement of an existing use or structure, or for a change of occupancy, shall be provided before the alteration, enlargement, or change of occupancy is allowed.

(C) If more than one use is located on a site other than a shopping center, the number of off-street parking spaces and loading berths to be provided shall be equal to the sum of the required spaces prescribed for each use.

(D) Off-street parking and loading facilities required by this article for any use shall not be considered as providing parking spaces or loading berths for any other use except where a shared parking arrangement applies or a joint facility exists. Such a facility shall contain not less than the total number of spaces or berths as required individually, or fewer spaces may be permitted where adjoining uses on the same site have different hours of operation and the same parking spaces or loading berths can serve both without conflict, according to the procedures and required findings of § [9-5.1704](#), Parking Reductions.

(E) Parking ratios for shopping center uses shall assume 90% of the available spaces are located at the front of a building. No more than 10% of the required parking is to be provided at the rear of a building and this parking should be designated and enforced as employee parking.

(F) If, in the application of the requirements of this chapter, a fractional number is obtained, one parking space or loading berth shall be required for a fraction of more than one-half, and no space or berth shall be required for a fraction of one-half or less.

(G) Any off-street parking specifically required for a given use shall be without charge.

(H) Off-street parking must be located on the same site as the use it serves, except where off-site parking has been approved according to the procedures and standards of § 9-5.1705, Off-Site Parking Facilities.

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 2089-C-S, passed 6-24-14) Penalty, see § [9-5.2904](#)

§ 9-5.1703 [RESERVED].

§ 9-5.1703.1 OFF-STREET PARKING REQUIREMENTS BY USE

(A) Off-street motor vehicle parking spaces shall be provided according to the following table. Each land use shall be provided with at least the number of off-street parking spaces stated in the table.

(1) The requirements of this chapter do not apply to development within one half-mile of a major transit stop, except as provided in California Government Code Section 65863.2.

(B) When the table does not list a proposed use, the Zoning Administrator shall determine the most appropriate equivalent use and the number of parking and loading spaces required. In order to make this determination, the Zoning Administrator may require the submission of survey data from the applicant or direct a study to be conducted at the applicant's expense. The Administrator's determination may be based on the most recent data published by the Institute of Transportation Engineers or comparable analyses.

<i>TABLE: 9-5.1703.1: OFF-STREET PARKING REQUIRED</i>	
<i>Use Classification</i>	<i>Off-Street Parking Spaces</i>

RESIDENTIAL	
Multi-family residential	1.5 spaces per unit up to 2 bedrooms; one space to be covered
	2 spaces per unit = 3 bedrooms; one space to be covered plus 1 space per 5 units for guest parking (Applies to all multi-family units)
Convalescent facilities	1 per 2 residents
Single-family residential (attached)	2 spaces per unit, one of which must be covered, plus 1 space per 5 units for guest parking
Single-family residential (detached)	2 spaces per unit in a garage, plus one guest parking space on the street within close proximity to the unit served
Elderly residential (Senior Housing Overlay) ^A	.75 covered space per unit, plus guest parking as determined during project review
PUBLIC AND SEMI-PUBLIC	
Clubs and lodges	1 per 100 sq. ft. of floor area which is used for assembly purposes
Emergency shelters	1 space per employee on the largest shift plus 0.30 spaces per bed
Day care, general and preschools	1 per employee on the largest shift plus 1 per 8 children

Government offices	1 per 250 sq. ft. of gross floor area
Hospitals	1 per bed, plus 1 space per employee on the largest shift
Maintenance and service facilities	1 per 400 sq. ft. of gross floor area
Park and Recreation Facilities	As specified by zoning permit or use permit for private facilities based upon I.T.E. studies
Public Safety Facilities	As specified by use permit
Religious assembly	1 per 4 fixed seats, and/or 1 per 50 sq. ft. of seating area if there are no fixed seats
Schools, public or private	As specified by use permit, as per I.T.E. studies
Utilities, major	As specified by use permit, as per I.T.E. studies
COMMERCIAL/RETAIL/OFFICE	
Ambulance services	1 per ambulance, plus 1 per employee on the largest shift
Animal sales and services:	
Animal boarding	1 per 400 sq. ft. of gross floor area
Animal grooming	1 per 400 sq. ft. of gross floor area
Animal hospitals (veterinary clinic)	1 per 250 sq. ft. of gross floor area
Artists' studios	1 per 1,000 sq. ft. of gross floor area

Banks and savings and loans:	1 per 250 sq. ft. of gross floor area
Drive-up service	Queue space for 5 cars per teller
Building materials and services; hardware	1 per 300 sq. ft. of sales floor area; plus 1 per 1,000 sq. ft. of outdoor storage and/or interior warehouse area
Chapels and mortuaries	1 per 3 seats and/or; 1 per 50 sq. ft. of seating area if no fixed seats
Commercial recreational and entertainment:	
Bowling alleys	6 per lane
Electronic game centers	1 per 2 machines
Golf courses	4 per each hole, plus 1 per 200 sq. ft. of floor area
Gymnasium	1 per 100 sq. ft. of floor area
Skating rinks	1 per 3 fixed seats, and/or 1 per 50 sq. ft. of seating area if there are no fixed seats; plus 1 per 75 sq. ft. of floor area for skating
Swimming pools	1 per 150 sq. ft. of pool area
Tennis and racquetball clubs	4 per court
Theaters	1 per 3 fixed seats, and/or 1 per 35 sq. ft. of seating area if there are no fixed seats
Other commercial recreation and entertainment	As specified by the Zoning Administrator, as per I.T.E. studies

Computer gaming and internet access business	As specified by use permit and required parking study (§ 9-5.3835)
Eating and drinking establishments:	1 per employee on the largest shift
General restaurant	1 per 3 seats
Cocktail lounge/bar	1 per 2.5 seats
Fast food	1 per 50 sq. ft. of gross floor area for public seating plus queue space for 6 cars if drive-up service provided
With outdoor seating	1 additional space per 3 seats
Take-out only/no seating	1 per employee on the largest shift plus additional spaces as determined by the Zoning Administrator
Gas station/ service station ^B	2 per service bay plus 1 per employee on the largest shift; with no less than 4 parking spaces provided
Gymnasium	1 per 100 sq. ft. of floor space
Health clubs	1 per 200 sq. ft. of floor space
Nurseries	1 per 1,000 sq. ft. of outside display and/or interior warehouse area, plus 1 per 300 sq. ft. of sales floor area
Offices, business, and professional	1 per 250 sq. ft. of gross floor area
Offices, medical and dental	1 per 225 sq. ft. of gross floor area

Music or dance studio, martial arts training or similar facility	1 per 250 sq. ft. of gross floor area
Mini-storage	1 per 100 rental units plus 1 per caretaker
Personal services (barber shop, beauty shop)	2 spaces per chair
Recycling facility:	
Large collection	6 spaces per facility minimum
Processing facility	10 spaces per facility minimum
Research and community development	1 per 250 sq. ft. of gross floor area
Retail sales not listed under another use classification	5 spaces/1000 sq. ft. of gross floor area
Shopping center	5 spaces/1000 sq. ft. of gross floor area
Furniture and appliance stores, households equipment, and furniture repair and warehouse sale	1 per 400 sq. ft. of gross floor area
Automobile rentals	1 per 4,000 sq. ft. of outdoor area plus 1 per rental vehicle
Automobile washing:	
Fully automated	7 spaces outside washing area
Coin-operated	1 queuing space per bay
Vehicle/equipment repair	4 per service bay or 1 per 225 sq. ft. of gross floor area whichever is greater
Vehicle/equipment sales and rentals, and other outdoor storage	1 per 4,000 sq. ft. of outdoor display area

Visitor accommodations:	
Bed and breakfast inns	1 per guest room; plus 2 spaces
Hotels, motels and time share facilities	1 per guest room; plus 1 per employee on the largest shift and one per 50 sq. ft. of banquet or conference seating area
Warehousing, distribution, storage	1 per 1,000 sq. ft. of gross floor area
INDUSTRIAL	
Light manufacturing	1 per 400 sq. ft. of gross floor area
Heavy manufacturing	1 per employee on the largest shift
^A Parking for senior housing projects may be reduced during project review to less than 0.75 space per unit based upon residents' ages and vehicle ownership patterns and must be documented by studies prepared by the project proponents, according to the procedure and findings in § 9-5.1704 , Parking Reductions.	
^B For a service station combined with a food mart, one space per 250 square feet of retail sales area shall be provided (office and bathroom areas may be excluded from calculations) in addition to the required employee parking, and service bay parking, if any. In no case shall there be less than four spaces provided for a service station or six spaces provided for a service station combined with a food mart. If combined with a towing service, in addition to the above requirements, one additional space per towing vehicle shall be provided at the rear of the site.	

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 930-C-S, passed 7-29-97; Am. Ord. 1064-C-S, passed 12-13-05; Am. Ord. 2075-C-S, passed 11-26-13; Am. Ord. 2089-C-S, passed 6-24-14) Penalty, see § [9-5.2904](#)

§ 9-5.1704 PARKING REDUCTIONS.

(A) *Purpose.* The purpose of this section is to establish procedures and criteria for allowing reductions to the number of required automobile parking spaces for projects that are anticipated to generate lower-than-usual parking demand due to factors such as proximity to major transit stops and stations, the characteristics of the use, or implementation of transportation demand management measures, as well as for shared

parking facilities serving uses with different peak demand times. These provisions are also intended to allow modifications to parking standards when necessary to preserve the architectural or historical character of a structure or property.

(B) *Qualifying projects.* Reduced parking requirements may be considered for the following types of projects:

(1) *Senior housing.* The required parking for a senior housing development may be reduced below the normally required 0.75 spaces per dwelling unit for projects anticipated to generate lower parking demand due to vehicle ownership patterns of the residents and/or characteristics of the project (e.g., proximity to commercial services, proximity to public transportation systems).

(2) *Shared (joint) parking facilities.* Parking facilities that are cooperatively established and operated to serve multiple uses and these uses generate parking demands primarily during hours when the remaining uses are not in operation.

(3) *Transit-supportive development.* Residential or mixed-use projects that contain no more than 50 dwelling units and are located within one-half mile of a major transit stop.

(4) *Infill sites.* Residential or mixed-use projects that contain no more than 30 dwelling units and are located on infill sites.

(5) *Uses near public parking facilities.* Uses located within one-quarter mile of a publicly accessible parking facility, the use of which is not limited to a specific business or activity during the use's peak parking demand. Such parking facilities shall meet the requirements of § [9-5.1705](#), Parking Location/Off-Site Parking Facilities.

(6) *Projects incorporating TDM measures.* Projects for which the developer proposes a set of transportation demand management (TDM) measures-such as rideshare programs, shuttle services, bicycle trip-end facilities, staggered work shifts, and telecommuting programs-projected to reduce parking demand generated by the use. Such projects shall be required to document the implementation and impacts of such programs, as described in division (E), Monitoring of TDM Programs, below.

(7) *Historic structures.* Projects for which allowing a reduction in the number of required spaces (and/or modifications to dimensional requirements for parking areas) will facilitate the re-use of an existing building that is an historic resource as defined by the State Public Resources Code or is a designated historic building.

(C) *Procedure.* A request for a reduction to the number of parking spaces consistent with the requirements of this section shall be processed as a use permit, according to the procedures of Article 27. Any parking reduction that is not in accordance with this section (i.e., is not a qualifying project pursuant to division (B) or cannot meet the findings for approval in division (D)) shall require a variance.

~~(1) *Application materials.* In addition to other application materials required for the consideration of the use permit, the Zoning Administrator may require submission of a parking demand study prepared by an independent traffic engineering professional~~

~~approved by the city that substantiates the basis for granting a reduction in required parking spaces.~~

~~(21) *Parking demand study.* In order to evaluate a proposed project's compliance with the required findings for approval, In addition to other application materials required for the consideration of the use permit,~~ the Zoning Administrator may require submittal of a parking demand study prepared by an independent traffic engineering professional approved by the city that substantiates the basis for granting a reduced number of spaces. ~~and The parking demand study may~~ includes any of the following information:

(a) Total square footage of all uses within existing and proposed development and the square footage devoted to each type of use.

(b) A survey of existing on-street and on-site parking within 350 feet of the project site.

(c) Parking requirements for the net change in square footage and/or change in use, based on the requirements of § [9-5.1703.1](#), Off-Street Parking Requirements by Use.

(d) Estimated net change in parking demand between existing and proposed development, using any available existing parking generation studies from the Institute for Transportation Engineers (ITE) or other sources. If appropriate parking demand studies are not available, the city may require the applicant to conduct a parking demand survey of a development similar to the proposed project.

(e) Comparison of proposed parking supply with parking requirements and net change in parking demand.

(f) A shared parking analysis, as appropriate.

(g) A description of proposed transportation demand management measures, such as preferential carpool spaces, telecommuting or staggered work shifts, provision of transit passes or other transit incentives for residents or employees, incorporation of spaces for car share vehicles, bicycles, or other measures that will result in reduced parking demand.

(h) Other information as required by the city.

(D) *Required findings for approval.* In addition to the required findings for approval of any use permit in § [9-5.2703](#), Required Findings, an application for a use permit for a parking reduction may only be approved if the Zoning Administrator or the Planning Commission makes all of the findings of this section that are applicable to the particular project, as stated.

(1) *All projects.* For any project for which a parking reduction is requested, the Zoning Administrator or the Planning Commission must make all of the following findings based on information in the record:

(a) The use will adequately be served by the proposed parking;

(b) Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on-street parking in the surrounding area; and

(c) If required, a parking demand study prepared by an independent traffic engineering professional approved by the city supports the proposed reduction.

(2) *Shared (joint) parking.* Where a shared parking facility serving more than one use is proposed, the Zoning Administrator or Planning Commission may only approve a parking reduction if it finds that:

(a) The peak hours of use will not overlap or coincide to the degree that peak demand for parking spaces from all uses will be greater than the total supply of spaces;

(b) The proposed shared parking to be provided will be adequate to serve each use;

(c) A written agreement between landowner(s) and the city, in a form satisfactory to the City Attorney, has been submitted to and approved by the Zoning Administrator. This agreement shall be in a form capable of and subject to being recorded to constitute a covenant running with the land and shall include:

1. A guarantee that there will be no substantial alteration in the uses that will create a greater demand for parking;

2. A guarantee among the landowner(s) for access to and use of the shared parking facilities;

3. A provision that the city may require parking facilities in addition to those originally approved upon a finding that adequate parking to serve the use(s) has not been provided; and

4. A provision stating that the agreement shall not be modified or terminated without the approval of the Community Development Director and City Attorney.

(3) *Other parking reductions.* For applications for a parking reduction that do not involve a shared parking facility, the Zoning Administrator or Planning Commission may only approve a use permit if it finds that special conditions-including, but not limited to, the nature of the proposed operation; proximity to frequent transit service; transportation characteristics of persons residing, working, or visiting the site; or because the applicant has undertaken a transportation demand management program-will reduce parking demand at the site below the level of the normal requirement.

(E) *Monitoring of TDM programs.* Any project that is granted a parking reduction on the basis of TDM measures that will be incorporated to reduce parking demand shall submit an Annual Status Report to the city. The report shall be in a manner prescribed by the Zoning Administrator, and shall describe the implementation and maintenance of TDM measures and the parking demand generated by the project. Annual Status Reports will be reviewed to determine if property owners have implemented and/or maintained the TDM program. City staff may request auditable documentation to determine compliance.

(1) *Revocations.* A use permit issued to allow a parking reduction may be revoked by the Planning Commission according to the procedure in § [9-5.2707.1](#), Violation, Revocation, Fine.

(2) After holding a hearing, the Planning Commission may revoke or modify the use permit for a parking reduction if any one (or more) of the following findings are made:

(a) The use permit was obtained by misrepresentation or fraud.

(b) The land use for which the permit was granted has ceased or has been suspended for six or more consecutive calendar months.

(c) The conditions of the permit have not been met, or the permit granted is being or has recently been exercised contrary to the terms of the approval or in violation of a specific statute, ordinance, law or regulation.

(Ord. 2089-C-S, passed 6-24-14)

ARTICLE 38: LAND USE REGULATIONS

§ 9-5.3802 INTRODUCTION TO LAND USE REGULATIONS.

(A) The charts and text in § [9-5.3803](#) are adopted as the city's basic land use regulations. The uses shown in this chart are divided into five groups:

- (1) Residential;
- (2) Public and semi-public;
- (3) Commercial;
- (4) Industrial; and
- (5) Temporary uses.

(B) To determine in which zone a specific use is allowed:

- (1) Find the use on the left hand side of the table.
- (2) Read across the chart until either a number or a letter appears in one of the columns.
- (3) If a number appears, this means that the use is allowed in the zone represented by that column, but only if certain special requirements are met. The requirements applicable to that use are listed in this article. The number appearing in the zoning column corresponds to the number of the footnote.
- (4) If a “P” appears in the column, the use is permitted in that zone by right. If a “U” appears in the column, a use permit is required. If an “A” appears, an administrative use permit is required which can be issued by the Zoning Administrator or designated staff. If no letter or number appears in the column, then the use is not allowed in that zone.
- (5) The Planning Commission shall interpret the appropriate zone for any land use not specifically mentioned in this chart and not similar to any use listed.
- (6) If a specific use does not appear in the chart, contact the Community Development Department for assistance.
- (7) In the Hillside Planned Development (HPD), Planned Development (PD), Combining (B), Manufactured Housing Combining (T), and Senior Housing Overlay (SH) Districts use permit approval is required for all uses.
- (8) In the Mixed Use Medical Facility (MUF) District, a final development plan and use permit approval is required for all uses. Processing of final development plans and use permits in the MUMF District shall be as outlined in the Planned Development District (PD) section of this chapter.

(C) Legend.

- P Permitted by right
- U Use permit
- A Administrative use permit
- (—) Not allowed
- (*) Regulations of base zoning district apply
- (1 to 29) - See Land Use Footnotes

§ 9-5.3803 TABLE OF LAND USE REGULATIONS.

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES 9	CB	TH	CIH 14	
RESIDENTIAL USES																						
Day-care centers (§ 9- 5.3832)	U	U	U	U	U	U	U	U	U	U	U	U	—	—	U	—	—	U	*	—	—	—
Day-care: large family (§ 9-5.3818)	A	A	A	A	A	A	—	—	—	—	—	—	—	—	—	—	—	*	—	—	A	
Day-care: small family (§ 9-5.3817)	P	P	P	P	P	P	—	—	—	—	—	—	—	—	—	—	—	*	—	—	P	
Senior Group Housing ¹⁰	U P	U	U	U	U	U	—	—	—	—	—	U	— U	—	—	—	—	U	*	—	—	—
Family care home ¹⁰	P	P	P	P	—	—	—	—	—	—	—	U	— U	—	—	—	— U	—	—	—	—	—
Fraternity- sorority house/ dormitory	U	U	U	U	U	U	—	—	—	—	—	U	—	—	—	—	—	*	—	—	—	—
Home occupations	A	A	A	A	A	A						A	—	—	—	—	—	*	—	—	P	
Hospice ¹⁰	—	—	U	U	U	U	—	U	U	—	—	U	—	—	—	—	—	U ₂	*	—	—	—

	RE RR	R-4 R-6	R-10	R-2 0	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES ⁹	CB	TH	CIH ₁₄
Low Barrier Navigation Center												P					P	P		P	P
Manufactured, modular home; mobile home (\$9-5.3804)	P	P	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	*	—	—	—
Mobile homepark	—	—	U	U	U	U	—	—	—	—	—	—	—	—	—	—	—	*	—	—	—
Multiple- family: condominium , apartment, town-house (\$9- 5.3820)	—	—	P ¹¹	P ¹¹	P ₁₁	P ₁₁	—	—	—	—	—	P ¹¹	—	—	—	—	U ₂	*	—	—	P ¹⁵ U ¹⁶
Recreational vehicle park (\$9-5.3830)	—	—	—	—	—	—	—	—	—	—	U	—	U	—	—	U	—	*	—	—	—
Residential carefacility ¹⁰	—	—	U	U	U	U	—	U	U	—	—	U	—	—	—	—	U	*	—	—	—
Supportive Housing			P ^{11, 17}	P ^{11, 17}	P ^{11, 17}	P ^{11, 17}						P ^{11, 17}					U	P ¹⁷		P ^{15, 17}	
Residential hotel	—	—	U	U	U	U	—	U	U	U	U	U	—	—	—	—	—	*	—	—	—

	RE RR	R-4 R-6	R-10	R-2 0	R-2 5	R-35	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES ⁹	CB	TH	CIH ₁₄
Room & boarding house	—	—	U	U	U	U	—	U	U	U	U	U	—	—	—	—	—	*	—	—	—
Second residential-unit Accessory Dwelling Unit (§9-5.3805)	A	A	A	A	A	A	—	—	—	—	—	—	—	—	—	—	—	*	—	—	—
Single-family dwelling	P	P	U	P ¹	P ¹	P ¹	—	—	—	—	—	U	U	—	—	—	—	*	—	—	—
Tobacco and paraphernalia retailers (§9-5.3843)	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—	—	—	—	—
Two-family dwelling	—	—	P	P	P	P	—	—	—	—	—	U	—	—	—	—	—	*	—	—	—
Transitional Housing	—	—	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	—	—	—	—	—	<u>P</u>	—	—	—	—	<u>U</u>	<u>P</u>	—	U	<u>P¹⁵</u> <u>U¹⁶</u>
Bus & transit maintenance facility	—	—	—	—	—	—	—	—	—	—	—	—	U	—	U	U	—	*	—	—	—
Bus & train terminal	—	—	—	—	—	—	—	—	—	—	—	—	U	—	U	U	—	*	—	—	—
Clubs & Lodges(private & public)	—	U	U	U	U	U	U	U	U	U	U	U	U	—	—	—	U	*	—	—	—

	R E R R	R-4 R-6	R-10	R-2 0	R-2 5	R-35	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES ⁹	CB	TH	CIH ₁₄
Convalescent and Extended Care	—	—	U	U	U	U	—	—	—	—	—	U	—	—	—	—	U	—	—	—	—
Correctional facility ¹²	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—
Cultural institutions	—	—	—	—	—	—	U	U	—	U	U	U	U	—	U	—	U	*	—	—	—
Government offices	—	—	—	—	—	—	U	P	P	P	P	U	—	—	U	U	—	*	—	—	—
Heliport (§9- 5.3806)	—	—	—	—	—	—	U	—	—	—	—	—	U	—	U	U	U	*	—	—	—
Emergency shelter	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	P	—	—	—

	RE RR	R-4 R-6	R-1 0	R-20	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES 9	CB	TH	CIH 14
Hospitals (§ 9-5.3827):																					
Acute care	—	—	—	—	—	—	U	U	—	—	—	U	—	—	U	—	U	*	—	—	—
Rehabilitation	—	—	—	—	—	—	U	U	—	—	—	U	—	—	U	—	U	*	—	—	—
Psychiatric/ chemical dependency	—	—	—	—	—	—	U	U	—	—	—	U	—	—	U	—	U	*	—	—	—
Medical care—urgent	—	—	—	—	—	—	U	U	—	—	—	U	—	—	P	U	P	*	—	—	—
Parks	P	P	P	P	P	P	P	P	—	U	U	U	P	P	U	U	—	*	—	—	—
Public assembly	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	—	—	—
Public safety facilities	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	—	—	—
Public utility yard	—	—	—	—	—	—	—	—	—	—	—	—	U	—	U	U	—	*	—	—	—
Religious assembly ³ (§9- 5.3832)	— U	U	U	U	U	U	U	U	U	U	U	U	U	— U	— U	— U	U	*	—	—	—
Satellite antenna (§ 9-5.3807)	A	A	A	A	A	A	A	A	A	A	A	A	A	—	A	A	A	*	—	—	—
Schools, private and preschools	U	U	U	U	U	U	U	U	U	U	—	U	—	—	U	—	U	*	—	—	—

	RE RR	R-4 R-6	R-10	R-20	R-2 5	R- 35	PB C	C-0	C-1	C- 2	C-3	MC R	WF	OS	M-1	M-2	H	ES 9	CB	TH	CIH 14
Utility substations	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	—	—	—
Adult book stores, motion picture arcades, and model studios (§ 9-5.3808)	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—	*	—	—	—
Adult entertainment, other (§ 9-5.3808)	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—	*	—	—	—
Agricultural uses (§ 9-5.3809)	P	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	*	—	—	—
Appliance maintenance & repair services:																					
Major	—	—	—	—	—	—	—	—	—	P	P	P	P	—	P	P	P	*	—	—	—
Minor	—	—	—	—	—	—	—	P	P	P	P	P	—	—	P	P	—	*	—	—	—
Amusement center (§ 9-5.3813)	—	—	—	—	—	—	—	—	U	U	U	U	U	—	—	—	—	*	—	—	—

	RE R R	R-4 R-6	R-1 0	R-20	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	CB	TH	CIH 14
Animal hospital veterinary clinics	—	—	—	—	—	—	U	—	U	U	U	U	—	—	U	U	—	*	—	—	—
Antique store	—	—	—	—	—	—	—	—	—	P	P	A	U	—	U	—	—	*	—	—	—
Auto sales, rental	—	—	—	—	—	—	U	—	—	U	U	U	—	—	—	—	—	*	—	—	—
Auto storage	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Auto service station (§ 9-5.3815)	—	—	—	—	—	—	—	—	U	U	U	U	—	—	U	U	—	*	—	—	—
Auto repair:																					
Major	—	—	—	—	—	—	U	—	—	—	U	U	—	—	U	P	—	*	—	—	—
Minor	—	—	—	—	—	—	U	—	U	U	U	U	—	—	P	P	—	*	—	—	—
Bakeries-retail	—	—	—	—	—	—	—	—	P	P	P	P	U	—	P	P	—	*	—	—	—
Bank or savings & loan	—	—	—	—	—	—	P	P	P	P	P	P	—	—	—	—	—	*	—	—	—
Bar (§ 9-5.3831)	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	*	—	—	—
Barber & beauty shop	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	*	—	—	—

	RE RR	R-4 R-6	R-1 0	R-20	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	CB	TH	CIH ₁₄
Bed and breakfast inns (§9-5.3819)	U	U	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	*	—	—	—
Boat repair																					
Major	—	—	—	—	—	—	U	—	—	—	U	U	U	—	U	P	—	*	—	—	—
Minor	—	—	—	—	—	—	U	—	U	U	U	U	U	—	P	P	—	*	—	—	—
Boat, RV— storage facility (§ 9-5.3810)	—	—	—	—	—	—	—	—	—	—	U	U	U	—	U	P	—	*	—	—	—
Bowling alleys (§9- 5.3831)	—	—	—	—	—	—	—	—	—	U	U	U	—	—	—	—	—	*	—	—	—
Cannabis business (§ 9-5.3845)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U ¹³	—	—
Car and vehicle wash	—	—	—	—	—	—	—	—	—	U	U	U	U	—	U	U	—	*	—	—	—
Card room	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—	*	—	—	—
Catering services	—	—	—	—	—	—	—	—	—	P	P	P	A	—	U	—	—	*	—	—	—
Clothing store	—	—	—	—	—	—	—	—	—	P	P	P	A	—	—	—	—	*	—	—	—

	RE RR	R-4 R-6	R-1 0	R-20	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	CB	TH	CIH 14
Combined residential/comm ercial structure	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	*	—	—	—
Computer gaming and internet access business	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—	—	—	—	—
Confectionery stores	—	—	—	—	—	—	—	—	P	P	P	P	A	—	—	—	—	*	—	—	—
Dance hall	—	—	—	—	—	—	—	—	—	U	U	U	—	—	U	—	—	*	—	—	—

	RE RR	R-4 R-6	R-1 0	R-20	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	CB	TH	CIH 14
Drive-up window (all uses)	—	—	—	—	—	—	U	U	U	U	U	U	—	—	U	U	U	*	—	—	—
Dry cleaning agencies; pick-up and self-serve	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	*	—	—	—
Florist shop	—	—	—	—	—	—	P	—	P	P	P	P	—	—	—	—	P	*	—	—	—
Food stores (§9-5.3831):																					
Convenience store	—	—	—	—	—	—	—	—	U	U	U	U	U	—	—	—	U	*	—	—	—
Supermarket	—	—	—	—	—	—	—	—	U	P	P	U	—	—	—	—	—	*	—	—	—
Fortune-teller's	—	—	—	—	—	—	—	—	—	U	U	U	—	—	—	—	—	*	—	—	—
Funeral parlor & mortuary	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	—	*	—	—	—
Furniture stores	—	—	—	—	—	—	—	—	—	P	P	U	—	—	—	—	—	*	—	—	—
Gift shop	—	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	*	—	—	—
Gun sales (§ 9-5.3833)	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	*	—	—	—
Hardware store	—	—	—	—	—	—	—	—	U	P	P	U	U	—	—	—	—	*	—	—	—
Health club/fitness center	—	—	—	—	—	—	U	—	U	P	P	U	—	—	U	—	U	*	—	—	—

	RE RR	R-4 R-6	R-1 0	R-20	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	CB	TH	CIH 14
Hotel & motels	—	—	—	—	—	—	U ⁵	U	—	P	P	P	U	—	U5	—	U	*	—	—	—
Jewelry store	—	—	—	—	—	—	—	—	—	P	P	P	U	—	—	—	—	*	—	—	—
Kennels	—	—	—	—	—	—	—	—	—	U	U	—	—	—	U	U	—	*	—	—	—
Laboratories; medical, dental, optical	—	—	—	—	—	—	P	P	U	U	U	U	—	—	U	—	P	*	—	—	—

	RE RR	R-4 R-6	R-1 0	R-20	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	CB	TH	CIH 14
Laundrette	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	*	—	—	—
Liquor stores (§9-5.3831)	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	—	*	—	—	—
Live entertainment	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	*	—	—	—
Marina	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	*	—	—	—
Miniature golf courses	—	—	—	—	—	—	—	—	—	U	U ⁶	U	—	—	U	—	—	*	—	—	—
Mini-storage	—	—	—	—	—	—	—	—	—	—	—	U	U	—	U	P	—	*	—	—	—
Nurseries (horticulture) (§9-5.3824)	—	—	—	—	—	—	—	—	—	P	P	U	U	—	P	P	—	*	—	—	—
Offices:																					
Business & professional	—	—	—	—	—	—	P	P	U	P	P	P	U	—	—	—	P	*	—	—	—
Medical (includes clinics)	—	—	—	—	—	—	P	P	U	P	P	P	U	—	—	—	P	*	—	—	—
Paint store	—	—	—	—	—	—	—	—	—	P	P	U	—	—	U	—	—	*	—	—	—
Parking lot (commercial) (§9-5.3837)	—	—	—	—	—	—	A	A	A	A	A	A	A	A	P	P	A	*	—	—	—

	RE RR	R-4 R-6	R-1 0	R-20	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	CB	TH	CIH 14
Pawn shops	—	—	—	—	—	—	—	—	—	U	U	U	—	—	—	—	—	*	—	—	—
Pet shop	—	—	—	—	—	—	—	—	P	P	P	P	U	—	—	—	—	*	—	—	—
Pharmacy	—	—	—	—	—	—	U	P	P	P	P	P	A	—	P	P	P	*	—	—	—
Photographer	—	—	—	—	—	—	—	P	P	P	P	P	A	—	U	—	—	*	—	—	—

	RE RR	R-4 R-6	R-1 0	R-20	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H E S ⁹	CB	TH	CIH 14
Printing & blue printing	—	—	—	—	—	—	—	P	P	U	U	U	—	—	P	P	—	*	—	—
Radio & TV sales & repair	—	—	—	—	—	—	—	—	U	P	P	P	—	—	—	—	—	*	—	—
Recycling facilities:																				
Reverse vending machines (§ 9-5.3811)	—	—	—	—	—	—	—	—	—	P	P	P	—	—	P	P	—	*	—	—
Small collection facility (§ 9-5.3812)	—	—	—	—	—	—	—	—	A	A	A	A	—	—	A	A	—	*	—	—
Large collection facility (§ 9-5.3813)	—	—	—	—	—	—	—	—	A	A	A	A	—	—	A	A	—	*	—	—
Light processing facility	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—
Heavy processing facility (§ 9-5.3815)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—
Repair service	—	—	—	—	—	—	—	—	—	—	U	U	U ⁷	—	P	P	—	*	—	—

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	TH	CIH 14
Restaurants (§§ 9-5.3823 and 9-5.3831):																				
General	—	—	—	—	—	—	P	P	P	P	P	P	P	—	U ⁵	—	—	*	—	—
Fast food	—	—	—	—	—	—	U	—	—	U	U	U	U	—	U ⁵	—	—	*	—	—
Outdoor seating & food service	—	—	—	—	—	—	U	U	U	U	U	U	U	—	U ⁵	U	—	*	—	—
Take out/delivery	—	—	—	—	—	—	P	U	P	P	P	P	U	—	U ⁵	—	—	*	—	—

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	CB	TH	CIH 14
With bar & live entertainment	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	*	—	—	—
Retail; general and specialty	—	—	—	—	—	—	—	—	P	P	P	P	A	—	—	—	—	*	—	—	—
Secondhand sales	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	*	—	—	—
Shoe repair shop	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	*	—	—	—
Sign shop	—	—	—	—	—	—	—	—	—	U	U	—	—	—	U	—	—	*	—	—	—
Studios (e.g., dance, martial arts)	—	—	—	—	—	—	—	—	—	P	P	P	—	—	—	—	—	*	—	—	—
Tailor shop	—	—	—	—	—	—	—	—	—	P	P	P	—	—	—	—	—	*	—	—	—
Tattoo studio	—	—	—	—	—	—	—	—	—	U	U	U	—	—	—	—	—	*	—	—	—
Theaters	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	*	—	—	—
Upholstery shop	—	—	—	—	—	—	—	—	—	U	U	U	—	—	U	P	—	*	—	—	—
Wireless Communications Facilities (§ 9-5.3846)																					
Variety store	—	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	*	—	—	—

	RE RR	R-4 R-6	R-10	R-2 0	R-2 5	R-35	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H E S ⁹	CB	TH	CIH 14
Vehicle/boat/ equipment sales& rental (§ 9-5.3825)	—	—	—	—	—	—	U ⁸	—	—	U	U	U	U	—	U	U	—	—	—	—
INDUSTRIAL USES																				
Animal rendering	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—
Bakery- commercial	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	*	—	—

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	M C R	WF	OS	M-1	M-2	H	ES 9	CB	TH	CIH 14
Beverage bottling plant	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	—
Boat building	—	—	—	—	—	—	—	—	—	—	—	—	U	—	U	P	—	*	—	—	—
Cement or clay products manufacturing	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Concrete batch plant	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Contractor's storage yard	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	—
Dairy products processing	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	—
Dry cleaners processing	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Exterminator	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	—
Finished paper production	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Food processing plant	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	—
Fuel yard; bulk petroleum storage	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	M C R	WF	OS	M-1	M-2	H ES 9	CB	TH	CIH 14
Garment manufacture	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—
Hazardous waste facilities (§ 9-5.3826):	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—
Small generator (§ 9-5.3826)	—	—	—	—	—	—	—	—	U	U	U	U	—	—	U	U	—	*	—	—

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-35	PB C	C-0	C-1	C-2	M C-3	M CR	WF	OS	M-1	M-2	H	ES 9	CB	TH	CIH 14
Large generator (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Processor (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Household hazardous waste facility (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Junk yard/auto wrecking yard	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Lumber yard	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Machine shop	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	—
Manufacturing or storage of explosives, acid, cement, fertilizer, gas, inflammable fluids, glue, gypsum, lime, plaster of paris	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Mining & quarry; resource extraction	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Oil & gas drilling	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	M C R	WF	OS	M-1	M-2	H	ES ₉	CB	TH	CIH ₁₄
Oil & gas production	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Photographic plants	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Plastic fabrication	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Research & development	—	—	—	—	—	—	U	—	—	—	—	U	—	—	U	U	—	*	—	—	—

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES ₉	CB	TH	CIH ₁₄
Residual repository (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Salvage/war surplus yards	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Solid waste transfer station	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Smelting or processing of iron, tin zinc or other ore	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	*	—	—	—
Stockyards/slaughterhouses	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—
Stone monument works	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	—
Truck terminal yard	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—
Truck & tractor repair	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	*	—	—
Warehousing & wholesaling	—	—	—	—	—	—	U	—	—	—	—	—	—	—	—	P	P	—	*	—	—
TEMPORARY USES																					

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	HES 9	CB	TH	CIH 14
Removal of earth (§ 9-5.3822)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	—	—	—
Temporary construction building and uses (§ 9-5.3821)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	—	—	—
Outdoor display of merchandise (in conjunction with a non-residential use)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	—	—	—
Special outdoor events (§§ 9-5.3828 and 9-5.3831)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	—	—	—
Christmas tree and pumpkin sale lots (§ 9-5.3829)	—	—	—	—	—	—	A	A	A	A	A	A	—	—	A	A	—	—	—	—

1. Single-family dwellings existing prior to the effective date of this section are permitted uses, conforming to the R-20 zone; however, development of new single-family dwelling units, other than replacement of existing single-family dwellings, are prohibited within the R-20, R-25, and R-35 zones.
2. Use may be permitted as an ancillary use if it is incidental to an otherwise permitted or conditionally permitted use within this zoning district.
3. Legally established churches existing prior to the effective date of this section are permitted uses, conforming to the PBC, C-O, C-1, C-2, and C-3 zone; however, development of new religious assembly uses, other than replacement of existing uses, is prohibited within these zoning districts.

4. Funeral services are limited to “J” Street, Fourth Street, and the area between Fourth and Fifth Streets.
5. May be located only on sites adjacent to freeway interchanges.
6. May be located along Somersville Road north of the SR-4 freeway.
7. Marine repair only. Permitted as an ancillary service for waterfront activities.
8. Boat sales and repair only.
9. In the case of the Emergency Shelter Overlay District, where no letter or number is included in the table for a particular landuse, the regulations of the base zone apply. Emergency shelters are permitted by right in the Emergency Shelter Overlay District if they meet all standards of § 9-5.3835, Emergency Shelters, of this article.
10. Hospices and residential care facilities providing care for up to six patients are a permitted use in any district where residential uses are allowed.
11. Permitted by right subject to compliance with all other applicable standards and design review pursuant to Article 26 and 27.
12. Subject to a conditional use permit on a site at least one quarter mile from any type of residential care facility, social service institution, welfare institution, or a similar type of facility; at least one mile from another correctional facility; and at least 1,000 feet from a school, library, public park, recreation area or any property zoned or used for residential development. See § 9-5.3838, Correctional Facilities, for additional requirements.
13. Cannabis business requires approval of a use permit by the City Council upon recommendation by the Planning Commission.
See § 9-5.3845.
(Am. Ord. 930-C-S, passed 7-29-97; Am. Ord. 1080-C-S, passed 10-24-06; Am. Ord. 2072-C-S, passed 10-22-13; Am. Ord. 2075-C-S, passed 11-26-13; Am. Ord. 2077-C-S, passed 12-10-13; Am. Ord. 2089-C-S, passed 6-24-14; Am. Ord. 2096-C-S, passed 2-24-15; Am. Ord. 2143-C-S, passed 6-26-18; Am. Ord. 2158-C-S, passed 12-11-18; Am. Ord. 2169-C-S, passed 6-25-19)
14. In the Commercial Infill Housing Overlay District, allowable commercial uses and standards remain as determined by the underlying zoning.
15. Up to 35 units/acre and building height of four stories or 45 feet permitted by right subject to compliance with all other applicable standards.
16. 35 to 50 units/acre and building height above 45 feet permitted with approval of a use permit.
17. Supportive housing developments must meet the requirements of Government Code Section 65651.4(a) to be permitted by right and reviewed consistent with Government Code Sections [65651](#) and [65653](#). Developments which do not meet such requirements shall require approval of a use permit.

§ 9-5.3804 MANUFACTURED HOME. [RESERVED].

~~—Certified manufactured, modular, and mobile homes on approved foundations are permitted in the indicated zones subject to an administrative use permit and must meet the following development standards:~~

~~—(A) The distance between outermost parallel exterior walls shall be at least 20 feet, exclusive of the garage.~~

~~—(B) The manufactured, modular or mobile home shall have at least one driveway. All driveways shall be at least eight feet wide, at least 20 feet long, and be surfaced in accordance with this chapter.~~

~~—(C) The finished floor shall be a maximum of 30 inches above the exterior grade of the lot. If the home is multi-level, the lowest finished floor above exterior grade shall meet this requirement.~~

~~—(D) Roofing materials shall be selected from the following: composition shingle, fire treated wood shake, tile, or tar and gravel and should be compatible with surrounding development. Use of tar or composition shingle roofs shall only be used in areas where they presently exist.~~

~~—(E) The home shall have eave and gable overhangs of not less than one foot measured from the vertical exterior side of the structure, unless such overhangs would be incompatible with the overall architectural style of the structure, as determined by the Zoning Administrator.~~

~~—(F) No home shall have exterior perimeter walls covered with metal siding materials. Materials shall be selected from among stucco, wood, plywood, or masonry. Siding material should be compatible with surrounding development.~~

~~—(G) The covering material used on a substantial portion of each exterior perimeter wall of the home shall touch or overlap either:~~

~~—(1) The foundation, if the home has a solid or perimeter foundation.~~

~~—(2) A solid perimeter curb or skirt, compatible with the exterior material, if the home has a foundation other than as specified above (for example, a pier or interior foundation). The perimeter curb or skirt shall be concrete, masonry, or other solid non-metal, all-weather material.~~

~~—(H) If the home has steps leading to an entry visible from any street, the steps and any enclosure surrounding the steps shall be:~~

~~—(1) Attached to a permanent foundation.~~

~~—(2) Designed and constructed as an integral part of the exterior of the manufactured home.~~

~~—(I) The home must have an enclosed garage containing two car spaces (either attached or detached). The same roofing material shall be used on the garage and the manufactured home. The exterior covering material used on the garage shall be the same as an exterior covering material used on a substantial portion of the manufactured home. Car spaces shall be minimum of 20 feet long and 10 feet wide clear inside dimensions.~~

~~—(J) The roof shall have a pitch of no less than three inches of vertical rise for each 12 inches of horizontal run.~~

~~—(K) Exterior facades for infill development shall be visually compatible with the dominant architectural theme of the neighborhood.~~

~~—(L) Landscaping shall be compatible with the surrounding neighborhood.~~

~~—(M) New subdivisions shall submit prototype model plans to establish the neighborhood theme.~~

~~—(N) Dwelling shall include rain gutters and downspouts with the runoff of water adjacent to the foundations being diverted into an underground conduit.~~

~~(Ord. 897-C-S, passed 10-25-94; Am. Ord. 1064-C-S, passed 12-13-05) Penalty, see § 9-5.2904~~


CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of November 28, 2023

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Shaun Connelly, Water Distribution Superintendent

APPROVED BY: Scott Buenting, Acting Public Works Director/City Engineer 

SUBJECT: Amendment to Purpose-Built Contract for Safety Apparel, Uniforms, and Personal Protective Equipment Purchases

RECOMMENDED ACTION

It is recommended that the City Council adopt a resolution:

1. Approving an increase to the Purpose-Built contract in the amount of \$150,000 for a two-year contract extension for Fiscal Years 2023/24 and 2024/2025; and
2. Authorizing the Acting City Manager or designee to execute an increase to the current purchase order with Purpose-Built.

FISCAL IMPACT

Funding for this purchase order increase of \$150,000 is included in the Fiscal Year 2023/24 and Fiscal Year 2024/25 Operating Budgets in the amount of \$54,000 from the General Fund, \$64,500 from the Water Enterprise Fund and \$31,500 from the Sewer Enterprise Fund.

DISCUSSION

Public Works maintains an inventory of necessary safety apparel, uniforms, personal protective equipment ("PPE"), and accessories for the safety and protection of employees. Uniform and safety apparel/PPE purchases comply with the City's uniform policy and Cal/OSHA State regulations. Items are stored at the Public Works Corporation yard and inventories are procured and distributed by Central Stores staff to employees as needed.

On July 27, 2020, a Request for Bid was sent to various vendors for safety apparel and uniforms, personal protective equipment and accessories. On August 19, 2020, the City received one qualified bid from Purpose-Built, formerly known as East Bay Workwear.

On September 8, 2020, the City Council awarded a contract to Purpose-Built for safety apparel, uniforms and personal protective equipment for a term of three (3) years with a contract end date of June 30, 2023, in the amount not to exceed \$100,000 per contract year for a total contract cost not to exceed \$300,000 with the option to extend an additional (2) years.

Staff is recommending the City Council extend the contract with Purpose-Built for an additional two-years in the amount of \$150,000 for a total contract amount of \$450,000.

ATTACHMENTS

- A. Resolution
- B. Resolution No. 2022/145

ATTACHMENT "A"

RESOLUTION NO. 2023/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPROVING THE AMENDMENT TO THE PURPOSE-BUILT CONTRACT AND
AUTHORIZING THE ACTING CITY MANAGER OR DESIGNEE TO EXECUTE THE
AMENDMENT**

WHEREAS, Public Works maintains an inventory of necessary safety apparel, uniforms, personal protective equipment (PPE), and accessories for the safety and protection of employees;

WHEREAS, uniform and safety apparel/PPE purchases comply with the City's uniform policy and Cal/OSHA State regulations;

WHEREAS, on July 27, 2020, a Request for Bid was sent to various vendors for safety apparel and uniforms, personal protective equipment and accessories and closed on August 19, 2020;

WHEREAS, on September 8, 2020, the City Council passed and adopted Resolution No. 2020/145 authorizing the City and Purpose-Built, formerly known as East Bay Work Wear to enter into an agreement for safety apparel, uniforms and personal protective equipment for a term of three (3) years with a contract end date of June 30, 2023, in the amount not to exceed \$100,000 per contract year for a total contract cost not to exceed \$300,000 with the option to extend an additional (2) years; and

WHEREAS, the City Council has considered authorizing an extension of the contract with Purpose Built for an additional two-years.

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

1. Approves an increase to the Purpose-Built contract in the amount of \$150,000 for a two-year contract extension for Fiscal Years 2023/24 and 2024/2025 for a total contract amount of \$450,000; and
2. Authorizes the Acting City Manager or designee to execute an increase to the current purchase order with Purpose-Built.

* * * * *

RESOLUTION NO. 2023/**

November 28, 2023

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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 28th day of November 2023, by the following vote:

AYES:

ABSENT:

ABSTAIN:

NOES:

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

RESOLUTION NO. 2020/145

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPROVING THE CLOTHING, APPAREL, UNIFORMS, AND ACCESSORIES BID
AWARD, AND PURCHASE AGREEMENT WITH EAST BAY WORKWEAR NOT TO
EXCEED \$100,000 PER FISCAL YEAR AND NOT TO EXCEED \$300,000 FOR THE
THREE FISCAL YEAR PERIODS ENDING IN FISCAL YEAR 2022/23, WITH THE
OPTION TO EXTEND THE AGREEMENT AN ADDITIONAL TWO ONE-YEAR TERMS
UNDER THE SAME TERMS**

WHEREAS, the City's Warehouse and Central Stores Division annually assesses its inventory of employee safety apparel, uniforms, personal protective equipment (PPE), and accessories based on standard replacement criteria;

WHEREAS, a public bid was published on July 27, 2020 and closed on August 19, 2020;

WHEREAS, East Bay Workwear submitted the overall lowest responsible bid;

WHEREAS, the City's Warehouse and Central Stores maintains inventory for the replacement of the City's employee safety apparel, uniforms, PPE, and accessories that have reached their useful life, which is critical in meeting Cal/OSHA State regulations.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch hereby approves and authorizes the purchase agreement with East Bay Workwear for safety apparel, uniforms, PPE, and accessories not to exceed \$100,000 per fiscal year and not to exceed \$300,000 for the three fiscal year periods ending in fiscal year 2022/23, with the option to extend the agreement an additional two one-year terms under the same terms.

* * * * *

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 8th day of September 2020, by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None


ARNE SIMONSEN, MMC
CITY CLERK OF THE CITY OF ANTIOCH



CLOTHING, APPAREL, UNIFORMS & ACCESSORIES

BID NO. 200-0819-20A

BID CLOSED: August 19, 2020

BID TABULATION

	Work Wear	
Radwear Class II Safety Vest	\$13.49	
Radwear Class III Safety Vest	\$19.99	
Condor Rain Pants	No Bid	
Condor Rain Jackets	No Bid	
Fitted Ballcap	\$16.49	Includes Full Customization
Snapback Ballcap	\$15.49	Includes Full Customization
SA strawhat	\$19.99	
Dickies Short Sleeve Shirt	\$9.88	
Dickies Long Sleeve Shirt	\$13.74	
Dickies Button Down Short Sleeve	\$22.99	
Dickies Button Down Long Sleeve	\$24.99	
Redcap Button Down Short Sleeve	\$17.40	
Redcap Button Down Long Sleeve	\$19.88	
Dickies Hi Viz Short Sleeve	\$29.74	Carhartt 100495
Dickies Hi Viz Long Sleeve	\$34.99	Carhartt 100496
Redcap Hi Viz Short Sleeve	\$21.49	
Redcap Hi Viz Long Sleeve	\$26.99	
Carhartt Denim Jeans	\$44.99	
Dickies Pants	\$27.99	
Redcap Pants	\$26.99	

No Bid:

First Vanguard Rentals

Bay Area Barricade



CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of November 28, 2023

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Scott Buenting, Acting Public Works Director/City Engineer

SUBJECT: Consideration of a Cooperative Agreement between the City of Antioch and the Contra Costa Transportation Authority for the Antioch Bicycle Garden Project Funded in Part by a Safe Streets and Roads for All Grant

RECOMMENDED ACTION

It is recommended that the City Council adopt the resolution:

1. Approving the Cooperative Agreement between the City of Antioch and the Contra Costa Transportation Authority for the Antioch Bicycle Garden Project
2. Authorizing the expenditure of up to \$1,000,000 of budgeted funds from City's General Fund to pay an advancement to the Contra Costa Transportation Authority for estimated costs for each phase of project delivery for the Antioch Bicycle Garden Project, which is a required match to receive a \$4,000,000 Safe Streets and Roads for All Grant; and
3. Authorizing the Acting City Manager to execute the agreement.

FISCAL IMPACT

City Staff, in partnership with Contra Costa Transportation Authority ("CCTA"), have identified the Antioch Bicycle Garden Project as a candidate for the federal Safe Streets and Roads for All ("SS4A") Grant Program.

The approved grant amount for the Bicycle Garden Project is \$4,000,000. The City of Antioch needs to commit to the required grant match of 20% of the total project cost estimated at \$5,000,000. The City's financial commitment is estimated to be \$1,000,000. At the City Council meeting on June 14, 2022, \$550,000 from the General Fund was allocated for design of this project. The remaining \$450,000 will be funded by the Capital Improvement Fund.

DISCUSSION

City staff, in partnership with Contra Costa Transportation Authority ("CCTA") have identified the Antioch Bicycle Garden as a viable project to submit for this Safe Streets and Roads for All ("SS4A") Grant Program.

On August 26, 2022, the City Council approved the City to pursue SS4A Grant Funding Program, committing a required 20% match of local funds.

In the summer of 2022, the CCTA led a multi-agency, collaborative effort to submit the "Bicycle and Pedestrian Safety Improvements To Improve Equity Countywide in Contra Costa Project Application" to the U.S. Department of Transportation's ("USDOT's") Safe Streets and Roads for All Discretionary Grant Program.

In February 2023, the USDOT announced that the CCTA had been awarded \$28.9 million to deliver five projects that make neighborhoods throughout the county safer to walk and bike in.

The Antioch Bicycle Garden Project, the City's component of the overarching CCTA project, will construct the Bicycle Garden at the Prewett Community Park, including a hands-on bicycle training facility designed like a miniature city streetscape. It will consist of small roads that weave in and around landscaped areas with smaller scaled versions of real-life traffic features including signals, traffic signs, road markings, bus stops, bike lanes, train tracks, and more to help youth learn the rules-of-the-road, with the preliminary cost estimate for the project to be \$5,000,000.

The SS4A grant amount dedicated to this project is \$4,000,000, and the proposed agreement commits the City to pay \$1,000,000 from other non-federal sources for the required match for the federal grant and for costs incurred by the CCTA for project management, and all phases of project delivery including environmental clearance, plans, specifications, and estimates right-of-way and construction.

The funding plan is consistent with the City's 5-year Capital Improvement Program, as presented in the Fiscal Year 2023/24 Adopted Budget and provides the required match from available local and state sources including \$550,000 from the General Fund and \$450,000 from the Capital Improvement Fund.

The CCTA will be the lead in all phases of project delivery as required by the USDOT and Federal Highway Administration, the agency administering the grant program.

At this time, City staff requests that the City Council consider authorization to execute the Cooperative Agreement between the CCTA for the Bicycle Garden Project and the commitment of matching funds.

ATTACHMENTS

- A. Resolution
 - 1. Exhibit 1

ATTACHMENT “A”

RESOLUTION NO. 2023/**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROVING THE COOPERATIVE AGREEMENT BETWEEN THE CONTRA COSTA TRANSPORTATION AUTHORITY (CCTA) AND THE CITY OF ANTIOCH (CITY) FOR THE ANTIOCH BICYCLE GARDEN, AND AUTHORIZING THE ACTING CITY MANAGER TO EXECUTE THE AGREEMENT

WHEREAS, City staff, in partnership with Contra Costa Transportation Authority (“CCTA”), have identified the Antioch Bicycle Garden as a viable project to submit for this grant program;

WHEREAS, this grant requires a commitment of local funds for the required 20% match;

WHEREAS, in Summer 2022, the Contra Costa Transportation Authority led a multi-agency, collaborative effort to submit the “Bicycle and Pedestrian Safety Improvements to Improve Equity Countywide in Contra Costa Project Application” to the U.S. Department of Transportation’s (“USDOT’s”) Safe Streets and Roads for All (“SS4A”) Discretionary Grant Program;

WHEREAS, in February 2023, the USDOT announced that the CCTA had been awarded \$28.9 million to deliver five projects that make neighborhoods throughout the county safer to walk and bike in;

WHEREAS, the Antioch Bicycle Garden Project, the City’s component of the overarching CCTA project, will construct the Bicycle Garden at the Prewett Community Park, including a hands-on bicycle training facility designed like a miniature city streetscape.

WHEREAS, the Bicycle Garden will consist of small roads that weave in and around landscaped areas with smaller scaled versions of real-life traffic features including signals, traffic signs, road markings, bus stops, bike lanes, train tracks, and more to help youth learn the rules-of-the-road;

WHEREAS, the preliminary cost estimate for the project is currently estimated to be \$5,000,000;

WHEREAS, the SS4A grant amount dedicated to this project is \$4,000,000, and the proposed agreement commits the City to pay \$1,000,000 from other non-federal sources for the required match for the federal grant and for costs incurred by the CCTA for project management, and all phases of project delivery including environmental clearance, plans, specifications, and estimates (PS&E), right-of-way (ROW) and construction;

RESOLUTION NO. 2023/**

November 28, 2023

Page 2 of 2

WHEREAS, the funding plan is consistent with the City's 5-year Capital Improvement Program, as presented in the Fiscal Year 2023/24 Adopted Budget and provides the required match from available local and state sources including \$550,000 from the General Fund and \$450,000 from the Capital Improvement Fund; and

WHEREAS, the CCTA will be the lead in all phases of project delivery as required by the USDOT and Federal Highway Administration, the agency administering the grant program.

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

1. Approves the Cooperative Agreement between the City of Antioch and the Contra Costa Transportation Authority for the Antioch Bicycle Garden Project;
2. Authorizes the expenditure of up to \$1,000,000 of budgeted funds from City's General Fund to pay an advancement to the Contra Costa Transportation Authority for estimated costs for each phase of project delivery for the Antioch Bicycle Garden Project, which is a required match to receive a \$4,000,000 Safe Streets and Roads for All Grant; and
3. Authorizes the Acting City Manager to execute the Agreement in a form approved by the City Attorney.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a special meeting thereof, held on the 28th day of November 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ELIZABETH HOUSEHOLDER
CITY CLERK OF THE CITY OF ANTIOCH

EXHIBIT "1"

COOPERATIVE AGREEMENT NO. 668

BETWEEN

CONTRA COSTA TRANSPORTATION AUTHORITY

AND

CITY OF ANTIOCH

FOR

**ENVIRONMENTAL CLEARANCE, PLANS, SPECIFICATIONS AND ESTIMATE
(PS&E), RIGHT OF WAY (ROW), AND CONSTRUCTION PHASES FOR ANTIOCH
BIKE GARDEN IMPROVEMENT PROJECT**

I. PARTIES

- A. THIS COOPERATIVE AGREEMENT ("Agreement") effective on [date], is made and entered into by and between the Contra Costa Transportation Authority (AUTHORITY) and the City of ANTIOCH (CITY), (AUTHORITY and CITY may be referred to herein as a "Party" and collectively "Parties").

II. RECITALS

- A. WHEREAS, CITY intends to build a one-of-a-kind small scale modern streetscape facility for teaching bicycle and pedestrian safety education to encourage the use of pollution-free transportation in CITY's Prewett Park on Lone Tree Way (PROJECT) – a detailed description of the PROJECT is set forth in Attachment A; and
- B. WHEREAS, the PROJECT will be designed and constructed using design-bid-build procurement method; and
- C. WHEREAS, the CITY has agreed to contribute funds toward the PROJECT and has allocated \$1,000,000 from CITY's local funds to pay for the required match for the Federal funds and for costs incurred by AUTHORITY for Project Management, and all phases of project delivery needed including Planning (including grant application and coordination with USDOT), completion of all necessary environmental review under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) (collectively "Environmental Clearance"), preparation of plans, specifications and estimates (PS&E), right-of-way (ROW) and Construction of the PROJECT; and
- D. WHEREAS, the AUTHORITY has secured \$4,000,000 in United States Department of Transportation (USDOT) funding from the Safe Streets and Roads for All (SS4A) Discretionary Grant Program for the PROJECT; and

- E. WHEREAS, the Parties consider PROJECT to be a high priority project of mutual interest and are willing to cooperate in the implementation of the PROJECT; and
- F. WHEREAS, the Parties wish to enter into this Agreement to delineate roles, responsibilities, and funding commitments relative to the project development, ROW and construction phases of the PROJECT. ; and
- G. WHEREAS, the PROJECT is estimated to cost a total of \$5,000,000 as shown in Attachment B; and
- H. WHEREAS, the CITY desires the AUTHORITY provide project planning, delivery services and program management services for all PROJECT activities including coordination with USDOT on funding requirements and execution of PROJECT agreement(s), procurement of required consultants and contractors to complete all activities described in ATTACHMENT B, and oversight of said work, to access SS4A funding in the amount of \$4,000,000, and understands it is the sole responsibility of CITY to reimburse 100% of actual and reasonable AUTHORITY costs associated with these activities, within the maximum CITY funding amount specified herein; and
- I. WHEREAS, AUTHORITY will notify the CITY once the AUTHORITY learns that costs will exceed the estimated amount defined in Attachment B. Parties will negotiate increased CITY funding or other funding sources, or options to down scope the PROJECT to meet available funding, and;
- J. WHEREAS, it is mutually understood that the PROJECT will likely proceed in phases including: (i) project planning, (ii) preliminary design and CEQA/NEPA Environmental Clearance, (iii) design (PS&F), ROW including utility relocations , and (iv) construction, construction management, and closeout. The work scope, budget and timelines of deliverables for each phase will be stipulated in individual task orders for each phase; The task order will define the advanced amount of funds required from the CITY for the phase being delivered. The advanced amount is necessary to meet the match requirement by the federal grant, reduce PROJECT administrative burden, and minimize cashflow impacts on the AUTHORITY, per Attachment C.

NOW, THEREFORE, the Parties agree to the following:

III. AUTHORITY RESPONSIBILITIES

AUTHORITY agrees:

- A. To provide planning and program management services for all PROJECT activities including coordination with USDOT on funding requirements and execution of PROJECT agreement(s), procurement of required consultants and contractors in accordance with applicable federal funding requirements to complete all activities described in ATTACHMENT B, inclusion of

required federal clauses in all federally funded consultant and contractor agreements, and oversight of said work.

- B. To procure the services of a consultant team in consultation with the City to prepare the environmental document (CEQA and NEPA), to develop 35%, 65%, 95%, and Final Plans, Specifications, & Estimates (PS&E), and to provide design support during construction, construction management, and closeout.
- C. To coordinate with CITY for CEQA and NEPA approval of the environmental document, as required, and support the CITY as the lead agency for both CEQA and NEPA, as applicable.
- D. To provide utility coordination services and work with the CITY on required documents, utility relocations and agreements. Should there be ROW or easement acquisition, AUTHORITY will procure a consultant for right-of-way acquisition services. AUTHORITY will seek an amendment to cover the cost of these services.
- E. Left Blank Intentionally
- F. To designate a responsible staff member that will be AUTHORITY'S representative in attending all meetings between the parties or pertaining to the PROJECT, providing and receiving day-to-day communication.
- G. AUTHORITY Executive Director is authorized to act on behalf of AUTHORITY under this Agreement.
- H. To provide CITY an opportunity to review and comment on, and approve the project delivery documents including procurement documents, environmental documents, PS&E (at the various stages of completion), construction bid and construction administration documents, project budget and consultant contracts and costs.
- I. To provide CITY an opportunity to participate in consultant selection for service procured by AUTHORITY.
- J. To provide CITY an opportunity to review and comment on all PROJECT agreements entered into by AUTHORITY and pertaining to CITY.
- K. To include CITY in Project Development Team (PDT) meetings and related communications on PROJECT progress as well as to provide CITY with copies of PDT meeting minutes and action items.
- L. To provide no less than quarterly reports through the duration of the USDOT grant agreement performance period.

- M. Performance of services under these consultant and construction contracts for PROJECT shall be subject to the technical direction of the AUTHORITY's Executive Director, or designee, with input and consultation from CITY.
- N. To facilitate and coordinate obtaining required agreements from USDOT including authorization for expenditure of funds, prior to advertising for professional or construction contracts for PROJECT.
- O. To seek reimbursement from USDOT on work performed on any phase of the PROJECT which will be funded by Federal sources as shown in ATTACHMENT C. The actual cost of a specific phase may ultimately vary from the estimates provided and the final reimbursement amount shall be adjusted based on the Federal funding agreements.
- P. To prepare and submit invoices to CITY for expenditures related to planning activities incurred by AUTHORITY prior to execution of USDOT agreement.
- Q. To prepare and submit a Task Order to CITY, for CITY review and approval, describing the work scope, budget and timelines of deliverables prior to initiation of Project Development, ROW and Construction phases. The Task Order will define the amount of CITY funding commitment that will be advanced to AUTHORITY for the phase being delivered.
- R. To provide TOWN an opportunity to review proposed contract change orders during construction which such approval shall be provided within two working days. Failure to respond within two working days constitutes a waiver of the right to object to the proposed change order.
- S. To establish and maintain an accounting system conforming to Generally Accepted Accounting Principles (GAAP) to support AUTHORITY's request for reimbursement, payment vouchers, or invoices which segregate and accumulate costs of project management, Environmental Clearance, PS&E, ROW including utility relocations, construction, construction administration and closeout work elements and produce monthly reports which clearly identify reimbursable costs, matching fund costs, indirect cost allocation, and other allowable expenditures by AUTHORITY.
- T. To prepare a final accounting of expenditures, including a final invoice for the actual Project Management cost (AUTHORITY and Project Management Oversight staff), Environmental Clearance, PS&E, ROW, and construction costs expended for the PROJECT. The final accounting of expenditures and invoice shall be submitted no later than one hundred and twenty (120) calendar days following the completion of work including resolution of any claims and shall be submitted to CITY. The invoice shall include a statement that these PROJECT funds were used in conformance with this Agreement and USDOT requirements and for all PROJECT-specific and support activities, as approved by CITY and described herein.

- U. To provide CITY copies of approved contractor invoices and payment vouchers no less than twice annually until PROJECT completion, but not to exceed quarterly.
- V. To cooperate in having a PROJECT-specific audit of all PROJECT expenditures if requested by the CITY. The audit is intended to justify and validate that all funds expended on the PROJECT were used in conformance with this Agreement. The auditor shall be selected by CITY.
- W. To reimburse CITY for costs that are determined by subsequent audit to be unallowable within ninety (90) calendar days of AUTHORITY receiving notice of audit findings, which time shall include an opportunity for AUTHORITY to respond to and/or resolve the finding. Should the finding not be otherwise resolved and AUTHORITY fails to reimburse monies due to CITY within ninety (90) calendar days of audit finding, or within such other period as may be agreed between both Parties hereto, in addition to any other right or remedy of the CITY under this Agreement or applicable law, the CITY reserves the right to withhold future payments for the PROJECT due to AUTHORITY from any source under CITY's control.
- X. To procure and maintain insurance coverage (or a program of self-insurance of equivalent character and coverage) of the types and in the amounts identified in ATTACHMENT D and name the CITY as an additional insured for all work performed by AUTHORITY on CITY's behalf. Further, AUTHORITY will ensure that all consultants and subconsultants hired to perform work on the PROJECT name the CITY as an additional insured and procure and maintain insurance coverage of the types and in the amounts identified in ATTACHMENT D, and that all such consultants and subconsultants agree to indemnify the CITY to the same extent that indemnification is provided to AUTHORITY.
- Y. To attend City Council, Committee, Commission, and public meetings to present design recommendations, PROJECT updates and other information, as needed provided sufficient notice is given.

IV. CITY RESPONSIBILITIES

CITY agrees:

- A. To jointly enter into utility agreements with Authority and any affected utilities if utility facilities need to be relocated or new service connections are required to facilitate the PROJECT, acknowledging that the PROJECT represents a "proper governmental use" of any public street affected by the PROJECT and thus utilities will be responsible for any relocation required on such street pursuant to and subject to the terms of the applicable utilities' franchise agreements.
- B. To enter into any required maintenance agreements, subject to terms acceptable to the CITY, and prepare any required easements for PROJECT prior to construction.

- C. To pay an advancement to AUTHORITY for estimated costs for each phase of the PROJECT as specified in Task Order submitted by AUTHORITY and approved by the CITY. The actual cost of a specific phase may ultimately vary from the estimates provided in ATTACHMENT B; however, under no circumstances is the total combined CITY contribution to exceed \$1,000,000 without an amendment to this Agreement.
- D. When conducting an audit of the costs claimed under the provisions of this Agreement, to rely to the maximum extent possible on any prior audit of AUTHORITY performed pursuant to the provisions of State and Federal laws. In the absence of such an audit, work of other auditors will be relied upon to the extent that work is acceptable to CITY when planning on conducting additional audits.
- E. To designate a responsible staff member that will be CITY's representative in attending all meetings between the parties or pertaining to the PROJECT, receiving day-to-day communication and reviewing the PROJECT documents.
- F. To act as Lead Agency for purposes of CEQA/NEPA, as applicable.
- G. To review and provide comments on Environmental Clearance document, PS&E, construction bids, construction management contract and closeout documents within 30 working days, or other durations as mutually agreed between Parties, of receiving the review request from AUTHORITY.
- H. City Manager is authorized to act on behalf of CITY under this Agreement, to the extent approved by CITY Council.
- I. Subject to applicable law and funding restrictions, CITY has the ultimate authority to make final decisions on changes to the design and procurement methods.
- J. To formally accept the PROJECT through City Council action following completion.
- K. To facilitate public meetings, meetings with the City Council, Committees, Commissions and the public regarding the PROJECT.
- L. To make reasonable efforts to secure funding and reimburse the AUTHORITY for cost increases on the PROJECT. Upon notification by the AUTHORITY of cost increases, CITY will secure the funding or negotiate with AUTHORITY to reduce the scope if additional funding is not available.

V. MUTUAL RESPONSIBILITIES

The Parties agree:

A. Performance Period

a. This Agreement shall go into effect on (DATE) (the "Effective Date"). This Agreement shall end 12 months following acceptance of the PROJECT by the CITY and reimbursement of all costs to AUTHORITY, unless extended by written amendment. See article H under Section V.

B. To abide by all applicable federal, state and local laws and regulations pertaining to the PROJECT as of the Effective Date of this Agreement.

C. To abide by all Terms and Conditions contained in the Agreement between USDOT and AUTHORITY for the programming and authorization to expend funding from the fiscal year 2022 Safe Streets and Roads for All Grant program. (Attachment D).

D. In the event AUTHORITY determines cost for any PROJECT phase work may exceed the amounts identified in Attachment B of this Agreement, AUTHORITY shall inform CITY of this determination and thereafter the Parties shall work together in an attempt to agree upon an amendment to either modify the scope of the PROJECT or the amounts identified in this Agreement, or both. Under no circumstances is the total CITY contribution to exceed \$1,000,000 without an amendment to this Agreement.

E. Eligible PROJECT reimbursements shall include only those costs incurred by AUTHORITY for PROJECT-specific work activities that are described in this Agreement.

F. Neither AUTHORITY nor any officer, director, employee or agent thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by CITY and under or in connection with any work, authority or jurisdiction delegated to CITY under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, CITY shall fully defend, indemnify and save harmless AUTHORITY, its officers, directors, employees or agents from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by CITY under or in connection with any work, authority or jurisdiction delegated to CITY under this Agreement.

G. Neither CITY nor any officer, director, employee or agent thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by AUTHORITY and under or in connection with any work, authority or jurisdiction delegated to AUTHORITY under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, AUTHORITY shall fully defend, indemnify and save harmless, its officers, directors, employees or agents from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by

AUTHORITY, its officers, employees, consultants, contractors or agents under or in connection with any work, authority or jurisdiction delegated to AUTHORITY under this Agreement.

- H. This Agreement shall end 12 months following acceptance of the PROJECT by the CITY and reimbursement of all costs to AUTHORITY, unless extended by written amendment, except that the indemnification provisions shall remain in effect until terminated or modified, in writing, by mutual agreement. Notwithstanding any other provision herein, to the extent consistent with the terms and obligations hereof, any Party may terminate this Agreement at any time, with or without cause, by giving thirty (30) calendar days written notice to all the other Parties. In the event of a termination, the Party terminating this Agreement shall be liable for any costs or other non-cancellable obligations it may have incurred or the non-terminating Party may have incurred for the benefit of the terminating Party under the terms of the Agreement prior to termination. In the case of such termination, the AUTHORITY shall transfer ownership of all work product developed under this Agreement to the CITY and shall, at the CITY's request, assign consultant or contractor agreements related to the PROJECT and entered into by the AUTHORITY hereunder to the CITY.
- I. The Recitals to this Agreement are true and correct and are incorporated into this Agreement.
- J. All signatories hereto warrant that they are duly authorized to execute this Agreement on behalf of said Parties and that by executing this Agreement, the Parties hereto are formally bound to this Agreement.
- K. Except on subjects preempted by federal law, this Agreement shall be governed by and construed in accordance with the laws of the State of California. Venue shall be in Contra Costa County. All Parties agree to follow all local, state, and federal laws and ordinances with respect to the performance of this Agreement.
- L. The Parties agree that each Party and any authorized representative, designated in writing to the Parties, and upon reasonable notice, shall have the right during normal business hours to examine all Parties' financial books and records with respect to this Agreement. The Parties agree to retain their books and records for a period of three (3) years from the later of; a) the date on which this Agreement terminates; or b) the date on which such book or record was created.
- M. If any clause or provision of this Agreement is illegal, invalid or unenforceable under applicable present or future laws, then it is the intention of the Parties that the remainder of this Agreement shall not be affected but shall remain in full force and effect.
- N. This Agreement cannot be amended or modified in any way except in writing, signed by all Parties hereto.
- O. Neither this Agreement, nor any of the Parties' rights, obligations, duties, or authority hereunder may be assigned in whole or in part by either Party without the prior written consent of the other Party in its sole, and absolute, discretion. Any such attempt of assignment shall be deemed void and of no force and effect.

- P. No waiver of any default shall constitute a waiver of any other default whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a Party shall give the other Party any contractual rights by custom, estoppel, or otherwise.
- Q. In the event of litigation arising from this Agreement, each Party to this Agreement shall bear its own costs, including attorney(s) fees. This paragraph shall not apply to the costs or attorney(s) fees relative to paragraphs D and E of this Section.
- R. This Agreement may be signed in counterparts, each of which shall constitute an original. This Agreement is effective on the date signed by both Parties and shall be dated on the date executed by AUTHORITY.
- S. Any notice required, authorized or permitted to be given hereunder or any other communications between the Parties provided for under the terms of this Agreement shall be in writing, unless otherwise provided for herein, and shall be served personally or by reputable courier addressed to the relevant party at the address/email stated below:

If to AUTHORITY: Tim Haile
Executive Director
2999 Oak Road, Suite 100
Walnut Creek, CA 94597
Telephone: 925-256-4735
Email: thaile@ccta.net

If to CITY: Contact Name
Contact Title
Address
Telephone:
Email:

- T. There are no third-party beneficiaries, and this Agreement is not intended, and shall not be construed to be for the benefit of, or be enforceable by, any other person or entity whatsoever.
- U. This Agreement, with its exhibits, represents the entire understanding of AUTHORITY and CITY as to those matters contained herein, and supersedes and cancels any prior or contemporaneous oral or written understanding, promises or representations with respect to those matters covered hereunder. Each Party acknowledges that no representations, inducements, promises or agreements have been made by any person which are not incorporated herein, and that any other agreements shall be void. This Agreement may not be modified or altered except in writing signed by both Parties hereto. This is an integrated Agreement.

SIGNATURES ON FOLLOWING PAGE:

**COOPERATIVE AGREEMENT NO. 668
BETWEEN
CONTRA COSTA TRANSPORTATION AUTHORITY
AND CITY OF ANTIOCH**

**CONTRA COSTA TRANSPORTATION
AUTHORITY**

CITY OF ANTIOCH

By: _____
Federal Glover
Chair

By: _____
City Manager

Date: _____

Attest: _____
Tarienne Grover
Clerk of the Board

By: _____
Fennemore Wendell
Authority Counsel

Date: _____

Attachment A

PROJECT DESCRIPTION & PROPOSED IMPROVEMENTS

The project will build a one-of-a-kind facility for teaching bicycle and pedestrian safety education to encourage the use of pollution-free transportation. Using small scale modern streetscape design elements, this unique facility will be built in the City of Antioch's Prewett Park and will provide healthy, fun, outdoor recreation in a safe, vehicle-free environment. Learning stations throughout the course will aid group instruction and allow for self-guided education.

(Independent Cost Estimate is attached as an Exhibit to the Project Description & Proposed Improvements)

Attachment B

PROJECT COST ESTIMATE

ACTIVITIES	AMOUNT
CCTA Planning, Project Management and Procurements	\$274,000
Consultant Services for, Environmental Clearance, PS&E, and Right of Way Engineering	\$726,000
Right-of-Way Acquisition/Utility Relocation	0
CONSTRUCTION	\$3,450,000
CONSTRUCTION SUPPORT <i>(Including Construction Management, Design Support During Construction & Permit Fees)</i>	\$550,000
TOTAL PROJECT COST	\$5,000,000

Attachment C

PROJECT FUNDING TABLE

FUNDING SOURCE	AMOUNT
Local Funds	\$ 1,000,000
SS4A (Federal Funding)	\$ 4,000,000
Total	\$ 5,000,000

Attachment D

Insurance Requirements

[Contractor or Consultant] shall not commence work for the Authority until it has secured all insurance required under this Section and has provided evidence satisfactory to the Authority. In addition, [Contractor or Consultant] shall not allow any subconsultant to commence work on any subcontract until it has secured all insurance required under this Section.

a. Commercial General Liability

(i) [Contractor or Consultant] shall take out and maintain, during the performance of all work under this Agreement, in amounts not less than specified herein, Commercial General Liability Insurance, in a form and with insurance companies acceptable to the Authority.

(ii) Coverage for Commercial General Liability insurance shall be at least as broad as the following:

(1) Insurance Services Office Commercial General Liability coverage (Occurrence Form CG 00 01) or exact equivalent.

(iii) Commercial General Liability Insurance must include coverage for the following:

(1) Bodily Injury and Property Damage

(2) Personal Injury/Advertising Injury

(3) Premises/Operations Liability

(4) Products/Completed Operations Liability

(5) Aggregate Limits that Apply per Project

(6) Explosion, Collapse and Underground exclusion deleted

(7) Contractual Liability with respect to this Agreement

(8) Property Damage

(9) Independent Consultants Coverage

(iv) The policy shall contain no endorsements or provisions limiting coverage for: (1) contractual liability; (2) cross liability exclusion for claims or suits by one insured against another; (3) products/completed operations liability; or (4) contain any other exclusion contrary to the Agreement.

(v) The policy shall give the Authority, the City, their officials, officers, employees, agents and the Authority designated volunteers additional insured status using ISO endorsement forms CG 20 10 10 01 and 20 37 10 01, or endorsements providing the exact same coverage.

(vi) The general liability program may utilize either deductibles or provide coverage excess of a self-insured retention, subject to written approval by the Authority, and provided that such deductibles shall not apply to the Authority as an additional insured.

b. Automobile Liability

(i) At all times during the performance of the work under this Agreement, [Contractor or Consultant] shall maintain Automobile Liability Insurance for bodily injury and property damage including coverage for owned, non-owned and hired vehicles, in a form and with insurance companies acceptable to the Authority.

(ii) Coverage for automobile liability insurance shall be at least as broad as Insurance Services Office Form Number CA 00 01 covering automobile liability (Coverage Symbol 1, any auto).

(iii) The policy shall give the Authority, the City, their officials, officers, employees, agents and Authority designated volunteers additional insured status.

(iv) The business automobile liability program may utilize either deductibles or provide coverage excess of a self-insured retention, subject to written approval by the Authority, and provided that such deductibles shall not apply to the Authority as an additional insured.

c. Workers' Compensation/Employer's Liability

(i) [Contractor or Consultant] certifies that he/she is aware of the provisions of Section 3700 of the California Labor Code, which requires every employer to be

insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and he/she will comply with such provisions before commencing work under this Agreement.

(ii) To the extent [Contractor or Consultant] has employees at any time during the term of this Agreement, at all times during the performance of the work under this Agreement, [Contractor or Consultant] shall maintain full compensation insurance for all persons employed directly by him/her to carry out the work contemplated under this Agreement, all in accordance with the "Workers' Compensation and Insurance Act," Division IV of the Labor Code of the State of California and any acts amendatory thereof, and Employer's Liability Coverage in amounts indicated herein. [Contractor or Consultant] shall require all subconsultants to obtain and maintain, for the period required by this Agreement, workers' compensation coverage of the same type and limits as specified in this Section.

d. Professional Liability (Errors and Omissions)

At all times during the performance of the work under this Agreement [Contractor or Consultant] shall maintain professional liability or Errors and Omissions insurance appropriate to its profession, in a form and with insurance companies acceptable to the Authority and in an amount indicated herein. This insurance shall be endorsed to include contractual liability applicable to this Agreement and shall be written on a policy form coverage specifically designed to protect against acts, errors or omissions of [Contractor or Consultant]. "Covered Professional Services" as designated in the policy must specifically include work performed under this Agreement. The policy must "pay on behalf of" the insured and must include a provision establishing the insurer's duty to defend.

e. Pollution Liability [DELETE SECTION IF NOT APPLICABLE]

(i) Pollution Liability is required should any of the Services involve pollutants or hazardous materials. Liability coverage shall include coverage for the environmental risks associated with the Project and expenses related to such, including bodily injury, property damage, on and off site clean-up, transporting, carrying or storing pollutants, and coverage for non-owned disposal sites.

(ii) The policy shall give the Authority, the City, their officials, officers, employees, agents and Authority designated volunteers additional insured status.

(iii) The pollution liability program may utilize either deductibles or provide coverage excess of a self-insured retention, subject to written approval by the Authority, and provided that such deductibles shall not apply to the Authority as an additional insured.

f. Minimum Policy Limits Required

(i) The following insurance limits are required for the Agreement:

Combined Single Limit

Commercial General Liability \$2,000,000 per occurrence/\$4,000,000 aggregate for bodily injury, personal injury, and property damage

Automobile Liability \$1,000,000 combined single limit

Employer's Liability \$1,000,000 per occurrence

Professional Liability \$3,000,000 per claim and aggregate (errors and omissions)

(ii) Defense costs shall be payable in addition to the limits.

(iii) Requirements of specific coverage or limits contained in this Section are not intended as a limitation on coverage, limits, or other requirement, or a waiver of any coverage normally provided by any insurance. Any available coverage shall be provided to the parties required to be named as Additional Insured pursuant to this Agreement.

g. Evidence Required

Prior to execution of the Agreement, [Contractor or Consultant] shall file with the Authority evidence of insurance from an insurer or insurers certifying to the coverage of all insurance required herein. Such evidence shall include original copies of the ISO CG 00 01 (or insurer's equivalent) signed by the insurer's representative and Certificate of Insurance (Acord Form 25-S or equivalent), together with required endorsements. All evidence of insurance shall be signed by a properly authorized officer, agent, or qualified representative of the insurer and shall certify the names of the insured, any additional insureds, where appropriate, the type and amount of the insurance, the location and operations to which the insurance applies, and the expiration date of such insurance.

h. Policy Provisions Required

(i) [Contractor or Consultant] shall provide the Authority at least thirty (30) calendar days prior written notice of cancellation of any policy required by this Agreement, except that [Contractor or Consultant] shall provide at least ten (10) calendar days prior written notice of cancellation of any such policy due to non-payment of premium. If any of the required coverage is cancelled or expires during the term of this Agreement, [Contractor or Consultant] shall deliver renewal certificate(s) including the General Liability Additional Insured Endorsement to the Authority at least ten (10) calendar days prior to the effective date of cancellation or expiration.

(ii) The Commercial General Liability Policy, Automobile Liability Policy and Pollution Liability Policy shall each contain a provision stating that [Contractor or Consultant]'s policy is primary insurance and that any insurance, self-insurance or other coverage maintained by the Authority or any named insureds shall not be called upon to contribute to any loss.

(iii) The retroactive date (if any) of each policy is to be no later than the effective date of this Agreement. [Contractor or Consultant] shall maintain such coverage continuously for a period of at least three (3) years after the completion of the work under this Agreement. [Contractor or Consultant] shall purchase a one (1) year extended reporting period

A) if the retroactive date is advanced past the effective date of this Agreement; B) if the policy is cancelled or not renewed; or C) if the policy is replaced by another claims-made policy with a retroactive date subsequent to the effective date of this Agreement.

(iv) All required insurance coverages, except for the professional liability coverage, shall contain or be endorsed to waiver of subrogation in favor of the Authority, the City, their officials, officers, employees, agents, and volunteers or shall specifically allow [Contractor or Consultant] or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. [Contractor or Consultant] hereby waives its own right of recovery against the Authority or the City, and shall require similar written express waivers and insurance clauses from each of its subconsultants.

(v) The limits set forth herein shall apply separately to each insured against whom claims are made or suits are brought, except with respect to the limits of liability. Further the limits set forth herein shall not be construed to relieve [Contractor or

Consultant] from liability in excess of such coverage, nor shall it limit [Contractor or Consultant]'s indemnification obligations to the Authority and shall not preclude the Authority from taking such other actions available to the Authority under other provisions of the Agreement or law.

i. Qualifying Insurers

(i) All policies required shall be issued by acceptable insurance companies, as determined by the Authority, which satisfy the following minimum requirements:

(1) Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and admitted to transact in the business of insurance in the State of California, or otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law.

j. Additional Insurance Provisions

(i) The foregoing requirements as to the types and limits of insurance coverage to be maintained by [Contractor or Consultant], and any approval of said insurance by the Authority, is not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by [Contractor or Consultant] pursuant to this Agreement, including but not limited to, the provisions concerning indemnification.

(ii) If at any time during the life of the Agreement, any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced, the Authority has the right but not the duty to obtain the insurance

it deems necessary and any premium paid by the Authority will be promptly reimbursed by [Contractor or Consultant] or the Authority will withhold amounts sufficient to pay premium from [Contractor or Consultant] payments. In the alternative, the Authority may cancel this Agreement.

(iii) The Authority may require [Contractor or Consultant] to provide complete copies of all insurance policies in effect for the duration of the Project.

(iv) Neither the Authority, the City nor any of their officials, officers, employees, agents or volunteers shall be personally responsible for any liability arising under or by virtue of this Agreement.

k. Subconsultant Insurance Requirements [Contractor or Consultant] shall not allow any subconsultants to commence work on any subcontract until they have provided evidence satisfactory to the Authority that they have secured all insurance required under this Section. Policies of commercial general liability insurance provided by such subconsultants shall be endorsed to name the Authority and the City as an additional insured using ISO form CG 20 38 04 13 or an endorsement providing the exact same coverage. If requested by [Contractor or Consultant], the Authority may approve in writing different scopes or minimum limits of insurance for particular subconsultants.

Indemnification

a. To the fullest extent permitted by law, [Contractor or Consultant] shall defend (with counsel of the Authority's choosing), indemnify and hold the Authority, its officials, officers, employees, volunteers, and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner arising out of, pertaining to, or incident to any acts, errors or omissions, or willful misconduct of [Contractor or Consultant], its officials, officers, employees, subconsultants or agents in connection with the performance of [Contractor or Consultant]'s Services, the Project or this Agreement, including without limitation the payment of all damages, expert witness fees and attorney's fees and other related costs and expenses. Consultant's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by [Contractor or Consultant], the Authority, the City, their officials, officers, employees, agents, or volunteers.

b. If [Contractor or Consultant]'s obligation to defend, indemnify, and/or hold harmless arises out of [Contractor or Consultant]'s performance of "design professional" services (as that term is defined under Civil Code Section 2782.8), then, and only to the extent required by Civil Code Section 2782.8, which is fully incorporated herein, [Contractor or

Consultant]'s indemnification obligation shall be limited to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of [Contractor or Consultant], and upon [Contractor or Consultant] obtaining a final adjudication by a court of competent jurisdiction, [Contractor or Consultant]'s liability for such claim, including the cost to defend, shall not exceed [Contractor or Consultant]'s proportionate percentage of fault.

California Labor Code Requirements

a. [Contractor or Consultant] is aware of the requirements of California Labor Code Sections 1720 et seq. and 1770 et seq., which require the payment of prevailing wage rates and the performance of other requirements on certain “public works” and “maintenance” projects (Prevailing Wage Laws). If the Services are being performed as part of an applicable “public works” or “maintenance” project, as defined by the Prevailing Wage Laws, and if the total compensation is \$1,000 or more, [Contractor or Consultant] agrees to fully comply with such Prevailing Wage Laws. [Contractor or Consultant] shall defend, indemnify and hold the Authority, its officials, officers, employees and agents free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure to comply with the Prevailing Wage Laws. It shall be mandatory upon [Contractor or Consultant] and all subconsultants to comply with all California Labor Code provisions, which include but are not limited to prevailing wages (Labor Code Sections 1771, 1774 and 1775), employment of apprentices (Labor Code Section 1777.5), certified payroll records (Labor Code Section 1771.4 and 1776), hours of labor (Labor Code Sections 1813 and 1815) and debarment of contractors and subcontractors (Labor Code Section 1777.1). The requirement to submit certified payroll records directly to the Labor Commissioner under Labor Code section 1771.4 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Section 1771.4.

b. If the Services are being performed as part of an applicable “public works” or “maintenance” project, then pursuant to Labor Code Sections 1725.5 and 1771.1, [Contractor or Consultant] and all subconsultants performing such Services must be registered with the Department of Industrial Relations (DIR). [Contractor or Consultant] shall maintain registration for the duration of the Project and require the same of any subconsultants, as applicable. This Project may also be subject to compliance monitoring and enforcement by the DIR. It shall be [Contractor or Consultant]’s sole responsibility to comply with all applicable registration and labor compliance requirements. Notwithstanding the foregoing, the contractor registration requirements mandated by Labor Code Sections 1725.5 and 1771.1 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Sections 1725.5 and 1771.1.

DRAFT

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of November 28, 2023

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Lori Medeiros, Administrative Analyst I

APPROVED BY: Scott Buenting, Acting Public Works Director/City Engineer

SUBJECT: Consideration of Bids for the Contra Loma Estates Park Renovation;
P.W. 298-P3

RECOMMENDED ACTION

It is recommended that the City Council adopt a resolution:

1. Awarding the construction agreement to the lowest, responsive, and responsible bidder, Star Construction, Inc. for the Contra Loma Estates Park Renovation in the amount of \$2,499,900, in substantially the form included in Exhibit "1" to the Resolution; and
2. Authorizing the Acting City Manager or designee to execute the construction agreement with Star Construction, Inc. for a total amount of \$2,499,900.

FISCAL IMPACT

The fiscal year 2023/24 Capital Improvement Budget includes \$2,754,245 of State of California, Department of Parks and Recreation grant funding for the Contra Loma Estates Park Renovation Project.

DISCUSSION

On November 7, 2023, ten (10) bids were received and opened as shown on the attached tabulation. The low bid was submitted by Star Construction, Inc. of San Bruno in the amount of \$2,499,900. The bids have been checked and found to be without any errors or omissions.

The City of Antioch received \$2,952,000 to renovate Contra Loma Estates Park and to upgrade the park to provide more meaningful neighborhood experiences, enhance active recreational opportunities, and strengthen civic pride. The park improvements include new outdoor gym/exercise equipment, a walking/jogging exercise pathway, a climbing feature for older youth, shaded picnic and BBQ area, a dog park on the south side of the park, a restroom, new lighting and fencing around the existing basketball courts, and new landscape and security lighting throughout the park.

These park amenities were prioritized by neighborhood residents and community organizations active within the community, including elementary aged children that participated in summer camp, and Antioch Police Department volunteers. The project will also include community art designed by Antioch High School students and tree planting and landscape enhancements by the California Conservation Corps.

Contra Loma Estates Park serves over 8,000 residents within a half mile radius and currently has no amenities and is not attractive for many traditional outdoor family activities. The Antioch Recreation Department will be able to provide healthy activities that are important for youth development and partner with community organizations to bring residents together.

ATTACHMENTS

- A. Resolution
- B. Bid Tabulation

ATTACHMENT "A"

RESOLUTION NO. 2023/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH AWARDING
THE CONTRA LOMA ESTATES PARK RENOVATION CONSTRUCTION
AGREEMENT TO STAR CONSTRUCTION, INC.
P.W. 298-P3**

WHEREAS, the Contra Loma Estates Park Renovation Project ("Project") will consist of renovating the existing Contra Loma Estates Park by grading the area, constructing a new dog park, and installing irrigation, landscaping amenities, a pathway, basketball court lighting, recreational equipment, and restroom facilities;

WHEREAS, the consideration of bids for the Contra Loma Estates Park Renovation Project ("Project") was published and advertised in the East Bay Times on September 6, 2023 and September 8, 2023, and a Notice to Contractors was sent to the construction trade journals;

WHEREAS, on November 7, 2023, ten (10) bids were received for the Project;

WHEREAS, the City Council has considered awarding the construction agreement ("Agreement") to the lowest responsive and responsible bidder, Star Construction, Inc. in the amount of \$2,499,900.

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

1. Awards the construction agreement to the lowest, responsive, and responsible bidder, Star Construction, Inc. in the amount of \$2,499,900, in substantially the form included in Exhibit 1; and
2. Authorizes the Acting City Manager or designee to execute an agreement with Star Construction, Inc. in the amount of \$2,499,900, in a form approved by the City Attorney.

RESOLUTION NO. 2023/**

November 28, 2023

Page 2 of 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 28th day of November 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ELIZABETH HOUSEHOLDER
CITY CLERK OF THE CITY OF ANTIOCH

EXHIBIT "1"
AGREEMENT

THIS AGREEMENT, made and entered into this 28th day of November, 2023 by and between STAR CONSTRUCTION, INC., hereinafter called "CONTRACTOR" and the CITY OF ANTIOCH, hereinafter called the "CITY."

WITNESSETH, that the CONTRACTOR and the CITY, for consideration hereinafter named, agree as follows:

1. SCOPE OF WORK

The work consists, in general, of furnishing all materials, labor, tools, supplies, equipment, transportation and superintendence necessary to perform the work required for **P.W. No. 298-P3**. The work is more fully described in the Description of Project, Construction Details and Plans contained in the Contract Documents. The Contract Documents are defined below in Section 4 of this Agreement.

2. TIME OF COMPLETION

After this Agreement has been executed by the parties, the CONTRACTOR shall begin work within ten (10) calendar days after the effective date of the Notice to Proceed, and shall diligently prosecute all of the work under this Agreement in all parts and requirements as defined in the Contract Documents, from the effective date of said Notice to Proceed. The period of performance shall be two hundred ninety (290) working days from the Notice to Proceed.

3. TOTAL BID PRICE

The CONTRACTOR shall faithfully perform all of the work hereunder for the Contract Price of **Two Million, four hundred ninety-nine thousand, nine hundred dollars (\$2,499,900.00)**, payable by the CITY to the CONTRACTOR at the time and in the manner provided in the Contract Documents.

**SCHEDULE OF BID PRICES FOR
CONTRA LOMA ESTATES PARK RENOVATION
P.W. 298-P3**

Item No.	Unit	Quantity	Description	Unit Price	Extended Amount
1.	LS	1	Mobilization, complete in place for the lump sum price	\$ 130,000.00	\$ 130,000.00
2.	LS	1	Water pollution control, complete in place for the lump sum price	\$ 20,000.00	\$ 20,000.00
3.	LS	1	Traffic control, complete in place for the lump sum price	\$ 10,000.00	\$ 10,000.00

Item No.	Unit	Quantity	Description	Unit Price	Extended Amount
4.	LS	1	Tree protection and temporary fencing, complete in place for the lump sum price	\$ 10,000.00	\$ 10,000.00
5.	LS	1	Site clearing, complete in place for the lump sum price	\$ 60,000.00	\$ 60,000.00
6.	LS	1	Demolition, complete in place for the lump sum price	\$ 90,000.00	\$ 90,000.00
7.	LS	1	Tree and stump removal, complete in place for the lump sum price	\$ 8,000.00	\$ 8,000.00
8.	LS	1	Site work, complete in place for the lump sum price	\$ 607,000.00	\$ 607,000.00
9.	LS	1	Furnishings, complete in place for the lump sum price	\$ 66,000.00	\$ 66,000.00
10.	LS	1	Structures, complete in place for the lump sum price	\$ 90,000.00	\$ 90,000.00
11.	LS	1	Utilities, complete in place for the lump sum price	\$ 90,000.00	\$ 90,000.00
12.	LS	1	Electrical, complete in place for the lump sum price	\$ 205,000.00	\$ 205,000.00
13.	LS	1	Planting, complete in place for the lump sum price	\$ 144,000.00	\$ 144,000.00
14.	LS	1	Irrigation, complete in place for the lump sum price	\$ 110,000.00	\$ 110,000.00
15.	LS	1	Restroom, complete in place for the lump sum price	\$ 324,000.00	\$ 324,000.00
16.	LS	1	Fitness station, complete in place for the lump sum price	\$ 120,000.00	\$ 120,000.00
17.	LS	1	Dog park, complete in place for the lump sum price	\$ 203,900.00	\$ 203,900.00
18.	LS	1	Playground expansion, complete in place for the lump sum price	\$ 110,000.00	\$ 110,000.00
19.	LS	1	Picnic area, complete in place for the lump sum price	\$ 82,000.00	\$ 82,000.00
20.	LS	1	Teen area, complete in place for the lump sum price	\$ 20,000.00	\$ 20,000.00

Item No.	Unit	Quantity	Description	Unit Price	Extended Amount
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TOTAL BID PRICE: \$2,499,900.00

4. COMPONENT PARTS

This Agreement shall consist of the following documents, each of which is on file in the City of Antioch, Public Works Department, and all of which are incorporated herein by this reference:

- A. Agreement
- B. Project Stabilization Agreement
- C. Notice Inviting Bids
- D. Description of Project
- E. General Conditions (2006 Caltrans Standard Specifications)
- F. Special Provisions
- G. Construction Details
- H. Contract Plans
- I. Addenda No. 1 to 2, inclusive
- J. Performance Bond
- K. Payment bond
- L. Bid Forms

5. SERVICE OF NOTICE

Any notice required or permitted to be given under this Agreement shall be deemed given when personally delivered to recipient thereof or mailed by registered or certified mail, return receipt requested, postage pre-paid, to the appropriate address specified in the CONTRACTOR's bid, and in the case of the CITY, to P. O. Box 5007, Antioch, CA 94531-5007, or at any other address which either party may subsequently designate in writing to the other party.

6. GOVERNING LAW

This Agreement shall be governed and construed in accordance with the laws of the State of California. Any action relating to this Agreement shall be instituted and prosecuted in a court of competent jurisdiction in the State of California. Each party hereby appoints the party listed opposite its name to act as its initial agent for service of process relating to any such action:

CITY: City of Antioch
Capital Improvements
200 "H" Street
P. O. Box 5007
Antioch, CA 94531-5007

CONTRACTOR: Star Construction, Inc.
240 Allen Drive
San Bruno, CA 94066

Each such agent is hereby authorized and directed to accept service of process in any such action on behalf of his principal until such time as his successor shall have been appointed by his principal and notice thereof has been delivered to the other party in the manner provided herein for the giving of notice.

CONTRACTOR:

STAR CONSTRUCTION, INC.

Name Under Which Business is Conducted

The undersigned certify that they sign this Agreement with full and proper authorization so to do:

*By: _____

Title: _____

By: _____

Title: _____

** If CONTRACTOR is a corporation, this Agreement must be executed by two officers of the corporation, consisting of: (1) the President, Vice President, or Chair of the Board; and (2) the Secretary, Assistant Secretary, Treasurer or Chief Financial Officer. In the alternative, this Agreement may be executed by a single officer or a person other than an officer provided that evidence satisfactory to the CITY is provided demonstrating that such individual is authorized to bind the corporation (e.g. – a copy of a certified resolution from the corporation's bylaws).*

CITY OF ANTIOCH, CALIFORNIA
A Municipal Corporation

By: _____
Kwame P. Reed, Acting City Manager

By: _____
Elizabeth Householder, City Clerk

APPROVED AS TO FORM:

By: _____
Thomas Lloyd Smith, City Attorney

ATTACHMENT "B"

CITY OF ANTIOCH						
TABULATION OF BIDS						
JOB TITLE: Contra Loma Estates Park Renovation (P.W. 298-P3)						
BIDS OPENED: November 7, 2023 ~ 2:00 p.m. City Council Chambers						
	Engineer's Estimate	Star Construction, Inc. San Bruno	Suarez & Munoz Construction, Inc. Hayward	S&H Construction, Inc. Fremont	Stockbridge General Contracting, Inc. Clovis	Calico California Constructors San Pablo
TOTAL BID PRICE	\$2,700,000.00	\$2,499,900.00	\$2,850,000.00	\$2,868,600.00	\$2,888,510.00	\$2,895,233.00

LIST OF SUBCONTRACTORS

<i>Star Construction, Inc.</i>	<i>Suarez & Munoz Construction, Inc.</i>	<i>S&H Construction, Inc.</i>	<i>Stockbridge General Contracting, Inc.</i>	<i>Calico California Constructors</i>
<u>Prefab Restroom</u> <u>Public Restroom Company</u> <u>Staking/Surveying</u> <u>Epic Land Surveying</u> <u>Provide & Sod Install</u> <u>Delta Blue Grass</u> <u>SWPPP</u> <u>Verux</u> <u>Fences, Rails, Gates, Posts</u> <u>Oliveira Fence Co.</u> <u>Install Shade Structures</u> <u>Recreation Science</u> <u>Provide & Install safety surface</u> <u>NO Fault Safety Surface</u> <u>Electrical</u> Gremelli Industries	<u>Fencing</u> <u>Bailey Fence</u> <u>Electrical</u> <u>Banister Electrical</u> <u>Prefab Restroom</u> <u>Public Restroom</u> <u>Resilient Surfacing</u> Robertson Industries	<u>Fence</u> <u>Oliveira Fence</u> <u>Rebar</u> <u>Mission City Rebar</u> <u>Play Structure Installation</u> <u>Creative Builders</u>	<u>Landscape Irrigation</u> <u>Elite Landscape Construction</u> <u>Restroom</u> <u>Public Restroom Co.</u> <u>Play Surfacing</u> <u>Robertson Industries</u> <u>Shelter Play Eqpmt Install</u> <u>James Breneman</u> <u>Survey Staking</u> <u>Epic Land Surveying</u> <u>Fencing</u> <u>Oliveira Fence</u> <u>Concrete</u> <u>R. R. Maher</u> <u>Electrical</u> Gremelli Industries	<u>Surveyor</u> <u>Kier & Wright</u> <u>Electrical</u> <u>Joe Vera Electric</u> <u>Mulch</u> <u>Jet Mulch</u> <u>Rubber</u> <u>Robertson Rec Surf</u> <u>Fence</u> <u>Oliveira Fence</u>

CITY OF ANTIOCH
TABULATION OF BIDS

JOB TITLE: Contra Loma Estates Park Renovation
(P.W. 298-P3)

BIDS OPENED: November 7, 2023 ~ 2:00 p.m.
City Council Chambers

Engineer's Estimate	Redgwick Construction Co. Oakland	BrightView Landscape Development, Inc. Pleasanton	Azul Works, Inc. San Francisco	McGuire and Hester Alameda	Kerex Engineering, Inc. Pleasant Hill
	\$2,980,600.00	\$3,141,564.35	\$3,260,000.00	\$3,411,500.00	\$4,095,000.00
TOTAL BID PRICE	\$2,700,000.00	\$2,980,600.00	\$3,141,564.35	\$3,260,000.00	\$3,411,500.00

LIST OF SUBCONTRACTORS


<i>Redgwick Construction Co.</i>	<i>BrightView Landscape Development, Inc.</i>	<i>Azul Works, Inc.</i>	<i>McGuire and Hester</i>	<i>Kerex Engineering, Inc.</i>
Restroom Install Public Restroom Company Structures & Play Eqpt Install James Breneman Rubber Surface Robertson Recreational Surfaces Fencing Oliveira Fence Landscape Marina Landscape Survey Construction Survey Concrete R&R Maher Electrical Gremelli Industries	Fencing Oliveira Fence Electrical Banister Electric Concrete RE Maher Concrete Construction Structure Install James Breneman Sod Delta Blue Grass Surfacing Robertson Recreational Surfaces Trucking AI Trucking	Fencing Pro Fence Company Survey Construction Survey Landscape/Irrigation Marina Landscape Electrical Gremelli Industries Demo/earthwork Magellan Construction Rubber Surface Flex Ground	Underground Utilities Paulson Cox Construction, Inc. Concrete Wayne E. Swisher Cement Electrical Gremelli Industries Fencing Oliveira Fence Shade Structure R.L. Ziegenbein Construction Rubberized Surfacing Robertson Industries	Landscape Marina Landscape Fence Calco Installation Creative Builders Electrical Gremelli Industries Rubber Surface NF Surfaces Tree Removal PG Services



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of November 28, 2023

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Kwame P. Reed, Acting City Manager 

SUBJECT: Authorization to Respond to Request for Status Update to Grand Jury Report No. 2106 "Mental Health Crisis Response"

RECOMMENDED ACTION

It is recommended that the City Council adopt the resolution to approve the response to the request for status updates to Grand Jury Report #2106 "Mental Health Crisis Response" (Attachment B, Exhibit 1) and authorize the Mayor to sign the response letter.

FISCAL IMPACT

Responding to the Grand Jury report required the utilization of staff time. The requested status update has no fiscal impact.

DISCUSSION

In November 2021, the City of Antioch and other public agencies in the Contra Costa County received the attached Grand Jury report: 911 Mental Heal Crisis Response: A New Way "To Protect and To Serve." The attached report was not just submitted to the City of Antioch but was distributed county-wide.

At their February 22, 2022 meeting, the Antioch City Council provided a response to Grand Jury Report No. 2016 by adopting Resolution 2022-29 (Attachment C). On October 12, 2023, the City of Antioch received the attached letter (Attachment D) requesting status updates to five (5) of the City's responses to the original Grand Jury Report that stated, "This recommendation has not been implemented but will be in the future." The responses to the questions are as follows:

- **Recommendation 3: By September 30, 2022 the Antioch City Council collaborate with DHS to establish a pilot project.**

Updated Response: The recommendation has been implemented. The City of Antioch created the Angelo Quinto Community Response Team pilot project on November 23, 2022. Through the 911 dispatch call center, the Angelo Quinto Community Response Team (AQCRT) provides Antioch residents with timely, on-site interventions for mental health crises. Intervention services include de-escalation, mediation, conflict resolution, and social services linkage. The AQCRT is a 24/7 program.

- **Recommendation 4: By October 30, 2022, the City of Antioch apply for grants, including AB-118, to fund its participation in the pilot program.**

Updated Response: The recommendation has been implemented. The Angelo Quinto Community Response Team (pilot program) has been funded for a period of two years (November 23, 2022-November 30, 2024) through American Rescue Plan Act (ARPA) funds. As the Department of Public Safety and Community Resources continues to grow, we anticipate searching and applying for grants that will continue to fund the Angelo Quinto Community Response Team.

- **Recommendation 5: By June 30, 2022, the Board of Supervisors direct DHS to establish a joint team including representatives from community partners for the administration of the pilot project.**

Updated Response: The recommendation will not be implemented. The Board of Supervisors have determined that it is not warranted or is not reasonable.

Community Partners have been integral to the development and success of the A3 initiative from its conception and will continue to be throughout its implementation. The administration of the current County pilot, however, is primarily managed by the County's Health Services Department's Behavioral Health Division. Community partners play advisory and subject matter expert roles, but there is no plan to have community partners administer the program. Community partners include:

- | | |
|---|--|
| ➤ Those with lived experience | ➤ Improvement advisors |
| ➤ Clients and family members | ➤ Mobile crisis team members |
| ➤ Law enforcement | ➤ Consolidated Planning and Advisory Workgroup |
| ➤ Fire and emergency medical responders | ➤ Mental Health Commission |
| ➤ Behavioral health professionals | ➤ Local City Managers |

- **Recommendation 6: By September 30, 2022, DHS and the City of Antioch begin a comprehensive program to inform and educate the community members about the project and the specific resource[s] that will be available at the outset of the pilot project.**

Updated Response: The recommendation has been implemented. The collaboration between the City of Antioch and the Angelo Quinto Community Response Team (AQCRT) informs and educates the community about AQCRT's services and available resources. AQCRT has actively engaged in community outreach by talking to local businesses and community members and setting up informational booths to educate the public about its services at events such as the Department of Public Safety and Community Resources Domestic Violence Awareness event and the Unhoused Pop-Up event.

- **Recommendation 7: By December 31, 2022, the Antioch Police Department and its 911 dispatchers augment their training to include the new MCRT alternative response options available.**

Updated Response: The recommendation has been implemented. The Antioch Police Department and its 911 dispatchers have been trained to assess the nature of 911 calls and determine if the AQCRT should be dispatched to respond in lieu of Antioch Police Officers.

The above responses will be provided to the Civil Grand Jury – Foreperson in a letter signed by the Mayor of Antioch (Attachment E)

ATTACHMENTS

- A. Resolution
- B. Exhibit 1 - City Response to Grand Jury Letter Dated October 12, 2023
- C. Civil Grand Jury Letter Date October 12, 2023 Requesting Status Updates to City's Original Response
- D. City Resolution 2022/29 Response to Civil Grand Jury Response – 911 Mental Health Crisis Response – A New Way “To Protect and To Serve”

RESOLUTION NO. 2023/XX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROVING
THE REQUEST FOR STATUS UPDATES TO GRAND JURY REPORT NO. 2106
“MENTAL HEALTH CRISIS RESPONSE” AND AUTHORIZING THE MAYOR TO
SIGN THE RESPONSE LETTER**

WHEREAS, the City of Antioch received a Grand Jury letter requesting a status update on the City’s response to Grand Jury Report No. 2106 911 Mental Health Crisis Response: A New Way “To Protect and To Serve”;

WHEREAS, a written response to the Grand Jury is required under California Penal Code § 933.05 (b); and

WHEREAS, a written response to the Grand Jury has been drafted and reviewed by the City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch hereby approves the written response to the Grand Jury (Exhibit 1) and authorizes the Mayor to sign the written response letter to the status update letter to the Grand Jury Report No. 2106 – “Mental Health Crisis Response” dated October 12, 2023, which is attached to this Resolution as Exhibit 1.”

* * * * *

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 28th day of November 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

ATTACHMENT B
“EXHIBIT 1”

Draft

November 29, 2023

Joanne Sarmento
Civil Grand Jury Foreperson
725 Court Street
P.O. Box 431
Martinez, CA 94533-0043

Re: Request for Status Update to Grand Jury Report No. 2106 – “Mental Health Crisis Response”

Dear Civil Grand Jury Foreperson Sarmento,

On behalf of the City of Antioch City Council, this letter is in response to a request to provide the current status on five (5) Grand Jury recommendations that the City provided a response of “This recommendation has not been implemented but will be in the future.” The City Council authorized this response at its November 28, 2023.

Recommendations and Updated Responses

- **Recommendation 3: By September 30, 2022, the Antioch City Council collaborate with DHS to establish a pilot project.**

Updated Response: The recommendation has been implemented. The City of Antioch created the Angelo Quinto Community Response Team pilot project on XXXXXXXX XX, 2022. (Provide a description of the project here).

- **Recommendation 4: By October 30, 2022, the City of Antioch apply for grants, including AB-118, to fund its participation in the pilot program.**

Updated Response: The recommendation has been implemented. The Angelo Quinto Community Response Team (pilot program) has been funded for a period of two years (November 23, 2022-November 30, 2024) through American Rescue Plan Act (ARPA) funds. As the Department of Public Safety and Community Resources continues to grow, we anticipate searching and applying for grants that will continue to fund the Angelo Quinto Community Response Team.

- **Recommendation 5: By June 30, 2022, the Board of Supervisors direct DHS to establish a joint team including representatives from community partners for the administration of the pilot project.**

Updated Response: The recommendation will not be implemented. The Board of Supervisors have determined that it is not warranted or is not reasonable.

Community Partners have been integral to the development and success of the A3 initiative from its conception and will continue to be throughout its implementation. The administration of the current County pilot, however, is primarily managed by the County's Health Services Department's Behavioral Health Division. Community partners play advisory and subject

ATTACHMENT B

“EXHIBIT 1”

matter expert roles, but there is no plan to have community partners administer the program. Community partners include:

- Those with lived experience
 - Clients and family members
 - Law enforcement
 - Fire and emergency medical responders
 - Behavioral health professionals
 - Improvement advisors
 - Mobile crisis team members
 - Consolidated Planning and Advisory Workgroup
 - Mental Health Commission
 - Local City Managers
- **Recommendation 6: By September 30, 2022, DHS and the City of Antioch begin a comprehensive program to inform and educate the community members about the project and the specific resource[s] that will be available at the outset of the pilot project.**

Updated Response: The recommendation has been implemented. The collaboration between the City of Antioch and the Angelo Quinto Community Response Team (AQCRT) informs and educates the community about AQCRT's services and available resources. AQCRT has actively engaged in community outreach by talking to local businesses and community members and setting up informational booths to educate the public about its services at events such as the Department of Public Safety and Community Resources Domestic Violence Awareness event and the Unhoused Pop-Up event.

- **Recommendation 7: By December 31, 2022, the Antioch Police Department and its 911 dispatchers augment their training to include the new MCRT alternative response options available.**

Updated Response: The recommendation has been implemented. The Antioch Police Department and its 911 dispatchers have been trained to assess the nature of 911 calls and determine if the AQCRT should be dispatched to respond in lieu of Antioch Police Officers.

On behalf of the City of Antioch, we are pleased to provide the above updated responses. The City is committed to continuing to provide resources to address the mental health crisis in the city of Antioch. We trust the Grand Jury will find these responses extremely helpful.

Sincerely yours,

Lamar A. Thorpe
Mayor, City of
Antioch



SUPERIOR COURT OF CALIFORNIA
CONTRA COSTA COUNTY

October 12, 2023

Antioch City Council

P.O. Box 5007

Antioch, CA 94531-5007

C/O: Ms. Ellie Householder, MPP., City Clerk

Dear Antioch City Council,

In your response to Grand Jury Report # 2106 titled "Mental Health Crisis Response" your response to five of the Grand Jury's recommendations was "This recommendation has not been implemented but will be in the future." Please provide the current status of these activities. The recommendations and responses are listed below.

Recommendation 3: By September 30, 2022, the Antioch City Council collaborate with DHS to establish a pilot project.

Response: The recommendation has not been implemented: The Antioch City Council recently approved the program design for the City's own community crisis response intervention model referred to as the Antioch Care Team (ACT). Nevertheless, the City Council has expressed its willingness to collaborate with DHS to establish a pilot project in the City of Antioch based on the stated timeline.

Recommendation 4: By October 30, 2022, the City of Antioch apply for grants, including AB-118, to fund its participation in the pilot program.

Response: The recommendation has not been implemented: The City of Antioch is in the preliminary stages of establishing a newly formed Public Safety and Community Resources Department.

Once the Public Safety and Community Resources Department is officially created, the City of Antioch will be in a better position to apply for grants, including AB-118, to fund its participation in the pilot program. Thus, the City of Antioch agrees with the stated Board of Supervisors recommended timeline.

Recommendation 5: By June 30, 2022, the Board of Supervisors direct DHS to establish a joint team including representatives from community partners for administration of the pilot project.

Response: The recommendation has not been implemented. Collaboration between the City of Antioch and the County DHS, along with representatives from community partners, for administration of the pilot program is essential to both the overall implementation and success of the pilot program. Adhering to the specified timeline is equally important to establishing a joint team. The City of Antioch shall await the Board of Supervisors' direction to DHS.

Recommendation 6: By September 30, 2022, DHS and the City of Antioch begin a comprehensive program to inform and educate the community members about the project and the specific resource[s] that will be available at the outset of the pilot project.

Response: The recommendation has not been implemented. Once the Board of Supervisors provides direction to DHS to initiate a joint team with the City of Antioch, the city plans to begin a comprehensive program to inform and educate the community members about the pilot project by clearly identifying the city resources that will be available under the auspices of the newly formed Public Safety and Community Resources Department.

Recommendation 7: By December 31, 2022, the Antioch Police Department and its 911 dispatchers augment their training to include the new MCRT alternative response options available.

Response: The recommendation has not been implemented. Communication between Antioch Police Department 911 dispatchers is an important component of the pilot program. Further analysis is required to examine and explore the best options for the Antioch Police Department to augment their training to include the new ACT and MCRT alternative response options available.

All five recommendations were to be implemented during 2022.


Please update your response to recommendations 4,5,6 and 7 by identifying any and all steps and acts taken to implement these recommendations. We would appreciate it if you would respond within 30 days of receipt of this letter.

An electronic copy of these responses in the form of a Word document should be sent by e-mail to jsarmento@contracosta.courts.ca.gov and a hard (paper) copy should be sent to:

Joanne Sarmento
Civil Grand Jury – Foreperson
725 Court Street
P.O. Box 431
Martinez CA 04553-0043

Thank you for your continued attention to the concerns of the grand jury as reflected in Report No. 2106.

Sincerely,


Joanne Sarmento
Civil Grand Jury – Foreperson

Date 10/12/2023

RESOLUTION NO. 2022/29

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
AUTHORIZING THE MAYOR TO FORWARD A RESPONSE TO GRAND JURY
REPORT NO. 2106: 911 MENTAL HEALTH CRISIS RESPONSE – A NEW WAY
“TO PROTECT AND TO SERVE”**

WHEREAS, the City of Antioch received a Grand Jury Report No. 2106 911 Mental Health Crisis Response: A New Way “To Protect and To Serve”;

WHEREAS, a written response to the Grand Jury is required under California Penal Code § 933.05 (b); and

WHEREAS, a written response to the Grand Jury has been drafted and reviewed by the City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch hereby approves the written response to the Grand Jury (Exhibit 1) and authorizes the Mayor to sign the written responses to the Grand Jury Report No. 2106: 911 Mental Health Crisis Response – A New Way “To Protect and To Serve”, which is attached to this Resolution as Exhibit 1.”

* * * * *


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 22nd day of February 2022 by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None


ELIZABETH HOUSEHOLDER
CITY CLERK OF THE CITY OF ANTIOCH

“Exhibit 1”

DRAFT

February 22, 2022

The Honorable Jill Fannin
Presiding Judge of Contra Costa County Superior Court
725 Court Street
PO Box 431
Martinez, CA 94553-0091

Re: City of Antioch Response to 2020-2021 Contra Costa Civil Grand Jury Report No. 2016: 911 Mental Health Crisis Response: “A New Way “To Protect and To Serve”

Dear Judge Fannin,

On behalf of the City of Antioch City Council, this letter is in response to Contra Costa Civil Grand Jury Report No. 2106: 911 Mental Health Crisis Response: A New Way “To Protect and To Serve.” The City Council authorized this response at its meeting on February 22, 2022. Pursuant to California Penal Code § 933.05, the city will respond to the applicable findings and recommendations.

Findings

Finding # 1: Professional crisis team response to mental health calls can de-escalate a crisis and reduce deaths.

Response The City agrees with this finding.

Finding # 2: Law Enforcement response to mental health calls reduces resources needed for serious crimes.

Response The City agrees with this finding.

Finding # 3: Successful pilot program in other states have earned voter funding support for program expansion.

Response The City agrees with this finding.

Finding # 4: Community trust in mental health crisis response teams can only be developed over time.

Response The City agrees with this finding.

Finding # 5: Educating the community about mental health crisis response team is essential for their acceptance and use.

Response The City agrees with this finding.

Finding # 6: DHS efforts to educate the community about MCRT services have been ineffective and need improvement.

Response: The City agrees with this finding.

Finding # 7: Funding is required for all the phases of program development: start-up, pilot, and continuing operations.

Response: The City agrees with this finding.

Findings # 8: California funding grants, including AB-118, are available for pilot program creations and operations.

Response: The City agrees with this finding.

Finding # 9: The current MCRT program does not provide standardized responses within the County due to limited hours of service and a single dispatch location.

Response: The City agrees with this finding.

Finding #10: The City of Antioch is a suitable community to serve as a pilot city for the MCRT expansion program.

Response The City agrees with this finding.

RECOMMENDATIONS

The Grand Jury recommends that:

R1. By June 30, 2022, the Board of Supervisors approve funding for the expansion of the existing DHS/MCRT program to include a pilot project.

Response

The recommendation has not been implemented: This recommendation requires additional action by the Board of Supervisors; approval is needed to fund the expansion of the existing DHS/MCRT program as a pilot program in the City of Antioch. The City of Antioch supports the indicated timeline.

R2. By June 30, 2022, the Board of Supervisors direct DHS to cooperate with the City of Antioch to develop a pilot project.

Response

The recommendation has not been implemented: The joint cooperation between the County DHS and the City of Antioch is essential to developing a pilot project in the City of Antioch. Once the Board of Supervisors officially directs DHS to cooperate with the City of Antioch, then the initial steps in implementing the pilot project in the City of Antioch will be initiated.

R3. By September 30, 2022, the Antioch City Council collaborate with DHS to establish a pilot project.

Response

The recommendation has not been implemented: The Antioch City Council recently approved the program design for the City's own community crisis

response intervention model referred to as the Antioch Care Team (ACT). Nevertheless, the City Council has expressed its willingness to collaborate with DHS to establish a pilot project in the City of Antioch based on the stated timeline.

- R4. By October 30, 2022, the city of Antioch applies for grants, including AB-118, to fund its participation in the pilot program.

Response

The recommendation has not been implemented: The City of Antioch is in the preliminary stages of establishing a newly formed Community Resources and Public Safety Department.

Once the Community Resources and Public Safety Department is officially created, the City of Antioch will be in a better position to apply for grants, including AB-118, to fund its participation in the pilot program. Thus, the City of Antioch agrees with stated Board Supervisors recommended timeline.

- R5. By June 30, 2022, the Board of Supervisors direct DHS to establish a joint team including representatives from community partners for administration of the pilot project.

Response

The recommendation has not been implemented: Collaboration between the City of Antioch and the County DHS, along with representatives from community partners, for administration of the pilot program is essential to both the overall implementation and success of the pilot program. Adhering to the specified timeline is equally important to establishing a joint team. The City of Antioch shall await the Board of Supervisors' direction to DHS.

- R6. By September 30, 2022, DHS and the City of Antioch begin a comprehensive program to inform and educate the community members about the project and the specific resource[s] that will be available at the outset of the pilot project.

Response

The recommendation has not been implemented: Once the Board of Supervisors provides direction to DHS to initiate a joint team with the City of Antioch, the City plans to begin a comprehensive program to inform and educate the community members about the pilot project by clearly identifying the city resources that will be available under the auspices of the newly formed Community Resource and Public Safety Department.

- R7. By December 31, 2022, the Antioch Police Department and its 911 dispatchers augment their training to include the new MCRT alternative response options available

Response.

The recommendation has not been implemented: Communication between Antioch Police Department 911 dispatchers is an important component of the pilot program. Further analysis is required to examine and explore the best options for the Antioch Police Department to augment their training to include the new ACT and MCRT alternative response options available.

- R8. By September 30, 2022, DHS apply for all available state, county, and private grants (e.g., AB-118), as well as money available through Measure X, as a source of funding.

Response

The recommendation has not been implemented: The City of Antioch encourages DHS to apply for all available state, county, and private grants (e.g., AB-118), as well as money available through Measure X, as a source of additional funding for the pilot project.

- R9. By December 31, 2022, DHS implement ongoing monitoring of the proposed CAHOOTS Act (S.4441) as an additional source of funding.

Response

The recommendation has not been implemented: The City of Antioch, in its quest to establish the ACT will implement ongoing monitoring of the proposed CAHOOTS Act (S.4441) as an additional source of funding.

- R10. By September 30, 2022, if Antioch is not willing to be a pilot program city, DHS identify and approach an alternate city and work with it on the recommendations related to Antioch.

Response

The recommendation has not been implemented: The City of Antioch is open to participating as a County DHS pilot program city, but Antioch intends to continue the development of its own community crisis intervention team because the funding and effectiveness of the DHS pilot program for the residents of Antioch is uncertain.

On behalf of the City of Antioch, we are committed in working in partnership with Contra Costa Board of Supervisors in acknowledging of both the Civil Grand Jury findings and recommendations. We trust the Grand Jury will find these responses extremely helpful to its future endeavors.

Sincerely yours,

Lamar A. Thorpe
Mayor, City of Antioch

Cc: Samil Beret, Contra Costa County Civil Grand Jury Foreperson, 725 Court Street, Martinez,
CA 94553
Thomas Lloyd Smith, City Attorney, City of Antioch



November 30, 2021

City Council of Antioch
P.O. Box 5007
Antioch, CA 94531-5007

Dear City Council of Antioch:

Attached is a copy of Grand Jury Report No. 2106, 911 Mental Health Crisis Response: A New Way "To Protect and To Serve" prepared by the 2020-2021 Contra Costa County Civil Grand Jury.

In accordance with California Penal Code Section 933 et seq., we are submitting this report to you as the officer, agency, or department responsible for responding to the report. Please respond to the Findings and Recommendations as they apply to your agency. Please also confirm in writing that the person responding to the report is authorized to do so. As the responding person or person responding on behalf of an entity, please indicate one of the following actions with respect to each finding:

- (1) You agree with the finding.
- (2) You disagree with the finding.
- (3) You partially disagree with the finding.

(Pen. Code, § 933.05(a).) In the cases of both (2) and (3) above, please specify the portion of the finding that is disputed, and include an explanation of the reasons therefor.

In addition, Section 933.05(b) requires you to reply to each recommendation by stating one of the following actions:

1. The recommendation has been implemented, with a summary describing the implemented action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
3. The recommendation requires further analysis. This response should explain the scope and parameters of the analysis or study, and a time frame for the matter to be prepared for discussion. This time frame shall not exceed six months from the date of the publication of the Grand Jury Report.

4. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation thereof.

The Penal Code also prescribes the obligations of a governing board or elected county official with regard to responding to the grand jury's findings and recommendations. Specifically, if the report contains one or more recommendations directed to you as an elected county official, or to the governing board of which you are a member, you must respond to these recommendations and to the supporting findings, as directed in the report.

After reviewing the response to ensure that it includes the above-noted mandated items, please send (1) a hard copy of the response to the Grand Jury at P.O. Box 431, Martinez, CA 94553; and (2) an electronic copy by e-mail to ctadmin@contracosta.courts.ca.gov. The response must be submitted to the Grand Jury no later than **March 4, 2022**.

Finally, please note that this report is provided at least two working days before it is released publicly. Section 933.05 specifies that no officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to its public release.

Please immediately confirm receipt of this letter and the attached report by responding via e-mail to ctadmin@contracosta.courts.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Samil Beret", is written over a horizontal line.

Samil Beret, Foreperson
2020-2021 Contra Costa County Civil Grand Jury


cc: Ron Bernal, City Manager



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of November 28, 2023

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Dawn Merchant, Finance Director 

SUBJECT: Sales Tax Citizens' Oversight Committee Appointment for the vacancy expiring March 2026

RECOMMENDED ACTION

- 1) It is recommended that the Mayor nominate the candidate for appointment.
- 2) It is recommended that the City Council adopt a resolution appointing **[name of appointee]** to the Sales Tax Citizens' Oversight Committee for the partial-term vacancy expiring March 2026.

FISCAL IMPACT

There is no fiscal impact as all positions are voluntary.

DISCUSSION

The Sales Tax Citizens' Oversight Committee (Committee) is responsible for reviewing the receipt and expenditure of funds under Measure W as they relate to the Council's stated priorities outlined in the adopted budgets of the City. The Committee is responsible for reporting out the result of their review by April 1st of each year at a public meeting.

The Committee consists of seven members who are Antioch residents. The terms of the Committee members are staggered with four members serving a 4-year term and 3 members serving a 2-year term. At least one member of the Committee shall have a financial, accounting or auditing background.

In general law cities where the office of mayor is an elective office pursuant to Article 5 (commencing with Section 34900) of Chapter 7 of Part 1 of Division 2 of Title 4, the mayor, with the approval of the city council, shall make all appointments to boards, commissions, and committees, unless otherwise specifically provided by statute. Under Antioch Municipal Code §2-5.201, the Mayor shall nominate candidates for membership on all boards and commissions. Nominees shall be appointed to each board and commission upon receiving approval of at least a majority vote of the City Council.

Currently, there are three vacancies on the Sales Tax Citizens' Oversight Committee: two (2) partial-term positions expiring March 2026 and one (1) partial-term expiring March 2024. The City Clerk's Office advertised to fill the vacancies in the usual manner with an extended application deadline of October 27, 2023, at 5:00 p.m. The applicant was interviewed by Mayor Lamar A. Thorpe and Finance Director Dawn Merchant. Mayor Thorpe is nominating Ami Odom for the partial term expiring March 2026.

The biography and background of the candidate will be presented at the City Council meeting.

ATTACHMENTS

- A. Resolution for one (1) partial-term vacancy expiring March 2026
- B. Application

RESOLUTION NO. 2023/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPOINTING [INSERT NAME OF APPOINTEE AFTER APPOINTMENT] TO THE
SALES TAX CITIZENS' OVERSIGHT COMMITTEE FOR ONE (1) PARTIAL-TERM
VACANCY ENDING MARCH 2026**

WHEREAS, there are currently three (3) vacancies on the Sales Tax Citizens' Oversight Committee;

WHEREAS, the City Clerk's Office announced vacancies and accepted applications for these vacancies;

WHEREAS, Mayor Lamar A. Thorpe considered the applications received and interviewed the interested applicant;

WHEREAS, Antioch Municipal Code Section 2-5.201 requires the Mayor to nominate candidates for membership on all boards and commissions and requires nominees to receive approval of at least a majority vote of the City Council to be appointed to a board or commission; and

WHEREAS, Mayor Lamar A. Thorpe has nominated insert name of appointee after appointment to the Sales Tax Citizens' Oversight Committee, partial-term vacancy ending March 2026.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch hereby approves the Mayor's nomination of insert name of appointee after appointment and appoints insert name of appointee after appointment to serve on the Sales Tax Citizens' Oversight Committee for the partial-term vacancy, ending in March 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 28th day of November 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

CITY OF ANTIOCH
Clerk's Department

OCT 04 2023

Community Service Application for:

SALES TAX CITIZENS' OVERSIGHT COMMITTEE

One (1) Vacancy, expiring March 2024
Two (2) Vacancies, expiring March 2026

*Required field

RECEIVED

Deadline Date: By 5:00 p.m., September 29, 2023

APPLICANT INFORMATION		
*Full Name: Ami Odom	Main Phone: [REDACTED]	Alternate Phone: [REDACTED]
*Residence Address: Antioch, CA	E-mail Address: [REDACTED]	
Employer/School: N/A	Occupation: N/A	Resident since: 2018

*PARENT/GUARDIAN INFORMATION (If applicant is age 14-17 years)		
*Full Name:	Main Phone: (650)	Alternate Phone: (650)
*Residence Address: Antioch, CA	E-mail Address:	

*QUESTIONNAIRE

Please answer the questions below on a separate sheet(s) and attach. Applications without these questions answered will not be considered. Please attach your resume (recommended to enhance your application).

1. List (3) main reasons for your motivation to join the Sales Tax Citizens' Oversight Committee.
2. Do you have a financial or accounting background? If so, please provide details.
3. What skills/experience do you have that would be helpful in serving on this Committee?
4. Please add any other information/comments that would be helpful in reviewing your application.

*ACKNOWLEDGEMENTS

My signature below indicates my understanding and acknowledgement that:

- ☒ *This completed application is available for public review (youth applications are exempt).
- ☒ *I have read and agree to the requirements listed on the Vacancy Announcement.
- ☒ *To the best of my ability, I will attend the Sales Tax Citizens' Oversight Committee regular meetings which meet at least 2 times annually.

Please return completed application by:

- Mail to: Office of the City Clerk
P.O. Box 5007, Antioch CA 94531
- In Person: Antioch City Hall-Clerk's Office
200 H Street, 3rd Floor
- Email to: cityclerk@antiochca.gov

[REDACTED SIGNATURE]
*Applicant Signature

9/29/23
*Date

*Parent/Guardian Signature

*Date

(An original, signed application with parent/guardian signature is required, if a minor)

AMI ODOM - Sales Tax Citizens' Oversight Committee Applicant

Questionnaire Response

1. I have spent the past five years as a resident and homeowner in Antioch, and the success of our community and local businesses is very important to me. I want to raise my child in an environment where he can thrive, and in order to do so we must collaborate and work together to ensure Antioch is a great place to live. I know how critical it is to stay connected with neighbors, support local businesses, and actively engage through voting and other governance measures. I participate in local events and I also pay attention to how the City Council continues to direct our resources. I strongly believe I can add value to the Sales Tax Citizens' Oversight Committee.
2. I have a bachelor's degree in Business Administration Finance and I've worked in the Silicon Valley for nearly 30 years. Most recently I was a Director at a major financial institution and have been personally accountable for multi-million dollar program budgets for several years. I am currently pursuing my MBA and considering other board director opportunities as well.
3. I understand the importance of fiduciary responsibilities and fiscal stability. I was recently head of my department and oversaw \$20 MM in funding to support corporate Diversity, Equity, and Inclusion initiatives. Detailed planning and accurate record keeping are absolute requirements, and transparency is also important when critical decisions are being made. I have professional experience with financial management, budgets, and reporting, including corporate governance as it pertains to program funding and prioritization.
4. I am currently serving as Treasurer of the PTSA at a local middle school. I am seeking additional opportunities to lead and direct financial initiatives, as I believe my background will help me serve as a key resource in the community. I've led and managed various types of audit activities in the past and understand what to look for to ensure the City's tax dollars are being used appropriately. I also look forward to building relationships with local city leaders and collaborating on more improvement initiatives.



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of November 28, 2023

TO: Honorable Mayor and Members of the City Council

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

SUBJECT: Board of Administrative Appeals Appointments for one vacancy
expiring March 2024 and one vacancy expiring March 2026

RECOMMENDED ACTION

- 1) It is recommended that the Mayor nominate the candidates for appointment.
- 2) It is recommended that the City Council:
 - I. Adopt a resolution appointing *[name of appointee]* to the Board of Administrative Appeals for the partial-term vacancy expiring March 2024.
 - II. Adopt a resolution appointing *[name of appointee]* to the Board of Administrative Appeals for the partial-term vacancy expiring March 2026.

FISCAL IMPACT

There is no fiscal impact as all positions are voluntary.

DISCUSSION

The Board of Administrative Appeals consists of five members and one alternate appointed by the Mayor and confirmed by a majority of the Council. The Alternate Member shall serve a term of two years. The Board hears appeals regarding administrative decisions by any official of the City dealing with Municipal Code interpretations. Administrative citations are typically issued by a Code Enforcement Officer, Police Officer, or Animal Control Officer.

Three of the Board Members shall have experience in the building construction trades and/or training in the California Code of Regulations, or such training and experience necessary to hear appeals on Building, Housing, and Technical Codes. All appointed members of the Board shall be Antioch residents. Meetings are held the first Thursday of every month at 3:00 p.m.; or on other dates as needed.

In general law cities where the office of mayor is an elective office pursuant to Article 5 (commencing with Section 34900) of Chapter 7 of Part 1 of Division 2 of Title 4, the mayor,

with the approval of the city council, shall make all appointments to boards, commissions, and committees, unless otherwise specifically provided by statute. Under Antioch Municipal Code §2-5.201, the Mayor shall nominate candidates for membership on all boards and commissions. Nominees shall be appointed to each board and commission upon receiving approval of at least a majority vote of the City Council.

The City Clerk's Office advertised to fill the vacancies in the usual manner. Currently, there are three vacancies on the Board of Administrative Appeals. Applications were received during the recruitment period and the applicants were interviewed by Mayor Thorpe.

Mayor Thorpe is nominating Sharif Umair for the partial term expiring March 2024 and John Constantine Richelsen for the partial term expiring March 2026.

The biography and background of the candidates will be presented at the City Council meeting.

ATTACHMENTS

- A. Resolution for one (1) partial-term vacancy expiring March 2024
- B. Resolution for one (1) partial-term vacancy expiring March 2026
- C. Applications

RESOLUTION NO. 2023/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPOINTING [INSERT NAME OF APPOINTEE AFTER APPOINTMENT] TO THE
BOARD OF ADMINISTRATIVE APPEALS FOR ONE (1) PARTIAL-TERM VACANCY
ENDING MARCH 2024**

WHEREAS, there are currently three (3) vacancies on the Board of Administrative Appeals;

WHEREAS, the City Clerk's Office made announcement of the vacancies and solicited applications for these vacancies;

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

WHEREAS, Antioch Municipal Code Section 2-5.201 requires the Mayor to nominate candidates for membership on all boards and commissions and requires nominees to receive approval of at least a majority vote of the City Council to be appointed to a board or commission; and

WHEREAS, Mayor Lamar A. Thorpe has nominated insert name of appointee after appointment to the Board of Administrative Appeals for a partial-term vacancy expiring March 2024.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch hereby approves the Mayor's nomination of insert name of appointee after appointment and appoints insert name of appointee after appointment to serve on the Board of Administrative Appeals, for the partial-term vacancy ending in March 2024.

* * * * *

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 28th day of November 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

RESOLUTION NO. 2023/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPOINTING [INSERT NAME OF APPOINTEE AFTER APPOINTMENT] TO THE
BOARD OF ADMINISTRATIVE APPEALS FOR ONE (1) PARTIAL-TERM VACANCY
ENDING MARCH 2026**

WHEREAS, there are currently three (3) vacancies on the Board of Administrative Appeals;

WHEREAS, the City Clerk's Office made announcement of the vacancies and solicited applications for these vacancies;

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

WHEREAS, Antioch Municipal Code Section 2-5.201 requires the Mayor to nominate candidates for membership on all boards and commissions and requires nominees to receive approval of at least a majority vote of the City Council to be appointed to a board or commission; and

WHEREAS, Mayor Lamar A. Thorpe has nominated insert name of appointee after appointment to the Board of Administrative Appeals for a partial-term vacancy expiring March 2026.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch hereby approves the Mayor's nomination of insert name of appointee after appointment and appoints insert name of appointee after appointment to serve on the Board of Administrative Appeals, for the partial-term vacancy ending in March 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 28th day of November 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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



SEP 27 2023

RECEIVED

Community Service Application for:

BOARD OF ADMINISTRATIVE APPEALS

One (1) Vacancy, expiring March 2024

One (1) Vacancy, expiring March 2026

One (1) Alt. Vacancy, 2-year term, expiring March 2025

Deadline Date: By 5:00 p.m., September 29, 2023

*Required field

APPLICANT INFORMATION			Youth 14-17
*Full Name: sharif umair	Main Phone: () [REDACTED]	Alternate Phone: ()	
*Residence Address: [REDACTED] Henderson ct Antioch, CA	E-mail Address: [REDACTED]		
Employer/School: ihop franchisee	Occupation: Bussiness owner	Resident since: 1998	
*PARENT/GUARDIAN INFORMATION (if applicant is age 14-17 years)			
*Full Name:	Main Phone: ()	Alternate Phone: ()	
*Residence Address: Antioch, CA	E-mail Address:		
*QUESTIONNAIRE			
Please answer the questions below on a <u>separate sheet(s)</u> and attach. Applications without these questions answered will <u>not</u> be considered. Please attach your resume (<i>recommended to enhance your application</i>).			
1. List (3) main reasons for your interest in joining the Boards of Administrative Appeals.			
2. What skills/experience do you have that would be helpful in serving on this Board?			
3. Please provide details of any previous community service performed within the City of Antioch.			
4. Please add any other information/comments that would be helpful in reviewing your application.			
*ACKNOWLEDGEMENTS			
My signature below indicates my understanding and acknowledgement that:			
<input checked="" type="checkbox"/> *This completed application is available for public review (<i>youth applications are exempt</i>).			
<input checked="" type="checkbox"/> *I have read and agree to the requirements listed on the Vacancy Announcement.			
<input checked="" type="checkbox"/> *To the best of my ability, I will attend the Board of Administrative Appeals regular meetings every 1 st Thursday of the Month, at 3:00 p.m.			

Please return completed application by:

- Mail to: Office of the City Clerk
P.O. Box 5007. Antioch CA 94531
- In Person: Antioch City Hall-Clerk's Office
200 H Street, 3rd Floor
- Email to: cityclerk@antiochca.gov

[REDACTED]	9-27-23
*Applicant Signature	*Date
*Parent/Guardian Signature	*Date
(An original, signed application with parent/guardian signature is required, if a minor)	

1. LIST 3 MAIN REASON

- (1) I AM LIVING IN ANTIOCH 25 YEARS AND I SAW THE GROWTH AND EXPLANDING ON MY EYES , I AM LOCAL PERSON WHO SHOP, LIVE AND WORK LOCALLY
(11) AS A BUSSINESMAN I WORK DAILY WITH CUSTOMERS AND EMPLOYEES , WHICH GIVE ME A GOOD UNDERSTANDING OF THEIR QUESTIONS AND ANSWERS
(111) AS A ACTIVE MEMBER OF COMMUNITY I UNDERSTAND THE NEEDS OF THE CITY

2. SKILLS/EXPERIENCE

AS I MENTIONED THAT I AM A BUSSINESSMAN SINCE 1998, I HAVE A VERY GOOD KNOWLEDGE OF THE HOW TO CONDUCT THE BUSSINESS , WHICH IS INCLUDE HOW TO HANDLES THE VCUSTOMERS NEEDS AND HOW TO ADDRESS THE EMPLOYEES PROBLEMS. THAT CAN HELP THE BOARD ON THE APPEALS PROCESS

3. COMMUNITY SERVICE

I AM ACTIVE MEMBER OF EAST BAY ISLAMIC CENTER , WHICH IS LOCATED AT 18TH STREET ANTIOCH , I AM HELPING THE COMMUNITY IN HARDSHIP LIKE SHELTER, FOOD AND ANY ASISTANCE. WE ALWAYS HAVE YOUTH ACTIVITY IN OUR CENTER. WE ALWAYS FEED AND DONATE ON THANKSGIVING DAY.

4. COMMENTS

I REALLY WANTS CITY OF ANTIOCH WILL BE COME AS A STAR CITY LIKE OTHERS BAYAREA CITIES, THAT IS ONLY POSSIBLE IF WE WORK TOGETHER , MY EXPERIENCE LIVING OVER 25YEARS GIVE BEST SUGGESTION AND HELP BUILD THE CITY.

OCT 30 2023
RECEIVED

Community Service Application for:

BOARD OF ADMINISTRATIVE APPEALS

One (1) Vacancy, expiring March 2024

One (1) Vacancy, expiring March 2026

One (1) Alt. Vacancy, 2-year term, expiring March 2025

Extended Deadline Date: By 5:00 p.m., October 27, 2023

*Required field

APPLICANT INFORMATION		
*Full Name: John Constantine Richelsen	Main Phone: [REDACTED]	Alternate Phone: ()
*Residence Address: [REDACTED] Johnson Dr Antioch, CA 94509	E-mail Address: [REDACTED]	
Employer/School: Kiva Confections	Occupation: Technical Operations Assoc. Manager	Resident since: 8/16/2023
*PARENT/GUARDIAN INFORMATION (If applicant is age 14-17 years)		
*Full Name:	Main Phone: ()	Alternate Phone: ()
*Residence Address: Antioch, CA	E-mail Address:	
*QUESTIONNAIRE		
Please answer the questions below on a <u>separate sheet(s)</u> and attach. Applications without these questions answered will <u>not</u> be considered. Please attach your resume (<i>recommended to enhance your application</i>).		
1. List (3) main reasons for your interest in joining the Boards of Administrative Appeals.		
2. What skills/experience do you have that would be helpful in serving on this Board?		
3. Please provide details of any previous community service performed within the City of Antioch.		
4. Please add any other information/comments that would be helpful in reviewing your application.		
*ACKNOWLEDGEMENTS		
My signature below indicates my understanding and acknowledgement that:		
<input type="checkbox"/> *This completed application is available for public review (<i>youth applications are exempt</i>).		
<input type="checkbox"/> *I have read and agree to the requirements listed on the Vacancy Announcement.		
<input type="checkbox"/> *To the best of my ability, I will attend the Board of Administrative Appeals regular meetings every 1 st Thursday of the Month, at 3:00 p.m.		

Please return completed application by:

• Mail to: Office of the City Clerk
P.O. Box 5007, Antioch CA 94531

• In Person: Antioch City Hall-Clerk's Office
200 H Street, 3rd Floor

• Email to: cityclerk@antiochca.gov

[REDACTED]	10/30/23
	*Date
*Parent/Guardian Signature	
*Date	
(An original, signed application with parent/guardian signature is required, if a minor)	

1. List (3) main reasons for your interest in joining the Boards of Administrative Appeals.

- My (3) main reasons for my motivation to join the Sales Tax Citizens' Oversight Committee is to become more involved in this new community that I have recently joined, to get a chance to improve the lives of my neighbors and to become more familiar with the roles and responsibilities of those who govern.

2. What skills/experience do you have that would be helpful in serving on this Board?

- My experience working with multi-faceted teams and my analytical problem solving skills would be put to good use tackling many of the committee's various tasks.

3. Please provide details of any previous community service performed within the City of Antioch.

- As I have only just moved here, I do not have any examples of community service performed with in the City of Antioch, however, I have worked with a number of programs in Syracuse NY that served under funded middle schools to teach their more eager students a variety of science lessons. This included lesson planning, organizing other volunteers, leading classes in demonstrations, and of course working with the students themselves.

4. Please add any other information/comments that would be helpful in reviewing your application.

- While I am relatively young and have little civic duty experience, I believe participation with your local politics is one of the best things you can do to drive change and improvement in your community. Being a first time homeowner, I finally have a place to set down roots and I hope that by being more directly involved, I can make Antioch a more peaceful and prosperous place.

Rosales, Vanessa

From: John Richelsen
Sent: Wednesday, November 1, 2023 5:44 PM
To: City Clerk
Subject: RE: John Richelsen's Board Applications + Questions

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I have read and understand all the attached acknowledgements.

5G smartphone

----- Original message -----
From: City Clerk <cityclerk@ci.antioch.ca.us>
Date: 11/1/23 9:48 AM (GMT-08:00)
To: John Richelsen <[REDACTED]>, City Clerk
<cityclerk@ci.antioch.ca.us>
Subject: RE: John Richelsen's Board Applications + Questions

Please see the acknowledgements below and please confirm via email that you are confirming you have read and understand all acknowledgements. Once I receive your written acknowledgement via email, we will use this as your completed application. Thank you for your assistance.

Board of Administrative Appeals:

ACKNOWLEDGEMENT	
My signature below indicates my understanding	
<input type="checkbox"/>	*This completed application is available for public
<input type="checkbox"/>	*I have read and agree to the requirements listed
<input type="checkbox"/>	*To the best of my ability, I will attend the Board every 1 st Thursday of the Month, at 3:00 p.m.

Sales Tax Citizens' Oversight Committee:

ACKNOWLEDGEMENT	
My signature below indicates my understanding	
<input type="checkbox"/>	*This completed application is available for public
<input type="checkbox"/>	*I have read and agree to the requirements listed
<input type="checkbox"/>	*To the best of my ability, I will attend the Sales Tax Citizens' Oversight Committee meetings which meet at least 2 times annually

Thank you,

Vanessa Rosales, CMC, CPMC
Administrative Analyst I | City Clerk Department

☎: (925) 779-7009

☎: (925) 779-7007

📧: www.antiochca.gov | www.antiochisopportunity.com


City of Antioch | 200 H Street/P.O. Box 5007, Antioch, CA 94531-5007

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of November 28, 2023

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Dawn Merchant, Finance Director 

SUBJECT: Resolutions Appropriating Expenditures for Encumbrances and Project Budgets Outstanding to the 2023/24 Fiscal Year Budget and Approving Other Amendments to the 2023/24 and 2024/25 Fiscal Year Budgets

RECOMMENDED ACTION

It is recommended that the City Council adopt the following resolutions:

1. Resolution of the City Council of the City of Antioch appropriating expenditures for encumbrances and project budgets outstanding to the 2023/24 fiscal year budget and approving other amendments to the 2023/24 and 2024/25 fiscal year budgets.
2. Resolution of the City Council of the City of Antioch approving amendments to the 2023/24 and 2024/25 fiscal year budgets for items considered at the meeting of November 28, 2023.

FISCAL IMPACT

Funds were committed and available in the prior fiscal year to pay for encumbrances and project budgets outstanding (Attachment A, Exhibits A & B). This action will carry forward those unspent funds and any related reimbursements into the current fiscal year. Other items requiring amendments are outlined in Exhibits C and D to Attachment A.

DISCUSSION

The City has closed the fiscal year 2022/23 year end. As a result, the following fiscal year 2023/24 budget amendments are requested for the General Fund, as well as other City funds:

- Encumbrances are commitments (purchase orders) related to not yet completed contracts or purchases of goods or services. Encumbrances outstanding on June 30, 2023 are reported as assignments of fund balance since they do not constitute expenditures or liabilities and must be re-appropriated in the 2023/24 fiscal year budget. This action affords the appropriate authorization to complete the payment for these prior commitments (Attachment A - Exhibit A).

- Certain projects appropriated in the 2022/23 budget were not complete, and thus require the remaining budget to be carried forward into the 2023/24 budget to pay for remaining project expenditures (Attachment A - Exhibit B).
- Other budget items reflect changes to the fiscal year 2024 and 2025 budgets needed. Refer to Exhibit C (FY24) and Exhibit D (FY25) included with the resolution (Attachment A).
- Departments are requesting several new items for consideration this evening. Attachment B is a resolution to approve those items, if any, that the City Council approves this evening.

Fiscal Year 2022/23 Unaudited Closing Numbers

Fiscal Year 2022/23 closed on June 30, 2023. The City is currently undergoing its year end independent financial statement audit. Preliminary closing figures for the General Fund reflect an ending fund balance of \$37,899,927. Revenues exceeded expenditures by \$6,846,668, resulting in \$3,676,917 being set aside in the Budget Stabilization Fund at year end. An analysis of revenue and expenditure variances is provided below.

FY2023 Revenues - \$2,235,523 higher than projected

The major contributing factor to net revenues higher than projected of \$2.2M is due to the City's required implementation of GASB 96 accounting pronouncement for subscription-based technology agreements. Under this pronouncement, the City must recognize software subscriptions as a liability for the full amount to be paid over the term of the agreement. For accounting purposes, the General Fund had to recognize "Financing Proceeds" of \$1,934,212 with a corresponding offset in expenditures for these software agreements (a net zero impact to the General Fund). The majority of this revenue and expenditure were recognized in the Police Department for Police Department software. As a result, revenues are inflated, with actual revenues only exceeding budget by \$301,311.

FY2023 Expenditures - \$8,606,770 less than projected

Removing the impact of implementing GASB 96, as mentioned in the prior paragraph, expenditures were actually \$10.5M less than projected. The major contributing factors to expenditures lower than projected are:

- \$190,324 less in operating subsidy than projected to the Animal Shelter.
- \$506,658 less in operating subsidy than projected to Recreation programs.
- \$2,859,534 in salary savings from all unfilled positions. \$1,579,605 represents non- Police salary savings, which the City Council will need to allocate to one-time projects and/or unfunded liabilities per the City's one-time revenue policy. The appropriation has been included in the budget amendments in Exhibit C to Attachment A.
- \$257,090 in purchase orders on June 30, 2023 that are not yet spent. The carry forward of the budgets for these is included in the budget amendments in Exhibit A to Attachment A.
- \$4,143,693 in project budgets outstanding as of June 30, 2023 not yet entirely spent. The carryforward of the budgets for these is included in the budget amendments in Exhibit B to Attachment A.
- \$1,148,368 in CIP budgets that were unspent and re-budgeted/carried forward to FY24 via resolution 2023/99 with adoption of the 5-year capital budget.

Other Budget Amendments for Fiscal Years 2024 and 2025

Exhibits C and D to Attachment A includes other budget amendments needed for the General Fund and other funds of the City. The purpose of the amendments is outlined in the attachments but a few to highlight are:

- Reduce FY24 and FY25 sales tax budget by \$716,531 and \$844,166 respectively and FY24 and FY25 Measure W budget by \$577,170 and \$683,076 respectively based on the most current sales tax projections from the City's consultants.
- Increase General Fund property tax projections by \$944,392 in FY24 and \$982,221 in FY25 based on the assessment increases released by Contra Costa County.
- \$2,290,181 increase in FY24 General Fund other revenues for the DWR money for reimbursement of water. This is the final payment to be received under our settlement agreement with the State.
- \$1,579,605 added in FY24 General Fund expenditures for one-time revenue monies to be allocated to one-time projects and/or unfunded liabilities.
- Reduced personnel expenditures in FY24 by \$1,326,139 to recognize unanticipated vacancy savings.
- \$880,799 in personnel expenditures added in FY25 budget across funds (\$514,978 for General Fund) for PERS Miscellaneous Plan employer contributions. The adopted budget was prepared using contribution estimates provided in the June 30, 2021 CalPERS actuarial valuation report. Actual contribution rates for FY25 were released in August 2023 in the June 30, 2022 actuarial valuation report and are higher than the previous projections provided and used in the budget.
- Added \$100,270 in FY24 General Fund expenditures for additional street sweeping services requested by City Council. The amount represents half a year of funding. \$210,565 has been added to FY25.
- The adopted budget included re-organization of Planning and Engineering divisions envisioned by prior administration with the creation of an Engineering Manager, and elimination of an Assistant City Engineer and Planning Manager. The Planning Manager was approved to be re-instated by the City Council on September 12, 2023. Current administration believes the best model is to re-instate an Assistant City Engineer position and not create a new Engineering Manager position. This results in budget savings of \$8,479 in FY24 and \$15,156 in FY25.

Budget Summary

The next table reflects fiscal year 2022/23 unaudited closing numbers, and revised fiscal year 2023/24 and 2024/25 budget figures incorporating the amendments in this report included as Exhibits A, B, C and D to Attachment A. While it is not anticipated that 2022/23 General Fund numbers will change, the column is labeled unaudited until the audit is officially concluded as there could be minor updates.

Budget Summary Table

	2022-23 Unaudited	2023-24 Revised	2024-25 Revised
Beginning Balance, July 1	\$34,730,176	\$37,899,927	\$31,550,781
Revenue Source:			
Taxes	56,470,538	57,343,647	59,221,803
1% Sales Tax	20,301,244	20,568,263	21,044,826
Licenses & Permits	3,617,157	2,750,240	2,750,240
Fines & Penalties	31,489	75,100	75,100
Investment Income & Rentals	1,814,661	665,000	675,000
Revenue from Other Agencies	345,910	796,025	150,000
Current Service Charges	5,723,136	4,982,821	5,114,502
Other Revenue	2,742,421	2,810,381	520,200
Transfers In	4,385,010	4,581,008	7,426,288
Total Revenue	95,431,566	94,572,485	96,977,959
Expenditures:			
Legislative & Administrative	6,185,167	6,140,169	7,099,956
Finance	1,735,280	2,084,941	2,274,530
Nondepartmental	7,404,899	9,108,308	5,286,965
Public Works	11,228,155	14,858,918	14,349,243
Police Services	48,515,054	52,346,811	54,795,861
Police Services-Animal Support	1,733,670	2,197,978	2,412,777
Recreation/Community Svs.	4,125,770	4,462,127	4,275,712
Pub. Safety & Community Resources	1,618,265	2,718,286	3,049,495
Community Development	6,038,638	7,004,093	8,684,335
Total Expenditures	88,584,898	100,921,631	102,228,874
Budget Stabilization Transfer	(3,676,917)	0	5,250,915
Surplus/(Deficit)	3,169,751	(6,349,146)	0
Ending Balance, June 30	\$37,899,927	\$31,550,781	\$31,550,781
Committed-Comp. Absences	150,338	150,000	150,000
Committed-Litigation Reserve	500,000	500,000	500,000
Committed-Comm. Dev. Fees	886,493	1,106,493	222,904
Assigned – Encumbrances & Projects	7,160,654	0	0
Unassigned Fund Balance	\$29,202,442	\$29,794,288	\$30,677,877
Percentage of Revenue	30.60%	31.50%	31.63%

General Fund reserves are in compliance with the City's reserve policy. The City Council adopted the two-year budget with the direction to not exceed utilizing more than \$3M in budget stabilization funds each year in FY24 and FY25. The FY24 amount was reduced to zero from \$843,764 as a result of increased revenue projections and FY25 increased by \$2.25M due to mainly to the following factors: Approved budget amendments for encampment cleanups and adding back of the Planning Manager position, and amendments included in Exhibit D including PERS contribution increases and increased liability insurance cost. It does not include the other budget amendments requested in the next section. Reserves continue to be strong over the next two fiscal years and the Budget Stabilization Fund balance is projected to be \$36.7M at the end of this fiscal year.

Additional Budget Items for Consideration

Additional items for budget consideration are listed below:

1) Police Department

- Fund five (5) additional Community Service Officer positions to provide more interactive and responsive community support to allow for significant improvement to response time and a reduction of overtime expenses. The FY24 fiscal year pro-rated budget impact is estimated to be \$261,303 and the FY25 annual impact is \$824,339 to the General Fund.
- Fund two (2) additional Dispatcher positions to support the added interactions, duties and responsibilities involved with supporting the personnel from the Crisis Response Team, Code Enforcement and parking enforcement. The FY24 fiscal year pro-rated budget impact is estimated to be \$122,706 and the FY25 annual impact is \$386,807 to the General Fund.
- Fund one (1) additional Office Assistant at Animal Services to assist with the increased visitors at the shelter since re-opening after COVID. During high volumes, an Animal Control Officer must assist versus handling calls for service in the field. The FY24 fiscal year pro-rated budget impact is estimated to be \$37,661 and the FY25 annual impact is \$118,711 to the General Fund in the form of increased subsidy to the Animal Services Fund.
- Fund one (1) additional Animal Services Technician at Animal Services to bring the total to four. The shelter currently utilizes part-time positions in addition to three existing full-time positions, but the part-time positions have proven hard to fill, severely hampering the ability to ensure adequate animal care personnel are available daily. Incoming animals have also increased significantly since the end of the COVID pandemic. Annual part-time staffing costing approximately \$26,000 would be reduced with the addition of this position and lower the fiscal impact. The FY24 fiscal year pro-rated budget impact is estimated to be \$36,402 (net of part-time help savings) and the FY25 annual impact is \$101,358 (net of part-time help savings) to the General Fund in the form of increased subsidy to the Animal Services Fund.

2) Human Resources

- Fund one (1) Human Resources Specialist position in lieu of one (1) Human Resources Technician position at an estimated cost to the General Fund of \$28,876 in FY24 (which would be covered by FY24 salary savings) and \$31,333 in FY25. The Human Resources Director is requesting to fund this higher functioning position to work on recruitments, benefits administration, assist with workers compensation and other higher-level tasks to assist the Human Resource Analyst and Risk Manager to aid the Human Resources Department in functioning more effectively.

3) **Recreation**

- Requesting \$50,000 in General Fund monies in FY25 for Sister City expenses. FY25 will be the City's turn to host for Sister City and funds are needed to provide a meaningful and quality experience for our guests.
- Requesting \$110,000 in General Fund monies in FY25 for July 4th costs to be able to provide the community an event similar to the July 4th event that occurred this July.
- Requesting \$200,000 funding annually to begin in FY25 to establish a maintenance fund for the Water Park based on the needs assessment provided to City Council on November 14, 2023 (refer to staff report in Attachment C)

4) **City Manager's Office**

- Fund one (1) Assistant to the City Manager ("ATCM") position. The ATCM will be responsible for assisting with operational tasks related to the day-to-day duties in the City Manager's Office. The ATCM will be expected to research, analyze, and create reports/findings for the City Manager and/or the Assistant City Manager. The ATCM will work on gathering data specifically for Council-issued initiatives that reside in the City Manager's Office.

Currently, all analytical work, research, contract negotiations and preparations, and any Council initiatives that fall under the City Manager's Office purview, is performed by the City Manager and Assistant City Manager. The ATCM will assume the aforementioned duties allowing the City Manager and Assistant City Manager to continue to focus on other more pertinent duties. The FY24 fiscal year pro-rated budget impact is estimated to be \$66,808 and the FY25 annual impact is \$279,125 to the General Fund.

- Private Security Companies for City-Owned Parking Lots - At the December 13, 2022, City Council Meeting, the City Council authorized the City Manager to issue a request for qualifications from private security companies to patrol City-owned parking lots. On September 22, 2023, the City received qualifications from eight private security companies. Staff is requesting to budget an annual maximum of \$250,000 from the General Fund (\$125,000 in FY24 and \$250,000 in FY25) for security services. Staff will determine the best qualified company for this effort and return to Council for approval of the contract.

The table of the next page summarizes the total cost of these additional budget items and the impact on the fund balance presented in the budget summary table on page 4. The General Fund continues to meet the reserve policy with the additional requests as demonstrated on the next page.

Total General Fund Budget Impact - Other Items

	FY23/24 General Fund Revised	FY24/25 General Fund Revised
Ending Fund Balance (with other amendments)	\$ 31,550,781	\$ 31,550,781
Fiscal Year 24 Staffing/Other if approved		(649,880)
GF Positions for Consideration:		
Assistant to the City Manager (City Manager)	66,808	279,125
Human Resources Specialist reclass (Human Resources)	-	31,333
5 CSO's (Police)	261,303	824,339
2 Dispatchers (Police)	122,706	386,807
Office Assistant (Animal Services)	37,661	118,711
Animal Services Technician (Animal Services)	36,402	101,358
Total General Fund Staffing Considerations	524,880	1,741,673
Other GF Items for Consideration:		
Sister City	-	50,000
July 4th Event	-	110,000
Water Park Maintenance Fund	-	200,000
Private Security	125,000	250,000
Total General Fund Other Considerations	125,000	610,000
Ending Fund Balance	\$ 30,900,901	\$ 28,549,228
Unassigned Fund Balance	\$ 29,144,408	\$ 27,676,324
% of Revenue	30.82%	28.54%

5) Water Park Need and One-Time Revenue Spending

On November 14, 2023, Parks and Recreation Director Helfenberger presented current maintenance needs of the Antioch Water Park ("AWP") (refer to staff report in Attachment C). The most critical projects to open all features at the AWP in this upcoming spring total \$1,485,000, with another \$50,000 requested to get an engineering evaluation of the AWP that City staff were unable to assess. It is important that the City make continual investments in this unique, affordable experience we provide for the public so that our **40,000** annual visitors continue to return for a fun, safe and family friendly activity.

At the close of FY23, there was \$1,579,605 in non-police salary savings considered "one-time revenues" under current City policy. It is recommended that all of this money be allocated to the AWP maintenance needs. The \$1.579M is already included in the non-departmental expenditure total in the budget summary table on page 4.

ATTACHMENTS

- A.** Resolution Appropriating Expenditures for Encumbrances and Project Budgets Outstanding as of June 30, 2023 to the 2023/24 Fiscal Year and Approving Other Amendments to the 2023/24 and 2024/25 Fiscal Year Budgets
 - Exhibit A to Resolution – Encumbrances to Reappropriate
 - Exhibit B to Resolution – Project Budget Carryovers
 - Exhibit C to Resolution – Other Budget Amendments for Fiscal Year 2024
 - Exhibit D to Resolution – Other Budget Amendments for Fiscal Year 2025
- B.** Resolution Approving Amendments to the 2023/24 and 2024/25 Fiscal Years Budget as Approved on November 28, 2023
 - Exhibit A to Resolution – Budget Amendments Approved (to be added)
- C.** November 14, 2023 Staff Report Regarding Antioch Water Park

ATTACHMENT A

RESOLUTION NO. 2023/**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROPRIATING EXPENDITURES FOR ENCUMBRANCES AND PROJECT BUDGETS OUTSTANDING ON JUNE 30, 2023 TO THE 2023/24 FISCAL YEAR BUDGET AND APPROVING OTHER AMENDMENTS TO THE 2023/24 AND 2024/25 FISCAL YEAR BUDGETS

WHEREAS, a number of encumbrances have been reflected in the accounting system to reserve funds that were encumbered in the 2022/23 fiscal year budget, but are currently unexpended and are required to be re-appropriated to the 2023/24 fiscal year;

WHEREAS, project budgets outstanding as of June 30, 2023 need to be re-appropriated; and

WHEREAS, other amendments to the 2023/24 and 2024/25 fiscal year budgets are required;

NOW, THEREFORE, BE IT RESOLVED, that the appropriations of new expenditures to the 2023/24 fiscal year budget for encumbrances and projects outstanding on June 30, 2023 and revisions to the 2023/24 and 2024/25 fiscal year budgets, as specified in Exhibits A, B, C and D, incorporated herein by reference, are hereby approved and the budget shall be deemed to be so amended.

* * * * *

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 28th day of November 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

EXHIBIT A
ENCUMBRANCES ON JUNE 30, 2023 TO REAPPROPRIATE

Fund/Department	Account Description	PO Number	Vendor	Appropriation Request
GENERAL FUND:				
Finance	Maintenance Contracts	P230037	Superion LLC	\$ 65,000.00
Community Development	Operating Supplies	P230563	Dell Computer Corp	14,738
Economic Development	Contracts Professional	P230251	Dulhare Inc	11,625
Economic Development	Contracts Professional	P230386	Eviva Brands LLC	24,500
Police Department	Safety Materials	P220503	LC Action Police Supply	16,000
Police Department	Safety Materials	P230141	Proforce Marketing Inc	24,000
Police Department	Contracts Professional	P220176	Preparative Consulting	40,000
Police Department	Maintenance Contracts	P230523	Allsteel Inc	9,772
Police Department	Safety Materials	P230121	LC Action Police Supply	16,000
Public Works	Contracts Professional	P210262	RMS Design	15,635
PSCR	Contracts Professional	P230407	Grace Arms of Antioch	16,825
PSCR	Operating Supplies	P230574	Computerland	2,995
Total General Fund				\$ 257,090
RECREATION FUND:				
Recreation	Replacement Fund	P230564	Altura Communications	\$ 13,195
Recreation	Temporary Help - Agencies	P230440	Davis, Wayne	2,360
Recreation	Special Events	P230559	DHP Sound and Lighting	2,804
				\$ 18,359
INFORMATION SERVICES FUND:				
Information Services	Computer Equipment	P230464	Altura Communications	\$ 16,057
Total Information Services Fund				\$ 16,057
VEHICLE MAINTENANCE FUND:				
Public Works	Contracts Professional	P230209	Precision Auto Body	\$ 11,209
Public Works	Contracts Professional	P230405	Frontier Energy Inc	80,002
Total Vehicle Replacement Fund				\$ 91,211
SOLID WASTE FUND:				
PSCR	Contracts Professional	P220336	Local Government Commission	\$ 12,432
Total Solid Waste Fund				\$ 12,432
WATER FUND:				
Public Works	Contracts Professional	P140211	Walter Bishop Consulting	\$ 105,160
Public Works	Contracts Professional	P150436	Exoponent Inc	81,720
Public Works	Contracts Professional	P190239	Gualco Group Inc	32,595
Public Works	Contracts Professional	P230513	Foundry Construction	158,068
Total Water Fund				\$ 377,543
SEWER FUND:				
Public Works	Equipment	P230351	Vac-Con Inc	\$ 144,797
Public Works	Contracts Professional	P230513	Foundry Construction	158,068
Total Sewer Fund				\$ 302,865
Grand Total Encumbrances				\$ 1,075,557

EXHIBIT B
PROJECT/OTHER BUDGET CARRYOVERS FROM JUNE 30, 2023

Description	FY23 Budget	FY23 Expenditures	Balance to Carryover to FY24	Funding Source
Police Vehicle/Equipment Purchases	\$ 1,126,325	\$ 277,024	\$ 849,301	General Fund
Public Works Vehicle Replacements & Equipment	447,735	112,037	335,698	General Fund
Homekey Match - One time revenues	1,122,159	-	1,122,159	General Fund
PSCR Department Vehicle Purchases	112,500	-	112,500	General Fund
Unhoused Resident Services	359,172	187,925	171,247	General Fund
Human Resources Training	20,000	11,139	8,861	General Fund
4th of July Celebration (July 2023)	70,418	-	70,418	General Fund
Streets Division Road Repairs/Signs/Striping	832,134	525,450	306,684	General Fund
Facilities Maintenance and Repairs	889,950	482,141	407,809	General Fund
Signal and Street Light Maintenance/Repairs	585,000	494,609	90,391	General Fund
Landscape & Parks Enhancements and Repairs	2,179,880	1,511,255	668,625	General Fund
ARPA Projects	9,424,134	1,747,475	7,676,659	ARPA Fund
PD Vehicle Purchases	204,482	34,678	169,804	Development Impact - PD
PW Employees Training & Safety Programs/Supplies	103,000	60,732	42,268	Water Fund
CCWD Water Purchases	15,375,000	13,918,236	1,456,764	Water Fund
PW Vehicle, Equipment & Supply Purchases	1,184,640	623,885	560,755	Water Fund
Furniture Upgrades - Fleet Offices	11,400	-	11,400	Vehicle Maintenance Fund
Water Park Pump/Controller/Feeder Replacements	57,000	18,991	38,009	Recreation Fund
Furniture Upgrades - WTP and Distribution Offices	95,037	-	95,037	Water Fund
Vehicle Purchases	4,123,738	1,762,677	2,361,061	Vehicle Replacement Fund
GIS Contracts - System Updates/Licensing Costs	400,230	115,835	284,395	Information Systems Fund
GIS Training	4,500	3,800	700	Information Systems Fund
CalVIP Grant Projects	425,000	28,325	396,675	CalVIP Fund
Vehicle Repairs	11,209	-	11,209	Vehicle Maintenance Fund
Marina Dock & Gate Assessments and Repairs	397,790	287,877	109,913	Marina Fund
Landscape Enhancements, Maintenance & Repairs	2,639,895	1,444,078	1,195,817	SLLMDFunds

**EXHIBIT C
OTHER BUDGET AMENDMENTS - FY24**

Fund/Account	FY24 Budget	FY24 Amendment	FY24 Revised Budget (1)	Purpose
General Fund:				
Taxes	\$78,261,219	(\$349,309)	\$77,911,910	Increase property tax projections/Decrease sales tax
Revenue from Other Agencies	227,229	568,796	796,025	SB2 and LEAP grants
Other Revenue	520,200	2,290,181	2,810,381	DWR water reimbursement
Budget Stabilization Transfer	843,764	(843,764)	0	Remove Budget Stabilization transfer
Transfers In	4,372,793	208,215	4,581,008	Increase transfer from Police CFD funds
Total General Fund Revenue		1,874,119		
Nondepartmental	6,167,681	1,748,050	7,915,731	Liability insurance premium higher than projected/One-time revenues
Legislative & Administrative	6,407,023	(311,840)	6,095,183	Vacancy savings
Finance	2,071,464	(51,523)	2,019,941	Vacancy savings
Public Works	13,281,377	(247,301)	13,034,076	Additional street sweeping/Insurance premium higher/Vacancy savings
Community Development	7,010,191	(20,836)	6,989,355	Energov and Data Ticket fees/Vacancy savings
Public Safety and Community Resources	2,934,775	(520,056)	2,414,719	Vacancy savings
Total General Fund Expense		596,494		
Budget Stabilization Fund:				
Transfers Out	843,764	(843,764)	0	Remove transfer to General Fund
Recreation Fund:				
Expenses	6,385,306	15,293	6,400,599	Liability insurance premium higher than projected
Transfer In - Prewett CIP	0	944	944	Close out of Prewett CIP Fund
Prewett CIP Fund:				
Revenues	0	97	97	Budget for interest earnings
Transfers Out	0	944	944	Close out Fund
CFD 2016-01 Police Protection Fund:				
Revenues	247,348	36,617	283,965	Increase projected assessment revenue
Transfer Out	238,765	36,617	275,382	Increase transfer to General Fund
CFD 2018-02 Police Protection Fund:				
Revenues	460,544	171,598	632,142	Increase projected assessment revenue
Transfer Out	452,818	171,598	624,416	Increase transfer to General Fund
CFD 2018-01 Public Services Fund:				
Revenues	583,081	143,298	726,379	Increase projected assessment revenue
CFD 2022-01 Public Services Fund:				
Revenues	47,716	86,388	134,104	Increase projected assessment revenue
CIP Fund:				
Transfers In - Gen Fd for EV Project	0	1,226,760	1,226,760	Transfer in from Gen Fund for EV project approved
EV Transition Project	0	1,226,760	1,226,760	EV project approved
Bicycle Garden Project	4,550,000	450,000	5,000,000	Additional match required for project
Opioid Settlement - Jansen Fund:				
Revenues	0	20,000	20,000	Projected opioid settlement funds
Vehicle Maintenance Fund:				
Expenses	2,636,402	38,375	2,674,777	Increase in liability insurance and vandalism costs
Water Fund:				
Non-Capital Expenses	45,345,065	31,243	45,376,308	Increase in liability insurance
Hillcrest Booster Pump Project	0	265,000	265,000	Budget needed to close out project
James Donlon Booster Pump Project	70,620	70,932	141,552	Budget needed to close out project
Water System Improvement Fund:				
WTP Disinfection Project	984,691	(984,691)	0	Budget not needed in FY24
Gas Tax Fund:				
Pavement Management System Project	128,000	(30,000)	98,000	Move budget to FY25 to match adopted CIP budget
SLLMD Funds:				
Transfers In - Admin Fund	687,605	115,533	803,138	Increase SLLMD transfers to SLLMD Admin Fund for budget carryovers
Transfers Out to Admin Fund	687,605	115,533	803,138	Increase SLLMD transfers to SLLMD Admin Fund for budget carryovers

(1) Does not include PO or budget rollovers from Exhibits A & B

**EXHIBIT D
OTHER BUDGET AMENDMENTS - FY25**

Fund/Account	FY25 Budget	FY25 Amendment	FY25 Revised Budget	Purpose
General Fund:				
Taxes	\$80,811,650	(\$545,021)	\$80,266,629	Increase property tax projections/Decrease sales tax
Current Service Charges	5,114,409	93	5,114,502	Increase in billings to departments
Budget Stabilization Transfer	3,000,000	2,250,915	5,250,915	Increase to balance General Fund for amendments
Transfers In	7,218,073	208,215	7,426,288	Increase transfer from Police CFD funds
Total General Fund Revenue		1,914,202		
Nondepartmental	5,106,965	180,000	5,286,965	Project higher liability insurance premium based on FY24
Legislative & Administrative	6,992,281	107,675	7,099,956	Increase in PERS contributions
Finance	2,232,494	42,036	2,274,530	Increase in PERS contributions
Police	57,067,857	140,781	57,208,638	Increase in PERS contributions
Public Works	14,044,518	304,725	14,349,243	Additional street sweeping/Insurance premium/PERS increase
Community Development	8,557,084	127,251	8,684,335	Data Ticket fees/Supplies/Increase in PERS contributions
Recreation/Community Services	4,238,843	36,869	4,275,712	Increase subsidy for PERS contributions
Public Safety and Community Resources	3,013,473	36,022	3,049,495	Increase in PERS contributions
Total General Fund Expense		975,359		
Budget Stabilization Fund:				
Transfers Out	3,000,000	2,250,915	5,250,915	Increase to balance General Fund for amendments
Recreation Fund:				
Expenses	6,670,743	53,691	6,724,434	Increase in PERS contributions and projected liability insurance
Transfer In - Gen Fund	4,238,843	36,869	4,275,712	Increase subsidy from Gen Fund for PERS contributions
Water Fund:				
Non-Capital Expenses	48,902,752	241,123	49,143,875	Increase in PERS contributions and projected liability insurance
CFD 2016-01 Police Protection Fund:				
Revenues	247,348	36,617	283,965	Increase projected assessment revenue
Transfer Out	238,363	36,617	274,980	Increase transfer to General Fund
CFD 2018-02 Police Protection Fund:				
Revenues	460,544	171,598	632,142	Increase projected assessment revenue
Transfer Out	452,818	171,598	624,416	Increase transfer to General Fund
CFD 2018-01 Public Services Fund:				
Revenues	583,581	143,298	726,879	Increase projected assessment revenue
CFD 2022-01 Public Services Fund:				
Revenues	47,916	86,388	134,304	Increase projected assessment revenue
Opioid Settlement - Jansen Fund:				
Revenues	0	20,000	20,000	Projected opioid settlement funds
Vehicle Maintenance Fund:				
Expenses	2,555,979	65,639	2,621,618	Increase in liability insurance/vandalism costs/PERS contributions
Gas Tax Fund:				
Pavement Management System Project	0	30,000	30,000	Move budget from FY24 to FY25 to match adopted CIP budget
Non-Capital Expenses	1,963,312	4,947	1,968,259	Increase in PERS contributions
Sewer Fund:				
Non-Capital Expenses	10,279,710	81,779	10,361,489	Increase in PERS contributions
Information Services Fund:				
Expenses	3,655,031	40,417	3,695,448	Increase in PERS contributions
Marina Fund:				
Expenses	1,268,919	5,698	1,274,617	Increase in PERS contributions
Loss Control Fund:				
Expenses	3,520,707	4,979	3,525,686	Increase in PERS contributions
Animal Services Fund:				
Expenses	2,672,174	15,103	2,687,277	Increase in PERS contributions
Solid Waste Fund:				
Expenses	446,568	3,845	450,413	Increase in PERS contributions
CalVIP Fund:				
Expenses	686,044	4,625	690,669	Increase in PERS contributions

ATTACHMENT B

RESOLUTION NO. 2023/**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROVING
AMENDMENTS TO THE 2023/24 AND 2024/25 FISCAL YEAR BUDGETS FOR
THOSE BUDGET ITEMS UNDER CONSIDERATION AND APPROVED ON
NOVEMBER 28, 2023

WHEREAS, the City Council of the City of Antioch has considered budget items as presented by the City's Finance Director in the staff report of November 28, 2023 entitled, "Resolutions Appropriating Expenditures for Encumbrances and Project Budgets Outstanding to the 2023/24 Fiscal Year Budget and Approving Other Amendments to the 2023/24 and 2024/25 Fiscal Year Budgets";

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Antioch hereby approves the amendments to the fiscal year 2023/24 and 2024/25 budgets discussed and approved at the City Council meeting of November 28, 2023 incorporated by references and attached hereto as Exhibit A. **[TO BE DETERMINED AND ATTACHED]**

* * * * *

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 28th day of November 2023, 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 November 14, 2023

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Brad Helfenberger, Parks and Recreation Director 

APPROVED BY: Kwame Reed, Acting City Manager

SUBJECT: Discussion of Maintenance Needs and Capital Project Funding at the Antioch Water Park

RECOMMENDED ACTION

It is recommended that the City Council receive the presentation on the current maintenance needs and capital project funding of the Antioch Water Park and provide direction on next steps.

FISCAL IMPACT

The fiscal impact of the proposed unfunded projects to be addressed in FY 2023-24 is \$1,485,000. The fiscal impact of the proposed engineering evaluation is \$50,000. The fiscal impact of the proposed Water Park Replacement Fund will be \$200,000 annually beginning in FY 2023-24. The total fiscal impact of all proposals is \$1,735,000 for Fiscal Year 2023-24 and \$200,000 for Fiscal Year 2024-25. Additional impacts will be shared with Council once more information is obtained. The fiscal impacts are further detailed below.

DISCUSSION

The Antioch Water Park opened in 1996 and is one of the largest municipally operated water parks in the East Bay. The park's low entrance fees are structured so that it is accessible to the community. It is also one of the largest employers of youth in Antioch. The park's amenities are summarized below:

The Antioch Water Park's main features include five pools, five slides, and a spray park:

- The **Lap Pool** is a 6-lane, 25-yard pool ranging from 3-6 feet deep and is used primarily for swim lesson instruction, lap swim, water aerobics, and recreational swim during general admission.

- The **Tad Pool** is a small wading pool 18” deep designed for young children. It contains a gentle water feature that cascades down progressive steps, allowing for water play and discovery.
- The **Boulder Pool** is one of the two primary activity pools during general admission. It ranges from 2.5-4 feet deep and contains three slides:
 - **Otter Slide**: the smallest slide designed for riders 36”-48” tall
 - **Humphrey Slide**: a unique wide, straight slide that allows for up to two riders to slide simultaneously
 - **Crystal Slide**: The water park’s only tunnel slide
- The **Splash Pool** is the landing zone for the park’s two tallest slides, which depart from the top of Prewett Peak, the highest point in the park:
 - **Rattler’s Run**: The water park’s only slide designed for use with innertubes, which can be ridden with one or two riders
 - **Canyon Cooler**: the park’s longest single rider only slide
- The **Sport Pool** is the other primary activity pool during general admission. It ranges from 3.5-4.5 feet deep and features a set of “Lily Pads” where participants traverse to reach an island in the middle.
- The **“Cattail Harbor”** spray park was added in 2016. It is a flat play area with many features that spray water for free play.

The Antioch Water Park has four buildings:

- The front (primary) building contains the main lobby, locker rooms, family changing rooms, staff offices, a multipurpose space with a dining capacity of 120, and Mechanical Room 1, which services the Tad and Lap Pools.
- “Allie’s Oasis” is a small building located near the Lap Pool. It is named for Allie the Alligator, the Water Park’s mascot, and is used for selling soft drinks, ice cream, and non-perishable foods.
- The rear building contains an additional set of restrooms, changing area, and the “Gator Grill,” which is the main concession stand that serves hot food during general admission. The rear building also contains Mechanical Room 2, which services the Boulder, Splash, and Sport Pools.
- Mechanical Room 3 is a small building that services the Cattail Harbor Spray Park.
- There is also a large storage shed just outside the water park for bulk storage and heavy equipment.

Many components of the Water Park are in their original condition and/or have reached the end of their useful life. The cost for replacement of most of these components is not currently budgeted. During the 2023 General Admission Season, various pools and slides were periodically closed, sometimes for extended periods of time due to safety and/or code compliance concerns. As a result, overall park visits declined by 9.8% compared to the 2022 season and revenue declined by 28.4%. Revenue declines were exacerbated by the need to cancel private rentals (or buyouts), which typically generate net positive revenue. The chart below details the change in participation and revenue:

	June-Sep 2022	June-Sep 2023	% Change
Number of Visitors	40,977	37,315	-9.8%
Revenue	\$541,616	\$421,790	-28.4%

Recent/Existing/Funded Projects

The City Council has authorized significant funding to address maintenance issues at the Antioch Water Park over the past few years. Below is a summary of major maintenance projects that have either been completed, are underway, or have been funded since 2020.

Recent/ Existing/ Funded Project	Project Status	Funded Amount	Notes
Partial Deck Replacement/ Recoating	Completed in various phases 2020-2022	\$914,000	Project Completed
Boulder Pool Feature Pumps	Completed in 2021	\$65,000	Project Completed
Front Building Roof Replacement	Completed in 2023	\$116,000	Project Completed
Perimeter Fencing	Underway	\$500,000	Budgeted Amount, final cost TBA Funded with ARPA
Prewett Peak Structure Remediation	Underway	\$400,000	Budgeted Amount, final cost TBA
Pool Plaster Replacement	Planned/ Partially Funded	\$190,000	Budgeted Amount, final cost TBA
Building Siding Replacement/ Exterior Painting of Front Building	Planned/ Funded	\$250,000	Budgeted Amount, final cost TBA
TOTAL		\$2,435,000	Total funding of Capital Projects Since 2020

Needed Projects:

During the Fiscal Year 2023-25 Budget process, several capital projects relating to the Antioch Water Park were proposed for funding consideration. Council directed staff to return with a complete overview of all capital needs at the Antioch Water Park. Staff have conducted a thorough study of the various features and components of the water park and assigned a priority rank 1-4 (with 1 being the highest) to each need. The following tables break down these needs and their estimated costs:

(continued on next page)

Table 1: Items that have been mandated by a regulatory agency to be addressed, or items that are currently non-functional. These items must be addressed before the pool/feature can reopen:

Recent/ Existing/ Funded Project	Brief Description	Funded Amount	Unfunded Amount
Slide Repair and Resurfacing	Replace Polyester Resin Coating		\$175,000
Tile, Coping, & Plaster Replacement on Boulder and Splash Pools*	To address cracking on pool surface "Coping" refers to the concrete around the edge of the pool	\$190,000	\$235,000
Crystal Slide Pump	Replace non-functional pump		\$20,000
Boulder Pool Heater	Currently non-functional		\$40,000
Deck/ Stair Repair	Humphrey Slide Exit		\$85,000
Chemical Feeders/ Controllers**	Replace non-functional existing		\$50,000
Concrete Repair at top of Humphrey Slide**	To address cracking, sharp edges		\$20,000
Total		\$190,000	\$625,000

*temporary repairs could be done, but would not address the issue long-term

**This work is already complete and was authorized by staff as emergency work. The work was paid for out of the water park's operating budget. Should Council not fund these items it will present operational challenges later in the year as this budget runs out.

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Table 2: High priority items that should be addressed as early as possible to ensure continued safe operation of the pool/feature:

Recent/ Existing/ Funded Project	Brief Description	Unfunded Amount	Notes
Coping/ Deck Replacement on Lap Pool	To address cracking and rusting rebar	Coping - \$80,000 Deck - \$220,000	"Coping" refers to the concrete around the edge of the pool
Plaster Replacement on Lap and Tad Pools	To address cracking on pool surface	\$190,000	
Tad Pool Filter	Replace original sand filter	\$20,000	Filter is cracked and leaking
Canyon Cooler Slide Pump	Pump is believed to be original	\$20,000	Same pump as Crystal, which is non-functional
Deck Replacement near Allies Oasis	To address cracking and rusting rebar	\$165,000	
Stair Replacement near Allies' Oasis and Main Promenade	To address cracking and rusting rebar	\$115,000	
Renovate Rear Restrooms	Replace broken/ missing hardware/ new flooring/ tile	\$50,000	
Coping/Deck/Plaster Replacement on Sport Pool	To address cracking and rusting rebar	<i>Plaster - \$130,000</i> <i>Coping - \$110,000</i> <i>Deck - \$515,000</i>	Funding for this item not requested at this time; additional info needed
Total		\$860,000	

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Table 3: Items that will need to be addressed within 1-3 years in order to ensure safe operation:

Recent/ Existing/ Funded Project	Brief Description	Estimated Replacement Timeline	Unfunded Amount (if known)
Replace Remaining Pool Heaters	Heaters are all near the end of useful life	1-3 Years	\$220,000
Deck Replacement near Tad Pool	To address cracking	1-3 years	\$150,000
Siding Repair/Painting	Allies Oasis and Rear Building	1-3 years	\$300,000
Renovate Front Locker Rooms and Lobby	New flooring, tile, lockers, shower/ restroom partitions, new front counter	1-3 Years	TBD
Renovate Staff Office Areas	New flooring, convert old kitchen to manager office	1-3 Years	TBD
Deck PA System – Repair/Replace	Main PA system for communication and background music	1-3 Years	TBD
Rock Façade Repair/ Replacement	Issue to be investigated	1-3 years	TBD
Cattail Harbor Feature Valves	Repair functionality of Water Features	1-3 years	TBD
Total			\$670,000 (known)

Table 4: Items that will need to be addressed within 3-5 years in order to ensure safe operation:

Recent/ Existing/ Funded Project	Brief Description	Estimated Replacement Timeline	Unfunded Amount
Water Heaters for Running Water	Boilers are original and nearing end of useful life	3-5 Years	TBD
Renovate Front Building Multipurpose Room	Replace Floor, Paint, Sound System, Movable Partition	3-5 Years	TBD
Renovate Gator Grill (Rear Building)	Add Air Conditioning, new floor/ paint, replace appliances	3-5 years	TBD
Additional Deck Repair/Replacement		3-5 years	TBD
Replace 4 Pool Filters		3-5 years	TBD

Engineering Evaluation:

Staff is proposing to allocate \$50,000 to hire an aquatic design firm to perform an evaluation of components that staff were not able to, primarily for items where the immediate solution is not known. These include, but are not limited to:

Structural Evaluation of Sport Pool:

The Sport Pool is no longer level has settled approximately five inches on one side. An investigation is needed to determine the cause of the settling before a fix can be recommended. However, the deck, coping, and plaster need to be replaced regardless, which has an estimated cost of \$755,000 as detailed in table 2. It is unknown at this time whether there will be additional costs related to the settling issue.

Rock Façade Evaluation:

All of the slide structures are covered in spray-on concrete which gives a more natural rock-like appearance. However, this concrete is beginning to degrade and will either need to be recoated or replaced. A specialist is needed to determine what fix is needed along with potential costs.

Remaining Features:

The selected firm will also be tasked with reviewing the remainder of the park to provide an overall facility evaluation and provide additional recommendations.

Once this evaluation is complete, staff will return with an update and additional funding recommendations.

Future Capital Replacement:

Staff is proposing to create a Water Park Replacement Fund to better plan for future replacement costs. This fund is proposed to start at \$200,000 annually and will initially fund items in tables 3 & 4. As the fund builds over time, funds will then be available for major projects as needed. This will allow better planning for future capital needs of the Water Park.

CONCLUSION

Staff is seeking direction from Council to fund items in Tables 1 and 2, the engineering evaluation, and the future capital fund. This will result in a fiscal impact of \$1,735,000 for Fiscal Year 2023-24 and \$200,000 for Fiscal Year 2024-25. Upon completion of the engineering evaluation, staff will return with the results along with an additional funding request, which will include the current known costs of \$755,000 for the Sport Pool as detailed in Table 2.

Should Council desire to fund the above, staff intends to bring any funding adjustments to the November 28th City Council Meeting during the scheduled budget adjustment discussion.

ATTACHMENTS

- A. Water Park Map
- B. Presentation