

CITY OF
ANTIOCH
CALIFORNIA

***REVISED**

ANNOTATED AGENDA

**Antioch City Council
REGULAR MEETING**

Date: Tuesday, March 24, 2020

Time: 7:00 P.M. – Regular Meeting

Place: The City of Antioch, in response to the Executive Order of the Governor and the Order of the Health Officer of Contra Costa County concerning the Novel Coronavirus Disease, is making Antioch City Council meetings available via Comcast channel 24, AT&T U-verse channel 99, or live stream (at www.antiochca.gov).

If you wish to make a public comment, you may do so any of the following ways: **(1)** by filling out an online speaker card, located at <https://www.antiochca.gov/government/city-council-meetings/live/>, **(2)** by emailing the City Clerk prior to or during the meeting at cityclerk@ci.antioch.ca.us or **(3)** by dialing **(925) 776-3057** during the meeting.

Sean Wright, Mayor
Joyann Motts, Mayor Pro Tem
Monica E. Wilson, Council Member
Lamar Thorpe, Council Member
Lori Ogorchock, Council Member

Arne Simonsen, CMC, City Clerk
James D. Davis, City Treasurer
Ron Bernal, City Manager
Thomas Lloyd Smith, City Attorney

Online Viewing: <https://www.antiochca.gov/government/city-council-meetings/>

Electronic Agenda Packet: <https://www.antiochca.gov/government/agendas-and-minutes/city-council/>

Project Plans: <https://www.antiochca.gov/fc/community-development/planning/Project-Pipeline.pdf>

Hard Copy Viewing: Antioch Public Library, 501 W 18th St, Antioch, CA

SPEAKERS' RULES

Welcome to a meeting of the Antioch City Council, we appreciate your attendance.

Because we usually have busy agendas and a lot of business to get through, we need to have some rules so the meeting can be completed at a reasonable hour. Your cooperation is very much appreciated. The State Ralph M. Brown Act guarantees the public's right to address the City Council, within the framework of these rules.

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

If you wish to speak, either during "public comments" or during an agenda item, fill out a Speaker Request Form and place in the Speaker Card Tray near the City Clerk. This will enable us to call upon you to speak.

Each speaker is limited to not more than three minutes under Public Comments and three minutes on non-public hearing agenda items. During public hearings, each side is entitled to one "main presenter" who may have not more than 10 minutes; all other speakers during a public hearing item are entitled to a maximum of 5 minutes. These time limits may be modified depending on the number of speakers, number of items on the agenda, or circumstances. No one may speak more than once on an agenda item or during "public comments." Groups who are here regarding an item may identify themselves by raising their hands at the appropriate time to show support for one of their speakers.

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

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

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

The "Consent Calendar" is a group of items which staff thinks may be routine. These items are usually considered all together and approved without further discussion. If you are opposed to action which is recommended for an item on the "Consent Calendar," please submit a Speaker Request Form to let the Mayor know at that part of the agenda and the item will be removed from the "Consent Calendar."

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. The Council also holds adjourned and study sessions on other days. City Council Agendas, including Staff Reports are posted onto our City's Website 72 hours before each Council Meeting. To be notified when the agenda packets are posted onto our City's Website, simply click on this link: <https://www.antiochca.gov/notifications/> and enter your e-mail address to subscribe. To view the agenda information, click on the following link: <https://www.antiochca.gov/government/agendas-and-minutes/city-council/>.

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

Notice of Availability of Reports

This agenda is a summary of the actions proposed to be taken by the City Council. For almost every agenda item, materials have been prepared by the City staff for the Council's consideration. These materials include staff reports which explain in detail the item before the Council and the reason for the recommendation. The materials may also include resolutions or ordinances which are proposed to be adopted. Other materials, such as maps and diagrams, may also be included. All of these materials are available online at: <https://www.antiochca.gov/government/agendas-and-minutes/city-council/>. Questions on these materials may be directed to the staff member who prepared them, or to the City Clerk's Office, who will refer you to the appropriate person.

Notice of Opportunity to Address Council

The public has the opportunity to address the Council on each agenda item. To address the Council, fill out a Speaker Request form online at <https://www.antiochca.gov/government/city-council-meetings/live/>. See the Speakers' Rules on the inside cover of this Agenda. Comments regarding matters not on this Agenda may be addressed during the "Public Comments" section.

7:00 P.M. ROLL CALL – REGULAR MEETING – for Council Members – *All Present*

PLEDGE OF ALLEGIANCE

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

Reso. No. 2020/38 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt the resolution ratifying the proclamation of the Director of Emergency Services and proclaiming a local emergency concerning the novel coronavirus disease 2019 (“COVID-19”).

2. **PROCLAMATION**

- American Red Cross Month, March 2020

Approved, 5/0

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

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

- *BOARD OF ADMINISTRATIVE APPEALS*
- *SALES TAX CITIZENS’ OVERSIGHT COMMITTEE*
- *POLICE CRIME PREVENTION COMMISSION*
- *PARKS AND RECREATION COMMISSION*
- *CONTRA COSTA MOSQUITO & VECTOR CONTROL BOARD OF TRUSTEES*

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

PRESENTATION – *Sales Tax Citizens’ Oversight Committee Report, presented by Chairperson Susana Williams and Committee Member Mika Bell*

3. CONSENT CALENDAR

A. APPROVAL OF COUNCIL MINUTES FOR FEBRUARY 25, 2020

Approved, 5/0

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

B. APPROVAL OF COUNCIL MINUTES FOR MARCH 10, 2020

Continued, 5/0

Recommended Action: It is recommended that the City Council continue the Minutes to the next meeting.

C. APPROVAL OF COUNCIL WARRANTS

Approved, 5/0

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

D. SECOND READING – ACCESSORY DWELLING UNIT FEE ORDINANCE (*Introduced on 03/10/20*)

Ord No. 2181-C-S adopted, 5/0

Recommended Action: It is recommended that the City Council adopt an ordinance amending Antioch Municipal Code Section 9-3.60 to address Development Impact Fees specific to Accessory Dwelling Units.

E. 2019 ANNUAL HOUSING ELEMENT PROGRESS REPORT, HOUSING SUCCESSOR ANNUAL REPORT, AND PROGRESS REPORT FOR THE GENERAL PLAN

Received and filed

Recommended Action: It is recommended that the City Council receive and file the 2019 Annual Housing Element Progress Report, Housing Successor Annual Report, and Progress Report for the General Plan.

CONSENT CALENDAR – Continued

F. ROAD MAINTENANCE AND REHABILITATION ACCOUNT (“RMRA”)

Reso. No. 2020/39 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt a resolution approving a list of projects for fiscal year 2020-21 to be funded by SB 1: the Road Repair and Accountability Act of 2017.

G. MULTIPLE SITE ROOF REPLACEMENT BID NO. 770-0224-20A AWARD

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

Reso. No. 2020/40 adopted, 5/0

- 1) Adopt the resolution to approve an agreement between the City and Waterproofing Associates, Inc. for the roof replacement services in the amount not to exceed \$277,888.00 and authorize the City Manager to execute the agreement.

Reso. No. 2020/41 adopted, 5/0

- 2) Adopt the resolution to approve the purchase of roofing materials from The Garland Company, Inc., a provider of materials under the CMAS contract, in the amount not to exceed \$257,997.32, and authorize the City Manager to execute the agreement.

H. POLICE VEHICLE UPFITTING BID NO. 070-0312-20A AWARD

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

Reso. No. 2020/42 adopted, 5/0

- 1) Approving the upfitting of eleven (11) Police vehicles, amending the 2019-20 Police Department budget in the amount of \$82,082.85; and
- 2) Approving the agreement with Emergency Vehicle Outfitters to provide services for the upfitting of eleven (11) Police Vehicles for an amount not to exceed \$82,082.85; and
- 3) Authorizing the City Manager to execute the Agreement.

I. RESOLUTION APPROVING THE FINAL MAP, IMPROVEMENT PLANS, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR AVIANO PHASE 1 SUBDIVISION 9249 (P.W. 676-1)

Reso. No. 2020/43 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt a resolution authorizing the City Manager or designee to approve the final map, improvement plans, and Subdivision Improvement Agreement for Aviano Phase 1 Subdivision 9249 (P.W. 676-1).

CONSENT CALENDAR – Continued

J. COUNCIL OVERNIGHT TRAVEL TO THE LEAGUE OF CALIFORNIA CITIES:

- POLICY COMMITTEE MEETINGS
- MAYORS AND COUNCIL MEMBERS EXECUTIVE FORUM AND ADVANCED LEADERSHIP WORKSHOP
- ANNUAL CONFERENCE

Approved, 5/0

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

- 1) Approve participation and authorize associated expenditures for the League of California Cities Policy Committee Meetings held in Anaheim, California April 2 through April 3, 2020 (**Note: Due to Coronavirus (COVID-19), this meeting will be rescheduled and conducted as a webinar**); and South San Francisco, California June 4 through June 5, 2020.
- 2) Approve participation and authorize associated expenditures for the League of California Cities Mayors and Council Members Executive forum and Advanced Leadership Workshops held in Monterey, California on June 17 through June 19, 2020.
- 3) Approve participation and authorize associated expenditures for the League of California Cities Annual Conference held in Long Beach, California on October 7 through October 9, 2020.

K. HEAVY DUTY VEHICLES FOR PUBLIC WORKS & CODE ENFORCEMENT VEHICLES BID AWARD

Reso. No. 2020/44 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt the resolution approving the purchase of Public Works and Code Enforcement Vehicles and awarding the purchase to All Star Ford, in the amount not to exceed \$476,654.55.

COUNCIL REGULAR AGENDA

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

***Reso. No. 2020/46 adopted**

Timothy Barrow appointed to the partial term, 5/0

Recommended Action: It is recommended that the Mayor nominate for appointment one (1) member to the Planning Commission for a partial-term vacancy expiring October 2021 and that the City Council approve the appointment by resolution.

5. INFORMATION ON MOBILEHOME SPACE RENT STABILIZATION ORDINANCES

Direction given to City Attorney

Recommended Action: It is recommended that the City Council direction to staff including:

- 1) Whether to draft a mobilehome space rent stabilization ordinance and, if so,
- 2) Whether to include vacancy control provisions in the ordinance and
- 3) Whether to schedule a public hearing to gather feedback on the proposed draft mobilehome park space rent stabilization ordinance.

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

Recommended Action: It is recommended that the City Council:

Reso. No. 2020/45 adopted, 5/0

- 1) Discuss and provide direction to staff regarding the redlined revised Travel and Expense Policy for Elected and Appointed Officials.
- 2) Adopt a resolution approving any revisions to the Travel and Expense Policy for Elected and Appointed Officials.

COUNCIL REGULAR AGENDA – Continued

7. HOMELESS ENCAMPMENT AD HOC COMMITTEE DISSOLUTION OR CREATION STANDING COMMITTEE

Recommended Action: It is recommended that the City Council:

Ad Hoc Committee dissolved and form new Ad Hoc Committee at next meeting

- 1) Receive an update from Committee members of the Homeless Encampment Ad Hoc Committee on their ad hoc committee activities.
- 2) Determine whether to dissolve or create a standing committee. Please note: Ad Hoc Committees may be dissolved, and another created with a different and specific purpose, in the same genre.

8. CITY COUNCIL MEETINGS DURING CONTRA COSTA HEALTH SERVICES SHELTER IN PLACE ORDER AND GOVERNORS EXECUTIVE ORDER N-25-20

Direction given to staff to continue with meetings

Recommended Action: It is recommended that the City Council discuss and provide direction to staff about conducting City Council meetings during the Contra Costa Health Services Shelter In Place Order and the Governors Executive Order N-25-20.

PUBLIC COMMENT

STAFF COMMUNICATIONS

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

MOTION TO ADJOURN – *After Council Communications and Future Agenda Items, the Mayor will make a motion to adjourn the meeting. A second of the motion is required, and then a majority vote is required to adjourn the meeting*
Motioned to adjourn meeting at 9:25 p.m., 5/0

CITY OF
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STAFF REPORT TO THE CITY COUNCIL

DATE: Regular City Council Meeting of March 24, 2020

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Ron Bernal, City Manager *RB .gr*

SUBJECT: Resolution Ratifying the Proclamation of the Director of Emergency Services and Proclaiming a Local Emergency Concerning the Novel Coronavirus Disease 2019 (“COVID-19”)

RECOMMENDED ACTION

It is recommended that the City Council adopt the resolution ratifying the proclamation of the Director of Emergency Services and proclaiming a local emergency concerning the novel coronavirus disease 2019 (“COVID-19”).

FISCAL IMPACT

The full fiscal impact of a response to the coronavirus is yet to be determined, but the City is already experiencing costs associated with certain personnel who must shelter at home in compliance with the order issued by the Health Officer of the County of Contra Costa County, pursuant to California Health and Safety Code sections 101040, 120175.

The City recognizes and appreciates the importance of the order in response to this pandemic and is working diligently to secure and activate technology that will enable our personnel to work remotely from home during this period.

DISCUSSION

A. Novel Coronavirus Disease 2019 (“COVID-19”)

Public health officials have detected the novel coronavirus disease 2019 (the “Coronavirus” or “COVID-19”), an infectious disease that causes respiratory illness with fever, coughing, and difficulty breathing and for which there is currently no known natural immunity or vaccine. The number of detected cases of individuals infected with the Coronavirus continues to increase; currently more than 174,000 cases and 6,700 deaths have occurred across more than 115 countries with 511 cases in California and 272 in the Bay Area.

On January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the Corona outbreak a “public health emergency of

international concern. On March 4, 2020, the Governor of California proclaimed a state of emergency in California as a result of the threat of the Coronavirus. On March 10, 2020, Contra Costa County proclaimed a local emergency caused by the introduction of Coronavirus and its contribution to the shortage of essential health care supplies. On March 13, 2020, the President of the United States declared a national emergency due to the Coronavirus.

On March 16, 2020, pursuant to California Health and Safety Code sections 101040, 120175, an order of the Health Officer of the County of Contra Costa was issued and directing all individuals living in the County to shelter at their place of residence, except that they may leave to provide or receive certain essential services or engage in certain essential activities and work for essential businesses and governmental services, exempting individuals experiencing homelessness from the shelter in place order but urging them to find shelter and government agencies to provide it, directing all businesses and governmental agencies to cease non-essential operations at physical locations in the County, prohibiting all non-essential gatherings of any number of individuals, and ordering cessation of all non-essential travel.

On March 17, 2020, pursuant to Section 4-2.06(A)(1) of the Antioch Municipal Code, City Manager Ron Bernal in his capacity as the City's Director of Emergency Services, proclaimed a local emergency concerning the novel coronavirus disease. The City has engaged in efforts to carry-out a unified response consistent with actions taken by state and regional government by maximizing social distancing, eliminating group activities, maintaining continuity of essential governmental services, providing for a safe working environment for certain essential employees are continuing their work, directing non-essential employees to shelter at their place of residence, and working with governmental agencies and others to protect public health, safety, and welfare.

The proposed resolution attached to this staff report requests that the City Council take action to ratify the proclamation so that the local emergency can continue in force and effect. It also declares that intent of the City Council to review the need for continuing the local emergency declaration at least once every 60 days until termination in compliance with California Government Code Section 8630.

ATTACHMENTS

A. Resolution

- Exhibit 1 to Resolution – Proclamation
- Exhibit 2 to Resolution – Executive Order N-25-20
- Exhibit 3 to Resolution – Executive Order N-29-20
- Exhibit 4 to Resolution – Contra Costa Health Services

RESOLUTION NO. 2020/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
RATIFYING THE PROCLAMATION OF THE DIRECTOR OF EMERGENCY
SERVICES AND PROCLAIMING A LOCAL EMERGENCY CONCERNING THE
NOVEL CORONAVIRUS DISEASE 2019 (“COVID-19”)**

WHEREAS, public health officials have detected the novel coronavirus disease 2019 (the “**Coronavirus**” or “**COVID-19**”), an infectious disease that causes respiratory illness with fever, coughing, and difficulty breathing and for which there is currently no known natural immunity or vaccine;

WHEREAS, the number of detected cases of individuals infected with the Coronavirus continues to increase; currently more than 174,000 cases and 6,700 deaths have occurred across more than 115 countries with 511 cases in California and 272 in the Bay Area;

WHEREAS, the U.S. Centers for Disease Control and Prevention (“**CDC**”) has determined the Coronavirus presents a serious and imminent threat, and has confirmed community transmission in the Bay Area;

WHEREAS, the CDC advises that the best way to prevent illness is to avoid being exposed to the Coronavirus, the virus is thought to spread mainly from person-to-person between people who are in close contact with one another (within about 6 feet) through respiratory droplets produced when an infected person coughs or sneezes;

WHEREAS, the CDC recommends washing your hands often with soap and water for at least 20 seconds, avoiding close contact with people who are sick, staying home if you are sick, except to get medical care, covering your mouth and nose with a tissue when you cough or sneeze, cleaning and disinfecting frequently touched surfaces daily, and, under certain circumstances, wearing a facemask;

WHEREAS, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the Coronavirus outbreak a “public health emergency of international concern”;

WHEREAS, on March 4, 2020, the Governor of California proclaimed a state of emergency in California (Executive Order N-25-20 and just recently, Executive Order N-29-20), as a result of the threat of the Coronavirus;

WHEREAS, on March 10, 2020, Contra Costa County proclaimed a local emergency caused by the introduction of Coronavirus and its contribution to the shortage of essential health care supplies;

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency due to the Coronavirus;

RESOLUTION NO. 2020/**

March 24, 2020

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WHEREAS, on March 16, 2020, pursuant to California Health and Safety Code sections 101040, 120175, an order of the Health Officer of the County of Contra Costa was issued and directing all individuals living in the County to shelter at their place of residence, except that they may leave to provide or receive certain essential services or engage in certain essential activities and work for essential businesses and governmental services, exempting individuals experiencing homelessness from the shelter in place order but urging them to find shelter and government agencies to provide it, directing all businesses and governmental agencies to cease non-essential operations at physical locations in the County, prohibiting all non-essential gatherings of any number of individuals, and ordering cessation of all non-essential travel; and

WHEREAS, on March 17, 2020, pursuant to Section 4-2.06(A)(1) of the Antioch Municipal Code, the Director of Emergency Services proclaimed a local emergency and now requests that the City Council take action to ratify the proclamation so that the local emergency can continue in force and effect.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch hereby ratifies the proclamation of the Director of Emergency services and proclaims that a local emergency exists and shall continue to exist in the City of Antioch until the City Council resolves that the local emergency is terminated.

BE IT FURTHER RESOLVED that in compliance with California Government Code Section 8630, the City Council shall review the need for continuing the local emergency declaration at least once every 60 days until termination.

* * * * *

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 24th day of March, 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ARNE SIMONSEN, CMC
CITY CLERK OF THE CITY OF ANTIOCH

PROCLAMATION

A PROCLAMATION BY THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF ANTIOCH PROCLAIMING A LOCAL EMERGENCY CONCERNING THE NOVEL CORONAVIRUS DISEASE 2019 (“COVID-19”)

WHEREAS, Section 4-2.06(A)(1) of the Antioch Municipal Code empowers the City Manager, in his capacity as the Director of Emergency Services, to proclaim (subject to ratification by the City Council within seven days) the existence of a local emergency when the City is affected or likely to be affected by a public calamity and the City Council is not in session;

WHEREAS, public health officials have detected the novel coronavirus disease 2019 (the “**Coronavirus**” or “**COVID-19**”), an infectious disease that causes respiratory illness with fever, coughing, and difficulty breathing and for which there is currently no known natural immunity or vaccine;

WHEREAS, the number of detected cases of individuals infected with the Coronavirus continues to increase; currently more than 174,000 cases and 6,700 deaths have occurred across more than 115 countries with 511 cases in California and 272 in the Bay Area;

WHEREAS, the U.S. Centers for Disease Control and Prevention (“**CDC**”) has determined the Coronavirus presents a serious and imminent threat, and has confirmed community transmission in the Bay Area;

WHEREAS, the CDC advises that the best way to prevent illness is to avoid being exposed to the Coronavirus, the virus is thought to spread mainly from person-to-person between people who are in close contact with one another (within about 6 feet) through respiratory droplets produced when an infected person coughs or sneezes;

WHEREAS, the CDC recommends washing your hands often with soap and water for at least 20 seconds, avoiding close contact with people who are sick, staying home if you are sick, except to get medical care, covering your mouth and nose with a tissue when you cough or sneeze, cleaning and disinfecting frequently touched surfaces daily, and, under certain circumstances, wearing a facemask;

WHEREAS, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the Coronavirus outbreak a “public health emergency of international concern”;

WHEREAS, on March 4, 2020, the Governor of California proclaimed a state of emergency in California (Executive Order N-25-20) as a result of the threat of the Coronavirus;

WHEREAS, on March 10, 2020, Contra Costa County proclaimed a local emergency caused by the introduction of Coronavirus and its contribution to the shortage of essential health care supplies;

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency due to the Coronavirus;

WHEREAS, on March 16, 2020, pursuant to California Health and Safety Code sections 101040, 120175, an order of the Health Officer of the County of Contra Costa was issued and directing all individuals living in the County to shelter at their place of residence, except that they may leave to provide or receive certain essential services or engage in certain essential activities and work for essential businesses and governmental services, exempting individuals experiencing homelessness from the shelter in place order but urging them to find shelter and government agencies to provide it, directing all businesses and governmental agencies to cease non-essential operations at physical locations in the County, prohibiting all non-essential gatherings of any number of individuals, and ordering cessation of all non-essential travel; and


WHEREAS, the City Manager, in his capacity as Director of Emergency Services of the City of Antioch, does hereby find that Conditions of extreme peril to the safety of persons and property have arisen within the City of Antioch, caused by the novel coronavirus disease 2019 and that the City Council of the City of Antioch is not in session.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists in the City of Antioch commencing on the date of the signature of the Director of Emergency Services below and that:


1. The recitals set forth above are true and correct;
2. This proclamation of local emergency, invokes in the City of Antioch all powers and mechanisms set forth in the California Emergency Services Act (Government Code sections 8550 et seq.), City of Antioch Municipal Code, Section 4-2, and all other applicable laws, to be used by authorized personnel of the City of Antioch;
3. The Director of Emergency Services of the City of Antioch is hereby authorized to execute for and on behalf of the City of Antioch, any agreement or application for, and to file the agreement with the California Governor's Office of Emergency Services for the purposes of obtaining federal financial assistance.
4. The Governor of the State of California include the City of Antioch in any emergency declaration by the State; ensure the City of Antioch is included in any emergency declaration that may be issued by the President of the United States of America; waive regulations that may hinder response and recovery efforts; and make available California Disaster Act and State Private Nonprofit Organizations Assistance Program Funding.

5. This Proclamation of Local Emergency shall be effective immediately and shall remain in effect for a period of seven (7) days, unless ratified by the City Council of the City of Antioch, and extended, or unless sooner terminated.

DATE: 3/17/2020

By: 
RON BERNAL, CITY MANAGER
IN HIS CAPACITY AS THE DIRECTOR
OF EMERGENCY SERVICES

ATTEST:


ARNE SIMONSEN, CMC
CITY CLERK OF THE CITY OF ANTIOCH

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA****EXECUTIVE ORDER N-25-20**

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS despite sustained efforts, the virus remains a threat, and further efforts to control the spread of the virus to reduce and minimize the risk of infection are needed; and

WHEREAS state and local public health officials may, as they deem necessary in the interest of public health, issue guidance limiting or recommending limitations upon attendance at public assemblies, conferences, or other mass events, which could cause the cancellation of such gatherings through no fault or responsibility of the parties involved, thereby constituting a force majeure; and

WHEREAS the Department of Public Health is maintaining up-to-date guidance relating to COVID-19, available to the public at <http://cdph.ca.gov/covid19>; and

WHEREAS the State of California and local governments, in collaboration with the Federal government, continue sustained efforts to minimize the spread and mitigate the effects of COVID-19; and

WHEREAS there is a need to secure numerous facilities to accommodate quarantine, isolation, or medical treatment of individuals testing positive for or exposed to COVID-19; and

WHEREAS, many individuals who have developmental disabilities and receive services through regional centers funded by the Department of Developmental Services also have chronic medical conditions that make them more susceptible to serious symptoms of COVID-19, and it is critical that they continue to receive their services while also protecting their own health and the general public health; and

WHEREAS individuals exposed to COVID-19 may be temporarily unable to report to work due to illness caused by COVID-19 or quarantines related to COVID-19 and individuals directly affected by COVID-19 may experience potential loss of income, health care and medical coverage, and ability to pay for housing and basic needs, thereby placing increased demands on already strained regional and local health and safety resources such as shelters and food banks; and

WHEREAS in the interest of public health and safety, it is necessary to exercise my authority under the Emergency Services Act, specifically Government Code section 8572, to ensure adequate facilities exist to address the impacts of COVID-19; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567, 8571 and 8572, do hereby issue the following order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. All residents are to heed any orders and guidance of state and local public health officials, including but not limited to the imposition of social distancing measures, to control the spread of COVID-19.
2. For the period that began January 24, 2020 through the duration of this emergency, the Employment Development Department shall have the discretion to waive the one-week waiting period in Unemployment Insurance Code section 2627(b)(1) for disability insurance applicants who are unemployed and disabled as a result of the COVID-19, and who are otherwise eligible for disability insurance benefits.
3. For the period that began January 24, 2020 through the duration of this emergency, the Employment Development Department shall have the discretion to waive the one-week waiting period in Unemployment Insurance Code section 1253(d) for unemployment insurance applicants who are unemployed as a result of the COVID-19, and who are otherwise eligible for unemployment insurance benefits.
4. Notwithstanding Health and Safety Code section 1797.172(b), during the course of this emergency, the Director of the Emergency Medical Services Authority shall have the authority to implement additions to local optional scopes of practice without first consulting with a committee of local EMS medical directors named by the EMS Medical Directors Association of California.
5. In order to quickly provide relief from interest and penalties, the provisions of the Revenue and Taxation Code that apply to the taxes and fees administered by the Department of Tax and Fee Administration, requiring the filing of a statement under penalty of perjury setting forth the facts for a claim for relief, are suspended for a period of 60 days after the date of this Order for any individuals or businesses who are unable to file a timely tax return or make a timely payment as a result of complying with a state or local public health official's imposition or recommendation of social distancing measures related to COVID-19.
6. The Franchise Tax Board, the Board of Equalization, the Department of Tax and Fee Administration, and the Office of Tax Appeals shall use their administrative powers where appropriate to provide those individuals and businesses impacted by complying with a state or local public health official's imposition or recommendation of social

distancing measures related to COVID-19 with the extensions for filing, payment, audits, billing, notices, assessments, claims for refund, and relief from subsequent penalties and interest.

7. The Governor's Office of Emergency Services shall ensure adequate state staffing during this emergency. Consistent with applicable federal law, work hour limitations for retired annuitants, permanent and intermittent personnel, and state management and senior supervisors, are suspended. Furthermore, reinstatement and work hour limitations in Government Code sections 21220, 21224(a), and 7522.56(b), (d), (f), and (g), and the time limitations in Government Code section 19888.1 and California Code of Regulations, title 2, sections 300-303 are suspended. The Director of the California Department of Human Resources must be notified of any individual employed pursuant to these waivers.
8. The California Health and Human Services Agency and the Office of Emergency Services shall identify, and shall otherwise be prepared to make available—including through the execution of any necessary contracts or other agreements and, if necessary, through the exercise of the State's power to commandeer property – hotels and other places of temporary residence, medical facilities, and other facilities that are suitable for use as places of temporary residence or medical facilities as necessary for quarantining, isolating, or treating individuals who test positive for COVID-19 or who have had a high-risk exposure and are thought to be in the incubation period.
9. The certification and licensure requirements of California Code of Regulations, Title 17, section 1079 and Business and Professions Code section 1206.5 are suspended as to all persons who meet the requirements under the Clinical Laboratory Improvement Amendments of section 353 of the Public Health Service Act for high complexity testing and who are performing analysis of samples to test for SARS-CoV-2, the virus that causes COVID-19, in any certified public health laboratory or licensed clinical laboratory.
10. To ensure that individuals with developmental disabilities continue to receive the services and supports mandated by their individual program plans threatened by disruptions caused by COVID-19, the Director of the Department of Developmental Services may issue directives waiving any provision or requirement of the Lanterman Developmental Disabilities Services Act, the California Early Intervention Services Act, and the accompanying regulations of Title 17, Division 2 of the California Code of Regulations. A directive may delegate to the regional centers any authority granted to the Department by law where the Director believes such delegation is necessary to ensure services to individuals with developmental disabilities. The Director shall describe the need justifying the waiver granted in each directive and articulate how the waiver is necessary to protect the public health or safety from the threat of COVID-19 or necessary to ensure that services to individuals with developmental disabilities are not disrupted. Any waiver granted by a directive shall expire 30 days from the date of its issuance. The Director may grant one or more 30-day extensions if the waiver continues to be necessary

to protect health or safety or to ensure delivery of services. The Director shall rescind a waiver once it is no longer necessary to protect public health or safety or ensure delivery of services. Any waivers and extensions granted pursuant to this paragraph shall be posted on the Department's website.

11. Notwithstanding any other provision of state or local law, including the Bagley-Keene Act or the Brown Act, a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to attend and to address the local legislative body or state body, during the period in which state or local public officials impose or recommend measures to promote social distancing, including but not limited to limitations on public events. All requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived.

In particular, any otherwise-applicable requirements that

- (i) state and local bodies notice each teleconference location from which a member will be participating in a public meeting;
- (ii) each teleconference location be accessible to the public;
- (iii) members of the public may address the body at each teleconference conference location;
- (iv) state and local bodies post agendas at all teleconference locations;
- (v) at least one member of the state body be physically present at the location specified in the notice of the meeting; and
- (vi) during teleconference meetings, a least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction

are hereby suspended, on the conditions that:

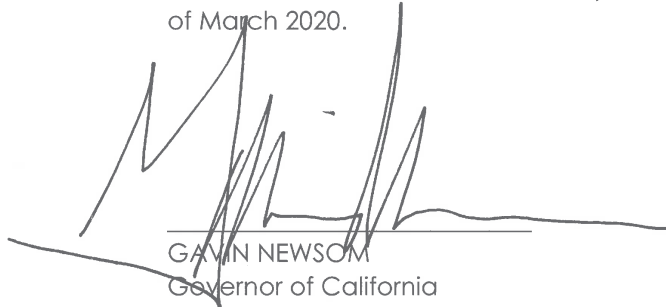
- (i) each state or local body must give advance notice of each public meeting, according to the timeframe otherwise prescribed by the Bagley-Keene Act or the Brown Act, and using the means otherwise prescribed by the Bagley-Keene Act or the Brown Act, as applicable; and
- (ii) consistent with the notice requirement in paragraph (i), each state or local body must notice at least one publicly accessible location from which members of the public shall have the right to observe and offer public comment at the public meeting, consistent with the public's rights of access and public comment otherwise provided for by the Bagley-Keene Act and the Brown Act, as applicable (including, but not limited to, the requirement that such rights of access and public comment be made available in a manner consistent with the Americans with Disabilities Act).

In addition to the mandatory conditions set forth above, all state and local bodies are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Bagley-Keene Act and the Brown Act, and other applicable local laws regulating the conduct of public meetings, in order to maximize transparency and provide the public access to their meetings.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 12th day of March 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA****EXECUTIVE ORDER N-29-20**

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS despite sustained efforts, the virus continues to spread and is impacting nearly all sectors of California; and

WHEREAS the threat of COVID-19 has resulted in serious and ongoing economic harms, in particular to some of the most vulnerable Californians; and

WHEREAS time bound eligibility redeterminations are required for Medi-Cal, CalFresh, CalWORKs, Cash Assistance Program for Immigrants, California Food Assistance Program, and In Home Supportive Services beneficiaries to continue their benefits, in accordance with processes established by the Department of Social Services, the Department of Health Care Services, and the Federal Government; and

WHEREAS social distancing recommendations or Orders as well as a statewide imperative for critical employees to focus on health needs may prevent Medi-Cal, CalFresh, CalWORKs, Cash Assistance Program for Immigrants, California Food Assistance Program, and In Home Supportive Services beneficiaries from obtaining in-person eligibility redeterminations; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. As to individuals currently eligible for benefits under Medi-Cal, CalFresh, CalWORKs, the Cash Assistance Program for Immigrants, the California Food Assistance Program, or In Home Supportive Services benefits, and to the extent necessary to allow such individuals to maintain eligibility for such benefits, any state law, including but not limited to California Code of Regulations, Title 22, section 50189(a) and Welfare and Institutions Code sections 18940 and 11265, that would require redetermination of such benefits is suspended for a period of 90 days from the date of this Order. This Order shall be construed to be consistent with applicable federal laws, including but not limited to Code of Federal Regulations, Title 42, section 435.912, subdivision (e), as interpreted by the Centers for Medicare and Medicaid Services (in guidance issued on January 30, 2018) to permit the extension of

otherwise-applicable Medicaid time limits in emergency situations.

2. Through June 17, 2020, any month or partial month in which California Work Opportunity and Responsibility to Kids (CalWORKs) aid or services are received pursuant to Welfare and Institutions Code Section 11200 et seq. shall not be counted for purposes of the 48-month time limit set forth in Welfare and Institutions Code Section 11454. Any waiver of this time limit shall not be applied if it will exceed the federal time limits set forth in Code of Federal Regulations, Title 45, section 264.1.
3. Paragraph 11 of Executive Order N-25-20 (March 12, 2020) is withdrawn and superseded by the following text:

Notwithstanding any other provision of state or local law (including, but not limited to, the Bagley-Keene Act or the Brown Act), and subject to the notice and accessibility requirements set forth below, a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body or state body. All requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived.

In particular, any otherwise-applicable requirements that

- (i) state and local bodies notice each teleconference location from which a member will be participating in a public meeting;
- (ii) each teleconference location be accessible to the public;
- (iii) members of the public may address the body at each teleconference conference location;
- (iv) state and local bodies post agendas at all teleconference locations;
- (v) at least one member of the state body be physically present at the location specified in the notice of the meeting; and
- (vi) during teleconference meetings, a least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction

are hereby suspended.

A local legislative body or state body that holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements set forth below, shall have satisfied any requirement that the body allow

members of the public to attend the meeting and offer public comment. Such a body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

Accessibility Requirements: If a local legislative body or state body holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the body shall also:

- (i) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the Americans with Disabilities Act and resolving any doubt whatsoever in favor of accessibility; and
- (ii) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to subparagraph (ii) of the Notice Requirements below.

Notice Requirements: Except to the extent this Order expressly provides otherwise, each local legislative body and state body shall:

- (i) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by the Bagley-Keene Act or the Brown Act, and using the means otherwise prescribed by the Bagley-Keene Act or the Brown Act, as applicable; and
- (ii) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in such means of public observation and comment, or any instance prior to the issuance of this Order in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of such means, a body may satisfy this requirement by advertising such means using "the most rapid means of communication available at the time" within the meaning of Government Code, section 54954, subdivision (e); this shall include, but need not be limited to, posting such means on the body's Internet website.

All of the foregoing provisions concerning the conduct of public meetings shall apply only during the period in which state or local public health officials have imposed or recommended social distancing measures.

All state and local bodies are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Bagley-Keene Act and the Brown Act, and other applicable local laws regulating the conduct of public meetings, in order to maximize transparency and provide the public access to their meetings.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 17th day of March 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

ANNA M. ROTH, RN, MS, MPH
HEALTH SERVICES DIRECTOR

PATRICK GODLEY, MBA
CHIEF OPERATING OFFICER
CHIEF FINANCIAL OFFICER



OFFICE OF
THE DIRECTOR

1220 Morello, Suite 200
Martinez, CA 94553

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**ORDER OF THE HEALTH OFFICER
OF THE COUNTY OF CONTRA COSTA DIRECTING
ALL INDIVIDUALS LIVING IN THE COUNTY TO SHELTER AT THEIR
PLACE OF RESIDENCE EXCEPT THAT THEY MAY LEAVE TO
PROVIDE OR RECEIVE CERTAIN ESSENTIAL SERVICES OR
ENGAGE IN CERTAIN ESSENTIAL ACTIVITIES AND WORK FOR
ESSENTIAL BUSINESSES AND GOVERNMENTAL SERVICES;
EXEMPTING INDIVIDUALS EXPERIENCING HOMELESSNESS FROM
THE SHELTER IN PLACE ORDER BUT URGING THEM TO FIND
SHELTER AND GOVERNMENT AGENCIES TO PROVIDE IT;
DIRECTING ALL BUSINESSES AND GOVERNMENTAL AGENCIES TO
CEASE NON-ESSENTIAL OPERATIONS AT PHYSICAL LOCATIONS IN
THE COUNTY; PROHIBITING ALL NON-ESSENTIAL GATHERINGS
OF ANY NUMBER OF INDIVIDUALS; AND ORDERING CESSATION OF
ALL NON-ESSENTIAL TRAVEL**

DATE OF ORDER: MARCH 16, 2020

Please read this Order carefully. Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code § 120295, *et seq.*)

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, AND 120175, THE HEALTH OFFICER OF THE COUNTY OF CONTRA COSTA ("HEALTH OFFICER") ORDERS:

1. The intent of this Order is to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the maximum extent possible. When people need to leave their places of residence, whether to obtain or perform vital services, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times reasonably possible comply with Social Distancing Requirements as defined in Section 10 below. All provisions of this Order should be interpreted to effectuate this intent. Failure to comply with any of the provisions of this Order constitutes an imminent threat to public health.
2. All individuals currently living within Contra Costa County (the "County") are ordered to shelter at their place of residence. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may





leave their residences only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 10. Individuals experiencing homelessness are exempt from this Section, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable (and to utilize Social Distancing Requirements in their operation).

3. All businesses with a facility in the County, except Essential Businesses as defined below in Section 10, are required to cease all activities at facilities located within the County except Minimum Basic Operations, as defined in Section 10. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home). All Essential Businesses are strongly encouraged to remain open. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements as defined in Section 10 below, including, but not limited to, when any customers are standing in line.
4. All public and private gatherings of any number of people occurring outside a household or living unit are prohibited, except for the limited purposes as expressly permitted in Section 10. Nothing in this Order prohibits the gathering of members of a household or living unit.
5. All travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit, except Essential Travel and Essential Activities as defined below in Section 10, is prohibited. People must use public transit only for purposes of performing Essential Activities or to travel to and from work to operate Essential Businesses or maintain Essential Governmental Functions. People riding on public transit must comply with Social Distancing Requirements as defined in Section 10 below, to the greatest extent feasible. This Order allows travel into or out of the County to perform Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions.
6. This Order is issued based on evidence of increasing occurrence of COVID-19 within the County and throughout the Bay Area, scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, and evidence that the age, condition, and health of a significant portion of the population of the County places it at risk for serious health complications, including death, from COVID-19. Due to the outbreak of the COVID-19 virus in the general public, which is now a pandemic according to the World Health Organization, there is a public health emergency throughout the County. Making the problem worse, some individuals who contract the COVID-19 virus have no symptoms or have mild symptoms, which means they may not be aware they carry the virus.





Because even people without symptoms can transmit the disease, and because evidence shows the disease is easily spread, gatherings can result in preventable transmission of the virus. The scientific evidence shows that at this stage of the emergency, it is essential to slow virus transmission as much as possible to protect the most vulnerable and to prevent the health care system from being overwhelmed. One proven way to slow the transmission is to limit interactions among people to the greatest extent practicable. By reducing the spread of the COVID-19 virus, this Order helps preserve critical and limited healthcare capacity in the County.

7. This Order also is issued in light of the existence of 29 cases of COVID-19 in the County, as well as at least 258 confirmed cases and at least three deaths in the seven Bay Area jurisdictions jointly issuing this Order, as of 5 p.m. on March 15, 2020, including a significant and increasing number of suspected cases of community transmission and likely further significant increases in transmission. Widespread testing for COVID-19 is not yet available but is expected to increase in the coming days. This Order is necessary to slow the rate of spread and the Health Officer will re-evaluate it as further data becomes available.
8. This Order is issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom, This Order is issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom and the March 10, 2020 Resolution of the Contra Costa County Board of Supervisors declaring the existence of a Local Emergency in Contra Costa County.
9. This Order comes after the release of substantial guidance from the County Health Officer, the Centers for Disease Control and Prevention, the California Department of Public Health, and other public health officials throughout the United States and around the world, including a variety of prior orders to combat the spread and harms of COVID-19. The Health Officer will continue to assess the quickly evolving situation and may modify or extend this Order, or issue additional Orders, related to COVID-19.
10. Definitions and Exemptions.
 - a. For purposes of this Order, individuals may leave their residence only to perform any of the following "Essential Activities." But people at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care.
 - i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a





- health care professional, or obtaining supplies they need to work from home.
- ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
 - iii. To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in this Section, such as, by way of example and without limitation, walking, hiking, or running.
 - iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.
 - v. To care for a family member or pet in another household.
- b. For purposes of this Order, individuals may leave their residence to work for or obtain services at any “Healthcare Operations” including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services. “Healthcare Operations” also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. “Healthcare Operations” does not include fitness and exercise gyms and similar facilities.
- c. For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of “Essential Infrastructure,” including, but not limited to, public works construction, construction of housing (in particular affordable housing or housing for individuals experiencing homelessness), airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined this Section, to the extent possible.
- d. For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others who need to perform essential services are categorically





exempt from this Order. Further, nothing in this Order shall prohibit any individual from performing or accessing “Essential Governmental Functions,” as determined by the governmental entity performing those functions. Each governmental entity shall identify and designate appropriate employees or contractors to continue providing and carrying out any Essential Governmental Functions. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined in this Section, to the extent possible.

- e. For the purposes of this Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.
- f. For the purposes of this Order, “Essential Businesses” means:
 - i. Healthcare Operations and Essential Infrastructure;
 - ii. Grocery stores, certified farmers’ markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
 - iii. Food cultivation, including farming, livestock, and fishing;
 - iv. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
 - v. Newspapers, television, radio, and other media services;
 - vi. Gas stations and auto-supply, auto-repair, and related facilities;
 - vii. Banks and related financial institutions;
 - viii. Hardware stores;
 - ix. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
 - x. Businesses providing mailing and shipping services, including post office boxes;
 - xi. Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible;
 - xii. Laundromats, drycleaners, and laundry service providers;





- xiii. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;
 - xiv. Businesses that supply products needed for people to work from home;
 - xv. Businesses that supply other Essential Businesses with the support or supplies necessary to operate;
 - xvi. Businesses that ship or deliver groceries, food, goods or services directly to residences;
 - xvii. Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
 - xviii. Home-based care for seniors, adults, or children;
 - xix. Residential facilities and shelters for seniors, adults, and children;
 - xx. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;
 - xxi. Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities must operate under the following mandatory conditions:
 - 1. Childcare must be carried out in stable groups of 12 or fewer (“stable” means that the same 12 or fewer children are in the same group each day).
 - 2. Children shall not change from one group to another.
 - 3. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other.
 - 4. Childcare providers shall remain solely with one group of children.
- g. For the purposes of this Order, “Minimum Basic Operations” include the following, provided that employees comply with Social Distancing Requirements as defined this Section, to the extent possible, while carrying out such operations:
- i. The minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions.
 - ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.





- h. For the purposes of this Order, “Essential Travel” includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section below.
 - i. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations.
 - ii. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
 - iii. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.
 - iv. Travel to or return from a place of residence outside the jurisdiction.
 - v. Travel required by law enforcement or court order.
 - vi. Travel required for non-residents to return to their place of residence outside the County. Individuals are strongly encouraged to verify that their transportation out of the County remains available and functional prior to commencing such travel.
 - i. For purposes of this Order, residences include hotels, motels, shared rental units and similar facilities.
 - j. For purposes of this Order, “Social Distancing Requirements” includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.
11. Pursuant to Government Code sections 26602 and 41601 and Health and Safety Code section 101029, the Health Officer requests that the Sheriff and all chiefs of police in the County ensure compliance with and enforce this Order. The violation of any provision of this Order constitutes an imminent threat to public health.
 12. This Order shall become effective at 12:01 a.m. on March 17, 2020 and will continue to be in effect until 11:59 p.m. on April 7, 2020, or until it is extended, rescinded, superseded, or amended in writing by the Health Officer.
 13. Copies of this Order shall promptly be: (1) made available at Office of the Director of Health of Contra Costa County, 1220 Morello Ave, Martinez CA 94553; (2) posted on the County Public Health Department website www.cchealth.org; and (3) provided to any member of the public requesting a copy of this Order.



ANNA M. ROTH, RN, MS, MPH
HEALTH SERVICES DIRECTOR

PATRICK GODLEY, MBA
CHIEF OPERATING OFFICER
CHIEF FINANCIAL OFFICER



OFFICE OF
THE DIRECTOR

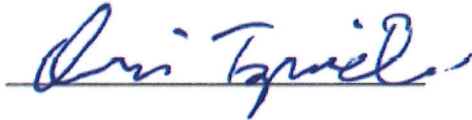
1220 Morello, Suite 200
Martinez, CA 94553

Ph (925) 957-5403
Fax (925) 957-5401

14. If any provision of this Order to the application thereof to any person or circumstance is held to be invalid, the reminder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.
15. Questions or comments regarding this order may be directed to Contra Costa Health Services at 1-844-729-8410.

IT IS SO ORDERED:

Chris Farnitano, MD
Health Officer of the County of Contra Costa County



Dated: March 16, 2020

Ori Tzvieli, MD, Deputy Health Officer



CITY OF
ANTIOCH
CALIFORNIA

IN HONOR OF
AMERICAN RED CROSS MONTH
MARCH 2020

WHEREAS, every year the American Red Cross, the largest humanitarian organization in the world, responds to an average of more than 60,000 disasters across the country from small home fires to massive disasters;

WHEREAS, March is American Red Cross Month, a time when we recognize the humanitarian organization that eases people's suffering during life's emergencies in the City of Antioch, across the United States and around the world;

WHEREAS, the American Red Cross has a long history of helping our neighbors in their time of greatest need by delivering shelter, care and hope during disasters; making our community safer through its lifesaving Home Fire Campaign; providing lifesaving blood; teaching skills that save lives; and supporting military veterans and their families;

WHEREAS, last year in Contra Costa County, American Red Cross volunteers helped 168 people affected by 110 home fires providing emotional support, addressing immediate needs and helping families recover with emergency financial assistance or community resources; collected 15,491 units of lifesaving blood; taught skills that save lives to 10,747 community members; provided international humanitarian aid; and supported 835 military members and their families;

WHEREAS, when large disasters like the Kincaid fire, the Ridgecrest earthquake, Hurricane Dorian and the Coastal hurricanes and Midwest tornadoes and floods devastated families in other parts of the country last year, volunteers from the City of Antioch were among the nearly 9,000 Red Crossers who left their homes to work alongside partners to provide refuge, food, relief items, emotional support;

WHEREAS, the Red Cross continues to work with its partners to prevent fire tragedies through its national Home Fire Campaign, which installed its 2 millionth free smoke alarm last year and has saved almost 700 lives across the country since launching five years ago; and in Contra Costa County, the American Red Cross and local partners installed nearly 1,500 free smoke alarms and made 471 households safer from the threat of home fires;

WHEREAS, during last year's Red Flag Warnings, complicated by the Public Safety Power Shutoffs, American Red Cross worked tirelessly beside its Government and Community partners to coordinate preparedness efforts and develop response plans for the high fire danger by putting volunteers on stand-by to open evacuation centers, shelters and staff the Emergency Operations Center; and

WHEREAS, every day, people in our community depend on the American Red Cross, whose lifesaving mission is powered by the devotion of volunteers, generosity of donors and partnership of community organizations.

NOW, THEREFORE, I, SEAN WRIGHT, Mayor of the City of Antioch, do hereby proclaim March 2020 as "American Red Cross Month" and encourage all Americans to support this organization and its noble humanitarian mission.

MARCH 24, 2020

SEAN WRIGHT, Mayor

2
03-24-20

BOARDS / COMMISSION / COMMITTEE VACANCY ANNOUNCEMENTS

The City of Antioch encourages residents to become involved in their local community. One way to do so is to serve on various commissions, boards and committees. Any interested resident is encouraged to apply for the vacancy listed below. To be considered for these volunteer positions, a completed application must be received in the Office of the City Clerk **by 5:00 p.m. on the Extended Deadline Date of April 17, 2020.** Applications are available at <https://www.antiochca.gov/#>.

(Extended Deadline date: 04/17/20)

- ***BOARD OF ADMINISTRATIVE APPEALS***
- ***SALES TAX CITIZENS' OVERSIGHT COMMITTEE***
- ***POLICE CRIME PREVENTION COMMISSION***
- ***PARKS AND RECREATION COMMISSION***
- ***CONTRA COSTA MOSQUITO & VECTOR CONTROL BOARD OF TRUSTEES***

Your interest and desire to serve our community is appreciated.

BOARD OF ADMINISTRATIVE APPEALS

(Extended Deadline Date: 04/17/20)

Three (3) Board Members, 4-year term vacancies, expiring March 2024

Two (2) Board Members, 2-year term vacancies, expiring March 2022

- Board of Administrative Appeals consists of five members and one alternate to be appointed by the Mayor and confirmed by a majority of the Council. The alternate member shall serve a term of two years.
- Must be a resident of the City of Antioch.
- The Board hears appeals regarding administrative decisions by any official of the City dealing with Municipal Code interpretations.
- Three of the members shall have experience in the building construction trades and/or training in the California Code of Regulations.
- Meetings are held the first Thursday of every month at 3:00 p.m. in the City Council Chambers; or on other dates as needed.
- Commissioners are required to submit a FPPC Form 700 (Statement of Economic Interests) upon assuming office, and every year thereafter no later than April 1st.
- Newly appointed Commissioners are also required to complete the AB 1234 Ethics training within 1-year of their appointment. All Commissioners must then take the AB 1234 Ethics training every two years thereafter. The Ethics training is available online.

SALES TAX CITIZENS' OVERSIGHT COMMITTEE

(Extended Deadline date: 04/17/20)

Three (3) Committee Members, 4-year term vacancies, expiring March 2024

- A Sales Tax Citizens' Oversight Committee has been established following the voters passing Ballot Measure C – Transaction and Use (Sales) Tax at the November 5, 2013 Consolidated Election.
- Each year, an independent auditor shall complete a public audit report of the revenue raised and its expenditure. The Sales Tax Citizens' Oversight Committee shall review the expenditures and report publicly how the funds are being used to address the City Council's stated priorities of public safety and code enforcement. The Committee's review shall be completed in conjunction with the City's budget process. The Committee's report on its review, whether oral or written, shall be considered by the City Council at a public meeting before April 1 of each year. Any written report shall be a matter of public record.
- The Committee shall meet at least three times during its first year and at least twice during subsequent years. The meetings will be public.
- The Sales Tax Citizens' Oversight Committee consists of seven members who are Antioch residents. The terms of the Committee members are staggered with four members for a 4-year term and 3 members for a 2-year term. At least one member of the Committee shall have a financial, accounting or auditing background. The Committee will be appointed by the Mayor and approved by the City Council.
- Members of the Sales Tax Citizens' Oversight Committee will be required to file an annual "Statement of Economic Interest".

POLICE CRIME PREVENTION COMMISSION

(Extended Deadline date: 04/17/20)

One (1) Commissioner 4-year term vacancy, expiring June 2023

One (1) Commissioner partial-term vacancy, expiring October 2021

- The Police Crime Prevention Commission makes recommendations to the City Council relative to crime prevention and makes reports on programs, which might be initiated to help the Police Department and the citizens create a safer community.
- Commissioners are involved in public presentations, coordination of Neighborhood Watch groups and programs, and special community events.
- The commission consists of seven members who serve a 4-year term. Applicants cannot be a full-time police officer.
- The Police Crime Prevention Commission meets on the 3rd Monday of each month at 7:00 p.m. in the Police Department Community Room at 300 L Street.
- Commissioners are required to submit a FPPC Form 700 (Statement of Economic Interests) upon assuming office, and every year thereafter no later than April 1st.
- Newly appointed Commissioners are also required to complete the AB 1234 Ethics training within 1-year of their appointment. All Commissioners must then take the AB 1234 Ethics training every two years thereafter. The Ethics training is available online.

- Parks and Recreation Commission serves in an advisory capacity to the City Council in matters pertaining to Parks and Recreation functions.
- Must be a resident of the City of Antioch.
- Surveying all current and future public and private recreation facilities.
- Recommend coordinated recreation programs for the City.
- Survey current and future park and recreational needs of the community to provide a sound and year-round recreational program for all ages.
- 7 member board – 4 year terms. These terms expire March 2024.
- Meetings are held the third Thursday of every month at 7:00 p.m.
- Commissioners are required to submit a FPPC Form 700 (Statement of Economic Interests) upon assuming office, and every year thereafter no later than April 1st.
- Newly appointed Commissioners are also required to complete the AB 1234 Ethics training within 1-year of their appointment. All Commissioners must then take the AB 1234 Ethics training every two years thereafter. The Ethics training is available online.

CONTRA COSTA MOSQUITO & VECTOR CONTROL
BOARD OF TRUSTEES

(Extended Deadline date: 04/17/20)

One (1) Antioch Citizen Representative Vacancy

- The Antioch City Council is seeking candidates for its representative to the Contra Costa Mosquito & Vector Control Board of Trustees.
- The Board of Trustees are officials appointed by their respective City Councils to govern the Mosquito and Vector Control District knowledgeably and effectively. They serve without compensation for a term of two to four years and are highly dedicated to this community service.
- The regular business meetings are held on the second Monday of every other month starting in January. Meetings are held at the District office, 155 Mason Circle, Concord, at 7:00 p.m. The meetings are open to the public.
- Additional information regarding the responsibilities and duties are available online at www.ContraCostaMosquito.com

**SALES TAX
CITIZENS' OVERSIGHT
COMMITTEE
6TH ANNUAL REPORT**

FISCAL YEAR ENDED JUNE 30, 2019

SUBMITTED TO ANTIOCH CITY COUNCIL

MARCH 24, 2020

SALES TAX CITIZENS' OVERSIGHT COMMITTEE RESPONSIBILITIES

- **Ordinance 2068-C-S, Section 3-5.415** adopts Measure C
- **Ordinance 2148-C-S** adopts Measure W
- Requires the Committee to provide an oral or written report to Council at a public meeting regarding the review of receipts and expenditures of Measure C funds as well as the annual audit to be completed in conjunction with the City's budget process.
- **Resolution 2013/73** further clarifies that this report must be provided by April 1st each year and indicate how the funds are being used to address the City Council's stated priorities.
- Public safety and code enforcement are a part of the City's strategic plan for Measure C and youth as outlined in the funding table of Measure W are provided in the Measure C and Measure W financial information staff report provided.

SALES TAX CITIZENS' OVERSIGHT COMMITTEE REPORT

- Reviewed available documents supporting such receipts and payments as required by the City Council's Resolution No. 2013/73 for the fiscal year ending June 30, 2019
- Based on our review, we can ascertain all Measure C and Measure W monies are accounted for and meet the objectives of these Measures

RECEIPTS & CARRYOVER FOR FY 2019

- Total Measure C funds received for Fiscal Year 2019 was \$5,721,347
- There was a carryover of Measure C monies from the prior fiscal year of \$798,456
- Total available Measure C funds for fiscal year 2019 were \$6,098,662
- Total available Measure W funds for fiscal year 2019 were \$3,947,728

- *Note: All amounts rounded to the nearest whole number*

FISCAL SUMMARY 2019

MEASURE C

	FY 18 Carryover	2019 Receipts	2019 Expenditures	Balance
Police	\$798,456	\$5,300,206	\$6,098,662	\$0
Code Enforcement	\$0	\$421,141	\$421,141	\$0
Total	\$798,456	\$5,721,347	\$6,519,803	\$0

- *Note: All amounts rounded to the nearest whole number*

MEASURE W FUNDS FY 2019

- In November 2018, voters approved Measure W effective April 1, 2019 which replaces Measure C, increases the sales tax to 1% and extends 20 years from the operative date. This is a general sales tax measure and can be spent on any General Fund purpose as directed by the City Council.
- Measure W would continue to maintain Antioch's public safety and other quality of life services such as code enforcement, clean up blight, road repairs, support youth and senior services, and attract new business and jobs to Antioch.
- For funds received during fiscal year 2019, Council directed the use of funds towards Police and Code Enforcement which align with the utilization of Measure C.

MEASURE W FUNDS COLLECTED FY 2019

- Total Measure W Funds Collected \$3,947,728
- Code Enforcement Allocation \$ 145,470
- Police Allocation \$3,802,258

SALES TAX MEASURE IMPACT PUBLIC SAFETY FY 2019

- As of the writing of this report, the City has hired **82** sworn Police Officers since the inception of Measure C in 2014
- Net gain of **30** sworn Police Officers
- Currently, the City has **112** sworn Officers, **3** Code Enforcement Officers and a **2-person** Abatement Team
- Traffic Unit increased from 2 to **4** Officers
- APD Jailers increased from 2 to **4**

Source: City of Antioch – Chief of Police

SALES TAX MEASURE IMPACT PUBLIC SAFETY CONTINUED

- The City continues its active Vehicle Abatement Program with 1600 vehicles removed from the streets in 2019 and almost 2,000 citations issued
- Reduction in overall Part 1 Crime for the 7th consecutive year. “Part 1 Crimes” are those which we are mandated to report to the FBI under our Unified Crime Reporting (UCR)

▶ *Source: City of Antioch – Chief of Police*

PART 1 CRIMES INCLUDE:

Violent Crimes

Homicide

Rape

Robbery

Aggravated (Felony) Assault

Property Crimes

Burglary

Larceny

Auto Theft

Arson (is categorized separately)

SALES TAX MEASURE IMPACT CODE ENFORCEMENT STAFF FY 2019

- **1** Code Enforcement Manager
- **3** Code Enforcement Officers
- **2** Laborers (Abatement Team)
- **1** Fulltime Code Enforcement Technician

SALES TAX MEASURE IMPACT CODE ENFORCEMENT ACTIVITY FY 2019

- 1,066 Code Enforcement cases opened in 2019
 - 4,879 cases opened in 2018
- 1,127 cases closed in 2019
 - 4,245 cases closed in 2018
- 7,056 cubic yards of blight and rubbish abated in 2019
 - 6,103 cubic yards in 2018
- 1,506 shopping carts abated in 2019
 - 1,897 shopping carts in 2018

IN CLOSING

Measure W was approved by the voters in November 2018 and went into effect April 1, 2019 which increased the tax to 1% and extends for 20 years.

We look forward to evaluating the measure and allocations as determined by City Council.

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

**Special/Regular Meeting
5:45 P.M.**

**February 25, 2020
Antioch Community Center**

4:30 P.M. - CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION** – Deciding Whether to Initiate Litigation pursuant to California Government Code section 54956.9 (d)(4): Water Rights BDCP/WaterFix (Bay Delta Conservation Plan/WaterFix).
2. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to California Government Code section 54956.8: Property – 4527 Deerfield Drive, Antioch, CA; City of Antioch Negotiator: City Manager Ron Bernal; Negotiating Parties: City of Antioch and Yellow Roof Foundation; Under Negotiation: Price and terms of payment.
3. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to California Government Code section 54956.8: Property – Orton/Libitzky owned Assessor's Parcel Numbers (APN No.'s): 066-110-009-9; 074-040-035; City of Antioch Negotiator: City Manager Ron Bernal; Negotiating Parties: City of Antioch; Libitzky Family Foundation; EAOPCII, LLC; Sinclaire CPII, LLC; and NOCPPII, LLC; Under Negotiation: Price and terms of payment.
4. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to California Government Code section 54956.8: Delta Fair Site – Assessor's Parcel Number 074-080-034. County's Negotiator, Lavonna Martin, Director of Contra Costa County Health, Housing and Homelessness. City and Agency Negotiator, City Manager Ron Bernal.
5. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to California Government Code section 54956.8: Fitzuren Site—Assessor's Parcel Numbers 067-342-001, 067-342-002, and 067-342-013. County's Negotiator, Brian Balbas, Chief Engineer. City and Agency Negotiator, City Manager Ron Bernal.

Mayor Wright called the Special meeting to order at 6:04 P.M., and City Clerk Simonsen called the roll.

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

PLEDGE OF ALLEGIANCE

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

STUDY SESSION

1. YOUTH NETWORK SERVICES UPDATE

Tasha Johnson, Youth Services Network Coordinator, presented the Youth Network Services Update PowerPoint presentation. At the conclusion of her report, she asked Council to consider the following next steps; infrastructure for a youth development office, initial implementation of staff training and highlighting youth in City communications. She thanked Council for the opportunity to make the presentation and to show that they were trying to thoughtfully, and intentionally address the situation.

Joshua Carrell, Antioch resident representing Delta Youth Soccer League, stated they were interested in the development of an integrated and holistic approach to providing services for youth. He offered to work with the City and spoke in support of any programs going forward.

Julie Mason, Antioch resident, Grant Manager for Get Fit Antioch, gave a history of their organization. She reported Kaiser had changed their funding priorities so their program would no longer be funded. She announced that they were looking for \$3500.00 for a modified program in four schools for 2021.

Victoria Williams and Adrienne Cao, Antioch residents, representing Antioch Council of Teens (ACT), discussed the importance of youth programming and stated once Council set the groundwork for programming, youth in the community would be willing to work to expand those opportunities.

Christine Ibarra, Associate Superintendent for Antioch Unified School District, stated she appreciated working with Ms. Johnson. She reported that the students appreciated being heard and it would be powerful to see some of their ideas come to fruition. She thanked Council for their consideration.

Aaron Bowers, Recreation Coordinator City of Antioch, stated he was in constant conversation with students, teachers and parents who indicated that they wanted to have afterschool programs available for the youth. He requested programming move forward.

Mayor Wright thanked Ms. Johnson for the report and commented that it was exciting to see the City investing in youth. He discussed the importance of the youth feeling welcomed and a part of the community. He stated he was eager to see the work going forward and supported continuing oversight with a Youth Services Director to facilitate the program.

Councilmember Thorpe spoke in support of continuing the Youth Services Director position and training City staff in youth development principals. He discussed the importance of having infrastructure in place to ensure programs functioned correctly. He commented that Parks and Recreation needed to refocus on youth. He thanked Ms. Johnson for her honesty and discussed the importance of having a strong relationship with the school district.

Mayor Wright stated Council was asking for the Youth Services Director position to be added to the mid-year budget. He requested Ms. Johnson look at the money set-aside for youth services and come back to Council with recommendations.

Councilmember Ogorchock thanked Ms. Johnson for the presentation. She agreed that staff training and continuing the Youth Services Director position were important. She thanked the ACT representatives for speaking this evening and reported that at the last School/City committee meeting they discussed the importance of having Ms. Johnson participate. She suggested the following items be considered:

- Involving the Parks and Recreation Commission
- Looking for grant opportunities to cover fees associated with lifeguard training
- A Boys and Girls Club at the Nick Rodriguez Center
- A youth app built by students within the district
- Bands starting before summer concerts
- A contract with "C" Street pool for recreation services in the downtown area

Councilmember Wilson thanked Ms. Johnson for the report. She discussed the importance of creating safe spaces for the youth at location throughout the City. She thanked representatives from ACT for their comments and for their work in the community. She encouraged them to participate in policy and suggested their meetings be more accessible. She stated that she appreciated the feedback from the youth.

Councilmember Motts thanked Ms. Johnson for the report and discussed their importance of being proactive. She recognized stakeholders in attendance this evening. She stated she looked forward to future presentations on this issue.

Councilmember Thorpe announced that the subcommittee planned on holding family forums to gather additional input. He noted work needed to be done smartly because it was taxpayer's money they were investing in the community.

In response to Councilmember Ogorchock, Ms. Johnson reported that Chief Brooks was looking into adding School Resource Officers to school campuses. Mayor Wright added that Chief Brooks was in the grant process partnering with the school district to accomplish that goal.

ADJOURNMENT

On motion by Councilmember Wilson, seconded by Councilmember Ogorchock the City Council unanimously adjourned the Special Meeting at 7:04 P.M.

Mayor Wright called the Regular meeting to order at 7:13 P.M., and City Clerk Simonsen called the roll.

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

City Attorney Smith reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION**, direction given to City Manager Bernal, **#2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS**, direction given to City Manager Bernal, **#3 CONFERENCE WITH REAL PROPERTY NEGOTIATORS** direction given to City Manager Bernal, **#4 CONFERENCE WITH REAL PROPERTY NEGOTIATORS** direction given to City Manager Bernal; and, **#5 CONFERENCE WITH REAL PROPERTY NEGOTIATORS** direction given to City Manager Bernal.

PLEDGE OF ALLEGIANCE

Councilmember Motts led the Council and audience in the Pledge of Allegiance.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Director of Parks and Recreation Kaiser announced that Antioch was awarded the Proposition 68 State Park Bond Program grant in the amount of \$2.9M for improvements to Contra Loma Estates Park.

Mayor Wright congratulated Director of Parks and Recreation Kaiser and staff for their hard work.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen announced the following Board and Commission openings:

- Board of Administrative Appeals: Five (5) vacancies: deadline date is March 13, 2020
- Sales Tax Citizens' Oversight Committee: Three (3) vacancies: deadline date is March 13, 2020

He reported applications would be available online at the City's website and at the City Clerk's and Deputy City Clerks offices.

PUBLIC COMMENTS

Nicole Gardner questioned comments made by Mayor Wright at a recent meeting on school safety.

COUNCIL SUBCOMMITTEE REPORTS/COMMUNICATIONS

Councilmember Wilson stated she would be attending the Tri Delta Transit meeting on February 26, 2020.

Councilmember Thorpe reported on his attendance at the Youth Services Ad Hoc Committee meeting. He noted he would also be attending Tri Delta Transit meeting on February 26, 2020.

Councilmember Ogorchock thanked Ms. Johnson for the presentation this evening and Director of Parks and Recreation Kaiser for reporting on Antioch receiving the Proposition 68 State Park Bond Program grant.

Mayor Wright reported on his attendance at the Delta Diablo meeting.

MAYOR'S COMMENTS

Mayor Wright clarified comments he made at a recent PTA meeting at Deer Valley High School.

- 3. CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency**
 - A. APPROVAL OF SPECIAL MEETING MINUTES FOR JANUARY 28, 2020**
 - B. APPROVAL OF COUNCIL MINUTES FOR JANUARY 28, 2020**
 - C. APPROVAL OF COUNCIL MINUTES FOR FEBRUARY 11, 2020**
 - D. APPROVAL OF COUNCIL WARRANTS**
 - E. APPROVAL OF HOUSING SUCCESSOR WARRANTS**
 - F. RESOLUTION NO. 2020/26 ACCEPTANCE OF WORK AND NOTICE OF COMPLETION FOR THE LONE TREE WAY AND GOLF COURSE ROAD PAVEMENT RESURFACING PROJECT (P.W. 392-30)**
 - G. APPROVAL OF TREASURER'S REPORT FOR DECEMBER 2019**
 - H. RESOLUTION NO. 2020/27 FENCING PARTS AND INSTALLATION BID AWARD**
 - I. CITY COUNCIL TRAVEL**

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council unanimously approved the Council Consent Calendar.

PUBLIC HEARING

- 3. ACCESSORY DWELLING UNIT ORDINANCE (Z-19-07)**

City Manager Bernal introduced Public Hearing Item #3.

Director of Community Development Ebbs reported Council had received a letter from Californians For Homeownership regarding this item which will be addressed in the presentation.

Associate Planner Merideth presented the staff report dated February 25, 2020 recommending the City Council introduce an ordinance repealing and replacing Section 9-3805 of the Antioch Municipal Code regulating Accessory Dwelling Units. With regards to the letter received from Californians For Homeownership, she noted staff was requesting size requirements in sections 9-5.3805 (D) (1) (a) (4), (c) (1) and (d) (2) be removed.

Mayor Wright opened the public hearing.

Joe Bosman, Antioch resident, read written comments provided to Council expressing concern ADU fees could exceed those of the primary unit unless a fee schedule was written into the ordinance capping them at a rate not to exceed those of the qualifying dwelling.

Mayor Wright closed the public hearing.

In response to Councilmember Thorpe, Associate Planner Merideth confirmed that impact fees could not be charged for an ADU less than 750 sq. ft. Director of Community Development Ebbs added that ADU fees would be coming to Council at a future meeting and the intent was to charge fees proportionality.

In response to Councilmember Ogorchock, City Attorney Smith stated the letter from Californians For Homeownership raised some valid points and that was the reason for the exception proposed by staff.

Director of Community Development Ebbs reiterated that staff was recommending introduction of the ordinance striking out maximum square footage.

Councilmember Motts thanked staff for the ordinance and explained that the City had to modify their ordinance to be in compliance with the state law that was passed in January 2020.

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe the City Council unanimously introduced an ordinance repealing and replacing Section 9-5.3805 of the Antioch Municipal Code regulating Accessory Dwelling Units and Junior Accessory Dwelling Units (Z-19-07) striking size requirements in 9-5.3805 (D)(1)(a)(4) and 9-5.3805 (D)(1)(c)(1) and 9-5.3805 (D) (1)(d)(2).

COUNCIL REGULAR AGENDA

4. 2020-25 CONSOLIDATED PLAN PRIORITIES FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOUSING SUCCESSOR FUNDING

City Manager Bernal introduced Regular Agenda Item #4.

CDBG/Housing Consultant House presented the staff report dated February 25, 2020 recommending the City Council consider and adopt Priorities and Goals for the five-year Consolidated Plan for 2020-25. She noted staff was recommending adding the following priority:

CD-8 Public Facilities For Homeless and Emergency Services – Improve Public Facilities at which agencies that deliver homeless services to homeless residents and those that will serve as cooling/warming centers and clean air centers.

In response to Councilmember Ogorchock, CDBG/Housing Consultant House commented that the current reading of CD-6 Economic Development allowed for the creation of job opportunities for homeless individuals. She noted the priorities gave an over-arching framework to invite applications for the 2020/2021 funding cycle and those applications would be coming to Council in the near future.

Councilmember Ogorchock suggested priorities address the additional impact of rate increases for energy.

Councilmember Motts spoke in support of the addition of CD-8 as discussed this evening.

In response to Mayor Wright, CDBG/Housing Consultant House clarified that with the addition of the new CD-8, numbering would change and Administration would become CD-9.

CDBG/Housing Consultant House stated this item would come back to Council to be adopted by resolution in the final consolidated plan in May.

5. INFORMATION ON CHARTER CITIES

City Manager Bernal introduced Regular Agenda Item #5.

City Attorney Smith presented the staff report dated February 25, 2020 recommending the City Council receive the information on charter cities, discuss it, and provide direction to staff concerning next steps.

Gil Murillo, Antioch resident, encouraged Council to consider looking at a Charter City as part of the city's 20-year plan.

In response to Council, City Attorney Smith explained how Charter City differed from a General Law City.

Councilmember Thorpe stated there was a lot to consider and he recommended the formation of an Ad Hoc committee dedicated to researching the issue.

Councilmember Ogorchock stated that there would be a great expense associated with establishing a Charter City as well as significant work involved and with all of the items currently being addressed by Council and staff, she believed this item should be tabled.

Councilmember Wilson thanked City Attorney Smith for the report and agreed that Council should revisit this issue at a later date.

Mayor Wright thanked City Attorney Smith for the report and stated at this time he did not see enough benefit to raise this item to a level of priority. He spoke in support of tabling the matter and revisiting it in the future.

Councilmember Motts thanked City Attorney Smith for the report.

Council tabled this item indefinitely.

PUBLIC COMMENTS – None

STAFF COMMUNICATIONS – None

COUNCIL COMMUNICATIONS

Councilmember Motts requested that an Ad Hoc committee be brought forward for consideration for the development of the Beede Lumber Yard Property with the goal of determining the viability and cost of a community park on that site.

ADJOURNMENT

On motion by Councilmember Ogorchock, seconded by Councilmember Motts the City Council unanimously adjourned the meeting at 8:14 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of March 24, 2020

TO: Honorable Mayor and Members of the City Council

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

APPROVED BY: Nickie Mastay, Administrative Services Director *NM*

SUBJECT: City Council Meeting Minutes of March 10, 2020

RECOMMENDED ACTION

It is recommended that the City Council continue the Meeting Minutes of March 10, 2020 to the next meeting.

FISCAL IMPACT

None

DISCUSSION

N/A

ATTACHMENT

None.

CITY OF
ANTIOCH
CALIFORNIA

CITY OF ANTIOCH
CLAIMS BY FUND REPORT
FOR THE PERIOD OF
FEBRUARY 28 - MARCH 12, 2020
FUND/CHECK#

100 General Fund

Non Departmental

00386751	CITY OF ANTIOCH	CASH DRAWER CHANGE FUND	250.00
00386770	DELTA DENTAL	PAYROLL DEDUCTIONS	124.36
00386803	JOHNSON, MARY ANNE	SB1186 STATE FEE REFUND	4.00
00386809	LAW OFFICE OF RUTHANN G ZIEGLER	LEGAL SERVICES	22,951.50
00386868	WINTER, ROSE C	SB1186 STATE FEE REFUND	4.00
00386900	CALIFORNIA SOLAR STORE	SMIP FEE REFUND	2.80
00386908	CONTRA COSTA COUNTY	PAYROLL DEDUCTIONS	50.00
00386909	CONTRA COSTA COUNTY	PAYROLL DEDUCTIONS	400.00
00386954	LINA	PAYROLL DEDUCTIONS	3,806.36
00386960	MUNICIPAL POOLING AUTHORITY	PAYROLL DEDUCTIONS	2,236.35
00386968	PARS	PAYROLL DEDUCTIONS	4,519.80
00386969	PASTORA, ROSARIO	CBSC FEE REFUND	1.50
00386979	STATE OF CALIFORNIA	PAYROLL DEDUCTIONS	600.91
00386980	STATE OF CALIFORNIA	PAYROLL DEDUCTIONS	200.00
00386982	SUNRUN	SMIP FEE REFUND	8.64
00936420	NATIONWIDE RETIREMENT SOLUTIONS	PAYROLL DEDUCTIONS	41,050.03
00936423	VANTAGEPOINT TRANSFER AGENTS	PAYROLL DEDUCTIONS	5,689.05

City Council

00386892	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	447.38
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City Attorney

00386844	SHRED IT INC	SHRED SERVICES	49.01
00386858	VERIZON WIRELESS	DATA SERVICES	53.76
00386890	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	490.41
00386904	COLE HUBER LLP	LEGAL SERVICES RENDERED	1,628.06
00386905	COLE HUBER LLP	LEGAL SERVICES RENDERED	1,028.04
00386939	GOLDFARB AND LIPMAN LLP	LEGAL SERVICES RENDERED	2,255.50
00386953	LEXISNEXIS	SUBSCRIPTION SERVICES	215.00

City Manager

00386764	CRYSTAL CLEAR LOGOS INC	LOGO CLOTHING	67.96
00386852	UNITED PARCEL SERVICE	PHONE REQUEST FEE	22.00
00386858	VERIZON WIRELESS	DATA SERVICES	91.77
00386892	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	2,513.66
00386918	COSTCO	SUPPLIES	20.98

City Clerk

00386844	SHRED IT INC	SHRED SERVICES	98.04
00386866	WESTAMERICA BANK	COPIER LEASE	270.80
00386928	EIDEN, KITTY J	MINUTES CLERK	2,377.50
00386964	NEXTREQUEST CO	ANNUAL SUBSCRIPTION	10,000.00

City Treasurer

00936409	PFM ASSET MGMT LLC	ADVISORY SERVICES	9,005.94
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Human Resources

00386736	BLUE SHIELD LIFE	INSURANCE PREMIUM	41.27
00386740	BROOKS, TAMMANY	EDUCATIONAL REIMBURSEMENT	800.00
00386744	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING FEES	49.00
00386770	DELTA DENTAL	INSURANCE PREMIUM	178.59

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00386773	DIABLO LIVE SCAN	FINGERPRINTING FEES	20.00
00386781	FEDEX	SHIPPING	37.63
00386802	IEDA INC	CONTRACTS PROFESSIONAL	4,885.34
00386844	SHRED IT INC	SHRED SERVICES	971.45
00386866	WESTAMERICA BANK	COPIER LEASE	270.80
Economic Development			
00386776	DUALHARE INC	PHOTOGRAPHY SERVICES	11,400.00
00386786	GAZELLE AI INC	DATA SOURCE	10,000.00
00386858	VERIZON WIRELESS	DATA SERVICES	53.76
00386884	ANTIOCH CHAMBER COMMUNITY FOUND.	2020 GALA TABLE	600.00
00386892	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	40.00
00386895	BRENTWOOD PRESS & PUBLISHING	PRINTING SERVICES	2,299.00
00936401	EVVIVA BRANDS LLC	MARKETING SERVICES	14,945.00
00936407	ORANGE22 INC	CONSULTANT SERVICES	3,900.00
Finance Administration			
00386866	WESTAMERICA BANK	COPIER LEASE	342.57
00386891	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	20.16
Finance Accounting			
00386844	SHRED IT INC	SHRED SERVICES	98.04
00386891	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	704.75
00936410	SUPERION LLC	MONTHLY ACCESS FEE	17,076.45
Finance Operations			
00386736	BLUE SHIELD LIFE	INSURANCE PREMIUM	8.25
00386743	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING FEES	49.00
00386770	DELTA DENTAL	INSURANCE PREMIUM	17.86
00386772	DIABLO LIVE SCAN	FINGERPRINTING FEES	20.00
00386852	UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	47.61
00386891	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	1,075.00
Non Departmental			
00386803	JOHNSON, MARY ANNE	BUSINESS LICENSE FEE REFUND	250.00
00386818	NEW ANTIOCH BUFFET INC	BUSINESS LICENSE FEE REFUND	525.00
00386849	TELLES, WALTER	BUSINESS LICENSE FEE REFUND	229.00
00386860	WAGEWORKS	ADMIN FEE	260.00
00386868	WINTER, ROSE C	BUSINESS LICENSE FEE REFUND	260.00
00386871	WRIGHT, SEAN K	EXPENSE REIMBURSEMENT	145.00
00386885	ANTIOCH HISTORICAL SOCIETY	CIVIC ENH GRANT 2020	4,500.00
00386891	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	254.57
00386892	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	139.63
00386893	BE EXCEPTIONAL	CIVIC ENH GRANT 2020	1,000.00
00386902	CELEBRATE ANTIOCH FOUNDATION	CIVIC ENH GRANT 2020	20,000.00
00386922	DELTA BLUES FESTIVAL	CIVIC ENH GRANT 2020	5,000.00
00386923	DELTA VETERANS GROUP	BANNERS	6,500.00
00386924	DRAMA FACTORY, THE	CIVIC ENH GRANT 2020	1,000.00
00386929	EL CAMPANIL THEATRE	CIVIC ENH GRANT 2020	8,000.00
00386949	KAISER, NANCY E	EXPENSE REIMBURSEMENT	69.36
00386961	MUNICIPAL POOLING AUTHORITY	PAYROLL DEDUCTIONS	7,187.58
00386977	SOROPTIMIST OF ANTIOCH	CIVIC ENH GRANT 2020	4,000.00



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Public Works Administration

00386858	VERIZON WIRELESS	DATA SERVICES	38.01
00386866	WESTAMERICA BANK	COPIER LEASE	299.06

Public Works Street Maintenance

00386742	C AND J FAVALORA TRUCKING INC	EQUIPMENT RENTAL	997.00
00386819	NEXTEL SPRINT	CELL PHONE	115.76
00386848	TARGET SPECIALTY PRODUCTS	HERBICIDE	877.20
00386858	VERIZON WIRELESS	DATA SERVICES	76.02
00386882	ANTIOCH ACE HARDWARE	SUPPLIES	485.68
00386883	ANTIOCH AUTO PARTS	AUTO PARTS	43.40
00386932	FASTENAL CO	SUPPLIES	162.11
00386934	FIRST VANGUARD RENTALS AND SALES	EQUIPMENT	3,313.64
00386956	LOWES COMPANIES INC	SUPPLIES	387.64
00386975	SHERWIN WILLIAMS CO	SUPPLIES	219.00
00386988	TARGET SPECIALTY PRODUCTS	HERBICIDE	2,565.10

Public Works-Signal/Street Lights

00386730	AT AND T MCI	PHONE	751.57
00386801	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	3,393.46
00386831	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	403.54
00386910	CONTRA COSTA COUNTY	TRAFFIC SIGNAL MAINTENANCE	23,000.73
00386946	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	383.57
00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	6,406.55
00936416	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	4,548.32

Public Works-Facilities Maintenance

00386730	AT AND T MCI	PHONE	60.66
00386801	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	129.06
00386837	RICKIES ROOF REPAIR	CITY HALL WINDOW CLEANING	1,500.00
00386858	VERIZON WIRELESS	DATA SERVICES	38.01
00386925	DREAM RIDE ELEVATOR	ELEVATOR SERVICE	732.00
00386944	HONEYWELL INTERNATIONAL INC	HVAC SERVICES	8,713.54
00386956	LOWES COMPANIES INC	SUPPLIES	559.56
00386957	MAPCO INDUSTRIAL PRODUCTS	LIGHTS	381.46
00386967	PACIFIC GAS AND ELECTRIC CO	GAS	10,756.31
00386974	SERVICE PROS PLUMBERS INC	PLUMBING SERVICES	319.00
00936402	GRAINGER INC	SUPPLIES	89.16

Public Works-Parks Maint

00386720	AMERICAN PLUMBING INC	PLUMBING SERVICES	155.00
00386730	AT AND T MCI	PHONE	103.85
00386771	DELTA FENCE CO	PARK FENCE REPAIR	1,834.00
00386831	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	215.59
00386853	UNITED SITE SERVICES OF CALIFORNIA	RESTROOM RENTAL	221.61
00386863	WATERSAVERS IRRIGATION	IRRIGATION PARTS	1,096.95
00386888	ATC GROUP SERVICES LLC	PARK HAZMAT SURVEY REPORT	2,410.00
00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	984.19

Public Works-Median/General Land

00386730	AT AND T MCI	PHONE	238.15
00386731	AT AND T MCI	PHONE	89.50

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00386887	AT AND T MCI	CONNECTION SERVICES	179.00
00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	1,472.82
00386976	SILVA LANDSCAPE	LANDSCAPE SERVICES	4,020.00
PW-Work Alternative-Strt Maint			
00386819	NEXTEL SPRINT	CELL PHONE	51.34
Police Administration			
00386715	AIELLO, STEVEN J	MEAL ALLOWANCES	34.50
00386716	ALAMEDA COUNTY SHERIFFS OFFICE	TRAINING - S AIELLO	335.00
00386717	ALAMEDA COUNTY SHERIFFS OFFICE	TRAINING - J COLLEY	335.00
00386718	ALAMEDA COUNTY SHERIFFS OFFICE	CHECK REPLACEMENT	425.00
00386719	ALAMEDA COUNTY SHERIFFS OFFICE	CHECK REPLACEMENT	425.00
00386721	AMIRI, MORTEZA	TRAINING PER DIEM	132.00
00386733	ATKINSON ANDELSON LOYA RUUD ROMO	ATTORNEY FEES	14,092.80
00386736	BLUE SHIELD LIFE	INSURANCE PREMIUM	15.22
00386748	CHALK, STEPHANIE A	FLIGHT REIMBURSEMENT	174.96
00386750	CITY AND COUNTY OF SAN FRANCISCO	CIVIL SUBPOENA REFUND	275.00
00386754	COLLEY, JAMES M	FLIGHT REIMBURSEMENT	176.46
00386758	CONCORD UNIFORMS LLC	EQUIPMENT	211.90
00386760	CONTRA COSTA COUNTY	TRAINING FEES	760.00
00386761	CONTRA COSTA COUNTY	TRAINING - M NUTT	235.00
00386762	CORDICO PSYCHOLOGICAL CORP.	PSYCH EVAL	400.00
00386767	D TAC K9 LLC	TRAINING - K SMITH	200.00
00386768	D TAC K9 LLC	TRAINING - M AMIRI	200.00
00386770	DELTA DENTAL	INSURANCE PREMIUM	178.59
00386787	GUICHARD TENG PORTILLO & GARRETT	CIVIL SUBPOENA REFUND	275.00
00386788	HAMPTON INN	LODGING - M AMIRI	213.18
00386789	HAMPTON INN	LODGING - K SMITH	213.18
00386790	HAMPTON INN	LODGING - P MAYER	314.16
00386791	HAMPTON INN	LODGING - N SHIPILOV	213.18
00386811	LEXISNEXIS	MONTHLY SUBSCRIPTION FEE	505.00
00386812	MAYER, PATRICK C	TRAINING PER DIEM	132.00
00386820	OCCUPATIONAL HEALTH CENTERS CA	PRE-EMPLOYMENT EXAM	379.50
00386821	OCCUPATIONAL HEALTH CENTERS CA	PRE-EMPLOYMENT EXAM	1,383.00
00386822	OCCUPATIONAL HEALTH CENTERS CA	PRE-EMPLOYMENT EXAM	411.50
00386823	OCCUPATIONAL HEALTH CENTERS CA	PRE-EMPLOYMENT EXAM	411.50
00386827	OFFICE DEPOT INC	OFFICE SUPPLIES	1,389.58
00386832	PADILLA, BEN C	MEAL ALLOWANCES	115.00
00386834	PRIETO, CALVIN GEOVANI	MEAL ALLOWANCES	115.00
00386836	RELIANT HIRING SOLUTIONS	RECRUITMENT FAIR 6/16/20	450.00
00386843	SHIPILOV, NICHOLAS VLADIMIR	TRAINING PER DIEM	132.00
00386846	SMITH, KYLE T	TRAINING PER DIEM	132.00
00386855	UNITED STATES POSTAL SERVICE	PREPAID POSTAGE	2,000.00
00386878	ALAMEDA COUNTY SHERIFFS OFFICE	TRAINING - B PADILLA	2,094.00
00386879	ALAMEDA COUNTY SHERIFFS OFFICE	TRAINING - C PRIETO	2,094.00
00386916	CORDICO PSYCHOLOGICAL CORP.	PRE-EMPLOYMENT EXAM	400.00
00386917	CORDICO PSYCHOLOGICAL CORP.	PRE-EMPLOYMENT EXAM	400.00
00386919	CRUMP INVESTIGATIONS	PROFESSIONAL SERVICES	1,711.71

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00386921	CSI FORENSIC SUPPLY	EVIDENCE SUPPLY	26.71
00386938	GALLS LLC	UNIFORMS	18,143.89
00386966	ORMAN, LEONARD A	TRAVEL REIMBURSEMENTS	116.56
00386971	RANEY, MICHAEL	MILEAGE REIMBURSEMENT	132.48
00936395	CANON FINANCIAL SERVICES	COPIER LEASE	2,082.43
00936417	IMAGE SALES INC	ID CARDS	21.86
00936419	MOBILE MINI LLC	EVIDENCE STORAGE	276.34
Police Reserves			
00386759	CONCORD UNIFORMS LLC	SUPPLIES	31.80
Police Community Policing			
00386715	AIELLO, STEVEN J	EXPENSE REIMBURSEMENT	43.49
00386727	ARK PET HOSPITAL INC, THE	VETERINARY SERVICES	157.15
00386728	ARK PET HOSPITAL INC, THE	VETERINARY SERVICES	63.00
00386741	BUSHBY, BRANDON MATTHEW	EXPENSE REIMBURSEMENT	89.35
00386775	DOWNIE, JONATHAN ROBERT	MILEAGE REIMBURSEMENT	43.70
00386797	HOFFMAN, RICK D	EXPENSE REIMBURSEMENT	31.70
00386799	HUNT AND SONS INC	GAS	331.38
00386810	LENDERMAN, THOMAS E	EXPENSE REIMBURSEMENT	207.00
00386833	PERKINSON, JAMES A	EXPENSE REIMBURSEMENT	25.42
00386840	ROMBOUGH, ERIC A	MILEAGE REIMBURSEMENT	46.00
00386841	ROSE, BRIAN C	MEAL REIMBURSEMENTS	57.50
00386864	WENGER, DEVON	MILEAGE REIMBURSEMENT	81.65
00386941	HARLEY DAVIDSON	MOTORCYCLE	22,899.13
Police Traffic Division			
00386835	RADAR SHOP, THE	MAINTENANCE SERVICES	750.00
Police Investigations			
00386906	CONTRA COSTA COUNTY	REMOTE ACCESS NETWORK	126,649.00
00386907	CONTRA COSTA COUNTY	EXTRADITION SERVICES	445.00
00386912	CONTRA COSTA HEALTH SERVICES	SART EXAM	1,700.00
00386913	CONTRA COSTA HEALTH SERVICES	SART EXAM	5,100.00
00386914	CONTRA COSTA HEALTH SERVICES	SART EXAM	3,400.00
00386926	DS WATERS OF AMERICA	WATER SERVICES	27.47
00386984	T MOBILE USA INC	DISCOVERY SERVICES	50.00
00386985	T MOBILE USA INC	DISCOVERY SERVICES	1,856.00
00386986	T MOBILE USA INC	DISCOVERY SERVICES	50.00
00386987	T MOBILE USA INC	DISCOVERY SERVICES	1,128.00
Police Special Operations Unit			
00386978	SPECIAL SERVICES GROUP LLC	VEHICLE LEASE	2,400.00
00386989	TOYOTA FINANCIAL SERVICES	VEHICLE LEASE	581.13
Police Communications			
00386722	AMS DOT NET INC	SOFTWARE SUPPORT	20,617.09
00386730	AT AND T MCI	PHONE	1,489.35
00386970	PURSUIT NORTH	COMPUTER INSTALLATION	6,749.94
Office Of Emergency Management			
00386730	AT AND T MCI	PHONE	318.06
Police Facilities Maintenance			
00386730	AT AND T MCI	PHONE	321.52

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00386732	AT AND T MOBILITY	DEPARTMENT CELL PHONES	7,250.93
00386737	BMH EQUIPMENT	OFFICE SUPPLIES	300.00
00386801	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	10,421.92
00386911	CONTRA COSTA FIRE EQUIPMENT	FIRE EXTINGUISHER	349.34
00386944	HONEYWELL INTERNATIONAL INC	HVAC SERVICES	899.50
00386956	LOWES COMPANIES INC	SUPPLIES	75.97
00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	16,688.00
00386974	SERVICE PROS PLUMBERS INC	PLUMBING SERVICES	1,077.00
P & R Administration			
00386814	MT DIABLO LANDSCAPE CENTERS INC	SUPPLIES	130.45
00386956	LOWES COMPANIES INC	SUPPLIES	6,749.48
Community Development Land Planning Services			
00386736	BLUE SHIELD LIFE	INSURANCE PREMIUM	5.84
00386743	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING FEES	98.00
00386770	DELTA DENTAL	INSURANCE PREMIUM	241.07
00386772	DIABLO LIVE SCAN	FINGERPRINTING FEES	20.00
00386900	CALIFORNIA SOLAR STORE	REFUND GP MAINT FEE	18.70
00386969	PASTORA, ROSARIO	REFUND GP MAINT FEE	7.05
00386982	SUNRUN	REFUND GP MAINT FEE	43.75
CD Code Enforcement			
00386770	DELTA DENTAL	INSURANCE PREMIUM	124.36
00386819	NEXTEL SPRINT	CELL PHONE	583.04
00386883	ANTIOCH AUTO PARTS	AUTO PARTS	1,381.93
00386899	CACEO	TRAINING	258.00
00936411	ALTURA COMMUNICATION SOLUTIONS	PHONES	737.44
PW Engineer Land Development			
00386730	AT AND T MCI	PHONE	39.89
00386736	BLUE SHIELD LIFE	INSURANCE PREMIUM	41.27
00386744	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING FEES	49.00
00386746	CALIFORNIA DEPARTMENT OF TRANSP.	CALTRANS BOOKS	616.17
00386770	DELTA DENTAL	INSURANCE PREMIUM	178.59
00386819	NEXTEL SPRINT	CELL PHONE	415.28
00386858	VERIZON WIRELESS	DATA SERVICES	76.02
Community Development Building Inspection			
00386819	NEXTEL SPRINT	CELL PHONE	214.82
00386900	CALIFORNIA SOLAR STORE	TECHNOLOGY FEE REFUND	255.12
00386969	PASTORA, ROSARIO	ENERGY INSP FEE REFUND	118.44
00386982	SUNRUN	BLDG PERMIT FEE REFUND	515.32
00936404	HOYA SAFETY	SAFETY GLASSES - J ANDREWS	317.25
Capital Imp. Administration			
00386746	CALIFORNIA DEPARTMENT OF TRANSP.	CALTRANS BOOKS	308.09
00386781	FEDEX	SHIPPING	34.50
00386819	NEXTEL SPRINT	CELL PHONE	207.64
00386830	PACE SUPPLY CORP	PIPE FITTINGS	393.30
00386858	VERIZON WIRELESS	DATA SERVICES	38.01
00386956	LOWES COMPANIES INC	SUPPLIES	57.03
00936402	GRAINGER INC	SUPPLIES	246.31

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212	CDBG Fund		
CDBG			
00386779	ECHO HOUSING	CDBG SERVICES	5,959.51
213	Gas Tax Fund		
Streets			
00386831	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	224.73
00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	33,277.24
214	Animal Control Fund		
Animal Control			
00386736	BLUE SHIELD LIFE	INSURANCE PREMIUM	61.90
00386738	BOEHRINGER INGELHEIM ANIMAL HEALTH	VETERINARY SERVICES	429.35
00386757	CONCORD FEED	SUPPLIES	367.00
00386763	CRE8 CONCEPTS	VOLUNTEER SHIRTS	875.21
00386770	DELTA DENTAL	INSURANCE PREMIUM	89.29
00386778	EAST BAY VETERINARY EMERGENCY	VETERINARY SERVICES	148.62
00386793	HARDING IV, GEORGE WARREN	TRAINING PER DIEM	330.00
00386796	HILLS PET NUTRITION	SUPPLIES	75.72
00386816	MWI VETERINARY SUPPLY CO	SUPPLIES	1,220.17
00386872	ZOETIS LLC	SUPPLIES	77.29
00386942	HILLS PET NUTRITION	SUPPLIES	554.77
00386962	MWI VETERINARY SUPPLY CO	SUPPLIES	276.20
00386967	PACIFIC GAS AND ELECTRIC CO	GAS	878.32
215	Civic Arts Fund		
Civic Arts			
00386956	LOWES COMPANIES INC	SUPPLIES	52.17
219	Recreation Fund		
Non Departmental			
00386807	LA PALABRA DE DIOS	RENTAL DEPOSIT REFUND	500.00
00386829	OSIUHWU, SOPHIA	CHECK REPLACEMENT	1,000.00
00386945	HUB INTERNATIONAL OF CA INSURANCE	EVENT INSURANCE	1,214.76
00386948	JIM FRAZIER FOR ASSEMBLY	RENTAL DEPOSIT REFUND	500.00
Nick Rodriguez Community Cent			
00386866	WESTAMERICA BANK	COPIER LEASE	270.80
00386874	AAA FIRE PROTECTION SVCS	INSPECTION SERVICES	341.22
00386898	CABRAL, MONSERRAT	EXPENSE REIMBURSEMENT	108.08
00386967	PACIFIC GAS AND ELECTRIC CO	GAS	2,611.62
Senior Programs			
00386730	AT AND T MCI	PHONE	83.02
00386744	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING FEES	98.00
00386773	DIABLO LIVE SCAN	FINGERPRINTING FEES	40.00
00386956	LOWES COMPANIES INC	SUPPLIES	239.78
00386967	PACIFIC GAS AND ELECTRIC CO	GAS	1,741.08
Recreation Sports Programs			
00386730	AT AND T MCI	PHONE	20.77
00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	1,856.78
Recreation-Comm Center			
00386730	AT AND T MCI	PHONE	23.23
00386743	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING FEES	32.00

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00386772	DIABLO LIVE SCAN	FINGERPRINTING FEES	20.00
00386777	DUGAND, KARINA	CONTRACTOR PAYMENT	864.00
00386804	JUMP BUNCH	CONTRACTOR PAYMENT	514.80
00386806	KOVALICK, LUANNE	CONTRACTOR PAYMENT	693.00
00386831	PACIFIC GAS AND ELECTRIC CO	GAS	6,253.79
00386854	UNITED STATES POSTAL SERVICE	PREPAID POSTAGE	9,330.27
00386858	VERIZON WIRELESS	DATA SERVICES	38.01
00386875	AAA FIRE PROTECTION SVCS	FIRE SYSTEM SERVICE	360.89
00386943	HK AND A HURA MAI POLYNESIAN DANCE	CONTRACTOR PAYMENT	468.00
00386993	UNITED STATES POSTAL SERVICE	REC GUIDE POSTAGE	1,823.33
Recreation Water Park			
00386730	AT AND T MCI	PHONE	119.73
00386819	NEXTEL SPRINT	CELL PHONE	33.55
00386895	BRENTWOOD PRESS AND PUBLISHING	PRINTING SERVICES	600.00
00386967	PACIFIC GAS AND ELECTRIC CO	GAS	13,940.71
226	Solid Waste Reduction Fund		
Solid Waste			
00386915	CONTRACT SWEEPING SERVICES	PROFESSIONAL SERVICES	540.00
229	Pollution Elimination Fund		
Channel Maintenance Operation			
00386819	NEXTEL SPRINT	CELL PHONE	51.34
00386838	ROBERTS AND BRUNE CO	PIPE PARTS	1,775.31
00386882	ANTIOCH ACE HARDWARE	PARTS	63.45
00386956	LOWES COMPANIES INC	SUPPLIES	73.68
238	PEG Franchise Fee Fund		
Non Departmental			
00386780	EEG ENTERPRISES	SMART ENCODER	10,056.62
251	Lone Tree SLLMD Fund		
Lonetree Maintenance Zone 1			
00386730	AT AND T MCI	PHONE	83.08
00386850	TERRACARE ASSOCIATES	TURF MOWING	136.60
00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	752.32
Lonetree Maintenance Zone 2			
00386730	AT AND T MCI	PHONE	142.08
00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	719.35
00386981	STEWARTS TREE SERVICE INC	LANDSCAPE SERVICES	3,300.00
Lonetree Maintenance Zone 3			
00386730	AT AND T MCI	PHONE	62.31
Lonetree Maintenance Zone 4			
00386850	TERRACARE ASSOCIATES	TURF MOWING	218.56
252	Downtown SLLMD Fund		
Downtown Maintenance			
00386792	HANSON AND FITCH TEMPORARY SITE	RESTROOM RENTAL	2,429.19
00386850	TERRACARE ASSOCIATES	TURF MOWING	136.60
00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	385.96

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253	Almondridge SLLMD Fund		
	Almondridge Maintenance		
00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	208.23
254	Hillcrest SLLMD Fund		
	Hillcrest Maintenance Zone 1		
00386730	AT AND T MCI	PHONE	41.54
00386850	TERRACARE ASSOCIATES	TURF MOWING	355.16
00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	584.91
	Hillcrest Maintenance Zone 2		
00386730	AT AND T MCI	PHONE	145.39
00386850	TERRACARE ASSOCIATES	TURF MOWING	486.30
00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	728.05
	Hillcrest Maintenance Zone 4		
00386730	AT AND T MCI	PHONE	122.97
00386850	TERRACARE ASSOCIATES	TURF MOWING	273.20
00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	659.50
255	Park 1A Maintenance District Fund		
	Park 1A Maintenance District		
00386730	AT AND T MCI	PHONE	20.77
00386847	STEWARTS TREE SERVICE INC	TREE PRUNING	550.00
00386850	TERRACARE ASSOCIATES	TURF MOWING	355.16
00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	72.10
256	Citywide 2A Maintenance District Fund		
	Citywide 2A Maintenance Zone 3		
00386850	TERRACARE ASSOCIATES	TURF MOWING	5.46
00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	76.30
	Citywide 2A Maintenance Zone 4		
00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	318.13
	Citywide 2A Maintenance Zone 5		
00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	431.17
	Citywide 2A Maintenance Zone 6		
00386850	TERRACARE ASSOCIATES	TURF MOWING	327.84
00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	241.68
	Citywide 2A Maintenance Zone 8		
00386850	TERRACARE ASSOCIATES	TURF MOWING	27.32
	Citywide 2A Maintenance Zone 9		
00386730	AT AND T MCI	PHONE	83.08
00386850	TERRACARE ASSOCIATES	TURF MOWING	81.96
00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	475.74
	Citywide 2A Maintenance Zone 10		
00386845	SILVA LANDSCAPE	LANDSCAPE SERVICES	3,216.00
00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	142.84
257	SLLMD Administration Fund		
	SLLMD Administration		
00386723	ANTIOCH ACE HARDWARE	SUPPLIES	42.82
00386724	ANTIOCH AUTO PARTS	AUTO PARTS	25.28
00386743	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING FEES	98.00

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00386772	DIABLO LIVE SCAN	FINGERPRINTING FEES	40.00
00386783	FIRST VANGUARD RENTALS AND SALES	TRAFFIC CONTROL EQUIPMENT	429.21
00386819	NEXTEL SPRINT	CELL PHONE	115.76
00386824	OCCUPATIONAL HEALTH CENTERS CA	PRE-EMPLOYMENT EXAM	432.00
00386850	TERRACARE ASSOCIATES	TURF MOWING	327.84
00386858	VERIZON WIRELESS	DATA SERVICES	76.02
00386956	LOWES COMPANIES INC	IRRIGATION PARTS	118.57
00386995	WATERSAVERS IRRIGATION	SUPPLIES	1,140.46
311	Capital Improvement Fund		
	Non Departmental		
	Streets		
00386881	ANCHOR CONCRETE CONSTRUCTION	SIDEWALK REPAIR PROJECT	34,475.51
376	Lone Diamond Fund		
	Assessment District		
00386747	CENTRAL SELF STORAGE ANTIOCH	STORAGE	302.00
416	Honeywell Capital Lease Fund		
	Non Departmental		
00386889	BANK OF AMERICA	DEBT SERVICE PAYMENT	45,917.90
569	Vehicle Replacement Fund		
	Equipment Maintenance		
00386873	ALL STAR FORD	NEW VEHICLE	97,030.12
570	Equipment Maintenance Fund		
	Non Departmental		
00386800	HUNT AND SONS INC	FUEL	39,969.39
	Equipment Maintenance		
00386713	AFFORDABLE TIRE CENTER	INSPECTION SERVICES	120.00
00386724	ANTIOCH AUTO PARTS	SUPPLIES	3,443.59
00386725	ANTIOCH GLASS	REPAIRS	833.02
00386735	BILL BRANDT FORD	LABOR REPAIR	365.92
00386749	CHUCKS BRAKE AND WHEEL SERVICE	SUPPLIES	139.02
00386784	FURBER SAW INC	REPAIR SERVICES	1,090.37
00386794	HARLEY DAVIDSON	PARTS	4,320.94
00386815	MUNICIPAL MAINT EQUIPMENT INC	SUPPLIES	2,059.43
00386825	OCONNELL JETTING SYSTEMS	PARTS	398.73
00386828	OREILLY AUTO PARTS	SUPPLIES	2,540.29
00386839	ROBINS LOCK AND KEY	SUPPLIES	804.00
00386842	ROYAL BRASS INC	SUPPLIES	114.89
00386858	VERIZON WIRELESS	DATA SERVICES	38.01
00386859	W K HYDRAULICS INC	HOSE	428.13
00386861	WALNUT CREEK FORD	SUPPLIES	691.28
00386867	WINTER CHEVROLET CO	REPAIR SERVICES	606.34
00386883	ANTIOCH AUTO PARTS	PARTS	775.28
00386903	CHUCKS BRAKE AND WHEEL SERVICE	SUPPLIES	158.70
00386931	FALCON COLLISION REPAIR INC	REPAIR SERVICES	4,546.34
00386956	LOWES COMPANIES INC	SUPPLIES	9.33
00386959	MUNICIPAL MAINT EQUIPMENT INC	PARTS	4,790.65
00386965	OREILLY AUTO PARTS	AUTO PARTS	1,117.11

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00386967	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	3,661.84
00386990	TRED SHED, THE	TIRES	4,980.17
00386992	UNICO GLASS LLC	REPAIR SERVICES	284.25
00386994	WALNUT CREEK FORD	AUTO PARTS	890.25
00936406	KIMBALL MIDWEST	SUPPLIES	544.13
00936408	PETERSON TRACTOR CO	SUPPLIES	1,479.70
00936421	PETERSON TRACTOR CO	AUTO PARTS	273.78
573	Information Services Fund		
	Information Services		
00386730	AT AND T MCI	PHONE	76.46
00386858	VERIZON WIRELESS	DATA SERVICES	382.83
	Network Support & PCs		
00386722	AMS DOT NET INC	WIRELESS EQUIPMENT	5,741.85
00386730	AT AND T MCI	PHONE	86.18
00386880	AMS DOT NET INC	PROFESSIONAL SERVICES	869.00
00386952	KIS	CHECK REPLACEMENT	75.00
00936398	COMPUTERLAND	SOFTWARE	138.03
00936415	DIGITAL SERVICES	WEBSITE MAINTENANCE	3,765.00
	Telephone System		
00386729	AT AND T MCI	PHONE	25.01
00386730	AT AND T MCI	PHONE	2,085.57
	Office Equipment Replacement		
00386795	HEWLETT PACKARD COMPANY	COMPUTER EQUIPMENT	322.90
00936396	CDW GOVERNMENT INC	SUPPLIES	768.51
00936398	COMPUTERLAND	COMPUTER EQUIPMENT	1,991.80
00936414	COMPUTERLAND	COMPUTER EQUIPMENT	1,732.12
611	Water Fund		
	Non Departmental		
00386753	COLE SUPPLY CO INC	SUPPLIES	2,876.77
00386830	PACE SUPPLY CORP	SUPPLIES	656.01
00386838	ROBERTS AND BRUNE CO	SUPPLIES	890.11
00386894	BISHOP CO	SUPPLIES	1,275.32
00386927	EAST BAY WORK WEAR	UNIFORMS	390.49
00386947	IDN WILCO	SUPPLIES	127.32
00936402	GRAINGER INC	SUPPLIES	1,948.18
00936403	HAMMONS SUPPLY COMPANY	SUPPLIES	2,086.11
	Water Supervision		
00386819	NEXTEL SPRINT	CELL PHONE	173.64
00386858	VERIZON WIRELESS	DATA SERVICES	152.04
	Water Production		
00386723	ANTIOCH ACE HARDWARE	SUPPLIES	149.37
00386724	ANTIOCH AUTO PARTS	SUPPLIES	196.63
00386726	ARAMARK UNIFORM SERVICES	CLEANING SERVICE	111.77
00386730	AT AND T MCI	PHONE	1,115.35
00386739	BORGES AND MAHONEY	CHART	4,349.29
00386752	CITY OF BRENTWOOD	GROUNDWATER SERVICES	4,291.75
00386782	FINBERG FENCING INC	FENCE REPAIR	275.00

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00386798	HOUSE, KEVIN SHAW	EXPENSE REIMBURSEMENT	100.00
00386801	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	1,218.45
00386805	KELLY MOORE PAINT CO	SUPPLIES	186.28
00386819	NEXTEL SPRINT	CELL PHONE	77.94
00386826	OCT ACADEMY MCCLELLAN PARK	TRAINING	800.00
00386827	OFFICE DEPOT INC	OFFICE SUPPLIES	24.84
00386856	UNIVAR SOLUTIONS USA INC	CHEMICALS	5,546.29
00386857	UNIVAR SOLUTIONS USA INC	CHEMICALS	3,371.42
00386858	VERIZON WIRELESS	DATA SERVICES	38.01
00386862	WALTER BISHOP CONSULTING	PROFESSIONAL SERVICES	6,598.34
00386877	AIM MAIL CENTER #26	PRINTING SERVICES	2,312.72
00386882	ANTIOCH ACE HARDWARE	PARTS	25.53
00386886	ARAMARK UNIFORM SERVICES	CLEANING SERVICE	57.71
00386920	CRWA	MEMBERSHIP DUES	1,367.00
00386933	FINBERG FENCING INC	FENCE REPAIR	400.00
00386935	FISHER SCIENTIFIC COMPANY	SUPPLIES	509.20
00386940	HACH CO	LAB SUPPLIES	243.04
00386950	KAPSCH TRAFFICOM USA INC	SUPPORT SERVICES	1,800.00
00386951	KELLY MOORE PAINT CO	PAINT	186.28
00386956	LOWES COMPANIES INC	SUPPLIES	396.33
00386967	PACIFIC GAS AND ELECTRIC CO	GAS	78,871.72
00936394	AIRGAS SPECIALTY PRODUCTS	AMMONIA	1,911.65
00936397	CHEMTRADE CHEMICALS US LLC	ALUM	16,311.97
00936399	EUROFINS EATON ANALYTICAL INC	WATER TESTING AND ANALYSIS	30.00
00936400	EVOQUA WATER TECHNOLOGIES LLC	EQUIPMENT	485.12
00936402	GRAINGER INC	SUPPLIES	269.91
00936422	RED WING SHOE STORE	SAFETY SHOES - M GUTOWSKI	275.00
Water Distribution			
00386723	ANTIOCH ACE HARDWARE	SUPPLIES	42.23
00386730	AT AND T MCI	PHONE	20.77
00386734	BACKFLOW DISTRIBUTORS INC	SUPPLIES	125.32
00386736	BLUE SHIELD LIFE	INSURANCE PREMIUM	21.63
00386743	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING FEES	24.50
00386765	CWEA SFBS	MEMBERSHIP RENEWAL	192.00
00386766	CWEA SFBS	MEMBERSHIP RENEWAL	94.00
00386772	DIABLO LIVE SCAN	FINGERPRINTING FEES	10.00
00386785	G AND S PAVING INC	VARIOUS ASPHALT REPAIRS	2,053.00
00386805	KELLY MOORE PAINT CO	SUPPLIES	225.22
00386819	NEXTEL SPRINT	CELL PHONE	580.67
00386826	OCT ACADEMY MCCLELLAN PARK	TRAINING	1,000.00
00386827	OFFICE DEPOT INC	OFFICE SUPPLIES	32.76
00386830	PACE SUPPLY CORP	SUPPLIES	916.64
00386838	ROBERTS AND BRUNE CO	SUPPLIES	28,588.57
00386842	ROYAL BRASS INC	SUPPLIES	194.05
00386851	TYLER TECHNOLOGIES	MONTHLY WEBSITE	340.00
00386852	UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	47.61
00386858	VERIZON WIRELESS	DATA SERVICES	418.11

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00386869	WQI	TRAINING	3,100.00
00386876	ACP INTERNATIONAL	SUPPLIES	422.97
00386883	ANTIOCH AUTO PARTS	AUTO PARTS	292.49
00386891	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	39.10
00386897	C AND J FAVALORA TRUCKING INC	HAULING SERVICES	2,860.00
00386930	EWING IRRIGATION PRODUCTS	PARTS	50.58
00386936	G AND S PAVING INC	VARIOUS ASPHALT REPAIRS	29,033.95
00386951	KELLY MOORE PAINT CO	SUPPLIES	293.05
00386956	LOWES COMPANIES INC	SUPPLIES	401.03
00386963	NCBPA	TRAINING	450.00
00386972	RICHMOND MACHINE & ENGINEERING	FENCING PROJECT	2,200.00
00386973	SABRE BACKFLOW LLC	SUPPLIES	2,522.64
00386991	TYLER TECHNOLOGIES	MONTHLY WEBSITE	340.00
00936402	GRAINGER INC	SUPPLIES	538.16
00936405	INFOSEND INC	POSTAGE COSTS	1,000.72
00936412	BADGER METER INC	METER PARTS	6,660.47
00936418	INFOSEND INC	POSTAGE COSTS	3,272.39
Public Buildings & Facilities			
00386745	CA DEPARTMENT OF FISH & WILDLIFE	PERMIT	31,787.00
00386896	BROWN AND CALDWELL INC	PROFESSIONAL SERVICES	13,154.25
00386901	CDM SMITH INC	CONSULTING SERVICES	8,741.25
00386950	KAPSCH TRAFFICOM USA INC	SUPPORT SERVICES	8,550.00
00936413	CAROLLO ENGINEERS INC	PROFESSIONAL SERVICES	363,925.52
621	Sewer Fund		
Swr-Wastewater Administration			
00386730	AT AND T MCI	PHONE	45.63
00386736	BLUE SHIELD LIFE	INSURANCE PREMIUM	37.15
00386743	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING FEES	24.50
00386772	DIABLO LIVE SCAN	FINGERPRINTING FEES	10.00
00386785	G AND S PAVING INC	VARIOUS ASPHALT REPAIRS	2,053.00
00386814	MT DIABLO LANDSCAPE CENTERS INC	CONCRETE MIX	213.04
00386817	NATEC INTERNATIONAL INC	TRAINING	795.00
00386819	NEXTEL SPRINT	CELL PHONE	167.10
00386821	OCCUPATIONAL HEALTH CENTERS CA	MEDICAL SERVICES	112.00
00386838	ROBERTS AND BRUNE CO	SUPPLIES	1,361.71
00386851	TYLER TECHNOLOGIES	MONTHLY WEBSITE	340.00
00386858	VERIZON WIRELESS	DATA SERVICES	304.08
00386891	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	39.10
00386897	C AND J FAVALORA TRUCKING INC	HAULING SERVICES	2,860.00
00386936	G AND S PAVING INC	VARIOUS ASPHALT REPAIRS	29,033.95
00386956	LOWES COMPANIES INC	SUPPLIES	44.67
00386959	MUNICIPAL MAINT EQUIPMENT INC	PARTS	2,133.26
00386972	RICHMOND MACHINE & ENGINEERING	FENCING PROJECT	2,200.00
00386983	SWEET, MARCPHAROS JOSEPH	EXPENSE REIMBURSEMENT	320.00
00386991	TYLER TECHNOLOGIES	MONTHLY WEBSITE	340.00
00936402	GRAINGER INC	SUPPLIES	81.18
00936405	INFOSEND INC	POSTAGE COSTS	1,000.71

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00936418	INFOSEND INC	POSTAGE COSTS	3,272.38
Wastewater Collection			
00386808	LAMASSU UTILITY SERVICES INC	TRENCHLESS REHAB PROJECT	26,197.28
631 Marina Fund			
Marina Administration			
00386736	BLUE SHIELD LIFE	INSURANCE PREMIUM	61.90
00386743	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING FEES	49.00
00386753	COLE SUPPLY CO INC	SUPPLIES	39.53
00386756	COMCAST	CONNECTION SERVICES	221.04
00386769	DEL REY ADVERTISING & MARKING	DIGITAL BILLBOARD	1,500.00
00386770	DELTA DENTAL	INSURANCE PREMIUM	178.59
00386772	DIABLO LIVE SCAN	FINGERPRINTING FEES	20.00
00386819	NEXTEL SPRINT	CELL PHONE	57.88
00386839	ROBINS LOCK AND KEY	SUPPLIES	424.83
00386865	WEST MARINE	SUPPLIES	12.51
00386956	LOWES COMPANIES INC	TOOLS	127.11
00386967	PACIFIC GAS AND ELECTRIC CO	GAS	5,910.92
Major Projects			
00386813	MCNABB CONSTRUCTION INC	MARINA BOAT LAUNCH PROJECT	22,561.91
721 Employee Benefits Fund			
Non Departmental			
00386714	AFLAC	INSURANCE PREMIUM	6,317.33
00386736	BLUE SHIELD LIFE	INSURANCE PREMIUM	4,067.07
00386755	COLONIAL LIFE	INSURANCE PREMIUM	407.06
00386770	DELTA DENTAL	INSURANCE PREMIUM	43,555.15
00386774	DIAMOND HILLS SPORT CLUB	CHECK REPLACEMENT	282.00
00386961	MUNICIPAL POOLING AUTHORITY	PAYROLL DEDUCTIONS	8,050.30

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STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of March 24, 2020
TO: Honorable Mayor and Members of the City Council
SUBMITTED BY: Forrest Ebbs, Community Development Director 
SUBJECT: Accessory Dwelling Unit Fee Ordinance

RECOMMENDED ACTION

It is recommended that the City Council adopt an ordinance amending Antioch Municipal Code Section 9-3.60 to address Development Impact Fees specific to Accessory Dwelling Units.

DISCUSSION

The adoption of an ordinance requires two separate readings. The subject ordinance was introduced at the March 10, 2020 City Council meeting. At that meeting, City Council approved a motion to introduce the ordinance. This second reading will finalize the adoption of the ordinance.

ATTACHMENT

A. Ordinance

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ATTACHMENT "A"

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH AMENDING
TITLE 9, CHAPTER 3, DEVELOPMENT IMPACT FEES, TO ESTABLISH
PROPORTIONATE FEE RATES FOR ACCESSORY DWELLING UNITS**

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

SECTION 1:

Antioch Municipal Code Section 9-3.60 describes the calculation and payment of development impact fees but does not provide a method for determining proportionate fees for accessory dwelling units as mandated by California Government Code Section 65852.2.

SECTION 2:

The City Council determined on February 25, 2020, that, under California Public Resources Code section 21080.17, the California Environmental Quality Act ("CEQA") does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California's ADU law and which also regulates JADUs, as defined by section 65852.22.

SECTION 3:

The following Sections are hereby amended as follows:

9-3.60 CALCULATION AND PAYMENT OF DEVELOPMENT IMPACT FEES (DIFS).

(A) Calculation of DIFs. The amount of each DIF assessed on an Applicant for a building permit shall be calculated based on the city's master fee schedule in effect at the time of issuance of the building permit.

(B) Time for payment of DIFs. All DIFs assessed on an applicant shall be paid by the applicant at the time of issuance of the building permit.

(C) Mixed uses. When a project will include both residential and non-residential uses, the Director shall determine the DIF amounts by applying to each use the applicable fee for that individual use and adding the totals of fees applicable to all of the uses within the project. For example, and by way of illustration only, a project that contains ten residential units and 20,000 square feet of retail commercial space would pay DIFs in a total amount equal to the sum of:

(1) The total of ten times the amount of each DIF per residential unit; plus

(2) The total of 20,000 times the amount of each DIF per square foot of retail commercial space.

(D) Accessory Dwelling Units. DIFs shall be collected for Accessory Dwelling Units as follows:

(1) Accessory Dwelling Units on multifamily properties shall pay the lesser of the following:

ATTACHMENT "A"

(a) The Multifamily rate;

(b) The product of the following formula:

(Square feet of accessory dwelling unit / Average square feet of all existing multifamily dwelling units on the same parcel) X Multifamily Rate

(2) Accessory Dwelling Units on single-family properties shall pay the lesser of the following:

(a) The Multifamily rate;

(b) The product of the following formula:

(Square feet of accessory dwelling unit / Square feet of primary dwelling) X Single-Family Rate

(3) DIFs shall not be collected on Accessory Dwelling Units smaller than 750 square feet in area.

SECTION 3:

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 4:

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

* * * * *

I **HEREBY CERTIFY** that the forgoing ordinance was introduced at a regular meeting of the City Council of the City of Antioch held on the 10th of March 2020, and passed and adopted at a regular meeting thereof, held on the 24th of March 2020, by the following vote:

AYES:

NOES:

ABSENT:

Sean Wright, Mayor of the City of Antioch

ATTEST:

Arne Simonsen, CMC
City Clerk of the City of Antioch

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STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of March 24, 2020

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Teri House, CDBG/Housing Consultant

APPROVED BY: Forrest Ebbs, Community Development Director *FE*

SUBJECT: 2019 Annual Housing Element Progress Report and, Housing Successor Annual Report and Progress Report for the General Plan

RECOMMENDED ACTION

It is recommended that the City Council receive and file the 2019 Annual Housing Element Progress Report, Housing Successor Annual Report, and Progress Report for the General Plan.

FISCAL IMPACT

The recommended action has no impact to the General Fund.

DISCUSSION

California Housing element law mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. All California localities are required to adopt housing elements as part of their general plans and to submit draft and adopted elements to the California Department of Housing and Community Development ("HCD") for review of compliance with State law. The City Council and HCD have approved Antioch's Housing Element for the period of 2015-2023. The City of Antioch General Plan and Housing Element are in compliance with State Government Code requirements.

Each governing body is also required to prepare an annual report on status and progress in implementing the jurisdiction's housing element of the general plan, using forms and definitions adopted by HCD. Housing Element Annual Progress Reports ("APR") must be submitted to HCD by April 1 of each year.

Changes to California Housing Element Law

In 2018, the Annual Element Progress Report requirements changed considerably due to the passage of AB 879 (Grayson, Chapter 374, Statutes of 2017). This legislation expands upon existing law that required general law cities to send an annual report to

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their respective city councils, the state Office of Planning and Research (“OPR”) and HCD that includes information related to the implementation of the General Plan, including:

- The city’s progress in meeting its share of Regional Housing Needs Allocation (“RHNA”);
- The city’s progress in removing governmental constraints to the maintenance, improvement and development of housing; and
- Actions taken by the city toward completion of the programs identified in its housing element and the status of the city’s compliance with the deadlines in its housing element.

Under AB 879, all cities including charter cities must submit an annual report by April 1 of each year containing the above information. In addition, cities must also provide the following new information in the annual report:

- The number of housing development applications received in the prior year;
- The number of units included in all development applications in the prior year;
- The number of units approved and disapproved in the prior year;
- A listing of sites rezoned to accommodate that portion of the city’s RHNA for each income level that could not be accommodated in its housing element inventory and any additional sites identified under the “no net loss” provisions;
- The net number of new units of housing that have been issued a “completed entitlement,” building permit or certificate of occupancy thus far in the housing element cycle (identified by the Assessor’s Parcel Number) and the income category that each unit of housing satisfied (distinguishing between rental and for-sale units);
- The number of applications submitted under the new processing provided for by Section 65913.4 (enacted by SB 35), the location and number of developments approved pursuant to this new process, the total number of building permits issued pursuant to this new process and total number of units constructed pursuant to this new process; and
- The number of units approved within a Workforce Housing Opportunity Zone.

AB 879 also requires cities to include additional information when they submit their housing element to HCD, including:

- An analysis of governmental constraints that must include local ordinances that “directly impact the cost and supply of residential development”; and
- An analysis of nongovernmental constraints that must include requests to develop housing at densities below those anticipated in site inventory and the length of time between receiving approval for housing development and submittal of an

application for building permit. The analysis must also include policies to remove nongovernmental constraints.

RHNA Allocation

Each housing element period, the State identifies the total housing need for the San Francisco Bay Area for an eight-year period (in this cycle, from 2015 to 2023). This is based on projections for expected population growth throughout the State. The State then calculates how much of this growth will take place in each region based on the expected number of households and the age and type of housing stock available. This regional distribution of growth is designed to do three things: 1) increase housing supply, affordability and diversity; 2) encourage efficient development to avoid sprawl and minimize greenhouse gas emissions by reducing commute distances; and 3) promote balance between job creation and housing availability.

Next, the Association of Bay Area Governments ("ABAG") and Metropolitan Transportation Commission ("MTC") figure out where this growth will take place and allocate housing targets to each city to match the projections. The amount of housing each city must plan for is called the Regional Housing Needs Allocations ("RHNA"). Once a local government has received its final RHNA, it must revise its Housing Element to show how it plans to accommodate its portion of the region's housing need.

The City of Antioch has a RHNA allocation of 1,448 units of housing. Of these, 349 units are to be affordable to households of very low-income, 205 units affordable to low-income, 214 units affordable to moderate income, and 680 units affordable to above moderate-income households. Affordability is based on income limits determined by the U.S. Department of Housing and Urban Development ("HUD").

Annual Housing Element Annual Progress Report

The 2019 Annual Housing Element Progress Report is provided as Attachment "A". Table A2 of the report details annual building activity including new construction, entitled, permits and completed units. These units are further enumerated by their affordability by household income, which details units by very low-, low-, moderate- and above moderate-income, and whether the units are deed restricted, and by tenure for renters or ownership.

Table B below details the jurisdiction’s progress toward achieving its RHNA allocation.

Excerpt of 2019 APR Table B

Income Level % of AMI*	RHNA Allocation by Income Level	Permitted Units					Total Units to Date	Total Remaining RHNA by Income Level
		2015	2016	2017	2018	2019		
Very Low 0-50%	349	1	84	2	1	2	90	259
Low 50-80%	205	0	0	0	1	0	1	204
Moderate 80-120%	214	19	1	0	0	12	32	182
Above Moderate >120%	680	47	42	41	119	279	528	152
Total:	1448	68	128	43	122	293	651	797

* AMI stands for Area Median Income

Table C details any sites identified or rezoned to accommodate shortfall housing need. This table is blank because this was not required for 2019 in the City of Antioch.

Table D summarizes the status of the implementation of all of the program goals listed in the Housing Element under the following six goals:

- Goal 1 – Conserve and improve the existing housing supply to provide adequate, safe, and decent housing for existing Antioch residents.
- Goal 2 – Facilitate the development of a broad array of housing types to accommodate new and current Antioch residents of diverse ages and socioeconomic backgrounds.
- Goal 3 – Facilitate the development of special purpose housing to meet the needs of the elderly, persons with disabilities, large families, and the homeless.
- Goal 4 - Reduce residential energy and water use to conserve energy/water and reduce the cost of housing.
- Goal 5 - Remove governmental constraints inhibiting the development of housing required to meet identified needs in Antioch.
- Goal 6 - Provide equal housing opportunities for all existing and future Antioch residents.

Table E lists commercial development bonuses approved with housing. The City did not receive any such applications in 2019.

Finally, Table F details units that were rehabilitated, preserved, and acquired for alternative adequate sites during the year. Again, the City did not have any such units.

Housing Successor Annual Report

HCD also requires that a Housing Successor Annual Report be submitted annually with the Housing Element Progress Report for city and county Housing Successors to former redevelopment agencies. This report is provided both to HCD and the State Controller's Office.

The purpose of this Report is to provide HCD and the governing body of the Housing Successor an annual report on the housing assets and activities of the Housing Successor under Part 1.85, Division 24 of the California Health and Safety Code, in particular sections 34176 and 34176.1 ("Dissolution Law").

The 2019 Antioch Housing Successor Annual Report regarding the Low- and Moderate-Income Housing Asset Fund (Attachment "B") has been prepared pursuant to California Health and Safety Code Section 34176.1(f) and is dated April 1, 2020. This Report sets forth certain details of the housing activities of the City of Antioch, successor to the former Antioch Development Agency ("ADA"), during calendar year 2019.

General Plan Annual Progress Report

Government Code Section 65400 mandates that certain cities and all counties submit an update of the status of the General Plan and progress in its implementation to their legislative bodies, OPR, and HCD by April 1 of each year. Only charter cities are exempt from the requirement to prepare Annual Progress Reports ("APRs") unless the charter stipulates otherwise (Government Code Section 65700). The purpose of submitting APRs to the State Department of Housing and Community Development ("HCD") and the Office of Planning and Research ("OPR") is to identify statewide trends in land use decision making and how local planning and development activities relate to statewide planning goals and policies. APRs may also identify needed modifications and improvements to OPR's General Plan Guidelines. Lastly, submittal of APRs enables OPR to track progress on a local jurisdiction's comprehensive General Plan update using the information provided in the APR. There is no standardized form or format for preparation of the General Plan APR. The attached General Plan APR is a brief update on General Plan progress and updates in 2019.

ATTACHMENTS

- A. 2019 Housing Element Report
- B. 2019 Housing Successor Agency Report
- C. 2019 General Plan Annual Progress Report

ATTACHMENT "A"

Jurisdiction: Antioch
 Reporting Year: 2019 (Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

(CCR Title 25 §5202)

Note: "*" indicates an optional field
 Cells in grey contain auto-calculation formulas

Table A
Housing Development Applications Submitted

Project Identifier	Unit Types		Date Application Submitted	Proposed Units - Affordability by Household Incomes					Total Approved Units by Project	Total Disapproved Units by Project	Streamlining	Notes						
	2	3		4	5	6	7	8										
1	2	3	4	5	6	7	8	9	10									
Prior APN*	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFD, SFD-2, 4-P, 4-P-2, 4-P-3)	Tenure (R/Renter, O-Owner)	Very Low-Income Non-Deed Restricted	Very Low-Income Deed Restricted	Low-Income Non-Deed Restricted	Low-Income Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non-Deed Restricted	Above Moderate-Income	Total PROPOSED Units by Project	Total APPROVED Units by Project	Total DISAPPROVED Units by Project (Auto-calculated Can Be Overwritten)	Was APPLICATION Streamlined pursuant to CC 65973.4(b)? (SB 35 Streamlining)	Notes	
Summary Row: Short Data Entry Below																		
057-021-017	East of Deer Valley Blvd. X-1000	Alpine Ranch by Coventic	GP-19-04	SFD	O								484	53	0	0	No	076-021-016, Project currently under review.
057-050-024	West of Deer Valley Blvd. east of Sand Creek (Parcel A), (Parcel B), (Parcel C), (Parcel D), (Parcel E), (Parcel F), (Parcel G), (Parcel H), (Parcel I), (Parcel J), (Parcel K), (Parcel L), (Parcel M), (Parcel N), (Parcel O), (Parcel P), (Parcel Q), (Parcel R), (Parcel S), (Parcel T), (Parcel U), (Parcel V), (Parcel W), (Parcel X), (Parcel Y), (Parcel Z)	Deer Valley Golf Course	GP-18-06	SFD	O								220	220	0	0	No	Project currently under review
057-022-010	1100 Deer Valley Road	Deer Valley Estates by Blue Mountain Communities	PD-19-02	SFD	O								121	121	0	0	No	Project currently under review
													0	0	0	0		

AI

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction: Amblech
 Reporting Year: 2019 (Jan. 1 - Dec. 31)

Table A2
Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier		Unit Types			Affordability by Household Incomes - Completed Entitlement									
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA/SFD, 2 LB 4.3*, ADU, MH)	Tenure (R=Rentor, O=Owner)	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderat- Income Deed Restricted	Moderat- Income Non Deed Restricted	Above Moderat- Income	Entitlement Date Approved
Summary Rearr. Start Data Entry Below														
	052042044	3801-1/2 HILLCREST AVE	Turner, David/DC General Builders	B1709-0241	ADU	R	91	0	299	0	0	0	4	
	51200025	18TH & HOLLUB LANE	AMCAL APARTMENTS	UP-18-04	5*	R	91		299				4	5/12/2019
	053780051	5505 PINNACLE VIEW WAY	DAVIDON HOMES	B1802-0066	SFD	O								
	053780052	5508 PINNACLE VIEW WAY	DAVIDON HOMES	B1802-0067	SFD	O								
	053780053	5513 PINNACLE VIEW WAY	DAVIDON HOMES	B1802-0068	SFD	O								
	053780018	5528 MOUNTAIN RIDGE WAY	DAVIDON HOMES	B1805-0074	SFD	O								
	053780019	5533 MOUNTAIN RIDGE WAY	DAVIDON HOMES	B1805-0075	SFD	O								
	053780020	5537 MOUNTAIN RIDGE WAY	DAVIDON HOMES	B1805-0076	SFD	O								
	053780021	5541 MOUNTAIN RIDGE WAY	DAVIDON HOMES	B1805-0077	SFD	O								
	053780022	5545 MOUNTAIN RIDGE CT	DAVIDON HOMES	B1805-0078	SFD	O								
	053780024	5548 MOUNTAIN LAKE WAY	DAVIDON HOMES	B1805-0079	SFD	O								
	053780025	5549 MOUNTAIN LAKE WAY	DAVIDON HOMES	B1805-0080	SFD	O								
	053780027	5545 MOUNTAIN LAKE WAY	DAVIDON HOMES	B1805-0081	SFD	O								
	053780028	5532 MOUNTAIN RIDGE WAY	DAVIDON HOMES	B1805-0082	SFD	O								
	053780029	5528 MOUNTAIN RIDGE WAY	DAVIDON HOMES	B1805-0083	SFD	O								
	053780054	5524 MOUNTAIN RIDGE WAY	DAVIDON HOMES	B1805-0084	SFD	O								
	053780055	5517 PINNACLE VIEW WAY	DAVIDON HOMES	B1805-0085	SFD	O								
	065102047	326 NASH AVE	PALLISON, DONALD	B1805-0086	MH	O								
	053780023	5547 MOUNTAIN RIDGE CT	DAVIDON HOMES	B1806-0131	SFD	O								
	053780001	5548 MOUNTAIN RIDGE CT	DAVIDON HOMES	B1806-0132	SFD	O								
	053780002	5551 MOUNTAIN RIDGE CT	DAVIDON HOMES	B1806-0133	SFD	O								
	053780003	5553 MOUNTAIN RIDGE CT	DAVIDON HOMES	B1806-0134	SFD	O								
	053780004	5555 MOUNTAIN RIDGE CT	DAVIDON HOMES	B1806-0135	SFD	O								
	053780005	5557 MOUNTAIN RIDGE CT	DAVIDON HOMES	B1806-0136	SFD	O								
	053780006	5559 MOUNTAIN RIDGE CT	DAVIDON HOMES	B1806-0137	SFD	O								
	053780007	5552 MOUNTAIN RIDGE CT	DAVIDON HOMES	B1806-0138	SFD	O								
	053780008	5550 MOUNTAIN RIDGE CT	DAVIDON HOMES	B1806-0139	SFD	O								
	053780009	5548 MOUNTAIN RIDGE CT	DAVIDON HOMES	B1806-0140	SFD	O								
	053780010	5546 MOUNTAIN RIDGE CT	DAVIDON HOMES	B1806-0141	SFD	O								
	053780011	5544 MOUNTAIN RIDGE CT	DAVIDON HOMES	B1806-0142	SFD	O								
	053780056	5526 MOUNTAIN LAKE WAY	DAVIDON HOMES	B1806-0178	SFD	O								
	053780057	5522 PINNACLE VIEW WAY	DAVIDON HOMES	B1809-0179	SFD	O								
	053780058	5518 PINNACLE VIEW WAY	DAVIDON HOMES	B1809-0180	SFD	O								
	053780059	5514 PINNACLE VIEW WAY	DAVIDON HOMES	B1809-0181	SFD	O								
	053780012	5560 VENTRY WAY	DAVIDON HOMES	B1809-0182	SFD	O								
	053780013	5556 VENTRY WAY	DAVIDON HOMES	B1809-0183	SFD	O								
	053780014	5552 VENTRY WAY	DAVIDON HOMES	B1809-0184	SFD	O								
	053780015	5548 VENTRY WAY	DAVIDON HOMES	B1809-0185	SFD	O								
	053780016	5544 VENTRY WAY	DAVIDON HOMES	B1809-0186	SFD	O								
	053780017	5561 VENTRY WAY	DAVIDON HOMES	B1809-0187	SFD	O								

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ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Reporting Year	2019	Antioch
Jurisdiction	Antioch	

Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Reporting Year	Jurisdiction	Current APN	Street Address	Project Identifier		Affordability by Household Incomes - Completed Entitlement								
				Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA, SPD, 2 lb 4.5-ADU, MH)	Tenure (R=Rentor, O=Owner)	3	4	5	6	7		
Summary Row: Start Data Entry Below														
053760019	053760019	5557 VENTRY WAY	DAVIDON HOMES	B1906-0188	SFD	O	0	299	0	0	0	0	0	0
056480017	056480017	5553 VENTRY WAY	DAVIDON HOMES	B1906-0188	SFD	O	0							
056480019	056480019	5401 MAZANT LOOP	MERITAGE HOMES OF CALIF .INC.	B1810-0165	SFD	O	0							
056480019	056480019	5409 MAZANT LOOP	MERITAGE HOMES OF CALIF .INC.	B1810-0166	SFD	O	0							
056480037	056480037	5485 GALLER LOOP	MERITAGE HOMES OF CALIF .INC.	B1810-0167	SFD	O	0							
056480039	056480039	5482 GALLER LOOP	MERITAGE HOMES OF CALIF .INC.	B1810-0168	SFD	O	0							
056480014	056480014	5412 MAZANT LOOP	MERITAGE HOMES OF CALIF .INC.	B1811-0168	SFD	O	0							
056480015	056480015	5408 MAZANT LOOP	MERITAGE HOMES OF CALIF .INC.	B1811-0167	SFD	O	0							
056480016	056480016	5397 MAZANT LOOP	MERITAGE HOMES OF CALIF .INC.	B1811-0168	SFD	O	0							
056480018	056480018	5408 MAZANT LOOP	MERITAGE HOMES OF CALIF .INC.	B1811-0168	SFD	O	0							
056480020	056480020	5413 MAZANT LOOP	MERITAGE HOMES OF CALIF .INC.	B1811-0170	SFD	O	0							
056480021	056480021	5417 MAZANT LOOP	MERITAGE HOMES OF CALIF .INC.	B1811-0171	SFD	O	0							
056480011	056480011	5428 MAZANT LOOP	MERITAGE HOMES OF CALIF .INC.	B1801-0144	SFD	O	0							
056480012	056480012	5428 MAZANT LOOP	MERITAGE HOMES OF CALIF .INC.	B1801-0144	SFD	O	0							
056480013	056480013	5518 SHELL RIDGE WAY	DAVIDON HOMES	B1903-0143	SFD	O	0							
057680019	057680019	5536 SHELL RIDGE WAY	DAVIDON HOMES	B1902-0170	SFD	O	0							
057680074	057680074	5536 SHELL RIDGE WAY	DAVIDON HOMES	B1902-0171	SFD	O	0							
057680075	057680075	5540 SHELL RIDGE WAY	DAVIDON HOMES	B1902-0172	SFD	O	0							
053760020	053760020	5546 SIERRA TRAIL WAY	DAVIDON HOMES	B1902-0173	SFD	O	0							
053760021	053760021	5546 SIERRA TRAIL WAY	DAVIDON HOMES	B1902-0174	SFD	O	0							
053760022	053760022	5541 SIERRA TRAIL WAY	DAVIDON HOMES	B1902-0175	SFD	O	0							
053760023	053760023	5537 SIERRA TRAIL WAY	DAVIDON HOMES	B1902-0176	SFD	O	0							
053760024	053760024	5533 SIERRA TRAIL WAY	DAVIDON HOMES	B1902-0177	SFD	O	0							
053760025	053760025	5529 SIERRA TRAIL WAY	DAVIDON HOMES	B1902-0178	SFD	O	0							
053760026	053760026	5525 SIERRA TRAIL WAY	DAVIDON HOMES	B1902-0179	SFD	O	0							
056480001	056480001	5404 MAZANT LOOP	MERITAGE HOMES OF CALIF .INC.	B1902-0201	SFD	O	0							
056480002	056480002	5400 MAZANT LOOP	MERITAGE HOMES OF CALIF .INC.	B1902-0202	SFD	O	0							
056480003	056480003	5392 MAZANT LOOP	MERITAGE HOMES OF CALIF .INC.	B1902-0203	SFD	O	0							
056480004	056480004	5388 MAZANT LOOP	MERITAGE HOMES OF CALIF .INC.	B1902-0204	SFD	O	0							
056480005	056480005	5384 MAZANT LOOP	MERITAGE HOMES OF CALIF .INC.	B1902-0205	SFD	O	0							
056480006	056480006	5384 MAZANT LOOP	MERITAGE HOMES OF CALIF .INC.	B1902-0206	SFD	O	0							
056480007	056480007	5440 MAZANT LOOP	MERITAGE HOMES OF CA INC	B1903-0193	SFD	O	0							
056480008	056480008	5438 MAZANT LOOP	MERITAGE HOMES OF CA INC	B1903-0194	SFD	O	0							
056480009	056480009	5432 MAZANT LOOP	MERITAGE HOMES OF CA INC	B1903-0195	SFD	O	0							
056480010	056480010	5428 MAZANT LOOP	MERITAGE HOMES OF CA INC	B1903-0196	SFD	O	0							
057110034	057110034	5329 REDWOOD VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0105	SFD	O	0							
057110035	057110035	5333 REDWOOD VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0106	SFD	O	0							
057110036	057110036	5341 REDWOOD VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0107	SFD	O	0							
057110037	057110037	5341 REDWOOD VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0108	SFD	O	0							
057110038	057110038	5345 REDWOOD VALLEY LN	BENCHMARK COMMUNITIES LLC	B1904-0109	SFD	O	0							
057110039	057110039	5349 REDWOOD VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0110	SFD	O	0							
057110046	057110046	5344 REDWOOD VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0111	SFD	O	0							
057110047	057110047	5340 REDWOOD VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0112	SFD	O	0							
057110048	057110048	5336 REDWOOD VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0113	SFD	O	0							
057110049	057110049	5332 REDWOOD VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0114	SFD	O	0							
057110050	057110050	5328 REDWOOD VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0115	SFD	O	0							
057110051	057110051	5324 REDWOOD VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0116	SFD	O	0							
057680001	057680001	5344 RAMONA VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0128	SFD	O	0							
057680002	057680002	5340 RAMONA VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0129	SFD	O	0							
057680003	057680003	5336 RAMONA VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0130	SFD	O	0							
057680004	057680004	5332 RAMONA VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0131	SFD	O	0							

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ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction	Antioch
Reporting Year	2019 (Jan. 1 - Dec. 31)

Project Identifier		Unit Types		Affordability by Household Incomes - Completed Entitlement										
1	2	3	4	5	6	7	8	9	10					
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFD, ADU, DU, 4.5+ ADU, JFH)	Tenure (R=Renter, O=Owner)	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Entitlement Date Approved
Summary Row: Start Data Entry Below														
	057090056	5576 ALTA MESA LANE	BENCHMARK COMMUNITIES LLC	B1904-0132	SFD	O	91	0	299	0	0	0	0	4
	057090057	5580 ALTA MESA LANE	BENCHMARK COMMUNITIES LLC	B1904-0133	SFD	O								
	057090058	5584 ALTA MESA LN	BENCHMARK COMMUNITIES LLC	B1904-0134	SFD	O								
	057090059	5588 ALTA MESA LANE	BENCHMARK COMMUNITIES LLC	B1904-0135	SFD	O								
	057090064	5591 ALTA MESA LANE	BENCHMARK COMMUNITIES LLC	B1904-0136	SFD	O								
	057090065	5587 ALTA MESA LANE	BENCHMARK COMMUNITIES LLC	B1904-0137	SFD	O								
	057090066	5583 ALTA MESA LANE	BENCHMARK COMMUNITIES LLC	B1904-0138	SFD	O								
	057090067	5579 ALTA MESA LANE	BENCHMARK COMMUNITIES LLC	B1904-0139	SFD	O								
	057080035	5317 CAPPAY VALLEY	BENCHMARK COMMUNITIES LLC	B1904-0261	SFD	O								
	057080036	5321 CAPPAY VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0262	SFD	O								
	057080038	5329 CAPPAY VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0264	SFD	O								
	057080039	5333 CAPPAY VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0265	SFD	O								
	057080040	5337 CAPPAY VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0266	SFD	O								
	057080051	5332 CAPPAY VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0267	SFD	O								
	057080052	5328 CAPPAY VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0268	SFD	O								
	057080053	5324 CAPPAY VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0269	SFD	O								
	057080054	5320 CAPPAY VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0270	SFD	O								
	057080056	5312 CAPPAY VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0272	SFD	O								
	056480025	5421 MAZANT LOOP	MERITAGE, HOMES OF CA INC	B1904-0306	SFD	O								
	056480026	5425 MAZANT LOOP	MERITAGE, HOMES OF CA INC	B1904-0307	SFD	O								
	056480027	5429 MAZANT LOOP	MERITAGE, HOMES OF CA INC	B1904-0308	SFD	O								
	056480028	5433 MAZANT LOOP	MERITAGE, HOMES OF CA INC	B1904-0309	SFD	O								
	056480029	5437 MAZANT LOOP	MERITAGE, HOMES OF CA INC	B1905-0118	SFD	O								
	056480030	5441 MAZANT LOOP	MERITAGE, HOMES OF CA INC	B1905-0119	SFD	O								
	056480031	5445 MAZANT LOOP	MERITAGE, HOMES OF CA INC	B1905-0120	SFD	O								
	056480032	5448 MAZANT LOOP	MERITAGE, HOMES OF CA INC	B1905-0121	SFD	O								
	056480022	5423 PIETY LANE	MERITAGE, HOMES OF CA INC	B1905-0221	SFD	O								
	056480023	5427 PIETY LANE	MERITAGE, HOMES OF CA INC	B1905-0222	SFD	O								
	056480024	5431 PIETY LANE	MERITAGE, HOMES OF CA INC	B1905-0223	SFD	O								
	057090060	5592 ALTA MESA LANE	BENCHMARK COMMUNITIES LLC	B1905-0259	SFD	O								
	057090061	5596 ALTA MESA LANE	BENCHMARK COMMUNITIES LLC	B1905-0260	SFD	O								
	056480048	5435 PIETY LN	MERITAGE, HOMES OF CA INC	B1906-0154	SFD	O								
	056480049	5439 PIETY LN	MERITAGE, HOMES OF CA INC	B1906-0155	SFD	O								
	056480050	5443 PIETY LN	MERITAGE, HOMES OF CA INC	B1906-0156	SFD	O								
	052550021	4543 PARK SIDE ST	K HOVANIAN COMPANIES OF CALIF	B1906-0189	SFD	O								
	052550026	4556 PARK SIDE ST	K HOVANIAN COMPANIES OF CALIF	B1906-0200	SFD	O								
	052550027	4552 PARK SIDE ST	K HOVANIAN COMPANIES OF CALIF	B1906-0201	SFD	O								
	056480044	5437 ALVAR LOOP	MERITAGE, HOMES OF CA INC	B1906-0244	SFD	O								
	056480045	5441 ALVAR LOOP	MERITAGE, HOMES OF CA INC	B1906-0245	SFD	O								
	056480046	5445 ALVAR LOOP	MERITAGE, HOMES OF CA INC	B1906-0246	SFD	O								
	056480047	5449 ALVAR LOOP	MERITAGE, HOMES OF CA INC	B1906-0246	SFD	O								
	056480042	5429 ALVAR LOOP	MERITAGE, HOMES OF CA INC	B1907-0050	SFD	O								
	056480043	5433 ALVAR LOOP	MERITAGE, HOMES OF CA INC	B1907-0051	SFD	O								
	056480033	5453 MAZANT LOOP	MERITAGE, HOMES OF CA INC	B1907-0100	SFD	O								
	056480068	5448 ALVAR LOOP	MERITAGE, HOMES OF CA INC	B1908-0195	SFD	O								
	052140002	WILDFLOWER DR	CIVIC, WILDFLOWER LLC	B1910-0012	S+	R								

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**ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation**
(CCR Title 25 §6202)

Jurisdiction: Antioch
Reporting Year: 2019 (Jan. 1 - Dec. 31)

Project Identifier		Unit Types			Affordability by Household Incomes - Completed Entitlement									
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA, SFOZE, or 4.5P-ADU/Mini)	Tenure R=Renter O=Owner	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non-Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income	Entitlement Date Approved
Summary Row: Start Data Entry Below.														
	052242028	2800 LILY COURT	DENOVA HOMES	B1907-0268	SFD	O	91	0	299	0	0	0	0	4
	052242027	2798 LILY COURT	DENOVA HOMES	B1907-0269	SFD	O								
	052242028	2796 LILY COURT	DENOVA HOMES	B1907-0270	SFD	O								
	052242029	2794 LILY COURT	DENOVA HOMES	B1907-0271	SFD	O								
	052242030	2792 LILY COURT	DENOVA HOMES	B1907-0272	SFD	O								
	052242031	2790 LILY COURT	DENOVA HOMES	B1907-0273	SFD	O								
	052242032	2788 LILY COURT	DENOVA HOMES	B1907-0274	SFD	O								
	052242033	2786 LILY COURT	DENOVA HOMES	B1907-0275	SFD	O								
	052242034	2784 LILY COURT	DENOVA HOMES	B1907-0276	SFD	O								
	052242035	2782 LILY COURT	DENOVA HOMES	B1907-0277	SFD	O								
	052242036	2780 LILY COURT	DENOVA HOMES	B1907-0278	SFD	O								
	052242037	2778 LILY COURT	DENOVA HOMES	B1907-0279	SFD	O								
	052242038	2776 LILY COURT	DENOVA HOMES	B1907-0280	SFD	O								
	052242039	2774 LILY COURT	DENOVA HOMES	B1907-0281	SFD	O								
	052242040	2772 LILY COURT	DENOVA HOMES	B1907-0282	SFD	O								
	052242041	2770 LILY COURT	DENOVA HOMES	B1907-0283	SFD	O								
	052242042	2768 LILY COURT	DENOVA HOMES	B1907-0284	SFD	O								
	052242043	2766 LILY COURT	DENOVA HOMES	B1907-0285	SFD	O								
	052242044	2764 LILY COURT	DENOVA HOMES	B1907-0286	SFD	O								
	052242045	2762 LILY COURT	DENOVA HOMES	B1907-0287	SFD	O								
	052242046	2756 LILY COURT	DENOVA HOMES	B1907-0288	SFD	O								
	052242047	2754 LILY COURT	DENOVA HOMES	B1907-0289	SFD	O								
	052500005	4512 GOODE ST	K HOVANIAN COMPANIES OF CALIF	B1911-0017	SFD	O								
	052500033	4515 PARK SIDE ST	K HOVANIAN COMPANIES OF CALIF	B1907-0079	SFD	O								
	052500034	4519 PARK SIDE ST	K HOVANIAN COMPANIES OF CALIF	B1907-0080	SFD	O								
	052500017	4827 PARK SIDE ST	K HOVANIAN COMPANIES OF CALIF	B1908-0079	SFD	O								
	052500019	4835 PARK SIDE ST	K HOVANIAN COMPANIES OF CALIF	B1907-0134	SFD	O								
	052500022	4847 PARK SIDE ST	K HOVANIAN COMPANIES OF CALIF	B1907-0047	SFD	O								
	052500041	4858 BENTON ST	K HOVANIAN COMPANIES OF CALIF	B1908-0285	SFD	O								
	052500042	4859 BENTON ST	K HOVANIAN COMPANIES OF CALIF	B1908-0287	SFD	O								
	052500043	4863 BENTON ST	K HOVANIAN COMPANIES OF CALIF	B1908-0281	SFD	O								
	052500044	4867 BENTON ST	K HOVANIAN COMPANIES OF CALIF	B1908-0282	SFD	O								
	052500045	4871 BENTON ST	K HOVANIAN COMPANIES OF CALIF	B1908-0283	SFD	O								
	052500046	4880 GOODE ST	K HOVANIAN COMPANIES OF CALIF	B1906-0101	SFD	O								
	052500047	4884 GOODE ST	K HOVANIAN COMPANIES OF CALIF	B1906-0102	SFD	O								
	052500018	4856 BENTON ST	K HOVANIAN COMPANIES OF CALIF	B1908-0254	SFD	O								
	052500019	4848 BENTON ST	K HOVANIAN COMPANIES OF CALIF	B1908-0255	SFD	O								
	052500020	4846 BENTON ST	K HOVANIAN COMPANIES OF CALIF	B1908-0256	SFD	O								
	052500021	4844 BENTON ST	K HOVANIAN COMPANIES OF CALIF	B1908-0259	SFD	O								
	052500022	4840 BENTON ST	K HOVANIAN COMPANIES OF CALIF	B1908-0260	SFD	O								
	053700065	5338 PINNACLE VIEW CT	DAVIDON, HOMES	B1904-0022	SFD	O								
	053700066	5340 PINNACLE VIEW CT	DAVIDON, HOMES	B1904-0023	SFD	O								
	053700067	5338 PINNACLE VIEW CT	DAVIDON, HOMES	B1904-0024	SFD	O								
	053700068	5336 PINNACLE VIEW CT	DAVIDON, HOMES	B1904-0025	SFD	O								
	053700069	5334 PINNACLE VIEW CT	DAVIDON, HOMES	B1904-0026	SFD	O								
	053700070	5920 SHELL RIDGE WAY	DAVIDON, HOMES	B1904-0027	SFD	O								
	053700071	5924 SHELL RIDGE WAY	DAVIDON, HOMES	B1904-0028	SFD	O								
	053700072	5928 SHELL RIDGE WAY	DAVIDON, HOMES	B1904-0029	SFD	O								
	053700073	5932 SHELL RIDGE WAY	DAVIDON, HOMES	B1904-0030	SFD	O								
	053700028	5817 SIERRA TRAIL WAY	DAVIDON, HOMES	B1904-0031	SFD	O								
	053700029	5819 SIERRA TRAIL WAY	DAVIDON, HOMES	B1904-0032	SFD	O								
	053700030	5821 SIERRA TRAIL WAY	DAVIDON, HOMES	B1904-0033	SFD	O								
	053700031	5823 SIERRA TRAIL WAY	DAVIDON, HOMES	B1904-0034	SFD	O								
	053700032	5825 SIERRA TRAIL WAY	DAVIDON, HOMES	B1904-0035	SFD	O								
	053700033	5827 SIERRA TRAIL WAY	DAVIDON, HOMES	B1904-0036	SFD	O								

AS

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction:	Antioch
Reporting Year:	2019 (Jan. 1 - Dec. 31)

Project Identifier		Unit Types					Affordability by Household Incomes - Completed Entitlement							
1	2	3	4		5									
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA,SFD,2 to 4.5+ ADU,MR)	Tenure (R=Renter, O=Owner)	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income	Entitlement Date Approved
Summary Row: Start Entry Below														
	056240055	5455 ALVAR LOOP	MERITAGE HOMES OF CA INC	B1910-0159	SFD	O	91	0	299	0	0	0	0	4
	056240056	5456 ALVAR LOOP	MERITAGE HOMES OF CA INC	B1910-0160	SFD	O								
	056240057	5457 ALVAR LOOP	MERITAGE HOMES OF CA INC	B1910-0161	SFD	O								
	056240058	5458 ALVAR LOOP	MERITAGE HOMES OF CA INC	B1912-0083	SFD	O								
	056240059	5459 ALVAR LOOP	MERITAGE HOMES OF CA INC	B1912-0084	SFD	O								
	056240060	5460 ALVAR LOOP	MERITAGE HOMES OF CA INC	B1912-0085	SFD	O								
	056240061	5461 ALVAR LOOP	MERITAGE HOMES OF CA INC	B1912-0086	SFD	O								
	056240062	5462 ALVAR LOOP	MERITAGE HOMES OF CA INC	B1910-0162	SFD	O								
	056240063	5463 ALVAR LOOP	MERITAGE HOMES OF CA INC	B1910-0163	SFD	O								
	056240064	5464 ALVAR LOOP	MERITAGE HOMES OF CA INC	B1910-0164	SFD	O								
	056240065	5465 ALVAR LOOP	MERITAGE HOMES OF CA INC	B1908-0037	SFD	O								
	057060027	5615 HOWELL MOUNTAIN LN	BENCHMARK COMMUNITIES LLC	B1908-0038	SFD	O								
	057060028	5616 HOWELL MOUNTAIN LN	BENCHMARK COMMUNITIES LLC	B1908-0039	SFD	O								
	057060029	5617 HOWELL MOUNTAIN LN	BENCHMARK COMMUNITIES LLC	B1908-0040	SFD	O								
	057060030	5618 HOWELL MOUNTAIN LN	BENCHMARK COMMUNITIES LLC	B1905-0270	SFD	O								
	057060031	5301 CAPAY VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1905-0271	SFD	O								
	057060032	5302 CAPAY VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1905-0272	SFD	O								
	057060033	5303 CAPAY VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1905-0273	SFD	O								
	057060034	5304 CAPAY VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1905-0274	SFD	O								
	057060044	5325 CAPAY VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1904-0263	SFD	O								
	057080058	5383 CAPAY VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1908-0072	SFD	O								
	057080059	5384 CAPAY VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1908-0073	SFD	O								
	057080060	5385 CAPAY VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1908-0074	SFD	O								
	057090050	5317 WOODWELL VALLEY LN	BENCHMARK COMMUNITIES LLC	B1908-0070	SFD	O								
	057090051	5321 WOODWELL VALLEY LN	BENCHMARK COMMUNITIES LLC	B1908-0071	SFD	O								
	057090052	5325 WOODWELL VALLEY LN	BENCHMARK COMMUNITIES LLC	B1908-0072	SFD	O								
	057090053	5329 WOODWELL VALLEY LN	BENCHMARK COMMUNITIES LLC	B1908-0073	SFD	O								
	057090054	5333 WOODWELL VALLEY LN	BENCHMARK COMMUNITIES LLC	B1908-0074	SFD	O								
	057100055	5337 WOODWELL VALLEY LN	BENCHMARK COMMUNITIES LLC	B1908-0075	SFD	O								
	057100056	5340 BAJOONA VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1902-0126	SFD	O								
	057100057	5342 BAJOONA VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1902-0127	SFD	O								
	057100058	5344 BAJOONA VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1908-0002	SFD	O								
	057100059	5346 BAJOONA VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1908-0003	SFD	O								
	057110027	5601 YORK MOUNTAIN LN	BENCHMARK COMMUNITIES LLC	B1908-0004	SFD	O								
	057110028	5603 YORK MOUNTAIN LN	BENCHMARK COMMUNITIES LLC	B1908-0005	SFD	O								
	057110029	5605 YORK MOUNTAIN LN	BENCHMARK COMMUNITIES LLC	B1908-0006	SFD	O								
	057110030	5607 YORK MOUNTAIN LN	BENCHMARK COMMUNITIES LLC	B1908-0007	SFD	O								
	057110031	5609 YORK MOUNTAIN LN	BENCHMARK COMMUNITIES LLC	B1902-0113	SFD	O								
	057110042	5341 REDWOOD VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1902-0114	SFD	O								
	057110043	5343 REDWOOD VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1905-0131	SFD	O								
	057110053	5316 REDWOOD VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1905-0132	SFD	O								
	057110054	5312 REDWOOD VALLEY LANE	BENCHMARK COMMUNITIES LLC	B1905-0133	SFD	O								
	068153035	100 E TREGALLAS ROAD	BAHENA ALFONSO	B1905-0089	SFD	O								
	068154032	2700 ROOSEVELT LN	HARRELL KEVIN	B1712-0060	SFD	O								
	068201044	210 WORRELL RD	SANDOVAL JOHN	B1904-0069	SFD	O								
					2 b, 4	R								
	075272011	2134 CASITAS CT	RODRIGUEZ, NARCISO	B1904-0185	ADU	R								
	089570045	3490 COUNTRY SIDE WAY	DISCOVERY BUILDERS INC	B1911-0217	SFD	O								
	089570044	3494 COUNTRY SIDE WAY	DISCOVERY BUILDERS INC	B1911-0218	SFD	O								

AL

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction	Amloch
Reporting Year	2019 (Jan. 1 - Dec. 31)

Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Affordability by Household Incomes - Completed Entitlement

Project Identifier	Unit Types		Affordability by Household Incomes - Completed Entitlement					5						
	1	2	3	4	5	6	7							
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA/SFD, 2 to 4, 3+ ADU, MH)	Tenure (R= renter, O= owner)	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income	Entitlement Date Approved
Summary Row: Start Data Entry Below:														
	089570043	3498 COUNTRY SIDE WAY	DISCOVERY BUILDERS INC	B1911-0215	SFD	O	91	0	299	0	0	0	0	
	089600068	3560 COUNTRY SIDE WAY	DISCOVERY BUILDERS INC	B1911-0214	SFD	O								
	089600067	3564 COUNTRY SIDE WAY	DISCOVERY BUILDERS INC	B1911-0213	SFD	O								
	089600065	3568 COUNTRY SIDE WAY	DISCOVERY BUILDERS INC	B1911-0212	SFD	O								
	089600066	3572 COUNTRY SIDE WAY	DISCOVERY BUILDERS INC	B1911-0211	SFD	O								
	000000001	3576 COUNTRY SIDE WAY	DISCOVERY BUILDERS INC	B1911-0210	SFD	O								
	089550049	3613 TORGENSEN CT	DISCOVERY BUILDERS INC	B1911-0209	SFD	O								

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Note: "-" indicates an optional field
Cells in grey contain auto-calculation formulas

Affordability by Household Incomes - Building Permits						Affordability by Household Incomes - Certificates of Occupancy											
5	7						8	9	10						11		
# of Units Issued Entitlements	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income	Building Permits Date Issued	# of Units Issued Building Permits	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income	Certificates of Occupancy or other forms of readiness (see instructions) Date Issued
394	0	2	0	0	0	0	279		292	0	0	0	1	0	13	122	10/2/2019
0									0								10/2/2019
0									0								10/2/2019
0									0								4/25/2019
0									0					1			4/25/2019
0									0								2/22/2019
0									0								2/22/2019
0									0								9/13/2019
0									0								9/6/2019
0									0								4/25/2019
0									0								4/25/2019
0									0								9/14/2019
0									0								9/14/2019
0									0								9/23/2019
0									0								9/23/2019
0									0								12/13/2019
0									0								12/12/2019
0									0								12/4/2019
0									0								10/16/2019
0									0								10/16/2019
0									0								10/30/2019
0									0								11/6/2019
0									0								11/21/2019
0									0								11/14/2019
0									0								11/26/2019
0									0								7/16/2019
0									0								7/9/2019
0									0								7/11/2019
0									0								7/5/2019
0									0								7/5/2019
0									0								7/5/2019
0									0								6/27/2019
0									0								7/5/2019
0									0								7/5/2019
0									0								8/1/2019
0									0								8/6/2019
0									0								12/4/2019
0									0								11/14/2019
0									0								11/14/2019
0									0								10/14/2019
0									0								10/14/2019
0									0								10/14/2019
0									0								10/14/2019
0									0								10/29/2019
0									0								10/29/2019
0									0								10/31/2019
0									0								10/31/2019
0									0								11/22/2019
0									0								12/27/2019
0									0								12/27/2019
0									0								9/30/2019
0									0								9/30/2019
0									0								10/8/2019
0									0								10/8/2019
0									0								10/8/2019

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Note: "*" indicates an optional field
Cells in grey contain auto-calculation formulas

6	Affordability by Household Incomes - Building Permits						9	Affordability by Household Incomes - Certificates of Occupancy									
	7	7	7	7	7	7		8	9	10	10	10	10	11			
# of Units Issued Entitlements	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Building Permits Date Issued	# of Units Issued Building Permits	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Certificates of Occupancy or other forms of readiness (see instructions) Date Issued
394	0	2	0	0	0	1	279	4/17/2019	292	0	0	0	1	0	13	122	10/14/2019
0	0	0	0	0	0	0	1	4/17/2019	1	0	0	0	0	0	0	1	10/21/2019
0	0	0	0	0	0	0	1	4/17/2019	1	0	0	0	0	0	0	1	10/31/2019
0	0	0	0	0	0	0	1	4/17/2019	1	0	0	0	0	0	0	1	11/1/2019
0	0	0	0	0	0	0	1	4/17/2019	1	0	0	0	0	0	0	1	12/4/2019
0	0	0	0	0	0	0	1	4/17/2019	1	0	0	0	0	0	0	1	11/7/2019
0	0	0	0	0	0	0	1	4/17/2019	1	0	0	0	0	0	0	1	11/7/2019
0	0	0	0	0	0	0	1	4/26/2019	1	0	0	0	0	0	0	1	12/17/2019
0	0	0	0	0	0	0	1	4/26/2019	1	0	0	0	0	0	0	1	12/5/2019
0	0	0	0	0	0	0	1	4/26/2019	1	0	0	0	0	0	0	1	9/26/2019
0	0	0	0	0	0	0	1	4/26/2019	1	0	0	0	0	0	0	1	9/26/2019
0	0	0	0	0	0	0	1	4/26/2019	1	0	0	0	0	0	0	1	9/26/2019
0	0	0	0	0	0	0	1	4/26/2019	1	0	0	0	0	0	0	1	10/14/2019
0	0	0	0	0	0	0	1	4/26/2019	1	0	0	0	0	0	0	1	10/14/2019
0	0	0	0	0	0	0	1	4/26/2019	1	0	0	0	0	0	0	1	10/14/2019
0	0	0	0	0	0	0	1	4/26/2019	1	0	0	0	0	0	0	1	12/19/2019
0	0	0	0	0	0	0	1	4/26/2019	1	0	0	0	0	0	0	1	12/17/2019
0	0	0	0	0	0	0	1	5/1/2019	1	0	0	0	0	0	0	1	5/6/2019
0	0	0	0	0	0	0	1	5/1/2019	1	0	0	0	0	0	0	1	5/6/2019
0	0	0	0	0	0	0	1	5/1/2019	1	0	0	0	0	0	0	1	5/6/2019
0	0	0	0	0	0	0	1	5/1/2019	1	0	0	0	0	0	0	1	5/6/2019
0	0	0	0	0	0	0	1	5/14/2019	1	0	0	0	0	0	0	1	10/1/2019
0	0	0	0	0	0	0	1	5/14/2019	1	0	0	0	0	0	0	1	9/22/2019
0	0	0	0	0	0	0	1	5/14/2019	1	0	0	0	0	0	0	1	9/25/2019
0	0	0	0	0	0	0	1	5/14/2019	1	0	0	0	0	0	0	1	9/25/2019
0	0	0	0	0	0	0	1	5/22/2019	1	0	0	0	0	0	0	1	10/29/2019
0	0	0	0	0	0	0	1	5/22/2019	1	0	0	0	0	0	0	1	10/30/2019
0	0	0	0	0	0	0	1	5/22/2019	1	0	0	0	0	0	0	1	10/29/2019
0	0	0	0	0	0	0	1	6/24/2019	1	0	0	0	0	0	0	1	12/11/2019
0	0	0	0	0	0	0	1	6/24/2019	1	0	0	0	0	0	0	1	12/11/2019
0	0	0	0	0	0	0	1	6/19/2019	1	0	0	0	0	0	0	1	10/28/2019
0	0	0	0	0	0	0	1	6/19/2019	1	0	0	0	0	0	0	1	12/30/2019
0	0	0	0	0	0	0	1	6/19/2019	1	0	0	0	0	0	0	1	11/14/2019
0	0	0	0	0	0	0	1	6/17/2019	1	0	0	0	0	0	0	1	12/20/2019
0	0	0	0	0	0	0	1	6/17/2019	1	0	0	0	0	0	0	1	12/18/2019
0	0	0	0	0	0	0	1	6/25/2019	1	0	0	0	0	0	0	1	12/20/2019
0	0	0	0	0	0	0	1	6/25/2019	1	0	0	0	0	0	0	1	12/5/2019
0	0	0	0	0	0	0	1	6/25/2019	1	0	0	0	0	0	0	1	11/22/2019
0	0	0	0	0	0	0	1	6/25/2019	1	0	0	0	0	0	0	1	12/8/2019
0	0	0	0	0	0	0	1	7/2/2019	1	0	0	0	0	0	0	1	12/13/2019
0	0	0	0	0	0	0	1	7/2/2019	1	0	0	0	0	0	0	1	12/10/2019
0	0	0	0	0	0	0	1	7/6/2019	1	0	0	0	0	0	0	1	12/6/2019
0	0	0	0	0	0	0	1	8/19/2019	1	0	0	0	0	0	0	1	12/20/2019
0	0	0	0	0	0	0	98	12/17/2019	98	0	0	0	0	0	0	1	12/27/2019

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Note: "-" indicates an optional field
Cells in grey contain auto-calculation formulas

Affordability by Household Incomes - Building Permits						Affordability by Household Incomes - Certificates of Occupancy											
6	7					8	9	10					11				
# of Units Issued Entitlements	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Building Permits Date Issued	# of Units Issued Building Permits	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Certificates of Occupancy or other forms of readiness (see instructions) Date Issued
394	0	2	0	0	0	0	1	279	292	0	0	0	0	0	0	122	
0	0	0	0	0	0	0	1	10/22/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	10/22/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	10/22/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	12/16/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	12/16/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	12/16/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	10/22/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	10/22/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	8/12/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	8/12/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	8/12/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	6/24/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	6/24/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	6/24/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	6/24/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	4/26/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	3/6/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	8/12/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	8/12/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	8/12/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	8/12/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	8/12/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	8/12/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	3/6/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	3/6/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	8/12/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	8/12/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	8/12/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	8/12/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	5/14/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	5/14/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	8/13/2019	1	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	1	4/12/2019	1	0	0	0	0	0	0	0	
0	1						1	6/25/2019	2								
0																	
0	1							8/6/2019	1								
0							1	12/6/2019	1								
0							1	12/6/2019	1								

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Notes: "*" indicates an optional field
Cells in grey contain auto-calculation formulas

Affordability by Household Incomes - Building Permits						Affordability by Household Incomes - Certificates of Occupancy											
6	7					8	9	10					11				
# of Units Issued Entitlements	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income	Building Permits Date Issued	# of Units Issued Building Permits	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income	Certificates of Occupancy or other forms of readiness (see instructions) Date Issued
384	0	2	0	0	0	12	1	279	292	0	0	0	1	0	13	122	
0							1	12/6/2019	1								
0							1	12/6/2019	1								
0							1	12/6/2019	1								
0							1	12/6/2019	1								
0							1	12/6/2019	1								
0							1	12/6/2019	1								
0							1	12/6/2019	0								
0							0		0								
0							0		0								
0							0		0								

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs. Please contact HCD if your data is different than the material supplied here

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction	Antioch
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Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Income Level	RHNA Allocation by Income Level	2										Total Units to Date (all years)	Total Remaining RHNA by Income Level	
		2015	2016	2017	2018	2019	2020	2021	2022	2023	3			4
Very Low	349	1	84	2	1	#REF!	#REF!						#REF!	#REF!
Low	205				1	#REF!							#REF!	#REF!
Moderate	214	19	1							12				182
Above Moderate	680	47	42	41	119	279								122
Total RHNA	1448	67	127	43	121	#REF!							#REF!	#REF!

Note: units serving extremely low-income households are included in the very low-income permitted units totals

Cells in grey contain auto-calculation formulas

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Table D

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1 Name of Program	2 Objective	3 Timeframe in H.E	4 Status of Program Implementation
GOAL 1	Conserve/Improve Existing Housing Supply	Ongoing	This is a housing element goal. Please see specific program implementation below.
Policy 1.1	Ensure the supply of safe, decent, and sound housing for all residents	Ongoing	This is a housing element policy. Please see specific program implementation below.
1.1.1. Monitor and Preserve At-Risk Projects	Retention of existing affordable housing stock through early action regarding 82 "at risk" units	by 2020	The only At Risk project is Casa del Rio, senior housing. Staff (TH) contacted owner to discuss and is confident they will be retained. Staff will monitor annually to ensure.
1.1.2 Neighborhood Preservation Program (zero and low-interest loans to low and moderate income households for housing rehabilitation)	Adequate assistance to provide loans to 3-4 homeowners per year (CDBG)	Ongoing	The City contracted with Contra Costa County for over 20 years to administer the Neighborhood Preservation Program, which provides housing rehabilitation loans to low- and moderate-income homeowners to bring their homes up to code, to ensure health and safety code standards are met, and provide handicap access. Sadly, the County decided to no longer provide this service for local jurisdictions. After much searching, new provider was approved for funding and entered into contract in FY 18-19. The new Housing Rehabilitation program is being developed to be funded with RDA housing loan payoff income. Launch did not occur in calendar year 2019, but began in 2020.
1.1.3 Community Education Regarding the Availability of Rehabilitation Programs	Through public education, the public's ability to use programs will be enhanced and other specific quantified objectives will be easier to achieve.	Ongoing	Outreach will commence once the program catches up on the backlog of existing applicants.
1.1.4 Rental Rehabilitation Program	Provide financial assistance to owners of 3-5 rental properties annually to rehabilitate substandard units.	Cancelled	The Rental Rehab program was cancelled, as it has not been successful in attracting participants in the past decade. The demand for housing in Contra Costa County (and all of California) far exceeds the supply, and owners are increasingly unwilling to enter into an obligation to rent at a lower price to LMI renters, even in exchange for very favorable rehab loans. The program also suffered because the upfront costs (credit report, title report, appraisal, and lead paint inspection and report) total \$800+ (depending on the # of units.) The funding source for this program was CDBG, which does not allow expenditures that do no result in accomplishments. Therefore, we must charge the owner for these items if they choose not to go forward with a loan.

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Table D

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1 Name of Program	2 Objective	3 Timeframe in H.E	4 Status of Program Implementation
1.1.5 Code Enforcement	Elimination of code violations within Antioch	Ongoing	<p>A 1/2 cent sales tax was passed by City voters two years ago, and the City now has sufficient operating revenues to fund Code Enforcement without CDBG funds. In 2019, Code Enforcement officers received 10,348 calls for service. Of these, 3,568 new cases were opened and 3,175 total cases were closed.</p> <p>The vast majority of these calls are, of course, for violations on rental properties within the City. Usually, about 12-15% of calls are Housing and Building code related. Housing related calls encompass mold, lack of heat, lack of water and electricity, and weather protection, while building code calls include unpermitted additions or structure improvements and, residents living in garages and sheds.</p> <p>The two-person Code Enforcement Abatement Team that started in April 2016 has now grown to four employees, and has been a tremendous boost in lower income neighborhoods and throughout the City, cleaning up illegal dumping, picking up shopping carts, and removing/covering graffiti. In FY 2017-18, the Team:</p> <ul style="list-style-type: none"> * Removed 6,142 yards of illegally dumped waste from City right-of-ways and property property; * Removed 779 locations of graffiti * Removed 1,533 abandoned shopping carts from city property.
1.1.6 Infrastructure to Support Housing for Extremely-Low, Very-Low, Low Income, and Large Households	Provide infrastructure improvements necessary to accommodate the City's remaining lower-income RHNA need	Annually	<p>No projects requiring supporting infrastructure were proposed by builders in 2019. The City Roadway project was dormant to gather additional funding. The only project was work on the Brackish Water Desalination Plan, which totaled about \$20,000.</p>
1.1.7 Condominium Conversion	Conservation of rental units currently being rented by lower income households and tenants with special needs.	Ongoing	No conversion took place in 2018.
1.1.8 Rental Inspection Program	Proactive identification and rehabilitation or elimination of blighted, deteriorated and substandard rental housing stock	Ongoing	The City now has one trained and certified Code Enforcement officer for investigating building and housing issues, and that officer passed the Building Inspector test in 2018.
1.1.9 Neighborhood Stabilization Program	Construct 85 multi-family units affordable at below 50% AMI through partnership with Satellite Housing, Inc.; Assist in the purchase, as funds are available, and rehabilitation of single family units through partnerships with Habitat for Humanity East Bay and Heart and Hands of Compassion or other non-profit organizations.	Completed	<p>The City began working with Satellite Affordable Housing Associates in 2009 to develop 85 units of affordable senior housing, utilizing City funding from the former Redevelopment Agency, NSP-1, CDBG, HOME, Housing Successor Agency, and other funding sources including State Veterans funding, MHP and 4% tax credits.</p> <p>Satellite broke ground in September 2016 and completed the project with projected in April 2018, with full lease up in June. All remaining NSP program income was invested in this project, so no further acquisition/rehab projects with Habitat or Heart & Hands will occur.</p>

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Table D

Program Implementation Status pursuant to GC Section 65583

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1 Name of Program	2 Objective	3 Timeframe in H.I.E	4 Status of Program Implementation
1.1.10 Foreclosure Prevention	Foreclosure prevention	Ongoing	The City continues to post information on foreclosure prevention on its website, and to direct callers to Bay Legal and Echo Housing, as well as 211, for further assistance.
GOAL 2	Facilitate development of broad array of housing types to accommodate new and current residents of diverse ages and socioeconomic backgrounds.	Ongoing	This is a housing element goal. Please see specific program implementation below.
Policy 2.1	Provide adequate residential sites for production of new for-sale and rental residential units	Ongoing	This is a housing element policy. Please see specific program implementation below.
2.1.1 Inventories	Maintenance of an inventory of available sites for use in discussions with potential developers and evaluating the City's ability to meet projected future housing needs.	Completed	A spreadsheet and GIS maps of available sites was developed, and it is updated as projects are applied for or approved.
2.1.2 Adequate Sites for Housing; No Net Loss	Prevention of net loss of housing sites and capacity for extremely low, very low, low, and moderate income housing.	Ongoing	No sites were downzoned in 2019.
2.1.3 Meet with Potential Developers	To facilitate the development review process by ensuring a clear understanding on the part of developers as to City expectations for their projects and timeline. Discussion is also anticipated to function as a feedback loop, and assist the City in minimizing the costs of the development review process to new residential development.	Ongoing	The City Community Development Director and City Planners continue to meet with prospective developers, both for-profit and non-profit, market rate and affordable, as requested and at no cost to the developer. Meetings help educate developers on the City's development review and design review processes, City requirements and expectations, and help to save time and money for both the City and developers. Meetings with nonprofit developers also include strategizing about the availability of funding assistance. Market rate units - In 2019, staff met with potential developers including Concentric Development Group, GBN Partners, and Blue Mountain Communities. Their applications totalled 434 units and was under review in 2019.
2.1.4 Above Moderate-Income Housing	To facilitate the development of needed above moderate-income housing by reserving areas for such development.	Ongoing	No above moderate income housing was ready for approval in 2019.
Policy 2.2	Facilitate the development of new housing for all economic segments of the community, including lower income, moderate- and above moderate-income households.	Ongoing	This is a housing element policy. Please see specific program implementation below.

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Table D

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1 Name of Program	2 Objective	3 Timeframe in H.E.	4 Status of Program Implementation
2.2.1 Promote Loan Programs	Increase awareness of funds available for eligible first-time homebuyers.	Ongoing	<p>The City receives approximately 30 inquiries annually for downpayment assistance. Individuals are given (usually emailed) handouts on the CA Homeowner Downpayment Assistance Program and the Contra Costa Mortgage Credit Certificate Program.</p> <p>In 2017, a nonprofit was funded to develop a homebuyer assistance program for the City of Antioch and the program launched March 2018 with \$45,000 in forgivable subsidy for lower income households, while funding lasts. Four homebuyers purchased homes through this program. After the Wells Fargo subsidy ran out, Council then authorized RDA Housing Successor funding to conduct a modest program to assist lower income homebuyers. This program was launched in 2020, so no activity in 2019.</p>
Policy 2.3	Actively pursue and support the use of available County, State, and Federal housing assistance programs.	Ongoing	<p>This is a housing element policy . Please see specific program implementation below.</p>
2.3.1 Affordable Housing Program Inventory; Pursue Available Projects	Maximize access to governmental and private housing programs, and thereby facilitate achievement of other Housing Element objectives.	Ongoing	<p>The City has worked with the County Health, Housing and Homeless Services division on adding 50 units of extremely-low and very-low income housing as part of the Homeless CARE Center development. City and County staff has been working to find potential sources of funding, including City Housing Successor and CDBG funds, County CDBG; HOME; ESG, and HOPWA funds, State HEAP, VHHP, MHP, Whole Person Care, Mental Health, Re-entry and other potential sources of funding for the entire project. (see detail in 2.3.2 below).</p> <p>In 2018, the City worked with the Reliant Group, Inc. which propose to acquire and rehabilitate an existing 112-unit multifamily rental housing project located at 2811 Cadiz Lane in Antioch, known as Villa Medanos Apartments. The City conducted a TEFRA hearing in January 2019 and approved adding these units to the City's affordable housing stock. The development consists of ten two-story buildings and one leasing office, providing 112 units of affordable family housing. Of these, 40 are one-bedroom, 32 are two-bedroom, with one bathroom, 40 are two-bedroom, with two bathrooms. The ten two-story buildings have no elevators and there are currently no handicap units on site. The Borrower intends to convert 10% of the units to be accessible per TCAC Code. These apartments are now restricted to residents earning 60% or less of the area median income, with 10% to be affordable for those earning 50% or less of the area median income. Villa Medanos will be an important addition to the City's affordable housing stock for lower income families in 2019 and beyond.</p>

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1 Name of Program	2 Objective	3 Timeframe in H.E.	4 Status of Program Implementation
2.3.2 Housing for Extremely Low-Income Households	Encourage and facilitate construction of 175 units affordable to extremely low-income households to meet RHNA.	Outreach to developers at least Annually; apply for/support applications - Ongoing; prioritize local funding at least twice in the planning period.	<p>The Satellite "Tabora Gardens" project, finished in 2018, completes 84 (+1 manager unit) units affordable to households from 0-50% AMI.</p> <p>Also in 2018 the City put out an RFP on a city-owned approx. 5 acre parcel with an Emergency Shelter overlay as a potential CARE Center/Homeless Housing project. The City has been working with the County Continuum of Care staff and nonprofit affordable housing agencies to envision the campus. The site may be able to accommodate up to 50 small studio apartments to help homeless persons find housing in this extremely restricted housing environment. These units are envisioned as permanent supportive housing at this time. A survey by the CoC has found that Contra Costa County lacks inventory of SRO and studio apartments for this population. The addition of a possible 50 units extremely and very-low income RHNA units would meet 135 of the 175 unit goal.</p> <p>This project continues to be developed, and the CARE Center portion was prioritized for the first round of HEAP funding. The CoC put out an RFP for an agency to work with the City on the development of the site but the chosen entity no longer has capacity. This RFP will be republished in 2020.</p>
Policy 2.4	Proactively assist and cooperate with non-profit, private, and public entities to maximize opportunities to develop affordable housing...(and) distribute low and moderate-income housing throughout the City, rather than concentrate it in one portion of the community.	Ongoing	This is a housing element policy . Please see specific program implementation below.

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Table D

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1 Name of Program	2 Objective	3 Timeframe in H.E	4 Status of Program Implementation
2.4.1 Support Non-Profit Housing Sponsors	(Including providing funding, supporting grant applications, identifying available sites, & City involvement in development of sites) By supporting these entities in their efforts, increase the production of affordable housing to meet other objectives of the Housing Element.	Ongoing	As mentioned previously, the City worked with Satellite Affordable Housing Associates on the Tabora Gardens project, which completed construction on 85 units (84 + 1 manager unit) of affordable housing for extremely low- and low-income seniors, including homeless persons, homeless Veterans and Veterans. The City provided significant funding from multiple funding sources totaling \$3,283,755, supported their TCAC application, conducted their TEFRA hearing, and worked closely with the County and their funding sources. Also see 2.3.1. narrative which details City efforts in developing the CARE Center site on City-owned property, including funding sources. In 2019, the City Housing Consultant met with Resources for Community Development (RCD), Mercy Housing, Satellite Affordable Housing Associates (SAHA), and Contra Costa Interfaith Housing to discuss and encourage further affordable housing development in the City of Antioch. The City and County will be working to secure an affordable housing provider to construct micro units behind the new homeless shelter/CARE Center in Antioch as part of the This is a housing element policy . Please see specific program implementation below.
Policy 2.5	Proactively encourage the development of affordable housing within the Rivertown area.	Ongoing	The City put out an RFP for city-owned former RDA properties in 2014 and entered into negotiations with one developer in 2015. Those discussions continue. The Specific plan was finalized for adoption in 2017.
2.5.1 Additional Development Incentives for the Rivertown Focus Area	Achievement of objectives for development of new housing for very low-income households.	Ongoing	This is a housing element goal. Please see specific program implementation below.
Goal 3	Facilitate the development of a broad array of housing types to accommodate new and current Antioch residents of diverse ages and socioeconomic backgrounds.	Ongoing	This is a housing element goal. Please see specific program implementation below.

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Table D

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1 Name of Program	2 Objective	3 Timeframe in H.E	4 Status of Program Implementation
3.1.1 Housing Opportunities for Special Needs Groups	Maximize opportunities to address the housing needs of special needs groups within the City, as identified in Section 3 of this Housing Element.	Ongoing	<p>AMCAL received entitlement in 2019 for their development of 334 affordable apartments for seniors and families. Age-restricted units will comprise 177 units, including 38 units @ 30%, 28 units at 40%, 14 units @ 50%, and 19 @ 60% AMI level (proposed in application). Project will meet standards for accessibility and accommodation for hearing impaired individuals, and the senior buildings will have elevators.</p> <p>Villa Medanos - The Reliant Group acquired and rehabilitated a 112-unit market-rate multifamily rental housing property located at 2811 Cadiz Lane using LIHTC in 2019, creating new deed-restricted affordable housing in the City. The City supported the project and conducted a TEFRA hearing for bond issuance by CPFA. This complex had no accessible units, and through the LIHTC process, 10% of units must be accessible, and 4% will receive auditory accessibility improvements.</p> <p>CARE Center - The Homeless Care Center site, discussed in detail in 2.3.1. would potentially add between 30-50 units of affordable rental housing for persons with incomes 0-30% who are experiencing homelessness, including veterans, persons with HIV/AIDS, persons with mental illness, and persons with disabilities.</p>
3.1.2 Senior Housing	Facilitate housing that is affordable for lower-income seniors.	Ongoing	See above description of AMCAL senior housing. The Antioch Homeless CARE Center site housing would also be available to homeless senior individuals.
3.1.3 Incentives for Special Needs Housing (reasonable accommodation ordinance)	Continue to provide reasonable accommodations to encourage the development of specialized housing for persons with disabilities.	Ongoing	One developer, AMCAL, requested a senior housing overlay district to achieve a higher density, and none requested reasonable accommodations in 2019.
3.1.4 Coordination with Agencies Serving the Homeless	Develop housing self-sufficiency for those who are currently homeless by working with appropriate agencies to implement housing and employment programs.	Ongoing	<p>The City works very closely with the Contra Costa Homeless Continuum of Care body, called the Council on Homelessness. In 2018, the City's Housing consultant served her fifth year, and was Vice Chair of this body, sat on the Review and Ranking Committee for the CoC funding as well as for ESG and Emergency Food and Shelter (EFSP) Grants Committee hosted by the United Way.</p> <p>The City actively participates in all efforts to develop housing and services for persons who are homeless, is an active participant in the County's Zero: 2016 campaign strategy to end Veteran and Chronic Homelessness, and works closely with the Housing Authority of Contra Costa and Veteran Administration in Martinez.</p> <p>Furthermore, the City hosts the County's only homeless shelter for disabled homeless persons.</p>

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Table D

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1 Name of Program	2 Objective	3 Timeframe in H.E	4 Status of Program Implementation
3.1.5 Emergency Shelters and Supportive and Transitional Housing	Compliance with SB 2	Ongoing	The City is in compliance with SB 2, having designated sites for homeless emergency shelters. In 2017, discussions continued with a nonprofit interested in establishing a 50-bed homeless shelter for women and children. In 2016, at City expense, the emergency shelter overlay was changed to include an additional parcel, owned by the City, to possibly become the site of the shelter. The City put out an RFP and is in serious negotiations with the County to construct a CARE Center and 50 bed homeless shelter.
3.1.6 Zoning for Employee Housing:	Compliance with Health and Safety Code regarding Employee Housing	Within 18 months of Hsg Element adoption	This action will occur in 2020 in tandem with zoning ordinance updates to comply with SB 330.
Goal 4	Reduce residential energy and water use to conserve energy /water and reduce the cost of housing. Provide incentives for energy conservation measures in new housing by providing information on programs available through PG&E.	Ongoing	This is a housing element goal. Please see specific program implementation below.
Policy 4.1		Ongoing	This is a housing element policy. Please see specific program implementation below.

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Table D

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1	2	3	4
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
4.1.1 Encourage Energy Conservation	Minimize costs of space heating and cooling in new and existing dwelling units.	Ongoing	<p>Energy conservation for existing housing and neighborhoods is encouraged and supported in a variety of ways:</p> <ul style="list-style-type: none"> - Condition of Approval - Energy conservation is incorporated into the standard condition of approval for new developments. - In 2019 the city partnered with the County and the cities of San Pablo and Walnut Creek to launch www.cleanecontra costa.org. This web-platform provides resources to residents that are offered for their address. It allows for residents to easily find energy efficiency tools and rebates for their homes. - The city co-sponsored a BayREN homeowner workshop in 2019. The workshop went over the programs available through BayREN and EnergyUpgrade California. - Property Assessed Clean Energy (PACE) - Financing Legislation passed by the State of California, and approved by the City in 2015 now enables Antioch property owners to finance a wide range of energy and water efficiency upgrades by attaching PACE financing to their property tax bill. Upgrades such as solar installations, attic insulation, energy efficient windows, water-on-demand water heaters, grey water systems, and more are covered. Financing defers upfront costs, lowers energy bills, and allows homeowners easy financing with their property tax bill. - In 2019, 102 homes were improved with the HERO PACE program, a significant increase from last year. We do not survey our PACE providers annually for this data, so HERO is the only one we have available, and there are several options available to residents. We promote all our PACE programs and all other energy efficiency and solar programs on our website, through social media and on our local access channel. In addition, construction on a large solar project at the golf course was completed in 2019. - East Bay Energy Watch Strategic Advisory Committee - The City is a member of this body, which sets priorities for PG&E energy efficiency programs.
4.1.2 Water Conservation Program - ensure that new residential development meets City standards and guidelines for conserving water	Conservation of water resources	Ongoing	<p>Antioch is operating under the State of CA Water Efficient Landscape Ordinance (WELO), and has tiered water rates for residential water. The City water department complied with the States drought regulations. Staff promotes a variety of workshops on water conservation, such as "Lose a Lawn, Gain a Garden", and all residents are eligible for Contra Costa Water District water conservation programs and rebates. Water customers receive information online, through our Recreation Guide and on their water bills. All new development projects are required to comply with WELO requirements.</p>

A29

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	Antioch
Reporting Year	2019

Table D

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1 Name of Program	2 Objective	3 Timeframe in H.E	4 Status of Program Implementation
4.1.3 Green Building Encouragement	Encourage green building practices in new and existing housing development and neighborhoods.	Ongoing	In addition to the efforts in 4.1.1, the partner with California Youth Energy Services to conduct 121 Green Home Site Visits at homes and apartments in Antioch over the summer of 2019, did outreach blitzes with PG&E to Antioch businesses on the East Bay Energy Watch program and participated as an outreach partner in the Sunshares program for discounted photovoltaic systems and electric vehicles.
Goal 5	Remove governmental constraints inhibiting the development of housing required to meet identified needs in Antioch.	Ongoing	This is a housing element goal. Please see specific program implementation below.
Policy 5.1	Remove governmental constraints inhibiting the development of housing required to meet identified needs in Antioch.	Ongoing	This is a housing element policy. Please see specific program implementation below.
5.1.1 Maintain a Streamlined, Affordable Application Process	Minimize the costs of residential development within Antioch attributable to the time it takes to review development applications and plans.	Annual review, revisions as found appropriate	The Master Fee Schedule was reviewed in 2019 to ensure that it only recovers actual costs of providing services. The Schedule is reviewed on an annual basis, and is adopted by Council annually. The City augments its small planning and engineering staff with consultants to enable projects to move through the entitlement process quicker. CEQA is consistently the aspect of the entitlement process that increases the time it takes to review development applications.
5.1.2 Residential Development Impact Fee Ordinances	Continually ensure provision of adequate public facilities and services to new and existing residential development.	Ongoing	The City Council adopted new development impact fees at a lower rate for qualified Senior Housing.
5.1.3 Density Bonus Ordinance	Ensure that City density bonus provisions comply with State requirements.	Ongoing	The Zoning Ordinance was amended in 2014 to bring City into compliance with State law. Further modifications will be made in 2020 in conjunction with the zoning ordinance updates related to SB 330.
5.1.4 Pre-Application Conferences (continue)	Minimize development review time and costs for new residential projects.	Ongoing	Preapplication conferences at no cost to the applicant continue to occur for all affordable and market rate housing projects.
5.1.5 Development Standards Handouts: Regularly update handouts on development standards.	Minimize development review time and costs for new residential projects.	Ongoing	Handouts on development standards were updated in 2019. Handouts are available online and at City offices.
Goal 6	Provide equal housing opportunities for all existing and future Antioch residents.	Ongoing	This is a housing element goal. Please see specific program implementation below.

A30

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction Antioch	Reporting Year 2019
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(Jan. 1 - Dec. 31)

Table D

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1 Name of Program	2 Objective	3 Timeframe in H.E	4 Status of Program Implementation
<p>Policy 6.1.</p> <p>6.1.1 Cooperative Association (Fair Housing and Tenant/Landlord Counseling)</p>	<p>Encourage and support the enforcement of laws and regulations prohibiting discrimination in lending practices and in the sale or rental of housing.</p> <p>City assistance to eliminate housing discrimination within the community.</p>	<p>Ongoing</p> <p>Ongoing</p>	<p>This is a housing element policy . Please see specific program implementation below.</p> <p>The City coordinates with all CDBG jurisdictions to jointly offer Fair Housing and Tenant/Landlord Counseling program services, provided by Bay Area Legal Aid and Echo Housing, throughout Contra Costa. These contracts are funded by CDBG and operate on a fiscal year basis. Antioch funded Fair Housing at \$25k and Tenant/ Landlord services at \$15k for FY 2019-20.</p> <p>Fair Housing - The purpose of Fair Housing services is to end housing discrimination by providing discrimination investigations, counseling, mediation and advocacy, education and legal referrals, legal representation, and housing testing. Services included counseling on such issues as evictions, lockouts, mortgage foreclosure, repairs and habitability, security deposits, understanding lease terms, negotiating debt payment plans between landlords and tenants, and assisted tenants in public housing and those with Section 8 vouchers. In calendar year 2019, 23 Antioch residents were given Fair Housing services and testing of 15 rental apartments was undertaken by ECHO. We are happy to report that testing revealed no instances of discrimination.</p> <p>Tenant/Landlord - The purpose of Tenant/Landlord housing service is to provide housing counseling and legal services to Antioch tenants and/or landlords to preserve their rights and responsibilities under federal, state, and local housing laws. In 2019, 189 Antioch residents received such services.</p>

Jurisdiction	Antioch
Reporting Year	2019 (Jan. 1 - Dec. 31)

Building Permits Issued by Affordability Summary		
Income Level	Current Year	
Very Low	Deed Restricted	0
	Non-Deed Restricted	2
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	12
Above Moderate		279
Total Units		293

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Housing Applications Summary	
Total Housing Applications Submitted:	3
Number of Proposed Units in All Applications Received:	434
Total Housing Units Approved:	0
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

Units Constructed - SB 35 Streamlining Permits		
Income	Rental	Ownership
Very Low	0	0
Low	0	0
Moderate	0	0
Above Moderate	0	0
Total	0	0

Cells in grey contain auto-calculation formulas



ATTACHMENT "B"

CITY OF ANTIOCH HOUSING SUCCESSOR TO THE REDEVELOPMENT AGENCY SB 341 ANNUAL REPORTING REQUIREMENT FOR FISCAL YEAR 2018-19, ENDING JUNE 30, 2019

This Housing Successor Annual Report (Report) regarding the Low and Moderate Income Housing Asset Fund (LMIHAF) has been prepared pursuant to California Health and Safety Code Section 34176.1(f) and is dated March 25, 2019. This Report sets forth certain details of the housing activities of the City of Antioch, successor to the former Antioch Development Agency (ADA), during Fiscal Year 2018-19 year.

The purpose of this Report is to provide the governing body of the Housing Successor an annual report on the housing assets and activities of the Housing Successor under Part 1.85, Division 24 of the California Health and Safety Code, in particular sections 34176 and 34176.1 (Dissolution Law).

The following Report is based upon information prepared by Housing Successor consultants, from information obtained from City staff and legal council, and the independent financial audit of the Low and Moderate Income Housing Asset Fund. The Comprehensive Annual Financial Report for Fiscal Year 2018-19, was prepared by Badawi & Associates, CPAs, and is separate from this annual summary Report. This Report conforms with Section 34176.1(f) of the Dissolution Law, and is organized into section I. through XI.

This Report was provided to the Housing Successor's governing body. This Report and the former redevelopment agency's pre-dissolution Implementation Plans are available to the public on the City's website at: <http://www.ci.antioch.ca.us/citygov/finance/econdev/default.htm>



- 1. Amount the City received:** *This section provides the amount the City received pursuant to subparagraph (A) or paragraph (3) of subdivision (b) of section 34191.4: repayments for loans between the City and former redevelopment agency allowed after the successor agency has been issued a finding of completion by the Department of Finance.*

Low and Moderate Income Housing Fund	\$533,148
Set Aside Deficit Repayment	

- 2. Amount Deposited into LMIHAF:** *This section provides the total amount of funds deposited into the LMIHAF during the Calendar Year, distinguishing between amounts deposited pursuant to subparagraphs (B) and (C) of paragraph (3) of subdivision (b) of Section 34191.4, amounts deposited for other items listed on the Recognized Obligation Payment Schedule (ROPS), and other amounts deposited.*

Recognized Obligation Payment Schedule (ROPS) funding	533,148
Loan Payoff	2,846,835
Loan Interest Earnings/Shared Appreciation	106,705
Interest Earnings on Cash Balance	102,164
Other	0
Total Deposits	\$3,588,852

3. **Ending Balance of LMIHAF:** *This section provides a statement of the balance in the LMIHAF as of the close of the Fiscal Year, distinguishing any amounts held for items listed on the ROPS from other amounts.*

Cash	\$5,360,020
Restricted for Current Payables	\$49,625
Restricted for Encumbrances/Commitments	\$0
Anticipated Current Receivables	\$0
Available Cash Balance	\$5,310,395

4. **Description of Expenditures from LMIHAF:** *This section provides a description of the expenditures made from the LMIHAF during the Fiscal Year. The expenditures are to be categorized by (A) for monitoring and preserving the long-term affordability of units subject to affordability restrictions or covenants entered into by the redevelopment agency or the housing successor and administering the activities described in paragraphs (2) and (3) of subdivision (a), (B) for homeless prevention and rapid rehousing services for the development of housing described in paragraph (2) or subdivision (a), and (C) for the development of housing pursuant to paragraph (3) of subdivision (a).*

(A) Monitoring & Administration Expenditures	\$88,401.61
(B) Homeless Prevention & Rapid Rehousing Services Expenditures	\$109,212.29
(C) Housing Development Expenditures	
Antioch Homeownership Program	\$50,776.00
Multi-Family Housing Loan Issued	
Housing Rehabilitation Loans Issued	
Other Miscellaneous Contracts (Vista Diablo Subsidy, existing obligation)	
Total LMIHAF Expenditures	\$248,389.90

The Housing Successor is allowed to spend up to the greater of \$200,000 or 2% of the value of the Housing Assets Portfolio (defined and calculated in Section 5) on Monitoring and Administration Expenditures. The total value of Antioch Housing Successor assets is **\$14,546,646**, and 2% of this value is \$290,933, which is the allowable amount for administrative expenditures and monitoring. The agency has spent significantly less than this on administration this year.

5. **Statutory Value of Assets Owned by Housing Successor:** *This section provides the statutory value of real property owned by the Housing Successor, the value of loans and grants receivables, and the sum of these two amounts. Under the Dissolution Law and for the purposes of this Report, the "statutory value of real property" means the value of properties formerly held by the former redevelopment agency as listed on the Housing Asset Transfer Schedule approved by the Department of Finance, as listed in such schedule under Section 34176(a)(2), the value of the properties transferred to the Housing Successor pursuant to Section 34181(f), and the purchase price of the property purchased by the Housing Successor.*

Statutory Value of Real Property	\$0
Value of Loans Receivable	\$12,870,850
Value of Grants Receivable	\$0
Value of Deferred Set-Aside (owed to Housing Fund)	\$1,675,796
Total Value of Assets	\$14,546,646

6. **Description of Transfers:** *This section describes any transfer to another housing agency made in previous Fiscal Year(s), including whether the funds are unencumbered and the status of projects, if any, for which the transferred LMIHAF will be used. The sole purpose of the transfers must be for the development of transit priority projects, permanent supportive housing, housing for agricultural employees or special needs housing.*

The Housing Successor did not make an LMIHAF transfer to other Housing Successor(s) under Section 34176.1(c)(2) to develop a joint project during the Fiscal Year 2018-19.

7. **Project Descriptions:** *This section describes any project for which the Housing Successor receives or holds property tax revenue pursuant to the Recognized Obligation Payment Schedule (ROPS) and the status of that project.*

None remaining

8. **Status of Compliance with Section 33334.16:** *This section provides a status update on compliance with Section 33334.16 for interests in real property acquired by the former redevelopment agency prior to February 1, 2012. For interests in real property acquired on or after February 1, 2012, a status update on the project is provided.*

Not Applicable – no properties purchased using LMIHF prior to, or after, February 1, 2012.

9. **Description of Outstanding Obligations under Section 33413:** *This section describes the outstanding inclusionary and replacement housing obligations, if any, under Section 33413 that remained outstanding prior to dissolution of the former redevelopment agency as of February 1, 2012, along with the Housing Successor's progress in meeting those prior obligations, if any, of the former redevelopment agency.*

Replacement Housing: No Section 33413(a) replacement housing obligations were transferred to the Housing Successor according to the 2009-10 through 2015-16 City of Antioch Implementation Plan for the former Redevelopment Agency.

Inclusionary/Production Housing: No Section 33413(b) inclusionary/production housing obligations were transferred to the Housing Successor according to the 2009-10 through 2015-16 City of Antioch Implementation Plan for the former Redevelopment Agency. The former Redevelopment Agency's Implementation Plans are posted on the City's website at: <http://www.ci.antioch.ca.us/citygov/finance/econdev/default.htm>.

10. **Income Targeting Test:** Section 34176.1(a)(3)(A) states that all funds remaining after the monitoring and administration and homeless prevention and rapid rehousing services expenditures are deducted must be used for the development of housing affordable to and occupied by households earning 80% or less of the area median income (AMI), with at least 30% of these remaining funds expended for the development of rental housing affordable to and occupied by households earning

30% or less of the AMI and no more than 20% of these remaining funds expended for the development of housing affordable to and occupied by households earning between 60% and 80% of the AMI. The Housing Successor must demonstrate in the 2019 annual report, and every five years thereafter, that the Housing Successor's expenditures from January 1, 2014 through the end of the latest fiscal year covered in the report comply with these requirements.

If the Housing Successor fails to comply with the Extremely-Low Income requirement in any five-year period, then the Housing Successor must ensure that at least 50% of the funds remaining in the LMIHAF be expended in each fiscal year following the latest fiscal year following the report on households earning 30% or less of the AMI until the Housing Successor demonstrates compliance with the Extremely-Low Income requirement.

If the Housing Successor exceeds the expenditure limit for households earning between 60% and 80% of the AMI in any five year report, the Housing Successor shall not expend any of the remaining funds for households earning between 60% and 80% of the AMI until the Housing Successor demonstrates compliance with this limitation in an annual report.

For purposes of this calculation, 'development' means new construction, acquisition and rehabilitation, substantial rehabilitation as defined in Section 33413, acquisition of long-term affordability covenants on multifamily units as described in Section 33413, or the preservation of an assisted housing development that is eligible for prepayment or termination or for which within the expiration of rental restrictions is scheduled to occur within five years.

For informational purposes, the following provides the Housing Successor's Extremely-Low Income Housing Test as of Fiscal Year 2018/19:

LMIHAF Expenditures by Income Restriction Report						
FY	Type	Description	Amount	Households Assisted by % of AMI		
				0-30%	31-50%	51-80%
2014-15	Rent Subsidy	Senior mobile home park	\$97,540.30	\$46,748.38	\$30,991.68	\$19,800.24
	Total Expenses 2014-15:		\$97,540.30			
2015-16	Rent Subsidy	Senior mobile home park	\$80,893.68	\$33,545.28	\$28,409.04	\$18,939.36
	Total Expenses 2015-16:		\$ 80,893.68			
2016-17	Rent Subsidy	Senior mobile home park	\$75,922.56	\$26,211.36	\$29,826.72	\$19,884.48
	Loan	Tabora Gardens Senior/Veteran Housing	\$600,000.00	\$216,000.00	\$384,000.00	
	Total Expenses 2016-17:		\$675,922.56			
2017-18	Rent Subsidy	Senior mobile home park	\$17,850.84	\$5,649.00	\$8,134.56	\$4,067.28
	Homeownership	Downpayment assistance	\$20,457.00			\$20,457.00
	Total Expenses 2017-18:		\$38,307.84			
2018-19	Homeownership	Downpayment assistance	\$ 50,776.00			\$50,776.00
	Total Expenses 2018-19:		\$50,776.00			
Total \$ LMIHAF spent on households to date:			\$943,440.38	\$328,154.02	\$481,362.00	\$133,924.36
Total % of LMIHAF spent on households to date:			100%	35%	51%	14%
				At least 30%		At most 20%

As illustrated in the chart above, the Housing Successor is in compliance with the 2019 Income Targeting Test.

- 11. Senior Housing Test:** *The Housing Successor is to calculate the percentage of units in deed-restricted rental housing that is restricted to seniors and assisted by the Housing Successor, the former redevelopment agency, and/or the City, within the previous 10 years, in relation to the aggregate*

number of units of deed-restricted rental housing assisted by the Housing Successor, the former redevelopment agency, and/or the City, within the same period. If this percentage exceeds 50%, then the Housing Successor cannot expend future funds in the LMIHAF to assist additional senior housing units until the Housing Successor or City assists, and construction has commenced, on a number of restricted rental units that is equal to 50% of the total amount of deed-restricted rental units.

The following provides the Housing Successor's Senior Housing Test for the 10-year period of FY 2008-09 to 2018-19:

Housing Development Name & Address	Date Assisted	# Units Senior	# Units Family
Tabora Gardens (85 units, 84 affordable, completed construction May 2018)	6/1/2011	84	0
TOTAL ASSISTED UNITS		84	0
		Senior	Family
		Total Units = 84	
SENIOR HOUSING PERCENTAGE		100%	

The previous new family housing construction was in 2007, and fell off of the 10-year testing window this year. The only remaining project was senior housing in 2011, so the City does not meet this test.

- 12. Excess Surplus Test:** *This section provides the amount of excess surplus in the LMIHAF, if any, and the length of time that the Housing Successor has had excess surplus, and the Housing Successor's plan for eliminating the excess surplus. Excess Surplus is defined in Section 34176.1(d) as an unencumbered amount in the account that exceeds the greater of one million dollars (\$1,000,000) or the aggregate amount deposited into the account during the Housing Successor's preceding four Fiscal Years, whichever is greater.*

The amount deposited in the preceding four years from loan payoffs (not tax increment deposits) as reported in #2, "Amount Deposited into LMIHAF" is as follows:

2017-18 - \$120,002
 2016-17 - \$766,718
 2015-16 - \$454,813
 2014-15 - \$424,646
TOTAL=\$1,766,179

The LMIHAF balance FY 2018-19 was \$5,310,395 (see Section 3), and the total deposited into the LMIHAF in the preceding four years was \$1,766,179; therefore, the amount of excess surplus is \$ 3,544,216. The City plans to expend the excess surplus in the coming year as it launches the Housing Rehabilitation program with initial funding of \$1,000,000 and anticipates constructing 35 units for homeless persons at 0-30% AMI in conjunction with a new homeless shelter in Antioch for which the City is donating property for construction in the coming two years.

- 13. Inventory of Assisted Units:** *This section provides an inventory of the homeownership units assisted by the former redevelopment agency or the housing successor that are subject to covenants or restrictions or to adopted programs that protects the former redevelopment agency's investment of*

moneys from the Low and Moderate Income Housing Fund pursuant to subdivision (f) of section 33334.3
This inventory shall include:

- a) **Number of Units** – There are 19 homeowners with down payment assistance loans, and 17 homeowners with housing rehabilitation loans, for a total of 30 homeowners who have a loan with the former Redevelopment Agency/Housing Successor.
- b) **Number of Units Lost** - In the first report pursuant to this subdivision, the number of units lost to the portfolio after February 1, 2012, and the reason or reasons for those losses. For all subsequent reports, the number of units lost to the portfolio since the last fiscal year and the reason for those losses. – **Records show that 8 single family loans totaling \$345,026 have been lost to the portfolio since February 2012. The main reasons have been divorce and/or bankruptcy, resulting in foreclosures and short sales.**
- c) **Installment payments and loan payoffs** – Any funds returned to the housing successor as part of an adopted program that protects the former redevelopment agency's investment of moneys from the Low and Moderate Income Housing Fund. **During FY 2018-19, the Housing Successor received \$48,091 installment payments on loans. The Housing Successor had 3 loans paid in full during the fiscal year. The loan payoff amounts (principal and interest) was \$2,869,231 plus \$36,219 in shared appreciation that was received by the City.**
- d) **Management of Units** – Whether the housing successor has contracted with any outside entity for the management of the units and, if so, the identity of the entity. **The Housing Successor performs these services in-house, with assistance from the City's CDBG/Housing Consultant Teri House.**



If you have any questions about this report, please contact Teri House: CDBG@ci.antioch.ca.us.

ATTACHMENT "C"



2019 GENERAL PLAN ANNUAL REPORT

California Government Code Section 65400 mandates that cities and counties submit an annual progress report (APR) on the General Plan and progress on its implementation to City Council, the Governor's Office of Planning and Research (OPR) and the Housing and Community Development Department (HCD) each year. This document fulfills that mandate, and was reviewed by the City Council at its meeting of March 24, 2020.

The main purpose of the APR is to provide City Council with an update of the City's progress in implementing its General Plan vision. This annual assessment grants to City Council an opportunity to adjust or modify its policies or approach to implementation to ensure that the City meets its stated vision. A secondary purpose of the APR is to fulfill housing element statutory requirements regarding the City's progress in meeting its share of regional housing needs and its efforts to remove governmental constraints to the development of housing in accordance with Government Code Section 65584.3(c) and 65584.5(b)(5). These have separate reporting requirements and forms, which have been submitted electronically by the City prior to April 1st of each year. To assist in the review of the General Plan Progress Report, this report presents the following information:

- I. General Plan Background
- II. Amendments to the General Plan adopted by the City in 2019
- III. Proposed General Plan Amendments

I. GENERAL PLAN BACKGROUND

The City of Antioch General Plan establishes the fundamental policy framework to guide decisions related to land use and development, public services and facilities, public safety, resource management, recreation, and the overall health and quality of life in the community. The General Plan presents a vision for the City's future, and embodies goals, policies, and strategies to turn that vision into a reality.

The City of Antioch adopted a comprehensive update to the General Plan on November 24, 2003 after an extensive community participation effort. State law requires that the General Plan include seven mandatory elements (Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety) but allows flexibility in how each local jurisdiction structures these elements. The City of Antioch General Plan contains these seven mandatory elements, in either their own chapter or within another chapter, as well as three "optional" elements (Public Services and Facilities, Growth Management, Economic Development) that, once adopted, have the same

force and effect as policies related to the General Plan elements required by the State. The City of Antioch General Plan elements are as follows:

- Community Vision
- Growth Management
- Land Use
- Community Image and Design
- Economic Development
- Circulation
- Public Services and Facilities
- Housing
- Resource Management
- Environmental Hazards

Each of these elements describes its purpose, its goals, objectives and policies. Each of these elements functions as a guide to the type of community Antioch desires for its future and provides the means by which that desired future will be obtained. The General Plan expresses in the form of text, maps and illustrations, the organization of physical, environmental protection, economic, and social activities sought by the community in order to create and maintain a healthful, functional, and desirable place in which to live.

II. AMENDMENTS TO THE GENERAL PLAN ADOPTED BY THE CITY IN 2019

State law allows the General Plan to be amended four times annually. This allows the General Plan to remain a current document responsive to the community’s needs. Requests for amendments may be submitted by individuals or initiated by the City. One amendment to the City of Antioch General Plan was processed in 2019 and is listed in Table 1.

Table 1			
2019 Amendments to the General Plan			
Amendment #	Action	Applicant	Description
GP-19-05	Approved January 22, 2019	City of Antioch	Updates to the Land Use Element to add “Cannabis Business” to the land use table; eliminating residential designations in the Hillcrest Station Area Specific Plan Focus Area to be more consistent with the Specific Plan designations; changing designations for residential parcels along Wightman Lane from Business Park to Low Density Residential

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III. PROPOSED GENERAL PLAN AMENDMENTS

In the next year or two, there are multiple General Plan amendments that are proposed or will need to be prepared for consideration by City Council, pursuant to State law. These amendments include:

- **Update the Housing Element:** The most recent Housing Element update covers the planning period from January 31, 2015, through January 31, 2023. A new Housing Element update will need to be started in 2020 and completed by the end of 2022.
- **SB 2 Planning Grant:** The City of Antioch received approval of its SB2 Planning Grant Program application from the Department of Housing and Community Development on March 10, 2020. The SB2 Planning Grant activities will update the city's General Plan and Zoning Ordinance to create policies and objective design standards for infill, high density housing in targeted commercial properties that are partially built or struggling. Grant activities will commence mid-2020 and will be completed by the end of 2021.
- **Comprehensive General Plan Update:** The City's General Plan was adopted in 2003 and was proposed to have a lifespan of 25 years. The City will begin a comprehensive General Plan update in late 2020 with the goal of having the new General Plan completed within two to five years.
- **Delta Fair Village (GP-18-02):** A proposed General Plan amendment to the land use element to change a Regional Commercial designation to Mixed Use in order to construct 210 apartment units and a commercial building.
- **The Ranch (GP-20-01):** A proposed General Plan amendment to the land use and circulation elements to change land use designations from Golf Course/Senior Housing/Open Space, Hillside and Estate Residential and Public/Quasi-Public to Restricted Development Area and Limited Development Area to allow up to 1,177 residential units, a commercial center, a fire station, parks, and open space.
- **Albers Ranch (GP-19-04):** A proposed General Plan amendment to the land use element to change a land use designation from Hillside, Estate and Executive Residential and Open space to Albers Ranch District to allow up to 301 residential units, an assisted living facility, and open space.
- **Creekside Vineyards at Sand Creek (GP-19-06):** A proposed General Plan amendment to the land use element to change a land use designation from Open Space, Senior Housing, Hillside, Estate and Executive Residential to Medium Low Density Residential and Open Space to allow up to 220 residential units, private park, and open space.


CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of March 24, 2020

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Tracy Shearer, Assistant Engineer

REVIEWED BY: Scott Buenting, Project Manager 

APPROVED BY: Balwinder Grewal, Interim Public Works Director/City Engineer

SUBJECT: Road Maintenance and Rehabilitation Account ("RMRA")

RECOMMENDED ACTION

It is recommended that the City Council adopt a resolution approving a list of projects for fiscal year 2020-21 that are eligible for funding by SB 1: the Road Repair and Accountability Act of 2017.

FISCAL IMPACT

The City is expected to receive approximately \$2,151,230 in Road Maintenance and Rehabilitation Account ("RMRA") funds in FY 2020-21. Approval of the attached Resolution is required to receive the RMRA funds.

DISCUSSION

On April 28, 2017, the Governor signed Senate Bill SB 1 (Beall, Chapter 5, Statutes of 2017), which is known as the Road Repair and Accountability Act of 2017. To address basic road maintenance, rehabilitation and critical safety needs on both the state highway and local streets and road system, SB 1: increases per gallon fuel excise taxes; increases diesel fuel sales taxes and vehicle registration fees; and provides for inflationary adjustments to tax rates in future years.

SB 1 emphasizes the importance of accountability and transparency in the delivery of California's transportation programs. Therefore, in order to be eligible for RMRA funding, statute requires cities and counties to provide basic annual RMRA project reporting to the California Transportation Commission (the "Commission").

The City must submit a list of projects proposed to be funded with RMRA funds to the Commission prior to receiving an apportionment of funds in a fiscal year. The project list does not limit the flexibility of the City to fund projects in accordance with its local needs so long as the projects are consistent with RMRA priorities. All projects proposed to receive funding must be included in the City's budget that is adopted by the City Council at a regular public meeting.

ATTACHMENTS

A: Resolution

ATTACHMENT "A"

RESOLUTION NO. 2020/**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2020-21 TO BE FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

WHEREAS, Senate Bill 1 ("SB 1"), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide;

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of the City of Antioch are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year;

WHEREAS, the City of Antioch must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account ("RMRA"), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement;

WHEREAS, the City of Antioch, will receive an estimated \$2,151,230 in RMRA funding in Fiscal Year 2020-21 from SB 1;

WHEREAS, this is the fourth year in which the City of Antioch is receiving SB 1 funding, which will enable the City of Antioch to continue essential road maintenance and rehabilitation projects, safety improvements, repair and replacement of aging bridges, and provide increased access and mobility options for the traveling public that would not have otherwise been possible without SB 1;

WHEREAS, the City of Antioch has received public input into our community's transportation priorities/project list;

WHEREAS, the City of Antioch used a pavement management system to develop the SB 1 project list to ensure that revenues are being used on the most high-priority and cost-effective projects that also align with the community's priorities for transportation investment;

WHEREAS, the funding from SB 1 will help the City of Antioch maintain and rehabilitate many roads throughout the City of Antioch this year; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, and investment in complete streets infrastructure, will have significant positive co-benefits statewide.

RESOLUTION NO. 2020/**

March 24, 2020

Page 2

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

1. affirms that the foregoing recitals are true and correct, and
2. hereby approves the use of Road Maintenance and Rehabilitation Account revenues for the Fiscal Year 2020-21 projects designated in Exhibit "A", which includes leveling courses, curb ramps and rubberized cape seals for these streets.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the City Council of the City of Antioch at a regular meeting thereof; held on the 24th day of March, 2020 by the following vote:

AYES:

NOES:


ABSTAIN:

ABSENT:

ARNE SIMONSEN, CMC
CITY CLERK OF THE CITY OF ANTIOCH

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of March 24, 2020
TO: Honorable Mayor and Members of the City Council
SUBMITTED BY: James Pflueger, Operations Supervisor
APPROVED BY: Mike Bechtholdt, Interim Public Works Director 
SUBJECT: Multiple Site Roof Replacement Bid No. 770-0224-20A Award

RECOMMENDED ACTION

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

1. Adopt the resolution ("Attachment A") to approve an agreement between the City and Waterproofing Associates, Inc. for the roof replacement services in the amount not to exceed \$277,888.00, and authorize the City Manager to execute the agreement.
2. Adopt the resolution ("Attachment B") to approve the purchase of roofing materials from The Garland Company, Inc., a provider of materials under the CMAS contract, in the amount not to exceed \$257,997.32, and authorize the City Manager to execute the agreement.

FISCAL IMPACT

Funding for this expenditure is included in the adopted fiscal year 2019-20 budget in the Water Enterprise and General Fund.

DISCUSSION

Staff has performed a citywide roof building assessment and identified the need for replacement of roofing for four Antioch City Buildings: Antioch Water Treatment Plant A Building, Water Treatment MCC Building, Antioch Old Maintenance Yard, and the Antioch Maintenance Warehouse.

The service contract with Waterproofing Associates, Inc. provides the removal of existing roofing and the placement of new roofing to four City of Antioch owned buildings. The contract amount is for service repairs that are necessary at this time and is not to exceed \$277,888.00.

The purchasing contract with The Garland Company provides the materials required to replace the roofing to four City of Antioch owned buildings. The contract amount is for materials that are necessary at this time and shall not exceed \$257,997.52. The Garland Company will provide quality roofing materials under CMAS Contract No. 4-01-56-006A at guaranteed government pricing. The Garland Company is an industry leader in roofing material and offers a 30 year Warranty on all roofs.

The Department of Public Works published the Multiple Site Roof Replacement request for the work to be performed on the roofs, for bid on January 31st, 2020. The bid closed on February 24th,

2020. The City received four responsive bids. The lowest responsive and responsible bidder was Waterproofing Associates, Inc.

The tabulation of the formal bids received, and the quote for materials to be provided are attached.

ATTACHMENTS

- A. Resolution for contract between the City and Waterproofing Associates, Inc.
- B. Resolution for contract between the City and The Garland Company, Inc.
- C. Bid Tabulation: Multiple Site Roof Replacement
- D. The Garland Company Materials Quote

ATTACHMENT "A"

RESOLUTION NO. 2020/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPROVING THE AWARD OF CONTRACT FOR THE MULTIPLE SITE ROOF
REPLACEMENT BID NO. 770-0224-20A TO WATERPROOFING ASSOCIATES, INC.**

WHEREAS, City of Antioch staff schedules annual inspections of City facilities and related equipment;

WHEREAS, on or around September of 2019, staff inspected various facilities and assessed the roofs at the Antioch Water Treatment Plant A Building, MCC Building, Antioch Old Maintenance Yard, and the Antioch Maintenance Warehouse, which resulted in a determination that the roofs of all of the buildings inspected were in poor shape and in need of replacement;

WHEREAS, on **January 31st, 2020**, the City of Antioch staff requested quotes for the replacement of roofs as described in the Multiple Site Roof Replacement Bid No. 770-0224-20A; and

WHEREAS, Waterproofing Associates, Inc. submitted the lowest responsive and responsible bid for amount not to exceed \$277,888.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch hereby approves the agreement for the Multiple Site Roof Replacement Bid No. 770-0224-20A with Waterproofing Associates, Inc. in an amount not to exceed \$277,888.

BE IT FURTHER RESOLVED that the City Council authorizes the City Manager to execute the agreements in a form to be 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 regular meeting thereof, held on the 24¹⁰th day of March 2020, by the following vote:

AYES:

ABSENT:

ABSTAIN:

NOES:

CITY CLERK OF THE CITY OF ANTIOCH

ARNE SIMONSEN, CMC

ATTACHMENT "B"

RESOLUTION NO. 2020/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPROVING THE PURCHASE OF ROOFING MATERIALS FROM THE GARLAND
COMPANY USING CMAS GOVERNMENT PRICING.**

WHEREAS, City of Antioch ("City") staff schedules annual inspections of City facilities and related equipment;

WHEREAS, on or around September of 2019, staff inspected various facilities and assessed the roofs at the Antioch Water Treatment Plant A Building, MCC Building, Antioch Old Maintenance Yard, and the Antioch Maintenance Warehouse, which resulted in a determination that the roofs of all of the buildings inspected were in poor shape and in need of replacement;

WHEREAS, on **January 31st, 2020**, the City of Antioch requested quotes for the materials required for the replacement of roofs ; and; and

WHEREAS, The Garland Company used California Multiple Award Schedules ("CMAS") government pricing, which requires all pricing, products and/or services offered to have been previously bid and awarded on a Federal GSA schedule, and establishes an independent California agreement for the same products and services at equal or lower prices; and

WHEREAS, The Garland Company offered to sell the City the required materials at the amount not to exceed \$257,997.32.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch hereby approves the purchasing agreement with The Garland Company using California Multiple Award Schedules government pricing in an amount not to exceed \$257,997.32.

BE IT FURTHER RESOLVED that the City Council authorizes the City Manager to execute the agreements in a form to be 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 regular meeting thereof, held on the 24¹⁰th day of March 2020, by the following vote:

AYES:

ABSENT:

ABSTAIN:

NOES:

**ARNE SIMONSEN, CMC
CITY CLERK OF THE CITY OF ANTIOCH**

ATTACHMENT "B"



MULTIPLE SITE ROOF REPLACEMENT BID NO 770-0224-20A
BID CLOSED: FEBRUARY 24TH, 2020 AT 2:00PM
BID TABULATION

1. Waterproofing Associates, Inc. - Total Bid Price: \$277,888.00

Maintenance Warehouse Restoration	<u>\$39,788.00</u>
Old Maintenance Yard	<u>\$105,300.00</u>
Water Treatment Plant	<u>\$132,800.00</u>
Bidders Bond & Notary	✓

2. Stronger Building Services - Total Bid Price: \$405,00.00

Maintenance Warehouse Restoration	<u>\$130,000.00</u>
Old Maintenance Yard	<u>\$105,000.00</u>
Water Treatment Plant	<u>\$170,000.00</u>
Bidders Bond & Notary	✓

3. Andy's Roofing Co., Inc. - Total Bid Price: \$411,735.00

Maintenance Warehouse Restoration	<u>\$53,694.00</u>
Old Maintenance Yard	<u>\$133,217.00</u>
Water Treatment Plant	<u>\$244,824.00</u>
Bidders Bond & Notary	✓

4. Best Contracting Services, Inc. - Total Bid Price: \$488,894.00

Maintenance Warehouse Restoration	<u>\$186,600.00</u>
Old Maintenance Yard	<u>\$87,702.00</u>
Water Treatment Plant	<u>\$214,592.00</u>
Bidders Bond & Notary	✓

No Bids

B&M Tearoff
Pac Shield Roof Services
Solano County Roofing
Central Roofing
IA Contractor Inc
Western Roofing
Alliance Contracting
Pioneer Roofing

ATTACHMENT "C"



THE GARLAND COMPANY, INC.

HIGH PERFORMANCE ROOFING AND FLOORING SYSTEMS

3800 EAST 91ST. STREET • CLEVELAND, OHIO 44105-2197
PHONE: (216) 641-7500 • FAX: (216) 641-0633
NATIONWIDE: 1-800-321-9336

Joe Salazar
Phone: (925)890-6509

To: City of Antioch
From: Joe Salazar
Re: City of Antioch - Multiple Site Roof Replacement

The following are the material needed to complete the building roof restoration.

Product (Product #)	Price	Ext. Price:
1. 185-(4380-W)- StressPly IV UV Mineral	\$335.81	\$62,087.85
2. 140-(4113)- HPR Torch Base	\$232.65	\$32,571.00
3. 13-(7110-5) - Flashing Bond	\$111.87	\$1,454.31
4. 45- (2130-TRUWHITE) Tuff Stuff Caulking	\$15.84	\$712.80
5. 78-(7838-5-U) White Knight Plus WC	\$682.31	\$51,860.18
6. 48-(SSFS24STD) 24ga Flat Stock Metal	\$107.91	\$5,179.88
7. 4-(7815-3) Tuff Flash	\$348.48	\$1,393.92
8. 21-(7347) Insulock HR	\$349.47	\$7,338.67
9. 20-(4359-W)- StressPly EUV FR Mineral	\$372.24	\$7,444.80
10. 17-(4144-80)- FlexBase Plus 80	\$202.95	\$3,450.15
11. 3700-(RMS18BG24S)- 24ga. 18" Rmer Span	\$6.19	\$22,903.00
12. 20-(4133) - RMER Seal	\$281.36	\$5,227.20
13. 3-(7475-55)- Pyramic Plus LO(55Gal)	\$4,152.06	\$12,456.18
14. 10-(4876-6)- Polyester 8"	\$102.98	\$1,029.60
15. 4-(6340-RL) - Unibond 4"	\$115.83	\$483.32
16. 7- (1524-5UN) Rust Go Primer (5Gal)	\$412.83	\$2,889.81
17. 13-(1520-5UN) Rust Go Top Coat (5Gal)	\$454.41	\$5,907.33
18. 1-(7303-3) Kee Lock (3gal)	\$307.89	\$307.89


SUB-TOTAL: \$ 224,477.89
Sales Tax, \$ 18,519.43
Estimated Freight: \$ 15,000.00
CMAS Total: \$ 257,997.32

Please make the PO out to The Garland Company Inc, 3800 East 91st Street, Cleveland, OH 44105. Please add the Garland CMAS # 4-01-56-006A to the front of the Purchase Order to ensure compliance with CMAS requirements. The freight is an estimated cost.

Thank you, Joe

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of March 24, 2020
TO: Honorable Mayor and Members of the City Council
SUBMITTED BY: James Pflueger, Operations Supervisor
APPROVED BY: Mike Bechtholdt, Interim Deputy Public Works Director 
SUBJECT: Police Vehicle Upfitting Bid No. 070-0312-20A Award

RECOMMENDED ACTION

It is recommended that the City Council adopt a resolution:

- Approving the agreement with Emergency Vehicle Outfitters to provide services for the upfitting of eleven (11) Police Vehicles for an amount not to exceed \$82,082.85; and
- Authorizing the City Manager to execute the Agreement

FISCAL IMPACT

Funding for this expenditure is included in the adopted fiscal year 2019-20 budget in the Vehicle Replacement Fund and the General Fund. Funding for the remaining years of the contract will be presented to Council as part of the budget approval process.

DISCUSSION

On October 8, 2019 Council approved the replacement of six (6) Police vehicles that were at or beyond their useful life, and five (5) new to fleet Police vehicles due to the increase in officers. Upfitting these vehicles is the next step in preparing them for service. This process includes installing emergency lights, partitions and all other modern auxiliary equipment needed for the patrol vehicle to optimize officer safety and productivity.

The Department of Public Works published the Police Vehicle upfitting request for bids on February 27, 2020; the bid closed on March 12, 2020. Bids were solicited and Emergency Vehicle Outfitters of Elk Grove, CA was the lowest, responsive and responsible bidder.

The term of the contract ends June 30, 2020 with the option of four additional years. The optional years are coordinated with the Vehicle Replacement Program. Adjustments to the quantity can be changed by the City for the term of the contract.

ATTACHMENT "A"

RESOLUTION NO. 2020/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPROVING THE UPFITTING OF POLICE VEHICLES, AUTHORIZING THE CITY
MANAGER TO EXECUTE AN AGREEMENT FOR THE UPFITTING OF ELEVEN
POLICE VEHICLES WITH EMERGENCY VEHICLE OUTFITTERS OF ELK GROVE,
CA**

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

WHEREAS, on October 8, 2019 the City Council approved the replacement of six (6) Police Vehicles that were at or beyond their useful life, and five (5) New to Fleet Police Vehicles for additional hires; and

WHEREAS, the Public Works Department published a request for proposals ("RFP") to upfit Ford Police Vehicles on February 27, 2020 and the bidding closed on March 12, 2020;

WHEREAS, Emergency Vehicle Outfitters participated in a competitive, open bid process and submitted the overall lowest qualified bid; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch hereby approves the upfitting of eleven (11) Police vehicles, authorizes the City Manager to enter into an agreement with Emergency Vehicle Outfitters of Elk Grove, CA in an amount not to exceed \$82,082.85 with the option to renew for four additional years.

* * * * *

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 24th day of March 2020, by the following vote:

AYES:

ABSENT:

ABSTAIN:

NOES:

**ARNE SIMONSEN, CMC
CITY CLERK OF THE CITY OF ANTIOCH**



ATTACHMENT "B"

**City of Antioch
Police Vehicle Upfitting Bid No. 070-0227-17A
Bid Tabulation**

Year One

	1	2
<u>Vehicles</u>	Emergency Vehicle Outfitters	LEHR
K9	\$15,884.55	\$17,158.72
Patrol (Single)	\$12,286.33	\$13,911.88
Patrol (Full Partition)	\$11,990.66	\$13,698.85
Admin. Utility	\$2,351.76	\$2,793.16
TOTAL:	\$42,513.30	\$47,562.61

ATTACHMENT "B"

Year Two

Vehicles

	1	2
	Emergency Vehicle Outfitters	LEHR
K9	\$16,273.77	\$17,873.67
Patrol (Single)	\$12,573.53	\$14,491.54
Patrol (Full Partition)	\$12,268.72	\$14,269.64
Admin. Utility	\$2,378.11	\$2,909.54
TOTAL:	\$43,494.13	\$49,544.39

Year Three

Vehicles

	1	2
	Emergency Vehicle Outfitters	LEHR
K9	\$16,675.02	\$18,618.40
Patrol (Single)	\$12,869.62	\$15,095.35
Patrol (Full Partition)	\$12,555.39	\$14,864.21
Admin. Utility	\$2,405.26	\$3,030.77
TOTAL:	\$44,505.29	\$51,608.73

ATTACHMENT "B"

Year Four

Vehicles

	1 Emergency Vehicle Outfitters	2 LEHR
K9	\$17,088.68	\$19,394.17
Patrol (Single)	\$13,174.86	\$15,724.33
Patrol (Full Partition)	\$12,850.91	\$15,483.55
Admin. Utility	\$2,433.27	\$3,157.05
TOTAL:	\$45,547.72	\$53,759.10

Year Five

Vehicles

	1 Emergency Vehicle Outfitters	2 LEHR
K9	\$17,515.13	\$20,202.26
Patrol (Single)	\$13,489.55	\$16,379.50
Patrol (Full Partition)	\$13,078.08	\$16,128.69
Admin. Utility	\$2,462.12	\$3,288.60
TOTAL:	\$46,544.88	\$55,999.05

No Bids: Wattco

ATTACHMENT "C"



City of Antioch
 Police Vehicle Upfitting Bid No. 070-0227-17A

Vehicle Cost to Amend Budget for 2019-2020

EVO
 Elk Grove, CA

GROUPS	QTY	COST PER VEHICLE	TOTAL
K9	1	\$15,884.55	\$15,884.55
Patrol (Single)	0	\$12,286.33	\$0.00
Patrol (Full Partition)	7	\$11,990.66	\$83,934.62
Admin Utility	2	\$2,351.76	\$4,703.52
Grand Total (Includes Tax and Delivery):			\$104,522.69
Purchase price of New Patrol Car	4	\$48,515.04	\$194,060.16
Price Budgeted for New Patrol Vehicle	4	\$55,000.00	\$220,000.00
Budget Total Remaining for New Patrol Vehicle			\$25,939.84
Chief Car	1	\$3,500.00	\$3,500.00
Total Amount Needing to be Added to Budget			\$82,082.85


CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of March 24, 2020

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Vicky Lau, Junior Engineer

APPROVED BY: Balwinder Grewal, Interim Public Works Director/City Engineer 

SUBJECT: Resolution Approving the Final Map, Improvement Plans, and Subdivision Improvement Agreement for Aviano Phase 1 Subdivision 9249 (P.W. 676-1)

RECOMMENDED ACTION

It is recommended that the City Council adopt a resolution authorizing the City Manager or designee to approve the final map, improvement plans, and Subdivision Improvement Agreement for Aviano Phase 1 Subdivision 9249 (P.W. 676-1).

FISCAL IMPACT

There is no projected financial impact. The developer has paid all required fees and is responsible for all costs of construction and maintenance until the City Council accepts the improvements.

DISCUSSION

On September 8, 2015 the City Council adopted Resolution No. 2015/68 approving a vesting tentative map and final development plan to subdivide an approximately 184-acre parcel into a development of 533 single-family homes for the Aviano subdivision project. The first phase of the project, referred as, Aviano Phase 1, includes 127 single-family homes and a 4.88-acre park.

The project is located on the easterly side of the San Creek Focus Area, west of the current terminus of Hillcrest Avenue, east and north of Dozier Libby Medical High School, Assessor's Parcel Number (APN) 057-050-022, 057-030-005 (Vicinity Map, Attachment "B"). The subject final map is in substantial conformance with the Aviano subdivision project's vesting tentative map and is consistent with the Antioch General Plan.

ATTACHMENTS

- A. Resolution
- B. Vicinity Map

RESOLUTION NO. 2020/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
AUTHORIZING THE CITY MANAGER OR DESIGNEE TO APPROVE THE
FINAL MAP, IMPROVEMENT PLANS AND SUBDIVISION IMPROVEMENT
AGREEMENT FOR AVIANO PHASE 1 SUBDIVISION 9249
(P.W. 676-1)**

WHEREAS, the Civic Aviano, LLC, formerly Aviano Farms, LLC, has filed with the City Engineer a final map entitled "Aviano Phase 1 Subdivision 9249" and has requested approval of said final map;

WHEREAS, on September 8, 2015 the City Council adopted Resolution No. 2015/68 approving a final development plan and vesting tentative map for the Aviano subdivision project;

WHEREAS, this City Council has specifically found that the final map is in complete compliance with the provisions of the Antioch General Plan;

WHEREAS, this City Council has specifically found that the site of this final map is specifically suitable for the type of development proposed;

WHEREAS, this City Council has specifically found that the design of this subdivision will not likely cause substantial environmental damage and is not likely to substantially and avoidably injure fish or wildlife or their habitats;

WHEREAS, this City Council has specifically found that the design of this subdivision will not likely cause serious public health problems;

WHEREAS, this City Council has specifically found that the design of the subdivision will not conflict with easements acquired by the public at large for access through or use of property within this proposed subdivision; and

WHEREAS, the Subdivider has paid all the necessary fees, made all deposits required to date, and submitted a Subdivision Improvement Agreement and the required bonds.

NOW, THEREFORE, BE IT RESOLVED that the recitals above are true and correct and the City Council of the City of Antioch hereby authorizes the City Manager or his designee to conduct the following actions related to Aviano Phase 1 Subdivision 9249 (P.W. 676-1):

- 1) Approve the Final Map.
- 2) Accept all street and other easements offered for dedication on said Final Map.
- 3) Approve the Improvement Plans.
- 4) Execute the Subdivision Improvement Agreement.

RESOLUTION NO. 2020/**

March 24, 2020

Page 2

* * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 24th day of March 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ARNE SIMONSEN, CMC
CITY CLERK OF THE CITY OF ANTIOCH

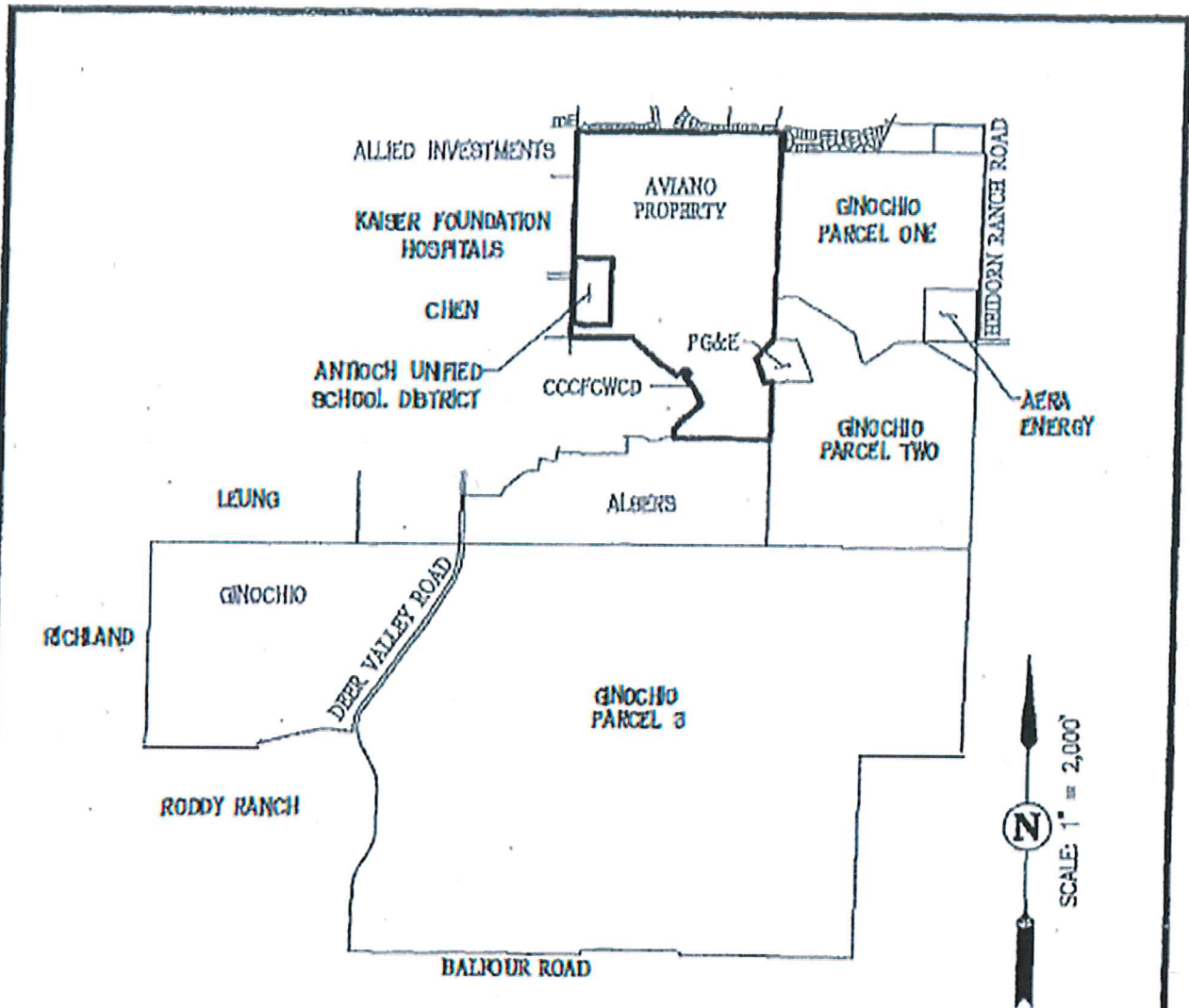


EXHIBIT B
VICINITY MAP

AVIANO PROPERTY
ANTIOCH, CALIFORNIA

AUGUST 12, 2015

SHEET 1 OF 1

Carlson, Barbee & Gibson, Inc.

CIVIL ENGINEERS • SURVEYORS • PLANNERS

2833 CAMINO RAMON, SUITE 300

SAN RAMON, CALIFORNIA, (925) 816-0322


05-00215 0-00 04

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of March 24, 2020

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Nickie Mastay, Administrative Services Director 

SUBJECT: Council Overnight Travel to the League of California Cities:

- Policy Committee Meetings
- Mayors and Council Members Executive Forum and Advanced Leadership Workshop
- Annual Conference

RECOMMENDED ACTION

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

- 1) Approve participation and authorize associated expenditures for the League of California Cities Policy Committee Meetings held in Anaheim, California April 2 through April 3, 2020 (**Note: Due to Coronavirus (COVID-19), this meeting will be rescheduled and conducted as a webinar**); and South San Francisco, California June 4 through June 5, 2020.
- 2) Approve participation and authorize associated expenditures for the League of California Cities Mayors and Council Members Executive forum and Advanced Leadership Workshops held in Monterey, California on June 17 through June 19, 2020.
- 3) Approve participation and authorize associated expenditures for the League of California Cities Annual Conference held in Long Beach, California on October 7 through October 9, 2020.

FISCAL IMPACT

The estimated cost for the Policy Committee meeting in Anaheim and South San Francisco is \$687.

Policy Committee Meeting

For the League of California Cities Policy Committee Meetings held in Sacramento and Costa Mesa, California, for calendar year 2020, the City Council participant was Council Member Ogorchok as the Mayors & Council Members Appointment on the Governance, Transparency & Labor Relations Committee and she is also the Vice President of the

Mayors and Council Members Department. The estimated cost for Anaheim, California based on IRS publication 1542 approved per diem rates for hotel (2 nights \$181/night), meals and incidental expense (\$49.50/first and last day and \$66/day), travel (flight, parking and shuttle \$300) is \$827 per participant. **(Please Note: Due to Coronavirus (COVID-19), this meeting will be rescheduled and conducted as a webinar).** The estimated cost for South San Francisco, California based on IRS publication 1542 approved per diem rates for hotel (2 nights \$231/night), meals and incidental expense (\$49.50/first and last day and \$66/day), parking \$20 per day is \$667 per participant. The excerpts from IRS Publication 1542 are attached to this report as Attachment C.

Mayors and Council Members Executive Forum and Advanced Leadership Workshop

The estimated cost of this conference is \$375 per attendee and \$180 per attendee for the workshop, plus hotel and meal expenses. Currently, there is no information on the California League of Cities website for the cost of this year's conference, workshop, and hotel.

Annual Conference

The estimated cost of this conference is \$550 per attendee and \$195 per attendee for the workshop, plus hotel, meal, and travel (airfare, parking and shuttle) expenses. Currently, there is no information on the California League of Cities website for the cost of this year's annual conference and hotel. The Annual Conference cost will be part of FY2020-21 Budget.

DISCUSSION

The City of Antioch Travel and Expense Policy for Elected and Appointed (non-employee) Officials is attached as Attachment D. Contained therein, the Authorization Process states: "Overnight travel by Elected Official shall be pre-approved by placing the item on the City Council Consent Calendar."

ATTACHMENTS

- A. Conference Profile
- B. 2020 Policy Committee Schedule
- C. Estimated Cost Base Upon IRS Publication 1542
- D. Travel and Expense Policy



Conference Profile

League of California Cities:

- **Policy Committee Meetings: April 2, 2020 – April 3, 2020, Anaheim, CA and June 4, 2020 – June 5, 2020, South San Francisco, CA. This meeting will be rescheduled and conducted as a webinar)**
- **Mayors and Council Members Executive Forum and Advanced Leadership Workshop: June 17, 2020 – June 19, 2020, Monterey, CA**
- **Annual Conference: October 7, 2020 – October 9, 2020, Long Beach, CA**

1. Summary of how the Conference(s) relates to the Vision and Strategic Plan and City Policy.

Contributes to the City's mission, vision and value by assisting with support of the City's aspirational priorities and City goals and strategies. For example, as the Mayors & Council Member's appointment on the Governance, Transparency & Labor Relations Committee we review state legislation as it relates to transparency, technology (open data), healthcare, elections and political reform; additionally, this committee oversees pension and worker's compensation reform as well as other labor related issues. This relates to the City of Antioch's Goal 1 Ensure the City's Continued Financial Stability to provide transparency in all activities related to municipal finance and explore options to reduce pensions. I will be able to share any legislation that may affect the City on these items. By attending the policy committee meetings, mayors and council member's executive forum and being a voting delegate on the resolutions at the annual conference, the City of Antioch has a voice with the League and State legislature.

2. Description of how the educational benefits of the conference(s) will strengthen your ability to lead and serve in the City of Antioch.

Promote transparency with the citizens of Antioch from the State perspective by the sharing of information with my Council colleagues. The League of California Cities 2020 Strategic Priorities are:

- Improve the supply and affordability of housing.
- Advocate for increased funding and resources to prevent homelessness and assist individuals experiencing homelessness.
- Address cities' fiscal sustainability to deliver essential services and meet pension obligations

- Strengthen community and disaster preparedness, public safety, and resiliency.
- Address public safety concerns of California cities.

The City of Antioch's goals are:

- Ensure the City's Continued Financial Stability
- Support Public Safety
- Support Sustainable Economic Development
- Promote Community Pride
- Strive to be a Healthy Community
- Support Historic Downtown Revitalization
- Promote Sustainable Development

By attending the policy committee meetings, mayors and council member's executive forum and being a voting delegate on the resolutions at the annual conference, not only does the City have a voice with the League and State, any information received from the conference that relates to our City's goals I am able to bring to my Council colleagues and Antioch Citizens.

3. Description of how the networking benefits of the conference will strengthen your ability to lead and serve the City of Antioch.

The League of California Cities has 7 Policy Committees (Community Service; Environmental Quality; Governance, Transparency and Labor Relations; Housing, Community and Economic Development; Public Safety, Revenue Taxation; and Transportation, Communications and Public Works). I am currently the Vice President of the Mayors & Council Members Department and I am their appointment to the Governance, Transparency and Labor Relations Committee. By networking with all of the Department and Committee members from various Cities and with Jason Rhine, League of California Cities lobbyist for Housing this promotes the exchange of ideas on a variety of topics on what works and does not work with their Cities. I can then share this information with my Council colleagues and Antioch citizens.

4. Estimated cost of the conference, an if applicable the cost of hotel, meals, mileage, airfare, and any other applicable cost.

Policy Committee Meetings: Anaheim, CA

- This meeting will be rescheduled and conducted as a webinar

Policy Committee Meetings: South San Francisco, CA

- Hotel – 2 nights \$231/night
- Meals - \$49.50 first and last day, \$66 day
- Parking - \$20/day
- Estimated Cost - \$687

Mayors and Council Members Executive Forum and Advanced Leadership Workshop: Monterey, CA

- Estimated cost of Conference Registration - \$375
- Estimated cost of Workshop Registration - \$180
- Note: Currently there is no information on the California League of Cities website for the cost of this year's conference, workshop, and hotel.

Annual Conference: Long Beach, CA

- Estimated cost of Conference Registration - \$550
- Estimated cost of Workshop Registration - \$195
- Note: Currently there is no information on the California League of Cities website for the cost of this year's conference, workshop, and hotel.

2020 POLICY COMMITTEE SCHEDULE¹

Meetings begin at 10:00 a.m. and end by 3:00 p.m.

January 23 & 24

Hyatt Regency, 1209 L Street, Sacramento

*Committee meeting at League Office, 1400 K Street, Sacramento

Thursday, January 23

*Community Services
Governance, Transparency & Labor Relations.
Revenue and Taxation
Transp., Comm., & Public Works

Friday, January 24

Environmental Quality
Housing, Community & Economic Dev
Public Safety

April 2 & 3

Sheraton Park Hotel, 1855 S Harbor Blvd, Anaheim

Thursday, April 2

Community Services
Governance, Transparency & Labor Relations
Revenue and Taxation
Transp., Comm., & Public Works

Friday, April 3

Environmental Quality
Housing, Community & Economic Dev
Public Safety

June 4 & 5

South San Francisco Conference Center
255 S Airport Boulevard, South San Francisco

Thursday, June 4

Community Services
Governance, Transparency & Labor Relations.
Revenue and Taxation
Transp., Comm., & Public Works

Friday, June 5

Environmental Quality
Housing, Community & Economic Dev
Public Safety

Deadline for Submitting Annual Conference Resolutions

Midnight on Saturday, August 8, 2020 – E-mail, regular mail, or fax

ANNUAL CONFERENCE

October 7 – 9, 2020 in Long Beach, California

NOTE: Policy committee members should be aware that lunch is usually served at these meetings. The state's Fair Political Practices Commission takes the position that the value of the lunch should be reported on city officials' statement of economic interests form. Because of the service you provide at these meetings, the League takes the position that the value of the lunch should be reported as income (in return for your service to the committee) as opposed to a gift (note that this is not income for state or federal income tax purposes—just Political Reform Act reporting purposes). The League has been persistent, but unsuccessful, in attempting to change the FPPC's mind about this interpretation. As such, we feel we need to let you know about the issue so you can determine your course of action. If you would prefer not to have to report the value of the lunches as income, we will let you know the amount so you can reimburse the League. The lunches tend to run in the \$30 to \$45 range.

¹ The 2020 policy committee locations were changed due to construction work on the Sacramento Convention Center. Seating at January policy committee meetings in the Hyatt Regency will be in "rounds" instead of traditional hollow square format. We appreciate your patience while the Sacramento Convention Center is being remodeled.



FY 2020 Per Diem Rates for California

Max lodging by month (excluding taxes.)

PrimaryDestination	County	2019Oct	Nov	Dec	2020Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Standard Rate	Applies for all locations without specified rates	\$96	\$96	\$96	\$96	\$96	\$96	\$96	\$96	\$96	\$96	\$96	\$96
Antioch / Brentwood / Concord	Contra Costa	\$165	\$165	\$165	\$165	\$165	\$165	\$165	\$165	\$165	\$165	\$165	\$165
Bakersfield / Ridgecrest	Kern	\$111	\$111	\$111	\$111	\$111	\$111	\$111	\$111	\$111	\$111	\$111	\$111
Barstow / Ontario / Victorville	San Bernardino	\$107	\$107	\$107	\$107	\$107	\$107	\$107	\$107	\$107	\$107	\$107	\$107
Death Valley	Inyo	\$121	\$121	\$121	\$121	\$121	\$121	\$121	\$121	\$121	\$121	\$121	\$121
Eureka / Arcata / McKinleyville	Humboldt	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$130	\$130	\$130	\$100
Fresno	Fresno	\$110	\$110	\$110	\$110	\$110	\$110	\$110	\$110	\$110	\$110	\$110	\$110
Los Angeles	Los Angeles / Orange / Ventura / Edwards AFB less the city of Santa Monica	\$181	\$181	\$181	\$181	\$181	\$181	\$181	\$181	\$181	\$181	\$181	\$181
Mammoth Lakes	Mono	\$135	\$135	\$135	\$135	\$135	\$135	\$135	\$135	\$135	\$135	\$135	\$135
Mill Valley / San Rafael / Novato	Marin	\$191	\$160	\$160	\$160	\$160	\$160	\$160	\$160	\$191	\$191	\$191	\$191
Monterey	Monterey	\$161	\$161	\$161	\$161	\$161	\$161	\$161	\$161	\$161	\$223	\$223	\$161
Napa	Napa	\$209	\$209	\$160	\$160	\$160	\$160	\$209	\$209	\$209	\$209	\$209	\$209
Oakhurst	Madera	\$102	\$102	\$102	\$102	\$102	\$102	\$102	\$133	\$133	\$133	\$133	\$133
Oakland	Alameda	\$186	\$186	\$186	\$195	\$195	\$195	\$186	\$186	\$186	\$186	\$186	\$186

PrimaryDestination	County	2019Oct	Nov	Dec	2020Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Palm Springs	Riverside	\$140	\$140	\$140	\$140	\$140	\$140	\$140	\$107	\$107	\$107	\$107	\$107
Point Arena / Gualala	Mendocino	\$125	\$125	\$125	\$125	\$125	\$125	\$125	\$125	\$125	\$125	\$125	\$125
Sacramento	Sacramento	\$140	\$140	\$140	\$140	\$140	\$140	\$140	\$140	\$140	\$140	\$140	\$140
San Diego	San Diego	\$173	\$173	\$173	\$173	\$173	\$173	\$173	\$173	\$173	\$173	\$173	\$173
San Francisco	San Francisco	\$334	\$244	\$244	\$302	\$302	\$302	\$302	\$302	\$302	\$302	\$302	\$334
San Luis Obispo	San Luis Obispo	\$118	\$124	\$124	\$124	\$124	\$124	\$124	\$124	\$124	\$124	\$124	\$118
San Mateo / Foster City / Belmont	San Mateo	\$231	\$193	\$193	\$231	\$231	\$231	\$231	\$231	\$231	\$231	\$231	\$231
Santa Barbara	Santa Barbara	\$171	\$171	\$171	\$171	\$171	\$171	\$171	\$171	\$171	\$224	\$224	\$171
Santa Cruz	Santa Cruz	\$130	\$130	\$130	\$130	\$130	\$130	\$130	\$130	\$168	\$168	\$168	\$130
Santa Monica	City limits of Santa Monica	\$248	\$248	\$248	\$248	\$248	\$248	\$248	\$248	\$248	\$301	\$301	\$248
Santa Rosa	Sonoma	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158
South Lake Tahoe	El Dorado	\$135	\$135	\$135	\$119	\$119	\$119	\$119	\$119	\$119	\$135	\$135	\$135
Stockton	San Joaquin	\$136	\$136	\$136	\$136	\$136	\$136	\$136	\$136	\$136	\$136	\$136	\$136
Sunnyvale / Palo Alto / San Jose	Santa Clara	\$241	\$241	\$241	\$253	\$253	\$253	\$241	\$241	\$241	\$241	\$241	\$241
Tahoe City	Placer	\$122	\$122	\$122	\$122	\$122	\$122	\$122	\$122	\$122	\$122	\$122	\$122
Truckee	Nevada	\$128	\$128	\$128	\$128	\$128	\$128	\$128	\$128	\$128	\$128	\$128	\$128
Visalia	Tulare	\$112	\$112	\$112	\$112	\$112	\$112	\$112	\$112	\$112	\$112	\$112	\$112
West Sacramento / Davis	Yolo	\$127	\$127	\$127	\$127	\$127	\$127	\$127	\$127	\$127	\$127	\$127	\$127
Yosemite National Park	Mariposa	\$126	\$126	\$126	\$119	\$119	\$119	\$119	\$119	\$126	\$126	\$126	\$126



FY 2020 Per Diem Rates for California

Meals & Incidentals (M&IE) Breakdown

Primary Destination	County	M&IE Total	Continental Breakfast/Breakfast	Lunch	Dinner	Incidental Expenses	First & Last Day of Travel
Standard Rate	Applies for all locations without specified rates	\$55	\$13	\$14	\$23	\$5	\$41.25
Antioch / Brentwood / Concord	Contra Costa	\$66	\$16	\$17	\$28	\$5	\$49.50
Bakersfield / Ridgecrest	Kern	\$61	\$14	\$16	\$26	\$5	\$45.75
Barstow / Ontario / Victorville	San Bernardino	\$61	\$14	\$16	\$26	\$5	\$45.75
Death Valley	Inyo	\$66	\$16	\$17	\$28	\$5	\$49.50
Eureka / Arcata / McKinleyville	Humboldt	\$71	\$17	\$18	\$31	\$5	\$53.25
Fresno	Fresno	\$66	\$16	\$17	\$28	\$5	\$49.50
Los Angeles	Los Angeles / Orange / Ventura / Edwards AFB less the city of Santa Monica	\$66	\$16	\$17	\$28	\$5	\$49.50
Mammoth Lakes	Mono	\$76	\$18	\$19	\$34	\$5	\$57.00
Mill Valley / San Rafael / Novato	Marin	\$76	\$18	\$19	\$34	\$5	\$57.00
Monterey	Monterey	\$76	\$18	\$19	\$34	\$5	\$57.00

Primary Destination	County	M&IE Total	Continental Breakfast/Breakfast	Lunch	Dinner	Incidental Expenses	First & Last Day of Travel
Napa	Napa	\$66	\$16	\$17	\$28	\$5	\$49.50
Oakhurst	Madera	\$71	\$17	\$18	\$31	\$5	\$53.25
Oakland	Alameda	\$66	\$16	\$17	\$28	\$5	\$49.50
Palm Springs	Riverside	\$66	\$16	\$17	\$28	\$5	\$49.50
Point Arena / Gualala	Mendocino	\$76	\$18	\$19	\$34	\$5	\$57.00
Sacramento	Sacramento	\$66	\$16	\$17	\$28	\$5	\$49.50
San Diego	San Diego	\$71	\$17	\$18	\$31	\$5	\$53.25
San Francisco	San Francisco	\$76	\$18	\$19	\$34	\$5	\$57.00
San Luis Obispo	San Luis Obispo	\$71	\$17	\$18	\$31	\$5	\$53.25
San Mateo / Foster City / Belmont	San Mateo	\$66	\$16	\$17	\$28	\$5	\$49.50
Santa Barbara	Santa Barbara	\$76	\$18	\$19	\$34	\$5	\$57.00
Santa Cruz	Santa Cruz	\$61	\$14	\$16	\$26	\$5	\$45.75
Santa Monica	City limits of Santa Monica	\$76	\$18	\$19	\$34	\$5	\$57.00
Santa Rosa	Sonoma	\$71	\$17	\$18	\$31	\$5	\$53.25
South Lake Tahoe	El Dorado	\$66	\$16	\$17	\$28	\$5	\$49.50
Stockton	San Joaquin	\$61	\$14	\$16	\$26	\$5	\$45.75
Sunnyvale / Palo Alto / San Jose	Santa Clara	\$66	\$16	\$17	\$28	\$5	\$49.50
Tahoe City	Placer	\$61	\$14	\$16	\$26	\$5	\$45.75
Truckee	Nevada	\$76	\$18	\$19	\$34	\$5	\$57.00
Visalia	Tulare	\$61	\$14	\$16	\$26	\$5	\$45.75
West Sacramento / Davis	Yolo	\$71	\$17	\$18	\$31	\$5	\$53.25
	Mariposa	\$76	\$18	\$19	\$34	\$5	\$57.00

Primary Destination	County	M&IE Total	Continental Breakfast/Breakfast	Lunch	Dinner	Incidental Expenses	First & LastDay of Travel
Yosemite National Park							

February 11, 2020

**CITY OF ANTIOCH
TRAVEL AND EXPENSE POLICY
ELECTED AND APPOINTED OFFICIALS**

PURPOSE

This document establishes the expense and reimbursement policy for all Elected and Appointed (non-employee) Officials of the City of Antioch. As Elected Officials, individuals may incur expenses related to the execution of their duties and responsibilities. These expenses may include the following: personal vehicle use, communication needs (cell phones, internet, and personal phone lines, newspaper subscriptions), and conferences and meetings related to the City's interests and/or business. As to Appointed Officials on the Administrative Appeals Board, Design Review Board, Economic Development Commission, Parks and Recreation Commission, Planning Commission, and Police Crime Prevention Commission, and other boards or committees established by the City Council there may be opportunities for individuals to attend educational seminars or meetings related to the City's interests and/or business as approved by the City Council. Therefore, this policy establishes procedures for requesting and receiving payment for expenses incurred while representing the City on official business.

ADOPTION AND IMPLEMENTATION

The Council is responsible for adopting the expense and reimbursement policy for Elected and Appointed Officials and for approving any subsequent policy revisions.

EXCEPTIONS

The City Council may approve exceptions to this policy on a case-by-case basis for special or unique circumstances.

I. PERSONAL VEHICLE USE

In recognition of the fact that Elected Officials may use their private vehicles while performing their duties, a monthly vehicle allowance will be provided, as allowed pursuant to California Government Code section 1223. Vehicle allowance shall cover all vehicle related expenses including but not limited to bridge tolls, routine parking fees, gasoline, wear and tear of personal vehicle, maintenance, and insurance. Elected officials receiving a monthly vehicle allowance shall be eligible for mileage reimbursement for travel beyond a 75-mile radius from the City of Antioch City Hall based on mileage rate set by the IRS code. Reimbursement shall be for the incremental miles beyond the 75-mile radius.

In order to be eligible for the reimbursement allowance, Elected Officials shall annually provide proof of liability insurance to the City Clerk. The monthly cap on

reimbursement of automobile expenses for personal vehicle usage shall be as follows: Mayor: \$450; Council Members: \$350; City Clerk: \$350; City Treasurer: \$350.

II. COMMUNICATION EQUIPMENT AND SERVICES

In recognition of the fact that City Council members and other Elected and Appointed Officials have a significant responsibility to stay in touch with their constituents and City management employees, reimbursement of communication equipment shall be allowed for cell phone service and equipment, internet service and equipment, local and long distance telephone and fax line service and equipment. Individual council members and other elected and appointed officials will be responsible for establishing their own communication service providers and all bills for such service will be paid by the individual. The monthly cap on reimbursement of communication equipment and services shall be as follows: Mayor \$100; Council Members \$50; City Clerk \$50; City Treasurer \$50. Any communication service expenditures beyond that amount will be borne by the individual elected official.

III. MEMBERSHIPS

The City Council shall decide which groups to join as an entity, such as the League of California Cities or the Antioch Chamber of Commerce, through City Council action including the budget process. Individual memberships in groups by Elected or Appointed Officials shall be the personal expense of those individuals unless otherwise approved in advance by the City Council.

IV. LOCAL CITY EVENTS

Elected City Officials may be reimbursed for the cost of attending local events related to the City's business upon completion of an expense report and detailed documentation of expenses. City funds shall not be used to purchase alcohol or reimburse Elected Officials for alcohol related costs, unless as part of a set price for the event that happens to include alcohol. If a guest accompanies an Elected Official, only the cost of the Elected Official will be reimbursed. All reimbursement requests must include original itemized receipts and information on local city events attended.

V. CONFERENCES

The City Council shall decide, through City Council action if attendance to any conference is approved.

Elected City Officials shall submit a Conference Profile to the City Manager. The Conference Profile will include but not be limited to:

- Summary of how the Conference relates to the Vision and Strategic Plan and City policy.
- Description of how the educational benefits of the conference will strengthen your ability to lead and serve in the City of Antioch.
- Description of how the networking benefits of the conference will strengthen your

- ability to lead and serve the City of Antioch.
- Estimated cost of the conference, and if applicable the cost of hotel, meals, mileage, airfare, and any other applicable cost.

The Conference Profile must be submitted to the City Manager (90) days prior to the conference start date in order for the item to be placed on the City Council Agenda for City Council consideration.

VI. TRAVEL

In recognition of the fact that Elected Officials may need to represent the City at conferences and meetings and may incur expenses in the course of their travel, this policy establishes procedures for requesting and receiving payment for travel and travel-related expenditures. Appointed Officials must be specifically authorized by the City Council to attend educational seminars or other meetings in order to seek reimbursement.

(A) PROCEDURE

The key document in the administrative process is the Travel Authorization/Warrant Request (TAWR). Besides ensuring that travel by Elected and Appointed Officials is conducted within this policy, the TAWR summarizes the total cost of attending conferences, meetings, and seminars and provides documentation for cash advances, vendor payments and credit card purchases. General instructions for completing and processing this form are provided in a separate document.

(B) AUTHORIZATION PROCESS

All travel by an Appointed Official shall be pre-approved by having the item placed on the City Council Consent Calendar. Overnight travel by an Elected Official, shall be pre-approved by having the item placed on the City Council Consent Calendar.

After travel, the Travel Authorization report must be finalized. Finance will review for receipts and policy compliance.

(C) METHODS OF REIMBURSEMENT

There are three ways to request and receive payment for travel and travel-related expenditures: (1) advance payment, (2) reimbursement for actual expenditures, and (3) credit card usage.

(1) Advance payments: Elected Officials may request a cash advance for meals. For advance payment, the request must be submitted to the Finance Department two weeks prior to the travel date for the Finance Department to process such request. Advance payment must be requested through TAWR with a copy of the training, meeting or conference announcement as proof of official City business trip. The advance will be within the IRS approved per diem rates for meals and incidental expenses (**M&IE**) for the location/area visited as listed in Publication 1542. The value of meals provided at

conferences, training, or other travel programs will be deducted from the cash advance at the following rate:

Breakfast - 20% Lunch - 30% Dinner - 50%

Other items, such as conference registration, lodging, and air fare may be paid directly to the vendor in advance of travel.

Upon return from travel, all cash advances must be documented with original itemized receipts.

(2) Reimbursement: Elected and Appointed Officials shall be reimbursed for all eligible expenditures upon return from travel for items that have original receipts. A Travel Authorization/Warrant Request with original receipts will be paid by Finance within the regular accounts payable time schedule. Reimbursement claims should be submitted within 30 days from the return from travel, and no reimbursements may be made that cross over fiscal years.

(3) Credit Card Usage: Elected and Appointed Officials may use personal credit cards to pay for travel expenses. Original receipts must be included with the Travel Authorization Warrant Request to be eligible for reimbursement.

(D) ELIGIBLE EXPENDITURES

Meals and Incidental Expenses (M & IE)

- **Meals:** City funds shall not be used to purchase alcohol or reimburse Elected or Appointed Officials for alcohol related costs. Meal costs will be reimbursed as supported by original itemized receipts.

- **Personal Meals:** All expenditures must be documented and reimbursement will not exceed the meal schedule listed above.

- **Business Meals:** To qualify as a business meal, the identity of the participants and the business purpose of the discussion must be substantiated.

- **Incidental Expenses:** Those related to City business will be reimbursed at cost as supported by original receipts (e.g., tolls and taxi cabs).

In no event shall the reimbursement for meals and incidental expenses exceed the IRS approved per diem rates for the location visited as listed in Publication 1542.

- **Lodging:** The City will pay lodging expenses for Elected or Appointed Officials during official travel requiring one or more overnight stays. The City will pay for lodging for the evening preceding or subsequent to a meeting or business event when the Elected or Appointed Official would have to travel at unreasonably early or late hours to

reach his or her destination.

Elected or Appointed Officials shall make an effort to obtain lodging at or near the facility where official City business is to take place to minimize travel time and transportation costs. The City will pay only for standard single rooms for individual Elected Officials. If lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor. If conference rates are not available, government rates must be requested. Lodging rates that are equal to or less than the government rates are presumed to be reasonable and hence reimbursable for purposes of this policy.

If a double room is requested by an Elected or Appointed Official because he or she is accompanied by a spouse or other person, the difference between the single and double room rate shall be considered the Elected or Appointed Official's personal expense.

Elected or Appointed Officials shall cancel any reservations for lodging they will not use. Any charge for an unused reservation shall be considered the Elected or Appointed Official's personal expense unless failure to cancel the reservation was due to circumstances beyond the Elected Official's control.

- **Personal Entertainment:** No reimbursement will be made for personal entertainment.

- **Guests:** If a guest accompanies an Elected or Appointed Official, only the cost of the Elected or Appointed Official will be reimbursed. All costs above a single person will be borne by the Elected or Appointed Official.

- **Discounts:** If offered early registrations should be obtained whenever possible.

- **Telephone/Internet:** The City will pay for all City-related business telephone calls or internet use by an Elected or Appointed Official while traveling on authorized City business. If approved prior to travel, the City may pay for personal internet use up to \$5.00 per day for authorized overnight business travel within California and up to \$10.00 per day for all other authorized overnight business travel.

- **Transportation:** All travel will be made by the method most cost effective for the City. Considerations such as time, distance traveled and cost of transportation should be factors in arriving at the lowest cost.

Elected and Appointed Officials shall endeavor to book air travel to take advantage of discounts and nonrefundable ticket fares where practical. All flights shall be booked at coach class or equivalent level. Any additional costs incurred due to personal travel added on before or after the trip will be paid by the Elected or Appointed Official.

Elected and Appointed Officials are encouraged to use their personal vehicles as transportation to and from airports. The cost of traveling from home to the airport

will be paid for from monthly stipend. If a personal vehicle is left at the airport for more than one day, parking will be reimbursed per day based on long term parking rates or other transportation to and from the airport, whichever is less. Parking will not be reimbursed at the short term parking rate.

The use of rental vehicles is discouraged and shall be authorized only when no other mode of transportation is available or when alternate transportation would be more expensive or impractical. Elected or Appointed Officials must understand that the City's vehicle insurance coverage does not cover the individual driver of a rental car. Therefore, the City Official shall confirm personal coverage under their personal insurance or purchase additional insurance from the rental agency at their own expense. Rental vehicles shall be driven only by Elected or Appointed Officials included on the car rental agreement. Elected or Appointed Officials shall be reimbursed for reasonable taxi fare, airport van, or other public transportation in order to travel from their destination airport to their hotel.

VII. REPORTING OF EXPENDITURES

If the City reimburses an Elected or Appointed Official for attending a "meeting" as defined under the Brown Act ¹, the Official shall provide a brief written or oral report regarding the "meeting" at the next regular meeting of the Council or applicable commission, board or committee to which the Official belongs. For other educational seminars or events for which expenses were reimbursed by the City, the Official may provide a brief written or oral report at the next regularly scheduled meeting of the Council or applicable commission, board or committee to which the Official belongs.

VIII. ACKNOWLEDGEMENT

After being sworn in, Elected or Appointed Officials will be required to sign a statement formally acknowledging receipt and acceptance of this policy.

¹ The Brown Act (California Government Code section 54952.2) defines a meeting as including "any congregation of majority of the members of a legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body or the local agency to which it pertains."


CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of March 24, 2020

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: James Pflueger, Operations Supervisor

APPROVED BY: Mike Bechtholdt, Interim Deputy Public Works Director 

SUBJECT: Heavy Duty Vehicles for Public Works & Code Enforcement Vehicles Bid Award

RECOMMENDED ACTION

It is recommended that the City Council adopt the resolution approving the purchase of Public Works and Code Enforcement Vehicles and awarding the purchase to All Star Ford, in the amount not to exceed \$476,654.55.

FISCAL IMPACT

Funding for this expenditure is included in the adopted fiscal year 2019-20 budget in the Vehicle Replacement Fund and the General Fund. The replaced vehicles will be sold at auction.

DISCUSSION

The City's inventory of vehicles and equipment is examined annually in conjunction with the budget process to determine which existing units meet replacement criteria and any new operational needs of each division. This recommendation replaces eleven vehicles at or beyond their useful life and adds four new vehicles to the fleet as follows:

<u>Existing</u>			<u>Replacement</u>	
<u>Veh#</u>	<u>Year</u>	<u>Model</u>	<u>Year</u>	<u>Model</u>
669	2000	Dodge Ram	2020	F-350 Water Utility
651	1997	F-350	2020	F-350 Streets Utility

<u>New To Fleet</u>		
<u>Year</u>	<u>Model</u>	<u>Division</u>
2020	F-350 Mini Dump	Code Enforcement
2020	F-350 Mini Dump	Code Enforcement
2020	F-350	Water Utility
2020	F-350	Water Utility
2020	F-350	Streets Traffic Control Truck

Public Works published the Ford Public Works and Code Enforcement Vehicles request for bids on February 28, 2020; the bid closed March 13, 2020. Bids were solicited to five local dealerships and published on the City's website; we received one complete and qualified submittal from All Star Ford in the amount of \$476,654.55 the tabulation is included as Attachment B.

Replacing these vehicles maintains the City's heavy duty fleet that serves in the Public Works and Community Development Department in a safe and reliable manner. Replacing these selected vehicles at this time will reduce maintenance costs, vehicle emissions and improve reliability. Timely replacement is critical to reducing overall costs and liability associated with an aging fleet, improves quality of service and increases productivity by reducing vehicle downtime. Adding new to fleet vehicles ensures faster, reliable service and a stable asset for use with our growing departments.

ATTACHMENT

A: Resolution

B: Bid Tabulation

ATTACHMENT "A"

RESOLUTION NO. 2020/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPROVING THE PURCHASE OF FORD PUBLIC WORKS AND CODE
ENFORCEMENT VEHICLES FROM ALL STAR FORD IN AN AMOUNT NOT TO
EXCEED \$476,654.55**

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

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

WHEREAS, the Public Works Department published a request for proposals ("RFP") to purchase Public Works and Code Enforcement Vehicles on February 28, 2020 with the bidding closing on March 13, 2020; and

WHEREAS, All Star Ford participated in a competitive, open bid process and submitted the overall lowest qualified bid in the amount of \$476,654.55;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch hereby authorizes the purchase Ford Public Works and Code Enforcement Vehicles from All Star Ford in the amount not to exceed \$476,654.55.

* * * * *

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 24th day of March 2020, by the following vote:

AYES:

ABSENT:

ABSTAIN:

NOES:

**ARNE SIMONSEN, CMC
CITY CLERK OF THE CITY OF ANTIOCH**

ATTACHMENT "B"

ANTIOCH
CALIFORNIA

BID TABULATION
HEAVY DUTY VEHICLES - PUBLIC WORKS & CODE ENFORCEMENT
BID NO. 070-0313-20B

BID CLOSED: MARCH 13, 2020

ALL STAR FORD
PITTSBURG, CA

GROUPS	QTY	COST PER VEHICLE	TOTAL
GROUP A – WATER UTILITY	3	<u>\$59,730.26</u>	<u>\$179,190.78</u>
GROUP B - CODE ENFORCEMENT MINI DUMP	2	<u>\$51,992.09</u>	<u>\$103,984.18</u>
GROUP C - STREETS UTILITY	1	<u>\$86,223.39</u>	<u>\$86,223.39</u>
GROUP D – STREETS TRAFFIC CONTROL	1	<u>\$107,256.20</u>	<u>\$107,256.20</u>
Grand Total:			<u><u>\$476,654.55</u></u>
(Includes Tax and Delivery)			

No Bids: Bill Brandt Ford, Brentwood, CA
Future Ford of Concord, Concord, CA
Tracy Ford, Tracy, CA
Walnut Creek Ford, Walnut Creek, CA

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of March 24, 2020

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Forrest Ebbs, Community Development Director *FE*

SUBJECT: Planning Commission Appointment for one (1) partial-term vacancy expiring October 2021

RECOMMENDED ACTION

It is recommended that the Mayor nominate for appointment one (1) members to the Planning Commission for a partial-term vacancy expiring October 2021 and that the City Council approve the appointment by resolution.

FISCAL IMPACT

There is no fiscal impact to the City as all positions are voluntary.

DISCUSSION

The Planning Commission has one full term vacancy with an expiration date of October 2021. One application was received during the recruitment period and the applicant was interviewed by Mayor Wright.

The nomination for appointment will be made by Mayor Wright at the meeting.

ATTACHMENTS

- A. Resolution
- B. Application

ATTACHMENT "A"

RESOLUTION NO. 2020/##

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPROVING THE MAYOR'S APPOINTMENT OF TIM BARROW TO THE PLANNING
COMMISSION FOR ONE PARTIAL TERM ENDING IN OCTOBER 2021**

WHEREAS, there is currently one vacancy on the Planning Commission;

WHEREAS, the City Clerk made announcement of the vacancy and solicited applications for the vacancy;

WHEREAS, Mayor Sean Wright considered the application received and interviewed the interested applicant;

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

WHEREAS, Mayor Sean Wright has nominated Timothy Barrow for appointment to the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Antioch hereby approves the Mayor's appointment of Timothy Barrow to serve on the Planning Commission for the partial term ending in October 2021.

* * * * *

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 24th day of March, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

**ARNE SIMONSEN, CMC
CITY CLERK OF THE CITY OF ANTIOCH**

ATTACHMENT "B"



APPLICATION DEADLINE: 5:00 p.m. Friday, February 14, 2020

APPLICATION FOR COMMUNITY SERVICE

PLANNING COMMISSION - One partial term expiring October 2021

Print Your Name Timothy P. Barrow
Address [Redacted] City Antioch
ZIP Code 94531 Phone (H) _____ (W) _____ (C) [Redacted]
E-mail address [Redacted]
Employer _____
Address _____ City _____
Occupation Realtor / Project Manager / Consultant
Years lived in the City of Antioch 10+ yrs.

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

City Planning & Zoning Regulations expert
Bldg. & Hsg. Code Regulations.
REAL ESTATE DEVELOPMENT

Have you attended any meeting of this commission? NO

Have you had any previous appointments to this or other city commissions or boards? (If yes, please explain) NO

What skills/knowledge do you have that would be helpful in serving on the Planning Commission?

Construction Mgmt., Contract Mgmt., Residential & Commercial Mixed Use Development, Project Mgr., Bldg. Inspections, New Residential/Commercial Development, Realtor,

ATTACHMENT "B"

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

*Extensive knowledge in City Planning & Zoning Regulations,
Working w/ Architects, Developers, Consultants,
Municipal Agencies Collaboration in Code Regulations
& Compliance.*

Can you attend meetings at the designated days and time? YES

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

PLEASE NOTE THIS COMPLETED APPLICATION IS AVAILABLE FOR PUBLIC REVIEW.

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

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

Timothy P. Bassaw
Signature

February 6, 2020
Date

ATTACHMENT "B"

TIM BARROW

Mobile

Email:

Education

U.C. Extension at Berkeley

Construction Management

University of California, Berkeley

B.A., African American Studies, Social Sciences, Urban Planning

Chabot College, Hayward

A.S., Inspection-Construction.

Certification-Inspection (Building & Housing)

Certification- Inspection (Public Works)

Skyline College, San Bruno

A.A., Public Administration

Professional Experience

ADMINISTRATIVE/ LEADERSHIP SKILLS

- City Inspection
- Pre Construction Review
- Contract Management
- Business Development
- Site/ Project Management
- Cost Accounting
- Schedule Trades
- Project Closeout
- Client/ Owner Management
- MEP Coordination

CONSTRUCTION & MAINTENANCE SKILLS

- Facility Maintenance Manager -Construction Site Superintendent / Project Manager
- Facility Maintenance -Carpentry -Drywall -Plumber-Tile-HVAC -Electrical, Supervision of Trades.

- I have strong understanding of all aspects of residential construction, including building code requirements, basic understanding of all constructions trades, means and methods;
- I have the ability to schedule subcontractors, obtain proposals from subcontractors, scheduling/forecasting and meeting with inspectors, read blueprints, do quantity take offs and cost estimating, and do critical path scheduling.
- Managing multiple projects
- Reading documents and contracts
- Negotiating and awarding subcontracts
- Reviewing/preparing subcontractors scope of work

ATTACHMENT "B"

- Developing and maintaining construction schedules using Microsoft Project
- Conducting project meetings and preparing meeting minutes notes
- Review/prepare change order requests.
- Develop/track submittals
- Develop/track request for information
- Track/monitor/ prepare cost reports
- Maintain owner relations
- Computer skills including Microsoft Office Suite
- Good organizational skills, and excellent communication skills
- OSHA 30 Certified
- CPR/First Aid Certified

Project Management

Construction Management

- Manage financial aspects of contracts buy-outs process to protect the all parties' interests, maintain good relationships with clients, Ensure that the project is constructed in accordance with design, budget, and schedule.
- Assist, review, and negotiate contracts; liaison with legal counsel (as appropriate), in conjunction with the Owner Representative.
- Developing, recommending, recording Meeting Minutes (OAC/Subcontractors/Foreman) and implementing the Project Action Plans, Writing Project Scope, sending RFP's, writing RFI's, Tracking Design Clarifications, COR, Plan revisions
- Monitor and control progress, costs, and budgets throughout the project, Review each project's progress with the project staff as the project proceeds to ensure correct cost code, budget transfers and line item allocations.

Work Experience

TRB + Associates

3180 Crow Canyon Place, Suite 216

San Ramon, CA 94583

Inspection Services Consultants

June 2019-Present

Inspection Services/Consultant for local jurisdictions (City of Antioch/City of Benicia) performing investigations and compliance with planning, zoning, land use, health & safety codes, building & housing codes, HQS codes, municipal laws, working with property owners, inspections of rental properties, property ownership, SFD/Multi-family, residential & commercial activity, field investigations and inspections, investigate codes and construction activity, prepare written reports, oral and written communications with the public and public officials charged with the enforcement of laws. Prepare and testify before officials, Boards, Commissions and Courts as expert testimony as warranted.

Excel Realty & Mortgage

7901 Stoneridge Drive, Suite 120

Pleasanton, CA 94588

Realtor

March 2019 – Present

Realtor providing Residential & Commercial properties service.

My Brother's Keeper (MBK)

Principal/CEO

Apprenticeship Training Programs

June 2017- Present

Principal/CEO, San Francisco Bay Area creating Local and Global apprenticeship programs for unskilled to skilled craft persons, in the construction trades industry. Creating upward mobility for youth and adults, in the San Francisco Bay Area/BVHP community for construction industry jobs.

ATTACHMENT "B"

Mentorship in job readiness with vocational apprenticeship training programs. Working with General Contractors, Subcontractors and local organizations in providing a skilled workforce for the future. PowerPoint presentations to private and public agencies and collaboration with Northern California Apprenticeship Programs and program participation requirements.

T.B. Penick & Sons, Inc.

Project Manager/Asst. Superintendent

December 2017 – January 2019

BGI/Nibbi Brothers

Project Manager

Alice Griffith, Phase I and II (Blocks 2 and 4)

January 2015 – May 2017

San Francisco Housing Authority

Project Manager/Program Manager/Property Manager

April 2007 – January 2015

2010-2015-Property Manager II, Public Housing Operations

2010-Program Manager II, Section 8, HQS Inspections Department

2009 -2010-Property Manager II, Public Housing Operations

2007-2009-Project Manager, Housing Development Division/Modernization & Construction Department

RIA, LTD., Property Inspections, Hayward

Project Manager

2001 to2007

The Presidio Trust

Building Inspector/Interim Permitting Supervisor

1999- 2001

ARA Engineering, Oakland

Project Engineer

2000

Contra Costa County Building Inspection Department, Martinez

Building Inspector

1998-1999

B&R, Inc. Construction Management

Project Engineer

1997

Housing Authority, City of Alameda

Housing Inspector

1997

Housing Authority of Contra Costa County

Consultant/Unit Inspection

1996

ATTACHMENT "B"

Housing Authority, County of Alameda

Housing Specialist/Unit Inspector

1994-1996

City of Oakland, Office of Planning & Building Department

Supervising Planning Investigator

1989-1994

City of Oakland, City Planning/Zoning Department

Planning Investigator

1985-1989

Selected Project Construction Experience

Alta Potrero

Project Manager/Asst. Superintendent- Market rate mixed use project, San Francisco, 7-story, 172 units including 29 on-site Below Market Rate units with ground floor retail spaces. The units will consist of one, two three, four bedroom units and penthouse units. Hiring local craft persons in accordance with subcontractor's contract compliance First Source/City Build program.

RAD/Westbrook Apartments/BVHP

Project Manager/Community Liaison- Redevelopment and major upgrades to existing affordable multi-family residential property in BVHP southeast section of San Francisco, Workforce management; hiring and training pre-apprenticeship programs, subcontractor hiring requirements and community participation. Local hire retention and contract hiring compliance issues with First Source/City Build program.

Alice Griffith

Project Manager- Alice Griffith, Phase I and II, San Francisco, Phase I and II (Blocks 2 and 4) consisting of two buildings of new construction of affordable housing in San Francisco, a total of 184 units, Experienced workforce development professional with successful track record of collaborating with various public/private entities to develop work programs aimed at increasing BVHP residents' workers and SBE/LBE participation opportunities in accordance with interagency MOU commitments in the Master Development Agreement; OCII, CB, SFHA, MOH, OEWD, BVHP employment and contracting policy. These efforts resulted in an increase of over 183+ local residents placed on the project in the first year of the program. Managed over 1,374 unskilled and skilled craft persons. Meetings with OCII/City Build, Community organizations, Community Partners and Trade Partners at the beginning of each construction phase to present resource loaded staffing plans indicating manpower required for each construction trade scope of work. Community liaison and communicate effectively with identified members of the community surrounding the construction projects. Received outstanding marks for engagement of community participation from CCSF/OCII staff members. Acted as lead representative for city-wide strategic planning meetings regarding local hire activities, as well as acted as lead liaison to various trade unions, contractors and community based organizations

- Work with design consultants to ensure correctly issued Bulletins and Delta (Design Build) are managed and coordinated into the construction design, review podium penetration, line sets, duct runs, race way plumbing stacks to mitigate MEP trade conflicts.
- Act to resolve disputes between the Company and owner, or Company and subcontractors when possible prior to escalating, Identify required and optional changes in project scope; negotiate change orders with the owner.



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of March 24, 2020

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Thomas Lloyd Smith, City Attorney *TL8*

SUBJECT: Information on Mobilehome Space Rent Stabilization Ordinances

RECOMMENDED ACTION

It is recommended that the City Council direction to staff including:

- 1) whether to draft a mobilehome space rent stabilization ordinance and, if so,
- 2) whether to include vacancy control provisions in the ordinance and
- 3) whether to schedule a public hearing to gather feedback on the proposed draft mobilehome park space rent stabilization ordinance.

FISCAL IMPACT

The City would incur significant administrative costs associated with oversight and regulation of a mobilehome space rent stabilization ordinance. However, most space rent stabilization ordinances impose a fee on the mobilehome park owner when it becomes necessary for the City to be involved in a rent regulation matter with some provision for a portion of that fee to be passed through to the tenant. Unless the Council provides direction to the contrary, staff plans to draft the ordinance such that there are cost recovery provisions for the City.

DISCUSSION

The City Council requested that staff examine mobilehome space rent stabilization protections for mobilehome park tenants residing in the City of Antioch. Mobilehome parks represent an important segment of affordable housing in the City of Antioch and throughout California. Mobilehome owners rent the spaces beneath their mobilehomes from mobilehome park owners. The City of Antioch has three Mobilehome Parks including (1) Chateau Mobile Home Park, (2) Vista Diablo Mobile Estates, and (3) Delta Villa Estates.

Mobilehomes that are located in mobilehome parks pay rent for the spaces or “pads” that they reside on. The purpose of a mobilehome space rent stabilization ordinance is to: (1) establish a method to review for mobilehome park space rent increases, (2) prevent unreasonable rent increases on renters of mobilehome spaces (pads), and

(3) enable mobilehome park owners, operators and/or investors receive a fair and reasonable return on their investment.

A. Mobile Home Residency Law (“MRL”)

California’s Mobilehome Residency Law governs the relationship between mobilehome park owners and tenants (Civil Code § 798, et seq.).

The MRL provides procedures for providing notice of rent increases and regulates the contents of rental agreements, as well as the termination of tenancies. The MRL does not specifically restrict the amount of rent that a mobilehome park owner can charge park residents. (See *Cacho v. Boudreau* (2007) 40 Cal.4th 341, 350.)

B. Statutory Limits to the City’s Authority to Regulate Mobilehome Space Rent

The MRL contains several noteworthy provisions that limit the power of local governments to regulate rent for mobilehomes.

The MRL provides that if a mobilehome owner signs a long-term lease, as defined as longer than twelve (12) months in duration, then the lease is exempt from any local rent stabilization ordinance. (Civil Code §798.17(a)(1).) Therefore, any rent stabilization ordinance, rule, or regulation adopted by the City Council would not be applicable to long-term leases that exceed twelve months in duration.

Mobilehome space rent stabilization ordinances are not applicable to any newly constructed spaces initially held out for rent after January 1, 1990, nor applicable to leases where the mobilehome owner is not using the space for his or her primary residence. (Civil Code §§ 798.45, 798.17(b)(2).)

C. Mobilehome Rent Stabilization Ordinances are Required to Guarantee Landlords a Fair Return on Their Investment

Mobilehome space rent stabilization ordinance must guarantee the landowner a fair return on investment. (See *Gulland v. City of Clovis* (2001) 24 Cal.4th 1003, 1021.)

A typical rent stabilization ordinance has two rent adjustment procedures: 1) a process that enables a landlord to implement a rent increase that is tied to the percentage increase of the consumer price index without any regulatory review (“**Standard Adjustment**”); and 2) a petition process that allows the landowner to advocate for individualized adjustments to increase rents above the Standard Adjustment (“**Individualized Adjustment**”). Mobilehome space rent stabilization ordinances typically include factors that will be taken into consideration in setting the maximum allowable rent under the Individualized Adjustment process. A hearing officer or an arbitrator then takes these factors into consideration when reviewing a landlord’s petition for an Individualized Adjustment.

D. Vacancy Control

The City Council has the option to apply “vacancy control” in a mobilehome space rent stabilization ordinance.

A mobilehome is expensive to relocate once it has been situated in a mobilehome park. In addition, there is a limited supply and lack of availability of mobilehome spaces in our city, county, and state. Therefore, buyers of existing, mobilehomes located in a mobilehome park generally enter into a lease agreement with the park where the mobilehome is located because it would be extremely costly and difficult for them to move elsewhere.

A vacancy control provision specifies that upon turnover of a space, park owners may only increase rents by a maximum allowable amount. The intent of a vacancy control provision is to promote certainty for buyers and sellers of existing mobilehomes and preserve the affordability of a mobilehome park.

Vacancy control limits the amount that mobilehome park owners can increase the space rent for new buyers of existing mobilehomes that are currently situated in their park. If a buyer purchases a mobilehome that is located in a mobilehome park with an existing space, then vacancy control provides the new owner with greater information and certainty about the rental costs they would be required to pay in order to stay in the existing mobilehome space. On the other hand, critics argue that vacancy control provisions represent a form of taking, but the courts have not accepted this argument.

If the Council desires to consider a mobilehome space rent stabilization ordinance, it should provide direction as to whether to include a vacancy control provision.

ATTACHMENTS

- A. Ordinances - Examples of mobilehome space rent stabilization ordinances

ORDINANCE NO. 1514

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCATA AMENDING
MOBILEHOME PARK REGULATIONS PERTAINING TO SPACE RENT STABILIZATION**

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

Section 1. Chapter 6, Mobilehome Park Regulation, Title VI, Business Professions and Trades, of the Arcata Municipal Code, Article 1, General Provisions, is hereby amended as shown in the following strike through for deletions and double underscore for additions:

**TITLE VI – BUSINESS PROFESSIONS AND TRADES
CHAPTER 6 – MOBILEHOME PARK REGULATIONS
ARTICLE 1-- GENERAL PROVISIONS**

SEC. 6910.1 Definitions.

For purposes of this Chapter, the following words, terms and phrases shall be defined as follows:

- A. “Affected Mobilehome Owners” means those Mobilehome Owners whose Space Rent is affected by a Rent adjustment made pursuant to this Chapter ~~is not covered by a valid lease meeting the requirements of California Civil Code section 798.17(b) of the Mobilehome Residency Law, or otherwise legally exempt from local rent stabilization regulation.~~
- B. “Base Rent” means the Rent as defined in Section 6290.5 ~~in effect for that Space on July 1, 2017, as adjusted in accordance with this Chapter, as adjusted in this Chapter.~~
- C. “Base Year” means the 2017 calendar year or, if a Fair Return Application subsequently establishes a new Base Rent ~~is established pursuant to this Chapter~~, the calendar year preceding the year the ~~application is made~~ new Base Rent is established.
- D. “Capital Improvement” means the installation of new improvements and facilities. Capital Improvements are required to be amortized over the useful life of the improvements pursuant to the provisions of this Chapter and the United States Internal Revenue Code.
- E. “Capital Improvement Costs” means all costs reasonably and necessarily related to the planning, engineering and construction of Capital Improvements and shall include debt service costs, if any, incurred as a direct result of the Capital Improvement. Capital Improvement does not include ordinary maintenance or repairs or Capital Replacement Costs.
- F. “Capital Replacement” means an improvement required to maintain the common facilities and areas of the park in a decent, safe and sanitary condition or maintain the existing level of park amenities and services. A Capital Replacement is an expenditure as defined by the United States Internal Revenue Code which replaces, upgrades or repairs an existing improvement, such as, but not limited to, an onsite water or electrical distribution or sewage collection system, a street, a parking area, or common facility, such as a laundry, community kitchen or meeting room. If the expenditure qualifies for treatment as a capital expenditure which must be depreciated under the Internal Revenue Code, it is a Capital Replacement. If it can be fully deducted in one year as a business expense, it does not qualify as a Capital Replacement.
- G. “Capital Replacement Costs” means all costs reasonably and necessarily related to the planning, engineering and construction of Capital Replacement and shall include debt service costs, if any, incurred as a direct result of the Capital Replacement. Capital Replacement does not include Capital Improvement Costs.
- H. “City Manager” means the City of Arcata City Manager or its designee.

- I. “Consumer Price Index or CPI” means the monthly data on changes in the prices paid by urban consumers for a representative basket of goods and services. For purposes of this ordinance, the consumer price index is defined follows: All Urban Consumers, West Region All Items, 1982-1984=100, as published by the United States Bureau of Labor Statistics of the United States Department of Labor.
- J. “Fair Return Application” means an application made to the City seeking to increase Space Rents ~~beyond~~ greater than one hundred percent (100%) of the percentage increase, if any, in the CPI during the most recent twelve (12) month period ending December of the prior year in order to provide a fair return to the Park Owner.
- K. “Interest Allowance on Amortized Expenses” means the interest rate on the cost of the amortized expense equal to the “average rate” for 30-year fixed rate home mortgages plus two percent. The “average rate” shall be the rate Freddie Mac last published in its weekly Primary Mortgage Market Survey (PMMS) as of the date of the initial submission of the petition application. In the event that this rate is no longer published, the index which is most comparable to the PMMS index shall be used.
- L. “Legal Expenses” means reasonable attorney’s fees and expert witness’ fees.
- M. “Mobilehome Residency Law” means the California Mobilehome Residency Law codified in California Civil Code Section 798 et seq. as now enacted and hereafter amended.
- N. “Mobilehome” has the meaning set forth in Section 798.3 of the Mobilehome Residency Law, which is defined as of the date of enactment of this Chapter as follows:
1. A structure designed for human habitation and for being moved on a street or highway under permit pursuant to section 35790 of the Vehicle Code, including a manufactured home, as defined in section 18007 of the Health And Safety Code, and a mobilehome, as defined in section 18008 of the Health And Safety Code, but, except as provided in subsection 2 of this definition, does not include a recreational vehicle, as defined in section 799.29 of the Civil Code and section 18010 of the Health And Safety Code or a commercial coach as defined in section 18001.8 of the Health and Safety Code.
 2. "Mobilehome" for purposes of this Chapter also includes trailers and other recreational vehicles of all types defined in section 18010 of the Health and Safety Code, other than motor homes, truck campers, and camping trailers, which are used for human habitation, if the occupancy criteria of either subsection 2a or 2b of this definition, are met:
 - a. The trailer or other recreational vehicle occupies a mobilehome site in the park, on November 15, 1992, under a rental agreement with a term of one month or longer, and the trailer or other recreational vehicle occupied a mobilehome site in the park prior to January 1, 1991.
 - b. The trailer or other recreational vehicle occupies a mobilehome site in the park for nine (9) or more continuous months commencing on or after November 15, 1992.
- "Mobilehome" does not include a trailer or other recreational vehicle located in a recreational vehicle park subject to chapter 2.6 (commencing with section 799.20) of the Civil Code.
- O. “Mobilehome Owner” means a person who is the owner of a Mobilehome and legally occupies the Mobilehome within a Mobilehome Park.
- P. “Mobilehome Park” or “Park” has the meaning set forth in Section 798.6 of the Mobilehome Residency Law, which is defined as of the date of enactment of this Chapter as any area of land within the City of Arcata where two (2) or more mobilehome spaces are rented, or held out for rent, to accommodate mobilehomes used for human habitation.

- Q. “Mobilehome Space” or “Space” is the site within a Mobilehome Park intended, designed or used for the location or accommodation of a Mobilehome and any accessory structures or appurtenances attached thereto or used in conjunction therewith.
- R. “Mobilehome Park Owner” or “Park Owner” means the owner or operator of a mobilehome park or an agent or representative authorized to act on said owner’s or operator’s behalf in connection with the maintenance or operation of such park.
- S. “Party” means any Affected Mobilehome Owner and/or Park Owner involved in proceedings under this Chapter.
- T. “Prospective Mobilehome Owner” means a person who is in the process of negotiating a tenancy in a Mobilehome Park.
- U. “Rent” means any consideration, including any bonus, benefit or gratuity demanded or received by a Park Owner for, or in connection with, the use or occupancy of a Mobilehome Space, or in connection with the assignment of a lease, or in connection with subleasing of the Space. Rent shall not include:
1. Utility charges for charges for sub-metered gas and electricity.
 2. Charges for water, refuse disposal, sewer service, and/or other services, which are either provided and charged to ~~tenants~~ Mobilehome Owners solely on a cost pass-through basis and/or are regulated by state or local law.
 3. Any amount paid for the use and occupancy of a Mobilehome unit (as opposed to amounts paid for the use and occupancy of a Mobilehome Space).
 4. Charges for laundry services.
 5. Storage charges.
- V. “Rent Increase” means any increase in Base Rent charged by a Mobilehome Park Owner to a Mobilehome Owner or offered to a Prospective Mobilehome Owner.
- W. “Rent Stabilization Administration Fee” means the fee established by this Ordinance and amended from time to time by resolution of the City Council in accordance with the provisions of this Chapter.
- X. “Service Reduction” means a decrease or diminution in the basic service level provided by the Park occurring at any time since, January 1, 2018, including but not limited to services the Park Owner is required to provide pursuant to:
1. California Civil Code Sections 1941.1 and 1941.2.
 2. The Mobilehome Residency Law, California Civil Code Section 798 et seq.
 3. The Mobilehome Parks Act, California Health and Safety Code Section 18200 et seq., or
 4. An express or implied agreement between the Park Owner and the Mobilehome Owner.

Section 2. Chapter 6, Mobilehome Park Regulation, Title VI, Business Professions and Trades, of the Arcata Municipal Code, Article 2, Mobilehome Rent Stabilization, is hereby amended as shown in the following strike through for deletions and double underscore for additions:

**TITLE VI – BUSINESS PROFESSIONS AND TRADES
CHAPTER 6 – MOBILEHOME PARK REGULATIONS
ARTICLE 2—MOBILEHOME SPACE RENT STABILIZATION**

SEC. 6920.1 Purpose.

The purpose of this Article is to establish an efficient method of reviewing certain requested Mobilehome Space Rent Increases in Mobilehome Parks to protect Mobilehome Owners from arbitrary, capricious or unreasonable Rent adjustments while ensuring that Park Owners and/or operators and investors receive a fair and reasonable return on their investment in their Mobilehome Parks.

SEC. 6920.2 Definitions.

Unless specifically defined in this Article or the context specifically requires otherwise, the terms used herein are defined in Article 1, General Provisions, of this Chapter.

SEC. 6920.3 Applicability.

This Article shall be applicable to all Mobilehome Spaces within the City of Arcata except as specifically exempted by this Chapter or state law.

SEC. 6920.4 Exemptions.

- A. ~~This Section provides information about exemptions based on state law that preempt local law, and does not provide a separate basis for an exemption.~~ The following exemptions from local Rent regulations are provided by state law and do not provide a separate basis for an exemption:
1. Spaces that are subject to a lease that exempts that Space from Rent regulation pursuant to the Mobilehome Residency Law.
 2. New Mobilehome Spaces exempted pursuant to Civil Code section 798.45 of the Mobilehome Residency law.
 3. Spaces which are not the principal residence of the Mobilehome Owner, and which are exempt pursuant to Civil Code Section 798.21 of the Mobilehome Residency Law.
- B. This Article shall not apply to Mobilehomes or Mobilehome Parks owned or operated by any governmental agency or any rental unit whose Rent is subsidized pursuant to a public program that limits the Rent that can be charged for the Mobilehome.
- C. This Article shall not apply to Mobilehome Parks with fewer than ten (10) Spaces.
- D. This Article shall not apply to Mobilehome Spaces leased at Rent equal to or less than the Rent published annually by the City of Arcata for Mobilehome Parks, which are based on Rent limits for projects subject to an affordable housing regulatory agreement. This exemption shall only apply to Parks who evidence such Rents annually with sufficient detail to demonstrate the Rent for the entire year will meet the exemption.

SEC. 6920.5 Base Rent.

- A. Base Rent in 2017 for Non-exempt Leases in 2017 Spaces. Base Rent in 2017 for non-exempt Spaces means the Rent in effect for that Space on July 1, 2017. Unless provided otherwise, the "Base Year" means the 2017 calendar year. Except as provided in this Article, a Mobilehome Park Owner shall not demand, accept or retain Rent for a Mobilehome Space exceeding the Base Rent.
1. If a previously rented Mobilehome Space was not rented in the 2017 calendar year, the Park Owner shall not demand, accept, or retain Rent for said Space in an amount exceeding 90th percentile of all subject Rents in effect at the time the Space is rented.
 2. If an existing ~~non-exempt~~ Mobilehome Space is rented for the first time after the 2017 calendar year, the Park Owner shall not demand, accept, or retain Rent for said spaces exceeding the Rent first charged for the Space.

- B. Base Rent Following Expiration of an Exempt Lease. Base Rent for a Mobilehome Space that becomes subject to this Chapter upon the expiration of an exempt lease shall be the Rent in effect under the exempt lease as of the date of its expiration. Mobilehome Space Rents shall be verified by information required on the annual registration application or any other documentation required by the City Manager.
- C. Base Rent Following Termination or Permanent Removal. Whenever either of the following events occurs, a Park Owner shall be permitted to charge a new Base Rent for the Mobilehome Space not to exceed the 90th percentile all subject rents in effect at the time the Space is rented:
1. The termination of the tenancy of the Affected Mobilehome Owner in accordance with the Mobilehome Residency Law; or
 2. The voluntary permanent removal of a Mobilehome by a Mobilehome Owner. A removal of the Mobilehome from the Space for the purpose of performing rehabilitation or Capital Improvements to the Space or for the purpose of upgrading the Mobilehome shall not constitute a voluntary removal of the Mobilehome.
- D. Base Rent Following a Fair Return Application. Base Rent shall be the allowable Rent determined as a result of a Fair Return Application.

SEC. 6920.6 Annual Rent Increases.

- A. Annual Consumer Price Index Rent Increase:
1. Starting in 2018, on or after May 1 of each year, a Mobilehome Park Owner may impose a Rent Increase for a Mobilehome Space by one hundred percent (100%) of the percentage increase, if any, in the consumer price index (CPI) during the most recent twelve (12) month period ending in December of the prior year. Such Rent Increase may be imposed once in any twelve (12) month period. However, the Rent Increase shall not exceed five percent (5%) of the Rent charged for the Space in the preceding year, except as permitted by this Article in accordance with In-place Mobilehome transfers.
 2. CPI Cap Adjustment: If the change in the CPI exceeds five percent (5%) for two or more consecutive years, the cap shall automatically be adjusted to the increase in CPI during the years consecutively exceeding five percent.
 3. CPI Decrease: In the event that the CPI decreases, no Rent decrease shall be required pursuant to this Section. In the event that the CPI decreases by more than two percent (2%) in any year, said decrease shall be subtracted from the following annual Rent Increase allowable pursuant to this section, unless the amount of the decrease is larger than the following annual Rent Increase, in which case the Rent Increase for the following year will be zero.
- B. Notice of Allowable Annual Rent Increase.
1. Calculation of Annual Increase. The allowable annual Rent Increase shall be calculated annually by the City Manager.
 2. Notice of Annual Increase. The amount of the Annual Increase shall be: a) posted by February 15th of each year in City Hall and on the City's website, b) mailed by the City to each Park Owner and Homeowner Representative in each Park, and c) posted by the Park Owner on a notice board in each Mobilehome Park within three business days after it is received by the Park Owner.
- C. Banking Allowable Annual Increases. Rent Increases authorized pursuant to this Section may be implemented by the Park Owner at any future time, subject to the requirement that by January 30 of each year, Park Owners notify Affected Mobilehome Owners of each increase allowed

pursuant to this Section that has not been implemented, and that the banked increase may be added to the Rent at a future date.

- D. Compliance with State Law. Rent Increases permitted pursuant to this Section shall not be effective and shall not be demanded, accepted, or retained until the Park Owner has given the notice required by state law.
- E. Notice: A written notice of each Rent Increase or new or increased Capital Improvement Cost or Capital Replacement Cost pass-through charge made under the provisions of this Section shall be filed by the Park Owner with the City Manager, and provided to each Affected Mobilehome Owner, at least ninety (90) days before the Rent Increase goes into effect or as required by the Mobilehome Residency Law. The notice shall identify the Park and shall specify the dollar amount of the increase, the percentage of the increase, an itemization of all new or increased pass-throughs and additional Rent charges, the specific Space affected, the date the increase will go into effect, how each increase was calculated, and the date the Rent on each affected Space was last increased. The notice shall also advise each Affected Mobilehome Owner of any right to petition for review of a proposed Rent Increase and that a petition form may be requested from the City Manager.

SEC. 6920.7 In-Place Transfer Rent Increases; Establishment of New Base Rent.

- A. Upon the sale of a Mobilehome in place, a Park Owner may implement an increase of the Base Rent for that Space in an amount equal to ten percent (10%) of the Rent for that Space then in effect.
- B. A Park Owner may not condition an in-place transfer of a Mobilehome, or condition assignment of an existing lease to a prospective Mobilehome Owner, upon agreement to an increased Rent. This Subsection shall not apply to specific conditions included in a lease exempt from rent stabilization. For purposes of this Subsection, "a lease exempt from rent stabilization" means a lease that satisfies Civil Code section 798.17(b) of the Mobilehome Residency Law.
- C. No increase may be imposed pursuant to this Section when an existing Mobilehome Owner replaces an existing Mobilehome with another Mobilehome, occupying the same Mobilehome Space.
- D. No increase may be imposed pursuant to this Section where title to the Mobilehome passes to one or more person(s) who, at the time of the title transfer, (1) was/were also lawful, authorized resident(s) of the mobilehome, or (2) were/are parents, siblings, children, nieces, or nephews of the Mobilehome Owner and the Mobilehome remains in the same Space.
- E. Rent Increases authorized by this Section shall be in addition to any other Rent Increases authorized by this Chapter.

SEC. 6920.8 Fair Return Rent Increases.

- A. Fair Return. A Park Owner has the right to obtain a Rent Increase to maintain net operating income ("MNOI") equal to the Base Year net operating income adjusted by 100 percent of the percentage increase in the CPI since the Base Year. It shall be presumed this standard provides a fair return. Nothing in this Article shall preclude the City Manager, or hearing officer on appeal, from granting a Rent Increase that is necessary in order to meet constitutional fair return requirements.
- B. If a Park Owner presents evidence to the City Manager, including any financial records requested by the City Manager, which proves that the Park Owner is denied a fair return by the Rent control provisions of this Article, the City Manager may authorize an increase in Rent as deemed appropriate by the City Manager to provide a fair return to the Park Owner. The City Manager shall use the method set forth in this Article to determine the fair return.

SEC. 6920.9 Method to Determine a Fair Return.

- A. Maintenance of Net Operating Income: It shall be presumed that the net operating income produced by the property during the Base Year provided a fair return. A Park Owner shall be entitled to Rents sufficient to earn a just and reasonable return and to maintain and increase their Base Year net operating income in accordance with this Section. This method is called maintenance of net operating income (“MNOI”) and shall be included in all Fair Return Applications.
- B. Adjustment of Base Year Net Operating Income: The Park Owner or the Affected Mobilehome Owners may apply to the City Manager to rebut the presumption of fair and reasonable return based upon the Base Year net operating income. To make such a determination and in order to adjust to the Base Year net operating income, the City Manager, or hearing officer if on appeal, must make the following findings:
1. Exceptional Expenses in the Base Year. The Park Owner’s operating expenses in the Base Year were unusually high or low in comparison to other years. In such instances, adjustments may be made in calculating operating expenses so the Base Year operating expenses reflect average expenses for the park over a reasonable period of time. The following factors shall be considered in making such a finding:
 - a. Extraordinary amounts were expended for necessary maintenance and repairs.
 - b. Maintenance and repair were below accepted standards so as to cause significant deterioration in the quality of services provided.
 - c. Other expenses were unreasonably high or low notwithstanding the application of prudent business practices.
 2. Exceptional Circumstances in the Base Year. The gross income during the Base Year was disproportionately low due to exceptional circumstances. The following factors shall be considered in making such a finding:
 - a. If the gross income during the Base Year was lower than it might have been because some Mobilehome Owners were charged reduced rent.
 - b. If the gross income during the Base Year was significantly lower than normal because of the destruction of the Park and/or temporary eviction for construction or repairs.
 - c. The pattern of rent increases in the years prior to the Base Year and whether those increases reflected increases in the CPI.
 - d. Base Year Rents were disproportionately low in comparison to the Base Year Rents of other comparable parks in the City.
 - e. Other exceptional circumstances, excluding any comparisons of Base Year Rents to Rents of other comparable parks located outside of the City or to market rents determined from comparable Parks located outside of the City.
- C. Calculation of Net Operating Income.
1. Net Operating Income. Net operating income shall be calculated by subtracting operating expenses from gross rental income.
 2. Gross Rental Income.
 - a. Gross rental income shall include the following:

- i. Gross Rents calculated as gross rental income at 100 percent occupancy, adjusted for uncollected Rents due to vacancy and bad debts to the extent such vacancies or bad debt are beyond the control of the Park Owner. Uncollected Space Rents in excess of three percent of gross Space Rent shall be presumed to be unreasonable unless established otherwise and shall not be included in computing gross rental income.
 - ii. All other income or consideration received or receivable in connection with the use or occupancy of the Rental Unit, except as excluded below.
 - b. Gross rental income shall not include the following:
 - i. Utility charges for submetered gas and electricity.
 - ii. Charges for water, refuse disposal, sewer service, and/or other services which are either provided and charged to Mobilehome Owners solely on a cost pass-through basis and/or are regulated by state or local law.
 - iii. Any amount paid for the use and occupancy of a Mobilehome unit (as opposed to amounts paid for the use and occupancy of a Mobilehome Space).
 - iv. Charges for laundry services.
 - v. Storage charges.
 - vi. Rental Income from Spaces exempted from Rent limitation by state law or this Chapter.
3. Operating Expenses.
 - a. Operating expenses shall include the following:
 - i. Reasonable costs of operation and maintenance.
 - ii. Management expenses. It shall be presumed that management expenses increase by the percentage increase in Rents or the CPI, whichever is greater, between the Base Year and the prior year unless the level of management services has either increased or decreased significantly between the Base Year and the prior year.
 - iii. Utility costs, except where the consideration of the income associated with the provision of the utility service is regulated by state law and consideration of the costs associated with the provision of the utility service is preempted by state law.
 - iv. Real property taxes attributable to the Base Year or prior year regardless of when actually paid.
 - v. License and registration fees required by law to the extent these expenses are not otherwise paid or reimbursed by Mobilehome Owners.
 - vi. Park Owner-performed labor compensated at reasonable hourly rates. No Park Owner-performed labor shall be included as an operating expense unless the Park Owner submits documentation showing the date, time, and nature of the work performed. There shall be a maximum allowed under this subsection of five percent of gross income unless the Park Owner shows greater services were performed for the benefit of the Mobilehome Owners.
 - vii. Subject to the settlement provisions of Section 6920.10 of this Article, Legal Expenses incurred in connection with successful good faith attempts to recover Rents owing, pursuit of rights under or in relationship to this Article, including

Legal Expenses incurred in the course of pursuing successful Fair Return Applications, unlawful detainer actions not in derogation of applicable law, and when incurred in the normal operation of the Park, to the extent such expenses are not recovered from adverse or other parties.

- viii. Interest Allowance on Amortized Expenses.
- b. Exclusions from Operating Expenses. Operating expenses shall not include the following:
 - i. Mortgage principal or interest payments or other debt service costs.
 - ii. Penalties, fees or interest assessed or awarded for violation of any provision of this Chapter or other provision of law.
 - iii. Land lease expenses.
 - iv. Political contributions and payments to organizations which are substantially devoted to legislative lobbying purposes.
 - v. Depreciation.
 - vi. Expenses for which the Park Owner has been reimbursed by any utility rebate or discount, security deposit, insurance settlement, judgment for damages, settlement or any other method or device.
 - vii. Unreasonable increases in expenses since the base year.
 - viii. Expenses associated with the provision of master-metered gas and electricity services.
 - ix. Expenses attributable to unreasonable delays in performing necessary maintenance or repair work or the failure to complete necessary replacements.
 - x. Expenses attributable to a Park-owned Mobilehome, including but not limited to any Mobilehomes rented out by the Park Owner except when provided to a Park manager as a component of employment compensation.
 - xi. Expenses attributable to Spaces exempt from Rent limitations by state law or this Chapter shall be excluded by reducing the total allowed operating expenses by a percentage of the total number of Spaces in the Park.
- c. Adjustments of Operating Expenses. Base Year and/or current operating expense items shall be averaged with other expense levels for the same types of items for other years or amortized or adjusted by the CPI or may otherwise be adjusted, in order to establish an expense amount for the item(s) that most reasonably serves the objectives of obtaining a reasonable comparison of Base Year and prior year expenses. Grounds for such adjustments include, but are not limited to:
 - i. Either the amount or nature of an expense item for a particular year is not representative.
 - ii. The Base Year expense is not a reasonable projection of average past expenditures for that item in the years immediately preceding or following the ~~Base~~ Base ~~Year~~.
 - iii. The prior year expense is not a reasonable projection of expenditures for that item in recent years or of future expenditures for that item.

- iv. If a particular item of expense exceeds the normal industry or other comparable standard for the area, the Park Owner shall bear the burden of proving the reasonableness of the expense. To the extent that it is found that the expense is unreasonable it may be adjusted to reflect the normal industry standard.
 - v. A Base Year expense is exceptionally low by industry standards and/or on an inflation adjusted basis is exceptionally low relative to the prior year expense although the level or type of service for which the expense is incurred has not changed significantly.
 - vi. An increase in maintenance or management expenses is disproportionate to the percentage increase in the CPI, while the level of services has not changed significantly and/or is not justified by special circumstances.
- D. Constitutionally Required Fair Return: Notwithstanding any other provisions of this Chapter, the City Manager is authorized to approve any Rent Increase that is constitutionally required by law to yield a fair return.
- E. Rent Increase Effective Date: Rent Increases approved by the City Manager shall be effective on the date given by the applicant in the notice to the Affected Mobilehome Owners required in section 798.30 of the California Civil Code. In the event that the period for determining the allowable Rent Increase exceeds 120 days, the Park Owner may recover a Rent charge retroactive to 120 days after the Fair Return Application is deemed complete. Delays or continuances that are mutually agreed to in writing by all parties concerned, extensions authorized in this Article, and the number of days that lapse between applicant receiving notice of the necessity of replenishing its deposit and paying the required amount pursuant to the procedure for review of Fair Return Applications cost of expert analysis in this Article, shall not be counted in determining whether said 120-day period has expired. In order to avoid undue hardship on the Mobilehome Owners affected by the decision, the retroactive Rent charge shall be amortized and paid over a period of five years, unless the City Manager or hearing officer determines that a different amortization period is more reasonable. Interest may be charged on this amortized Rent.
- F. Per Space Rent Adjustment Pursuant to Fair Return Standard: The allowable Rent Increase per Mobilehome Space pursuant to this Section may not be increased as a result of exempt Spaces in the Park.

SEC. 6920.10 Settlement Proposals.

- A. At least 10 days prior to the date specified when the City Manager will take under submission, as described in Section 6920.11.J, a Fair Return, Capital ~~Improvements~~Replacement, or Rent Reduction application filed pursuant to this Article, or 10 days prior to any appeal hearing, the Homeowner Representative or the Park Owner may submit a written settlement offer to the other party to settle the claims or requests made in the application and to allow a decision or award to be made in accordance with the terms and conditions stated in the offer.
- B. The offer shall include a statement of the terms and conditions that the offering party is willing to accept, and a provision that allows the accepting party to indicate acceptance of the offer by signing a statement that the offer is accepted. At the same time that the offering party submits its offer to the other party, the offering party shall also file a copy of the written settlement offer with the City Clerk, or hearing officer, in a separately sealed envelope, with a statement on the outside of the envelope identifying the offeror and stating that it is a written settlement offer submitted pursuant to this section. The sealed copy of the written settlement offer that is filed with the City Clerk or hearing officer shall not be opened until it is either timely accepted by the opposing party or, if it is not timely accepted by the opposing party, after the City Manager or hearing officer, as appropriate, has rendered a final decision on the application or appeal.

- C. Acceptance of the offer must be in writing and shall be signed by the counsel for the accepting party or, if not represented by counsel, by the accepting party.
- D. If the offer is accepted, the parties shall notify the City Manager, and the hearing officer if the application is on appeal, and the City Manager or hearing officer, as appropriate, shall enter the accepted offer as the final decision respecting the application or appeal.
- E. If the offer is not accepted within seven calendar days of the offer's receipt by the opposing party, the offer shall be deemed withdrawn and cannot be given in or considered as evidence as part of the City Manager's or hearing officer's, as appropriate, decision.
- F. Legal Expenses. If an offer made pursuant to this Section is not accepted and the rejecting party fails to obtain a more favorable award or decision, the rejecting party shall not recover his or her post-offer Legal Expenses and shall pay the Legal Expenses incurred by the offering party from the time of the offer. If competing offers to settle are timely submitted but have not been timely accepted, the City Manager or hearing officer, as may be appropriate, shall determine which party has failed to obtain a more favorable decision or award and assign responsibility for the payment of legal expenses accordingly.
1. The City Manager or hearing officer shall mail and email to the parties a notice of assignment of Legal Expense liability ("Legal Expense Notice") within seven days after issuance of a final decision on the application or appeal. Within seven days of his/her/its receipt of the Legal Expense Notice, each party shall simultaneously serve a written request for the awarding of and an accounting of Legal Expenses and on the City Manager or hearing officer and all parties by regular mail and electronic mail. Said requests shall include detailed records of fee billings, time records and supporting declarations executed under penalty of perjury. Within seven days of receiving the requests, opposing parties may file and serve objections in the same manner as service of the original requests. Within seven days after service of the oppositions or within seven days of the deadline for the filing of oppositions, if none is submitted, the City Manager or hearing officer may submit a proposed supplemental decision stating the amount of legal expenses each party is required to pay and the reasons therefor.
 - a. When issued by the City Manager, said supplemental decision shall become final when issued and shall be appealable separately from the City Manager's decision pertaining to the merits of the ~~petition~~application. The appellate procedures set forth in this Article shall govern an appeal of a City Manager's decision pertaining to the awarding of Legal Expenses, but an appeal of a Legal Expenses award shall be consolidated with any appeal taken of the City Manager's final decision pertaining to the merits of the application.
 - b. When issued by the hearing officer, said supplemental decision shall become final in seven days after the proposed decision, unless either party requests an evidentiary hearing within said seven days in which case a final decision shall be made within seven days after the evidentiary hearing is concluded. The hearing officer's decision shall become final upon mailing, with proofs of service, to all parties of the (i) final decision on the merits of the application, or (ii) final decision on the Legal Expenses award, whichever occurs last.
 - c. In his or her discretion, the City Manager or the hearing officer, as appropriate, may reduce or offset from any Legal Expense award made in favor of the applicant by the amount of legal expenses the applicant may be required to pay.
 2. Any award of Legal Expenses shall be itemized by the Park Owner separately from any Rent Increase or Services Reduction award. Legal Expenses awarded to Park Owners shall be shown as a separate limited time pass-through charged to the Affected Mobilehome Owners. ~~The~~ A Legal Expense award to a Park Owner plus Allowable Interest on Amortized Expenses

- shall be recovered in equal monthly payments over a five-year period, unless the City Manager or hearing officer determines that a different period is more appropriate, and shall be eliminated after payment is completed at the end of the amortization period. Legal Expenses awarded to Mobilehome Owners shall be made as either a Rent credit or direct payment to the Mobilehome Owners.
3. In determining whether a party has obtained a more favorable award or decision than that proffered in a written settlement offer not accepted by that party, the City Manager or hearing officer shall rely upon and be guided by legal precedent and authorities construing the same term used in California Code of Civil Procedure Section 998.
- G. The time limits prescribed in this Section may be extended by the City Manager or the hearing officer, as appropriate, upon a showing of good cause.

6920.11 Procedures for review of Rent.

- A. The following matters are subject to review by the City Manager upon application:
 1. Fair return Rent Increase, excepting that a Park Owner may not file a Fair Return Application in November or December except in cases of unforeseen circumstances.
 2. Preapproval of a temporary Rent Increase for specified Capital Improvements and Capital Replacements.
 3. Rent reduction for Service Reduction.
- B. Limit on Frequency of Applications. Only one application pursuant to this Article may be filed for a Mobilehome Park within any 12-month period, except in the event of extraordinary circumstances that could not reasonably have been foreseen at the time the prior application was filed.
- C. Filing of Application.
 1. Applications for Rent adjustments for fair return Rent Increases, temporary Capital Improvements and Capital Replacements Rent Increases, or Rent reductions for Service Reductions shall be on forms prescribed by the City Manager.
 2. The City Manager may require an application to contain any information as he or she deems relevant, including, but not limited to:
 - a. A list of the names and addresses of all Mobilehome Park Mobilehome Owners subject to the proposed Rent adjustment.
 - b. A statement of the date the Rent adjustment is proposed to be effective.
 - c. The Rent for each Space in the park in the Base Year, and the three prior years.
 - d. An income and expense statement for the Base Year, and the four years prior.
 - e. Evidence documenting the income and expenses claimed by the Park Owner.
 - f. All other documentation and opinion testimony upon which the Park Owner is relying to justify the Rent Increase, or upon which the Mobilehome Owner is relying on to justify a Rent reduction.
 - g. A statement of the applicant's theories in support of the Rent Increase or Rent reduction.
- D. Notice of Application. The applicant and the City shall provide notice of an application as follows:
 1. The applicant and City: by sending a hard copy and electronic copy of the application to ~~the~~ either the a) Homeowner Representative and each Affected Mobilehome Owner, or b) the Park Owner, as appropriate;
 2. The applicant: by providing the City with hard and electronic copies of the application;

- E. Determination that Application is Complete. Within 30 days after filing an application, the City Manager will determine if it is complete. An application will be considered complete only if and when the required fees have been paid. If the application is incomplete, the City Manager will inform the applicant in writing as to what additional information is required. Within 30 days of the applicant's submittal of requested additional information or fees, the City Manager shall determine whether the application is complete and notify the applicant of the City Manager's determination. This process shall continue until the City Manager issues a written notice advising the applicant that the application is complete. The time period for Rent Increase effective date shall begin running on the date the City Manager delivers said completeness notice to the applicant.
- F. Access to Application. Applications shall be available for inspection and copying by the public during the City's normal business hours. The City shall reasonably make all applications available to view through the City's website.
- G. Cost of Expert Analysis. Upon the receipt of an application authorized by this Article, the City Manager shall determine if the employment of experts will be necessary for a thorough analysis of the application. The City Manager may retain a certified public accountant to, among other things, verify the accuracy of the expense and income items stated in the application; an expert in the use and theory of the fair return and MNOI methods utilized in this Article; and/or, a licensed appraiser. The City Manager shall also determine the anticipated cost of employing any such experts and communicate this amount to the applicant. The City Manager shall keep an accounting of the Applicant's deposit and how it is used to defray the City's costs. If at any time during the processing of an application the remaining balance of the deposit is less than \$1,000, or other amount as adjusted by resolution of the City Council, the City Manager shall notify the applicant of the remaining balance, additional amount to be paid, and deadline for payment. The application shall not be further processed until the applicant has paid the estimated cost of expert analysis. Any unused portion for payments so collected shall be refunded to the applicant.
- H. ~~Intentionally omitted. Contents of Expert Analysis.~~ ~~At a minimum, any analysis pursuant to this Section shall include a determination of:~~
1. ~~Base Year and prior year rental income;~~
~~Base Year and prior year operating expenses by category;~~
~~Base Year and prior year overall operating expenses;~~
~~Base Year and prior year net operating income;~~
~~The percentage change in net operating income between the Base Year and prior year;~~
~~The percentage change in the CPI between the base period and the prior year;~~
~~The ratio of the percentage change in net operating income to the percentage change in the CPI between the Base Year and the prior year; and~~
~~The rent adjustment required under an MNOI standard pursuant to this chapter.~~
- I. Response by other party. The party not filing the application may submit a written response to the application within 30 days after the application is determined complete, unless the City Manager determines that there is good cause to extend that deadline. The party filing written response shall deliver it to the applicant and to the City Clerk.
- J. Decision by City Manager. Applications filed pursuant to this Article shall be decided by the City Manager based on substantial evidence and without a hearing or personal appearances by any of the involved parties or their representatives. The decision will be made within 60 days of the date that the application is determined complete, unless the City Manager determines that there is good cause to extend that deadline. The City Manager shall email all involved parties or their representatives the date on which the City Manager will consider the matter under submission and beyond which the City Manager will not accept additional information, briefs, evidence or

arguments (the “Submission Date”). The City Manager shall email notice of the Submission Date to all parties or their representatives at least 21 days prior to the Submission Date. The City Manager’s decision on the merits of the application shall be emailed and sent by mail, with proof of mailing, to the Park Owner, the Park Owner’s and Mobilehome Owners’ representatives, and the Homeowner Representative.

- K. Required Findings in Fair Return Decision: Any Rent adjustment decision pursuant to this Article that approves a fair return Rent Increase shall include a determination that the Park Owner would be denied a fair return according to the method in Section 6920.9 and shall include findings made of the following:

- Base Year and prior year rental income;
- Base Year and prior year operating expenses by category;
- Base Year and prior year overall operating expenses;
- Base Year and prior year net operating income;
- The percentage change in net operating income between the Base Year and the prior year;
- The percentage change in the CPI between the Base Year and prior year;
- The ratio of the percentage change in net operating income to the percentage change in the CPI between the Base Year and prior year;
- The rent adjustment required under the MNOI standard, if applicable to the application.

- L. Conditions for Allowance or Disallowance of Rent Increase: The allowance or disallowance of any proposed Rent Increase (or decrease) or portion thereof may be reasonably conditioned in any manner necessary to effectuate the purposes of this Article.

- M. Representation of Parties:

1. Each party may be represented by any person of its choosing. The representative need not be an attorney.
2. Written designation of representatives shall be filed with the City Manager or hearing officer.
3. The written designation of the representative shall include a statement that the representative is authorized to bind the party to any stipulation, decision or other action taken by the City Manager or hearing officer.

- N. Overall Period for Review of Application. Except as otherwise provided in this Article, a decision on an application for Rent adjustment made pursuant to this Article shall be made within 120 days after the application is deemed complete, unless extended by the City Manager or hearing officer for good cause.

- O. Standard of Review. The applicant shall bear the burden of proof, by a preponderance of the evidence, on all issues necessary to the granting of the petitioner’s petition, both at the City Manager and hearing officer levels of review.

SEC. 6920.12 Appeal of City Manager’s Decision.

- A. The decision of the City Manager on an application for Rent Increase for fair return, Capital Improvements, or Capital Replacements, or Rent reduction for Service Reduction may be appealed within 30 days after the date of its mailing. An appeal by the Park Owner shall be signed by the Park Owner or its/his/her lawfully appointed agent. An appeal by the Mobilehome Owners must be signed by the Mobilehome Owners residing on a majority of the Mobilehome Spaces that are subject to the City Manager’s decision. An appeal must be in writing and must be delivered to the opposing parties and the City within the 30 appeal period. If the City Manager’s decision is not timely appealed, the City Manager’s decision shall become final on the thirty-first day after the decision is mailed. The appealing party shall be required to pay for the costs of the

appeal, including those imposed by the hearing officers and those established by resolution of the City Council. The appeal shall be conducted through a de novo evidentiary hearing, which shall consider at least the following: the application, all information, expert opinions and arguments submitted by the parties to the City Manager; the opinions of the City's experts; additional arguments or facts upon which the City Manager's decision is based; and the briefs, evidence and testimony accepted or rejected by the City Manager in support of or in opposition to the application by any of the parties to the proceedings.

B. Procedure for Selection of a Hearing Officer.

1. Hearing officers shall be licensed attorneys of the State Bar of California in good standing, and shall have no financial interest in Mobilehomes, Mobilehome Spaces or Mobilehome Parks and shall not have represented Mobilehome Park Owners or Mobilehome Park Mobilehome Owners in Rent setting cases or Park closings, Park conversions or any disputes between Park Owners and Park residents.
2. A hearing officer shall be selected through the California Office of Administrative Hearings (OAH). In the event OAH is unavailable or unable to provide a hearing officer, the City Manager may elect to contract with another agency that provides arbitration or hearing officer services or may establish a panel from which the hearing officer is selected in accordance with this Section.
3. In the event a list of hearing officers is established, the City Manager shall make all reasonable efforts to ensure that the list is comprised of at least five qualified candidates. A hearing officer shall disqualify himself or herself from serving as hearing officer in a particular matter where he/she has a conflict of interest within the meaning of the Political Reform Act (Government Code Section 87100 et seq.), and shall otherwise comply with the disqualification provisions of Canon 3.E. of the Code of Judicial Ethics. The City shall make the initial selection of the hearing officer from the panel. The parties to the appeal shall be advised in writing of the selected hearing officer, and advised of their right to disqualify the selected hearing officer within five days of receipt of the notice of selection. In the event of a disqualification, another hearing officer shall be randomly selected from the panel by the City, and a new notice of hearing sent to the parties. Each party shall have the right to disqualify one hearing officer for a particular appeal if there are five or fewer hearing officers on the list and may disqualify up to two hearing officers if there are eight or more hearing officers on the list.

C. Time of and Scheduling of Hearing.

1. A hearing on the appeal shall commence within 30 days of the selection of a hearing officer unless both parties agree to a different schedule. The hearing shall be completed within 15 days after it is commenced. These time deadlines may be extended by the hearing officer for good cause.
2. The hearing may be scheduled during normal business hours of the City unless a majority of the residents that are subject to the appeal requests that the hearing be scheduled during the evening. The hearing shall be scheduled at a time that it is convenient for the residents' and Park Owner's representatives.

D. Presentations by each party at the hearing and of the City staff and experts shall be limited to 90 minutes each unless the hearing officer determines good cause exists to enlarge those time periods. Each party and the City shall be permitted a cumulative total of one hour of cross-examination of the opposing party's expert witnesses, unless the hearing officer determines good cause exists to enlarge those time periods. The City may provide legal counsel to help prepare the

City's experts for their presentation at the appeal hearing, to defend the City's expert witness and to cross examine the expert witnesses of the parties.

- E. Notwithstanding anything to the contrary stated herein, whether or not the City decides to appear, submit documents and/or briefs, retain counsel to represent the City, or otherwise participate in the administrative appellate proceedings shall be left to the discretion of the City.
- F. Written notice of the time, date and place of the hearing shall be given at least 21 days prior to the hearing.
- G. Requests for Additional Information Not Previously Provided to the City Manager by Opposing Party:
 - 1. Either party or the City may request that additional, supporting documentation that was not previously provided to the City Manager as part of his/her initial examination of and decision be provided to substantiate the claims made by a party. The request shall be presented in writing to the hearing officer.
 - 2. The hearing officer may order production of such requested documentation if the hearing officer determines the information is relevant to the proceedings.
- H. Responses:
 - 1. Mobilehome Owners or the Park Owner may submit responses to the decision of the City Manager or to reports by the City's experts. Responses shall be submitted to the other parties and the hearing officer at least 10 days prior to the hearing. Responses shall be in printed and electronic form.
 - 2. Rebuttal reports may be submitted by the Park Owner, Mobilehome Owners, and/or City or its expert. Such reports shall be submitted to the parties and hearing officer at least five days prior to a hearing. Rebuttals shall be in printed and electronic form.
 - 3. The parties' responses and rebuttal reports shall be considered the prehearing briefs of the parties and the City and no other prehearing briefs shall be allowed unless requested by the hearing officer for good cause.
 - 4. For good cause, the hearing officer may accept additional information at the hearing.
- I. Conduct of Hearing:
 - 1. The hearing shall be conducted in accordance with such rules and regulations as may be promulgated by the City Council and any rules set forth by the hearing officer.
 - 2. The hearing officer shall have the power and authority to require and administer oaths or affirmations where appropriate, and to take and hear evidence concerning any matter pending before the hearing officer.
 - 3. The rules of evidence generally applicable in the courts shall not be binding in the hearing. Hearsay evidence and any and all other evidence which the hearing officer deems relevant may be admitted and considered.
 - 4. Any party or such party's representative, designated in writing by the party, may appear at the hearing to offer such documents, oral testimony, written declaration or other evidence as may be relevant to the proceedings.
 - 5. The hearing officer may grant or order not more than two continuances of the hearing for not more than 10 working days each. Additional continuances may be granted only if all parties stipulate in writing or if the hearing officer finds that there is a good cause for the

- continuance. Such continuances may be granted or ordered at the hearing without further written notice to the parties.
6. A recording of the proceedings shall be made or arranged by the City Manager in a format that is made easily available within five days of the conclusion of the hearing.
 7. The hearing shall be conducted in a manner that ensures the parties have an opportunity to obtain documents and to obtain information about the theories and facts to be presented by the opposing parties in adequate time in advance of the hearing to enable preparation of their respective cases.
 8. **Deadline for Decision:** Appeals shall be decided by the hearing officer within 90 days of the date of the filing the appeal and payment of all appellate fees, unless extended by the hearing officer for good cause or by the City Manager to accommodate scheduling availability of a hearing officer.
 9. **Notice of Decision:** The City Manager shall mail hardcopies of the hearing officer's decision to the Park Owner and all affected Mobilehome Owners within three days of the City's receipt of the hearing officer's written decision. The decision shall be emailed to the Park Owner's and residents' representatives as soon as possible after the decision is received by the City.
- J. **Modification of Decision in the Event of Mathematical or Clerical Inaccuracies:** Any party alleging that the hearing officer's statement of decision contains mathematical or clerical inaccuracies may so notify the hearing officer and the other party within 15 calendar days of the date of mailing of the decision. The hearing officer may make corrections and shall file a corrected statement of decision within 10 working days after receiving the request to correct. Alternatively, the hearing officer may decline to correct the decision and shall so notify the parties of his/her determination. Upon filing a corrected statement of decision or a determination not to correct the decision, the hearing officer's decision shall be final.
- K. **Preservation of Record:** Written findings made by the final decision maker pursuant to this Section shall be permanently preserved in the City records.

SEC. 6920.13 ~~Preapproved~~ Temporary Rent Increases for Specified Capital Improvements and Capital Replacements.

- A. A Park Owner shall be permitted to obtain a temporary Rent increase to reimburse specified Capital Improvements and Capital Replacements pursuant to this Section.
- B. The City Council shall from time to time adopt an amortization schedule for typical Capital Improvements and Capital Replacements subject to the provisions of this section.
- C. Prior to making a Capital Replacement or Capital Improvement, the Park Owner may file an application with the City Manager for approval of a temporary Rent Increase to reimburse Capital Improvement Costs or Capital Replacement Costs. Except as ~~is~~ provided in Subsection ~~HE~~, a Park Owner who commences and completes a Capital Improvement project prior to obtaining a temporary Rent Increase approval under this Section, shall be deemed to have conclusively waived its right to seek a Rent Increase for that Cost.
- D. Applications for a temporary Rent Increase shall contain at a minimum the following information:
 1. A description and cost of the proposed project. The estimated cost of the proposed project shall be reflected in at least two, bids or proposals from qualified and licensed (if required by law) contractors, installers and/or builders;

2. Evidence establishing that the project is necessary at the time the Park Owner seeks to implement it;
 3. The date(s) upon which the Park Owner proposes to commence and complete the project;
 4. The manner by which the Park Owner will notify the City of the commencement of the work to allow the City to monitor construction and ensure, as practicable, that the work is completed consistent with the temporary Rent Increase approval;
 5. The period of time during which the Park Owner proposes to amortize the Rent Increase and the rationale therefor;
 6. Evidence that the project will be made at a direct cost of not less than \$100.00 per affected Mobilehome Space or at a total direct cost of not less than \$5,000, whichever is lower, or such other amounts as adjusted by resolution of the City Council;
 7. Calculation of costs amortized over a period of not less than 36 months, or a different time period if the monthly payment amount will not impose an unreasonable financial burden on the Mobilehome Owners of the Park;
 8. Evidence that the costs do not include any additional costs incurred for property damage or deterioration that result or have resulted from any unreasonable delay in undertaking or completing any repair or improvement;
 9. Evidence that the costs do not include costs incurred to bring the Park, improvement or other property into compliance with a provision of the Arcata Municipal Code or state law where the original installation of the improvement was not in compliance with code requirements;
 10. A representation by the Park Owner stating that at the end of the amortization period, the allowable monthly Rent will be decreased by any amount it was increased because of a Rent Increase approval granted under this Section; and
 11. Evidence that the amortization period is in conformance with any schedule adopted by the City Council, unless it is determined that an alternate period is justified based on the evidence presented during the consideration of the Park Owner's application.
- E. Capital Replacement. Upon receipt of ~~the a~~ a Capital Replacement application, the City Clerk shall provide notice ("Capital ~~Improvement~~ Replacement Notice") of the application to all ~~a~~ Affected Mobilehome Owners. The Capital Replacement ~~a~~ Notice shall state the proposed ~~Capital Improvement or Capital Replacement~~, the amortization schedule including interest for the project, and the resulting temporary Rent Increase proposed. The City Clerk shall email the application and all of its attachments to the Homeowner Representative. The Park Owner shall post a complete, physical copy of the ~~petition~~ application and its attachments at a location that is obvious and accessible to all Mobilehome Owners.
1. A temporary Rent Increase for Capital Replacement shall be approved and the protest provisions under subsections 2 and 3 shall not apply if the Park Owner submits evidence with its application that the Park Owner has:
 - a. Consulted with the Affected Mobilehome Owners prior to initiating construction of the Capital Replacement project regarding the nature and purpose of the project and estimated cost; and
 - b. Obtained the prior written consent of an adult household member from at least 50 percent plus one of the Spaces whose Rent would be affected by the requested Capital Replacement temporary Rent Increase. Evidence of such consent must be presented at the time of filing the application with the City.

- Provided, that the above two criteria have been satisfied, the City Manager shall approve the application as submitted, and shall send notice to the Park Owner and Affected Mobilehome Owners stating that the application has been granted and identifying the amount of the approved Rent Increase. Said decision by the City Manager shall be final and shall not be appealable.
2. In the event that one adult household member from at least 50 percent plus one of the Affected Mobilehome Spaces whose Rent would be increased if the application were approved protest the application in writing to the City Clerk within ~~30~~ 45 days after the date the City Clerk mails or emails the Capital ~~Improvement~~ Replacement Notice to the ~~a~~ Affected Mobilehome Owners, the City Manager shall determine whether the application is complete, including determining whether all applicable fees have been paid. The City Manager may require additional information if the application is deemed incomplete. Upon determining that the application is complete, the City Manager may retain expert assistance as necessary to review the application, and may require the Park Owner to pay the cost of expert assistance. The complete application shall be reviewed pursuant to Section 6920.11.
 3. In the event that one adult household member from at least 50 percent plus one of the Affected Mobilehome Spaces whose Rent would be increased if the application were approved do not protest the application in writing to the City Clerk within ~~30~~ 45 days after the date the City Clerk mails or emails the Capital ~~Improvement~~ Replacement Notice to the ~~a~~ Affected Mobilehome Owners, the City Manager shall approve the application as submitted, and send a notice to the applicant and the Affected Mobilehome Owners stating that the application has been granted and identifying the amount of the temporary Rent Increase allowed to be charged the Affected Mobilehome Owners. Said decision by the City Manager shall be final and shall not be appealable.
- F. Capital Improvements. A Park Owner shall be entitled to seek a temporary Rent Increase ~~in order to make a Capital Improvement or Capital Replacement~~ only if the Park Owner submits evidence with its application that the Park Owner has:
1. Consulted with the ~~Park~~ Affected Mobilehome Owners prior to initiating construction of the project regarding the nature and purpose of the project and estimated cost; and
 2. Obtained the prior written consent of an adult household member from at least 50 percent plus one of the Spaces whose Rent would be affected by the requested Capital Improvement ~~or Capital Replacement~~ temporary Rent Increase. Evidence of such consent must be presented at the time of filing the application with the City.
- Provided, that the above two criteria have been satisfied, the City Manager shall approve the application as submitted, and shall send notice to the applicant Park Owner and a Affected Mobilehome Owners stating that the application has been granted and identifying the amount of the approved Rent Increase. Said decision by the City Manager shall be final and shall not be appealable.
- G. No temporary Rent Increase granted pursuant to this Section shall become effective until the first full calendar month following the filing by the Park Owner of a notice of completion of the Capital Improvement or Capital Replacement project with the City Clerk, and determination by the City that the work was completed in accordance with the Rent Increase approval. A Rent Increase approved pursuant to this Section shall be itemized separately on the rental billing provided to the affected Mobilehome Owners and shall terminate upon the conclusion of the approved amortization period.
 - H. Nothing in this Section shall prevent the Park Owner from making emergency Capital ~~Improvements or Capital Replacements~~ required as a result of a disaster or other unpredictable

event. In such event, the Park Owner may make limited and reasonable ~~Capital Improvements or Capital Replacements~~ required to protect the public health and safety and to limit further damage to the Park, and to thereafter or simultaneously seek a Rent adjustment for such ~~Capital Improvement or Capital Replacement~~ pursuant to this section.

SEC. 6920.14 Rent Reduction for Service Reduction.

Rent may be reduced and/or refunded if a Service Reduction results in the reduction in the Mobilehome Owners' enjoyment of their Mobilehomes.

- A. Filing and Processing a Service Reduction Application. A Service Reduction application must be signed by at least one adult Mobilehome Owner from each of fifty percent (50%) plus one of the Spaces subject to this Chapter.
- B. If the City Manager, or hearing officer on appeal, finds that a material Service Reduction has occurred, the City Manager, or hearing officer on appeal, shall determine the resultant percentage reduction in the Mobilehome Owners' enjoyment due to the Service Reduction. Rent shall be reduced by that percentage or amount. In addition, the Mobilehome Owners shall be entitled to, and the City Manager, or hearing officer on appeal, shall award a rebate in the amount of the monthly Rent reduction multiplied by the number of months between the date the Mobilehome Owners notified the Park Owner of the reduction in service and the date the City Manager, or hearing officer on appeal, determined the Rent reduction. Any rebate authorized pursuant to this section may be amortized over a maximum five year period, and bear the Interest Allowance for Amortized Expenses. In the event the Park Owner was not notified of the Service Reduction by the Mobilehome Owners or applicant and the Park Owner did not know nor should have known that the Service Reduction occurred prior to the filing of the application, no rebate shall be awarded. If a preponderance of the evidence proves that the Park Owner knew or should have known of the Service Reduction, a rebate shall be awarded and calculated from the date that the Park Owner knew or should have known of the start of the reduction.
- C. No rebate shall be allowed or authorized if a Service Reduction of a recreational facility or service, and resulting Rent decrease, has the prior written approval signed by at least one adult Mobilehome Owner from each of fifty percent (50%) plus one of the Spaces subject to this Article.
- D. No Service Reduction may include a condition created by the Park management's failure to maintain the physical improvements in the common facilities in good working order, or condition for which the provisions of Civil Code section 798.84 provides a remedy.
- E. No recreational service or facility that has been reduced or eliminated shall be reinstated at any cost to the Mobilehome Owners without prior written approval signed by at least one adult Mobilehome Owner from each of fifty percent (50%) plus one of the Spaces subject to this Article.
- F. In the event that a Service Reduction application is filed while a Fair Return Application is pending, the City Manager; may require consolidation of the applications. ~~†~~The Park Owner, or the Affected Mobilehome Owners may ~~require~~ request consolidation of the applications.

SEC. 6920.15 Waivers.

- A. Any waiver or purported waiver by a Mobilehome Owner of rights granted under this Article shall be void as contrary to public policy.
- B. It shall be unlawful for a Park Owner to require or attempt to require as a condition of tenancy in a Mobilehome Park, a Mobilehome Owner or a prospective Mobilehome Owner to waive in a lease or rental agreement or in any other agreement the rights granted to a Mobilehome Owner by this Article.

- C. It shall be unlawful for a Park Owner to deny or threaten to deny tenancy in a Mobilehome Park to any person on account of such person's refusal to enter into a lease or rental agreement or any other agreement under which such person would waive the rights granted to a Mobilehome Owner by this Article.

SEC. 6920.16 Mobilehome Owners' Representatives.

- A. The Affected Mobilehome Owners of each Mobilehome Park shall annually elect by majority vote, with one vote per Space, a representative ("Homeowner Representative") to receive all notices and documents that are required by this Article to be delivered to the Mobilehome Owner or Homeowner Representative. The Homeowner Representative shall additionally have the authority to accept and reject written settlement offers submitted pursuant to this Article, which shall be binding upon the said Mobilehome Owners.
- B. No later than January 31st of each year, the Homeowner Representative shall provide written notice to the City Manager of his/her name, address, phone number and email address, and shall promptly notify the City Manager in writing of any change of contact information or representative. Said notice shall be dated, signed and include a certification substantially similar to the following:

"I certify that I have been elected as the designated Mobilehome Owners' Representative (Homeowner Representative) for the _____ Mobilehome Park ("Park") as the result of a duly noticed election. All ~~tenants of spaces~~ Mobilehome Owners in the park ~~which are that leases spaces~~ governed by Title VI, Chapter 6 of the Arcata Municipal Code were delivered written notices advising them of (a) their right to vote for the Park's Homeowner Representative, (b) the authority and obligations of the Homeowner Representative, (c) the slate of candidates running for the position of the Park's Homeowner Representative, (d) the date by when and how they must cast their vote and (e) the place to cast their vote. I further certify that of the ballots timely cast, _____ [number] or _____% were cast in favor of the undersigned."

- C. In the event no person is elected or willing to serve as the Homeowner Representative, the president or presiding officer of any existing ~~tenants~~ Mobilehome Owners' organization or association that is independent of the Park Owner shall serve as the Homeowner Representative. In the event there is no ~~tenant's~~ Mobilehome Owners' organization or association, the duties and authorization imposed upon and granted to the Homeowner Representative by this Article shall not be discharged or exercised with respect to that Park. In the event a Homeowner Representative fails to discharge his/her duties as specified in this Article, the ~~tenants~~ Mobilehome Owners described in subsection (A) of this Section shall have the right to vote as to whether or not the Homeowner Representative shall continue acting as the Homeowner Representative. If at least 50 percent plus one of the Affected Mobilehome Spaces vote against the Homeowner Representative retaining his/her position as Homeowner Representative, that person shall step down from and no longer occupy the position of Homeowner Representative effective as of the date of the election.
- D. In addition to duties and authorization set forth in subsection (A) of this section, the Homeowner Representative shall discharge the following obligations:
1. Upon receipt of the notices and documents which the Homeowner Representative is to receive under this Article, the Homeowner Representative shall (a) post copies of same in a community center or other place in the Park that is readily accessible to and frequented by the Mobilehome Owners, and (b) electronically send them to all affected Mobilehome Owners if reasonably possible

2. Make good faith and timely efforts to notify all Affected Mobilehome Owners of any written settlement offers received by or proposed by the Homeowner Representative pursuant to this Article. The Homeowner Representative, together with the ~~tenants~~ Mobilehome Owners, shall develop procedures for soliciting the input from those ~~tenants~~ Mobilehome Owners affected by such settlement offers so that the Homeowner Representative reasonably represents the interests of a majority of the potentially affected tenants.
- E. During his/her term as the Homeowner Representative, the Homeowner Representative may not serve on the City Council, or any of its commissions, committees, boards, or task forces. An employee, agent or relative, or anyone receiving any financial compensation from the Park management or the Park Owner, is disqualified from serving as the Homeowner Representative.

SEC. 6920.17 Rights of Prospective Mobilehome Owners.

- A. Prospective Mobilehome Owners shall be offered the option of renting a Space in a manner that will permit the “~~tenant~~ Mobilehome Owner-to-be” to receive the benefits of the Mobilehome Space rent stabilization program codified herein, which includes, but is not limited to, rental of a Mobilehome Space on a month-to-month basis. A prospective Mobilehome Owner cannot be denied the option of a tenancy of 12 months or less in duration.
- B. The Park Owner shall provide each prospective Mobilehome Owner with a copy of this Chapter.
- C. Any effort to circumvent the requirements of this Article shall be unlawful.

SEC. 6920.18 Annual registration and other notices required from Park Owner.

- A. Due Date. No later than May 31st of each year, each Park Owner shall file with the City an annual registration statement, on a form prescribed by the City Manager.
- B. Contents of Registration Form. The registration form shall include the name(s), business address(es), and business telephone number(s) of each person or legal entity possessing an Ownership interest in the Park and the nature of such interest; the number of Mobilehome Spaces within the Park; a Rent schedule reflecting the current Space Rents within the Park; a listing of all other charges, including utilities not included in Space Rent, paid by Mobilehome Owners within the Park and the approximate amount of each such charge; the name and address to which all required notices and correspondence may be sent; the name and address of each Mobilehome Owner; the name and address of each person renting a Mobilehome; an identification of those Spaces or Mobilehomes which the Park Owner considers exempt from this Article and a statement of the reasons therefor; a statement of the number of recreational vehicle Spaces in the Park; and other information required by the City Manager.
- C. Certification of Registration Forms. All registration forms, and any documentation accompanying registration forms, shall contain an affidavit or declaration signed by the Park Owner or a designated agent, with his/her signature notarized, certifying that the information contained therein is true, correct and complete.
- D. Notice of Sale of a Park. Upon the sale or transfer of a Mobilehome Park, the seller or transferor shall notify the City Manager of the sale or transfer and of the name and address of the buyer or transferee. Within 10 days of the sale or transfer of a Mobilehome Park, the buyer or transferee shall provide a new registration form meeting the requirements of this section and a copy of the statement of the Base Year income, expenses, and net operating income of the Park and supporting documents that the previous Park Owner had provided to them pursuant to subsection E of this section.
- E. Notice to Prospective Park Purchasers. The Park Owner shall provide prospective Park purchasers with a copy of this Chapter.

SEC. 6920.19 Retaliation Prohibited.

- A. It shall be unlawful for a Park Owner to evict a Mobilehome ~~tenant~~ Owner where the Park Owner's dominant motive in seeking to recover possession of the space is:
1. Retaliation for the Mobilehome ~~tenant's~~ Owners' organizing, petitioning government for Rent relief, or exercising any right granted under this Article; or
 2. Evading or circumventing the purposes of this Article.
- B. It shall be unlawful for a Park Owner to retaliate against a Mobilehome ~~tenant~~ Owner because of the ~~tenant's~~ Mobilehome Owners' assertion or exercise of rights under this Article in any manner, including but not limited to:
1. Threatening to bring or bringing an action to recover possession of a space.
 2. Engaging in any form of harassment that causes the ~~tenant~~ Mobilehome Owner to quit the premises.
 3. Decreasing housing services.
 4. Increasing Rent.
 5. Imposing or increasing a security deposit or other charge payable by the ~~tenant~~ Mobilehome Owner.

SEC. 6920.20 Time of Allowed Rent Increase/Adjustment.

- A. Once within a twelve (12) month period, the Park Owner may implement a CPI Rent adjustment or a Fair return increase, as authorized in the Article, but not both.
- B. A Capital Replacement Cost pass-through authorized by this Article may only be implemented on the effective date of the CPI or Fair return rent adjustment.
- C. The following Rent Increases or adjustments, as authorized by this Article, may be implemented at any time during the year:
1. Government mandated expense pass-throughs;
 2. Utility pass-throughs;
 3. Capital Improvement Cost pass-throughs;
 4. In-place transfer Rent Increases.
- D. Rent Increases subject to approval by the City Manager shall be implemented after his/her final determination.
- E. Rent reductions for Service Reductions shall be implemented at the time Service Reductions are ordered.

SEC. 6920.21 Refusal of Mobilehome Owner to Pay Illegal Rent.

It shall be unlawful for a Park Owner to demand, accept, receive, or retain Rent in excess of the amounts authorized by this Article. An Affected Mobilehome Owner may refuse to pay any Rent in excess of the maximum Rent permitted by this Chapter. The fact that such unpaid Rent is in excess of the maximum Rent shall be a defense in any action brought to recover possession of a Mobilehome Space for nonpayment of Rent or to collect the illegal Rent.

SEC. 6920.22 Disclosures.

A Park Owner shall disclose to each prospective Mobilehome Owner the current and proposed Base Rent for the Mobilehome Space, any rental agreement options, provide each prospective

Mobilehome Owner a copy of this Chapter, and that if the prospective Mobilehome Owner signs a lease with a term of more than one year, that lease will be exempt from rent stabilization in addition to notice required pursuant to Civil Code section 798.74.5 of the Mobilehome Residency Law. The Park Owner shall give the required disclosure and provide a copy of this Chapter to the prospective Mobilehome Owner at the time that the Park Owner, or Owner's representative, receives the prospective Mobilehome Owner's application for tenancy. The Park Owner shall obtain a signature of the prospective Mobilehome Owner on the disclosure form acknowledging receipt of the disclosures. The Park Owner shall retain the signed disclosure form throughout the entire tenancy of the Mobilehome Owner. This signed form shall be made available to the City Manager upon reasonable written notice.

SEC. 6920.23 Prospective Mobilehome Owner; Tenancy Twelve Months or Less.

All prospective Mobilehome Owners shall be offered the option of a tenancy of twelve (12) months or less upon terms consistent with the provisions of this Article. This section shall not apply to prevent a mutually agreed upon assignment between a Park Owner and an existing Mobilehome Owner of an existing lease, provided any such assignment does not violate the provisions in this Article applicable to in-place transfer Rent Increases.

SEC. 6920.24 Rent Stabilization Administration, Fees.

- A. Administrative Regulations: The City Manager may administratively adopt implementing regulations that are consistent with the provisions and intent of this Article.
- B. Rent Stabilization Administration Fee: All or any portion of the costs to administer this Chapter may be collected by the imposition of an annual rent stabilization administration fee, which shall be at a minimum equal to \$10.00 per Space per month. The fee shall be chargeable against every Mobilehome Space in the City subject to rent stabilization. The Park Owner shall remit payment to the City within 30 days after the end of each calendar quarter, and may pass-through up to one-half of the fee to those ~~tenants~~ Mobilehome Owners subject to the fee as a government mandated expense pass-through. The fee is intended to cover the full cost of administration and the fee assessment amount may be amended from time to time by resolution of the City Council.
- C. Other Fees: The City Council may adopt by resolution additional fees as necessary to reimburse the City for its costs to implement this Chapter, and may allocate specified charges to the respective Parties.

SEC. 6920.25 Amendment.

Any amendment to this Article shall require a prior public hearing before the City Council with notice thereof mailed to all Affected Mobilehome Owners in the City at least ten (10) days prior to the hearing.

Section 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, the decision shall not affect the validity of the remaining portions of the Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid under law.

Section 4. This ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines based on the finding that the provisions of the ordinance constitute additional regulation for a process already existing under State law and thus does not have the potential for causing a significant impact to the environment.

Section 5. Effective Date. This ordinance will take effect thirty (30) days after the date of its adoption.

DATE: _____, 20__

ATTEST:

APPROVED:

City Clerk, City of Arcata

Mayor, City of Arcata

Clerk's Certificate

I hereby certify that the foregoing is a true and correct copy of Ordinance No. XXXX, passed and adopted at a regular meeting of the City Council of the City of Arcata, Humboldt County, California on the _____ day of _____, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

City Clerk, City of Arcata

**SECOND EXAMPLE
OF
"ATTACHMENT A"**

SECTION 1. Article 1, **Mobilehome Park Rent Stabilization**, is hereby created in [Chapter 4-39, Mobilehome Park Regulations, of Title 4 Public Welfare] of the San Leandro Municipal Code as follows:

TITLE [4] – [PUBLIC WELFARE]
CHAPTER [4-39] – MOBILEHOME SPACE RENT STABILIZATION
ARTICLE [1] – DEFINITIONS

[4-39-100] Short Title.

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

[4-39-105] Definitions.

For purposes of this Chapter, the following words, terms and phrases shall be defined as follows:

- A. **“Affected Mobilehome Owners”** means those Mobilehome Owners whose Space Rent is affected by a Rent adjustment made pursuant to this Chapter that is not covered by a valid lease meeting the requirements of California Civil Code section 798.17(b) of the Mobilehome Residency Law, or otherwise legally exempt from local rent stabilization regulation.
- B. **“Base Rent”** means the Rent in effect for that Space on July 1, 2018, as adjusted in accordance with this Chapter.
- C. **“Base Year”** means the 2018 calendar year or, if a Fair Return Application subsequently establishes a new Base Rent pursuant to this Chapter, the calendar year preceding the year the application is made for the new Base Rent that is established.
- D. **“Capital Improvement”** means the installation of new improvements and facilities not including ordinary maintenance or repairs or Capital Replacement Costs. Capital Improvements are required to be amortized over the useful life of the improvements pursuant to the provisions of this Chapter and the United States Internal Revenue Code.
- E. **“Capital Improvement Costs”** means all costs reasonably and necessarily related to the planning, engineering and construction of Capital Improvements and shall include debt service costs, if any, incurred as a direct result of Capital Improvements. Capital Improvement Costs does not include ordinary maintenance or repairs or Capital Replacement Costs.
- F. **“Capital Replacement”** means an improvement required to maintain the common facilities and areas of the park in a decent, safe and sanitary condition or to maintain the existing level of park amenities and services. A Capital Replacement is an expenditure as defined by the United States Internal Revenue Code that replaces, upgrades or repairs an existing improvement, such as, but not limited to, an onsite water or electrical distribution or sewage collection system, a street, a parking area, or common facility, such as a laundry, community kitchen or meeting room. If the expenditure qualifies for treatment as a capital expenditure which must be depreciated under the Internal Revenue Code, it is a Capital Replacement. If it can be fully deducted in one year as a business expense, it does not qualify as a Capital Replacement.
- G. **“Capital Replacement Costs”** means all costs reasonably and necessarily related to the planning, engineering and construction of Capital Replacement and shall include debt service costs, if any, incurred as a direct result of the Capital Replacement. Capital

Replacement does not include Capital Improvement Costs.

- H. “Consumer Price Index or CPI” means the annual percentage change in the prices paid by urban consumers for a representative basket of goods and services. For purposes of this Ordinance, the consumer price index is defined follows: All Urban Consumers, San Francisco-Oakland-Hayward, CA Area All Items, 1982-1984=100, as published by the United States Bureau of Labor Statistics of the United States Department of Labor.
- I. “Fair Return Application” means an application made to the City that seeks to increase Space Rents beyond the lesser of the CPI or four (4) percent during the most recent twelve-month period ending December of the prior year in order to provide a fair return to the Park Owner.
- J. “Hearing Officer” The City Manager or their designee who conducts a hearing or hearings pursuant to this Ordinance. The minimum qualifications of the Hearing Officer shall be as established by the rent review procedures. A person shall not be appointed as a Hearing Officer if the City Manager or designee determines that the person has an actual or potential conflict of interest in the matter or if such appointment would have the appearance of a conflict of interest in the matter. For example, a person who is a mobilehome owner, a park owner or an immediate family member of a mobilehome owner or park owner shall be ineligible to serve as a Hearing Officer.
- K. “Interest Allowance on Amortized Expenses” means the interest rate on the cost of the amortized expense equal to the “average rate” for 30-year fixed rate home mortgages plus two percent. The “average rate” shall be the rate Freddie Mac last published in its weekly Primary Mortgage Market Survey (“PMMS”) as of the date of the initial submission of the application. In the event that this rate is no longer published, the index which is most comparable to the PMMS index shall be used.
- L. “Legal Expenses” means reasonable attorney’s fees, expert witness’ fees, and legal costs.
- M. “Mobilehome Residency Law” means the California Mobilehome Residency Law codified in California Civil Code Section 798 *et seq.* as now enacted and hereafter amended.
- N. “Mobilehome” has the meaning set forth in Section 798.3 of the Mobilehome Residency Law\ as of the date of enactment of this Chapter as follows:
 - 1. A structure designed for human habitation and for being moved on a street or highway under permit pursuant to section 35790 of the Vehicle Code, including a manufactured home, as defined in section 18007 of the Health And Safety Code, and a mobilehome, as defined in section 18008 of the Health And Safety Code, but, except as provided in subsection 2 of this definition, does not include a recreational vehicle, as defined in section 799.29 of the Civil Code and section 18010 of the Health and Safety Code or a commercial coach as defined in section 18001.8 of the Health and Safety Code.
 - 2. "Mobilehome" for purposes of this Chapter and pursuant to California Civil Code section 798.3(b) “includes trailers and other recreational vehicles of all types defined in section 18010 of the Health and Safety Code, other than motor homes, truck campers, and camping trailers, which are used for human habitation, if the occupancy criteria of either subsection [2a] or [2b] of this definition, as follows, are met:”
 - a. “The trailer or other recreation vehicle occupies a mobilehome site in the park,

on November 15, 1992, under a rental agreement with a term of one month or longer, and the trailer or other recreational vehicle occupied a mobilehome site in the park prior to January 1, 1991.” (Civil Code section 798.3(b)(1))

- b. “The trailer or other recreational vehicle occupies a mobilehome site in the park for nine (9) or more continuous months commencing on or after November 15, 1992.” (Civil Code section 798.3(b)(2))
- O. “Mobilehome Owner” means a person who is the owner of a Mobilehome and legally occupies the Mobilehome within a Mobilehome Park.
- P. “Mobilehome Park” or “Park” has the meaning set forth in Section 798.6 of the Mobilehome Residency Law, which is defined as of the date of enactment of this Chapter as any area of land within the City of San Leandro where two (2) or more mobilehome spaces are rented, or held out for rent, to accommodate mobilehomes used for human habitation.
- Q. “Mobilehome Space” or “Space” is the site within a Mobilehome Park intended, designed or used for the location or accommodation of a Mobilehome and any accessory structures or appurtenances attached thereto or used in conjunction therewith.
- R. “Mobilehome Park Owner” or “Park Owner” means the owner or operator of a mobilehome park or an agent or representative authorized to act on said owner’s or operator’s behalf in connection with the maintenance or operation of such park.
- S. “Party” means any Affected Mobilehome Owner and/or Park Owner involved in proceedings under this Chapter.
- T. “Prospective Mobilehome Owner” means a person who is in the process of negotiating a Space tenancy in a Mobilehome Park.
- U. “Rent” means any consideration, including any bonus, benefit or gratuity demanded or received by a Park Owner for, or in connection with, the use or occupancy of a Mobilehome Space, or in connection with the assignment of a lease, or in connection with subleasing of a Space. Rent shall not include:
 - 1. Utility charges for sub-metered gas and electricity.
 - 2. Charges for water, refuse disposal, sewer service, and/or other services, which are either provided and charged to Mobilehome Owners solely on a cost pass-through basis and/or are regulated by state or local law.
 - 3. Any amount paid for the use and occupancy of a Mobilehome unit (as opposed to amounts paid for the use and occupancy of a Mobilehome Space).
 - 4. Charges for laundry services.
 - 5. Storage charges.
- V. “Rent Increase” means any increase in Base Rent charged by a Mobilehome Park Owner to a Mobilehome Owner or offered to a Prospective Mobilehome Owner.
- W. “Rent Review Officer” means the Community Development Director or designee who shall serve as the Rent Review Officer to administer and enforce the provisions of this

Ordinance. The Rent Review Officer shall have the power and duty to receive, investigate, and make findings and decisions regarding petitions for rent adjustment.

- X. “Rent Stabilization Administration Fee” means the fee established by this Ordinance and amended from time to time by resolution of the City Council in accordance with the provisions of this Chapter.
- Y. “Service Reduction” means a decrease or diminution in the basic service level provided by the Park Owner occurring at any time since January 1, 2019, including but not limited to services the Park Owner is required to provide pursuant to:
 - 1. California Civil Code Sections 1941.1 and 1941.2.
 - 2. The Mobilehome Residency Law, California Civil Code Section 798 *et seq.*
 - 3. The Mobilehome Parks Act, California Health and Safety Code Section 18200 *et seq.*, or
 - 4. An express or implied agreement between the Park Owner and the Space tenant.
- Z. “Special Circumstances Household” means a Mobilehome Owner or anyone else leasing a Space who has the following characteristics at the time of notice or implementation of a Mobilehome Park Owner action prescribed by this Ordinance:
 - 1. Has total household income at or below fifty percent (50%) of the Alameda County area median household income as established annually by the U.S. Department of Housing and Urban Development, or closest equivalent if the HUD income limits no longer exist; and;
 - 2. Is sixty-two (62) years of age or older; or
 - 3. Has total household income at or below fifty percent (50%) of the Alameda County area median household income as established annually by the U.S. Department of Housing and Urban Development, or closest equivalent if the HUD income limits no longer exist; and; Qualifies as disabled as defined by Title 42, United States Code section 423; or
 - 4. handicapped as defined by California Health and Safety Code Section 50072.

SECTION 2. Article 2, **Mobilehome Park Rent Stabilization**, is hereby created in [Chapter 4-39, Mobilehome Park Regulations, of Title 4 Public Welfare] of the San Leandro Municipal Code as follows:

TITLE [4] – [PUBLIC WELFARE]
CHAPTER [4-39] – [MOBILEHOME PARK RENT STABILIZATION PROGRAM]
ARTICLE [2] – [GENERAL PROVISIONS]

[4-39-200] Purpose.

The purpose of this Article is to establish an efficient method for reviewing certain requested Mobilehome Space Rent Increases in Mobilehome Parks to protect Mobilehome Owners from arbitrary, capricious or unreasonable Rent adjustments while enabling Park Owners and/or operators and investors to earn a fair and reasonable return on their investment in their Mobilehome Parks.

[4-39-202] Definitions.

Unless specifically defined in this Article or the context specifically requires otherwise, the terms used herein are defined in Article 1, Definitions, of this Chapter.

[4-39-205] Applicability.

This Article shall be applicable to all Mobilehome Spaces within the City of San Leandro except those specifically exempted by this Chapter or state law.

[4-39-207] Exemptions.

- A. The following exemptions from local Rent regulations are provided by state law:
1. Spaces that are subject to a lease that exempts that Space from Rent regulation pursuant to the Mobilehome Residency Law.¹
 2. New Mobilehome Spaces exempted pursuant to Civil Code section 798.45 of the Mobilehome Residency law.²
 3. Spaces that are not the principal residence of the Mobilehome Owner, and that are exempt pursuant to California Civil Code Section 798.21 of the Mobilehome Residency Law.
- B. This Article shall not apply to Mobilehomes or Mobilehome Parks owned or operated by any governmental agency or any rental unit where Rent is subsidized pursuant to a public program that limits the Rent that can be charged for the Mobilehome.
- C. This Article shall not apply to Mobilehome Parks with fewer than ten (10) Spaces.

[4-39-210] Base Rent.

- A. Base Rent in 2018 for Non-exempt Spaces. Base Rent in 2018 for non-exempt Spaces means the Rent in effect for that Space on July 1, 2018. Except as provided in this Article, a Mobilehome Park Owner shall not demand, accept or retain Rent for a Mobilehome Space exceeding the Base Rent.
1. If a previously rented Mobilehome Space was not rented in the 2018 calendar year, the Park Owner shall not demand, accept, or retain Rent for said Space in an amount

¹ Civil Code section 798.17(a)(1) (“Rental agreements satisfying the criteria for exemption under Civil Code Section 798.17(b) shall be exempt from any city ordinance, rule, regulation, or initiative measure that establishes a maximum amount that a landlord may charge a tenant for rent. The terms of a rental agreement meeting the criteria of subdivision 798.17(b) shall prevail over conflicting provisions of an ordinance, rule, regulation, or initiative measure limiting or restricting rents in mobilehome parks, only during the term of the rental agreement or one or more uninterrupted, continuous extensions thereof. If the rental agreement is not extended and no new rental agreement in excess of 12 months’ duration is entered into, then the last rental rate charged for the space under the previous rental agreement shall be the base rent for purposes of applicable provisions of law concerning rent regulation, if any.”)

² Civil Code sections 798.45 and 798.7 (Newly constructed Mobilehome Spaces initially held out for rent after January 1, 1990 “shall be exempt from any city ordinance, rule, regulation, or initiative measure adopted by any city, county, or city and county, which establishes a maximum amount that a landlord may charge a tenant for rent.”)

exceeding the 90th percentile of all subject Rents in effect at the time the Space is rented. The Park Owner shall provide evidence verifying compliance with the terms of this provision to the Rent Review Officer upon request.

2. If an existing Mobilehome Space is rented for the first time after the 2018 calendar year, the rent charged by the Park Owner in that year shall be the Base Rent for the Space.

B. Base Rent Following Expiration of an Exempt Lease. Base Rent for a Mobilehome Space that becomes subject to this Chapter upon the expiration of an exempt lease shall be the Rent in effect under the exempt lease as of the date of its expiration. Mobilehome Space Rents shall be verified by information required on the annual registration application or any other documentation required by the City.

C. Base Rent Following Termination or Permanent Removal. Under either of the following circumstances listed below, a Park Owner shall be permitted to charge a new Base Rent for the Mobilehome Space not to exceed the 90th percentile of all subject rents in effect at the time the Space is rented:

1. The termination of the tenancy of the Affected Mobilehome Owner in accordance with the Mobilehome Residency Law; or
2. The voluntary permanent removal of a Mobilehome by a Mobilehome Owner. A removal of the Mobilehome from the Space for the purpose of performing rehabilitation or Capital Improvements to the Space or for the purpose of upgrading the Mobilehome shall not constitute a voluntary removal of the Mobilehome.

The Park Owner shall provide evidence verifying compliance with the terms of this provision to the Rent Review Officer upon request.

D. Base Rent Following a Fair Return Application. Base Rent shall be the allowable Rent determined as a result of a Fair Return Application.

[4-39-212] Annual Rent Increases.

A. Annual Rent Increase:

1. Starting in 2019, on or after January 1 of each year, a Mobilehome Park Owner may impose a Rent Increase for a Mobilehome Space that shall be equal to the lesser of CPI or four (4) percent of the Rent charged for the Space in the preceding year, except as permitted by this Article in accordance with a CPI Decrease, an In-place Mobilehome transfer, or extraordinary circumstances. Such Rent Increase may be imposed once in any twelve (12) month period.
2. CPI Decrease: In the event that the CPI decreases, no Rent decrease shall be required pursuant to this Section.

B. Notice of Allowable Annual Rent Increase.

1. Calculation of Annual Increase. The allowable annual Rent Increase shall be equal to the lesser of CPI or four (4) percent annually unless the Rent Review Officer or designee elects to set an alternate cap on the annual increase due to a CPI Decrease or extraordinary circumstances.

2. Notice of Annual Increase. If the Rent Review Officer elects to change the amount of the Annual Increase due to a CPI Decrease or extraordinary circumstances, notice shall be: (a) posted by February 15 of each year in City Hall and on the City's website, (b) mailed and/or emailed by the City to each Park Owner and Affected Mobilehome Owner in each Park, and (c) posted by the Park Owner on a notice board in each Mobilehome Park within three business days after it is received by the Park Owner.
- C. Compliance with State Law. Rent Increases permitted pursuant to this Section shall not be effective and shall not be demanded, accepted, or retained until the Park Owner has given the notice required by state law.
- D. Notice: A written notice of the amount and duration of each Rent Increase or new or increased Capital Improvement Cost or Capital Replacement Cost pass-through charge made under the provisions of this Section shall be filed by the Park Owner with the Rent Review Officer or designee, and provided to each Affected Mobilehome Owner, at least ninety (90) days before the Rent Increase goes into effect or as required by the Mobilehome Residency Law. The notice shall identify the Park and shall specify the dollar amount of the increase, the percentage of the increase, the duration of the increase, an itemization of all new or increased pass-throughs and additional Rent charges, the specific Space affected, the date the increase will go into effect, how each increase was calculated, and the date the Rent on each affected Space was last increased. The notice shall also advise each Affected Mobilehome Owner of any right to petition for review of a proposed Rent Increase and that a petition form may be requested from the Rent Review Officer or Designee.

[4-39-215] Vacancy Decontrol, Rent Increases and Establishment of New Base Rent.

- A. A Park Owner shall be permitted to charge a new Space Rent for a Mobilehome Space subject to the terms of this chapter whenever a lawful Space vacancy occurs. The new Space Rent shall become the Base Rent upon which future rent increases pursuant to this chapter will be calculated. For the purposes of this chapter, a lawful Space vacancy is defined as any of the following:
1. Voluntary in place transfer, which is a sale, transfer or other conveyance of a mobilehome with the mobilehome remaining on the mobilehome space following the sale, transfer or conveyance. A transfer of title whereby the Mobilehome Owner adds or removes one or more co-owners and continues to reside in the mobilehome as their primary residence shall not constitute an in-place transfer. No increase may be imposed pursuant to this Section when an existing Mobilehome Owner replaces an existing Mobilehome with another Mobilehome, occupying the same Mobilehome Space. No increase may be imposed pursuant to this Section where title to the Mobilehome passes to one or more person(s) who, at the time of the title transfer, (1) was/were also lawful, authorized resident(s) of the mobilehome, or (2) were/are parents, siblings, children, grandchildren, nieces, or nephews of the Mobilehome Owner and the Mobilehome remains in the same Space. A Park Owner may not condition an in-place transfer of a Mobilehome, or condition the assignment of an existing lease to a prospective Mobilehome Owner that is subject to this Ordinance, upon agreement to an increased Rent.
 2. Voluntary removal of a mobilehome by the mobilehome owner who will no longer be a resident of the Park. Removal of the mobilehome from the Space for the purpose of performing rehabilitation or Capital Improvements to the Space or for the purpose of upgrading the mobilehome with a newer mobilehome shall not

constitute a voluntary removal of the mobilehome under this section.

3. A vacancy occurring after the Park Owner obtains a judgment of unlawful detainer (an eviction), a judgment of abandonment for an “abandoned mobilehome” as defined by and pursuant to the Mobilehome Residency Law, or other termination of the tenancy of the Affected Mobilehome Owner in accordance with the Mobilehome Residency Law, California Civil Code Sections 798.55 through 798.60, as amended.
 4. Abandonment of the mobilehome as determined by a judgment of abandonment pursuant to section 798.61 of the Mobilehome Residency Law.
- B. Rent Increases authorized by this Section shall be in addition to any other Rent Increases authorized by this Chapter.

[4-39-217] Fair Return Rent Increases.

- A. Fair Return. A Park Owner has the right to obtain a Rent Increase to maintain net operating income (“MNOI”) equal to the Base Year net operating income adjusted by the percentage increase in the CPI since the Base Year. It shall be presumed this standard provides a fair return. Nothing in this Article shall preclude the Rent Review Officer, or Hearing Officer if on appeal, from granting a Rent Increase that is necessary in order to meet constitutional fair return requirements.
- B. If a Park Owner presents evidence to the Rent Review Officer, or Hearing Officer if on appeal, including any financial records requested by the Rent Review Officer, which proves that the Park Owner is denied a fair return by the provisions of this Article, the Rent Review Officer, or Hearing Officer if on appeal, may authorize an increase in Rent as deemed appropriate by the Rent Review Officer, or Hearing Officer if on appeal, to provide a fair return to the Park Owner. The Rent Review Officer, or Hearing Officer if on appeal, shall use the method set forth in this Article to determine the fair return.

[4-39-220] Method to Determine a Fair Return.

- A. Maintenance of Net Operating Income: It shall be presumed that the net operating income produced by the property during the Base Year provided a fair return. A Park Owner shall be entitled to Rents sufficient to earn a fair and reasonable return and to maintain and increase the Base Year net operating income in accordance with this Section. This method shall be called maintenance of net operating income (“MNOI”) and shall be included in all Fair Return Applications.
- B. Adjustment of Base Year Net Operating Income: The Park Owner or the Affected Mobilehome Owners may apply to the Rent Review Officer to rebut the presumption of fair and reasonable return based upon the Base Year net operating income. To make such a determination and in order to adjust to the Base Year net operating income, the Rent Review Officer, or Hearing Officer on appeal, must make the following findings:
 1. Exceptional Expenses in the Base Year. The Park Owner’s operating expenses in the Base Year were unusually high or low in comparison to other years. In such instances, adjustments may be made in calculating operating expenses so the Base Year operating expenses reflect average expenses for the park over a reasonable period of time. The following factors shall be considered in making such a finding:

- a. Extraordinary amounts were expended for necessary maintenance and repairs.
 - b. Maintenance and repairs were below accepted standards so as to cause significant deterioration in the quality of services provided.
 - c. Other expenses were unreasonably high or low notwithstanding the application of prudent business practices.
2. Exceptional Circumstances in the Base Year. The gross income during the Base Year was disproportionately low due to exceptional circumstances. The following factors shall be considered in making such a finding:
- a. If the gross income during the Base Year was lower than it might have been because some Mobilehome Owners were charged reduced rent.
 - b. If the gross income during the Base Year was significantly lower than normal because of the destruction of the Park and/or temporary eviction for construction or repairs.
 - c. The pattern of rent increases in the years prior to the Base Year and whether those increases reflected increases in the CPI.
 - d. Base Year Rents were disproportionately low in comparison to the Base Year Rents of other comparable parks in the City.
 - e. Other exceptional circumstances, excluding any comparisons of Base Year Rents to Rents of other comparable parks located outside of the City or to market rents determined from comparable Parks located outside of the City.

C. Calculation of Net Operating Income.

- 1. Net Operating Income. Net operating income shall be calculated by subtracting operating expenses from gross rental income.
- 2. Gross Rental Income.
 - a. Gross rental income shall include the following:
 - i. Gross Rents calculated as gross rental income at 100 percent occupancy, adjusted for uncollected Rents due to vacancy and bad debts to the extent such vacancies or bad debts are beyond the control of the Park Owner. Uncollected Space Rents in excess of three percent of gross Space Rent shall be presumed to be uncollectable unless established otherwise and shall not be included in computing gross rental income.
 - ii. All other income or consideration received or receivable in connection with the use or occupancy of the Rental Unit, except as excluded below.
 - b. Gross rental income shall not include the following:
 - i. Utility charges for submetered gas and electricity.

- ii. Charges for water, refuse disposal, sewer service, and/or other services which are either provided and charged to Mobilehome Owners solely on a cost pass-through basis and/or are regulated by state or local law.
- iii. Any amount paid for the use and occupancy of a Mobilehome unit (as opposed to amounts paid for the use and occupancy of a Mobilehome Space).
- iv. Charges for laundry services.
- v. Storage charges.
- vi. Rental Income from Spaces exempted from Rent limitation by state law or this Chapter.

3. Operating Expenses.

- a. Operating expenses shall include the following:
 - i. Reasonable costs of operation and maintenance.
 - ii. Management expenses. It shall be presumed that management expenses increase by the percentage increase in Rents or the CPI, whichever is greater, between the Base Year and the prior year unless the level of management services has either increased or decreased significantly between the Base Year and the prior year.
 - iii. Utility costs, except where the consideration of the income associated with the provision of the utility service is regulated by state law and consideration of the costs associated with the provision of the utility service is preempted by state law.
 - iv. Real property taxes attributable to the Base Year or prior year regardless of when actually paid.
 - v. License and registration fees required by law to the extent these expenses are not otherwise paid or reimbursed by Mobilehome Owners.
 - vi. Park Owner-performed labor compensated at reasonable hourly rates. No Park Owner-performed labor shall be included as an operating expense unless the Park Owner submits documentation showing the date, time, and nature of the work performed. There shall be a maximum allowed under this subsection of five percent of gross income unless the Park Owner shows greater services were performed for the benefit of the Mobilehome Owners.
 - vii. Legal Expenses incurred (1) in connection with successful good faith attempts to recover Rents owed, (2) pursuit of rights under or in relationship to this Article, including Legal Expenses incurred in the course of pursuing successful Fair Return Applications, (3) under unlawful detainer actions not in derogation of applicable law and, when incurred in the normal operation of the Park, to the extent such expenses are not recovered from adverse or other parties.

- viii. Interest Allowance on Amortized Expenses.
- b. Exclusions from Operating Expenses. Operating expenses shall not include the following:
 - i. Mortgage principal or interest payments or other debt service costs.
 - ii. Penalties, fees or interest assessed or awarded for violation of any provision of this Chapter or other provisions of law.
 - iii. Land lease expenses.
 - iv. Political contributions and payments to organizations which are substantially devoted to legislative lobbying purposes.
 - v. Depreciation.
 - vi. Expenses for which the Park Owner has been reimbursed by any utility rebate or discount, security deposit, insurance settlement, judgment for damages, settlement or any other method or device.
 - vii. Unreasonable increases that deviate substantially from the historical average increase in expenses since the base year.
 - viii. Expenses associated with the provision of master-metered gas and electricity services.
 - ix. Expenses attributable to unreasonable delays in performing necessary maintenance or repair work or the failure to complete necessary replacements.
 - x. Expenses attributable to a Park-owned Mobilehome, including but not limited to any Mobilehomes rented out by the Park Owner except when provided to a Park manager as a component of employment compensation.
 - xi. Expenses attributable to Spaces exempt from Rent limitations by state law or this Chapter shall be excluded, for the purpose of determining applicable rents for non-exempt spaces, by reducing the total allowed operating expenses by the amount attributable to exempt spaces. This may be done by reducing the total allowed operating expenses by the percentage of operating expenses attributable to the total number of exempt Spaces in the Park, or by another method approved by the Rent Review Officer.
- c. Adjustments of Operating Expenses. Base Year and/or current operating expense items shall be averaged with other expense levels for the same types of items for other years or amortized or adjusted by the CPI or may otherwise be adjusted, in order to establish an expense amount for the item(s) that most reasonably serves the objectives of obtaining a reasonable comparison of Base Year and prior year expenses. Grounds for such adjustments include, but are not limited to:
 - i. Either the amount or nature of an expense item for a particular year is not representative.

- ii. The Base Year expense is not a reasonable projection of average past expenditures for that item in the years immediately preceding or following the base year.
 - iii. The prior year expense is not a reasonable projection of expenditures for that item in recent years or of future expenditures for that item.
 - iv. If a particular item of expense exceeds the normal industry or other comparable standard for the area, the Park Owner shall bear the burden of proving the reasonableness of the expense. To the extent that it is found that the expense is unreasonable it may be adjusted to reflect the normal industry standard.
 - v. A Base Year expense is exceptionally low by industry standards and/or on an inflation adjusted basis is exceptionally low relative to the prior year expense although the level or type of service for which the expense is incurred has not changed significantly.
 - vi. An increase in maintenance or management expenses is disproportionate to the percentage increase in the CPI, while the level of services has not changed significantly and/or is not justified by special circumstances.
- D. Constitutionally Required Fair Return: Notwithstanding any other provisions of this Chapter, the Rent Review Officer or Hearing Officer, if on appeal, is authorized to approve any Rent Increase that is constitutionally required by law to yield a fair return.³
- E. Rent Increase Effective Date: Rent Increases approved by the Rent Review Officer shall be effective on the date given by the applicant in the notice to the Affected Mobilehome Owners required in section 798.30 of the California Civil Code. In the event that the period for determining the allowable Rent Increase exceeds 120 days, the Park Owner may recover a Rent charge retroactive to 120 days after the Fair Return Application is deemed complete. Delays or continuances that are mutually agreed to in writing by all parties concerned, extensions authorized in this Article, and the number of days that lapse between applicant receiving notice of the necessity of replenishing their cost account with the City and paying the required amount pursuant to the fee payment procedure for review of Fair Return Applications, including any costs of expert analysis ordered pursuant to this Article, shall not be counted in determining whether said 120-day period has expired. In order to avoid undue hardship on the Mobilehome Owners affected by the decision, the retroactive Rent charge shall be amortized and paid over a period of five years, unless the Rent Review Officer, or Hearing Officer if on appeal, determines that a different amortization period is more reasonable. Interest may be charged on this amortized Rent.
- F. Per Space Rent Adjustment Pursuant to Fair Return Standard: The allowable Rent Increase per Mobilehome Space pursuant to this Section may not be increased as a result of exempt Spaces in the Park.

[4-39-222] Settlement Proposals.

³ *Fisher v. Berkeley*, " 37 Cal. 3d 644, 693 P.2d 261, 209 (The court held that a standard allowing the landlord to recover a reasonable return on investment was sufficient to withstand a facial challenge. The court suggested a Net Operating Income Method would be acceptable, provided landlords' income was not indefinitely frozen at the nominal amount earned in the base year.)

- A. At least 10 days prior to the date specified when the Rent Review Officer will take under submission a Fair Return, Capital Replacement, or Rent Reduction application filed pursuant to this Article, or 10 days prior to any appeal hearing, the Mobilehome Owner Representative or the Park Owner may submit a written settlement offer to the other party to settle the claims or requests made in the application and to allow a decision or award to be made in accordance with the terms and conditions stated in the offer.
- B. The offer shall include a statement of the terms and conditions that the offering party is willing to accept, and a provision that allows the accepting party to indicate acceptance of the offer by signing a statement that the offer is accepted. At the same time that the offering party submits its offer to the other party, the offering party shall also file a copy of the written settlement offer with the Rent Review Officer, or Hearing Officer if on appeal, in a separately sealed envelope, with a statement on the outside of the envelope identifying the offeror and stating that it is a written settlement offer submitted pursuant to this section. The sealed copy of the written settlement offer that is filed with the Rent Review Officer or Hearing Officer if on appeal shall not be opened until it is either timely accepted by the opposing party or, if it is not timely accepted by the opposing party, after the Rent Review Officer or Hearing Officer, as appropriate, has rendered a final decision on the application or appeal.
- C. Acceptance of the offer must be in writing and shall be signed by the counsel for the accepting party or, if unrepresented by counsel, by the accepting party.
- D. If the offer is accepted, the parties shall notify the Rent Review Officer, and the Hearing Officer if the application is on appeal, and the Rent Review Officer or Hearing Officer, as appropriate, shall enter the accepted offer as the final decision respecting the application or appeal.
- E. If the offer is not accepted within seven calendar days of the offer's receipt by the opposing party, the offer shall be deemed withdrawn and cannot be given in or considered as evidence as part of the Rent Review Officer's or Hearing Officer's decision.
- F. Legal Expenses. If an offer made pursuant to this Section is not accepted and the rejecting party fails to obtain a more favorable award or decision, the rejecting party shall not recover their post-offer Legal Expenses and shall pay the Legal Expenses incurred by the offering party from the time of the offer. If competing offers to settle are timely submitted but have not been timely accepted, the Rent Review Officer or Hearing Officer, as may be appropriate, shall determine which party has failed to obtain a more favorable decision or award and assign responsibility for the payment of legal expenses accordingly.
 - 1. The Rent Review Officer or Hearing Officer shall mail and email to the parties a notice of assignment of Legal Expense liability ("Legal Expense Notice") within seven days after issuance of a final decision on the application or appeal. Within seven days of receipt of the Legal Expense Notice, each party shall simultaneously serve a written request for the awarding of and an accounting of Legal Expenses on the Rent Review Officer or Hearing Officer and all parties by regular mail and electronic mail. Said requests shall include detailed records of fee billings, time records and supporting declarations executed under penalty of perjury. Within seven days of receiving the requests, opposing parties may file and serve objections in the same manner as service of the original requests. Within seven days after service of the oppositions or within seven days of the deadline for the filing of oppositions, if none is submitted, the Rent Review Officer or Hearing Officer may submit a proposed supplemental decision stating the amount of legal expenses each party is required to pay and the reasons therefor.

- a. When issued by the Rent Review Officer, said supplemental decision shall become final when issued and shall be appealable separately from the Rent Review Officer's decision pertaining to the merits of the application. The appellate procedures set forth in this Article shall govern an appeal of a Rent Review Officer's decision pertaining to the awarding of Legal Expenses, but an appeal of a Legal Expenses award shall be consolidated with any appeal taken of the Rent Review Officer's final decision pertaining to the merits of the application.
 - b. When issued by the Hearing Officer, said supplemental decision shall become final seven days after the proposed decision, unless either party requests an evidentiary hearing within said seven days in which case a final decision shall be made within seven days after the evidentiary hearing is concluded. The Hearing Officer's decision shall become final upon mailing, with proofs of service, to all parties of the (i) final decision on the merits of the application, or (ii) final decision on the Legal Expenses award, whichever occurs last.
 - c. In their discretion, the Rent Review Officer or the Hearing Officer, as appropriate, may reduce or offset from any Legal Expense award made in favor of the applicant by the amount of legal expenses the applicant may be required to pay.
2. Any award of Legal Expenses shall be itemized by the Park Owner separately from any Rent Increase or Services Reduction award. Legal Expenses awarded to Park Owners shall be shown as a limited time pass-through charged to the Affected Mobilehome Owners. A Legal Expense award to a Park Owner plus Allowable Interest on Amortized Expenses shall be recovered in equal monthly payments over a five-year period, unless the Rent Review Officer or Hearing Officer determines that a different period is more appropriate, and shall be eliminated after payment is completed at the end of the amortization period. Legal Expenses awarded to Mobilehome Owners shall be made as either a Rent credit or direct payment to the Mobilehome Owners.
 3. In determining whether a party has obtained a more favorable award or decision than that proffered in a written settlement offer not accepted by that party, the Rent Review Officer or Hearing Officer shall rely upon and be guided by legal precedent and authorities construing the same term as it is used in California Code of Civil Procedure Section 998.
- G. The time limits prescribed in this Section may be extended by the Rent Review Officer or the Hearing Officer, as appropriate, upon a showing of good cause.

[4-39-225] Procedures for Review of Rent.

- A. The following matters are subject to review by the Rent Review Officer upon application:
 1. Fair Return Rent Increase.
 2. Preapproval of a temporary Rent Increase for specified Capital Improvements and Capital Replacements.
 3. Rent reduction for Service Reduction.
- B. Limit on Frequency of Applications. Only one application pursuant to this Article may be

filed for a Mobilehome Park within any 12-month period, except in the event of extraordinary circumstances that could not reasonably have been foreseen at the time the prior application was filed.

C. Filing of Application.

1. Applications for Rent adjustments for fair return Rent Increases, temporary Capital Improvements and Capital Replacements Rent Increases, or Rent reductions for Service Reductions shall be on forms prescribed by the Rent Review Officer.
2. The Rent Review Officer may require an application to contain any information as he or she deems relevant, including, but not limited to:
 - a. A list of the names and addresses of all Mobilehome Owners subject to the proposed Rent adjustment.
 - b. A statement of the date the Rent adjustment is proposed to be effective.
 - c. The Rent for each Space in the park in the Base Year, and the three (3) prior years.
 - d. An income and expense statement for the Base Year, and the four (4) prior years.
 - e. Evidence documenting the income and expenses claimed by the Park Owner.
 - f. All other documentation and opinion testimony upon which the Park Owner is relying upon to justify the Rent Increase, or upon which the Mobilehome Owner is relying upon to justify a Rent reduction.
 - g. A statement of the applicant's theories in support of the Rent Increase or Rent reduction.

D. Notice of Application. The applicant and the City shall provide notice of an application as follows:

1. The applicant and City: by sending a hard copy and electronic copy of the application to either (a) each Affected Mobilehome Owner, or (b) the Park Owner, as appropriate;
2. The applicant: by providing the City with hard and electronic copies of the application.

E. Determination that Application is Complete. Within sixty [60] days after filing an application, the Rent Review Officer will determine if it is complete. An application will be considered complete only if and when the required fees have been paid. If the application is incomplete, the Rent Review Officer will inform the applicant in writing as to what additional information is required. Within 45 days of the applicant's submittal of requested additional information or fees, the Rent Review Officer shall determine whether the application is complete and notify the applicant of the Rent Review Officer's determination. This process shall continue until the Rent Review Officer issues a written notice advising the applicant that the application is complete. The time period for Rent Increase effective date shall begin running on the date the Rent Review Officer delivers said completeness notice to the applicant.

- F. Access to Application. Applications shall be available upon request for inspection and copying by the public during the City's normal business hours.
- G. Expert Analysis. Upon the receipt of an application authorized by this Article, the Rent Review Officer shall determine if the employment of experts will be necessary for a thorough analysis of the application. The Rent Review Officer may retain a certified public accountant to, among other things, verify the accuracy of the expense and income items stated in the application; an expert in the use and theory of the fair return and MNOI methods utilized in this Article; and/or, a licensed appraiser.
- H. Response by other party. The party not filing the application may submit a written response to the application within 30 days after the application is determined complete, unless the Rent Review Officer determines that there is good cause to extend that deadline. The party filing a written response shall deliver it to the applicant and to the Rent Review Officer.
- I. Decision by Rent Review Officer. Applications filed pursuant to this Article shall be decided by the Rent Review Officer based on substantial evidence and without a hearing or personal appearances by any of the involved parties or their representatives. The decision will be made within 60 days of the date that the application is deemed complete, unless the Rent Review Officer determines that there is good cause to extend that deadline. The Rent Review Officer shall email all involved parties or their representatives the date on which the Rent Review Officer will consider the matter under submission and beyond which the Rent Review Officer will not accept additional information, briefs, evidence or arguments (the "Submission Date"). The Rent Review Officer shall email notice of the Submission Date to all parties or their representatives at least 21 days prior to the Submission Date. The Rent Review Officer's decision on the merits of the application shall be emailed and sent by mail, with proof of mailing, to the Mobilehome Owner, the Park Owner, the Park Owner's and Mobilehome Owners' representatives, and the Mobilehome Owners' Association Representative, if any.
- J. Required Findings in Fair Return Decision: Any Rent adjustment decision pursuant to this Article that approves a fair return rent increase shall include a determination that the Park Owner would be denied a fair return according to the method in this chapter and shall include findings made of the following:
1. Base Year and prior year rental income;
 2. Base Year and prior year operating expenses by category;
 3. Base Year and prior year overall operating expenses;
 4. Base Year and prior year net operating income;
 5. The percentage change in net operating income between the Base Year and the prior year;
 6. The percentage change in the CPI between the Base Year and prior year;
 7. The ratio of the percentage change in net operating income to the percentage change in the CPI between the Base Year and prior year;
 8. The rent adjustment required under the MNOI standard, if applicable to the

application.

- K. Conditions for Allowance or Disallowance of Rent Increase: The allowance or disallowance of any proposed Rent Increase (or decrease) or portion thereof may be reasonably conditioned in any manner necessary to effectuate the purposes of this Article.

- L. Representation of Parties:
 - 1. Each party may be represented by any person of its choosing. The representative need not be an attorney.
 - 2. Written designation of representatives shall be filed with the Rent Review Officer or Hearing Officer.
 - 3. The written designation of the representative shall include a statement that the representative is authorized to bind the party to any stipulation, decision or other action taken by the Rent Review Officer or Hearing Officer.

- M. Overall Period for Review of Application. Except as otherwise provided in this Article, a decision on an application for Rent adjustment made pursuant to this Article shall be made within 120 days after the application is deemed complete, unless extended by the Rent Review Officer or Hearing Officer for good cause.

- N. Standard of Review. The applicant shall bear the burden of proof, by a preponderance of the evidence, on all issues necessary to the granting of the petitioner's petition, both at the Rent Review Officer and Hearing Officer levels of review.

[4-39-227] Appeal of the Rent Review Officer's Decision.

- A. The decision of the Rent Review Officer on an application for Rent Increase for fair return, Capital Improvements, or Capital Replacements, or Rent reduction for Service Reduction may be appealed within 30 days after the date of its mailing. An appeal by the Park Owner shall be signed by the Park Owner or its lawfully authorized agent. An appeal by the Mobilehome Owners must be signed by the Mobilehome Owners residing on twenty-five (25) percent of the Mobilehome Spaces that are subject to the Rent Review Officer's decision. An appeal must be in writing and must be delivered to the opposing parties and the City within the 30-day appeal period. If the Rent Review Officer's decision is not timely appealed, the Rent Review Officer's decision shall become final on the thirty-first day after the decision is mailed. The appealing party shall be required to pay for the costs of the appeal, including those imposed by the Hearing Officer and those established by resolution of the City Council. The appeal shall be conducted through a de novo evidentiary hearing, which shall consider at least the following: the application, all information, expert opinions and arguments submitted by the parties to the Hearing Officer; the opinions of the City's experts; additional arguments or facts upon which the Hearing Officer's decision is based; and the briefs, evidence and testimony accepted or rejected by the Hearing Officer in support of or in opposition to the application by any of the parties to the proceedings.

- B. Procedure for Selection of a Hearing Officer.
 - 1. Hearing Officers shall be licensed attorneys of the State Bar of California in good standing, and shall have no financial interest in Mobilehomes, Mobilehome Spaces or Mobilehome Parks and shall not have represented Mobilehome Park Owners or

Mobilehome Park Mobilehome Owners in Rent setting cases or Park closings, Park conversions or any disputes between Park Owners and Park residents.

2. A hearing officer shall be selected through the California Office of Administrative Hearings (OAH). In the event OAH is unavailable or unable to provide a hearing officer, the City Manager or designee may elect to contract with another agency, lawyer, or law firm that provides arbitration or hearing officer services or may establish a panel from which the hearing officer is selected in accordance with this Section.
3. In the event a list of hearing officers is established, the City Manager or designee shall make all reasonable efforts to ensure that the list is comprised of at least five qualified candidates. A hearing officer shall disqualify himself or herself from serving as Hearing Officer in a particular matter where he/she has a conflict of interest within the meaning of the Political Reform Act (Government Code Section 87100 *et seq.*), and shall otherwise comply with the disqualification provisions of Canon 3.E. of the Code of Judicial Ethics. The City shall make the initial selection of the Hearing Officer from the panel. The parties to the appeal shall be advised in writing of the selected Hearing Officer, and advised of their right to disqualify the selected Hearing Officer within five days of receipt of the notice of selection. In the event of a disqualification, another Hearing Officer shall be randomly selected from the panel by the City, and a new notice of hearing sent to the parties. Each party shall have the right to disqualify one Hearing Officer for a particular appeal if there are five or fewer hearing officers on the list and may disqualify up to two hearing officers if there are eight or more hearing officers on the list.

C. Time of and Scheduling of Hearing.

1. A hearing on the appeal shall commence within 30 days of the selection of the Hearing Officer unless both parties agree to a different schedule. The hearing shall be completed within 15 days after it is commenced. These time deadlines may be extended by the Hearing Officer for good cause.
 2. The hearing may be scheduled during normal business hours of the City unless a majority of the residents that are subject to the appeal requests that the hearing be scheduled outside of normal City business hours. The hearing shall be scheduled at a time that is convenient for the residents' and Park Owner's representatives.
- D. Presentations by each party at the hearing and of the City staff and experts shall be limited to 30 minutes each unless the Hearing Officer determines good cause exists to extend those time periods. Each party and the City shall be permitted a cumulative total of one hour of cross-examination of the opposing party's expert witnesses, unless the Hearing Officer determines good cause exists to extend those time periods. The City may provide legal counsel to help prepare the City's experts for their presentation at the appeal hearing, to defend the City's expert witness and to cross examine the expert witnesses of the parties.
- E. Notwithstanding anything to the contrary stated herein, whether or not the City decides to appear, submit documents and/or briefs, retain counsel to represent the City, or otherwise participate in the administrative appellate proceedings shall be left to the discretion of the City.
- F. Written notice of the time, date and place of the hearing shall be given at least 21 days prior to the hearing.

G. Requests for Additional Information Not Previously Provided to the Rent Review Officer by Opposing Party:

1. Either party or the City may request that additional, supporting documentation that was not previously provided to the Rent Review Officer as part of its initial examination and decision be provided to substantiate the claims made by a party. The request shall be presented in writing to the Hearing Officer.
2. The Hearing Officer may order production of such requested documentation if the Hearing Officer determines the information is relevant to the proceedings.

H. Responses:

1. Mobilehome Owners or the Park Owner may submit responses to the decision of the Rent Review Officer or to reports by the City's experts. Responses shall be submitted to the other parties and the Hearing Officer at least 10 days prior to the hearing. Responses shall be in printed and electronic form.
2. Rebuttal reports may be submitted by the Park Owner, Mobilehome Owners, and/or City or its expert(s). Such reports shall be submitted to the parties and Hearing Officer at least five days prior to a hearing. Rebuttals shall be in printed and electronic form.
3. The parties' responses and rebuttal reports shall be considered the prehearing briefs of the parties and the City and no other prehearing briefs shall be allowed unless requested by the Hearing Officer for good cause.

I. Conduct of Hearing:

1. The hearing shall be conducted in accordance with such rules and regulations as may be promulgated by the City Council and any rules set forth by the Hearing Officer.
2. The Hearing Officer shall have the power and authority to require and administer oaths or affirmations where appropriate, and to take and hear evidence concerning any matter pending before the Hearing Officer.
3. The rules of evidence generally applicable in the courts shall not be binding in the hearing. Hearsay evidence and any and all other evidence which the Hearing Officer deems relevant may be admitted and considered.
4. Any party or such party's representative, designated in writing by the party, may appear at the hearing to offer such documents, oral testimony, written declaration or other evidence as may be relevant to the proceedings.
5. The Hearing Officer may grant or order not more than two continuances of the hearing for not more than 10 working days each. Additional continuances may be granted only if all parties stipulate in writing or if the Hearing Officer finds that there is a good cause for the continuance. Such continuances may be granted or ordered at the hearing without further written notice to the parties.

6. A recording of the proceedings shall be made or arranged by the Hearing Officer in a format that is made easily available, upon request, within thirty days of the conclusion of the hearing.
7. The hearing shall be conducted in a manner that ensures the parties have an opportunity to obtain documents and to obtain information about the theories and facts to be presented by the opposing parties in adequate time in advance of the hearing to enable preparation of their respective cases.
8. **Deadline for Decision:** Appeals shall be decided by the Hearing Officer within 90 days of the date of the filing of the appeal and payment of all appellate fees, unless extended by the Hearing Officer for good cause or by the Rent Review Officer to accommodate scheduling availability of a Hearing Officer.
9. **Notice of Decision:** The Rent Review Officer shall mail hardcopies of the hearing officer's decision to the Park Owner and all Affected Mobilehome Owners within 15 calendar days of the City's receipt of the Hearing Officer's written decision. The decision shall be emailed to the Park Owner's and Mobilehome Owners' representatives as soon as possible after the decision is received by the City.
- J. **Modification of Decision in the Event of Mathematical or Clerical Inaccuracies:** Any party alleging that the Hearing Officer's statement of decision contains mathematical or clerical inaccuracies may so notify the Hearing Officer and the other party within 15 calendar days of the date of mailing of the decision. The Hearing Officer may make corrections and shall file a corrected statement of decision within 10 working days after receiving the request to correct. Alternatively, the Hearing Officer may decline to correct the decision and shall so notify the parties of his/her determination. Upon filing a corrected statement of decision or a determination not to correct the decision, the Hearing Officer's decision shall be final.
- K. **Preservation of Record:** Written findings made by the final decision maker pursuant to this Section shall be permanently preserved in the City records.

[4-39-230] Temporary Rent Increases for Specified Capital Improvements and Capital Replacements.

- A. A Park Owner shall be permitted to obtain a temporary Rent increase to reimburse specified Capital Improvements and Capital Replacements pursuant to this Section.
- B. The City Council shall from time to time adopt an amortization schedule for typical Capital Improvements and Capital Replacements subject to the provisions of this Section.
- C. Prior to making a Capital Replacement or Capital Improvement, the Park Owner may file an application with the Rent Review Officer for approval of a temporary Rent Increase to reimburse Capital Improvement Costs or Capital Replacement Costs. Except as provided in Subsection H., a Park Owner who commences and completes a Capital Improvement project prior to obtaining a temporary Rent Increase approval under this Section, shall be deemed to have conclusively waived its right to seek a Rent Increase for that Cost.
- D. Applications for a temporary Rent Increase shall contain at a minimum the following information:
 1. A description and cost of the proposed project. The estimated cost of the proposed project shall be reflected in at least two bids or proposals from qualified and

licensed (if required by law) contractors, installers and/or builders;

2. Evidence establishing that the project is necessary at the time the Park Owner seeks to implement it;
 3. The date(s) upon which the Park Owner proposes to commence and complete the project;
 4. The manner by which the Park Owner will notify the City of the commencement of the work to allow the City to monitor construction and ensure, as practicable, that the work is completed consistent with the temporary Rent Increase approval;
 5. The period of time during which the Park Owner proposes to amortize the Rent Increase and the rationale therefor;
 6. Evidence that the project will be made at a direct cost of not less than \$100.00 per affected Mobilehome Space or at a total direct cost of not less than \$5,000, whichever is lower, or such other amounts as adjusted by resolution of the City Council;
 7. Calculation of costs amortized over a period of not less than 36 months, or a different time period if the monthly payment amount will not impose an unreasonable financial burden on the Mobilehome Owners;
 8. Evidence that the costs do not include any additional costs incurred for property damage or deterioration that result or have resulted from any unreasonable delay in undertaking or completing any repair or improvement;
 9. Evidence that the costs do not include costs incurred to bring the Park, improvement or other property into compliance with a provision of the San Leandro Municipal Code or state law where the original installation of the improvement was not in compliance with code requirements;
 10. A representation by the Park Owner stating that at the end of the amortization period, the allowable monthly Rent will be decreased by any amount it was increased because of a Rent Increase approval granted under this Section; and
 11. Evidence that the amortization period is in conformance with any schedule adopted by the City Council, unless it is determined that an alternate period is justified based on the evidence presented during the consideration of the Park Owner's application.
- E. Capital Replacement. Upon receipt of a Capital Replacement application, the Rent Review Officer shall provide notice ("Capital Replacement Notice") of the application to all Affected Mobilehome Owners. The Capital Replacement Notice shall state the proposed Capital Replacement, the amortization schedule including interest for the project, and the resulting temporary Rent Increase proposed. The Rent Review Officer shall email the application and all of its attachments to the Affected Mobilehome Owners. The Park Owner shall post a complete, physical copy of the application and its attachments at a location that is obvious and accessible to all Mobilehome Owners.
1. A temporary Rent Increase for Capital Replacement shall be approved and the

protest provisions under subsections 2 and 3 shall not apply if the Park Owner submits evidence with its application that the Park Owner has:

- a. Consulted with the Affected Mobilehome Owners prior to initiating construction of the Capital Replacement project regarding the nature and purpose of the project and estimated cost; and
 - b. Obtained the prior written consent of an adult household member from at least 50 percent plus one of the Spaces whose Rent would be affected by the requested Capital Replacement temporary Rent Increase. Evidence of such consent must be presented at the time of filing the application with the City.
 - c. Provided that the two criteria listed in (a) and (b) have been satisfied, the Rent Review Officer or their designee shall approve the application as submitted, and shall send notice to the Park Owner and Affected Mobilehome Owners stating that the application is granted and identifying the amount of the approved temporary Rent Increase. Said decision by the Rent Review Officer or their designee shall be final and shall not be appealable.
2. In the event that one adult household member from at least 50 percent plus one of the affected Mobilehome Spaces protest the application in writing to the Rent Review Officer within 45 days after the date the Rent Review Officer mails or emails the Capital Replacement Notice to the Affected Mobilehome Owners, the Rent Review Officer shall determine whether the application is complete, including determining whether all applicable fees have been paid. The Rent Review Officer may require additional information if the application is deemed incomplete. Upon determining that the application is complete, the Rent Review Officer may retain expert assistance as necessary to review the application, and may require the Park Owner to pay the cost of expert assistance. The complete application shall be reviewed by the Rent Review Officer, and approved, rejected or modified, pursuant to this Chapter.
 3. In the event that one adult household member from at least 50 percent plus one of the affected Mobilehome Spaces whose Rent would be increased if the application were approved do not protest the application in writing to the Rent Review Officer within 45 days after the date the Rent Review Officer mails or emails the Capital Replacement Notice to the Affected Mobilehome Owners, the Rent Review Officer shall approve the application as submitted, and send a notice to the applicant and the Affected Mobilehome Owners stating that the application has been granted and identifying the amount of the temporary Rent Increase allowed to be charged the Affected Mobilehome Owners. Said decision by the Rent Review Officer shall be final and shall not be appealable.
- F. Capital Improvements. A Park Owner shall be entitled to seek a temporary Rent Increase to make a Capital Improvement only if the Park Owner submits evidence with its application that the Park Owner has:
1. Consulted with the Affected Mobilehome Owners prior to initiating construction of the project regarding the nature and purpose of the project and estimated cost;
 2. Limited the annual increase in Rent solely attributable to Capital Improvements to less than or equal to four (4) percent of the Rent for Spaces being rented by Special Circumstances Households, such that the total increase in Rent inclusive of

approved Capital Improvements is limited to eight (8) percent per year for Special Circumstances Households; and

3. Obtained the prior written consent of an adult household member from at least 50 percent plus one of the Spaces whose Rent would be affected by the requested Capital Improvement temporary Rent Increase. Evidence of such consent must be presented at the time of filing the application with the City.

Provided that the above three criteria have been satisfied, the Rent Review Officer shall approve the application as submitted, and shall send notice to the applicant Park Owner and Affected Mobilehome Owners stating that the application is granted and identifying the amount of the approved temporary Rent Increase.

- G. No temporary Rent Increase granted pursuant to this Section shall become effective until the first full calendar month following the filing by the Park Owner of a notice of completion of the Capital Improvement or Capital Replacement project with the Rent Review Officer, and determination by the City that the work was completed in accordance with the Rent Increase approval. A Rent Increase approved pursuant to this Section shall be itemized separately on the rental billing provided to the Affected Mobilehome Owners and shall terminate upon the conclusion of the approved amortization period.
- H. Nothing in this Section shall prevent the Park Owner from making emergency Capital Replacements required as a result of a disaster or other emergency event to preserve or secure the health, safety, or welfare of persons or property. In such event, the Park Owner may make limited and reasonable Capital Replacements required to protect the public health and safety and to limit further damage to the Park, and to thereafter or simultaneously seek a Rent adjustment for such Capital Replacement pursuant to this section.

[4-39-232] Rent Reduction for Service Reduction.

Rent may be reduced and/or refunded if a Service Reduction results in the reduction in the Mobilehome Owners' enjoyment of their Mobilehomes.

- A. Filing and Processing a Service Reduction Application. A Service Reduction application must be signed by at least one adult Mobilehome Owner from each of twenty-five percent (25%) plus one of the Spaces subject to this Chapter.
- B. If the Rent Review Officer, or Hearing Officer on appeal, finds that a material Service Reduction has occurred, the Rent Review Officer, or Hearing Officer on appeal, shall determine the resultant percentage reduction in the Mobilehome Owners' enjoyment due to the Service Reduction. Rent shall be reduced by that percentage or amount. In addition, the Mobilehome Owners shall be entitled to, and the Rent Review Officer, or Hearing Officer on appeal, shall award a rebate in the amount of the monthly Rent reduction multiplied by the number of months between the date the Mobilehome Owners notified the Park Owner of the reduction in service and the date the Rent Review Officer, or Hearing Officer on appeal, determined the Rent reduction. Any rebate authorized pursuant to this section may be amortized over a maximum five year period, and bear the Interest Allowance for Amortized Expenses. In the event the Park Owner was not notified of the Service Reduction by the Mobilehome Owners or applicant and the Park Owner did not know nor should have known that the Service Reduction occurred prior to the filing of the application, no rebate shall be awarded. If a preponderance of the evidence proves that the Park Owner knew or should have known of the Service Reduction, a rebate shall be awarded and calculated from the date that the Park Owner knew or should have known of the start of the reduction.

- C. No rebate shall be allowed or authorized if a Service Reduction of a recreational facility or service, and resulting Rent decrease, has the prior written approval signed by at least one adult Mobilehome Owner from each of fifty percent (50%) plus one of the Spaces subject to this Article.
- D. No Service Reduction may include a condition created by the Park management's failure to maintain the physical improvements in the common facilities in good working order, or condition for which the provisions of Civil Code section 798.84 provides a remedy.
- E. No recreational service or facility that has been reduced or eliminated shall be reinstated at any cost to the Mobilehome Owners without prior written approval signed by at least one adult Mobilehome Owner from each of fifty percent (50%) plus one of the Spaces subject to this Article.
- F. In the event that a Service Reduction application is filed while a Fair Return Application is pending, the Rent Review Officer, may require consolidation of applications. The Park Owner, or the Affected Mobilehome Owners may request consolidation of the applications.

[4-39-234] Cause for Termination.

- A. A Mobilehome Park Owner may not terminate or refuse to renew a Tenancy except in the same manner as provided for in Chapter 2.5 of the Mobilehome Residency Law, Civil Code sections 798.55 *et seq.*, as may be amended from time to time.
- B. For the purposes of this section, a "Tenancy" means the right of a person or persons to use a Mobilehome Space on which to locate, maintain, and occupy a Mobilehome or any other vehicle or structure for the purpose of human habitation.
- C. In adopting this Section, the City Council finds and declares that structures and vehicles that do not meet the technical definition of a Mobilehome, but are nevertheless located on a Mobilehome Space, often share many of the same characteristics as a Mobilehome. These structures or vehicles are not generally intended to be moved frequently, if at all, and often have site improvements and accessory structures constructed onto or adjacent to the structure or vehicle. The City Council finds and declares that there is a high cost of moving these vehicles and structures and a potential for damage resulting from a move, such that the owners of these structures or vehicles used for human habitation and located in a Mobilehome Space need the special protections provided for in this section.

[4-39-235] Waivers.

- A. Any waiver or purported waiver by a Mobilehome Owner of rights granted under this Article shall be void as contrary to public policy.
- B. It shall be unlawful for a Park Owner to require or attempt to require as a condition of tenancy in a Mobilehome Park a Mobilehome Owner or a prospective Mobilehome Owner to waive in a lease or rental agreement or in any other agreement the rights granted to a Mobilehome Owner by this Article.
- C. It shall be unlawful for a Park Owner to deny or threaten to deny tenancy in a Mobilehome Park to any person on account of such person's refusal to enter into a lease or rental agreement or any other agreement under which such person would waive the rights granted to a Mobilehome Owner by this Article.

[4-39-237] Rights of Prospective Mobilehome Owners.

- A. Prospective Mobilehome Owners shall be offered the option of renting a Space in a manner that will permit the “Mobilehome-to-be” to receive the benefits of the Mobilehome Park Rent Stabilization Program codified herein, which includes, but is not limited to, rental of a Mobilehome Space on a month-to-month basis. A prospective Mobilehome Owner cannot be denied the option of a tenancy of 12 months or less in duration.
- B. The Park Owner shall provide each prospective Mobilehome Owner with a copy of this Chapter.
- C. Any effort to circumvent the requirements of this Article shall be unlawful.

[4-39-240] Annual registration and other notices required from Park Owner.

- A. Due Date. No later than May 31st of each year, each Park Owner shall file with the City an annual registration statement, on a form prescribed by the Rent Review Officer.
- B. Contents of Registration Form. The registration form shall include, but not be limited to, the name(s), business address(es), and business telephone number(s) of each person or legal entity possessing an Ownership interest in the Park and the nature of such interest; the number of Mobilehome Spaces within the Park; a Rent schedule reflecting the current Space Rents within the Park; a listing of all other charges, including utilities not included in Space Rent, paid by Mobilehome Owners within the Park and the approximate amount of each such charge; the name and address to which all required notices and correspondence may be sent; the name and address of each Mobilehome Owner; the name and address of each person renting a Mobilehome; an identification of those Spaces or Mobilehomes which the Park Owner considers exempt from this Article and a statement of the reasons therefor; a statement of the number of recreational vehicle Spaces in the Park, the names of the RV owners and renters, and the current rent and utilities charged for each space; and other information required by the Rent Review Officer.
- C. Certification of Registration Forms. All registration forms, and any documentation accompanying registration forms, shall contain an affidavit or declaration signed by the Park Owner or a designated agent, with his/her signature notarized, certifying that the information contained therein is true, correct and complete.
- D. Notice of Sale of a Park. Upon the sale or transfer of the Mobilehome Park, the seller or transferor shall notify the Rent Review Officer and all Mobilehome Owners within the Mobilehome Park of the sale or transfer and of the name and address of the buyer or transferee. Within 10 days of the sale or transfer of a Mobilehome Park, the buyer or transferee shall provide a new registration form meeting the requirements of this section and a copy of the statement of the Base Year income, expenses, and net operating income of the Park and supporting documents that the previous Park Owner had provided to them pursuant to subsection E. of this section.
- E. Notice to Prospective Park Purchasers. The Park Owner shall provide prospective Park purchasers with a copy of this Chapter.

[4-39-242] Retaliation Prohibited.

- A. It shall be unlawful for a Park Owner to evict a Mobilehome tenant where the Park Owner’s motive in seeking to recover possession of the space is:

1. Retaliation for the Mobilehome Owner's organizing, petitioning for Rent relief, or exercising any right granted under this Article; or
 2. Evading or circumventing the purposes of this Article.
- B. It shall be unlawful for a Park Owner to retaliate against a Mobilehome Owner because of the Mobilehome Owner's assertion or exercise of rights under this Article in any manner, including but not limited to:
1. Threatening to bring or bringing an action to recover possession of a space.
 2. Engaging in any form of harassment that causes the Mobilehome Owner to quit the premises.
 3. Decreasing housing services.
 4. Unlawfully increasing Rent.
 5. Imposing or increasing a security deposit or other charge payable by the Mobilehome Owner.

[4-39-245] Time of Allowed Rent Increase/Adjustment.

- A. Once within a twelve (12) month period, the Park Owner may implement a CPI Rent adjustment or a Fair return increase, as authorized in this Article, but not both.
- B. A Capital Replacement Cost pass-through authorized by this Article may only be implemented on the effective date of the CPI or Fair return rent adjustment.
- C. The following Rent Increases or adjustments, as authorized by this Article, may be implemented at any time during the year:
 1. Government mandated expense pass-throughs;
 2. Utility pass-throughs;
 3. Capital Improvement Cost pass-throughs;
 4. In-place transfer Rent Increases.
- D. Rent Increases subject to approval by the Rent Review Officer shall be implemented after final determination.
- E. Rent reductions for Service Reductions shall be implemented at the time Service Reductions are ordered.

[4-39-247] Refusal of Mobilehome Owner to Pay Illegal Rent.

It shall be unlawful for a Park Owner to demand, accept, receive, or retain Rent in excess of the amounts authorized by this Article. An Affected Mobilehome Owner may refuse to pay any Rent in excess of the maximum Rent permitted by this Chapter. The fact that such unpaid Rent is in excess of the maximum Rent shall be a defense in any action brought to recover possession of a Mobilehome Space for nonpayment of Rent or to collect the illegal Rent.

[4-39-250] Disclosures.

A Park Owner shall disclose to each prospective Mobilehome Owner the current and proposed Base Rent for the Mobilehome Space, any rental agreement options, provide each prospective Mobilehome Owner a copy of this Chapter, and that if the prospective Mobilehome Owner signs a lease with a term of more than one year, that lease will be exempt from rent stabilization in addition to notice required pursuant to Civil Code section 798.74.5 of the Mobilehome Residency Law. The Park Owner shall give the required disclosure and provide a copy of this Chapter to the prospective Mobilehome Owner at the time that the Park Owner, or Owner's representative, receives the prospective Mobilehome Owner's application for tenancy. The Park Owner shall obtain a signature of the prospective Mobilehome Owner on the disclosure form acknowledging receipt of the disclosures. The Park Owner shall retain the signed disclosure form throughout the entire tenancy of the Mobilehome Owner. This signed form shall be made available to the Rent Review Officer upon reasonable written notice.

[4-39-252] Prospective Mobilehome Owner; Tenancy Twelve Months or Less.

All prospective Mobilehome Owners shall be offered the option of a tenancy of twelve (12) months or less upon terms consistent with the provisions of this Article. This section shall not apply to prevent a mutually agreed upon assignment between a Park Owner and an existing Mobilehome Owner of an existing lease, provided any such assignment does not violate the provisions in this Article applicable to in-place transfer Rent Increases.

[4-39-255] Rent Stabilization Administration, Fees.

- A. Administrative Regulations: The Rent Review Officer may administratively adopt implementing regulations that are consistent with the provisions and intent of this Article.
- B. Rent Stabilization Administration Fee: All or any portion of the costs to administer this Chapter may be collected by the imposition of an annual rent stabilization administration fee, which shall be established by the City Council. The fee, if any, shall be chargeable against every Mobilehome Space in the City subject to rent stabilization. The Park Owner shall remit payment to the City within 30 days after the end of each calendar quarter, and may pass-through up to one-half of the fee to those Mobilehome Owners subject to the fee as a government mandated expense pass-through. The fee is intended to cover the full cost of administration and the fee assessment amount may be amended from time to time by resolution of the City Council.
- C. Other Fees: The City Council may adopt by resolution additional fees as necessary to reimburse the City for its costs to implement this Chapter, and may allocate specified charges to the respective Parties.

[4-39-257] Amendment.

Any amendment to this Article shall require a prior public hearing before the City Council with notice thereof mailed to all Affected Mobilehome Owners in the City at least ten (10) days prior to the hearing.

SECTION 3. This Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines based on the finding that the provisions of the Ordinance constitute additional regulation for a process already existing under State law and thus does not have the potential for causing a significant impact to the environment.


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CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of March 24, 2020

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Nickie Mastay, Administrative Services Director 

SUBJECT: Resolution approving a Revised Travel and Expense Policy for Elected and Appointed Officials

RECOMMENDED ACTION

It is recommended that the City Council:

- 1) Discuss and provide direction to staff regarding the attached redlined revised Travel and Expense Policy for Elected and Appointed Officials.
- 2) Adopt a resolution approving any revisions to the Travel and Expense Policy for Elected and Appointed Officials.

FISCAL IMPACT

The fiscal impact of adopting any revisions to the Travel and Expense Policy for Elected and Appointed Officials is not known at this time. The City Council's current budget for Conferences/Due for FY2019/20 is \$8,500.

DISCUSSION

At the February 11, 2020 City Council meeting, the City Council adopted the redlined version of the Travel and Expense Policy for Elected and Appointed Officials (Attachment B) and directed staff to bring back the Travel and Expense Policy for Elected and Appointed Officials to reflect the following changes:

After City Council appropriates a budget amount for each City Council members travel, the City Council member does not have to come back to City Council for conference approval unless the City Council member exceeds their budget amount. This change is reflected in Section V. Conferences:

Section V. Conferences. During the budget process, the City Council shall appropriate a budget allotment for each Council Members travel. If a Council Member exceeds their budget allotment or the Council Member is requesting travel outside of the continental United States, the City Council shall review the conference request at a regularly scheduled meeting and decide, through City Council action if attendance to any such conference is approved.

At least (60) days prior to the conference start date, Elected City Officials shall submit a Conference Profile to the City Manager, that includes all conference related travel including travel that is within the Council Members budget allotment. The Conference Profile will include but not be limited to:

- Summary of how the conference relates to the Vision and Strategic Plan and City policy.
- Description of how the educational benefits of the conference will strengthen the Elected City Official's ability to lead and serve in the City of Antioch.
- Description of how the networking benefits of the conference will strengthen the Elected City Official's ability to lead and serve the City of Antioch.
- Estimated cost of the conference, and if applicable, the cost of hotel, meals, mileage, airfare, and any other applicable costs.

The Conference Profile must be submitted to the City Manager (60) days prior to the conference start date in order to take advantage of discount pricing for conference, hotel, airfare, etc.

Please refer to Attachment A. Resolution, Exhibit A Draft for the redlined revised City of Antioch Travel and Expense Policy for Elected and Appointed Officials for all redlined changes.

Attachment B is the Current City of Antioch Travel and Expense Policy for elected and Appointed Officials.

ATTACHMENTS

A. Resolution

Exhibit A to Resolution – Draft City of Antioch Travel and Expense Policy Elected and appointed Officials

B. Current City of Antioch Travel and Expense Policy Elected and Appointed Officials

RESOLUTION NO. 2020/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
ADOPTING A REVISED TRAVEL AND EXPENSE POLICY FOR ELECTED AND
APPOINTED OFFICIALS**

WHEREAS, the City of Antioch takes its stewardship over the use of its limited public resources seriously;

WHEREAS, this policy will provide guidance to the City’s elected and appointed officials on the use and expenditure of City resources, as well as the standards against which those expenditures will be measured;

WHEREAS, this policy supplements the definition of actual and necessary expenses for the purposes of state laws relating to permissible uses of public resources;

WHEREAS, this policy supplements the definition of necessary and reasonable expenses for the purposes of federal and state income tax laws; and

WHEREAS, on February 11, 2020, the City Council provided direction to staff to bring back the Travel and Expense Policy for Elected and Appointed Officials.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Antioch as follows:

Section 1: The Travel and Expense Policy for Elected Officials shall be revised as shown in Exhibit A and shall be known as the City of Antioch Travel and Expense Policy for Elected and Appointed Officials.

* * * * *

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 24th day of March, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

**ARNE SIMONSEN, CMC
CITY CLERK OF THE CITY OF ANTIOCH**

CITY OF ANTIOCH
TRAVEL AND EXPENSE POLICY
ELECTED AND APPOINTED OFFICIALS

PURPOSE

This document establishes the expense and reimbursement policy for all Elected and Appointed (non-employee) Officials of the City of Antioch. As Elected Officials, individuals may incur expenses related to the execution of their duties and responsibilities. These expenses may include the following: personal vehicle use, communication needs (cell phones, internet, and personal phone lines, newspaper subscriptions), and conferences and meetings related to the City's interests and/or business. As to Appointed Officials on the Administrative Appeals Board, Design Review Board, Economic Development Commission, Parks and Recreation Commission, Planning Commission, and Police Crime Prevention Commission, and other boards or committees established by the City Council there may be opportunities for individuals to attend educational seminars or meetings related to the City's interests and/or business as approved by the City Council. Therefore, this policy establishes procedures for requesting and receiving payment for expenses incurred while representing the City on official business.

ADOPTION AND IMPLEMENTATION

The Council is responsible for adopting the expense and reimbursement policy for Elected and Appointed Officials and for approving any subsequent policy revisions.

EXCEPTIONS

The City Council may approve exceptions to this policy on a case-by-case basis for special or unique circumstances.

I. PERSONAL VEHICLE USE

In recognition of the fact that Elected Officials may use their private vehicles while performing their duties, a monthly vehicle allowance will be provided, as allowed pursuant to California Government Code section 1223. Vehicle allowance shall cover all vehicle related expenses including but not limited to bridge tolls, routine parking fees, gasoline, wear and tear of personal vehicle, maintenance, and insurance. Elected officials receiving a monthly vehicle allowance shall be eligible for mileage reimbursement for travel beyond a 75-mile radius from the City of Antioch City Hall based on mileage rate set by the IRS code. Reimbursement shall be for the incremental miles beyond the 75-mile radius.

In order to be eligible for the reimbursement allowance, Elected Officials shall annually provide proof of liability insurance to the City Clerk. The monthly cap on

reimbursement of automobile expenses for personal vehicle usage shall be as follows: Mayor: \$450; Council Members: \$350; City Clerk: \$350; City Treasurer: \$350.

II. COMMUNICATION EQUIPMENT AND SERVICES

In recognition of the fact that City Council members and other Elected and Appointed Officials have a significant responsibility to stay in touch with their constituents and City management employees, reimbursement of communication equipment shall be allowed for cell phone service and equipment, internet service and equipment, local and long distance telephone and fax line service and equipment. Individual council members and other elected and appointed officials will be responsible for establishing their own communication service providers and all bills for such service will be paid by the individual. The monthly cap on reimbursement of communication equipment and services shall be as follows: Mayor \$100; Council Members \$50; City Clerk \$50; City Treasurer \$50. Any communication service expenditures beyond that amount will be borne by the individual elected official.

III. MEMBERSHIPS

The City Council shall decide which groups to join as an entity, such as the League of California Cities or the Antioch Chamber of Commerce, through City Council action including the budget process. Individual memberships in groups by Elected or Appointed Officials shall be the personal expense of those individuals unless otherwise approved in advance by the City Council.

IV. LOCAL CITY EVENTS

Elected City Officials may be reimbursed for the cost of attending local events related to the City's business upon completion of an expense report and detailed documentation of expenses. City funds shall not be used to purchase alcohol or reimburse Elected Officials for alcohol related costs, unless as part of a set price for the event that happens to include alcohol. If a guest accompanies an Elected Official, only the cost of the Elected Official will be reimbursed. All reimbursement requests must include original itemized receipts and information on local city events attended.

V. CONFERENCES

~~The City Council shall decide, through City Council action if attendance to any conference is approved.~~ During the budget process, the City Council shall appropriate a budget allotment for each Council Member's travel. If a Council Member exceeds their budget allotment or if the Council Member is requesting travel outside of the continental United States, the City Council shall review the conference request at a regularly scheduled meeting and decide, through City Council action if attendance to any such conference is approved.

At least (60) days prior to the conference start date, Elected City Officials shall submit a Conference Profile to the City Manager ~~for that includes all conference-related travel including travel that is within the Council Members budget allotment.~~ including travel that is within the Council Members budget allotment. The Conference Profile

will include but not be limited to:

- Summary of how the Conference relates to the Vision and Strategic Plan and City policy.
- Description of how the educational benefits of the conference will strengthen the Elected City Official's ability to lead and serve in the City of Antioch.
- Description of how the networking benefits of the conference will strengthen the Elected City Official's ability to lead and serve the City of Antioch.
- Estimated cost of the conference, and if applicable the cost of hotel, meals, mileage, airfare, and any other applicable cost.

The Conference Profile must be submitted to the City Manager (60) days prior to the conference start date in order ~~to take advantage of discount pricing for conference, hotel, airfare, etc. in order for the item to be placed on the City Council Agenda for City Council consideration.~~

VI. TRAVEL

In recognition of the fact that Elected Officials may need to represent the City at conferences and meetings and may incur expenses in the course of their travel, this policy establishes procedures for requesting and receiving payment for travel and travel-related expenditures. ~~Appointed Officials must be specifically authorized by the City Council to attend educational seminars or other meetings in order to seek reimbursement.~~

(A) PROCEDURE

The key document in the administrative process is the Travel Authorization/Warrant Request (TAWR). Besides ensuring that travel by Elected and Appointed Officials is conducted within this policy, the TAWR summarizes the total cost of attending conferences, meetings, and seminars and provides documentation for cash advances, vendor payments and credit card purchases. General instructions for completing and processing this form are provided in a separate document.

(B) AUTHORIZATION PROCESS

~~All travel by an Appointed Official shall be pre-approved by having the item placed on the City Council Consent Calendar. Overnight travel by an Elected Official, shall be pre-approved by having the item placed on the City Council Consent Calendar.~~

~~During the budget process, the City Council shall appropriate a budget allotment for each Council Members travel. If a Council Member exceeds their budget allotment or the Council Member is requesting travel outside of the continental United States, the City Council shall decide, through City Council action if attendance to any conference is approved.~~

After travel, the Travel Authorization report must be finalized. Finance will review for receipts and policy compliance.

(C) METHODS OF REIMBURSEMENT

There are three ways to request and receive payment for travel and travel-related expenditures: (1) advance payment, (2) reimbursement for actual expenditures, and (3) credit card usage.

(1) Advance payments: Elected Officials may request a cash advance for meals. For advance payment, the request must be submitted to the Finance Department two weeks prior to the travel date for the Finance Department to process such request. Advance payment must be requested through TA/WR with a copy of the training, meeting or conference announcement as proof of official City business trip. The advance will be within the IRS approved per diem rates for meals and incidental expenses (**M&IE**) for the location/area visited as listed in Publication 1542. The value of meals provided at conferences, training, or other travel programs will be deducted from the cash advance at the following rate:

Breakfast - 20% Lunch - 30% Dinner - 50%

Other items, such as conference registration, lodging, and air fare may be paid directly to the vendor in advance of travel.

Upon return from travel, all cash advances must be documented with original itemized receipts.

(2) Reimbursement: Elected and Appointed Officials shall be reimbursed for all eligible expenditures upon return from travel for items that have original receipts. A Travel Authorization/Warrant Request with original receipts will be paid by Finance within the regular accounts payable time schedule. Reimbursement claims should be submitted within 30 days from the return from travel, and no reimbursements may be made that cross over fiscal years.

(3) Credit Card Usage: Elected and Appointed Officials may use personal credit cards to pay for travel expenses. Original receipts must be included with the Travel Authorization Warrant Request to be eligible for reimbursement.

(D) ELIGIBLE EXPENDITURES

Meals and Incidental Expenses (M & IE)

- **Meals:** City funds shall not be used to purchase alcohol or reimburse Elected or Appointed Officials for alcohol related costs. Meal costs will be reimbursed as supported by original itemized receipts.
- **Personal Meals:** All expenditures must be documented and reimbursement will not exceed the meal schedule listed above.
- **Business Meals:** To qualify as a business meal, the identity of the participants and the business purpose of the discussion must be substantiated.

- **Incidental Expenses:** Those related to City business will be reimbursed at cost as supported by original receipts (e.g., tolls and taxi cabs).

In no event shall the reimbursement for meals and incidental expenses exceed the IRS approved per diem rates for the location visited as listed in Publication 1542.

- **Lodging:** The City will pay lodging expenses for Elected or Appointed Officials during official travel requiring one or more overnight stays. The City will pay for lodging for the evening preceding or subsequent to a meeting or business event when the Elected or Appointed Official would have to travel at unreasonably early or late hours to reach his or her destination.

Elected or Appointed Officials shall make an effort to obtain lodging at or near the facility where official City business is to take place to minimize travel time and transportation costs. The City will pay only for standard single rooms for individual Elected Officials. If lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor. If conference rates are not available, government rates must be requested. Lodging rates that are equal to or less than the government rates are presumed to be reasonable and hence reimbursable for purposes of this policy.

If a double room is requested by an Elected or Appointed Official because he or she is accompanied by a spouse or other person, the difference between the single and double room rate shall be considered the Elected or Appointed Official's personal expense.

Elected or Appointed Officials shall cancel any reservations for lodging they will not use. Any charge for an unused reservation shall be considered the Elected or Appointed Official's personal expense unless failure to cancel the reservation was due to circumstances beyond the Elected Official's control.

- **Personal Entertainment:** No reimbursement will be made for personal entertainment.

- **Guests:** If a guest accompanies an Elected or Appointed Official, only the cost of the Elected or Appointed Official will be reimbursed. All costs above a single person will be borne by the Elected or Appointed Official.

- **Discounts:** If offered early registrations should be obtained whenever possible.

- **Telephone/Internet:** The City will pay for all City-related business telephone calls or internet use by an Elected or Appointed Official while traveling on authorized City business. If approved prior to travel, the City may pay for personal internet use up to \$5.00 per day for authorized overnight business travel within California and up to \$10.00 per day for all other authorized overnight business travel.

- **Transportation:** All travel will be made by the method most cost effective for the City. Considerations such as time, distance traveled and cost of transportation should be factors in arriving at the lowest cost.

Elected and Appointed Officials shall endeavor to book air travel to take advantage of discounts and nonrefundable ticket fares where practical. All flights shall be booked at coach class or equivalent level. Any additional costs incurred due to personal travel added on before or after the trip will be paid by the Elected or Appointed Official.

Elected and Appointed Officials are encouraged to use their personal vehicles as transportation to and from airports. The cost of traveling from home to the airport will be paid for from monthly stipend. If a personal vehicle is left at the airport for more than one day, parking will be reimbursed per day based on long term parking rates or other transportation to and from the airport, whichever is less. Parking will not be reimbursed at the short term parking rate.

The use of rental vehicles is discouraged and shall be authorized only when no other mode of transportation is available or when alternate transportation would be more expensive or impractical. Elected or Appointed Officials must understand that the City's vehicle insurance coverage does not cover the individual driver of a rental car. Therefore, the City Official shall confirm personal coverage under their personal insurance or purchase additional insurance from the rental agency at their own expense. Rental vehicles shall be driven only by Elected or Appointed Officials included on the car rental agreement. Elected or Appointed Officials shall be reimbursed for reasonable taxi fare, airport van, or other public transportation in order to travel from their destination airport to their hotel.

VII. REPORTING OF EXPENDITURES

If the City reimburses an Elected or Appointed Official for attending a "meeting" as defined under the Brown Act ¹, the Official shall provide a brief written or oral report regarding the "meeting" at the next regular meeting of the Council or applicable commission, board or committee to which the Official belongs. For other educational seminars or events for which expenses were reimbursed by the City, the Official may provide a brief written or oral report at the next regularly scheduled meeting of the Council or applicable commission, board or committee to which the Official belongs.

VIII. ACKNOWLEDGEMENT

After being sworn in, Elected or Appointed Officials will be required to sign a statement formally acknowledging receipt and acceptance of this policy.

¹The Brown Act (California Government Code section 54952.2) defines a meeting as including "any congregation of majority of the members of a legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body or the local agency to which it pertains."

February 11, 2020

**CITY OF ANTIOCH
TRAVEL AND EXPENSE POLICY
ELECTED AND APPOINTED OFFICIALS**

PURPOSE

This document establishes the expense and reimbursement policy for all Elected and Appointed (non-employee) Officials of the City of Antioch. As Elected Officials, individuals may incur expenses related to the execution of their duties and responsibilities. These expenses may include the following: personal vehicle use, communication needs (cell phones, internet, and personal phone lines, newspaper subscriptions), and conferences and meetings related to the City's interests and/or business. As to Appointed Officials on the Administrative Appeals Board, Design Review Board, Economic Development Commission, Parks and Recreation Commission, Planning Commission, and Police Crime Prevention Commission, and other boards or committees established by the City Council there may be opportunities for individuals to attend educational seminars or meetings related to the City's interests and/or business as approved by the City Council. Therefore, this policy establishes procedures for requesting and receiving payment for expenses incurred while representing the City on official business.

ADOPTION AND IMPLEMENTATION

The Council is responsible for adopting the expense and reimbursement policy for Elected and Appointed Officials and for approving any subsequent policy revisions.

EXCEPTIONS

The City Council may approve exceptions to this policy on a case-by-case basis for special or unique circumstances.

I. PERSONAL VEHICLE USE

In recognition of the fact that Elected Officials may use their private vehicles while performing their duties, a monthly vehicle allowance will be provided, as allowed pursuant to California Government Code section 1223. Vehicle allowance shall cover all vehicle related expenses including but not limited to bridge tolls, routine parking fees, gasoline, wear and tear of personal vehicle, maintenance, and insurance. Elected officials receiving a monthly vehicle allowance shall be eligible for mileage reimbursement for travel beyond a 75-mile radius from the City of Antioch City Hall based on mileage rate set by the IRS code. Reimbursement shall be for the incremental miles beyond the 75-mile radius.

In order to be eligible for the reimbursement allowance, Elected Officials shall annually provide proof of liability insurance to the City Clerk. The monthly cap on

reimbursement of automobile expenses for personal vehicle usage shall be as follows: Mayor: \$450; Council Members: \$350; City Clerk: \$350; City Treasurer: \$350.

II. COMMUNICATION EQUIPMENT AND SERVICES

In recognition of the fact that City Council members and other Elected and Appointed Officials have a significant responsibility to stay in touch with their constituents and City management employees, reimbursement of communication equipment shall be allowed for cell phone service and equipment, internet service and equipment, local and long distance telephone and fax line service and equipment. Individual council members and other elected and appointed officials will be responsible for establishing their own communication service providers and all bills for such service will be paid by the individual. The monthly cap on reimbursement of communication equipment and services shall be as follows: Mayor \$100; Council Members \$50; City Clerk \$50; City Treasurer \$50. Any communication service expenditures beyond that amount will be borne by the individual elected official.

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Elected City Officials may be reimbursed for the cost of attending local events related to the City's business upon completion of an expense report and detailed documentation of expenses. City funds shall not be used to purchase alcohol or reimburse Elected Officials for alcohol related costs, unless as part of a set price for the event that happens to include alcohol. If a guest accompanies an Elected Official, only the cost of the Elected Official will be reimbursed. All reimbursement requests must include original itemized receipts and information on local city events attended.

V. CONFERENCES

The City Council shall decide, through City Council action if attendance to any conference is approved.

Elected City Officials shall submit a Conference Profile to the City Manager. The Conference Profile will include but not be limited to:

- Summary of how the Conference relates to the Vision and Strategic Plan and City policy.
- Description of how the educational benefits of the conference will strengthen your ability to lead and serve in the City of Antioch.
- Description of how the networking benefits of the conference will strengthen your

ability to lead and serve the City of Antioch.

- Estimated cost of the conference, and if applicable the cost of hotel, meals, mileage, airfare, and any other applicable cost.

The Conference Profile must be submitted to the City Manager (90) days prior to the conference start date in order for the item to be placed on the City Council Agenda for City Council consideration.

VI. TRAVEL

In recognition of the fact that Elected Officials may need to represent the City at conferences and meetings and may incur expenses in the course of their travel, this policy establishes procedures for requesting and receiving payment for travel and travel-related expenditures. Appointed Officials must be specifically authorized by the City Council to attend educational seminars or other meetings in order to seek reimbursement.

(A) PROCEDURE

The key document in the administrative process is the Travel Authorization/Warrant Request (TAWR). Besides ensuring that travel by Elected and Appointed Officials is conducted within this policy, the TAWR summarizes the total cost of attending conferences, meetings, and seminars and provides documentation for cash advances, vendor payments and credit card purchases. General instructions for completing and processing this form are provided in a separate document.

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reach his or her destination.

Elected or Appointed Officials shall make an effort to obtain lodging at or near the facility where official City business is to take place to minimize travel time and transportation costs. The City will pay only for standard single rooms for individual Elected Officials. If lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor. If conference rates are not available, government rates must be requested. Lodging rates that are equal to or less than the government rates are presumed to be reasonable and hence reimbursable for purposes of this policy.

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VIII. ACKNOWLEDGEMENT


After being sworn in, Elected or Appointed Officials will be required to sign a statement formally acknowledging receipt and acceptance of this policy.

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STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of March 24, 2020

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Nickie Mastay, Administrative Services Director 

SUBJECT: Homeless Encampment Ad Hoc Committee Dissolution or Creation of a Standing Committee

RECOMMENDED ACTION

It is recommended that the City Council:

- 1) Receive an update from Committee members of the Homeless Encampment Ad Hoc Committee on their ad hoc committee activities.
- 2) Determine whether to dissolve the ad hoc committee or create a standing committee. (Please note: Ad Hoc Committees may be dissolved, and another created with a different and specific purpose, in the same genre).

FISCAL IMPACT

This recommended action has no direct fiscal impact.

DISCUSSION

At the February 11, 2020 City Council meeting, the City Council extended the end date of the Homeless Encampment Ad Hoc Committee to April 9, 2020. This is an opportunity for the Homeless Encampment Ad Hoc Committee members to report about the activities of their ad hoc committee. The initial term and extension dates are listed below:

- Homeless Encampment Ad Hoc Committee Members – Mayor Pro-tem Motts and Council Member Thorpe
- Initial Term: April 9, 2019 to January 14, 2020.
- Extension: On February 11, 2020 extended to April 9, 2020.

When committees reach the one-year point, staff strongly recommends that City Council dissolve the ad hoc committee and either form a new ad hoc committee with a different goal or create a standing committee.

ATTACHMENTS

None

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of March 24, 2020

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Nickie Mastay, Administrative Services Director
Alan Barton, Information Systems Director

APPROVED BY: Ron Bernal, City Manager *RB st.*

SUBJECT: City Council Meetings During Contra Costa Health Services Shelter In Place Order and Governors Executive Order N-29-20

RECOMMENDED ACTION

It is recommended that the City Council discuss and provide direction to staff about conducting City Council meetings during the Contra Costa Health Services Shelter In Place Order and the Governors Executive Order N-29-20.

FISCAL IMPACT

The fiscal impact of this recommended action is not known at this time and is dependent on City Council directive.

DISCUSSION

On March 17, 2020, Governor Newsom issued Executive Order N-29-20 that declared a state of emergency to exist in California as a result of the threat of COVID-19. Section 3 of this executive order addresses the Bagley-Keene Act or the Brown Act. See Attachment A – Executive Order N-29-20. A portion of this section states:

... a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body or state body. All requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived...

On March 16, 2020, Contra Costa Health Services issued a Shelter In Place Order. Section 10.j of this order addresses social distancing. See Attachment B – Contra Costa Health Services. A portion of this section states:

...”Social Distancing Requirements” include maintaining at least six-foot social distancing from other individuals...

ATTACHMENTS

- A. Executive Order N-29-20
- B. Contra Costa Health Services Shelter In Place Order

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

EXECUTIVE ORDER N-29-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS despite sustained efforts, the virus continues to spread and is impacting nearly all sectors of California; and

WHEREAS the threat of COVID-19 has resulted in serious and ongoing economic harms, in particular to some of the most vulnerable Californians; and

WHEREAS time bound eligibility redeterminations are required for Medi-Cal, CalFresh, CalWORKs, Cash Assistance Program for Immigrants, California Food Assistance Program, and In Home Supportive Services beneficiaries to continue their benefits, in accordance with processes established by the Department of Social Services, the Department of Health Care Services, and the Federal Government; and

WHEREAS social distancing recommendations or Orders as well as a statewide imperative for critical employees to focus on health needs may prevent Medi-Cal, CalFresh, CalWORKs, Cash Assistance Program for Immigrants, California Food Assistance Program, and In Home Supportive Services beneficiaries from obtaining in-person eligibility redeterminations; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. As to individuals currently eligible for benefits under Medi-Cal, CalFresh, CalWORKs, the Cash Assistance Program for Immigrants, the California Food Assistance Program, or In Home Supportive Services benefits, and to the extent necessary to allow such individuals to maintain eligibility for such benefits, any state law, including but not limited to California Code of Regulations, Title 22, section 50189(a) and Welfare and Institutions Code sections 18940 and 11265, that would require redetermination of such benefits is suspended for a period of 90 days from the date of this Order. This Order shall be construed to be consistent with applicable federal laws, including but not limited to Code of Federal Regulations, Title 42, section 435.912, subdivision (e), as interpreted by the Centers for Medicare and Medicaid Services (in guidance issued on January 30, 2018) to permit the extension of

otherwise-applicable Medicaid time limits in emergency situations.

2. Through June 17, 2020, any month or partial month in which California Work Opportunity and Responsibility to Kids (CalWORKs) aid or services are received pursuant to Welfare and Institutions Code Section 11200 et seq. shall not be counted for purposes of the 48-month time limit set forth in Welfare and Institutions Code Section 11454. Any waiver of this time limit shall not be applied if it will exceed the federal time limits set forth in Code of Federal Regulations, Title 45, section 264.1.
3. Paragraph 11 of Executive Order N-25-20 (March 12, 2020) is withdrawn and superseded by the following text:

Notwithstanding any other provision of state or local law (including, but not limited to, the Bagley-Keene Act or the Brown Act), and subject to the notice and accessibility requirements set forth below, a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body or state body. All requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived.

In particular, any otherwise-applicable requirements that

- (i) state and local bodies notice each teleconference location from which a member will be participating in a public meeting;
- (ii) each teleconference location be accessible to the public;
- (iii) members of the public may address the body at each teleconference conference location;
- (iv) state and local bodies post agendas at all teleconference locations;
- (v) at least one member of the state body be physically present at the location specified in the notice of the meeting; and
- (vi) during teleconference meetings, a least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction

are hereby suspended.

A local legislative body or state body that holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements set forth below, shall have satisfied any requirement that the body allow

members of the public to attend the meeting and offer public comment. Such a body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

Accessibility Requirements: If a local legislative body or state body holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the body shall also:

- (i) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the Americans with Disabilities Act and resolving any doubt whatsoever in favor of accessibility; and
- (ii) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to subparagraph (ii) of the Notice Requirements below.

Notice Requirements: Except to the extent this Order expressly provides otherwise, each local legislative body and state body shall:

- (i) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by the Bagley-Keene Act or the Brown Act, and using the means otherwise prescribed by the Bagley-Keene Act or the Brown Act, as applicable; and
- (ii) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in such means of public observation and comment, or any instance prior to the issuance of this Order in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of such means, a body may satisfy this requirement by advertising such means using "the most rapid means of communication available at the time" within the meaning of Government Code, section 54954, subdivision (e); this shall include, but need not be limited to, posting such means on the body's Internet website.

All of the foregoing provisions concerning the conduct of public meetings shall apply only during the period in which state or local public health officials have imposed or recommended social distancing measures.

All state and local bodies are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Bagley-Keene Act and the Brown Act, and other applicable local laws regulating the conduct of public meetings, in order to maximize transparency and provide the public access to their meetings.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 17th day of March 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

ANNA M. ROTH, RN, MS, MPH
HEALTH SERVICES DIRECTOR

PATRICK GODLEY, MBA
CHIEF OPERATING OFFICER
CHIEF FINANCIAL OFFICER



OFFICE OF
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**ORDER OF THE HEALTH OFFICER
OF THE COUNTY OF CONTRA COSTA DIRECTING
ALL INDIVIDUALS LIVING IN THE COUNTY TO SHELTER AT THEIR
PLACE OF RESIDENCE EXCEPT THAT THEY MAY LEAVE TO
PROVIDE OR RECEIVE CERTAIN ESSENTIAL SERVICES OR
ENGAGE IN CERTAIN ESSENTIAL ACTIVITIES AND WORK FOR
ESSENTIAL BUSINESSES AND GOVERNMENTAL SERVICES;
EXEMPTING INDIVIDUALS EXPERIENCING HOMELESSNESS FROM
THE SHELTER IN PLACE ORDER BUT URGING THEM TO FIND
SHELTER AND GOVERNMENT AGENCIES TO PROVIDE IT;
DIRECTING ALL BUSINESSES AND GOVERNMENTAL AGENCIES TO
CEASE NON-ESSENTIAL OPERATIONS AT PHYSICAL LOCATIONS IN
THE COUNTY; PROHIBITING ALL NON-ESSENTIAL GATHERINGS
OF ANY NUMBER OF INDIVIDUALS; AND ORDERING CESSATION OF
ALL NON-ESSENTIAL TRAVEL**

DATE OF ORDER: MARCH 16, 2020

Please read this Order carefully. Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code § 120295, *et seq.*)

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, AND 120175, THE HEALTH OFFICER OF THE COUNTY OF CONTRA COSTA ("HEALTH OFFICER") ORDERS:

1. The intent of this Order is to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the maximum extent possible. When people need to leave their places of residence, whether to obtain or perform vital services, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times reasonably possible comply with Social Distancing Requirements as defined in Section 10 below. All provisions of this Order should be interpreted to effectuate this intent. Failure to comply with any of the provisions of this Order constitutes an imminent threat to public health.
2. All individuals currently living within Contra Costa County (the "County") are ordered to shelter at their place of residence. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may





leave their residences only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 10. Individuals experiencing homelessness are exempt from this Section, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable (and to utilize Social Distancing Requirements in their operation).

3. All businesses with a facility in the County, except Essential Businesses as defined below in Section 10, are required to cease all activities at facilities located within the County except Minimum Basic Operations, as defined in Section 10. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home). All Essential Businesses are strongly encouraged to remain open. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements as defined in Section 10 below, including, but not limited to, when any customers are standing in line.
4. All public and private gatherings of any number of people occurring outside a household or living unit are prohibited, except for the limited purposes as expressly permitted in Section 10. Nothing in this Order prohibits the gathering of members of a household or living unit.
5. All travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit, except Essential Travel and Essential Activities as defined below in Section 10, is prohibited. People must use public transit only for purposes of performing Essential Activities or to travel to and from work to operate Essential Businesses or maintain Essential Governmental Functions. People riding on public transit must comply with Social Distancing Requirements as defined in Section 10 below, to the greatest extent feasible. This Order allows travel into or out of the County to perform Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions.
6. This Order is issued based on evidence of increasing occurrence of COVID-19 within the County and throughout the Bay Area, scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, and evidence that the age, condition, and health of a significant portion of the population of the County places it at risk for serious health complications, including death, from COVID-19. Due to the outbreak of the COVID-19 virus in the general public, which is now a pandemic according to the World Health Organization, there is a public health emergency throughout the County. Making the problem worse, some individuals who contract the COVID-19 virus have no symptoms or have mild symptoms, which means they may not be aware they carry the virus.



Because even people without symptoms can transmit the disease, and because evidence shows the disease is easily spread, gatherings can result in preventable transmission of the virus. The scientific evidence shows that at this stage of the emergency, it is essential to slow virus transmission as much as possible to protect the most vulnerable and to prevent the health care system from being overwhelmed. One proven way to slow the transmission is to limit interactions among people to the greatest extent practicable. By reducing the spread of the COVID-19 virus, this Order helps preserve critical and limited healthcare capacity in the County.

7. This Order also is issued in light of the existence of 29 cases of COVID-19 in the County, as well as at least 258 confirmed cases and at least three deaths in the seven Bay Area jurisdictions jointly issuing this Order, as of 5 p.m. on March 15, 2020, including a significant and increasing number of suspected cases of community transmission and likely further significant increases in transmission. Widespread testing for COVID-19 is not yet available but is expected to increase in the coming days. This Order is necessary to slow the rate of spread and the Health Officer will re-evaluate it as further data becomes available.
8. This Order is issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom, This Order is issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom and the March 10, 2020 Resolution of the Contra Costa County Board of Supervisors declaring the existence of a Local Emergency in Contra Costa County.
9. This Order comes after the release of substantial guidance from the County Health Officer, the Centers for Disease Control and Prevention, the California Department of Public Health, and other public health officials throughout the United States and around the world, including a variety of prior orders to combat the spread and harms of COVID-19. The Health Officer will continue to assess the quickly evolving situation and may modify or extend this Order, or issue additional Orders, related to COVID-19.
10. Definitions and Exemptions.
 - a. For purposes of this Order, individuals may leave their residence only to perform any of the following "Essential Activities." But people at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care.
 - i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a





- health care professional, or obtaining supplies they need to work from home.
- ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
 - iii. To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in this Section, such as, by way of example and without limitation, walking, hiking, or running.
 - iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.
 - v. To care for a family member or pet in another household.
- b. For purposes of this Order, individuals may leave their residence to work for or obtain services at any “Healthcare Operations” including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services. “Healthcare Operations” also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. “Healthcare Operations” does not include fitness and exercise gyms and similar facilities.
- c. For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of “Essential Infrastructure,” including, but not limited to, public works construction, construction of housing (in particular affordable housing or housing for individuals experiencing homelessness), airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined this Section, to the extent possible.
- d. For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others who need to perform essential services are categorically





exempt from this Order. Further, nothing in this Order shall prohibit any individual from performing or accessing “Essential Governmental Functions,” as determined by the governmental entity performing those functions. Each governmental entity shall identify and designate appropriate employees or contractors to continue providing and carrying out any Essential Governmental Functions. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined in this Section, to the extent possible.

- e. For the purposes of this Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.
- f. For the purposes of this Order, “Essential Businesses” means:
 - i. Healthcare Operations and Essential Infrastructure;
 - ii. Grocery stores, certified farmers’ markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
 - iii. Food cultivation, including farming, livestock, and fishing;
 - iv. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
 - v. Newspapers, television, radio, and other media services;
 - vi. Gas stations and auto-supply, auto-repair, and related facilities;
 - vii. Banks and related financial institutions;
 - viii. Hardware stores;
 - ix. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
 - x. Businesses providing mailing and shipping services, including post office boxes;
 - xi. Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible;
 - xii. Laundromats, drycleaners, and laundry service providers;





- xiii. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;
 - xiv. Businesses that supply products needed for people to work from home;
 - xv. Businesses that supply other Essential Businesses with the support or supplies necessary to operate;
 - xvi. Businesses that ship or deliver groceries, food, goods or services directly to residences;
 - xvii. Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
 - xviii. Home-based care for seniors, adults, or children;
 - xix. Residential facilities and shelters for seniors, adults, and children;
 - xx. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;
 - xxi. Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities must operate under the following mandatory conditions:
 - 1. Childcare must be carried out in stable groups of 12 or fewer (“stable” means that the same 12 or fewer children are in the same group each day).
 - 2. Children shall not change from one group to another.
 - 3. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other.
 - 4. Childcare providers shall remain solely with one group of children.
- g. For the purposes of this Order, “Minimum Basic Operations” include the following, provided that employees comply with Social Distancing Requirements as defined this Section, to the extent possible, while carrying out such operations:
- i. The minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions.
 - ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.





- h. For the purposes of this Order, “Essential Travel” includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section below.
 - i. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations.
 - ii. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
 - iii. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.
 - iv. Travel to or return from a place of residence outside the jurisdiction.
 - v. Travel required by law enforcement or court order.
 - vi. Travel required for non-residents to return to their place of residence outside the County. Individuals are strongly encouraged to verify that their transportation out of the County remains available and functional prior to commencing such travel.
 - i. For purposes of this Order, residences include hotels, motels, shared rental units and similar facilities.
 - j. For purposes of this Order, “Social Distancing Requirements” includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.
11. Pursuant to Government Code sections 26602 and 41601 and Health and Safety Code section 101029, the Health Officer requests that the Sheriff and all chiefs of police in the County ensure compliance with and enforce this Order. The violation of any provision of this Order constitutes an imminent threat to public health.
 12. This Order shall become effective at 12:01 a.m. on March 17, 2020 and will continue to be in effect until 11:59 p.m. on April 7, 2020, or until it is extended, rescinded, superseded, or amended in writing by the Health Officer.
 13. Copies of this Order shall promptly be: (1) made available at Office of the Director of Health of Contra Costa County, 1220 Morello Ave, Martinez CA 94553; (2) posted on the County Public Health Department website www.cchealth.org; and (3) provided to any member of the public requesting a copy of this Order.



ANNA M. ROTH, RN, MS, MPH
HEALTH SERVICES DIRECTOR

PATRICK GODLEY, MBA
CHIEF OPERATING OFFICER
CHIEF FINANCIAL OFFICER



OFFICE OF
THE DIRECTOR

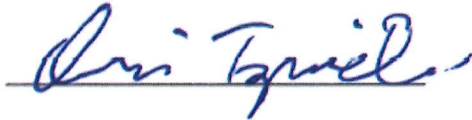
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14. If any provision of this Order to the application thereof to any person or circumstance is held to be invalid, the reminder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.
15. Questions or comments regarding this order may be directed to Contra Costa Health Services at 1-844-729-8410.

IT IS SO ORDERED:

Chris Farnitano, MD
Health Officer of the County of Contra Costa County



Dated: March 16, 2020

Ori Tzvieli, MD, Deputy Health Officer

