

ANNOTATED AGENDA

for
October 23, 2012

CITY COUNCIL MEETING
Regular Meeting
Including the Antioch City Council
acting as Successor Agency/Housing Successor
to the Antioch Development Agency

Order of Council vote: AYES:

Council Members Kalinowski, Harper, Rocha, Agopian and
Mayor Davis

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 at the City Clerk's Office, located on the 3rd Floor of City Hall, 200 H Street, Antioch, CA 94509, during normal business hours for inspection and (for a fee) copying. Copies are also made available at the Antioch Public Library for inspection. 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 yellow Speaker Request form, available on each side of the entrance doors, and place in the Speaker Card Tray. 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.

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

PLEDGE OF ALLEGIANCE

PROCLAMATIONS – *Extra Mile Day, November 1, 2012*
National Animal Shelter Appreciation Week, November 4 – 10, 2012
Shelter-in-Place Education Day, November 7, 2012

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

PUBLIC COMMENTS—*Only unagendized issues will be discussed during this time*

CITY COUNCIL SUBCOMMITTEE REPORTS

MAYOR'S COMMENTS

1. **COUNCIL CONSENT CALENDAR**

A. APPROVAL OF COUNCIL MINUTES FOR OCTOBER 9, 2012

Recommended Action: Motion to approve the minutes

Approved, 5/0

MINUTES

B. APPROVAL OF COUNCIL WARRANTS

Recommended Action: Motion to approve the warrants

Approved, 5/0

STAFF REPORT

C. APPROVAL OF TREASURER'S REPORT FOR SEPTEMBER 2012

Recommended Action: Motion to approve the report

Approved, 5/0

STAFF REPORT

COUNCIL CONSENT CALENDAR — Continued

- D. CITY OF ANTIOCH REPRESENTATIVES TO THE MUNICIPAL POOLING AUTHORITY
Reso 2012/64, 5/0
Recommended Action: Motion to adopt the resolution naming the City Attorney as the City's Board Member to the Municipal Pooling Authority of Northern California ("Authority") and the Human Resources Director as the Alternate Board Member

STAFF REPORT

- E. RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR A CALRECYCLE GRANT FOR THE RUBBERIZED CHIP SEAL PAVEMENT PROJECT AT VARIOUS LOCATIONS, (P.W. 328-6)
Reso 2012/65, 5/0
Recommended Action: Motion to adopt the resolution authorizing submittal of a CalRecycle grant application for the Rubberized Chip Seal Pavement project at various locations

STAFF REPORT

- F. CONSIDERATION OF BIDS FOR THE WILBUR AVENUE OVERHEAD WIDENING PROJECT, BRIDGE # 28C-0054 (P.W. 259-B)

- Options:
- 1) Motion to award the project to the low bidder, ProVen Management Inc. of San Francisco, in the amount of \$10,306,983.55, and to reject the bid protest of California Engineering Contractors, Inc.;
 - 2) Motion to reject the low bid of ProVen Management Inc. as nonresponsive and award the project to the second low bidder, California Engineering Contractors, Inc. of Pleasanton in the amount of \$10,445,982.70;
 - 3) Motion to reject all bids and authorize staff to rebid project; or
 - 4) Continue the matter to next City Council meeting.

SUPPLEMENTAL REPORT: CONSIDERATION OF BIDS FOR THE WILBUR AVENUE OVERHEAD WIDENING PROJECT, BRIDGE # 28C-0054 (P.W. 259-B)
Motion to award the project to the low bidder, ProVen Management Inc. (ProVen) of San Francisco, in the amount of \$10,306,983.00, and reject the bid protest of California Engineering Contractors, Inc.
5/0

END OF COUNCIL CONSENT CALENDAR

STAFF REPORT

STAFF REPORT

COUNCIL REGULAR AGENDA

2. MEASURE Q – CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT'S SPECIAL TAX TO FINANCE FIRE PROTECTION AND EMERGENCY SERVICES

Action: The Mayor requested a resolution in support of Measure Q for the Council's consideration
Reso 2012/66, 5/0

STAFF REPORT

3. CITY OF ANTIOCH AS SUCCESSOR AGENCY/HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY

- A. INDEPENDENT ACCOUNTANTS' REPORT ON APPLYING AGREED-UPON PROCEDURES ON THE LOW AND MODERATE INCOME HOUSING FUND OF THE RDA SUCCESSOR AGENCY IN ACCORDANCE WITH CALIFORNIA ASSEMBLY BILL NO. 1484**

Received and filed both Items 3A. and 3B, 5/0

Recommended Action: Motion to receive and file

STAFF REPORT

- B. CONTRA COSTA COUNTY OFFICE OF THE AUDITOR-CONTROLLER INDEPENDENT ACCOUNTANTS' REPORT ON APPLYING AGREED-UPON PROCEDURES WITH RESPECT TO ABX1 26 FOR ANTIOCH DEVELOPMENT AGENCY OF THE CITY OF ANTIOCH (DISSOLVED REDEVELOPMENT AGENCY)**

Recommended Action: Motion to receive and file

STAFF REPORT

- C. ADMINISTRATIVE COST ALLOWANCE FOR CITY AS SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT AGENCY**

SA Reso No. 2012/04, 5/0

Recommended Action: Motion to adopt a resolution requesting the Contra Costa County Auditor-Controller to pay the City of Antioch as Successor Agency to the Antioch Development Agency the full administrative cost allowance per the Recognized Obligation Payment Schedule and supporting the City as Successor Agency's action to invoke the meet and confer process with the State Department of Finance

STAFF REPORT

- D. APPROVAL OF HOUSING SUCCESSOR WARRANTS**

Recommended Action: Motion to approve the warrants

Approved, 5/0

STAFF REPORT

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS

ADJOURNMENT – 7:52 p.m.

CITY COUNCIL MEETING

Regular Meeting
7:00 P.M.

October 9, 2012
Council Chambers

6:00 P.M. - CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Gov't. Code § 54956.9(a); 54956.96]: Transplan Committee and East Contra Costa Regional Fee and Financing Authority v. City of Pittsburg, et al., Contra Costa County Superior Court Case No. MSN11-0395

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION [Gov't. Code § 54956.9(a)]: Rickey McNeal v. City of Antioch et al., United States District Court (Northern District) Case C11-04497

3. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION – Initiation of litigation pursuant to subdivision (c) of California Government Code section 54956.9: 1 case

City Attorney Nerland reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**, No action was taken, **#2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**, Direction was given to staff, and **#3 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**, Direction was given to staff.

Mayor Pro Tem Harper called the meeting to order at 7:05 P.M., and City Clerk Skaggs called the roll.

Present: Council Members Rocha, Agopian and Mayor Pro Tem Harper
Absent: Mayor Davis and Council Member Kalinowski

PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS

Freedom from Workplace Bullies Week, October 14 – 20, 2012

Food Day, October 24, 2012

Help People with Intellectual Disabilities Days, October 19 – 21, 2012

On motion by Councilmember Agopian, seconded by Councilmember Rocha, the Council present unanimously approved the Proclamations.

Mayor Davis arrived at 7:12 P.M.

Mayor Davis presented the Proclamation proclaiming October 19 – 21, 2012 as *Help People with Intellectual Disabilities Day* to Mike Filograsso, representing the Knights of Columbus, who

thanked the Council for the recognition and announced their annual statewide *Fund Raising Drive* to benefit people with Intellectual Disabilities would be held on October 19 – 21, 2012 at local grocery stores.

Mayor Pro Tem Harper turned the gavel over to Mayor Davis.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Ken Turnage, II announced The Haunted Warehouse fundraiser for the reconstruction of Antioch City Park would be held from 5:00 P.M. – 10:00 P.M. on October 25 – 27, 2012 at 2101 W. 10th Street. He requested that the City consider approving the use of the Volunteers In Police Services (VIPS) for security and he encouraged the Council to participate in the event. Contact information was provided.

Mayor Davis volunteered to participate and stated staff would respond to the organizers of the event regarding the use of VIPS for security. He thanked the organizers for hosting the event.

Barbara Sobalvarro, representing the Friends of Animal Services, announced the Black Cat Ball benefiting the animals at the Antioch Animal Shelter would be held at 6:30 P.M. on October 20, 2012, at the Lone Tree Golf Course and Event Center. Contact information was provided.

PUBLIC COMMENTS

Gary Reiman, Antioch resident and Business Owner, located at 107 “G” Street, expressed concern regarding loitering, illegal activity, refuse, and feral cats in the City-Owned parking lot directly behind his business. He noted the Antioch Police Department had not responded to his calls for service and requested the City investigate these issues, as they had negatively impacted his business.

Mayor Davis responded that staff would address the issues.

Julie Haas-Wajdowicz, representing the City of Antioch, announced the following events:

- Reuse Roundup - 8:00 A.M. – 1:00 P.M., October 13, 2012 at the Somersville Towne Center
- Costume Exchange - 6:00 – 9:00 P.M., October 16, 2012 at Prewett Family Park

Contact information was provided.

Julie Young, Antioch resident, gave a brief history of her attempts to contact the City with regards to the negative impact Nelson Ranch Park had on her family’s quality of life. She invited the Council to view the retaining wall from her property and requested their assistance in mitigating her concerns.

Mayor Davis offered to meet Ms. Young at her residence and requested a member of staff and Council accompany him. Councilmember Harper volunteered to attend the meeting with Mayor Davis.

Greg Enholm, Bay Point resident, discussed his candidacy as College Board Ward 5 Trustee, for the November 6, 2012 Election.

Cherice Gilliam, representing Grace Bible Fellowship, spoke to the denial of their permit for the closure of Sunset Drive for the Holy Eve Community Carnival. She questioned what the process would be to have Council reconsider their proposal.

Councilmember Harper reported he had discussed this issue with Pastor Smith who had requested the Item be placed on the Agenda this evening as an Emergency Item to be considered by the Council.

City Attorney Nerland clarified an Urgency Item required a 4/5 vote to place it on the Agenda with a determination that the Item had come up after the Agenda was posted and there was a need for immediate action.

Councilmember Harper suggested the Council consider adding Urgency Item '2' to the Regular Agenda because the appeal of the City's Engineer's denial of the street closure permit was filed after the Agenda was prepared and distributed and there was an urgency for resolution because the event is scheduled for October 31, 2012.

On motion by Councilmember Harper, seconded by Councilmember Rocha, the Council unanimously added Urgency Item #2 to the Regular Agenda - ***APPEAL OF CITY ENGINEER'S DENIAL OF PERMIT FOR STREET CLOSURE ON SUNSET DRIVE FOR THE HOLY EVE EVENT (October 31, 2012) REQUESTED BY GRACE BIBLE FELLOWSHIP CHURCH.***

Walter Ruehlig, Antioch resident, thanked various organizations that sponsored debates for the November Election and announced the following events:

- Political Speed Dating Event, 6:00 – 8:00 P.M., October 11, 2012, Humphrey's on the Delta
- Rivertown Preservation Society and Neighborhood "C" Watch Group Candidate Forum, 7:00 P.M., October 18, 2012, Solar Swim and Gym
- Take Back Antioch Forum Candidate Forum, 9:00 A.M., October 27, 2012, El Campanil Theatre

COUNCIL SUBCOMMITTEE REPORTS

Councilmember Agopian reported on his attendance at the Water Emergency Transit Authority meeting noting Senator DeSaulier had been advocating on behalf of Antioch.

Councilmember Rocha reported the Mello Roos subcommittee meeting would be held on October 22, 2012. She stated she had attended a meeting with Supervisor Glover and Metropolitan Transportation Commissioner Amy Worth who had committed to advocating on behalf of Antioch, with WETA.

City Manager Jakel introduced Michelle Fitzer as the City's new Human Resources/Economic Development Director.

Michelle Fitzer gave a brief personal and professional history and stated she looked forward to working in the community.

The Council welcomed Ms. Fitzer to City staff and stated they look forward to working with her.

MAYOR'S COMMENTS - None

1. COUNCIL CONSENT CALENDAR

A. APPROVAL OF COUNCIL MINUTES FOR SEPTEMBER 25, 2012

B. APPROVAL OF COUNCIL WARRANTS

C. REJECTION OF CLAIMS

1. Richard Lopez, Sr. 12/13-2082A (wrongful death)
2. Kathy Harvey 12/13-2082B (wrongful death)

D. RESOLUTION NO. 2012/62 APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT AND THE CITY OF ANTIOCH PERTAINING TO THE WEST ANTIOCH CREEK CHANNEL IMPROVEMENT PROJECT (P.W. 201-6)

E. RESOLUTION NO. 2012/63 AUTHORIZING THE CITY MANAGER TO ACCEPT AN OFFER OF DEDICATION FOR A STORM DRAIN EASEMENT THROUGH FORMER PARACHINI PROPERTY FOR THE PROPOSED EAST CONTRA COSTA BART EXTENSION PROJECT PARKING LOT AND MAINTENANCE FACILITY AT HILLCREST AVENUE

F. APPROVAL TO AMEND THE OPERATING BUDGET TO INCLUDE \$500,000 IN SEWER FUND EXPENDITURES FOR WILBUR AVENUE SEWER

On motion by Councilmember Rocha, seconded by Councilmember Harper, the City Council unanimously approved the Council Consent Calendar.

2. URGENCY ITEM: APPEAL OF CITY ENGINEER'S DENIAL OF PERMIT FOR STREET CLOSURE ON SUNSET DRIVE FOR THE HOLY EVE EVENT (October 31, 2012) REQUESTED BY GRACE BIBLE FELLOWSHIP CHURCH

Cherice Gilliam, representing Grace Bible Fellowship, requested the Council approve their appeal of the City Engineer's denial of the permit for street closure on Sunset Drive for the Holy Eve Event on October 31, 2012. She stated they had analyzed street traffic and Sunset Drive was not heavily utilized weekdays from 4:00 – 7:00 P.M. She gave a brief history of the event and reported surrounding businesses had been in support of the road closure. She noted they had already made commitments with vendors to have the event at the Sunset Drive location and relocating at this time, would not be feasible.

Director of Community Development Wehrmeister reported this event required an Administrative Use Permit, subject to the approval of the Zoning Administrator, and a street closure, subject to the approval of the City Engineer and noted the application was received in mid-September.

Director of Public Works/City Engineer Bernal presented the staff report dated October 9, 2012 and reviewed the request for a closure of a portion of Sunset Drive for the timeframe of 3:00 P.M. – 12:00 A.M. In response to Council, he noted it would be more acceptable to have Sunset Drive completely closed; however, the church would need the agreement of all businesses and residences located on the street.

Captain McConnell, representing the Antioch Police Department, reported the area of closure was not conducive to public or traffic safety. In addition, he noted a lay person performing traffic control and security exposes the City of Antioch to significant liability.

In response to Mayor Davis, Captain McConnell stated there would not be capacity to park 2,500 vehicles in the Sunset Drive area.

Mayor Davis questioned if the appellant would be supportive of relocating the event to the new boat ramp area, if the Council approved it and waived the fees for cleanup.

Ms. Gilliam discussed the challenges in redirecting attendees to a new location. She reviewed the security and traffic plan for the event. She reported all businesses affected from the closure had provided agreements.

Director of Public Works/City Engineer Bernal clarified the appellant received permission for the closure from the businesses located from Ace Hardware to the Jehovah's Witness Facility. He expressed concern for cars entering the street, unaware of the closure and needing to be turned around.

Captain McConnell reported there was a significant amount of traffic on Sunset Drive and Hillcrest Avenue and it was his opinion that a closure at Aladino's would not be practical or safe. He reiterated an approval of the street closure would create a significant liability for the City.

Councilmember Agopian stated he supported the event; however, he was concerned there was not adequate time to address all the issues at the proposed location. He also noted that this Urgency Item had not allowed all interested and affected parties to be notified or speak on the issue. He stated he felt there were other superior locations.

Ms. Gilliam reported many volunteers had been working for over a year to organize the event.

Councilmember Rocha suggested approving the closure of Sunset Drive from Aladino's to Cavallo Road pending approval of all impacted businesses and with signage installed indicating the future closure. She stated she would prefer the event be moved to the boat ramp location; however, she understood the appellant's challenges in changing locations at the last minute.

Captain McConnell stated from a public and traffic safety perspective, the Antioch Police Department would not support the closure of Sunset Drive and noted he was unaware if permission was given from the BART Park and Ride to use their lot for shuttle service.

Mayor Davis expressed concern for pedestrian and shuttle traffic crossing Hillcrest Avenue and stated he could not support the closure without the Police Department's endorsement.

Ms. Gilliam stated they had provided shuttle service from the BART park and ride in the past and they could do so safely.

In response to Councilmember Harper, City Manager Jakel stated if staff were directed to arrange for the use of the Marina Parking Lot Venue, they would begin that process, however, the use would be subject to the approval of the Administrative Use Permit. Additionally, he offered to contact the Somersville Towne Center to determine if that location would be available.

A motion was made by Councilmember Rocha, and seconded by Councilmember Harper, to approve the closure of Sunset Drive beginning from Aladino's Parking lot to Cavallo Road with the conditions that 1) All Businesses/Owners on Sunset Drive from Aladino's Parking lot to Cavallo Road provide written documentation of approval to street closure, and 2) Subject to the approval of the Administrative Use Permit. The motion failed by the following vote:

Ayes: Rocha and Harper

Noes: Davis and Agopian

On motion by Mayor Davis, seconded by Councilmember Harper, the Council unanimously directed staff to work with the Church to relocate the Holy Eve Event to the Marina Boat Ramp and waive up to \$500.00 in City costs, subject to approval of the Administrative Use Permit.

Mayor Davis reiterated Council's support of the event.

Ms. Gilliam thanked the Council for considering the appeal this evening.

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS

City Manager Jakel reported the State, through the redevelopment process, had sent a letter to the City indicating they may be disallowing payments the City had made to pay off the Marina debt and if that were the case, the reserves in the Marina fund would be depleted.

COUNCIL COMMUNICATIONS

Mayor Davis reported on his attendance at the groundbreaking for the Hillcrest Interchange and EBART station on October 5, 2012.

ADJOURNMENT

With no further business, Mayor Davis adjourned the meeting at 8:51 P.M. to the next regular Council meeting on October 23, 2012.

Respectfully submitted:

DENISE SKAGGS, City Clerk

CITY OF ANTIOCH
 CLAIMS BY FUND REPORT
 FOR THE PERIOD OF
 OCTOBER 3 -17, 2012
 FUND/CHECK#

100 General Fund

Non Departmental

341658 BLUE SHIELD LIFE	PAYROLL DEDUCTIONS	11.25
341661 STATE OF CALIFORNIA	SALES TAX	131.61
341672 DELTA DENTAL	PAYROLL DEDUCTIONS	303.28
341795 SHEN, JAMES J	CHECK REPLACEMENT	25.00

City Attorney

341724 BANK OF AMERICA	LODGING	380.48
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City Manager

202134 DS WATERS OF AMERICA	WATER	38.30
202135 COSTCO	MEETING EXPENSE	20.52
341725 BANK OF AMERICA	MEETING EXPENSE	201.41

City Clerk

201732 UNLIMITED GRAPHIC & SIGN NETWORK	SIGN	64.95
341749 EIDEN, KITTY J	MINUTES CLERK	364.00

Human Resources

341656 BAY AREA NEWS GROUP	LEGAL AD	103.44
341686 IPMA HR	CONFERENCE DUES	369.00
341699 OFFICE MAX INC	OFFICE SUPPLIES	34.31
341705 PERS	PAYROLL DEDUCTIONS	611.97
341752 FITZER, MICHELLE M	EXPENSE REIMBURSEMENT	925.00
341774 OCCUPATIONAL HEALTH CENTERS OF CA	PREEMPLOYMENT SERVICES	351.50
341776 OFFICE MAX INC	OFFICE SUPPLIES	294.94
341783 PARS	ADMIN FEES	1,051.51
341799 STATE OF CALIFORNIA	FINGERPRINTING	32.00

Economic Development

341773 MUNICIPAL RESOURCE GROUP LLC	CONSULTANT SERVICES	12,096.00
918211 BERNICK, MICHAEL	PROFESSIONAL SERVICES	3,300.00

Finance Administration

341776 OFFICE MAX INC	OFFICE SUPPLIES	272.68
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Finance Operations

341704 PROGRESSIVE SOLUTIONS INC	CONFERENCE DUES	349.00
341806 UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	14.00
341807 UNITED STATES POSTAL SERVICE	PO BOX SERVICE	550.00

Non Departmental

202088 SMOKE SHOP	BUS LIC OVERPAYMENT REFUND	25.00
202089 AMERICAN ASPHALT	BUS LIC APP FEE REFUND	30.00
202090 UCI CONSTRUCTION INC	BUS LIC PENALTY FEE REFUND	12.50
202091 CROWN ENERGY SERVICES	BUS LIC OVERPAYMENT REFUND	92.00
202092 PRESTON PIPELINES INC	BUS LIC OVERPAYMENT REFUND	3.00
202093 CULLIGAN SOFT WATER SERVICE	BUS LIC OVERPAYMENT REFUND	62.50
202094 CLARK PEST CONTROL	BUS LIC OVERPAYMENT REFUND	10.50
202095 FLYERS #252	BUS LIC APP FEE REFUND	30.00
202096 EAST BAY TIRE CO	BUS LIC APP FEE REFUND	30.00
202097 BLAKELY, PHYLLIS	BUS LIC APP FEE REFUND	33.00
202098 AUTOTEK REPAIR	BUS LIC APP FEE REFUND	30.00

Prepared by: Georgina Meek
 Finance Accounting

CITY OF ANTIOCH
 CLAIMS BY FUND REPORT
 FOR THE PERIOD OF
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202099 ZUMIZ INC	BUS LIC APP FEE REFUND	30.00
202100 BOND MANUFACTURING CO INC	BUS LIC APP FEE REFUND	30.00
202103 SOLAR CHEK CO	BUS LIC APP FEE REFUND	30.00
202104 SUPERIOR PLUMBING AND DRAIN	BUS LIC OVERPAYMENT REFUND	87.50
341705 PERS	NON ELIGIBLE ADMIN FEE	2,164.68
341715 24 HOUR FITNESS #556	BUS LIC OVERPAYMENT REFUND	1,390.10
341764 INVERSYS GROUP LLC	CHECK REPLACEMENT	5.00
341790 QUAIL LODGE	BUS LIC FEE REFUND	115.00
Public Works General Maintenance Services		
341776 OFFICE MAX INC	OFFICE SUPPLIES	18.64
Public Works Street Maintenance		
341721 ANTIOCH BUILDING MATERIALS	ASPHALT MATERIALS	10,213.93
341740 COUNTY ASPHALT	ASPHALT	2,952.58
341744 DEPT OF PESTICIDE REGULATION	RENEWAL-DOSSEY	60.00
341768 L SERPA TRUCKING INC	TRUCK RENTAL	492.00
341782 PAPA	RENEWAL-DOSSEY	45.00
Public Works-Signal/Street Lights		
341661 STATE OF CALIFORNIA	SALES TAX	771.29
341667 CONTRA COSTA COUNTY	TRAFFIC SIGNAL MAINTENANCE	54,379.93
341709 STATE OF CALIFORNIA	SIGNAL LIGHT MAINTENANCE	3,696.45
341781 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	160.29
918219 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	6,111.40
Public Works-Striping/Signing		
341679 FASTLANE TEK INC	CONSULTING SERVICES	3,085.00
918202 GRAINGER INC	SUPPLIES	98.90
Public Works-Facilities Maintenance		
341661 STATE OF CALIFORNIA	SALES TAX	3.85
341746 DREAM RIDE ELEVATOR	ELEVATOR SERVICE	240.00
341757 HOME DEPOT, THE	SUPPLIES	73.36
918215 GRAINGER INC	SUPPLIES	33.54
918219 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	1,167.27
Public Works-Parks Maint		
341661 STATE OF CALIFORNIA	SALES TAX	86.20
341673 DELTA FENCE CO	FENCE REPAIR SERVICE	1,333.94
341781 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	249.00
918205 JOHN DEERE LANDSCAPES PACHECO	SPRINKLER REPLACEMENT	1,275.36
918219 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	1,742.55
Public Works-Median/General Land		
341775 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	384.00
341781 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	11.82
918205 JOHN DEERE LANDSCAPES PACHECO	CONTROLLER SUPPLIES	364.94
Police Administration		
202192 MORTENSEN, LANE	ALARM PERMIT FEE REFUND	33.00
202194 CITY OF ANTIOCH	EXPENSE REIMBURSEMENT	12.00
202196 CITY OF ANTIOCH	EXPENSE REIMBURSEMENT	22.20
202221 ADAMI, CRAIG	ALARM PERMIT FEE REFUND	35.00

Prepared by: Georgina Meek
 Finance Accounting

CITY OF ANTIOCH
 CLAIMS BY FUND REPORT
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202222	ALBANESE, DIANE	ALARM PERMIT FEE REFUND	33.00
202223	ALGAZZALI, OMAR	ALARM PERMIT FEE REFUND	33.00
202224	BEHRENS, DANIEL	ALARM PERMIT FEE REFUND	33.00
202225	BOCCHIERI, JOHN	ALARM PERMIT FEE REFUND	33.00
202226	BRIDGEHEAD SELF STORAGE	ALARM PERMIT FEE REFUND	35.00
202227	CALIFORNIA CHECK CASHING STORES	ALARM PERMIT FEE REFUND	33.00
202228	CANNATA, MARY	ALARM PERMIT FEE REFUND	33.00
202229	CHAPMAN, RAMON	ALARM PERMIT FEE REFUND	33.00
202230	COMPOMIZZO, WALT	ALARM PERMIT FEE REFUND	33.00
202231	CORAL, JOSE	ALARM PERMIT FEE REFUND	33.00
202232	DIMAGGIO, EUGENE	ALARM PERMIT FEE REFUND	33.00
202233	HOGAN, MARGARET	ALARM PERMIT FEE REFUND	33.00
202234	JONES, JAMES	ALARM PERMIT FEE REFUND	33.00
202235	LEE, DOY YEE	ALARM PERMIT FEE REFUND	33.00
202237	MENDEZ, PAULETTE	ALARM PERMIT FEE REFUND	33.00
202238	MILLS, JOE	ALARM PERMIT FEE REFUND	33.00
202239	NEWTON, DOUGLAS	ALARM PERMIT FEE REFUND	33.00
202240	PHARRIS, GIL	ALARM PERMIT FEE REFUND	33.00
202241	POLINES, JESIELA	ALARM PERMIT FEE REFUND	33.00
202242	PORRAS, ALBERTO	ALARM PERMIT FEE REFUND	33.00
202244	ROZPADNYUK, SERGEY	ALARM PERMIT FEE REFUND	33.00
202245	SANTOS, ONENA	ALARM PERMIT FEE REFUND	33.00
202247	SLEEP TRAIN MATTRESS CENTER	ALARM PERMIT FEE REFUND	33.00
202248	SPIVA, FRANK	ALARM PERMIT FEE REFUND	33.00
202249	TELFORD, NICK	ALARM PERMIT FEE REFUND	33.00
202250	WALKER SR, KENNY	ALARM PERMIT FEE REFUND	33.00
341655	ARROWHEAD 24 HOUR TOWING INC	TOWING SERVICES	385.00
341661	STATE OF CALIFORNIA	SALES TAX	52.81
341664	CONCORD UNIFORMS LLC	UNIFORMS	868.37
341681	HEAD, SHIRLEY	EXPENSE REIMBURSEMENT	109.00
341699	OFFICE MAX INC	OFFICE SUPPLIES	150.67
341733	CLEAR INC.	TRAINING-HEAD	40.00
341734	COMCAST	CABLE	26.30
341735	CONTRA COSTA COUNTY	RANGE USE FEES	195.00
341741	CRIME SCENE CLEANERS INC	CRIME SCENE CLEANUP	65.00
341756	HOFFMAN, RICK D	EXPENSE REIMBURSEMENT	103.05
341765	JOHNSON, VIRGINIA L	EXPENSE REIMBURSEMENT	144.47
341776	OFFICE MAX INC	OFFICE SUPPLIES	26.13
341787	PSYCHOLOGICAL SERVICES GROUP	DEBRIEFING SERVICES	787.50
341796	SHRED IT INC	SHRED SERVICE	276.85
341799	STATE OF CALIFORNIA	FINGERPRINTING	640.00
341806	UNITED PARCEL SERVICE	SHIPPING	27.81
918203	HUNTINGTON COURT REPORTERS INC	TRANSCRIPTION SERVICES	1,385.01
918210	ARATA PRINTING	BUSINESS CARDS-VANDERPOOL	48.71
918218	HUNTINGTON COURT REPORTERS INC	TRANSCRIPTION SERVICES	620.20
918220	IMAGE SALES INC	BADGE	16.18

Prepared by: Georgina Meek
 Finance Accounting

CITY OF ANTIOCH
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918223 MOBILE MINI LLC	STORAGE CONTAINERS	106.76
Police Community Policing		
202194 CITY OF ANTIOCH	EXPENSE REIMBURSEMENT	58.01
202195 CITY OF ANTIOCH	EXPENSE REIMBURSEMENT	96.60
202196 CITY OF ANTIOCH	EXPENSE REIMBURSEMENT	66.90
202197 CITY OF ANTIOCH	EXPENSE REIMBURSEMENT	94.95
202198 FASTRAK VIOLATION PROCESSING	TOLL VIOLATION	30.00
341658 BLUE SHIELD LIFE	PAYROLL DEDUCTIONS	11.25
341661 STATE OF CALIFORNIA	SALES TAX	12.39
341684 HUNT AND SONS INC	FUEL	238.60
341763 INTOXIMETERS	SUPPLIES	141.44
341770 MEADS, ROBERT P	EXPENSE REIMBURSEMENT	38.85
341771 MOREFIELD, ANTHONY W	EXPENSE REIMBURSEMENT	56.48
341788 PERS	PAYROLL DEDUCTIONS	50.22
918212 DELAVAN, BARRY	COURT SERVICES	173.39
918217 HUDDLESTON, ROCK	COURT SERVICES	256.56
Police Traffic Division		
341661 STATE OF CALIFORNIA	SALES TAX	169.10
Police Investigations		
202194 CITY OF ANTIOCH	EXPENSE REIMBURSEMENT	25.00
202196 CITY OF ANTIOCH	EXPENSE REIMBURSEMENT	7.50
341730 BLOXSOM, LEROY J	EXPENSE REIMBURSEMENT	116.00
341739 CONTRA COSTA COUNTY	LAB TESTING	26,712.00
341803 THOMSON WEST	ONLINE DATABASE	296.10
Police Special Operations Unit		
341726 BARNETT MEDICAL SERVICES INC	MEDICAL WASTE DISPOSAL	110.00
Police Communications		
341666 CONTRA COSTA COUNTY	ARIES MAINTENANCE	33,400.00
341817 HUBB SYSTEMS LLC DATA 911	MAINTENANCE & SUPPORT	143,053.28
Police Community Volunteers		
341717 AMERICAN TROPHIES	BADGES	32.48
Police Facilities Maintenance		
341746 DREAM RIDE ELEVATOR	ELEVATOR SERVICE	80.00
918216 HAMMONS SUPPLY COMPANY	SUPPLIES	106.00
Community Development Administration		
341714 XEROX CORPORATION	COPIER LEASE	326.68
Community Development Land Planning Services		
341727 BAY AREA NEWS GROUP	LEGAL AD	510.05
Community Development Neighborhood Improvement		
202038 CONTRA COSTA COUNTY	LIEN RELEASE	12.00
PW Engineer Land Development		
341705 PERS	PAYROLL DEDUCTIONS	1,848.86
341714 XEROX CORPORATION	COPIER LEASE	118.96
Community Development Building Inspection		
341743 CRW SYSTEMS INC	STANDARD LEVEL ANNUAL	11,000.00

CITY OF ANTIOCH
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212 CDBG Fund

CDBG

341727 BAY AREA NEWS GROUP	LEGAL AD	112.93
341759 HOUSE, TERI	CONSULTANT SERVICES	3,987.50
341766 KENNEDY, JANET	CONSULTANT SERVICES	1,575.00

CDBG NSP

341766 KENNEDY, JANET	CONSULTANT SERVICES	1,785.00
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214 Animal Control Fund

Animal Control

202199 TOLL ROADS VIOLATION DEPT	TOLL VIOLATION	63.00
341661 STATE OF CALIFORNIA	SALES TAX	160.24
341676 EAST HILLS VETERINARY HOSPITAL	VETERINARY SERVICES	4,056.64
341683 HILLS PET NUTRITION	ANIMAL FOOD	398.22
341689 KOEFRAN SERVICES INC	ANIMAL DISPOSAL SERVICES	1,850.00
341699 OFFICE MAX INC	OFFICE SUPPLIES	92.47
341718 ANIMAL SUPPLY LOGISTICS	SUPPLIES	729.60
341723 AUTOMATIC DOOR SYSTEMS INC	REPAIR SERVICES	890.48
341731 BRENTWOOD FEED AND PET SUPPLY	ANIMAL FEED	249.79
341755 HILLS PET NUTRITION	ANIMAL FOOD	606.01
341762 INTERVET INC	SUPPLIES	430.84

216 Park-In-Lieu Fund

Parks & Open Space

341673 DELTA FENCE CO	FENCE REPAIR SERVICE	2,055.00
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219 Recreation Fund

Non Departmental

341742 CRUZ, CARMEN	DEPOSIT REFUND	1,000.00
341748 EAST COUNTY ENDODONTICS	DEPOSIT REFUND	500.00
341779 OROZCO, JOSE M	DEPOSIT REFUND	500.00
341794 ROMERO, RAMON	DEPOSIT REFUND	1,000.00
341798 STATE BOARD OF EQUALIZATION	SALES TAX	322.75
341801 STEARNE, DARIUS	DEPOSIT REFUND	500.00

Recreation Admin

341722 AT AND T MCI	PHONE	63.10
341813 WESCO RECEIVABLES CORP	SUPPLIES	829.84

Recreation Classes/Prog

201709 MELHADO, CELIA	CLASS REFUND	49.00
202151 CAUBLE, KEILA	CLASS REFUND	39.00
341671 CPR FAST	CONTRACTOR PAYMENT	226.80
341678 EDUCATION TO GO	CONTRACTOR PAYMENT	684.75
341695 MASTERSON, KARINE	CLASS REFUND	372.00
341708 STARGAZERS/TRACI MARTIN	CONTRACTOR PAYMENT	704.00
341745 DISCOUNT SCHOOL SUPPLY	SUPPLIES	120.78
341767 KOVALICK, LUANNE	CONTRACTOR PAYMENT	565.50
341769 MAULDIN, SARAH	CLASS REFUND	115.00
341799 STATE OF CALIFORNIA	FINGERPRINTING	32.00

CITY OF ANTIOCH
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Recreation Sports Programs

201708 NEOPOST	EQUIPMENT RENTAL	14.02
341657 BIG SKY LOGOS AND EMBROIDERY	SHIRTS	725.60
341661 STATE OF CALIFORNIA	SALES TAX	16.50
341663 CONCORD SOFTBALL UMPIRES	UMPIRE FEES	2,080.00
341778 ORCHARD SUPPLY HARDWARE	SUPPLIES	274.58

Recreation-New Comm Cntr

341694 MARLIES CLEANING SERVICE	CLEANING SERVICES	270.00
341698 OAKLEYS PEST CONTROL	PEST CONTROL SERVICE	200.00
341701 PACHECO BROTHERS GARDENING INC	LANDSCAPE SERVICES	2,818.34
341728 BAY BUILDING MAINTENANCE INC	CUSTODIAL SERVICES	995.00
341758 HONEYWELL INTERNATIONAL INC	BOILER REPAIR	4,996.12
341797 SPEEDY JANITORIAL REPAIR INC	EQUIPMENT SERVICE	299.63
918215 GRAINGER INC	SUPPLIES	271.22

222 Measure C Fund

Streets

341750 FEDERAL ADVOCATES INC	ADVOCACY SERVICES	5,000.00
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226 Solid Waste Reduction Fund

Solid Waste Used Oil

341753 HAAS-WAJDOWICZ, JULIE A	EXPENSE REIMBURSEMENT	47.72
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Solid Waste

341668 CONTRA COSTA COUNTY	GREEN PROGRAM SUPPORT	1,000.00
341680 GRAPEVINE MAGAZINE	ADVERTISING	778.50
341753 HAAS-WAJDOWICZ, JULIE A	EXPENSE REIMBURSEMENT	253.43

229 Pollution Elimination Fund

Channel Maintenance Operation

341719 ANKA BEHAVIORAL HEALTH INC	LANDSCAPE SERVICES	14,168.00
918221 JOHN DEERE LANDSCAPES PACHECO	SUPPLIES	145.46

251 Lone Tree SLLMD Fund

Lonetree Maintenance Zone 1

341775 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	192.00
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Lonetree Maintenance Zone 2

341702 PACIFIC COAST LANDSCAPE MGMT INC	LANDSCAPE SERVICES	2,995.00
341780 PACIFIC COAST LANDSCAPE MGMT INC	LANDSCAPE SERVICES	2,995.00

Lonetree Maintenance Zone 3

341780 PACIFIC COAST LANDSCAPE MGMT INC	LANDSCAPE SERVICES	2,420.00
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252 Downtown SLLMD Fund

Downtown Maintenance

341775 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	384.00
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254 Hillcrest SLLMD Fund

Hillcrest Maintenance Zone 1

341775 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	460.80
341780 PACIFIC COAST LANDSCAPE MGMT INC	LANDSCAPE SERVICES	3,428.00

Hillcrest Maintenance Zone 2

341775 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	960.00
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Hillcrest Maintenance Zone 4

341775 ODYSSEY LANDSCAPE CO INC LANDSCAPE SERVICES 307.20
255 Park 1A Maintenance District Fund

Park 1A Maintenance District

341775 ODYSSEY LANDSCAPE CO INC LANDSCAPE SERVICES 460.80
256 Citywide 2A Maintenance District Fund

Citywide 2A Maintenance Zone 6

341775 ODYSSEY LANDSCAPE CO INC LANDSCAPE SERVICES 384.00

Citywide 2A Maintenance Zone 9

341775 ODYSSEY LANDSCAPE CO INC LANDSCAPE SERVICES 307.20
257 SLLMD Administration Fund

SLLMD Administration

341651 ACE HARDWARE, ANTIOCH SUPPLIES 14.01
 341744 DEPT OF PESTICIDE REGULATION RENEWAL-BURGESS 420.00
 341776 OFFICE MAX INC OFFICE SUPPLIES 18.64
 341782 PAPA RENEWAL-BURGESS 315.00

311 Capital Improvement Fund

Energy Efficiency

341753 HAAS-WAJDOWICZ, JULIE A EXPENSE REIMBURSEMENT 33.59
 341792 RISING SUN CENTER SUMMER PROGRAM SERVICES 3,000.00

Public Buildings & Facilities

341688 KARSTE CONSULTING INC CONSULTING SERVICES 3,600.00
 341693 LSA ASSOCIATES INC CONSULTING SERVICES 2,390.65
 341729 BEALS ALLIANCE INC DESIGN SERVICE 9,402.45
 341792 RISING SUN CENTER SUMMER PROGRAM SERVICES 7,000.00

376 Lone Diamond Fund

Assessment District

341677 EBMUD DEER VALLEY EASEMENT FEES 4,000.00

570 Equipment Maintenance Fund

Non Departmental

341760 HUNT AND SONS INC FUEL 28,220.19

Equipment Maintenance

341654 ANTIOCH AUTO PARTS WATER PUMP 90.80
 341661 STATE OF CALIFORNIA SALES TAX 77.86
 341665 CONTRA COSTA COUNTY RADIO SERVICE 480.00
 341706 PURSUIT NORTH VEHICLE EQUIPMENT 2,550.96
 341710 ULLMANN, RODNEY EXPENSE REIMBURSEMENT 354.98
 341711 WALNUT CREEK FORD MOTOR REPAIR 5,835.93
 341716 ACE HARDWARE, ANTIOCH SUPPLIES 15.53
 341720 ANTIOCH AUTO PARTS LIGHT BULBS 1,018.95
 341732 CHUCKS BRAKE AND WHEEL SERVICE SUPPLIES 75.48
 341747 EAST BAY TIRE CO REPAIR SERVICE 125.83
 341786 PETERSON WATER PUMP 554.04
 341789 PURSUIT NORTH INSTALLATION SERVICE 3,585.61
 341804 TRED SHED, THE TIRES 3,111.42
 341811 WALNUT CREEK FORD AUTO PARTS STOCK 787.14

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CITY OF ANTIOCH
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918216 HAMMONS SUPPLY COMPANY	SUPPLIES	280.78
918222 KIMBALL MIDWEST	SUPPLIES	108.76
573 Information Services Fund		
Network Support & PCs		
341662 COMCAST	INTERNET SERVICE	78.27
341675 DIGITAL SERVICES	WEBSITE MAINTENANCE	2,210.00
918201 COMPUCOM SYSTEMS INC	SOFTWARE RENEWAL	3,897.50
Telephone System		
201500 AMERICAN MESSAGING	PAGER	12.01
341722 AT AND T MCI	PHONE	177.56
GIS Support Services		
202118 STAPLES	SUPPLIES	18.38
341661 STATE OF CALIFORNIA	SALES TAX	13.37
577 Post Retirement Medical-Police Fund		
Non Departmental		
341705 PERS	MEDICAL AFTER RETIREMENT	3,209.62
918208 RETIREE	MEDICAL AFTER RETIREMENT	498.44
578 Post Retirement Medical-Misc Fund		
Non Departmental		
341705 PERS	MEDICAL AFTER RETIREMENT	6,880.30
918204 RETIREE	MEDICAL AFTER RETIREMENT	99.90
579 Post Retirement Medical-Mgmt Fund		
Non Departmental		
341705 PERS	MEDICAL AFTER RETIREMENT	8,657.89
580 Loss Control Fund		
Human Resources		
341685 IEDA INC	PROFESSIONAL SERVICES	3,884.46
341696 MUNICIPAL POOLING AUTHORITY	SAFETY PROGRAM	623.00
341761 IEDA INC	PROFESSIONAL SERVICES	3,884.46
611 Water Fund		
Non Departmental		
341712 WESCO RECEIVABLES CORP	SUPPLIES	109.11
341793 ROBERTS AND BRUNE CO	SUPPLIES	7,281.41
Water Supervision		
202087 MONTOYA, CARLOTA	FEE REFUND	66.43
341669 CCC ECONOMIC PARTNERSHIP	ECONOMIC PARTNERSHIP	5,000.00
341815 YEPEZ GARCIA, JUAN	CHECK REPLACEMENT	34.20
Water Production		
201929 UNITED STATES POSTAL SERVICE	POSTAGE	50.39
341651 ACE HARDWARE, ANTIOCH	SUPPLIES	90.36
341674 DEPT OF PUBLIC HEALTH	WATER SYSTEM FEES	7,723.18
341687 KARL NEEDHAM ENTERPRISES INC	EQUIPMENT RENTAL	24,387.44
341714 XEROX CORPORATION	COPIER LEASE	204.15
341722 AT AND T MCI	PHONE	126.20
341751 FISHER SCIENTIFIC COMPANY	LAB SUPPLIES	73.19
341754 HACH CO	LAB SUPPLIES	1,118.78

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CITY OF ANTIOCH
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341778 ORCHARD SUPPLY HARDWARE	PIPE FITTINGS	29.51
341780 PACIFIC COAST LANDSCAPE MGMT INC	LANDSCAPE SERVICES	857.00
341799 STATE OF CALIFORNIA	FINGERPRINTING	32.00
341808 UNIVAR USA INC	CAUSTIC	6,323.04
918202 GRAINGER INC	VALVES	1,230.59
918207 TELFER OIL COMPANY	BURLAP	162.38
918209 AIRGAS SPECIALTY PRODUCTS	AMMONIA	1,869.15
918213 EUROFINS EATON ANALYTICAL INC	TESTING & ANALYSIS	1,065.00
918214 GENERAL CHEMICAL CORP	ALUM	25,802.17
918225 SIERRA CHEMICAL CO	CHLORINE	4,055.37
Water Distribution		
341670 CONTRA COSTA HOSE AND FITTINGS	SUPPLIES	434.97
341688 KARSTE CONSULTING INC	CONSULTING SERVICES	2,040.00
341699 OFFICE MAX INC	OFFICE SUPPLIES	99.80
341700 OLSON, JAMIE M	CERTIFICATION REIMBURSEMENT	80.00
341703 PADILLA, EDWARD A	CERTIFICATION REIMBURSEMENT	120.00
341712 WESCO RECEIVABLES CORP	TOOLS	152.70
341720 ANTIOCH AUTO PARTS	SHADE	12.98
341772 MT DIABLO LANDSCAPE CENTERS INC	CONCRETE SUPPLIES	168.34
341776 OFFICE MAX INC	OFFICE SUPPLIES	101.10
341791 RED WING SHOE STORE	SAFETY SHOES-JOHNSON	188.61
341793 ROBERTS AND BRUNE CO	PIPE & FITTINGS	7,991.73
341810 USA BLUE BOOK	SUPPLIES	487.11
Public Buildings & Facilities		
341659 BROWN AND CALDWELL INC	PROFESSIONAL SERVICES	10,253.06
918206 NICHOLS CONSULTING ENGINEERS CORP	MONITORING WELLS	3,957.83
Warehouse & Central Stores		
341806 UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	14.00
621 Sewer Fund		
Sewer-Wastewater Collection		
341699 OFFICE MAX INC	OFFICE SUPPLIES	124.42
341776 OFFICE MAX INC	OFFICE SUPPLIES	101.09
341793 ROBERTS AND BRUNE CO	SUPPLIES	895.23
341812 WECO INDUSTRIES INC	SUPPLIES	55.61
918216 HAMMONS SUPPLY COMPANY	SUPPLIES	374.11
Wastewater Collection		
918206 NICHOLS CONSULTING ENGINEERS CORP	MONITORING WELLS	3,957.82
631 Marina Fund		
Non Departmental		
341707 RAWLS, WILLAIM	BERTH DEPOSIT REFUND	232.00
341713 WILDLANDS INC	BERTH DEPOSIT REFUND	109.25
Marina Administration		
201806 UNITED STATES POSTAL SERVICE	POSTAGE	11.50
341682 HENDERSON MARINE SUPPLY	BUMPER	265.87
341697 NAUTICAL SOFTWARE SOLUTION	SOFTWARE MAINTENANCE	1,225.00
341814 XEROX CORPORATION	COPIER LEASE	136.10

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CITY OF ANTIOCH
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641 Prewett Water Park Fund

Non Departmental

341798 STATE BOARD OF EQUALIZATION	SALES TAX	7,464.16
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Recreation Aquatics

341661 STATE OF CALIFORNIA	SALES TAX	68.06
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Recreation Water Park

341653 AMERICAN PLUMBING INC	PLUMBING SERVICES	125.00
341661 STATE OF CALIFORNIA	SALES TAX	73.21
341690 LESLIES POOL SUPPLIES	POOL SUPPLIES	23.74
341691 LINCOLN EQUIPMENT INC	SUPPLIES	248.60
341692 LISTEK ENTERPRISES INC	PARTY PIZZA	1,333.82
341698 OAKLEYS PEST CONTROL	PEST CONTROL SERVICE	150.00
341701 PACHECO BROTHERS GARDENING INC	LANDSCAPE SERVICES	1,879.16
341758 HONEYWELL INTERNATIONAL INC	ANNUAL MAINTENANCE	13,958.75
918215 GRAINGER INC	SUPPLIES	556.83

Rec Prewett Concessions

341661 STATE OF CALIFORNIA	SALES TAX	161.12
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721 Employee Benefits Fund

Non Departmental

341652 AFLAC	PAYROLL DEDUCTIONS	7,581.16
341658 BLUE SHIELD LIFE	PAYROLL DEDUCTIONS	1,809.38
341672 DELTA DENTAL	PAYROLL DEDUCTIONS	25,048.25
341705 PERS	PAYROLL DEDUCTIONS	249,684.26
341736 CONTRA COSTA COUNTY	PAYROLL DEDUCTIONS	197.40
341737 CONTRA COSTA COUNTY	PAYROLL DEDUCTIONS	400.00
341738 CONTRA COSTA COUNTY	PAYROLL DEDUCTIONS	50.00
341777 OPERATING ENGINEERS LOCAL NO 3	PAYROLL DEDUCTIONS	836.30
341784 PARS	PAYROLL DEDUCTIONS	2,017.02
341785 PERS LONG TERM CARE	PAYROLL DEDUCTIONS	97.27
341788 PERS	PAYROLL DEDUCTIONS	275,065.79
341800 STATE OF FLORIDA DISBURSE UNIT	PAYROLL DEDUCTIONS	150.00
341802 TEXAS CHILD SUPPORT DISBURSE UNIT	PAYROLL DEDUCTIONS	422.77
341805 RECIPIENT	PAYROLL DEDUCTIONS	150.00
341809 US DEPT OF EDUCATION	PAYROLL DEDUCTIONS	359.46
918224 NATIONWIDE RETIREMENT SOLUTIONS	PAYROLL DEDUCTIONS	20,510.71
918226 VANTAGEPOINT TRANSFER AGENTS	PAYROLL DEDUCTIONS	2,187.48



STAFF REPORT TO THE CITY COUNCIL
FOR CONSIDERATION AT THE COUNCIL MEETING OF OCTOBER 23, 2012


SUBMITTED BY: Donna Conley, City Treasurer 

DATE: October 17, 2012

SUBJECT: Treasurer's Report – SEPTEMBER 2012

RECOMMENDATION: Review and file.

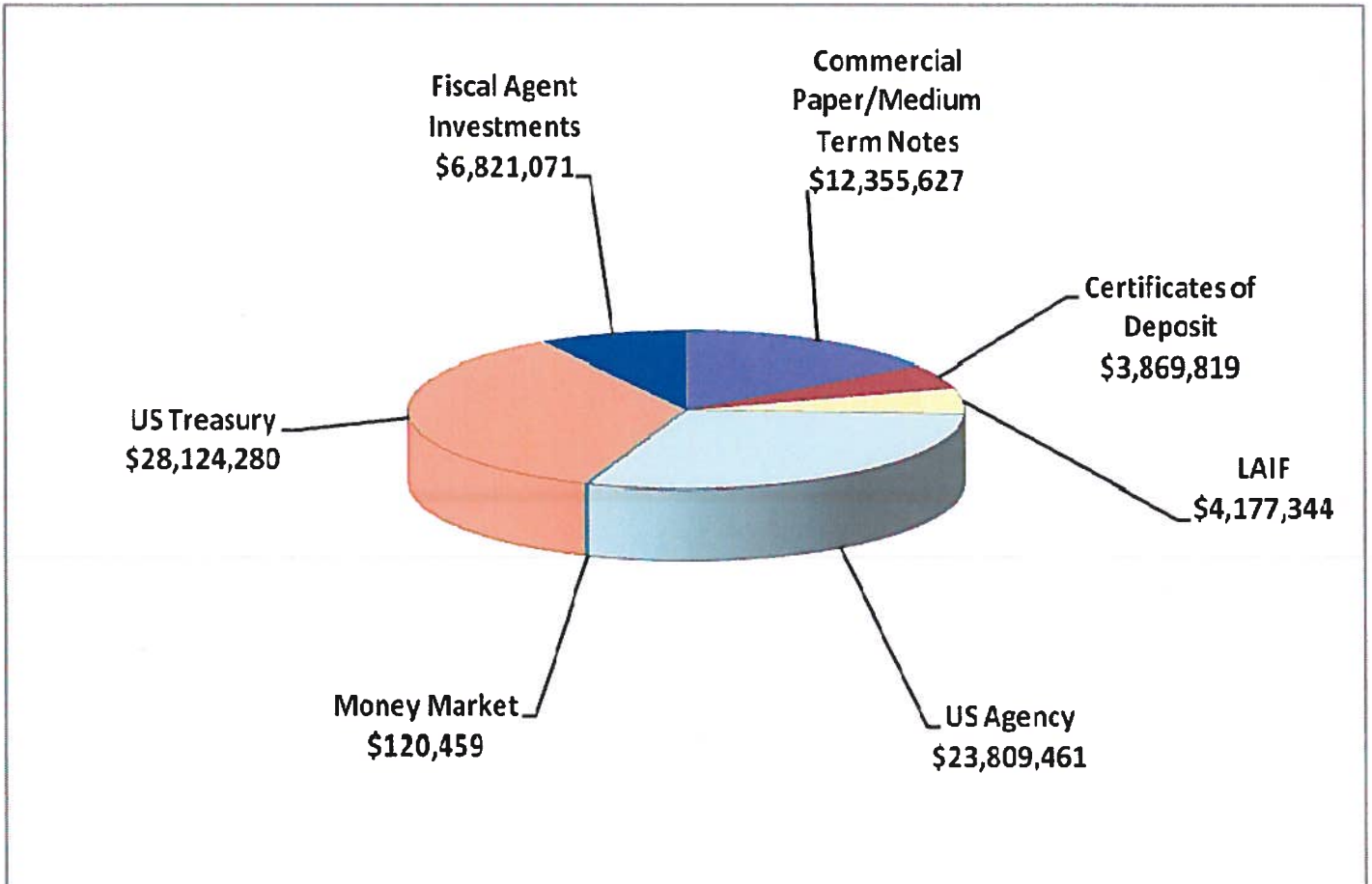
BACKGROUND: City of Antioch's portfolio as of September 2012 is in Compliance with The City's current Investment Policy. Based on the Portfolio as of September 2012 the City of Antioch is able to meet its expenditure requirements for the next six months.



10-17-2012

**CITY OF ANTIOCH
SUMMARY REPORT ON THE CITY'S INVESTMENTS**


SEPTEMBER 30, 2012



Total of City and Fiscal Agent Investments = \$79,278,061

All City investments are shown above and conform to the City Investment Policy. All investment transactions during this period are included in this report. As Treasurer of the City of Antioch and Finance Director of the City of Antioch, we hereby certify that sufficient investment liquidity and anticipated revenue are available to meet the next six (6) months' estimated expenditures.

Donna Conley
Treasurer



Dawn Merchant
Finance Director

**Summary of Fiscal Agent Balances by
Debt Issue**

	<u>Amount</u>
Antioch Public Financing Authority 2003 Water Revenue Bonds	963,569
Antioch Public Financing Authority 2002 Lease Revenue Bonds	8,760
Antioch Public Financing Authority 1998 Reassessment Revenue Bonds	5,187,149
Antioch Development Agency 2009 Tax Allocation Bonds	146,033
Antioch Development Agency 2000 Tax Allocation Bonds	83,023
ABAG Lease Revenue Bonds	<u>432,537</u>
	<u><u>\$6,821,071</u></u>



Managed Account Summary Statement

For the Month Ending September 30, 2012

CITY OF ANTIOCH, CA - 04380500

Transaction Summary - Managed Account

Opening Market Value	\$68,188,137.47
Maturities/Calls	0.00
Principal Dispositions	(5,763,315.20)
Principal Acquisitions	5,922,832.03
Unsettled Trades	0.00
Change in Current Value	(47,650.28)
Closing Market Value	\$68,300,004.02

Cash Transactions Summary - Managed Account

Maturities/Calls	0.00
Sale Proceeds	5,792,664.43
Coupon/Interest/Dividend Income	50,153.48
Principal Payments	0.00
Security Purchases	(5,929,899.80)
Net Cash Contribution	0.01
Reconciling Transactions	0.00

Earnings Reconciliation (Cash Basis) - Managed Account

Interest/Dividends/Coupons Received	79,502.71
Less Purchased Interest Related to Interest/Coupons	(7,067.77)
Plus Net Realized Gains/Losses	(36,719.75)
Total Cash Basis Earnings	\$35,715.19

Cash Balance

\$120,459.44

Earnings Reconciliation (Accrual Basis)

Ending Amortized Value of Securities	67,939,368.25
Ending Accrued Interest	137,957.74
Plus Proceeds from Sales	5,792,664.43
Plus Proceeds of Maturities/Calls/Principal Payments	0.00
Plus Coupons/Dividends Received	50,153.48
Less Cost of New Purchases	(5,929,899.80)
Less Beginning Amortized Value of Securities	(67,779,190.13)
Less Beginning Accrued Interest	(139,899.52)
Total Accrual Basis Earnings	\$71,154.45



PFM Asset Management LLC



Managed Account Detail of Securities Held

For the Month Ending September 30, 2012

CITY OF ANTIOCH, CA - 04380500

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
U.S. Treasury Bond / Note										
US TREASURY NOTES DTD 03/02/2009 1.875% 02/28/2014	912828KF6	AA+	Aaa	04/30/12	05/01/12	2,573,339.84	0.27	4,014.16	2,556,668.03	2,558,300.00
US TREASURY NOTES DTD 03/31/2009 1.750% 03/31/2014	912828KJ8	AA+	Aaa	10/27/11	10/31/11	3,098,085.94	0.39	144.23	3,060,914.22	3,068,202.00
US TREASURY NOTES DTD 05/16/2011 1.000% 05/15/2014	912828OM5	AA+	Aaa	03/27/12	03/29/12	3,799,511.72	0.38	14,164.40	3,787,761.98	3,796,582.03
US TREASURY NOTES DTD 07/15/2011 0.625% 07/15/2014	912828OU7	AA+	Aaa	11/02/11	11/07/11	579,492.19	0.33	761.72	577,993.27	578,908.20
US TREASURY NOTES DTD 07/15/2011 0.625% 07/15/2014	912828OU7	AA+	Aaa	06/20/12	06/21/12	2,841,552.73	0.34	3,742.36	2,839,332.89	2,844,201.17
US TREASURY NOTES DTD 09/15/2011 0.250% 09/15/2014	912828RG7	AA+	Aaa	10/12/11	10/14/11	1,140,701.17	0.53	127.07	1,143,756.87	1,150,089.70
US TREASURY NOTES DTD 12/15/2011 0.250% 12/15/2014	912828RV4	AA+	Aaa	01/05/12	01/06/12	1,195,312.50	0.38	885.25	1,196,479.73	1,199,719.20
US TREASURY NOTES DTD 02/15/2012 0.250% 02/15/2015	912828SE1	AA+	Aaa	02/22/12	02/27/12	1,492,207.03	0.43	478.94	1,493,761.64	1,499,062.50
US TREASURY NOTES DTD 03/01/2010 2.375% 02/28/2015	912828MR8	AA+	Aaa	06/20/12	06/21/12	1,578,457.03	0.42	3,050.76	1,570,383.87	1,575,468.00
US TREASURY NOTES DTD 03/01/2010 2.375% 02/28/2015	912828MR8	AA+	Aaa	04/30/12	05/01/12	2,639,453.13	0.39	5,084.60	2,619,007.18	2,625,780.00
US TREASURY NOTES DTD 03/15/2012 0.375% 03/15/2015	912828SK7	AA+	Aaa	03/13/12	03/15/12	169,428.91	0.49	28.18	169,531.89	170,411.72
US TREASURY NOTES DTD 03/15/2012 0.375% 03/15/2015	912828SK7	AA+	Aaa	06/27/12	06/28/12	824,355.47	0.40	136.74	824,416.98	826,998.05
US TREASURY NOTES DTD 08/02/2010 1.750% 07/31/2015	912828NP1	AA+	Aaa	08/22/12	08/23/12	961,638.68	0.39	2,727.24	960,323.48	962,578.13
US TREASURY NOTES DTD 08/02/2010 1.750% 07/31/2015	912828NP1	AA+	Aaa	06/20/12	06/21/12	1,559,296.88	0.47	4,422.55	1,554,024.15	1,560,937.50



PFM Asset Management LLC



Managed Account Detail of Securities Held

For the Month Ending September 30, 2012

CITY OF ANTIOCH, CA - 04380500

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
U.S. Treasury Bond / Note										
US TREASURY NOTES DTD 08/02/2010 1.750% 07/31/2015	912828NP1	AA+	Aaa	09/06/12	09/10/12	3,772,832.03	0.33	10,687.84	3,769,924.17	3,772,265.63
Security Type Sub-Total						27,545,000.00	0.38	50,456.04	28,124,280.35	28,189,503.83
Municipal Bond / Note										
CA ST REV BONDS DTD 08/23/2012 2.500% 06/20/2013	13063BB68	SP-1	MIG1	08/17/12	08/23/12	839,033.25	0.43	2,203.77	837,214.99	838,117.50
SAN FRANCISCO CITY & CNTY, CA GO BONDS	797646PU4	AA	Aa2	11/10/11	11/30/11	254,994.10	0.68	3,386.11	246,817.05	248,273.50
DTD 11/30/2011 5.000% 06/15/2014										
METRO WTR DIST AUTH, CA REV BONDS DTD 06/28/2012 0.616% 07/01/2014	59266THP9	AAA	Aa1	06/21/12	06/28/12	575,000.00	0.62	885.50	575,000.00	575,598.00
SAN FRANCISCO CITY & CNTY, CA GO BONDS	797646PV2	AA	Aa2	11/10/11	11/30/11	341,313.00	1.03	4,416.67	331,690.34	336,588.00
DTD 11/30/2011 5.000% 06/15/2015										
METRO WTR DIST AUTH, CA REV BONDS DTD 06/28/2012 0.943% 07/01/2015	59266THO7	AAA	Aa1	06/21/12	06/28/12	225,000.00	0.94	530.44	225,000.00	225,546.75
CA ST DEPT OF WATER REV BONDS DTD 09/27/2012 0.650% 12/01/2015	13066KX87	AAA	Aa1	09/19/12	09/27/12	500,000.00	0.65	36.11	500,000.00	498,595.00
Security Type Sub-Total						2,655,000.00	0.65	11,458.60	2,715,722.38	2,722,718.75
Federal Agency Bond / Note										
FNMA NOTES DTD 06/17/2011 0.500% 08/09/2013	3135G0BR3	AA+	Aaa	11/16/11	11/17/11	540,567.00	0.44	390.00	540,281.45	541,337.58
FNMA GLOBAL NOTES DTD 02/01/2011 1.250% 02/27/2014	3135G0AP8	AA+	Aaa	03/17/11	03/18/11	1,903,876.00	1.18	2,243.06	1,901,870.15	1,929,562.10
FNMA GLOBAL NOTES DTD 02/01/2011 1.250% 02/27/2014	3135G0AP8	AA+	Aaa	11/28/11	11/30/11	3,499,990.50	0.60	4,072.92	3,481,425.46	3,503,678.55





For the Month Ending September 30, 2012

Managed Account Detail of Securities Held

CITY OF ANTIPOCH, CA - 04380500

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Federal Agency Bond / Note												
FNMA NOTES	3135G0BY8	575,000.00	AA+	Aaa	09/29/11	09/30/11	578,588.00	0.66	461.20	577,360.05	581,377.90	
DTD 07/18/2011 0.875% 08/28/2014												
FHLMC NOTES	3134G2YJ5	1,600,000.00	AA+	Aaa	09/20/11	09/21/11	1,597,863.68	0.55	266.67	1,598,593.07	1,605,739.20	
DTD 08/12/2011 0.500% 09/19/2014												
FREDDIE MAC GLOBAL NOTES	3134G2WG3	910,000.00	AA+	Aaa	09/28/11	09/30/11	911,820.00	0.68	170.63	911,211.36	917,735.91	
DTD 08/05/2011 0.750% 09/22/2014												
FREDDIE MAC GLOBAL NOTES	3134G2WG3	2,450,000.00	AA+	Aaa	08/30/11	08/31/11	2,462,838.00	0.58	459.38	2,458,315.59	2,470,827.45	
DTD 08/05/2011 0.750% 09/22/2014												
FHLB NOTES	313371PC4	3,000,000.00	AA+	Aaa	01/19/12	01/19/12	3,028,170.00	0.55	7,947.92	3,021,405.33	3,037,842.00	
DTD 11/08/2010 0.875% 12/12/2014												
FANNIE MAE GLOBAL NOTES	3135G0KM4	1,380,000.00	AA+	Aaa	04/17/12	04/19/12	1,376,011.80	0.59	2,376.67	1,376,584.62	1,384,272.48	
DTD 04/19/2012 0.500% 05/27/2015												
FNMA NOTES (CALLABLE)	3135G0NG4	3,400,000.00	AA+	Aaa	08/02/12	08/07/12	3,399,660.00	0.50	2,550.00	3,399,676.90	3,397,868.20	
DTD 08/07/2012 0.500% 08/07/2015												
FREDDIE MAC GLOBAL NOTES	3134G3ZA1	1,825,000.00	AA+	Aaa	07/30/12	07/31/12	1,827,129.78	0.46	836.46	1,827,014.58	1,830,301.63	
DTD 07/11/2012 0.500% 08/28/2015												
Security Type Sub-Total		21,030,000.00					21,126,514.76	0.61	21,774.91	21,093,738.56	21,200,543.00	
Corporate Note												
BANK OF NEW YORK MELLON SR NOTES	06406HBK4	625,000.00	A+	Aa3	04/05/11	04/08/11	678,912.50	1.43	3,025.17	645,674.76	651,918.75	
DTD 08/27/2008 5.125% 08/27/2013												
JOHN DEERE CAPITAL CORP NOTE	24422ERA9	500,000.00	A	A2	02/28/11	03/03/11	499,505.00	1.63	622.22	499,762.37	507,967.50	
DTD 03/03/2011 1.600% 03/03/2014												
CATERPILLAR FINANCIAL SE CORP NOTE	14912L4T5	250,000.00	A	A2	03/24/11	04/01/11	250,197.50	1.62	2,062.50	250,099.95	254,124.75	
DTD 04/01/2011 1.650% 04/01/2014												
WAL MART STORES INC. CORP NOTES	931142DA8	405,000.00	AA	Aa2	04/11/11	04/18/11	403,906.50	1.72	3,034.69	404,430.46	412,451.19	
DTD 04/18/2011 1.625% 04/15/2014												
IBM CORP GLOBAL NOTES	459200GW5	815,000.00	AA-	Aa3	05/09/11	05/12/11	814,233.90	1.28	3,933.51	814,584.29	826,225.81	
DTD 05/12/2011 1.250% 05/12/2014												



PFM Asset Management LLC



For the Month Ending September 30, 2012

Managed Account Detail of Securities Held

CITY OF ANTIOCH, CA - 04380500

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note										
JOHNSON & JOHNSON GLOBAL NOTE DTD 05/20/2011 1.200% 05/15/2014	478160AX2	AAA	Aaa	05/17/11	05/20/11	998,830.00	1.24	4,533.33	999,358.87	1,014,666.00
CATERPILLAR FINANCIAL SE NOTES DTD 05/20/2011 1.375% 05/20/2014	14912L4V0	A	A2	05/17/11	05/20/11	274,854.25	1.39	1,375.95	274,919.78	278,947.35
JP MORGAN CHASE & CO NOTES DTD 05/18/2009 4.650% 06/01/2014	46625HHN3	A	A2	12/19/11	12/22/11	1,062,853.30	2.43	15,655.00	1,046,409.34	1,070,568.69
PROCTER & GAMBLE CO CORP NOTES DTD 08/15/2011 0.700% 08/15/2014	742718DU0	AA-	Aa3	08/10/11	08/15/11	497,945.00	0.84	447.22	498,711.62	503,159.50
BERKSHIRE HATHAWAY INC (FLOATING) NOTES DTD 08/15/2011 1.135% 08/15/2014	084670BA5	AA+	Aa2	08/10/11	08/15/11	850,000.00	0.98	1,258.98	850,000.00	860,364.90
GENERAL ELEC CAP CORP GLOBAL NOTES DTD 01/09/2012 2.150% 01/09/2015	36962GSM2	AA+	A1	05/23/12	05/29/12	1,061,434.50	1.72	5,142.08	1,059,984.20	1,080,621.15
GENERAL ELEC CAP CORP GLOBAL NOTES DTD 01/09/2012 2.150% 01/09/2015	36962GSM2	AA+	A1	01/04/12	01/09/12	1,113,840.40	2.19	5,460.40	1,114,115.06	1,147,516.75
IBM CORP GLOBAL NOTES DTD 02/06/2012 0.550% 02/06/2015	459200HB0	AA-	Aa3	02/01/12	02/06/12	303,508.55	0.72	256.28	303,830.46	305,794.83
BANK OF NEW YORK MELLON (CALLABLE) NOTES DTD 02/21/2012 1.200% 02/20/2015	06406HCC1	A+	Aa3	02/13/12	02/21/12	374,658.75	1.23	512.50	374,727.32	380,056.50
CATERPILLAR FIN CORP NOTES DTD 05/30/2012 1.100% 05/29/2015	14912L5D9	A	A2	05/22/12	05/30/12	249,920.00	1.11	924.31	249,928.84	253,036.00
JOHN DEERE CAPITAL CORP GLOBAL NOTES DTD 06/29/2012 0.950% 06/29/2015	24422ERS0	A	A2	06/26/12	06/29/12	449,878.50	0.96	1,092.50	449,888.73	454,050.45
Security Type Sub-Total						9,775,000.00	1.52	49,336.64	9,836,426.05	10,001,470.12
Commercial Paper										
BANK OF TOKYO MITSUBISHI COMM PAPER - 0.000% 12/24/2012	06538BMO3	A-1	P-1	08/22/12	08/23/12	848,809.29	0.41	0.00	849,186.83	849,439.00



PFM Asset Management LLC



Managed Account Detail of Securities Held

For the Month Ending **September 30, 2012**

CITY OF ANTIOCH, CA - 04380500

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value	
Commercial Paper												
TOYOTA MOTOR CREDIT CORP COMM PAPER	89233GSH0	89233GSH0	A-1+	P-1	08/22/12	08/23/12	1,669,161.23	0.47	0.00	1,670,014.08	1,672,420.50	
--	0.000%	05/17/2013										
Security Type Sub-Total							2,517,970.52	0.45	0.00	2,519,200.91	2,521,859.50	

Certificate of Deposit

ROYAL BANK OF CANADA NY CERT DEPOS DTD 02/10/2012 0.490% 02/08/2013	78009NDY9	78009NDY9	A-1+	P-1	02/08/12	02/10/12	700,000.00	0.49	2,229.50	700,000.00	700,487.62
STANDARD CHARTERED BANK NY CERT DEPOS DTD 09/21/2012 0.650% 03/18/2013	85325BOV9	85325BOV9	A-1+	P-1	09/19/12	09/21/12	1,650,000.00	0.65	297.92	1,650,000.00	1,650,096.20
WESTPAC BANKING CORP NY (FLOAT) CD DTD 02/16/2012 1.387% 02/14/2014	96121TLT3	96121TLT3	AA-	Aa2	02/14/12	02/16/12	1,300,000.00	1.47	2,404.13	1,300,000.00	1,313,325.00

Security Type Sub-Total							3,650,000.00	0.91	4,931.55	3,650,000.00	3,663,908.82
Managed Account Sub-Total							68,139,969.53	0.66	137,957.74	67,939,368.25	68,300,004.02
Securities Sub-Total							\$68,139,969.53	0.66%	\$137,957.74	\$67,939,368.25	\$68,300,004.02
Accrued Interest											\$137,957.74
Total Investments											\$68,437,961.76





Managed Account Security Transactions & Interest

For the Month Ending September 30, 2012

CITY OF ANTIOCH, CA - 04380500

Transaction Type	Trade	Settle	Security Description	CUSIP	Par	Principal Proceeds	Accrued Interest	Total	Realized G/L Cost	Realized G/L Amort Cost	Sale Method
BUY											
	09/06/12	09/10/12	US TREASURY NOTES DTD 08/02/2010 1.750% 07/31/2015	912828NP1	3,625,000.00	(3,772,832.03)	(7,067.77)	(3,779,899.80)			
	09/19/12	09/21/12	STANDARD CHARTERED BANK NY CERT DEPOS	85325BOV9	1,650,000.00	(1,650,000.00)	0.00	(1,650,000.00)			
	09/19/12	09/27/12	CA ST DEPT OF WATER REV BONDS DTD 09/27/2012 0.650% 12/01/2015	13066KX87	500,000.00	(500,000.00)	0.00	(500,000.00)			
Transaction Type Sub-Total					5,775,000.00	(5,922,832.03)	(7,067.77)	(5,929,899.80)			
INTEREST											
	09/03/12	09/03/12	JOHN DEERE CAPITAL CORP NOTE DTD 03/03/2011 1.600% 03/03/2014	24422ERA9	500,000.00	0.00	4,000.00	4,000.00			
	09/04/12	09/04/12	MONEY MARKET FUND	MONEY0002	0.00	0.00	0.35	0.35			
	09/15/12	09/15/12	US TREASURY NOTES DTD 03/15/2012 0.375% 03/15/2015	912828SK7	170,000.00	0.00	318.75	318.75			
	09/15/12	09/15/12	US TREASURY NOTES DTD 03/15/2012 0.375% 03/15/2015	912828SK7	825,000.00	0.00	1,546.88	1,546.88			
	09/15/12	09/15/12	US TREASURY NOTES DTD 09/15/2011 0.250% 09/15/2014	912828RG7	1,150,000.00	0.00	1,437.50	1,437.50			
	09/19/12	09/19/12	FHLMC NOTES DTD 08/12/2011 0.500% 09/19/2014	3134G2YJ5	1,600,000.00	0.00	4,000.00	4,000.00			
	09/22/12	09/22/12	FREDDIE MAC GLOBAL NOTES DTD 08/05/2011 0.750% 09/22/2014	3134G2WG3	910,000.00	0.00	3,412.50	3,412.50			
	09/22/12	09/22/12	FREDDIE MAC GLOBAL NOTES DTD 08/05/2011 0.750% 09/22/2014	3134G2WG3	2,450,000.00	0.00	9,187.50	9,187.50			
	09/30/12	09/30/12	US TREASURY NOTES DTD 03/31/2009 1.750% 03/31/2014	912828KJ8	3,000,000.00	0.00	26,250.00	26,250.00			
Transaction Type Sub-Total					10,605,000.00	0.00	50,153.48	50,153.48			
SELL											
	09/06/12	09/10/12	FHLMC GLOBAL REFERENCE NOTES DTD 03/14/2008 3.500% 05/29/2013	3137EABJ7	575,000.00	588,673.50	5,646.18	594,319.68	(16,180.50)	6,784.12	SPEC LOT





Managed Account Security Transactions & Interest

For the Month Ending **September 30, 2012**

CITY OF ANTIOCH, CA - 04380500

Transaction Type Trade Settle	Security Description	CUSIP	Par	Principal Proceeds	Accrued Interest	Total	Realized G/L Cost	Realized G/L Amort Cost	Sale Method
SELL									
09/06/12 09/10/12	FHLMC GLOBAL NOTES DTD 03/04/2010 1.625% 04/15/2013	3137EAC16	2,135,000.00	2,153,403.70	13,973.87	2,167,377.57	21,392.70	18,991.21	SPEC LOT
09/06/12 09/10/12	FNMA NOTES DTD 06/17/2011 0.500% 08/09/2013	3135G0BR3	910,000.00	912,384.20	391.81	912,776.01	1,428.70	1,877.61	SPEC LOT
09/19/12 09/21/12	ROYAL BANK OF CANADA NY CERT DEPOS	78009NDY9	600,000.00	600,627.90	1,829.33	602,457.23	627.90	627.90	SPEC LOT
09/19/12 09/21/12	WELLS FARGO & COMPANY GLOBAL SR NOTES DTD 02/10/2012 0.490% 02/08/2013	949746NY3	1,000,000.00	1,014,430.00	6,197.92	1,020,627.92	(43,970.00)	3,926.66	SPEC LOT
09/19/12 09/27/12	US TREASURY NOTES DTD 01/31/2008 4.375% 01/31/2013	912828NP1	475,000.00	493,795.90	1,310.12	495,106.02	(18.55)	587.54	SPEC LOT
	DTD 08/02/2010 1.750% 07/31/2015								
Transaction Type Sub-Total			5,695,000.00	5,763,315.20	29,349.23	5,792,664.43	(36,719.75)	32,795.04	
Managed Account Sub-Total				(159,516.83)	72,434.94	(87,081.89)	(36,719.75)	32,795.04	
Total Security Transactions				(\$159,516.83)	\$72,434.94	(\$87,081.89)	(\$36,719.75)	\$32,795.04	



**STAFF REPORT TO THE CITY COUNCIL FOR CONSIDERATION AT THE
COUNCIL MEETING OF OCTOBER 23, 2012**

FROM: Lynn Tracy Nerland, City Attorney 

DATE: October 9, 2012

SUBJECT: City of Antioch Representatives to the Municipal Pooling Authority

RECOMMENDATION:

Adopt the attached resolution naming the City Attorney as the City's Board Member to the Municipal Pooling Authority of Northern California ("Authority") and the Human Resources Director as the Alternate Board Member.

BACKGROUND:

The Authority was originally formed as a Joint Powers Agreement in 1977 among cities in Contra Costa County as a means of "insuring" or sharing risks as a pool because the traditional private insurance market became less of an option for public agencies. The California Government Code allows public agencies to create separate joint power authorities for this purpose.

The Authority is governed by a board composed of one individual from each member city. An alternate board member is also named, who may vote at any meeting at which the regular board member is absent.

Currently, the City Attorney is the City's representative on the MPA Board. With the retirement of former Assistant City Manager Arlene Mornick, Ron Bernal, Public Works Director/City Engineer, volunteered to take on the role of Alternate Board Member.

With the recent appointment of Michelle Fitzer as Human Resources Director and her long involvement with MPA on behalf of her other employer cities, it is recommended that she become the City's Alternate Board Member. As she becomes more familiar with the City's operations and more involved in risk management activities, it may be appropriate at a future time for her to take on the role as the primary Board member. If so, another resolution and staff report will be brought to the Council.

FISCAL IMPACT:

None anticipated.

D
10/23/12

OPTIONS:

The City Council could appoint other individuals to the Authority's Board if they meet the qualifications regarding risk management experience and duties.

ATTACHMENT:

1. Resolution naming the City Attorney as the City's Board Member to the Municipal Pooling Authority of Northern California ("Authority") and the Human Resources Director as the Alternate Board Member.

RESOLUTION NO. 2012/

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
DESIGNATING A BOARD MEMBER AND AN ALTERNATIVE BOARD MEMBER
TO THE MUNICIPAL POOLING AUTHORITY OF NORTHERN CALIFORNIA**

WHEREAS, the City of Antioch is a member of the Municipal Pooling Authority of Northern California (“Authority”); and

WHEREAS, the governing documents of the Authority require the city council of each member city to appoint one Board member and to appoint one alternative Board member to the Board of Directors of the Authority; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch hereby designates the City Attorney as the City’s Board member to the Municipal Pooling Authority of Northern California; and

BE IT FURTHER RESOLVED, that the Human Resources Director is hereby appointed as the City’s Alternative Board member to the Municipal Pooling Authority of Northern California.

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 ___ day of October 2012 by the following vote:

AYES: Council Members

NOES:

ABSENT:

CITY CLERK OF THE CITY OF ANTIOCH

**STAFF REPORT TO THE MAYOR AND CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF OCTOBER 23, 2012**

PREPARED BY: Ahmed Abu-Aly, Associate Civil Engineer, Capital Improvements Division A P

APPROVED BY: Ron Bernal, Director of Public Works/City Engineer RDB

DATE: October 17, 2012

SUBJECT: Resolution Authorizing the Filing of an Application for a CalRecycle Grant for the Rubberized Chip Seal Pavement project at various locations, P.W 328-6

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution authorizing submittal of a CalRecycle grant application for the Rubberized Chip Seal Pavement project at various locations.

BACKGROUND INFORMATION

The California Department of Resources Recycling and Recovery (CalRecycle) provides the Rubberized Pavement Grant Program for recycled-content surfacing products derived from waste tires generated in California.

Staff is recommending applying for the \$79,300 grant amount to be used for the Rubberized Chip Seal Pavement Project. The project's scope of work will include patch paving, crack seal and rubberized chip seal treatment to approximately 79,300 square yards of City streets, as listed in Attachment B.

FINANCIAL IMPACT

The current estimated cost of this year's project is \$634,000 and will be funded via Gas Tax. The \$79,300 grant funding will be used to supplement this project.

OPTIONS

None

ATTACHMENTS

- A: Resolution
- B: List of Streets

RESOLUTION NO. 2012/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPROVING SUBMITTAL OF APPLICATION FOR ALL
CALRECYCLE GRANTS FOR WHICH CITY OF ANTIOCH IS ELIGIBLE, INCLUDING THE
RUBBERIZED CHIP SEAL AT VARIOUS LOCATIONS IN THE CITY OF ANTIOCH
(P.W. 328-6)**

WHEREAS, Public Resource Code Section 4000 et seq. authorizes the Department of Resources Recycle and Recovery (CalRecycle) to administer various Grant Programs (grants) in furtherance of the state of California's (State) efforts to reduce, recycle and reuse solid waste generated in the State thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority, CalRecycle is required to establish procedures governing the application, awarding and management of the grants; and

WHEREAS, CalRecycle grant application procedures require, among other things, an Applicant's governing body to declare by Resolution certain authorizations related to the administration of CalRecycle grants

NOW, THEREFORE, BE IT RESOLVED that the Antioch City Council authorizes the submittal of application to CalRecycle for all grants for which City of Antioch is eligible.

BE IT FURTHER RESOLVED that the Director of Public Works or his/her designee is hereby authorized and empowered to execute in the name of the City of Antioch all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project; and

BE IT FURTHER RESOLVED that these authorizations are effective for five (5) years from the date of adoption of this Resolution

* * * * *

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted and passed by the City of Antioch, California, at a regular meeting thereof held on the 23rd day of October, 2012 by the following vote:

AYES:

NOES:

ABSENT:

DENISE SKAGGS, City Clerk

ATTACHMENT "B"

RUBBERIZED CHIP SEAL PAVEMENT LIST OF STREETS

P.W. 328-6

STREET

LIMIT

Crestwood Drive	E. 18th Street to Minner Avenue
Ross Avenue	Crestwood Drive to Woodland Drive
Glenwood Drive	Ross Avenue to Minner Avenue
Woodland Drive	E. 18th Street to Minner Avenue
Minner Avenue	Cavallo Road to Crestwood Drive
Ruby Drive	Kean Avenue to end
Sydney Avenue	Kean Avenue to Dennis Drive
Dennis Drive	Kean Avenue to Joseph Avenue
Joseph Avenue	Dennis Drive to Biglow Drive
Biglow Drive	E. 18th Street to Gary Avenue
Garrow Drive	E. Tregallas Road to Davison Drive
Mayberry Road	Garrow Drive to end
Sweeney Road	Garrow Drive to Garrow Drive
Worrell Road	Roosevelt Lane to Garrow Drive
Parsons Lane	E. 18th Street to end
Autumn Lane	Parsons Lane to end
Lela Way	Blossom Drive to Parsons Lane
Blossom Drive	E. 18th Street to end
E. Tregallas Road	E. Lone Tree Way to 615' East
Limewood Drive	Garrow Drive to Garrow Drive
Northbrook Court	Limewood Drive to Limewood Drive
Siders Court	Garrow Drive to Garrow Drive

**STAFF REPORT TO THE MAYOR AND CITY COUNCIL FOR
CONSIDERATION AT THE COUNCIL MEETING OF OCTOBER 23, 2012**

PREPARED BY: Ahmed Abu-Aly, Associate Civil Engineer, Capital Improvements Division *AA*
APPROVED BY: Ron Bernal, Director of Public Works/City Engineer *RB*
DATE: October 18, 2012
SUBJECT: Consideration of Bids for the Wilbur Avenue Overhead Widening Project,
Bridge # 28C-0054 (P.W. 259-B)

RECOMMENDATION

It is recommended that the City Council consider one of the following options for award of the Wilbur Avenue Overhead Widening Project.

1. Motion to award the project to the low bidder, ProVen Management Inc. of San Francisco, in the amount of \$10,306,983.00, and to reject the bid protest of California Engineering Contractors, Inc.;
2. Motion to reject the low bid of ProVen Management, Inc. as nonresponsive and award the project to the second low bidder, California Engineering Contractors, Inc. of Pleasanton, in the amount of \$10,445,982.70;
3. Motion to reject all bids and authorize staff to rebid project;
4. Continue matter to next City Council meeting.

BACKGROUND INFORMATION

The Wilbur Avenue Bridge project is a federally funded project to seismically retrofit the existing bridge over the BNSF railroad and to widen the bridge to accommodate four lanes of traffic from Apollo Court to 1,100 feet east of the existing bridge. The project will provide public safety improvements and allow for future capacity improvements.

On October 4, 2012, six (6) bids were received and opened, as shown on the attached tabulation. The low bid was submitted by ProVen Management, Inc. (ProVen) of San Francisco in the amount of \$10,306,983.00. The Engineer's Estimate for the project is \$11,600,000.00.

Being that this project is being funded in part by federal funds; the successful low bidder is required to comply with the Underutilized Disadvantaged Business Enterprise (UDBE) goal for this project. ProVen's bid has met and exceeded the project requirements.

After the bid opening staff received a bid protest from the second low bidder, California Engineering Contractors, Inc. (Attachment B). City staff is consulting with Caltrans, the project construction management consultant, the design engineer and the City Attorney to assess the merit of the bid protest. At the time of this report, staff does not have enough information to provide a recommended action to Council, thus the four options. Staff will however, provide a Supplemental Staff Report with additional information for Council's consideration before the October 23rd meeting.

Construction of the project is planned to begin January 2013 and completed in the summer of 2014.

AA/lm

FINANCIAL IMPACT

Once a responsive low bidder is determined and the project is awarded, funding for this construction contract will be funded with 88.53% from the Highway Bridge Rehabilitation and Replacement Federal Grant and 11.47% from Measure J Funds.

OPTIONS

In addition to the four options listed in the Recommendation section of the staff report, staff will be providing a Supplemental Staff Report prior to the October 23, 2012 Council Meeting for consideration.

ATTACHMENTS

- A: Bid Tabulation
- B. Second Low Bidder's Bid Protest Letter

ATTACHMENT "A"

CITY OF ANTIOCH

TABULATION OF BIDS

JOB TITLE: Wilbur Avenue Overhead Widening, Bridge #28C-0054

(P.W. 259-B)

BIDS OPENED: October 4, 2012 ~ 2:00 p.m.

City Council Chambers

	Engineer's Estimate	ProVen San Francisco	California Engineering Contractors, Inc. Pleasanton	Golden State Bridge, Inc. Martinez	Gordon N. Ball, Inc. Alamo	Ghilotti Bros/RM Harris JV San Rafael
TOTAL BID PRICE	\$11,600,000.00	\$10,306,983.55	\$10,445,982.70	\$10,947,546.70	\$11,034,834.00	\$11,757,613.30

	<i>California Engineering Contractors, Inc.</i>	<i>Golden State Bridge, Inc.</i>	<i>Gordon N. Ball, Inc.</i>	<i>Ghilotti Bros/RM Harris JV</i>
<p><i>ProVen</i></p> <ul style="list-style-type: none"> Rebar CMC Rebar Fencing Central Fence Electrical Steiny & Co. Striping Chrisp Co. Painting FD Thomas Signs Schotka Concrete Barriers ACL Concrete Crash Walls Azul Works Structural Steel Mountain State Steel 	<ul style="list-style-type: none"> Piling Foundation Constructors Concrete Barriers ACL Paving & Grading Carone & Company Rebar CMC Rebar Painting FD Thomas Minor Concrete Murga Strange & Chalmers Fencing Central Fence Electrical Steiny & Co. 	<ul style="list-style-type: none"> Electrical Continental Electric Paint FD Thomas Paving & Grading Bay Cities Paving & Grading MSE Wall Underground Rebar CMC Rebar Fencing Oliviera Fence 	<ul style="list-style-type: none"> MBGR Central Fence Striping Chrisp Co. Concrete Barriers ACL Piling Foundation Constructors Rebar CMC Rebar Joint Seal Contractors Chemical Fencing Oliviera Fence Electrical Continental Electric Paint FD Thomas 	<ul style="list-style-type: none"> Striping Chrisp Co. MBGR Central Fence Structural Steel Adam's & Smith Rebar CMC Rebar Fence & Railing Piser Fence Piling Foundation Constructors Electrical Continental Electric Concrete Barriers ACL Paint Jeffco Bridge Removal WC Maloney Crash Wall WC Maloney Joint Seal Contractors Chemical

AI

CITY OF ANTIOCH
TABLULATION OF BIDS

JOB TITLE: Wilbur Avenue Overhead Widening, Bridge #28C-0054
(P.W. 259-B)
BIDS OPENED: October 4, 2012 ~ 2:00 p.m.
City Council Chambers

	Engineer's Estimate	Disney Construction Burlingame	
TOTAL BID PRICE	\$11,600,000.00	\$12,655,082.00	

Disney Construction			
<ul style="list-style-type: none"> Signs Schotka <u>Equipment Maintenance & Fuel</u> First Fuel Pumping K & G Concrete Pumping Concrete Barriers ACL Paving & Grading Bay Cities Paving & Grading Fencing Oliviera Fence Flatwork Murga Strange & Chalmers Rebar CMC Rebar Electrical Steiny & Co. Structural Steel Cinger Welding 			

A2

ATTACHMENT B

LAW OFFICES
McINERNEY & DILLON
PROFESSIONAL CORPORATION
1999 HARRISON STREET • SUITE 1700
OAKLAND, CALIFORNIA 94612-4700
TELEPHONE (510) 465-7100
FAX (510) 465-8556

William H. McInerney, Jr.
wjr@mcinerney-dillon.com

RECEIVED
OCT 16 2012

October 15, 2012

Via Fax (925) 779-7062
and Overnite Express

Ahmed Abu-Aly, P.E.
City of Antioch Capital Improvements Department
200 "H" Street
Antioch, CA 94531

Project: Wilbur Avenue Bridge Widening, Br. #28C-0054
City of Antioch Contract P.W. #259-B

Subject: Bid Protest

Dear Mr. Abu-Aly:

We represent the apparent second low bidder, California Engineering Contractors, Inc. ("California Engineering"). California Engineering protests the bid of the apparent low bidder, Proven Management, Inc. ("PMI") on the ground that its bid is not responsive for a number of reasons.

**PMI FAILED TO SUBMIT A PROOF OF CERTIFICATION
UNDER THE SSPC-QP CERTIFICATION PROGRAM WITH ITS BID**

Section 10-1.56 of the Special Provisions clearly informed each of the bidders of the following mandatory bid requirement:

"Proof of certification under the SSPC QP Certification Program must be submitted with your bid. Required certification are as follows:

1. SSPC-QP 2, Category A" (emphasis added)

Based upon our review of PMI's documents that it submitted with its bid, it did not submit the required certification. As such, its bid is not responsive and should be rejected.

In MCM Construction, Inc. v. City and County of San Francisco, 66 Cal.App.41 359,

B I

375-377, 78 Cal. Rptr. 2d 44, 52-54 (1998), the Court held the bidder, MCM Construction, Inc's failure to fill out its subcontractor listing form correctly rendered its bid non-responsive, and that mistake could not be waived by the City of San Francisco.

PMI's omission of the required certification put it in a similar position as the bidder in the MCM Construction case. The omission gave it an unfair advantage over the other bidders including California Engineering by providing PMI with the opportunity to review the results of the bidding and additional time to review its own bid. If it was unhappy with either, it could simply inform the City of Antioch that it could not provide the required certification. The fact that PMI has not informed the City of its inability is not the issue, it is the opportunity to takes such action. That is the unfair advantage that the MCM Construction line of cases prohibits. Given this unfair advantage, PMI's bid should be found non-responsive and should be rejected

We have attached as **Exhibits 1 & 2** a true and correct copy of two (2) Caltrans letters dated May 10, 2012 and September 7, 2012 letter, wherein Caltrans rejected the low bid of a contractor because it "failed to properly submit the proof of certification under the SSPC-QP Certification Program." This is exactly the situation with PMI's bid. It failed to submit the required SSPC-QP Certification. This makes PMI's bid non-responsive and its bid must be rejected.

**PMI FAILED TO SUBMIT THE REQUIRED WRITTEN CONFIRMATION
FROM ITS TWO LISTED UDBE SUBCONTRACTORS THAT THEY WERE
PARTICIPATING IN THE CONTRACT**

Section 2-1.02 of the Special Provisions required the bidders to either submit with their bid or within four business days after the bid opening a written confirmation or the quote from the UDBE subcontractor that is participating in the contract.

"Submit written confirmation from each UDBE stating that it is participating in the contract. Include confirmation with the UDBE Commitment form. A copy of a UDBE's quote will serve as written confirmation that the UDBE is participating in the contract.

If you do not submit the UDBE Commitment form within the specified time, the Agency finds your bid nonresponsive."

PMI listed Azul Works and Schotka Construction as its two UDBE subcontractors but it failed to include either a written confirmation or quote from either UDBE subcontractor with its UDBE Commitment form at bid time or within four business days after the bid opening. That failure requires PMI's bid be rejected as non-responsive.

**PMI FAILED TO COMPLY WITH THE SUBCONTRACTOR
LISTING REQUIREMENTS BY OMITTING THE
REQUIRED BID ITEM NUMBERS**

The Standard Specifications' Section 2-1.12 required each bidder to list the bid item number for each bid item that would be performed by a subcontractor.

“The Subcontractor List must show the name, address, and work portions to be performed by each subcontractor listed. Show work portion by *bid item number*, description and percentage of each bid item subcontracted.

“On the Subcontractor List you may either submit each subcontracted *bid item number* and corresponding percentage with your bid or fax these numbers and percentages to (916) 227-6282 within 24 hours after bid opening. Failure to do so results in a nonresponsive bid.” (emphasis added)

PMI did not list the required *bid item number* as required for any of the nine subcontractors listed in the List of Subcontractors. It is California Engineering’s belief that PMI did not fax the bid item numbers to the City within 24 hours after bid opening.

The City adopted Caltrans’ requirements for listing subcontractors for this bid. We have attached as **Exhibit 3** a true and correct copy of Caltrans’ October 4, 2012 letter, wherein Caltrans rejected the low bid of a contractor because it failed to “submit the bid item numbers” in the Subcontract List. This is exactly the situation with PMI. It failed to list the bid item numbers despite the very clear bid instructions. That omission results in PMI’s bid being non-responsive and it must be rejected.

In the case of *Pozar v. Department of Transportation* (1983) 145 Cal. App. 3d 269, the court ordered Caltrans to follow its own instructions and re-calculate the bid price using its own instructions. In issuing the order to Caltrans, the court stated:

(1) This court has no power to direct the award of a public contract to any individual. (*Judson Pacific-Murphy Corp. v. Durkee* (1956) 144 Cal. App.2d 377, 381 [301 P.2d 97].) We can, however, direct an agency to follow its own rules when it has a ministerial duty to do so or when it has abused its discretion. (*Glendale City Employees’ Assn., Inc. v. City of Glendale* (1975) 15 Cal.3d 328, 344-345 [124 Cal. Rptr. 513, 540 P.2d 609].) Here, as in the *Glendale* case, we are concerned with a ministerial duty. Caltrans’ own rules obligate it to accept the per-unit price in the absence of specified circumstances, none of which are here present. The per-unit price of \$20 is neither ambiguous, unintelligible, uncertain, nor otherwise within any exception to the rule.

The City’s instructions to all the bidders, including PMI, were clear. Each bidder must include for each listed subcontractor the bid item number of the work being subcontracted PMI failed to meet that requirement. The City’s instructions are clear in the case of such a failure. The City must find PMI’s bid non-responsive and it must be rejected.

CONCLUSION

Under the general principals of the law of competitive bidding, a non-responsive bid may not be amended after opening for the purpose of correcting the defect. The California Attorney General

B3

has been asked whether a county's acceptance of a bid amended after opening was "in conformance with a the spirit of the statue demanding competitive bidding..." **Opinion No. 49-55, 14 Op. Att. Gen. 54, 55** (1949). The Attorney General concluded that such an acceptance was not a legal acceptance, quoting with approval the Illinois Supreme Court's survey of the law:

"...In **State Board of Commissioner, 11 Neb. 484, 9 N.W.691, Beaver v. Trustees, 19 Ohio St. 311**, the question of the effect of permitting material changes to be made in the terms and conditions of sealed bids after the bids had been opened was considered, and condemned as violative of correct principles of law, and as rendering the bids invalid. The principle declared in all of these cases is that the board or body who are empowered to open the sealed bids and award the contract had power, under the law, to accept or reject the bids as submitted and sealed, but that they had no power, after the bids were open, to permit material amendments or changes to be made in the terms of conditions of the bids; that the only proposals or bids which the law could recognize were those which were made, sealed and filed within the time limited in the advertisement calling for bids **City of Chicago v. Mohr, 216 Ill. 320, 74 N.E. 1056**.

Based on the Attorney General's opinion, there is no time left for PMI to correct its bid and provide the missing documents or information discussed above in order that its bid may be considered responsive. To permit such an amendment, would give PMI a distinct advantage that none of the other bidders, including California Engineering had. Accordingly, PMI's bid should be rejected.

California public policy also strongly favors vigorous protection of the integrity of the public bidding process. In **Konica Business Machines U.S.A., Inc. v. Regents of University of California, 206 Cal.App.3d 449, 456-457** (1988), the court commented on the importance of strictly following the rules of the competitive bidding process, in spite of missed cost advantages for the taxpayer, even where actual favoritism, fraud, or corruption may not be present:

Because of the potential for abuse arising from deviations from strict adherence to standards which promote these public benefits, the letting the public contract universally receives close judicial scrutiny and contracts awarded without strict compliance with bidding requirements will be set aside. This preventative approach is applied even when it is certain there was in fact no corruption or adverse effect upon the bidding process, and the deviations would save the entity money. [Citations omitted.] The importance of maintaining integrity in government and the ease with which policy goals underlying the requirement for open competitive bidding may be surreptitiously undercut, mandate strict compliance with bidding requirements [Citation omitted.] [Emphasis added.]

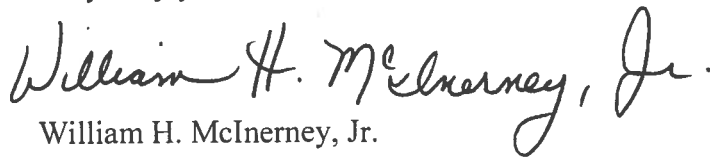
B4

It is clear that for the City to permit PMI to amend its bid would violate a duty owed to the public to maintain fairness in the award of public work contracts. Where a public agency disregards its ministerial duties with respect to supervision of the bidding of a public work, any contract arising from such improper procedure is void and unenforceable. **Martin v. City of Corning (1972) 25 Cal. App. 3d. 165.**

It is our position that the law is quite clear, and we are confident that a court would so hold. There is no authority that supports a contention that the City can award a competitively bid contract to a non-responsive bidder.

For all the reasons set forth above, California Engineering requests the City reject the bid of PMI and award the project to California Engineering, the lowest responsive and responsible bidder and the bidder who, at the time of opening, met all of the bidding requirements concerning SSPC-QP Certification, UDBE confirmation and bid items numbers .

Very truly yours,

Handwritten signature of William H. McInerney, Jr. in cursive script.

William H. McInerney, Jr.

Encl.

cc: California Engineering Contractors, Inc./S. Banke
Proven Management, Inc. via facsimile w/attachments

BS

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER, MS 43
1727 30th STREET
P. O. BOX 168041
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6280
FAX (916) 227-6282
TTY 711



*Flex your power!
Be energy efficient!*

May 10, 2012

Facsimile: (707) 432-0574

David Brockman, President
Certified Coatings Company
2320 Cordelia Road
Fairfield, CA 94534

06-0M2204
06-Ker-5,155,178-Var
B.O. 4/10/12

Dear Mr. Brockman:

Certified Coatings Company submitted a bid on contract 06-0M2204 on April 10, 2012. By this letter, the California Department of Transportation (Caltrans) notifies Certified Coatings Company that its bid is nonresponsive because it failed to properly submit the proof of certification under the SSPC-QP Certification Program. The Special Provisions state in part:

"10-1.20 CLEAN AND PAINT EXISTING STRUCTURAL STEEL...

GENERAL


Proof of certification under the SSPC QP Certification Program must be submitted with your bid. Required certifications are as follows:

1. SSPC-QP1
2. SSPC-QP2, Category A
3. SSPC-QP3, Enclosed Shop Facility or AISC Sophisticated Paint Endorsement Quality Program, P1-Enclosed"

Based on the above, Caltrans finds your bid is nonresponsive and will award the contract to the lowest responsible bidder.

If you have any questions, please contact Tammy Thomas, Contract Awards Branch Chief, at (916) 227-6228.

Sincerely,

RW

JOHN C. MCMILLAN
Deputy Division Chief
Office Engineer
Division of Engineering Services

c: Santa Margarita Construction Corp.
P. O. Box 357
Templeton, CA 93465
Fax: (805) 237-1187

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DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER, MS 43
1727 30th STREET
P. O. BOX 168041
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6280
FAX (916) 227-6282
TTY 711



*Flex your power!
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September 7, 2012

Facsimile: (951) 674-7495

David A. Beador, President
Beador Construction Company, Inc.
26320 Lester Circle
Corona, CA 92803

07-3X3004
07-LA-10-S0.4
B.O. 8/30/12

Dear Mr. Beador:

The Department of Transportation (Caltrans) received a bid submitted by Beador Construction Company, Inc., (Beador) for Contract No. 07-3X3004 on August 30, 2012. By this letter, Caltrans notifies Beador that its bid is nonresponsive since Beador did not comply with Contract Special Provisions Section 2-1.03 SSPC QP CERTIFICATION PREAWARD QUALIFICATION, which states:

"Submit proof of each required SSPC QP certification with your bid or fax it to (916) 227-6282 no later than 4:00pm on the 2nd business day after bid opening. Failure to do results in a nonresponsive bid."

Beador failed to submit the SSPC QP certification.

Based on the above, Caltrans finds your bid is nonresponsive. Caltrans will proceed to award the contract to the lowest responsible bidder provided all requirements are met.

Your attention is directed to Section 3-1.02 of the Amendments to the 2006 Standard Specifications. Caltrans is not obligated to offer an extension of the award period for a nonresponsive bid. Should you wish to offer to extend your bid while resolving a nonresponsive finding you must send your request to the Office Engineer no later than 4:00 pm two business days prior to the expiration of your bid.

If you have any questions, please contact Tammy Thomas, Contract Awards Branch Chief, at (916) 227-6228.

Sincerely,

A handwritten signature in black ink, appearing to read "J. McMillan", written over a large, stylized, illegible scribble.

JOHN C. McMILLAN
Deputy Division Chief
Office Engineer
Division of Engineering Services

EXHIBIT

2 B7

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
 OFFICE ENGINEER, MS 43
 1727 30th STREET
 P. O. BOX 168041
 SACRAMENTO, CA 95816-8041
 PHONE (916) 227-6280
 FAX (916) 227-6282
 TTY 711



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October 4, 2012

Facsimile: (707) 258-1240

Joseph Gonsalves, President
 J.A. Gonsalves & Son Construction, Inc.
 PO Box 6553
 Napa, CA 94581

04-3S5704
 04-Mrn-1-37.1
 B.O. 9/26/12

Dear Mr. Gonsalves:

J.A. Gonsalves & Son Construction, Inc. (Gonsalves & Son) submitted a bid for contract 04-3S5704 on September 26, 2012. By this letter, the Department of Transportation (Caltrans) notifies Gonsalves & Son that its bid is nonresponsive because it failed to properly submit the Subcontractor List.

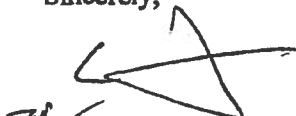
The Subcontractor List form states in part,..."Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid." Gonsalves & Son failed to submit the bid item numbers as required in column 2.

Based on the above, Caltrans finds your bid is nonresponsive. Caltrans will proceed to award the contract to the lowest responsible bidder provided all requirements are met.

Your attention is directed to Section 3-1.02 of the Amendments to the 2006 Standard Specifications. Caltrans is not obligated to offer an extension of the award period for a nonresponsive bid. Should you wish to offer to extend your bid while resolving a nonresponsive finding you must send your request to the Office Engineer no later than 4:00 pm two business days prior to the expiration of your bid.

If you have any questions, please contact Tammy Thomas, Contract Awards Branch Chief, at (916) 227-6228.

Sincerely,


 JOHN C. McMILLAN
 Deputy Division Chief
 Office Engineer
 Division of Engineering Services

Attachment

**SUPPLEMENTAL STAFF REPORT TO THE MAYOR AND CITY COUNCIL FOR
CONSIDERATION AT THE COUNCIL MEETING OF OCTOBER 23, 2012**

PREPARED BY: Ahmed Abu-Aly, Associate Civil Engineer, Capital Improvements Division **AA**

APPROVED BY: Ron Bernal, Director of Public Works/City Engineer **REB**

DATE: October 22, 2012

SUBJECT: **Supplemental Report:** Consideration of Bids for the Wilbur Avenue Overhead Widening Project, Bridge # 28C-0054 (P.W. 259-B)

RECOMMENDATION

It is recommended that the City Council award the project to the low bidder, ProVen Management, Inc. (ProVen) of San Francisco, in the amount of \$10,306,983.00, and reject the bid protest of California Engineering Contractors, Inc.

ADDITIONAL BACKGROUND INFORMATION

Overview

This supplemental report provides additional information staff has received and developed since the Council staff report for this item was prepared and distributed on October 18th. Since much of the information below was unavailable at the time the original staff report was prepared, and promptly acting on this project is important to keeping project costs to a minimum, staff recommended the Council consider four options listed in the Recommendation portion of the original staff report.

As an overview of the issue at hand, on October 4, 2012, the City received six (6) bids for the Wilbur Avenue Overhead Widening project. This is primarily a federally funded project to seismically retrofit and widen the existing bridge over the BNSF railroad. The low bid was submitted by ProVen. On October 16, 2012, the second low bidder, California Engineering Contractors, Inc. (CEC) protested the bid on the ground ProVen's bid is not responsive (Attachment A). On October 18, 2012 ProVen submitted a response to CEC's protest and asserts the protest is completely without merit (Attachment B). A summary of the protest from CEC and low bidder, ProVen's response follows.

CEC Protest of ProVen Bid

CEC contends that ProVen's bid should be rejected for the following reasons:

1. ProVen failed to submit a proof of painter certification under the SSPC-QP Certification Program with its bid as required by Special Provision 10-1.56 of the Bid Documents, which applied to cleaning and painting of existing structural steel (Special Provision 10-1.56 is included with Attachment A) and provides examples of when Caltrans has rejected a low bid for failing to provide such a certification with the bid.
2. ProVen failed to submit the required written confirmation from its two listed Underutilized Disadvantaged Business Enterprise (UDBE) subcontractors that they were participating in the contract as required by Special Provision 2-1.02 (Attachment C).
3. ProVen failed to comply with the Subcontractor Listing requirements by omitting the bid item numbers as required by Standard Specification 2-1.12 (the Caltrans Standard

Specifications referenced in the Bid Documents – which is Attachment D).

ProVen Response to CEC Protest

ProVen responded to CEC's claims arguing the following:

1. ProVen is not required to submit any certification for the painting of existing structural steel with its bid as this requirement was deleted by Addendum No. 3 that revised Special Provision 10-1.55 to apply to painting on both new and existing structural steel (Attachment E). The certifications can be provided later. They further argue that even if there had been such a requirement to submit the certifications at bid opening, a failure to submit such a certification with its bid would have been a waivable irregularity that did not allow ProVen to "walk away from its bid." As an aside, the painting subcontractor does have the required certifications.
2. ProVen submitted the quotes of both of its UDBEs to the City, and the City received them within four business days after bid opening, as provided in Section 2-1.02 as indicated by stamp/received date on cover letter (Attachment F).
3. ProVen fully completed the List of Subcontractors form, including identifying its subcontractors and specifying for each, the work it will be performing, as required by State law (Exhibit G). ProVen is required to use these subcontractors for the specified work. The purposes of the subcontractor listing requirement under state law have clearly been fulfilled. Accordingly,

Staff's Assessment of the Protest and Response

Both parties provide, what they believe to be, legal basis for their arguments and positions. Staff has been in consultation with the construction management consultant who will be managing the contract and construction of this project, the design engineer, Caltrans and the City Attorney. Based on these discussions, it is staff's opinion that the arguments by the second low bidder, CEC, for rejection of the ProVen bid have been well defended by ProVen.

Requirement for Painting Certification was deleted by Addendum 3

Regarding the painting certification item listed in the protest letter from CEC (Protest Item 1), Special Provision 10-1.55, as revised by Addendum 3, related to painting new and existing steel surfaces supersedes Special Provision 10-1.56 of the Bid Documents, which applied to cleaning and painting of existing structural steel only. Special Provision 10-1.55, as revised by Addendum 3, does not require the low bidder to submit a painter certification with the bid. Furthermore, staff has confirmed that the design engineer intended the addendum language to supersede the original Special Provisions 10-1.55 and 10-1.56 consistent with the pay items and response to the pre-bid questions, but failed to delete Special Provision 10-1.56 as well as 10-1.55.

The fact of this Addendum 3 applying to the painting of the existing and new structural steel and not requiring the certification at bid opening distinguishes this situation from those referenced in the Caltrans' letters attached to CEC's protest. Finally, it should be noted that of the six bidders, only two submitted the painting certification thus leading staff to believe that this interpretation of the addendum by ProVen was consistent with the majority of the other bidders.

In fact, even if Section 10-1.56 was still in effect, this section allows the painting certification to be waived based on written documentation from the Contractor showing compliance as part of the Painting Quality Work Plan to be submitted "prior to performing painting". The Special Provisions (neither Section 10-1.55 or 10-1.56) do not require this Painting Quality Work Plan (in lieu of certification) to be submitted with the bid. This is further

evidence that even if there is some deviation from the bid requirements that the Special Provisions would consider such a deviation minor and waivable since there is already a process in the Special Provisions for addressing the quality of the painting after bid opening.

ProVen submitted the UDBE Subcontractor Information in a Timely Manner

The most critical of the CEC assertions in staff's opinion that ProVen failed to provide the requisite UDBE written confirmation (Protest Item 2), has been determined to be unfounded as ProVen did in fact provide the quotes of both of its UDBEs within four business days after bid opening as proof that it exceeded the UDBE goal of 3.2%. As a federally funded project, this project received a 3.2% UDBE goal and failure to meet the goal or show good faith efforts in meeting that goal can jeopardize federal funding. ProVen submitted its paperwork by overnight mail on October 9, 2012 and it was received by the City on October 10, 2012, which is within 4 business days of the bid opening on October 4, 2012. It should be noted that CEC did submit paperwork showing its good faith efforts to meet the UDBE (which has not been reviewed yet), but did not include a UDBE subcontractor with its bid.

ProVen Sufficiently Completed the Subcontractor Listing Form

In response to the CEC claim that the Subcontractor Listing was not correctly completed (Protest Item 3), staff is of the opinion that the failure of ProVen to provide this information is inconsequential. The language requiring the bid listing is from the Caltrans' Standard Specifications and in fact indicates that the form is to be faxed to the Caltrans office, which is not applicable to this City job. The Subcontractor List form in the Bid Documents, which did not contain a column for listing this information, arguably supersedes the Caltrans Standard Specifications. Further, the bid item information can be easily obtained from the descriptions of work provided by ProVen on its List of Subcontractors. As ProVen has argued: *"Because ProVen did not list any of its subcontractors for only portions of the listed work (such as when bidders put the work "partial" in the description of work, such as CEC did on its List of Subcontractors), its subcontractors must perform all of the work described. Accordingly, ProVen fully provided all of the information required by the List of Subcontractors form and the State listing law, and the purposes of the listing law have been fulfilled."* That is, ProVen is committed to the subcontractors on its list and cannot engage in bid shopping or bid peddling and thus, if there is any irregularity, it is inconsequential and can be waived under state law.

Because of the reasons listed above, staff believes that the bid protest by CEC is without merit and that the bid submitted by ProVen is responsive, and as such, ProVen should be awarded the contract as the low bidder.

FINANCIAL IMPACT

The low bid of \$10,306,983 came in below the Engineer's Estimate of \$11,600,000. This construction contract will be funded as follows: 88.53% from the Highway Bridge Rehab and Replacement Federal Grant and 11.47% from Measure J Funds. The CIP budget for this project includes funding in the amount of \$12,303,000.00. Delays in awarding the contract will result in higher project costs, a portion of which will be funded by the City's limited Measure J Funds.

OPTIONS

If the Council chooses to not award the project to ProVen, staff recommends the Council approve Option 3 from the original staff report and reject all bids and authorize staff to rebid the project.

ATTACHMENTS

- A: CEC's Bid Protest Letter
- B: Proven's Response Letter
- C. Special Provision 2-1.02 of the Bid Documents
- D. Standard Specification 2-1.12 (the Caltrans Standard Specifications referenced in the Bid Documents)
- E. Addendum 3 regarding changes to Special Provision 10-1.55 of the Bid Documents, "Clean and Paint Structural Steel"
- F. ProVen's UDBE submittal sent by overnight mail on October 9, 2012 and received by the City on October 10, 2012
- G. ProVen's subcontractor form in the Bid Package

ATTACHMENT "A"

LAW OFFICES
McINERNEY & DILLON
PROFESSIONAL CORPORATION
1999 HARRISON STREET • SUITE 1700
OAKLAND, CALIFORNIA 94612-4700
TELEPHONE (510) 465-7100
FAX (510) 465-8556

William H. McInerney, Jr.
wj@mcinerney-dillon.com

RECEIVED
OCT 18 2012

October 15, 2012

Via Fax (925) 779-7062
and Overnite Express

Ahmed Abu-Aly, P.E.
City of Antioch Capital Improvements Department
200 "H" Street
Antioch, CA 94531

Project: Wilbur Avenue Bridge Widening, Br. #28C-0054
City of Antioch Contract P.W. #259-B

Subject: Bid Protest

Dear Mr. Abu-Aly:

We represent the apparent second low bidder, California Engineering Contractors, Inc. ("California Engineering"). California Engineering protests the bid of the apparent low bidder, Proven Management, Inc. ("PMI") on the ground that its bid is not responsive for a number of reasons.

**PMI FAILED TO SUBMIT A PROOF OF CERTIFICATION
UNDER THE SSPC-QP CERTIFICATION PROGRAM WITH ITS BID**

Section 10-1.56 of the Special Provisions clearly informed each of the bidders of the following mandatory bid requirement:

"Proof of certification under the SSPC QP Certification Program must be submitted with your bid. Required certification are as follows:

1. SSPC-QP 2, Category A" (emphasis added)

Based upon our review of PMI's documents that it submitted with its bid, it did not submit the required certification. As such, its bid is not responsive and should be rejected.

In MCM Construction, Inc. v. City and County of San Francisco, 66 Cal.App.41 359,

375-377, 78 Cal. Rptr. 2d 44, 52-54 (1998), the Court held the bidder, MCM Construction, Inc's failure to fill out its subcontractor listing form correctly rendered its bid non-responsive, and that mistake could not be waived by the City of San Francisco.

PMI's omission of the required certification put it in a similar position as the bidder in the MCM Construction case. The omission gave it an unfair advantage over the other bidders including California Engineering by providing PMI with the opportunity to review the results of the bidding and additional time to review its own bid. If it was unhappy with either, it could simply inform the City of Antioch that it could not provide the required certification. The fact that PMI has not informed the City of its inability is not the issue, it is the opportunity to takes such action. That is the unfair advantage that the MCM Construction line of cases prohibits. Given this unfair advantage, PMI's bid should be found non- responsive and should be rejected

We have attached as **Exhibits 1& 2** a true and correct copy of two (2) Caltrans letters dated May 10, 2012 and September 7, 2012 letter, wherein Caltrans rejected the low bid of a contractor because it "failed to properly submit the proof of certification under the SSPC-QP Certification Program." This is exactly the situation with PMI's bid. It failed to submit the required SSPC-QP Certification. This makes PMI's bid non-responsive and its bid must be rejected.

**PMI FAILED TO SUBMIT THE REQUIRED WRITTEN CONFIRMATION
FROM ITS TWO LISTED UDBE SUBCONTRACTORS THAT THEY WERE
PARTICIPATING IN THE CONTRACT**

Section 2-1.02 of the Special Provisions required the bidders to either submit with their bid or within four business days after the bid opening a written confirmation or the quote from the UDBE subcontractor that is participating in the contract.

"Submit written confirmation from each UDBE stating that it is participating in the contract. Include confirmation with the UDBE Commitment form. A copy of a UDBE's quote will serve as written confirmation that the UDBE is participating in the contract.

If you do not submit the UDBE Commitment form within the specified time, the Agency finds your bid nonresponsive."

PMI listed Azul Works and Schotka Construction as its two UDBE subcontractors but it failed to include either a written confirmation or quote from either UDBE subcontractor with its UDBE Commitment form at bid time or within four business days after the bid opening. That failure requires PMI's bid be rejected as non-responsive.

**PMI FAILED TO COMPLY WITH THE SUBCONTRACTOR
LISTING REQUIREMENTS BY OMITTING THE
REQUIRED BID ITEM NUMBERS**

The Standard Specifications' Section 2-1.12 required each bidder to list the bid item number for each bid item that would be performed by a subcontractor.

“The Subcontractor List must show the name, address, and work portions to be performed by each subcontractor listed. Show work portion by *bid item number*, description and percentage of each bid item subcontracted.

“On the Subcontractor List you may either submit each subcontracted *bid item number* and corresponding percentage with your bid or fax these numbers and percentages to (916) 227-6282 within 24 hours after bid opening. Failure to do so results in a nonresponsive bid.” (emphasis added)

PMI did not list the required *bid item number* as required for any of the nine subcontractors listed in the List of Subcontractors. It is California Engineering’s belief that PMI did not fax the bid item numbers to the City within 24 hours after bid opening.

The City adopted Caltrans’ requirements for listing subcontractors for this bid. We have attached as **Exhibit 3** a true and correct copy of Caltrans’ October 4, 2012 letter, wherein Caltrans rejected the low bid of a contractor because it failed to “submit the bid item numbers” in the Subcontract List. This is exactly the situation with PMI. It failed to list the bid item numbers despite the very clear bid instructions. That omission results in PMI’s bid being non-responsive and it must be rejected.

In the case of *Pozar v. Department of Transportation* (1983) 145 Cal. App. 3d 269, the court ordered Caltrans to follow its own instructions and re-calculate the bid price using its own instructions. In issuing the order to Caltrans, the court stated:

(1) This court has no power to direct the award of a public contract to any individual. (*Judson Pacific-Murphy Corp. v. Durkee* (1956) 144 Cal. App.2d 377, 381 [301 P.2d 97].) We can, however, direct an agency to follow its own rules when it has a ministerial duty to do so or when it has abused its discretion. (*Glendale City Employees' Assn., Inc. v. City of Glendale* (1975) 15 Cal.3d 328, 344-345 [124 Cal. Rptr. 513, 540 P.2d 609].) Here, as in the *Glendale* case, we are concerned with a ministerial duty. Caltrans' own rules obligate it to accept the per-unit price in the absence of specified circumstances, none of which are here present. The per-unit price of \$20 is neither ambiguous, unintelligible, uncertain, nor otherwise within any exception to the rule.

The City’s instructions to all the bidders, including PMI, were clear. Each bidder must include for each listed subcontractor the bid item number of the work being subcontracted PMI failed to meet that requirement. The City’s instructions are clear in the case of such a failure. The City must find PMI’s bid non-responsive and it must be rejected.

CONCLUSION

Under the general principals of the law of competitive bidding, a non-responsive bid may not be amended after opening for the purpose of correcting the defect. The California Attorney General

has been asked whether a county's acceptance of a bid amended after opening was "in conformance with a the spirit of the statue demanding competitive bidding..." **Opinion No. 49-55, 14 Op. Att. Gen. 54, 55** (1949). The Attorney General concluded that such an acceptance was not a legal acceptance, quoting with approval the Illinois Supreme Court's survey of the law:

"...In **State Board of Commissioner, 11 Neb. 484, 9 N.W.691, Beaver v. Trustees, 19 Ohio St. 311**, the question of the effect of permitting material changes to be made in the terms and conditions of sealed bids after the bids had been opened was considered, and condemned as violative of correct principles of law, and as rendering the bids invalid. The principle declared in all of these cases is that the board or body who are empowered to open the sealed bids and award the contract had power, under the law, to accept or reject the bids as submitted and sealed, but that they had no power, after the bids were open, to permit material amendments or changes to be made in the terms of conditions of the bids; that the only proposals or bids which the law could recognize were those which were made, sealed and filed within the time limited in the advertisement calling for bids **City of Chicago v. Mohr, 216 Ill. 320, 74 N.E. 1056**.

Based on the Attorney General's opinion, there is no time left for PMI to correct its bid and provide the missing documents or information discussed above in order that its bid may be considered responsive. To permit such an amendment, would give PMI a distinct advantage that none of the other bidders, including California Engineering had. Accordingly, PMI's bid should be rejected.

California public policy also strongly favors vigorous protection of the integrity of the public bidding process. In **Konica Business Machines U.S.A., Inc. v. Regents of University of California, 206 Cal.App.3d 449, 456-457** (1988), the court commented on the importance of strictly following the rules of the competitive bidding process, in spite of missed cost advantages for the taxpayer, even where actual favoritism, fraud, or corruption may not be present:

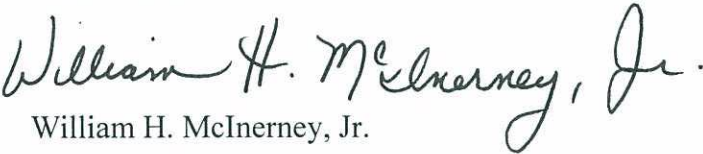
Because of the potential for abuse arising from deviations from strict adherence to standards which promote these public benefits, the letting the public contract universally receives close judicial scrutiny and contracts awarded without strict compliance with bidding requirements will be set aside. This preventative approach is applied even when it is certain there was in fact no corruption or adverse effect upon the bidding process, and the deviations would save the entity money. [Citations omitted.] The importance of maintaining integrity in government and the ease with which policy goals underlying the requirement for open competitive bidding may be surreptitiously undercut, mandate strict compliance with bidding requirements [Citation omitted.] [Emphasis added.]

It is clear that for the City to permit PMI to amend its bid would violate a duty owed to the public to maintain fairness in the award of public work contracts. Where a public agency disregards its ministerial duties with respect to supervision of the bidding of a public work, any contract arising from such improper procedure is void and unenforceable. **Martin v. City of Corning (1972) 25 Cal. App. 3d. 165.**

It is our position that the law is quite clear, and we are confident that a court would so hold. There is no authority that supports a contention that the City can award a competitively bid contract to a non-responsive bidder.

For all the reasons set forth above, California Engineering requests the City reject the bid of PMI and award the project to California Engineering, the lowest responsive and responsible bidder and the bidder who, at the time of opening, met all of the bidding requirements concerning SSPC-QP Certification, UDBE confirmation and bid items numbers .

Very truly yours,


William H. McNerney, Jr.

Encl.

cc: California Engineering Contractors, Inc./S. Banke
Proven Management, Inc. via facsimile w/attachments

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER, MS 43
1727 30th STREET
P. O. BOX 168041
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6280
FAX (916) 227-6282
TTY 711



*Flex your power!
Be energy efficient!*

May 10, 2012

Facsimile: (707) 432-0574

David Brockman, President
Certified Coatings Company
2320 Cordelia Road
Fairfield, CA 94534

06-0M2204
06-Ker-5,155,178-Var
B.O. 4/10/12

Dear Mr. Brockman:

Certified Coatings Company submitted a bid on contract 06-0M2204 on April 10, 2012. By this letter, the California Department of Transportation (Caltrans) notifies Certified Coatings Company that its bid is nonresponsive because it failed to properly submit the proof of certification under the SSPC-QP Certification Program. The Special Provisions state in part:

"10-1.20 CLEAN AND PAINT EXISTING STRUCTURAL STEEL...

GENERAL


Proof of certification under the SSPC QP Certification Program must be submitted with your bid. Required certifications are as follows:

1. SSPC-QP1
2. SSPC-QP2, Category A
3. SSPC-QP3, Enclosed Shop Facility or AISC Sophisticated Paint Endorsement Quality Program, P1-Enclosed"

Based on the above, Caltrans finds your bid is nonresponsive and will award the contract to the lowest responsible bidder.

If you have any questions, please contact Tammy Thomas, Contract Awards Branch Chief, at (916) 227-6228.

Sincerely,

Rm

JOHN C. MCMILLAN
Deputy Division Chief
Office Engineer
Division of Engineering Services

c: Santa Margarita Construction Corp.
P. O. Box 357
Templeton, CA 93465
Fax: (805) 237-1187

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER, MS 43
1727 30th STREET
P. O. BOX 168041
SACRAMENTO, CA 95816-8041
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TTY 711



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September 7, 2012

Facsimile: (951) 674-7495

David A. Beador, President
Beador Construction Company, Inc.
26320 Lester Circle
Corona, CA 92803

07-3X3004
07-LA-10-S0.4
B.O. 8/30/12

Dear Mr. Beador:

The Department of Transportation (Caltrans) received a bid submitted by Beador Construction Company, Inc., (Beador) for Contract No. 07-3X3004 on August 30, 2012. By this letter, Caltrans notifies Beador that its bid is nonresponsive since Beador did not comply with Contract Special Provisions Section 2-1.03 SSPC QP CERTIFICATION PREAMWARD QUALIFICATION, which states:

"Submit proof of each required SSPC QP certification with your bid or fax it to (916) 227-6282 no later than 4:00pm on the 2nd business day after bid opening. Failure to do results in a nonresponsive bid."

Beador failed to submit the SSPC QP certification.

Based on the above, Caltrans finds your bid is nonresponsive. Caltrans will proceed to award the contract to the lowest responsible bidder provided all requirements are met.

Your attention is directed to Section 3-1.02 of the Amendments to the 2006 Standard Specifications. Caltrans is not obligated to offer an extension of the award period for a nonresponsive bid. Should you wish to offer to extend your bid while resolving a nonresponsive finding you must send your request to the Office Engineer no later than 4:00 pm two business days prior to the expiration of your bid.

If you have any questions, please contact Tammy Thomas, Contract Awards Branch Chief, at (916) 227-6228.

Sincerely,

A handwritten signature in black ink, appearing to read "J. C. McMILLAN".

JOHN C. McMILLAN
Deputy Division Chief
Office Engineer
Division of Engineering Services

EXHIBIT

2

A7

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER, MS 43
1727 30th STREET
P. O. BOX 168041
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6280
FAX (916) 227-6282
TTY 711



*Flex your power!
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October 4, 2012

Facsimile: (707) 258-1240

Joseph Gonsalves, President
J.A. Gonsalves & Son Construction, Inc.
PO Box 6553
Napa, CA 94581

04-3S5704
04-Mrn-1-37.1
B.O. 9/26/12

Dear Mr. Gonsalves:

J.A. Gonsalves & Son Construction, Inc. (Gonsalves & Son) submitted a bid for contract 04-3S5704 on September 26, 2012. By this letter, the Department of Transportation (Caltrans) notifies Gonsalves & Son that its bid is nonresponsive because it failed to properly submit the Subcontractor List.

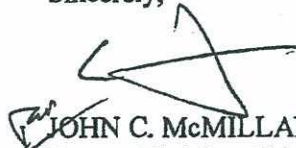
The Subcontractor List form states in part,..."Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid." Gonsalves & Son failed to submit the bid item numbers as required in column 2.

Based on the above, Caltrans finds your bid is nonresponsive. Caltrans will proceed to award the contract to the lowest responsible bidder provided all requirements are met.

Your attention is directed to Section 3-1.02 of the Amendments to the 2006 Standard Specifications. Caltrans is not obligated to offer an extension of the award period for a nonresponsive bid. Should you wish to offer to extend your bid while resolving a nonresponsive finding you must send your request to the Office Engineer no later than 4:00 pm two business days prior to the expiration of your bid.

If you have any questions, please contact Tammy Thomas, Contract Awards Branch Chief, at (916) 227-6228.

Sincerely,


JOHN C. McMILLAN
Deputy Division Chief
Office Engineer
Division of Engineering Services

Attachment

ATTACHMENT B

SMITH & BROCKHAGE, LLP

3480 BUSKIRK AVENUE, SUITE 200
PLEASANT HILL, CALIFORNIA 94523

RANDALL M. SMITH
rms@smithbrock.com

Telephone: (925) 296-0636

Facsimile: (925) 296-0640

October 18, 2012

VIA FACSIMILE TRANSMISSION – (925) 779-7062 and U.S. MAIL

Ahmed Abu-Aly, P.E.
City of Antioch Capital Improvements Dept.
200 H" Street
Antioch, CA 94531

Re: Wilbur Avenue Bridge Widening, Br. #28C-0054
City of Antioch Contract P.W. #259-B
Our File No. 7672.1

Dear Abu-Aly:

We represent ProVen Management, Inc. ("ProVen"), the low bidder for the above-referenced contract.¹ We are writing to respond to the bid protest of the second low bidder, California Engineering Contractors, Inc. ("CEC") set forth in the letter from CEC's attorneys, McInerney & Dillon, dated October 15, 2012. As discussed below, CEC's protest is completely without merit.

PAINTER CERTIFICATION

CEC claims that ProVen was required to submit a certification with its bid showing that its painter for the structural steel has the required certification. This is not true.

The contract documents require the painting of new steel surfaces, and at the connections between new steel and existing steel. The only existing structural steel required to be painted under the contract is at the connections between new steel and existing steel. For example, Note 17 on Plan Sheet No. 60 which was included in Addendum No. 3 provides:

¹ ProVen, unlike the next low bidder, also met the UDBE goal for the project.

B1

Ahmed Abu-Aly, P.E.
City of Antioch Capital Improvements Dept.
October 18, 2012
Page 2

Clean and paint existing structural steel where new steel construction connects and/or disconnects to existing steel construction.

Likewise, Note 12 on Plan Sheet No. 63 which was included in Addendum No. 3 provides:

Existing structural steel shall be cleaned and painted **only** at all the areas where new steel construction connects and/or disconnects the existing steel constructions with bolts and/or welds, including diaphragms, diagonal braces, bent caps, bar type restrainers, columns at removal of existing cover plates at crash walls, etc. The areas to be cleaned and painted shall be 6"± beyond the connections and kept to minimum and neat so as to not appear like messy patch works. [Emphasis added.]

Also, a pre-bid question that was submitted to the City, asked: "We have a question regarding pay item #108. Is it your intention under this pay item that the existing steel structure be cleaned and painted as well as the new structural steel?" The City responded: "Only at the connection points."

Section 10-1.55 of the Special Provisions is the specification which covers **all** of the structural steel painting work for which bidders submitted prices, including the cleaning and painting at the connections to the existing structural steel. It applies to both the painting of "New metal surfaces and connections to existing steel." See, the first sentence of Section 10-1.55 (as modified by Addendum No. 3). Addendum No. 2 added language to Section 10-1.55 which clarified the scope of the work covered by that section, and this language was then also included in Addendum No. 3. For example, on Page 6 of Addendum No. 3 (as well as in Addendum No. 2), it states:

CLEANING

New metal surfaces **and areas of connections to existing steel**, except where galvanized, shall be dry blast cleaned and dry spot blast cleaned, respectively, in conformance with the requirements in SSPC-SP 10, "Near White Blast Cleaning," of the "SSPC: . . ."

The areas of connections to existing steel to be spot blast cleaned shall consist of, as a minimum:

1. New and existing contact surfaces and existing member surfaces under bolt heads, nuts or washers of high-strength bolted connections,
2. Exposed bare surfaces of existing steel remaining after trimming, cutting, drilling or reaming, and
3. Areas of existing steel within a 4-inch radius measured in any direction from the point of application of heat for welding or flame cutting.

Addendum No. 3 then specifies how these blast cleaned surfaces are to be painted. (See, Pages 7-11 of Addendum No. 3).

As set forth in the Plan Notes quoted above, there is no existing structural steel which the contract requires be painted other than the existing structural steel at the connections between new steel and existing steel.

There are only two bid items for the painting of structural steel: Bid Items 108 and 109. Bid Item 108, Clean and Paint Structural Steel, is for the cleaning and painting of new structural steel. Bid Item 109, Spot Blast Clean and Paint Undercoat, is for the spot blast cleaning and painting of the existing structural steel at the connections.

The work for both of these bid items is specified in Section 10-1.55 of the Special Provisions (as modified by Addendum No. 3).

Ahmed Abu-Aly, P.E.
City of Antioch Capital Improvements Dept.
October 18, 2012
Page 4

The details of how Bid Item No. 109, "Spot Blast Clean and Paint Undercoat," will be measured and paid is also set forth in Section 10-1.55 (as modified by Addendum No. 3). The MEASUREMENT AND PAYMENT provisions for the cleaning and painting of existing steel at the connections (Bid Item No. 109) is set forth in Section 10-1.55 (as modified by Addendum No. 3) as follows:

Dry spot blast cleaning and undercoat painting of blast cleaned areas **of existing surfaces** will not be measured.

The contract lump sum price paid for spot blast clean and paint undercoat shall include full compensation for furnishing all labor, materials, tools, equipment and incidentals, and for doing all the work involved in dry spot blast cleaning and painting undercoat **on the existing surfaces** complete in place, as shown on the plans, as specified in the Standard Specifications and these special provisions, and as directed by the Engineer. (Addendum No. 3, Page No. 11 [emphasis added.]).

As detailed above, the only painting of existing structural steel included in this contract is existing structural steel at the connections between new steel and existing steel, and Special Provision Section 10-1.55 (as amended by Addendum No. 3) is the specification section which governs all of this work.

Yet, CEC's protest does not even refer to Section 10-1.55. CEC ignores the governing specification because CEC has no legitimate basis for protest given the provisions of that specification.

Originally, the governing specification for the painting work, Section 10-1.55, provided that proof of the required painter certification "must be submitted with your bid." (See, Page No. 226 of the Special Provisions). However, this provision was deleted in both Addendum Nos. 2 and 3.

In Addendum No. 3 (Item 4 on Page No. 4), it states "Section 10-1.55 Clean and Paint Structural Steel (pg. 225) shall be replaced with the following: . . ." Following this language, a new Section 10-1.55 is included in Addendum No. 3. In this new Section 10-1.55, the requirement for the submission of paint certifications with the bid was deleted.

B4

Ahmed Abu-Aly, P.E.
City of Antioch Capital Improvements Dept.
October 18, 2012
Page 5

Instead, the Contractor is only required to submit required certifications as part of the Painting Quality Work Plan "[b]efore performing any painting or paint removal." (Page 5 of Addendum No. 3).

Instead of citing the governing specification for the painting work involved in this project, CEC cites Section 10-1.56. Section 10-1.56 applies only to the painting of "Metal surfaces of the existing structure." As discussed in detail above, this project does not involve any painting of the existing structural steel, except for the very limited amount of painting of existing steel at the connections between new steel and existing steel which is governed by Section 10-1.55. As discussed above, the requirement that paint certifications be submitted with the bid was deleted from Section 10-1.55 in Addendum No. 3. Accordingly, there was no requirement that any certification for the painting of structural steel be included with the bid.

The fact that Section 10-1.56 is inapplicable is further demonstrated by the payment provision included in that section. It states that the work "will be measured by the square foot" and that the "contract price paid per square foot" shall include full compensation for that work. (Page No. 235 of the Special Provisions). Yet, there is no such bid item in the contract. The only two bid items for the painting of structural steel are Bid Items 108 and 109. As discussed above, both of these bid items are for work included within the scope of Section 10-1.55. Indeed, the payment provisions for the cleaning and painting at the connections is included in Section 10-1.55, as discussed and quoted above. Moreover, both Bid Item Nos. 108 and 109 are lump sum bid items, rather than work which is measured by the square foot.

For the reasons discussed above, there was clearly no requirement that bidders submit any certification for the painting of the structural steel with its bid. This requirement was deleted by Addendum No. 3.

We also note that if there had been any requirement that such a certification be submitted with the bid, the obvious purpose of the requirement would have been to show that the bidder would be using a qualified painter, and thus was a responsible bidder.

Whether or not ProVen and its subcontractors have the requisite qualifications, capacity and experience to satisfactorily perform the work is a matter of responsibility, rather than responsiveness. *See, City of Inglewood-L.A. County Civic Center Auth. v.*

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Superior Court, 7 Cal.3d 861 (1972); *Boydston v. Napa Sanitation District*, 222 Cal.App.3d 1362 (1990); Public Contract Code section 1103. Thus, whether ProVen's painter has the required certification is a question of responsibility, rather than responsiveness.

There is no question that ProVen will use a properly certified painter. ProVen submitted a bid which, if accepted, would require it to use a properly certified painter.

Moreover, in its bid, ProVen specifically identified the painter it is going to use. On its List of Subcontractors, ProVen listed F.D. Thomas, Inc. ("Thomas") for all of the painting work. Thus, pursuant to the Subletting and Subcontracting Fair Practices Act (Public Contract Code section 4100, et. seq.,) ProVen is required to use Thomas for that work. It is undisputed that Thomas has the required certifications for the painting work. Indeed, with its bid, CEC included copies of Thomas' SSPC-QP1 and SSPC-QP2 certifications.

In its protest letter, CEC claims that ProVen could somehow have walked away from its bid by not providing a painter certification. This is of course not true. In submitting its bid, ProVen not only committed to performing the painting work with a properly certified painter, but also specifically committed to using Thomas for that work. It is undisputed that Thomas is a properly certified painter, a fact which can easily be independently verified.

As discussed at length above, however, there was no requirement that paint certifications be submitted with the bid. Moreover, even if there had been such a requirement, a failure to submit such a certification with its bid would have been a waivable irregularity pursuant to the legal authorities cited below in this letter.

CONFIRMATIONS FROM LISTED UDBE SUBCONTRACTORS

CEC claims that ProVen failed to provide a written confirmation or quote from either of its listed UDBE subcontractors at bid time or within four business days after bid opening, as required by Special Provision Section 2-1.02. This is false.

ProVen submitted the quotes of both of its UDBEs, Azul Works and Schotka Construction, to the City, and the City received them within four business days after bid opening, as provided in Section 2-1.02.

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SUBCONTRACTOR LISTING

CEC claims that the City clearly required that all bidders include on their List of Subcontractors the bid item number to be performed by listed subcontractors. This is not true.

On the List of Subcontractors form, the City stated: "The Bidder is required to furnish the following information in accordance with the provisions of Sections 4100 to 4114, inclusive, of the Public Contract Code of the State of California."

The "following information" set forth on the form was: "NAME OF SUBCONTRACTOR," "LICENSE NUMBER," "LOCATION OF/PLACE OF BUSINESS," and "TYPE & PERCENTAGE OF WORK."² Columns were included under these titles for this information. Nowhere on the form does it state that the bid item number be stated, or is there any column for the submission of such information. Moreover, the Subletting and Subcontracting Fair Practices Act only requires the listing of "the name and location of the place of business of each subcontractor" and "the portion of the work that will be done by each subcontractor." Public Contract Code section 4104.

CEC relies on a provision in the Standard Specifications, which was clearly superseded by the specific provision of this contract as set forth on the List of Subcontractors form issued by the City. Indeed, the inapplicability of the Standard Specifications is demonstrated by the fact that it provides that bid item numbers are to be submitted with the bid or faxed to (916) 227-6282 within 24 hours after bid opening. This fax number is Caltrans' fax number. Thus, CEC is basically claiming that because ProVen did not fax bid numbers to Caltrans, its bid must be rejected. Yet, obviously no purpose would have been served by sending such a fax to Caltrans.

Also, the purpose of requiring the listing of subcontractors must be considered. The purpose is to prevent contractors from engaging in the practice of bid shopping and bid peddling. Public Contract Code section 4104. *Southern Cal. Acoustics Co. v. C.V. Holden, Inc.*, 71 Cal.2d 719, 726 (1969); *Cal-Air Conditioning, Inc. v. Auburn Union School District*, 21 Cal.App.4th 655, 661 (1993). In order to accomplish this, bidders are required

² We note that CEC failed to provide some of this information. Specifically, CEC failed to include the percentage of work on its List of Subcontractors. Accordingly, ProVen protests CEC's bid. In contrast, ProVen included this information on its List of Subcontractors form.

to use the subcontractors listed on the subcontractor list submitted with the bid for the portions of work for which they are listed, except in certain limited cases where substitution is permitted. Public Contract Code section 4107.

Here, the purposes of subcontractor listing requirements have clearly been fulfilled. ProVen fully completed the List of Subcontractors form, including all of the information required by that form, including identifying its subcontractors and specifying, for each, the work it will be performing. Accordingly, ProVen is required to use these subcontractors for the specified work.

Providing the bid item numbers applicable to that work would accomplish nothing further. The bid item numbers are easily ascertainable from the descriptions of work provided by ProVen on its List of Subcontractors. Because ProVen did not list any of its subcontractors for only portions of the listed work (such as when bidders put the word "partial" in the description of the work, such as CEC did on its List of Subcontractors), its subcontractors must perform all of the work described. Accordingly, ProVen fully provided all of the information required by the List of Subcontractors form and the State listing law, and the purposes of the listing law have been fulfilled.

We also note that it is well-settled California law that inconsequential deficiencies or irregularities in bids may be disregarded, even when the bid documents state that compliance is mandatory. E.g., *Ghilotti Construction v. City of Richmond*, 45 Cal.App.4th 897, 53 Cal.Rptr.2d 389 (1996); *Diablo Beacon Printing & Publishing Co. v. City of Concord*, 229 Cal.App.2d 505, 40 Cal.Rptr. 443 (1964).

Consistent with State law, the City has provided, on Page 4 of its bid form, as follows:

The foregoing provisions for the resolution of specific irregularities cannot be so comprehensive as to cover every omission, inconsistency, error or other irregularity which may occur in a bid. Any situation not specifically provided for will be determined in the discretion of the CITY OF

ANTIOCH, and that discretion will be exercised in the manner deemed by the CITY OF ANTIOCH to best protect the public interest in the prompt and economical completion of the work.

In *Konica Business Machines U.S.A. Inc. v. Regents of the University of California*, 206 Cal.App.3d 449, 454 (1988), the Court (quoting 47 Ops.Cal. Atty. Gen. 129, 130-131 (1966)), stated that it is "well established that a bid which substantially conforms to a call for bids may, though it is not strictly responsive, be accepted . . . if the variance is inconsequential."

The Court in *Ghilotti Construction Company v. City of Richmond*, 45 Cal.App.4th 897, 908-909, 53 Cal.Rptr.2d 389, 396 (1996) dealt with a bid for a construction project where a bidder had not correctly stated the percentages of work to be performed by subcontractors on the List of Subcontractors which it submitted with its bids. The Court held that these deficiencies on the Subcontractor List form were properly waived by the City of Richmond, stating that, in deciding whether a deficiency in a bid is waivable, a pragmatic approach must be used:

These considerations must be evaluated from a practical rather than a hypothetical standpoint, with reference to the factual circumstances of the case. They must also be viewed in light of the public interest, rather than the private interest of a disappointed bidder." It certainly would amount to a disservice to the public if a losing bidder were to be permitted to comb through the bid proposal or license application of the low bidder after the fact, [and] cancel the low bid on minor technicalities, with the hope of securing acceptance of his, a higher bid. Such construction would be adverse to the best interests of the public and contrary to public policy." (*Judson Pacific-Murphy Corp. v. Durkee*, (1956) 144 Cal.App.2d 377, 383, 301 P.2d 97.)

In *Domar, supra*, our Supreme Court emphasized the necessity of a pragmatic approach, placing the public interest above the interests of bidders.

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It is of course entirely inconsequential whether ProVen faxed its bid item numbers to Caltrans. Moreover, as discussed above, the purposes of the listing law have been fulfilled, and the associated bid item numbers are readily ascertainable by the City for the work listed on ProVen's List of Subcontractors.

As set forth in *Ghilotti Construction Company v. City of Richmond*, above, it would certainly be a disservice to the City and the public if a losing bidder, such as CEC, could cancel ProVen's lower bid on a minor technicality, in order to get CEC's higher bid accepted.

For the reasons set forth above, we respectfully request that CEC's protest be denied and that award be made to ProVen, the low, responsible bidder.

Very truly yours,

SMITH & BROCKHAGE, LLP



Randall M. Smith

RMS/mt

ATTACHMENT "C"

subcontractors and any lower-tier contractors. An event that materially affects the accuracy of the information reported includes:

- (1) A cumulative increase of \$25,000 or more in the amount paid or expected to be paid for influencing or attempting to influence a covered Federal action; or
- (2) A change in the person(s) or individual(s) influencing or attempting to influence a covered Federal action; or
- (3) A change in the officer(s), employee(s), or Member(s) contacted to influence or attempt to influence a covered Federal Action.

2-1.02: DISADVANTAGED BUSINESS ENTERPRISE (DBE)

This project is subject to Title 49 CFR 26.13(b):

The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

Take necessary and reasonable steps to ensure that DBEs have opportunity to participate in the contract (49 CFR 26).

To ensure there is equal participation of the DBE groups specified in 49 CFR 26.5, the Agency specifies a goal for Underutilized Disadvantaged Business Enterprises (UDBEs). UDBE is a firm that meets the definition of DBE and is a member of one of the following groups:

1. Black Americans
2. Native Americans
3. Asian-Pacific Americans
4. Women

References to DBEs include UDBEs, but references to UDBEs do not include all DBEs.

Make work available to UDBEs and select work parts consistent with available UDBE subcontractors and suppliers.

Meet the UDBE goal shown in the Notice to Bidders or demonstrate that you made adequate good faith efforts to meet this goal.

It is your responsibility to verify that the UDBE firm is certified as DBE at date of bid opening. For a list of DBEs certified by the California Unified Certification Program, go to:

http://www.dot.ca.gov/hq/bep/find_certified.htm

Only UDBE participation will count towards the UDBE goal. DBE participation will count towards the Agency's Annual Anticipated DBE Participation Level and the California statewide goal.

Credit for materials or supplies you purchase from UDBEs counts towards the goal in the following manner:

1. 100 percent counts if the materials or supplies are obtained from a UDBE manufacturer.
2. 60 percent counts if the materials or supplies are obtained from a UDBE regular dealer.
3. Only fees, commissions, and charges for assistance in the procurement and delivery of materials or supplies count if obtained from a UDBE that is neither a manufacturer nor regular dealer. 49 CFR 26.55 defines "manufacturer" and "regular dealer."

You receive credit towards the goal if you employ a UDBE trucking company that performs a commercially useful function as defined in 49 CFR 26.55.

UDBE Commitment Submittal

Submit UDBE information on the "Local Agency Bidder-UDBE Commitment (Construction Contracts)," Exhibit 15-G(1), form included in the Bid book. If the form is not submitted with the bid, remove the form from the Bid book before submitting your bid.

If the UDBE Commitment form is not submitted with the bid, the apparent low bidder, the 2nd low bidder, and the 3rd low bidder must complete and submit the UDBE Commitment form to the Agency. UDBE Commitment form must be received by the Agency no later than 4:00 p.m. on the 4th business day after bid opening.

Other bidders do not need to submit the UDBE Commitment form unless the Agency requests it. If the Agency requests you to submit a UDBE Commitment form, submit the completed form within 4 business days of the request.

Submit written confirmation from each UDBE stating that it is participating in the contract. Include confirmation with the UDBE Commitment form. A copy of a UDBE's quote will serve as written confirmation that the UDBE is participating in the contract.

If you do not submit the UDBE Commitment form within the specified time, the Agency finds your bid nonresponsive.

Good Faith Efforts Submittal

If you have not met the UDBE goal, complete and submit the "UDBE Information - Good Faith Efforts," Exhibit 15-H, form with the bid showing that you made adequate good faith efforts to meet the goal. Only good faith efforts directed towards obtaining participation by UDBEs will be considered. If good faith efforts documentation is not submitted with the bid, it must be received by the Agency no later than 4:00 p.m. on the 4th business day after bid opening.

If your UDBE Commitment form shows that you have met the UDBE goal or if you are required to submit the UDBE Commitment form, you must also submit good faith efforts documentation within the specified time to protect your eligibility for award of the contract in the event the Agency finds that the UDBE goal has not been met.

Good faith efforts documentation must include the following information and supporting documents, as necessary:

1. Items of work you have made available to UDBE firms. Identify those items of work you might otherwise perform with its own forces and those items that have been broken down into economically feasible units to facilitate UDBE participation. For each item listed, show the dollar value and percentage of the total contract. It is your responsibility to demonstrate that sufficient work to meet the goal was made available to UDBE firms.
2. Names of certified UDBEs and dates on which they were solicited to bid on the project. Include the items of work offered. Describe the methods used for following up initial solicitations to determine with certainty if the UDBEs were interested, and the dates of the follow-up. Attach supporting documents such as copies of letters, memos, facsimiles sent, telephone logs, telephone billing statements, and other evidence of solicitation. You are reminded to solicit certified UDBEs through all reasonable and available means and provide sufficient time to allow UDBEs to respond.
3. Name of selected firm and its status as a UDBE for each item of work made available. Include name, address, and telephone number of each UDBE that provided a quote and their price quote. If the firm selected for the item is not a UDBE, provide the reasons for the selection.
4. Name and date of each publication in which you requested UDBE participation for the project. Attach copies of the published advertisements.
5. Names of agencies and dates on which they were contacted to provide assistance in contacting, recruiting, and using UDBE firms. If the agencies were contacted in writing, provide copies of supporting documents.
6. List of efforts made to provide interested UDBEs with adequate information about the plans, specifications, and requirements of the contract to assist them in responding to a solicitation. If you have provided information, identify the name of the UDBE assisted, the nature of the information provided, and date of contact. Provide copies of supporting documents, as appropriate.
7. List of efforts made to assist interested UDBEs in obtaining bonding, lines of credit, insurance, necessary equipment, supplies, and materials, excluding supplies and equipment that the UDBE subcontractor purchases or leases from the prime contractor or its affiliate. If such assistance is provided by you, identify the name of the UDBE assisted, nature of the assistance offered, and date. Provide copies of supporting documents, as appropriate.
8. Any additional data to support demonstration of good faith efforts.

ATTACHMENT D

SECTION 2

PROPOSAL REQUIREMENTS AND CONDITIONS

article by requiring the person to submit a statement under penalty of perjury declaring that neither the person nor any subcontractor to be engaged by the person has been convicted of any of the offenses referred to in this section within the preceding three years.

- A form for the statement required by Section 10285.1 is included in the Proposal.

2-1.12 MATERIAL GUARANTY

- The successful bidder may be required to furnish a written guaranty covering certain items of work for varying periods of time from the date of acceptance of the contract. The work to be guaranteed, the form and the time limit of the guaranty will be specified in the special provisions. The guaranty shall be signed and delivered to the Engineer before acceptance of the contract. Upon completion of the contract the amounts of the 2 contract bonds required in Section 3-1.02, "Contract Bonds," may be reduced to conform to the total amount of the contract bid prices for the items of work to be guaranteed, and this amount shall continue in full force and effect for the duration of the guaranty period. The payment bond shall not be reduced until the expiration of the time required by Section 3249 of the Civil Code.

ATTACHMENT E

Within 14 days after placement, the patch shall emit a ringing sound similar to the sound obtained from the adjacent sound concrete when tapped with a metal tool.

Access shall be provided by the Contractor to allow the Engineer to reach the spalled areas to determine limits for removal, and the repaired areas for testing by tapping and measurement.

Removing and disposing of unsound portland cement concrete to the depth as required and filling spalled areas of any depth including full depth of existing deck slab, will be considered as included in the square foot price paid for repair spalled surface areas, and no additional compensation will be made therefor.

The contract unit price paid per square foot for repair of spalled surface areas as identified by the engineer and as required shall include full compensation for furnishing all labor, materials, including reinforcement, tools, equipment, and incidentals, and for doing all the work involved in removing unsound concrete, cleaning, forming, and repairing spalled surface areas, complete in place, including full depth removal and repair, as specified in the Standard Specifications and these special provisions, and as directed by the Engineer.

Item 3: Section 10-1.47 Sealing Joints (*pg. 206*) shall be replaced with the following:

10-1.47: SEALING JOINTS

Joints in concrete bridge decks and joints between concrete structures and concrete approach slabs must be sealed in conformance with the details shown on the plans, the provisions in Section 51, "Concrete Structures," of the Standard Specifications, and these special provisions.

When ordered by the Engineer, a joint seal larger than called for by the Movement Rating shown on the plans must be furnished and installed. Payment to the Contractor for furnishing the larger seal and for saw cutting the increment of additional depth of groove required will be determined as provided in Section 4-1.03, "Changes," of the Standard Specifications.

The contract price paid per linear foot of joint seals shall include full compensation for furnishing all labor, materials, tools, equipment and incidentals; and for doing all the work involved in installing types of materials shown on plans, including installation per product manufacturer's recommendations, protection thereof, complete in place, as shown on the plans, as required, as specified in the Standard Specifications and these special provisions, and as directed by the Engineer.

Item 4: Section 10-1.55 Clean and Paint Structural Steel (*pg. 225*) shall be replaced with the following:

10-1.55 CLEAN AND PAINT STRUCTURAL STEEL

New metal surfaces and connections to existing steel shall be cleaned and painted in conformance with the provisions in Section 59-2, "Painting Structural Steel," Section 59-3, "Painting Galvanized Surfaces," and Section 91, "Paint," of the Standard Specifications and these special provisions.

GENERAL

The existing paint systems consist of materials listed in "Existing Highway Facilities" of these special provisions.

Before performing any painting or paint removal, the Contractor shall submit to the Engineer, in conformance with the provisions in Section 5-1.02, "Plans and Working Drawings," of the Standard Specifications, 3 copies of a separate Painting Quality Work Plan (PQWP) for each item of work for which painting or paint removal is to be performed. As a minimum, each PQWP shall include the following:

1. The name of each Contractor or subcontractor to be used.
2. One copy each of all current ASTM and "SSPC: The Society for Protective Coatings" specifications or qualification procedures applicable to the painting or paint removal to be performed. These documents shall become the permanent property of the Department.
3. A copy of the coating manufacturer's guidelines and recommendations for surface preparation, painting, drying, curing, handling, shipping, and storage of painted structural steel, including testing methods and maximum allowable levels for soluble salts.
4. Proposed materials, methods, and equipment to be used.
5. Proof of each of any required certifications, SSPC-QP 1, SSPC-QP 3.
 - 5.1. In lieu of certification in conformance with the requirements in SSPC-QP 2 for this project, the Contractor may submit written documentation showing conformance with the requirements in Sections 4.2 through 4.6 of SSPC-QP 2, Category A.
6. Proposed methods to control environmental conditions in accordance with the manufacturer's recommendations and these special provisions.
7. Proposed methods to protect the coating during curing, shipping, handling, and storage.
8. Proposed rinse water collection plan.
9. A detailed paint repair plan for the repair of damaged areas.
10. Procedures for containing blast media and water during application of coatings and coating repair of erected steel.
11. Examples of proposed daily reports for all testing to be performed, including type of testing, location, lot size, time, weather conditions, test personnel, and results.

Before submitting the PQWP, a prepainting meeting between the Engineer, the Contractor, and a representative from each entity performing painting for this project shall be held to discuss the requirements for the PQWP.

The Engineer shall have 20 days to review the PQWP submittal after a complete plan has been received. No painting or paint removal shall be performed until the PQWP for that work is approved by the Engineer. Should the Engineer fail to complete the review within this time allowance and if, in the opinion of the Engineer, the Contractor's controlling operation is delayed or interfered with by reason of the delay in reviewing the PQWP, the delay will be considered a right of way delay in conformance with the provisions in Section 8-1.09, "Right of Way Delays," of the Standard Specifications.

The Engineer's approval of the Contractor's PQWP shall not relieve the Contractor of any responsibility under the contract for the successful completion of the work in conformity with the requirements of the plans and specifications.

The Contractor shall provide enclosures to permit cleaning and painting during inclement weather. Provisions shall be made to control atmospheric conditions inside the enclosures within specified limits during cleaning and painting operations, drying to solvent insolubility, and throughout the curing period in accordance with the manufacturer's recommendations and these special provisions. Full compensation for providing and maintaining such enclosures shall be considered as included in the prices paid for the various contract items of work requiring paint and no additional compensation will be allowed therefor.

Fresh, potable water with a maximum chloride content of 75 ppm and a maximum sulfate content of 200 ppm shall be used for water rinsing or pressure washing operations. No continuous recycling of rinse water will be permitted. If rinse water is collected into a tank and subsequent testing determines the collected water conforms to the specified requirements, reuse may be permitted by the Engineer if no collected water is added to the tank after sample collection for determination of conformance to specified requirements.

CLEANING

New metal surfaces and areas of connections to existing steel, except where galvanized, shall be dry blast cleaned and dry spot blast cleaned, respectively, in conformance with the requirements in SSPC-SP 10, "Near White Blast Cleaning," of the "SSPC: The Society for Protective Coatings." Blast cleaning shall leave surfaces with a dense, uniform, angular anchor pattern of no less than 1.5 mils nor more than 3.5 mils as measured in conformance with the requirements in ASTM Designation: D 4417.

The areas of connections to existing steel to be dry spot blast cleaned shall consist of, as a minimum:

1. New and existing contact surfaces and existing member surfaces under bolt heads, nuts or washers of high-strength bolted connections,
2. Exposed bare surfaces of existing steel remaining after trimming, cutting, drilling or reaming, and
3. Areas of existing steel within a 4-inch radius measured in any direction from the point of application of heat for welding or flame cutting.

The inside surfaces of bolt holes shall be cleaned in conformance with the requirements in SSPC-SP 1, "Solvent Cleaning," of the "SSPC: The Society for Protective Coatings," and visible rust shall be removed.

Mineral and slag abrasives used for blast cleaning steel surfaces shall conform to the requirements for Class A, Grade 2 to 3 abrasives contained in SSPC-AB 1, "Mineral and Slag Abrasives," of the "SSPC: The Society for Protective Coatings," and shall not contain hazardous material.

Steel abrasives used for blast cleaning steel surfaces shall comply with the requirements of SSPC-AB 3, "Ferrous Metallic Abrasive," of the "SSPC: The Society for Protective Coatings." If

steel abrasive is recycled through shop or field abrasive blast cleaning units, the recycled abrasive shall conform to the requirements of SSPC-AB 2, "Specification for Cleanliness of Recycled Ferrous Metallic Abrasive," of the "SSPC: The Society for Protective Coatings."

A Certificate of Compliance conforming to the provisions in Section 6-1.07, "Certificates of Compliance," of the Standard Specifications and a Material Safety Data Sheet shall be furnished before use for each shipment of blast cleaning material for existing steel.

Abrasive blast cleaned surfaces shall be tested by the Contractor for soluble salts using a Class A or B retrieval method as described in Technology Guide 15, "Field Methods for Retrieval and Analysis of Soluble Salts on Steel and Other Nonporous Substrates," of the "SSPC: The Society for Protective Coatings," and cleaned so the maximum level of soluble salts does not exceed the lesser of the coating manufacturer's written recommendations or 10 micrograms per square centimeter. Areas of abrasive blast cleaned steel shall be tested at the rate of 3 tests for the first 1,000 square feet prepared per day, and one test for each additional 1,000 square feet or portion thereof, at locations selected by the Engineer. When less than 1,000 square feet of surface area is prepared in a shift, at least 2 tests shall be performed. If levels of soluble salts exceed the maximum allowed by these special provisions, the entire area represented by the testing will be rejected. The Contractor shall perform additional cleaning and testing of rejected areas until soluble salt levels conform to these requirements.

Corners shall be chamfered to remove sharp edges.

Thermal cut edges (TCEs) to be painted shall be conditioned before blast cleaning by shallow grinding or other method approved by the Engineer to remove the thin, hardened layer of material resulting from resolidification during cooling.

Visually evident base metal surface irregularities and defects shall be removed in accordance with ASTM Designation: A 6 or AASHTO Designation: M 160 before blast cleaning steel. When material defects exposed by blast cleaning are removed, the blast profile shall be restored by either blast cleaning or by using mechanical tools in accordance with SSPC-SP 11, "Power Tool Cleaning to Bare Metal," of the "SSPC: The Society for Protective Coatings."

PAINTING

Blast cleaned surfaces shall receive a single undercoat consisting of an inorganic zinc rich primer conforming to the requirements in AASHTO Designation: M 300, Type I or Type II.

Inorganic zinc rich primer shall be selected from the Department's Pre-Qualified Products List.

The inside surfaces of bolt holes shall be painted with one application of a zinc rich primer (organic vehicle type) after the application of the undercoat of inorganic zinc on adjacent steel. The steel surfaces adjacent to the bolt holes shall be kept clean and protected from drippings during the application of the primer.

Inorganic zinc rich primer shall be used within 12 hours of initial mixing.

Application of inorganic zinc rich primer shall conform to the provisions in Section 59-2.13, "Application of Zinc-Rich Primer," of the Standard Specifications.

The single undercoat of inorganic zinc rich primer shall be applied to the required dry film thickness in 2 or more applications within 8 hours of the start of blast cleaning. Abrasive blast cleaned steel shall not be exposed to relative humidity exceeding 85 percent before application of inorganic zinc coating.

The total dry film thickness of all applications of the inorganic zinc undercoat, including the surfaces of outside existing members within the grip under bolt heads, nuts and washers, shall be not less than 4 mils nor more than 8 mils, except that the total dry film thickness on each faying (contact) surface of high strength bolted connections shall be between one mil and the maximum allowable dry film thickness for Class B coatings as determined by certified testing in conformance with Appendix A of the "Specification for Structural Joints Using ASTM A325 or A490 Bolts" of the Research Council on Structural Connections (RCSC Specification). Unless otherwise stated, all inorganic zinc rich primer used on faying surfaces shall meet the slip coefficient requirements for a Class B coating on blast-cleaned steel, as specified in the RCSC Specification. The Contractor shall provide results of certified testing showing the maximum allowable dry film thickness for the Class B coating from the qualifying tests for the coating chosen, and shall maintain the coating thickness on actual faying surfaces of the structure at or below this maximum allowable coating thickness.

Areas where mudcracking occurs in the inorganic zinc coating shall be blast cleaned and repainted with inorganic zinc rich primer to the specified thickness.

Steel surfaces coated with Type II inorganic zinc rich primer shall be protected from conditions that may cause the coating film to dissolve. The Contractor, at the Contractor's expense, shall repair areas where the coating has dissolved by blast cleaning and repainting with inorganic zinc rich primer to the specified thickness.

Dry spray, or overspray, as defined in the Steel Structures Painting Manual, Volume 1, "Good Painting Practice," of the "SSPC: The Society for Protective Coatings," shall be removed before application of subsequent coats or final acceptance. Removal of dry spray shall be by screening or other methods that minimize polishing of the inorganic zinc surface. The dry film thickness of the coating after removal of dry spray shall be in conformance with the provisions for applying the single undercoat, as specified herein.

For damaged areas of the undercoat, the following apply:

1. If the Engineer determines the damaged area is more than 2 percent of the total undercoated surface, the Contractor shall blast clean and repaint damaged areas with inorganic zinc to the specified thickness before erection.
2. If the Engineer determines the damaged area is 2 percent or less of the total undercoated surface, the Contractor may wire brush the damaged surfaces to remove loose or cracked coating and apply 2 coats of organic zinc-rich primer before erection.

The Contractor shall test the inorganic zinc undercoat before application of finish coats. The locations of the tests will be determined by the Engineer. The Contractor shall determine the sequence of the testing operations. The testing for adhesion and hardness shall be performed no sooner than 72 hours after application of the single undercoat of inorganic zinc coating. Satisfactory access shall be provided to allow the Engineer to determine the location of the tests.

The inorganic zinc coating shall pass the following tests:

1. The undercoat shall have a minimum adhesion to steel of 600 psi when measured using a self-aligning adhesion tester in conformance with the requirements in ASTM Designation: D 4541. The Engineer will select 3 locations per girder or 1,000 square feet of painted surface, whichever is less, for adhesion testing. If less than 1,000 square feet of steel is painted in a work shift, the Engineer will select 3 areas painted during the work shift for testing. If 2 or more of the locations tested fail to meet adhesion requirements, the entire area represented by the tests will be rejected. If one of the locations tested fails to meet adhesion requirements, an additional 3 locations shall be tested. Should any of the additional locations fail to meet adhesion requirements, the entire area represented by the tests will be rejected. The Contractor, at the Contractor's expense, shall repair the rejected area by blast cleaning and repainting with inorganic zinc rich primer to the specified thickness. Test locations for areas of inorganic zinc meeting adhesion testing requirements shall be repaired by application of organic zinc primer as specified in Section 91-1.04, "Materials," of the Standard Specifications to the specified minimum dry film thickness.
 2. Areas where finish coats are to be applied shall be tested for soluble salts using a Class A or B retrieval method as described in Technology Guide 15, "Field Methods for Retrieval and Analysis of Soluble Salts on Steel and Other Nonporous Substrates," of the "SSPC: The Society for Protective Coatings," and cleaned so the maximum level of soluble salts does not exceed the lesser of the manufacturer's written recommendations or 10 micrograms per square centimeter. Areas of inorganic zinc undercoat shall be tested at the rate of 3 tests for the first 1,000 square feet to be painted per day and one test for each additional 1,000 square feet or portion thereof at locations selected by the Engineer. When less than 1,000 square feet of surface area is painted in a shift, at least 2 tests shall be performed. If levels of soluble salts exceed the maximum allowed by these special provisions, the entire area represented by the testing will be rejected. The Contractor shall perform additional cleaning and testing of rejected areas until soluble salt levels conform to these requirements.
 3. The inorganic zinc undercoat shall exhibit a solid, hard, and polished metal surface when firmly scraped with the knurled edge of a quarter. Inorganic zinc coating that is powdery, soft, or does not exhibit a polished metal surface, as determined by the Engineer, shall be repaired by the Contractor, at the Contractor's expense, by blast cleaning and repainting with inorganic zinc coating to the specified thickness.
1. The surface pH of the inorganic zinc undercoat shall be tested by wetting the surface with de-ionized water for a minimum of 15 minutes but no longer than 30 minutes and applying pH paper with a capability of measuring in increments of 0.5 pH units. At least 2 surface pH readings shall be taken for every 500 square feet or portion thereof. If less than 500 square feet of steel is coated in a single shift or day, at least 2 surface pH readings shall be taken for primer applied during that period. Application of finish coats will not be permitted until the surface pH is less than or equal to 7.

2. Dry to solvent insolubility for water borne inorganic zinc primers shall be determined in conformance with the requirements in ASTM Designation: D 4752, except that water shall be the solvent. The resistance rating shall be not less than 4. Areas of inorganic zinc undercoat shall be tested for solvent insolubility at the rate of one test per 500 square feet or portion thereof. Inorganic zinc undercoat represented by the tested area that does not meet the solvent insolubility requirements will be rejected. The Contractor, at the Contractor's expense, shall repair rejected areas by blast cleaning and repainting with inorganic zinc rich primer to the specified thickness.
1. Dry to solvent insolubility for solvent borne inorganic zinc primers shall be determined in conformance with the requirements in ASTM Designation: D 4752. The resistance rating shall be not less than 4. Areas of inorganic zinc undercoat shall be tested for solvent insolubility at the rate of one test per 500 square feet or portion thereof. Inorganic zinc undercoat represented by the tested area that does not meet the solvent insolubility requirements will be rejected. The Contractor, at the Contractor's expense, shall repair rejected areas by blast cleaning and repainting with inorganic zinc rich primer to the specified thickness.
2. Surface hardness of solvent borne inorganic zinc undercoat shall be a minimum 2H when measured in conformance with the requirements in ASTM Designation: D 3363. Areas of inorganic zinc undercoat shall be tested at the rate of one test per 500 square feet or portion thereof. Inorganic zinc undercoat that fails to meet the surface hardness requirements shall be repaired by the Contractor, at the Contractor's expense, by blast cleaning and repainting with inorganic zinc rich primer to the specified thickness.

The Contractor, at the Contractor's expense, shall retest all rejected areas of inorganic zinc undercoat after repairs have been completed.

Finish coats shall not be required for the following work:

1. The connections between existing steel members and new members
2. The widening portions of the bridge and new members

Cleaning and painting of existing contact surfaces of high strength bolted connections that contain rust, loose paint, or other foreign substances, except loose dirt and dust, as identified by the Engineer in field, will be considered as extra work as specified in Section 4-1.03D, "Extra Work," of the Standard Specifications. Cost of repair of damage to existing paint caused by the Contractor's operations shall be borne by the Contractor.

MEASUREMENT AND PAYMENT

Dry spot blast cleaning and undercoat painting of blast cleaned areas of existing surfaces will not be measured.

The contract lump sum price paid for spot blast clean and paint undercoat shall include full compensation for furnishing all labor, materials, tools, equipment, and incidentals, and for doing all the work involved in dry spot blast cleaning and painting undercoat on the existing surfaces complete in place, as shown on the plans, as specified in the Standard Specifications and these special provisions, and as directed by the Engineer.

ATTACHMENT "F"

ProVen

712 Sansome Street
San Francisco, California 94111
www.provenmanagement.com

P: 415 421 9500
F: 415 421 9600
Lic. #749370



October 9, 2012

VIA GOLDEN STATE OVERNIGHT

RECEIVED

OCT 11 2012

Mr. Ahmed Abu-Aly, P.E.
City of Antioch
Capital Improvements Department
200 H Street
Antioch, CA 94531

RE: Wilbur Avenue Overhead Widening
PW #259-B / Federal Project No. BHLS-5038 (006)

Dear Mr. Abu-Aly:


Although, we have exceed the UDBE goal set for this project, we would like to submit the following documents:

- Exhibit 15-G1 - UDBE Commitment
- Exhibit 15-H - Good Faith Efforts Documentation

If there is any additional information you may require, please contact me directly at 415-421-9500. Thank you and we look forward to working with you.

Sincerely,

PROVEN MANAGEMENT, INC.


Maria Mares

Enclosures

ATTACHMENT "G"


LIST OF SUBCONTRACTORS (Additional Page)

The Bidder is required to furnish the following information in accordance with the provisions of Sections 4100 to 4114, inclusive, of the Public Contract Code of the State of California. This list and information shall include all subcontractors that will perform work, provide labor or render services to the Bidder in connection with the project in an amount in excess of one-half of one percent of the total amount of Bidder's Total Bid Price.
Do not list alternative subcontractors for the same work. Use additional sheets if necessary.

NAME OF SUBCONTRACTOR	LICENSE NUMBER	LOCATION OF/ PLACE OF BUSINESS	TYPE & PERCENTAGE OF WORK
1. CMC REBAR	778010	TRACY, CA	REBAR 60%
2. Central Fence	281556	San Jose, CA	FENCING less than less than 10% 20
3. STEINY & CO	161273	Vallejo, CA	ELECTRICAL 10%
4. Christ Co	374600	Fremont, CA	STRIPING less than less than 10% 20
5.			TRUCKING 20
6. FD THOMAS	610403	Medford, OR	PAINTING less than less than 10% 20
7. Adams & Smith Mountain State Steel	311907 808102	Lindon, UT Lindon, UT	STRUCTURAL STEEL 30%
8. Schotka	723309	American Canyon, CA	SIGNS 10%
9. ACL	A-468840	Chino Hills, CA	CONCRETE BARRIERS 10%
10. AZUL WORKS	780074	SAN FRANCISCO, CA	Concrete Crash Walls 4%
11. Stinger Welding	147190	Coolidge AZ	STRUCTURAL STEEL 30%
12. Mountain State Steel	808102	Lindon UT	STRUCTURAL STEEL 30%
13.			
14.			
15.			

END LIST OF SUBCONTRACTORS

**STAFF REPORT TO THE CITY COUNCIL FOR CONSIDERATION AT THE
COUNCIL MEETING OF OCTOBER 23, 2012**

FROM: Lynn Tracy Nerland, City Attorney 

DATE: October 16, 2012

**SUBJECT: Measure Q – Contra Costa County Fire Protection District’s Special Tax to
Finance Fire Protection and Emergency Services: Resolution in Support**

The Mayor asked that this item be placed on the agenda with a resolution in support of Measure Q, the Contra Costa County Fire Protection District’s special tax to finance fire protection and emergency services. Measure Q will be considered by the voters at the November 6, 2012 election.

Further information about Measure Q can be found on the District’s website:

<http://www.cccfpd.org/ParcelTaxInitiative.php>

ATTACHMENT

- A. Fire District’s Ordinance No. 2012-09 Authorizing the Special Tax
- B. Proposed City Resolution in Support of Measure Q

ORDINANCE NO. 2012-09

AN ORDINANCE OF THE CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT TO
AUTHORIZE THE LEVY OF A SPECIAL TAX TO FINANCE FIRE PROTECTION AND
EMERGENCY SERVICES AND AUTHORIZING AN INCREASE IN THE APPROPRIATIONS
LIMIT FOR THE CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

The people of the Contra Costa County Fire Protection District ordain as follows:

SECTION 1. PURPOSE AND INTENT. It is the purpose and intent of this ordinance to authorize the levy of a special tax on parcels of real property on the secured property tax roll of Contra Costa County that are within the Contra Costa County Fire Protection District (the "District") to raise revenue for the District to use in providing and enhancing necessary fire protection and prevention services and emergency services, including acquiring, operating and maintaining fire suppression equipment, payment of personnel costs, and funding capital improvements.

SECTION 2. AUTHORITY. This ordinance is adopted pursuant to Article XIII A, Section 4, Article XIII B, Section 4, and Article XIII C, Section 2 of the California Constitution; Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5 of the California Government Code; Article 3.7 (commencing with Section 53720) of Chapter 4 of Division 2 of Title 5 of the California Government Code; California Government Code Section 53978; and Sections 13911 and 13913 of the California Health and Safety Code.

SECTION 3. AMOUNT AND LEVEL OF TAXES. A special tax for the purposes specified in Section 1 of this ordinance shall be levied annually, for seven years, on every parcel of taxable real property. The tax per year shall be levied at the rates specified in Exhibit A, incorporated herein. "Parcel of taxable real property" means any unit of real property in the District that receives a separate tax bill for *ad valorem* property taxes from the Contra Costa County Treasurer-Tax Collector's Office. "Use code" means the code number assigned by the Contra Costa County Assessor in order to classify parcels according to use for *ad valorem* property tax purposes. All property that is otherwise exempt from or on which are levied no *ad valorem* property taxes in any year shall also be exempt from the parcel tax in that year.

SECTION 4. COLLECTION. The special tax levied on each parcel pursuant to this ordinance shall be a charge upon the parcel and shall be due and collectible as set forth in this section.

(a) **Taxes as Liens Against the Property.** The amount of taxes for each parcel each year shall constitute a lien on such property, in accordance with Revenue and Taxation Code Section 2187, and shall have the same effect as an *ad valorem* real property tax lien until fully paid.

(b) **Collection.** The special tax levied on each parcel shall be billed on the secured roll tax bills for *ad valorem* property taxes. The special tax shall be collected by Contra Costa County on behalf of the District in the same manner in which Contra Costa County collects secured roll *ad valorem* property taxes. The times and procedure regarding exemptions, due dates, installment payments, corrections, cancellations, refunds, late payments, penalties, liens, and collection for secured roll *ad valorem* property taxes apply to the collection of this tax. Notwithstanding anything to the contrary in the foregoing, as to this tax: (1) the secured roll tax bills shall be the only notices required for this

tax; and (2) the homeowner and veterans exemptions shall not be applicable because such exemptions are determined by dollar amount value.

SECTION 5. ACCOUNTABILITY MEASURES.

(a) Account. Upon the levy and collection of the tax authorized by this ordinance, an account shall be created into which the proceeds of the tax will be deposited. The proceeds of the tax authorized by this ordinance shall be applied only to the specific purposes identified in this ordinance.

(b) Annual Report. An annual report that complies with the requirements of Government Code section 50075.3 shall be filed with the District Board of Directors no later than January 1 of each fiscal year in which the tax is levied.

SECTION 6. APPROPRIATIONS LIMIT. The appropriations limit of the District established under Article XIII B of the California Constitution shall be increased by the amount collected by the levy of this special tax in accordance with the applicable requirements of state law.

SECTION 7. SEVERABILITY. If any section, subsection, sentence, phrase or clause of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The voters of the District hereby declare that they would have adopted the remainder of this ordinance, including each section, subsection, sentence, phrase or clause, irrespective of the invalidity of any other section, subsection, sentence, phrase or clause.

SECTION 8. EFFECTIVE DATE; EXPIRATION DATE. This ordinance shall take effect immediately upon its confirmation by two-thirds of the voters voting thereon in an election to be held on November 6, 2012, so that taxes shall first be collected hereunder for the tax year beginning July 1, 2013. This ordinance, and the levy of taxes authorized herein, shall terminate on June 30, 2020. Within 15 days of passage, this ordinance shall be published once, with the names of the Directors voting for and against it, in the Contra Costa Times, a newspaper of general circulation published in this County.

PASSED AND ADOPTED at a regular meeting of the Board of Directors, Contra Costa County Fire Protection District, State of California, on July 31, 2012, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

ATTEST: DAVID J. TWA, Clerk of the Board
of Supervisors and County Administrator

By: _____
Deputy

Chair of the Board of Directors

[SEAL]

ORDINANCE NO. 2012-09

Exhibit A

**Contra Costa County Fire Protection District
Special Tax by Classification of Real Property**

Classification of Real Property	Annual Tax Rate * (Effective July 1, 2013)
Single Family Residential or Condominium	\$ 75 per dwelling unit
Multi-Family Residential	\$ 37.50 per dwelling unit
Commercial/Industrial	\$ 75 per one-quarter acre of land area or portion thereof
Vacant or Agricultural	\$ 37.50 per parcel
Institutional	\$ 75 per one-quarter acre of land area or portion thereof
Miscellaneous	\$ 75 per parcel
Non-taxable	\$ 0 per parcel

Use Code Details *	
Classification of Real Property	(as adopted and amended by the County of Contra Costa)
Single Family Residential or Condominium	11, 12, 13, 14, 19, 29, 61
Multi-Family Residential	21, 22, 23, 24, 25, 26, 27, 28
Commercial/Industrial	31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 55, 56
Vacant or Agricultural	15, 16, 17, 18, 20, 30, 50, 62, 63, 64, 65, 66, 67, 68, 69
Institutional	70, 71, 72, 73, 74, 75, 76, 77, 78, 79
Miscellaneous	83, 84, 85, 86, 89, 90

*** Additional Provisions**

1. County use codes shall be the primary source for the classification of property.
2. Tax-exempt parcels shall be exempt from the parcel tax regardless of use code classification.
3. Parcels with multiple property classifications on one parcel shall be assigned tax units based upon the proportion of land area and dwelling units within each property classification.
4. Parcels of real property with multiple assessor parcel numbers but only one underlying parcel of real property shall be assigned tax units based upon the underlying parcel of real property.
5. Parcels with an incorrect use code shall be assigned tax units based on the actual use classification of the property.

RESOLUTION NO. 2012/

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
SUPPORTING THE CONTRA COSTA COUNTY FIRE DISTRICT'S SPECIAL TAX TO
FINANCE FIRE PROTECTION AND EMERGENCY SERVICES (MEASURE Q)**

WHEREAS, the Contra Costa County Fire Protection District ("District") adopted Ordinance No. 2012-09 to establish a special tax to finance fire protection and emergency services, which the voters will consider as Measure Q on the November 6, 2012 ballot; and

WHEREAS, the City of Antioch lies within the service area of the District; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch hereby supports the District's special tax to finance fire protection and emergency services, which is Measure Q on the November 6, 2012 ballot.

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 ___ day of October 2012 by the following vote:

AYES: Council Members

NOES:

ABSENT:

CITY CLERK OF THE CITY OF ANTIOCH

STAFF REPORT TO THE CITY OF ANTIOCH AS SUCCESSOR AGENCY AND HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY FOR CONSIDERATION AT THE MEETING OF OCTOBER 23, 2012

Prepared By: Dawn Merchant, Finance Director
Date: October 16, 2012
Subject: Independent Accountants' Report on Applying Agreed-Upon Procedures on the Low and Moderate Income Housing Fund of the RDA Successor Agency in Accordance with California Assembly Bill No. 1484

RECOMMENDED ACTION

Motion to receive and file the attached Independent Accountants' Report (due diligence review) on the Low and Moderate Income Housing Fund of the former Antioch Development Agency.

BACKGROUND

By October 1st, successor agencies are required to have a review of housing funds completed by a certified public accountant acceptable to the County Auditor-Controller and submitted to the Oversight Board for review and approval. The purpose of this due diligence review is to determine the amount of unencumbered (or unobligated) funds that are to be remitted to taxing agencies. Upon receipt of the review, the Oversight Board must convene a public comment session at least five business days prior to voting on approval of the due diligence review. This session took place on October 8th and no public comments were received. The Oversight Board to the City of Antioch as Successor Agency to the Antioch Development Agency approved the due diligence review and retention of housing assets as detailed in the report on October 15, 2012.

DISCUSSION

The City of Antioch as Successor Agency to the Antioch Development Agency contracted with Badawi & Associates, Certified Public Accountants, to complete the due diligence review of the former Low and Moderate Income Housing Fund (LMIHF) of the redevelopment agency. This selection was approved by the Contra Costa County Auditor-Controller as required by legislation.

The report is attached for your review. Per exhibits 1 and 6 of the report, the LMIHF transferred \$1,236,650 to the City of Antioch as Successor Agency for remittance to the County to be distributed to taxing entities.

Exhibit 2 of the report details assets (both cash and non-cash) transferred to the City as Housing Successor that the City as Housing Successor believes qualify as housing assets to be retained. A summary of those is provided below.

Amount	Type of Asset & Purpose
\$904,505	Cash to retain to pay for Vista Diablo enforceable obligation through contract end date
3,537,849	Long term receivable from former Project Area 1 for deferred set aside payments (previously denied as enforceable obligation, but now allowed under AB1484)
14,436,459	Loans receivable approved as housing assets by DOF
140,560	Cash to retain for administration of housing loans until sufficient revenues generated to pay for
\$19,019,373	

As noted on page 2 of the report, Badawi & Associates issued a finding in relation to the \$140,560, listed above, that the City as Housing Successor retained for the administration of housing loans. The finding states that the administration of housing loans does not qualify as an enforceable obligation and does not meet the definition of a housing asset and therefore should not be retained. The City as Successor Agency’s response to the finding is also listed on page 2 of the report. In summary, as the housing loans have been approved as housing assets by the DOF and administration of these loans are listed on the approved ROPS, we believe administration does qualify as an enforceable obligation and that funds need to be retained until sufficient loan repayments are generated to pay for administration in the future. The projected revenue stream is detailed in Exhibit 5 of the report.

Per Health and Safety Code Section 34179.6 (c), the oversight board has the power to authorize the successor agency to retain assets or funds identified as:

- (a) Legally restricted as to purpose, such as bond proceeds or grant funds;
- (b) Assets that are not cash or cash equivalents such as land, loans, equipment;
- (c) Balances restricted for funding of an enforceable obligation; or
- (d) Balances needed to satisfy obligations as listed on the ROPS for the current fiscal year.

City staff believes that the long term receivable and loans receivable balances are non-cash equivalent housing assets falling into category (b) above; and that

the cash balances retained for Vista Diablo and loan administration fall into category (c) above. The Oversight Board to the City as Successor Agency to the Antioch Development Agency approved the retention of assets by resolution as identified in Exhibit 2 of the report for the identified purposes on October 15, 2012. The DOF will make the final determination on the retention of assets and may adjust the amount to remit to the County as listed in the attached report.

ATTACHMENT

A. Due Diligence Review

ATTACHMENT A

City of Antioch Redevelopment Agency's Successor Agency

Antioch, California

*Independent Accountants' Report on
Applying Agreed-Upon Procedures on the
Low and Moderate Income Housing Fund of
the RDA Successor Agency in Accordance with
California Assembly Bill No. 1484*



**INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES ON THE
LOW AND MODERATE INCOME HOUSING FUND OF THE RDA SUCCESSOR AGENCY IN
ACCORDANCE WITH CALIFORNIA ASSEMBLY BILL NO. 1484**

To the Oversight Board of
the City of Antioch Redevelopment Agency's Successor Agency
Antioch, California

We have performed the procedures enumerated below, which were agreed to by the City of Antioch Redevelopment Agency's Successor Agency (Successor Agency), solely to assist you in meeting the requirement of the due diligence review of the Low and Moderate Income Housing Fund of the Successor Agency, as required by the California Assembly Bill No. 1484. The Successor Agency's management is responsible for all schedules and exhibits prepared for this due diligence review. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in the report. Consequently, we make no representation regarding the sufficiency of the procedures described below, either for the purpose for which this report has been requested or for any other purpose.

The procedures performed and our findings are described below:

1. Obtain from the Successor Agency a listing of all assets that were transferred from the former redevelopment agency to the Successor Agency on February 1, 2012. Agree the amounts on this listing to account balances established in the accounting records of the Successor Agency. Identify in the Agreed-Upon Procedures (AUP) report the amount of the assets transferred to the Successor Agency as of that date in Exhibit 1.

Finding: No exceptions were noted as a result of our procedures.

2. If the State Controller's Office has completed its review of transfers required under both Sections 34167.5 and 34178.8 and issued its report regarding such review, attach a copy of that report as an exhibit to the AUP report. The State Controller's Office review has not occurred; therefore, we will perform the following procedures:

A. Obtain a listing prepared by the Successor Agency of transfers (excluding payments for goods and services) from the former redevelopment agency to the city, county, or city and county that formed the redevelopment agency for the period from January 1, 2011 through January 31, 2012. No transfers occurred from January 1, 2011 through January 31, 2012 from the redevelopment agency to the City, therefore no procedures were performed.

B. Obtain a listing prepared by the Successor Agency of transfers (excluding payments for goods and services) from the Successor Agency to the city, county, or city and county that formed the redevelopment agency for the period from February 1, 2012 through June 30, 2012. For each transfer, determine that the Successor Agency described the purpose of the transfer and described in what sense the transfer was required by one of the Agency's enforceable obligations or other legal requirements. See Exhibit 2 for the listing.

C. For each transfer, obtain the legal document that formed the basis for the enforceable obligation or other legal requirements that required any transfer.

Finding: No procedures were performed for 2A since the former redevelopment agency did not have any transfers to the City. For 2B and 2C, amounts to fund projected administration costs net of related future revenues associated with the housing loans which were transferred to the Housing Successor do not meet the definition of housing assets because they are not encumbered by an enforceable obligation to build or acquire low and moderate income housing.

Successor Agency's Response: Successor Agency management has reviewed the report and does not concur with the exception that \$140,560 cannot be retained by the Housing Successor for administrative costs related to the housing program. These costs are listed as an enforceable obligation of the Housing Fund on the Recognized Obligation Payment Schedule (ROPS) for the Agency and the ROPS was approved by the Department of Finance via letter dated May 27, 2012. It is management's position that the administration of the housing loans is a specific project cost associated with the housing program and should be treated as an enforceable obligation of that program. A review of forecasted revenue streams to be received demonstrates that insufficient revenues will be available to cover the cost of the administration now but should be available later in the future. Therefore the City has calculated a portion of the balance of the Low and Moderate Income Housing Fund to be retained to fund the obligation until there is a revenue stream.

3. If the State Controller's Office has completed its review of transfers required under both Sections 34167.5 and 34178.8 and issued its report regarding such review, attach a copy of that report as an exhibit to the AUP report. If this has not yet occurred, we will perform the following procedures:

A. Obtain a listing prepared by the Successor Agency of transfers (excluding payments for goods and services) from the former redevelopment agency to any other public agency or to private parties for the period from January 1, 2011 through January 31, 2012. For each transfer, the Successor Agency should describe the purpose of the transfer and describe in what sense the transfer was required by one of the Agency's enforceable obligations or other legal requirements.

B. Obtain a listing prepared by the Successor Agency of transfers (excluding payments for goods and services) from the Successor Agency to any other public agency or private parties for the period from February 1, 2012 through June 30, 2012. For each transfer, the Successor Agency should describe the purpose of the transfer and describe in what sense the transfer was required by one of the Agency's enforceable obligations or other legal requirements.

C. For each transfer, obtain the legal document that formed the basis for the enforceable obligation that required any transfer.

Finding: Procedures not applicable, there were no transfers made to public agencies or private parties.

4. Perform the following procedures:

A. Obtain from the Successor Agency a summary of the financial transactions of the Redevelopment Agency and the Successor Agency for the following periods: June 30, 2010; June 30, 2011; January 31, 2012 and June 30, 2012.

B. Ascertain that for each period presented the total of revenues, expenditures, and transfers accounts fully for the changes in equity from the previous fiscal period by comparing these balances to the Successor Agency's accounting records.

C. Compare amounts in the schedule relevant to the fiscal year ended June 30, 2010 to the state controller's report filed for the Redevelopment Agency for that period.

D. Compare amounts in the schedule for the other fiscal periods presented to account balances in the accounting records or other supporting schedules which includes Financial Statements and General Ledger Reports.

Finding: No exceptions were noted as a result of our procedures. See Exhibit 3.

5. Obtain from the Successor Agency a listing of all assets of the Low and Moderate Income Housing Fund as of June 30, 2012 for the report that is due October 1, 2012. For the Low and Moderate Income Housing Fund, the schedule attached as an exhibit will include only those assets of the Low and Moderate Income Housing Fund that were held by the Successor Agency as of June 30, 2012 and will exclude all assets held by the entity that assumed the housing function previously performed by the former redevelopment agency. Agree the assets so listed to recorded balances reflected in the accounting records of the Successor Agency. See Exhibit 4 for the listing.

Finding: No exceptions were noted as a result of our procedures.

6. Obtain from the Successor Agency a listing of asset balances held on June 30, 2012 that are restricted for the following purposes because there were no applicable account balances:

A. Unspent bond proceeds:

- i. Obtain the Successor Agency's computation of the restricted balances (e.g., total proceeds less eligible project expenditures, amounts set aside for debt service payments, etc.)
- ii. Trace individual components of this computation to related account balances in the accounting records, or to other supporting documentation.
- iii. Obtain from the Successor Agency a copy of the legal document that sets forth the restriction pertaining to these balances.

B. Grant proceeds and program income that are restricted by third parties:

- i. Obtain the Successor Agency's computation of the restricted balances (e.g., total proceeds less eligible project expenditures).
- ii. Trace individual components of this computation to related account balances in the accounting records, or to other supporting documentation.
- iii. Obtain from the Successor Agency a copy of the grant agreement that sets forth the restriction pertaining to these balances, and verify the existence of language restricting the use of the balances.

C. Other assets considered to be legally restricted:

- i. Obtain the Successor Agency's computation of the restricted balances (e.g., total proceeds less eligible project expenditures).
- ii. Trace individual components of this computation to related account balances in the accounting records, or to other supporting documentation

- iii. Obtain from the Successor Agency a copy of the legal document that sets forth the restriction pertaining to these balances, and verify the existence of language restricting the use of the balances.

Finding: Procedures not applicable. There were no applicable asset balances that were restricted.

7. Perform the following procedures:

A. Obtain from the Successor Agency a listing of assets as of June 30, 2012 that are not liquid or otherwise available for distribution (such as capital assets, land held for resale, long-term receivables, etc.) and ascertain the values are listed at either purchase cost (based on book value reflected in the accounting records of the Successor Agency) or market value as recently estimated by the Successor Agency.

B. If the assets listed at 7(A) are listed at purchase cost, trace the amounts to a previously audited financial statement (or to the accounting records of the Successor Agency) and note any differences.

C. For any differences noted in 7(B), inspect evidence of disposal of the assets and ascertain that the proceeds were deposited into the Successor Agency trust fund. If the differences are due to additions (this generally is not expected to occur), inspect the supporting documentation and note the circumstances.

D. If the assets listed at 7(A) are listed at recently estimated market value, inspect the evidence (if any) supporting the value and note the methodology used. If no evidence is available to support the value and / or methodology, note the lack of evidence.

Finding: Procedures not applicable. There were no applicable assets as of June 30, 2012.

8. Perform the following procedures:

A. If the Successor Agency believes that asset balances need to be retained to satisfy enforceable obligations, obtain from the Successor Agency an itemized schedule of asset balances (resources) as of June 30, 2012 that are dedicated or restricted for the funding of enforceable obligations and perform the following procedures. The schedule should identify the amount dedicated or restricted, the nature of the dedication or restriction, the specific enforceable obligation to which the dedication or restriction relates, and the language in the legal document that is associated with the enforceable obligation that specifies the dedication of existing asset balances toward payment of that obligation.

- i. Compare all information on the schedule to the legal documents that form the basis for the dedication or restriction of the resource balance in question.
- ii. Compare all current balances to the amounts reported in the accounting records of the Successor Agency or to an alternative computation.
- iii. Compare the specified enforceable obligations to those that were included in the final Recognized Obligation Payment Schedule approved by the California Department of Finance.
- iv. Attach as an exhibit to the report the listing obtained from the Successor Agency. Identify in the report any listed balances for which the Successor Agency was unable to provide appropriate restricting language in the legal document associated with the enforceable obligation.

Finding: Management has represented to us that they do not believe assets balances need to be retained to satisfy enforceable obligations. No procedures performed.

B. If the Successor Agency believes that future revenues together with balances dedicated or restricted to an enforceable obligation are insufficient to fund future obligation payments and thus retention of current balances is required, obtain from the Successor Agency a schedule of approved enforceable obligations that includes a projection of the annual spending requirements to satisfy each obligation and a projection of the annual revenues available to fund those requirements and perform the following procedures:

- i. Compare the enforceable obligations to those that were approved by the California Department of Finance. Procedures to accomplish this may include reviewing the letter from the California Department of Finance approving the Recognized Enforceable Obligation Payment Schedules for the six month period from January 1, 2012 through June 30, 2012 and for the six month period from July 1, 2012 through December 31, 2012.
- ii. Compare the forecasted annual spending requirements to the legal document supporting each enforceable obligation.
 - a. Obtain from the Successor Agency its assumptions relating to the forecasted annual spending requirements and disclose in the report major assumptions associated with the projections.
- iii. For the forecasted annual revenue:
 - a. Obtain from the Successor Agency its assumptions for the forecasted annual revenues and disclose in the report major assumptions associated with the projections.

Finding: Management has represented to us that they believe future revenues will be sufficient to fund future obligations. No procedures performed.

C. If the Successor Agency believes that projected property tax revenues and other general purpose revenues to be received by the Successor Agency are insufficient to pay bond debt service payments (considering both the timing and amount of the related cash flows), obtain from the Successor Agency a schedule demonstrating this insufficiency and apply the following procedures to the information reflected in that schedule.

- i. Compare the timing and amounts of bond debt service payments to the related bond debt service schedules in the bond agreement.
- ii. Obtain the assumptions for the forecasted property tax revenues and disclosed major assumptions associated with the projections.
- iii. Obtain the assumptions for the forecasted other general purpose revenues and disclosed major assumptions associated with the projections.

Finding: Management has represented to us that they do not have any outstanding bond issues. No procedures performed.

D. If procedures A, B, or C were performed, calculate the amount of current unrestricted balances necessary for retention in order to meet the enforceable obligations by performing the following procedures.

- i. Combine the amount of identified current dedicated or restricted balances and the amount of forecasted annual revenues to arrive at the amount of total resources available to fund enforceable obligations.
- ii. Reduce the amount of total resources available by the amount forecasted for the annual spending requirements. A negative result indicates the amount of current unrestricted balances that needs to be retained.
- iii. Include the calculation in the AUP report.

Finding: Procedures were not performed because procedures A, B, or C were not required to be performed.

- 9. If the Successor Agency believes that cash balances as of June 30, 2012 need to be retained to satisfy obligations on the Recognized Obligation Payment Schedule (ROPS) for the period of July 1, 2012 through June 30, 2013, obtain a copy of the final ROPS for the period of July 1, 2012 through December 31, 2012 and a copy of the final ROPS for the period January 1, 2013 through June 30, 2013. For each obligation listed on the ROPS, verify the Successor Agency added columns identifying (1) any dollar amounts of existing cash that are needed to satisfy that obligation and (2) the Successor Agency's explanation as to why the Successor Agency believes that such balances are needed to satisfy the obligation.

Finding: Management has represented to us that they believe cash balance as of June 30, 2012 do not need to be retained to satisfy obligations on the Recognized Obligation Payment Schedule (ROPS) for the period of July 1, 2012 through June 30, 2013. No procedures performed.

- 10. Obtain a schedule detailing the computation of the Balance Available for Allocation to Affected Taxing Entities. Amounts included in the calculation have been agreed to the results of the procedures performed in each section above. The schedule included a deduction to recognize amounts already paid to the County Auditor-Controller on July 12, 2012 as directed by the California Department of Finance. The amount of this deduction presented has been agreed to evidence of payment. Schedule was attached as Exhibit 6.

Finding: No exceptions were noted as a result of our procedures.

- 11. Obtain a representation letter from Successor Agency management acknowledging their responsibility for the data provided to us and the data presented in the report or in any attachments to the report. Determine that management representations included an acknowledgment that management is not aware of any transfers (as defined by Section 34179.5) from either the former redevelopment agency or the Successor Agency to other parties for the period from January 1, 2011 through June 30, 2012 that have not been properly identified in the AUP report and its related exhibits.

Finding: Management provided a representation letter on September 27, 2012.

We were not engaged to and did not conduct an examination, the objective of which would be the expression of an opinion on the accompanying schedules attached to this report. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the State of California Department of Finance, the Successor Agency Oversight Board and management of the Successor Agency and is not intended to be and should not be used by anyone other than these specified parties. However, this report is a matter of public record and its distribution is not limited.

A handwritten signature in black ink that reads "Badawi & Associates". The lettering is cursive and stylized, with a large initial "B" and a decorative flourish at the end.

Badawi and Associates
Certified Public Accountants
Oakland, CA
September 27, 2012

City of Antioch Redevelopment Agency's Successor Agency
Exhibit 1- Listing of All Assets Transferred From the Former Redevelopment Agency (LMIHF) to the Successor Agency
on February 1, 2012

<u>Assets</u>	<u>Amount</u>
Cash & Investments	\$ 1,236,650
Total Assets	\$ 1,236,650

City of Antioch Redevelopment Agency's Successor Agency
 Exhibit 2- Listing of All Assets Transferred from the former Redevelopment Agency (LMIHF) to the City of Antioch
 from February 1, 2011 through June 30, 2012

<u>Date</u>	<u>Amount</u>	<u>Purposes</u>	<u>Describe in what sense the transfer was required by one of the Agency's enforceable obligations or other legal requirements</u>
2/1/2012	\$ 904,505	Cash and investment	Per AB 1484, loans receivables and related cash and investment are housing assets
	140,560 *	Cash and investment	Per AB 1484, loans receivables and related cash and investment are housing assets
	3,537,849	Long term receivable	Per AB 1484, amount borrows from the LMIHF are housing assets
	14,436,459	Loans receivables	Per AB 1484, loans receivables and related cash and investment are housing assets
Total	\$ 19,019,373		

* Please see Exhibit 5 for detail calculation

City of Antioch Redevelopment Agency's Successor Agency
 Exhibit 3- Summary of the Financial Transaction of the Redevelopment Agency and the Successor Agency

	LMIHF Redevelopment Agency 12 Months Ended 6/30/2010	LMIHF Redevelopment Agency 12 Months Ended 6/30/2011	LMIHF Redevelopment Agency 7 Months Ended 1/31/2012	LMIHF Successor Agency 5 Months Ended 6/30/2012
Assets (modified accrual basis)				
Cash	\$ 2,140,863	\$ 2,552,855	\$ 2,287,980	\$ 1,236,650
Accounts Receivable	-	2,800	-	-
Prepaid Items	45,374	-	-	-
Loan Receivables	13,464,076	14,324,018	14,436,459	-
Advances to other Funds	3,562,849	3,537,849	3,537,849	-
Total Assets	\$ 19,213,162	\$ 20,417,522	\$ 20,262,288	\$ 1,236,650
Liabilities (modified accrual basis)				
Accounts Payable	\$ 71,838	\$ 49,980	\$ 2,850	\$ -
Accrued Payroll	759	2,286	3,415	-
Unearned Revenue	13,464,076	14,324,018	14,436,459	-
Total Liabilities	13,536,673	14,376,284	14,442,724	-
Equity	5,676,489	6,041,238	5,819,564	1,236,650
Total Liabilities + Equity	\$ 19,213,162	\$ 20,417,522	\$ 20,262,288	\$ 1,236,650
Total Revenues:	\$ 49,307	\$ 35,663	\$ 3,896	\$ -
Total Expenditures:	\$ (1,574,430)	\$ (1,140,660)	\$ (225,570)	\$ -
Total Transfers/Extraordinary item:	\$ 1,601,577	\$ 1,469,746	\$ -	\$ 1,236,650
Net change in equity	\$ 76,454	\$ 364,749	\$ (221,674)	\$ 1,236,650
Beginning Equity:	\$ 5,600,035	\$ 5,676,489	\$ 6,041,238	\$ -
Ending Equity:	\$ 5,676,489	\$ 6,041,238	\$ 5,819,564	\$ 1,236,650
Other Information:				
Capital assets as of end of year	-	-	-	-
Long-term debt as of end of year	-	-	-	-

City of Antioch Redevelopment Agency's Successor Agency

Exhibit 4- Listing of All Assets of the Low and Moderate Income Housing Fund as of June 30, 2012

<u>Assets</u>	<u>Amount</u>
Cash and investment	\$ 1,236,650
Total Assets	\$ 1,236,650

City of Antioch Redevelopment Agency's Successor Agency
 Exhibit 5 - Enforceable Obligations Schedule

Enforceable Obligations to be paid after 7/1/12 (per Jul-Dec 12 Approved ROPS):	Projected Amounts		Major Assumptions of Projections					
	ROPS Amount	(up to FY2022)		2013	2014	2015	2016	2017
Administration of NPP loans	45,720.00	35,400	Estimated fees to be charged by CCC and Housing Authority	3,720	3,720	3,720	3,720	3,720
Administration of housing loans	693,000.00	180,000	Estimated hours from the Housing Consultant X \$50	18,000	18,000	18,000	18,000	18,000
Administration Rental Rehab loans	198,708.00	125,160	Estimated fees to be charged by CCC and Housing Authority	12,516	12,516	12,516	12,516	12,516
	937,428.00	340,560		34,236	34,236	34,236	34,236	34,236
Projected Receipts:								
Housing Rehab/Rental Rehab loan repayments		100,000	Average past five years' loan repayments	10,000	10,000	10,000	10,000	10,000
Multi-family housing loans:								
Terrace Glen - P&I due 3/31/54								
Pinecrest Apts - P&I due 9/2/55								
Hillcrest Terrace - P&I due 6/1/55								
Hillcrest Terrace-2001 - P&I due 10/1/38								
Eden Housing - P&I due 2/11/57								
Eden Housing/West Rivertown II - P&I pymts due each 5/1-final 11/18/60		100,000	Average past five years' loan repayments	10,000	10,000	10,000	10,000	10,000
Rivertown Senior Housing - Princp. Due 10/1/33								
Riverstone Apts Loan - P&I pymts start 5/1/23 - due 7/1/62								
Tabora Gardens - P&I due 6/6/69								
Total Projected Receipts by Fiscal Year		200,000		20,000	20,000	20,000	20,000	20,000
Obligation payment shortfall		\$ 140,560	Calculation is for the period from Year 2013 to Year 2022	(14,236)	(14,236)	(14,236)	(14,236)	(14,236)

City of Antioch Redevelopment Agency's Successor Agency
 Exhibit 5- Enforceable Obligations Schedule

Projected Fiscal Year Payments/Amounts																	
2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053
9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000
9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000
			420,981														
10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
114,019	112,500	110,981	109,462	107,944	106,425	104,906	103,387	101,869	100,350	98,831	97,312	95,794	94,275	92,756	91,237	89,719	88,200
124,019	122,500	120,981	540,443	117,944	116,425	114,906	113,387	111,869	110,350	108,831	107,312	105,794	104,275	102,756	101,237	99,719	98,200

City of Antioch Redevelopment Agency's Successor Agency
Exhibit 6- Summary of Balances Available for Allocation to Affected Taxing Entities
Period ended June 30, 2012

SUMMARY OF BALANCES AVAILABLE FOR ALLOCATION TO AFFECTED TAXING ENTITIES

Total amount of assets held by the housing successor agency as of June 30, 2012 (procedure 5)	\$	1,236,650
Add the amount of any assets transferred to the city or other parties for which an enforceable obligation with a third party requiring such transfer and obligating the use of the transferred assets did not exist (procedures 2 and 3)		-
Less assets legally restricted for uses specified by debt covenants, grant restrictions, or restrictions imposed by other governments (procedure 6)		-
Less assets that are not cash or cash equivalents (e.g., physical assets) - (procedure 7)		-
Less balances that are legally restricted for the funding of an enforceable obligation (net of projected annual revenues available to fund those obligations) - (procedure 8)		-
Less balances needed to satisfy ROPS for the 2012-13 fiscal year (procedure 9)		-
Less the amount of payments made on July 12, 2012 to the County Auditor-Controller as directed by the California Department of Finance		-
Amount to be remitted to county for disbursement to taxing entities	\$	<u>1,236,650</u>

STAFF REPORT TO THE CITY OF ANTIOCH AS SUCCESSOR AGENCY AND HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY FOR CONSIDERATION AT THE MEETING OF OCTOBER 23, 2012

Prepared By: Dawn Merchant, Finance Director

Date: October 16, 2012

Subject: Contra Costa County Office of the Auditor-Controller
Independent Accountants' Report on Applying Agreed-Upon
Procedures with Respect to ABX1 26 for the Antioch
Development Agency of the City of Antioch (Dissolved
Agency)

RECOMMENDED ACTION

Motion to receive and file the report.

BACKGROUND

Per Health and Safety Code Section 34182 (a) (1) as amended by AB1484, the County Auditor-Controller has until October 1, 2012 to complete an agreed-upon procedures audit of each redevelopment agency in the County. The purpose of the audit is to establish the former redevelopment agency's assets and liabilities, document and determine pass-through payment obligations to other taxing entities, and document and determine both the amount and the terms of indebtedness incurred by the former redevelopment agency pursuant to the initial Recognized Obligation Payment Schedule.

The Contra Costa County Auditor-Controller engaged Marcum LLP, Certified Public Accountants to complete the agreed-upon procedures audit of the former Antioch Development Agency. Field work began in May 2012 and a final report was issued on October 1, 2012. The completed report is attached.

ATTACHMENT

Contra Costa County Office of the Auditor-Controller Independent Accountants' Report on Applying Agreed-Upon Procedures with Respect to ABX1 26 for the Antioch Development Agency of the City of Antioch (Dissolved Agency)

Contra Costa County Office of the Auditor-Controller

Antioch Development Agency
of the City of Antioch
(Dissolved Agency)

*Independent Accountants' Report
on Applying Agreed-Upon Procedures
with respect to ABX1 26*

**ANTIOCH DEVELOPMENT AGENCY
OF THE CITY OF ANTIOCH (DISSOLVED AGENCY)**

CONTENTS

Independent Accountants' Report on Applying Agreed Upon Procedures

Attachment A – Procedures and Findings

Exhibits

- Exhibit A-1: Enforceable Obligation Payment Schedule
- Exhibit A-2: Amended Enforceable Obligation Payment Schedule
- Exhibit B-1: Comparative Asset Balance Listing as of January 31, 2012, June 30, 2011 and June 30, 2010
- Exhibit B-2: Asset Transfer Assessment, Carrying Value at January 31, 2012
- Exhibit C: Draft Recognized Obligation Payment Schedule
- Exhibit D-1: Original Final Recognized Obligation Payment Schedule Approved by Oversight Board
- Exhibit D-2: Revised Final Recognized Obligation Payment Schedule Approved by Oversight Board
- Exhibit E: 2011-2012 Pass Through Obligations



**INDEPENDENT ACCOUNTANT'S REPORT ON
APPLYING AGREED-UPON PROCEDURES**

Contra Costa County
office of the Auditor-Controller
Martinez, California

Oversight Board of the Successor Agency for the
Antioch Development Agency
of the City of Antioch (Dissolved Agency)
Antioch, California

We have performed the agreed-upon procedures enumerated in Attachment A, which were agreed to by the California State Controller's Office, Department of Finance, and the Contra Costa County Auditor-Controller, Robert Campbell, solely to assist you in ensuring that the dissolved redevelopment agency is complying with its statutory requirements with respect to ABX1 26. Management of the successor agency and the county are responsible for the accounting records pertaining to statutory compliance pursuant to Health and Safety Code Section 34182(a)(1). This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in the report. Consequently, we make no representation regarding the sufficiency of the procedures identified below either for the purpose for which this report has been requested or for any other purpose.

The scope of this engagement was limited to performing the agreed-upon procedures as set forth in Attachment A. Attachment A also identifies the findings noted as a result of the procedures performed.

We were not engaged to and did not conduct an audit, the objective of which would be the expression of an opinion as to the appropriateness of the results summarized in Attachment A. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Contra Costa County Auditor-Controller, the successor agency, and applicable State agencies, and is not intended to be, and should not be used by anyone other than these specified parties. This restriction is not intended to limit distribution of this report, which is a matter of public record.

Marcum LLP

Certified Public Accountants
San Francisco, California
October 1, 2012



ANTIOCH DEVELOPMENT AGENCY
 OF THE CITY OF ANTIOCH (DISSOLVED AGENCY)
 AGREED-UPON PROCEDURES WITH RESPECT TO ABX1 26

PROCEDURE REQUESTED	RESULTS / FINDINGS BASED ON PERFORMANCE OF THE PROCEDURE REQUESTED	EXHIBIT
<p>A. RDA Dissolution and Restrictions</p>		
<p>For each redevelopment agency dissolved, perform the following:</p>		
<p>1. Obtain a copy of the Enforceable Obligation Payment Schedule (EOPS) for the period of August 1, 2011, through December 31, 2011. Trace the redevelopment project name or area (which ever applies) associated with the obligations, the payee, a description of the nature of the work/service agreed to, and the amount of payments made by month through December 31, 2011, and compare it to the legal document(s) that forms the basis for the obligations. Since amount could be estimated, determine that they are stated as such and that legal documentation supports those estimates.</p>	<p>Upon review of the enforceable obligation payment schedule (EOPS) for the period of August 1, 2011, through December 31, 2011, we noted the following:</p> <p>1) EOPS Item #5 - Housing Fund Deficits: The agency reported \$3,537,849 total outstanding obligation payable to Project Area 1 Housing Fund. The balance was reported in the Audited Financial Statements as of June 30, 2011, as interfund advances from the Redevelopment Project Area #1 Fund to the Low and Moderate Housing Fund. However, the nature of the advance does not represent money borrowed from the housing fund that is legally required to be repaid pursuant to a repayment schedule, as allowed by AB 26 Section 34167(d)(2). Project Area #1 was established prior to the 20% tax increment revenues set aside requirement. The balance represents the cumulative unfunded set-aside due from Project Area #1 to the housing fund. As noted in the letter from Department of Finance dated May 11, 2012 to the City of Antioch, this requirement ended with the passing of the redevelopment dissolution legislation. Therefore, the item should not be reported as an outstanding obligation in the EOPS. It has not been corrected in the Amended Enforceable Obligation Payment Schedule (Amended EOPS), but has been corrected in the Final Recognized Obligation Payment Schedule (Final ROPS) approved by the Oversight Board on May 21, 2012.</p> <p>2) EOPS Item #11 - Marina Subsidy: This is an amount payable to the City of Antioch totaling \$4,500,000. The agency provided a draft of the contract between the California Boating and Waterways, City of Antioch and the Antioch Development Agency. There is, however, no signed agreement to form the basis of this as an enforceable obligation. We also noted the same comment in the letter from Department of Finance to the City of Antioch dated May 11, 2012. It has not been corrected in the Amended Enforceable Obligation Payment Schedule (Amended EOPS) nor the Final Recognized Obligation Payment Schedule (ROPS).</p>	<p>Exhibit A-1</p>

ANTIOCH DEVELOPMENT AGENCY
 OF THE CITY OF ANTIOCH (DISSOLVED AGENCY)
 AGREED-UPON PROCEDURES WITH RESPECT TO ABX1 26

PROCEDURE REQUESTED	RESULTS / FINDINGS BASED ON PERFORMANCE OF THE PROCEDURE REQUESTED	EXHIBIT
	<p>3) The following obligations are estimates based on the operating budget and prior year actual expenditures without any legal documents that form the basis for the future obligations. We inspected invoices and purchase orders to trace the Project Name/Debt Obligation, Payee and Description of the nature of work/service done in prior years.</p> <p>a) EOPS Item #8 - Contract for Consulting Services: Payable to Fraser and Associates for redevelopment consulting. The total outstanding obligation reported is \$8,830. It has been removed in the Amended Enforceable Obligation Payment Schedule (Amended EOPS) and the Final Recognized Obligation Payment Schedule (ROPS).</p> <p>b) EOPS Item #12 - Property Tax Administration: Payable to Contra Costa County. The total outstanding obligation reported is \$1,900,000. It has been removed in the Amended Enforceable Obligation Payment Schedule (Amended EOPS) and the Final Recognized Obligation Payment Schedule (ROPS).</p> <p>c) EOPS Item #14 - Contract for Consulting Services: Payable to Karste Consulting for redevelopment consulting. The total outstanding obligation reported is \$22,000. It has been removed in the Amended Enforceable Obligation Payment Schedule (Amended EOPS) and the Final Recognized Obligation Payment Schedule (ROPS).</p> <p>d) EOPS Item #15 - Transportation and Other Projects: Payable to Federal Advocates for advocacy services. The total outstanding obligation reported is \$20,000. It has been removed in the Amended Enforceable Obligation Payment Schedule (Amended EOPS) and the Final Recognized Obligation Payment Schedule (ROPS).</p> <p>e) EOPS Item #16 - Phillips Lane: Payable to Fehr and Peers Associates for non housing project. The total outstanding obligation reported is \$5,445. It has been removed in the Amended Enforceable Obligation Payment Schedule (Amended EOPS) and the Final Recognized Obligation Payment Schedule (ROPS).</p> <p>f) EOPS Item #17 - Phillips Lane: Payable to BKF Engineers for non housing project. The total outstanding obligation reported is \$43,553. It has been removed in the Amended Enforceable Obligation Payment Schedule (Amended EOPS) and the Final Recognized Obligation Payment Schedule (ROPS).</p>	

ANTIOCH DEVELOPMENT AGENCY
 OF THE CITY OF ANTIOCH (DISSOLVED AGENCY)
 AGREED-UPON PROCEDURES WITH RESPECT TO ABX1 26

PROCEDURE REQUESTED	RESULTS / FINDINGS BASED ON PERFORMANCE OF THE PROCEDURE REQUESTED	EXHIBIT
	<p>g) EOPS Item #18 - Phillips Lane: Payable to Grey Bowen and Company for non housing project consulting. The total outstanding obligation reported is \$54,190. It has been removed in the Amended Enforceable Obligation Payment Schedule (Amended EOPS) and the Final Recognized Obligation Payment Schedule (ROPS).</p> <p>h) EOPS Item #19 - Other Agency Admin Costs: No specific payee identified. The total outstanding obligation reported is \$2,400,000. It has been removed in the Amended Enforceable Obligation Payment Schedule (Amended EOPS) and the Final Recognized Obligation Payment Schedule (ROPS).</p> <p>i) EOPS Item #20 - Redevelopment Legal Advice: Payable to Goldfarb and Lipman for redevelopment legal advice. The total outstanding obligation reported is \$60,000. It has been removed in the Amended Enforceable Obligation Payment Schedule (Amended EOPS) and the Final Recognized Obligation Payment Schedule (ROPS).</p> <p>j) EOPS Item #21 - Unexpected Agency Litigation/Preservation of Assets: Payable to Best, Best and Krieger, no specific purpose identified. The total outstanding obligation reported is \$60,000. It has been removed in the Amended Enforceable Obligation Payment Schedule (Amended EOPS) and the Final Recognized Obligation Payment Schedule (ROPS).</p>	

ANTIOCH DEVELOPMENT AGENCY
 OF THE CITY OF ANTIOCH (DISSOLVED AGENCY)
 AGREED-UPON PROCEDURES WITH RESPECT TO ABX1 26

PROCEDURE REQUESTED	RESULTS / FINDINGS BASED ON PERFORMANCE OF THE PROCEDURE REQUESTED	EXHIBIT
<p>2. Obtain a copy of all amended EOPS filed during the period of January 1, 2012, through June 30, 2012. Trace the redevelopment project name or area (which ever applies) associated with the obligations, the payee, a description of the nature of the work/service agreed to, and the amount of payments to be made by month through June 30, 2012, and compare it to the legal documents that form the basis for the obligations. Again, since amount could be estimated, determine that they are stated as such and that legal documentation supports those estimates.</p>	<p>Upon review of the copy of the Amended Enforceable Obligation Payment Schedule (Amended EOPS) for the period of January 1, 2012, through June 30, 2012, we noted the following:</p> <p>1) EOPS Item #5 - Housing Fund Deficits: The agency reported \$3,537,849 total outstanding obligation payable to Project Area 1 Housing Fund. The balance was reported in the Audited Financial Statements as of June 30, 2011, as interfund advances from the Redevelopment Project Area #1 Fund to the Low and Moderate Housing Fund. However, the nature of the advance does not represent money borrowed from the housing fund that is legally required to be repaid pursuant to a repayment schedule, as allowed by AB 26 Section 34167(d)(2). Project Area #1 was established prior to the 20% tax B6increment revenues set aside requirement. The balance represents the cumulative unfunded set-aside due from Project Area #1 to the housing fund. As noted in the letter from Department of Finance dated May 11, 2012 to the City of Antioch, this requirement ended with the passing of the redevelopment dissolution legislation. Therefore, the item should not be reported as an outstanding obligation in the EOPS. It has been corrected in the Final Recognized Obligation Payment Schedule (Final ROPS) approved by the Oversight Board on May 21, 2012.</p> <p>2) EOPS Item #9 - Marina Subsidy: This is an amount payable to City of Antioch totaling \$4,500,000. The agency provided a draft of the contract between the California Boating and Waterways, City of Antioch and the Antioch Development Agency. There is, however, no signed agreement to form the basis of this as an enforceable obligation. We also noted the same comment in the letter from the Department of Finance to the City of Antioch dated May 11, 2012. It has not been corrected in the Final Recognized Obligation Payment Schedule (ROPS).</p> <p>3) EOPS Item #7 - Administrative Costs: This is an amount payable to City of Antioch/Consultants. The total outstanding obligation reported is \$12,485,610. The obligation is an estimate based on the operating budget and prior year actual expenditures without any legal documents that form the basis for the future obligation. We inspected invoices and purchase orders to trace the Project Name/Debt Obligation, Payee and Description of the nature of work/service done in prior years. It has not been corrected in the Final Recognized Obligation Payment Schedule (ROPS).</p>	<p>Exhibit A-2</p>

ANTIOCH DEVELOPMENT AGENCY
 OF THE CITY OF ANTIOCH (DISSOLVED AGENCY)
 AGREED-UPON PROCEDURES WITH RESPECT TO ABX1 26

PROCEDURE REQUESTED	RESULTS / FINDINGS BASED ON PERFORMANCE OF THE PROCEDURE REQUESTED	EXHIBIT
3. Identify any obligation listed on the EOPS that were entered into after June 29, 2011, by inspecting the date of incurrence specified on Form A of the Statement of Indebtedness filed with the County Auditor-Controller, which was filed on or before October 1, 2011.	None noted.	
4. Inquire and specifically state in the report the manner in which the agency did or did not execute a transfer of the Low and Moderate Income Housing Fund to the redevelopment successor agency by February 1, 2012. Procedures to accomplish this might include changing the name of the accounting fund and related bank accounts that are holding these assets for the successor agency. If the successor agency is a party other than the agency that created the redevelopment agency, an examination of bank statements and changing of account titles and fund names evidencing such transfer will be sufficient.	We inquired of the Finance Director and reviewed the chart of accounts in the general ledger and determined the transfer was accomplished by February 1, 2012. The names of the accounting funds were changed, however, the names of related bank accounts were not changed since the unrestricted cash balance of the Antioch Development Agency (ADA) cash is pooled with the City's cash. With the establishment of the new funds, however, the City has the accounting system capability to maintain separate accountability for the successor agency cash balances. Additionally, the significant portion of the ADA cash balances that are restricted are already maintained in separate Trustee accounts.	
5. Inquire and specifically state in the report how housing activities (assets and functions, rights, powers, duties, and obligations) were transferred and the manner in which this agency did or did not execute a transfer. Procedures to accomplish this might include changing the name of the accounting fund and related bank accounts that are holding these assets for the other agency. An examination of bank statements and changing of account titles and fund names evidencing such transfers will be sufficient. If the housing successor is a party other than the agency that created the redevelopment agency, an examination of bank statements and re-recording of titles evidencing such transfer will be sufficient.	We inquired of the Finance Director and reviewed the chart of accounts in the general ledger and determined the transfer was accomplished by February 1, 2012. The names of the accounting funds were changed, however, the names of related bank accounts were not changed since the unrestricted cash balance of the ADA cash is pooled with the City's cash. With the establishment of the new funds, however, the City has the accounting system capability to maintain separate accountability for the successor agency cash balances. Additionally, the significant portion of the ADA cash balances that are restricted are already maintained in separate Trustee accounts.	

ANTIOCH DEVELOPMENT AGENCY
 OF THE CITY OF ANTIOCH (DISSOLVED AGENCY)
 AGREED-UPON PROCEDURES WITH RESPECT TO ABX1 26

PROCEDURE REQUESTED	RESULTS / FINDINGS BASED ON PERFORMANCE OF THE PROCEDURE REQUESTED	EXHIBIT
B. Successor Agency		
1. Inspect evidence that a successor agency (A) has been established by February 1, 2012; and (B) the successor agency oversight board has been appointed, with names of the successor agency oversight board members, which must be submitted to the Department of Finance by May 1, 2012.	Inspected City of Antioch Council Resolution No 2012/07 adopted January 24, 2012 establishing the Successor Agency. Names of the successor agency oversight board members were not submitted to the Department of Finance by May 1, 2012 due to a delayed meeting of the oversight board, which was not held until April 30, 2012. The information was submitted May 8, 2012.	
2. Inquire regarding the procedures accomplished and specifically state in the report the manner in which this agency did or did not execute a transfer of operations to the successor agency, which was due by February 1, 2012. Procedures to accomplish this might include changing the name of the accounting fund and related bank accounts that are holding these assets for the successor agency. If the successor agency is a party other than the agency that created the redevelopment agency, an examination of bank statements and changing of account titles and fund names evidencing such transfers will be sufficient.	We inquired of the Finance Director and reviewed the chart of accounts in the general ledger and determined the transfer was accomplished by February 1, 2012. The names of the accounting funds were changed, however, the names of related bank accounts were not changed since the unrestricted cash balance of the ADA cash is pooled with the City's cash. With the establishment of the new funds, however, the City has the accounting system capability to maintain separate accountability for the successor agency cash balances. Additionally, the significant portion of the ADA cash balances that are restricted are already maintained in separate Trustee accounts.	
3. Ascertain that the successor agency has established the Redevelopment Obligation Retirement Fund(s) in its accounting system.	Inspected internal financial reports for the ADA Obligation Retirement Fund, which shows this fund has been established.	
4. Inspect the EOPS and ROPS and identify the payments that were due to be paid through the date of the AUP report. Select a sample (based on a dollar amount and/or percentage amount as determined by the Contra Costa County Auditor-Controller) and compare the payments that were due to be paid through the date of the AUP report to a copy of the cancelled check or other documentation supporting the payment.	The threshold for testing was set at \$206,973 (3% of 2011-2012 RDA Tax Increment). EOPS testing covered 69% of the identified dollars (one out of 58 items). ROPS testing covered 61% of the identified dollars (two of 28 items). Upon review of the payments that were due to be paid through the date of the AUP report, we noted the following: 1. ROPS Page 1 Item #8 - Marina Subsidy: Noted as an exception in Procedure A1 and A2 above due to the absence of a signed agreement between the ADA, the City and California Boating Waterways. ADA recorded a journal entry to record a transfer out in the amount of \$250,000 from ADA to the City in January 2012.	
5. Obtain listings that support the asset figures (cash, investments, accounts receivable, notes, receivables, fixed assets, etc.) in the audited financial statements as of June 30, 2010, June 30, 2011, (if agency has different fiscal year end, so identify) and as of January 31, 2012, as determined by the successor agency and include as an attachment to the AUP report.	Obtained the asset transfer assessment and used this and the most recent two years of audited information to prepare the summary comparison of asset balances. Subsequent to the preparation of this summary during fieldwork, the Successor Agency has identified certain adjustments they have made to unaudited information. Those changes have not been reflected in this report.	Exhibit B-1 and Exhibit B-2

ANTIOCH DEVELOPMENT AGENCY
 OF THE CITY OF ANTIOCH (DISSOLVED AGENCY)
 AGREED-UPON PROCEDURES WITH RESPECT TO ABX1 26

PROCEDURE REQUESTED	RESULTS / FINDINGS BASED ON PERFORMANCE OF THE PROCEDURE REQUESTED	EXHIBIT
C. Recognized Obligation Payment Schedule (Draft ROPS)		
Obtain a copy of the initial draft of the ROPS from the successor agency.		Exhibit C
1. Inspect evidence that the initial draft of the ROPS was prepared by March 1, 2012.	Inspected an internal memo dated March 1, 2012, which indicated that the ROPS had been prepared.	
2. Note in the minutes of the Oversight Board that the draft ROPS has been approved by the Oversight Board. If the Oversight Board has not yet approved the draft ROPS as of the date of the AUP, this should be mentioned in the AUP report.	Inspected Successor Agency Oversight Board Resolution No. 2012-03, adopted April 30, 2012, that provided this approval.	
3. Inspect evidence that a copy of the draft ROPS was submitted to the County Auditor-Controller, State Controller, and Department of Finance.	Inspected transmittal letters dated March 1, 2012, and March 2, 2012, that were used to send the draft ROPS to the County Auditor-Controller and the Department of Finance. Exception: No proof of confirmation was provided to show the draft ROPS was submitted to the State Controller.	
4. Inspect evidence that the draft ROPS includes monthly scheduled payments for each enforceable obligation for the current six-month reporting time period.	Monthly scheduled payments are included on the draft ROPS.	
5. Select a sample (based on dollar amount and/or percentage amount as determined by the Contra Costa County Auditor-Controller) and trace enforceable obligations listed on the draft ROPS to the legal document that forms the basis for the obligation.	ROPS testing covered 100% of the identified dollars (13 of 13 items). Upon review of the payments that were due to be paid through the date of the AUP report, we noted the following: 1) ROPS Page 1, Item #5 - Housing Fund Deficits: The agency reported \$3,537,849 total outstanding obligation payable to Project Area 1 Housing Fund. The balance was reported in the Audited Financial Statements as of June 30, 2011, as interfund advances from the Redevelopment Project Area #1 Fund to the Low and Moderate Housing Fund. However, the nature of the advance does not represent money borrowed from the housing fund that is legally required to be repaid pursuant to a repayment schedule as allowed by AB 26 Section 34167(d)(2). Project Area #1 was established prior to the 20% tax increment revenues set aside requirement. The balance represents the cumulative unfunded set-aside due from Project Area #1 to the housing fund. As noted in the letter from Department of Finance dated May 11, 2012 to the City of Antioch, this requirement ended with the passing of the redevelopment dissolution legislation. Therefore, the item should not be reported as an outstanding obligation in the ROPS. It has been corrected in Final Recognized Obligation Payment Schedule (ROPS) approved by the Oversight Board on May 21, 2012.	

ANTIOCH DEVELOPMENT AGENCY
 OF THE CITY OF ANTIOCH (DISSOLVED AGENCY)
 AGREED-UPON PROCEDURES WITH RESPECT TO ABX1 26

PROCEDURE REQUESTED	RESULTS / FINDINGS BASED ON PERFORMANCE OF THE PROCEDURE REQUESTED	EXHIBIT
	<p>2) ROPS Page 1, Item #8 - Marina Subsidy: This is an amount payable to City of Antioch totaling \$4,500,000. The agency provided a draft of the contract between the California Boating and Waterways, City of Antioch and the Antioch Development Agency. There is no signed agreement as to form the basis of this as an enforceable obligation. We also noted the same comment in the letter from Department of Finance to the City of Antioch dated May 11, 2012. It has not been corrected in the Final Recognized Obligation Payment Schedule (ROPS).</p> <p>3) ROPS Page 3, Item #1 - Administrative Costs: This is an amount payable to the City of Antioch and certain consultants. The total outstanding obligation reported is \$11,306,816. The obligation is an estimate based on the operating budget and prior year actual expenditures without any legal documents that form the basis for the future obligation. We reviewed invoices and purchase orders to trace the Project Name/Debt Obligation, Payee and Description of the nature of work/service done in prior years. It has not been corrected in the Final Recognized Obligation Payment Schedule (ROPS).</p>	
<p>6. Trace the obligations enumerated on the draft ROPS to the obligations enumerated on the EOPS (including amendments) and note any material differences as agreed to by the Contra Costa County Auditor-Controller.</p>	<p>The total outstanding debt or obligations reported on the Amended EOPS are \$211,224 higher than those included on the draft ROPS (10 items reported in the Amended EOPS compared to 8 items in the draft ROPS).</p>	

ANTIOCH DEVELOPMENT AGENCY
 OF THE CITY OF ANTIOCH (DISSOLVED AGENCY)
 AGREED-UPON PROCEDURES WITH RESPECT TO ABX1 26

PROCEDURE REQUESTED	RESULTS / FINDINGS BASED ON PERFORMANCE OF THE PROCEDURE REQUESTED	EXHIBIT
D. Recognized Obligation Payment Schedule (Final ROPS)		
Obtain a copy of the final ROPS (January 1, 2012, through June 30, 2012) from the successor agency.		Exhibit D-2
1. Inspect evidence that the final ROPS was submitted to the County Auditor-Controller, the State Controller, and Department of Finance by April 15, 2012, and is posted on the website of the City/County as successor agency (Health and Safety Code section 34177(2)(C)).	Inspected evidence that the final ROPS is posted on the website of the City as successor agency. Exception: The final ROPS was not submitted to the County Auditor-Controller, the State Controller, or Department of Finance by April 15, 2012 due to a delayed meeting of the oversight board, which was not held until April 30, 2012. The final ROPS was submitted to these authorities on May 2, 2012, May 7, 2012, and May 2, 2012, respectively.	
2. Inspect the final ROPS and identify the payments that were due to be paid through the date of the Agreed-Upon Procedures report. For payments on the ROPS that were identified as being due through the date of the Agreed-Upon Procedures report, inspect evidence of payment and determine that amounts agree to the purpose of the obligation as amounts could be estimated.	The threshold for testing was set at \$206,973 (3% of 2011-2012 RDA Tax Increment). ROPS testing covered 61% of the identified dollars (two of 28 items). Upon review of the payments that were due to be paid through the date of the AUP report, we noted the following: 1. ROPS Page 1 Item #8 - Marina Subsidy: Noted as an exception in Procedure A1 and A2 above due to the absence of a signed agreement between the ADA, the City and California Boating Waterways. ADA recorded a journal entry to record a transfer out in the amount of \$250,000 from ADA to the City in January 2012.	

ANTIOCH DEVELOPMENT AGENCY
 OF THE CITY OF ANTIOCH (DISSOLVED AGENCY)
 AGREED-UPON PROCEDURES WITH RESPECT TO ABX1 26

PROCEDURE REQUESTED	RESULTS / FINDINGS BASED ON PERFORMANCE OF THE PROCEDURE REQUESTED	EXHIBIT
<p>3. Select a sample (based on a dollar amount and/or percentage amount as determined by the Contra Costa County Auditor-Controller) and trace enforceable obligations listed on the final ROPS to the legal agreements or documents that forms the basis for the obligation.</p>	<p>ROPS testing covered 100% of the identified dollars (13 of 13 items). Upon review of the payments that were due to be paid through the date of the AUP report, we noted the following:</p> <p>1) ROPS Page 1, Item #5 - Housing Fund Deficits: The agency reported \$3,537,849 total outstanding obligation payable to Project Area 1 Housing Fund. The balance was reported in the Audited Financial Statements as of June 30, 2011, as interfund advances from the Redevelopment Project Area #1 Fund to the Low and Moderate Housing Fund. However, the nature of the advance does not represent money borrowed from the housing fund that is legally required to be repaid pursuant to a repayment schedule, as allowed by AB 26 Section 34167(d)(2). Project Area #1 was established prior to the 20% tax increment revenues set aside requirement. The balance represents the cumulative unfunded set-aside due from Project Area #1 to the housing fund. As noted in the letter from Department of Finance dated May 11, 2012 to the City of Antioch, this requirement ended with the passing of the redevelopment dissolution legislation. Therefore, the item should not be reported as an outstanding obligation in the ROPS. It has been corrected in the revised final ROPS approved by the oversight board on May 21, 2012.</p> <p>2) ROPS Page 1, Item #8 - Marina Subsidy: This is an amount, payable to City of Antioch totaling \$4,500,000. The agency provided a draft of the contract between the California Boating and Waterways, City of Antioch and the Antioch Development Agency, however, there is no signed agreement to form the basis of this as an enforceable obligation. We also noted the same comment in the letter from Department of Finance to the City of Antioch dated May 11, 2012.</p> <p>3) ROPS Page 3, Item #1 - Administrative Costs: This is an amount payable to City of Antioch/Consultants. The total outstanding obligation reported is \$11,306,816. The obligation is an estimate based on the operating budget and prior year actual expenditures without any legal documents that form the basis for the future obligation. We reviewed invoices and purchase orders to trace the Project Name/Debt Obligation, Payee and Description of the nature of work/service done in prior years.</p>	

ANTIOCH DEVELOPMENT AGENCY
 OF THE CITY OF ANTIOCH (DISSOLVED AGENCY)
 AGREED-UPON PROCEDURES WITH RESPECT TO ABX1 26

PROCEDURE REQUESTED	RESULTS / FINDINGS BASED ON PERFORMANCE OF THE PROCEDURE REQUESTED	EXHIBIT
E. Other Procedures		
Obtain a list of pass-through obligations and payment schedules.		
1. Obtain a list of pass-through obligations and payments made from the successor agency from July 1, 2011 through January 31, 2012. Inspect evidence of payment, and note any differences from the list of pass-through obligations and payments made.	A listing of pass-through obligations for fiscal year 2011-2012 prepared by the County is included in this report. All obligations were paid by June 30, 2012 by the County and deducted from the Redevelopment Property Tax Trust Fund (RPTTF).	Exhibit E
Issue Agreed-Upon Procedures Report and distribute to the California State Controller by October 5, 2012.	Agreed upon procedures were completed by October 1, 2012 and a report has been issued to the Contra Costa County Office of the Auditor-Controller for submission to the California State Controller and the Department of Finance.	

Name of Redevelopment Agency: Antioch Development Agency
 Project Area(s) All

ENFORCEABLE OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34167 and 34169 (*)

Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by Month						
					Aug**	Sept	Oct	Nov	Dec	Total	
1) 2000 Tax Allocation Bonds	Bank of New York	Bond issue to fund non-housing projects	9,846,086.00	1,400,459.00		1,221,959.00					\$ 1,221,959.00
2) 2009 Tax Allocation Bonds	Bank of New York	Bond issue to fund non-housing projects	2,455,996.00	144,762.00		120,177.00					\$ 120,177.00
3) 1994 Tax Allocation Bonds	Bank of New York	Bond issue to fund non-housing projects	736,588.00	252,381.00							\$ -
4) 2002 Lease Revenue Bonds	Bank of New York	Bond issue to fund non-housing projects	41,711,010.00	1,597,819.00							\$ -
5) Housing Fund Deficit	Project Area 1 - Housing Fund	Repayment for housing fund	3,537,849.00	25,000.00							\$ -
6) Vista Diablo Rent Subsidy	Vista Diablo	Rent subsidy	790,238.00	61,488.00							\$ -
7) Contract for consulting services	Janet Kennedy	Housing fund project administration	40,000.00	40,000.00	3,333.00	3,333.00	3,333.00	3,333.00	3,333.00	3,333.00	\$ 16,565.00
8) Contract for consulting services	Fraser and Associates	Redevelopment consulting	8,830.00	8,830.00	3,000.00	3,000.00	2,830.00				\$ 8,830.00
9) Employee & other administrative costs	City of Antioch	Payroll & admin expenses for agency	9,834,780.00	491,739.00	40,980.00	40,980.00	40,980.00	40,980.00	40,980.00	40,980.00	\$ 204,900.00
10) Monitoring Wells	City of Antioch	Monitoring Wells project	40,000.00	40,000.00	2,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	\$ 22,000.00
11) Marina Subsidy	City of Antioch	Marina subsidy	4,500,000.00	250,000.00							\$ -
12) Property tax administration	Contra Costa County	Property Tax Administration	1,900,000.00	97,920.00							\$ -
13) Bond administration	Bank of New York	Bond administrative fees	196,000.00	9,800.00			2,500.00	2,000.00			\$ 4,500.00
14) Contract for consulting services	Karste Consulting	Redevelopment consulting	22,000.00	22,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	\$ 10,000.00
15) Transportation & other projects	Federal Advocates	Advocacy services	20,000.00	20,000.00		5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	\$ 20,000.00
16) Phillips Lane	Fehr and Peers Associates	Non housing project	5,445.00	5,445.00		1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	\$ 4,800.00
17) Phillips Lane	BKF Engineers	Non housing project	43,553.00	43,553.00		3,600.00	3,600.00	3,600.00	3,600.00	3,600.00	\$ 14,400.00
18) Phillips Lane	Gray Bowen and Company	Non housing project consulting	54,190.00	54,190.00		3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	\$ 12,000.00
19) Other Agency Admin Costs	various	Various costs to administer agency	2,400,000.00	120,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	\$ 50,000.00
20) Redevelopment legal advice	Goldfarb and Lipman	Redevelopment legal advice	60,000.00	60,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	\$ 25,000.00
21) Unexpected agency litigation/preservation of assets	Best, Best and Krieger	Unexpected agency litigation/preservation of assets	60,000.00	60,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	\$ 25,000.00
22)											
23)											
24)											
25)											
26)											
27)											
28)											
29)											
30)											
Totals - This Page			\$ 78,264,543.00	\$ 4,805,386.00	\$ 71,313.00	\$ 1,429,249.00	\$ 89,443.00	\$ 86,113.00	\$ 84,113.00	\$ 84,113.00	\$ 1,760,231.00
Totals - Page 2			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals - Page 3			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals - Page 4			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals - Other Obligations			\$ 63,820,718.00	\$ 2,386,732.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,180,433.00	\$ 1,180,433.00
Totals - All Pages			\$ 142,085,261.00	\$ 7,192,118.00	\$ 71,313.00	\$ 1,429,249.00	\$ 89,443.00	\$ 86,113.00	\$ 1,264,546.00	\$ 1,264,546.00	\$ 2,940,664.00

* This Enforceable Obligation Payment Schedule (EOPS) is to be adopted by the redevelopment agency no later than late August. It is valid through 12/31/11. It is the basis for the Preliminary Draft Recognized Obligation Payment Schedule (ROPS), which must be prepared by the dissolving Agency by 9/30/11. (The draft ROPS must be prepared by the Successor Agency by 11/30/11.)
 If an agency adopts a continuation ordinance per ABX1 27, this EOPS will not be valid and there is no need to prepare a ROPS.
 ** Include only payments to be made after the adoption of the EOPS.

Name of Redevelopment Agency: Antioch Development Agency
 Project Area(s) all

OTHER OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34167 and 34169 (*)

	Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month					
						Aug**	Sept	Oct	Nov	Dec	Total
1)	Section 33676	County Resource Consv	Payments per former Section 33676	818.00	29.00					11.60	\$ 11.60
2)	Section 33676	BART	Payments per former Section 33676	10,700.00	350.00					140.00	\$ 140.00
3)	Section 33676	East Bay Park	Payments per former Section 33676	152,800.00	5,250.00					2,100.00	\$ 2,100.00
4)	Pass Through Agreement	Contra Costa County	Payments per former Section 33401	10,279,000.00	292,000.00					116,800.00	\$ 116,800.00
5)	Pass Through Agreement	County Library	Payments per former Section 33401	836,000.00	21,000.00					8,400.00	\$ 8,400.00
6)	Pass Through Agreement	Riverview Fire Dist	Payments per former Section 33401	12,548,000.00	334,000.00					133,600.00	\$ 133,600.00
7)	Pass Through Agreement	County Flood Control	Payments per former Section 33401	105,000.00	3,000.00					1,200.00	\$ 1,200.00
8)	Pass Through Agreement	Mosquito Abatement	Payments per former Section 33401	155,000.00	4,000.00					1,600.00	\$ 1,600.00
9)	Pass Through Agreement	College District	Payments per former Section 33401	342,000.00	21,000.00					8,400.00	\$ 8,400.00
10)	Pass Through Agreement	Antioch Unified	Payments per former Section 33401	425,000.00	14,000.00					5,600.00	\$ 5,600.00
11)	Pass Through Agreement	East Bay Park	Payments per former Section 33401	25,000.00	400.00					160.00	\$ 160.00
12)	Statutory Payments	County General	Payments per CRL 33607.5 and .7	1,281,700.00	31,600.00					12,640.00	\$ 12,640.00
13)	Statutory Payments	County Library	Payments per CRL 33607.5 and .7	132,000.00	3,300.00					1,320.00	\$ 1,320.00
14)	Statutory Payments	Contra Costa Fire	Payments per CRL 33607.5 and .7	1,359,000.00	33,500.00					13,400.00	\$ 13,400.00
15)	Statutory Payments	Flood Control	Payments per CRL 33607.5 and .7	15,800.00	400.00					160.00	\$ 160.00
16)	Statutory Payments	County Water Agency	Payments per CRL 33607.5 and .7	3,500.00	86.00					34.40	\$ 34.40
17)	Statutory Payments	Resource Conservation	Payments per CRL 33607.5 and .7	1,700.00	40.00					16.00	\$ 16.00
18)	Statutory Payments	Mosquito Abatement Zone	Payments per CRL 33607.5 and .7	13,900.00	300.00					120.00	\$ 120.00
19)	Statutory Payments	Delta Diablo Zone 3	Payments per CRL 33607.5 and .7	237,900.00	5,900.00					2,360.00	\$ 2,360.00
20)	Statutory Payments	Contra Costa Water	Payments per CRL 33607.5 and .7	41,700.00	1,000.00					400.00	\$ 400.00
21)	Statutory Payments	BART	Payments per CRL 33607.5 and .7	56,000.00	1,400.00					560.00	\$ 560.00
22)	Statutory Payments	Bay Area Air Management	Payments per CRL 33607.5 and .7	16,500.00	400.00					160.00	\$ 160.00
23)	Statutory Payments	East Bay Regional Park	Payments per CRL 33607.5 and .7	264,900.00	6,500.00					2,600.00	\$ 2,600.00
24)	Statutory Payments	Antioch Park Maintenance	Payments per CRL 33607.5 and .7	1,700.00	40.00					16.00	\$ 16.00
25)	Statutory Payments	Office of Education	Payments per CRL 33607.5 and .7	159,800.00	3,900.00					1,560.00	\$ 1,560.00
26)	Statutory Payments	K-12 Schools ERAF	Payments per CRL 33607.5 and .7	1,112,000.00	27,400.00					10,960.00	\$ 10,960.00
27)	Statutory Payments	Antioch Unified	Payments per CRL 33607.5 and .7	2,300,000.00	57,000.00					22,800.00	\$ 22,800.00
28)	Statutory Payments	Community College	Payments per CRL 33607.5 and .7	405,500.00	10,000.00					4,000.00	\$ 4,000.00
29)	Statutory Payments	Community College ERAF	Payments per CRL 33607.5 and .7	166,000.00	4,000.00					1,600.00	\$ 1,600.00
30)	LMI 20% set aside	Housing Fund	20% set aside for housing fund	31,372,000.00	1,504,937.00					827,715.00	\$ 827,715.00
31)											
Totals - Other Obligations				\$ 63,820,718.00	\$ 2,386,732.00	\$ -	\$ -	\$ -	\$ -	\$ 1,180,433.00	\$ 1,180,433.00

* This Enforceable Obligation Payment Schedule (EOPS) is to be adopted by the redevelopment agency no later than late August. It is valid through 12/31/11. It is the basis for the Preliminary Draft Recognized Obligation Payment Schedule (ROPS), which must be prepared by the dissolving Agency by 9/30/11. (The draft ROPS must be prepared by the Successor Agency by 11/30/11.)
 If an agency adopts a continuation ordinance per ABX1 27, this EOPS will not be valid and there is no need to prepare a ROPS.
 ** Include only payments to be made after the adoption of the EOPS.
 *** All payment amounts are estimates

Name of Redevelopment Agency: Antioch Development Agency
 Project Area: All
 Successor Agency: City of Antioch

ENFORCEABLE OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34167 and 34169 (*)

Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation as of 1/1/12	Total Due During Fiscal Year 2012	Payments by Month						
					Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	Total
1) 2000 Tax Allocation Bonds	Bank of New York	Bond issue to fund non-housing projects	8,624,126.00	1,400,459.00		178,500.00					\$ 178,500.00
2) 2009 Tax Allocation Bonds	Bank of New York	Bond issue to fund non-housing projects	2,335,817.00	144,762.00		24,585.00					\$ 24,585.00
3) 1994 Tax Allocation Bonds	Bank of New York	Bond issue to fund non-housing projects	738,566.00	245,079.00						16,388.00	\$ 16,388.00
4) 2002 Lease Revenue Bonds	Bank of New York	Bond issue to fund non-housing projects	41,711,010.00	1,589,158.00						632,747.00	\$ 632,747.00
5) Housing Fund Deficit	Project Area 1 to Housing Fund	Repayment for housing fund	3,537,849.00	25,000.00	25,000.00						\$ 25,000.00
6) Vista Diablo Rent Subsidy	Vista Diablo	Rent subsidy	878,105.00	93,948.00							\$ -
7) Administrative costs	City of Antioch/consultants	Administrative expenses for agency	12,485,610.00	551,739.00	71,220.00	45,980.00	45,980.00	45,980.00	45,980.00	45,980.00	\$ 301,120.00
8) Monitoring Wells	City of Antioch	Monitoring Wells project	40,000.00	40,000.00	18,000.00						\$ 18,000.00
9) Marina Subsidy	City of Antioch	Marina subsidy	4,500,000.00	250,000.00	250,000.00						\$ 250,000.00
10) Bond administration	Bank of New York	Bond administrative fees	302,000.00	15,100.00						5,300.00	\$ 5,300.00
											\$ -
Totals - This Page			\$ 75,153,083.00	\$ 4,355,241.00	\$ 364,220.00	\$ 249,065.00	\$ 45,980.00	\$ 45,980.00		\$ 700,415.00	\$ 1,451,640.00
Totals - Other Obligations			\$ 32,448,718.00	\$ 881,795.00	\$ -	\$ -	\$ -	\$ 837,707.00		\$ 44,089.00	\$ 881,795.00
Totals - All Pages			\$ 107,601,801.00	\$ 5,237,036.00	\$ 364,220.00	\$ 249,065.00	\$ 45,980.00	\$ 883,687.00		\$ 744,503.00	\$ 2,333,435.00

Name of Redevelopment Agency: Antioch Development Agency
 Project Area(s) all
 Successor Agency: City of Antioch

OTHER OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34167 and 34169 (*)

Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month						Total
					Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	
1) Section 33676	County Resource Conserv	Payments per former Section 33676	818.00	29.00				28.00		1.00	\$ 29.00
2) Section 33676	BART	Payments per former Section 33676	10,700.00	350.00				333.00		17.00	\$ 350.00
3) Section 33676	East Bay Park	Payments per former Section 33676	152,800.00	5,250.00				4,988.00		262.00	\$ 5,250.00
4) Pass Through Agreement	Contra Costa County	Payments per former Section 33401	10,279,000.00	292,000.00				277,400.00		14,600.00	\$ 292,000.00
5) Pass Through Agreement	County Library	Payments per former Section 33401	836,000.00	21,000.00				19,950.00		1,050.00	\$ 21,000.00
6) Pass Through Agreement	Riverview Fire Dist	Payments per former Section 33401	12,548,000.00	334,000.00				317,300.00		16,700.00	\$ 334,000.00
7) Pass Through Agreement	County Flood Control	Payments per former Section 33401	105,000.00	3,000.00				2,850.00		150.00	\$ 3,000.00
8) Pass Through Agreement	Mosquito Abalment	Payments per former Section 33401	155,000.00	4,000.00				3,800.00		200.00	\$ 4,000.00
9) Pass Through Agreement	College District	Payments per former Section 33401	342,000.00	21,000.00				19,950.00		1,050.00	\$ 21,000.00
10) Pass Through Agreement	Antioch Unified	Payments per former Section 33401	425,000.00	14,000.00				13,300.00		700.00	\$ 14,000.00
11) Pass Through Agreement	East Bay Park	Payments per former Section 33401	25,000.00	400.00				380.00		20.00	\$ 400.00
12) Statutory Payments	County General	Payments per CRL 33607.5 and .7	1,281,700.00	31,600.00				30,020.00		1,580.00	\$ 31,600.00
13) Statutory Payments	County Library	Payments per CRL 33607.5 and .7	132,000.00	3,300.00				3,135.00		165.00	\$ 3,300.00
14) Statutory Payments	Contra Costa Fire	Payments per CRL 33607.5 and .7	1,359,000.00	33,500.00				31,825.00		1,675.00	\$ 33,500.00
15) Statutory Payments	Flood Control	Payments per CRL 33607.5 and .7	15,600.00	400.00				380.00		20.00	\$ 400.00
16) Statutory Payments	County Water Agency	Payments per CRL 33607.5 and .7	3,500.00	86.00				82.00		4.00	\$ 86.00
17) Statutory Payments	Resource Conservation	Payments per CRL 33607.5 and .7	1,700.00	40.00				38.00		2.00	\$ 40.00
18) Statutory Payments	Mosquito Abatement Zone	Payments per CRL 33607.5 and .7	13,900.00	300.00				285.00		15.00	\$ 300.00
19) Statutory Payments	Delta Diablo Zone 3	Payments per CRL 33607.5 and .7	237,900.00	5,900.00				5,605.00		295.00	\$ 5,900.00
20) Statutory Payments	Contra Costa Water	Payments per CRL 33607.5 and .7	41,700.00	1,000.00				950.00		50.00	\$ 1,000.00
21) Statutory Payments	BART	Payments per CRL 33607.5 and .7	56,000.00	1,400.00				1,330.00		70.00	\$ 1,400.00
22) Statutory Payments	Bay Area Air Management	Payments per CRL 33607.5 and .7	16,500.00	400.00				380.00		20.00	\$ 400.00
23) Statutory Payments	East Bay Regional Park	Payments per CRL 33607.5 and .7	264,900.00	6,500.00				6,175.00		325.00	\$ 6,500.00
24) Statutory Payments	Antioch Park Maintenance	Payments per CRL 33607.5 and .7	1,700.00	40.00				38.00		2.00	\$ 40.00
25) Statutory Payments	Office of Education	Payments per CRL 33607.5 and .7	159,800.00	3,900.00				3,705.00		195.00	\$ 3,900.00
26) Statutory Payments	K-12 Schools ERAF	Payments per CRL 33607.5 and .7	1,112,000.00	27,400.00				26,030.00		1,370.00	\$ 27,400.00
27) Statutory Payments	Antioch Unified	Payments per CRL 33607.5 and .7	2,300,000.00	57,000.00				54,150.00		2,850.00	\$ 57,000.00
28) Statutory Payments	Community College	Payments per CRL 33607.5 and .7	405,500.00	10,000.00				9,500.00		500.00	\$ 10,000.00
29) Statutory Payments	Community College ERAF	Payments per CRL 33607.5 and .7	166,000.00	4,000.00				3,800.00		200.00	\$ 4,000.00
30)											\$ -
31)											\$ -
Totals - Other Obligations			\$ 32,448,718.00	\$ 881,795.00	\$ -	\$ -	\$ -	\$ 837,707.00		\$ 44,088.00	\$ 881,795.00

EXHIBIT A-2

Date of Preparation: January 19, 2012
 Date of Approval by City Council: January 24, 2012
 Page 2 of 2

**City of Antioch Development Agency
Comparative Asset Balance Listing**

	Unaudited January 31, 2012	Audited June 30, 2011	Audited June 30, 2010
ASSETS			
Cash & Investments	\$ 6,318,241	\$ 6,045,732	\$ 7,058,572
Cash & Investments with Fiscal Agents	229,042	252,717	255,902
Receivables:			
Accounts	-	2,800	-
Interest		2	2
Loans	14,414,148	14,560,616	13,803,072
Prepays		1,837	50,374
Advances to other funds (Deferred Set Aside)	-	3,537,849	3,562,849
Land Held for Resale	-	-	601,424
Noncurrent Assets:			
Capital assets	-	1,016,242	3,126,864
	<u>\$ 20,961,431</u>	<u>\$ 25,417,795</u>	<u>\$ 28,459,059</u>

As disclosed in Note 5 to the June 30, 2011 audited financial statements of the former RDA, capital assets of \$2,110,622 were transferred to the City as was land held for resale amounting to \$601,424.

Assets totalling \$549,441 were written off in January 2012 as a title search in Contra Costa County records revealed the parcels were no longer owned by either the former RDA or City. Assets totalling \$466,802 were transferred to the City's books in January 2012 as a title search in Contra Costa County records revealed the parcels were part of parcels that had been transferred to the City in 2011.

STATE CONTROLLER'S OFFICE
ASSET TRANSFER ASSESSMENT
ASSEMBLY BILL X1 26

FORMER REDEVELOPMENT AGENCY NAME	ANTIOCH DEVELOPMENT AGENCY	11-DIGIT ID #	13980702100
SUCCESSOR AGENCY	CITY OF ANTIOCH	DATE PREPARED	4/12/2012
CONTACT NAME	DAWN MERCHANT	PHONE	925-779-6135
	TITLE	FINANCE DIRECTOR	E-MAIL ADDRESS
			dmerchant@ci.antioch.ca.us

A ASSET DESCRIPTION	B CARRYING VALUE AS OF			C IF THE ASSET WAS TRANSFERRED TO A CITY, COUNTY, OR OTHER PUBLIC AGENCY BETWEEN JANUARY 1, 2011 AND JANUARY 31, 2012 (EXCLUDE HOUSING ASSETS):		D WAS THE ASSET CONTRACTUALLY COMMITTED OR ENCUMBERED TO A THIRD PARTY AFTER JUNE 29, 2011?		E WAS THE TRANSFER REVERSED?
	DECEMBER 31, 2010	Notes	JANUARY 31, 2012	TRANSFER DATE	PUBLIC AGENCY	YES/NO	IF YES, DATE	YES/NO
	Redeveloped Parcels Currently in Public Use and City Owned:							
L* St. and Marina Plaza (boat launch facility)/APN 066-010-006	\$ 100,998.00	(B)	\$ 100,998.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
L* St. and Marina Plaza (boat launch facility)/APN 066-010-007	\$ 5,301.00	(B)	\$ 5,301.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
W. First St. (Amtrak Station)/APN 066-010-014	\$ 311,100.00		\$ 304,233.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
Public Parking - Pier at Riverview Lodge/APN 066-020-010	\$ 3,100.00		\$ 3,100.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
W. Second and E St (public parking)/APN 066-052-003	\$ 142,250.00		\$ 142,250.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
W. Third St. (public parking comm. cntr.)/APN 066-053-002	\$ 42,965.00	(B)	\$ 42,965.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
I St. (public parking @ beauty college)/APN 066-061-009	\$ 180,764.00		\$ 180,764.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
W. Third St. (public parking @ beauty college)/APN 066-061-010	\$ 97,559.00		\$ 97,559.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
W. Third St. (public parking @ Odd Fellows)/APN 066-061-016	\$ 88,141.00		\$ 88,141.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
W. Second St. (public parking near theatre)/APN 066-061-005	\$ 104,015.00		\$ 104,015.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
608 W. Third St. (public parking @ City Hall)/APN 066-072-020	\$ 66,045.00	(B)	\$ 66,045.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
101 I St. (public parking @ Waldie Plaza)/APN 066-082-005	\$ 83,058.00		\$ 83,058.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
I St. (public parking @ Waldie Plaza)/APN 066-082-006	\$ 22,148.00		\$ 22,148.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
I St. (public parking @ Waldie Plaza)/APN 066-082-007	\$ 22,148.00		\$ 22,148.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
809 W. First St. (Lynn/Hard House parcel)/APN 066-091-015	\$ 283,393.00		\$ 264,825.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
308 I St. (public parking)/APN 066-107-001	\$ 150,894.00		\$ 150,894.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
314 I St. (public parking)/APN 066-107-003	\$ 70,506.00		\$ 70,506.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
807 W. Third St. (public parking)/APN 066-107-010	\$ 84,432.00		\$ 84,432.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
302 W. I St. (public parking)/APN 066-107-011	\$ 23,040.00		\$ 23,040.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
Currently City Owned Future Development Parcels*:								
209 Fulton Shipyard Rd (vacant parcel)/APN 065-010-006	\$ 387,183.00		\$ 387,183.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
F St., west of Antioch monument (vacant parcel)/APN 065-051-001	\$ 27,286.00	(A)	\$ 27,286.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
500 W. Second St. (vacant parcel)/APN 066-051-002	\$ 38,985.00	(A)	\$ 38,985.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
801 W. Second St. (vacant parcel)/APN 066-092-001	\$ 108,417.00		\$ 108,417.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
W. Second St. (vacant parcel)/APN 066-092-014	\$ 30,222.00	(A)	\$ 30,222.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO
Prospects Way (wetlands)/APN 066-102-010	\$ 8,969.00		\$ 8,969.00	MARCH 9, 2011	CITY OF ANTIOCH	NO		NO

(A) Asset was not recorded on the redevelopment agency's books for accounting purposes, but was listed as agency-owned by Contra Costa County Recorders Office. Value listed represents county assessed value.
 (B) Asset was transferred to City asset on books in FY2002 based on audit recommendation but corresponding deed was not recorded. Deed was recorded in March 2011.
 *A Street Extension property purchase recorded as City asset in 2001. Redevelopment funded part of the purchase price and undeveloped part of property which remains vacant was recorded as "land held for resale" in 2001 on redevelopment accounting records although title for entire property recorded to City. Transferred and added this property value to City property value at 6/30/11 for accounting purposes in our 6/30/11 audit.

Name of Redevelopment Agency: City of Antioch as Successor Agency & Housing Successor to the Antioch Development Agency
 Project Area(s) All Project Areas and Housing Fund of the former Antioch Development Agency

DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34177 (*)

Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	*** Funding Source	Payable from the Redevelopment Property Tax Trust Fund (RPTTF)						
							Payments by month						
							Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	Total
1) 2000 Tax Allocation Bonds	Bank of New York	Bond issue to fund non-housing projects	Area 1	8,624,126.00	1,400,458.00	RPTTF		178,500.00					\$ 178,500.00
2) 2000 Tax Allocation Bonds	Bank of New York	Bond issue to fund non-housing projects	Area 1	2,235,817.00	144,762.00	RPTTF		24,585.00					\$ 24,585.00
3) 1994 Tax Allocation Bonds	Bank of New York	Bond issue to fund non-housing projects	Area 2	730,566.00	245,079.00	RPTTF					16,380.00		\$ 16,380.00
4) 2002 Lease Revenue Bonds	Bank of New York	Bond issue to fund non-housing projects	Area 1,2,3,4,4,1	41,711,010.00	1,589,156.00	RPTTF					632,747.00		\$ 632,747.00
5) Housing Fund District	Project Area 1 to Housing Fund	Repayment for housing fund	Area 1	3,537,849.00	25,000.00	RPTTF	25,000.00						\$ 25,000.00
6) Bond administration	Bank of New York	Bond administrative fees	Area 1,2,3,4,4,1	302,000.00	15,100.00	RPTTF					5,300.00		\$ 5,300.00
7) Monitoring Wells	City of Antioch	Monitoring Wells Capital Project No. 7534	Area 1	40,000.00	40,000.00	RPTTF	18,000.00						\$ 18,000.00
8) Marina Subsidy	City of Antioch	Marina subsidy	Area 1	4,500,000.00	250,000.00	RPTTF	250,000.00						\$ 250,000.00
9)													\$ -
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32)													\$ -
Totals - This Page (RPTTF Funding)				\$ 61,789,368.00	\$ 3,709,556.00	N/A	\$ 290,000.00	\$ 203,085.00	\$ -	\$ -	\$ -	\$ 654,435.00	\$ 1,150,520.00
Totals - Page 2 (LMIHF & RPTTF)				\$ 1,845,675.00	\$ 311,312.00	N/A	\$ 8,040.00	\$ 11,210.00	\$ 31,300.00	\$ 11,210.00	\$ 11,210.00	\$ 45,735.00	\$ 119,506.00
Totals - Page 3 (Administrative Cost Allowance)				\$ 11,306,816.00	\$ 334,373.00	N/A	\$ 48,655.00	\$ 24,465.00	\$ 29,511.00	\$ 24,465.00	\$ 24,465.00	\$ 29,511.00	\$ 161,072.00
Totals - Page 4 (Pass Thru Payments)				\$ 32,448,718.00	\$ 881,795.00	N/A	\$ -	\$ -	\$ -	\$ 837,707.00	\$ -	\$ 44,080.00	\$ 881,795.00
Grand total All Pages				\$ 107,390,577.00	\$ 5,237,036.00		\$ 350,495.00	\$ 238,760.00	\$ 60,811.00	\$ 873,382.00	\$ 35,675.00	\$ 773,770.00	\$ 2,332,883.00

* The Preliminary Draft Recognized Obligation Payment Schedule (ROPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board and audited by the County.
 ** All totals due during fiscal year and payment amounts are projected.
 *** Funding sources from the successor agency; (For fiscal 2011-12 only, references to RPTTF could also mean tax increment allocated to the Agency prior to February 1, 2012.)
 RPTTF - Redevelopment Property Tax Trust Fund Bonds - Bond proceeds Other - reserves, rents, interest earnings, etc
 LMIHF - Low and Moderate Income Housing Fund Admin - Successor Agency Administrative Allowance

EXHIBIT C

Date of Preparation: March 1, 2012

Date of Approval by Oversight Board: April 30, 2012

Name of Agency: City of Antioch as Successor Agency & Housing Successor to the Antioch Development Agency
 Project Area(s) All Project Areas and Housing Fund of the former Antioch Development Agency

DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34177 (*)

Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	Funding Source ***	Payable from Other Revenue Sources						
							Payments by month						
							Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	
1) Vista Diablo Rent Subsidy	Vista Diablo	Rent subsidy	LMIHF	905,505.00	98,746.00	LMIHF	400.00	400.00	400.00	400.00	400.00	400.00	\$ 2,400.00
2) Administration of NPP loans	Contra Costa County	Program administration-outstanding NPP loans	LMIHF	47,640.00	1,920.00	LMIHF						1,920.00	\$ 1,920.00
3) Administration of housing loans	City of Antioch/consultants	On-going housing loan administration	LMIHF	691,139.00	198,130.00	LMIHF	8,440.00	10,810.00	30,590.00	10,810.00	10,810.00	30,590.00	\$ 102,670.00
	*First Time Homebuyer												\$ -
	*Neighborhood Preservation												\$ -
	*Rental Rehabilitation												\$ -
	*Affordable Housing												\$ -
4) Administration Rental Rehab loans	Housing Authority	On-going rental rehab loan administration	LMIHF	211,224.00	12,516.00	LMIHF						12,516.00	\$ 12,516.00
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Totals - LMIHF				\$ 1,845,675.00	\$ 311,312.00		\$ 8,840.00	\$ 11,210.00	\$ 31,300.00	\$ 11,210.00	\$ 11,210.00	\$ 45,736.00	\$ 119,596.00
Totals - Bonds													\$ 0.00
Totals - RPTTF													\$ 0.00
Grand total - This Page				\$ 1,845,675.00	\$ 311,312.00		\$ 8,840.00	\$ 11,210.00	\$ 31,300.00	\$ 11,210.00	\$ 11,210.00	\$ 45,736.00	\$ 119,596.00

* The Preliminary Draft Recognized Obligation Payment Schedule (ROPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board and audited by the County.

** All total due during fiscal year and payment amounts are projected.

*** Funding sources from the successor agency: (For fiscal 2011-12 only, references to RPTTF could also mean tax increment allocated to the Agency prior to February 1, 2012.)

RPTTF - Redevelopment Property Tax Trust Fund Bonds - Bond proceeds Other - reserves, rents, interest earnings, etc
 LMIHF - Low and Moderate Income Housing Fund Admin - Successor Agency Administrative Allowance

EXHIBIT C

Date of Preparation: March 1, 2012

Date of Approval Oversight Board: April 30, 2012

Name of Agency: City of Antioch as Successor Agency & Housing Successor to the Antioch Development Agency
 Project Area(s) All Project Areas and Housing Fund of the former Antioch Development Agency

DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34177 (*)

Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	Funding Source**	Payable from the Administrative Allowance Allocation						Total
							Payments by month						
							Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	
1) Administrative costs	City of Antioch/consultants	Administrative expenses for agency	all	11,306,616.00	334,373.00	Admin	48,655.00	24,465.00	29,511.00	24,465.00	24,465.00	29,511.00	\$ 181,072.00
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Totals - This Page				\$ 11,306,616.00	\$ 334,373.00		\$ 48,655.00	\$ 24,465.00	\$ 29,511.00	\$ 24,465.00	\$ 24,465.00	\$ 29,511.00	\$ 181,072.00
* The Preliminary Draft Recognized Obligation Payment Schedule (DROPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board and audited by the County. ** All total due during fiscal year and payment amounts are projected. *** Funding sources from the successor agency: (For fiscal 2011-12 only, references to RPTTF could also mean tax increment allocated to the Agency prior to February 1, 2012.) RPTTF - Redevelopment Property Tax Trust Fund Bonds - Bond proceeds Other - reserves, rents, interest earnings, etc LMIHF - Low and Moderate Income Housing Fund Admin - Successor Agency Administrative Allowance													

Name of Agency: City of Antioch as Successor Agency to the Antioch Development Agency
 Project Area(s) All Project Areas of the former Antioch Development Agency

OTHER OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34177 (*)

Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	Source of Funds**	Pass Through and Other Payments							
							Payments by month							
							Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	Total	
1) Section 33676	County Resource Conserv	Payments per former Section 33676	Area 3/4/4.1	818.00	29.00	RPTTF				29.00			1.00	\$ 29.00
2) Section 33676	BART	Payments per former Section 33676	Area 3/4.1	10,700.00	350.00	RPTTF				333.00			17.00	\$ 350.00
3) Section 33676	East Bay Park	Payments per former Section 33676	Area 4/4.1	152,800.00	5,250.00	RPTTF				4,986.00			262.00	\$ 5,250.00
4) Pass Through Agreement	Contra Costa County	Payments per former Section 33401	Area 4/4.1	10,279,000.00	292,000.00	RPTTF				277,400.00			14,500.00	\$ 292,000.00
5) Pass Through Agreement	County Library	Payments per former Section 33401	Area 4/4.1	836,000.00	21,000.00	RPTTF				19,950.00			1,050.00	\$ 21,000.00
6) Pass Through Agreement	ICCC Fire Dist	Payments per former Section 33401	Area 4/4.1	12,548,000.00	334,000.00	RPTTF				317,300.00			16,700.00	\$ 334,000.00
7) Pass Through Agreement	County Flood Control	Payments per former Section 33401	Area 4/4.1	105,000.00	3,000.00	RPTTF				2,850.00			150.00	\$ 3,000.00
8) Pass Through Agreement	Mosquito Abatement	Payments per former Section 33401	Area 4/4.1	155,000.00	4,000.00	RPTTF				3,900.00			200.00	\$ 4,000.00
9) Pass Through Agreement	College District	Payments per former Section 33401	Area 4/4.1	342,000.00	21,000.00	RPTTF				19,950.00			1,050.00	\$ 21,000.00
10) Pass Through Agreement	Antioch Unified	Payments per former Section 33401	Area 4/4.1	425,000.00	14,000.00	RPTTF				13,300.00			700.00	\$ 14,000.00
11) Pass Through Agreement	East Bay Park	Payments per former Section 33401	Area 4/4.1	25,000.00	400.00	RPTTF				360.00			20.00	\$ 400.00
12) Statutory Payments	County General	Payments per CRL 33607.5 and .7	Area 1/4/4.1	1,281,700.00	31,600.00	RPTTF				30,020.00			1,580.00	\$ 31,600.00
13) Statutory Payments	County Library	Payments per CRL 33607.5 and .7	Area 1	132,000.00	3,300.00	RPTTF				3,135.00			165.00	\$ 3,300.00
14) Statutory Payments	Contra Costa Fire	Payments per CRL 33607.5 and .7	Area 1	1,359,000.00	33,500.00	RPTTF				31,825.00			1,675.00	\$ 33,500.00
15) Statutory Payments	Flood Control	Payments per CRL 33607.5 and .7	Area 1	15,600.00	400.00	RPTTF				390.00			20.00	\$ 400.00
16) Statutory Payments	County Water Agency	Payments per CRL 33607.5 and .7	Area 1	3,500.00	85.00	RPTTF				82.00			4.00	\$ 85.00
17) Statutory Payments	Resource Conservation	Payments per CRL 33607.5 and .7	Area 1/3/4/4.1	1,700.00	40.00	RPTTF				38.00			2.00	\$ 40.00
18) Statutory Payments	Mosquito Abatement Zone	Payments per CRL 33607.5 and .7	Area 1	13,900.00	300.00	RPTTF				285.00			15.00	\$ 300.00
19) Statutory Payments	Delta Diablo Zone 3	Payments per CRL 33607.5 and .7	Area 1	237,900.00	5,900.00	RPTTF				5,605.00			295.00	\$ 5,900.00
20) Statutory Payments	Contra Costa Water	Payments per CRL 33607.5 and .7	Area 1	41,700.00	1,000.00	RPTTF				950.00			50.00	\$ 1,000.00
21) Statutory Payments	BART	Payments per CRL 33607.5 and .7	Area 1	56,000.00	1,400.00	RPTTF				1,330.00			70.00	\$ 1,400.00
22) Statutory Payments	Bay Area Air Management	Payments per CRL 33607.5 and .7	Area 1	16,500.00	400.00	RPTTF				380.00			20.00	\$ 400.00
23) Statutory Payments	East Bay Regional Park	Payments per CRL 33607.5 and .7	Area 1	264,900.00	6,500.00	RPTTF				6,175.00			325.00	\$ 6,500.00
24) Statutory Payments	Antioch Park Maintenance	Payments per CRL 33607.5 and .7	Area 1	1,700.00	40.00	RPTTF				38.00			2.00	\$ 40.00
25) Statutory Payments	Office of Education	Payments per CRL 33607.5 and .7	Area 1/3/4	150,800.00	3,900.00	RPTTF				3,705.00			195.00	\$ 3,900.00
26) Statutory Payments	K-12 Schools ERAF	Payments per CRL 33607.5 and .7	Area 1	1,112,000.00	27,400.00	RPTTF				26,030.00			1,370.00	\$ 27,400.00
27) Statutory Payments	Antioch Unified	Payments per CRL 33607.5 and .7	Area 1/3/4	2,300,000.00	57,000.00	RPTTF				54,150.00			2,850.00	\$ 57,000.00
28) Statutory Payments	Community College	Payments per CRL 33607.5 and .7	Area 1	405,000.00	10,000.00	RPTTF				9,500.00			500.00	\$ 10,000.00
29) Statutory Payments	Community College ERAF	Payments per CRL 33607.5 and .7	Area 1	166,000.00	4,000.00	RPTTF				3,800.00			200.00	\$ 4,000.00
Totals - Other Obligations				\$ 32,448,718.00	\$ 881,795.00		\$ -	\$ -	\$ -	\$ 937,707.00	\$ -	\$ 44,088.00	\$ 877,795.00	

* The Preliminary Draft Recognized Obligation Payment Schedule (ROPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board and audited by the County.
 ** All total due during fiscal year and payment amounts are projected.
 *** Funding sources from the successor agency: (For fiscal 2011-12 only, references to RPTTF could also mean tax increments allocated to the Agency prior to February 1, 2012.)
 RPTTF - Redevelopment Property Tax Trust Fund Bonds - Bond proceeds Other - reserves, rents, interest earnings, etc
 LMHF - Low and Moderate Income Housing Fund Admin - Successor Agency Administrative Allowance

EXHIBIT C

Date of Preparation: March 1, 2012

Date of Approval by Oversight Board: April 30, 2012

JAN - JUN 2012

Name of Redevelopment Agency: City of Antioch as Successor Agency & Housing Successor in the Antioch Development Agency
 Project Area(s) All Project Areas and Housing Fund of the former Antioch Development Agency

RECOGNIZED OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34177 (*)

Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	*** Funding Source	Payable from the Redevelopment Property Tax Trust Fund (RPTTF)						
							Payments by month						
							Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	Total
1) 2000 Tax Allocation Bonds	Bank of New York	Bond issue to fund non-housing projects	Area 1	8,624,126.00	1,400,459.00	RPTTF		178,500.00					\$ 178,500.00
2) 2009 Tax Allocation Bonds	Bank of New York	Bond issue to fund non-housing projects	Area 1	2,335,817.00	144,762.00	RPTTF		24,585.00					\$ 24,585.00
3) 1994 Tax Allocation Bonds	Bank of New York	Bond issue to fund non-housing projects	Area 2	738,566.00	245,079.00	RPTTF					16,388.00		\$ 16,388.00
4) 2002 Lease Revenues Bonds	Bank of New York	Bond issue to fund non-housing projects	Area 1,2,3,4,4.1	41,711,018.00	1,589,156.00	RPTTF						632,747.00	\$ 632,747.00
5) Housing Fund Deficit	Project Area 1 to Housing Fund	Repayment for housing fund	Area 1	3,537,849.00	25,000.00	RPTTF	25,000.00						\$ 25,000.00
6) Bond administration	Bank of New York	Bond administrative fees	Area 1,2,3,4,4.1	302,000.00	15,100.00	RPTTF					5,300.00		\$ 5,300.00
7) Monitoring Wells	City of Antioch	Monitoring Wells Capital Project No. 7534	Area 1	40,000.00	40,000.00	RPTTF	18,000.00						\$ 18,000.00
8) Marina Subsidy	City of Antioch	Marina subsidy	Area 1	4,500,000.00	250,000.00	RPTTF	250,000.00						\$ 250,000.00
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Totals - This Page (RPTTF Funding)				\$ 61,789,368.00	\$ 3,709,556.00	N/A	\$ 293,000.00	\$ 203,085.00	\$ -	\$ -	\$ -	\$ 654,435.00	\$ 1,150,520.00
Totals - Page 2 (LMIHF & RPTTF)				\$ 1,645,675.00	\$ 311,312.00	N/A	\$ 8,840.00	\$ 11,210.00	\$ 31,300.00	\$ 11,210.00	\$ 11,210.00	\$ 45,736.00	\$ 119,506.00
Totals - Page 3 (Administrative Cost Allowance)				\$ 11,305,816.00	\$ 334,373.00	N/A	\$ 48,655.00	\$ 24,465.00	\$ 29,511.00	\$ 24,465.00	\$ 29,511.00	\$ 181,072.00	\$ 181,072.00
Totals - Page 4 (Pass Thru Payments)				\$ 32,448,718.00	\$ 851,795.00	N/A	\$ -	\$ -	\$ -	\$ 837,767.00	\$ -	\$ 44,088.00	\$ 881,795.00
Grand total - All Pages				\$ 107,390,577.00	\$ 5,237,036.00		\$ 350,495.00	\$ 238,760.00	\$ 60,811.00	\$ 873,362.00	\$ 35,675.00	\$ 773,770.00	\$ 2,332,893.00

* The Preliminary Draft Recognized Obligation Payment Schedule (ROPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board and audited by the County.
 ** All totals due during fiscal year and payment amounts are projected.
 *** Funding sources from the successor agency: (For fiscal 2011-12 only, references to RPTTF could also mean tax increment allocated to the Agency prior to February 1, 2012.)
 RPTTF - Redevelopment Property Tax Trust Fund Bonds - Bond proceeds Other - reserves, rents, interest earnings, etc
 LMIHF - Low and Moderate Income Housing Fund Admin - Successor Agency Administrative Allowance

EXHIBIT D-1

Date of Preparation: April 23, 2012
 Date of Approval by Oversight Board: April 30, 2012
 Date of Approval by DOF: May 11, 2012

Name of Agency: City of Antioch as Successor Agency to the Antioch Development Agency
 Project Area(s) All Project Areas of the former Antioch Development Agency

JAN - JUN 2012

OTHER OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34177 (*)

Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	Source of Fund***	Pass Through and Other Payments						
							Payments by month						
							Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	Total
1) Section 33676	County Resource Consv	Payments per former Section 33676	Area 3/4/4.1	818.00	29.00	RPTTF				28.00		1.00	\$ 29.00
2) Section 33676	BART	Payments per former Section 33676	Area 3/4.1	10,700.00	350.00	RPTTF				333.00		17.00	\$ 350.00
3) Section 33676	East Bay Park	Payments per former Section 33676	Area 4/4.1	152,800.00	5,250.00	RPTTF				4,988.00		262.00	\$ 5,250.00
4) Pass Through Agreement	Contra Costa County	Payments per former Section 33401	Area 4/4.1	10,279,000.00	292,000.00	RPTTF				277,400.00		14,600.00	\$ 292,000.00
5) Pass Through Agreement	County Library	Payments per former Section 33401	Area 4/4.1	836,000.00	21,000.00	RPTTF				19,950.00		1,050.00	\$ 21,000.00
6) Pass Through Agreement	CCC Fire Dist	Payments per former Section 33401	Area 4/4.1	12,548,000.00	334,000.00	RPTTF				317,300.00		16,700.00	\$ 334,000.00
7) Pass Through Agreement	County Flood Control	Payments per former Section 33401	Area 4/4.1	105,000.00	3,000.00	RPTTF				2,850.00		150.00	\$ 3,000.00
8) Pass Through Agreement	Mosquito Abatement	Payments per former Section 33401	Area 4/4.1	155,000.00	4,000.00	RPTTF				3,800.00		200.00	\$ 4,000.00
9) Pass Through Agreement	College District	Payments per former Section 33401	Area 4/4.1	342,000.00	21,000.00	RPTTF				19,950.00		1,050.00	\$ 21,000.00
10) Pass Through Agreement	Antioch Unified	Payments per former Section 33401	Area 4/4.1	425,000.00	14,000.00	RPTTF				13,300.00		700.00	\$ 14,000.00
11) Pass Through Agreement	East Bay Park	Payments per former Section 33401	Area 4/4.1	25,000.00	400.00	RPTTF				380.00		20.00	\$ 400.00
12) Statutory Payments	County General	Payments per CRL 33607.5 and .7	Area 1/4/4.1	1,281,700.00	31,600.00	RPTTF				30,020.00		1,580.00	\$ 31,600.00
13) Statutory Payments	County Library	Payments per CRL 33607.5 and .7	Area 1	132,000.00	3,300.00	RPTTF				3,125.00		165.00	\$ 3,300.00
14) Statutory Payments	Contra Costa Fire	Payments per CRL 33607.5 and .7	Area 1	1,359,000.00	33,500.00	RPTTF				31,825.00		1,675.00	\$ 33,500.00
15) Statutory Payments	Flood Control	Payments per CRL 33607.5 and .7	Area 1	15,600.00	400.00	RPTTF				380.00		20.00	\$ 400.00
16) Statutory Payments	County Water Agency	Payments per CRL 33607.5 and .7	Area 1	3,500.00	88.00	RPTTF				82.00		4.00	\$ 86.00
17) Statutory Payments	Resource Conservation	Payments per CRL 33607.5 and .7	Area 1/3/4/4.1	1,700.00	40.00	RPTTF				38.00		2.00	\$ 40.00
18) Statutory Payments	Mosquito Abatement Zone	Payments per CRL 33607.5 and .7	Area 1	13,900.00	300.00	RPTTF				285.00		15.00	\$ 300.00
19) Statutory Payments	Delta Diablo Zone 3	Payments per CRL 33607.5 and .7	Area 1	237,900.00	5,900.00	RPTTF				5,605.00		295.00	\$ 5,900.00
20) Statutory Payments	Contra Costa Water	Payments per CRL 33607.5 and .7	Area 1	41,700.00	1,000.00	RPTTF				950.00		50.00	\$ 1,000.00
21) Statutory Payments	BART	Payments per CRL 33607.5 and .7	Area 1	56,000.00	1,400.00	RPTTF				1,330.00		70.00	\$ 1,400.00
22) Statutory Payments	Bay Area Av Management	Payments per CRL 33607.5 and .7	Area 1	18,500.00	400.00	RPTTF				380.00		20.00	\$ 400.00
23) Statutory Payments	East Bay Regional Park	Payments per CRL 33607.5 and .7	Area 1	264,900.00	6,500.00	RPTTF				6,175.00		325.00	\$ 6,500.00
24) Statutory Payments	Antioch Park Maintenance	Payments per CRL 33607.5 and .7	Area 1	1,700.00	40.00	RPTTF				38.00		2.00	\$ 40.00
25) Statutory Payments	Office of Education	Payments per CRL 33607.5 and .7	Area 1/3/4	159,800.00	3,900.00	RPTTF				3,705.00		195.00	\$ 3,900.00
26) Statutory Payments	K-12 Schools ERAF	Payments per CRL 33607.5 and .7	Area 1	1,112,000.00	27,400.00	RPTTF				26,030.00		1,370.00	\$ 27,400.00
27) Statutory Payments	Antioch Unified	Payments per CRL 33607.5 and .7	Area 1/3/4	2,300,000.00	57,000.00	RPTTF				54,150.00		2,850.00	\$ 57,000.00
28) Statutory Payments	Community College	Payments per CRL 33607.5 and .7	Area 1	405,500.00	10,000.00	RPTTF				9,500.00		500.00	\$ 10,000.00
29) Statutory Payments	Community College ERAF	Payments per CRL 33607.5 and .7	Area 1	160,000.00	4,000.00	RPTTF				3,800.00		200.00	\$ 4,000.00
Totals - Other Obligations				\$ 32,448,718.00	\$ 881,795.00		\$ -	\$ -	\$ -	\$ 837,707.00	\$ -	\$ 44,088.00	\$ 877,795.00

* The Preliminary Draft Recognized Obligation Payment Schedule (RDPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board and audited by the County
 ** All total due during fiscal year and payment amounts are projected.
 *** Funding sources from the successor agency: (For fiscal 2011-12 only, references to RPTTF could also mean tax increment allocated to the Agency prior to February 1, 2012.)
 RPTTF - Redevelopment Property Tax Trust Fund Bonds - Bond proceeds Other - reserves, rents, interest earnings, etc
 LMHF - Low and Moderate Income Housing Fund Admin - Successor Agency Administrative Allowance

EXHIBIT D-1

Date of Preparation: April 23, 2012
 Date of Approval by Oversight Board: April 30, 2012
 Date of Approval of DOF: May 11, 2012

Name of Redevelopment Agency: City of Antioch as Successor Agency & Housing Successor to the Antioch Development Agency
 Project Area(s) All Project Areas and Housing Fund of the former Antioch Development Agency

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (REVISED)
 Per AB 26 - Section 34177 (*)

Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	*** Funding Source	Payable from the Redevelopment Property Tax Trust Fund (RPTTF)							
							Payments by month							Total
							Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012		
1) 2000 Tax Allocation Bonds	Bank of New York	Bond issue to fund non-housing projects	Area 1	8,624,126.00	1,400,459.00	RPTTF		178,500.00						\$ 178,500.00
2) 2009 Tax Allocation Bonds	Bank of New York	Bond issue to fund non-housing projects	Area 1	2,335,817.00	144,762.00	RPTTF		24,585.00						\$ 24,585.00
3) 1994 Tax Allocation Bonds	Bank of New York	Bond issue to fund non-housing projects	Area 2	738,566.00	245,079.00	RPTTF						16,388.00		\$ 16,388.00
4) 2002 Lease Revenue Bonds	Bank of New York	Bond issue to fund non-housing projects	Area 1,2,3,4,4.1	41,711,010.00	1,589,156.00	RPTTF						632,747.00		\$ 632,747.00
5) Bond administration	Bank of New York	Bond administrative fees	Area 1,2,3,4,4.1	302,000.00	15,100.00	RPTTF						5,300.00		\$ 5,300.00
6) Monitoring Wells	City of Antioch	Monitoring Wells Capital Project No. 7534	Area 1	40,000.00	40,000.00	RPTTF	18,000.00							\$ 18,000.00
7) Marina Subsidy***	City of Antioch	Marina subsidy	Area 1	4,500,000.00	250,000.00	RPTTF/ OTHER****	250,000.00							\$ 250,000.00
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Totals - This Page (RPTTF Funding)				\$ 58,251,519.00	\$ 3,434,556.00	N/A	\$ 18,000.00	\$ 203,085.00	\$ -	\$ -	\$ -	\$ 654,435.00	\$ 875,520.00	
Totals - This Page (OTHER Funding)				\$ -	\$ 250,000.00	N/A	\$ 250,000.00						\$ 250,000.00	
Totals - Page 2 (LMIHF & RPTTF)				\$ 1,845,675.00	\$ 311,312.00	N/A	\$ 8,840.00	\$ 11,210.00	\$ 31,300.00	\$ 11,210.00	\$ 11,210.00	\$ 45,736.00	\$ 119,506.00	
Totals - Page 3 (Administrative Cost Allowance)				\$ 11,306,816.00	\$ 334,373.00	N/A	\$ 48,655.00	\$ 24,465.00	\$ 29,511.00	\$ 24,465.00	\$ 24,465.00	\$ 29,511.00	\$ 181,072.00	
Totals - Page 4 (Pass Thru Payments)				\$ 32,448,718.00	\$ 881,795.00	N/A	\$ -	\$ -	\$ -	\$ 837,707.00	\$ -	\$ 44,088.00	\$ 881,795.00	
Grand total - All Pages				\$ 103,852,728.00	\$ 5,212,036.00		\$ 325,495.00	\$ 238,760.00	\$ 60,811.00	\$ 873,382.00	\$ 35,675.00	\$ 773,770.00	\$ 2,307,893.00	

* The Preliminary Draft Recognized Obligation Payment Schedule (ROPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board and audited by the County.
 ** All totals due during fiscal year and payment amounts are projected.
 *** Funding sources from the successor agency: (For fiscal 2011-12 only, references to RPTTF could also mean tax increment allocated to the Agency prior to February 1, 2012.)
 ****The City as Successor Agency is reserving its right to appeal DOF determination that this is not an enforceable obligation pending further review by City staff. Fiscal year 2012 payment source has been changed to "other", for reserves of former development agency.
 RPTTF - Redevelopment Property Tax Trust Fund Bonds - Bond proceeds Other - reserves, rents, interest earnings, etc
 LMIHF - Low and Moderate Income Housing Fund Admin - Successor Agency Administrative Allowance

RECOGNIZED OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34177 (*)

Project Name / Debl Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	Funding Source ***	Payable from Other Revenue Sources						Total
							Payments by month						
							Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	
1) Vista Diablo Rent Subsidy	Vista Diablo	Rent subsidy	LMIHF	906,905.00	98,746.00	LMIHF	400.00	400.00	400.00	400.00	400.00	400.00	\$ 2,400.00
2) Administration of NPP loans	Contra Costa County	Program administration-outstanding NPP loans	LMIHF	47,640.00	1,920.00	LMIHF						1,920.00	\$ 1,920.00
3) Administration of housing loans- *First Time Homebuyer *Neighborhood Preservation *Rental Rehabilitation *Affordable Housing	City of Antioch/consultants	On-going housing loan administration	LMIHF	891,130.00	198,130.00	LMIHF	8,440.00	10,810.00	30,900.00	10,810.00	10,810.00	30,900.00	\$ 102,670.00
4) Administration Rental Rehab loans	Housing Authority	On-going rental rehab loan administration	LMIHF	211,224.00	12,516.00	LMIHF						12,516.00	\$ 12,516.00
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Totals - LMIHF				\$ 1,845,675.00	\$ 311,312.00		\$ 8,840.00	\$ 11,210.00	\$ 31,300.00	\$ 11,210.00	\$ 11,210.00	\$ 45,736.00	\$ 119,506.00
Totals - Bonds													\$ 0.00
Totals - RPTTF				\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0.00
Grand total - This Page				\$ 1,845,675.00	\$ 311,312.00		\$ 8,840.00	\$ 11,210.00	\$ 31,300.00	\$ 11,210.00	\$ 11,210.00	\$ 45,736.00	\$ 119,506.00

* The Preliminary Draft Recognized Obligation Payment Schedule (ROPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board and audited by the County
 ** All total due during fiscal year and payment amounts are projected.
 *** Funding sources from the successor agency: (For fiscal 2011-12 only, references to RPTTF could also mean tax increment allocated to the Agency prior to February 1, 2012.)
 RPTTF - Redevelopment Property Tax Trust Fund Bonds - Bond proceeds Other - reserves, rents, interest earnings, etc
 LMIHF - Low and Moderate Income Housing Fund Admin - Successor Agency Administrative Allowance

RECOGNIZED OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34177 (*)

Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	Funding Source **	Payable from the Administrative Allowance Allocation							
							Payments by month							Total
							Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	Total	
1) Administrative costs	City of Antioch/consultants	Administrative expenses for agency	all	11,306,816.00	334,373.00	Admin	48,655.00	24,465.00	29,511.00	24,465.00	24,465.00	29,511.00	\$ 181,072.00	
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Totals - This Page				\$ 11,306,816.00	\$ 334,373.00		\$ 48,655.00	\$ 24,465.00	\$ 29,511.00	\$ 24,465.00	\$ 24,465.00	\$ 29,511.00	\$ 181,072.00	

* The Preliminary Draft Recognized Obligation Payment Schedule (ROPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board and audited by the County.
 ** All total due during fiscal year and payment amounts are projected.
 *** Funding sources from the successor agency: (For fiscal 2011-12 only, references to RPTTF could also mean tax increment allocated to the Agency prior to February 1, 2012.)
 RPTTF - Redevelopment Property Tax Trust Fund Bonds - Bond proceeds Other - reserves, rents, interest earnings, etc
 LMIHF - Low and Moderate Income Housing Fund Admin - Successor Agency Administrative Allowance

EXHIBIT D-2

Date of Approval by Oversight Board: May 21, 2012
 Date of Approval by DOF: May 24, 2012
 Page 3 of 4

OTHER OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34177 (*)

JAN - JUN 2012

Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	Source of Fund***	Pass Through and Other Payments						
							Payments by month						
							Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	Total
1) Section 33676	County Resource Conserv	Payments per former Section 33676	Area 3/4/4.1	818.00	29.00	RPTTF							
2) Section 33676	BART	Payments per former Section 33676	Area 3/4.1	10,700.00	350.00	RPTTF				28.00		1.00	\$ 29.00
3) Section 33676	East Bay Park	Payments per former Section 33676	Area 4/4.1	152,800.00	5,250.00	RPTTF				333.00		17.00	\$ 350.00
4) Pass Through Agreement	Contra Costa County	Payments per former Section 33401	Area 4/4.1	10,279,000.00	292,000.00	RPTTF				4,988.00		262.00	\$ 5,250.00
5) Pass Through Agreement	County Library	Payments per former Section 33401	Area 4/4.1	836,000.00	21,000.00	RPTTF				277,400.00		14,600.00	\$ 292,000.00
6) Pass Through Agreement	CCC Fire Dist	Payments per former Section 33401	Area 4/4.1	12,548,000.00	334,000.00	RPTTF				19,950.00		1,050.00	\$ 21,000.00
7) Pass Through Agreement	County Flood Control	Payments per former Section 33401	Area 4/4.1	105,000.00	3,000.00	RPTTF				317,300.00		16,700.00	\$ 334,000.00
8) Pass Through Agreement	Mosquito Abatement	Payments per former Section 33401	Area 4/4.1	155,000.00	4,000.00	RPTTF				2,850.00		150.00	\$ 3,000.00
9) Pass Through Agreement	College District	Payments per former Section 33401	Area 4/4.1	342,000.00	21,000.00	RPTTF				3,800.00		200.00	\$ 4,000.00
10) Pass Through Agreement	Antioch Unified	Payments per former Section 33401	Area 4/4.1	425,000.00	14,000.00	RPTTF				19,950.00		1,050.00	\$ 21,000.00
11) Pass Through Agreement	East Bay Park	Payments per former Section 33401	Area 4/4.1	25,000.00	400.00	RPTTF				13,300.00		700.00	\$ 14,000.00
12) Statutory Payments	County General	Payments per CRL 33607.5 and .7	Area 1/4/4.1	1,281,700.00	31,600.00	RPTTF				380.00		20.00	\$ 400.00
13) Statutory Payments	County Library	Payments per CRL 33607.5 and .7	Area 1	132,000.00	3,300.00	RPTTF				30,020.00		1,580.00	\$ 31,600.00
14) Statutory Payments	Contra Costa Fire	Payments per CRL 33607.5 and .7	Area 1	1,359,000.00	33,500.00	RPTTF				3,135.00		165.00	\$ 3,300.00
15) Statutory Payments	Flood Control	Payments per CRL 33607.5 and .7	Area 1	15,600.00	400.00	RPTTF				31,825.00		1,675.00	\$ 33,500.00
16) Statutory Payments	County Water Agency	Payments per CRL 33607.5 and .7	Area 1	3,500.00	86.00	RPTTF				380.00		20.00	\$ 400.00
17) Statutory Payments	Resource Conservation	Payments per CRL 33607.5 and .7	Area 1/3/4/4.1	1,700.00	40.00	RPTTF				82.00		4.00	\$ 86.00
18) Statutory Payments	Mosquito Abatement Zone	Payments per CRL 33607.5 and .7	Area 1	13,900.00	300.00	RPTTF				38.00		2.00	\$ 40.00
19) Statutory Payments	Delta Diablo Zone 3	Payments per CRL 33607.5 and .7	Area 1	237,900.00	5,900.00	RPTTF				285.00		15.00	\$ 300.00
20) Statutory Payments	Contra Costa Water	Payments per CRL 33607.5 and .7	Area 1	41,700.00	1,000.00	RPTTF				5,605.00		295.00	\$ 5,900.00
21) Statutory Payments	BART	Payments per CRL 33607.5 and .7	Area 1	56,000.00	1,400.00	RPTTF				950.00		50.00	\$ 1,000.00
22) Statutory Payments	Bay Area Air Management	Payments per CRL 33607.5 and .7	Area 1	16,500.00	400.00	RPTTF				1,330.00		70.00	\$ 1,400.00
23) Statutory Payments	East Bay Regional Park	Payments per CRL 33607.5 and .7	Area 1	264,900.00	6,500.00	RPTTF				380.00		20.00	\$ 400.00
24) Statutory Payments	Antioch Park Maintenance	Payments per CRL 33607.5 and .7	Area 1	1,700.00	40.00	RPTTF				6,175.00		325.00	\$ 6,500.00
25) Statutory Payments	Office of Education	Payments per CRL 33607.5 and .7	Area 1/3/4	159,800.00	3,900.00	RPTTF				38.00		2.00	\$ 40.00
26) Statutory Payments	K-12 Schools ERAF	Payments per CRL 33607.5 and .7	Area 1	1,112,000.00	27,400.00	RPTTF				3,705.00		195.00	\$ 3,900.00
27) Statutory Payments	Antioch Unified	Payments per CRL 33607.5 and .7	Area 1/3/4	2,300,000.00	57,000.00	RPTTF				26,030.00		1,370.00	\$ 27,400.00
28) Statutory Payments	Community College	Payments per CRL 33607.5 and .7	Area 1	405,500.00	10,000.00	RPTTF				54,150.00		2,850.00	\$ 57,000.00
29) Statutory Payments	Community College ERAF	Payments per CRL 33607.5 and .7	Area 1	166,000.00	4,000.00	RPTTF				9,500.00		500.00	\$ 10,000.00
Totals - Other Obligations				\$ 32,448,718.00	\$ 881,795.00		\$ -	\$ -	\$ -	\$ 837,707.00	\$ -	\$ 44,088.00	\$ 877,795.00

* The Preliminary Draft Recognized Obligation Payment Schedule (ROPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board and audited by the County
 ** All total due during fiscal year and payment amounts are projected.
 *** Funding sources from the successor agency: (For fiscal 2011-12 only, references to RPTTF could also mean tax increment allocated to the Agency prior to February 1, 2012.)
 RPTTF - Redevelopment Property Tax Trust Fund Bonds - Bond proceeds Other - reserves, rents, interest earnings, etc
 LMIHF - Low and Moderate Income Housing Fund Admin - Successor Agency Administrative Allowance

Contra Costa County
 Antioch Successor Agency
 2011-12 Passthroughs

Fund	Description	H&S 33676	H&S 33401	H&S 33607.5 & 33607.7	Passthrough totals
100300	County General	0.00	279,336.92	24,976.01	304,312.93
120600	County Library	0.00	18,808.51	2,564.29	21,372.80
202000	CCC Fire Protection	0.00	311,621.83	26,494.32	338,116.15
250500	Flood Control CCC Water	0.00	2,494.30	301.12	2,795.42
282500	Co Co Co Water Agency	0.00	0.00	61.68	61.68
310200	Co Co Resource Cons	32.52	0.00	27.98	60.50
330100	CCC Mosquito Abate Dst1	0.00	4,106.82	267.63	4,374.45
348200	Delta Diablo Z3 Antioch	0.00	0.00	4,634.35	4,634.35
380300	Co Co Co Water	0.00	0.00	814.40	814.40
400900	BART	542.01	0.00	1,084.81	1,626.82
401000	Bay Area Air Poll Cont	0.00	0.00	316.36	316.36
402600	East Bay Regional Park	3,455.76	0.00	5,160.31	8,616.07
428000	Antioch Parking Mtce 1A	0.00	0.00	(48.71)	(48.71)
690100	County Schools Gen	3,636.13	0.00	3,108.15	6,744.28
699900	K-12 ERAF	0.00	0.00	21,666.66	21,666.66
710100	Antioch Unified Gen	52,608.75	0.00	44,983.79	97,592.54
790100	Co Co Comm College Gen	9,243.47	0.00	7,904.41	17,147.88
799900	Community College ERAF	0.00	0.00	3,226.10	3,226.10
Totals		69,518.64	616,368.38	147,543.66	833,430.68

STAFF REPORT TO THE CITY OF ANTIOCH AS SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT AGENCY FOR CONSIDERATION AT THE MEETING OF OCTOBER 23, 2012

Prepared By: Dawn Merchant, Finance Director

Date: October 16, 2012

Subject: Administrative Cost Allowance of the City as Successor Agency to the Antioch Development Agency

RECOMMENDED ACTION

Motion to adopt the resolution requesting the Contra Costa County Auditor-Controller to pay the City of Antioch as Successor Agency to the Antioch Development Agency the full administrative cost allowance per the Recognized Obligation Payment schedule and supporting the City as Successor Agency's action to invoke the meet and confer process with the State Department of Finance.

BACKGROUND

Per Health and Safety Code Section 34171 (b), successor agencies shall receive an administrative cost allowance up to 3% of the property tax allocated to the successor agency provided that the amount shall not be less than \$250,000 for any fiscal year unless a lesser amount is agreed to by the successor agency.

DISCUSSION

The Recognized Obligation Payment Schedule (ROPS) for the City of Antioch as Successor Agency (Agency) lists an enforceable obligation for administrative costs of the Agency. Two ROPS covering fiscal year 2013 were prepared by the Agency and approved by the Agency, the Oversight Board to the Successor Agency and Department of Finance (DOF). On the first ROPS prepared for the period of July 2012 through December 2012, the Agency claimed an annual amount of \$577,497 with \$288,750 estimated to be spent over the six month period. This number was revised and reduced to \$250,000 in the second ROPS with \$125,000 estimated to be spent over the six month period to coincide with the amount allowed per legislation. The first distribution of tax funds was received by Contra Costa County in June for July 2012 through December 2012 obligations. As part of this distribution, the County Auditor-Controller only paid the Agency \$10,526.80 towards the administrative cost allowance. City staff contacted the County and was told that this was the only amount left available after all senior enforceable obligations were accounted for and that if funds were available in the next distribution, the Agency would get the balance.

On October 1st, the Agency received an estimated tax distribution worksheet for January 2013 through June 2013 obligations. This estimate includes payment for only \$125,000 of administration as reported on the ROPS and no adjustment for the shortfall in the administrative cost allowance in the prior distribution. This means the Agency is slated to receive only \$135,526.80 out of \$250,000 for administration, a shortfall of \$114,473.20 for the fiscal year.

City staff contacted the County Auditor-Controller regarding the issue and was told that they can only pay for the current period ROPS and not account for any shortfalls of prior periods and to contact the DOF and consider revising the ROPS to capture the shortfall. City staff has been told by the DOF that the ROPS cannot be revised and to request a meet and confer with the DOF to discuss the issue. The City Manager has sent a letter to the County requesting the balance due be paid to the Agency, see Attachment A. City staff has also submitted a meet and confer request to the DOF. A conference call meeting is scheduled for October 22, 2012.

On October 15, 2012, the Oversight Board to the Successor Agency adopted a resolution confirming the payment of the full administrative cost allowance to the Agency, requesting the Contra Costa County Auditor-Controller to remit the remaining balance and supporting the Agency's action to invoke the meet and confer process with DOF if unsuccessful with the County Auditor-Controller. We are requesting that the City adopt the same resolution as the Successor Agency to be sent to the County Auditor-Controller.

ATTACHMENTS

- A. Letter sent to Contra Costa County Auditor-Controller by City of Antioch
- B. Resolution Requesting the Contra Costa County Auditor-Controller to Pay the City of Antioch as Successor Agency to the Antioch Development Agency the Full Administrative Cost Allowance Per the Recognized Obligation Payment Schedule and Supporting the City As Successor Agency's Action to Invoke the Meet and Confer Process with the State Department of Finance



October 9, 2012

Robert R. Campbell
Contra Costa County Auditor-Controller
625 Court Street
Martinez, CA 94553-1282

Dear Mr. Campbell:

This letter serves as notice that the City of Antioch as Successor Agency to the Antioch Development Agency disagrees with the calculation of the estimated distribution to the City for the January 2013 through June 2013 ROPS with respect to the administrative cost allowance.

It is our belief that the City should also be paid the shortfall of the administrative cost allowance not paid with the June 2012 distribution for the July 2012 through December 2012 ROPS. The City received a total distribution of \$2,625,654.80 for all approved obligations in June 2012. Of that amount, only \$10,526.80 was received towards the administrative cost allowance notated as "subject to funds available". It is our belief that the City should have received at least \$125,000, or 50% of the total minimum amount entitled to the City under AB 1X 26. The distribution summary is attached. The Finance Director contacted the County after this distribution questioning the total and how the City would receive the remaining funds. She was advised that the balance may be paid with the next distribution if funds were available.

The City received the estimated distribution amount for the January 2013 through June 2013 from the County on October 1, 2012 and it did not include any estimate or adjustment for the administrative cost allowance shortfall from the prior distribution. Based upon the prior distribution and the estimate for the upcoming period, the City is slated to receive a total of \$135,526.80 for the administrative cost allowance and not \$250,000 as shown on the ROPS approved by the Oversight Board to the City of Antioch as Successor Agency to the Antioch Development Agency and by the California Department of Finance. This is a shortfall of \$114,473.20 towards the administrative cost allowance.

Per Health and Safety Code Section 34171 (b), successor agencies shall receive an administrative cost allowance up to 3% of the property tax allocated to the successor agency provided that the amount shall not be less than \$250,000 for any fiscal year unless a lesser amount is agreed to by the successor agency. The City as Successor Agency did not agree to a lesser amount as demonstrated on the approved ROPS.

Robert R. Campbell
Contra Costa County Auditor Controller
October 9, 2012
Page 2

Further, Health and Safety Code Section 34183 specifically directs the County Auditor-Controller to pay the administrative cost allowance before any additional payments to the taxing entities. Please provide the legal authority upon which the County is relying to withhold the administrative cost allowance from the City of Antioch. We have been advised by your office to contact the Department of Finance regarding this issue and will be submitting a meet and confer request.

In the future, if the County Auditor-Controller provides the estimated distribution amounts before the ROPS is due, then this issue can be avoided. For this year, we are simply asking the County Auditor-Controller to pay the City the full administrative allowance as authorized by State law.

Sincerely,



Jim Jakel
City Manager

Enclosure

cc: Dawn Merchant, Finance Director
Lynn Tracy Nerland, City Attorney
Department of Finance, Redevelopment Administration

County of Contra Costa
 Redevelopment Property Tax Trust Fund Allocations for June 1, 2012

*for July-Dec 12
 pymts*

Redev. Prop. Tax Trust Fund (RPTTF) Activity	ANTIOCH
RPTTF Beginning Balance	0.00
Deposits:	
Secured Property Tax Increment	3,079,679.14
Unsecured Property Tax Increment	0.00
Supplemental Property Tax Increment	-71,637.36
Unitary	<u>62,096.32</u>
Deposit totals	<u>3,070,138.11</u>
RPTTF Available Balance	<u>3,070,138.11</u>
H&S Code 34183 Distributions	
<u>Admin. Fees to County Auditor-Controller:</u>	
SB2557	69,524.00
ABX1-26 (To be charged next period)	0.00
Total Admin. Fees	<u>69,524.00</u>
<u>Pass Through Payments:</u>	
Total Pass Throughs	<u>374,959.31</u>
Total ROPS Payable	2,765,631.00
ROPS Payments from non-RPTTF Sources	150,503.00
ROPS Items Denied/Disputed	0.00
ROPS Payable from Prop. Taxes - Subject to Funds Available	2,615,128.00
Successor Agency Admin. Cost Allowance - Subject to Funds Available	10,526.80
SCO Invoices for Audit and Oversight	
RPTTF Balance - For Distribution to Affected Taxing Entities	<u>0.00</u>
DISTRIBUTION TO SUCCESSOR AGENCY RORF	<u>2,625,654.80</u>

ATTACHMENT B

SA RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH AS THE SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT AGENCY REQUESTING THE CONTRA COSTA COUNTY AUDITOR-CONTROLLER TO PAY THE CITY OF ANTIOCH AS SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT AGENCY THE FULL ADMINISTRATIVE COST ALLOWANCE PER THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE AND SUPPORTING THE CITY AS SUCCESSOR AGENCY'S ACTION TO INVOKE THE MEET AND CONFER PROCESS WITH THE STATE DEPARTMENT OF FINANCE

Whereas, Health and Safety Code section 34171 (b) states successor agencies shall receive an administrative cost allowance up to 3% of the property tax allocated to the successor agency provided that the amount shall not be less than \$250,000 for any fiscal year unless a lesser amount is agreed to by the successor agency; and

Whereas, the City of Antioch as Successor Agency to the Antioch Development Agency, the Oversight Board to the City of Antioch as Successor Agency to the Antioch Development Agency and the State Department of Finance have approved a Recognized Obligation Payment Schedule for the Successor Agency with a total administrative cost allowance of \$250,000 for the 2013 fiscal year; and

Whereas, the Contra Costa County Auditor-Controller intends to pay the City of Antioch as Successor Agency to the Antioch Development Agency a total of only \$135,526.80 for the administrative cost allowance for the 2013 fiscal year; and

Whereas, the City of Antioch as Successor Agency to the Antioch Development Agency is invoking its right to request a meet and confer with the State Department of Finance regarding the payment of the administrative cost allowance if the County Auditor-Controller does not change his position; and

NOW THEREFORE BE IT RESOLVED THAT:

1. The City Council of the City of Antioch as Successor Agency to the Antioch Development Agency hereby requests the Contra Costa County Auditor-Controller to pay the remaining balance of the administrative cost allowance to the City of Antioch as Successor Agency to the Antioch Development Agency.
2. The City Council of the City of Antioch as Successor Agency to the Antioch Development Agency hereby supports the City of Antioch as Successor Agency to the Antioch Development Agency's action to invoke the meet and confer process with the State

ATTACHMENT B

Department of Finance in regards to the administrative cost allowance if unsuccessful with the County Auditor-Controller.

The foregoing resolution was passed and adopted by the City Council of the City of Antioch as the Successor Agency to the Antioch Development Agency at a regular meeting thereof, held on the ____ day of _____, 2012 by the following vote:

AYES:

NOES:

ABSENT:

DENISE SKAGGS, CITY CLERK

CITY OF ANTIOCH AS HOUSING SUCCESSOR TO
THE ANTIOCH DEVELOPMENT AGENCY
CLAIMS BY FUND REPORT
FOR THE PERIOD OF
SEPTEMBER 20 - OCTOBER 17, 2012
FUND/CHECK#

227 Housing Fund
Housing - CIP
341766 KENNEDY, JANET

CONSULTANT SERVICES 2,572.50