

# ANNOTATED AGENDA

for  
August 13, 2013

## *CITY COUNCIL MEETING* *Regular Meeting*

Order of Council vote: AYES: Council Members Wilson, Tiscareno, Agopian and Mayor  
Harper

ABSENT: Council Member Rocha

### 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 3<sup>rd</sup> 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.

**6:00 P.M. ROLL CALL** for Closed Sessions – ***Council Members Wilson, Tiscareno, Agopian and Mayor Harper (Council Member Rocha was absent)***

**PUBLIC COMMENTS** for Closed Sessions – ***None***

#### **CLOSED SESSIONS:**

- 1) **CONFERENCE WITH LABOR NEGOTIATORS** – This Closed Session is authorized by California Government Code section 54957.6. City designated representatives; Michelle Fitzer, Denise Haskett, and Glenn Berkheimer; Employee organizations: Management and Confidential Units ***No action taken***
  
- 2) **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** Initiation of Litigation pursuant to California Government Code section 54956.9 (d)(4): 1 potential case ***Direction given to City Attorney***
  
- 3) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – Pursuant to Government Code section 54956.9(d)(1): United States ex rel. John Hendrix, et al. v. J-M Manufacturing Co. Inc. d/b/a JM Eagle and Formosa Plastics Corp. USA; United States District Court, Central District of California Case No. ED CV-06-00055 (GW); State of Nevada et al v. J-M Manufacturing Co. Inc. et al, Superior Court County of Los Angeles, Case No. BC459943 ***No action taken***
  
- 4) **CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION** – Significant exposure to litigation pursuant to California Government Code Section 94956.9(d)(2): Claim of Albert Seeno Construction Co. and Discovery Builders, Inc. regarding fee credit dispute related to Mira Vista Hills subdivision ***No action taken***

**7:00 P.M. ROLL CALL** for Council Members – ***Council Members Wilson, Tiscareno, Agopian and Mayor Harper (Council Member Rocha was absent)***

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

**ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS**

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

**CITY COUNCIL SUBCOMMITTEE REPORTS**

**MAYOR’S COMMENTS**

**PRESENTATION – 2013 Mayor's Cup Recap and Check Presentation, presented by Ron Parish**

**1. CONSENT CALENDAR**

**A. APPROVAL OF SPECIAL MEETING/WORKSHOP MINUTES FOR JULY 26, 2013**

Recommended Action: Motion to approve the Special Meeting/Workshop Minutes **Approved, 4/0**  
MINUTES

**B. APPROVAL OF ADJOURNED REGULAR COUNCIL MEETING MINUTES FOR JULY 30, 2013**

Recommended Action: Motion to approve the Adjourned Regular Council Meeting Minutes **Approved, 4/0**

**C. APPROVAL OF COUNCIL WARRANTS**

Recommended Action: Motion to approve the warrants **Approved, 4/0**  
STAFF REPORT  
STAFF REPORT

**D. Z-13-03 - SECOND READING OF THE PREZONING FOR THE NORTHEAST ANTIOCH AREA. THERE ARE THREE SUBAREAS CONSIDERED FOR PREZONING, WHICH ARE ALL LOCATED WITHIN UNINCORPORATED CONTRA COSTA COUNTY, CONSISTING OF APPROXIMATELY 678 ACRES. THE ZONING FOR AREA 1 (470 ACRES) IS BEING PROPOSED AS HEAVY INDUSTRIAL AND OPEN SPACE, AREA 2A AS URBAN WATERFRONT (94 ACRES), AND AREA 2B (103 ACRES) AS A STUDY ZONE. THE THREE SUBAREAS ARE LOCATED GENERALLY SOUTH OF THE SACRAMENTO COUNTY LINE ALONG THE SAN JOAQUIN RIVER IN THE VICINITY OF WILBUR AVENUE, WEST OF THE CITY OF OAKLEY, NORTH AND EAST OF THE BOUNDARIES OF THE CITY OF ANTIOCH. A MITIGATED NEGATIVE DECLARATION WAS PREVIOUSLY ADOPTED. (Introduced on 07/30/13)**

Recommended Action: Motion to adopt the ordinance **Ord. No. 2071-C-S, 4/0**  
STAFF REPORT

**E. APPROVAL OF PURCHASE ORDER WITH OFFICE MAX FOR PURCHASE OF OFFICE SUPPLY PRODUCTS FOR FISCAL YEAR 2013/14**

Recommended Action: Motion to approve purchase order to Office Max in the amount of \$70,000.00 for office supply products **Approved, 4/0**  
STAFF REPORT

**F. RESOLUTION AMENDING THE LATERAL POLICE OFFICER HIRING POLICY FOR THE PERIOD OF JANUARY 1, 2013 – JUNE 30, 2014**

**Reso No. 2013/44, 4/0**  
STAFF REPORT

Recommended Action: Motion to adopt the resolution

**CONSENT CALENDAR — Continued**

**G. AMENDMENT TO THE FISCAL YEAR 2014 CIVIC ARTS BUDGET**

**Approved, 4/0**

Recommended Action: Motion to approve an amendment to the Civic Arts budget by moving \$17,000 from fund reserves to an expense account for additional program funding. Civic Arts is funded by transient occupancy tax and does not impact the General Fund.

STAFF REPORT

**H. REQUEST TO WAIVE RENTAL FEES FOR THE ANNUAL BLACK HISTORY ART AND ARTIFACTS EXHIBIT IN 2014**

**Approved, 4/0**

Recommended Action: Motion to approve the request

STAFF REPORT

**I. ANNUAL PURCHASE ORDER FOR ELECTRICAL SUPPLIES**

**Approved, 4/0**

Recommended Action: Motion to approve the cooperative purchase arrangement, or “piggyback” through the National Purchasing Partners (NPP) and issuance of a purchase order for electrical supplies and materials to Wesco Distribution, Inc. of Pasadena, CA in the amount of \$175,000.00

STAFF REPORT

**J. ANNUAL PURCHASE ORDER FOR GENERAL PARTS, SUPPLIES AND MATERIALS**

**Approved, 4/0**

Recommended Action: Motion to approve the cooperative purchase arrangement, or “piggyback” through the Western States Contracting Alliance (WSCA) and issuance of a purchase order for Parts, Supplies and Materials to Grainger, Inc. of Concord, CA in the amount of \$85,000.00

STAFF REPORT

**K. CONSIDERATION OF BIDS FOR THE DEER VALLEY ROAD/DAVISON DRIVE/SUNSET LANE PAVEMENT REHABILITATION PROJECT (P.W. 392-28)**

**Approved, 4/0**

Recommended Action: Motion to award the project to the low bidder, Knife River Construction in the amount of \$1,895,127.00 and amend the CIP budget to include \$114,000.00 for curb, gutter and sidewalk repair within the project limit

STAFF REPORT

**L. RESOLUTION ACCEPTING WORK AND AUTHORIZING THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE 2013 PAVEMENT MAINTENANCE, RUBBERIZED CAPE SEAL PROJECT (P.W. 328-6)**

**Reso No. 2013/45, 4/0**

Recommended Action: Motion to adopt the resolution accepting work, authorizing the Public Works Director/City Engineer to File a Notice of Completion and authorizing the Director of Finance to make a final payment of \$113,089.66 and a retention payment of \$23,474.75 to be paid 35 days after recordation of the Notice of Completion

STAFF REPORT

**END OF CONSENT CALENDAR**

**COUNCIL REGULAR AGENDA**

2. PRESENTATION OF INVESTMENT REPORT BY PFM (PUBLIC FINANCE MANAGEMENT)  
*Received and filed, 4/0*  
Recommended Action: Motion to receive and file STAFF REPORT STAFF REPORT
3. CONTRA COSTA TRANSPORTATION AUTHORITY (CCTA) – CITIZENS ADVISORY COMMITTEE (CAC)  
*Appointed Jeff Belle , 4/0*  
Recommended Action: Motion to receive and file the applications, the Mayor appoint and Council approve the appointment of one Committee Member to the Contra Costa Transportation Authority – Citizens Advisory Committee (CAC) STAFF REPORT
4. 2013 LEAGUE OF CALIFORNIA CITIES' ANNUAL CONFERENCE RESOLUTIONS  
*Support both Resolutions, 4/0*  
Recommended Action: Motion to support both Resolutions when Antioch's voting member casts their vote STAFF REPORT
5. AUTHORIZE THE CITY MANAGER TO EXECUTE THE TAX ALLOCATION AGREEMENT BETWEEN THE CITY AND THE COUNTY, AND THE INFRASTRUCTURE FUNDING AGREEMENT BETWEEN THE CITY AND THE COUNTY, FOR THE NORTHEAST ANTIOCH ANNEXATION CONSISTING OF THREE SEPARATE ANNEXATION APPLICATIONS FOR AREAS 1, 2A, AND 2B TOTALING 678 ACRES LOCATED IN THE NORTHEAST ANTIOCH AREA  
*Annexation Tax Revenue Allocation Agreement – Reso No. 2013/46, 4/0*  
*Infrastructure Funding Agreement – Reso No. 2013/47, 4/0*  
**Both Resolutions revised adding language for City Manager to consult with the City Council Members of the Northeast Annexation Committee regarding any changes to the agreement.**  
Recommended Action: Motion to adopt the resolutions STAFF REPORT

**PUBLIC COMMENT**

**STAFF COMMUNICATIONS**

**COUNCIL COMMUNICATIONS**

**ADJOURNMENT – 8:45 p.m.**

## CITY COUNCIL WORKSHOP

**Special Meeting**  
**9:00 a.m.**

**July, 26 2013**  
**Antioch Police Department**  
**Community Room**  
**300 L Street**

**On July 26, 2013**, the workshop was called to order by Mayor Harper at 9:11 a.m. All members of the City Council were present.

**Staff present:**

Alan Barton, IS Director  
Mike Bechtholdt, Deputy Public Works Director  
Ron Bernal, Public Works Director/City Engineer  
Allan Cantando, Chief of Police  
Sharon Daniels, Executive Assistant  
Michelle Fitzer, Human Resources/Economic Development Director  
Dawn Merchant, Finance Director (joined around 11:20 am)  
Lynn Tracy Nerland, City Attorney  
Tina Wehrmeister, Community Development Director  
Consultant Stacey McLaughlin of Mountaintop Insight facilitated the workshop.

**Public Comment:**

Karl Dietzel asked two questions: The cost of this training – the entire amount, and the cost for the City Manager recruiter. Mayor Harper provided the responses: The cost for the strategic planning process is \$42,000 for total fees and expenses. The cost for the City Manager recruitment is \$18,500 in professional fees, and expenses capped at an additional \$7,500.

**1. Introduction of Phil McKenney of Peckham and McKenney Executive Search Firm for City Manager Hiring Process**

Mr. McKenney introduced himself and stated that this was not his kick-off. He indicated that he was thankful for the opportunity to learn about the staff and meet with the Council as he prepared to begin the City Manager recruitment.

**2. Strategic Planning Process for Community Workshops**

The City Council and staff worked together on various exercises and conducted discussions in preparation for the upcoming community workshops.

The workshop was adjourned at 5:13 pm.

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

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

**July 30, 2013  
Public Works Building Training Room**

**6:00 P.M. - CLOSED SESSIONS**

1. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** Initiation of Litigation pursuant to California Government Code section 54956.9 (d)(4): 1 potential case
2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION –** Pursuant to Government Code section 54956.9(d)(1): United States ex rel. John Hendrix, et al. v. J-M Manufacturing Co. Inc. d/b/a JM Eagle and Formosa Plastics Corp. USA; United States District Court, Central District of California Case No. ED CV-06-00055 (GW); State of Nevada et al v. J-M Manufacturing Co. Inc. et al, Superior Court County of Los Angeles, Case No. BC459943.
3. **CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION –** Significant exposure to litigation pursuant to California Government Code Section 94956.9(d)(2): Claim of Albert Seeno Construction Co. and Discovery Builders, Inc. regarding fee credit dispute related to Mira Vista Hills subdivision

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

Mayor Harper called the meeting to order at 7:00 P.M., and City Clerk Simonsen called the roll.

Present: Council Members Wilson, Rocha, Tiscareno, Agopian and Mayor Harper

**PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Rocha led the Council and audience in the Pledge of Allegiance.

Mayor Harper announced the Adjourned Regular Meeting would be recorded and replayed on Channel 24 on August 1, 3, and 6, 2013.

**ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

Jim Boccio invited the community to attend the Fulton Shipyard Boat Ramp Benefit Barbecue at 4:00 P.M. on August 18, 2013, at The Red Caboose.

## **PUBLIC COMMENTS**

Jim Boccio urged the City to address the Homeless situation in the Fulton Shipyard area and expressed concern for fires that had occurred in the area.

Mayor Harper stated staff would be in contact with Mr. Boccio to discuss the issue.

Councilmember Rocha announced the County and City would be doing a sweep of the Fulton Shipyard area, in August.

Fred Hoskins, Antioch resident, stated he felt the feral cat situation at the Roswell Butler Hard House was a violation of the City's Health and Safety Code. He requested the City clean up the property.

Ralph Burns, Antioch resident, expressed concern for vehicles excessively speeding and using residential streets as thoroughfares, in his neighborhood. He voiced his appreciation to the Antioch Police Department for placing the speed trailer in the area and suggested the City consider traffic calming measures to address his concerns.

Mary Lopez, Antioch resident, thanked Chief Cantando and the Antioch Police Department for conducting a successful sting operation and responding quickly to any concerns residents had at her apartment complex. She discussed a problem property in her neighborhood and suggested the City address the situation.

Teri Lynn Lowerly, on behalf of the Center of Human Development (CHD), announced she was the Mobilization Youth Alcohol Prevention Coordinator for Antioch. She discussed their efforts to reduce underage drinking and limit the availability of alcohol to teens. She announced in September, they would offer free responsible beverage service training for Antioch merchants and noted they would also be partnering with the Crime Prevention Commission to train Neighborhood Watch Block Captains to assist the Antioch Police Department in alcohol related enforcement.

Mayor Harper thanked Ms. Lowerly for her efforts and conducting outreach to the youth.

Chris Valenta, Antioch resident, suggested the Council post a list of projects, by priority, in the Council Chambers. He expressed concern for the feral cat issue in his neighborhood and urged the City to reconsider the grandfather clause in the RV ordinance.

Karl Dietzel, Antioch resident, expressed concern for Orchard Supply Hardware employees who lost their jobs when the store closed.

Mayor Harper responded Workforce Development had been in contact with Orchard Supply Hardware regarding the issue.



Nancy Norhthrop, stated she was homeless and lived in the Fulton Shipyard area. She reported they were concerned about the fires in the area and noted they were not caused by the homeless population.

## **COUNCIL SUBCOMMITTEE REPORTS**

Councilmember Wilson reported on her attendance at the Mello Roos subcommittee meeting.

Councilmember Rocha reported on her attendance at the Alcohol Coalition meeting.

Councilmember Agopian reported on his attendance at the Mello Roos subcommittee meeting and Northeast Antioch Annexation subcommittee meeting.

## **MAYOR'S COMMENTS**

Mayor Harper reported several Councilmembers had the opportunity to go on video to thank Staff Sergeant Ty Carter who would receive the Medal of Honor on August 26, 2013. He announced the City would be honoring and welcoming him home in the near future.

## **PRESENTATIONS**

### *Police Statistics Second Quarter 2013, presented by Chief Allan Cantando*

Chief Cantando gave a presentation of Mid-Year 2013 Crime Statistics including the following information:

- Part 1 Crime Statistics
- Bureau of Support Services
- Bureau of Field Services
- Current Staffing Levels
- New Developments

In response to Councilmember Agopian, Chief Cantando reported at least three (3) Sergeants and one (1) Police Officer would be retiring this year.

Councilmember Agopian thanked Chief Cantando for the presentation and discussed the need for the Antioch Police Department becoming a more proactive police force. He noted the opportunity to improve staffing was available if the community voted to approve the Sales Tax Measure.

Councilmember Rocha reported she had recently witnessed police action and commended their actions.

Mayor Harper explained staffing levels presented had not captured vacation, sick leave, and officers under subpoena.

Chief Cantando encouraged the audience to subscribe to the Antioch Police Department facebook page.

AB109 Program Update, presented by Iris Archuleta

Iris Archuleta, representing Emerald HPC International, LLC, gave a brief professional background and power point presentation of AB109 which included the following information:

- Key provisions of AB-109
- Realignment of the Criminal Justice System – Courts, Prisons, and Supervision
- Funding
- Demographics
- Planning Process

The City Council thanked Ms. Archuleta for the presentation and discussed the value of the strategic planning process to reduce recidivism.

**COUNCIL CONSENT CALENDAR**

- A. **APPROVAL OF COUNCIL MINUTES FOR JUNE 25, 2013 AND JULY 9, 2013**
- B. **APPROVAL OF COUNCIL WARRANTS**
- C. **APPROVAL OF TREASURER’S REPORT FOR JUNE 2013**
- D. **RESOLUTION NO. 2013/39 STATEMENT OF INVESTMENT POLICY**
- E. **MEASURE WW PARK AND RECREATION SECURITY CAMERA PROGRAM – AWARDING OF CONTRACT**
- F. **RESOLUTION NO. 2013/40 APPROVING AN UPDATED CLASS SPECIFICATION FOR CHIEF BUILDING OFFICIAL, WITHOUT ANY SALARY CHANGE**
- G. **RESOLUTION NO. 2013/41 APPROVING UPDATED CLASS SPECIFICATIONS FOR ADMINISTRATIVE ANALYST I/II/III IN THE CONFIDENTIAL BARGAINING UNIT, WITHOUT ANY SALARY CHANGES**

City of Antioch Acting as Successor Agency/Housing Successor to the Antioch Development Agency

- H. **APPROVAL OF SUCCESSOR AGENCY WARRANTS**

## I. APPROVAL OF HOUSING SUCCESSOR WARRANTS

On motion by Councilmember Rocha, seconded by Councilmember Tiscareno, the City Council unanimously approved the Council Consent Calendar with the exception of Items B and C, which were removed for further discussion.

**Item B** - In response to George Briggs, City Manager Jakel stated he would contact him and provide the financial information requested.

On motion by Councilmember Agopian, seconded by Councilmember Wilson, the Council unanimously approved Item B.

**Item C** - In response to George Briggs, City Manager Jakel stated he would contact him and provide the financial information requested.

On motion by Councilmember Rocha, seconded by Councilmember Tiscareno, the Council unanimously approved Item C.

## PUBLIC HEARING

2. **Z-13-03 - THE CITY OF ANTIOCH IS REQUESTING APPROVAL OF THE PREZONING FOR THE NORTHEAST ANTIOCH AREA. THERE ARE THREE SUBAREAS CONSIDERED FOR PREZONING, WHICH ARE ALL LOCATED WITHIN UNINCORPORATED CONTRA COSTA COUNTY, CONSISTING OF APPROXIMATELY 678 ACRES. THE ZONING FOR AREA 1 (470 ACRES) IS BEING PROPOSED AS HEAVY INDUSTRIAL AND OPEN SPACE, AREA 2A AS URBAN WATERFRONT (94 ACRES), AND AREA 2B (103 ACRES) AS A STUDY ZONE. THE THREE SUBAREAS ARE LOCATED GENERALLY SOUTH OF THE SACRAMENTO COUNTY LINE ALONG THE SAN JOAQUIN RIVER IN THE VICINITY OF WILBUR AVENUE, WEST OF THE CITY OF OAKLEY, NORTH AND EAST OF THE BOUNDARIES OF THE CITY OF ANTIOCH. A MITIGATED NEGATIVE DECLARATION IS ALSO BEING CONSIDERED FOR ADOPTION. THE PLANNING COMMISSION RECOMMENDED TO THE CITY COUNCIL APPROVAL OF THE PREZONING AND MITIGATED NEGATIVE DECLARATION BY A 6-0 VOTE WITH ONE MEMBER ABSENT. THE CITY COUNCIL WILL ALSO CONSIDER WAIVING ANNEXATION FEES, WITH EXCEPTIONS**  
*(Continued from 07/09/13).*

Senior Planner Gentry gave a brief overhead presentation and presented the staff report dated July 25, 2013 recommending the City Council: 1) Motion to approve the resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan; 2) Motion to introduce the ordinance by title only; 3) Motion to introduce the ordinance Prezoning the Northeast Antioch Area; and 4) Motion to adopt the resolution waiving, with exceptions, the City's annexation fee for Areas 1, 2a, and 2b.

Mayor Harper thanked Senior Planner Gentry for the presentation and the Northeast Antioch Annexation committee for their work on this Item.

Mayor Harper opened the public hearing.

City Attorney Nerland reviewed the speaker rules for the public hearing.

Nancy Monford, thanked the Council for the opportunity to speak and identified herself as a resident who lived in Area 2B. She expressed concern regarding deterioration of the well water and health hazards stating nothing was done to address the situation. She acknowledged City Consultant Carniglia and Senior Planner Gentry for addressing the resident's concerns. She voiced her support for Annexation and suggested Council consider eliminating the connection fee for residents and grandfathering current uses of the properties.

Richard T. Hiebert, speaking on behalf of his parents and himself, stated they were not in support of the Annexation. He suggested Council postpone a vote for Annexation until the study period was completed and zoning for the area was determined. He stated if they were forced to annex, he felt all homeowners should be compensated the same, their street should remain closed to through traffic, and the area should be zoned agricultural. He suggested residents be informed when the City would be taking over services and that they be allowed to provide input during the study period.

Carey Mitosinka thanked the City for allowing him to provide input this evening and concurred with the comments made by Mr. Hiebert this evening. He expressed concern that when the area was divided into three sections, it circumvented a Law which allowed a vote of the property owners for the Annexation.

John Mitosinka questioned if staff had received a letter dated July 19, 2013. He stated if Annexation were approved, he would request a legal document be given to the property owners indicating that imminent domain would not be invoked. For the record, he reported there was a statement from State Attorney General Kamala Harris dated June 1, 2012, that indicated the Local Agency Formation Commission may not split up an unincorporated island that exceeds 150 acres into smaller segments in order to utilize streamlined island annexation procedure set forth in government code, thereby avoiding land owner voter protest proceedings that would otherwise be required.

Ken Wentworth, questioned the motivation behind the City and County initiating Annexation. He reported Annexation had been voted down in the past and if the City decided not to honor arbitrarily boundaries set by LAFCO, Area 2B would not be an island, and they would be able to vote on Annexation. He expressed concern regarding the cost of Annexation and the change in zoning for the area. He requested the City postpone a vote on Annexation until their questions were answered and an agreement had been made with the property owners.

Fred Hoskins, Antioch resident, expressed concern for financial impacts to residents forced into Annexation of their properties. He stated he supported Annexation on the commercial property and discussed its benefits. He stated if residents had wells and septic systems that were passing standards, they should not be forced into accepting City services. He urged the City to continue meeting with citizens to address their concerns.

Don Wilson, representing the Sportsman's Yacht Club located in Area 2A, stated for the record, they have 200 members, most Antioch residents, who were opposed to Annexation of the area. He noted if they were drawn into Annexation, residents in Area 2A, should have the opportunity to vote and the City should consider them for the same concessions as Area 2B. He requested clarification on the City's position with regards to Annexation of Area 2A.

Bill Worrell, representing the Sportsman's Yacht Club, stated they had a commitment from the Council that they would not be considered for Annexation and he felt they were being forced into it. He requested the Council support property owners in Area 2A in their plight with LAFCO, against Annexation.

Mayor Harper closed the public hearing.

In response to Councilmember Tiscareno, City Consultant Carniglia stated once the sewer system was in, every resident would be within 300 feet, however the City would not mandate hookups and they would only be triggered by County Health in relation to a major repair needed to the septic system.

In response to Councilmember Rocha, Mr. Carniglia explained based on their discussions with LAFCO, they did not consider Area 2A to be an island therefore they would have the ability to vote on the Annexation. He added they already had City water and they do not have a problem with their septic fields. He stated if Area 2A votes to be Annexed, they could approach the City to explore the possibility of creating funding to cover the cost of the sewer connection fee.

In response to Councilmember Agopian, Mr. Carniglia explained that if a septic system fails, residents would have to make major repairs or replace it with a new system. He added County Health had indicated on a case by case basis, they would likely continue to issue variances, if a septic system needed minor repairs.

In response to Councilmember Agopian, Senior Planner Gentry commented during the 2-year study period they would be studying what currently exists in the area in terms of land uses, structures, and businesses and determining what the most appropriate fit for zoning. Additionally, during that period, they would work to alleviate the concerns of the residents.

Councilmember Agopian reported that it had been the goal of the subcommittee to actively pursue maintaining the character of the area while allowing for planning enhancements that could be phased and done by choice at little or no cost to the residents of the area. He added that the City had been informed by LAFCO, that the application for Annexation had to include Areas 2A and

2B. He stated he agreed with the Attorney General who supported the rights of the residents to vote on Annexation and suggested residents attend the LAFCO meeting to voice their concerns. With regards to the roads, he noted if agreements could not be made, private roads should remain private. He spoke to the value of Annexation for Area 1 to the economic viability for Antioch. He stated issues needed to be addressed and hopefully residents would support Annexation, and if not, they need to be allowed to exercise their rights. He suggested planning for the area happen as quickly as possible.

City Consultant Carniglia described outreach made to the community in this effort.

Mayor Harper stated he would support an agreement that allows the residents in the area to maintain the character of their neighborhood. He voiced his support for Council to direct staff that the goals as outlined in the staff report (exhibit 2, page E17) be implemented in the zoning for the area.

Councilmember Tiscareno discussed the possibility of finding a mechanism to assist residents who were forced to repair or replace septic systems.

**RESOLUTION NO. 2013/42**

On motion by Councilmember Rocha, seconded by Councilmember Agopian, the Council unanimously 1) Approved the resolution adopting the Final Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and 2) Introduced the ordinance by title only; and 3) Introduced the ordinance rezoning Areas 1, 2a, and 2b, consisting of approximately 678 acres of unincorporated land, located generally south of the Sacramento County line along the San Joaquin River in the vicinity of Wilbur Avenue, west of the City of Oakley, north and east of the boundaries of the City of Antioch, as depicted in Attachment "B" with Exhibit 1 to the ordinance depicting the zoning districts and Exhibit 2 to the ordinance reaffirming the Zoning Goals for Area 2B including to maintain the rural character of the Study Area; not having an automatic trigger for sewer connections solely based on distance to a new sewer system but related to County Environmental Health's determination; and 4) Adopted the resolution waiving, with exceptions, the City's Annexation fee for Areas 1, 2a and 2b; and 5) Directed staff to propose final zoning for the Study District as soon as possible.

**RESOLUTION NO. 2013/43**

On motion by Councilmember Agopian, seconded by Councilmember Rocha, the Council unanimously directed staff to work with NRG, County, and other parties to develop a program to defray cost of the water and sewer connection fees for Areas 2A and 2B.

## COUNCIL REGULAR AGENDA

**3. DISCUSSION OF ANNEXATION AND TAX REVENUE ALLOCATION AGREEMENT BETWEEN THE CITY OF ANTIOCH AND CONTRA COSTA COUNTY FOR THE NORTHEAST ANTIOCH ANNEXATION AND AGREEMENT BETWEEN THE CITY OF ANTIOCH AND CONTRA COSTA COUNTY FOR THE FUNDING AND CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS SERVING ANNEXATION AREA 2B  
(Continued from 07/09/13)**

City Consultant Carniglia gave a brief overhead presentation and presented the staff report dated July 25, 2015 recommending the City Council motion to receive public comment and provide direction to staff regarding the agreements.

Bob Monford stated he felt the County needed to contribute more financially for connection fees. He acknowledged the benefits of having the City providing services for residents of the area.

Councilmember Agopian stated the City would need to be more aggressive with regards to other funding mechanisms to defray the cost of connection fees and agreed that they needed to advocate for the County to participate in an equal share of those costs. He stated he felt that the agreement, as written, would be a catalyst for economic development, in the area.

The Council supported the Northeast Antioch Annexation Tax Allocation Agreement and Northeast Antioch Annexation Infrastructure Funding Agreement, as presented.

**4. ONE FULL-TERM APPOINTMENT FOR ONE VACANCY ON THE ECONOMIC DEVELOPMENT COMMISSION (EDC)**

Economic Development/Human Resources Director Fitzer presented the staff report dated July 25, 2013 recommending the City Council receive and file the applications, the Mayor appoint, and Council approve the appointment of one commissioner.

Mayor Harper thanked all residents who had applied to the vacant position and encouraged them to attend meetings for the positions they wish to serve on. He appointed Richard Asadoorian to the Economic Development Commission term expiring June 2017.

On motion by Councilmember Agopian, seconded by Councilmember Wilson the Council unanimously approved the appointment of Richard Asadoorian to the Economic Development Commission term expiring June 2017.

Richard Asadoorian thanked the City Council for the appointment to the Economic Development Commission.

**PUBLIC COMMENTS**

Fred Hoskins, Antioch resident, expressed concern that the Antioch Police Statistics did not include crimes that were not reported and spoke in support for citizen input to the Antioch Police Department.

**STAFF COMMUNICATIONS**

City Manager Jakel announced August 6, 2013 was National Night Out and the next Regular Council Meeting would be held on August 13, 2013.

**COUNCIL COMMUNICATIONS**

Councilmember Tiscareno reported on his attendance at the ribbon cutting ceremony for California Real Estate and Capital Lending.

Councilmember Rocha suggested the City Council recognize Antioch native and Sharnado Director, Anthony Ferrante.

Councilmember Wilson reported on her attendance at Ramadan Celebration at the East County Islamic Center.

Mayor Harper thanked City Consultant Carniglia and Senior Planner Gentry for their hard work on the Northeast Antioch Annexation.

**ADJOURNMENT**

With no further business, Mayor Harper adjourned the meeting at 10:47 P.M. to the next Regular Council Meeting on August 13, 2013.

Respectfully submitted:

Kitty Eiden  
KITTY EIDEN, Minutes Clerk



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**100 General Fund**

**Non Departmental**

346393 BURKE WILLIAMS AND SORENSEN LLP	LEGAL SERVICES	3,628.50
346420 DELTA DENTAL	PAYROLL DEDUCTIONS	303.28
346467 LONE TREE GOLF COURSE MAYORS CUP	SPONSORSHIP FEES	1,500.00
346576 DELTA DOG CAMP LLC	DEPOSIT REFUND	1,863.00

**City Council**

346501 PERS	ADMIN FEE ADJ	1.39
346592 NATURES BOUNTY	MEETING EXPENSE	177.65

**City Attorney**

346453 JARVIS FAY AND DOPORTO LLP	LEGAL SERVICES	1,126.25
346466 LEXISNEXIS	ONLINE LEGAL RESEARCH	76.50
346501 PERS	ADMIN FEE ADJ	1.39
346534 WENDEL ROSEN BLACK AND DEAN	LEGAL SERVICES	950.00
346625 XEROX CORPORATION	COPIER LEASE/USAGE	111.79

**City Manager**

202863 DOLLAR TREE STORES	SUPPLIES	10.85
346501 PERS	ADMIN FEE ADJ	1.06
346559 CA SHOPPING CART RETRIEVAL CORP	SHOPPING CART RETRIEVAL	108.00
346574 DANIELS, SHARON P	EXPENSE REIMBURSEMENT	51.55
346596 OFFICE MAX INC	OFFICE SUPPLIES	191.44
346609 RICKS ON SECOND	MEETING EXPENSE	235.00
346625 XEROX CORPORATION	COPIER LEASE/USAGE	111.79

**City Clerk**

346501 PERS	ADMIN FEE ADJ	1.39
346625 XEROX CORPORATION	COPIER LEASE/USAGE	111.78

**City Treasurer**

346498 PFM ASSET MGMT LLC	ADVISORY SERVICES	7,015.45
346501 PERS	ADMIN FEE ADJ	0.12

**Human Resources**

346384 EMPLOYEE	EMPLOYEE RECOGNITION	300.00
346435 FEDEX	SHIPPING	26.05
346460 KRAMER WEISE	PROFESSIONAL SERVICES	3,500.00
346501 PERS	ADMIN FEE ADJ	1.60
346625 XEROX CORPORATION	COPIER LEASE/USAGE	371.73

**Economic Development**

346501 PERS	ADMIN FEE ADJ	0.53
346550 BAY ALARM COMPANY	MONITORING FEE	403.96
346591 MUNICIPAL POOLING AUTHORITY	PROPERTY INSURANCE	2,937.00
346625 XEROX CORPORATION	COPIER LEASE/USAGE	111.79

**Finance Administration**

346501 PERS	ADMIN FEE ADJ	1.11
346625 XEROX CORPORATION	COPIER LEASE/USAGE	434.49

**Finance Accounting**

346381 AT AND T MCI	BITECH PHONE LINE	480.74
346491 OFFICE MAX INC	OFFICE SUPPLIES	187.05

Prepared by: Georgina Meek  
 Finance Accounting

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346501 PERS	ADMIN FEE ADJ	4.54
920077 SUNGARD PUBLIC SECTOR INC	ASP SERVICE	12,732.85
<b>Finance Operations</b>		
346501 PERS	ADMIN FEE ADJ	0.27
346526 UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	13.00
346596 OFFICE MAX INC	OFFICE SUPPLIES	43.19
346625 XEROX CORPORATION	COPIER LEASE/USAGE	2,066.57
<b>Non Departmental</b>		
203002 ADT LLC	BUS LIC APP FEE REFUND	30.00
203003 ST FRANCIS ELECTRIC	BUS LIC PENALTY FEE REFUND	5.00
346487 MUNICIPAL POOLING AUTHORITY	13/14 ERMA PREMIUM	67,015.00
346501 PERS	PAYROLL DEDUCTIONS	1,270.75
346532 WAGeworks	ADMIN FEES	150.00
346591 MUNICIPAL POOLING AUTHORITY	PROPERTY INSURANCE	33,597.00
920103 RETIREE	PPPA	1,654.43
<b>Public Works Maintenance Administration</b>		
346501 PERS	ADMIN FEE ADJ	1.39
346593 NEXTEL SPRINT	CELL PHONE	57.47
346625 XEROX CORPORATION	COPIER LEASE/USAGE	50.29
<b>Public Works General Maintenance Services</b>		
346501 PERS	ADMIN FEE ADJ	0.19
346625 XEROX CORPORATION	COPIER LEASE/USAGE	134.14
<b>Public Works Street Maintenance</b>		
346377 ANTIOCH BUILDING MATERIALS	ASPHALT MATERIALS	1,796.16
346476 MB COMPANIES INC	SOLENOID	384.98
346497 PERRY, DENNIS J	SAFETY SHOES REIMBURSE	215.93
346501 PERS	ADMIN FEE ADJ	3.53
346593 NEXTEL SPRINT	CELL PHONE	57.47
<b>Public Works-Signal/Street Lights</b>		
346600 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	645.85
920104 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	984.29
<b>Public Works-Striping/Signing</b>		
346501 PERS	ADMIN FEE ADJ	4.04
346593 NEXTEL SPRINT	CELL PHONE	57.47
346611 ROBERTS AND BRUNE CO	SUPPLIES	488.25
<b>Public Works-Facilities Maintenance</b>		
202775 STAPLES	PRINTER	98.09
346469 M AND L OVERHEAD DOORS	GATE REPAIR	150.00
346501 PERS	ADMIN FEE ADJ	1.52
346591 MUNICIPAL POOLING AUTHORITY	PROPERTY INSURANCE	3,132.00
920025 LEES BUILDING MAINTENANCE	JANITORIAL SERVICE	2,494.82
<b>Public Works-Parks Maint</b>		
346422 DELTA FENCE CO	FENCE REPAIR	2,992.00
346457 KAY PARK AND REC CORP	EQUIPMENT REPLACEMENT	796.00
346494 PACHECO BROTHERS GARDENING INC	LANDSCAPE SERVICES	40,057.17
346501 PERS	ADMIN FEE ADJ	0.48

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346518 SPECTRATURF INC	SURFACE MATERIALS	798.60
346600 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	119.17
<b>Public Works-Median/General Land</b>		
346501 PERS	ADMIN FEE ADJ	0.84
346598 ORCHARD SUPPLY HARDWARE	SUPPLIES	23.92
346600 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	48.95
<b>Public Works-Work Alternative</b>		
346501 PERS	ADMIN FEE ADJ	0.53
346593 NEXTEL SPRINT	CELL PHONE	147.95
<b>Warehouse &amp; Central Stores</b>		
346501 PERS	ADMIN FEE ADJ	0.04
<b>Police Administration</b>		
202655 SERRATO AND ASSOCIATES	TRAINING-ROSE	55.00
202656 SERRATO AND ASSOCIATES	TRAINING-MORIN	55.00
346374 ALL PRO PRINTING SOLUTIONS	PLAIN MANILA FOLDERS	1,966.06
346379 ARROWHEAD 24 HOUR TOWING INC	TOWING SERVICES	412.50
346380 ASR - BRICKER MINCOLA	UNIFORMS	2,449.45
346386 BARAKOS, DIMITRI A	PER DIEM	183.00
346396 CALIF ASSOC OF TACTICAL OFFICERS	TUITION-MALSOM	427.00
346397 CALIF ASSOC OF TACTICAL OFFICERS	TUITION-GIRARD	427.00
346401 COLLEY, JAMES M	TRAVEL EXPENSE	75.00
346402 COMMERCIAL SUPPORT SERVICES	CAR WASHES	378.00
346403 CONCORD UNIFORMS LLC	UNIFORMS	91.12
346404 CONTRA COSTA COUNTY	RANGE USE FEES	790.00
346405 CONTRA COSTA COUNTY	TRAINING-DEE/HYNES/CASTILLO	1,032.00
346406 CONTRA COSTA COUNTY	TUITION-GREEN/HOFFMAN	426.00
346407 CONTRA COSTA COUNTY	TUITION-MALSOM/MCDONALD	342.00
346411 CONTRA COSTA COUNTY	GUN BUY BACK PROGRAM	10,000.00
346413 COPLOGIC	MAINTENANCE SERVICES	11,025.00
346426 DOUBLETREE HOTEL SACRAMENTO	LODGING-BARAKOS	288.79
346427 DOUBLETREE HOTEL SACRAMENTO	LODGING-GIRARD	288.79
346428 DOUBLETREE HOTEL SACRAMENTO	LODGING-MALSOM	288.79
346432 EMBASSY SUITES	LODGING-MENDES	731.75
346433 EMBASSY SUITES	LODGING-MCMURRY	731.75
346434 EMBASSY SUITES	LODGING-KRENZ	731.75
346442 GIRARD, JEANNINE G	PER DIEM	183.00
346455 JOHNSON, VIRGINIA L	EXPENSE REIMBURSEMENT	95.25
346461 KRENZ, RONALD L	PER DIEM	355.00
346463 LC ACTION POLICE SUPPLY	SUPPLIES	80.50
346474 MALSOM, STACEY K	PER DIEM	183.00
346478 MCMURRY, JAMES P	PER DIEM	355.00
346480 MENDES, AURELIANO M	PER DIEM	355.00
346491 OFFICE MAX INC	OFFICE SUPPLIES	59.25
346501 PERS	ADMIN FEE ADJ	9.31
346506 REGIONAL TRAINING CENTER	TUITION-COLLEY	610.00
346513 SACTO REGIONAL PUBLIC SAFETY	TUITION-SCHNITZIUS	172.00

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346514 SCHNITZIUS, TREVOR W	TRAVEL EXPENSE	75.00
346521 STATE OF CALIFORNIA	FINGERPRINTING	32.00
346531 VERIZON WIRELESS	AIR CARDS	76.02
346553 BEST WESTERN	LODGING-PFEIFFER	329.58
346554 BITTNER, DESMOND D	LODGING REIMBURSEMENT	835.75
346566 CONCORD UNIFORMS LLC	UNFIORM	828.40
346571 CONTRA COSTA COUNTY	FELONY FILING FEES	5,975.00
346573 CRISTANDO HOUSE INC	TUITION-DEE	279.00
346584 INTERNATIONAL ASSOC FOR PROPERTY	TUITION-PFEIFFER	350.00
346586 LC ACTION POLICE SUPPLY	SUPPLIES	251.46
346596 OFFICE MAX INC	OFFICE SUPPLIES	395.39
346605 PFEIFFER, DEAN A	PER DIEM	142.00
346625 XEROX CORPORATION	COPIER LEASE/USAGE	1,823.69
920012 HUNTINGTON COURT REPORTERS INC	TRANSCRIPTION SERVICES	52.00
920039 MOBILE MINI LLC	STORAGE CONTAINER RENTAL	106.98
<b>Police Community Policing</b>		
346438 RETIREE	PENSION PAYMENT	4,999.00
346441 RETIREE	PENSION PAYMENT	3,999.00
346443 RETIREE	PENSION PAYMENT	3,225.00
346447 HUNT AND SONS INC	FUEL	37.36
346501 PERS	PAYROLL DEDUCTIONS	574.09
346519 STANTON, WILLIAM JEFF	COURT APPEARANCE	991.81
346590 MOORE K9 SERVICES	K9 TRAINING	500.00
<b>Police Traffic Division</b>		
346501 PERS	ADMIN FEE ADJ	5.80
<b>Police Investigations</b>		
346399 CASTILLO IV, SANTIAGO	PER DIEM	112.00
346409 CONTRA COSTA COUNTY	LAB TESTING	13,971.50
346410 CONTRA COSTA COUNTY	FY2013/2014 CALL ID PORTION	108,604.00
346416 COURT SERVICES INC	PRISONER TRANSPORTATION	2,200.00
346437 FREIER, DIANE	COURT APPEARANCE	529.69
346440 FUHRMANN, THOMAS J	EXPENSE REIMBURSEMENT	117.08
346477 MC MANUS, ERIC A	EXPENSE REIMBURSEMENT	408.52
346501 PERS	PAYROLL DEDUCTIONS	1,354.10
346625 XEROX CORPORATION	COPIER LEASE/USAGE	758.05
<b>Police Special Operations Unit</b>		
346501 PERS	ADMIN FEE ADJ	5.91
346617 TOYOTA FINANCIAL SERVICES	VEHICLE LEASE	1,543.90
<b>Police Communications</b>		
346382 AT AND T MOBILITY	HIGH SPEED WIRELESS	2,711.96
346383 AT AND T MOBILITY	HIGH SPEED WIRELESS	435.04
346420 DELTA DENTAL	PAYROLL DEDUCTIONS	111.74
346501 PERS	ADMIN FEE ADJ	10.34
346546 AT AND T MCI	PHONE	655.27
346547 AT AND T MCI	PHONE	372.83
346567 CONTRA COSTA COUNTY	ANNUAL SOFTWARE FEE	3,762.21

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346596 OFFICE MAX INC	OFFICE SUPPLIES	183.06
920009 HUBB SYSTEMS LLC DATA 911	EXTENDED SYSTEM SUPPORT	163,570.95
<b>Police Community Volunteers</b>		
346403 CONCORD UNIFORMS LLC	UNIFORMS	483.27
346501 PERS	ADMIN FEE ADJ	0.27
<b>Police Facilities Maintenance</b>		
346376 ANIXTER NORTHERN CALIFORNIA	LCD MONITOR	697.65
346593 NEXTEL SPRINT	CELL PHONE	2,646.16
920025 LEES BUILDING MAINTENANCE	JANITORIAL SERVICE	4,411.17
920100 CLUB CARE INC	GYM MAINTENANCE	225.00
<b>Community Development Administration</b>		
346625 XEROX CORPORATION	COPIER LEASE/USAGE	346.45
<b>Community Development Land Planning Services</b>		
346578 EIDEN, KITTY J	MINUTES CLERK	186.00
346608 RANEY PLANNING & MANAGEMENT INC	CONSULTING SERVICES	4,688.75
<b>Community Development Neighborhood Improvement</b>		
202826 CONTRA COSTA COUNTY	LIEN RELEASE FEES	30.00
<b>PW Engineer Land Development</b>		
346501 PERS	ADMIN FEE ADJ	6.69
346593 NEXTEL SPRINT	CELL PHONE	169.18
346596 OFFICE MAX INC	OFFICE SUPPLIES	76.98
346625 XEROX CORPORATION	COPIER LEASE/USAGE	187.88
<b>Community Development Building Inspection</b>		
346460 KRAMER WEISE	PROFESSIONAL SERVICES	3,745.50
346501 PERS	ADMIN FEE ADJ	1.90
346540 AMS DOT NET INC	PROFESSIONAL SERVICES	774.00
346593 NEXTEL SPRINT	CELL PHONE	58.02
346596 OFFICE MAX INC	OFFICE SUPPLIES	196.43
<b>Capital Imp. Administration</b>		
203041 DS WATERS OF AMERICA	WATER	31.84
346501 PERS	ADMIN FEE ADJ	1.32
346596 OFFICE MAX INC	OFFICE SUPPLIES	46.96
346625 XEROX CORPORATION	COPIER LEASE/USAGE	35.44
<b>Community Development Engineering Services</b>		
346501 PERS	ADMIN FEE ADJ	1.02
346593 NEXTEL SPRINT	CELL PHONE	57.47
346625 XEROX CORPORATION	COPIER LEASE/USAGE	265.71
<b>212 CDBG Fund</b>		
<b>CDBG</b>		
346487 MUNICIPAL POOLING AUTHORITY	13/14 ERMA PREMIUM	30.00
346501 PERS	ADMIN FEE ADJ	0.01
346565 COMMUNITY VIOLENCE SOLUTIONS	CDBG SERVICES	19.51
<b>213 Gas Tax Fund</b>		
<b>Streets</b>		
346435 FEDEX	SHIPPING	27.58
346475 MARK THOMAS AND CO INC	PROFESSIONAL SERVICES	5,660.49

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346495 PARSONS BRINCKERHOFF INC	WILBUR AVE PROJECT	73,777.58
346501 PERS	ADMIN FEE ADJ	0.08
346556 BNSF RAILWAY COMPANY INC	WILBUR AVE PROJECT	39,141.65
346600 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	116.04
920051 PROVEN MANAGEMENT INC	WILBUR AVE PROJECT	1,090,434.01
<b>214 Animal Control Fund</b>		
<b>Animal Control</b>		
346487 MUNICIPAL POOLING AUTHORITY	13/14 ERMA PREMIUM	1,296.00
346488 MWI VETERINARY SUPPLY CO	SUPPLIES	49.37
346501 PERS	ADMIN FEE ADJ	1.74
346542 ANIMAL SUPPLY LOGISTICS	SUPPLIES	766.00
346593 NEXTEL SPRINT	CELL PHONE	522.86
346625 XEROX CORPORATION	COPIER LEASE/USAGE	202.88
920025 LEES BUILDING MAINTENANCE	JANITORIAL SERVICE	435.75
<b>215 Civic Arts Fund</b>		
<b>Civic Arts</b>		
346544 ARTS AND CULTURAL FOUNDATION	ALLOCATION	12,500.00
346591 MUNICIPAL POOLING AUTHORITY	PROPERTY INSURANCE	649.00
<b>216 Park-In-Lieu Fund</b>		
<b>Parks &amp; Open Space</b>		
346501 PERS	ADMIN FEE ADJ	0.01
346511 ROYAL WHOLESALE ELECTRIC	SUPPLIES	1,970.57
346541 ANCHOR CONCRETE CONSTRUCTION	REMOVE/REPLACE STAIRS	14,400.00
<b>219 Recreation Fund</b>		
<b>Non Departmental</b>		
346479 MEDINA, VERONICA	DEPOSIT REFUND	1,000.00
346516 SILENT PARTNER PRIVATE SECURITY	SECURITY SERVICES	1,300.00
346520 STATE BOARD OF EQUALIZATION	SALES TAX	170.23
346568 CONTRA COSTA COUNTY	NUTRITION PROGRAM	34,232.50
<b>Senior Programs</b>		
346487 MUNICIPAL POOLING AUTHORITY	13/14 ERMA PREMIUM	424.00
346501 PERS	ADMIN FEE ADJ	1.07
<b>Recreation Classes/Prog</b>		
202932 WU, RUI BIN	CLASS REFUND	27.00
202933 HOUSTON, VANESSA	CLASS REFUND	29.00
202934 HAMPTON, VERONICA	CLASS REFUND	29.00
202935 LEMOS, ANGELA	CLASS REFUND	29.00
202936 GONZALES, JAMES	CLASS REFUND	29.00
202937 PATROCK, KATHRYN	CLASS REFUND	56.00
202938 MURPHY, TAMILA	CLASS REFUND	29.00
346394 BURNS, KATE	CLASS REFUND	174.00
346431 EDUCATION TO GO	CONTRACTOR PAYMENT	134.50
346439 FRESHI FILMS LLC	CONTRACTOR PAYMENT	1,432.00
346449 INCREDIFLIX INC	CONTRACTOR PAYMENT	948.00
346459 KOVALICK, LUANNE	CONTRACTOR PAYMENT	566.40
346470 MAD SCIENCE OF MT DIABLO	CONTRACTOR PAYMENT	600.00

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346471 MADSEN, MELISSA	CONTRACTOR PAYMENT	2,205.00
346487 MUNICIPAL POOLING AUTHORITY	13/14 ERMA PREMIUM	430.00
346508 ROBERTS, NANCY	CONTRACTOR PAYMENT	574.20
346524 THOMPSON, RANDALL	CONTRACTOR PAYMENT	42.00
346575 DAY ROA, RENEE	CONTRACTOR PAYMENT	1,914.00
<b>Recreation Camps</b>		
346388 BATES, DEANA	CLASS REFUND	165.00
346391 BIG SKY LOGOS AND EMBROIDERY	SHIRTS	556.46
<b>Recreation Sports Programs</b>		
346487 MUNICIPAL POOLING AUTHORITY	13/14 ERMA PREMIUM	381.00
346501 PERS	ADMIN FEE ADJ	1.63
<b>Recreation-New Comm Cntr</b>		
346392 BLUE SHIELD LIFE	PAYROLL DEDUCTIONS	11.25
346420 DELTA DENTAL	PAYROLL DEDUCTIONS	105.60
346446 HONEYWELL INTERNATIONAL INC	EMERGENCY REPAIRS	9,371.43
346487 MUNICIPAL POOLING AUTHORITY	13/14 ERMA PREMIUM	409.00
346501 PERS	PAYROLL DEDUCTIONS	787.22
346591 MUNICIPAL POOLING AUTHORITY	PROPERTY INSURANCE	14,748.00
346600 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	10,672.18
346625 XEROX CORPORATION	COPIER LEASE/USAGE	342.85
<b>221 Asset Forfeiture Fund</b>		
<b>Asset Forfeiture</b>		
346585 KUSTOM SIGNALS INC	EQUIPMENT	20,958.97
<b>222 Measure C Fund</b>		
<b>Streets</b>		
346501 PERS	ADMIN FEE ADJ	0.04
346551 BAY CITIES PAVING AND GRADING	LONE TREE PROJECT	150,831.50
<b>223 Child Care Fund</b>		
<b>Child Care</b>		
346591 MUNICIPAL POOLING AUTHORITY	PROPERTY INSURANCE	395.00
<b>226 Solid Waste Reduction Fund</b>		
<b>Solid Waste Used Oil</b>		
346539 ALLIED WASTE SERVICES	OIL COLLECTION SERVICE	1,594.30
<b>Solid Waste</b>		
346487 MUNICIPAL POOLING AUTHORITY	13/14 ERMA PREMIUM	95.00
346501 PERS	ADMIN FEE ADJ	0.47
<b>229 Pollution Elimination Fund</b>		
<b>Channel Maintenance Operation</b>		
346487 MUNICIPAL POOLING AUTHORITY	13/14 ERMA PREMIUM	535.00
346501 PERS	ADMIN FEE ADJ	0.82
346540 AMS DOT NET INC	PROFESSIONAL SERVICES	688.00
346577 ECORP CONSULTING INC	PROFESSIONAL SERVICES	87.50
346593 NEXTEL SPRINT	CELL PHONE	48.75
346610 RMC WATER AND ENVIRONMENT	CONSULTING SERVICES	11,636.88

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**238 PEG Franchise Fee Fund**

**Non Departmental**

346501 PERS	ADMIN FEE ADJ	0.01
346606 QUALITY SOUND	AUDIO VISUAL PROJECT	40,858.87

**251 Lone Tree SLLMD Fund**

**Lonetree Maintenance Zone 1**

346501 PERS	ADMIN FEE ADJ	0.31
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**Lonetree Maintenance Zone 2**

346501 PERS	ADMIN FEE ADJ	0.22
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**Lonetree Maintenance Zone 3**

346501 PERS	ADMIN FEE ADJ	0.30
346600 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	60.51

**Lonetree Maintenance Zone 4**

346501 PERS	ADMIN FEE ADJ	0.11
346595 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	825.00

**252 Downtown SLLMD Fund**

**Downtown Maintenance**

346501 PERS	ADMIN FEE ADJ	0.03
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**253 Almondridge SLLMD Fund**

**Almondridge Maintenance**

346501 PERS	ADMIN FEE ADJ	0.19
346595 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	1,175.00

**254 Hillcrest SLLMD Fund**

**Hillcrest Maintenance Zone 1**

346501 PERS	ADMIN FEE ADJ	0.49
346599 PACIFIC COAST LANDSCAPE MGMT INC	LANDSCAPE SERVICES	9,548.60

**Hillcrest Maintenance Zone 2**

346501 PERS	ADMIN FEE ADJ	0.35
346522 STEWARTS TREE SERVICE	TREE SERVICE	500.00

**Hillcrest Maintenance Zone 4**

346501 PERS	ADMIN FEE ADJ	0.44
346599 PACIFIC COAST LANDSCAPE MGMT INC	LANDSCAPE SERVICES	5,999.00

**255 Park 1A Maintenance District Fund**

**Park 1A Maintenance District**

346494 PACHECO BROTHERS GARDENING INC	LANDSCAPE SERVICES	160.00
346501 PERS	ADMIN FEE ADJ	0.10
346547 AT AND T MCI	PHONE	16.02
346600 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	32.38

**256 Citywide 2A Maintenance District Fund**

**Citywide 2A Maintenance Zone 3**

346501 PERS	ADMIN FEE ADJ	0.07
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**Citywide 2A Maintenance Zone 4**

346501 PERS	ADMIN FEE ADJ	0.03
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**Citywide 2A Maintenance Zone 5**

346501 PERS	ADMIN FEE ADJ	0.07
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**Citywide 2A Maintenance Zone 6**

346501 PERS ADMIN FEE ADJ 0.03

**Citywide 2A Maintenance Zone 8**

346501 PERS ADMIN FEE ADJ 0.11

**Citywide 2A Maintenance Zone 9**

346501 PERS ADMIN FEE ADJ 0.10

346599 PACIFIC COAST LANDSCAPE MGMT INC LANDSCAPE SERVICES 7,787.00

**Citywide 2A Maintenance Zone10**

346501 PERS ADMIN FEE ADJ 0.13

346595 ODYSSEY LANDSCAPE CO INC LANDSCAPE SERVICES 745.00

**257 SLLMD Administration Fund**

**SLLMD Administration**

202772 ARBOR DAY FOUNDATION MEMBER DUES 45.00

346487 MUNICIPAL POOLING AUTHORITY 13/14 ERMA PREMIUM 150.00

346501 PERS ADMIN FEE ADJ 0.25

346591 MUNICIPAL POOLING AUTHORITY PROPERTY INSURANCE 14,878.00

346593 NEXTEL SPRINT CELL PHONE 163.69

346598 ORCHARD SUPPLY HARDWARE SUPPLIES 206.12

346601 PAPA TRAINING SEMINAR 560.00

**259 East Lone Tree SLLMD Fund**

**Zone 1-District 10**

346501 PERS ADMIN FEE ADJ 0.13

346595 ODYSSEY LANDSCAPE CO INC LANDSCAPE SERVICES 1,200.00

346600 PACIFIC GAS AND ELECTRIC CO ELECTRIC 153.29

**311 Capital Improvement Fund**

**Measure WW**

920105 KARSTE CONSULTING INC CONSULTING SERVICES 1,440.00

**Streets**

346454 JD PARTNERS CONCRETE SIDEWALK REPAIR PROJECT 39,497.37

346501 PERS ADMIN FEE ADJ 0.01

**Public Buildings & Facilities**

346501 PERS ADMIN FEE ADJ 0.06

346580 FIELDTURF USA INC FIELD TURF PROJECT 330,242.23

920105 KARSTE CONSULTING INC CONSULTING SERVICES 1,800.00

**376 Lone Diamond Fund**

**Assessment District**

346501 PERS ADMIN FEE ADJ 0.05

346502 PUBLIC STORAGE STORAGE FEES 576.00

346577 ECORP CONSULTING INC PROFESSIONAL SERVICES 3,101.95

346603 PARSONS BRINCKERHOFF INC PROFESSIONAL SERVICES 3,337.80

346610 RMC WATER AND ENVIRONMENT CONSULTING SERVICES 11,617.99

**411 Golf Course Clubhouse Fund**

**Non Departmental**

346591 MUNICIPAL POOLING AUTHORITY PROPERTY INSURANCE 3,816.00

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**416 Honeywell Capital Lease Fund**

**Non Departmental**

346385 BANK OF AMERICA	LOAN PAYMENT	43,050.08
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**570 Equipment Maintenance Fund**

**Non Departmental**

346447 HUNT AND SONS INC	FUEL	9,281.61
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**Equipment Maintenance**

346378 ANTIOCH GLASS	WINDSHIELD REPLACEMENT	239.88
346423 DELTA TRUCK CENTER	REPAIR SERVICE	473.88
346452 IRONMAN PARTS AND SERVICES	VEHICLE REPAIR	450.00
346482 MITCHELL ONE INC	SOFTWARE	1,592.78
346486 MUNICIPAL POOLING AUTHORITY	VEHICLE POLICY 13/14	7,434.00
346487 MUNICIPAL POOLING AUTHORITY	13/14 ERMA PREMIUM	954.00
346501 PERS	ADMIN FEE ADJ	3.24
346503 PURSUIT NORTH	SUPPLIES	512.27
346543 ARROWHEAD 24 HOUR TOWING INC	TOWING SERVICES	271.88
346548 BANK OF AMERICA	DOOR HANDLES	308.44
346591 MUNICIPAL POOLING AUTHORITY	PROPERTY INSURANCE	991.00
346625 XEROX CORPORATION	COPIER LEASE/USAGE	61.48

**573 Information Services Fund**

**Information Services**

346487 MUNICIPAL POOLING AUTHORITY	13/14 ERMA PREMIUM	407.00
346501 PERS	ADMIN FEE ADJ	1.39
346549 BARTON, T ALAN	EXPENSE REIMBURSEMENT	527.59
346593 NEXTEL SPRINT	CELL PHONE	56.48
346623 VERIZON WIRELESS	AIR CARD	35.11

**Network Support & PCs**

346487 MUNICIPAL POOLING AUTHORITY	13/14 ERMA PREMIUM	640.00
346501 PERS	ADMIN FEE ADJ	2.94
346547 AT AND T MCI	PHONE	357.32
346549 BARTON, T ALAN	EXPENSE REIMBURSEMENT	429.45
346564 COMCAST	INTERNET SERVICE	116.39
346593 NEXTEL SPRINT	CELL PHONE	120.81

**Telephone System**

346487 MUNICIPAL POOLING AUTHORITY	13/14 ERMA PREMIUM	44.00
346501 PERS	ADMIN FEE ADJ	0.23
346545 AT AND T MCI	PHONE	25.98
346547 AT AND T MCI	PHONE	2,134.88

**GIS Support Services**

346487 MUNICIPAL POOLING AUTHORITY	13/14 ERMA PREMIUM	591.00
346501 PERS	ADMIN FEE ADJ	1.91

**Office Equipment Replacement**

346445 HEWLETT PACKARD COMPANY	COMPUTER EQUIPMENT	1,462.94
346540 AMS DOT NET INC	PROFESSIONAL SERVICES	774.00

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**577 Post Retirement Medical-Police Fund**

***Non Departmental***

346395 RETIREE	MEDICAL AFTER RETIREMENT	1,323.92
346464 RETIREE	MEDICAL AFTER RETIREMENT	842.00
346489 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
346501 PERS	MEDICAL AFTER RETIREMENT	4,045.17
346510 RETIREE	MEDICAL AFTER RETIREMENT	219.32
346517 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
346525 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
346536 RETIREE	MEDICAL AFTER RETIREMENT	461.74
346555 RETIREE	MEDICAL AFTER RETIREMENT	1,219.06
919953 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
919954 RETIREE	MEDICAL AFTER RETIREMENT	219.32
919959 RETIREE	MEDICAL AFTER RETIREMENT	1,111.84
919962 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
919971 RETIREE	MEDICAL AFTER RETIREMENT	1,088.53
919972 RETIREE	MEDICAL AFTER RETIREMENT	350.06
919974 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
919976 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
919986 RETIREE	MEDICAL AFTER RETIREMENT	1,090.04
919990 RETIREE	MEDICAL AFTER RETIREMENT	810.00
919991 RETIREE	MEDICAL AFTER RETIREMENT	219.32
920003 RETIREE	MEDICAL AFTER RETIREMENT	173.37
920006 RETIREE	MEDICAL AFTER RETIREMENT	219.32
920008 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
920010 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
920011 RETIREE	MEDICAL AFTER RETIREMENT	130.73
920020 RETIREE	MEDICAL AFTER RETIREMENT	173.37
920038 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
920041 RETIREE	MEDICAL AFTER RETIREMENT	553.63
920053 RETIREE	MEDICAL AFTER RETIREMENT	352.26
920054 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
920056 RETIREE	MEDICAL AFTER RETIREMENT	887.95
920066 RETIREE	MEDICAL AFTER RETIREMENT	553.63
920076 RETIREE	MEDICAL AFTER RETIREMENT	173.32
920080 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
920084 RETIREE	MEDICAL AFTER RETIREMENT	553.63
920094 RETIREE	MEDICAL AFTER RETIREMENT	553.63
920096 RETIREE	MEDICAL AFTER RETIREMENT	193.61
920098 RETIREE	MEDICAL AFTER RETIREMENT	4,889.04

**578 Post Retirement Medical-Misc Fund**

***Non Departmental***

346390 RETIREE	MEDICAL AFTER RETIREMENT	239.69
346419 RETIREE	MEDICAL AFTER RETIREMENT	239.69
346425 RETIREE	MEDICAL AFTER RETIREMENT	121.69
346429 RETIREE	MEDICAL AFTER RETIREMENT	387.26

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 Finance Accounting

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346430	RETIREE	MEDICAL AFTER RETIREMENT	594.38
346456	RETIREE	MEDICAL AFTER RETIREMENT	239.69
346481	RETIREE	MEDICAL AFTER RETIREMENT	239.69
346493	RETIREE	MEDICAL AFTER RETIREMENT	121.69
346501	PERS	MEDICAL AFTER RETIREMENT	5,982.15
346504	RETIREE	MEDICAL AFTER RETIREMENT	121.69
346507	RETIREE	MEDICAL AFTER RETIREMENT	594.38
346509	RETIREE	MEDICAL AFTER RETIREMENT	121.69
346515	RETIREE	MEDICAL AFTER RETIREMENT	239.69
346533	RETIREE	MEDICAL AFTER RETIREMENT	519.26
919955	RETIREE	MEDICAL AFTER RETIREMENT	255.43
919956	RETIREE	MEDICAL AFTER RETIREMENT	594.38
919957	RETIREE	MEDICAL AFTER RETIREMENT	146.32
919958	RETIREE	MEDICAL AFTER RETIREMENT	358.51
919961	RETIREE	MEDICAL AFTER RETIREMENT	121.69
919965	RETIREE	MEDICAL AFTER RETIREMENT	239.69
919967	RETIREE	MEDICAL AFTER RETIREMENT	239.69
919969	RETIREE	MEDICAL AFTER RETIREMENT	594.38
919975	RETIREE	MEDICAL AFTER RETIREMENT	121.69
919977	RETIREE	MEDICAL AFTER RETIREMENT	358.38
919980	RETIREE	MEDICAL AFTER RETIREMENT	121.69
919982	RETIREE	MEDICAL AFTER RETIREMENT	239.69
919985	RETIREE	MEDICAL AFTER RETIREMENT	121.69
919988	RETIREE	MEDICAL AFTER RETIREMENT	173.37
919989	RETIREE	MEDICAL AFTER RETIREMENT	594.38
919993	RETIREE	MEDICAL AFTER RETIREMENT	173.37
919996	RETIREE	MEDICAL AFTER RETIREMENT	121.69
919997	RETIREE	MEDICAL AFTER RETIREMENT	121.69
919999	RETIREE	MEDICAL AFTER RETIREMENT	531.64
920000	RETIREE	MEDICAL AFTER RETIREMENT	163.02
920005	RETIREE	MEDICAL AFTER RETIREMENT	594.38
920007	RETIREE	MEDICAL AFTER RETIREMENT	121.69
920015	RETIREE	MEDICAL AFTER RETIREMENT	239.69
920016	RETIREE	MEDICAL AFTER RETIREMENT	121.69
920019	RETIREE	MEDICAL AFTER RETIREMENT	594.38
920022	RETIREE	MEDICAL AFTER RETIREMENT	239.69
920024	RETIREE	MEDICAL AFTER RETIREMENT	121.69
920028	RETIREE	MEDICAL AFTER RETIREMENT	594.38
920031	RETIREE	MEDICAL AFTER RETIREMENT	358.38
920033	RETIREE	MEDICAL AFTER RETIREMENT	358.38
920037	RETIREE	MEDICAL AFTER RETIREMENT	594.38
920047	RETIREE	MEDICAL AFTER RETIREMENT	358.38
920048	RETIREE	MEDICAL AFTER RETIREMENT	121.69
920058	RETIREE	MEDICAL AFTER RETIREMENT	239.69
920061	RETIREE	MEDICAL AFTER RETIREMENT	239.69
920065	RETIREE	MEDICAL AFTER RETIREMENT	594.38

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920070 RETIREE	MEDICAL AFTER RETIREMENT	121.69
920079 RETIREE	MEDICAL AFTER RETIREMENT	594.38
920081 RETIREE	MEDICAL AFTER RETIREMENT	255.43
920083 RETIREE	MEDICAL AFTER RETIREMENT	173.37
920087 RETIREE	MEDICAL AFTER RETIREMENT	709.38
920093 RETIREE	MEDICAL AFTER RETIREMENT	358.38
920095 RETIREE	MEDICAL AFTER RETIREMENT	358.38
920097 RETIREE	MEDICAL AFTER RETIREMENT	84.28
920099 RETIREE	MEDICAL AFTER RETIREMENT	121.69

**579 Post Retirement Medical-Mgmt Fund**

***Non Departmental***

346387 RETIREE	MEDICAL AFTER RETIREMENT	239.69
346400 RETIREE	MEDICAL AFTER RETIREMENT	964.95
346415 RETIREE	MEDICAL AFTER RETIREMENT	179.69
346436 RETIREE	MEDICAL AFTER RETIREMENT	121.69
346444 RETIREE	MEDICAL AFTER RETIREMENT	239.69
346448 RETIREE	MEDICAL AFTER RETIREMENT	400.00
346465 RETIREE	MEDICAL AFTER RETIREMENT	358.38
346483 RETIREE	MEDICAL AFTER RETIREMENT	759.38
346496 RETIREE	MEDICAL AFTER RETIREMENT	121.69
346501 PERS	MEDICAL AFTER RETIREMENT	9,168.95
346505 RETIREE	MEDICAL AFTER RETIREMENT	255.43
346523 RETIREE	MEDICAL AFTER RETIREMENT	594.38
346537 RETIREE	MEDICAL AFTER RETIREMENT	173.37
919960 RETIREE	MEDICAL AFTER RETIREMENT	358.38
919963 RETIREE	MEDICAL AFTER RETIREMENT	358.38
919964 RETIREE	MEDICAL AFTER RETIREMENT	256.89
919966 RETIREE	MEDICAL AFTER RETIREMENT	179.70
919968 RETIREE	MEDICAL AFTER RETIREMENT	121.69
919970 RETIREE	MEDICAL AFTER RETIREMENT	898.90
919973 RETIREE	MEDICAL AFTER RETIREMENT	594.38
919978 RETIREE	MEDICAL AFTER RETIREMENT	625.86
919979 RETIREE	MEDICAL AFTER RETIREMENT	121.69
919981 RETIREE	MEDICAL AFTER RETIREMENT	594.38
919983 RETIREE	MEDICAL AFTER RETIREMENT	474.38
919984 RETIREE	MEDICAL AFTER RETIREMENT	358.38
919987 RETIREE	MEDICAL AFTER RETIREMENT	255.43
919992 RETIREE	MEDICAL AFTER RETIREMENT	358.38
919994 RETIREE	MEDICAL AFTER RETIREMENT	898.90
919995 RETIREE	MEDICAL AFTER RETIREMENT	121.69
919998 RETIREE	MEDICAL AFTER RETIREMENT	1,184.56
920001 RETIREE	MEDICAL AFTER RETIREMENT	408.20
920002 RETIREE	MEDICAL AFTER RETIREMENT	358.38
920004 RETIREE	MEDICAL AFTER RETIREMENT	461.74
920013 RETIREE	MEDICAL AFTER RETIREMENT	315.64
920017 RETIREE	MEDICAL AFTER RETIREMENT	724.38

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920018 RETIREE	MEDICAL AFTER RETIREMENT	358.38
920021 RETIREE	MEDICAL AFTER RETIREMENT	255.43
920023 RETIREE	MEDICAL AFTER RETIREMENT	594.38
920026 RETIREE	MEDICAL AFTER RETIREMENT	358.38
920027 RETIREE	MEDICAL AFTER RETIREMENT	358.38
920029 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
920030 RETIREE	MEDICAL AFTER RETIREMENT	239.69
920032 RETIREE	MEDICAL AFTER RETIREMENT	239.69
920034 RETIREE	MEDICAL AFTER RETIREMENT	159.02
920035 RETIREE	MEDICAL AFTER RETIREMENT	358.38
920036 RETIREE	MEDICAL AFTER RETIREMENT	358.38
920040 RETIREE	MEDICAL AFTER RETIREMENT	964.95
920042 RETIREE	MEDICAL AFTER RETIREMENT	173.37
920043 RETIREE	MEDICAL AFTER RETIREMENT	255.43
920044 RETIREE	MEDICAL AFTER RETIREMENT	146.32
920045 RETIREE	MEDICAL AFTER RETIREMENT	594.38
920046 RETIREE	MEDICAL AFTER RETIREMENT	358.38
920049 RETIREE	MEDICAL AFTER RETIREMENT	121.69
920050 RETIREE	MEDICAL AFTER RETIREMENT	121.69
920055 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
920057 RETIREE	MEDICAL AFTER RETIREMENT	121.69
920059 RETIREE	MEDICAL AFTER RETIREMENT	358.38
920060 RETIREE	MEDICAL AFTER RETIREMENT	358.38
920062 RETIREE	MEDICAL AFTER RETIREMENT	239.69
920063 RETIREE	MEDICAL AFTER RETIREMENT	146.32
920064 RETIREE	MEDICAL AFTER RETIREMENT	379.69
920067 RETIREE	MEDICAL AFTER RETIREMENT	898.90
920068 RETIREE	MEDICAL AFTER RETIREMENT	594.38
920069 RETIREE	MEDICAL AFTER RETIREMENT	121.69
920071 RETIREE	MEDICAL AFTER RETIREMENT	255.43
920072 RETIREE	MEDICAL AFTER RETIREMENT	625.86
920074 RETIREE	MEDICAL AFTER RETIREMENT	121.69
920075 RETIREE	MEDICAL AFTER RETIREMENT	759.38
920078 RETIREE	MEDICAL AFTER RETIREMENT	121.69
920082 RETIREE	MEDICAL AFTER RETIREMENT	255.43
920085 RETIREE	MEDICAL AFTER RETIREMENT	2,051.22
920086 RETIREE	MEDICAL AFTER RETIREMENT	358.38
920088 RETIREE	MEDICAL AFTER RETIREMENT	358.38
920089 RETIREE	MEDICAL AFTER RETIREMENT	1,111.84
920090 RETIREE	MEDICAL AFTER RETIREMENT	121.69
920091 RETIREE	MEDICAL AFTER RETIREMENT	1,623.44
920092 RETIREE	MEDICAL AFTER RETIREMENT	255.43

**611 Water Fund**

***Water Supervision***

346487 MUNICIPAL POOLING AUTHORITY	13/14 ERMA PREMIUM	11,414.00
346492 ONLINE RESOURCES	UNIDENTIFIED PYMT	100.00

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346501 PERS	ADMIN FEE ADJ	4.84
346512 RT LAWRENCE CORP	LOCKBOX PROCESSING FEE	1,388.80
346589 MCKINLEY HOLDING 1 LP	CHECK REPLACEMENT	10.45
346591 MUNICIPAL POOLING AUTHORITY	PROPERTY INSURANCE	41,007.00
346593 NEXTEL SPRINT	CELL PHONE	85.94
346615 STRATTON, TAMARA	CHECK REPLACEMENT	84.37

**Water Production**

346375 ALLIED PACKING AND SUPPLY INC	DISCHARGE HOSE	112.88
346414 CORRPRO COMPANIES INC	CATHODIC PROTECTION	11,700.00
346462 LAW OFFICE OF MATTHEW EMRICK	LEGAL SERVICES	4,884.00
346501 PERS	ADMIN FEE ADJ	4.61
346547 AT AND T MCI	PHONE	66.80
346552 BERNAL JR, ROWLAND	EXPENSE REIMBURSEMENT	164.45
346558 BURLINGAME ENGINEERS INC	REPAIR KITS	2,162.30
346562 COLEY, TIMOTHY P	AWWA REIMBURSEMENT	135.00
346581 FLOW SCIENCE INCORPORATED	PROFESSIONAL SERVICES	4,472.10
346593 NEXTEL SPRINT	CELL PHONE	68.50
346599 PACIFIC COAST LANDSCAPE MGMT INC	LANDSCAPE SERVICES	1,539.60
346600 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	19.06
346607 RACINE VORTEX SHEDDING FLOW METERS	FLOW METER	2,909.24
346624 WALTER BISHOP CONSULTING	PROFESSIONAL SERVICES	2,235.45
346625 XEROX CORPORATION	COPIER LEASE	137.70
920025 LEES BUILDING MAINTENANCE	JANITORIAL SERVICE	658.60
920073 SIERRA CHEMICAL CO	HYDROFLUOSILICIC ACID	23,184.57
920101 GENERAL CHEMICAL CORP	ALUM	7,462.87
920102 GRAINGER INC	SUPPLIES	93.86
920105 KARSTE CONSULTING INC	CONSULTING SERVICES	1,440.00

**Water Distribution**

346377 ANTIOCH BUILDING MATERIALS	ASPHALT MATERIALS	11,520.85
346421 DELTA DIABLO SANITATION DISTRICT	RECYCLED WATER	8,808.96
346450 INFOSEND INC	POSTAGE	11,424.00
346473 MAIL STREAM	MAILING SERVICES	158.10
346484 MT DIABLO LANDSCAPE CENTERS INC	CEMENT	375.84
346490 NCBPA	TRAINING WORKSHOP	280.00
346501 PERS	ADMIN FEE ADJ	17.54
346528 UNITED STATES POSTAL SERVICE	POSTAGE	5,000.00
346535 WESCO RECEIVABLES CORP	PIPE & FITTINGS	442.13
346540 AMS DOT NET INC	PROFESSIONAL SERVICES	3,182.00
346560 CHADWICK, JEFFREY D	EXPENSE REIMBURSEMENT	135.00
346587 M & L SERPA TRUCKING INC	TRUCK RENTAL	2,960.20
346588 MAIL STREAM	MAILING SERVICES	204.10
346593 NEXTEL SPRINT	CELL PHONE	356.49
346596 OFFICE MAX INC	OFFICE SUPPLIES	64.52
346611 ROBERTS AND BRUNE CO	PIPE & FITTINGS	1,095.68
346619 TYLER TECHNOLOGIES	MONTHLY INSITE FEES	340.00
346620 UNDERGROUND SERVICE ALERT INC	ANNUAL DUES	1,637.28

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346625 XEROX CORPORATION	COPIER LEASE/USAGE	156.49
<b>Water Meter Reading</b>		
346501 PERS	ADMIN FEE ADJ	1.35
346593 NEXTEL SPRINT	CELL PHONE	47.13
346619 TYLER TECHNOLOGIES	LASERFICHE TRAINING	63.00
<b>Public Buildings &amp; Facilities</b>		
346468 LOZANO SMITH LLP	LEGAL SERVICES	16,410.62
346501 PERS	ADMIN FEE ADJ	0.70
346557 BROWN AND CALDWELL INC	CONSULTANT SERVICES	15,899.20
346600 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	3,983.92
<b>Warehouse &amp; Central Stores</b>		
346501 PERS	ADMIN FEE ADJ	0.50
346526 UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	13.00
346593 NEXTEL SPRINT	CELL PHONE	49.55
346625 XEROX CORPORATION	COPIER LEASE/USAGE	143.49
<b>612 Water Line Expansion Fund</b>		
<b>Water Systems</b>		
346501 PERS	ADMIN FEE ADJ	0.01
<b>621 Sewer Fund</b>		
<b>Sewer-Wastewater Supervision</b>		
346487 MUNICIPAL POOLING AUTHORITY	13/14 ERMA PREMIUM	4,309.00
346501 PERS	ADMIN FEE ADJ	1.85
346593 NEXTEL SPRINT	CELL PHONE	9.55
346596 OFFICE MAX INC	OFFICE SUPPLIES	64.54
346625 XEROX CORPORATION	COPIER LEASE/USAGE	156.49
<b>Sewer-Wastewater Collection</b>		
346450 INFOSEND INC	POSTAGE	11,424.00
346451 INFRASTRUCTURE TECHNOLOGIES LLC	CONSULTING SERVICES	1,000.00
346473 MAIL STREAM	MAILING SERVICES	158.09
346501 PERS	ADMIN FEE ADJ	10.25
346528 UNITED STATES POSTAL SERVICE	POSTAGE	5,000.00
346540 AMS DOT NET INC	PROFESSIONAL SERVICES	3,182.00
346588 MAIL STREAM	MAILING SERVICES	204.10
346593 NEXTEL SPRINT	CELL PHONE	162.70
346619 TYLER TECHNOLOGIES	MONTHLY INSITE FEES	402.00
920052 QUENVOLDS	SAFETY SHOES-PORTER	215.93
920107 QUENVOLDS	SAFETY SHOES-JEFFERSON	170.35
<b>Wastewater Collection</b>		
346501 PERS	ADMIN FEE ADJ	0.67
<b>622 Sewer Facilities Expansion Fund</b>		
<b>Wastewater Collection</b>		
346454 JD PARTNERS CONCRETE	SIDEWALK REPAIR PROJECT	50,508.00
346501 PERS	ADMIN FEE ADJ	0.02
346610 RMC WATER AND ENVIRONMENT	PROFESSIONAL SERVICES	12,568.49



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**631 Marina Fund**

**Non Departmental**

346538 STATE BOARD OF EQUALIZATION SALES TAX 1,600.20

**Marina Administration**

346412 CONTRA COSTA COUNTY FIRE PROTECTION OPERATIONAL PERMIT 323.75  
 346424 DEPT OF BOATING AND WATERWAYS LOAN PAYMENT 293,063.00  
 346487 MUNICIPAL POOLING AUTHORITY 13/14 ERMA PREMIUM 575.00  
 346501 PERS ADMIN FEE ADJ 0.65  
 346591 MUNICIPAL POOLING AUTHORITY PROPERTY INSURANCE 5,715.00  
 346625 XEROX CORPORATION COPIER LEASE 137.70

**Marina Maintenance**

346500 PORT SUPPLY DOCK LINES 206.65  
 346572 CONTROLLED ENVIRONMENTAL SERVICES EQUIPMENT SERVICE 690.87  
 346595 ODYSSEY LANDSCAPE CO INC LANDSCAPE SERVICES 890.00  
 920014 ICR ELECTRICAL CONTRACTORS ELECTRICAL SERVICES 2,091.81  
 920025 LEES BUILDING MAINTENANCE JANITORIAL SERVICE 1,355.14

**Marina Boat Launch**

346501 PERS ADMIN FEE ADJ 0.08

**Major Projects**

346389 BAY AREA NEWS GROUP LEGAL AD 334.94  
 346435 FEDEX SHIPPING 41.27  
 346501 PERS ADMIN FEE ADJ 0.01

**641 Prewett Water Park Fund**

**Non Departmental**

346372 ACUNA, CECILA DEPOSIT REFUND 500.00  
 346520 STATE BOARD OF EQUALIZATION SALES TAX 3,330.44

**Recreation Aquatics**

203034 VIGNALE, ENZO CLASS REFUND 45.00  
 203035 PULANCO, JORDYN CLASS REFUND 10.00  
 203036 PILGRIM, ROBEE CLASS REFUND 38.00  
 346485 MUIR, ROXANNE AEROBICS INSTRUCTOR 140.00  
 346487 MUNICIPAL POOLING AUTHORITY 13/14 ERMA PREMIUM 249.00

**Recreation Water Park**

203031 INK'EM UNIFORM EMBROIDERY 39.06  
 203032 STAPLES THERMAL TAPE 38.51  
 346398 CAMP ORINDA DEPOSIT REFUND 250.00  
 346418 DA ISLAND WAY EVENT ENTERTAINMENT 600.00  
 346446 HONEYWELL INTERNATIONAL INC EMERGENCY REPAIR 708.47  
 346458 KING DJ COMPANY EVENT ENTERTAINMENT 1,180.00  
 346472 MAGIC PRINCESS PARTIES INC EVENT ENTERTAINMENT 200.00  
 346487 MUNICIPAL POOLING AUTHORITY 13/14 ERMA PREMIUM 997.00  
 346499 PITCHER, JUSTIN WILLIAM EXPENSE REIMBURSEMENT 138.33  
 346501 PERS ADMIN FEE ADJ 1.39  
 346527 UNITED STATES POSTAL SERVICE POSTAGE 6,600.00  
 346529 UNIVAR USA INC CHEMICALS 484.31  
 346563 COMCAST MONTHLY DMX SERVICE 48.50

Prepared by: Georgina Meek  
 Finance Accounting

8/8/2013

CITY OF ANTIOCH  
 CLAIMS BY FUND REPORT  
 FOR THE PERIOD OF  
 JULY 25 - AUGUST 7, 2013  
 FUND/CHECK#

346579 EWING IRRIGATION PRODUCTS	IRRIGATION SYSTEM REMOTE	1,073.01
346591 MUNICIPAL POOLING AUTHORITY	PROPERTY INSURANCE	3,057.00
346594 OAKLEYS PEST CONTROL	PEST CONTROL SERVICE	150.00
346621 UNIVAR USA INC	CHEMICALS	1,081.62
346625 XEROX CORPORATION	COPIER LEASE/USAGE	461.13
920102 GRAINGER INC	SUPPLIES	433.13
<b>Rec Prewett Concessions</b>		
203033 PARTY CITY	SUPPLIES	98.94
346530 US FOODSERVICE INC	CONCESSION SUPPLIES	1,081.20
346561 COCA COLA BOTTLING CO	CONCESSION SUPPLIES	2,255.43
346583 ICEE COMPANY, THE	SUPPLIES	1,210.86
<b>721 Employee Benefits Fund</b>		
<b>Non Departmental</b>		
346373 AFLAC	PAYROLL DEDUCTIONS	7,719.78
346392 BLUE SHIELD LIFE	PAYROLL DEDUCTIONS	2,033.42
346417 CSAC EXCESS INSURANCE AUTHORITY	PAYROLL DEDUCTIONS	2,716.00
346420 DELTA DENTAL	PAYROLL DEDUCTIONS	26,464.17
346501 PERS	PAYROLL DEDUCTIONS	273,719.24
346569 CONTRA COSTA COUNTY	PAYROLL DEDUCTIONS	50.00
346570 CONTRA COSTA COUNTY	PAYROLL DEDUCTIONS	400.00
346597 OPERATING ENGINEERS LOCAL NO 3	PAYROLL DEDUCTIONS	1,200.15
346602 PARS	PAYROLL DEDUCTIONS	6,740.27
346604 PERS LONG TERM CARE	PAYROLL DEDUCTIONS	56.90
346612 STATE OF CALIFORNIA	PAYROLL DEDUCTIONS	200.00
346613 STATE OF CALIFORNIA	PAYROLL DEDUCTIONS	214.00
346614 STATE OF FLORIDA DISBURSE UNIT	PAYROLL DEDUCTIONS	150.00
346616 TEXAS CHILD SUPPORT DISBURSE UNIT	PAYROLL DEDUCTIONS	422.77
346618 RECIPIENT	PAYROLL DEDUCTIONS	112.15
346622 US DEPT OF EDUCATION	PAYROLL DEDUCTIONS	301.51
920106 NATIONWIDE RETIREMENT SOLUTIONS	PAYROLL DEDUCTIONS	20,661.02
920108 VANTAGEPOINT TRANSFER AGENTS	PAYROLL DEDUCTIONS	1,334.13
<b>752 Storm Drain Deposits Fund</b>		
<b>Non Departmental</b>		
346408 CONTRA COSTA COUNTY	DRAINAGE FEES	564.00

**STAFF REPORT TO THE CITY COUNCIL  
FOR CONSIDERATION AT THE MEETING OF AUGUST 13, 2013**

**Prepared by:** Mindy Gentry, Senior Planner *MG*

**Approved by:** Tina Wehrmeister, Community Development & Recreation Director *TW*

**Date:** August 8, 2013

**Subject:** Adoption of an Ordinance Approving the Rezoning for Areas 1, 2a, and 2b of the Northeast Antioch Area (Z-13-03)

**RECOMMENDATION**

It is recommended the City Council adopt the attached ordinance approving the rezoning for Areas 1, 2a, and 2b, consisting of approximately 678 acres of unincorporated land, located generally south of the Sacramento County line along the San Joaquin River in the vicinity of Wilbur Avenue, west of the City of Oakley, north and east of the boundaries of the City of Antioch.

**BACKGROUND INFORMATION**

The attached ordinance was introduced by the Council on July 30, 2013. The Council made no changes to the ordinance at this meeting. Direction was provided to prioritize development of the final zoning district for Area 2b once annexation is complete.

**FINANCIAL IMPACT**

There is no direct fiscal impact associated with the adoption of the proposed ordinance.

**OPTIONS**

The recommended action is consistent with the City Council's introduction of the ordinance on July 30, 2013.

**ATTACHMENTS**

**A: Ordinance**

Exhibit 1: Rezoning Map

Exhibit 2: "Goals for Annexation Area 2b To Be Implemented Through The "S" Study District Process (Z-13-03), Or Alternate Means, Such As General Plan Changes Or Modifications To Other Sections Of The City Code

# ATTACHMENT "A"

## ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH ADOPTING THE PREZONING FOR APPROXIMATELY 678 ACRES OF UNINCORPORATED LAND, REFERRED TO AS AREAS 1, 2A, AND 2B OF THE NORTHEAST ANTIOCH ANNEXATION AREA, WHICH IS GENERALLY LOCATED SOUTH OF THE SACRAMENTO COUNTY LINE ALONG THE SAN JOAQUIN RIVER IN THE VICINITY OF WILBUR AVENUE, WEST OF THE CITY OF OAKLEY, NORTH AND EAST OF THE BOUNDARIES OF THE CITY OF ANTIOCH

### SECTION 1. Findings.

- A. The City Council in June 2007 adopted a resolution directing City staff to submit to the Local Agency Formation Commission (LAFCO) an annexation application for Area 1 of the Northeast Antioch Area. This application was subsequently submitted by City staff to LAFCO in September 2007. Area 1 is located within the City's Sphere of Influence and is also located within the City's Urban Limit Line (ULL) as approved by Antioch voters.
- B. Prezoning is required by LAFCO prior to an annexation being considered for action.
- C. In processing the annexation as initiated by City Council in June 2007, concurrence was not reached in concept between the City and the County on the key provisions of the Tax Exchange Agreement until January 2012. This concurrence has allowed the prezoning and annexation process to move forward.
- D. Based on formal direction provided by LAFCO via a letter dated May 11, 2012, the City Council, on June 12, 2012, initiated the annexation of Areas 2a and 2b.
- E. The Planning Commission of the City of Antioch has reviewed the Final Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (the "MMRP") for the Northeast Antioch Area Reorganization, dated February 2013 (the "Final IS/MND"), and on May 15, 2013, at a duly noticed public hearing, the Planning Commission considered the Final IS/MND and MMRP and voted unanimously to recommend that the City Council of the City of Antioch adopt the Final IS/MND and MMRP, and approve the prezoning as described in the Final IS/MND (the "Project"), by a 6-0 vote with one Commissioner absent.
- F. Following such Planning Commission hearing, the City Council reviewed the Final IS/MND and MMRP, together with all comments received on the Draft IS/MND and the Final IS/MND and MMRP both during and after the public review and comment period and the public review process.
- G. On July 30, 2013, the City Council conducted a duly noticed public hearing at which it considered the Final IS/MND and MMRP and the Project, and received public testimony and comments thereon.
- H. Based on such hearing, comments, and testimony, and based on the whole record for the Project, including but not limited to the Final IS/MND and MMRP and all comments received, the City Council hereby finds that there is no substantial evidence in the record showing that implementation of the Project as described in the Final IS/MND and MMRP will have a significant effect on the environment.

- I. The City Council further finds that the findings set forth in this Ordinance, and the findings, analysis and conclusions set forth in the Final IS/MND and MMRP, reflect the City of Antioch's considered and independent judgment and analysis.
- J. The City Council finds the rezoning is consistent with the City of Antioch General Plan, and with the General Plan land use designations as contained in the "Eastern Waterfront Employment Focus Area".
- K. The City Council finds the rezoning is consistent with the requirements of the Transportation Sales Tax Initiative, Measure J.

## **SECTION 2. Rezoning.**

The property shown in Exhibit 1, attached hereto, is hereby rezoned as follows and the zoning map is hereby amended accordingly.

1. Area 1 is rezoned "Heavy Industrial" (M-2) and "Open Space" (OS) zoning districts, as delineated in Exhibit 1, and shall be subject to all development standards and requirements for these districts codified in the Antioch Municipal Code.
2. Area 2a is rezoned "Urban Waterfront" (WF) and "Regional Commercial" (C-3) zoning districts, as delineated in Exhibit 1, and shall be subject to all development standards and requirements for these districts codified in the Antioch Municipal Code.
3. Area 2b is rezoned "Study District" (S) as depicted in Exhibit 1. The document "Goals for Annexation Area 2b To Be Implemented Through The "S" Study District Process (Z-13-03), Or Alternate Means, Such As General Plan Changes Or Modifications To Other Sections Of The City Code", which is attached as Exhibit 2 to this Ordinance, shall provide the direction regarding existing uses and direction to study the zoning of Area 2b following annexation.

## **SECTION 3. CEQA.**

The Final IS/MND and the associated MMRP are hereby adopted to comply with the requirements of the California Environmental Quality Act and support, among other things, the rezoning of Area 1, 2a, and 2b as described and introduced by this Ordinance. These documents, together with the remaining materials constituting the record of proceedings for the rezoning of Areas 1, 2a, and 2b, along with the Final IS/MND and MMRP are available for inspection and review at City Hall, 2<sup>nd</sup> Floor, Community Development Department, located at 200 "H" Street, Antioch CA.

## **SECTION 4. Publication; Effective Date.**

This Ordinance shall take effect and be enforced thirty (30) days from and after the date of its adoption by the City Council at a second reading and shall be published once within fifteen (15) days upon passage and adoption in the East County Times, a newspaper of general circulation printed and published in the City of Antioch.

**SECTION 5. Severability.**

Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

\* \* \* \* \*

I **HEREBY CERTIFY** that the foregoing ordinance was introduced at an adjourned regular meeting of the City Council of the City of Antioch held on the 30<sup>th</sup> day of July and passed and introduced at a regular meeting thereof, held on the 13<sup>th</sup> day of August, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
**Wade Harper, Mayor of the City of Antioch**

**ATTEST:**

\_\_\_\_\_  
**Arne Simonsen, City Clerk of the City of Antioch**

# EXHIBIT 1



Source: Google Earth, 2009

Proposed City of Antioch Rezoning

A4

**City of Antioch Northeast Reorganization:  
Goals for Annexation Area 2b to be implemented through the "S" Study District Process (Z-13-03), or  
alternate means, such as General Plan changes or modifications to other Sections of the City Code**

The following are the goals the City intends to implement as part of the "S" Study District rezoning process for Area 2b. These goals may be implemented through the Zoning Ordinance, or by General Plan amendments, or through modifications to other pertinent sections of the City's Municipal Code and/or other City requirements. The "S" Study District will give the City up to two years to develop appropriate zoning designation(s) to apply to Area 2b. The intended overall goal of this "S" Study District process will be the creation of new or modified City zoning designations that will appropriately accommodate existing and planned land uses and development for Area 2b. The following are the Goals that the City Council is directing City staff to address and otherwise incorporate into the zoning code and other City regulations and requirements pertinent to Annexation Area 2b.

**Development Standards**

- Develop zoning regulations and development standards that best fit/accommodate existing structures, uses, and lots within Area 2b in order to minimize to the extent practical the number of non conforming buildings and uses, with the caveat that protection of public health and safety shall take precedence over ensuring zoning conformity.
- Develop zoning development standards applicable to Area 2b in such a manner as to preserve the existing rural character of the area.
- Develop an agricultural overlay zone to protect and maintain the existing agricultural uses in the area, including the extensive vintage grape vines. Allow existing agricultural uses to continue by "grandfathering" the existing agricultural uses upon annexation into the City.
- Address the keeping of boats, trailers, and other vehicles within Area 2b by formulating regulations that incorporate and reflect, to the extent practical, the current County requirements, as opposed to current City requirements concerning the keeping of boats, trailers, and other vehicles.
- Allow for building additions and other expansions of existing structures for properties where connections have been made to the City's sewer system, and where such additions/expansions meet the relevant zoning requirements applicable to Area 2b.
- Consider subdivisions in cases where properties meet minimum lot size and other relevant requirements, and have connections to City sewer systems.

**Sewer and Water Connection**

- Address the City's existing code requirement mandating the connection to the City sewer system for residential and commercial uses that are within 200 feet of a City sewer system, by preparing a modified standard applicable specifically to Area 2b that would waive the distance requirement for a mandatory sewer connection in the event the septic system is functioning properly, as determined by the County Environmental Health Department.
- Acknowledge that within Area 2b sewer connections will be required as dictated by the County Environmental Health Code, and not by the City's 200 foot distance standard. It is the City's understanding that County Environmental Health requires a residence/business to connect to an existing sewer system in the event all of the following circumstances apply; 1) there is an available sewer within 300 feet, and 2) the septic system is not functioning properly as determined by County Environmental Health, and 3) the septic system will require a major repair as determined by County Environmental Health.



## Exhibit 2

- It is the City's intent that the City's current lack of regulations regarding water connections will be applicable to Area 2b. The City currently does not require a property relying on a well for potable water to connect to an available City water system. Any such connections to a City water system will be made at the discretion of the Area 2b resident/property owner. Additionally, any residents/property owners that choose to hook up to the City's potable water system, may continue to use their well water for non potable purposes such as irrigation, subject to the installation of valves and other devices as required by the City Engineer.

### **Streets**

- Develop a City of Antioch standard street section applicable to Area 2b that takes into account the existing street network, widths, and drainage. Such a modified street section will permit narrower streets without the standard requirements for curb/gutter/sidewalk along the entire street frontage.
- The City has no interest in proposing or supporting extending any of the existing streets, public or private, within Area 2b to connect with/or extend to streets outside of Area 2b, as such connections are not needed for circulation purposes, with the possible exception for emergency vehicle only access.
- The City has no interest in acquiring, condemning, or otherwise taking over ownership of any part or portion of the many private streets located within Area 2b. The City will not install infrastructure or make any improvements within privately owned streets unless and until all of the owners of that privately owned street voluntarily agree to grant the City the necessary rights of way/easements in which to install the infrastructure.
- The City will not exercise its power of eminent domain to the maximum extent practical unless there is a threat to fire, life, health or safety.

### **Livestock**

- Utilize the existing municipal code requirements pertaining to livestock. In cases where the City requirements are more restrictive than the County regarding the keeping of animals, then the City will "grandfather" animals allowed under the County, provided the conditions are determined safe and sanitary by the City.

### **Home Occupations**

- Utilize the existing municipal code requirements for home occupational use permits. In cases where the City's Home Occupation ordinance is more restrictive than the County regarding home based businesses, the City will "grandfather" any home based business legally established and allowed under the County.

# **STAFF REPORT TO THE ANTIOCH CITY COUNCIL FOR CONSIDERATION AT THE MEETING OF AUGUST 13, 2013**

Prepared by: Dawn Merchant, Finance Director

Date: August 5, 2013

Subject: Approval of Purchase Order with OfficeMax

## **RECOMMENDATION**

Approve purchase order with OfficeMax for the 2013/14 fiscal year for \$70,000.

## **BACKGROUND**

In November 2010, the City changed its main office supply vendor to OfficeMax by piggybacking on the America Saves Program contract to realize cost savings from our prior vendor ranging between 10 – 20% on purchases. In addition to the cost savings realized, the City began receiving an annual rebate based on the dollar volume of purchases made (1% rebate based upon City volume). In 2010, the estimated cost of city-wide purchases from OfficeMax was below the Council threshold for approval. Since the City began using OfficeMax, purchases have increased as more departments utilize this vendor and as more products become available (and at a more affordable cost) than had been purchased from other vendors. In the current fiscal year, cost of purchases through OfficeMax are estimated to be \$70,000, therefore, Council approval is required per our purchasing ordinance. The Finance Department is recommending approval of the purchase order in the amount of \$70,000 for the current fiscal year.

## **FINANCIAL IMPACT**

Office supply costs are already budgeted in the 2013/14 budget.

## **OPTIONS**

Approve purchase order to OfficeMax for \$70,000.

**STAFF REPORT TO THE MAYOR AND CITY COUNCIL FOR CONSIDERATION AT  
THE COUNCIL MEETING OF AUGUST 13, 2013**

**FROM:** Michelle Fitzer, Human Resources/Economic Development Director



**REVIEWED**

**BY:** Jim Jakel, City Manager  
Allan Cantando, Chief of Police



**DATE:** August 7, 2013

**SUBJECT: AMENDMENT OF THE LATERAL POLICE OFFICER HIRING POLICY  
FOR THE PERIOD OF JANUARY 1, 2013 – JUNE 30, 2014**

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**RECOMMENDATION**

It is recommended that the City Council adopt the attached resolution amending the Lateral Police Officer Hiring Policy for the period of January 1, 2013 – June 30, 2014.

**BACKGROUND**

On December 27, 2012, the City Council adopted an ordinance returning to the 3% @ 50 PERS formula for lateral sworn employees; those already in the retirement system.

As part of that action, the Council initially limited the number of Police Officer lateral hires for the period of January 1, 2013 – June, 30, 2014 to up to five (5). However, the City Manager was encouraged to return to Council to request authorization to hire above the limit established if the candidate pool or the retirement of seasoned Officers warranted it.

Despite ongoing and continuous recruitments, the Police Department is still fifteen (15) positions short of filling the budgeted compliment of 102 sworn employees, due to retirements since December 2012. This number will increase with planned retirements between now and December 1, 2013.

Since December the Police Department has successfully recruited three (3) lateral Police Officers, and currently have more in background checks. Presently, it appears that we have the possibility of hiring more than the originally authorized five (5) lateral Officers. Therefore, it is now time to request that the Council amend the authorized number of lateral hires for this period from five (5) to ten (10).

**FINANCIAL IMPACT**

The difference in the PERS rates between a lateral Officer and a Police Trainee is 13.216%, which at salary step C (mid-range) is approximately \$960 a month. However, with the number of vacant positions remaining, we have more than enough salary savings to cover this increased cost. In addition, hiring an experienced lateral Officer not only puts that Officer on the street significantly faster than a Trainee, it also saves the City the expense of paying for the Police Academy.

**ATTACHMENTS**

- A. Resolution Amending the Lateral Police Officer Hiring Policy for the period of January 1, 2013 – June 30, 2014

F  
8/13/13

**RESOLUTION NO. 2013/XX**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
AMENDING THE LATERAL POLICE OFFICER HIRING POLICY  
FOR THE PERIOD OF JANUARY 1, 2013 – JUNE 30, 2014**

**WHEREAS**, on December 27, 2012, the City Council adopted an ordinance authorizing an Amendment to the Contract between the Board of Administration of the California Public Employees' Retirement System (PERS) and the City Council of the City of Antioch to provide Section 21363.2 (3% @ 50 Full Formula) to local Safety members employed on or after the effective date of the amendment to contract; and

**WHEREAS**, the City Council initially limited the number of Police Officer lateral hires for the period of January 1, 2013 – June, 30, 2014, without further Council authorization, to up to five (5); and

**WHEREAS**, the original resolution indicated that in the event that the Police Department has qualified, quality lateral Police Officer candidates for hiring consideration above five (5) during this period, or due to separation of seasoned Officers there is a need to hire additional laterals, the City Manager was allowed and encouraged to return to Council to request authorization to hire above the limit established in that original resolution; and

**WHEREAS**, despite ongoing and continuous recruitments, the Police Department is still fifteen (15) positions short of filling the budgeted compliment of 102 sworn employees, due to retirements since December 2012, and this number will increase with planned retirements between now and December 1, 2013; and

**WHEREAS**, the Police Department has successfully recruited three (3) lateral Police Officers and have more in background checks.

**NOW, THEREFORE, BE IT RESOLVED** that the Police Department is authorized to hire up a total of to ten (10) lateral Police Officers during the period of January 1, 2013 – June 30, 2014, without further Council authorization.

\* \* \* \* \*

**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 13<sup>th</sup> day of August, 2013, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

---

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

**STAFF REPORT TO THE CITY COUNCIL  
FOR CONSIDERATION AT THE MEETING OF AUGUST 13, 2013**

**Prepared by:** Tina Wehrmeister, Community Development & Recreation Director 

**Date:** August 8, 2013

**Subject:** Amendment to the Fiscal Year 2014 Civic Arts Budget

**RECOMMENDATION**

Motion to approve an amendment to the Civic Arts budget by moving \$17,000 from estimated fund reserves to an expense account for additional program funding.

**DISCUSSION**

When the 13/14 fiscal year budget was adopted in June, the City Council directed staff to bring back an item on consent to move additional funding for the Antioch Arts and Cultural Foundation (Foundation) from Civic Arts fund reserves into the program expense budget should contemplated improvements to the Lynn House site be deemed not to be necessary. Current funding for the Foundation is programmed at \$25,000 for the fiscal year.

The total Civic Arts reserve fund is estimated to be \$22,372, which is more than the \$16,000 projected at budget adoption due to higher than assumed transit occupancy tax receipts. Within the last year there have been issues with vandalism and dumping at the Lynn House Gallery property on First Street. Approximately \$10,000 of the reserve account was earmarked for construction of a fence to protect the property.

Civic Arts funding has experienced a decline in revenue over the past several years and the Foundation is struggling to continue programming such as Lynn House art exhibits and has discontinued some programs such as assisting with public art (resident inquires, mural maintenance, etc.).

Weighing the importance of providing programs to the community and protecting the Lynn House asset, the remaining staff member and a volunteer have increased visits to the site to deter vandals in lieu of constructing a fence and they will continue to clean up after the homeless as they have in the past. In addition, continued programming and community presence at the Lynn House will also deter vandalism. The requested budget adjustment would leave \$5,000 in Civic Arts reserve. This recommendation is based on estimated fund reserves; therefore, funds will be provided to the Foundation in a two part installment basis as funds become available from transient occupancy tax receipts.

**FISCAL IMPACT**

Civic Arts is funded by transient occupancy tax. The recommended action will not impact the General Fund.

**OPTIONS**

None identified. The recommended action is consistent with City Council direction.

**STAFF REPORT TO THE CITY COUNCIL  
FOR CONSIDERATION AT THE MEETING OF AUGUST 13, 2013**

**Prepared by:** Tina Wehrmeister, Community Development Director 

**Date:** August 8, 2013

**Subject:** Request to Waive Rental Fees for the  
Annual Black History Art and Artifacts Exhibit in 2014

**RECOMMENDATION**

It is recommended that the City Council authorize staff to waive rental fees for the Annual Black History Art and Artifacts Exhibit in 2014.

**DISCUSSION**

The attached letter was submitted by Dr. Carrie Frazier (Attachment "A") requesting a waiver of fees for the annual exhibit. The exhibit was previously housed at the Antioch Historical Society however, that facility is no longer able to accommodate the number of visitors attracted by the event, and the community room in the Nick Rodriguez Community Center was identified as a viable alternative. The rental rates set by the City Council for community center facilities contemplates a single rental day for several hours as the typical customer profile, such as a wedding reception or conference. An art exhibit running for multiple days where it is also not convenient to repeatedly set up and take down the exhibit each day was not anticipated in the current fee schedule and results in a very costly event. Given these practical considerations and the fact that this presents the City with the opportunity to support a celebration of Black History Month with an in-kind contribution, staff is recommending waiver of the rental fees discussed in greater detail below. The City of Antioch would be identified as an event supporter on marketing and other materials.

The Black History Art and Artifacts Exhibit will occupy the community room at the Nick Rodriguez Community Center from Thursday, February 6 to Saturday, February 15, 2014. Dr. Frazier anticipates that the exhibit will be open to the public for four days. Exact dates are yet to be determined as the exhibit is staffed with volunteers.

The request for extended hours for a separate dinner can be addressed administratively. Regular fees will be paid for this event.

**FISCAL IMPACT**

The adopted City Event Policy allows consideration of fee waivers (see Attachment "B", Section 6 ii). The fee waiver requested for the Annual Black History Art and Artifacts Exhibit is approximately \$8,000. This includes the rental fees for all days that the

exhibit will occupy the community room (thereby making it unavailable for other rentals) and required janitorial service fee for four public viewing days. It is noted that the community room at the Nick Rodriguez Community Center has very little if any rental activity during the week. The refundable \$500 deposit will be collected in the event of accidental damage to the building.

Non-profit rental rate – 12 hours @ \$66/hr x 10 days = \$7,920  
Custodial – \$48/day x 4 days = \$192

### **OPTIONS**

Decline to waive the rental fees.

### **ATTACHMENTS**

- A. Letter from Dr. Carrie Frazier dated June 18, 2013
- B. City of Antioch Event Policy

# ATTACHMENT "A"

## RUAH COMMUNITY OUTREACH MINISTRIES, INC.

*Serving East and Central County*  
4425-C Treat Blvd., #294  
Concord, CA 94521 (925) 786-4827

June 18, 2013

Honorable Mayor Wade Harper  
Antioch City Council

Antioch, CA 94509

Dear Mayor Harper:

I am writing to share that the Ruah Community Outreach Ministries, Inc. (RCOM) is in the planning process for the Annual Black History Art and Artifacts Exhibit in 2014. The Exhibit has been presented in the City of Antioch, CA free of charge for the past two years. Attendance has increased from 175 people in 2012 to 345 in 2013. The attendees were made up of children, youth, adults, and seniors. There were 175 students from public and private schools in Antioch, CA. We anticipate that the attendance will continue to increase in 2014.

Currently, RCOM is looking for a larger venue to hold the 2014 Exhibit. The Antioch Museum provided a great location for the 2012 Exhibit at no charge, but is booked for 2014. Additionally, there were many more items to display than the space could accommodate. It was suggested by Diane Gibson-Gray to inquire about the Nick Rodriguez Community Center in Antioch as a potential facility to hold the event for 2014. After making a visit to the facility it seems to be an ideal location.

I spoke with Stacy Dempsy who manages the scheduling/rental of community facilities in Antioch and was told that the non-profit rental rate is \$75.00 per hour with a security deposit of \$500.00. Last year the Exhibit was presented two times a week (5 hours per day which includes 1- hours to set up and 1-hour to close) for three weeks. For 2014 the projected fees would total \$2,250.00; this cost is prohibitive for our organization.

RCOM is a non-profit organization and requests that rental fees be waived because the Black History Art & Artifacts Exhibit adds value to the City of Antioch, CA. The Exhibit presents positive images of African Americans past and present, raises self-esteem, encourages academic achievement for African Americans, and provides cross-cultural education and communication for the larger community. Additionally, RCOM would like to have a scholarship, fundraising dinner at the Nick Rodriguez Community Center on the last weekend (2/28/14) end of Black History Month from 6:00 to 11 p.m. (which includes 1- hour to set and 1- hour to take down). The ticket sales from the event would allow RCOM to pay the nonprofit rental costs for the dinner. However, I was told that the facility closes at 8:00 p.m. Is it possible to extend the closing time to 11:00 p.m.?

Your advice and or assistance with these requests will be greatly appreciated.

Respectfully,

Dr. Carrie Frazier, DM, President  
Ruah Community Outreach Ministries, Inc.  
(925)325-3358  
Email: fwc4260@sbcglobal.net



# ATTACHMENT "B"

Approved by the Antioch City Council on 11/10/09  
Revised by the Antioch City Council on 02/09/10  
Revised by the Antioch City Council on 04/27/10  
Revised by the Antioch City Council on 03/22/11  
Revised by the Antioch City Council on 02/22/11  
Revised by the Antioch City Council on 02/14/12  
Revised by the Antioch City Council on 02/28/12  
Revised by the Antioch City Council on 11/27/12  
Revised by the Antioch City Council on 03/26/13

## City of Antioch: Event Policy

1. City-Organized Events. The following events are examples of events organized by City staff on City property that are included in the particular department's annual budget. These events can use the City's name or logo, but all advertisements, brochures, etc. must receive City Manager approval in advance.

Child Safety Seat Inspection  
Fall Fest at Prewett Family Park  
Mayor's Golf Tournament to Support Scholarship Fund  
Open House for Public Works Week

2. City-Sponsored Events. The following events are either City organized but not on City property or the City is jointly organizing the event with other organizations. Depending on the event, additional insurance and/or waivers from participants may be required. These events can use the City's name or logo, but all advertisements, brochures, etc. must receive City Manager approval in advance.

Coastal Clean Up  
First Saturday Clean-up events  
Keep Antioch Beautiful  
Memorial Day Parade  
MLK Educational Competition Event  
Veterans' Day Parade

3. City-Supported Events. The following events are supported with staff, supplies or equipment resources only unless specific financial grants are approved. These events are run by other organizations or individuals that will be required to ensure that the appropriate insurance coverage is in place and/or waivers obtained if requested by the City. The City's name or logo should not be used in advertisements or brochures unless approved in advance by the City Manager.

Blues Festival at Waldie Plaza  
Cancer Society Relay for Life  
East County Economic Development Summit  
"Every 15 Minutes"  
Holiday Delites with parade, tree lighting and some vendors

National Night Out  
Neighborhood Watch Meetings  
Police Activities League (PAL) events  
Safety Fairs (e.g. at the Somersville Towne Center and other locations)  
Sister City Program  
Summer Concert Series at Prewett Family Park  
Fourth of July Celebration downtown including fireworks (City Council action on 4/27/10 and on 2/14/12 allowed a water bill insert to announce the event and fundraising with organization to pay the costs of insert 2/14/12; but on 03/26/13 added the event to the category of City-supported events)

4. Using the City's Name or Logo for Soliciting Donations. The following events or activities have not requested or received City support in the form of financial grant, staff assistance, supplies or equipment, but the City Council has given permission to use the City's name in fundraising efforts:

3/28/10, 3/27/11 and 4/1/12 Cesar Chavez Day and future requests for fundraising efforts for educational award component of Cesar Chavez Day if approved by the City Manager (City Council actions on 2/9/10, 2/22/11, 2/14/12 and 11/27/12)

5. City Lease of Facilities or Equipment. The City's rental of facilities or equipment to other organizations or individuals does not indicate City approval, sponsorship or support of the organization, individual or event. The use of the City's name or logo is not authorized in these situations.

6. Other Events. For events that are not listed above, the following protocols shall be followed:

a. City Manager approval is required for the following:

- i. Any public event involving a direct City grant of City funds (grants of \$1000 or more require City Council approval); or
- ii. Any public event involving expenditures for staff time, supplies, equipment or waivers of typical rental fees (expenditures of \$5,000 or more require City Council approval), excluding staff resources solely for reviewing use permits or special event permits; or
- iii. Any event for which the organizers desire to have the City publicly identified as a sponsor or supporter in advertisements, brochures, etc. However, if such City identification will be used for fundraising/donation purposes, then City Council approval will be required.

Approval of these events shall indicate the level of City involvement as categorized above, if any, and any requirements regarding insurance, waivers, advertising, etc.

b. City Council approval is required for the following:

- i. Any public event involving a direct City grant of City funds of \$1,000 or more; or
- ii. Any public events involving an estimated expenditure of \$5000 or more, including estimated costs for staffing, supplies or equipment excluding staff resources solely for reviewing use permits or special event permits.
- iii. Use of the City's name or logo for fundraising or donation purposes.

Approval of these events shall indicate the level of City involvement as categorized above, if any, and any requirements regarding insurance, waivers, advertising, etc.

**STAFF REPORT TO THE CITY COUNCIL  
FOR CONSIDERATION AT THE MEETING OF AUGUST 13, 2013**

**Prepared by:** Mike Bechtholdt, Deputy Public Works Director *RU For MB*  
**Approved by:** Ron Bernal, Public Works Director/City Engineer  
**Date:** August 1, 2013  
**Subject:** Approval of Annual Purchase Order for Electrical Supplies

**RECOMMENDATION**

It is recommended that City Council approve the cooperative purchase arrangement, or "piggyback" through the National Purchasing Partners (NPP) and issuance of a purchase order for electrical supplies and materials to Wesco Distribution, Inc. of Pasadena, CA in the amount of \$175,000.00.

**BACKGROUND**

The Warehouse & Central Stores operation is responsible for the procurement, storage and distribution of stock and non-stock items used by the City's various departments and is the receiving and distribution point for all supplies purchased. .

This is an annual purchase order for electrical supplies and materials to maintain inventory in support of daily operations of all divisions of Public Works. This is a piggyback contract through National Purchasing Partners (NPP) for product or services, contract #VH11199

**FISCAL IMPACTS**

Beginning in FY2013/14 \$175,000 has been allocated in the Central Stores Inventory Fund (6110000 14000) This contract is effective for a period of one year. .

**OPTIONS**

1. Approve award of proposal as recommended.
2. Provide alternate direction to staff.

**ATTACHMENT**

National Purchasing Partners (NPP) contract #VH11199

I  
08-13-13

## WESCO Products and Services

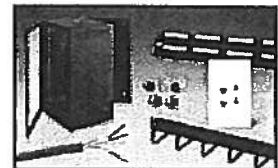
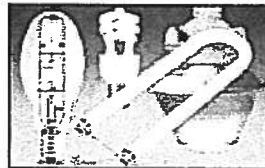
### Featured Contract:



Contract # VH11199  
Expires March 2020

WESCO Distribution, Inc. and Communications Supply Corporation (CSC) team up with National Purchasing Partners (NPP), a Cooperative Purchasing Program, to supply NPP members with electrical, lighting, voice and data communications, and security supplies. Our unique One WESCO arrangement allows for specific expertise of products and technology within each product sector. With WESCO being the sales division for Electrical & Lighting Products and CSC being the sales division for Data Communications & Security, the customer benefits by receiving best-in-class customer service. Together, WESCO and CSC form the largest electrical and data communications network in North America, with approximately 475 full service Branches, a full suite of global distribution capabilities, and annual sales of over \$6 billion.

*Effective March 2013, the League of Oregon Cities awarded WESCO a contract for Electrical, Data/Tele Communications, and Lighting Equipment (Solicitation Number 535) through a public, competitive bid process.*



### Key Manufacturers

- 3M
- Acme
- Advance
- Advanced Energy/ PV Powered
- AFL Telecommunications
- Aiphone
- Airmaster
- Allied – Powerstrut
- Altronix
- American Fastener
- APC
- Apex Tools
- Appleton
- Belden
- Berko
- Berktek
- Brady
- Bridgeport
- BRK
- Broan
- Buchanan
- Burndy
- Bussmann
- Cablofil
- Canadian Solar
- Cantex
- Carlon
- Chatsworth Products inc. (CPI)
- Circatel
- Circle A-W
- Commscope
- Cooper B-Line
- Cooper Crouse-Hinds
- Cooper Lighting
- Corning
- Cree Lighting
- Dottie
- DPW
- Dual-Lite
- Eaton
- Edwards Signaling
- EGS
- Emerson (Marconi)
- Energizer
- Enphase Energy
- Erico Caddy
- Ericson
- Federal Signal
- Fibertron
- Fluke
- GE
- General Cable
- Greenlee
- Hevi-Duty/Sola
- Hoffman
- Hubbell Lighting
- Ideal
- Intermatic
- ITE
- Klein Tools
- Korns
- Legrand
- Lenox
- Leviton
- Lithonia
- Lutron
- Maxcell
- McGill
- Metallics
- Micro Switch
- Midwest
- Milwaukee
- Minerallac
- Miniature Lamps
- Mohawk
- Myers
- Neer
- NSI/Tork
- Optical Cable Corp. (OCC)
- Ortronics
- OZ/Gedney
- Panduit
- Pass & Seymour
- Peico
- Phillips
- Preformed Line Products
- Proto
- Q-Mark (Marley)
- Raco
- Raritan
- Red Dot
- Robroy Industries
- Running Thread
- SDC
- Shat-R-Shield
- Siemon
- SMA
- Solar World
- Sollectra
- Stahlin
- Superior/Essex
- T&B
- Talk-A-Phone
- TE Connectivity
- Transition Networks
- Tripp-Lite
- Unirac
- Unistrut
- Valcom
- Viking
- Walker
- Westinghouse
- Wheelock
- Wiremold
- Woodhead

### Product Offering

- Batteries
- Boxes, Enclosures
- Building Entrance Protection
- Cable – High & Low Voltage
- Cable Assemblies
- Cable Tray
- Conduit, Raceway
- Connectors, Couplers
- Controls, Relays, Timers
- Data Cable – Cat5E, Cat6
- DVRs
- Electrical Distribution
- Emergency Phones
- Enclosures & Cabinets
- EV Charging
- Explosion-Proof Products
- Fans, Heaters, Ventilation
- Fasteners
- Fiber Optic Cable
- Fiber Optic Connectivity
- Fittings
- Fuses
- Innerduct
- Jacks, Faceplates, Panels
- Lamps & Ballasts
- Lighting Fixtures
- Lugs, Terminals, & Connectors
- Maintenance Supplies
- Mass Notification
- Motor Controls
- Motors
- Outside Plant Cable
- Outlet & Switch Boxes
- Raceway
- Security IP and Analog Cameras
- Server Cabinets
- Solar
- Splicing Enclosures
- Switches – Safety/ Signaling/Time
- Tape, Aerosols, & Tie Wraps
- Telecom Racks & Cabinets
- Termination, Tape, Splicing, Marking
- Test Equipment
- Tools – Hand & Power
- Transformers
- Wire & Cable
- Wiring Devices



WESCO  
DISTRIBUTION

**STAFF REPORT TO THE CITY COUNCIL  
FOR CONSIDERATION AT THE MEETING OF AUGUST 13, 2013**

**Prepared by:** Mike Bechtholdt, Deputy Public Works Director *RU for MB*  
**Approved by:** Ron Bernal, Public Works Director/City Engineer  
**Date:** August 16, 2013  
**Subject:** Approval of Annual Purchase Order for Water and Sewer Parts,  
Supplies and Materials

**RECOMMENDATION**

It is recommended that City Council approve the cooperative purchase arrangement, or "piggyback" through the Western States Contracting Alliance (WSCA) and issuance of a purchase order for Parts, Supplies and Materials to Grainger, Inc. of Concord, CA in the amount of \$85,000.00.

**BACKGROUND**

The Warehouse & Central Stores operation is responsible for the procurement, storage and distribution of stock and non-stock items used by the City's various departments and is the receiving and distribution point for all supplies purchased. The majority of operations for the Warehouse are accounted for in the Enterprise Funds.

This is an annual blanket purchase order for water and sewer parts, supplies and materials to maintain inventory in support of daily operations in the Water and Sewer divisions of Public Works. This is a piggyback contract through Western States Contracting Alliance (WSCA) for product or services, contract #7-1151-02.

**FISCAL IMPACTS**

Beginning in FY2013/14 \$85,000 has been allocated in the Central Stores Inventory Account 6110000 14000d. This contract is effective for a period of one year Funding for subsequent fiscal years of the contract would be approved by Council from the same accounts.

**OPTIONS**

1. Approve award of proposal as recommended.
2. Provide alternate direction to staff.

**ATTACHMENT**

Western States Contracting Alliance Contract Product/Services Contract #7-1151-02.

*J*  

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*08-13-13*

**WESTERN STATES CONTRACTING ALLIANCE (WSCA)  
CONTRACT PRODUCT/SERVICES  
USER INSTRUCTIONS**

Contractor Name	W.W. Grainger, Inc.
Contract Number	7-11-51-02
Contract Term Dates	7/25/2011 through 2/28/2014
WSCA Master Agreement	<a href="http://purchasing.state.nv.us/WSCA_Industrial/WSCAMRO.htm">http://purchasing.state.nv.us/WSCA_Industrial/WSCAMRO.htm</a>
CA General Provisions	<a href="http://www.dqs.ca.gov/pd/Programs/Leveraged/wscawscafacilitiesMRO.aspx">http://www.dqs.ca.gov/pd/Programs/Leveraged/wscawscafacilitiesMRO.aspx</a>
CA Participating Addendum	<a href="http://www.dqs.ca.gov/pd/Programs/Leveraged/wscawscafacilitiesMRO.aspx">http://www.dqs.ca.gov/pd/Programs/Leveraged/wscawscafacilitiesMRO.aspx</a>
Ordering Address for Prime Contractor	3691 Industrial Blvd. West Sacramento, CA 95691
Contact	Jason Huan
Phone	800/700-6955
Fax	888/790-1586
Email	<a href="mailto:castateteam@grainger.com">castateteam@grainger.com</a>
Ordering through Authorized Dealers:	When ordering through Grainger's small business/DVBE authorized dealers, make purchase order documents out to the small business/DVBE. Names of authorized dealers for Grainger and their contact information are published on our website.
Pricing (Website) Category Warranty Delivery Shipping Freight	In order to view the WSCA contract pricing, you must be registered and logged in online <a href="http://www.grainger.com/Grainger/wwg/start.shtml">http://www.grainger.com/Grainger/wwg/start.shtml</a>
Contractor Ownership Information	W.W. Grainger, Inc. is a large business enterprise.
California Seller's Permit	W.W. Grainger's California Seller's Permit No. is 98004877  Agencies can verify that this permit is still valid at the following Website: <a href="http://www.boe.ca.gov">www.boe.ca.gov</a> .
Payment Terms	Net 45 days
FEIN	36-1150280
CAL-Card Accepted	W.W. Grainger, Inc. accepts the State of California credit card (CAL-Card).  A Purchasing Authority Purchase Order (Std. 65) is required even when the ordering department chooses to pay the contractor via the CAL-Card.

**STAFF REPORT TO THE MAYOR AND CITY COUNCIL  
FOR CONSIDERATION AT THE MEETING OF AUGUST 13, 2013**

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

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

**DATE:** July 31, 2013

**SUBJECT:** Consideration of Bids for the Deer Valley Road/Davison Drive/Sunset Lane Pavement Rehabilitation Project, (P.W. 392-28)

**RECOMMENDATION**

It is recommended City Council award the project to the low bidder, Knife River Construction in the amount of \$1,895,127.00 and amend the CIP budget to include \$114,000.00 for curb, gutter and sidewalk repair within the project limit.

**BACKGROUND INFORMATION**

On July 30, 2013, thirteen (13) bids were received and opened, as shown on the attached tabulation. The low bid was submitted by Knife River Construction of Stockton in the amount of \$1,895,127.00. The bids have been checked and found to be without any errors or omissions.

This project will consist of grind and overlay of the existing pavement, and to replace damaged or uplifted concrete curb, gutter and sidewalk on Deer Valley Road from Lone Tree Way to Mammoth Drive, on Davison Drive from Hillcrest Avenue to Lone Tree Way and on Sunset Lane from Davison Drive to Lone Tree Way.

**FINANCIAL IMPACT**

The current FY 13/14 Capital Improvement Budget includes \$1,950,000.00 for this project. The budget will be amended to \$2,064,000.00, which includes an additional \$114,000.00 for curb, gutter and sidewalk repair. The project will be funded as follows: \$1,488,864.00 from the Prop 1B Grant and \$575,136.00 from the Gas Tax Fund.

**OPTIONS**

None considered at this time.

**ATTACHMENTS**

A: Tabulation of Bids



# ATTACHMENT "A"

<p><b>CITY OF ANTIOCH</b></p> <p><b>TABULATION OF BIDS</b></p>					
<p><b>JOB TITLE:</b> Deer Valley Road/Davison Drive/Sunset Lane Pavement Rehabilitation (P.W. 392-28)</p>					
<p><b>BIDS OPENED:</b> July 30, 2013 - 2:00 p.m. City Council Chambers</p>					
	<p><b>Engineer's Estimate</b></p>	<p><b>Knife River Construction</b> Stockton</p>	<p><b>MCK Services, Inc.</b> Concord</p>	<p><b>RGW Construction, Inc.</b> Livermore</p>	<p><b>Top Grade Construction</b> Livermore</p>
	\$2,000,000.00	\$1,895,127.00	\$1,949,666.00	\$1,964,423.00	\$1,987,965.00
<b>TOTAL BID PRICE</b>					\$2,029,681.00
<p><b>Bay Cities Paving &amp; Grading, Inc.</b> Concord</p>					

<p><b>Knife River Construction</b></p> <p>Striping Chrisp Company Electrical Mike Brown Electric</p>	<p><b>MCK Services, Inc.</b></p> <p>Striping Chrisp Company Electrical St. Frances Electric Tack Oil Pacific Northwest Oil Adjust Utilities JCC</p>	<p><b>RGW Construction, Inc.</b></p> <p>Striping Chrisp Company Electrical St. Frances Electric Adjust Utilities Riley's Striping</p>	<p><b>Top Grade Construction</b></p> <p>Striping Chrisp Company Electrical Mike Brown Electric</p>
<p><b>Bay Cities Paving &amp; Grading, Inc.</b></p> <p>Striping Chrisp Company Electrical St. Frances Electric Adjust Utilities Riley Striping AC Grinding Anrak Corp.</p>			

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**CITY OF ANTIOCH  
TABULATION OF BIDS**

**JOB TITLE:** Deer Valley Road/Davison Drive/Sunset Lane Pavement Rehabilitation  
(P.W. 392-28)

**BIDS OPENED:** July 30, 2013 ~ 2:00 p.m.  
City Council Chambers

	Engineer's Estimate	Argonaut Constructors Santa Rosa	Teichert Construction Stockton	Ghilotti Construction Company Santa Rosa	Interstate Grading & Paving, Inc. South San Francisco	Martin Brothers Construction Sacramento
<b>TOTAL BID PRICE</b>	\$2,000,000.00	\$2,052,656.00	\$2,063,601.00	\$2,066,099.00	\$2,150,993.80	\$2,250,007.50

<b>Argonaut Constructors</b>	<b>Teichert Construction</b>	<b>Ghilotti Construction Co.</b>	<b>Interstate Grading &amp; Paving, Inc.</b>	<b>Martin Brothers Construction</b>
Striping Chrisp Company Electrical Mike Brown Electric Tack Oil Pacific Northwest Oil AC Grinding ABSL	Striping Chrisp Company Electrical Mike Brown Electric	Striping Chrisp Company Electrical St. Frances Electric	Striping Chrisp Company Electrical LJR Adjust Utilities Riley Striping	Striping Chrisp Company Electrical Mike Brown Electric Adjust Existing Facilities Riley Striping Tack Oil Pacific Northwest Oil

A2

**CITY OF ANTIOCH  
TABULATION OF BIDS**

**JOB TITLE:** Deer Valley Road/Davison Drive/Sunset Lane Pavement Rehabilitation  
(P.W. 392-28)

**BIDS OPENED:** July 30, 2013 ~ 2:00 p.m.  
City Council Chambers

	<b>Engineer's Estimate</b>	<b>Ghilotti Bros., Inc. San Rafael</b>	<b>Road Reconstructors, Inc. San Jose</b>	<b>Synergy Project Management San Francisco</b>	
<b>TOTAL BID PRICE</b>	\$2,000,000.00	\$2,331,259.00	\$2,376,666.00	\$2,858,000.00	

<b>Ghilotti Bros., Inc.</b>	<b>Road Reconstructors</b>	<b>Synergy Project Management</b>	
Striping Chrisp Company Electrical St. Frances Electric Adjust Utilities Riley's Striping	Striping Chrisp Company Electrical St. Frances Electric	Striping Chrisp Company Electrical Columbia Electric Partial Paving Apadana Engineering	

A3

**STAFF REPORT TO THE MAYOR AND CITY COUNCIL  
FOR CONSIDERATION AT THE MEETING OF AUGUST 13, 2013**

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

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

**DATE:** August 6, 2013

**SUBJECT:** Resolution Accepting Work and Authorizing the Public Works Director/City Engineer to File a Notice of Completion for the 2013 Pavement Maintenance, Rubberized Cape Seal Project, P.W. 328-6

**RECOMMENDATION**

It is recommended that the City Council adopt the attached resolution accepting work, authorizing the Public Works Director/City Engineer to File a Notice of Completion and authorizing the Director of Finance to make a final payment of \$113,089.66 and a retention payment of \$23,474.75 to be paid 35 days after recordation of the Notice of Completion.

**BACKGROUND INFORMATION**

On March 26, 2013, the City Council awarded a contract to VSS International, Inc. in the amount of \$469,495.00.

The project included restoring pavement conditions by applying rubberized chip seal and slurry to existing residential streets listed as Attachment "C".

On July 13, 2013, the contractor completed all work associated with this project.

**FINANCIAL IMPACT**

The final contract price for this project is \$469,495.00. Funding for this project was provided from the Gas Tax Fund and through The California Department of Resources Recycling and Recovery (CalRecycle) Rubberized Pavement Grant Program.

**OPTIONS**

No options are suggested at this time.

**ATTACHMENTS**

- A: Resolution Accepting Work
- B: Notice of Completion
- C: Exhibit 'A' List of Streets

# ATTACHMENT "A"

RESOLUTION NO. 2013/\*\*  
RESOLUTION ACCEPTING WORK AND DIRECTING  
THE PUBLIC WORKS DIRECTOR/CITY ENGINEER  
TO FILE A NOTICE OF COMPLETION AND AUTHORIZING FINAL  
PAYMENT TO VSS INTERNATIONAL, INC.  
FOR THE 2013 PAVEMENT MAINTENANCE  
RUBBERIZED CAPE SEAL PROJECT  
(P.W. 328-6)

**WHEREAS**, the Public Works Director/City Engineer, has certified the completion of all work provided to be done under and pursuant to the contract between the City of Antioch and VSS International, Inc. and;

**WHEREAS**, it appears to the satisfaction of this City Council that said work under said contract has been fully completed and done as provided in said contract and the plans and specifications therein referred to;

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

The above-described work is hereby accepted.

The Public Works Director/City Engineer is directed to execute and file for record with the County Recorder, County of Contra Costa, a Notice of Completion thereof.

The Director of Finance is hereby directed to pay the Contractor a final payment of \$113,089.66 and a retention payment of \$23,474.75 to be paid 35 days after recordation of the Notice of Completion.

\* \* \* \* \*

**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 13<sup>th</sup> day of August, 2013 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

---

ARNE SIMONSEN, City Clerk

# ATTACHMENT "B"

Recorded at the request  
of and for the benefit  
of the City of Antioch

When recorded, return  
to City of Antioch  
Capital Improvements Division  
P.O. Box 5007  
Antioch, CA 94531-5007

## NOTICE OF COMPLETION

FOR

**2013 PAVEMENT MAINTENANCE  
RUBBERIZED CAPE SEAL PROJECT  
(P.W. 328-6)**

**NOTICE IS HEREBY GIVEN** that the work and improvements hereinafter described, the contract for which was entered into by and between the City of Antioch and VSS International, Inc. was completed on July 13, 2013.

The surety for said project was Western Surety Company.

The subject project consisted of rubberized cape seal at the locations described as Exhibit 'A' in Antioch, California.

**THE UNDERSIGNED STATES UNDER PENALTY OF  
PERJURY THAT THE ABOVE IS TRUE AND CORRECT**

\_\_\_\_\_  
Date

\_\_\_\_\_  
RON BERNAL, P.E.  
Public Works Director/City Engineer

# ATTACHMENT "C"

## EXHIBIT 'A'

### 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 CITY COUNCIL  
FOR CONSIDERATION AT THE COUNCIL MEETING OF AUGUST 13, 2013

SUBMITTED BY:

Donna Conley, City Treasurer

*DC*

DATE:

July 17, 2013

SUBJECT:

Presentation of Investment Report by PFM (Public Finance Management)

RECOMMENDATION:

Review and file.

BACKGROUND:

On September 27, 2011 the City Council approved to disband the Investment Advisory Committee. In order to keep the City Council and the public informed on investment transactions, PFM (Public Finance Management) will be making investment presentations to the City Council at meetings in January and July of each year.

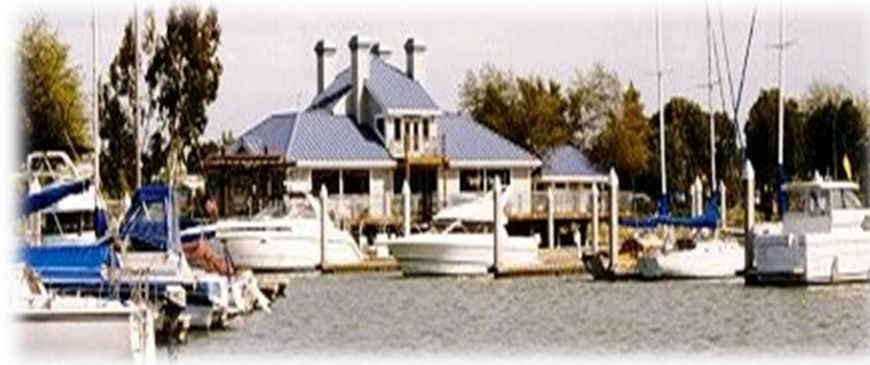
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*8-13-2013*





# City of Antioch



## Second Quarter 2013 Review of Portfolio

**PFM Asset Management LLC**

Nancy Jones, Managing Director

Sarah Meacham, Senior Managing Consultant

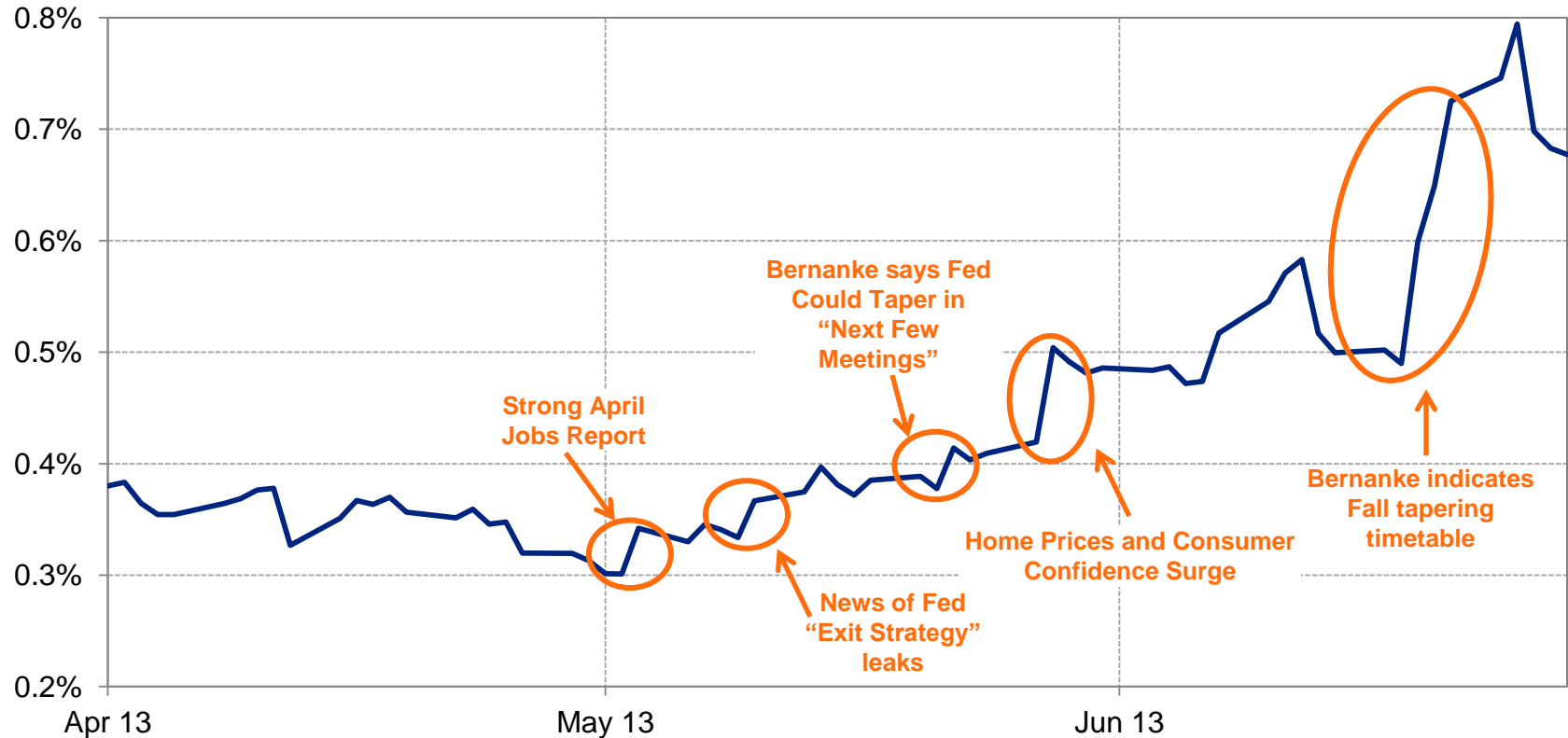
# Second Quarter 2013 Recap

- During the second quarter, interest rates experienced their largest increase since the fourth quarter of 2010. The increase in interest rates was largely due to the Federal Reserve's May and June meetings, which revealed the possibility that they would consider tapering bond purchases sooner than expected.
- Total returns, which take into account interest income as well as the change in market value of a portfolio, were negative for the second quarter for investments with durations longer than one year.
- Treasuries had higher returns than other sectors because, in addition to Treasury yields rising, spreads (yield difference) between Treasuries and Agencies or corporates also increased causing Agency and corporate yields to rise more (prices fall more).
- Trading activity for the quarter generated a total realized gain of \$58,099.
- Active investment management strategies we used during the quarter were as follows:
  - Diversified the City's corporates with issuers such as Apple and Toyota.
  - Increased allocation to negotiable CDs including some with floating-rate yields, which provide value without increasing the interest rate risk in the portfolio.
  - Captured opportunities in yield and spread movements through strategic extensions of select maturities.

# Second Quarter Market Movers

- Interest rates surged on a combination of positive economic news and the Federal Reserve's announcements that they would consider tapering their purchases of long-term Treasuries and mortgage-backed securities beginning in September.

**Yield on 3-Year U.S. Treasury Note**  
April 1, 2013 – June 30, 2013

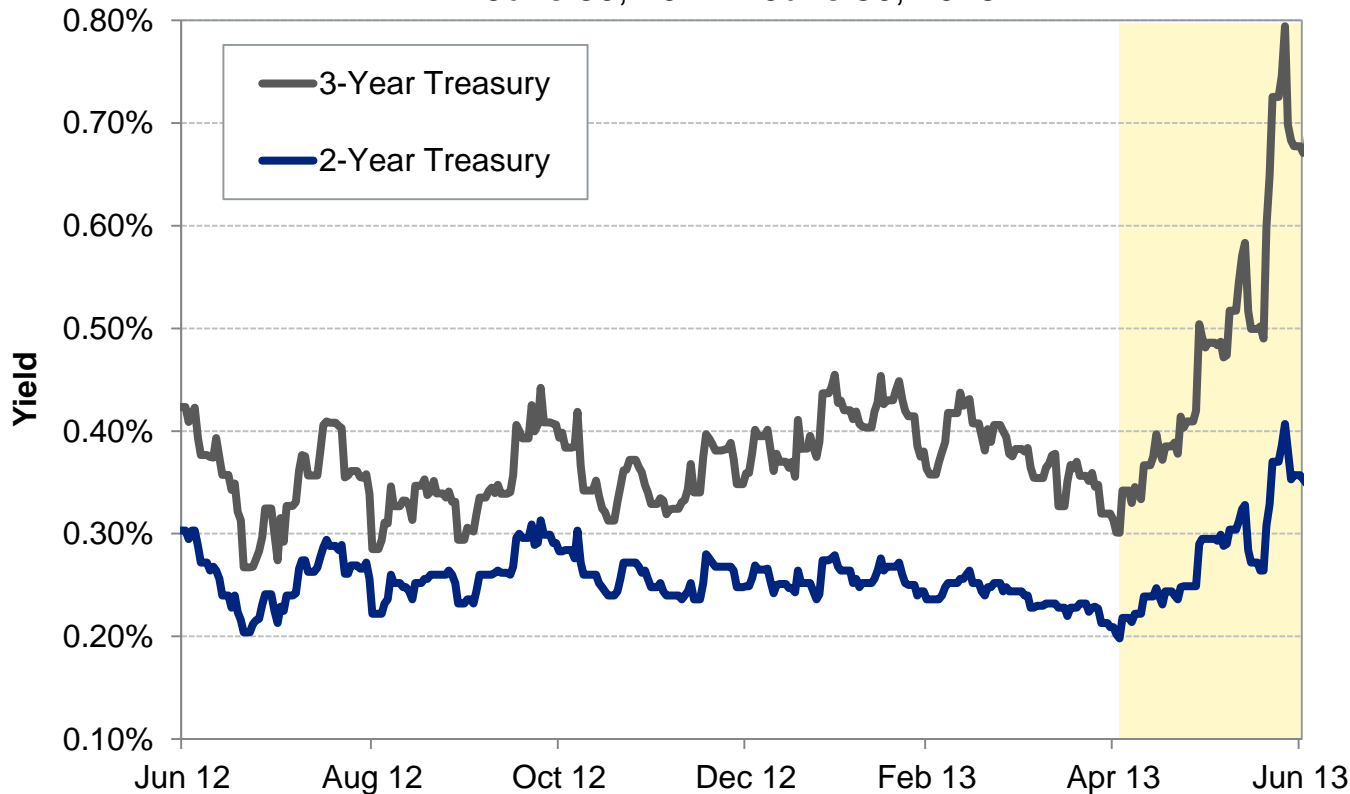


Source: Bloomberg

# Longer-Term Rates Broke Out of Range

- The increase in rates following Fed Chairman Bernanke's comments and positive economic releases impacted longer-term maturities more significantly than shorter-term maturities.

**U.S. Treasury Yields**  
June 30, 2012 – June 30, 2013

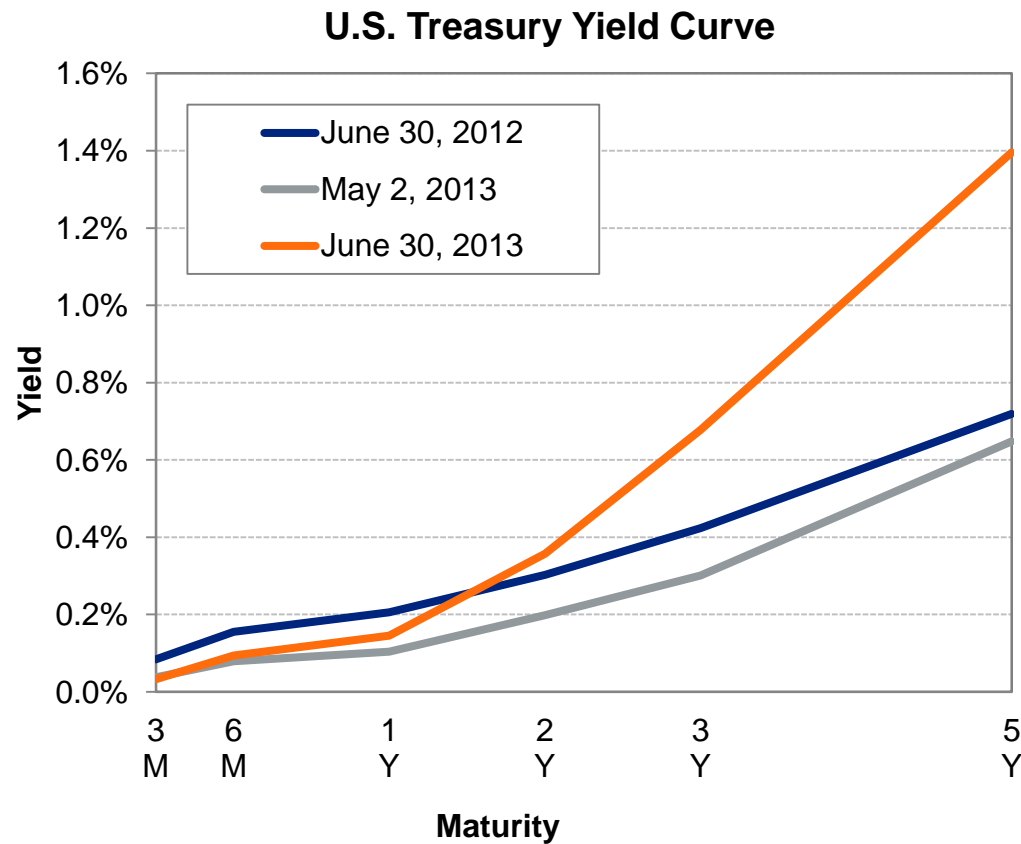


Source: Bloomberg

	5/2/13	6/30/13	Change
2 Year	0.20%	0.36%	+0.16%
3 Year	0.29%	0.68%	+0.39%

# Yield Curve Steepens in Mid-2013

- The recent increase in rates, especially in the 3- to 5-year maturity range, steepened the yield curve.



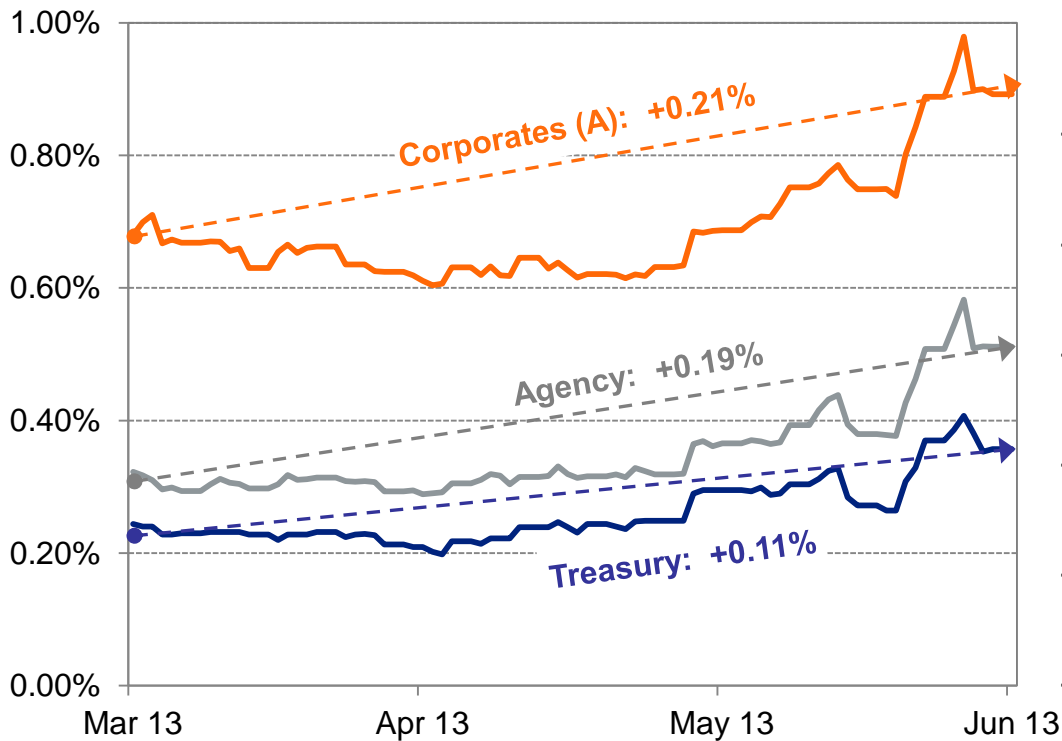
Source: Bloomberg

	6/30/12	5/2/13	6/30/13
<b>3 Month</b>	0.08%	0.04%	0.03%
<b>6 Month</b>	0.16%	0.08%	0.09%
<b>1 Year</b>	0.21%	0.10%	0.15%
<b>2 Year</b>	0.30%	0.20%	0.36%
<b>3 Year</b>	0.40%	0.29%	0.68%
<b>5 Year</b>	0.72%	0.65%	1.40%

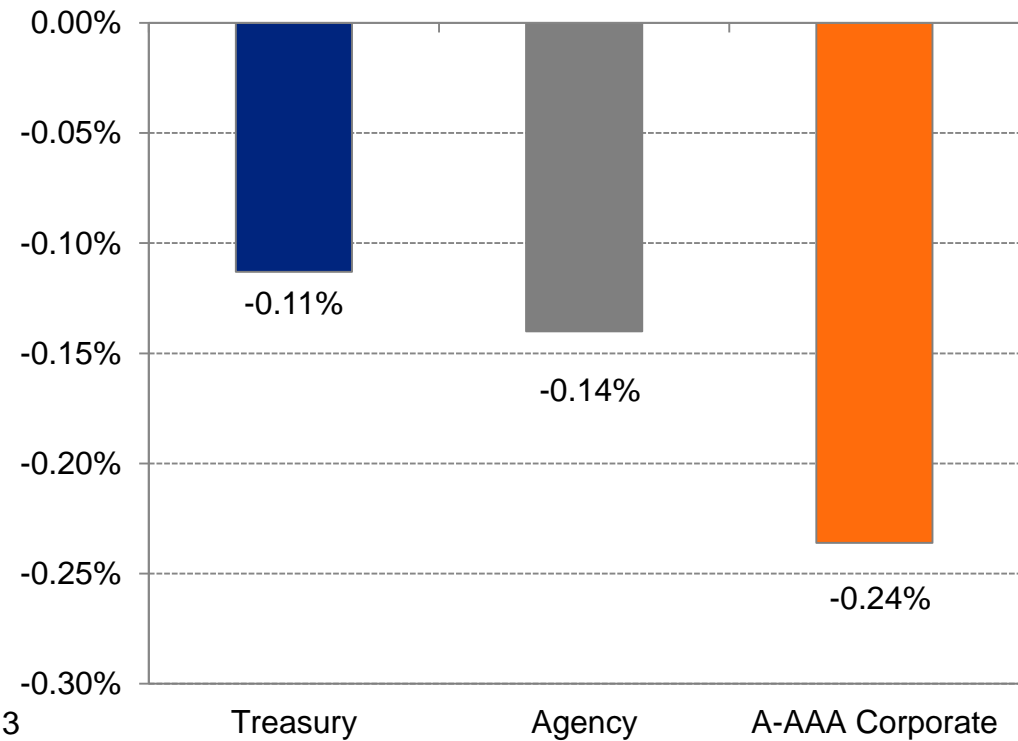
# Spreads Also Widened, Causing Treasuries to Outperform

- As interest rates rose, yield spreads also widened on Federal Agencies and corporates. As a result, Treasuries outperformed other sectors.

**Comparison of 2-Year Yields**  
March 31, 2013 – June 30, 2013



**1-3 Year Index Total Returns by Sector**  
March 31, 2013 – June 30, 2013



Source: Bloomberg, BofA Merrill Lynch Bond Indices

# Returns Were Depressed Across all Sectors and Maturities

	As of 6/30/2013		Returns for Periods ended 6/30/2013		
	Duration	Yield	3 Month	1 Year	3 Years
<b>1-3 Year Indices</b>					
U.S. Treasury	1.89	0.37%	(0.10%)	0.33%	0.82%
Federal Agency	1.80	0.48%	(0.13%)	0.34%	0.97%
U.S. Corporates, A-AAA rated	1.99	1.20%	(0.22%)	2.16%	2.63%
Agency MBS (0 to 3 years)	1.69	1.67%	(1.00%)	(0.40%)	1.75%
Municipals	1.77	0.70%	(0.16%)	0.62%	1.27%
<b>1-5 Year Indices</b>					
U.S. Treasury	2.72	0.66%	(0.67%)	(0.03%)	1.44%
Federal Agency	2.61	0.81%	(0.74%)	0.01%	1.28%
U.S. Corporates, A-AAA rated	2.91	1.70%	(1.09%)	2.19%	3.40%
Agency MBS (0 to 5 years)	3.06	2.66%	(1.37%)	(0.60%)	2.46%
Municipals	2.51	1.04%	(0.61%)	0.53%	1.86%
<b>Master Indices (Maturities 1 Year or Greater)</b>					
U.S. Treasury	5.78	1.40%	(2.21%)	(2.00%)	3.03%
Federal Agency	4.01	1.34%	(1.97%)	(0.90%)	2.12%
U.S. Corporates, A-AAA rated	6.57	2.96%	(3.12%)	0.89%	5.08%
Agency MBS	4.61	2.96%	(1.92%)	(1.15%)	2.52%
Municipals	7.81	3.21%	(3.33%)	0.10%	4.66%

Return for periods greater than one year are annualized

Source: BofA Merrill Lynch Bond Indices

# Second Quarter Trades

Settle Date	Action	Issuer	Par	Maturity
4/5/2013	Sale	U.S. Treasury Notes	375,000	2/28/2014
4/5/2013	Sale	Westpac Banking Corp NY Floating CD	1,300,000	2/14/2014
4/5/2013	Purchase	Svenska Handelsbanken NY Floating CD	1,700,000	10/6/2014
4/11/2013	Sale	U.S. Treasury Notes	375,000	4/30/2016
4/11/2013	Purchase	Wal-Mart Stores Global Notes	400,000	4/11/2016
4/16/2013	Sale	U.S. Treasury Notes	625,000	2/28/2014
4/16/2013	Sale	U.S. Treasury Notes	1,075,000	3/31/2014
4/16/2013	Purchase	Skandinaviska Enskilda NY CD	1,700,000	4/16/2015
4/29/2013	Sale	U.S. Treasury Notes	1,650,000	3/31/2014
4/29/2013	Purchase	Rabobank Nederland NV NY CD	1,700,000	4/29/2015
5/3/2013	Sale	U.S. Treasury Notes	600,000	4/30/2016
5/3/2013	Purchase	Apple Inc. Global Notes	640,000	5/3/2016
5/15/2013	Sale	U.S. Treasury Notes	275,000	3/31/2014
5/15/2013	Sale	U.S. Treasury Notes	2,100,000	5/15/2014
5/15/2013	Purchase	U.S. Treasury Notes	2,200,000	6/30/2016
5/17/2013	Sale	FNMA Global Notes	725,000	12/21/2015
5/17/2013	Purchase	Toyota Motor Credit Corp Notes	725,000	5/17/2016
5/24/2013	Sale	IBM Corp Global Notes	815,000	5/12/2014
5/24/2013	Sale	Johnson & Johnson Global Notes	1,000,000	5/15/2014
5/24/2013	Sale	U.S. Treasury Notes	1,000,000	5/15/2014
5/24/2013	Sale	Wal-Mart Stores Global Notes	405,000	4/15/2014
5/24/2013	Purchase	U.S. Treasury Notes	2,950,000	6/30/2016
5/31/2013	Sale	U.S. Treasury Notes	3,400,000	7/15/2014
5/31/2013	Sale	U.S. Treasury Notes	250,000	7/31/2014
5/31/2013	Purchase	U.S. Treasury Notes	3,300,000	6/30/2016



# Portfolio Complies with Government Code and City's Investment Policy

Security Type	Market Value as of June 30, 2013	Percentage of Portfolio	Permitted by Policy	In Compliance
U.S. Treasuries	\$29,736,554	39%	100%	✓
Federal Agencies	\$17,193,605	22%	100%	✓
Municipal Obligations	\$1,853,935	2%	100%	✓
Negotiable CDs	\$7,451,054	10%	30%	✓
Corporate Notes	\$12,014,269	16%	30%	✓
Money Market Fund	\$389,530	<1%	20%	✓
LAIF	\$8,188,107	11%	\$40 million	✓
<b>Totals</b>	<b>\$76,827,054</b>	<b>100%</b>		

# Change in Portfolio Composition

Security Type	Market Value as of 3/31/13	Percentage of Portfolio	Market Value as of 6/30/13	Percentage of Portfolio	Change in Allocation
U.S. Treasuries	\$32,625,426	45%	\$29,736,554	39%	-6%
Federal Agencies	\$17,946,581	25%	\$17,193,605	22%	-3%
Municipal Obligations	\$1,856,038	3%	\$1,853,935	2%	-1%
Negotiable CDs	\$3,662,649	5%	\$7,451,054	10%	+5%
Corporate Notes	\$12,575,049	18%	\$12,014,269	16%	-2%
Money Market Fund	\$72,102	<1%	\$389,530	<1%	-
LAIF	\$3,186,429	4%	\$8,188,107	11%	+7%
<b>Totals</b>	<b>\$71,924,274</b>	<b>100%</b>	<b>\$76,827,054</b>	<b>100%</b>	<b>-</b>

# Portfolio Is Well Diversified

**Issuer Distribution**

**Corporate Issuers**

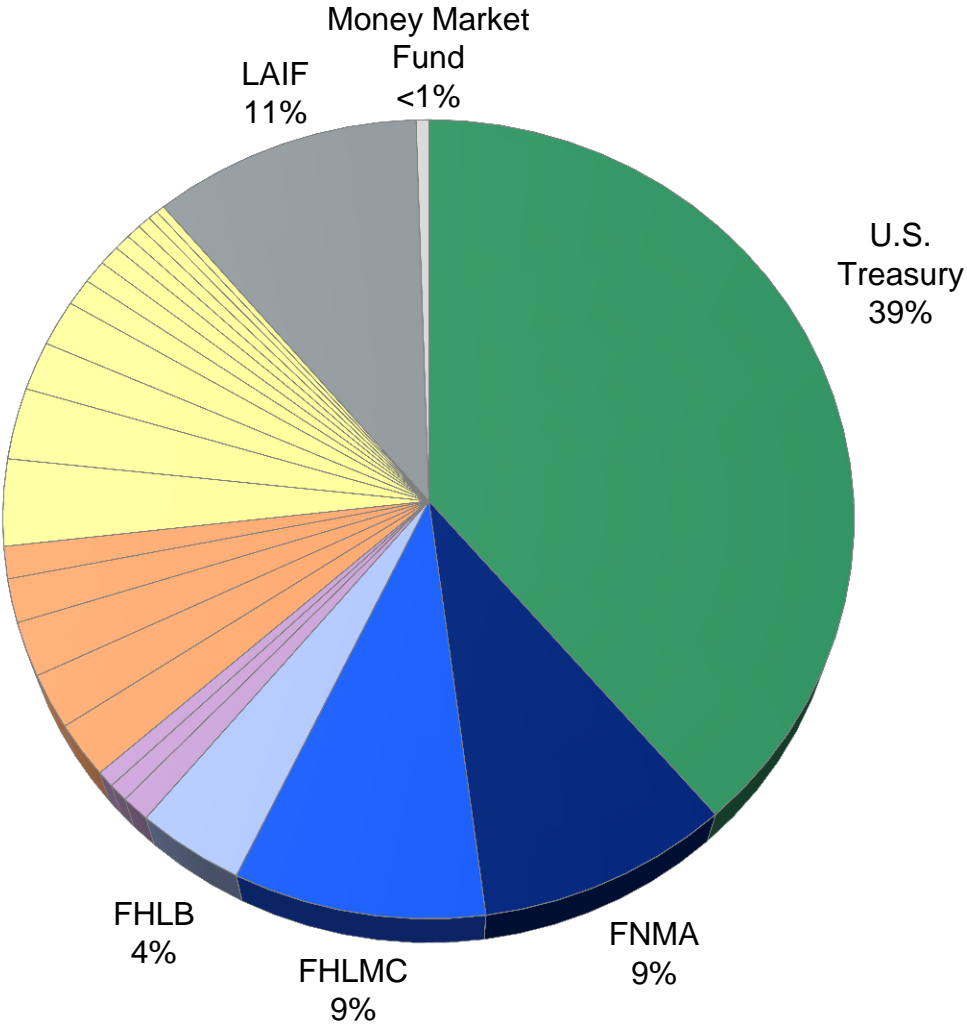
JP Morgan Chase	3%
General Electric CC	3%
Wells Fargo	2%
Bank of New York	2%
Berkshire Hathaway	1%
Toyota Motor CC	1%
Apple	1%
Procter and Gamble	1%
John Deere CC	1%
Wal-Mart	1%
IBM Corp	<1%
Caterpillar Financial	<1%

**CD Issuers**

Svenska Handelsbanken NY	2%
Skandinaviska Enskilda NY	2%
Rabobank Nederland NV NY	2%
Bank of Nova Scotia Houston	2%
Standard Chartered Bank NY	2%

**Municipal Issuers**

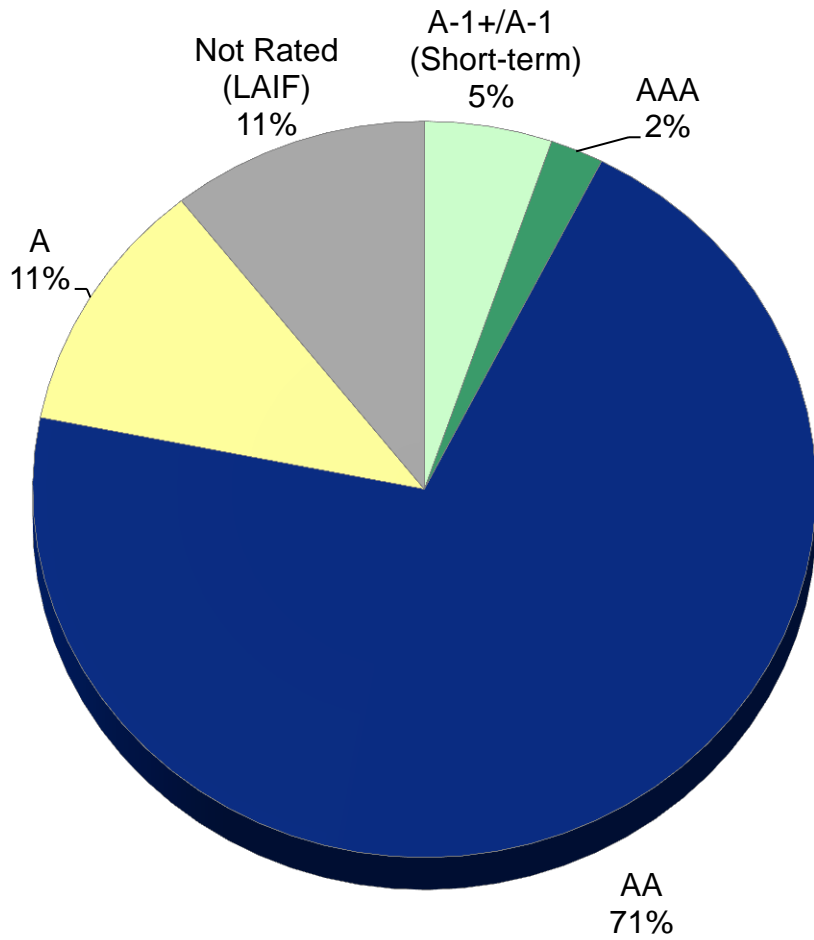
Metro Water District of S. CA	1%
State of California	1%
California St. Dept. of Water	<1%



• As of June 30, 2013

# Portfolio Comprises High-Quality Securities

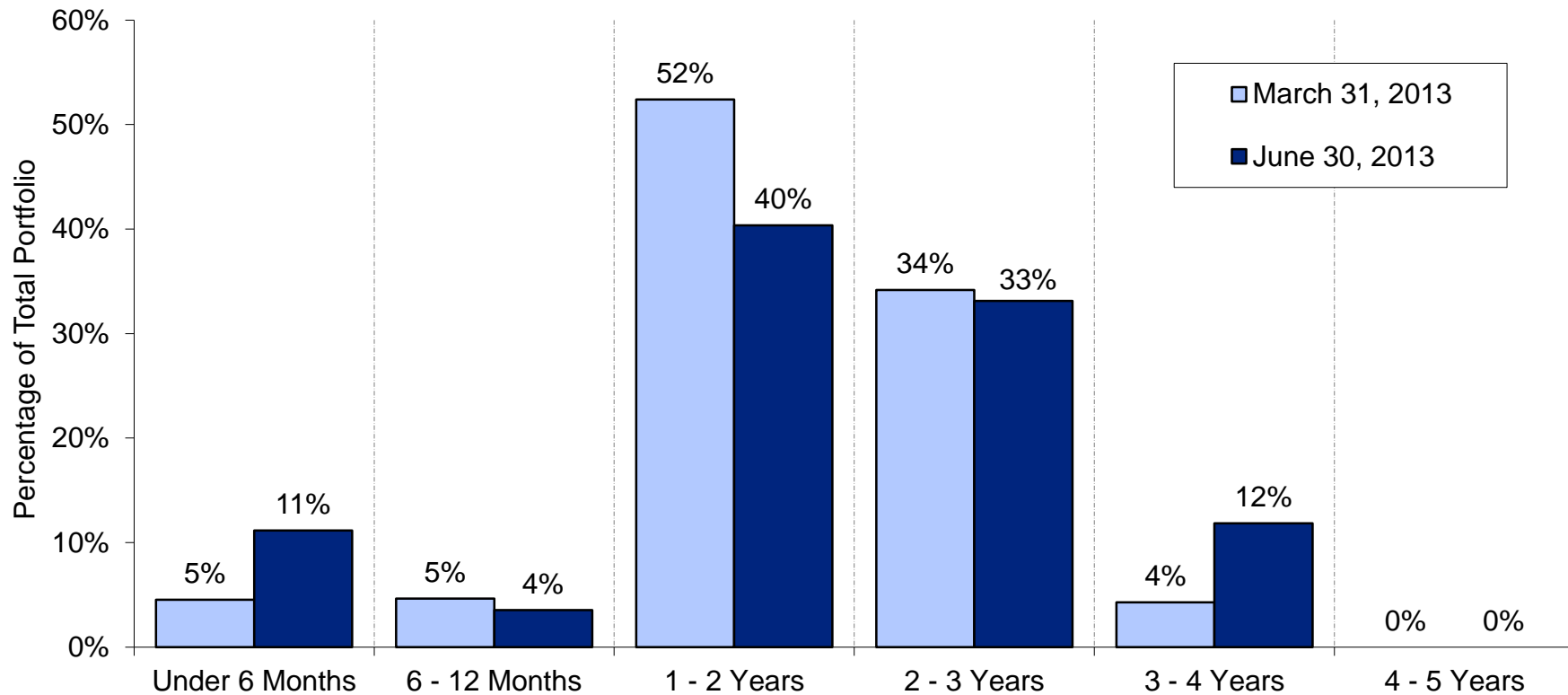
Credit Quality



- As of June 30, 2013.
- Ratings by Standard & Poor's.
- Money market fund is rated Aaa by Moody's.

# Portfolio Maturity Distribution

- During the second quarter, we purchased \$10.2 million of securities with maturities of at least 3 years to capitalize on the steepness of the yield curve.



• Callable securities in the portfolio are included in the maturity distribution analysis to their stated maturity date, although they may be called prior to maturity.

# Total Return

- The portfolio's performance was in line with the benchmark this quarter; this quarter's return is the result of the spike in rates which caused the market value of the portfolio to decline more than interest income.
- Since inception, the portfolio's return has been consistently higher than the return of the benchmark.

**Total Returns**  
for periods ending June 30, 2013

	<b>Duration (years)</b>	<b>Past Quarter</b>	<b>Past Year</b>	<b>Past 5 Years</b>	<b>Since Inception</b>
<b>City of Antioch</b>	<b>1.81</b>	<b>-0.14%</b>	<b>0.53%</b>	<b>2.02%</b>	<b>4.14%</b>
City's Treasury Benchmark	1.81	-0.11%	0.33%	1.94%	3.91%

- Performance on trade-date basis, gross (i.e., before fees) in accordance with the CFA Institute's Global Investment Performance Standards (GIPS).
- Merrill Lynch Indices provided by Bloomberg Financial Markets.
- Excludes LAIF in performance and duration computations.
- Performance numbers for periods one year and greater are presented on an annualized basis.
- The benchmark was the 1-Year Treasury Index prior to the third quarter 2001. From the fourth quarter 2001 through the third quarter 2010, 1-3 Year Treasury Index. The benchmark was changed to the 1-Year Treasury Index in the fourth quarter 2010 because of the City's increased cash needs. Beginning February 2011, the benchmark was changed back to the 1-3 Year Treasury index because the City's cash needs have returned to prior levels.

# Second Quarter Total Return Detail

## Calculating Return in Dollars

Ending Market Value + Accrued Interest		\$68,638,947
- Beginning Market Value + Accrued Interest	-	\$68,737,845
+ Distributions	+	\$641,483
- Contributions	-	\$639,521
<b>= Total Return</b>		<b>-\$96,936</b>

## Components of Dollar Return

Realized Gain/Loss:	\$58,099	<b>Realized Return</b>
Net Interest Income:	+ \$104,544	<b>Realized Return</b>
<b>Realized Dollar Return:</b>	<b>\$162,643</b>	<b>→ +0.237%</b>
<hr/>		
Unrealized Gain/Loss:	- \$259,579	
<b>Total Return</b>	<b>-\$96,936</b>	

## Calculating Average Balance

Beginning Market Value + Accrued Interest		\$68,737,845
- Time-Weighted Distributions	-	\$415,558
+ Time-Weighted Contributions	+	\$435,464
<b>= Time Weighted Average Balance</b>		<b>\$68,757,751</b>

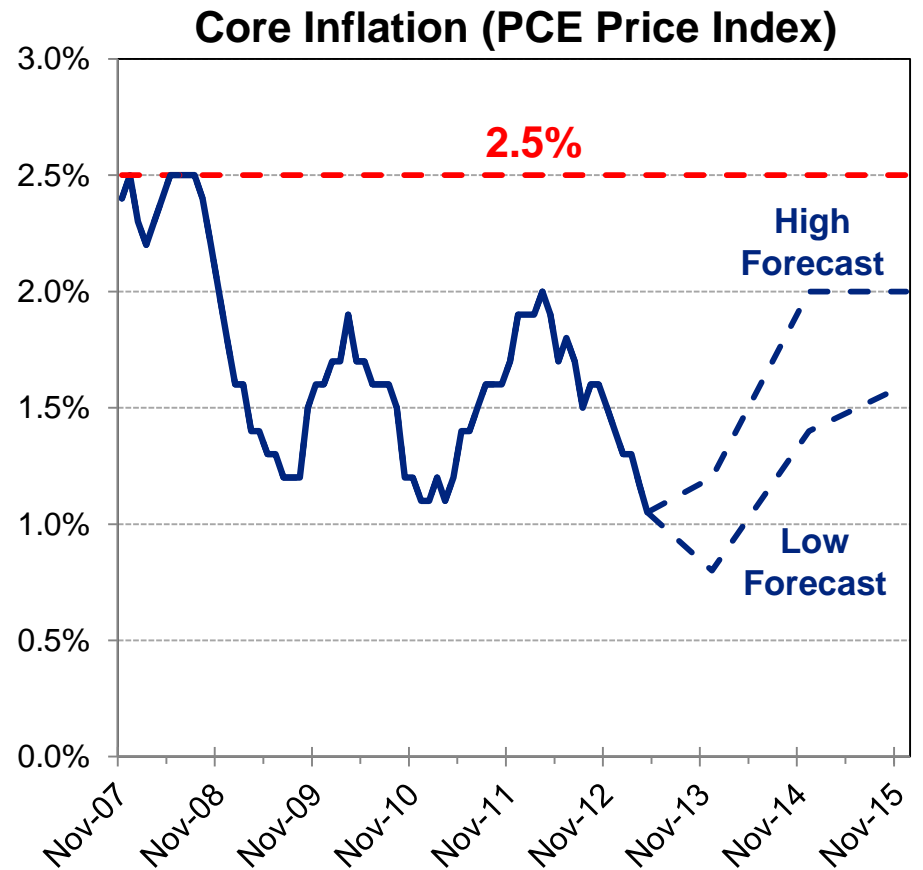
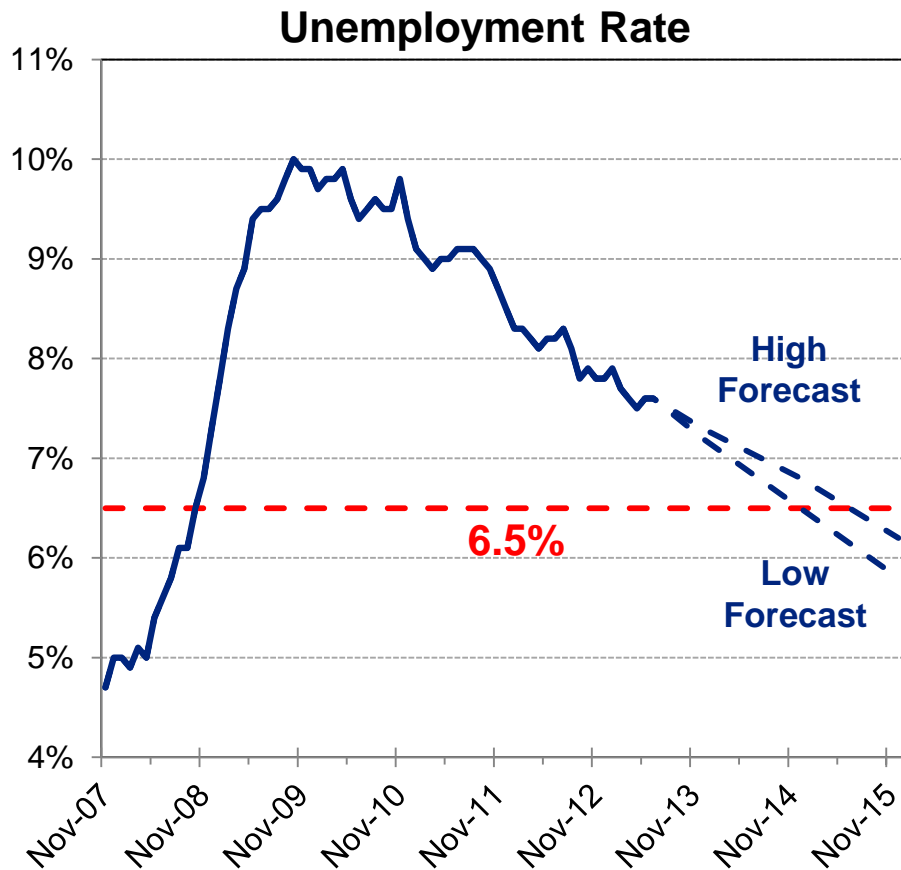
$$\text{Total Return} = \frac{-\$96,936}{\$68,757,751} = -0.141\%$$

# Third Quarter 2013 Investment Outlook

- High unemployment remains a drag on the economy and GDP growth is not expected to be rapid enough to initiate major job growth.
- Inflation remains low, which will allow the Federal Reserve to continue their aggressive monetary policy and keep their target range at 0.00%-0.25%.
- Investors remain focused on the Federal Reserve, which is poised to take its first steps to decrease bond purchases in the third quarter if the economy continues to improve in line with the Fed's projections.
- We will employ the following active management strategies:
  - Shorten portfolio's duration relative to benchmark to maintain slightly defensive stance to protect against potential rate increases.
  - Take advantage of "roll-down return" and opportunities from spread movements.
  - Monitor the new-issue corporate market for opportunities to add value to the portfolio.
  - Select securities based on a combination of yield and value appreciation potential.



# Fed Rate Guidance Indicates Continued Low Rates Through At Least 2015

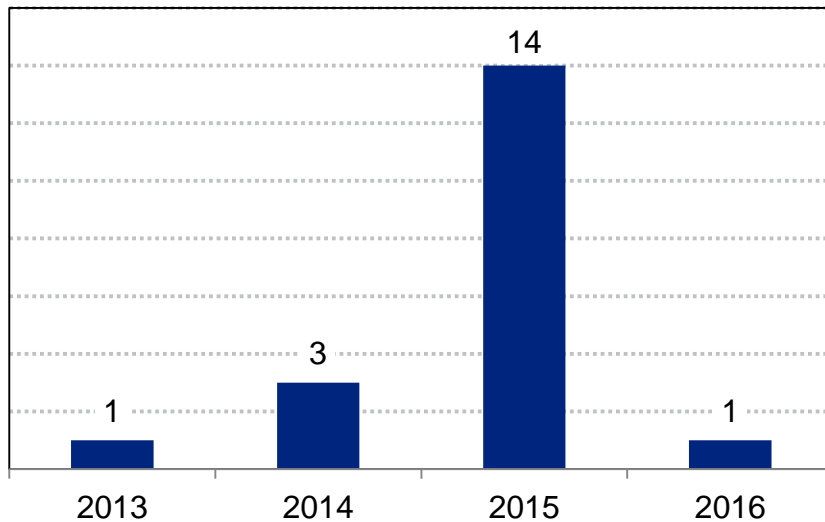


Source: Bloomberg; Federal Reserve

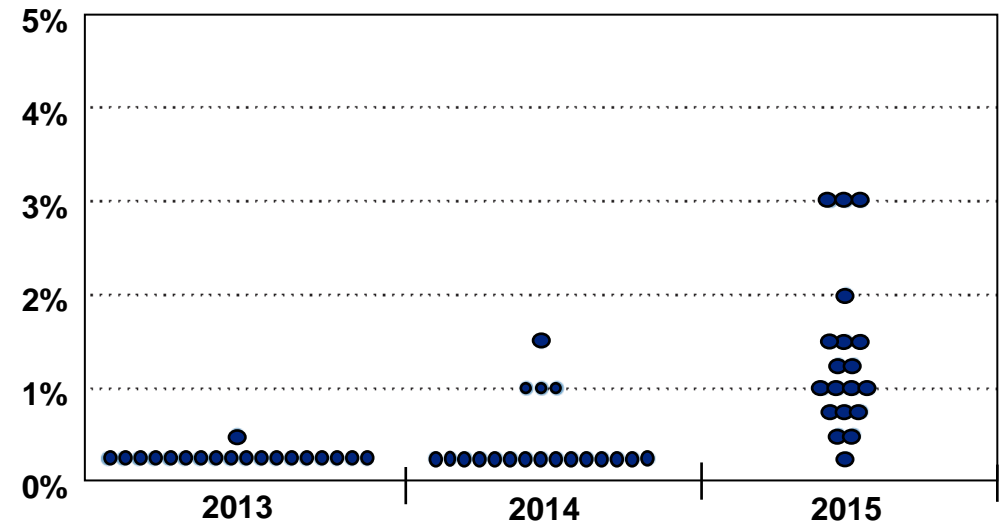
# Fed Rate Guidance Indicates Continued Low Rates Through At Least 2015

- Since unemployment remains at uncomfortably high levels, and inflation remains at low levels, the Federal Reserve is still expected to keep interest rates low until 2015. However, in the Fed's June release, they indicated that bond purchases are likely to taper near the end of the third quarter.

**FOMC Participant Votes on Appropriate Timing of Policy Firming**  
as of June 19, 2013



**Targeted Federal Funds Rate at Year-End FOMC Participant Forecasts**  
as of June 19, 2013



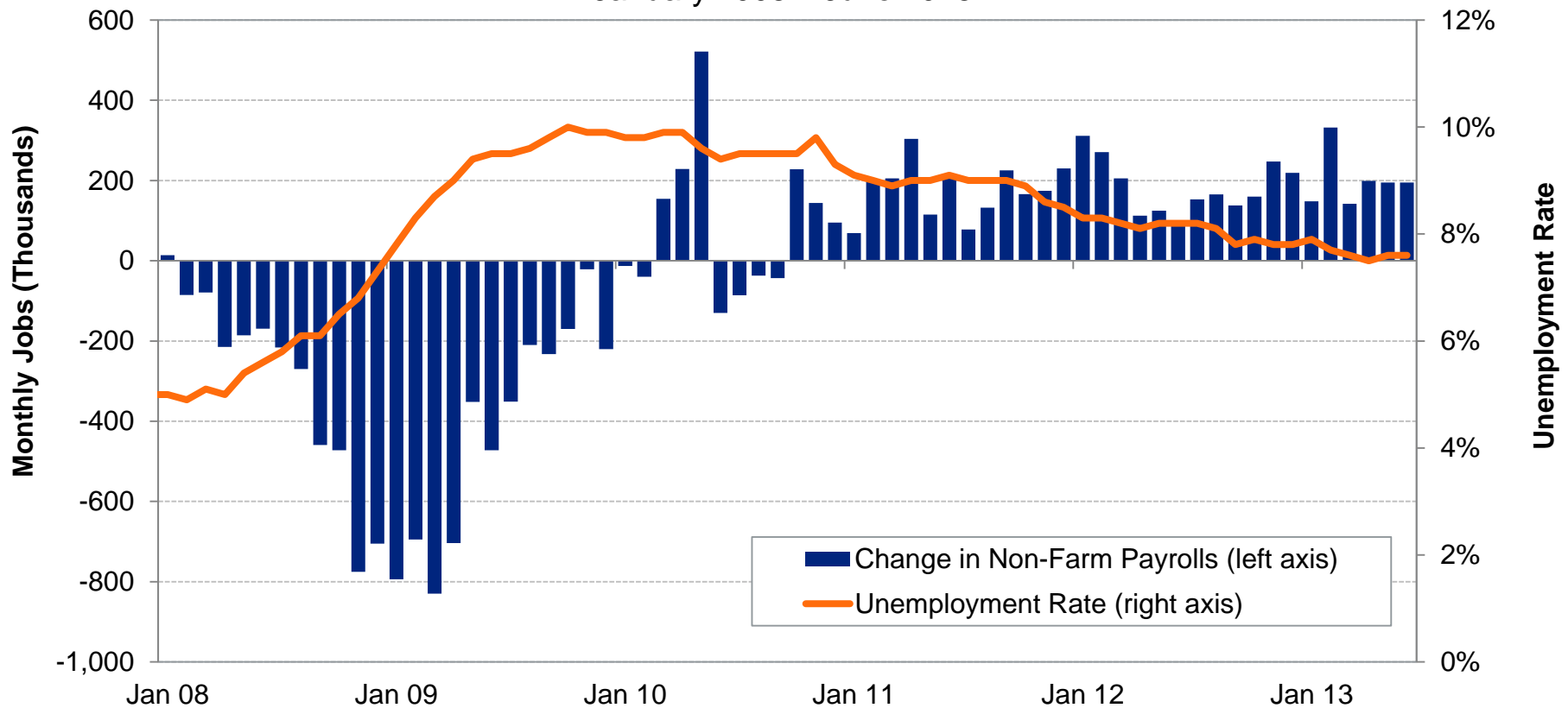
● Individual FOMC participant's judgment of the appropriate level of the target federal funds rate at the end of the specified calendar year.

Source: Federal Reserve Open Market Committee.

# Job Market Continues Slow Improvement

- Over the past year, the unemployment rate has decreased from 8.2% to 7.6%, and the economy has added an average of 191,000 jobs per month.
- Part of the decrease in unemployment is attributed to the continued decline of the labor force participation rate which is currently at 63.5%. This is just 0.2% off of the lowest level in over 30 years.

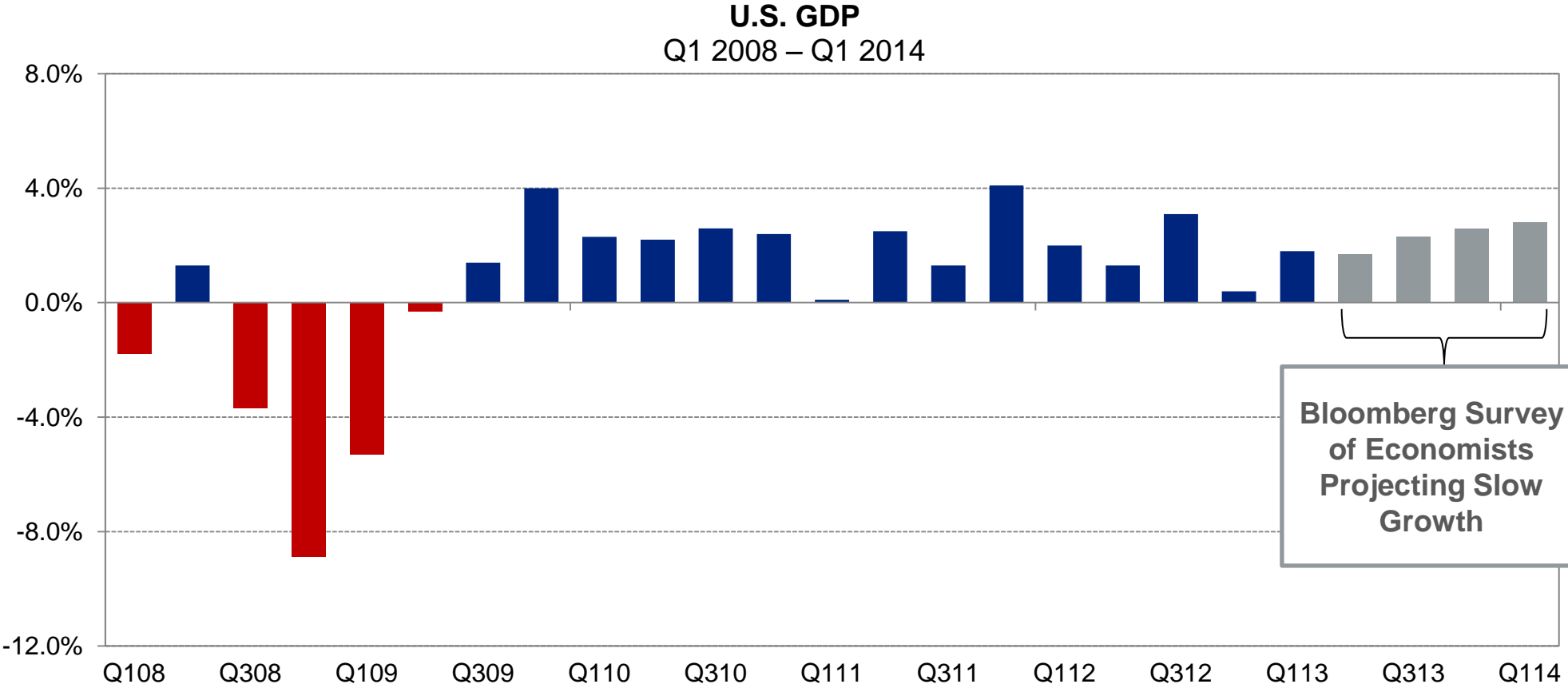
**Change in Nonfarm Payrolls vs. Unemployment Rate**  
January 2008 – June 2013



Source: Bloomberg

# Continued Slow GDP Growth

- Economic growth is expected to average 2.1% in 2013, which is not considered high enough to drive significant job growth.



Source: Bloomberg



## Managed Account Detail of Securities Held

For the Month Ending **June 30, 2013**

### CITY OF ANTIOCH, CA

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
<b>U.S. Treasury Bond / Note</b>											
US TREASURY NOTES DTD 05/16/2011 1.000% 05/15/2014	912828QM5	650,000.00	AA+	Aaa	03/27/12	03/29/12	658,582.03	0.38	830.16	653,524.18	654,595.50
US TREASURY NOTES DTD 09/15/2011 0.250% 09/15/2014	912828RG7	1,150,000.00	AA+	Aaa	10/12/11	10/14/11	1,140,701.17	0.53	843.75	1,146,141.43	1,150,404.80
US TREASURY NOTES DTD 12/15/2011 0.250% 12/15/2014	912828RV4	1,200,000.00	AA+	Aaa	01/05/12	01/06/12	1,195,312.50	0.38	131.15	1,197,671.57	1,200,280.80
US TREASURY NOTES DTD 02/15/2012 0.250% 02/15/2015	912828SE1	1,500,000.00	AA+	Aaa	02/22/12	02/27/12	1,492,207.03	0.43	1,408.84	1,495,721.85	1,499,121.00
US TREASURY NOTES DTD 03/01/2010 2.375% 02/28/2015	912828MR8	1,500,000.00	AA+	Aaa	06/20/12	06/21/12	1,578,457.03	0.42	11,907.27	1,548,634.73	1,551,855.00
US TREASURY NOTES DTD 03/01/2010 2.375% 02/28/2015	912828MR8	2,500,000.00	AA+	Aaa	04/30/12	05/01/12	2,639,453.13	0.39	19,845.45	2,582,224.83	2,586,425.00
US TREASURY NOTES DTD 03/15/2012 0.375% 03/15/2015	912828SK7	170,000.00	AA+	Aaa	03/13/12	03/15/12	169,428.91	0.49	187.09	169,674.14	170,199.22
US TREASURY NOTES DTD 03/15/2012 0.375% 03/15/2015	912828SK7	825,000.00	AA+	Aaa	06/27/12	06/28/12	824,355.47	0.40	907.95	824,594.27	825,966.80
US TREASURY NOTES DTD 08/02/2010 1.750% 07/31/2015	912828NP1	325,000.00	AA+	Aaa	10/23/12	10/26/12	337,098.63	0.39	2,372.41	334,130.99	334,191.33
US TREASURY NOTES DTD 08/02/2010 1.750% 07/31/2015	912828NP1	465,000.00	AA+	Aaa	08/22/12	08/23/12	483,418.36	0.39	3,394.37	478,081.53	478,150.67
US TREASURY NOTES DTD 08/02/2010 1.750% 07/31/2015	912828NP1	3,625,000.00	AA+	Aaa	09/06/12	09/10/12	3,772,832.03	0.33	26,461.50	3,731,739.18	3,727,518.63
US TREASURY NOTES DTD 11/30/2010 1.375% 11/30/2015	912828PJ3	2,550,000.00	AA+	Aaa	11/29/12	12/05/12	2,627,595.70	0.35	2,969.77	2,612,820.96	2,604,187.50
US TREASURY NOTES DTD 11/30/2010 1.375% 11/30/2015	912828PJ3	2,735,000.00	AA+	Aaa	11/01/12	11/05/12	2,815,981.64	0.40	3,185.23	2,798,830.50	2,793,118.75
US TREASURY NOTES DTD 05/02/2011 2.000% 04/30/2016	912828OF0	950,000.00	AA+	Aaa	03/27/13	03/28/13	997,277.34	0.38	3,201.09	993,327.21	986,516.10



## Managed Account Detail of Securities Held

For the Month Ending **June 30, 2013**

### CITY OF ANTIOCH, CA

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
<b>U.S. Treasury Bond / Note</b>											
US TREASURY NOTES DTD 06/30/2009 3.250% 06/30/2016	912828KZ2	2,200,000.00	AA+	Aaa	05/10/13	05/15/13	2,394,218.75	0.41	194.29	2,386,213.02	2,368,093.20
US TREASURY NOTES DTD 06/30/2009 3.250% 06/30/2016	912828KZ2	2,950,000.00	AA+	Aaa	05/22/13	05/24/13	3,204,783.20	0.44	260.53	3,196,230.78	3,175,397.70
US TREASURY NOTES DTD 06/30/2009 3.250% 06/30/2016	912828KZ2	3,300,000.00	AA+	Aaa	05/24/13	05/31/13	3,574,570.31	0.53	291.44	3,567,016.33	3,552,139.80
<b>Security Type Sub-Total</b>		<b>28,595,000.00</b>					<b>29,906,273.23</b>	<b>0.41</b>	<b>78,392.29</b>	<b>29,716,577.50</b>	<b>29,658,161.80</b>
<b>Municipal Bond / Note</b>											
METRO WTR DIST AUTH, CA TXBL REV BONDS DTD 06/28/2012 0.616% 07/01/2014	59266THP9	575,000.00	AAA	Aa1	06/21/12	06/28/12	575,000.00	0.62	1,771.00	575,000.00	575,115.00
METRO WTR DIST AUTH, CA TXBL REV BONDS DTD 06/28/2012 0.943% 07/01/2015	59266THO7	225,000.00	AAA	Aa1	06/21/12	06/28/12	225,000.00	0.94	1,060.88	225,000.00	225,045.00
CA ST DEPT OF WATER TXBL REV BONDS DTD 09/27/2012 0.650% 12/01/2015	13066KX87	500,000.00	AAA	Aa1	09/19/12	09/27/12	500,000.00	0.65	270.83	500,000.00	500,000.00
CA ST TXBL GO BONDS DTD 03/27/2013 1.050% 02/01/2016	13063BN73	550,000.00	A	A1	03/13/13	03/27/13	551,859.00	0.93	1,507.92	551,689.37	549,164.00
<b>Security Type Sub-Total</b>		<b>1,850,000.00</b>					<b>1,851,859.00</b>	<b>0.76</b>	<b>4,610.63</b>	<b>1,851,689.37</b>	<b>1,849,324.00</b>
<b>Federal Agency Bond / Note</b>											
FNMA NOTES DTD 07/18/2011 0.875% 08/28/2014	3135G0BY8	575,000.00	AA+	Aaa	09/29/11	09/30/11	578,588.00	0.66	1,691.06	576,438.12	579,042.83
FHLMC NOTES DTD 08/12/2011 0.500% 09/19/2014	3134G2YJ5	1,600,000.00	AA+	Aaa	09/20/11	09/21/11	1,597,863.68	0.55	2,266.67	1,599,127.94	1,604,451.20
FREDDIE MAC GLOBAL NOTES DTD 08/05/2011 0.750% 09/22/2014	3134G2WG3	910,000.00	AA+	Aaa	09/28/11	09/30/11	911,820.00	0.68	1,876.88	910,753.15	915,312.58



## Managed Account Detail of Securities Held

For the Month Ending **June 30, 2013**

### CITY OF ANTIOCH, CA

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
<b>Federal Agency Bond / Note</b>											
FREDDIE MAC GLOBAL NOTES DTD 08/05/2011 0.750% 09/22/2014	3134G2WG3	2,450,000.00	AA+	Aaa	08/30/11	08/31/11	2,462,838.00	0.58	5,053.13	2,455,168.25	2,464,303.10
FHLB NOTES DTD 11/08/2010 0.875% 12/12/2014	313371PC4	3,000,000.00	AA+	Aaa	01/19/12	01/19/12	3,028,170.00	0.55	1,385.42	3,014,128.14	3,025,194.00
FANNIE MAE GLOBAL NOTES DTD 04/19/2012 0.500% 05/27/2015	3135G0KM4	1,380,000.00	AA+	Aaa	04/17/12	04/19/12	1,376,011.80	0.59	651.67	1,377,543.78	1,382,250.78
FNMA NOTES (CALLABLE) DTD 08/07/2012 0.500% 08/07/2015	3135G0NG4	3,400,000.00	AA+	Aaa	08/02/12	08/07/12	3,399,660.00	0.50	6,800.00	3,399,761.49	3,394,101.00
FREDDIE MAC GLOBAL NOTES DTD 07/11/2012 0.500% 08/28/2015	3134G3ZA1	1,825,000.00	AA+	Aaa	07/30/12	07/31/12	1,827,129.78	0.46	3,067.01	1,826,498.84	1,826,189.90
FANNIE MAE GLOBAL NOTES DTD 11/16/2012 0.375% 12/21/2015	3135G0SB0	950,000.00	AA+	Aaa	11/14/12	11/16/12	947,786.50	0.45	98.96	948,230.45	944,693.30
FANNIE MAE GLOBAL NOTES DTD 02/15/2013 0.500% 03/30/2016	3135G0VA8	800,000.00	AA+	Aaa	02/14/13	02/15/13	799,088.00	0.54	1,011.11	799,197.05	795,516.80
FREDDIE MAC GLOBAL NOTES DTD 03/07/2013 0.500% 05/13/2016	3137EADO9	240,000.00	AA+	Aaa	03/06/13	03/07/13	239,985.60	0.50	160.00	239,986.86	238,488.00
<b>Security Type Sub-Total</b>		<b>17,130,000.00</b>					<b>17,168,941.36</b>	<b>0.54</b>	<b>24,061.91</b>	<b>17,146,834.07</b>	<b>17,169,543.49</b>
<b>Corporate Note</b>											
JP MORGAN CHASE & CO NOTES DTD 05/18/2009 4.650% 06/01/2014	46625HHN3	1,010,000.00	A	A2	12/19/11	12/22/11	1,062,853.30	2.43	3,913.75	1,030,205.11	1,046,248.90
PROCTER & GAMBLE CO CORP NOTES DTD 08/15/2011 0.700% 08/15/2014	742718DU0	500,000.00	AA-	Aa3	08/10/11	08/15/11	497,945.00	0.84	1,322.22	499,225.36	501,434.00
BERKSHIRE HATHAWAY INC (FLOATING) NOTES DTD 08/15/2011 0.975% 08/15/2014	084670BA5	850,000.00	AA	Aa2	08/10/11	08/15/11	850,000.00	0.98	1,082.09	850,000.00	853,228.30
GENERAL ELEC CAP CORP GLOBAL NOTES DTD 01/09/2012 2.150% 01/09/2015	36962G5M2	1,050,000.00	AA+	A1	05/23/12	05/29/12	1,061,434.50	1.72	10,785.83	1,056,732.73	1,070,651.40



## Managed Account Detail of Securities Held

For the Month Ending **June 30, 2013**

### CITY OF ANTIOCH, CA

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
<b>Corporate Note</b>											
GENERAL ELEC CAP CORP GLOBAL NOTES DTD 01/09/2012 2.150% 01/09/2015	36962G5M2	1,115,000.00	AA+	A1	01/04/12	01/09/12	1,113,840.40	2.19	11,453.53	1,114,402.20	1,136,929.82
IBM CORP GLOBAL NOTES DTD 02/06/2012 0.550% 02/06/2015	459200HB0	305,000.00	AA-	Aa3	02/01/12	02/06/12	303,508.55	0.72	675.66	304,202.03	304,748.38
BANK OF NEW YORK MELLON (CALLABLE) NOTES DTD 02/21/2012 1.200% 02/20/2015	06406HCC1	375,000.00	A+	Aa3	02/13/12	02/21/12	374,658.75	1.23	1,637.50	374,812.18	378,041.63
CATERPILLAR FIN CORP NOTES DTD 05/30/2012 1.100% 05/29/2015	14912L5D9	250,000.00	A	A2	05/22/12	05/30/12	249,920.00	1.11	244.44	249,948.68	251,357.50
JOHN DEERE CAPITAL CORP GLOBAL NOTES DTD 06/29/2012 0.950% 06/29/2015	24422ERS0	450,000.00	A	A2	06/26/12	06/29/12	449,878.50	0.96	23.75	449,918.84	452,287.80
WELLS FARGO & COMPANY DTD 06/27/2012 1.500% 07/01/2015	94974BFE5	750,000.00	A+	A2	03/26/13	03/28/13	762,978.08	0.73	5,625.00	761,506.49	758,544.75
WELLS FARGO & COMPANY DTD 06/27/2012 1.500% 07/01/2015	94974BFE5	750,000.00	A+	A2	03/27/13	03/28/13	762,757.50	0.74	5,625.00	761,311.19	758,544.75
JPMORGAN CHASE & CO GLOBAL NOTES DTD 10/18/2012 1.100% 10/15/2015	46623EJR1	1,650,000.00	A	A2	10/15/12	10/18/12	1,649,323.50	1.11	3,831.67	1,649,480.17	1,639,931.70
BANK OF NEW YORK MELLON (CALLABLE) DTD 10/25/2012 0.700% 10/23/2015	06406HCD9	425,000.00	A+	Aa3	10/18/12	10/25/12	424,562.25	0.73	561.94	424,661.31	423,526.10
BANK OF NEW YORK MELLON (CALLABLE) DTD 10/25/2012 0.700% 10/23/2015	06406HCD9	640,000.00	A+	Aa3	12/17/12	12/20/12	638,067.20	0.81	846.22	638,425.61	637,780.48
WAL-MART STORES INC GLOBAL NOTES DTD 04/11/2013 0.600% 04/11/2016	931142DE0	400,000.00	AA	Aa2	04/04/13	04/11/13	399,716.00	0.62	533.33	399,736.87	397,327.60
APPLE INC GLOBAL NOTES DTD 05/03/2013 0.450% 05/03/2016	037833AH3	640,000.00	AA+	Aa1	04/30/13	05/03/13	638,841.60	0.51	464.00	638,903.41	633,127.04
TOYOTA MOTOR CREDIT CORP DTD 05/17/2013 0.800% 05/17/2016	89236TAL9	725,000.00	AA-	Aa3	05/14/13	05/17/13	724,702.75	0.81	708.89	724,714.73	721,224.20
<b>Security Type Sub-Total</b>		<b>11,885,000.00</b>					<b>11,964,987.88</b>	<b>1.21</b>	<b>49,334.82</b>	<b>11,928,186.91</b>	<b>11,964,934.35</b>





## Managed Account Detail of Securities Held

For the Month Ending **June 30, 2013**

### CITY OF ANTIOCH, CA

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
<b>Certificate of Deposit</b>											
STANDARD CHARTERED BK NY LT CD (FLOAT) DTD 03/18/2013 0.353% 03/18/2014	85325BVS0	1,000,000.00	A-1+	P-1	03/18/13	03/18/13	1,000,000.00	0.37	127.29	1,000,000.00	1,000,420.00
SVENSKA HANDELSBANKEN NY FLOATING LT CD DTD 04/05/2013 0.461% 10/06/2014	86958CVF8	1,700,000.00	A-1+	P-1	04/03/13	04/05/13	1,699,741.11	0.48	1,894.35	1,699,799.86	1,701,492.60
BANK OF NOVA SCOTIA HOUS CERT DEPOS (FLT DTD 03/06/2013 0.520% 03/06/2015	06417FPL8	1,350,000.00	A-1	P-1	03/04/13	03/06/13	1,350,000.00	0.59	483.37	1,350,000.00	1,350,800.55
SKANDINAVISKA ENSKILDA NY CERT DEPOS(FLT DTD 04/16/2013 0.652% 04/16/2015	83051HJH0	1,700,000.00	A+	A1	04/11/13	04/16/13	1,700,000.00	0.66	2,340.31	1,700,000.00	1,699,923.50
RABOBANK NEDERLAND NV NY CD DTD 04/29/2013 0.600% 04/29/2015	21684BEP5	1,700,000.00	AA-	Aa2	04/25/13	04/29/13	1,700,000.00	0.61	1,785.00	1,700,000.00	1,691,787.30
<b>Security Type Sub-Total</b>		<b>7,450,000.00</b>					<b>7,449,741.11</b>	<b>0.55</b>	<b>6,630.32</b>	<b>7,449,799.86</b>	<b>7,444,423.95</b>
<b>Managed Account Sub-Total</b>		<b>66,910,000.00</b>					<b>68,341,802.58</b>	<b>0.61</b>	<b>163,029.97</b>	<b>68,093,087.71</b>	<b>68,086,387.59</b>
<b>Securities Sub-Total</b>		<b>\$66,910,000.00</b>					<b>\$68,341,802.58</b>	<b>0.61%</b>	<b>\$163,029.97</b>	<b>\$68,093,087.71</b>	<b>\$68,086,387.59</b>
<b>Accrued Interest</b>											<b>\$163,029.97</b>
<b>Total Investments</b>											<b>\$68,249,417.56</b>

**STAFF REPORT TO THE CITY COUNCIL FOR CONSIDERATION AT THE  
COUNCIL MEETING OF AUGUST 13, 2013**

Approved by: Jim Jakel, City Manager 

Date: August 7, 2013

Subject: Contra Costa Transportation Authority (CCTA) – Citizens  
Advisory Committee (CAC)

**RECOMMENDATION**

It is recommended that the City Council receives and files the attached applications, the Mayor appoints and Council approves the appointment of one Committee Member to the Contra Costa Transportation Authority – Citizens Advisory Committee (CAC).

**BACKGROUND INFORMATION**

CAC members are appointed to serve for one four-year term. There are two applicants for the vacancy. The two applicants are as follows:

- Victor Noel Pinto Correia
- Jeff Belle

**FINANCIAL IMPACT**

None.

**OPTIONS**

- Appoint an applicant.
- Do not appoint an applicant and request that Staff re-advertise the vacancy.

**ATTACHMENTS**

Candidates' Applications

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08-13-13



CONTRA COSTA  
**transportation  
 authority**

**RECEIVED**

JUL 25 2013

CITY OF ANTIOCH  
 CITY CLERK

*Citizens Advisory Committee Application*

The Contra Costa Transportation Authority (CCTA) maintains a standing Citizens Advisory Committee (CAC) to provide citizen perspective, participation and involvement in the CCTA's \$3 billion voter-approved Transportation Expenditure Plan and Growth Management Program. The CAC is comprised of 23 members: 20 are appointed by each of the 20 local jurisdictions within Contra Costa (the cities, towns, and the County); three "at-large" members are nominated by community-based stakeholder organizations within Contra Costa, and subsequently appointed to the CAC by CCTA.

To become a member of the CAC, you must reside within the local jurisdiction making the appointment, and your Council or Board must take formal action to confirm your membership on the Committee. At-large members should be residents of Contra Costa.

Meetings are scheduled for the fourth Wednesday of the month at 6:30 p.m. in the CCTA's Walnut Creek offices at 2999 Oak Road, Suite 100. CAC members are appointed to serve for a four-year term without compensation. Members will, however, receive reimbursement for travel expenses to and from the CAC meetings.

For further information regarding transportation projects and programs Contra Costa, please visit the CCTA website at [www.ccta.net](http://www.ccta.net). To view the CAC Charter and Bylaws, or to download the Word® file for this application, go to <http://www.ccta.net/GEN/downloads.htm>.

This application is for (check one): Local Jurisdiction  At-large member

Name of Appointing Agency/Organization: CITY OF ANTIOCH.

Name VICTOR NOEL PINTO CORREIA

Address GLADE COURT ANTIOCH 94509  
Street City Zip Code

Phone [REDACTED]

E-mail [REDACTED] Fax N/A

How many years have you lived in Contra Costa County? 9 years

Are you registered to vote in Contra Costa County?  Yes  No

Education BACHELOR OF SCIENCE in BUSINESS ADMINISTRATION  
CIVIL ENGINEERING

Briefly describe your interest in serving on the Citizens Advisory Committee, citing any relevant volunteer or work experience.

( see attached )

List and briefly describe any participation in volunteer, community or professional organizations that are relevant to your candidacy for the Citizens Advisory Committee.

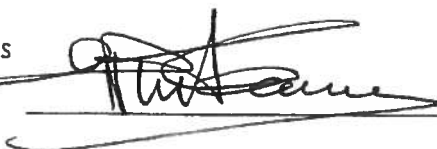
( see attached )

What is your particular interest in transportation?

( see attached )

I have sufficient time to devote to this responsibility and will attend the required meetings if appointed to the Citizens Advisory Committee.

Applicant's  
Signature



Date

7-24-2013

**Briefly describe your interest in serving on the Citizens Advisory Committee, citing any relevant volunteer or work experience.**

I am committed to better management of traffic congestion, lowering of emissions and reduction of the carbon footprint of our County. Transportation is the lifeline in Contra Costa County's local economy providing residents access to and from 19 cities within the County as well as access to other neighboring cities. Unfortunately, lack of convenient and consistent public transportation is sparse forcing residents into their automobiles.

My Civil Engineering background and vast experience focusing on reducing traffic congestion on roadways, improving traffic circulation in parking garages and lots and utilization of alternative fuel vehicles for shuttling of facility users when I was employed at the Oakland international Airport and the University of California Berkeley has helped me get hands-on experience in addressing these issues by finding viable solutions. I was involved with the development of the Oakland International Airport's Expansion Master Plan.

**List and briefly describe any participation in volunteer, community or professional organizations that are relevant to your candidacy for the Citizens Advisory Committee.**

- I have served as a Board member of my Home Owners Association for over 4 years and as Board President for 2 years.
- I am currently the President of a non-profit organization that assists Veterans in finding jobs, housing, clothing, food, etc. The organization will host job fairs, medical fairs and "Stand-Downs" for Veterans in the very near future.
- I have participated in the "Keep Antioch Beautiful" annual clean-up projects.

**What is your particular interest in transportation?**

I would like to incentivize the public to utilize public transportation, car pool or alternative modes of transportation as opposed to driving their car at least once a week. I want to ease traffic congestion and improve quality of life for our citizens by helping them spend more time doing what they love rather than spend hours on the freeways trying to get home.

## INSTRUCTIONS

**APPLICANTS:** Submit your completed application directly to your city or town of residence or appointing organization.

**JURISDICTIONS/STAKEHOLDER ORGANIZATIONS:** Following formal action by your Council or Board, please forward a copy of your candidate's application and appointment confirmation letter to:

CAC Staff Liaison – Diane Bodon  
Contra Costa County Transportation Authority  
2999 Oak Road, Suite 100  
Walnut Creek, CA 94597

[dbodon@ccta.net](mailto:dbodon@ccta.net)  
Phone 925-256-4720

# VICTOR NOEL PINTO CORREIA

Glade Court, Antioch, CA 94509

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## SENIOR MANAGEMENT PROFILE

- Leadership & Team Building • Public Policies □ • Budget Development
- On-Street & Off-Street Parking Management • Revenue Control System Design • Contract Management □ • Contract Negotiations □
- Request for Proposal Development

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Goal-oriented, results-producing Senior-level Manager with a proven record of accomplishment in all aspects of on-street and off-street parking management, development, implementation and enforcement of parking regulations, parking meter technology and meter repair; revenue control systems, revenue collections and accountability; and license plate recognition technologies. Innovative yet practical, with an ability to develop creative solutions to solve operational issues. Exceptional leadership talents: capable of building and leading a performance-driven team with a focus on meeting established organizational goals. Highly skilled in designing strategies to improve employee morale, customer service, public image and community relations. Strong project management, financial administration, contract negotiation and budgeting skills.

### CORE COMPETENCIES

- Team Building
- Project Management
- Issue Resolution
- Contract Negotiations
- RFP Process Management
- Community Relations
- Efficiency Improvements
- Innovative Ideas
- Creative solutions

---

## PROFESSIONAL EXPERIENCE

CITY OF BERKELEY - Berkeley, CA

Sept 2012 – Present

### Manager, Enforcement, Police Department

Responsibilities include providing leadership and guidance to Enforcement Officers and their supervisors, Union negotiations and conflict resolution, public relations, RFP management and award of contract, write and present staff reports to City Council, prepare departmental fiscal Budget, attend and present reports at community forums and establish enforcement policies and procedures.

#### Key Projects:

- In negotiations with the City of Oakland to establish a sister-city agreement for the enforcement of scoff-law violations when vehicles with 5 or more unpaid citations from either City or combination thereof will be subject to booting by either City's parking enforcement teams.
- Replacement of aged parking enforcement vehicles with hybrid vehicles.
- Replace antiquated citation issuance handheld computers with digital handhelds that are capable of printing a picture of the vehicle on the citation.

PROFESSIONAL EXPERIENCE CONTINUED

CITY OF OAKLAND – Oakland, CA

Feb 2009 – Sept 2012

**Director of Parking Operations, Finance and Management Agency**

Provide leadership and direction for the City of Oakland's Parking Division that generates more than \$50 million annually. The Division employed over 100 employees and has an annual operating budget of \$12 million. Responsibilities include overseeing the management of City owned garages, establishment and implementation of parking enforcement policies and procedures, management of the parking enforcement team, management of City's over 7,500 metered spaces, meter coin collection and accounting, meter repair and maintenance, and parking citation processing and adjudication. Promote a team-oriented approach, streamline operations, improve customer service, and increase revenues. Attend and present reports at community forums and City Council meetings. Write and present staff reports, resolutions and ordinances for City Council approval. Develop and implement new operating procedures to meet or surpass industry standards, increase productivity and efficiency. Prepare fiscal budgets and ensure operations align with approved budget.

*Key Achievements:*

- Prepared and issued a Request for Proposal (RFP) for Citation Adjudication and Revenue Reconciliation System (CARRS). Have awarded and signed a contract with the successful Proposer.
- Prepared and issued a RFP for a new Parking Access and Revenue Control System (PARCS). PARCS equipment installation in seven garages has started after contract award.
- An RFP for garage management contract of City owned garages has been completed.
- Negotiated a sole-source contract and implemented a self-release vehicle-booting program for scofflaw violators. This program has generated more than \$2.6 million in unpaid parking citations during the first year of program implementation.
- In final negotiations with two firms to finance, 3400 credit/debit card parking meters with no up-front cost to the City. Contract options are for a five or seven-year term with a guarantee of the current meter revenue baseline. Funding repayment is based upon a negotiated percentage split of revenues above the baseline.

UNIVERSITY OF CALIFORNIA BERKELEY- Berkeley, CA

Jan 2007 – Feb 2009

**Director, Parking and Transportation, Business Administration**

Plan, manage and direct the operations of all transportation and parking facilities at the University of California Berkeley (UCB). Plan and develop fiscal budgets, lean processes, policies to implement reduction of green-house gas emissions and create opportunities to generate revenues. Establish operating procedures and provide clear directions on implementation of new programs.

*Key Achievements:*

- Restructured the Parking and Transportation Department realizing more than \$950,000 in annual salary savings for Fiscal Year 2008-2009.
- Introduced lean processes to business practices saving approximately \$160,000 annually.
- Initiated and managed final negotiations with AC Transit, a public transit agency, to operate a joint campus bus service by combining some of AC Transit's existing service routes in the City of Berkeley with UCB Campus routes. This joint venture will reduce the number of buses traveling on the City of Berkeley streets and on campus while reducing emissions.



PROFESSIONAL EXPERIENCE CONTINUED

- Conversion of Parking and Transportation's vehicle fleet from gasoline and diesel to a combination of electric and hybrid vehicles. This conversion is estimated to reduce approximately \$120,000 in fuel costs annually.
- Developed and issued an RFP for a new campus Parking Facilities' Management Contract. A vendor was selected and the annual contract costs were negotiated down by approximately \$400,000 compared with the previous contract.

SAN FRANCISCO INTERNATIONAL AIRPORT –San Francisco, CA

Mar 2004 –Jul 2006

**Manager, Airport Parking Operations, Business and Finance**

Planned, managed and directed the operations of all on-airport parking facilities at the San Francisco International Airport (SFO). Established operating procedures and provided clear directions on implementation of new programs. Worked closely with SFPD and TSA to implement Homeland Security mandates that affect Landside Operations. Developed specifications and issued an RFP for a new Parking Access and Revenue Control System (PARCS). Negotiated and managed parking and security guard contracts. Assisted the City's Engineer with design and renovation of airport parking facilities. Prepared and managed the Parking Division's fiscal budget.

*Key Achievements:*

- Developed technical specifications, issued an RFP and procured a new multi-million dollar Parking Access Revenue Control System (PARCS). Phase I installation of the new system was completed June 1, 2006 within budget and on time.
- Negotiated firmly with the winning PARCS contractor and lowered the cost proposal from \$8.4 million down to a final contract price of \$5.9 million through value engineering.
- Converted a 3200 space employee parking garage into a public long-term garage. This conversion increased long-term parking patronage by 42%.
- Prepared and issued a Request for Proposal for the airport's parking facilities management contract.
- Increased annual parking revenues by \$3.3 million through audit findings and remedial actions.

CITY OF OAKLAND – Oakland, CA

Jan 2000 – Feb 2004

**Parking Operations Manager, Finance and Management Agency**

Provided leadership and direction for the City of Oakland's Parking Division, which generated over \$38 million annually. The Division employed 89 employees and had an annual operating budget of \$7.4 million. Responsibilities included establishment and implementation of parking and citation enforcement policies and procedures, management of the parking enforcement team, meter coin collection and counting, meter repair and maintenance, and parking citation processing and adjudication. Promoted a team-oriented approach, streamlined operations, improved customer service, and increased revenues. Attended and presented reports at community forums and City Council meetings. Developed and implemented new operational procedures which increased productivity and efficiency. Prepared fiscal budget and ensured operations aligned with approved budget.

*Key Achievements:*

- Restructured the division, combining individual departments to function as one team; increasing revenues generated from parking citations by \$3.5 million through elimination

PROFESSIONAL EXPERIENCE CONTINUED

of processing errors and improvement in operational efficiencies.

- Established new meter maintenance procedures, which increased functional meter percentage from 55% to 95% and increased revenues by \$2.2 million.
- Networked with community groups and attended town hall meetings to significantly improve public image and community relations.

PORT OF OAKLAND – Oakland, CA

Jun 1990 – Jan 2000

**Superintendent, Airport Landside Operations**

Planned and managed Oakland International Airport's landside operations, encompassing issuance and inventory control of aviation security ID badges, SIDA instructions for new employees, security guard operations at AOA access gates, checkpoint metal detector calibrations through contract services, parking operations, ground transportation inspections and permitting, parking and traffic citation enforcement, shuttle bus operations, and third-party contracts. Trained, motivated, and led team of professionals in a wide range of functions ranging from parking and traffic enforcement staff to operations management staff.

*Key Achievements:*

- Worked on the port's aviation team for the development of the airport's master plan.
- Assisted in the verification and re-badging of all Aviation Security ID badges during the first Persian Gulf War (PGW 1) in January of 1991. The project was completed in approximately 2 weeks.
- Established the FAA mandated 300 foot clear zone in front of passenger terminals within 2 hours from the issuance of the FAR during the PGW 1.
- Instituted a new taxicab Ordinance at the Oakland International Airport which mandated that 50% of all company fleet vehicles assigned to the airport use alternative fuels.
- Spearheaded the improvement of the existing transit service between airport parking facilities and terminals, and overhauled the BART/Airport (AirBART) transit connection; developed transit type bus specifications, established funding, and purchased 14 low-floor buses costing \$5 million.
- Generated a 35% revenue increase with the BART/Airport bus connection, recovering operational costs, achieving profitability, and eliminating need for a subsidy.
- Played key role in the design, implementation, and operation of computerized parking revenue control system.
- Reduced operating expenses by 22% through strategic negotiation of contracts for security, parking management, and shuttle bus services.
- Provided key contributions in the design, construction, and operation of new employee parking lot and two overflow public parking lots with a collective parking capacity of more than 2,800 stalls.

BAY AREA PARKING COMPANY – Oakland, CA

Feb 1981 – Jun 1990

**Manager**

Managed Oakland International Airport's parking facilities during the period when the airport was expanding, assisted with the design of overflow parking lots that increased the airport's parking stall capacity by 100 % and parking revenues by more than 70%. Worked collaboratively with airport management and airline managers to coordinate various parking and transportation expansion projects.

**PROFESSIONAL EXPERIENCE CONTINUED**

*Key Achievements:*

- Developed streamlined systems and procedures to direct flow of traffic entering and exiting facilities; designed and implemented fast-pay parking exit lanes.
- Redesigned existing layout of the long-term parking lot to increase capacity by 820 stalls.
- Established audit procedures and strategies to minimize loss of parking revenues.
- Developed training procedures to quickly train a rapidly growing employee base which had grown from 17 employees to 72 employees within three years.

**EDUCATIONAL BACKGROUND**

**Bachelor of Science in Business Administration**  
NATIONAL UNIVERSITY – Oakland, CA

**Civil Engineering**  
POLYTECHNIC COLLEGE OF ENGINEERING

**PROFESSIONAL ASSOCIATION**

INTERNATIONAL PARKING INSTITUTE



CONTRA COSTA  
**transportation  
authority**

RECEIVED  
JUL 30 2013  
CITY OF ANTIOCH  
CITY CLERK

*Citizens Advisory Committee Application*

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For further information regarding transportation projects and programs, please visit the CCTA website at [www.ccta.net](http://www.ccta.net). To view the CAC Charter and Bylaws, go to <http://www.ccta.net/GEN/downloads.htm>.

**This application is for the City of Antioch:** Local Jurisdiction At-large member

Name of Appointing Agency/Organization: **City of Antioch**

Name: JEFF Belle

Address: [REDACTED] Crestone Peak Court

Antioch, CA Zip Code: 94531

Phone: [REDACTED]

E-mail/Fax: \_\_\_\_\_

How many years have you lived in Contra Costa County? Six (6) years

Are you registered to vote in Contra Costa County?  Yes  No

Education:

MPA - Master of Public Administration (2014) - Grand Canyon University  
Certificate - Public Health (Johns Hopkins University)  
B.S. - Political Science (Oakland City University / Aurora University)  
A.S. - Respiratory Care (BioSystems Institute)

Briefly describe your interest in serving on the Citizens Advisory Committee, citing any relevant volunteer or work experience.

My interest in serving on the Citizens Advisory Committee is  
from the perspective of a concerned citizen of Antioch and  
a seasoned professional in public policy - public health  
(air quality), transportation (business expansion) and education  
(youth participation in biking and walking) activities.  
My understanding of policy development and implementation is  
of value to the Committee.

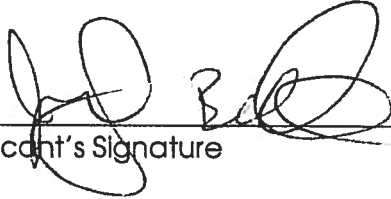
List and briefly describe any participation in volunteer, community or professional organizations that are relevant to your candidacy for the Citizens Advisory Committee.

In addition to serving in various leadership roles in public policy,  
currently I advise interns at LMIHCD who are researching, drafting  
and reporting on "Air toxins in Contra Costa County and their  
relationship to increasing Asthma conditions & Lung Cancer mortality."  
Moreover, I'm a member of Municipal Management Assoc. of Northern  
Calif.; and NAACP (East County) - Transportation (Highway 4 - Corridor  
Project Committee) - From public policy - air quality, transportation  
and education to responsible government and citizens.  
"Complaining is hardly a substitute for the courage that we badly need."

What is your particular interest in transportation?

My interest in transportation is to provide a citizen's perspective, participation and involvement with the Authority policy development and implementation - specifically relating to the interest of the residents and businesses of Antioch, California -

I have sufficient time to devote to this responsibility and will attend the required meetings if appointed to the Citizens Advisory Committee. Yes!



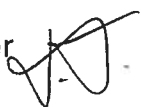
Applicant's Signature

7-24-13  
Date

## INSTRUCTIONS

**APPLICANTS:** Submit your completed application directly to the Antioch City Clerk no later than 5 p.m. on Wednesday, July 31, 2013.

**STAFF REPORT TO THE CITY COUNCIL FOR CONSIDERATION  
AT THE COUNCIL MEETING OF AUGUST 13, 2013**

Approved by: Jim Jakel, City Manager   
Date: August 7, 2013  
Subject: 2013 League of California Cities' Annual Conference  
Resolutions

**RECOMMENDATION**

Motion to support both Resolutions when Antioch's voting member casts their vote.

**BACKGROUND INFORMATION**

The League of California Cities' Annual Conference has traditionally proposed various Resolutions for adoption at the annual conference. This year the two Resolutions are proposed. The first is related to water bond funding and the second to public safety realignment. An attachment to this report includes both resolutions and background information. The League is encouraging City Councils to determine a City position on the measures prior to the Conference.

**ACTION**

Provide guidance to the City's voting member on Resolutions 1 and 2.

**ATTACHMENTS**

2013 Annual Conference Resolutions Packet

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08-13-13

July 23, 2013

TO: Mayors, City Managers and City Clerks  
League Board of Directors

RE: Annual Conference Resolutions Packet  
Notice of League Annual Meeting

**RECEIVED**  
**JUL 29 2013**  
CITY OF ANTIOCH  
CITY CLERK

Enclosed please find the 2013 Annual Conference Resolutions Packet.

**Annual Conference in Sacramento.** This year's League Annual Conference will be held September 18 - 20 in Sacramento. The conference announcement has previously been sent to all cities and we hope that you and your colleagues will be able to join us. More information about the conference is available on the League's Web site at [www.cacities.org/ac](http://www.cacities.org/ac). We look forward to welcoming city officials to the conference.

**Annual Luncheon/Business Meeting - Friday, September 20, 12:00 p.m.** The League's Annual Business Meeting will be held at the Hyatt Regency Hotel.

**Resolutions Packet.** At the Annual Conference, the League will consider the two resolutions introduced by the deadline, Saturday, July 20, 2013, midnight. These resolutions are included in this packet. New this year, resolutions submitted to the General Assembly must be concurred in by five cities or by city officials from at least five or more cities. These letters of concurrence are included with this packet. We request that you distribute this packet to your city council.

We encourage each city council to consider the resolutions and to determine a city position so that your voting delegate can represent your city's position on each resolution. A copy of the resolutions packet is posted on the League's website for your convenience: [www.cacities.org/resolutions](http://www.cacities.org/resolutions).

The resolutions packet contains additional information related to consideration of the resolutions at the Annual Conference. This includes the date, time and location of the meetings at which resolutions will be considered.

**Voting Delegates.** Each city council is encouraged to designate a voting delegate and two alternates to represent their city at the Annual Business Meeting. A letter asking city councils to designate their voting delegate and two alternates has already been sent to each city. Copies of the letter, voting delegate form, and additional information are also available at: [www.cacities.org/resolutions](http://www.cacities.org/resolutions).

**Please Bring This Packet to the Annual Conference  
September 18 - 20 — Sacramento**





*Annual Conference  
Resolutions Packet*

*115<sup>th</sup> Annual Conference*



*Sacramento  
September 18 - 20, 2013*

# **ANNUAL CONFERENCE MEETING SCHEDULE FOR RESOLUTIONS**

## **1. Policy Committee Meetings**

Wednesday, September 18, 2013  
Sheraton Grand Hotel  
1230 J Street, Sacramento

Public Safety: 9:00 a.m. – 10:30 a.m.  
Environmental Quality: 10:30 a.m. – 12:00 p.m.

## **2. General Resolutions Committee**

Thursday, September 19, 2013, 1:00 p.m.  
Sacramento Convention Center  
1400 J Street, Sacramento

## **3. Annual Business Meeting and General Assembly Luncheon**

Friday, September 20, 2013, 12:00 p.m.  
Hyatt Regency Hotel  
1209 L Street, Sacramento

## INFORMATION AND PROCEDURES

**RESOLUTIONS CONTAINED IN THIS PACKET:** The League bylaws provide that resolutions shall be referred by the president to an appropriate policy committee for review and recommendation. Resolutions with committee recommendations shall then be considered by the General Resolutions Committee at the Annual Conference.

This year, two resolutions have been introduced for consideration by the Annual Conference and referred to the League policy committees.

**POLICY COMMITTEES:** Two policy committees will meet at the Annual Conference to consider and take action on resolutions referred to them. The committees are Environmental Quality and Public Safety. These committees will meet on Wednesday, September 18, 2013, at the Sheraton Grand Hotel in Sacramento. The sponsors of the resolutions have been notified of the time and location of the meetings.

**GENERAL RESOLUTIONS COMMITTEE:** This committee will meet at 1:00 p.m. on Thursday, September 19, at the Sacramento Convention Center, to consider the reports of the two policy committees regarding the two resolutions. This committee includes one representative from each of the League's regional divisions, functional departments and standing policy committees, as well as other individuals appointed by the League president. Please check in at the registration desk for room location.

**ANNUAL LUNCHEON/BUSINESS MEETING/GENERAL ASSEMBLY:** This meeting will be held at 12:00 p.m. on Friday, September 20, at the Hyatt Regency Hotel.

**PETITIONED RESOLUTIONS:** For those issues that develop after the normal 60-day deadline, a resolution may be introduced at the Annual Conference with a petition signed by designated voting delegates of 10 percent of all member cities (47 valid signatures required) and presented to the Voting Delegates Desk at least 24 hours prior to the time set for convening the Annual Business Session of the General Assembly. This year, that deadline is 12:00 p.m., Thursday, September 19. If the petitioned resolution is substantially similar in substance to a resolution already under consideration, the petitioned resolution may be disqualified by the General Resolutions Committee.

Resolutions can be viewed on the League's Web site: [www.cacities.org/resolutions](http://www.cacities.org/resolutions).

Any questions concerning the resolutions procedures may be directed to Meg Desmond at the League office: [mdesmond@cacities.org](mailto:mdesmond@cacities.org) or (916) 658-8224

## **GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS**

Policy development is a vital and ongoing process within the League. The principal means for deciding policy on the important issues facing cities is through the League's eight standing policy committees and the board of directors. The process allows for timely consideration of issues in a changing environment and assures city officials the opportunity to both initiate and influence policy decisions.

Annual conference resolutions constitute an additional way to develop League policy. Resolutions should adhere to the following criteria.

### **Guidelines for Annual Conference Resolutions**

1. Only issues that have a direct bearing on municipal affairs should be considered or adopted at the Annual Conference.
2. The issue is not of a purely local or regional concern.
3. The recommended policy should not simply restate existing League policy.
4. The resolution should be directed at achieving one of the following objectives:
  - (a) Focus public or media attention on an issue of major importance to cities.
  - (b) Establish a new direction for League policy by establishing general principals around which more detailed policies may be developed by policy committees and the board of directors.
  - (c) Consider important issues not adequately addressed by the policy committees and board of directors.
  - (d) Amend the League bylaws (requires 2/3 vote at General Assembly).

## LOCATION OF MEETINGS

### Policy Committee Meetings

Wednesday, September 18, 2013  
Sheraton Grand Hotel  
1230 J Street, Sacramento

Public Safety: 9:00 a.m. – 10:30 a.m.  
Environmental Quality: 10:30 a.m. – 12:00 p.m.

### General Resolutions Committee

Thursday, September 19, 2013, 1:00 p.m.  
Sacramento Convention Center  
1400 J Street, Sacramento

### Annual Business Meeting and General Assembly Luncheon

Friday, September 20, 2013, 12:00 p.m.  
Hyatt Regency Hotel  
1209 L Street, Sacramento

## KEY TO ACTIONS TAKEN ON RESOLUTIONS

Resolutions have been grouped by policy committees to which they have been assigned.

Number	Key Word Index	Reviewing Body Action		
		1	2	3
		1 - Policy Committee Recommendation to General Resolutions Committee 2 - General Resolutions Committee 3 - General Assembly		

### ENVIRONMENTAL QUALITY POLICY COMMITTEE

		1	2	3
1	Water Bond Funds			

### PUBLIC SAFETY POLICY COMMITTEE

		1	2	3
2	Public Safety Realignment			

Information pertaining to the Annual Conference Resolutions will also be posted on each committee's page on the League website: [www.cacities.org](http://www.cacities.org). The entire Resolutions Packet will be posted at: [www.cacities.org/resolutions](http://www.cacities.org/resolutions).

## KEY TO ACTIONS TAKEN ON RESOLUTIONS (Continued)

### KEY TO REVIEWING BODIES

1. Policy Committee
2. General Resolutions Committee
3. General Assembly

### Action Footnotes

- \* Subject matter covered in another resolution
- \*\* Existing League policy
- \*\*\* Local authority presently exists

### KEY TO ACTIONS TAKEN

- A - Approve
- D - Disapprove
- N - No Action
- R - Refer to appropriate policy committee for study
- a - Amend
- Aa - Approve as amended
- Aaa - Approve with additional amendment(s)
- Ra - Amend and refer as amended to appropriate policy committee for study
- Raa - Additional amendments and refer
- Da - Amend (for clarity or brevity) and Disapprove
- Na - Amend (for clarity or brevity) and take No Action
- W - Withdrawn by Sponsor

**Procedural Note:** Resolutions that are approved by the General Resolutions Committee, as well as all qualified petitioned resolutions, are reported to the floor of the General Assembly. In addition, League policy provides the following procedure for resolutions approved by League policy committees but *not* approved by the General Resolutions Committee:

Resolutions initially recommended for approval and adoption by all the League policy committees to which the resolution is assigned, but subsequently recommended for disapproval, referral or no action by the General Resolutions Committee, shall then be placed on a consent agenda for consideration by the General Assembly. The consent agenda shall include a brief description of the basis for the recommendations by both the policy committee(s) and General Resolutions Committee, as well as the recommended action by each. Any voting delegate may make a motion to pull a resolution from the consent agenda in order to request the opportunity to fully debate the resolution. If, upon a majority vote of the General Assembly, the request for debate is approved, the General Assembly shall have the opportunity to debate and subsequently vote on the resolution.

## 2013 ANNUAL CONFERENCE RESOLUTIONS

### RESOLUTION REFERRED TO ENVIRONMENTAL QUALITY POLICY COMMITTEE

- 1. RESOLUTION CALLING UPON THE GOVERNOR AND THE LEGISLATURE TO WORK WITH THE LEAGUE OF CALIFORNIA CITIES IN PROVIDING ADEQUATE FUNDING AND TO PRIORITIZE WATER BONDS TO ASSIST LOCAL GOVERNMENT IN WATER CONSERVATION, GROUND WATER RECHARGE AND REUSE OF STORMWATER AND URBAN RUNOFF PROGRAMS.**

Source: Los Angeles County Division

Concurrence of five or more cities/city officials: Cities of Alhambra; Cerritos; Claremont; Glendora; Lakewood; La Mirada; La Verne; Norwalk; Signal Hill; Mary Ann Lutz, Mayor, city of Monrovia.

Referred to: Environmental Quality Policy Committee

Recommendations to General Resolutions Committee: Approve

**WHEREAS**, local governments play a critical role in providing water conservation, ground water recharge and reuse of stormwater infrastructure, including capture and reuse of stormwater for their citizens, businesses and institutions; and

**WHEREAS**, local governments support the goals of the Clean Water Act to ensure safe, clean water supply for all and the U.S. Environmental Protection Agency has encouraged local governments to implement programs to capture, infiltrate and treat stormwater and urban runoff with the use of low impact development ordinances, green street policies and programs to increase the local ground water supply through stormwater capture and infiltration programs; and

**WHEREAS**, local governments also support the State's water quality objectives, specifically Section 13241 of the Porter-Cologne Water Quality Control Act, on the need to maximize the use of reclaimed and water reuse and the Regional Water Quality Control Boards and the State Water Resources Board encourage rainwater capture efforts; and

**WHEREAS**, the State's actions working through the water boards, supported by substantial Federal, State and local investments, have led to a dramatic decrease in water pollution from wastewater treatment plants and other so-called "point sources" since 1972. However, the current threats to the State's water quality are far more difficult to solve, even as the demand for clean water increases from a growing population and an economically important agricultural industry; and

**WHEREAS**, the State's Little Hoover Commission found in 2009 that more than 30,000 stormwater discharges are subject to permits regulating large and small cities, counties, construction sites and industry. The Commission found that a diverse group of water users – the military, small and large businesses, home builders and local governments and more – face enormous costs as they try to control and limit stormwater pollution. The Commission concluded that the costs of stormwater clean up are enormous and that the costs of stormwater pollution are greater, as beach closures impact the State's economy and environmental damage threatens to impair wildlife; and

**WHEREAS**, at the same time that new programs and projects to improve water quality are currently being required by the U.S. EPA and the State under the National Pollution Discharge Elimination System (NPDES) permits and the Total Daily Maximum Load (TMDL) programs, many local governments find that they lack the basic infrastructure to capture, infiltrate and reuse stormwater and cities are facing difficult economic challenges while Federal and State financial assistance has been reduced due to the impacts of the recession and slow economic recovery; and



**WHEREAS**, cities have seen their costs with the new NPDES permit requirements double and triple in size in the past year, with additional costs anticipated in future years. Additionally, many local businesses have grown increasingly concerned about the costs of retrofitting their properties to meet stormwater and runoff requirements required under the NPDES permits and TMDL programs; and

**WHEREAS**, the League of California Cities adopted water polices in March of 2012, recognizing that the development and operation of water supply, flood control and storm water management, among other water functions, is frequently beyond the capacity of local areas to finance and the League found that since most facilities have widespread benefits, it has become the tradition for Federal, State and local governments to share their costs (XIV, Financial Considerations); and the League supports legislation providing funding for stormwater and other water programs; and

**WHEREAS**, the Governor and the Legislature are currently contemplating projects for a water bond and a portion of the bond could be directed to assist local government in funding and implementing the goals of the Clean Water Act and the State's water objectives of conserving and reusing stormwater in order to improve the supply and reliability of water supply; and now therefore let it be

**RESOLVED** by the General Assembly of the League of California Cities, assembled in Sacramento on September 20, 2013, that the League calls for the Governor and the Legislature to work with the League and other stakeholders to provide adequate funding for water conservation, ground water recharge and capture and reuse of stormwater and runoff in the water bond issue and to prioritize future water bonds to assist local governments in funding these programs. The League will work with its member cities to educate federal and state officials to the challenges facing local governments in providing for programs to capture, infiltrate and reuse stormwater and urban runoff.

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**Background Information on Resolution No. 1**

**Source:** Los Angeles County Division

**Background:**

In order to meet the goals of both the Federal Clean Water Act and the State's Porter-Cologne Water Quality Control Act, which seek to ensure safe clean water supplies, cities provide critical water conservation, ground water recharge and reuse of stormwater infrastructure, including capture and reuse of stormwater for their citizens, businesses and institutions.

Working with the State's Regional Water Quality Control Boards and the State Water Resources Board through the National Pollution Discharge Elimination System (NPDES) permitting process and Total Maximum Daily Load (TMDL) Programs, California's cities implement programs to capture, infiltrate and treat stormwater and urban runoff with the use of low impact development ordinances, green streets policies and other programs to increase the local ground water supply.

These actions have led to a dramatic decrease in water pollution from wastewater treatment plants and other so-called "point sources" since the adoption of the Clean Water Act in 1972. However, current threats to the State's "non-point sources" of pollution, such as stormwater and urban runoff are far more difficult to solve, even as the demand for clean water increases from a growing population and an economically important agricultural industry.

### **Current Problem Facing California's Cities**

The Little Hoover Commission found in 2009 that more than 30,000 stormwater discharges are subject to permits regulating large and small cities, counties, construction sites and industry. The Commission found that a diverse group of water users – the military, small and large businesses, home builders and local governments and more – face enormous costs as they try and control and limit stormwater pollution. The Commission concluded that the costs of stormwater clean up are enormous and that the costs of stormwater pollution are greater as beach closures impact the state's economy and environmental damage threatens to impair wildlife.

Additionally, new programs and projects to improve water quality are currently being required by the U.S. EPA and the State under the NPDES permits and the TMDL programs. Many local governments find that they lack the basic infrastructure to capture, infiltrate and reuse stormwater and the cities are facing difficult economic challenges while Federal and State financial assistance has been reduced due to the impacts of the recession and slow economic recovery.

Cities have seen their costs with the new NPDES permit requirements triple in size in the past year, with additional costs anticipated in future years. Additionally, many local businesses have grown increasingly concerned about the costs of retrofitting their properties to meet stormwater and runoff requirements required under the NPDES permits and TMDL programs.

In Los Angeles County alone, reports commissioned by the Los Angeles County Flood Control District estimate the costs of achieving region-wide compliance for implementing TMDL programs in the NPDES permits required by the Los Angeles Regional Water Quality Control Board (LARWQCB) will be in the tens of billions of dollars over the next twenty years. Additionally, failure to comply with the LARWQCB's terms could result in significant Clean Water Act fines, state fines and federal penalties anywhere from \$3,000- \$37,500 per day. Violations can also result in third-party litigation. Such costs are not confined to Los Angeles County and are being realized statewide.

Clearly, compliance with the NPDES permit and TMDL programs will be expensive for local governments over a long period of time and cities lack a stable, long-term, dedicated local funding source to address this need. Many cities are faced with the choice of either cutting existing services or finding new sources of revenue to fund the NPDES and TMDL programs.

### **Los Angeles County Division Resolution**

The Division supports strong League education and advocacy at both the State and Federal levels to help cities face the challenges in providing programs to capture, infiltrate and reuse stormwater and urban runoff. While Los Angeles County cities and other regions seek to secure local funding sources to meet the Clean Water Act and the State's water objectives, it will simply not be enough to meet the enormous costs of compliance. The Los Angeles County Division strongly believes that State and Federal cooperation are necessary to fund programs to secure and reuse stormwater in order to improve water supply and reliability throughout the state.

The Division calls for the League to engage in discussions on 2014 State Water Bond to assist cities in funding and implementing the goals of the Clean Water Act and the State's Water objectives. This resolution does not support the 2014 bond issue, since the League and individual cities will need to make this decision at a later time upon review of the final language. However, the Governor and Legislature have reopened discussions for the 2014 water bond and funding of urban runoff and stormwater programs has taken a back seat in past bond issues, such as Proposition 84. In May, Assembly Speaker John Perez appointed a Water Bond Working Group which recently outlined a new set of Priorities and Accountability Measures for developing a water bond that would gain the support of 2/3 of the Legislature and voters. One of the priorities identified by the committee included, "Regional Self Reliance/Integrated Regional Water

Management,” posing the question if stormwater capture should be included in any future bonds. The Division believes the opportunity to advocate for funding in the bond is now.

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**League of California Cities Staff Analysis on Resolution No. 1**

Staff: Jason Rhine; (916) 658-8264  
Committee: Environmental Quality

**Summary:**

This resolution seeks to call upon the Governor and the Legislature to work with the League of California Cities in providing adequate funding and to prioritize water bonds to assist local governments in water conservation, ground water recharge and reuse of stormwater and urban runoff programs.

**Background:**

In 2009, the State Legislature passed and Governor Arnold Schwarzenegger signed a package of legislation that included four policy bills and an \$11.1 billion water bond (The Clean, and Reliable Drinking Water Supply Act). The water bond included the following major spending proposals:

- \$455 million for drought relief projects, disadvantaged communities, small community wastewater treatment improvements and safe drinking water revolving fund
- \$1.4 billion for "integrated regional water management projects"
- \$2.25 billion for projects that "support delta sustainability options"
- \$3 billion for water storage projects
- \$1.7 billion for ecosystem and watershed protection and restoration projects in 21 watersheds
- \$1 billion for groundwater protection and cleanup
- \$1.25 billion for "water recycling and advanced treatment technology projects"

The \$11.1 billion bond also included nearly \$2 billion in earmarks. Projects slated for funding included:

- \$40 million to educate the public about California's water
- \$100 million for a Lake Tahoe Environmental Improvement Program for watershed restoration, bike trails and public access and recreation projects
- \$75 million for the Sierra Nevada Conservancy, for public access, education and interpretive projects
- \$20 million for the Baldwin Hills Conservancy to be used to buy more land
- \$20 million for the Bolsa Chica Wetlands for interpretive projects for visitors

The water bond was originally scheduled to appear on the 2010 ballot as Proposition 18. However, due to significant criticism over the size of the bond, the amount of earmarked projects, and a lack of public support, the Legislature has voted twice to postpone the ballot vote. The water bond is now slated for the November 4, 2014 ballot.

It is unclear whether or not the water bond will actually appear on the November 2014 ballot. In recent months, pressure has been mounting to postpone the water bond yet again or significantly rewrite the water bond to drastically reduce the overall size of the bond and remove all earmarks. The Legislature has until the summer of 2014 to act.

**Fiscal Impact:**

Unknown. This resolution does not seek a specified appropriation from a water bond.

### **Existing League Policy:**

In 2008, the League formed a new Water Task Force to consider updates and revision to the Water Guidelines the League drafted and adopted 20 years earlier. These new Guidelines were formally approved by the League board of directors in Feb. 2010. Below are the most pertinent policy and guiding principles related to the proposed resolution. To view the entire water policy guidelines, go to [www.cacities.org/waterpolicyguidelines](http://www.cacities.org/waterpolicyguidelines).

### **General Principles**

- The League supports the development of additional groundwater and surface water storage, including proposed surface storage projects now under study if they are determined to be feasible, including but not limited to: environmentally, economically, and geographically relating to point of origin. Appropriate funding sources could include, but are not limited to user fees, bonds and federal funding.
- The League supports state water policy that allows undertaking aggressive water conservation and water use efficiency while preserving, and not diminishing, public and constitutional water rights.

### **Water Conservation**

- The League supports the development of a statewide goal to reduce water use by 20% by 2020 through the implementation of fair and equitable measures consistent with these principles.
- Accomplishing water conservation and water use efficiency goals will require statewide action by all water users, including residential, commercial, industrial and agricultural water users, local and regional planning agencies, state and federal agencies, chambers of commerce, and business, commercial and industrial professional and trade associations.

### **Water Recycling**

- Wherever feasible, water recycling should be practiced in urban, industrial and agricultural sectors. This includes increasing the use of recycled water over 2002 levels by at least one million acre-foot/year (afy) by 2020 and by at least two million afy by 2030.
- Increased recycling, reuse and other refinements in water management practices should be included in all water supply programs.

### **Water Storage**

- The development of additional surface facilities and use of groundwater basins to store surface water that is surplus to that needed to maintain State Water Resource Control Board (SWRCB) Bay-Delta estuary water quality standards should be supported.

### **Groundwater**

- The principle that local entities within groundwater basins (i.e., cities, counties, special districts, and the regional water quality control boards) working cooperatively should be responsible for and involved in developing and implementing basin wide groundwater, basin management plans should be supported. The plans should include, but not be limited to: a) protecting groundwater quality; b) identifying means to correct groundwater overdraft; c) implementing better irrigation techniques; d) increasing water reclamation and reuse; and e) refining water conservation and other management practices.
- Financial assistance from state and federal governments should be made available to requesting local agencies to develop and implement their groundwater management plans.

### **Financial Considerations**

- It is recognized that the development and operation of water supply, water conveyance, flood control and stormwater management, water storage, and wastewater treatment facilities is frequently beyond the capability of local areas to finance;

- The League supports legislation to provide funding for stormwater, water and wastewater programs, including a constitutional amendment which would place stormwater fees in the category of water and wastewater fees, for the purposes of Proposition 218 compliance.

**Support:**

New this year, any resolutions submitted to the General Assembly must be concurred in by five cities or by city officials from at least five or more cities. Those submitting resolutions were asked to provide written documentation of concurrence. The following letters of concurrence were received: cities of Alhambra; Cerritos; Claremont; Glendora; Lakewood; La Mirada; La Verne; Norwalk; Signal Hill; and Mary Ann Lutz, Mayor, city of Monrovia. A letter of support was also received from the California Contract Cities Association.

**RESOLUTION REFERRED TO PUBLIC SAFETY POLICY COMMITTEE**

2. **RESOLUTION CALLING UPON THE GOVERNOR AND LEGISLATURE TO ENTER INTO DISCUSSIONS WITH THE LEAGUE AND CALIFORNIA POLICE CHIEFS' ASSOCIATION REPRESENTATIVES TO IDENTIFY AND ENACT STRATEGIES THAT WILL ENSURE THE SUCCESS OF PUBLIC SAFETY REALIGNMENT FROM A LOCAL MUNICIPAL LAW ENFORCEMENT PERSPECTIVE.**

Source: Public Safety Policy Committee

Concurrence of five or more cities/city officials: Cities of Arroyo Grande, Covina; Fontana; Glendora; Monrovia; Ontario; Pismo Beach; and Santa Barbara

Referred to: Public Safety Policy Committee

Recommendation to General Resolutions Committee: Approve

**WHEREAS**, in October 2011 the Governor proposed the realignment of public safety responsibilities from state prisons to local government as a way to address recent court orders in response to litigation related to state prison overcrowding, and to reduce state expenditures; and

**WHEREAS**, the Governor stated that realignment needed to be fully funded with a constitutionally protected source of funds if it were to succeed; and

**WHEREAS**, the Legislature enacted the realignment measures, AB 109 and AB 117, and the Governor signed them into law without full constitutionally protected funding and liability protection for stakeholders; and

**WHEREAS**, California currently has insufficient jail space, probation officers, housing and job placement programs, medical and mental health facilities, lacks a uniform definition of recidivism; and utilizes inappropriate convictions used to determine inmate eligibility for participation in the realignment program; and

**WHEREAS**, since the implementation of realignment there have been numerous issues identified that have not been properly addressed that significantly impact municipal police departments' efforts to successfully implement realignment; and

**WHEREAS**, ultimately many of these probationers who have severe mental illness are released into communities where they continue to commit crimes that impact the safety of community members and drain the resources of probation departments and police departments throughout the state; and

**WHEREAS**, an estimated 30 counties were operating under court-ordered or self-imposed population caps before realignment, and the current lack of bed space in county jails has since led to many convicted probationers being released early after serving a fraction of their time; with inadequate to no subsequent supervision, leaving them free to engage in further criminal offenses in our local cities; and

**WHEREAS**, there is increasing knowledge among the offender population which offenses will and will not result in a sentence to state prison, and many offenders, if held in custody pending trial, that would be sentenced to county jail are ultimately sentenced to time served due to overcrowding in county facilities; and

**WHEREAS**, there are inadequate databases allowing local police departments to share critical offender information among themselves, with county probation departments, and with other county and state law enforcement entities; and

**WHEREAS**, local police departments have not received adequate funding to properly address this new population of offenders who are victimizing California communities; and now therefore let it be

**RESOLVED** by the General Assembly of the League of California Cities, assembled in Sacramento on September 20, 2013, to request the Governor and State Legislature to immediately enter into discussions with League representatives and the California Police Chiefs' Association to address the following issues:

1. The need to fully fund municipal police departments with constitutionally protected funding to appropriately address realignment issues facing front-line law enforcement;
2. Amend appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates (N3) inmates to include their total criminal and mental history instead of only their last criminal conviction;
3. Establish a uniform definition of recidivism with the input of all criminal justice stakeholders throughout the state;
4. Enact legislation that will accommodate the option for city police officers to make ten (10) day flash incarcerations in city jails for probationers who violate the conditions of their probation;
5. Establish oversight procedures to encourage transparency and accountability over the use of realignment funding;
6. Implement the recommendations identified in the California Little Hoover Commission Report #216 dated May 30, 2013;
7. Provide for greater representation of city officials on the local Community Corrections Partnerships. Currently AB 117 provides for only one city official (a police chief) on the seven-member body, six of which are aligned with the county in which the partnership has been established. As a result, the counties dominate the committees and the subsequent distribution of realignment funds.
8. Provide, either administratively or by legislation, an effective statewide data sharing mechanism allowing state and local law enforcement agencies to rapidly and efficiently share offender information to assist in tracking and monitoring the activities of AB 109 and other offenders.

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## Background Information on Resolution No. 2

**Source:** Public Safety Policy Committee

**Background:**

In October 2011 the Governor proposed the realignment of public safety tasks from State Prisons to local government as a way to address certain judicial orders dealing with State prison overcrowding and to reduce State expenditures. This program shifts the prisoner burden from State prisons to local counties and cities.

When the Governor signed into law realignment he stated that realignment needed to be fully funded with constitutionally protected source of funds to succeed. Nonetheless, the law was implemented without full constitutional protected funding for counties and cities; insufficient liability protections to local agencies; jail space; probation officers; housing and job placement programs; medical and mental health facilities; and with an inappropriate definition of N3 (non-serious, non-sexual, non-violent) criminal convictions used to screen inmates for participation in the program.

Two-thirds of California's 58 counties are already under some form of mandated early release. Currently, 20 counties have to comply with maximum population capacity limits enforced by court order, while another 12 counties have self-imposed population caps to avoid lawsuits.

At this time no one knows what the full impact of realignment will ultimately be on crime. We hope that crime will continue to drop, but with the current experience of the 40,000 offenders realigned since October 2011, and an estimated additional 12,000 offenders being shifted from State prison to local jails and community supervision by the end of fiscal year 2013-14, it will be very difficult to realize lower crime rates in the future.

Beginning in October 2011, California State prisons began moving N3 offenders into county jails, the county probation and court systems, and ultimately funneled them into community supervision or alternative sentencing program in cities where they will live, work, and commit crime.

**Note:** There is currently no uniform definition of recidivism throughout the state and no database that can deliver statistical information on the overall impact realignment has had on all cities in California. Because of this problem we have used data from Los Angeles County.

The March 4, 2013 report to the Los Angeles County Criminal Justice Coordination Committee (CCJCC) shows a strong effort and progress in addressing the realignment mandate. However, there is insufficient funding.

The report also states the jail population continues to be heavily influenced by participants housed locally. On September 30, 2012, the inmate count in the Los Angeles County Jail was 15,463; on January 31, 2013, the count was 18,864. The realignment population accounted for 32% of the Jail population; 5,743 offenders sentenced per Penal Code Section 1170 (h) and 408 parole violations.

By the end of January 2013, 13,535 offenders were released on Post Release Community Supervision (PRCS) to Los Angeles County including prisoners with the highest maintenance costs because of medical and drug problems and mental health issues costing counties and local cities millions of dollars in unfunded mandates since the beginning of the program. Prisoners with prior histories of violent crimes are also being released without proper supervision. That is why sections of **AB 109 must be amended to change the criteria used to justify the release of N3 inmates to include an offender's total criminal and mental history instead of only their last criminal conviction.** Using the latter as the key criteria does not provide

an accurate risk assessment of the threat these offenders pose to society if they are realigned to county facilities, or placed on Post Release Community Supervision.

Chief Jerry Powers from the Los Angeles County Probation Department recently stated the release criteria for N3 offenders “has nothing to do with reality.” He said initially the State estimated the population of released PRCS offenders would be 50% High Risk, 25% Medium Risk and 25% Low Risk. The reality is 3% are Very High Risk, 55% are High Risk, 40% are Medium Risk and only 2% are Low Risk offenders. He said the High Risk and serious mentally ill offenders being released “are a very scary population.” One of the special needs offenders takes the resources of 20-30 other offenders.

Assistant Sheriff Terri McDonald who is the county Jail Administrator recently stated the Jail has only 30 beds for mentally ill offenders being released – when in fact she actually needs 300 beds to accommodate the volume of serious mentally ill offenders being released that require beds.

Los Angeles County data shows 7,200 released offenders have had some sort of revocation. This number is expected to increase because of a significant increase in the first four months of year two of realignment that totals 83% of the entire first year of the program; 4,300 warrants were issued for offenders; 6,200 offenders have been rearrested; and 1,400 prosecuted. Data reveals one in 10 offenders will test positive for drugs during the first 72 hours after being released knowing they are required to report to a probation officer during that time. Only one in three offenders will successfully complete probation.

There are more than 500 felony crimes that qualify State prison inmates for release under realignment. They will be spending their time in cities with little, if any, supervision.

////////

### **League of California Cities Staff Analysis on Resolution No. 2**

Staff: Tim Cromartie (916) 658-8252  
Committee: Public Safety Policy Committee

#### **Summary:**

This Resolution seeks to outline the deficiencies in the State’s current public safety realignment policy, as implemented in 2011 by AB 109, and to identify policy changes that will assist State, county and municipal law enforcement entities to cope with the expanded universe of offenders that are now being directed to county facilities, resulting in increased related impacts on both local communities and municipal law enforcement.

#### **Background:**

This resolution was brought to the Public Safety Policy Committee by individual members of that committee who are increasingly concerned about municipal public safety impacts resulting from county jail overcrowding, a problem that has intensified with realignment, resulting in certain categories of offenders doing no jail time or being sentenced to time served. This has created a climate in which some offenses receive little or no jail time, accompanied by a growing body of anecdotal evidence that property crimes have correspondingly increased, with some, such as auto theft, being committed in serial fashion. Increased criminal activity has strained the resources of many local police departments already struggling to more closely coordinate information sharing with county probation offices to effectively monitor offenders on post-community release supervision.

In addition, there is growing concern about the criteria established for determining which offenders are eligible for post-release community supervision (the non-violent, non-serious, non-sex offenders). There is so much concern that a May 2013 report of California’s Little Hoover Commission recommended adjusting



the criteria to examine an offender's total criminal history rather than merely his or her last known offense, as a means of more accurately assessing the risk he or she might pose to the community.

Implementation of the realignment policy is handled in part by the Community Corrections Partnerships established by AB 109, which currently have only one city representative, compared to at least four county-level representatives.

**Fiscal Impact:**

Unknown impact on the State General Fund. This resolution seeks to establish increased and constitutionally protected funding for city police departments (and county sheriff's departments, to the degree they are contracted to provide police services for cities), but does not specify a dollar amount for the revenue stream. At a minimum, it would entail an annual revenue stream of at least the amount provided for cities for front-line law enforcement in the State's 2013-14 Budget, \$27.5 million, indefinitely – although that revenue stream has never been formally identified by the Brown Administration as having any direct connection to realignment.

**Existing League Policy:**

Related to this resolution, existing policy provides:

- The League supports policies establishing restrictions on the early release of state inmates for the purpose of alleviating overcrowding, and limiting parole hearing opportunities for state inmates serving a life sentence, or paroled inmates with a violation.
- The League supports increasing municipal representation on and participation in the Community Corrections Partnerships, which are charged with developing local corrections plans.
- In addition, the Strategic Priorities for 2012, as adopted by the League Board of Directors, included the promotion of local control for strong cities. The resolution's objectives of locking in ongoing funding for front-line municipal law enforcement, and increasing city participation in the Community Corrections Partnerships, are consistent with promoting local control.

**Support:**

New this year, any resolutions submitted to the General Assembly must be concurred in by five cities or by city officials from at least five or more cities. Those submitting resolutions were asked to provide written documentation of concurrence. The following cities/city officials have concurred: cities of Arroyo Grande; Covina; Fontana; Glendora; Monrovia; Ontario; Pismo Beach; and Santa Barbara.

**LETTERS OF CONCURRENCE**  
Resolution #1  
Water Bond Funds

**City of Alhambra**  
Office of the Mayor and City Council

July 1, 2013



Gateway  
to the  
San Gabriel Valley

111  
South First Street  
Alhambra  
California  
91801

626  
570-5010

FAX  
281-2248

Bill Bogaard  
President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**RE: Los Angeles County Division Annual Conference Resolution**

Dear President Bogaard:

The City of Alhambra supports the Los Angeles County Division's effort to submit a resolution for consideration by the General Assembly at the League's 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for cities working to meet the State's water quality objectives and storm water management plans by providing direction for the League to educate state leaders and advocate for funding during discussions on the 2014 Water Bond. The City of Alhambra is anticipating spending \$24,101.96 this year to start the development of the Enhanced Watershed Plan and monitoring plan. Prior to 2016, the City anticipates spending \$1,169,000 for full capture device on our storm drain catch basins. In the future, it is estimated the city may need \$34 million dollars to finance the required infrastructure to meet the new permit guidelines. We also anticipate needing to hire additional staff to monitor and maintain the program. None of these costs have a dedicated funding source.

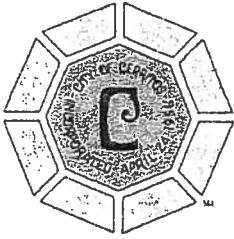
As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Mary Chavez, Director of Public Works, at (626) 570-5067 if you have any questions.

Very truly yours,

Steven Placido, DDS  
Mayor

cc: Jennifer Quan, League of California Cities





# CITY OF CERRITOS™

CIVIC CENTER • 18125 BLOOMFIELD AVENUE  
P.O. BOX 3130 • CERRITOS, CALIFORNIA 90703-3130  
PHONE: (562) 916-1310 • FAX: (562) 468-1095  
CELL PHONE: (562) 547-1732  
E-mail: [bbarr90703@aol.com](mailto:bbarr90703@aol.com)  
[WWW.CERRITOS.US](http://WWW.CERRITOS.US)



OFFICE OF THE MAYOR  
BRUCE W. BARROWS

July 8, 2013

Bill Bogaard  
President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**RE: Los Angeles County Division Annual Conference Resolution**

President Bogaard: *[Signature]*

The City of Cerritos supports the Los Angeles County Division's effort to submit a resolution for consideration by the General Assembly at the League's 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for cities working to meet the State's water quality objectives and storm water management plans by providing direction for the League to educate state leaders and advocate for funding during discussions on the 2014 Water Bond. The City of Cerritos expended \$866,000 in the Fiscal Year 2011-2012 for compliance with required stormwater programs. Future expenditures are expected to be over \$1.5 million annually, as the City will be required to begin construction of costly stormwater capital improvements.

As members of the League our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Art Gallucci, City Manager at (562)916-1301 or [agallucci@cerritos.us](mailto:agallucci@cerritos.us), if you have any questions.

Sincerely,

Bruce W. Barrows  
MAYOR

cc: Ling-Ling Chang, President, Los Angeles County Division c/o  
Robb Korinke, Executive Director, Los Angeles County Division, [robb@lacity.org](mailto:robb@lacity.org)



## CITY OF CLAREMONT

City Hall  
207 Harvard Avenue  
P.O. Box 880  
Claremont, CA 91711-0880  
Fax: (909) 399-5492  
Website: [www.ci.claremont.ca.us](http://www.ci.claremont.ca.us)  
Email: [contact@ci.claremont.ca.us](mailto:contact@ci.claremont.ca.us)

City Council • (909) 399-5444  
*Corey Calaycay*  
*Joseph M. Lyons*  
*Opanyi K. Nasiali*  
*Sam Pedroza*  
*Larry Schroeder*

July 1, 2013

Bill Bogaard  
President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

President Bogaard:

**RE: Los Angeles County Division Proposed Resolution for LCC Approval  
At The 2013 Annual Conference**

The City of Claremont supports the Los Angeles County Division's effort to submit a resolution for consideration by the General Assembly at the League's 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for cities working to meet the State's water quality objectives and storm water management plans by providing direction for the League to educate state leaders and advocate for funding during discussions on the 2014 Water Bond.

As members of the League, our City values the policy development process provided to the General Assembly and appreciates your time on this issue. If you have any questions, please feel free to contact Tony Ramos, City Manager, at (909) 399-5441.

Sincerely,

Opanyi Nasiali  
Mayor

c: Jennifer Quan, League of California Cities



**CITY OF GLENDORA** CITY HALL

(626) 914-8200

116 East Foothill Blvd., Glendora, California 91741  
www.ci.glendora.ca.us

July 15, 2013

Bill Bogaard, President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**RE: Los Angeles County Division Annual Conference Resolution**

President Bogaard:

The City of Glendora supports the Los Angeles County Division's effort to submit a resolution for consideration by the General Assembly at the League's 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for cities working to meet the State's water quality objectives and storm water management plans by providing direction for the League to educate state leaders and advocate for funding during discussions on the 2014 Water Bond.

As members of the League our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact me, if you have any questions.

Sincerely,

Joe Santoro, Mayor

cc: Ling-Ling Chang, President, Los Angeles County Division c/o Robb Korinke,  
Executive Director, Los Angeles County Division, robb@lacities.org  
Jennifer Quan, Regional Public Affairs Manager, League of California Cities -  
jqquan@cacities.org

PRIDE OF THE FOOTHILLS

Todd Rogers  
Vice Mayor

Jeff Wood  
Council Member

Diane DuBois  
Council Member

Ron Piazza  
Council Member

July 2, 2013

CITY OF LAKEWOOD

CALIFORNIA

Steve Croft  
Mayor

Mr. Bill Bogaard  
President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, California 95814

**RE: Los Angeles County Division Annual Conference Resolution - Support**

Dear President Bogaard:

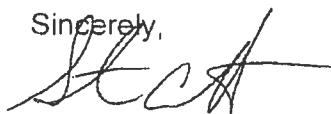
The City of Lakewood supports the Los Angeles County Division's effort to submit a resolution for consideration by the General Assembly at the League's 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for cities working to meet the State's water quality objectives and storm water management plans by providing direction for the League to educate state leaders and advocate for funding during discussions on the 2014 Water Bond.

For Lakewood, the initial cost alone to prepare the Watershed Management Plan (WMP), Coordinated Integrated Management Plan (CIMP), and Reasonable Assurance Modeling for the three watersheds that Lakewood is a part of is estimated to be \$153,167. This cost does not include administration costs, monitoring costs, construction costs, or inspection costs, which are estimated to be in the millions of dollars.

As members of the League our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Paolo Beltran, Senior Management Analyst, at (562) 866-9771, extension 2140, or email at [pbeltran@lakewoodcity.org](mailto:pbeltran@lakewoodcity.org), if you have any questions.

Sincerely,



Steve Croft  
Mayor

cc: Ling-Ling Chang, President, Los Angeles County Division c/o  
Robb Korinke, Executive Director, Los Angeles County Division,  
[robb@iacities.org](mailto:robb@iacities.org)

# Lakewood



**CITY OF LA MIRADA**  
DEDICATED TO SERVICE

13700 La Mirada Boulevard  
La Mirada, California 90638  
P.O. Box 828  
La Mirada, California 90637-0828  
Phone: (562) 943-0131 Fax: (562) 943-1464  
www.cityoflamirada.org

July 15, 2013

**LETTER OF SUPPORT**

Bill Bogaard  
President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**SUBJECT: LOS ANGELES COUNTY DIVISION ANNUAL CONFERENCE RESOLUTION**

Dear President Bogaard:

On behalf of the City of La Mirada, I am writing to express support for the League of California Cities, Los Angeles County Division's effort to submit a resolution for consideration by the League's General Assembly at the September 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for local governments working to meet Federal and State objectives to protect water resources and storm water management plans. The resolution also provides direction for the League to educate State leaders and advocates for the inclusion of storm water funding in the State's proposed 2014 Water Bond.

Like many cities, the City of La Mirada does not have the basic infrastructure to capture, filter, and reuse storm water, and Federal and State funding to assist in providing this infrastructure has been reduced in recent years as a result of the economic recession. Compliance with the MS-4 permit and other storm water regulations could cost the City millions, and reduce funding for other vital City services such as infrastructure and public safety. The City could also face steep fines, penalties, and third party lawsuits if it is unable to meet the National Pollutant Discharge Elimination Systems (NPDES) permit requirements. Receiving State funding could help alleviate the financial burden placed on local governments to meet storm water requirements.

As a member of the League, our City values the policy development process provided to the General Assembly. Please contact Jeff Boynton, Deputy City Manager, at (562) 943-0131 if you have any questions.

Sincerely,

CITY OF LA MIRADA

Steve De Ruse  
Mayor

TER:jb:vdr

cc: Ling-Ling Chang, President, Los Angeles County Division  
Robb Korinke, Executive Director, Los Angeles County Division





# CITY OF LA VERNE CITY HALL

3660 "D" Street, La Verne, California 91750-3599  
www.ci.la-verne.ca.us

July 2, 2013

Bill Bogaard, President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**RE: Los Angeles County Division Annual Conference Resolution**

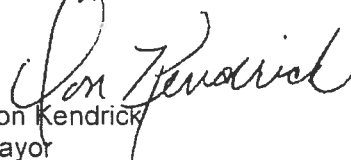
President Bogaard:

The City of La Verne supports the Los Angeles County Division's effort to submit a resolution for consideration by the General Assembly at the League's 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for cities working to meet the State's water quality objectives and storm water management plans by providing direction for the League to educate state leaders and advocate for funding during discussions on the 2014 Water Bond. While the City is still in the process of identifying the costs associated with meeting the new requirements of the MS-4 PERMIT, it is expected these measures will far exceed existing local resources.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact our City Manager, Bob Russi at 909-596-8726, if you have any questions.

Sincerely,

  
Don Kendrick  
Mayor

cc: Jennifer Quan, League of California Cities  
JR Ranells, Senior Management Analyst

U:\My Documents\CITY COUNCIL\DON KENDRICK\Support 2013 League Conf Reso.doc

LUIGI VERNOLA  
Mayor  
MARCEL RODARTE  
Vice Mayor  
CHERI KELLEY  
Councilmember  
MICHAEL MENDEZ  
Councilmember  
LEONARD SHRYOCK  
Councilmember  
MICHAEL J. EGAN  
City Manager



12700 NORWALK BLVD., P.O. BOX 1030, NORWALK, CA 90651-1030 \* PHONE: 562/929-5700 \* FACSIMILE: 562/929-5773 \* WWW.NORWALKCA.GOV

July 2, 2013

Bill Bogaard, President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**RE: Los Angeles County Division Annual Conference Resolution**

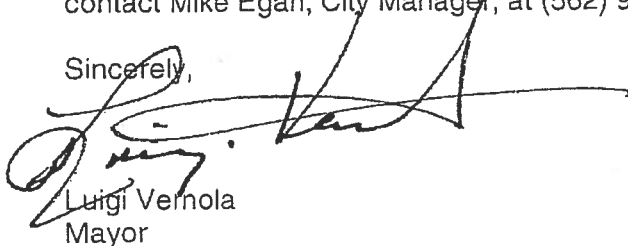
Dear President Bogaard:

The city of Norwalk supports the Los Angeles County Division's effort to submit a resolution for consideration by the General Assembly at the League's 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for cities working to meet the State's water quality objectives and storm water management plans by providing direction for the League to educate state leaders and advocate for funding during discussions on the 2014 Water Bond. The cost of compliance with the new storm water permit is in the millions of dollars. The Watershed Management Plan alone will cost close to \$1M. Implementation of projects in the near future based on that Watershed Management Plan could potentially cost the City of Norwalk \$5 - \$10 million annually.

As members of the League our City values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Mike Egan, City Manager, at (562) 929-5772 if you have any questions.

Sincerely,



Luigi Vernola  
Mayor

cc: Ling-Ling Chang, President, Los Angeles County Division c/o  
Robb Korinke, Executive Director, Los Angeles County Division, robb@lacities.org



CITY OF SIGNAL HILL

2175 Cherry Avenue • Signal Hill, California 90755-3799

June 27, 2013

Bill Bogaard  
President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

RE: Los Angeles County Division Annual Conference Resolution

President Bogaard:

The city of Signal Hill supports the Los Angeles County Division's effort to submit a resolution for consideration by the General Assembly at the League's 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for cities working to meet the State's water quality objectives and storm water management plans by providing direction for the League to educate state leaders and advocate for funding during discussions on the 2014 Water Bond. The city of Signal Hill currently budgets for \$755,000 annually for compliance with required stormwater programs, which represents over 4% of the entire General Fund. Future expenditures are expected to be over \$1.5 million annually, as the City will be required to begin construction of costly stormwater capital improvements.

As members of the League our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Ken Farfsing, City Manager at (562) 989-7302 or [kfarfsing@cityofsignal.org](mailto:kfarfsing@cityofsignal.org), if you have any questions.

Sincerely,

Michael J. Noll  
Mayor

CC: Ling-Ling Chang, President, Los Angeles County Division c/o  
Robb Korinke, Executive Director, Los Angeles County Division, [robb@iacities.org](mailto:robb@iacities.org)



Office of the Mayor and the City Council

July 2, 2013

Bill Bogaard  
President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**SUBJECT: Los Angeles County Division Annual Conference Resolution**

Dear President Bogaard:

As Mayor of the City of Monrovia, I support the Los Angeles County Division's effort to submit a resolution for consideration by the General Assembly at the League's 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for cities working to meet the State's water quality objectives and storm water management plans by providing direction for the League to educate state leaders and advocate for funding during discussions on the 2014 Water Bond. The City is anticipating millions of dollars in stormwater permit compliance costs over the next five years – funds the City currently does not have available. Funding assistance is vital in order for the City to meet stormwater permit requirements.

As members of the League, our City values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Heather Maloney, Senior Management Analyst, at (626) 932-5577 or [hmaloney@ci.monrovia.ca.us](mailto:hmaloney@ci.monrovia.ca.us), if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary Ann Lutz".

Mary Ann Lutz,  
Mayor

cc: City Council  
Ling-Ling Chang, President, Los Angeles County Division c/o  
Robb Korinke, Executive Director, Los Angeles County Division, [robb@lacity.org](mailto:robb@lacity.org)  
Laurie K. Lile, City Manager  
Ron Bow, Director of Public Works



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Diamond Bar

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DIRECTOR AT LARGE  
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Claremont

MEMBERSHIP COMMITTEE  
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La Mirada

RESOLUTIONS COMMITTEE  
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Cudahy

SELECTIONS COMMITTEE  
LIZ REILLY  
Duarte

SPECIAL EVENTS COMMITTEE  
JAMES R. BOZAJIAN  
Calabasas

ASSOCIATE MEMBERS COMMITTEE  
FRANK V. ZERUNYAN  
Rolling Hills Estates

EXECUTIVE DIRECTOR  
SAM OLIVITO

June 20, 2013

Bill Bogaard  
President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**RE: Los Angeles County Division Annual Conference Resolution**

President Bogaard:

The California Contract Cities Association supports the Los Angeles County Division's effort to submit a resolution for consideration by the General Assembly at the League's 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for cities working to meet the State's water quality objectives and storm water management plans by providing direction for the League to educate state leaders and advocate for funding during discussions on the 2014 Water Bond. All of the 58 cities we represent can ill afford this increasingly expensive ongoing cost.

As members of the League our association values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact our office at (562) 622-5533 if you have any questions.

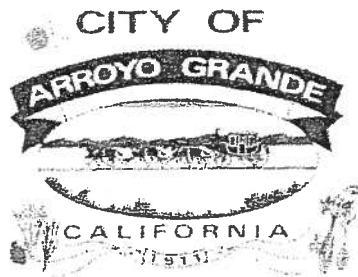
Sincerely,

Steve Tye  
CCCA President

CC: Ling-Ling Chang, President, Los Angeles County Division c/o  
Robb Korinke, Executive Director, Los Angeles County Division, robb@laciities.org

**LETTERS OF CONCURRENCE**  
Resolution #2  
Public Safety Realignment

OFFICE OF THE  
MAYOR



300 East Branch Street  
Arroyo Grande, CA 93420  
Phone: (805) 473-5400  
FAX: (805) 473-0386  
[agcity@arroyogrande.org](mailto:agcity@arroyogrande.org)  
[www.arroyogrande.org](http://www.arroyogrande.org)

July 17, 2013

Bill Bogaard, President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**RE: Public Safety Realignment Resolution**

Dear President Bogaard:

On behalf of the City of Arroyo Grande, I am writing to express support for the League of California Cities' Public Safety Resolution, which will be submitted for consideration by the League's General Assembly at the September 2013 Annual Conference in Sacramento.

The League's Resolution seeks to highlight a number of deficiencies with the current public safety realignment policy, and what funding and policy changes need to occur in response. The resolution specifically calls out the need for ongoing local law enforcement funding related to realignment, as well as modification of the criteria for which offenders are eligible for post-release community supervision, i.e. a non-violent, non-serious, non-sex offender criteria that focuses on total criminal history rather than merely the last recorded offense.

As a member of the League, our City values the policy development process provided to the General Assembly. Please contact our City Manager, Steve Adams, at (805)473-5404, if you have any questions.

Sincerely,

*Tony Ferrara*

Mayor, City of Arroyo Grande



# CITY OF COVINA

125 East College Street • Covina, California 91723-2199  
www.covinaca.gov

July 17, 2013

Bill Bogaard, President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, California 95814

RE: Public Safety Realignment Resolution

Dear President Bogaard:

On behalf of the City of Covina, I am writing to express support for the League of California Cities' Public Safety Resolution, which will be submitted for consideration by the League's General Assembly at the September 2013 Annual Conference in Sacramento.

The League's Resolution seeks to highlight a number of deficiencies with the current public safety realignment policy, and what funding and policy changes need to occur in response. The resolution specifically calls out the need for ongoing local law enforcement funding related to realignment, as well as modification of the criteria for which offenders are eligible for post-release community supervision, i.e. a non-violent, non-serious, non-sex offender criteria that focuses on total criminal history rather than merely the last recorded offense.

As a member of the League, our City values the policy development process provided to the General Assembly. Please contact Daryl Parrish, City Manager, at (626) 384-5410, if you have any questions.

Sincerely,

Walter Allen III  
Mayor, City of Covina





Mayor Acquanetta Warren



July 17, 2013

Bill Bogaard, President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, California 95814

RE: Public Safety Realignment Resolution

Dear President Bogaard:

On behalf of the City of Fontana, I am writing to express support for the League of California Cities' Public Safety Resolution, which will be submitted for consideration by the League's General Assembly at the September 2013 Annual Conference in Sacramento.

The League's Resolution seeks to highlight a number of deficiencies with the current public safety realignment policy, and what funding and policy changes need to occur in response. The resolution specifically calls out the need for ongoing local law enforcement funding related to realignment, as well as modification of the criteria for which offenders are eligible for post-release community supervision, i.e. a non-violent, non-serious, non-sex offender criteria that focuses on total criminal history rather than merely the last recorded offense.

As a member of the League, our City values the policy development process provided to the General Assembly. Please contact Ken Hunt City Manager, at (909)350-7654, if you have any questions.

Sincerely,

Mayor, City of Fontana

AW/ac



**CITY OF GLENDORA** CITY HALL

(626) 914-8201

OFFICE OF THE MAYOR

116 East Foothill Blvd., Glendora, California 91741  
FAX (626) 914-8221  
[www.ci.glendora.ca.us](http://www.ci.glendora.ca.us)

July 19, 2013

Bill Bogaard, President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, California 95814

RE: Public Safety Realignment Resolution

Dear President Bogaard:

On behalf of the City of Glendora, I am writing to express support for the League of California Cities' Public Safety Resolution, which will be submitted for consideration by the League's General Assembly at the September 2013 Annual Conference in Sacramento.

The League's Resolution seeks to highlight a number of deficiencies with the current public safety realignment policy, and what funding and policy changes need to occur in response. The resolution specifically calls out the need for ongoing local law enforcement funding related to realignment, as well as modification of the criteria for which offenders are eligible for post-release community supervision, i.e. a non-violent, non-serious, non-sex offender criteria that focuses on total criminal history rather than merely the last recorded offense.

As a member of the League, our City values the policy development process provided to the General Assembly. Please contact Chris Jeffers, City Manager, at [cjeffers@ci.glendora.ca.us](mailto:cjeffers@ci.glendora.ca.us) or (626) 914-8201, if you have any questions.

Sincerely,

City of Glendora

Joe Santoro  
Mayor

PRIDE OF THE FOOTHILLS



Office of the Mayor and the City Council

July 19, 2013

Bill Bogaard, President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, California 95814

**RE: PUBLIC SAFETY REALIGNMENT RESOLUTION**

Dear President Bogaard:

As Mayor of the City of Monrovia, I am writing to express support for the League of California Cities' Public Safety Resolution, which will be submitted for consideration by the League's General Assembly at the September 2013 Annual Conference in Sacramento.

The League's Resolution seeks to highlight a number of deficiencies with the current public safety realignment policy, and what funding and policy changes need to occur in response. The resolution specifically calls out the need for ongoing local law enforcement funding related to realignment, as well as modification of the criteria for which offenders are eligible for post-release community supervision, i.e. a non-violent, non-serious, non-sex offender criteria that focuses on total criminal history rather than merely the last recorded offense.

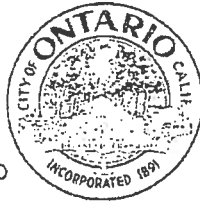
As a member of the League, our City values the policy development process provided to the General Assembly. Please contact Laurie Lile, City Manager, at (626) 932-5501, if you have any questions.

Sincerely,

Mary Ann Lutz  
Mayor

cc: City Council  
James Hunt, Police Chief

CITY OF



ONTARIO

303 EAST "B" STREET, CIVIC CENTER

ONTARIO

CALIFORNIA 91764-4105

(909) 395-2000  
FAX (909) 395-2070

PAUL S. LEON  
MAYOR

CHRIS HUGHES  
CITY MANAGER

JIM W. BOWMAN  
MAYOR PRO TEM

July 18, 2013

MARY E. WIRTES, MMC  
CITY CLERK

ALAN D. WAPNER  
DEBRA DORST-PORADA  
PAUL VINCENT AVILA  
COUNCIL MEMBERS

JAMES F. MILHISER  
TREASURER

Bill Bogaard, President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, California 95814

RE: Public Safety Realignment Resolution


Dear President Bogaard:

On behalf of the City of Ontario, I am writing to express support for the League of California Cities' Public Safety Resolution, which will be submitted for consideration by the League's General Assembly at the September 2013 Annual Conference in Sacramento.

The League's Resolution seeks to highlight a number of deficiencies with the current public safety realignment policy, and what funding and policy changes need to occur in response. The resolution specifically calls out the need for ongoing local law enforcement funding related to realignment, as well as modification of the criteria for which offenders are eligible for post-release community supervision; i.e., a non-violent, non-serious, non-sex offender criteria that focuses on total criminal history rather than merely the last recorded offense.

As a member of the League, our City values the policy development process provided to the General Assembly. Please contact Chris Hughes, City Manager, at (909) 395-2010, if you have any questions.

Sincerely,

  
PAUL S. LEON  
Mayor



**From the Office of the Mayor**  
Shelly Higginbotham  
760 Mattie Road  
Pismo Beach, CA 93449  
(805) 235-6604  
[shigginbotham@pismo beach.org](mailto:shigginbotham@pismo beach.org)

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July 18, 2013

Bill Bogaard, President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, California 95814

RE: Public Safety Realignment Resolution

Dear President Bogaard:

On behalf of the City of Pismo Beach, I am writing to express support for the League of California Cities' Public Safety Resolution, which will be submitted for consideration by the League's General Assembly at the September 2013 Annual Conference in Sacramento.

The League's Resolution seeks to highlight a number of deficiencies with the current public safety realignment policy, and what funding and policy changes need to occur in response. The resolution specifically calls out the need for ongoing local law enforcement funding related to realignment, as well as modification of the criteria for which offenders are eligible for post-release community supervision, i.e. a non-violent, non-serious, non-sex offender criteria that focuses on total criminal history rather than merely the last recorded offense.

As a member of the League, our City values the policy development process provided to the General Assembly. Please contact James R. Lewis, City Manager, at (805) 773-7007, if you have any questions.

Sincerely,

*Shelly Higginbotham*  
Shelly Higginbotham  
Mayor



# City of Santa Barbara

Office of Mayor

[HSchneider@SantaBarbaraCA.gov](mailto:HSchneider@SantaBarbaraCA.gov)

[www.SantaBarbaraCA.gov](http://www.SantaBarbaraCA.gov)

July 19, 2013

Helene Schneider  
Mayor

Bill Bogaard, President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, California 95814

City Hall  
735 Anacapa Street  
Santa Barbara, CA  
93101-1990

RE: Public Safety Realignment Resolution

Dear President Bogaard:

Mailing Address:  
P.O. Box 1990  
Santa Barbara, CA  
93102-1990

Tel: 805.564.5323  
Fax: 805.564.5475

On behalf of the City of Santa Barbara, I am writing to express support for the League of California Cities' Public Safety Resolution, which will be submitted for consideration by the League's General Assembly at the September 2013 Annual Conference in Sacramento.

The League's Resolution seeks to highlight a number of deficiencies with the current public safety realignment policy, and what funding and policy changes need to occur in response. The resolution specifically calls out the need for ongoing local law enforcement funding related to realignment, as well as modification of the criteria for which offenders are eligible for post-release community supervision, i.e. a non-violent, non-serious, non-sex offender criteria that focuses on total criminal history rather than merely the last recorded offense.

It is important to our City, that such state-mandated programs remain fully-funded and that the regulations do not impede our law enforcement officers' ability to use their professional discretion in protecting our community.

As a member of the League, our City values the League's leadership and policy direction on this issue.

Sincerely,

Helene Schneider,  
Mayor

cc: Dave Mullinax, League of California Cities



Please consider the environment before printing this letter.

**STAFF REPORT TO THE CITY COUNCIL  
FOR CONSIDERATION AT THE MEETING OF AUGUST 13, 2013**

**Prepared by:** Victor Carniglia, City Consultant 

**Reviewed by:** Jim Jakel, City Manager 

**Date:** August 7, 2013

**Subject:** Authorize the City Manager to Execute the Tax Allocation Agreement between the City and the County, and the Infrastructure Funding Agreement between the City and the County, for the Northeast Antioch Annexation Consisting of Three Separate Annexation Applications for Areas 1, 2a, and 2b totaling 678 acres located in the Northeast Antioch Area

**RECOMMENDATION**

Staff recommends that the City Council take the following actions:

1. Annexation Tax Revenue Allocation Agreement: Adopt the attached Resolution (Attachment "A") authorizing the City Manager to execute the Tax Allocation Agreement for the Northeast Antioch Annexation (Exhibit 1 to Attachment "A") in substantially the form as the attached Agreement. This Agreement between the City of Antioch and Contra Costa County establishes how tax revenue will be shared between the City and County for the areas being annexed. The Tax Revenue Allocation Agreement also has language that addresses the order the annexation applications need to be acted on by LAFCO, the role of the County in the entitlement process once annexation is complete, and the provision of funding for joint City/County economic development activities for the annexation areas.
2. Infrastructure Funding Agreement: Adopt the attached Resolution (Attachment "B") authorizing the City Manager to execute the Infrastructure Funding Agreement for the Northeast Antioch Annexation (Exhibit 1 to Attachment "B") in substantially the form as the attached Agreement. This Agreement between the City and Contra Costa County primarily addresses how both parties are to jointly fund and the City construct needed infrastructure to serve Area 2b, including sewer, water, and storm drainage.

**BACKGROUND INFORMATION**

At the July 30, 2013 City Council meeting, the Council took public testimony on the two Agreements currently before City Council, discussed the Draft Agreements in detail, and provided direction to staff. Attached is a copy of the staff report from the July 30, 2013 meeting (Attachment "C") as well as draft minutes of the meeting (Attachment "D")

which provides relevant background information on the Agreements, as well as an analysis of the key provisions of both Agreements.

This staff report supplements the information provided in the July 30, 2013 report, and highlights the modifications that have been made to the Agreements from the draft versions that were presented to Council on July 30, 2013.

## **ANALYSIS:**

### **TAX ALLOCATION AGREEMENT**

**Overview:** As just mentioned, the attached July 30, 2013 staff report provides a detailed analysis of the terms of the proposed Agreement, along with a summary of the net fiscal implications which are positive for the City (the net “new” annual revenue to the City is estimated to be between \$800,000 to \$900,000 per year). At the time of the July 30, 2013 Council meeting there were a number of issues that were in the process of being discussed and addressed with the County. These issues have been since resolved, and are discussed in the following sections of this report, along with the specific wording changes and proposed new wording to the Agreements. All modifications to the wording of the version of the Tax Allocation Agreement presented to Council at the July 30, 2013 meeting are shown in “track changes” format (new wording is shown in red, underlined text, while deleted wording is depicted in red, with red “strike throughs”).

**Role of County in Future Entitlement Process:** One of the reasons a City typically seeks to annex land is so the City can have land use control over what develops in the area. In this instance the City and County have essentially the same planning “vision” for the annexation area, as the City’s and County’s General Plan designations are very similar as well as the City’s pre-zoning designations being akin to the County’s zoning designations. This similarity is particularly true in Area 1, where both the City’s and County’s plans call for Heavy Industrial uses.

City and County staff over the last several months have been aware of the possibility of a major industrial project being considered for the 100 plus acre Forestar Property (2301 and 2603 Wilbur Avenue, APNs: 051-020-006 and 051-031-005) located on the north side of Wilbur Avenue immediately to the west of the NRG facility. The prospective developers of the Forestar Property have had to date a number of meetings with County staff. In order to avoid a scenario where these prospective developers must “start over” when Area 1 is annexed to the City, the owners/developers of the Forestar Property and the County are requesting that the County retain approval authority post annexation on Forestar. While such an arrangement is unusual for the City, it is something the County has done elsewhere. The fact that the City and County land use regulations are very similar tends to mitigate concerns that would otherwise be significant if the two jurisdictions had divergent visions for the property in question. In addition, the County is at present better positioned to handle such an application given the County’s higher staffing levels in both Planning and Building Services.



Wording has been added to the Tax Allocation Agreement (see Attachment "A", Exhibit 1, Section "F") to provide for the County retaining review and entitlement authority for the Forestar Property only. While the wording in the Agreement provides general direction on how this arrangement will be implemented, the Agreement states that the details will be implemented through a Memorandum of Understanding (MOU) between the City and the County. This arrangement on the Forestar Property will expire 5 years from the date the annexation of Area 1 is complete.

**Timing of Annexation Process:** An issue has recently become more pressing in relation to the timing of the completion of the annexation process. The County Assessor each year uses December 1 as the cutoff date to determine which jurisdiction a given property is located in for the purpose of annually allocating property taxes. The implication being that if the Northeast Antioch Annexation is not approved and recorded by LAFCO on or before December 1, 2013, then the City will not receive any property taxes in 2014 from the annexation areas. As stated in the July 30, 2013 Council report, staff estimates the City's share of property tax to be \$1.09 million a year.

With the time it has taken to process this complex annexation, and in particular to resolve the most recent issues that have arisen, LAFCO staff is of the opinion that any timing "cushion" the annexation had is now gone, and everything has to go perfectly with absolutely no "hiccups" in the annexation process to meet the December 1 Assessor's deadline. Given the history of this annexation process to date, particularly in relation to schedule and timing, assuming no more delays occur would be an inappropriate risk to take. Wording has been added to the Tax Allocation Agreement (Attachment "A", Exhibit 1, Section H) to "pro rate" the City's property tax revenue by comparing the date the annexation is actually recorded by LAFCO in relation to the December 1 cutoff date. For example, if the annexation is recorded on January 1, 2014 one month after the December 1, 2013 date, then the City would receive from the County a little more than 91% of its property tax share as determined by the formulas in the Tax Allocation Agreement.

**Sales Tax:** The Tax Allocation Agreement in Section C.1 states that any sales tax generated in the three annexation areas will be split between the City and County 50/50. Given the ½ cent sales tax measure on the ballot in November 2013, it is appropriate to clarify that in the case of a locally approved sales tax measure, the local sales tax increment will remain entirely with the agency adopting the incremental increase. Wording has been added to the end of Section C.1 to address this issue.

## **INFRASTRUCTURE FUNDING AGREEMENT**

No changes are proposed to the text of the Infrastructure Funding Agreement from the version that was reviewed and discussed by City Council on July 30, 2013. It should be noted that Section D of the Infrastructure Agreement clearly states that the infrastructure proposed for Area 2b, that is to be funded by the City and the County and supplemented with grant funding and constructed by the City, will not be either funded

or constructed without both Areas 1 and 2b being successfully annexed to the City. The Infrastructure Funding Agreement is included in this report as Exhibit 1 to Attachment B.

### **FISCAL ANALYSIS**

The analysis of the fiscal implication of the annexation and the two Agreements is contained in the July 30, 2013 staff report, a copy of which is included as Attachment "C". The fiscal impact of the proposed annexation and related Agreements is significantly positive.

### **OPTIONS**

City Council could choose to deny one or both Agreements. Denial of the Tax Allocation Agreement by Council would prevent the annexation of the three areas from being considered by LAFCO, as a valid executed Tax Allocation Agreement is a requirement for filing a complete application at LAFCO. Such an action would in effect terminate the annexation process.

Denial of the Infrastructure Agreement would have the same impact as the denial of the Tax Allocation Agreement.

### **ATTACHMENTS**

- A. Resolution Adopting Tax Allocation Agreement with Agreement (Exhibit 1)
- B. Resolution Adopting Infrastructure Funding Agreement with Agreement (Exhibit 1)
- C. Staff report from July 30, 2013 Council meeting
- D. Minutes from July 30, 2013 Council meeting

# ATTACHMENT "A"

## RESOLUTION NO. 2013/\*\*

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED TAX ALLOCATION AGREEMENT BETWEEN THE CITY OF ANTIOCH AND CONTRA COSTA COUNTY FOR THE NORTHEAST ANTIOCH REORGANIZATION CONSISTING OF THREE SEPARATE REORGANIZATION APPLICATIONS FOR AREAS 1, 2A, AND 2B, THE COMPLETE REORGANIZATION AREA IS LOCATED GENERALLY SOUTH OF THE SACRAMENTO COUNTY LINE ALONG THE SAN JOAQUIN RIVER IN THE VICINITY OF WILBUR AVENUE, WEST OF THE CITY OF OAKLEY, NORTH AND EAST OF THE BOUNDARIES OF THE CITY OF ANTIOCH**

**WHEREAS**, the City Council on June 26, 2007 authorized City staff to submit an annexation application for Area 1 of the Northeast Antioch Area, which consists of approximately 481 acres located north of Wilbur Avenue, east of Fulton Shipyard, and west of SR 160; and

**WHEREAS**, LAFCO, in a letter dated May 11, 2012, requested the City initiate the annexation of Areas 2a and 2b; and

**WHEREAS**, the City Council on June 12, 2012 authorized City staff to submit annexation applications for Area 2a and 2b of the Northeast Antioch Area. Area 2a consists of approximately 94 acres located north of Wilbur Avenue, and West of State Route 160 and the Antioch Bridge. Area 2b consists of approximately 103 acres located south of Wilbur Avenue and north of East Eighteenth Street, roughly centered on Viera Avenue; and

**WHEREAS**, the proposed annexations of Areas 1, 2a, and 2b include concurrent annexation to the Delta Diablo Sanitation District (DDSD) given the City's Coannexation Agreement with DDSD. Given that the proposed annexations include two jurisdictions (the City and DDSD) LAFCO considers the proposal to be a "Reorganization", and

**WHEREAS**, the City prepared an Initial Study to evaluate the potential environmental impacts of the Reorganization of the Northeast Antioch Area project, including the proposed reorganizations, rezoning, approval and execution of associated Tax Allocation Agreement and Infrastructure Funding Agreement, the installation of the proposed infrastructure, and the ultimate annexation of the three areas (collectively, the "Project") in conformance with Section 15063 of Title 14 of the California Code of Regulations (the "CEQA Guidelines") and, based on that Initial Study, determined that the Project could be approved in compliance with the California Environmental Quality Act ("CEQA") by adopting a Mitigated Negative Declaration as provided by Section 15074 of the CEQA Guidelines; and

**WHEREAS**, a Mitigated Negative Declaration was prepared and circulated for a 30-day review period, with the public review period commencing on February 1, 2013 and ending on March 4, 2013, and all comments received were subsequently responded to and addressed in the final Mitigated Negative Declaration, and

**WHEREAS**, the City Council at the July 30, 2013 Council meeting approved and adopted the Final Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program, determining that the Mitigated Negative Declaration ("IS/MND") adequately addressed the environmental impacts of the Project, including the Tax Allocation Agreement, and

**WHEREAS**, State Law and the policies and procedures of Contra Costa County LAFCO require that a Tax Allocation Agreement be approved and executed by both the City and the

**RESOLUTION NO. 2013/\*\***

August 13, 2013

Page 2

County prior to the City's Reorganization applications being considered by LAFCO, and

**WHEREAS**, on December 16, 1980, City and County entered into the Master Property Tax Transfer Agreement for Allocation of Property Taxes. The Master Agreement is not applicable to the proposed reorganization applications as the assessed value of each of the reorganization areas exceeds the \$10,000,000 assessed value maximum in the Master Agreement, and the Parties have not elected to opt into the Master Agreement notwithstanding the same.

**WHEREAS**, the City and the County have worked together to negotiate in good faith the attached Tax Allocation Agreement that meets the needs and concerns of both parties, and

**WHEREAS**, the City Council on July 30, 2013 reviewed the draft of the Tax Allocation Agreement, and upon hearing testimony from the public, City Council provided direction to staff in relation to the contents of the Agreement, and

**WHEREAS**, on August 13, 2013, the City Council duly held a hearing on the matter, and received and considered evidence, both oral and documentary.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Antioch hereby authorizes the City Manager to execute the attached Tax Allocation Agreement included herein as Exhibit 1, in substantially the form as contained in Exhibit 1.

**I HEREBY CERTIFY** that the foregoing resolution was adopted by the City Council of the City of Antioch at a regular meeting thereof held on the 13<sup>th</sup> day of August, 2013 by the following vote:

\* \* \* \* \*

**AYES:**

**NOES:**

**ABSENT:**

---

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

AZ

# EXHIBIT 1 TO ATTACHMENT "A"

## TAX ALLOCATION AGREEMENT BETWEEN THE CITY OF ANTIOCH AND COUNTY OF CONTRA COSTA FOR THE REORGANIZATION OF AREAS LOCATED NEAR NORTHEAST ANTIOCH

This Annexation and Tax Revenue Allocation Agreement between the City of Antioch and County of Contra Costa for the Reorganization of Areas Located Near Northeast Antioch (this "Agreement"), is entered into as of this \_\_\_ day of \_\_\_ 2013, by and between the City of Antioch, a municipal corporation ("City"), and the County of Contra Costa, California ("County") (each a "Party" and together the "Parties"), pursuant to Resolution No. 2013/\_\_\_, adopted by the Board of Supervisors of County and Resolution No. 2013/\_\_\_, adopted by the City Council of the City.

### RECITALS

- A. On December 16, 1980, City and County entered into the Master Property Tax Transfer Agreement for Allocation of Property Tax Between the County of Contra Costa and City of Antioch Upon Jurisdictional Changes, pursuant to duly adopted resolutions (the "Master Agreement"). The Master Agreement is not applicable to the proposed reorganization areas because the assessed value of each of the areas exceeds the \$10,000,000 assessed value maximum in the Master Agreement, and the Parties have not elected to opt into the Master Agreement notwithstanding the same.
- B. On August 16, 2007, City submitted to the Contra Costa Local Agency Formation Commission ("LAFCO") an application (LAFCO Proposal No. 07-17, the "Area 1 Annexation Application"), for the reorganization of approximately 470 acres of unincorporated land located in close proximity to Wilbur Avenue, including the NRG Energy, Inc. ("NRG") power plant to the City of Antioch and the Delta Diablo Sanitation District (as such area is depicted on the map attached hereto as Exhibit A the "Northeast Antioch Study Area Map and incorporated herein by reference, "Area 1").
- C. City at the request of LAFCO submitted to LAFCO a separate application (LAFCO Proposal No. 12-07, the "Area 2b Annexation Application"), for the reorganization of approximately 103 acres of unincorporated land located south of Wilbur Avenue and roughly centered on Viera Avenue in the northeast area of Antioch to the City of Antioch and the Delta Diablo Sanitation District (as such area is depicted on the "Northeast Antioch Study Area Map Exhibit A incorporated herein by reference, "Area 2b"),
- D. City at the request of LAFCO submitted to LAFCO a separate application for the "Area 2a Annexation Application"), for the reorganization of approximately 89 acres of unincorporated land located east of Annexation Area 1, south of the San Joaquin River, north of Wilbur Avenue, and west of State Hwy 160 to the City of

Antioch and the Delta Diablo Sanitation District (as such area is depicted on the map attached hereto as the "Northeast Antioch Study Area Map" Exhibit A and incorporated herein by reference).

- E. Government Code Section 56000, *et seq.* (the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000) and California Revenue and Taxation Code Section 99 require County and City to negotiate an exchange of property tax revenues as a condition of LAFCO's approval of the reorganization of Area 1, Area 2a, or Area 2b.
- F. The NRG Marsh Landing Power Generating Station recently constructed in Area 1 (the "NRG Power Plant"), and other energy transportation customers located in the Reorganization Area, generate surcharge revenue which is remitted to County.
- G. County has granted a franchise to Pacific Gas and Electric Company ("PG&E"), whereby PG&E pays County a certain amount for the privilege of transmitting electricity and gas through lines and pipes located in the Reorganization Areas.
- H. Concurrent with the execution of this Agreement, City and County intend to enter into an agreement for the funding by City and County of certain necessary infrastructure improvements in the Reorganization Areas, the Infrastructure Funding Agreement.
- I. County and City desire to establish herein provisions for the respective allocation of property taxes, sales and use taxes, franchise fees, and surcharge revenues generated in the reorganization areas in compliance with the applicable provisions of the California Revenue and Taxation Code, and certain economic development initiatives to be implemented.

**NOW, THEREFORE**, in consideration of the foregoing recitals, which the Parties agree are true and correct, and of the promises, conditions, covenants and provisions set forth herein, and other good and valuable consideration, the receipt of which is hereby acknowledged, City and County hereby agree as follows:

- A. **Applicability of Agreement.** As of the date of this Agreement, City has submitted the Area 1 Reorganization Application and the Areas 2a and 2b Reorganization Applications to LAFCO, Sections B through E of this Agreement (the "Allocation Provisions") will only become effective as to: (1) Area 1 and Area 2b after the conditions precedent set forth in Section G(1) have been satisfied; and (2) Area 2a after the conditions precedent set forth in Section G(2) have been satisfied. Accordingly, the parties understand and agree that notwithstanding the uses of the term "Reorganization Areas" and the phrase "after Area 1, Area 2a, and Area 2b have been annexed by City" in the Allocation Provisions, if the Allocation Provisions become effective as to Area 1 and Area 2b before the Allocation Provisions become effective as to Area 2a, the allocation of property taxes, sales and use taxes, franchise fees, and surcharge revenues

pursuant to the Allocation Provisions are only applicable to Area 1 and Area 2b. If the conditions precedent set forth in Section G(2) are also satisfied, then the Allocation Provisions will be applicable to all of the Reorganization Areas.

**B. Property Taxes.**

1. Locally Assessed Property

a. Initial Year. Except as provided in Sections B(2) and B(3) below, for the first fiscal year that this Agreement is effective: (i) City shall be allocated thirty eight percent (38%) of the County's pre-Agreement base property tax for the Reorganization Areas, and County shall be allocated sixty two percent (62%) of the County's pre-Agreement base property tax for the Reorganization Areas; and (ii) City shall have a tax increment allocation factor for each tax rate area in the Reorganization Areas equal to thirty eight percent (38%) of County's tax increment allocation factor for the prior fiscal year for each tax rate area in the Reorganization Areas. County's new annual tax increment allocation factor for each tax rate area in the Reorganization Areas shall be equal to sixty two percent (62%) of County's annual tax increment allocation factor for the prior fiscal year for each tax rate area in the Reorganization Areas.

b. Subsequent Years. Except as provided in Sections B(2) and B(3) below, in each subsequent fiscal year, City's and County's respective allocation of property taxes from the Reorganizations will be made as set forth in California Revenue and Taxation Code Sections 96.1 and 96.5. These Revenue and Taxation Code Sections currently provide that each year, each of City and County will be allocated its respective base tax (i.e., the tax allocated to City and County, respectively, in the preceding year including the previous year's annual tax increment), plus its share of the current year's annual tax increment for the Reorganization Areas, such share being calculated by multiplying the tax resulting from growth in assessed valuation in the Reorganization Areas from the prior year by the City's or County's respective annual tax increment allocation factor for the Reorganization Areas as determined in Section B(1)(a)(i) or Section B(1)(a)(ii) above. The result (i.e., base tax plus tax increment amount) becomes the base tax for the Annexation Area's next year's tax allocation calculations. Each of City's and County's base tax and annual tax increment allocation factors may be subsequently modified only through negotiated exchanges in accordance with California Revenue and Taxation Code Sections 99 and/or 99.1 for subsequent jurisdictional changes.

c. Property Tax Allocation Agreement. City and County agree that this Agreement shall apply to determine the allocation between the parties of property tax revenue generated from the Reorganization Areas in lieu of

the negotiation process set forth in California Revenue and Taxation Code Section 99(e).

2. Allocation of State Board of Equalization Assessed Electric Generation Facilities - Merchant Power Plants (Rev. and Tax Code 100.9).

The amount of property tax revenues that would have been allocated to the County pursuant to California Revenue and Taxation Code Section 100.9(a)(3) in the absence of this Agreement shall be allocated as follows: (i) sixty two percent (62%) to County, and (ii) thirty eight percent (38%) percent to City.

3. Allocation of Public Utility Owned Qualified Property - Qualified Power Plants (Rev. and Tax Code 100.95).

Notwithstanding the fact that after Area 1, Area 2a, and Area 2b have been annexed by City, qualified property (as the term is defined in California Revenue and Taxation Code Section 100.95, "Qualified Property"), including without limitation PG&E's Gateway Generating Station located in Area 1, will be located in City's jurisdiction, the parties hereto agree that the "local jurisdiction" allocation of property tax revenues under California Revenue and Taxation Code Section 100.95(a)(3)(B)(i)(I) will be allocated as follows: forty percent (40%) to County, and sixty percent (60%) to City. For the purposes of clarity, County will retain 100% of the "County jurisdiction" allocation of property tax revenues under the California Revenue and Taxation Code Section 100.95(a)(3)(A)(ii).

**C. Sales and Use Tax Revenues.**

1. Apportionment. Pursuant to Government Code Section 55704.5 and the resolutions set forth in the recitals above, the governing bodies of City and County have resolved to apportion the Sales and Use Tax Revenue that City receives from the Reorganization Areas as set forth herein. For the purposes of this Agreement, the term "Sales and Use Tax Revenue" shall mean revenue derived from the tax collected pursuant to California Revenue and Taxation Code Section 7200, *et seq.* (the Bradley-Burns Local Sales and Use Tax Law). All Sales and Use Tax Revenue collected by City from the Reorganization Areas shall be apportioned fifty percent (50%) to City, and fifty percent (50%) to County (County's fifty percent (50%), the "County's Share"). All revenue derived from locally approved Sales and Use Tax ballot measures, whether approved before or after annexation, shall explicitly be excluded from this sharing formula and shall be solely allocated to and collected by the City.

2. Remittance; Accounting. Not later than November 1 of each year, City shall remit to County's Auditor-Controller the County's Share of the total amount of Sales and Use Tax Revenue received by City from the Reorganization Areas during the preceding fiscal year. When City remits County's Share of the Sales and Use Tax Revenue to County's Auditor-Controller, it will provide the County



Administrator's office with a copy of the remittance. County has the right to audit City's books to verify the amount remitted as the County's Share.

**D. Surcharge Revenues and Franchise Fees.**

1. Surcharge Revenues. Pursuant to Public Utilities Code Sections 6350 through 6354.1, Transportation Customers located in the Reorganization Areas, including without limitation the NRG Power Plant, are obligated to pay a surcharge to Energy Transporter PG&E, who then remits the surcharge to County (such amounts, the "Surcharge Revenues"). Notwithstanding the fact that after Area 1, Area 2a and Area 2b have been annexed by City, Transportation Customers located in the Reorganization Areas will be located in City's jurisdiction, the parties hereto agree that County is entitled to, and shall receive Surcharge Revenues generated from Transportation Customers located in the Reorganization Annexation Areas pursuant to the provisions of Section D(2) below, as if Area 1, Area 2a and Area 2b had not been annexed by City and Area 1, Area 2a and Area 2b were still located in County's jurisdiction.

2. Distribution of Surcharge Revenues. Notwithstanding the fact that after Area 1, Area 2a and Area 2b have been annexed by City, Transportation Customers located in the Reorganization Areas will be located in City's jurisdiction, the parties hereto agree that: (a) County is entitled to, and shall receive, the first Two Hundred Thousand (\$200,000) of Surcharge Revenues generated from Assessor Parcel Numbers 051-031-018 and 051-031-019 (the "NRG Parcels"); (b) any additional Surcharge Revenues generated from the NRG Parcels in excess of Two Hundred Thousand (\$200,000) will be divided fifty percent (50%) to City and fifty percent (50%) to County; and (c) one hundred percent (100%) of all Surcharge Revenues remitted on account of Transportation Customers located in the Reorganization Areas but outside of the NRG Parcels shall be paid to County.

3. Remittance and Accounting of Surcharge Revenues. Not later than May 31 of each year, County shall remit to City all Surcharge Revenues received from PG&E for the preceding calendar year as required pursuant to Section D(2) above. Along with each remittance, County shall provide City with supporting documentation indicating the amount of Surcharge Revenues generated on the NRG Parcels during the preceding year and the documentation will include data provided to County by PG&E with respect to the NRG Parcels.

4. Franchise Fees. Pursuant to resolution and Public Utilities Code Section 6201, *et seq.*, County has granted a franchise to PG&E and its successors and assigns for the right to transmit electricity and gas, respectively, through lines and pipes located in the unincorporated area of County, including lines and pipes located in the Reorganization Areas. PG&E pays county franchise fees (the "Franchise Fees") for such rights (the "Franchise").

5. County Franchise Fees. Notwithstanding the fact that after Area 1, Area 2a and Area 2b have been annexed by City, certain miles of gas transmission pipes and electricity transmission lines currently subject to the Franchise will be located in City's jurisdiction, the parties hereto agree that County is entitled to continue receiving any and all Franchise Fees as if Area 1, Area 2a and Area 2b had not been annexed by City and the Reorganization Areas was still located in County's jurisdiction.

6. Remittance and Accounting of Franchise Fees. If for any reason City receives Franchise Fees from PG&E for the Reorganization Areas, City shall, not later than May 31 of each year, remit to County any and all Franchise Fees it receives from PG&E for the preceding calendar year that were generated from the Reorganization Areas. Along with each remittance, City shall include supporting documentation indicating the number or miles of gas transmission pipes and electricity transmission lines in the Reorganization Areas and the respective per mile fee for gas transmission pipes and electricity transmission lines, such documentation to include reports provided to City by PG&E.

7. Defined Terms. Capitalized terms used in this Section D that are not otherwise defined in this Agreement shall have the meanings ascribed thereto in California Public Utilities Code Section 6351.

**E. Economic Development Initiative.** City and County will each budget, set aside and reserve \$100,000 a year for five years (total of \$1,000,000) for expenditure on economic development initiatives applicable to the Reorganization Areas. Each agency shall set aside and reserve the initial \$100,000 not later than thirty (30) days following the Operative Date (as defined in Section G (1)(b) below). Thereafter, each agency will budget, set aside and reserve \$100,000 on each subsequent July 1 for four years for expenditure on economic development initiatives applicable to the Reorganization Areas. This economic development initiative funding may be extended beyond five years by written agreement of City and County at the same level of funding, or at a different mutually agreed upon amount. County and City shall consult with the other party on how the economic development funds are expended.

**F. Forestar Property. (2301 and 2603 Wilbur Avenue)** City and County agree that the County will retain Permitting Authority to process and approve or deny any development applications, as well as to process, approve or deny any applications for subsequent implementing actions such as issuance of building permits, on the Forestar Property (collectively, "Permitting Authority"). The Forestar Property is the approximately 114 acres of land identified as APNs: 051-031-005, 051-020-006, in Area 1 currently owned by Forestar (USA) Real Estate. Contra Costa County will retain this Permitting Authority for the Forestar Property for five years from LAFCO's recordation of the above-described certificate of completion for the annexation of Area 1 to the City or until the County has issued the certificate of occupancy applicable to the Forestar Property, whichever

occurs first. Both Parties agree that in the event a Development Agreement is executed with the owners and/or developers of the Forestar Property, that such an Agreement will be a three party agreement, with both the County and City as signatories. All subsequent Permitting Authority, whether legislative, discretionary, or ministerial will be processed and decided by the City of Antioch.

The County staff shall consult with the City of Antioch Planning and Engineering staff regarding any pending applications on the Forestar Property. The County shall ensure that the City of Antioch staff receive copies of all relevant application materials and studies, and are afforded the opportunity to review and comment on these documents. The City staff shall provide comments to the County within 45 days of being received by the City, unless an extension has been mutually agreed to. If the City does not respond within this time period, such plans shall be deemed acceptable to the City.

The City Planning Commission and/or City Council will have an opportunity to review and make a recommendation on any pending development or building application for the Forestar Property prior to the County Planning Commission or County Zoning Administrator's review of any proposed permit application. Similarly, City shall be given an opportunity, at the City's discretion, to schedule City Planning Commission and/or City Council hearings on such applications, for the City Planning Commission's and/or City Council's review and recommendations on such applications, prior to any public hearing on such application(s) before the County Board of Supervisors. The City of Antioch shall use its best efforts to promptly schedule such review by the Planning Commission or City Council. All comments received by the Antioch staff, the Planning Commission or the City Council shall be included in the staff report prepared for the County hearing body, along with a description of the bases for the County's response and disposition of all incoming City comments and recommendations.

In order to implement the details of this provision, the City and the County agree to jointly prepare and adopt a Memorandum of Understanding addressing issues including, but not limited to the selection of City or County zoning and engineering standards to be utilized in the review of development projects on the Forestar Property, as well as which development fee amounts will be levied and collected. The goal is for both the City and the County to complete and adopt this jointly prepared MOU prior to LAFCO's recording of the above-described certificate of completion for the annexation of Area 1 to the City.

**G. F. Conditions Precedent to Effectiveness of Certain Operative Provisions; Prosecution of Applications; Effect of Agreement.**

1. Area 1 and Area 2b Conditions Precedent. Notwithstanding that the Board of Supervisors of County and the City Council of City have approved this Agreement and the parties hereto have executed it, and subject to Government Code Sections 54900 *et seq.*, none of the Allocation Provisions shall have any

force or effect with respect to Area 1 and Area 2b unless and until both of the following occur:

- a. City has submitted to LAFCO complete reorganization applications for Area 1, Area 2a and Area 2b; and
- b. The annexations of Area 1 and Area 2b are completed, as evidenced by the filing of a certificate of completion (as defined in California Government Code Section 56020.5) for each of Area 1 and Area 2b with the Recorder of County (such date, the "Operative Date").
- c. For the purpose of clarity, it is the intent and understanding of City and County that if the annexations of either Area 1 or Area 2b are not completed; i.e., a certificate of completion (as defined in California Government Code Section 56020.5) has not been filed with the Recorder of County for each of Area 1 and Area 2b, then the Allocation Provisions shall have no force or effect with respect to Area 1 and Area 2b, and that a certificate of completion would not be filed for either Area 1 or Area 2b separately. The net effect of this wording is that certificates of completion for the annexation of Areas 1 and 2b must by necessity be filed concurrently with the Recorder of the County.

2. Area 2a Conditions Precedent. Notwithstanding that the Board of Supervisors of County and the City Council of City have approved this Agreement and the parties hereto have executed it, and subject to Government Code Sections 54900 *et seq.*, none of the Allocation Provisions shall have any force or effect with respect to Area 2a unless and until both of the following occur:

- a. The conditions precedent set forth in Section G (1) above have been satisfied; and
- b. The annexation of Area 2a is completed, as evidenced by the filing of a certificate of completion (as defined in California Government Code Section 56020.5) for Area 2a with the Recorder of County.

3. Prosecution of Applications and Commitment to Annexations. City covenants to County that it will diligently prosecute its annexation applications and use its best efforts to cause the annexations to be approved as quickly as possible, and City and County agree to cooperate in good faith and use their best efforts to facilitate the annexations of Area 1, Area 2a and Area 2b.

3. Effect of Agreement. This Agreement is applicable solely to the Reorganization Areas and does not constitute either a master property tax exchange agreement, or an agreement on annexations or reorganizations outside of the Reorganization Areas.

**H. Timing of Annexation:** Both Parties are aware of the fact that December 1 is the date the County Assessor uses to determine which jurisdiction a given property is located in for the purpose of allocating property tax revenues. Due to the time it has taken to address the complex issues inherent in this annexation process, there is a possibility that the three annexation applications for Areas 1, 2a, and 2b, may not be approved and recorded prior to this December 1 date. In order to address this possibility the Parties agree that if all or any portion of the Annexation Area approved and recorded by LAFCO do not appear on the City's property tax rolls for Calendar year 2014 due to the recordation of the annexation by LAFCO after December 1, 2013, then following the approval and recordation by LAFCO of an annexation application described in this Agreement, the property tax revenues generated in that annexed Area shall be "pro rated" to reflect the timing of such an annexation. For example, if the recordation of the annexation of Area 1 occurred on January 1, 2014 one month after the December 1, 2013 date, then the City would be entitled to slightly more than 91% of the City's share of Area 1 tax revenue under this Agreement.

**I. ~~G.~~ Other Agencies.** This Agreement does not change the property tax revenues accruing to other agencies currently serving the Reorganization Areas, or such agencies' rights to collect taxes for existing bonded indebtedness.

**J. ~~H.~~ Exhibits; Complete Agreement.** This Agreement and the attached exhibits constitute the entire agreement between the parties relating to the subject matter of this Agreement. All exhibits attached to this Agreement and referenced herein constitute a part of this Agreement. To the extent that any provision of this Agreement conflicts with any provision set forth in the Master Agreement, this Agreement shall control.

**Exhibit A:** Northeast Antioch Study Area Map

[Signatures appear on following page.]

**IN WITNESS WHEREOF**, the parties have executed this Agreement effective as of the date first set forth above.

**COUNTY OF CONTRA COSTA**,  
a political subdivision of  
the State of California

Antioch

By: \_\_\_\_\_  
Federal Glover, Chairperson  
of the Board of Supervisors

By: \_\_\_\_\_  
David J. Twa, Clerk of the  
Board of Supervisors

Approved as to Form:

Sharon L. Anderson, County Counsel

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Deputy County Counsel

**CITY OF ANTIOCH**, a municipal corporation

By: \_\_\_\_\_  
Wade Harper, Mayor of the City of

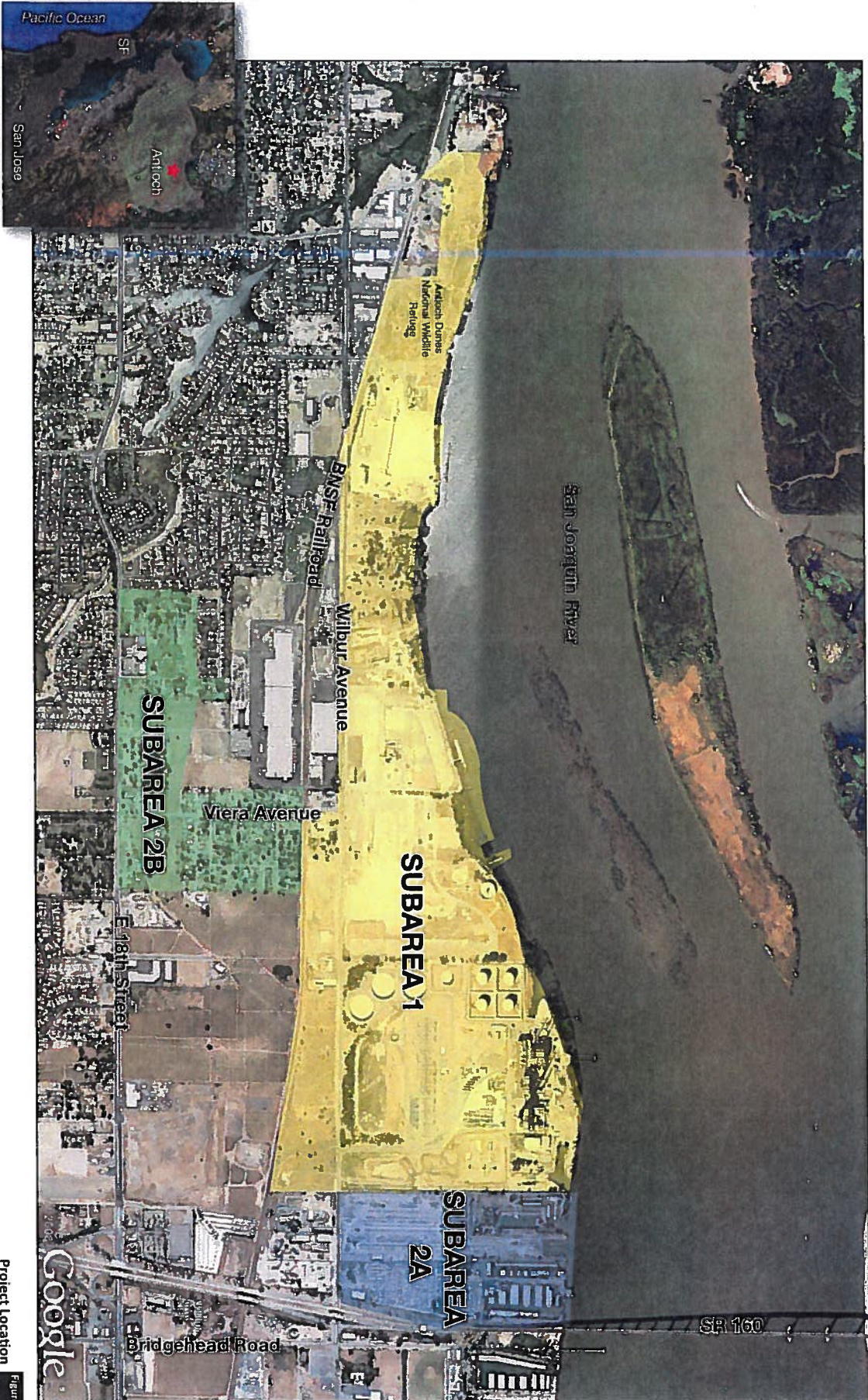
Attest:

By: \_\_\_\_\_  
Arne Simonsen, Clerk of the City of  
Antioch

Approved as to Form:

By: \_\_\_\_\_  
Lynn Tracy Nerland, Attorney for City  
of Antioch

# EXHIBIT A



Project Location

Figure

A13

## ATTACHMENT "B"

### RESOLUTION NO. 2013/\*\*

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED INFRASTRUCTURE FUNDING AGREEMENT BETWEEN THE CITY OF ANTIOCH AND CONTRA COSTA COUNTY FOR THE NORTHEAST ANTIOCH REORGANIZATION CONSISTING OF THREE SEPARATE REORGANIZATION APPLICATIONS FOR AREAS 1, 2A, AND 2B, THE COMPLETE REORGANIZATION AREA IS LOCATED GENERALLY SOUTH OF THE SACRAMENTO COUNTY LINE ALONG THE SAN JOAQUIN RIVER IN THE VICINITY OF WILBUR AVENUE, WEST OF THE CITY OF OAKLEY, NORTH AND EAST OF THE BOUNDARIES OF THE CITY OF ANTIOCH**

**WHEREAS**, the City Council on June 26, 2007 authorized City staff to submit an annexation application for Area 1 of the Northeast Antioch Area, which consists of approximately 481 acres located north of Wilbur Avenue, east of Fulton Shipyard, and west of SR 160; and

**WHEREAS**, LAFCO, in a letter dated May 11, 2012, requested the City initiate the annexation of Areas 2a and 2b; and

**WHEREAS**, the City Council on June 12, 2012 authorized City staff to submit annexation applications for Area 2a and 2b of the Northeast Antioch Area with the understanding that the procedures contained in State law governing annexations provide property owners and residents the opportunity for input into the annexation process. Area 2a consists of approximately 94 acres located north of Wilbur Avenue, and West of State Route 160 and the Antioch Bridge. Area 2b consists of approximately 103 acres located south of Wilbur Avenue and north of East Eighteenth Street, roughly centered on Viera Avenue; and

**WHEREAS**, the City prepared an Initial Study to evaluate the potential environmental impacts of the Reorganization of the Northeast Antioch Area project, including the proposed reorganizations, rezoning, approval and execution of associated Tax Allocation Agreement and Infrastructure Funding Agreement, the installation of the proposed infrastructure, and the ultimate annexation of the three areas (collectively, the "Project") in conformance with Section 15063 of Title 14 of the California Code of Regulations (the "CEQA Guidelines") and, based on that Initial Study, determined that the Project could be approved in compliance with the California Environmental Quality Act ("CEQA") by adopting a Mitigated Negative Declaration as provided by Section 15074 of the CEQA Guidelines; and

**WHEREAS**, a Mitigated Negative Declaration was prepared and circulated for a 30-day review period, with the public review period commencing on February 1, 2013 and ending on March 4, 2013, and all comments received were subsequently responded to and addressed in the final Mitigated Negative Declaration, and

**WHEREAS**, the City Council at the July 30, 2013 Council meeting approved and adopted the Final Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program, determining that the Mitigated Negative Declaration ("IS/MND") adequately addressed the environmental impacts of the Project, including the Tax Allocation Agreement, and

**WHEREAS**, The City and the County have negotiated the Annexation and Tax Revenue Allocation Agreement, dated July 30, 2013 (the "Property Tax Allocation Agreement"), between the City and the County, as required by Government Code Section 56000, *et seq.* (the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000) and California Revenue and



**RESOLUTION NO. 2013/\*\***

August 13, 2013

Page 2

Taxation Code Section 99, and the Parties intend to have their respective governing bodies consider and act on this Agreement at the same time they consider and act on the Property Tax Allocation Agreement, and

**WHEREAS**, there are approximately 110 parcels of residential property located in Area 2b that were built in the 1940's-1960's that have individual wells and septic systems. The size of many of these parcels does not meet the minimum lot size requirement for onsite potable water and septic systems, and

**WHEREAS**, the City and the County agree that sewer, water, and storm drain infrastructure improvements in Area 2b will greatly enhance the infrastructure in the area, and will address significant potential public health safety issues. The City and the County desire to cooperate to improve the infrastructure in Area 2b by entering into this Agreement.

**WHEREAS**, the City Council on July 30, 2013 reviewed the draft of the Infrastructure Funding Agreement, and upon hearing testimony from the public, City Council provided direction to staff in relation to the contents of the Agreement, and

**WHEREAS**, on August 13, 2013, the City Council duly held a hearing on the matter, and received and considered evidence, both oral and documentary.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Antioch hereby authorizes the City Manager to execute the attached Infrastructure Funding Agreement included herein as Exhibit 1 in substantially the form as contained in Exhibit 1, which determines how funding the infrastructure to serve Area 2b will be shared between the City and the County.

**I HEREBY CERTIFY** that the foregoing resolution was adopted by the City Council of the City of Antioch at a regular meeting thereof held on the 13<sup>th</sup> day of August, 2013 by the following vote:

\* \* \* \* \*

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
**ARNE SIMONSEN  
CITY CLERK OF THE CITY OF ANTIOCH**

## EXHIBIT 1 TO ATTACHMENT "B"

### AGREEMENT BETWEEN THE CITY OF ANTIOCH AND CONTRA COSTA COUNTY FOR THE FUNDING AND CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS SERVING AREA 2B OF THE NORTHEAST ANTIOCH REORGANIZATION AREA

This Agreement for the Funding and Construction of Infrastructure Improvements Serving Area 2b of the Northeast Antioch Reorganization Area (this "Agreement") is entered into as of this day of 2013, by and between the City of Antioch, a municipal corporation (the "City"), and the County of Contra Costa (the "County") (each a "Party" and together the "Parties").

#### RECITALS

- A. The City has applied to the Contra Costa Local Agency Formation Commission in three separate applications to annex approximately 678 acres of unincorporated Contra Costa County adjacent to the City, into the City and the Delta Diablo Sanitation District. The proposed annexation area is comprised of three distinct subareas: "Area 1," consisting of approximately 470 acres and occupied primarily by industrial uses; "Area 2a," consisting of approximately 94 acres and occupied primarily by commercial and marina uses; and "Area 2b," consisting of approximately 102 acres and occupied primarily by residential uses. The entire area proposed for annexation, and the three subareas are described generally on Exhibit A (the "Northeast Antioch Annexation Study Area Map"), attached hereto and incorporated herein.
- B. The City and the County have negotiated the Annexation and Tax Revenue Allocation Agreement, dated July 30, 2013 (the "Property Tax Exchange Agreement"), between the City and the County, as required by Government Code Section 56000, *et seq.* (the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000) and California Revenue and Taxation Code Section 99, and the Parties intend to have their respective governing bodies consider and act on this Agreement at the same time they consider and act on the Property Tax Allocation Agreement.
- C. There are approximately 110 parcels of residential property located in Area 2b that were built in the 1940's-1960's that have individual wells and septic systems. The size of many of these parcels does not meet the minimum lot size requirement for onsite potable water and septic systems.
- D. The City and the County agree that sewer, water, and storm drain infrastructure improvements in Area 2b will greatly enhance the infrastructure in the area, and will address significant potential public health safety issues. The City and the County desire to cooperate to improve the infrastructure in Area 2b by entering into this Agreement.

# AGREEMENT

**NOW, THEREFORE**, in consideration of the foregoing recitals, which the Parties agree are true and correct, and of the promises, conditions, covenants and provisions set forth herein, and other good and valuable consideration, the City and the County hereby agree as follows:

## **A. Infrastructure Improvements.**

**1. Description of Planned Infrastructure Improvements.** The types of infrastructure improvements, approximate location, size, depth, material type, and other relevant physical characteristics of the infrastructure improvements to be constructed to serve Area 2b are listed in Exhibit 2 attached hereto and incorporated herein, and are depicted graphically on Exhibit 2.1 attached hereto and incorporated herein (the "Area 2b Infrastructure Improvements"). The City is responsible for construction of the Area 2b Infrastructure Improvements, subject to funding from the County as described in Section B.2., securing the necessary Infrastructure Improvement Grants as described in Section C.3, and subject to the constraints inherent in installing infrastructure in private streets as described in Section A.2.

**2. Private Streets.** Both Parties acknowledge that with privately owned streets, identified in Exhibit B, the installation of the proposed public infrastructure improvements is contingent on the owners of the private streets granting the City the necessary easements and/or right of way to install the infrastructure. Both Parties understand that it is the intent of the City to use its best efforts (excluding the use of eminent domain) over a one year period from the date Area 2b is annexed to the City to secure the necessary authorization from the owners of the private streets to install the planned infrastructure. If at the end of that one year period the City is unable to secure authorization from property owners to install the infrastructure, then the infrastructure improvements plan (Exhibits B and B-1) will be modified by the City to remove the private street, or the portion of the private street in question.

**3. Infrastructure Improvement Cost Estimate.** The City has estimated and the County has agreed that the "hard" cost of the Area 2b Infrastructure Improvements is approximately Ten Million Dollars (\$10,700,000) (the "Area 2b Infrastructure Improvement Cost Estimate"), and that the "soft" costs including contingency, design services, construction services engineering services, contract administration, construction management range from approximately \$4.7 million to \$6.9 million), for a total cost ranging from \$15.4 million to \$17.6 million. These cost estimates are contained in Exhibit 2.

## **B. Infrastructure Improvement Funding.**

**1. Infrastructure Improvement Funding.** Each Party will contribute a total of Three Million Dollars (\$3,000,000) to fund the Area 2b Infrastructure Improvements, for a total contribution from both Parties of Six Million Dollars (\$6,000,000) (the "Area 2b Infrastructure Contributions"). The Three Million Dollars (\$3,000,000) will be contributed by each Party incrementally over a ten year period with annual payments of \$300,000 per year.

**2. County Infrastructure Funding Contribution.** Beginning on the first July 1 following the Operative Date (as defined in Section D below), and on July 1 of each

of the nine succeeding years, the County will pay to the City in the manner set forth in Section E(2) below, Three Hundred Thousand Dollars (\$300,000) (the "County Area 2b Infrastructure Contribution"), which payment shall be used by the City solely for the Permitted Uses (as that term is defined in Section C(1) below. )

**3. City Infrastructure Funding Contributions.** Beginning on the first July 1 following the Operative Date (as defined in Section D below), and on July 1 of each of the nine succeeding years, the City will contribute Three Hundred Thousand Dollars (\$300,000) of City funds (the "City Area 2b Infrastructure Contribution") into a special purpose fund that can only be used for Permitted Uses (as that term is defined in Section C(1) below). No later than 30 days after each July 1, the City will provide the County evidence satisfactory to the County, as reasonably determined by the County Administrator, that the City has contributed the City Area 2b Infrastructure Contribution for that fiscal year as required by this Agreement. The County may withhold future County Area 2b Infrastructure Contributions if the City does not provide satisfactory evidence to the County, as reasonably determined by the County Administrator, that the City has used the City Area 2b Infrastructure Contribution for Permitted Uses (as that term is defined in Section C(1) below) during that fiscal year.

**C. Use of Infrastructure Improvement Funds.**

**1. Use of Infrastructure Improvement Contributions.** The City may use the Area 2b Infrastructure Improvement Contributions to: (a) pay City employees and/or City consultants for performing work reasonably determined by the City to be necessary to construct the Area 2b Infrastructure Improvements; (b) pay contractors for designing and constructing the Area 2b Infrastructure Improvements; (c) pledging as security for loans or grants obtained for the sole purpose of constructing the Area 2b Infrastructure Improvements; and (d) making payments for loans obtained for the sole purpose of constructing the Area 2b Infrastructure Improvements (the "Permitted Uses"). The County may withhold future Area 2b Infrastructure Contributions if the City does not provide satisfactory evidence to the County, as reasonably determined by the County Administrator, that the County Area 2b Infrastructure Contribution is being utilized for Permitted Uses.

**2. Infrastructure Improvement Loans.** If the City secures one or more loans for the purpose of constructing the Area 2b Infrastructure Improvements (any such loan, an "Infrastructure Loan"), the City will provide the County evidence satisfactory to the County, as reasonably determined by the County Administrator, regarding the terms of the Infrastructure Loans obtained, and that the City's expenditures of the County's Area 2b Infrastructure Contribution for that fiscal year were made for the Permitted Uses or purpose of debt service payments on Infrastructure Loans.

**3. Infrastructure Improvement Grants.** If at any time during the ten year period after the Operative Date (as defined in Section D below), the sum of (1) all grants obtained by the City for the purpose of Area 2b Infrastructure Improvements at such time, and (2) the Infrastructure Improvements Contributions required under this Agreement (\$6,000,000), exceeds the Area 2b Infrastructure Improvements Cost Estimate (\$10,700,000 plus engineering and contingency costs), then such excess amount shall be credited fifty percent (50%) towards each of the Party's Infrastructure Contribution obligations. For the purpose of illustrating the foregoing and for that purpose only, if in fiscal year 2016 the aggregate amount of grants

obtained for Area 2b Infrastructure Improvements equaled \$4,500,000, then that amount, plus the Infrastructure Improvements Contributions required under this Agreement (\$6,000,000), would exceed the Area 2b Infrastructure Improvements Cost Estimate (\$10,700,000 excluding for this example engineering and contingency costs) by \$500,000. Under this example the Area 2b Infrastructure Improvements contribution obligations of the City and the County would be reduced by \$250,000 each (50% of the amount exceeding the Infrastructure Improvements Cost) for fiscal year 2017.

**4. County Cooperation in Securing Loans and Grants.** County will cooperate with the City in the City's efforts to secure loans and grants for the purpose of constructing the Area 2b Infrastructure Improvements.

**5. Cost Savings.** If, for any reason, the actual cost of construction of the Area 2b Infrastructure Improvements is less than the Area 2b Infrastructure Improvements Cost Estimate, the cost savings shall be shared equally between the City and the County.

**D. Operative Date.** Notwithstanding that this Agreement has been executed as of the date first set forth above, neither the City nor the County shall have any obligations under this Agreement unless and until the date that the annexations of both Area 1 and Area 2b are completed, as evidenced by the filing of a certificate of completion (as defined in California Government Code Section 56020.5) for each of Area 1 and Area 2b with the Recorder of County (such date, the "Operative Date").

**E. Miscellaneous Provisions.**

**1. Notices / County Contributions.** All notices, requests, demands, and other communications required or permitted to be given hereunder must be in writing and must be addressed to the Parties at their respective addresses set forth below and shall be deemed to have been duly given when: (a) delivered in person; (b) sent by facsimile transmission indicating receipt at the facsimile number where sent; (c) one (1) business day after being deposited with a reputable overnight air courier service; and (d) three (3) business days after being deposited with the United States Postal Service, for delivery by certified or registered mail, postage pre-paid and return receipt requested. Either Party may from time to time change the notice address set forth below by delivering notice to the other Party in accordance with this section setting forth the new address and the date on which it will become effective.

If to the City: City of Antioch  
Attn: City Manager  
Third & "H" Streets  
Antioch, CA 94509  
P.O. Box 5007  
Antioch, CA 94531-5007  
Fax: (925)779-7003

If to the County: Contra Costa County  
Attn: County Administrator  
651 Pine Street,  
Martinez, CA 94553  
Fax: (925) 335-1098

**2. Transmittal of County Infrastructure Contributions.** The County's County Area 2b Infrastructure Contributions made pursuant to Section B(2) above shall be sent to the City Manager at the address set forth in Section E(1) above with an indication

that the payment is being made pursuant to this Agreement and is to be used according to the terms of this Agreement.

**3. Exhibits; Complete Agreement.** This Agreement, including the recitals, the terms used herein and defined in the recitals, and the attached exhibits constitute the entire agreement between the Parties relating to the subject matter of this Agreement. The following exhibits are attached to this Agreement and constitute a part of this Agreement:

- Exhibit A: Northeast Antioch Annexation Study Area Map
- Exhibit B: Area 2b Infrastructure Improvements (Text)
- Exhibit B.1: Area 2b Infrastructure Improvements (Figure)

**4. Interpretation; Amendments.** This Agreement shall not be construed for or against any Party based on its level of participation in drafting the Agreement. This Agreement may only be amended by written mutual agreement of each of the Parties hereto.

**5. Governing Law.** This Agreement is made and will be performed in the State of California, and is governed by California laws.

**6. Severability.** The Parties hereby acknowledge and agree that the various provisions of this Agreement are intended to work together to achieve their shared goals and purposes of improving the infrastructure in Area 2b, meeting current code requirements, and generally enhancing the public health, safety and welfare of residents and businesses in Areas 1, 2a and 2b. The Parties further acknowledge and agree that if, for any reason, certain provisions of this Agreement were found to be invalid or unenforceable, such that they could be severed from the remainder of this Agreement, the remainder of the Agreement would fail to reflect the Parties' mutual agreement and intentions and could fail to achieve the Parties' goals and purposes for the Agreement. Consequently, the Parties hereby agree that if any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, the entire Agreement shall be invalid and all obligations of the Parties under this Agreement shall be void. In such event, the Parties shall meet and confer, not later than thirty (30) days from such court determination, in a good faith effort to amend or modify the Agreement to remedy the defect that was determined by the court to be invalid or unenforceable, and achieve the Parties' goals and purposes as set forth herein.

**7. Assignment.** No Party shall assign any of its right, title or interest under this Agreement without the prior written consent of the other Party. Any purported assignment of any Party's rights under this Agreement is void and without effect. Notwithstanding the foregoing, the City may pledge its right to receive County Area 2b Infrastructure Contributions pursuant to this Agreement as security to obtain funding to be used solely for Permitted Uses.

[Signatures appear on following page.]

**IN WITNESS WHEREOF**, the parties have executed this Agreement effective as of the date first set forth above.

**COUNTY OF CONTRA COSTA**,  
a political subdivision of the State  
of California

By: \_\_\_\_\_  
Federal Glover, Chairman  
of the Board of Supervisors

By: \_\_\_\_\_  
David J. Twa, Clerk of the  
Board of Supervisors

Approved as to Form:

Sharon L. Anderson, County Counsel

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Deputy County Counsel

**CITY OF ANTIOCH**, a municipal corporation

By: \_\_\_\_\_  
Wade Harper, Mayor of the City of Antioch

By: \_\_\_\_\_  
Jim Jakel, City Manager

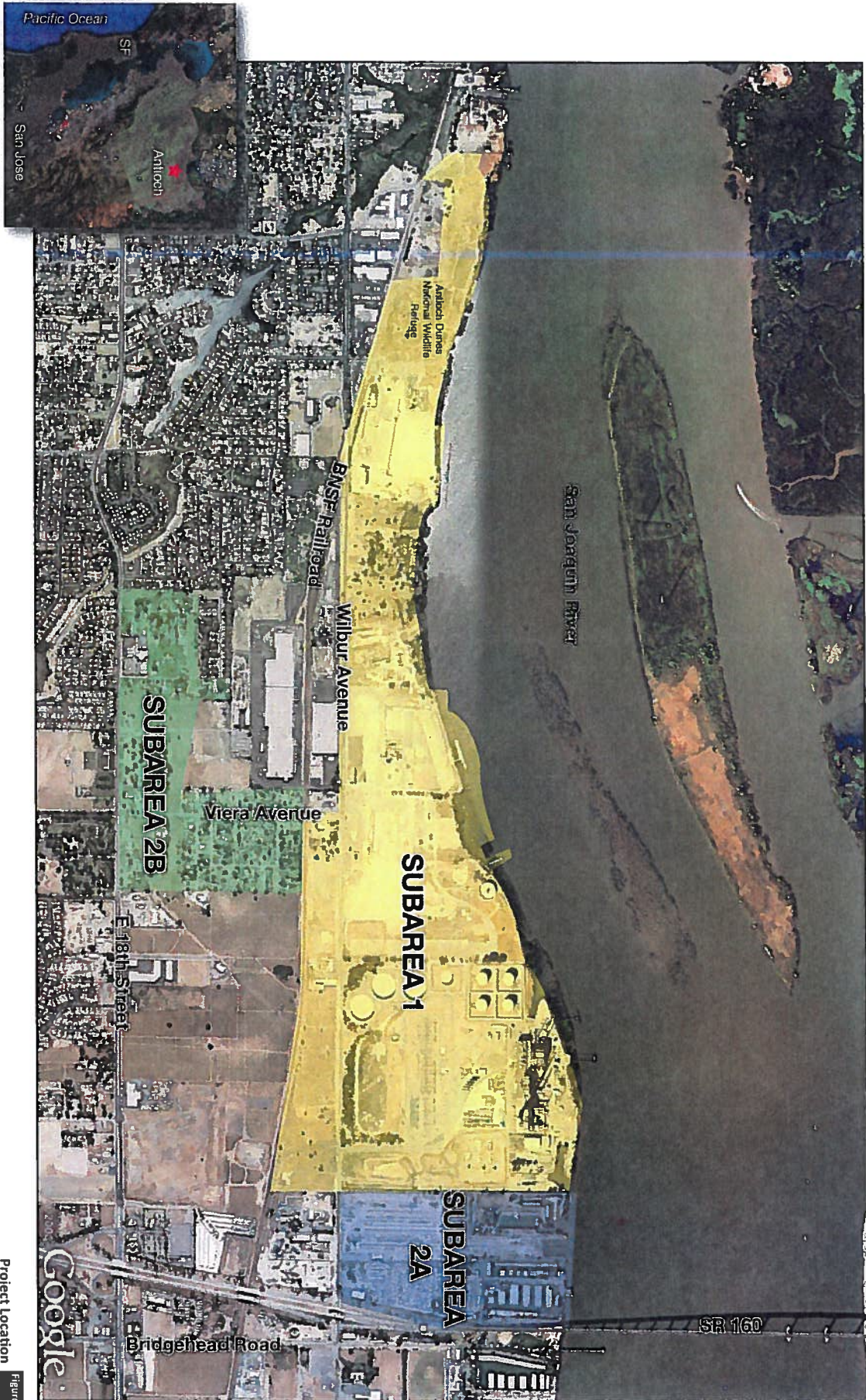
Attest:

By: \_\_\_\_\_  
Arne Simonson, Clerk of the City of Antioch

Approved as to Form:

By: \_\_\_\_\_  
Tracy Lynn Nerland, Attorney for City  
of Antioch

# EXHIBIT A



Source: Google earth, 2009

Project Location

Figure





**IMPROVEMENTS SUMMARY**  
**AREA 2B NORTHEAST ANNEXATION**

B10

DESCRIPTION		BKF	CBG (Nov 2011)
<b>STREET IMPROVEMENTS</b>			
WILBER AVE & PORTION OF VIERA AVE IMPROVEMENTS	(PUBLIC STREET)	\$805,280	\$339,760
VIERA AVENUE IMPROVEMENTS	(PUBLIC STREET)	\$506,300	\$142,420
SANTA FE AVENUE IMPROVEMENTS	(PUBLIC STREET)	\$130,500	\$24,950
WALNUT AVENUE IMPROVEMENTS	(PUBLIC STREET)	\$116,000	\$32,800
BOWN LANE IMPROVEMENTS	(PUBLIC STREET)	\$87,000	\$24,600
VINE LANE IMPROVEMENTS	(PRIVATE STREET)	\$153,000	\$28,780
STEWART LANE IMPROVEMENTS	(PRIVATE STREET)	\$9,500	\$3,500
EAST 18TH STREET IMPROVEMENTS	(PRIVATE STREET)	-	-
ST. CLAIRE DRIVE IMPROVEMENTS	(PUBLIC STREET)	\$27,240	\$12,000
TREMBATH LANE IMPROVEMENTS	(PRIVATE STREET)	\$22,246	\$9,800
MIKE YORBA WAY IMPROVEMENTS	(PRIVATE STREET)	\$6,250	\$2,500
WYMORE WAY IMPROVEMENTS	(PRIVATE STREET)	\$153,000	\$10,440
	<b>SUBTOTAL</b>	<b>\$2,016,316</b>	<b>\$631,550</b>
<b>STORM DRAIN</b>			
WILBER AVE & PORTION OF VIERA AVE IMPROVEMENTS	(PUBLIC STREET)	-	-
VIERA AVENUE IMPROVEMENTS	(PUBLIC STREET)	\$567,429	\$330,740
SANTA FE AVENUE IMPROVEMENTS	(PUBLIC STREET)	\$983,235	\$431,260
WALNUT AVENUE IMPROVEMENTS	(PUBLIC STREET)	\$220,380	\$142,000
BOWN LANE IMPROVEMENTS	(PUBLIC STREET)	\$156,411	\$102,880
VINE LANE IMPROVEMENTS	(PRIVATE STREET)	\$1,161,794	\$491,860
STEWART LANE IMPROVEMENTS	(PRIVATE STREET)	\$101,573	\$63,260
EAST 18TH STREET IMPROVEMENTS	(PRIVATE STREET)	\$72,243	-
ST. CLAIRE DRIVE IMPROVEMENTS	(PUBLIC STREET)	\$204,494	\$194,520
TREMBATH LANE IMPROVEMENTS	(PRIVATE STREET)	\$44,487	\$41,680
MIKE YORBA WAY IMPROVEMENTS	(PRIVATE STREET)	\$48,849	\$21,900
WYMORE WAY IMPROVEMENTS	(PRIVATE STREET)	-	-
	<b>SUBTOTAL</b>	<b>\$3,560,895</b>	<b>\$1,820,100</b>



<b>SANITARY SEWER</b>				
WILBER AVE & PORTION OF VIERA AVE IMPROVEMENTS	(PUBLIC STREET)		\$1,413,380	\$1,991,300
VIERA AVENUE IMPROVEMENTS	(PUBLIC STREET)		\$600,280	\$999,900
SANTA FE AVENUE IMPROVEMENTS	(PUBLIC STREET)		\$193,000	\$354,500
WALNUT AVENUE IMPROVEMENTS	(PUBLIC STREET)		\$183,000	\$327,000
BOWN LANE IMPROVEMENTS	(PUBLIC STREET)		\$163,300	\$216,500
VINE LANE IMPROVEMENTS	(PRIVATE STREET)		\$199,600	\$367,600
STEWART LANE IMPROVEMENTS	(PRIVATE STREET)		\$62,720	\$111,500
EAST 18TH STREET IMPROVEMENTS	(PRIVATE STREET)		\$157,920	\$130,500
ST. CLAIRE DRIVE IMPROVEMENTS	(PUBLIC STREET)		\$147,520	\$378,000
TREMBATH LANE IMPROVEMENTS	(PRIVATE STREET)		\$132,700	\$238,000
MIKE YORBA WAY IMPROVEMENTS	(PRIVATE STREET)		\$31,040	\$81,500
WYMORE WAY IMPROVEMENTS	(PRIVATE STREET)		\$243,574	\$497,500
			<b>\$3,528,034</b>	<b>\$5,693,800</b>
<b>WATER</b>				
WILBER AVE & PORTION OF VIERA AVE IMPROVEMENTS	(PUBLIC STREET)			
VIERA AVENUE IMPROVEMENTS	(PUBLIC STREET)		\$130,000	\$122,500
SANTA FE AVENUE IMPROVEMENTS	(PUBLIC STREET)		\$154,760	\$118,000
WALNUT AVENUE IMPROVEMENTS	(PUBLIC STREET)		\$141,600	\$124,000
BOWN LANE IMPROVEMENTS	(PUBLIC STREET)		\$93,140	\$75,500
VINE LANE IMPROVEMENTS	(PRIVATE STREET)		\$180,780	\$153,700
STEWART LANE IMPROVEMENTS	(PRIVATE STREET)		\$60,230	\$41,500
EAST 18TH STREET IMPROVEMENTS	(PRIVATE STREET)		-	-
ST. CLAIRE DRIVE IMPROVEMENTS	(PUBLIC STREET)		\$167,380	\$107,000
TREMBATH LANE IMPROVEMENTS	(PRIVATE STREET)		\$192,018	\$87,300
MIKE YORBA WAY IMPROVEMENTS	(PRIVATE STREET)		\$25,800	\$23,000
WYMORE WAY IMPROVEMENTS	(PRIVATE STREET)		\$166,318	\$69,000
			<b>\$1,312,025</b>	<b>\$921,500</b>



B12

<b>ELECTRICAL IMPROVEMENTS</b>					
WILBER AVE & PORTION OF VIERA AVE IMPROVEMENTS	(PUBLIC STREET)		\$8,000		\$0
VIERA AVENUE IMPROVEMENTS	(PUBLIC STREET)		\$61,492		\$0
SANTA FE AVENUE IMPROVEMENTS	(PUBLIC STREET)		\$30,746		\$0
WALNUT AVENUE IMPROVEMENTS	(PUBLIC STREET)		\$26,746		\$0
BOWN LANE IMPROVEMENTS	(PUBLIC STREET)		\$21,164		\$0
VINE LANE IMPROVEMENTS	(PRIVATE STREET)		\$30,746		\$0
STEWART LANE IMPROVEMENTS	(PRIVATE STREET)		\$11,582		\$0
EAST 18TH STREET IMPROVEMENTS	(PRIVATE STREET)		-		\$0
ST. CLAIRE DRIVE IMPROVEMENTS	(PUBLIC STREET)		\$38,328		\$0
TREMBATH LANE IMPROVEMENTS	(PRIVATE STREET)		\$32,746		\$0
MIKE YORBA WAY IMPROVEMENTS	(PRIVATE STREET)		\$5,582		\$0
WYMORE WAY IMPROVEMENTS	(PRIVATE STREET)		-		\$0
	<b>SUBTOTAL</b>		<b>\$267,132</b>		<b>\$0</b>

	<b>STREET IMPROVEMENT SUBTOTAL</b>		<b>\$10,684,402</b>		<b>\$9,066,950</b>
	<b>CONTINGENCY: 15%/25%(BKF) 20%(CBG)</b>		<b>\$1,602,660</b>		<b>\$1,813,390</b>
	<b>TOTAL STREET IMPROVEMENT COST</b>		<b>\$12,287,062</b>		<b>\$10,880,340</b>



**STREET SUMMARY**  
**AREA 2B NORTHEAST ANNEXATION**

DESCRIPTION	BKF	CBG (Nov 2011)
<b>IMPROVEMENT COST SUBTOTAL (PUBLIC STREETS)</b>		
WILBER AVE & PORTION OF VIERA AVE IMPROVEMENTS	\$2,226,660	\$2,331,060
VIERA AVENUE IMPROVEMENTS	\$1,865,501	\$1,595,560
SANTA FE AVENUE IMPROVEMENTS	\$1,492,241	\$928,710
WALNUT AVENUE IMPROVEMENTS	\$687,726	\$625,800
BOWN LANE IMPROVEMENTS	\$521,015	\$419,480
EAST 18TH STREET IMPROVEMENTS	\$230,163	\$130,500
<b>SUBTOTAL</b>	<b>\$7,023,306</b>	<b>\$6,031,110</b>
<b>IMPROVEMENT COST SUBTOTAL (PRIVATE STREETS)</b>		
VINE LANE IMPROVEMENTS	\$1,725,920	\$1,041,940
STEWART LANE IMPROVEMENTS	\$245,605	\$219,760
ST. CLAIRE DRIVE IMPROVEMENTS	\$584,962	\$691,520
TREMBATH LANE IMPROVEMENTS	\$424,197	\$376,780
MIKE YORBA WAY IMPROVEMENTS	\$117,521	\$128,900
WYMORE WAY IMPROVEMENTS	\$562,892	\$576,940
<b>SUBTOTAL</b>	<b>\$3,661,096</b>	<b>\$3,035,840</b>
<b>PUBLIC + PRIVATE SUBTOTAL</b>	<b>\$10,684,402</b>	<b>\$9,066,950</b>
<b>CONTINGENCY: 15%(25%(BKF) 20%(CBG)</b>	<b>\$1,602,660</b>	<b>\$2,671,101</b>
<b>TOTAL STREET IMPROVEMENT COST</b>	<b>\$12,287,062</b>	<b>\$13,355,503</b>
		<b>\$10,880,340</b>



ESTIMATE OF PROFESSIONAL SERVICES  
AS A PERCENTAGE OF CONSTRUCTION COST

BKF ESTIMATE

CBG ESTIMATE (Nov 2011)

ITEM	DESCRIPTION	LOW %	HIGH %	LOW COST	HIGH COST
1	ENVIRONMENTAL/BIOLOGICAL MITIGATION	1.5%	2.0%	\$184,305.94	\$267,110.05
2	ARCHAEOLOGICAL MITIGATION	0.5%	0.5%	\$61,435.31	\$66,777.51
3	DESIGN SERVICES	6.0%	9.0%	\$737,223.75	\$1,201,995.24
4	CONSTRUCTION SERVICES	5.0%	6.0%	\$614,353.12	\$801,330.16
5	CITY PLAN CHECK & INSPECTION	6.5%	6.5%	\$798,659.06	\$868,107.68
6	BONDING & INSURANCE	2.0%	3.0%	\$245,741.25	\$400,665.08
7	CONTRACT ADMINISTRATION	2.0%	2.0%	\$245,741.25	\$267,110.05
8	CONSTRUCTION MANAGEMENT	4.0%	4.0%	\$491,482.50	\$534,220.11
9	CFD ADMINISTRATION	4.0%	4.0%	\$491,482.50	\$534,220.11
10	ESCALATION	4.5%	4.5%	\$553,532.17	\$601,665.40
	<b>SUBTOTAL</b>			\$4,423,956.85	\$5,543,201.40

SUBTOTAL (IMPR. + SERVICES) \$16,711,019.34 \$18,898,704.11

SUBTOTAL (IMPR. + SERVICES) \$14,851,664.10

ESTIMATE OF FEES & SWPPP

BKF ESTIMATE

CBG ESTIMATE (July 2011)

ITEM	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL COST
1	STORM DRAINAGE AREA FEE		LS		
2	POTABLE WATER AN SEWER CONNECTION FEE	112	EA	\$6,283.00	\$703,696.00
3	SWPPP	1	LS	\$50,000.00	\$50,000.00
	<b>SUBTOTAL</b>				\$753,696.00

SUBTOTAL (IMPR. + SERVICES+FEES) \$17,464,715.34 \$19,652,400.11

SUBTOTAL (IMPR. + SERVICES+FEES) \$15,555,360.10

ESTIMATE OF PRIVATE IMPROVEMENTS

BKF ESTIMATE

CBG ESTIMATE (July 2011)

ITEM	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL COST
1	ABANDON EXISTING SEPTIC SYSTEMS	112	EA	\$2,500.00	\$280,000.00
2	ABANDON EXISTING WELL SYSTEMS	112	EA	\$1,000.00	\$112,000.00
3	COUNTY PERMIT FEES FOR ABANDONING EXISTING SEPTIC SYSTEMS/WELLS	112	EA	\$0.00	\$0.00
4	DELTA DIABLO SANITARY DISTRICT SEWER INSPECTION FEE	112	EA	\$250.00	\$28,000.00
5	DELTA DIABLO SANITARY DISTRICT ANNEAXTION CHARGE	112	EA	\$156.00	\$17,472.00
6	DELTA DIABLO SANITARY DISTRICT ANNEAXTION CHARGE	1	EA	TBD	TBD
7	HOUSE CONNECTION TO NEW SEWER	112	EA	\$2,000.00	\$224,000.00
8	HOUSE CONNECTION TO NEW WATER METER	112	EA	\$2,000.00	\$224,000.00
9	ENCROACHMENT PERMIT FROM CITY	112	EA	\$0.00	\$0.00
	<b>SUBTOTAL</b>				\$885,472.00

TOTAL IMPROVEMENT COST \$16,711,019.34 \$20,537,872.11

TOTAL IMPROVEMENT COST \$16,440,332.10

D5  
B14



# ATTACHMENT "C"

## STAFF REPORT TO THE CITY COUNCIL FOR CONSIDERATION AT THE MEETING OF JULY 30, 2013

**Prepared by:** Mindy Gentry, Senior Planner *MG*  
Victor Carniglia, City Consultant *VC*

**Reviewed by:** Tina Wehrmeister, Community Development & Recreation Director *TW*

**Approved by:** Jim Jakel, City Manager

**Date:** July 25, 2013

**Subject:** Discussion of Northeast Antioch Annexation Tax Allocation Agreement and Northeast Antioch Annexation Infrastructure Funding Agreement

### RECOMMENDATION

Staff recommends that the City Council provide direction on the following Draft Agreements relating to the proposed Northeast Antioch Annexations for Areas 1, 2a, and 2b:

1. Tax Revenue Allocation Agreement: This Agreement between the City of Antioch and Contra Costa County establishes how tax revenue will be shared between the City and County for the areas being annexed. The Tax Revenue Allocation Agreement also has language that addresses the order the annexation applications need to be acted on by LAFCO, and provides funding for joint City/County economic development activities for the annexation areas (Attachment "A").
2. Infrastructure Funding Agreement: This Agreement between the City and Contra Costa County addresses how both parties are to jointly fund and the City construct critically needed infrastructure, including sewer, water, and storm drainage, to serve Annexation Area 2b (Attachment "B").

While staff's original intent was for the City Council to take action on all annexation related items, including these two Agreements, at the July 30, 2013 Council meeting, this became impractical due to an outstanding issue between the City and the County that requires additional time to resolve. Staff anticipates that these two Agreements will come before City Council for action on August 13, 2013, which coincides with the required "second reading" of the rezoning ordinance. This schedule change provides an opportunity for City Council members to review and discuss these important Agreements in a more informal setting, outside the context of having to take formal action.

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7-30-13

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## **BACKGROUND INFORMATION**

This staff report provides relevant information on the purposes and substance of the two Agreements. The historic background of these Agreements is closely linked with that of the rezoning, which is being considered on the same Council Agenda. Since the staff report for the rezoning contains essentially the same historic overview, that overview it is not repeated here.

## **TAX ALLOCATION AGREEMENT**

### **Overview:**

As part of the application package to LAFCO and prior to consideration of annexation, LAFCO requires that an agreement between the City and the County be approved by the City Council and the Board of Supervisors delineating the split in the annexation area's tax revenue. It is important to note that the Tax Allocation Agreement also addresses a number of issues beyond just determining the sharing of taxes, as discussed later in this report. This Agreement must be mutually agreed to by both the City and the County.

While this type of Agreement is a requirement of State law, State law does not provide the City or the County with any guidelines on how the tax split should be calculated. This lack of "ground rules" can make the negotiation process challenging. A City typically has limited leverage in the negotiation process, due to the fact that the City's annexation request cannot even be considered by LAFCO until the Tax Allocation Agreement is executed by the City and County. In the negotiations with the County on the proposed annexation of Area 1, 2a and 2b, there are a number of factors that facilitated the City and County reaching consensus on a mutually agreeable tax split. These factors included 1) the desire of both the City and the County to see the annexation area realize its full future development potential through the provision of City sewer/water services that only annexation can provide, and 2) the need to provide City sewer and water services to address the potential public health issues facing Area 2b.

It should be noted that there is a "Master Property Tax Allocation Agreement" between the City and the County that was executed in the early 1980's. Under the terms of this Master Agreement, the County would receive approximately 62% of the total property tax revenue of an area being annexed, with the City receiving 38%. This Master Agreement is not applicable to the proposed Northeast Antioch Annexation as the Master Agreement is limited to annexations consisting of \$10 million or less in assessed value. All three of the areas proposed for annexation exceed this \$10 million assessed value threshold. Despite this, the Master Agreement at the very least provides a useful "benchmark" to negotiate from.

### **Proposed Percentage Sharing of Tax Revenue in Tax Allocation Agreement:**

The attached Tax Allocation Agreement (Attachment "A") specifies how the tax revenue from the three areas being annexed is proposed to be shared between the City and the County. The Agreement on pgs 3 and 4 lists the various types of tax revenue that are being generated in the annexation area. These taxes include property tax, sales tax,



gas surcharges, and franchise fees. The following are the ratios/percentages proposed in the Tax Allocation Agreement for sharing these sources of tax revenue:

- **Property Tax:** The County would receive 62% of the local property tax revenue and the City 38%, which is consistent with the percentages in the Master Tax Agreement. Property tax is by far the largest source of tax revenue generated in the annexation area, as it represents approximately 90% of the total tax revenue collected. An exception to this 62/38 property tax split involves PG&E's Gateway Power Plant, as State law in the case of publically owned power plants specifies a 60% City and 40% County split. The proposed Agreement reflects this 60/40 ratio.
- **Sales Tax:** The County would receive 50%, the City 50% of the total sales tax generated.
- **Surcharge Revenue:** This is a charge to transport natural gas to the PG&E power plant in a public right of way, and varies based on the amount of gas being used. The County in the past collected as much as \$200,000/year in surcharge revenue when the price of natural gas peaked almost 10 years ago. The amount of surcharge revenue the County currently collects is approximately \$15,000 to \$20,000/yr. Based on the terms of the proposed Agreement, the County will continue to receive the first \$200,000, and then any surcharge revenue above \$200,000 will be distributed 50% to the County, 50% to the City.
- **Franchise Fees:** This revenue is a result of a franchise the County granted to PG&E in the past for gas transmission pipes and electrical lines. Under the terms of the proposed Tax Allocation Agreement the County would retain 100% of these funds, which is approximately \$50,000 year.

A convenient way of summarizing this proposed distribution of tax revenue is that the City and County will share property tax revenue consistent with the Master Property Tax Agreement, with the County maintaining its current source of dedicated revenue from PG&E in franchise and surcharge taxes, with sales tax split evenly.

**Amount of Tax Revenue to be Received by the City:**

As part of the negotiation process of determining how the tax revenues should be "split" between the City and the County, it is necessary to have an estimate of the total amount of tax revenue generated in the annexation area, both at present and in the future. In order to analyze this issue the City in 2011 retained the consulting firm of Keyser Marston and Associates (KMA). KMA published their report in August 2011, which was distributed to and reviewed by the City/County Annexation Subcommittee. A copy of this detailed eighty plus page fiscal analysis was previously distributed to City Council in late June of this year, in conjunction with the environmental documentation for the annexation.

In summary, the KMA report concludes that prior to the construction of the NRG Marsh Landing Facility, there was a total of approximately \$1.9 million in local property tax

taking into account all three annexation areas. With the Marsh Landing Facility on the tax rolls, Keyser Marston estimates that the “local property tax revenue” will increase to between \$2.5 million to \$2.9 million, depending on the final assessed value of Marsh Landing. Assuming the midpoint of \$2.7 million, and utilizing the proposed percentage revenue shares contained in the Tax Allocation Agreement, would result in the County receiving a total of \$1.64 million annually in property tax, with the City receiving \$1.09 million annually. Adding other sources of revenue, including sales tax and the City’s share of surcharge funds, the City total tax revenue once Marsh Landing appears on the tax rolls would be in the range of \$1.2 million to \$1.3 million annually. As new development occurs in the Northeast Annexation Area, then the total amount of future property tax could be expected to increase, although this would be somewhat offset by the future depreciation of the power plants.

It is important to emphasize that this revenue represents “new money” coming annually to the City’s General Fund. While the annexation imposes additional costs to the City, including the City’s \$300,000/year share of infrastructure costs to serve Area 2b (as discussed in the following section) plus City costs to serve the area being annexed, the net fiscal benefit to the City is significantly positive. This issue is addressed in more detail in the Fiscal Impacts section of this report.

**Sequence of LAFCO Action on City Annexation Applications:**

In addition to the question of how to share tax revenue from the annexation areas, the Tax Allocation Agreement on Page 2 Section “A” has provisions that address the sequence in which the three separate annexation applications for Area 1, 2a, and 2b are to be brought before LAFCO by the City. In summary, the wording states that with respect to Area 1 and Area 2b, the revenue allocation provisions of the Agreement will only become effective if the annexation of Area 1 (the Industrial Area) and Area 2b (the Viera residential area) are completed concurrently. This wording is necessary as the County has stated that they will only support the annexation of Area 1 contingent on the City annexing Area 2b. Conversely, the City’s position is that it will not accept the annexation of Area 2b unless Area 1 is also annexed to the City. The language in this section is “neutral” in relation to Area 2a (the marina/storage area), in the sense that the annexation of Area 2a is not contingent on the annexation of either one of the other two areas.

**Economic Development Initiative:**

Section “E” of the Tax Allocation Agreement states that the City and the County will each agree to provide \$100,000 per year for five years to fund joint City/County economic development efforts focused on Area 1. This concept of a jointly funded and coordinated economic development program is consistent with the “Goals” for the annexation area the City and County adopted in January 2011. This funding is also consistent with the more recent efforts of the County’s Northern Waterfront Initiative for focused joint economic development activity, as well as the efforts of the “East County Squared” Committee. Presumably this funding of \$100,000/year could come from the “new” revenue generated by the annexation.

## INFRASTRUCTURE FUNDING AGREEMENT

### Overview:

This is an agreement between the City and County determining the sharing of costs to install the key infrastructure improvements (water, sewer, and storm drainage) needed to mitigate the potential public health safety issues facing annexation Area 2b. While the preparation of this Infrastructure Funding Agreement is not a LAFCO legal requirement, LAFCO has previously stated that they expect to see the infrastructure shortcomings of Area 2b addressed as part of the overall annexation process. It should be noted that the significant financial contribution being made by the County of \$3 million (\$300,000/year over 10 years) to participate with the City in funding needed infrastructure in an area being annexed (in this case Area 2b), is to staff's knowledge unprecedented in Contra Costa County.

### Background:

As just mentioned, the City and the County are proposing to work together to fund the basic infrastructure needed to serve Area 2b, with the infrastructure being constructed by the City. Area 2b is facing a significant potential public health issue, as the one hundred plus homes currently located in Area 2b rely on wells for potable water and septic tanks/fields to handle waste water. Based on information provided by the County Environmental Health Department, it is City staff's understanding that few of the parcels within Area 2b meet the County Health requirement of a minimum lot size of 40,000 square feet for a parcel to have both an on-site potable water well and septic system. In addition, few if any of the parcels meet the County's minimum distance requirement between the well head and septic field. This problem is particularly acute in the eastern portion of Area 1 around Viera Avenue, as many of the parcels in this area are small, being 15,000 square feet or less. It is less of a concern in the western portion of Area 2b (the St. Claire area), where many of the lots are an acre or more in size.

### Design and Cost of Infrastructure to Serve Area 2b:

The City retained the engineering firm of Carlson, Barbee & Gibson, Inc. (CBG) to design an infrastructure system to serve Area 2b, including the extension of sewer and water, along with limited storm drainage to handle flooding on a number of streets in the area. In 2012 at a series of meetings, the Annexation Subcommittee reviewed the infrastructure improvement plans and cost estimates prepared by CBG. A map of the infrastructure plan prepared by CBG is included as Attachment "D". Given the critical importance of having accurate cost estimates, the City in May 2013 subsequently retained the engineering firm BKF Engineers (BKF) to peer review CBG's engineering and cost analysis, which was recently completed.

In summary, the engineering analysis of CBG and BKF estimates the "hard" cost of installing the infrastructure to completely serve Area 2b, including sewer, water, and storm drainage in all streets both public and private, to be approximately \$10.7 million. The amount of "soft costs" including design, engineering, project management, possible bond and financing costs varies from \$4.7 million to as much as \$6.9 million depending

primarily on financing costs and the level of contingency assumed. Attached is a summary of the infrastructure costs prepared by the City's consulting engineers BKF and CBG, that contains both "hard" and "soft" costs broken out by type of improvement and by street (Attachment "D").

It should be noted that these costs include everything in the public right of way, and therefore don't include the cost of hook-up fees, running the utility laterals from the house to the street etc. Neither the City nor the County can pay for improvements on private property, which would represent a "gift of public funds". The City and the County are working closely with NRG, with the goal of NRG sponsoring a program to pay some portion of the cost of connection fees for homes in Area 2b utilizing funds previously promised by NRG.

**Specific Terms of Infrastructure Funding Agreement:**

- **Funding:** Section "B" pgs 2-3 address the monetary contributions of both parties. Under the Agreement the City and the County will each contribute \$300,000 a year for 10 years (for a total of \$6 million) to fund the construction of the sewer, water, and storm drain improvements to serve Area 2b. The majority of the funding needed to cover the difference between the \$6 million total contribution from the City and County and the "hard and "soft" construction cost estimate, is anticipated to come from a variety of grant funding sources at the State and Federal level. The Agreement specifies that City and County staffs will be working together cooperatively to secure loan and grant funding. While the amount of money anticipated to come from grants is significant (it may be as much as \$8 to \$9 million) depending on the extent of "soft costs", there is a substantial amount of funding at the State and Federal level for "clean water" programs and for what is referred to by the State as "Disadvantaged Urban Communities". The \$6 million in funds from the City and the County can be utilized as matching funds for the various grant programs. This possible \$8 to \$9 million shortfall is a "worst case" scenario, as the presence of private streets in Area 2b will very likely reduce the extent of the infrastructure improvements funded by the City. Infrastructure improvements in private streets represent about one third of the total "hard" costs.
- **Private Streets:** Approximately 35% of the properties in Area 2b are located on private streets. The City will only be able to install the infrastructure improvements in private streets if authorization is granted to the City by the owners of the street in the form of an irrevocable easement or dedication of right of way. The Agreement in Section A-2 gives the City a period of one year from the date of annexation to secure property owner approval to install infrastructure improvements in private streets. If such approval is not granted, then the private street in question would be removed from the improvement list, and private property owners would be responsible for extending utilities if they wanted them extended. The "hard" cost to install the infrastructure within the private streets is estimated by BKF to be \$3.66 million (not counting design, engineering, etc. "soft" costs), which is approximately one third of the total infrastructure "hard" costs of \$10.7 million.

- **County Oversight:** The Agreement defines the term “Permitted Uses” (Section C.1) which identifies the activities the City can perform with the funds provided to the City by the County (the \$300,000/year County infrastructure contribution). The Agreement also has provisions (Section C-3) that in the event the amount of grant funding secured results in total funds in excess of the cost of the infrastructure improvements, then the annual payments of the City and County will be reduced an equivalent amount.
- **Infrastructure Timing/Phasing:** The overall timing of the construction and completion of the Area 2b infrastructure improvements is largely dependent on the success of the City and the County in securing the necessary grant funding, given the reliance on grants for over 50% of the total estimated infrastructure “hard” and “soft” costs. The other major variable impacting timing is the ability to finance the infrastructure. As mentioned previously, the City and County have each agreed to fund \$300,000/year for a total of \$600,000/year to construct the Area 2b infrastructure. This revenue stream could be utilized to finance the infrastructure, which would significantly increase the amount of funds available “up front”.

If substantial delays occur in securing grant funding and/or infrastructure financing, then the City has the option of phasing the construction of the infrastructure. There would be a number of ways of doing this phasing given that Area 2b has distinct east and west “regions”, particularly in relation to where sewer connection would be made to existing lines. Another phasing approach would be to install the less expensive potable water lines prior to the much more expensive sewer system. The key in any phasing would be to minimize constructing improvements that would have to be removed to install a subsequent infrastructure improvement.

- **City Fiscal Exposure:** Given the heavy reliance on grant funding, there is very real risk of ending up with a grant funding shortfall, at least in the short term. It is important to note that while the City is responsible for constructing the Area 2b Infrastructure Improvements (Section A.1), wording in this same section of the Agreement recognizes that the Area 2b infrastructure construction is contingent on the City receiving the anticipated level of grant funding and property owner authorization to install the sewer/water infrastructure in private streets. The net result of a grant funding shortfall is that the timing and/or phasing of the infrastructure may change, but the annual monetary contribution of the City and the County will remain the same unless otherwise mutually agreed to.

## **FISCAL IMPACTS**

The proposed annexation, as structured in the attached documentation and agreements, should have a significant net positive fiscal impact on the City in the short run and in the long term. As previously mentioned in this report, based on the tax flow from the three annexation areas combined with the percentage of tax revenue the City will be receiving under the terms of the Tax Allocation Agreement, the benefit will be approximately \$1.2 million to \$1.3 million per year of new revenue to the City. This

revenue could be expected to increase in the future as a result of taxes collected from future development. The biggest single “wildcard” in this regard is the possible addition of a new power plant, or the increase in size of the existing power facilities. Another source of revenue is the \$1 million “bonus (\$100,000/year over 10 years) that NRG offered both the City and the County to complete the annexation in a “timely manner”.

Any increased revenue associated with the annexation must be compared against new costs the City is required to bear. One such expense is the cost of providing City services to the 680 plus acres of the annexation area. The most significant City service cost is public safety. Using the General Plan service ratio of 1.2 officers per 1000 population, based on the approximately 210 residents in the annexation area would result in a service cost to the City of approximately \$40,000/year. While the industrial land does not create a “formal” demand for new officers, as City public safety staffing levels contained in the General Plan are based on numbers of residents, police patrols would still be required in the non residential areas. Using the number of employees as a “substitute” for residents, and assuming for the purposes of this analysis that 3 employees is equivalent to 1 resident for public safety staffing purposes, then public safety costs would increase by an additional \$35,000/year, for a total police cost of \$75,000/year to serve all three annexation areas. The other City service cost is road and utility maintenance. Based on the number of road miles this cost is estimated to be approximately \$30,000/year.

Aside from City service costs, another important cost is the previously mentioned City commitment, along with the County, to fund the construction of needed infrastructure to serve Area 2b at a rate of \$300,000/year over a 10 year period. Finally, the other tangible cost is the provision in the Tax Allocation Agreement to fund a joint economic development effort with the County focusing on Area 1 at a cost of \$100,000/year for 5 years.

The projected revenue from the annexation versus the estimated costs to the City is summarized below:

Projected New Tax Revenue:

- \$1.2 to \$1.3 million/year new tax revenue after annexation, with potential future growth.
- \$100,000/year from NRG for completing annexation (10 years)  
**\$1.3 to \$1.4 million/year - Total New Revenue**

Projected New Costs:

- \$75,000/year additional Public Safety cost
- \$30,000/year new road/infrastructure maintenance cost
- \$300,000/year Area 2b infrastructure cost (10 years)
- \$100,000/year cost of Area 1 economic development (5 years)  
**\$505,000/year - Total New Costs**

Net Fiscal Benefit to the City

Subtracting new revenue from new costs results in a net increase of **\$795,000 to \$895,000/year** in new net revenue, which would increase to **\$1,095,000 to \$1,195,000/year** after Area 2b infrastructure contributions expire.

OPTIONS

There are no options identified as the proposed action is to provide direction.

ATTACHMENTS

- A. Tax Allocation Agreement
- B. Infrastructure Funding Agreement
- C. Infrastructure Plan
- D. Area 2b Infrastructure Cost Analysis Prepared by BKF

## ATTACHMENT "A"

### DRAFT ANNEXATION AND TAX REVENUE ALLOCATION AGREEMENT BETWEEN THE CITY OF ANTIOCH AND COUNTY OF CONTRA COSTA FOR THE REORGANIZATION OF AREAS LOCATED NEAR NORTHEAST ANTIOCH

This Annexation and Tax Revenue Allocation Agreement between the City of Antioch and County of Contra Costa for the Reorganization of Areas Located Near Northeast Antioch (this "Agreement"), is entered into as of this 30<sup>th</sup> day of July 2013, by and between the City of Antioch, a municipal corporation ("City"), and the County of Contra Costa, California ("County") (each a "Party" and together the "Parties"), pursuant to Resolution No. 2013/\_\_\_\_, adopted by the Board of Supervisors of County and Resolution No. 2013/\_\_\_\_, adopted by the City Council of City.

#### RECITALS

- A. On December 16, 1980, City and County entered into the Master Property Tax Transfer Agreement for Allocation of Property Tax Between the County of Contra Costa and City of Antioch Upon Jurisdictional Changes, pursuant to duly adopted resolutions (the "Master Agreement"). The Master Agreement is not applicable to the proposed reorganization areas because the assessed value of each of the areas exceeds the \$10,000,000 assessed value maximum in the Master Agreement, and the Parties have not elected to opt into the Master Agreement notwithstanding the same.
- B. On August 16, 2007, City submitted to the Contra Costa Local Agency Formation Commission ("LAFCO") an application (LAFCO Proposal No. 07-17, the "Area 1 Annexation Application"), for the reorganization of approximately 470 acres of unincorporated land located in close proximity to Wilbur Avenue, including the NRG Energy, Inc. ("NRG") power plant area to the City of Antioch and the Delta Diablo Sanitation District (as such area is depicted on the map attached hereto as Exhibit A and incorporated herein by reference, "Area 1"), and as depicted on the Northeast Antioch Study Area Map attached hereto as Exhibit B and incorporated herein by reference (the "Northeast Antioch Study Area Map").
- C. City at the request of LAFCO submitted to LAFCO a separate application (LAFCO Proposal No. 12-07, the "Area 2b Annexation Application"), for the reorganization of approximately 103 acres of unincorporated land located south of Wilbur Avenue and roughly centered on Viera Avenue in the northeast area of Antioch to the City of Antioch and the Delta Diablo Sanitation District (as such area is depicted on the map attached hereto as Exhibit C and incorporated herein by reference, "Area 2b"), and as depicted on the Northeast Antioch Study Area Map attached hereto.
- D. City at the request of LAFCO submitted to LAFCO a separate application (LAFCO Proposal No. \_\_\_\_, the "Area 2a Annexation Application"), for the reorganization of approximately 89 acres of unincorporated land located east of



Annexation Area 1, south of the San Joaquin River, north of Wilbur Avenue, and west of State Hwy 160 to the City of Antioch and the Delta Diablo Sanitation District (as such area is depicted on the map attached hereto as Exhibit D and incorporated herein by reference, and as depicted on the attached Northeast Antioch Study Area Map.

- E. Government Code Section 56000, *et seq.* (the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000) and California Revenue and Taxation Code Section 99 require County and City to negotiate an exchange of property tax revenues as a condition of LAFCO's approval of the reorganization of Area 1, Area 2a, or Area 2b.
- F. The NRG Marsh Landing Power Generating Station recently constructed in Area 1 (the "NRG Power Plant"), and other energy transportation customers located in the Reorganization Area, generate surcharge revenue which is remitted to County.
- G. County has granted a franchise to Pacific Gas and Electric Company ("PG&E"), whereby PG&E pays County a certain amount for the privilege of transmitting electricity and gas through lines and pipes located in the Reorganization Areas.
- H. Concurrent with the execution of this Agreement, City and County intend to enter into an agreement for the funding by City and County of certain necessary infrastructure improvements in the Reorganization Areas.
- I. County And City Desire To Establish Herein Provisions For The Respective Allocation Of Property Taxes, Sales And Use Taxes, Franchise Fees, And Surcharge Revenues Generated In The Reorganization Areas In Compliance With The Applicable Provisions Of The California Revenue And Taxation Code, And Certain Economic Development Initiatives to be Implemented.

**NOW, THEREFORE**, in consideration of the foregoing recitals, which the Parties agree are true and correct, and of the promises, conditions, covenants and provisions set forth herein, and other good and valuable consideration, the receipt of which is hereby acknowledged, City and County hereby agree as follows:

- A. **Applicability of Agreement.** For the purpose of clarity and notwithstanding the fact that, as of the date of this Agreement, City has submitted the Area 1 Reorganization Application and the Areas 2a and 2b Reorganization Applications to LAFCO, Sections B through E of this Agreement (the "Allocation Provisions") will only become effective as to: (1) Area 1 and Area 2b after the conditions precedent set forth in Section G(1) have been satisfied; and (2) Area 2a after the conditions precedent set forth in Section G(2) have been satisfied. Accordingly, the parties understand and agree that notwithstanding the uses of the term "Reorganization Areas" and the phrase "after Area 1, Area 2a, and Area 2b have been annexed by City" in the Allocation Provisions, if the Allocation Provisions become effective as to Area 1 and Area 2b before the Allocation

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Provisions become effective as to Area 2a, the allocation of property taxes, sales and use taxes, franchise fees, and surcharge revenues pursuant to the Allocation Provisions are only applicable to Area 1 and Area 2b. If the conditions precedent set forth in Section G (2) are also satisfied, then the Allocation Provisions will be applicable to all of the Reorganization Areas.

**B. Property Taxes.**

1. Locally Assessed Property.

a. Initial Year. Except as provided in Sections B(2) and B(3) below, for the first fiscal year that this Agreement is effective: (i) City shall be allocated thirty eight percent (38%) of the County's pre-Agreement base property tax for the Reorganization Areas, and County shall be allocated sixty two percent (62%) of the County's pre-Agreement base property tax for the Reorganization Areas; and (ii) City shall have a tax increment allocation factor for each tax rate area in the Reorganization Areas equal to thirty eight percent (38%) of County's tax increment allocation factor for the prior fiscal year for each tax rate area in the Reorganization Areas. County's new annual tax increment allocation factor for each tax rate area in the Reorganization Areas shall be equal to sixty two percent (62%) of County's annual tax increment allocation factor for the prior fiscal year for each tax rate area in the Reorganization Areas.

b. Subsequent Years. Except as provided in Sections B(2) and B(3) below, in each subsequent fiscal year, City's and County's respective allocation of property taxes from the Reorganizations will be made as set forth in California Revenue and Taxation Code Sections 96.1 and 96.5. These Revenue and Taxation Code Sections currently provide that each year, each of City and County will be allocated its respective base tax (i.e., the tax allocated to City and County, respectively, in the preceding year including the previous year's annual tax increment), plus its share of the current year's annual tax increment for the Reorganization Areas, such share being calculated by multiplying the tax resulting from growth in assessed valuation in the Reorganization Areas from the prior year by the City's or County's respective annual tax increment allocation factor for the Reorganization Areas as determined in Section B(1)(a)(i) or Section B(1)(a)(ii) above. The result (i.e., base tax plus tax increment amount) becomes the base tax for the Annexation Area's next year's tax allocation calculations. Each of City's and County's base tax and annual tax increment allocation factors may be subsequently modified only through negotiated exchanges in accordance with California Revenue and Taxation Code Sections 99 and/or 99.1 for subsequent jurisdictional changes.

c. Property Tax Allocation Agreement. City and County agree that this Agreement shall apply to determine the allocation between the parties of

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property tax revenue generated from the Reorganization Areas in lieu of the negotiation process set forth in California Revenue and Taxation Code Section 99(e).

2. Allocation of State Board of Equalization Assessed Electric Generation Facilities - Merchant Power Plants (Rev. and Tax Code 100.9).

The amount of property tax revenues that would have been allocated to the County pursuant to California Revenue and Taxation Code Section 100.9(a)(3) in the absence of this Agreement shall be allocated as follows: (i) sixty two percent (62%) to County, and (ii) thirty eight percent (38%) percent to City.

3. Allocation of Public Utility Owned Qualified Property - Qualified Power Plants (Rev. and Tax Code 100.95).

Notwithstanding the fact that after Area 1, Area 2a, and Area 2b have been annexed by City, qualified property (as the term is defined in California Revenue and Taxation Code Section 100.95, "Qualified Property"), including without limitation PG&E's Gateway Generating Station located in Area 1, will be located in City's jurisdiction, the parties hereto agree that the "local jurisdiction" allocation of property tax revenues under California Revenue and Taxation Code Section 100.95(a)(3)(B)(i)(I) will be allocated as follows: forty percent (40%) to County, and sixty percent (60%) to City. For the purposes of clarity, County will retain 100% of the "County jurisdiction" allocation of property tax revenues under the California Revenue and Taxation Code Section 100.95(a)(3)(A)(ii).

**C. Sales and Use Tax Revenues.**

1. Apportionment. Pursuant to Government Code Section 55704.5 and the resolutions set forth in the recitals above, the governing bodies of City and County have resolved to apportion the Sales and Use Tax Revenue that City receives from the Reorganization Areas as set forth herein. For the purposes of this Agreement, the term "Sales and Use Tax Revenue" shall mean revenue derived from the tax collected pursuant to California Revenue and Taxation Code Section 7200, *et seq.* (the Bradley-Burns Local Sales and Use Tax Law). All Sales and Use Tax Revenue collected by City from the Reorganization Areas shall be apportioned fifty percent (50%) to City, and fifty percent (50%) to County (County's fifty percent (50%), the "County's Share").

2. Remittance; Accounting. Not later than November 1 of each year, City shall remit to County's Auditor-Controller the County's Share of the total amount of Sales and Use Tax Revenue received by City from the Reorganization Areas during the preceding fiscal year. When City remits County's Share of the Sales and Use Tax Revenue to County's Auditor-Controller, it will provide the County Administrator's office with a copy of the remittance. County has the right to audit City's books to verify the amount remitted as the County's Share.

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**D. Surcharge Revenues and Franchise Fees.**

1. Surcharge Revenues. Pursuant to Public Utilities Code Sections 6350 through 6354.1, Transportation Customers located in the Reorganization Areas, including without limitation the NRG Power Plant, are obligated to pay a surcharge to Energy Transporter PG&E, who then remits the surcharge to County (such amounts, the "Surcharge Revenues"). Notwithstanding the fact that after Area 1, Area 2a and Area 2b have been annexed by City, Transportation Customers located in the Reorganization Areas will be located in City's jurisdiction, the parties hereto agree that County is entitled to, and shall receive Surcharge Revenues generated from Transportation Customers located in the Reorganization Annexation Areas pursuant to the provisions of Section D(2) below, as if Area 1, Area 2a and Area 2b had not been annexed by City and Area 1, Area 2a and Area 2b were still located in County's jurisdiction.

2. Distribution of Surcharge Revenues. Notwithstanding the fact that after Area 1, Area 2a and Area 2b have been annexed by City, Transportation Customers located in the Reorganization Areas will be located in City's jurisdiction, the parties hereto agree that: (a) County is entitled to, and shall receive, the first Two Hundred Thousand (\$200,000) of Surcharge Revenues generated from Assessor Parcel Numbers 051-031-018 and 051-031-019 (the "NRG Parcels"); (b) any additional Surcharge Revenues generated from the NRG Parcels in excess of Two Hundred Thousand (\$200,000) will be divided fifty percent (50%) to City and fifty percent (50%) to County; and (c) one hundred percent (100%) of all Surcharge Revenues remitted on account of Transportation Customers located in the Reorganization Areas but outside of the NRG Parcels shall be paid to County.

3. Remittance and Accounting of Surcharge Revenues. Not later than May 31 of each year, County shall remit to City all Surcharge Revenues received from PG&E for the preceding calendar year as required pursuant to Section D(2) above. Along with each remittance, County shall provide City with supporting documentation indicating the amount of Surcharge Revenues generated on the NRG Parcels during the preceding year and the documentation will include data provided to County by PG&E with respect to the NRG Parcels.

4. Franchise Fees. Pursuant to resolution and Public Utilities Code Section 6201, *et seq.*, County has granted a franchise to PG&E and its successors and assigns for the right to transmit electricity and gas, respectively, through lines and pipes located in the unincorporated area of County, including lines and pipes located in the Reorganization Areas. PG&E pays county franchise fees (the "Franchise Fees") for such rights (the "Franchise").

5. County Franchise Fees. Notwithstanding the fact that after Area 1, Area 2a and Area 2b have been annexed by City, certain miles of gas transmission

5. County Franchise Fees. Notwithstanding the fact that after Area 1, Area 2a and Area 2b have been annexed by City, certain miles of gas transmission pipes and electricity transmission lines currently subject to the Franchise will be located in City's jurisdiction, the parties hereto agree that County is entitled to continue receiving any and all Franchise Fees as if Area 1, Area 2a and Area 2b had not been annexed by City and the Reorganization Areas was still located in County's jurisdiction.

6. Remittance and Accounting of Franchise Fees. If for any reason City receives Franchise Fees from PG&E for the Reorganization Areas, City shall, not later than May 31 of each year, remit to County any and all Franchise Fees it receives from PG&E for the preceding calendar year that were generated from the Reorganization Areas. Along with each remittance, City shall include supporting documentation indicating the number or miles of gas transmission pipes and electricity transmission lines in the Reorganization Areas and the respective per mile fee for gas transmission pipes and electricity transmission lines, such documentation to include reports provided to City by PG&E.

7. Defined Terms. Capitalized terms used in this Section D that are not otherwise defined in this Agreement shall have the meanings ascribed thereto in California Public Utilities Code Section 6351.

**E. Economic Development Initiative.** City and County will each budget, set aside and reserve \$100,000 a year for five years (total of \$1,000,000) for expenditure on economic development initiatives applicable to the Reorganization Areas. Each agency shall set aside and reserve the initial \$100,000 not later than thirty (30) days following the Operative Date (as defined in Section G (1)(b) below). Thereafter, each agency will budget, set aside and reserve \$100,000 on each subsequent July 1 for four years for expenditure on economic development initiatives applicable to the Reorganization Areas. This economic development initiative funding may be extended beyond five years by written agreement of City and County at the same level of funding, or at a different mutually agreed upon amount. County and City shall consult with the other party on how the economic development funds are expended.

**F. Conditions Precedent to Effectiveness of Certain Operative Provisions; Prosecution of Applications; Effect of Agreement.**

1. Area 1 and Area 2b Conditions Precedent. Notwithstanding that the Board of Supervisors of County and the City Council of City have approved this Agreement and the parties hereto have executed it, and subject to Government Code Sections 54900 *et seq.*, none of the Allocation Provisions shall have any force or effect with respect to Area 1 and Area 2b unless and until both of the following occur:

a. City has submitted to LAFCO complete reorganization applications for Area 1, Area 2a and Area 2b; and

b. The annexations of Area 1 and Area 2b are completed, as evidenced by the filing of a certificate of completion (as defined in California Government Code Section 56020.5) for each of Area 1 and Area 2b with the Recorder of County (such date, the "Operative Date").

c. For the purpose of clarity, it is the intent and understanding of City and County that if the annexations of either Area 1 or Area 2b are not completed; i.e., a certificate of completion (as defined in California Government Code Section 56020.5) has not been filed with the Recorder of County for each of Area 1 and Area 2b, then the Allocation Provisions shall have no force or effect with respect to Area 1 and Area 2b, and that a certificate of completion would not be filed for either Area 1 or Area 2b separately. The net effect of this wording is that certificates of completion for the annexation of Areas 1 and 2b must by necessity be filed concurrently with the Recorder of the County.

2. Area 2a Conditions Precedent. Notwithstanding that the Board of Supervisors of County and the City Council of City have approved this Agreement and the parties hereto have executed it, and subject to Government Code Sections 54900 *et seq.*, none of the Allocation Provisions shall have any force or effect with respect to Area 2a unless and until both of the following occur:

a. The conditions precedent set forth in Section G (1) above have been satisfied; and

b. The annexation of Area 2a is completed, as evidenced by the filing of a certificate of completion (as defined in California Government Code Section 56020.5) for Area 2a with the Recorder of County.

3. Prosecution of Applications and Commitment to Annexations. City covenants to County that it will diligently prosecute its annexation applications and use its best efforts to cause the annexations to be approved as quickly as possible, and City and County agree to cooperate in good faith and use their best efforts to facilitate the annexations of Area 1, Area 2a and Area 2b.

4. Effect of Agreement. This Agreement is applicable solely to the Reorganization Areas and does not constitute either a master property tax exchange agreement, or an agreement on annexations or reorganizations outside of the Reorganization Areas.

G. Other Agencies. This Agreement does not change the property tax revenues accruing to other agencies currently serving the Reorganization Areas, or such agencies' rights to collect taxes for existing bonded indebtedness.

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of this Agreement. All exhibits attached to this Agreement and referenced herein constitute a part of this Agreement. To the extent that any provision of this Agreement conflicts with any provision set forth in the Master Agreement, this Agreement shall control.

**IN WITNESS WHEREOF**, the parties have executed this Agreement effective as of the date first set forth above.

**COUNTY OF CONTRA COSTA**,  
a political subdivision of  
the State of California

Antioch

By: \_\_\_\_\_  
Federal Glover, Chairperson  
of the Board of Supervisors

By: \_\_\_\_\_  
David J. Twa, Clerk of the  
Board of Supervisors

Approved as to Form:

Sharon L. Anderson, County Counsel

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Deputy County Counsel

**CITY OF ANTIOCH**, a municipal corporation

By: \_\_\_\_\_  
Wade Harper, Mayor of the City of

Attest:

By: \_\_\_\_\_  
Arne Simonsen, Clerk of the City of  
Antioch

Approved as to Form:

By: \_\_\_\_\_  
Lynn Tracy Nerland, Attorney for City  
of Antioch

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## ATTACHMENT "B"

### DRAFT AGREEMENT FOR THE FUNDING AND CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS SERVING AREA 2B OF THE NORTHEAST ANTIOCH REORGANIZATION AREA

This Agreement for the Funding and Construction of Infrastructure Improvements Serving Area 2b of the Northeast Antioch Reorganization Area (this "Agreement") is entered into as of this 30<sup>th</sup> day of July, 2013, by and between the City of Antioch, a municipal corporation (the "City"), and the County of Contra Costa (the "County") (each a "Party" and together the "Parties").

#### RECITALS

- J. The City has applied to the Contra Costa Local Agency Formation Commission in three separate applications to annex approximately 678 acres of unincorporated Contra Costa County adjacent to the City, into the City and the Delta Diablo Sanitation District. The proposed annexation area is comprised of three distinct subareas: "Area 1," consisting of approximately 470 acres and occupied primarily by industrial uses; "Area 2a," consisting of approximately 94 acres and occupied primarily by commercial and marina uses; and "Area 2b," consisting of approximately 102 acres and occupied primarily by residential uses. The entire area proposed for annexation, and the three subareas are described generally on Exhibit A (the "Northeast Antioch Annexation Study Area Map"), attached hereto and incorporated herein.
- K. The City and the County have negotiated the Annexation and Tax Revenue Allocation Agreement, dated July 30, 2013 (the "Property Tax Exchange Agreement"), between the City and the County, as required by Government Code Section 56000, *et seq.* (the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000) and California Revenue and Taxation Code Section 99, and the Parties intend to have their respective governing bodies consider and act on this Agreement at the same time they consider and act on the Property Tax Allocation Agreement.
- L. There are approximately 110 parcels of residential property located in Area 2b that were built in the 1940's-1960's that have individual wells and septic systems. The size of many of these parcels does not meet the minimum lot size requirement for onsite potable water and septic systems.
- M. The City and the County agree that sewer, water, and storm drain infrastructure improvements in Area 2B will greatly enhance the infrastructure in the area, and will address significant potential public health safety issues. The City and the County desire to cooperate to improve the infrastructure in Area 2b by entering into this Agreement.

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## AGREEMENT

**NOW, THEREFORE**, in consideration of the foregoing recitals, which the Parties agree are true and correct, and of the promises, conditions, covenants and provisions set forth herein, and other good and valuable consideration, the City and the County hereby agree as follows:

### A. Infrastructure Improvements.

**1. Description of Planned Infrastructure Improvements.** The types of infrastructure improvements, approximate location, size, depth, material type, and other relevant physical characteristics of the infrastructure improvements to be constructed to serve Area 2b are listed in Exhibit B attached hereto and incorporated herein, and are depicted graphically on Exhibit B-1 attached hereto and incorporated herein (the "Area 2b Infrastructure Improvements"). The City is responsible for construction of the Area 2b Infrastructure Improvements, subject to funding from the County as described in Section B.2., securing the necessary Infrastructure Improvement Grants as described in Section C.3, and subject to the constraints inherent in installing infrastructure in private streets as described in Section A.2.

**2. Private Streets.** Both Parties acknowledge that with privately owned streets, identified in Exhibit B, the installation of the proposed public infrastructure improvements is contingent on the owners of the private streets granting the City the necessary easements and/or right of way to install the infrastructure. Both Parties understand that it is the intent of the City to use its best efforts (excluding the use of eminent domain) over a one year period from the date Area 2b is annexed to the City to secure the necessary authorization from the owners of the private streets to install the planned infrastructure. If at the end of that one year period the City is unable to secure authorization from property owners to install the infrastructure, then the infrastructure improvements plan (Exhibits B and B-1) will be modified by the City to remove the private street, or the portion of the private street in question.

**3. Infrastructure Improvement Cost Estimate.** The City has estimated and the County has agreed that the "hard" cost of the Area 2b Infrastructure Improvements is approximately Ten Million Dollars (\$10,700,000) (the "Area 2b Infrastructure Improvement Cost Estimate"), and that the "soft" costs including contingency, design services, construction services engineering services, contract administration, construction management range from approximately \$4.7 million to \$6.9 million), for a total cost ranging from \$15.4 million to \$17.6 million. These cost estimates are contained in Exhibit B.

### B. Infrastructure Improvement Funding.

**1. Infrastructure Improvement Funding.** Each Party will contribute a total of Three Million Dollars (\$3,000,000) to fund the Area 2b Infrastructure Improvements, for a total contribution from both Parties of Six Million Dollars (\$6,000,000) (the "Area 2b Infrastructure Contributions"). The Three Million Dollars (\$3,000,000) will be contributed by each Party incrementally over a ten year period with annual payments of \$300,000 per year.

**2. County Infrastructure Funding Contribution.** Beginning on the first July 1 following the Operative Date (as defined in Section D below), and on July 1 of each

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of the nine succeeding years, the County will pay to the City in the manner set forth in Section E(2) below, Three Hundred Thousand Dollars (\$300,000) (the "County Area 2b Infrastructure Contribution"), which payment shall be used by the City solely for the Permitted Uses (as that term is defined in Section C(1) below. )

**3. City Infrastructure Funding Contributions.** Beginning on the first July 1 following the Operative Date (as defined in Section D below), and on July 1 of each of the nine succeeding years, the City will contribute Three Hundred Thousand Dollars (\$300,000) of City funds (the "City Area 2b Infrastructure Contribution") into a special purpose fund that can only be used for Permitted Uses (as that term is defined in Section C(1) below). No later than 30 days after each July 1, the City will provide the County evidence satisfactory to the County, as reasonably determined by the County Administrator, that the City has contributed the City Area 2b Infrastructure Contribution for that fiscal year as required by this Agreement. The County may withhold future County Area 2b Infrastructure Contributions if the City does not provide satisfactory evidence to the County, as reasonably determined by the County Administrator, that the City has used the City Area 2b Infrastructure Contribution for Permitted Uses (as that term is defined in Section C(1) below) during that fiscal year.

**C. Use of Infrastructure improvement Funds.**

**1. Use of Infrastructure Improvement Contributions.** The City may use the Area 2b Infrastructure Improvement Contributions to: (a) pay City employees and/or City consultants for performing work reasonably determined by the City to be necessary to construct the Area 2b Infrastructure Improvements; (b) pay contractors for designing and constructing the Area 2b Infrastructure Improvements; (c) pledging as security for loans or grants obtained for the sole purpose of constructing the Area 2b Infrastructure Improvements; and (d) making payments for loans obtained for the sole purpose of constructing the Area 2b Infrastructure Improvements (the "Permitted Uses"). The County may withhold future Area 2b Infrastructure Contributions if the City does not provide satisfactory evidence to the County, as reasonably determined by the County Administrator, that the County Area 2b Infrastructure Contribution is being utilized for Permitted Uses.

**2. Infrastructure Improvement Loans.** If the City secures one or more loans for the purpose of constructing the Area 2b Infrastructure Improvements (any such loan, an "Infrastructure Loan"), the City will provide the County evidence satisfactory to the County, as reasonably determined by the County Administrator, regarding the terms of the Infrastructure Loans obtained, and that the City's expenditures of the County's Area 2b Infrastructure Contribution for that fiscal year were made for the Permitted Uses or purpose of debt service payments on Infrastructure Loans.

**3. Infrastructure Improvement Grants.** If at any time during the ten year period after the Operative Date (as defined in Section D below), the sum of (1) all grants obtained by the City for the purpose of Area 2b Infrastructure Improvements at such time, and (2) the Infrastructure Improvements Contributions required under this Agreement (\$6,000,000), exceeds the Area 2b Infrastructure Improvements Cost Estimate (\$10,700,000 plus engineering and contingency costs), then such excess amount shall be credited fifty percent (50%) towards each of the Party's Infrastructure Contribution obligations. For the purpose of illustrating the foregoing and for that purpose only, if in fiscal year 2016 the aggregate amount of grants

obtained for Area 2b Infrastructure Improvements equaled \$4,500,000, then that amount, plus the Infrastructure Improvements Contributions required under this Agreement (\$6,000,000), would exceed the Area 2b Infrastructure Improvements Cost Estimate (\$10,700,000 excluding for this example engineering and contingency costs) by \$500,000. Under this example the Area 2b Infrastructure Improvements contribution obligations of the City and the County would be reduced by \$250,000 each (50% of the amount exceeding the Infrastructure Improvements Cost) for fiscal year 2017.

**4. County Cooperation in Securing Loans and Grants.** County will cooperate with the City in the City's efforts to secure loans and grants for the purpose of constructing the Area 2b Infrastructure Improvements.

**5. Cost Savings.** If, for any reason, the actual cost of construction of the Area 2b Infrastructure Improvements is less than the Area 2b Infrastructure Improvements Cost Estimate, the cost savings shall be shared equally between the City and the County.

**D. Operative Date.** Notwithstanding that this Agreement has been executed as of the date first set forth above, neither the City nor the County shall have any obligations under this Agreement unless and until the date that the annexations of both Area 1 and Area 2b are completed, as evidenced by the filing of a certificate of completion (as defined in California Government Code Section 56020.5) for each of Area 1 and Area 2b with the Recorder of County (such date, the "Operative Date").

**E. Miscellaneous Provisions.**

**1. Notices / County Contributions.** All notices, requests, demands, and other communications required or permitted to be given hereunder must be in writing and must be addressed to the Parties at their respective addresses set forth below and shall be deemed to have been duly given when: (a) delivered in person; (b) sent by facsimile transmission indicating receipt at the facsimile number where sent; (c) one (1) business day after being deposited with a reputable overnight air courier service; and (d) three (3) business days after being deposited with the United States Postal Service, for delivery by certified or registered mail, postage pre-paid and return receipt requested. Either Party may from time to time change the notice address set forth below by delivering notice to the other Party in accordance with this section setting forth the new address and the date on which it will become effective.

If to the City: City of Antioch  
Attn: City Manager  
Third & "H" Streets  
Antioch, CA 94509  
P.O. Box 5007  
Antioch, CA 94531-5007  
Fax: (925)779-7003

If to the County: Contra Costa County  
Attn: County Administrator  
651 Pine Street,  
Martinez, CA 94553  
Fax: (925) 335-1098

**2. Transmittal of County Infrastructure Contributions.** The County's County Area 2b Infrastructure Contributions made pursuant to Section B(2) above shall be sent to the City Manager at the address set forth in Section E(1) above with an indication

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that the payment is being made pursuant to this Agreement and is to be used according to the terms of this Agreement.

**3. Exhibits; Complete Agreement.** This Agreement, including the recitals, the terms used herein and defined in the recitals, and the attached exhibits constitute the entire agreement between the Parties relating to the subject matter of this Agreement. The following exhibits are attached to this Agreement and constitute a part of this Agreement:

Exhibit A: Northeast Antioch Annexation Study Area Map

Exhibit B: Area 2b Infrastructure Improvements (Text)

Exhibit B: Area 2b Infrastructure Improvements (Figure)

**4. Interpretation; Amendments.** This Agreement shall not be construed for or against any Party based on its level of participation in drafting the Agreement. This Agreement may only be amended by written mutual agreement of each of the Parties hereto.

**5. Governing Law.** This Agreement is made and will be performed in the State of California, and is governed by California laws.

**6. Severability.** The Parties hereby acknowledge and agree that the various provisions of this Agreement are intended to work together to achieve their shared goals and purposes of improving the infrastructure in Area 2b, meeting current code requirements, and generally enhancing the public health, safety and welfare of residents and businesses in Areas 1, 2a and 2b. The Parties further acknowledge and agree that if, for any reason, certain provisions of this Agreement were found to be invalid or unenforceable, such that they could be severed from the remainder of this Agreement, the remainder of the Agreement would fail to reflect the Parties' mutual agreement and intentions and could fail to achieve the Parties' goals and purposes for the Agreement. Consequently, the Parties hereby agree that if any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, the entire Agreement shall be invalid and all obligations of the Parties under this Agreement shall be void. In such event, the Parties shall meet and confer, not later than thirty (30) days from such court determination, in a good faith effort to amend or modify the Agreement to remedy the defect that was determined by the court to be invalid or unenforceable, and achieve the Parties' goals and purposes as set forth herein.

**7. Assignment.** No Party shall assign any of its right, title or interest under this Agreement without the prior written consent of the other Party. Any purported assignment of any Party's rights under this Agreement is void and without effect. Notwithstanding the foregoing, the City may pledge its right to receive County Area 2b Infrastructure Contributions pursuant to this Agreement as security to obtain funding to be used solely for Permitted Uses.

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**IN WITNESS WHEREOF**, the parties have executed this Agreement effective as of the date first set forth above.

**COUNTY OF CONTRA COSTA**,  
a political subdivision of the State  
of California

By: \_\_\_\_\_  
Federal Glover, Chairman  
of the Board of Supervisors

By: \_\_\_\_\_  
David J. Twa, Clerk of the  
Board of Supervisors

Approved as to Form:

Sharon L. Anderson, County Counsel

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Deputy County Counsel

**CITY OF ANTIOCH**, a municipal corporation

By: \_\_\_\_\_  
Wade Harper, Mayor of the City of Antioch

By: \_\_\_\_\_  
Jim Jakel, City Manager

Attest:

By: \_\_\_\_\_  
Arne Simonson, Clerk of the City of Antioch

Approved as to Form:

By: \_\_\_\_\_  
Tracy Lynn Nerland, Attorney for City  
of Antioch

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**IMPROVEMENTS SUMMARY**  
**AREA 2B NORTHEAST ANNEXATION**

DESCRIPTION		BKF	CBG (Nov 2011)
<b>STREET IMPROVEMENTS</b>			
WILBER AVE & PORTION OF VIERA AVE IMPROVEMENTS	(PUBLIC STREET)	\$805,280	\$339,760
VIERA AVENUE IMPROVEMENTS	(PUBLIC STREET)	\$506,300	\$142,420
SANTA FE AVENUE IMPROVEMENTS	(PUBLIC STREET)	\$130,500	\$24,950
WALNUT AVENUE IMPROVEMENTS	(PUBLIC STREET)	\$116,000	\$32,800
BOWN LANE IMPROVEMENTS	(PUBLIC STREET)	\$87,000	\$24,600
VINE LANE IMPROVEMENTS	(PRIVATE STREET)	\$153,000	\$28,780
STEWART LANE IMPROVEMENTS	(PRIVATE STREET)	\$9,500	\$3,500
EAST 18TH STREET IMPROVEMENTS	(PRIVATE STREET)	-	-
ST. CLAIRE DRIVE IMPROVEMENTS	(PUBLIC STREET)	\$27,240	\$12,000
TREMBATH LANE IMPROVEMENTS	(PRIVATE STREET)	\$22,246	\$9,800
MIKE YORBA WAY IMPROVEMENTS	(PRIVATE STREET)	\$6,250	\$2,500
WYMORE WAY IMPROVEMENTS	(PRIVATE STREET)	\$153,000	\$10,440
	<b>SUBTOTAL</b>	<b>\$2,016,316</b>	<b>\$631,550</b>
<b>STORM DRAIN</b>			
WILBER AVE & PORTION OF VIERA AVE IMPROVEMENTS	(PUBLIC STREET)	-	-
VIERA AVENUE IMPROVEMENTS	(PUBLIC STREET)	\$567,429	\$330,740
SANTA FE AVENUE IMPROVEMENTS	(PUBLIC STREET)	\$983,235	\$431,260
WALNUT AVENUE IMPROVEMENTS	(PUBLIC STREET)	\$220,380	\$142,000
BOWN LANE IMPROVEMENTS	(PUBLIC STREET)	\$156,411	\$102,880
VINE LANE IMPROVEMENTS	(PRIVATE STREET)	\$1,161,794	\$491,860
STEWART LANE IMPROVEMENTS	(PRIVATE STREET)	\$101,573	\$63,260
EAST 18TH STREET IMPROVEMENTS	(PRIVATE STREET)	\$72,243	-
ST. CLAIRE DRIVE IMPROVEMENTS	(PUBLIC STREET)	\$204,494	\$194,520
TREMBATH LANE IMPROVEMENTS	(PRIVATE STREET)	\$44,487	\$41,680
MIKE YORBA WAY IMPROVEMENTS	(PRIVATE STREET)	\$48,849	\$21,900
WYMORE WAY IMPROVEMENTS	(PRIVATE STREET)	-	-
	<b>SUBTOTAL</b>	<b>\$3,560,895</b>	<b>\$1,820,100</b>

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<b>SANITARY SEWER</b>				
WILBER AVE & PORTION OF VIERA AVE IMPROVEMENTS	(PUBLIC STREET)		\$1,413,380	\$1,991,300
VIERA AVENUE IMPROVEMENTS	(PUBLIC STREET)		\$600,280	\$999,900
SANTA FE AVENUE IMPROVEMENTS	(PUBLIC STREET)		\$193,000	\$354,500
WALNUT AVENUE IMPROVEMENTS	(PUBLIC STREET)		\$183,000	\$327,000
BOWN LANE IMPROVEMENTS	(PUBLIC STREET)		\$163,300	\$216,500
VINE LANE IMPROVEMENTS	(PRIVATE STREET)		\$199,600	\$367,600
STEWART LANE IMPROVEMENTS	(PRIVATE STREET)		\$62,720	\$111,500
EAST 18TH STREET IMPROVEMENTS	(PRIVATE STREET)		\$157,920	\$130,500
ST. CLAIRE DRIVE IMPROVEMENTS	(PUBLIC STREET)		\$147,520	\$378,000
TREMBATH LANE IMPROVEMENTS	(PRIVATE STREET)		\$132,700	\$238,000
MIKE YORBA WAY IMPROVEMENTS	(PRIVATE STREET)		\$31,040	\$81,500
WYMORE WAY IMPROVEMENTS	(PRIVATE STREET)		\$243,574	\$497,500
	<b>SUBTOTAL</b>		<b>\$3,528,034</b>	<b>\$5,693,800</b>
<b>WATER</b>				
WILBER AVE & PORTION OF VIERA AVE IMPROVEMENTS	(PUBLIC STREET)		-	-
VIERA AVENUE IMPROVEMENTS	(PUBLIC STREET)		\$130,000	\$122,500
SANTA FE AVENUE IMPROVEMENTS	(PUBLIC STREET)		\$154,760	\$118,000
WALNUT AVENUE IMPROVEMENTS	(PUBLIC STREET)		\$141,600	\$124,000
BOWN LANE IMPROVEMENTS	(PUBLIC STREET)		\$93,140	\$75,500
VINE LANE IMPROVEMENTS	(PRIVATE STREET)		\$180,780	\$153,700
STEWART LANE IMPROVEMENTS	(PRIVATE STREET)		\$60,230	\$41,500
EAST 18TH STREET IMPROVEMENTS	(PRIVATE STREET)		-	-
ST. CLAIRE DRIVE IMPROVEMENTS	(PUBLIC STREET)		\$167,380	\$107,000
TREMBATH LANE IMPROVEMENTS	(PRIVATE STREET)		\$192,018	\$87,300
MIKE YORBA WAY IMPROVEMENTS	(PRIVATE STREET)		\$25,800	\$23,000
WYMORE WAY IMPROVEMENTS	(PRIVATE STREET)		\$166,318	\$69,000
	<b>SUBTOTAL</b>		<b>\$1,312,025</b>	<b>\$921,500</b>





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<b>ELECTRICAL IMPROVEMENTS</b>					
WILBER AVE & PORTION OF VIERA AVE IMPROVEMENTS	(PUBLIC STREET)		\$8,000		\$0
VIERA AVENUE IMPROVEMENTS	(PUBLIC STREET)		\$61,492		\$0
SANTA FE AVENUE IMPROVEMENTS	(PUBLIC STREET)		\$30,746		\$0
WALNUT AVENUE IMPROVEMENTS	(PUBLIC STREET)		\$26,746		\$0
BOWN LANE IMPROVEMENTS	(PUBLIC STREET)		\$21,164		\$0
VINE LANE IMPROVEMENTS	(PRIVATE STREET)		\$30,746		\$0
STEWART LANE IMPROVEMENTS	(PRIVATE STREET)		\$11,582		\$0
EAST 18TH STREET IMPROVEMENTS	(PRIVATE STREET)		-		-
ST. CLAIRE DRIVE IMPROVEMENTS	(PUBLIC STREET)		\$38,328		\$0
TREMBATH LANE IMPROVEMENTS	(PRIVATE STREET)		\$32,746		\$0
MIKE YORBA WAY IMPROVEMENTS	(PRIVATE STREET)		\$5,582		\$0
WYMORE WAY IMPROVEMENTS	(PRIVATE STREET)		-		-
	<b>SUBTOTAL</b>		<b>\$267,132</b>		<b>\$0</b>

	<b>STREET IMPROVEMENT SUBTOTAL</b>		<b>\$10,684,402</b>		<b>\$9,066,950</b>
	<b>CONTINGENCY: 15%/25%(BKF) 20%(CBG)</b>		<b>\$1,602,660</b>		<b>\$1,813,390</b>
	<b>TOTAL STREET IMPROVEMENT COST</b>		<b>\$12,287,062</b>		<b>\$10,880,340</b>



**STREET SUMMARY**  
**AREA 2B NORTHEAST ANNEXATION**

DESCRIPTION	BKF	CBG (Nov 2011)
<b>IMPROVEMENT COST SUBTOTAL (PUBLIC STREETS)</b>		
WILBER AVE & PORTION OF VIERA AVE IMPROVEMENTS	\$2,226,660	\$2,331,060
VIERA AVENUE IMPROVEMENTS	\$1,865,501	\$1,595,560
SANTA FE AVENUE IMPROVEMENTS	\$1,492,241	\$928,710
WALNUT AVENUE IMPROVEMENTS	\$687,726	\$625,800
BOWN LANE IMPROVEMENTS	\$521,015	\$419,480
EAST 18TH STREET IMPROVEMENTS	\$230,163	\$130,500
<b>SUBTOTAL</b>	<b>\$7,023,306</b>	<b>\$6,031,110</b>
<b>IMPROVEMENT COST SUBTOTAL (PRIVATE STREETS)</b>		
VINE LANE IMPROVEMENTS	\$1,725,920	\$1,041,940
STEWART LANE IMPROVEMENTS	\$245,605	\$219,760
ST. CLAIRE DRIVE IMPROVEMENTS	\$584,962	\$691,520
TREMBATH LANE IMPROVEMENTS	\$424,197	\$376,780
MIKE YORBA WAY IMPROVEMENTS	\$117,521	\$128,900
WYMORE WAY IMPROVEMENTS	\$562,892	\$576,940
<b>SUBTOTAL</b>	<b>\$3,661,096</b>	<b>\$3,035,840</b>
<b>PUBLIC + PRIVATE SUBTOTAL</b>	<b>\$10,684,402</b>	<b>\$9,066,950</b>
<b>CONTINGENCY: 15%/25%(BKF) 20%(CBG)</b>	<b>\$1,602,660</b>	<b>\$2,671,101</b>
<b>TOTAL STREET IMPROVEMENT COST</b>	<b>\$12,287,062</b>	<b>\$13,355,503</b>
		<b>\$10,880,340</b>



ESTIMATE OF PROFESSIONAL SERVICES  
AS A PERCENTAGE OF CONSTRUCTION COST

BKF ESTIMATE

CBG ESTIMATE (Nov 2011)

ITEM	DESCRIPTION	LOW %	HIGH %	LOW COST	HIGH COST
1	ENVIRONMENTAL/BIOLOGICAL MITIGATION	1.5%	2.0%	\$184,305.94	\$467,110.05
2	ARCHAEOLOGICAL MITIGATION	0.5%	0.5%	\$61,433.31	\$66,777.51
3	DESIGN SERVICES	6.0%	9.0%	\$737,223.75	\$1,201,995.24
4	CONSTRUCTION SERVICES	5.0%	6.0%	\$614,353.12	\$801,330.16
5	CITY PLAN CHECK & INSPECTION	6.5%	6.5%	\$798,659.06	\$868,107.68
6	BONDING & INSURANCE	2.0%	3.0%	\$245,741.25	\$400,665.08
7	CONTRACT ADMINISTRATION	2.0%	2.0%	\$245,741.25	\$367,110.05
8	CONSTRUCTION MANAGEMENT	4.0%	4.0%	\$491,482.50	\$534,220.11
9	CFD ADMINISTRATION	4.0%	4.0%	\$491,482.50	\$534,220.11
10	ESCALATION	4.5%	4.5%	\$553,532.17	\$601,665.40
<b>SUBTOTAL</b>				<b>\$4,423,956.85</b>	<b>\$5,543,201.40</b>

SUBTOTAL (IMPR. + SERVICES) \$16,711,019.34 \$18,998,704.11

SUBTOTAL (IMPR. + SERVICES) \$14,851,664.10

PERCENTAGE	TOTAL COST
2.0%	\$217,606.80
0.5%	\$54,401.70
9.0%	\$979,230.60
6.0%	\$652,820.40
6.5%	\$707,222.10
2.5%	\$272,008.50
2.0%	\$217,606.80
4.0%	\$435,213.60
4.0%	\$435,213.60
<b>SUBTOTAL</b>	
	<b>\$3,971,324.10</b>

ESTIMATE OF FEES & SWPPP

BKF ESTIMATE

CBG ESTIMATE (July 2011)

ITEM	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL COST
1	STORM DRAINAGE AREA FEE	-	LS	-	-
2	POTABLE WATER AND SEWER CONNECTION FEE	112	EA	\$6,283.00	\$703,696.00
3	SWPPP	1	LS	\$50,000.00	\$50,000.00
<b>SUBTOTAL</b>				<b>\$56,283.00</b>	<b>\$753,696.00</b>

SUBTOTAL (IMPR. + SERVICES+FEES) \$17,464,715.34 \$19,652,400.11

QTY	UNIT	UNIT COST	TOTAL COST
-	LS	-	-
112	EA	\$6,283.00	\$703,696.00
-	-	-	-
<b>SUBTOTAL</b>		<b>\$56,283.00</b>	<b>\$703,696.00</b>

SUBTOTAL (IMPR. + SERVICES+FEES) \$15,555,360.10

ESTIMATE OF PRIVATE IMPROVEMENTS

BKF ESTIMATE

CBG ESTIMATE (July 2011)

ITEM	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL COST
1	ABANDON EXISTING SEPTIC SYSTEMS	112	EA	\$2,500.00	\$280,000.00
2	ABANDON EXISTING WELL SYSTEMS	112	EA	\$1,000.00	\$112,000.00
3	COUNTY PERMIT FEES FOR ABANDONING EXISTING SEPTIC SYSTEMS/WELLS	112	EA	\$0.00	\$0.00
4	DELTA DIABLO SANITARY DISTRICT SIDE SEWER INSPECTION FEE	112	EA	\$250.00	\$28,000.00
5	DELTA DIABLO SANITARY DISTRICT ANNEAUXION CHARGE	112	EA	\$156.00	\$17,472.00
6	DELTA DIABLO SANITARY DISTRICT CAPACITY CHARGE	1	EA	TBD	TBD
7	HOUSE CONNECTION TO NEW SEWER	112	EA	\$2,000.00	\$224,000.00
8	HOUSE CONNECTION TO NEW WATER METER	112	EA	\$2,000.00	\$224,000.00
9	ENCROACHMENT PERMIT FROM CITY	112	EA	\$0.00	\$0.00
<b>SUBTOTAL</b>				<b>\$885,472.00</b>	<b>\$885,472.00</b>

TOTAL IMPROVEMENT COST \$16,711,019.34 \$20,537,872.11

QTY	UNIT	UNIT COST	TOTAL COST
112	EA	\$2,500.00	\$280,000.00
112	EA	\$1,000.00	\$112,000.00
112	EA	\$0.00	\$0.00
112	EA	\$250.00	\$28,000.00
112	EA	\$156.00	\$17,472.00
1	EA	TBD	TBD
112	EA	\$2,000.00	\$224,000.00
112	EA	\$2,000.00	\$224,000.00
112	EA	\$0.00	\$0.00
<b>SUBTOTAL</b>		<b>\$885,472.00</b>	<b>\$885,472.00</b>

TOTAL IMPROVEMENT COST \$16,440,832.10

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# ATTACHMENT "D"

**ANTIOCH CITY COUNCIL  
SUCCESSOR AGENCY/  
HOUSING SUCCESSOR  
Adjourned Regular Meeting  
July 30, 2013**

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## **COUNCIL REGULAR AGENDA**

- 3. DISCUSSION OF ANNEXATION AND TAX REVENUE ALLOCATION AGREEMENT BETWEEN THE CITY OF ANTIOCH AND CONTRA COSTA COUNTY FOR THE NORTHEAST ANTIOCH ANNEXATION AND AGREEMENT BETWEEN THE CITY OF ANTIOCH AND CONTRA COSTA COUNTY FOR THE FUNDING AND CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS SERVING ANNEXATION AREA 2B  
(Continued from 07/09/13)**

City Consultant Carniglia gave a brief overhead presentation and presented the staff report dated July 25, 2015 recommending the City Council motion to receive public comment and provide direction to staff regarding the agreements.

Bob Monford stated he felt the County needed to contribute more financially for connection fees. He acknowledged the benefits of having the City providing services for residents of the area.

Councilmember Agopian stated the City would need to be more aggressive with regards to other funding mechanisms to defray the cost of connection fees and agreed that they needed to advocate for the County to participate in an equal share of those costs. He stated he felt that the agreement, as written, would be a catalyst for economic development, in the area.

The Council supported the Northeast Antioch Annexation Tax Allocation Agreement and Northeast Antioch Annexation Infrastructure Funding Agreement, as presented.