



Council Chambers
200 H Street
Antioch, CA 94509

Closed Session - 6:00 P.M.
Regular Meeting - 7:00 P.M.

ANNOTATED AGENDA

for

AUGUST 26, 2014

Antioch City Council
Regular Meeting

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

Wade Harper, Mayor
Mary Helen Rocha, Mayor Pro Tem
Monica E. Wilson, Council Member
Tony Tiscareno, Council Member

Arne Simonsen, City Clerk
Donna Conley, City Treasurer

Steven Duran, City Manager
Lynn Tracy Nerland, City Attorney

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Notice of Availability of Reports

This agenda is a summary of the actions proposed to be taken by the City Council. For almost every agenda item, materials have been prepared by the City staff for the Council's consideration. These materials include staff reports which explain in detail the item before the Council and the reason for the recommendation. The materials may also include resolutions or ordinances which are proposed to be adopted. Other materials, such as maps and diagrams, may also be included. All of these materials are available at the City Clerk's Office, located on the 3rd Floor of City Hall, 200 H Street, Antioch, CA 94509, during normal business hours for inspection and (for a fee) copying. Copies are also made available at the Antioch Public Library for inspection. Questions on these materials may be directed to the staff member who prepared them, or to the City Clerk's Office, who will refer you to the appropriate person.

Notice of Opportunity to Address Council

The public has the opportunity to address the Council on each agenda item. To address the Council, fill out a yellow Speaker Request form, available on each side of the entrance doors, and place in the Speaker Card Tray. See the Speakers' Rules on the inside cover of this Agenda. Comments regarding matters not on this Agenda may be addressed during the "Public Comments" section.

6:00 P.M. ROLL CALL for Closed Sessions – *All Present*

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 Unit, Operating Engineers Local Union No. 3, and Treatment Plant Employees' Association (TPEA)

Direction given to Labor Negotiators

- 2) **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** Initiation of litigation pursuant to California Government Code section 54956.9(d)(4): 1 potential case

No action taken

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

PLEDGE OF ALLEGIANCE

1. PROCLAMATIONS

STAFF REPORT

STAFF REPORT

STAFF REPORT

- In Memory of Thomas M. Pegnim
- In Honor of Mike Chiffoleau
- C. Colombo Lodge #1315 Order Sons of Italy in America (OSIA) 90th Anniversary Celebration

Approved, 4/0

Recommended Action: Motion to approve the proclamations

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS (Deadline date to apply: 09/18/14)

- *ECONOMIC DEVELOPMENT COMMISSION*
- *PARKS & RECREATION COMMISSION*
- *PLANNING COMMISSION*

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

CITY COUNCIL COMMITTEE REPORTS

MAYOR’S COMMENTS

2. CONSENT CALENDAR for City /City as Successor Agency/ Housing Successor to the Antioch Development Agency

A. APPROVAL OF COUNCIL MINUTES FOR AUGUST 12, 2014

Recommended Action: Motion to approve the minutes

STAFF REPORT

Approved, 4/0

B. APPROVAL OF COUNCIL WARRANTS

Recommended Action: Motion to approve the warrants

STAFF REPORT

Approved, 4/0

C. APPROVAL OF TREASURER’S REPORT FOR JUNE 2014

Recommended Action: Motion to approve the report

STAFF REPORT

Approved, 4/0

D. REJECTION OF CLAIM

1. Joshua Broussard 14/15-2180 (personal injury)

Recommended Action: Motion to reject the listed claim

STAFF REPORT

Rejected, 4/0

E. CONFLICT OF INTEREST CODES FOR THE CITY OF ANTIOCH AND CITY AS SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT AGENCY

Recommendations:

1) Approve the resolution adopting the updated Conflict of Interest Code for the City of Antioch and authorize the City Manager to execute the Biennial Notice; and

Approved, 4/0

2) Approve the Biennial Notice by motion indicating that no revisions are needed to the Conflict of Interest Code for the City as Successor Agency to the Antioch Development Agency and authorize the City Manager to execute the Biennial Notice.

STAFF REPORT

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

F. CLOTHING DONATION BOXES

Recommended Action: Motion to receive and file report

Received and filed, 4/0

STAFF REPORT

G. BUDGET AMENDMENT TO INCREASE EXPENDITURES IN THE FEDERAL ASSET FORFEITURE FUND IN FISCAL YEAR 2014/15

Recommended Action: Motion to increase Fiscal Year 2014/15 budget in the Federal Asset Forfeiture Fund by an additional \$ 49,860 to provide equipment for mobile data systems in patrol vehicles

Approved, 4/0

STAFF REPORT

H. RESOLUTION ACCEPTING WORK AND AUTHORIZING THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE 2014 PAVEMENT MAINTENANCE, RUBBERIZED CAPE SEAL PROJECT (P.W. 328-7)

Recommendation: It is recommended that the City Council motion to:

STAFF REPORT

Reso No. 2014/75 adopted, and

- 1) 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 \$20,434.28 and a retention payment of \$35,935.55 to be paid 35 days after recordation of the Notice of Completion; and
- 2) Authorize the Director of Finance to increase the existing contract with California Pavement Maintenance Company, Inc. for this project by \$56,369.83

Approved, 4/0

I. RESOLUTION ACCEPTING WORK AND AUTHORIZING THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE WILBUR AVENUE OVERHEAD WIDENING PROJECT, BRIDGE #28C-0054 (P.W. 259-B)

Recommendation: It is recommended that the City Council motion to:

STAFF REPORT

Approved, and

- 1) Authorize the Director of Finance to amend the 2014-2015 Capital Improvement Budget for the project in the amount of \$250,000.00 and increase the existing contract with ProVen Management Inc. for this project by \$550,832.12; and
- 2) 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 \$571,380.10 and a retention payment of \$532,837.28 to be paid 35 days after recordation of the Notice of Completion and upon resolution of the outstanding subcontractor claims

Reso No. 2014/76 adopted, 4/0

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

J. RESOLUTION ACCEPTING WORK AND AUTHORIZING THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE LONE TREE WAY INTERSECTION IMPROVEMENTS, DEER VALLEY ROAD TO HILLCREST AVENUE (P.W. 555-12C)

Recommendation: It is recommended that the City Council motion to adopt the resolution to:
Reso No. 2014/77 adopted, and
1) Authorize the Director of Finance to amend the 2013-2014 Capital Improvement Budget to increase Measure “J” funding for this project in the amount of \$190,000.00 and increase the existing contract with Bay Cities Paving and Grading, Inc. by \$260,304.08; and
Approved, 4/0
2) Accept work; authorize the Public Works Director/City Engineer to File a Notice of Completion and authorizing the Director of Finance to make a final payment of \$236,771.42 plus retention of \$86,851.44 to be paid 35 days after recordation of the Notice of Completion

STAFF REPORT

K. RESOLUTION APPROVING THE PROGRAM SUPPLEMENT AGREEMENT NO. 013-N TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 04-5038R FOR FEDERAL AID PROJECTS FOR THE NINTH STREET ROADWAY IMPROVEMENTS (P.W. 687)

Reso No. 2014/78 adopted, 4/0
Recommended Action: Motion to adopt the resolution authorizing the Public Works Director/City Engineer or his designee to sign the Program Supplement Agreement No. 013-N to Administering Agency-State Agreement No. 04-5038R for Federal Aid Projects to receive federal grant funding for the Ninth Street Roadway Improvements

STAFF REPORT

L. FINAL PREWETT PARK PROJECT(S) DEVELOPMENT

STAFF REPORT

Approved, 4/0
Recommended Action: Motion to authorize the City Manager to enter into an agreement with Karste Consulting Inc. for \$119,400.00 to provide project management services for the development and construction of the final phase/project at Prewett Community Park (CFD 89-1)

M. PURCHASE TWO (2) POLICE PATROL VEHICLES

STAFF REPORT

Approved, 4/0
Recommended Action: Motion to authorize the purchase and issuance of a purchase order to Folsom Lake Ford, Folsom, CA for two (2) police patrol vehicles for \$59,175 under cooperative purchase state contract number 1-12-23-14

N. APPROVE AWARD OF BID FOR THE PARK MAINTENANCE CONTRACT

STAFF REPORT

Approved, 4/0
Recommended Action: Motion to award the Park Maintenance bid and issuance of a purchase order to Pacheco Brothers Gardening, Hayward, CA, the overall low bidder, for a period of 5 years for \$3,734,821 and an additional \$100,000 per contract year for unscheduled work such as turf repair, accidents and vandalism; and authorize an amendment to the FY 2014/15 General Fund budget for \$216,648

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

STAFF REPORT

O. PURCHASE MIRA VISTA PARK PLAYGROUND EQUIPMENT

Approved, 4/0

Recommended Action: Motion to authorize the purchase and issuance of a purchase order for Mira Vista Park playground equipment to Miracle Play Group under the “Joint Purchasing” authorization CMAS purchasing program (#64130323) for \$69,870

P. REQUEST FOR TRAVEL AND TRAINING – LEAGUE OF CALIFORNIA CITIES 2014 ANNUAL CONFERENCE & EXPO

Approved, 3-0-1(Rocha Abstain)

Recommended Action: Motion to approve travel and training for Councilmember Mary Rocha

STAFF REPORT

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

Q. APPROVAL OF SUCCESSOR AGENCY WARRANTS

STAFF REPORT

Approved, 4/0

Recommended Action: Motion to approve the warrants

R. APPROVAL OF HOUSING SUCCESSOR WARRANTS

STAFF REPORT

Approved, 4/0

Recommended Action: Motion to approve the warrants

PUBLIC HEARING

3. BINGO HALLS AND BINGO OPERATIONS EXTENSION OF AN URGENCY ZONING ORDINANCE

Ord. No. 2093-C-S adopted, 4/0

Recommended Action: Motion to adopt the urgency zoning ordinance extending a temporary moratorium prohibiting the issuance of permits, licenses or approvals for construction, establishment or operation of any new bingo halls or bingo operations, or the expansion of current bingo operations, within the City of Antioch on an interim basis pending consideration of amendments to Title 5, Chapter 15 and Title 9 of the Antioch Municipal Code for a period of 10 months and 15 days and declaring the urgency thereof (four-fifths (4/5th) vote required)

STAFF REPORT

4. RESTRICTED WATER USE – STATEWIDE DROUGHT EMERGENCY

Reso No. 2014/79 adopted, 4/0

Recommendation: In response to the Governor’s declaration of a State of Emergency due to severe drought conditions and the State Water Resources Control Board’s (SWRCB) emergency regulations for Statewide urban water conservation, it is recommended the City Council adopt the resolution updating the City’s Drought Management Plan adopted under Resolution No. 2014/31 to impose mandatory restrictions on potable water practices, in addition to the 15% voluntary use reduction

STAFF REPORT

COUNCIL REGULAR AGENDA

5. CONSIDERATION OF THE PROPOSED LEAGUE OF CALIFORNIA CITIES RESOLUTION REGARDING CONVENING A SUMMIT ON THE IMPACTS OF ILLEGAL MARIJUANA GROWS AND DETERMINATION OF A CITY POSITION FOR THE VOTING DELEGATE

Approve the League's Resolution 4/0

Recommended Action: Motion to consider the proposed League of California Cities resolution regarding convening a summit on the impacts of illegal marijuana grows, and determine a City position for its voting delegate to the League conference

STAFF REPORT

PUBLIC COMMENT - *None*

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS

ADJOURNMENT – 8:47 p.m.



**IN MEMORY OF
THOMAS M. PEGNIM
SEPTEMBER 26, 1951 – JULY 9, 2014**

WHEREAS,

Mr. Pegnim was the Senior Partner at the law firm of Pegnim & Ivancich, and conducted business in Antioch since 1978; and

WHEREAS,

Mr. Pegnim was a certified specialist in workers' compensation for over three decades; and

WHEREAS,

Mr. Pegnim served as a Judge Pro Tem at the Oakland Workers' Compensation Appeals Board, and as a member of the Bench and Bar Committee of the Board; and

WHEREAS,

Mr. Pegnim was on the Board of Directors of the California Applicants Attorneys Association, and served as former President of the Association; and

WHEREAS,

Mr. Pegnim, in conjunction with his business partner Lisa Ivancich, established the Pegnim & Ivancich Youth Foundation to give back to the youth in the community, donating more than \$100,000 to support youth related education and enrichment programs in Eastern Contra Costa County; and

WHEREAS,

Mr. Pegnim has been a Cub Master, Girl and Boy Scout Leader, and very passionate about education and supporting Antioch schools;

**NOW, THEREFORE, I, WADE HARPER, Mayor of the City of Antioch,
do hereby recognize and commend Thomas M. Pegnim for his many years of service in
business and his dedication to the youth of Antioch.**

August 26, 2014

WADE HARPER, Mayor

**1.01
08-26-14**



**IN HONOR OF
MICHEL "MIKE" CHIFFOLEAU**

WHEREAS,

Mr. Chiffoleau has been a resident of Antioch for over 50 years after being born in France and moving to Antioch, CA at the age of 10; and

WHEREAS,

Mr. Chiffoleau served proudly in the United States Military during the Vietnam era; and

WHEREAS,

Mr. Chiffoleau married his wife Claudia Comstock of 44 years; and

WHEREAS,

Mr. Chiffoleau and his wife raised 2 adult son's who have provided them four grandchildren; and

WHEREAS,

Mike Chiffoleau served as a professional Pile Driver for 34 years with Stoer & Graff until his recent retirement in December of 2013; and

WHEREAS,

On June 29, 2014 Mr. Chiffoleau, without due regard for his own safety, saved a young woman's life by pulling her unconscious body from a burning car after being involved in an auto accident on Hillcrest Ave.

NOW, THEREFORE, I, WADE HARPER, Mayor of the City of Antioch, do hereby recognize and commend Mr. Chiffoleau for his heroic actions, bravery and courage to his Country and fellow Citizens.

August 26, 2014

WADE HARPER, Mayor

1.02
08-26-14



**IN HONOR OF
C. COLOMBO LODGE #1315 ORDER SONS OF ITALY IN AMERICA LODGE (OSIA)
90TH ANNIVERSARY CELEBRATION, 1924-2014**

WHEREAS,

The C. Colombo Lodge #1315 Order Sons of Italy in America Lodge (OSIA) was established in 1924 in Antioch as a mutual aid society for the early Italian immigrants is part of the largest and oldest national organization for men and women of Italian Heritage in the United States; and

WHEREAS,

The C. Colombo Lodge #1315 OSIA was founded as a mutual aid society for the early Italian immigrants; and

WHEREAS,

The C. Colombo Lodge #1315 OSIA's missions includes encouraging the study of Italian language and culture in American schools and universities; preserving Italian American traditions, culture, history and heritage; and promoting closer cultural relations between the United States and Italy; and

WHEREAS,

The C. Colombo Lodge #1315 is for people of any gender, age, religion and profession. You don't even have to be Italian to join! Whether you are of Italian heritage or simply have a love for things Italian, OSIA welcomes you as a member; and

WHEREAS,

The C. Colombo Lodge #1315 celebrated its 90th birthday with a luncheon and recognition ceremony at Lone Tree Golf & Event Center on Saturday, August 16, 2014.

NOW, THEREFORE, I, WADE HARPER, Mayor of the City of Antioch, do hereby proclaim that the City of Antioch recognize the importance of C. Colombo Lodge #1315 milestone achievement and encourages all residents to join in recognizing the valuable contributions by their members, past and present.

August 26, 2014

WADE HARPER, Mayor

1.03
08-26-14

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

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

**August 12, 2014
Council Chambers**

6:00 P.M. - CLOSED SESSION

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to California Government Code section 54956.8; Property – 1811 “C” Street (Bedford Center); Agency Negotiator –City Manager and City Attorney; Parties – Rehabilitation Services of Northern California; Under negotiation: price and terms of payment
2. **CONFERENCE WITH LABOR NEGOTIATORS** – This Closed Section is authorized by California Government Code Section 54957.6. City designated representatives: Michelle Fitzer, Denise Haskett, and Glenn Berkheimer; Employee organizations: Management Unit

City Attorney Nerland reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS**, Direction was given to the Real Property Negotiators, and; **#2 CONFERENCE WITH LABOR NEGOTIATORS**, Direction was given to the Labor Negotiators.

Mayor Harper called the meeting to order in memory of Councilmember Gary Agopian, at 7:02 P.M., and City Clerk Simonsen called the roll.

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

PLEDGE OF ALLEGIANCE

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

1. IN MEMORY OF COUNCIL MEMBER GARY AGOPIAN

PROCLAMATION

In Memory of Gary Agopian

The City Council recognized Councilmember Gary Agopian’s contributions to the City and acknowledged he was an honorable man. They stated he would be missed and thanked the Agopian family for supporting him and allowing him to serve the community.

Erica Rodriguez-Langley, on behalf of Assemblymember Frazier, recognized the passing of Councilmember Agopian and announced his family received a memorial resolution from the California State Legislature. She read a letter of condolence from Assemblymember Frazier.

Keith Archeletta, read a letter of condolence from the Board and Membership of the East Bay Leadership Council.

On motion by Councilmember Rocha, seconded by Councilmember Wilson, the Council unanimously approved the Proclamation.

The City Council presented the proclamation to Robin Agopian and family.

Robin Agopian, on behalf of the Agopian family, spoke to Gary's commitment to his family and the City. She thanked the City for honoring him with the proclamation.

Mayor Harper declared a recess at 7:26 P.M. The meeting reconvened at 7:35 P.M. with all Councilmembers present.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Frank Lozano, Inland Marine and members of the Rivertown Jamboree committee and Delta Boat Racing Association, announced the Delta Thunder Powerboat Race would be held on Oct 4-5, 2014, in Antioch. He requested assistance for funding and sponsorships for the event.

Ron Parish, General Manager of the Lone Tree Golf Course and representatives from the Mayor's Cup Golf Tournament, reported it was a great event and they raised money for five (5) community charities. They presented checks to the Antioch Senior Center, Lone Tree Youth Scholarship, Police Activities League (PAL), the Antioch Sports Legends and the First Tee program. He announced next year's event would be held on June 7, 2015 and they would be hosting a range night at 6:00 P.M. on August 22, 2014.

Members of the East County NAACP Youth and College Division, requested the City Council and community support their Knowledge is Power rally which would be held from 6:00 P.M. – 7:30 P.M. on August 30, 2014, at the Prewett Park Community Center.

Sean Wright, Antioch Chamber of Commerce, announced there would be a ribbon-cutting for eight (8) new businesses in downtown Antioch at 10:00 A.M. on August 30, 2014. He thanked everyone who participated in the Antioch/Chichibu Sister City organization and stated anyone wishing to participate in the future, could contact him for information.

Mayor Harper stated he was pleased that eight (8) new businesses were opening in downtown and asked the community to support them.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen had received notification of vacancies for the Planning Commission, Park and Recreation Commission and Economic Development Commission.

PUBLIC COMMENTS

Sam Khashabi, stated he owned property on West 6th Street which had become a location for many illegal activities. He reported several attempts to secure the property had been unsuccessful and he requested the City allow him to place a 24-hour security guard onsite.

Mayor Harper directed Mr. Khashabi to discuss the issue with Captain Orman.

Karl Rodriguez King, Antioch resident, stated she did not support the demolition of the Nick Rodriguez Community Center. She reported the center was dedicated to her father and gave a background of his service in the community. She stated if the Nick Rodriguez Center were demolished, she requests the City name another landmark in his honor.

Valerie Byrne, Antioch resident, reported on criminal activity occurring in the Sycamore Drive area and stated they would be starting to file small claim lawsuits against landlords of problem properties. She asked the City to address the problems related to section 8 residents and proposed they develop a marketing campaign to advertise the positive aspects of the community.

Kevin Byrne, Antioch resident, requested the City allocate more funding for additional police staff or overtime for the Police Department. He expressed concern regarding police response times to non-emergency calls. He discussed criminal activity in the area and suggested Antioch Police conduct foot patrol in the Sycamore corridor. He stated crime statistics were eroding the image of Antioch.

Mayor Harper announced the City had authorized overtime for the Police Department and there was a violent crime suppression team. He suggested Mr. Byrnes like the Police Department facebook page and review City Manager Duran's weekly reports. He clarified the City was hiring police officers as fast as possible and they had dedicated all Measure C funds to police and code enforcement.

Walter Ruehlig, County Library Commission and Jessica Hudson, Contra Costa County Head Librarian, discussed the increase in criminal activity at the Antioch Library on 18th Street and reported they were taking proactive safety and security measures to address the issue.

Latasha Wallace, Antioch resident expressed concern for criminal activity and the lack of cleanliness in downtown Antioch. She stated she was opposed to more housing to 3rd Street and the demolition of the Nick Rodriguez Center. She suggested the City develop an event center downtown.

Antonio Martinez, Antioch resident, expressed concern for crime in Antioch and questioned how the City was addressing drought conditions in California.

City Attorney Neland announced drought regulations would be on the next City Council agenda.

F Sterling, Antioch resident, expressed concern that some officers in the Antioch Police Department used excessive force while attempting to restrain suspects. He urged the City to address the situation and if not, stated he would start a cop watch program in the community.

Willie Mims, representing the East Contra Costa County NAACP and the Black Political Association, stated he was sorry to hear of Councilmember Agopians' passing and he hoped the person selected to fill his vacancy would be like-minded. He encouraged the City to increase staffing in the Police department to address the increase in criminal activity.

Jeff and Carmen Bell, Antioch residents, expressed concern regarding the homeless population in Antioch and suggested the City consider developing a plan to provide services to them. They suggested the City research how the cities of Sacramento, California, Seattle, Washington and Orem, Utah had serviced their communities. In addition, they suggested the City form an adhoc committee to address these concerns.

Mayor Harper reported the Antioch Chamber of Commerce was dealing with the homeless and there was a committee formed. He urged Mr. Bell to discuss this issue with Deputy Director of Community Development/Recreation Graham who could inform him with regards to how information was dispersed.

COUNCIL SUBCOMMITTEE REPORTS - None

MAYOR'S COMMENTS - None

PRESENTATION

Nancy Jones, Managing Director Public Finance Management (PFM), presented the Second Quarter 2014 Review of Portfolio.

Mayor Harper thanked Ms. Jones for the report.

2. **COUNCIL CONSENT CALENDAR for City /City as Successor Agency to the Antioch Development Agency**
 - A. **APPROVAL OF COUNCIL MINUTES FOR JULY 22, 2014**
 - B. **APPROVAL OF COUNCIL WARRANTS**
 - C. **ORDINANCE NO. 2092 C-S BUSINESS LICENSE ORDINANCE AMENDMENTS
(Introduced on 07/22/14)**
 - D. **RESOLUTION NO. 2014/72 APPROVING THE CLASS SPECIFICATION OF LEAD WAREHOUSE WORKER IN THE LOCAL 1 BARGAINING UNIT AND ESTABLISHING A SALARY RANGE (Continued from 06/24/14)**

- E. **RESOLUTION NO. 2014/73 ESTABLISHING A SALARY RANGE FOR GIS TECHNICIAN**
- F. **REQUEST TO WAIVE RENTAL FEES FOR THE ANNUAL BLACK HISTORY ART AND ARTIFACTS EXHIBIT IN 2015**
- G. **RESOLUTION ACCEPTING WORK AND AUTHORIZING THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE LONE TREE WAY INTERSECTION IMPROVEMENTS, DEER VALLEY ROAD TO HILLCREST AVENUE (P.W. 555-12C)**

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

- H. **SA RESOLUTION NO. 2014/14 RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE CITY OF ANTIOCH AS SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT AGENCY FOR THE PERIOD OF JANUARY 2015-JUNE 2015 (ROPS 14-15B)**
- I. **ARTS & CULTURAL FOUNDATION OF ANTIOCH SERVICES AGREEMENT AND USE OF THE LYNN HOUSE**

Councilmember Rocha thanked the committee who organized the Annual Black History Art and Artifacts Exhibit.

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

Item G – Staff recommended this item be continued to August 26, 2014.

On motion by Councilmember Rocha, seconded by Councilmember Wilson, the Council unanimously continued Item G.

Item I – Fred Hoskins, Antioch resident, urged the City to go to Sacramento to advocate for the Hard House exempt status.

In response to Councilmember Tiscareno, City Attorney Nerland clarified the supplemental staff report was necessary to reflect the contract provision which was modified from the original agenda item.

On motion by Councilmember Tiscareno, seconded by Councilmember Wilson, the Council unanimously approved Item I.

COUNCIL REGULAR AGENDA

3. FILLING A CITY COUNCIL VACANCY

City Attorney Nerland presented the staff report dated August 7, 2014 recommending the City Council: 1) Call a special election to fill the vacant seat, which would arguably not require the City Council to do anything further because the seat is already up for the regular election on November 4, 2014 and the City Council has already called for that regular election; or 2) Appoint a person to fill the City Council vacancy until the election results in November are certified and the elected Council Member seated.

Willie Mims, representing the East Contra Costa County NAACP and the Black Political Association, stated the City should fill the vacant seat with the formal application process. He also urged Council to adopt an ordinance regarding City Council vacancies.

City Attorney Nerland stated the City was not required to have an ordinance and not having one allowed the Council to consider each vacancy situation separately. She stated she could bring an ordinance forward, if Council so directed.

Following discussion, the Council agreed that leaving the vacancy open until the general election was the most appropriate action.

On motion by Councilmember Rocha, seconded by Councilmember Wilson, the Council unanimously moved to leave the Councilmember seat vacant until the November 4, 2014 election.

4. DESIGNATION OF A VOTING DELEGATE AND ALTERNATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE – SEPTEMBER 3-5, LOS ANGELES

City Manager Duran presented the staff report dated July 30, 2014 recommending the City Council consider whether or not to appoint a voting delegate and alternate delegate to attend the 2014 League of California Cities Annual Conference.

On motion by Councilmember Wilson, seconded by Councilmember Tiscareno, the Council unanimously appointed Councilmember Rocha as the voting delegate to attend the 2014 League of California Cities Annual Conference.

5. DISCUSSION OF CONSIDERING A MINIMUM WAGE ORDINANCE FOR THE CITY OF ANTIOCH

City Manager Duran presented the staff report dated July 30, 2014 recommending the City Council receive the staff report; discuss whether or not the City should consider a minimum wage ordinance; and direct staff.

Mark Jordan, Antioch resident, thanked the City Council for placing this item on the agenda and spoke in support of a minimum wage ordinance for the City.

Lori Ogorchock, Antioch resident, spoke in opposition to Antioch establishing their own local minimum wage and requested the Council table this issue after the close of public comments.

Sean Wright, Antioch Chamber of Commerce, spoke in opposition to Antioch establishing a local minimum wage. He requested the Council table this matter and allow the State to determine minimum wage increases.

Willie Mims, representing the East Contra Costa County NAACP and the Black Political Association, encouraged the City to increase the local minimum wage.

Councilmember Wilson stated she would need more information before she could consider supporting a minimum wage ordinance in Antioch.

Councilmember Rocha stated she was in support of the State determining minimum wage increases.

Councilmember Tiscareno stated he would like to see more information on city's of similar size who had implemented a minimum wage ordinance. Additionally, he stated he would be interested in considering a regional approach.

Mayor Harper thanked Mr. Jordan for requesting this item be placed on the agenda. He voiced his support for the state determining minimum wage increases. He stated he would be interested in considering a local hiring preference for new businesses.

No consensus was reached and the Council took no action on Item #5.

6. COMMUNITY OUTREACH AND COMMUNICATIONS PLAN FOR THE PROPOSED ANTIOCH DOWNTOWN EAST RESIDENTIAL DEVELOPMENT PROJECT

City Manager Duran presented the staff report dated August 6, 2014 recommending the City Council receive and file the report.

Judy Norseen, Antioch Senior Center, invited the Council to visit the Senior Center and voiced her support for keeping the Senior Center at its current location.

John Frederickson, Antioch Senior Center, gave an overview of services and programs provided for senior citizens in the community. He requested the Senior Center to be included in the future planning process.

Joseph Zamora, Antioch resident, stated he was opposed to the demolition of the Senior Center and suggested the City utilize the funds to upgrade the facility. He urged the City to survey the Senior Citizens to determine how they would like to proceed.

John Reynolds, Antioch resident, stated he was opposed to more residential development in downtown Antioch and suggested the City build a park on the city-owned parcels.

Mayor Harper read written comment from Antioch resident, Susan Welch, requesting citizens be included in the communication plan and that the Beede lumber parcel be included in the discussions.

Kerry Motts, Antioch resident, reported that there had been no public input into the Arcadis plan and expressed concern that the plan before Council this evening did not address the Beede lumber parcel. He suggested the Council delay the Request for Qualifications and Proposals (RFQ/P) process and receive public input prior to moving forward.

Lee Ballesteros, Antioch resident, stated she felt the RFQ/P was flawed and she urged the Council to postpone the RFQ/P process to allow them to put together a comprehensive plan.

Barbara Sobalvarro, Antioch resident, Music Teachers Association of California, voiced her support for postponing the RFQ/P process, preserving the Nick Rodriguez Center and developing a park on the adjacent city-owned parcels.

Susan Dragon, Antioch resident, stated she supported comments made by Lee Ballesteros. She discussed the importance of preserving the theater and allowing for community input into the RFQ/P process.

Jenna Miles-Faye, Antioch resident, expressed concern that City staff had refused to allow the community to book events at the theater. She reported that everyone she had talked to regarding the RFQ/P had informed her that they were not aware of the project and they opposed the demolition of the theater. She stated if the item were tabled, the community would request redevelopment within the existing structure. She voiced her support for a park and community garden for the adjacent city-owned parcels.

William Chapman, Antioch resident, spoke in support of maintaining the Senior Center in downtown Antioch and suggested the City continue and improve upon the current facility. He suggested the City receive input from the senior citizens.

Joy Motts, Antioch resident, requested the Council postpone the RFQ/P process and let the community provide input into what their vision is for the revitalization of Rivertown.

City Manager Duran stated the meeting schedule would be dispersed on the City's website and through Council updates. He clarified that the Senior Center would only be demolished if there was enough economic gain for the City to build a new facility and if a new center was not economically feasible, staff would recommend Council put the money toward improving existing facilities. Speaking to concerns raised regarding language within the RFQ/P, he clarified legal disclaimers were included so developers could not object if they were not chosen or if the City decided to delay the process.

Following discussion, the Council agreed that extending the deadline for the RFQ/P would allow them to receive community input prior to moving forward with the RFQ/P.

A motion was made by Councilmember Rocha to start the focus groups, no later than September 1, 2014. The motion was seconded by Councilmember Wilson. Following discussion, the maker and second amended the motion as follows:

On motion by Councilmember Rocha, seconded by Councilmember Wilson, the Council unanimously directed staff to start focus groups as soon as possible in September 2014.

A motion was made by Councilmember Tiscareno to extend the bidding process to October 1, 2014. Following discussion, he withdrew his motion.

On motion by Councilmember Rocha, seconded by Councilmember Tiscareno, the Council unanimously directed City Manager Duran to extend the bidding process to October 31, 2014.

Mayor Harper declared a recess at 10:05 P.M. The meeting reconvened at 10:14 P.M., with all Councilmembers present.

7. RESOLUTION SUPPORTING THE CONSTRUCTION OF THE JAMES DONLON BOULEVARD EXTENSION PROJECT

City Manager Duran presented the staff reported dated August 4, 2014 recommending the City Council motion to adopt a resolution that: 1) Expresses continued support for the James Donlon Boulevard Extension project implementation and the construction of the project; and 2) Supports the City of Pittsburg as lead agency to move the project forward within all applicable laws to keep a commitment to the residents of eastern Contra Costa County.

Juan Pablo Galvan, Save Mount Diablo, stated they opposed the project due to its negative impacts on the environment and traffic. He urged the Council to visit the site and view the land that would be impacted, prior to their consideration of this item.

Willie Mims, representing the East Contra Costa County NAACP and the Black Political Association, stated they opposed the project because of the negative impact the project would have on the environment and the property owners. He suggested the City Council delay consideration of this item until the Pittsburg City Council takes action.

On motion by Councilmember Rocha, seconded by Councilmember Wilson, the Council continued this item until the City of Pittsburg takes action.

PUBLIC COMMENTS

Fred Hoskins, Antioch resident, stated he had conducted outreach in the homeless community who indicated they were in need of services in the community. He stated dispersing contact information for homeless services was not an effective approach and urged the City to contact the homeless and see how they could be helped. Additionally, he stated he was opposed to the City handing off the crime issues to non-profits and homeless issues to the Chamber of Commerce.

Barbara Sobalvarro, Antioch resident, stated she would oppose any demolition of the Nick Rodriguez Center.

Jenna Miles-Faye, Antioch resident, questioned how the community could stop the RFQ/P process from moving forward and asked what the process was for submitting a proposal for the revitalization of downtown.

Joe Goralka, Antioch resident, thanked the City Council and City Manager for the community communication plan. He stated the common focus was that everyone wanted what was best for the City. He suggested the City provide their vision for the entire downtown area when focus groups are conducted.

Lee Ballesteros, Antioch resident, agreed with Mr. Goralka and thanked the City Council for extending the RFQ/P timeline. She questioned if they would be allowed to present their business plan to the City.

Mayor Harper reiterated that the Council agreed to listen to the community through focus groups and prior to consideration of the RFQ/P.

STAFF COMMUNICATIONS

City Manager Duran reported on his attendance at the Mayor's conference and a meeting with BART representative Joel Keller.

Councilmember Tiscareno reported on his attendance at Mad Cash Money, the Mayor's Healthy Cook-off, opening day for Delta Youth Soccer, and National Night Out.

Councilmember Rocha announced her neighborhood had started a Neighborhood Watch group. She reported on her attendance at the Twin Tunnels rally. She announced the Association of Bay Area Governments (ABAG) Water Conference would be held on September 24, 2014.

Councilmember Wilson reported on her attendance at National Night Out and stated she had spent quality time with her nephew, Jackson, this past weekend.

COUNCIL COMMUNICATIONS

Mayor Harper reported on his attendance at the community baby shower, Mayor's Conference, meetings with non-profit organizations interested in improving the Sycamore area and National Night Out. He announced there would be a meeting with Delta Diablo Sanitation on August 13, 2014.

Councilmember Rocha reported on her attendance at the community baby shower and announced the next event would be held from 9:00 A.M. - 2:00 P.M. on September 20, 2014.

At the request of Mayor Harper and with Council consensus, they agreed to agendaize the consideration of a midyear budget amendment to re-establish the hours of operation at the Antioch Library.

Mayor Harper recognized Councilmember Agopian's commitment to the community and stated he had a strong finish because he had strong faith.

ADJOURNMENT

With no further business, Mayor Harper adjourned the meeting in honor of Gary Agopian at 10:47 P.M. to the next regular Council meeting on August 26, 2014.

Respectfully submitted:

Kitty Eiden
KITTY EIDEN, Minutes Clerk

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100 General Fund

Non Departmental

352223 BROWN AND CALDWELL INC	ENGINEERING SERVICES	9,388.25
352248 FIRST ASSEMBLY OF GOD	DEPOSIT REFUND	428.05
352255 HARRIS, LLOYD	DEPOSIT REFUND	2,709.50
352274 LOWES	DEPOSIT REFUND	7,753.05
352293 POPESCU, FANICA	DEPOSIT REFUND	500.00
352300 SUPERIOR ELECTRICAL ADVERTISING INC	DEPOSIT REFUND	1,000.00
352307 WILLIAM G MCCULLOUGH CO INC	DEPOSIT REFUND	500.00
352324 BURKE WILLIAMS AND SORENSEN LLP	LEGAL SERVICES	2,183.00
352338 CONTRA COSTA WATER DISTRICT	FACILITY RESERVE FEES	125,397.00
352339 CONTRA COSTA WATER DISTRICT	TREATED WATER CAPACITY FEE	79,057.29
352341 DAVIDON HOMES	BALANCE REFUND	18.68
352342 DILKS, JOHN	BARRICADE FEE REFUND	60.00
352344 DRAIN DOCTORS AND PLUMBERS	BCSC FEE REFUND	1.50
352348 ECC REG FEE AND FIN AUTH	ECCRFFA-RTDIM	241,958.00
352359 HARO, CONNIE	BARRICADE FEE REFUND	30.00
352385 OVAL MOTORSPORTS	BUS LIC FEE REFUND	1.00
352392 PERKINSON, JAMES A	CHECK REPLACEMENT	37.50
352402 RANEY PLANNING & MANAGEMENT INC	CONSULTING SERVICES	402.50
352415 TANG, KIM	CHECK REPLACEMENT	35.00
922528 ZUMWALT ENGINEERING GROUP INC	ENGINEERING SERVICES	158.00

City Attorney

203470 BANK OF AMERICA	WEBINAR	25.00
352224 BURKE WILLIAMS AND SORENSEN LLP	LEGAL SERVICES	295.00
352228 CONTINUING EDUCATION OF THE BAR	AUTO UPDATE	363.22
352296 RICHARDS WATSON AND GERSHON	LEGAL SERVICES	4,482.50
352426 XEROX CORPORATION	COPIER LEASE/USAGE	288.86
352427 XEROX CORPORATION	COPIER LEASE/USAGE	280.36

City Manager

203661 DS WATERS OF AMERICA	WATER & SUPPLIES	32.31
352235 DIABLO VIEW FLORIST	MEMORIAL-AGOPIAN	92.60
352383 OFFICE MAX INC	OFFICE SUPPLIES	157.75
352426 XEROX CORPORATION	COPIER LEASE/USAGE	288.86
352427 XEROX CORPORATION	COPIER LEASE/USAGE	280.09
922525 KARSTE CONSULTING INC	CONSULTING SERVICES	1,650.00

City Clerk

352426 XEROX CORPORATION	COPIER LEASE/USAGE	288.31
352427 XEROX CORPORATION	COPIER LEASE/USAGE	280.35

City Treasurer

352251 GARDA CL WEST INC	ARMORED CAR PICK UP	210.12
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Human Resources

352285 OFFICE MAX INC	OFFICE SUPPLIES	150.42
352426 XEROX CORPORATION	COPIER LEASE/USAGE	642.08
352427 XEROX CORPORATION	COPIER LEASE/USAGE	837.63

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Economic Development

352282 MUNICIPAL POOLING AUTHORITY	PROPERTY INSURANCE	3,105.00
352291 PMB HELIN DONOVAN LLP	CONSULTING SERVICES	1,255.70
352388 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	1,025.88
352426 XEROX CORPORATION	COPIER LEASE/USAGE	288.83
352427 XEROX CORPORATION	COPIER LEASE/USAGE	280.36

Finance Administration

352219 BANK OF AMERICA	MEETING EXPENSE	69.63
352285 OFFICE MAX INC	OFFICE SUPPLIES	150.94
352426 XEROX CORPORATION	COPIER LEASE/USAGE	643.62
352427 XEROX CORPORATION	COPIER LEASE/USAGE	829.76

Finance Accounting

352204 ACCOUNTEMP	TEMPORARY ACCOUNTING HELP	732.00
352216 AT AND T MCI	BITECH PHONE LINE	479.75
352219 BANK OF AMERICA	JOB POSTING	225.00
352245 FEDEX	SHIPPING	26.83
922540 SUNGARD PUBLIC SECTOR INC	MONTHLY ASP SERVICE	26,407.92

Finance Operations

352241 EDD	UNEMPLOYMENT CLAIMS	8.50
352304 UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	13.30
352426 XEROX CORPORATION	COPIER LEASE/USAGE	3,904.70
352427 XEROX CORPORATION	COPIER LEASE/USAGE	5,469.04

Non Departmental

203595 WILSON AND KRATZER	BUS LIC APP FEE REFUND	30.00
203596 DELTA MOVING SUPPLIES	BUS LIC OVERPAYMENT REFUND	47.25
203597 ROMAN CATHOLIC CEMETERIES, THE	BUS LIC PENALTY FEE REFUND	15.00
203598 LOS 3 AMIGOS	BUS LIC PENALTY FEE REFUND	28.38
203599 RIVERVIEW MOTEL	BUS LIC PENALTY FEE REFUND	9.53
352282 MUNICIPAL POOLING AUTHORITY	PROPERTY INSURANCE	35,235.00
352313 ANTIOCH NISSAN	BUS LIC OVERPAYMENT REFUND	200.20
352332 CONTRA COSTA COUNTY	LIBRARY SERVICES	650.56
352385 OVAL MOTORSPORTS	BUS LIC FEES REFUND	696.96

Public Works Maintenance Administration

352426 XEROX CORPORATION	COPIER LEASE/USAGE	91.58
352427 XEROX CORPORATION	COPIER LEASE/USAGE	114.05

Public Works General Maintenance Services

352383 OFFICE MAX INC	OFFICE SUPPLIES	74.98
352426 XEROX CORPORATION	COPIER LEASE/USAGE	244.20
352427 XEROX CORPORATION	COPIER LEASE/USAGE	304.12

Public Works Street Maintenance

352214 ANTIOCH BUILDING MATERIALS	ASPHALT	31,391.55
352230 COUNTY ASPHALT	ASPHALT	996.22
352306 VERIZON WIRELESS	DATA PLAN	38.01
352372 LOWES COMPANIES INC	WRENCH	11.37
352414 STEWARTS TREE SERVICE INC	TREE SERVICE	350.00
922541 TELFER OIL COMPANY	TACK OIL MATERIAL	826.62

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 Finance Accounting

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Public Works-Signal/Street Lights

352208 AMERICAN GREENPOWER USA INC	INDUCTION LIGHTING MATERIALS	3,770.11
352216 AT AND T MCI	PHONE	532.17
352333 CONTRA COSTA COUNTY	TRAFFIC SIGNAL MAINTENANCE	51,422.29
352388 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	10,445.13
352410 STATE OF CALIFORNIA	SIGNAL LIGHT MAINTENANCE	4,975.39
922524 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	2,715.74

Public Works-Striping/Signing

352265 INTERSTATE SALES	SUPPLIES	3,558.80
352295 RED WING SHOE STORE	SAFETY SHOES-ZEPEDA	208.49
352306 VERIZON WIRELESS	DATA PLAN	38.01
352406 ROYAL BRASS INC	FITTINGS	5.91
352408 SHERWIN WILLIAMS CO	SUPPLIES	231.48

Public Works-Facilities Maintenance

352216 AT AND T MCI	PHONE	44.76
352279 MOREIRA, KARLA	WINDOW WASHING	400.00
352282 MUNICIPAL POOLING AUTHORITY	PROPERTY INSURANCE	3,301.00
352285 OFFICE MAX INC	OFFICE SUPPLIES	42.28
352306 VERIZON WIRELESS	DATA PLAN	38.01
352321 BAY CITIES PYROTECTOR	SPRINKLER LABOR	4,335.38
352337 CONTRA COSTA COUNTY TAX COLLECTOR	DELTA 2000 PROPERTY TAX	1,042.14
352362 HONEYWELL INTERNATIONAL INC	HVAC SERVICE	1,465.43
352372 LOWES COMPANIES INC	SUPPLIES	57.89
352388 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	25,658.81
922533 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	654.42
922535 LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	1,766.00

Public Works-Parks Maint

352216 AT AND T MCI	PHONE	78.62
352388 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	1,675.20

Public Works-Median/General Land

352216 AT AND T MCI	PHONE	158.18
352241 EDD	UNEMPLOYMENT CLAIMS	2,418.00
352287 PACIFIC COAST LANDSCAPE MGMT INC	LANDSCAPE SERVICES	3,428.00
352381 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	384.00
352388 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	3,335.60

Public Works-Work Alternative

352282 MUNICIPAL POOLING AUTHORITY	WORK ALTERNATIVE PREMIUM	1,425.00
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Police Administration

203593 SPENCER, TAMEESHA	OVERPAYMENT REFUND	36.00
352215 ARROWHEAD 24 HOUR TOWING INC	TOWING SERVICES	90.00
352218 BACIAA	TUITION-JOHNSON	375.40
352227 COMMERCIAL SUPPORT SERVICES	CAR WASHES	441.00
352231 CRIME SCENE CLEANERS INC	CRIME SCENE CLEANUP	300.00
352233 DEE, KRISTOPHER M	PER DIEM-TRAINING	264.00
352242 EVANS, JOSHUA FIELD	PER DIEM-TRAINING	122.00
352245 FEDEX	SHIPPING	19.55

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352256 HAWTHORNE SUITES	LODGING-DEE	400.14
352258 HILTON	LODGING-LOWTHER	102.66
352259 HILTON	LODGING-MORTIMER	102.66
352260 HILTON	LODGING-MORIN	102.66
352261 HILTON	LODGING-WISECARVER	102.66
352262 HILTON	LODGING-EVANS	102.66
352268 JOHNSON, VIRGINIA L	PER DIEM-TRAINING	305.00
352275 LOWTHER, GARY M	PER DIEM-TRAINING	122.00
352280 MORIN, SHAWN M	PER DIEM-TRAINING	122.00
352281 MORTIMER, MICHAEL P	PER DIEM-TRAINING	122.00
352285 OFFICE MAX INC	OFFICE SUPPLIES	542.18
352299 SHERATON SONOMA COUNTY PETALUMA	LODGING-JOHNSON	778.40
352308 WISECARVER JR, JIMMY R	PER DIEM-TRAINING	122.00
352319 BANK OF AMERICA	BUSINESS EXPENSE	1,516.18
352330 CONCORD UNIFORMS LLC	UNIFORMS	2,987.59
352350 ED JONES CO INC	BADGES	630.45
352364 IBS OF TRI VALLEY	BATTERIES	683.77
352382 OFFICE MAX INC	OFFICE SUPPLIES	357.04
352383 OFFICE MAX INC	OFFICE SUPPLIES	1,023.52
352395 PITNEY BOWES INC	EQUIPMENT RENTAL	331.35
352398 PSYCHOLOGICAL SERVICES GROUP, THE	COUNSELING SERVICES	350.00
352426 XEROX CORPORATION	COPIER LEASE/USAGE	4,132.36
352427 XEROX CORPORATION	COPIER LEASE/USAGE	5,392.94
922534 IMAGE SALES INC	BADGES	61.25
Police Community Policing		
203613 CITY OF ANTIOCH	EXPENSE REIMBURSEMENT	67.95
352241 EDD	UNEMPLOYMENT CLAIMS	1,076.00
Police Investigations		
352284 NEXTEL SPRINT	CELL PHONE EQUIPMENT	337.79
352335 CONTRA COSTA COUNTY	SART EXAMS	3,000.00
352368 LEADS ONLINE LLC	RENEWAL FEE	4,428.00
352416 THOMSON WEST	ONLINE DATABASE	326.46
352426 XEROX CORPORATION	COPIER LEASE/USAGE	1,304.76
352427 XEROX CORPORATION	COPIER LEASE/USAGE	1,844.79
Police Communications		
352216 AT AND T MCI	PHONE	753.54
352217 AT AND T MOBILITY	HIGH SPEED WIRELESS	2,299.50
352241 EDD	UNEMPLOYMENT CLAIMS	3,731.00
352311 AMERICAN TOWER CORPORATION	CELL TOWER RENTAL	219.17
352315 AT AND T MCI	PHONE	2,674.39
352316 AT AND T MCI	PHONE	372.05
352331 CONTRA COSTA COUNTY	TELECOMMUNICATIONS SERVICE	1,546.15
352389 PACIFIC TELEMANAGEMENT SERVICES	PAYPHONE	78.00
Office Of Emergency Management		
352216 AT AND T MCI	PHONE	299.18

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Police Facilities Maintenance

352216 AT AND T MCI	PHONE	277.74
352225 CAMALI CORP	MAINTENANCE SERVICE	726.00
352284 NEXTEL SPRINT	CELL PHONE	6,194.56
352321 BAY CITIES PYROTECTOR	INSPECTION & CERTIFICATION	1,110.00
352362 HONEYWELL INTERNATIONAL INC	HVAC SERVICE	986.36
352372 LOWES COMPANIES INC	SUPPLIES	71.34
352388 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	37,239.08
352419 TYLER SHAW DOORS	INSTALLATION SERVICE	3,390.28
922533 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	160.61
922535 LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	3,426.00

Community Development Administration

352426 XEROX CORPORATION	COPIER LEASE/USAGE	792.53
352427 XEROX CORPORATION	COPIER LEASE/USAGE	849.02

Community Development Land Planning Services

352273 LOEWKE PLANNING ASSOCIATES	PROFESSIONAL SERVICES	4,077.20
352292 PMC	PROFESSIONAL SERVICES	1,562.03
352320 BAY AREA NEWS GROUP	LEGAL AD	551.24

CD Code Enforcement

203537 CONTRA COSTA COUNTY	LIEN RELEASE FEES	90.00
352302 TURNAGE II, KEN	ABATEMENT SERVICES	818.62
352310 ALLIED WASTE SERVICES	GARBAGE SERVICE	154.92
352383 OFFICE MAX INC	OFFICE SUPPLIES	71.61
922531 CRYSTAL CLEAR LOGOS INC	UNIFORM	210.24

PW Engineer Land Development

352216 AT AND T MCI	PHONE	29.28
352295 RED WING SHOE STORE	SAFETY SHOES	186.86
352426 XEROX CORPORATION	COPIER LEASE/USAGE	308.18
352427 XEROX CORPORATION	COPIER LEASE/USAGE	330.16
922527 TESTING ENGINEERS INC	ENGINEERING SERVICES	10,301.50

Community Development Building Inspection

352285 OFFICE MAX INC	OFFICE SUPPLIES	73.54
352344 DRAIN DOCTORS AND PLUMBERS	ENERGY INSP FEE REFUND	62.83
352383 OFFICE MAX INC	OFFICE SUPPLIES	146.99

Capital Imp. Administration

203446 DS WATERS OF AMERICA	WATER DISPENSER	60.56
352285 OFFICE MAX INC	OFFICE SUPPLIES	63.34

212 CDBG Fund

CDBG

922532 HOUSE, TERI	CONSULTING SERVICES	7,052.50
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CDBG NSP

922532 HOUSE, TERI	CONSULTING SERVICES	1,592.50
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213 Gas Tax Fund

Streets

352222 BNSF RAILWAY COMPANY INC	WILBUR AVE PROJECT	70,294.48
352326 CALIFORNIA PAVEMENT MAINT CO INC	PAVEMENT PROJECT	662,141.12

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352388	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	50,405.45
922538	PARSONS BRINCKERHOFF INC	PROFESSIONAL SERVICES	15,980.86
214 Animal Control Fund			
Animal Control			
352209	AMERICAN PLUMBING INC	PLUMBING SERVICES	145.00
352221	BAYER HEALTH CARE	SUPPLIES	99.42
352241	EDD	UNEMPLOYMENT CLAIMS	3,978.00
352266	INTERVET INC	SUPPLIES	4,086.00
352270	KOEFAN SERVICES INC	ANIMAL DISPOSAL SERVICES	1,850.00
352283	MWI VETERINARY SUPPLY CO	VETERINARY SUPPLIES	252.64
352284	NEXTEL SPRINT	CELL PHONE	730.74
352361	HILLS PET NUTRITION	SUPPLIES	3,416.77
352388	PACIFIC GAS AND ELECTRIC CO	GAS	1,959.95
352426	XEROX CORPORATION	COPIER LEASE/USAGE	369.38
352427	XEROX CORPORATION	COPIER LEASE/USAGE	506.15
922523	HLP INC	MAINTENANCE & SUPPORT	1,351.60
922535	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	436.00
Maddie's Fund Grant			
352347	EAST HILLS VETERINARY HOSPITAL	VETERINARY SERVICES	11,199.62
215 Civic Arts Fund			
Civic Arts			
352282	MUNICIPAL POOLING AUTHORITY	PROPERTY INSURANCE	686.00
216 Park-In-Lieu Fund			
Parks & Open Space			
352329	COMMERCIAL POOL SYSTEMS INC	SUPPLIES	3,384.30
219 Recreation Fund			
Non Departmental			
352229	CONTRA COSTA COUNTY	NUTRITION PROGRAM	33,441.50
352360	HEREDIA, LETICIA	DEPOSIT REFUND	500.00
352363	HUB INTERNATIONAL OF CA INSURANCE	INSURANCE PREMIUM	377.94
Recreation Admin			
352321	BAY CITIES PYROTECTOR	SPRINKLERS	1,387.79
352388	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	5,092.12
Senior Programs			
352216	AT AND T MCI	PHONE	244.93
352388	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	3,394.74
922535	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	336.00
Recreation Classes/Prog			
203575	AYALA, JULIA	CLASS REFUND	67.00
203651	MICHAELS	SUPPLIES	37.25
352239	EDUCATION TO GO	CONTRACTOR PAYMENT	336.25
352241	EDD	UNEMPLOYMENT CLAIMS	406.00
352289	PLAY WELL TEKNOLOGIES	CONTRACTOR PAYMENT	4,928.00
352298	ROBERTS, NANCY	CONTRACTOR PAYMENT	852.60
352301	THOMPSON, RANDALL	CONTRACTOR PAYMENT	126.00
352370	LIPPE, PATRICIA	CONTRACTOR PAYMENT	177.60

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Recreation Camps

352317 BANK OF AMERICA SUPPLIES 170.34

Recreation Sports Programs

352241 EDD UNEMPLOYMENT CLAIMS 6.00
 352309 ALLIED 100 AED SUPPLIES 2,217.35
 352312 ANNUVIA MEDICAL DIRECTION 149.99
 352327 CALIFORNIA USSSA REGISTRATION FEES 255.00
 352365 INTEGRITY BUSINESS SOLUTIONS FLYERS 486.08
 352388 PACIFIC GAS AND ELECTRIC CO ELECTRIC 5,097.85
 922519 CONSOLIDATED ELECTRICAL DIST INC SUPPLIES 13.55

Recreation Concessions

352216 AT AND T MCI PHONE 15.48
 352288 PITCHER, JUSTIN WILLIAM SUPPLIES 240.77
 352340 COSTCO SUPPLIES 148.30

Recreation-New Comm Cntr

352216 AT AND T MCI PHONE 17.82
 352240 EIDEN, KITTY J MINUTES CLERK 84.00
 352241 EDD UNEMPLOYMENT CLAIMS 260.00
 352276 LSA ASSOCIATES INC CONSULTING SERVICES 887.44
 352282 MUNICIPAL POOLING AUTHORITY PROPERTY INSURANCE 15,487.00
 352285 OFFICE MAX INC OFFICE SUPPLIES 474.61
 352286 PACHECO BROTHERS GARDENING INC LANDSCAPE SERVICES 5,636.68
 352315 AT AND T MCI PHONE 63.29
 352321 BAY CITIES PYROTECTOR MAINTENANCE SERVICE 370.00
 352328 COMCAST CONNECTION SERVICE 1,599.48
 352340 COSTCO SUPPLIES 350.61
 352374 MARLIES CLEANING SERVICE CLEANING SERVICE 335.00
 352379 OAKLEYS PEST CONTROL PEST CONTROL SERVICE 230.00
 352386 PACHECO BROTHERS GARDENING INC LANDSCAPE SERVICES 2,818.34
 352388 PACIFIC GAS AND ELECTRIC CO GAS 10,861.37
 352426 XEROX CORPORATION COPIER LEASE/USAGE 627.79
 352427 XEROX CORPORATION COPIER LEASE/USAGE 724.56

221 Asset Forfeiture Fund

Non Departmental

352396 POLLARD, FELIPE CHE ASSET FORFEITURE 91.00

222 Measure C/J Fund

Streets

352244 FEDERAL ADVOCATES INC ADVOCACY SERVICES 5,000.00
 352333 CONTRA COSTA COUNTY TRAFFIC SIGNAL MAINTENANCE 2,652.74

223 Child Care Fund

Child Care

352282 MUNICIPAL POOLING AUTHORITY PROPERTY INSURANCE 417.00

226 Solid Waste Reduction Fund

Solid Waste Used Oil

352234 DELTA DIABLO HOUSEHOLD HAZARDOUS WASTE 2,519.35

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Solid Waste

352234 DELTA DIABLO HOUSEHOLD HAZARDOUS WASTE 9,493.55

229 Pollution Elimination Fund

Channel Maintenance Operation

352212 ANKA BEHAVIORAL HEALTH INC LANDSCAPE SERVICES 552.00
 352241 EDD UNEMPLOYMENT CLAIMS 1,876.00
 352278 MJH EXCAVATING INC OPERATED EQUIPMENT RENTAL 16,991.90
 352349 ECORP CONSULTING INC PROFESSIONAL SERVICES 3,118.75
 352404 RMC WATER AND ENVIRONMENT PROFESSIONAL SERVICES 4,954.85
 922538 PARSONS BRINCKERHOFF INC CONSULTANT SERVICES 4,562.32

251 Lone Tree SLLMD Fund

Lonetree Maintenance Zone 1

352216 AT AND T MCI PHONE 61.91
 352381 ODYSSEY LANDSCAPE CO INC LANDSCAPE SERVICES 192.00
 352388 PACIFIC GAS AND ELECTRIC CO ELECTRIC 1,658.12

Lonetree Maintenance Zone 2

352216 AT AND T MCI PHONE 119.06
 352287 PACIFIC COAST LANDSCAPE MGMT INC LANDSCAPE SERVICES 2,995.00
 352388 PACIFIC GAS AND ELECTRIC CO ELECTRIC 1,485.40

Lonetree Maintenance Zone 3

352216 AT AND T MCI PHONE 45.86
 352287 PACIFIC COAST LANDSCAPE MGMT INC LANDSCAPE SERVICES 7,835.00
 352388 PACIFIC GAS AND ELECTRIC CO ELECTRIC 1,778.94

Lonetree Maintenance Zone 4

352381 ODYSSEY LANDSCAPE CO INC LANDSCAPE SERVICES 1,773.00
 352388 PACIFIC GAS AND ELECTRIC CO ELECTRIC 456.48

252 Downtown SLLMD Fund

Downtown Maintenance

352381 ODYSSEY LANDSCAPE CO INC LANDSCAPE SERVICES 384.00
 352388 PACIFIC GAS AND ELECTRIC CO ELECTRIC 752.57

253 Almondridge SLLMD Fund

Almondridge Maintenance

352381 ODYSSEY LANDSCAPE CO INC LANDSCAPE SERVICES 2,486.00
 352388 PACIFIC GAS AND ELECTRIC CO ELECTRIC 432.04

254 Hillcrest SLLMD Fund

Hillcrest Maintenance Zone 1

352216 AT AND T MCI PHONE 30.95
 352381 ODYSSEY LANDSCAPE CO INC LANDSCAPE SERVICES 460.80
 352388 PACIFIC GAS AND ELECTRIC CO ELECTRIC 2,110.71

Hillcrest Maintenance Zone 2

352216 AT AND T MCI PHONE 107.19
 352287 PACIFIC COAST LANDSCAPE MGMT INC LANDSCAPE SERVICES 1,714.00
 352381 ODYSSEY LANDSCAPE CO INC LANDSCAPE SERVICES 960.00
 352388 PACIFIC GAS AND ELECTRIC CO ELECTRIC 1,514.80

Hillcrest Maintenance Zone 4

352216 AT AND T MCI PHONE 90.32

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352287	PACIFIC COAST LANDSCAPE MGMT INC	LANDSCAPE SERVICES	1,714.00
352381	ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	307.20
352388	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	1,290.35
352414	STEWARTS TREE SERVICE INC	TREE SERVICE	85.00
255 Park 1A Maintenance District Fund			
Park 1A Maintenance District			
352316	AT AND T MCI	PHONE	16.83
352318	BANK OF AMERICA	POSTAGE	21.00
352381	ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	460.80
352388	PACIFIC GAS AND ELECTRIC CO	GAS	222.82
256 Citywide 2A Maintenance District Fund			
Citywide 2A Maintenance Zone 3			
352388	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	322.64
Citywide 2A Maintenance Zone 4			
352388	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	622.69
Citywide 2A Maintenance Zone 5			
352388	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	887.02
Citywide 2A Maintenance Zone 6			
352381	ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	384.00
352388	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	471.58
Citywide 2A Maintenance Zone 8			
352388	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	417.30
Citywide 2A Maintenance Zone 9			
352216	AT AND T MCI	PHONE	61.91
352381	ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	307.20
352388	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	986.37
352414	STEWARTS TREE SERVICE INC	TREE SERVICE	800.00
Citywide 2A Maintenance Zone10			
352381	ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	1,613.00
352388	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	240.80
257 SLLMD Administration Fund			
SLLMD Administration			
352282	MUNICIPAL POOLING AUTHORITY	PROPERTY INSURANCE	15,561.00
352306	VERIZON WIRELESS	DATA PLAN	76.02
259 East Lone Tree SLLMD Fund			
Zone 1-District 10			
352381	ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	2,538.00
352388	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	163.03
311 Capital Improvement Fund			
Streets			
352386	PACHECO BROTHERS GARDENING INC	LANDSCAPE SERVICES	650.00
Public Buildings & Facilities			
922525	KARSTE CONSULTING INC	CONSULTING SERVICES	1,200.00
376 Lone Diamond Fund			
Assessment District			
352333	CONTRA COSTA COUNTY	TRAFFIC SIGNAL MAINTENANCE	310.87

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 Finance Accounting

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352349	ECORP CONSULTING INC	PROFESSIONAL SERVICES	4,246.25
352404	RMC WATER AND ENVIRONMENT	PROFESSIONAL SERVICES	12,962.14
922538	PARSONS BRINCKERHOFF INC	PROFESSIONAL SERVICES	3,602.97
411 Golf Course Clubhouse Fund			
Non Departmental			
352282	MUNICIPAL POOLING AUTHORITY	PROPERTY INSURANCE	4,167.00
569 Vehicle Replacement Fund			
Equipment Maintenance			
352294	PURSUIT NORTH	VEHICLE PARTS	3,963.72
352343	DOWNTOWN FORD SALES	2014 FORD EXPLORER	29,133.65
352380	OCONNELL JETTING	PRESSURE WASHER	4,115.75
570 Equipment Maintenance Fund			
Equipment Maintenance			
203447	UNITED STATES POSTAL SERVICE	POSTAGE	7.40
352213	ANTIOCH AUTO PARTS	FUEL PUMP	342.43
352238	EAST BAY TIRE CO	TIRE SERVICE	123.16
352282	MUNICIPAL POOLING AUTHORITY	PROPERTY INSURANCE	1,036.00
352295	RED WING SHOE STORE	SAFETY SHOES	158.88
352306	VERIZON WIRELESS	DATA PLAN	38.01
352369	LEHR AUTO ELECTRIC	LIGHTS	247.60
352372	LOWES COMPANIES INC	AIR HOSE	12.21
352388	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	1,331.58
352400	PURSUIT NORTH	VEHICLE BUILD	3,434.03
352423	WALNUT CREEK FORD	FAN MOTOR	420.10
352426	XEROX CORPORATION	COPIER LEASE/USAGE	111.93
352427	XEROX CORPORATION	COPIER LEASE/USAGE	139.43
922529	BIG SKY ENTERPRISES INC	TIRE DISPOSAL	485.50
573 Information Services Fund			
Information Services			
352216	AT AND T MCI	PHONE	55.28
352306	VERIZON WIRELESS	AIR CARD	76.02
Network Support & PCs			
352216	AT AND T MCI	PHONE	86.55
352236	DIGITAL SERVICES	WEBSITE MAINTENANCE	3,135.00
352328	COMCAST	CONNECTION SERVICE	1,019.79
Telephone System			
203522	AMERICAN MESSAGING	PAGER	39.49
352216	AT AND T MCI	PHONE	0.59
352314	AT AND T MCI	PHONE	15.89
352315	AT AND T MCI	PHONE	205.36
352316	AT AND T MCI	PHONE	2,296.22
Office Equipment Replacement			
352401	QUICK PC SUPPORT	ANNUAL RADIO IP SOFTWARE	12,500.00
922530	CDW GOVERNMENT INC	COMPUTER EQUIPMENT	225.20

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611 Water Fund

Non Departmental

352285 OFFICE MAX INC	OFFICE SUPPLIES	1,682.53
352345 E M HUNDLEY HARDWARE CO	PADLOCKS	738.22
352356 GOLOGO PROMOTIONS	SUPPLIES	342.43
352367 KARIMI, KANISHKA	CHECK REPLACEMENT	66.52
352425 WILCO SUPPLY	SUPPLIES	1,049.57

Water Supervision

203594 ANTIOCH UNIFIED SCHOOL DIST	OVERPAYMENT REFUND	93.06
352282 MUNICIPAL POOLING AUTHORITY	PROPERTY INSURANCE	43,880.00
352306 VERIZON WIRELESS	DATA PLAN	76.02
352322 BOLTON, RONELL	CHECK REPLACEMENT	26.17
352358 HAGGERTY, DENNIS	CHECK REPLACEMENT	82.63
352375 MARTINEZ, ANDREA	CHECK REPLACEMENT	6.45
352383 OFFICE MAX INC	OFFICE SUPPLIES	17.55
352407 RT LAWRENCE CORP	LOCKBOX PROCESSING FEE	615.34
922520 CRYSTAL CLEAR LOGOS INC	SHIRTS	478.44

Water Production

203478 FERGUSON ENTERPRISES INC	PIPE FITTINGS	32.17
352207 ALAMEDA ELECTRICAL DISTRIBUTORS	ELECTRICAL EQUIPMENT	7,785.16
352210 ANCHOR CONCRETE CONSTRUCTION INC	RETAINING WALL	5,600.00
352211 ANIMAL DAMAGE MANAGEMENT	ANIMAL CONTROL	125.00
352216 AT AND T MCI	PHONE	764.20
352246 FERGUSON ENTERPRISES INC	PIPING & VALVES	1,097.22
352249 FISHER SCIENTIFIC COMPANY	LAB SUPPLIES	30.39
352254 HARRINGTON INDUSTRIAL PLASTICS LLC	PIPE FITTINGS	338.54
352269 KARL NEEDHAM ENTERPRISES INC	EQUIPMENT RENTAL	27,904.53
352272 LAW OFFICE OF MATTHEW EMRICK	LEGAL SERVICES	1,699.50
352287 PACIFIC COAST LANDSCAPE MGMT INC	LANDSCAPE SERVICES	1,714.00
352290 PLEWS SHADLEY RACHER & BRAUN LLP	LEGAL SERVICES	985.04
352295 RED WING SHOE STORE	SAFETY SHOES-NG	365.22
352297 ROBERTS AND BRUNE CO	SUPPLIES	851.30
352306 VERIZON WIRELESS	DATA PLAN	38.01
352315 AT AND T MCI	PHONE	126.60
352316 AT AND T MCI	PHONE	66.66
352353 FLOW SCIENCE INCORPORATED	PROFESSIONAL SERVICES	308.00
352357 HACH CO	LAB SUPPLIES	589.15
352372 LOWES COMPANIES INC	BUCKETS	17.13
352377 MT DIABLO LANDSCAPE CENTERS INC	GRAVEL	544.46
352382 OFFICE MAX INC	OFFICE SUPPLIES	99.84
352388 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	334,857.27
352409 SPAULDING, ANN B	CONSULTING SERVICES	1,218.75
352414 STEWARTS TREE SERVICE INC	TREE SERVICE	2,200.00
352426 XEROX CORPORATION	COPIER LEASE/USAGE	99.58
352427 XEROX CORPORATION	COPIER LEASE/USAGE	152.15
922517 CDW GOVERNMENT INC	COMPUTER SOFTWARE	23.60

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922518	CHEMTRADE CHEMICALS US LLC	ALUM	2,824.66
922521	EVOQUA WATER TECHNOLOGIES LLC	LAB TESTING	431.00
922535	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	292.00
922537	OLIN CHLOR ALKALI PRODUCTS	CAUSTIC	17,172.66
922539	SIERRA CHEMICAL CO	CHLORINE	8,147.58
Water Distribution			
352205	ACE HARDWARE, ANTIOCH	SUPPLIES	4.85
352214	ANTIOCH BUILDING MATERIALS	ASPHALT	575.46
352216	AT AND T MCI	PHONE	15.48
352232	CWEA SFBS	MEMBER DUES	312.00
352234	DELTA DIABLO	HOUSEHOLD HAZARDOUS WASTE	9,493.55
352241	EDD	UNEMPLOYMENT CLAIMS	38.25
352247	FINTA ENTERPRISES INC	TRACTOR SERVICE	9,625.00
352264	INFOSEND INC	PRINT/MAIL SERVICES	1,942.62
352277	LUCITY INC	CONNECTION PROGRAM	10,496.00
352285	OFFICE MAX INC	OFFICE SUPPLIES	102.52
352295	RED WING SHOE STORE	SAFETY SHOES-LOWE	646.08
352297	ROBERTS AND BRUNE CO	PIPE & FITTINGS	1,917.24
352305	USA NORTH 811	MEMBER DUES	1,658.16
352306	VERIZON WIRELESS	DATA PLAN	380.10
352318	BANK OF AMERICA	SUPPLIES	239.18
352371	LOWES COMPANIES INC	SMALL TOOLS	15.48
352372	LOWES COMPANIES INC	LUMBER	6.88
352426	XEROX CORPORATION	COPIER LEASE/USAGE	284.92
352427	XEROX CORPORATION	COPIER LEASE/USAGE	354.79
922525	KARSTE CONSULTING INC	CONSULTING SERVICES	1,110.00
Water Meter Reading			
352306	VERIZON WIRELESS	DATA PLAN	38.01
352318	BANK OF AMERICA	SUPPLIES	176.19
Public Buildings & Facilities			
352323	BROWN AND CALDWELL INC	PROFESSIONAL SERVICES	6,211.19
922526	NICHOLS CONSULTING ENGINEERS CORP	PROFESSIONAL SERVICES	540.00
Warehouse & Central Stores			
352285	OFFICE MAX INC	OFFICE SUPPLIES	79.28
352304	UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	13.30
352426	XEROX CORPORATION	COPIER LEASE/USAGE	293.66
352427	XEROX CORPORATION	COPIER LEASE/USAGE	405.04
621 Sewer Fund			
Sewer-Wastewater Supervision			
352237	DOWNEY BRAND ATTORNEYS LLP	LEGAL SERVICES	2,904.00
352306	VERIZON WIRELESS	DATA PLAN	114.03
352426	XEROX CORPORATION	COPIER LEASE/USAGE	284.86
352427	XEROX CORPORATION	COPIER LEASE/USAGE	354.82
Sewer-Wastewater Collection			
352216	AT AND T MCI	PHONE	60.21
352234	DELTA DIABLO	HOUSEHOLD HAZARDOUS WASTE	9,493.55

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352241 EDD	UNEMPLOYMENT CLAIMS	38.25
352243 FASTLANE TEK INC	CONSULTING SERVICES	5,686.25
352247 FINTA ENTERPRISES INC	SUPPLIES	9,625.00
352264 INFOSEND INC	PRINT/MAIL SERVICES	1,942.62
352277 LUCITY INC	CONNECTION PROGRAM	10,496.00
352285 OFFICE MAX INC	OFFICE SUPPLIES	102.52
352295 RED WING SHOE STORE	SAFETY SHOES-LEWIS	428.27
352306 VERIZON WIRELESS	DATA PLAN	228.06
352318 BANK OF AMERICA	SUPPLIES	492.21
352352 FERNANDEZ LOPEZ, KIM ANGEL	PERMIT FEE REIMBURSEMENT	70.00
352405 ROOTX	SUPPLIES	1,069.03
352407 RT LAWRENCE CORP	LOCKBOX PROCESSING FEE	615.35
922517 CDW GOVERNMENT INC	COMPUTER SOFTWARE	23.60
922520 CRYSTAL CLEAR LOGOS INC	SHIRTS	731.32
922524 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	413.28
Wastewater Collection		
922526 NICHOLS CONSULTING ENGINEERS CORP	PROFESSIONAL SERVICES	540.00
622 Sewer Facilities Expansion Fund		
Wastewater Collection		
203447 UNITED STATES POSTAL SERVICE	POSTAGE	7.40
631 Marina Fund		
Non Departmental		
352250 GANISTER, CHRISTOPHER	BERTH DEPOSIT REFUND	814.00
352252 GEROW, TERRI	BERTH DEPOSIT REFUND	40.00
352253 HAINES, HARRY	BERTH DEPOSIT REFUND	386.84
352267 JEFFREY, WILLIAM	BERTH DEPOSIT REFUND	166.75
352303 TVRDIK, CHARLIE	BERTH DEPOSIT REFUND	290.00
352391 PEDERSEN, BRANT	CHECK REPLACEMENT	184.00
Marina Administration		
202778 UNITED STATES POSTAL SERVICE	POSTAGE	12.98
203345 DEPARTMENT OF MOTOR VEHICLES	LIEN SALE FEES	8.00
352216 AT AND T MCI	PHONE	78.85
352282 MUNICIPAL POOLING AUTHORITY	PROPERTY INSURANCE	6,033.00
352372 LOWES COMPANIES INC	SUPPLIES	0.79
352388 PACIFIC GAS AND ELECTRIC CO	GAS	7,089.16
352414 STEWARTS TREE SERVICE INC	TREE SERVICE	400.00
352426 XEROX CORPORATION	COPIER LEASE/USAGE	81.28
352427 XEROX CORPORATION	COPIER LEASE/USAGE	102.34
Marina Maintenance		
352295 RED WING SHOE STORE	SAFETY SHOES	190.00
352381 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	1,908.00
922535 LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	1,200.00
Major Projects		
352417 TRANSYSTEMS CORPORATION	CONSULTING SERVICES	478.50

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641 Prewett Water Park Fund

Non Departmental

352257 HILL, LORETTA	DEPOSIT REFUND	500.00
352363 HUB INTERNATIONAL OF CA INSURANCE	INSURANCE PREMIUM	251.96

Recreation Aquatics

352271 KRAMES STAYWELL LLC	SUPPLIES	416.93
352317 BANK OF AMERICA	UNIFORMS	1,299.21
352372 LOWES COMPANIES INC	SUPPLIES	77.29
352378 MUIR, ROXANNE	AEROBIC INSTRUCTOR	70.00

Recreation Water Park

352206 ADORETEX INC	SUPPLIES	538.52
352216 AT AND T MCI	PHONE	44.79
352220 BAY BUILDING MAINTENANCE INC	CARPET CLEANING	200.00
352226 COMMERCIAL POOL SYSTEMS INC	SUPPLIES	7,576.78
352282 MUNICIPAL POOLING AUTHORITY	PROPERTY INSURANCE	3,218.00
352285 OFFICE MAX INC	OFFICE SUPPLIES	1,380.95
352286 PACHECO BROTHERS GARDENING INC	LANDSCAPE SERVICES	3,758.32
352288 PITCHER, JUSTIN WILLIAM	EXPENSE REIMBURSEMENT	15.19
352317 BANK OF AMERICA	SUPPLIES	1,278.42
352321 BAY CITIES PYROTECTOR	SPRINKLERS	881.35
352325 CALIFORNIA DIESEL AND POWER INC	GENERATOR SERVICE	675.00
352329 COMMERCIAL POOL SYSTEMS INC	SUPPLIES	11,871.10
352351 EWING IRRIGATION PRODUCTS	SUPPLIES	381.83
352355 GARDA CL WEST INC	ARMORED CAR PICK UP	179.40
352372 LOWES COMPANIES INC	SUPPLIES	150.97
352373 MANZO, JAKE ANTHONY	EXPENSE REIBURSEMENT	14.09
352386 PACHECO BROTHERS GARDENING INC	LANDSCAPE SERVICES	1,879.16
352388 PACIFIC GAS AND ELECTRIC CO	GAS	31,935.23
352394 PITCHER, JUSTIN WILLIAM	EXPENSE REIMBURSEMENT	431.24
352397 PRAXAIR DISTRIBUTION INC	OXYGEN	175.04
352403 RESPONSIVE COMMUNICATION SERVICES	RADIO	810.89
352412 STATE OF CALIFORNIA	INSPECTION SERVICES	585.00
352420 UNIVAR USA INC	CHEMICALS	3,172.23
352424 WATERLINE TECHNOLOGIES	WATER PARK OPERATIONS	2,255.37
352426 XEROX CORPORATION	COPIER LEASE/USAGE	538.24
352427 XEROX CORPORATION	COPIER LEASE/USAGE	829.38
922522 GRAINGER INC	SUPPLIES	670.87
922524 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	3,614.84

Rec Prewett Concessions

352203 AAA FIRE PROTECTION SVCS	PROTECTION SERVICE	760.76
352216 AT AND T MCI	PHONE	44.47
352263 ICEE COMPANY, THE	SUPPLIES	1,105.29
352422 US FOODSERVICE INC	SUPPLIES	5,588.31

721 Employee Benefits Fund

Non Departmental

352334 CONTRA COSTA COUNTY	PAYROLL DEDUCTIONS	400.00
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352336	CONTRA COSTA COUNTY	PAYROLL DEDUCTIONS	595.81
352366	INTERNAL REVENUE SERVICE	PAYROLL DEDUCTIONS	60.00
352376	MCILVENNA, HALLE MICHELLE	CHECK REPLACEMENT	67.09
352384	OPERATING ENGINEERS TRUST FUND	PAYROLL DEDUCTIONS	5,615.81
352390	PARS	PAYROLL DEDUCTIONS	6,996.02
352393	PERS LONG TERM CARE	PAYROLL DEDUCTIONS	72.02
352399	PERS	PAYROLL DEDUCTIONS	322,598.18
352411	STATE OF CALIFORNIA	PAYROLL DEDUCTIONS	200.00
352413	STATE OF FLORIDA DISBURSEMENT UNIT	PAYROLL DEDUCTIONS	275.00
352418	RECIPIENT	PAYROLL DEDUCTIONS	112.15
352421	US DEPT OF EDUCATION	PAYROLL DEDUCTIONS	366.08
922536	NATIONWIDE RETIREMENT SOLUTIONS	PAYROLL DEDUCTIONS	23,066.51
922542	VANTAGEPOINT TRANSFER AGENTS	PAYROLL DEDUCTIONS	2,834.13



STAFF REPORT TO THE CITY COUNCIL
FOR CONSIDERATION AT THE COUNCIL MEETING OF AUGUST 26, 2014

SUBMITTED BY: Donna Conley, City Treasurer *DC*

DATE August 11, 2014

SUBJECT: Treasurer's Report – JUNE 2014

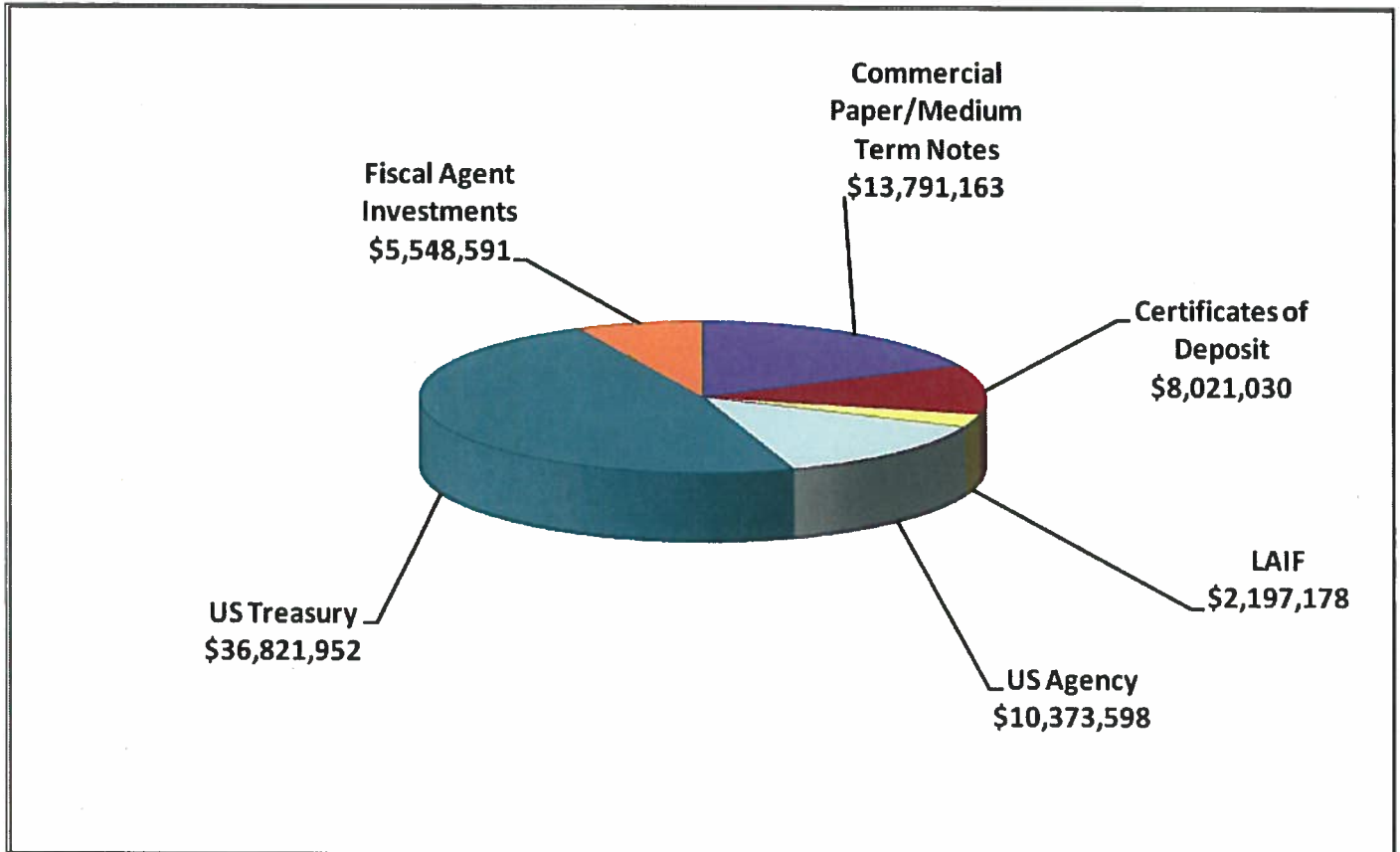
RECOMMENDATION: Review and file.

C

8-26-2014

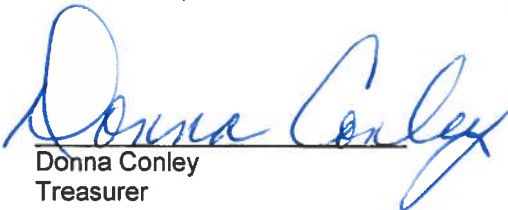
CITY OF ANTIOCH
SUMMARY REPORT ON THE CITY'S INVESTMENTS

JUNE 30, 2014



Total of City and Fiscal Agent Investments = \$76,753,512

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


Donna Conley
Treasurer


Dawn Merchant
Finance Director

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

	<u>Amount</u>
Antioch Public Financing Authority 2002 Lease Revenue Bonds	896,727
Antioch Public Financing Authority 1998 Reassessment Revenue Bonds	3,774,530
Antioch Development Agency 2000 Tax Allocation Bonds	2
Antioch Development Agency 2009 Tax Allocation Bonds	146,060
ABAG Lease Revenue Bonds	<u>731,273</u>
	<u><u>\$5,548,591</u></u>



Managed Account Issuer Summary

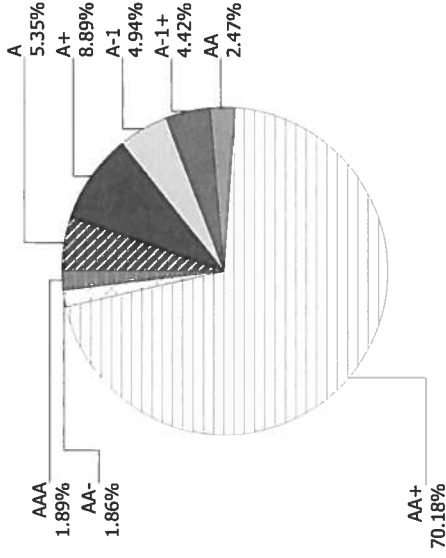
For the Month Ending June 30, 2014

CITY OF ANTIOCH, CA - 04380500

Issuer Summary

Credit Quality (S&P Ratings)

Issuer	Market Value of Holdings	Percent
AMERICAN HONDA FINANCE	588,439.80	0.85
APPLE INC	2,081,486.74	3.02
BANK OF NEW YORK	1,068,386.70	1.55
BANK OF NOVA SCOTIA	1,350,445.50	1.96
BERKSHIRE HATHAWAY INC	934,991.31	1.36
CA ST DEPT OF WATER REV BONDS	500,985.00	0.73
CREDIT SUISSE GROUP	1,701,824.10	2.47
DEERE & COMPANY	1,067,257.80	1.55
FANNIE MAE	2,450,201.95	3.56
FEDERAL HOME LOAN BANKS	2,698,907.29	3.92
FREDDIE MAC	2,071,368.67	3.01
GENERAL ELECTRIC CO	2,215,592.66	3.22
HSBC HOLDINGS PLC	566,289.33	0.82
JP MORGAN CHASE & CO	1,656,253.40	2.40
MET WATER DISTRICT OF SOUTHERN CA	801,300.50	1.16
RABOBANK NEDERLAND	1,693,055.50	2.46
SKANDINAVISKA ENSKIDA BANKEN AB	1,701,779.90	2.47
STATE OF CALIFORNIA	1,513,798.00	2.20
TOYOTA MOTOR CORP	728,993.30	1.06
UNITED STATES TREASURY	36,833,084.31	53.46
UNIVERSITY OF CALIFORNIA	365,744.40	0.53
WAL-MART STORES INC	400,780.40	0.58
WELLS FARGO & COMPANY	2,550,765.83	3.70
WESTPAC BANKING CORP NY	1,351,917.00	1.96
Total	\$68,893,649.39	100.00%



PFM Asset Management LLC



For the Month Ending June 30, 2014

Managed Account Detail of Securities Held

CITY OF ANTIOCH, CA - 04380500

Security Type / Description	Dated Date / Coupon / Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
U.S. Treasury Bond / Note											
US TREASURY NOTES	08/02/2010 1.750% 07/31/2015	912828NP1	AA+	Aaa	10/23/12	10/26/12	337,098.63	0.39	2,372.41	329,756.35	330,611.45
US TREASURY NOTES	08/02/2010 1.750% 07/31/2015	912828NP1	AA+	Aaa	09/06/12	09/10/12	1,810,959.38	0.33	12,701.52	1,766,679.92	1,770,042.84
US TREASURY NOTES	11/30/2010 1.375% 11/30/2015	912828PJ3	AA+	Aaa	11/29/12	12/05/12	2,199,967.38	0.35	2,486.46	2,165,873.79	2,169,526.95
US TREASURY NOTES	01/31/2011 2.000% 01/31/2016	912828PSS3	AA+	Aaa	03/04/14	03/05/14	949,756.25	0.30	7,675.14	944,686.90	944,904.40
US TREASURY NOTES	01/31/2014 0.375% 01/31/2016	912828B41	AA+	Aaa	02/04/14	02/07/14	4,655,994.14	0.31	7,273.65	4,654,793.27	4,656,719.25
US TREASURY NOTES	05/02/2011 2.000% 04/30/2016	912828OF0	AA+	Aaa	03/27/13	03/28/13	997,277.34	0.38	3,201.09	978,077.93	977,980.35
US TREASURY NOTES	06/02/2014 0.375% 05/31/2016	912828WM8	AA+	Aaa	06/02/14	06/03/14	2,799,562.50	0.38	889.34	2,799,579.27	2,797,485.60
US TREASURY NOTES	06/17/2013 0.500% 06/15/2016	912828VG2	AA+	Aaa	04/08/14	04/11/14	259,969.53	0.51	56.83	259,972.80	260,325.00
US TREASURY NOTES	06/30/2009 3.250% 06/30/2016	912828KZZ	AA+	Aaa	05/10/13	05/15/13	2,394,218.75	0.41	194.29	2,324,337.11	2,322,203.13
US TREASURY NOTES	06/30/2009 3.250% 06/30/2016	912828KZZ	AA+	Aaa	05/22/13	05/24/13	3,204,783.20	0.44	260.53	3,114,442.59	3,113,863.28
US TREASURY NOTES	08/31/2011 1.000% 08/31/2016	912828KZZ	AA+	Aaa	05/24/13	05/31/13	3,574,570.31	0.53	291.44	3,478,396.61	3,483,304.69
US TREASURY NOTES	08/31/2011 1.000% 08/31/2016	912828RF9	AA+	Aaa	08/29/13	08/30/13	1,106,015.63	0.82	3,676.63	1,104,353.22	1,111,343.20
US TREASURY NOTES	08/31/2011 1.000% 08/31/2016	912828RF9	AA+	Aaa	02/27/14	03/03/14	4,050,468.75	0.49	13,369.57	4,043,896.84	4,041,248.00
US TREASURY NOTES	11/30/2011 0.875% 11/30/2016	912828RU6	AA+	Aaa	10/31/13	11/01/13	2,403,446.48	0.62	1,767.57	2,399,499.89	2,399,719.92



PFM Asset Management LLC



For the Month Ending June 30, 2014

Managed Account Detail of Securities Held

CITY OF ANTIOCH, CA - 04380500

Security Type / Description	Dated Date / Coupon / Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value	
U.S. Treasury Bond / Note												
US TREASURY NOTES	11/30/2011 0.875% 11/30/2016	912828RU6	AA+	Aaa	11/27/13	12/03/13	3,136,726.56	0.58	2,304.88	3,131,612.45	3,129,194.53	
US TREASURY NOTES	03/31/2012 1.000% 03/31/2017	912828SM3	AA+	Aaa	03/19/14	03/21/14	541,244.53	0.92	1,357.38	541,131.53	543,206.52	
US TREASURY NOTES	05/31/2012 0.625% 05/31/2017	912828SY7	AA+	Aaa	06/02/14	06/03/14	2,784,468.75	0.81	1,482.24	2,784,861.91	2,781,405.20	
Security Type Sub-Total							37,206,528.11	0.49	61,360.97	36,821,952.38	36,833,084.31	

Municipal Bond / Note												
METRO WTR DIST AUTH, CA TXBL REV BONDS	06/28/2012 0.616% 07/01/2014	59266THP9	AAA	Aa1	06/21/12	06/28/12	575,000.00	0.62	1,771.00	575,000.00	575,000.00	
UNIV OF CAL TXBL REV BONDS	10/02/2013 0.528% 05/15/2015	91412GSW6	AA	Aa2	09/26/13	10/02/13	230,000.00	0.53	155.17	230,000.00	230,315.10	
METRO WTR DIST AUTH, CA TXBL REV BONDS	06/28/2012 0.943% 07/01/2015	59266THO7	AAA	Aa1	06/21/12	06/28/12	225,000.00	0.94	1,060.88	225,000.00	226,300.50	
CA ST DEPT OF WATER TXBL REV BONDS	09/27/2012 0.650% 12/01/2015	13066KX87	AAA	Aa1	09/19/12	09/27/12	500,000.00	0.65	270.83	500,000.00	500,985.00	
CA ST TXBL GO BONDS	03/27/2013 1.050% 02/01/2016	13063BN73	AA-	A1	03/13/13	03/27/13	551,859.00	0.93	2,406.25	551,039.93	553,965.50	
UNIV OF CAL TXBL REV BONDS	10/02/2013 0.907% 05/15/2016	91412GSX4	AA	Aa2	09/26/13	10/02/13	135,000.00	0.91	156.46	135,000.00	135,429.30	
CA ST TAXABLE GO BONDS	11/05/2013 1.250% 11/01/2016	13063CFD7	A	Aa3	10/22/13	11/05/13	954,455.50	1.09	1,979.17	953,489.91	959,832.50	
Security Type Sub-Total							3,171,314.50	0.85	7,799.76	3,169,529.84	3,181,827.90	

Federal Agency Bond / Note



PFM Asset Management LLC



For the Month Ending June 30, 2014

Managed Account Detail of Securities Held

CITY OF ANTIOCH, CA - 04380500

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	S&P Rating	Moody's Rating	Par	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Federal Agency Bond / Note												
FREDDIE MAC GLOBAL NOTES	3134G3ZA1	3134G3ZA1	AA+	Aaa	1,825,000.00	07/30/12	07/31/12	1,827,129.78	0.46	3,067.01	1,825,806.78	1,831,265.23
DTD 07/11/2012 0.500% 08/28/2015												
FHLB (CALLABLE) GLOBAL NOTES	3130A0GK0	3130A0GK0	AA+	Aaa	1,375,000.00	12/12/13	12/30/13	1,374,587.50	0.39	14.32	1,374,690.90	1,375,173.25
DTD 12/30/2013 0.375% 12/30/2015												
FANNIE MAE GLOBAL NOTES	3135G0VA8	3135G0VA8	AA+	Aaa	800,000.00	02/14/13	02/15/13	799,088.00	0.54	1,011.11	799,487.98	801,363.20
DTD 02/15/2013 0.500% 03/30/2016												
FREDDIE MAC GLOBAL NOTES	3137EAD09	3137EAD09	AA+	Aaa	240,000.00	03/06/13	03/07/13	239,985.60	0.50	160.00	239,991.43	240,103.44
DTD 03/07/2013 0.500% 05/13/2016												
FNMA NOTES	3135G0CM3	3135G0CM3	AA+	Aaa	655,000.00	10/01/13	10/03/13	664,674.35	0.75	2,115.10	662,282.09	664,608.85
DTD 08/19/2011 1.250% 09/28/2016												
FNMA NOTES	3135G0CM3	3135G0CM3	AA+	Aaa	970,000.00	10/01/13	10/03/13	984,555.92	0.74	3,132.29	980,956.24	984,229.90
DTD 08/19/2011 1.250% 09/28/2016												
FEDERAL HOME LOAN BANKS (CALLABLE)	3130A1CR7	3130A1CR7	AA+	Aaa	1,310,000.00	04/02/14	04/04/14	1,324,396.90	1.25	5,558.40	1,320,853.22	1,323,734.04
DTD 03/27/2014 1.625% 03/27/2017												
Security Type Sub-Total					7,175,000.00			7,214,418.05	0.67	15,058.23	7,204,068.64	7,220,477.91
Corporate Note												
GENERAL ELEC CAP CORP GLOBAL NOTES	36962G5M2	36962G5M2	AA+	A1	865,000.00	05/23/12	05/29/12	874,419.85	1.72	8,885.47	866,918.92	873,520.25
DTD 01/09/2012 2.150% 01/09/2015												
WELLS FARGO & COMPANY	94974BFES	94974BFES	A+	A2	750,000.00	03/26/13	03/28/13	762,978.08	0.73	5,625.00	755,774.09	758,458.50
DTD 06/27/2012 1.500% 07/01/2015												
WELLS FARGO & COMPANY	94974BFES	94974BFES	A+	A2	750,000.00	03/27/13	03/28/13	762,757.50	0.74	5,625.00	755,676.45	758,458.50
DTD 06/27/2012 1.500% 07/01/2015												
JPMORGAN CHASE & CO GLOBAL NOTES	46623EJR1	46623EJR1	A	A3	650,000.00	10/15/12	10/18/12	649,733.50	1.11	1,509.44	649,884.06	652,701.40
DTD 10/18/2012 1.100% 10/15/2015												
BANK OF NEW YORK MELLON (CALLABLE)	06406HCD9	06406HCD9	A+	A1	425,000.00	10/18/12	10/25/12	424,562.25	0.73	561.94	424,807.16	426,351.50
DTD 10/25/2012 0.700% 10/23/2015												
BANK OF NEW YORK MELLON (CALLABLE)	06406HCD9	06406HCD9	A+	A1	640,000.00	12/17/12	12/20/12	638,067.20	0.81	846.22	639,103.31	642,035.20
DTD 10/25/2012 0.700% 10/23/2015												



PFM Asset Management LLC



Managed Account Detail of Securities Held

For the Month Ending June 30, 2014

CITY OF ANTIOCH, CA - 04380500

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note											
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	399,831.08	400,780.40
APPLE INC GLOBAL NOTES DTD 05/03/2013 0.450% 05/03/2016	037833AH3	380,000.00	AA+	Aa1	04/30/13	05/03/13	379,312.20	0.51	275.50	379,577.19	379,191.74
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	724,813.12	728,993.30
GENERAL ELEC CAP CORP (FLOATING) DTD 07/12/2013 0.877% 07/12/2016	36962G7A6	1,330,000.00	AA+	A1	07/09/13	07/12/13	1,330,000.00	0.93	2,527.37	1,330,000.00	1,342,072.41
WELLS FARGO & COMPANY DTD 07/29/2013 1.250% 07/20/2016	94974BFL9	1,025,000.00	A+	A2	07/22/13	07/29/13	1,024,016.00	1.28	5,730.03	1,024,316.42	1,033,848.83
BERKSHIRE HATHAWAY FIN GLOBAL NOTES DTD 08/15/2013 0.950% 08/15/2016	084664BX8	930,000.00	AA	Aa2	08/06/13	08/15/13	929,507.10	0.97	3,337.67	929,649.88	934,991.31
AMERICAN HONDA FINANCE GLOBAL NOTES DTD 10/10/2013 1.125% 10/07/2016	02665WAB7	585,000.00	A+	A1	10/03/13	10/10/13	582,964.20	1.24	1,535.63	583,450.78	588,439.80
JPMORGAN CHASE & CO DTD 02/18/2014 1.350% 02/15/2017	46623EJY6	1,000,000.00	A	A3	02/12/14	02/18/14	999,500.00	1.37	4,987.50	999,560.46	1,003,552.00
APPLE INC CORP NOTE DTD 05/06/2014 1.050% 05/05/2017	037833AM2	1,700,000.00	AA+	Aa1	04/29/14	05/06/14	1,699,099.00	1.07	2,727.08	1,699,144.32	1,702,295.00
JOHN DEERE CAPITAL CORP NOTES DTD 06/12/2014 1.125% 06/12/2017	24422ESN0	1,065,000.00	A	A2	06/09/14	06/12/14	1,064,499.45	1.14	632.34	1,064,508.13	1,067,257.80
HSBC USA INC DTD 06/23/2014 1.300% 06/23/2017	40434CAA3	565,000.00	A+	A2	06/16/14	06/23/14	564,141.20	1.35	163.22	564,147.45	566,289.33
Security Type Sub-Total		13,785,000.00					13,809,976.28	1.05	46,211.63	13,791,162.82	13,859,237.27

Certificate of Deposit

CREDIT SUISSE NEW YORK CERT DEPOS (FLOAT) DTD 07/15/2013 0.626% 01/15/2015	22549TDK1	1,700,000.00	A-1	P-1	07/11/13	07/15/13	1,700,000.00	0.68	2,277.84	1,700,000.00	1,701,824.10
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For the Month Ending June 30, 2014

Managed Account Detail of Securities Held

CITY OF ANTIOCH, CA - 04380500

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Certificate of Deposit											
SKANDINAVISKA ENSKILDA BY NY FLOAT CD		83051HUD6	A-1	P-1	01/07/14	01/10/14	1,700,000.00	0.56	2,208.04	1,700,000.00	1,701,779.90
DTD 01/10/2014 0.552% 01/04/2016											
WESTPAC BANKING CORP NY LT FLOAT CD		96121TWF1	A-1+	P-1	04/16/14	04/17/14	1,350,000.00	0.41	1,142.86	1,350,000.00	1,351,917.00
DTD 04/17/2014 0.406% 04/15/2016											
RABOBANK NEDERLAND NV NY CD		21684BPV0	A-1+	P-1	05/09/14	05/13/14	1,700,000.00	0.71	1,623.50	1,700,000.00	1,693,055.50
DTD 05/13/2014 0.716% 05/06/2016											
BANK OF NOVA SCOTIA HOUS CD FLOAT		06417HMU7	A+	Aa2	06/11/14	06/13/14	1,349,184.60	0.28	276.62	1,349,204.76	1,350,445.50
DTD 06/13/2014 0.410% 06/10/2016											
Security Type Sub-Total							7,799,184.60	0.54	7,528.86	7,799,204.76	7,799,022.00
Managed Account Sub-Total							69,201,421.54	0.64	137,959.45	68,785,918.44	68,893,649.39
Securities Sub-Total							\$69,201,421.54	0.64%	\$137,959.45	\$68,785,918.44	\$68,893,649.39
Accrued Interest											\$137,959.45
Total Investments											\$69,031,608.84



PFM Asset Management LLC



Managed Account Security Transactions & Interest

For the Month Ending June 30, 2014

CITY OF ANTIIOCH, CA - 04380500

Transaction Type	Trade	Settle	Security Description	CUSIP	Par	Principal Proceeds	Accrued Interest	Total	Realized G/L Cost	Realized G/L Amort Cost	Sale Method
BUY											
	06/02/14	06/03/14	US TREASURY NOTES	912828WM8	2,800,000.00	(2,799,562.50)	(86.07)	(2,799,648.57)			
			DTD 06/02/2014 0.375% 05/31/2016								
	06/02/14	06/03/14	US TREASURY NOTES	912828S7	2,800,000.00	(2,784,468.75)	(143.44)	(2,784,612.19)			
			DTD 05/31/2012 0.625% 05/31/2017								
	06/09/14	06/12/14	JOHN DEERE CAPITAL CORP NOTES	24422ESN0	1,065,000.00	(1,064,499.45)	0.00	(1,064,499.45)			
			DTD 06/12/2014 1.125% 06/12/2017								
	06/11/14	06/13/14	BANK OF NOVA SCOTIA HOUS CD	06417HML7	1,350,000.00	(1,349,184.60)	0.00	(1,349,184.60)			
			FLOAT								
	06/16/14	06/23/14	HSBC USA INC	40434CAA3	565,000.00	(564,141.20)	0.00	(564,141.20)			
			DTD 06/23/2014 1.300% 06/23/2017								
Transaction Type Sub-Total					8,580,000.00	(8,561,856.50)	(229.51)	(8,562,086.01)			

INTEREST

	06/01/14	06/01/14	JP MORGAN CHASE & CO NOTES	46625HNN3	1,010,000.00	0.00	23,482.50	23,482.50			
			DTD 05/19/2009 4.650% 06/01/2014								
	06/01/14	06/01/14	CA ST DEPT OF WATER TXBL REV	13066KX87	500,000.00	0.00	1,625.00	1,625.00			
			BONDS								
			DTD 09/27/2012 0.650% 12/01/2015								
	06/03/14	06/03/14	MONEY MARKET FUND	MONEY0002	0.00	0.00	1.70	1.70			
			US TREASURY NOTES	912828VG2	260,000.00	0.00	650.00	650.00			
			DTD 06/17/2013 0.500% 06/15/2016								
	06/30/14	06/30/14	US TREASURY NOTES	912828KZ2	3,300,000.00	0.00	53,625.00	53,625.00			
			DTD 06/30/2009 3.250% 06/30/2016								
	06/30/14	06/30/14	FHLB (CALLABLE) GLOBAL NOTES	3130A0GK0	1,375,000.00	0.00	2,578.13	2,578.13			
			DTD 12/30/2013 0.375% 12/30/2015								
	06/30/14	06/30/14	US TREASURY NOTES	912828KZ2	2,200,000.00	0.00	35,750.00	35,750.00			
			DTD 06/30/2009 3.250% 06/30/2016								
	06/30/14	06/30/14	US TREASURY NOTES	912828KZ2	2,950,000.00	0.00	47,937.50	47,937.50			
			DTD 06/30/2009 3.250% 06/30/2016								
Transaction Type Sub-Total					11,595,000.00	0.00	165,649.83	165,649.83			

MATURITY



PFM Asset Management LLC



For the Month Ending June 30, 2014

Managed Account Security Transactions & Interest

CITY OF ANTIOCH, CA - 04380500

Transaction Type	Trade	Settle	Security Description	CUSIP	Par	Principal Proceeds	Accrued Interest	Total	Realized G/L Cost	Realized G/L Amort Cost	Sale Method
MATURITY											
06/01/14	06/01/14		JP MORGAN CHASE & CO NOTES	46625HHN3	1,010,000.00	1,010,000.00	0.00	1,010,000.00	(52,853.30)	0.00	
			DTD 05/18/2009 4.650% 06/01/2014								
Transaction Type Sub-Total									(52,853.30)	0.00	
SELL											
06/02/14	06/03/14		US TREASURY NOTES	912828UA6	1,700,000.00	1,675,761.72	87.09	1,675,848.81	8,433.59	7,814.74	SPEC LOT
			DTD 11/30/2012 0.625% 11/30/2017								
06/02/14	06/03/14		US TREASURY NOTES	912828NP1	465,000.00	473,664.26	2,764.95	476,429.21	(9,754.10)	1,364.72	SPEC LOT
			DTD 08/02/2010 1.750% 07/31/2015								
06/02/14	06/03/14		FANNIE MAE GLOBAL NOTES	3135G0KM4	1,030,000.00	1,033,769.80	85.83	1,033,855.63	6,746.50	4,718.45	SPEC LOT
			DTD 04/19/2012 0.500% 05/27/2015								
06/02/14	06/03/14		US TREASURY NOTES	912828NP1	1,235,000.00	1,258,011.52	7,343.48	1,265,355.00	(27,353.32)	2,725.37	SPEC LOT
			DTD 08/02/2010 1.750% 07/31/2015								
06/09/14	06/12/14		US TREASURY NOTES	912828RU6	1,065,000.00	1,071,198.63	305.53	1,071,504.16	(2,038.48)	(414.43)	SPEC LOT
			DTD 11/30/2011 0.875% 11/30/2016								
06/12/14	06/13/14		CATERPILLAR FIN CORP NOTES	14912L5D9	250,000.00	251,902.50	106.94	252,009.44	1,982.50	1,928.45	SPEC LOT
			DTD 05/30/2012 1.100% 05/29/2015								
06/12/14	06/13/14		US TREASURY NOTES	912828NP1	650,000.00	661,730.47	4,179.21	665,909.68	(14,777.34)	1,307.22	SPEC LOT
			DTD 08/02/2010 1.750% 07/31/2015								
06/12/14	06/13/14		JOHN DEERE CAPITAL CORP GLOBAL NOTES	24422ERS0	450,000.00	453,069.00	1,947.50	455,016.50	3,190.50	3,111.69	SPEC LOT
			DTD 06/29/2012 0.950% 06/29/2015								
06/16/14	06/23/14		US TREASURY NOTES	912828SM3	560,000.00	562,143.75	1,285.25	563,429.00	853.12	961.10	SPEC LOT
			DTD 03/31/2012 1.000% 03/31/2017								
Transaction Type Sub-Total									(32,717.03)	23,517.31	
Managed Account Sub-Total									(85,570.33)	23,517.31	
Total Security Transactions									(\$85,570.33)	\$23,517.31	



**STAFF REPORT TO THE CITY COUNCIL FOR CONSIDERATION AT THE
COUNCIL MEETING OF AUGUST 26, 2014**

FROM: Lynn Tracy Nerland, City Attorney 

DATE: August 13, 2014

SUBJECT: Rejection of Claims

RECOMMENDATION:

Reject the listed claim:


1. Joshua Broussard 14/15-2180 (personal injury)

LTN/spd

cc: Anthony Allenza
Christina Garcia, Deputy City Clerk

8/26/14

STAFF REPORT TO THE CITY COUNCIL AND CITY AS SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT AGENCY FOR CONSIDERATION AT THE COUNCIL MEETING OF AUGUST 26, 2014

FROM: Lynn Tracy Nerland, City Attorney 
DATE: August 19, 2014
SUBJECT: **Conflict of Interest Code for the City of Antioch and City as Successor Agency to the Antioch Development Agency**

RECOMMENDATIONS:

1. Approve the attached resolution adopting the updated Conflict of Interest Code for the City of Antioch and authorize the City Manager to execute the attached Biennial Notice; and
2. Approve the attached Biennial Notice by motion indicating that no revisions are needed to the Conflict of Interest Code for the City as Successor Agency to the Antioch Development Agency and authorize the City Manager to execute the Biennial Notice.

BACKGROUND:

Pursuant to the Political Reform Act (Cal. Gov't Code sections 87100 *et seq.*), a Conflict of Interest Code designates positions within that agency that make, or participate in making, governmental decisions that may have a material effect on the financial interest of the person holding such position (Appendix B to the Code). A Conflict of Interest Code also sets out disclosure categories, which list the specific types of financial interests that must be disclosed annually by the designated official or employee (Appendix A to the Code).

City

To comply with the Political Reform Act, the City is required to review its Conflict of Interest Code every two years to determine if amendments are necessary to include new positions, delete abolished positions, revise job titles or revise disclosure categories. Positions that still exist, even if currently vacant or frozen/unbudgeted, are still shown. Appendix B to Attachment A shows proposed revisions to designated positions to conform to the City's current organization chart and list of existing but unbudgeted positions in redline format with explanatory notes in comment boxes in the right margins (the final document will not have the redlines or comment boxes).

City as Successor Agency to the Antioch Development Agency

In addition, AB 1484 makes Successor Agencies separate legal entities subject to the Political Reform Act and given guidance from the Fair Political Practices Commission, the City as Successor Agency to the Antioch Development Agency adopted its own Conflict of Interest Code in 2012 (Attachment B). Staff does not see a need to update this Code.

FINANCIAL IMPACTS:

No direct financial impacts to the City or City as Successor Agency are anticipated of the recommended action. Positions that are shown on the Conflict of Interest Code may still be vacant and/or unbudgeted.

OPTIONS:

State law requires the City and City as Successor Agency to review and update their Conflict of Interest Codes. Thus, the only other option would be to provide direction on revisions to these Conflict of Interest Codes.

ATTACHMENTS:

- A. Proposed Resolution for the City
 - Exhibit 1 -- Updated Conflict of Interest Code for the City
 - A. Appendix A – Disclosure categories
 - B. Appendix B - Designated Officials and Employees
 - Exhibit 2 – Biennial Notice

- B. Biennial Notice
 - Exhibit 1 -- Conflict of Interest Code for the City as Successor Agency
 - A. Appendix A – Disclosure categories
 - B. Appendix B - Designated Officials and Employees

RESOLUTION NO. 2014/

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
ADOPTING AN UPDATED CONFLICT OF INTEREST CODE**

WHEREAS, pursuant to the Political Reform Act (Cal. Gov't Code sections 87100 *et seq.*), the City is required by October 1 of each even-numbered year to review and update its Conflict of Interest Code as necessary; and

WHEREAS, Appendix "B" of said Code is proposed to be updated by deleting positions that are no longer in existence, adding new positions, and updating job titles; ;

NOW THEREFORE BE IT RESOLVED THAT the City Council adopts the updated City of Antioch Conflict of Interest Code attached as Exhibit 1, including Appendices A (Disclosure Categories) and B (Designated Officials and Employees) (incorporated by reference).

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 26th day of August 2014, by the following vote:

AYES: Council Members

NOES:

ABSENT:

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

**CONFLICT OF INTEREST CODE
FOR THE CITY OF ANTIOCH**

The Political Reform Act (Government Code §§81000 et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. §18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Practices Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the City of Antioch.

Designated employees shall file their statements with the City Clerk who will make the statements available for public inspection and reproduction. (Gov. Code §81008). Statements for all designated employees will be retained by the City Clerk.

APPENDIX "A"

DISCLOSURE CATEGORIES

Disclosure Category

1 All Interests in Real Property.

This includes any leasehold, beneficial or ownership interest, or an option to acquire such an interest, in real property located within the City of Antioch, or within two miles of the city limits or of and land owned or used by the City. This includes interests owned directly, indirectly or beneficially by the designated employee, or other filer, or his or her immediate family if the fair market value of the interest is \$2,000.00 or more. Interests in real property of an individual includes a pro rate share of interests in real property of any business entity or trust in which the individual or immediate family owns, directly or indirectly or beneficially, a 10% interest or greater. It is not required to disclose a residence which was used exclusively by the filer as his or her personal residence, unless it is also a place of business, or interests acquired by a blind trust pursuant to FPPC Regulation 18235.

2 All Investments not Held by Business Entity or Trust.

This includes any financial interest in any business entity located in or doing business within the City in which the filer or the filer's immediate family had a direct, indirect or beneficial interest aggregating \$2,000.00 or more during the reporting period. A business entity is located in or doing business in the jurisdiction if it, a parent or subsidiary, or a related business entity manufactures, distributes, sells or purchases products or services on a regular basis in the jurisdiction; or plans to do business in the jurisdiction; or has done business in the jurisdiction within the previous two years; or has an interest in real property in the jurisdiction; or has an office in the jurisdiction.

This does not include bank accounts, savings accounts and money market accounts; insurance policies; shares in a credit union; government bonds; diversified mutual funds registered with the Securities and Exchange Commission; common fund trust fund created under Financial Code ' 1564; individual retirement accounts invested in non-reportable interests such as insurance policies, diversified mutual funds or government bonds.

3 Investments Held by a Business Entity or Trust.

This includes investments held by a business entity if the filer's pro rate share of the investment is \$2,000.00 or more and the investment is in a business entity located in, or doing business in, the jurisdiction.

4 Income (other than loans, gifts and honoraria).

This includes gross income and the filer's community property interest in spouse's gross income. Gross income is the total amount of income before deducting expenses, losses or taxes. Income aggregating \$500.00 or more received from any source located in or doing business in the jurisdiction must be disclosed, as defined in the real property disclosure category.

It is not required to report salary or reimbursements for expenses and per diem from a federal, state or local government agency; or reimbursement for travel expenses and per diem received from a bona fide educational, academic or charitable organization; or campaign contributions; or a devise or inheritance; or dividends, interest or other return on a security which is registered with the Securities and Exchange Commission; or payments from an insurance company; or interest, dividends, or premiums on a time or demand deposit in a financial institution, shares in a credit union, an insurance policy or bond or other debt issued by a government agency; or income of dependent children; or alimony or child support payments; or payments received under a defined benefit pension plan.

5 Income (loans, gifts and honoraria).

This includes loans received by the filer or the filer's spouse aggregating \$500.00 or more from a single source which is located in or doing business in the jurisdiction, as defined for real property disclosures. This also includes gifts with an aggregate value of \$50.00 or more received during the reporting period from a single source. All gifts are reportable without regard to where the donor is located. Any number of gifts from one person, the value of which adds up to \$50.00 or more during the reporting period must be disclosed. This also includes honoraria, such as payment for making a speech, publishing an article, or attending an event. Payments aggregating \$50.00 or more during the reporting period must be disclosed. All of these forms of income are subject to the exceptions and exemptions provided by the Fair Political Practices Act and its regulations.

APPENDIX "B"
DESIGNATED OFFICIALS AND EMPLOYEES

The following officials and employees hold positions requiring disclosure of financial interests pursuant to California Government Code Section 87200 and shall file a Form 700:

- Mayor and City Council Members
- Planning Commissioners
- City Treasurer
- City Manager
- City Attorney
- Finance Director

The following officials, employees and consultants are in the following disclosure categories:

<u>Position</u>	<u>Category</u>
Board of Administrative Appeals	1, 2, 3, 4, 5
Building Board of Appeals	1, 2, 3, 4, 5
Economic Development Commissioners	1, 2, 3, 4, 5
Parks and Recreation Commissioners	1, 2, 3, 4, 5

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City Attorney's Office

City Attorney	1, 2, 3, 4, 5
Assistant/Deputy City Attorney	1, 2, 3, 4, 5

City Clerk's Office

City Clerk	1, 2, 3, 4, 5
Deputy City Clerk	1, 2, 3, 4, 5

City Manager's Office

City Manager	1, 2, 3, 4, 5
Assistant City Manager	1, 2, 3, 4, 5
Project Manager	1, 2, 3, 4, 5
Administrative Analyst	1, 2, 3, 4, 5

Comment [It1]: This position became the Economic Development Program Manager

Community Development and Recreation Department

Community Development Director 1, 2, 3, 4, 5
Deputy Director of Community Development 1, 2, 3, 4, 5
Planners -- Assistant, Associate and Senior 1, 2, 3, 4, 5
Chief Building Official 1, 2, 3, 4, 5
Building Inspector 1, 2, 3, 4, 5
Code Enforcement Manager 1, 2, 3, 4, 5
Code Enforcement/Asset Recovery Coordinator 1, 2, 3, 4, 5
Code Enforcement Inspector/Officer 2, 3, 4, 5
Administrative Analyst 1, 2, 3, 4, 5

Comment [Itn2]: Updated title

Comment [Itn3]: Updated title

Economic Development Department

Economic Development Director 1, 2, 3, 4, 5
Deputy Director of Community Development/Long Range Planning 1, 2, 3, 4, 5
Economic Development Program Manager 1, 2, 3, 4, 5

Comment [m4]: This classification is no longer in the classification plan.

Comment [Itn5]: New position

Finance Department

Finance Director 1, 2, 3, 4, 5
Assistant Deputy Finance Director 1, 2, 3, 4, 5
Finance Services Supervisor 1, 2, 3, 4, 5
Buyer# 1, 2, 3, 4, 5

Comment [Itn6]: Updated title

Human Resources Department

Administrative Services Director 1, 2, 3, 4, 5
Human Resources Director 1, 2, 3, 4, 5
Administrative Analyst 1, 2, 3, 4, 5

Comment [Itn7]: New position

Information Systems Department

Director of Information Systems 1, 2, 3, 4, 5
Information Systems Project Manager 1, 2, 3, 4, 5

Police Department

Chief of Police 1, 2, 3, 4, 5
Police Captain 1, 2, 3, 4, 5
Police Lieutenant 1, 2, 3, 4, 5

Administrative Analyst 1, 2, 3, 4, 5

Comment [m8]: New position

Public Works Department

Public Works Director/City Engineer.....	1, 2, 3, 4, 5
Deputy Director of Public Works.....	1, 2, 3, 4, 5
Capital Improvement Director.....	1, 2, 3, 4, 5
Parks Maintenance Superintendent.....	1, 2, 3, 4, 5
Street Maintenance Superintendent.....	1, 2, 3, 4, 5
Water Treatment Plant Superintendent.....	1, 2, 3, 4, 5
Collection Systems Superintendent.....	1, 2, 3, 4, 5
<u>Water Distribution Systems Superintendent</u>	1, 2, 3, 4, 5
Assistant City Engineer.....	1, 2, 3, 4, 5
Engineers –Assistant, Associate, Senior.....	1, 2, 3, 4, 5
Senior Public Works Inspector.....	1, 2, 3, 4, 5
Public Works Inspector.....	1, 2, 3, 4, 5
Administrative Analyst.....	1, 2, 3, 4, 5

Comment [m9]: These 3 positions were removed from the classification plan.

Comment [ltn10]: Updated title

Parks and Recreation Department

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<u>Parks and Recreation Director.....</u>	<u>1, 2, 3, 4, 5</u>
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Comment [ltn11]: New position

** Consultants shall be designated on a case-by-case basis, depending upon the nature of their services. The city manager may determine, in writing, that a particular consultant, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in the City’s Conflict of Interest Code. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of the disclosure requirements. The city manager’s determination shall be a public record and shall be retained for public inspection in the same manner and location as this chapter.*

2014 Local Agency Biennial Notice

Name of Agency: City of Antioch

Mailing Address: P.O. Box 5007

Contact Person: Lynn Tracy Nerland, City Attorney Phone No: (925) 779-7015

E-Mail: Inerland@ci.antioch.ca.us

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (check one box):

An amendment is required. The following amendments are necessary:

(Mark all that apply.)

- Include new positions (including consultants) that must be designated
- Revise disclosure categories
- Revise the titles of existing positions
- Delete positions that no longer make or participate in making governmental decisions
- Other *(describe)* _____

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is more than five years old, amendments may be necessary.)

Verification

This agency's conflict of interest code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Date

Complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2014**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF THE CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC

2014 Local Agency Biennial Notice

Name of Agency: City of Antioch as Successor Agency to the Antioch Development Agency
 Mailing Address: P.O. Box 5007
 Contact Person: Lynn Tracy Nerland, City Attorney Phone No: (925) 779-7015
 E-Mail: Inerland@ci.antioch.ca.us

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (check one box):

An amendment is required. The following amendments are necessary:

(Mark all that apply.)

- Include new positions (including consultants) that must be designated
- Revise disclosure categories
- Revise the titles of existing positions
- Delete positions that no longer make or participate in making governmental decisions
- Other *(describe)* _____

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is more than five years old, amendments may be necessary.)

Verification

This agency's conflict of interest code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Date

Complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2014**, or by the date specified by your agency, if earlier, to:
 (PLACE RETURN ADDRESS OF THE CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC

SA RESOLUTION NO. 2012/02

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
AS SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT AGENCY
ADOPTING A CONFLICT OF INTEREST CODE**

WHEREAS, given the State-mandated dissolution of the Antioch Development Agency February 1, 2012 pursuant to Assembly Bill 1x 26 adopted in June 2011, the City of Antioch decided to become the Successor Agency to the Antioch Development Agency; and

WHEREAS, pursuant to Assembly Bill 1484, adopted in June 2012, the City as Successor Agency to the Antioch Development Agency was deemed a separate legal entity; and

WHEREAS, pursuant to the Political Reform Act (Cal. Gov't Code sections 87100 *et seq.*), the City as Successor Agency to the Antioch Development Agency is required to adopt a Conflict of Interest Code;

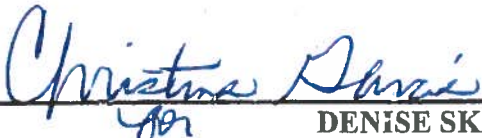
NOW THEREFORE BE IT RESOLVED THAT the City Council adopts the City of Antioch as Successor Agency to the Antioch Development Agency Conflict of Interest Code attached as Exhibit 1, including Appendices A (Disclosure Categories) and B (Designated Officials and Employees) (incorporated by reference).

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch as Successor Agency to the Antioch Development Agency at a regular meeting thereof, held on the 14th day of August 2012, by the following vote:

AYES: Council Members Harper, Rocha, Agopian and Mayor Davis

NOES: None

ABSENT: Council Member Kalinowski



DENISE SKAGGS
CITY CLERK OF THE CITY OF ANTIOCH

APPENDIX "A"

DISCLOSURE CATEGORIES

Disclosure Category

1 All Interests in Real Property.

This includes any leasehold, beneficial or ownership interest, or an option to acquire such an interest, in real property located within the City of Antioch, or within two miles of the city limits or of and land owned or used by the City. This includes interests owned directly, indirectly or beneficially by the designated employee, or other filer, or his or her immediate family if the fair market value of the interest is \$2,000.00 or more. Interests in real property of an individual includes a pro rate share of interests in real property of any business entity or trust in which the individual or immediate family owns, directly or indirectly or beneficially, a 10% interest or greater. It is not required to disclose a residence which was used exclusively by the filer as his or her personal residence, unless it is also a place of business, or interests acquired by a blind trust pursuant to FPPC Regulation 18235.

2 All Investments not Held by Business Entity or Trust.

This includes any financial interest in any business entity located in or doing business within the City in which the filer or the filer's immediate family had a direct, indirect or beneficial interest aggregating \$2,000.00 or more during the reporting period. A business entity is located in or doing business in the jurisdiction if it, a parent or subsidiary, or a related business entity manufactures, distributes, sells or purchases products or services on a regular basis in the jurisdiction; or plans to do business in the jurisdiction; or has done business in the jurisdiction within the previous two years; or has an interest in real property in the jurisdiction; or has an office in the jurisdiction.

This does not include bank accounts, savings accounts and money market accounts; insurance policies; shares in a credit union; government bonds; diversified mutual funds registered with the Securities and Exchange Commission; common fund trust fund created under Financial Code ' 1564; individual retirement accounts invested in non-reportable interests such as insurance policies, diversified mutual funds or government bonds.

3 Investments Held by a Business Entity or Trust.

This includes investments held by a business entity if the filer's pro rate share of the investment is \$2,000.00 or more and the investment is in a business entity located in, or doing business in, the jurisdiction.

4 Income (other than loans, gifts and honoraria).

This includes gross income and the filer's community property interest in spouse's gross income. Gross income is the total amount of income before deducting expenses, losses or taxes. Income aggregating \$500.00 or more received from any source located in or doing business in the jurisdiction must be disclosed, as defined in the real property disclosure category.

It is not required to report salary or reimbursements for expenses and per diem from a federal, state or local government agency; or reimbursement for travel expenses and per diem received from a bona fide educational, academic or charitable organization; or campaign contributions; or a devise or inheritance; or dividends, interest or other return on a security which is registered with the Securities and Exchange Commission; or payments from an insurance company; or interest, dividends, or premiums on a time or demand deposit in a financial institution, shares in a credit union, an insurance policy or bond or other debt issued by a government agency; or income of dependent children; or alimony or child support payments; or payments received under a defined benefit pension plan.

5 Income (loans, gifts and honoraria).

This includes loans received by the filer or the filer's spouse aggregating \$500.00 or more from a single source which is located in or doing business in the jurisdiction, as defined for real property disclosures. This also includes gifts with an aggregate value of \$50.00 or more received during the reporting period from a single source. All gifts are reportable without regard to where the donor is located. Any number of gifts from one person, the value of which adds up to \$50.00 or more during the reporting period must be disclosed. This also includes honoraria, such as payment for making a speech, publishing an article, or attending an event. Payments aggregating \$50.00 or more during the reporting period must be disclosed. All of these forms of income are subject to the exceptions and exemptions provided by the Fair Political Practices Act and its regulations.

APPENDIX "B"
DESIGNATED OFFICIALS AND EMPLOYEES

The following officials and employees hold positions requiring disclosure of financial interests pursuant to California Government Code Section 87200 and shall file a Form 700:

City Treasurer
Finance Director

The following officials, employees and consultants are in the following disclosure categories:

Members of City Council as Successor Agency to the Antioch Development Agency 1, 2, 3, 4, 5

Office of the City Attorney

City Attorney 1, 2, 3, 4, 5
Assistant/Deputy City Attorney 1, 2, 3, 4, 5

City Clerk's Office/Secretary

City Clerk 1, 2, 3, 4, 5
Deputy City Clerk 1, 2, 3, 4, 5

Office of the City Manager

City Manager 1, 2, 3, 4, 5
Assistant City Manager 1, 2, 3, 4, 5
Administrative Analyst 1, 2, 3, 4, 5

Economic Development Department

Economic Development Director 1, 2, 3, 4, 5

Community Development Department

Community Development Director 1, 2, 3, 4, 5
Deputy Director of Community Development 1, 2, 3, 4, 5

Finance Department

Finance Director 1, 2, 3, 4, 5
Assistant Finance Director 1, 2, 3, 4, 5

** Consultants shall be designated on a case-by-case basis, depending upon the nature of their services. The city manager may determine, in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in the Conflict of Interest Code. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of the disclosure requirements. The city manager's determination shall be a public record and shall be retained for public inspection in the same manner and location as this chapter.*

**STAFF REPORT TO THE CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF AUGUST 26, 2014**

Prepared by: Tina Wehrmeister, Community Development & Recreation Director *TW*
Date: August 21, 2014
Subject: Clothing Donation Boxes

RECOMMENDATION

Receive and file this report.

DISCUSSION

Recently there has been public inquiry regarding donation boxes which typically accept clothing and shoes but may also accept other general household items. Concerned residents have noted dumping around these containers and/or "break-ins" resulting in donated materials being strewn around the immediate area. In addition, recent media reports have brought to light that some companies placing these boxes are for profit businesses that give the impression that 100% of donations support non-profit charities.

The intent of this report is to provide information on the existing Municipal Code requirements for such facilities and enforcement information.

Antioch Municipal Code Requirements

Donation boxes are defined as a Small Collection Facility as follows:

COLLECTION FACILITY. *A center for the acceptance by donation, redemption, or purchase of recyclable materials from the public. Such facility does not use power-driven processing equipment, except as set forth in this chapter. **COLLECTION FACILITY** may include the following:*

- (1) Reverse vending machines;*
- (2) Small collection facilities which occupy an area of not more than 500 square feet and may include:*
 - (a) A mobile unit;*
 - (b) Bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet;*
 - (c) Kiosk type units which may include permanent structures; and*
 - (d) Unattended containers placed for the donation of recyclable materials; and*
- (3) Large collection facilities which may occupy an area of more than 500 square feet and may include permanent structures.*

Small Collection Facilities are prohibited in residential, planned business center, commercial office, urban waterfront, open space, hospital and Rivertown low-medium and high density districts. In other commercial and industrial zones, this use requires an Administrative Use Permit and compliance with the following standards:

9-5.3812 SMALL COLLECTION FACILITIES.

Small collection facilities:

(A) *Shall be no larger than 500 square feet in total area and occupy no required parking space. If the Zoning Administrator determines that required parking spaces must be used, then not more than five such spaces may be occupied and must be at the farthest distance possible from the host use;*

(B) *Shall be set back at least 20 feet from any street line and shall not obstruct pedestrian or vehicular circulation nor create any sight distance problem;*

(C) *Shall accept only glass, metals, plastic containers, and papers;*

(D) *Shall use no power-driven processing equipment, except for reverse vending machines;*

(E) *Shall use containers which are constructed and maintained with durable waterproof and rustproof materials, covered when the site is not attended, secured from unauthorized entry or removal of materials, and of sufficient capacity to accommodate materials collected on the collection schedule;*

(F) *Shall store all recyclable materials in containers or in the mobile unit vehicle and shall not leave materials outside of containers when an attendant is not present;*

(G) *Shall be maintained free of litter. Mobile facilities at which the truck or containers are removed at the end of each collection shall be swept daily;*

(H) *Shall (if attended facilities) operate only during the hours between 9:00 a.m. and 7:00 p.m. if located within 100 feet of a residential zone or use;*

(I) *Shall locate containers for the 24 hour donation of materials at least 30 feet from any property zoned for occupancy by a residential use;*

(J) *Shall feature clearly marked containers which identify the type of materials which may be deposited; and the facility shall be clearly marked to identify the name and telephone number of the operator and the hours of operation and display a notice stating that no material shall be left outside of the recycling enclosure or containers;*

(K) *Shall feature identification signs not larger than 16 square feet, not counting the informational signs required by this section. Directional signs, bearing no advertising, may be installed with the approval of the Zoning Administrator if necessary to facilitate traffic circulation or if the facility is not visible from the public right-of-way;*

(L) *Shall not impair the landscaping of the host use; and*

(M) *Shall not reduce parking spaces below the minimum number required for the primary use unless the facility is located in a convenience zone or potential convenience zone as designated by the State Department of Conservation. A reduction in available parking spaces may then be allowed as follows:*

<i>Number of Available Spaces</i>	<i>Maximum Reduction</i>
<i>0-25</i>	<i>0</i>
<i>26-35</i>	<i>2</i>
<i>36-49</i>	<i>3</i>
<i>50-99</i>	<i>4</i>
<i>100+</i>	<i>5</i>

Accordingly, if these facilities are soliciting or accepting clothing, shoes, or other household items, then they would not be allowed in any location. Authorized Small Collections Facilities would also require a Business License.

Responsibility of Real Property Owner and Enforcement Provisions

The City of Antioch has the ability to abate donation boxes that are not in compliance with the Municipal Code under the Property Maintenance Ordinance. Violations should be reported to the Code Enforcement Division.

Anecdotally, staff understands that some real property owners that have been approached by concerned citizens regarding dumping at donation boxes have suggested that the donation box owners be contacted for clean-up. Any Code Enforcement action related to donation boxes will be directed to real property owners as is the case with any other type of property maintenance enforcement. Ultimately, it is the real property owner that is responsible to ensure tenants comply with City requirements. If the donation box was placed without the property owner’s knowledge or consent, that property owner retains the ability, and the responsibility, to remove such facilities, regardless of non-profit status of the responsible entity.

The City is currently in the process of identifying and removing donation boxes that may be located on City property. In addition, many, if not all, of the newer donation boxes in town did not receive an Administrative Use Permit. Staff will enforce the Code as resources allow. First priority is life/safety complaints and vacant/abandoned property.

ATTACHMENTS

- A. Photo of an illegal donation box


ATTACHMENT "A"



12/31/2013

**STAFF REPORT TO THE MAYOR AND CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF AUGUST 26, 2014**

Approved By: Allan Cantando, Chief of Police ^{AC}

Prepared By: Tammany Brooks, Police Captain 

Date: August 13, 2014

Subject: Budget Amendment to Increase Expenditures in the Federal Asset Forfeiture Fund in Fiscal Year 2014/15

RECOMMENDATION

Increase fiscal year 2014/15 budget in the Federal Asset Forfeiture Fund by an additional \$ 49,860 to provide equipment for mobile data systems in patrol vehicles.

BACKGROUND

Antioch Police patrol vehicles are outfitted with mobile data systems (MDS), which are essentially mobile computer systems. Officers utilize their MDS to complete many tasks, including access to the Criminal Justice Information System (CJIS). This database provides access to critical, personal information such as warrants, fingerprint records, criminal histories and sex offender registrations.

In order to prevent unauthorized access to this extremely sensitive information, a security policy governing the access to the CJIS database was enacted in a mandate released by the FBI. The mandate sets forth the minimum requirements for securing access to the data, requiring "Advanced Authentication" to be implemented by all agencies that access this database. All agencies must comply with this mandate by September 30, 2014, or incur penalties and possible loss of access to the database.

Antioch Police will utilize a federal GSA Contract with a sole-source vendor to install and maintain the necessary equipment to meet this mandate, at a cost of \$ 49,860. The federal GSA contract is a cooperative purchasing program with another public agency allowed by the City's procurement procedures that saves staff time researching and bidding a contract, as well as allows the City to benefit from economies of scale. A sole-source vendor is justified given the sensitive information and requirement to access the CJIS database through specialized equipment.

Payment for this project will be obtained through monies currently in the Federal Asset Forfeiture Fund. This amount exceeds the authorized budgeted expenses for this account, therefore requiring a budget amendment of 49,860.

FISCAL IMPACT

The total impact to the 2014/15 budget would be \$ 49,860 from the Federal Asset Forfeiture Fund, and sufficient fund balance is available to pay for this expenditure.

OPTIONS

No options are presented because of the legal requirement to implement these security precautions and the need to use the sole source vendor to install and maintain this specialized equipment.

**STAFF REPORT TO THE MAYOR AND CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF AUGUST 26, 2014**

PREPARED BY: Ahmed Abu-Aly, Associate Engineer, Capital Improvements Division AA
APPROVED BY: Ron Bernal, Public Works Director/City Engineer RJB
DATE: August 13, 2014
SUBJECT: Resolution Accepting Work and Authorizing the Public Works Director/City Engineer to File a Notice of Completion for the 2014 Pavement Maintenance, Rubberized Cape Seal Project, P.W. 328-7

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 \$20,434.28 and a retention payment of \$35,935.55 to be paid 35 days after recordation of the Notice of Completion.

It is recommended that the City Council authorize the Director of Finance to increase the existing contract with California Pavement Maintenance Company, Inc. for this project by \$56,369.83.

BACKGROUND INFORMATION

On February 11, 2014, the City Council awarded a contract to California Pavement Maintenance Company, Inc. in the amount of \$662,141.12.

The project is part of the City's annual Pavement Preventative Maintenance Program, which includes restoring the pavement conditions by applying rubberized chip seal and slurry to existing residential streets. This year's project includes the streets listed on Attachment "C".

On June 30, 2014, the contractor completed all work associated with this project.

FINANCIAL IMPACT

The final contract price for this project is \$718,710.95. The increase in the project cost is due to the extension of the project limits to include additional streets.

Funding for this project was provided from the Gas Tax Fund.

OPTIONS

No options are suggested at this time.

ATTACHMENTS

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

AA:lm

8-26-14

ATTACHMENT "A"

RESOLUTION NO. 2014/**
RESOLUTION ACCEPTING WORK AND DIRECTING
THE PUBLIC WORKS DIRECTOR/CITY ENGINEER
TO FILE A NOTICE OF COMPLETION AND AUTHORIZING FINAL
PAYMENT TO CALIFORNIA PAVEMENT MAINTENANCE COMPANY, INC.
FOR THE 2014 PAVEMENT MAINTENANCE
RUBBERIZED CAPE SEAL PROJECT
(P.W. 328-7)

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 California Pavement Maintenance Company, 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:

1. The above-described work is hereby accepted.
2. 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.
3. The Director of Finance is hereby directed to pay the Contractor a final payment of \$20,434.28 and a retention payment of \$35,935.55 to be paid 35 days after recordation of the Notice of Completion.
4. Authorize the Director of Finance to increase the existing contract with California Pavement Maintenance Company, Inc. for this project by \$56,369.83.

* * * * *

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 26th day of August, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ARNE SIMONSEN
CITY CLERK OF THE CITY OF ANTIOCH

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

2014 PAVEMENT MAINTENANCE RUBBERIZED CAPE SEAL PROJECT (P.W. 328-7)

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 California Pavement Maintenance Company, Inc. was completed on June 30, 2014.

The surety for said project was Travelers Casualty and Surety Company of America.

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"

2014 Pavement Maintenance Rubberized Cape Seal

List of Streets

STREET NAME	LIMITS
Asilomar Drive	Via Dora Drive to New Overlay west of Eagleridge Drive
Bliss Court	Asilomar Drive to End
Avila Court	Asilomar Drive to End
Brocket Court	Asilomar Drive to End
Musk Court	Asilomar Drive to End
Pinecrest Court	Asilomar Drive to End
Grove Court	Asilomar Drive to End
Carpinteria Drive	Via Dora Drive to Garrow Drive
Benbow Court	Carpinteria Drive to End
Stratford Court	Carpinteria Drive to End
Topaz Court	Carpinteria Drive to End
Peridot Court	Carpinteria Drive to End
Graphite Court	Carpinteria Drive to End
Molera Court	Carpinteria Drive to End
Cats Eye Court	Carpinteria Drive to End
Via Dora Drive	Hillcrest Avenue to Deerfield Drive
San Elijo Court	Via Dora Drive to End
San Gregorio Court	Via Dora Drive to End
San Onofre Court	Via Dora Drive to End
Longview Road.	G Street to Putnam Street
Tanganyka Court	Longview Road to End
Hillside Road	Sunset Lane to Lone Tree Way
Carolyn Court	Hillside Road to End

**STAFF REPORT TO THE MAYOR AND CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF AUGUST 26, 2014**

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

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

DATE: August 19, 2014

SUBJECT: Resolution Accepting Work and Authorizing the Public Works Director/City Engineer to File a Notice of Completion for the Wilbur Avenue Overhead Widening Project, Bridge #28C-0054 P.W. 259-B

RECOMMENDATION

1. Authorize the Director of Finance to amend the 2014-2015 Capital Improvement Budget for the project in the amount of \$250,000.00 and increase the existing contract with ProVen Management Inc. for this project by \$550,832.12; and
2. 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 \$571,380.10 and a retention payment of \$532,837.28 to be paid 35 days after recordation of the Notice of Completion and upon resolution of the outstanding subcontractor claims.

BACKGROUND INFORMATION

On October 23, 2013, the City Council awarded a contract to ProVen Management Inc. in the amount of \$10,306,983.55.

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

On July 9, 2014 the contractor completed all work associated with this project.

Five stop notice claims totaling \$212,271.44 from subcontractors have not yet been resolved. This amount will be withheld until the subcontractor claims are resolved.

FINANCIAL IMPACT

The final construction contract price for this project is \$10,857,815.67. Funding for this construction contract will be funded with 88.53% from the Highway Bridge Rehabilitation and Replacement Federal Grant and 11.47% from Gas Tax Funds.

Of the total project cost to date of \$14,344,680, \$12,472,708 was paid via the federal grant with the remaining \$1,871,972 paid via Gas Tax funds.

OPTIONS

No options are suggested at this time.

ATTACHMENTS

- A: Resolution Accepting Work
- B: Notice of Completion

RESOLUTION NO. 2014/**
RESOLUTION ACCEPTING WORK AND DIRECTING
THE PUBLIC WORKS DIRECTOR/CITY ENGINEER
TO FILE A NOTICE OF COMPLETION AND AUTHORIZING FINAL
PAYMENT TO PROVEN MANAGEMENT INC.
FOR THE WILBUR AVENUE OVERHEAD
WIDENING PROJECT, BRIDGE #28C-0054
(P.W. 259-B)

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 ProVen Management 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:

1. The above-described work is hereby accepted.
2. 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.
3. The Director of Finance is hereby directed to increase the existing contract with ProVen Management Inc. for this project by \$550,832.12.
4. The Director of Finance is hereby directed to pay the Contractor a final payment of \$399,178.60 and a retention payment of \$532,837.28 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 26th day of August, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ARNE SIMONSEN
CITY CLERK OF THE CITY OF ANTIOCH

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

**WILBUR AVENUE OVERHEAD
WIDENING PROJECT, BRIDGE #28C-0054
(P.W. 259-B)**

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 ProVen Management Inc. was completed on July 9, 2014.

The surety for said project was Liberty Mutual Insurance Company.

The subject project consisted of seismic retrofit and widening of the existing bridge on Wilbur Avenue 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

**STAFF REPORT TO THE MAYOR AND CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF AUGUST 26, 2014**

PREPARED BY: Harold Jirousky, Assistant Engineer *HJJ*
REVIEWED BY: Lynne B. Filson, Assistant City Engineer *LB*
APPROVED BY: Ron Bernal, Public Works Director/City Engineer *RB*
DATE: August 13, 2014
SUBJECT: Resolution Accepting Work and Authorizing the Public Works Director/City Engineer to File a Notice of Completion for the Lone Tree Way Intersection Improvements, Deer Valley Road to Hillcrest Avenue, (P.W. 555-12C)

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution to:

1. Authorize the Director of Finance to amend the 2013-2014 Capital Improvement Budget to increase Measure "J" funding for this project in the amount of \$190,000.00 and increase the existing contract with Bay Cities Paving and Grading, Inc. by \$260,304.08; and
2. Accept work; authorize the Public Works Director/City Engineer to File a Notice of Completion and authorizing the Director of Finance to make a final payment of \$236,771.42 plus retention of \$86,851.44 to be paid 35 days after recordation of the Notice of Completion.

BACKGROUND INFORMATION

On April 9, 2013, the City Council awarded a contract to Bay Cities Paving and Grading, Inc. in the amount of \$1,476,724.72 for the construction of a second left turn lane on southbound Deer Valley Road at Lone Tree Way and lengthening the existing left turn lane on eastbound Lone Tree Way into the Prewett Water Park and Community Center.

The final contract price is \$1,737,028.80 and varies from the amount awarded predominately due to delays related to the relocation of underground facilities by PG&E and additional work for unknown underground obstructions. Staff has notified PG&E of the impending change order request from Bay Cities concerning the additional cost. Staff will be forwarding back up of the additional cost to PG&E for reimbursement due to the delay. On August 1, 2014, the contractor completed all work associated with this project.

FINANCIAL IMPACT

This project is funded by Measure "J" and Assessment District 27/31R.

OPTIONS

No options are suggested at this time.

ATTACHMENTS

- A: Resolution Accepting Work
- B: Notice of Completion

HJ:lm

8-26-14

RESOLUTION NO. 2014/**
RESOLUTION ACCEPTING WORK AND DIRECTING THE PUBLIC
WORKS DIRECTOR/CITY ENGINEER TO FILE A NOTICE OF
COMPLETION AND AUTHORIZING FINAL PAYMENT TO BAY CITIES
PAVING AND GRADING, INC. FOR THE LONE TREE WAY
INTERSECTION IMPROVEMENTS, DEER VALLEY ROAD TO
HILLCREST AVENUE, INCLUDING DEER VALLEY ROAD/LONE TREE
WAY INTERSECTION AND THE TURN POCKET EXTENSION AT
LONE TREE WAY/PREWETT PARK, ASSESSMENT DISTRICT NO.
27/31R, LONE TREE WAY CORRIDOR
(P.W. 555-12C)

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 Bay Cities Paving and Grading, Inc. for the Lone Tree Way Intersection Improvements, Deer Valley Road to Hillcrest Avenue; and

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

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

1. The above-described work is hereby accepted.
2. The Director of Finance is hereby directed to amend the 2013-2014 Capital Improvement Budget to increase Measure "J" funding for this project in the amount of \$190,000.00 and funding of the existing contract with Bay Cities Paving and Grading, Inc. for this project by \$260,304.08.
3. 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.
4. The Director of Finance is hereby directed to pay the Contractor a final payment of \$236,771.42 plus retention of \$86,851.44 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 26th day of August, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ARNE SIMONSEN
CITY CLERK OF THE CITY OF ANTIOCH

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

**THE LONE TREE WAY INTERSECTION IMPROVEMENTS, DEER VALLEY ROAD
TO HILLCREST AVENUE, INCLUDING DEER VALLEY ROAD/LONE TREE WAY
INTERSECTION AND THE TURN POCKET EXTENSION AT LONE TREE
WAY/PREWETT PARK, ASSESSMENT DISTRICT NO 27/31R,
LONE TREE WAY CORRIDOR
(P.W. 555-12C)**

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 Bay Cities Paving and Grading, Inc. was completed on August 1, 2014.

The surety for said project was Liberty Mutual Insurance Company.

The subject project consisted of constructing a second left turn lane on southbound Deer Valley Road at Lone Tree Way and lengthening the existing left turn lane on eastbound Lone Tree Way into the Prewett Water Park and Community Center 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

**STAFF REPORT TO THE MAYOR AND CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF AUGUST 26, 2014**

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

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

DATE: August 13, 2014

SUBJECT: Resolution Approving Program Supplement Agreement No. 013-N to Administering Agency-State Agreement No. 04-5038R for Federal Aid Projects for the Ninth Street Roadway Improvements, (P.W. 687)

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution authorizing the Public Works Director/City Engineer or his designee to sign the Program Supplement Agreement No. 013-N to Administering Agency-State Agreement No. 04-5038R for Federal Aid Projects to receive federal grant funding for the Ninth Street Roadway Improvements.

BACKGROUND INFORMATION

The City has been selected to receive federal grant funding from the federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) program in the amount of \$673,000 for the Ninth Street roadway improvements from "A" Street to "H" Street. The project will include reconstructing the roadway pavement section at the intersections, grind and overlay the existing pavement, install new handicap ramps that meet ADA standards, replace damaged sidewalks, curb and gutter, and install new drain inlets.

FINANCIAL IMPACT

Approval of this resolution will secure \$673,000 in federal funds for the construction of the Ninth Street roadway improvements from "A" Street to "H" Street. The current engineer's estimate for the project is \$820,800; the City's contribution for the local matching funds of \$147,800 will be funded through the Measure "J" Fund.

OPTIONS

1. Withdraw Antioch's Grant application for this project and fund the project through Measure J funds.

ATTACHMENTS

A: Program Supplement Agreement No. 013-N to Administering Agency-State Agreement for Federal Aid Projects No. 04-5038R

AA:lm

RESOLUTION NO. 2014/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROVING
PROGRAM SUPPLEMENT AGREEMENT NO. 013-N TO ADMINISTERING
AGENCY-STATE AGREEMENT NO. 04-5038R FOR THE NINTH STREET
ROADWAY IMPROVEMENTS
(P.W. 687)**

WHEREAS, the City of Antioch is eligible to receive Federal and/or State funding for certain transportation projects, through the California Department of Transportation; and;

WHEREAS, Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, and/or Fund Transfer Agreements need to be executed with the California Department of Transportation before such funds could be claimed; and,

WHEREAS, the City of Antioch wishes to delegate authorization to execute these agreements and any amendments thereto to the Public Works Director or his designee including all Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements, and any amendments thereto with the California Department of Transportation.

THEREFORE, BE IT RESOLVED by the City Council of the City of Antioch, that the Public Works Director or his designee is hereby authorized and directed to sign the Program Supplement Agreement No. 013-N to Administering Agency-State Agreement for Federal Aid Projects No. 04-5038R for the Ninth Street Roadway Improvements Project in the City of Antioch, a true copy of which is on file in the Office of the City Clerk.

* * * * *

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted and passed by the City of Antioch, California, at a regular meeting thereof held on the 26th day of August, 2014 by the following vote:

AYES:

NOES:

ABSENT:

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

ATTACHMENT "A"

PROGRAM SUPPLEMENT NO. N014
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO 04-5038R

Adv Project ID **Date:** July 9, 2014
0414000200 **Location:** 04-CC-0-ANT
Project Number: STPL-5038(023)
E.A. Number:
Locode: 5038

This Program Supplement hereby adopts and incorporates the Administering Agency-State Agreement for Federal Aid which was entered into between the Administering Agency and the State on 12/12/07 and is subject to all the terms and conditions thereof. This Program Supplement is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. _____ approved by the Administering Agency on _____ (See copy attached).

The Administering Agency further stipulates that as a condition to the payment by the State of any funds derived from sources noted below obligated to this PROJECT, the Administering Agency accepts and will comply with the special covenants or remarks set forth on the following pages.

PROJECT LOCATION:

in Antioch, on nine st from A st. to H st.

TYPE OF WORK: grind Asphalt Concrete Overlay, replace handy cap ramp, replace damage sidewalk&curbs, install DI **LENGTH:** 0.0(MILES)

Estimated Cost	Federal Funds		Matching Funds		
	M240	\$673,000.00	LOCAL		OTHER
\$820,800.00			\$147,800.00		\$0.00

CITY OF ANTIOCH

STATE OF CALIFORNIA
Department of Transportation

By _____
Title _____
Date _____
Attest _____

By _____
Chief, Office of Project Implementation
Division of Local Assistance
Date _____

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer  **Date** 7/11/14 \$673,000.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT

A1

SPECIAL COVENANTS OR REMARKS

1. A. The ADMINISTERING AGENCY will advertise, award and administer this project in accordance with the current published Local Assistance Procedures Manual.

B. ADMINISTERING AGENCY agrees that it will only proceed with work authorized for specific phase(s) with an "Authorization to Proceed" and will not proceed with future phase(s) of this project prior to receiving an "Authorization to Proceed" from the STATE for that phase(s) unless no further State or Federal funds are needed for those future phase(s).

C. Award information shall be submitted by the ADMINISTERING AGENCY to the District Local Assistance Engineer within 60 days of project contract award and prior to the submittal of the ADMINISTERING AGENCY'S first invoice for the construction contract.

Failure to do so will cause a delay in the State processing invoices for the construction phase. Please refer to Section 15.7 "Award Package" of the Local Assistance Procedures Manual.

D. ADMINISTERING AGENCY agrees, as a minimum, to submit invoices at least once every six months commencing after the funds are encumbered for each phase by the execution of this Project Program Supplement Agreement, or by STATE's approval of an applicable Finance Letter. STATE reserves the right to suspend future authorizations/obligations for Federal aid projects, or encumbrances for State funded projects, as well as to suspend invoice payments for any on-going or future project by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six-month period.

If no costs have been invoiced for a six-month period, ADMINISTERING AGENCY agrees to submit for each phase a written explanation of the absence of PROJECT activity along with target billing date and target billing amount.

ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current Local Assistance Procedures Manual.

E. Administering Agency shall not discriminate on the basis of race, religion, age, disability, color, national origin, or sex in the award and performance of any Federal-assisted contract or in the administration of its DBE Program Implementation Agreement. The Administering Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of Federal-assisted contracts. The Administering Agency's DBE Implementation Agreement is incorporated by reference in this Agreement. Implementation of the DBE Implementation Agreement, including but not limited to timely reporting of DBE commitments and utilization, is a legal

SPECIAL COVENANTS OR REMARKS

obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Administering Agency of its failure to carry out its DBE Implementation Agreement, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

F. Any State and Federal funds that may have been encumbered for this project are available for disbursement for limited periods of time. For each fund encumbrance the limited period is from the start of the fiscal year that the specific fund was appropriated within the State Budget Act to the applicable fund Reversion Date shown on the State approved project finance letter. Per Government Code Section 16304, all project funds not liquidated within these periods will revert unless an executed Cooperative Work Agreement extending these dates is requested by the ADMINISTERING AGENCY and approved by the California Department of Finance.

ADMINISTERING AGENCY should ensure that invoices are submitted to the District Local Assistance Engineer at least 75 days prior to the applicable fund Reversion Date to avoid the lapse of applicable funds. Pursuant to a directive from the State Controller's Office and the Department of Finance; in order for payment to be made, the last date the District Local Assistance Engineer can forward an invoice for payment to the Department's Local Programs Accounting Office for reimbursable work for funds that are going to revert at the end of a particular fiscal year is May 15th of the particular fiscal year. Notwithstanding the unliquidated sums of project specific State and Federal funding remaining and available to fund project work, any invoice for reimbursement involving applicable funds that is not received by the Department's Local Programs Accounting Office at least 45 days prior to the applicable fixed fund Reversion Date will not be paid. These unexpended funds will be irrevocably reverted by the Department's Division of Accounting on the applicable fund Reversion Date.

G. As a condition for receiving federal-aid highway funds for the PROJECT, the Administering Agency certifies that NO members of the elected board, council, or other key decision makers are on the Federal Government Exclusion List. Exclusions can be found at www.sam.gov.

2. In the event that right of way acquisition for or construction of this project of the initial federal authorization for preliminary engineering is not started by the close of the tenth fiscal year following the fiscal year in which the project is authorized, the ADMINISTERING AGENCY shall repay the Federal Highway Administration through Caltrans the sum of Federal funds paid under the terms of this agreement.

**STAFF REPORT TO THE CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF AUGUST 26, 2014**

PREPARED BY: Ron Bernal, Public Works Director/City Engineer *REB*
DATE: August 18, 2014
SUBJECT: Final Prewett Park Project(s) Development

RECOMMENDATION

It is recommended that the City Council authorize the City Manager to enter into an agreement with Karste Consulting Inc. for \$119,400.00 to provide project management services for the development and construction of the final phase/project at Prewett Community Park (CFD 89-1).

BACKGROUND

In 1989 the City of Antioch began the planning and development of the 100-acre Prewett Community Park. The vision for this site was to be the recreational centerpiece for the community and provide a variety of amenities to Antioch residents. This site's acquisition and development were to be funded by CFD 89-1 (Community Facilities District 89-1) a Mello Roos assessment district with \$50 Million allocated for all City projects.

The original Master Plan included the following: Aquatics Center, Community Center, nature area, amphitheater, walking paths, center plaza, outdoor picnic areas and a western parking lot. The recently completed Library Annex and Police Service Center were not part of the original Master Plan but overwhelming community demand resulted in these projects being added by the City Council.

The City Council has directed staff to complete Prewett Community Park with remaining funds prior to the close of CFD 89-1 in August of 2016. There is a fund balance of approximately \$2,038,000 available of the City's allocation for the final project phase at this site.

The Council has indicated a desire to pursue an all abilities water feature at Prewett Water Park. The first phase of Karste's contract involves pursuing the viability of this option to determine if Council wants to formally pursue this type of improvement for the final phase project.

Staff is recommending that the City Council authorize the City Manager to enter into an agreement with Karste Consulting Inc. for project management services for this final project at Prewett Park. The Principal, Lonnie Karste, has a significant amount of project expertise in Antioch and in particular, in this area of CFD 89-1/Mello Roos funded projects. Karste was the project lead on the development and construction of the Antioch Community Center phase which included the construction of the Community Center, library annex, grand plaza, police service center, and burrowing owl habitat/nature area. Karste was also a member of the original Water Park development team. Karste Consulting Inc. has also managed all of the Measure WW projects (Synthetic Turf Fields, Security Cameras, Golf Course Driving Range Lights, etc.). One of the strengths of this firm is their ability to develop project consensus and complete projects on time and within budget. Staff has reviewed Karste Consulting Inc.'s proposal and believes it meets the needs of this project and the pricing is consistent with projects of this magnitude.

FINANCIAL IMPACT

This consultant's contract of \$119,400.00 and the pending project of approximately \$2 million would be funded by CFD 89-1/Mello Roos; no General Fund resources will be used for this project.

OPTIONS

Council may direct staff to initiate an RFP (request for proposal) for this work. Staff does not recommend this option due to Karste's experience in the area of these types of projects and a desire to complete this final phase of work as quickly as possible due to a favorable bidding climate and potential revenue generation from the project.

ATTACHMENTS

- A. Karste Consulting Inc. Proposal

ATTACHMENT "A"

Karste Consulting Inc.

City of Antioch – Prewett Park Project(s) – CFD 89-1 / Mello Roos Funded

Project Management Scope of Service and Tentative Schedule

Karste Consulting Inc. is proposing to provide project management services to the City of Antioch for the completion of the new selected amenities for the Prewett Community Park. The project budget estimate is approximately \$2.0M. The services outline below will be provided by my firm based upon the final project scope. This project scope is to be determined within the first 60 days of this proposal period. All dates are tentative / subject to change and will be updated after the selection of the final project(s) and a design firm (s) as outlined in Section #1 and Section# 2.

The project schedule is based upon a 13-18 month project completion. The schedule will depend upon the following:

1. Start date.
2. Final project scope.
3. Number of projects to be completed.
4. Design development – TBD after design team(s) is in place.
5. Selection of contractor (s).
6. Construction schedule;
 - a. Start date.
 - b. Weather.
 - c. Access to the facilities.

This schedule may also be affected by but not limited to:

1. City staff schedules, plan or scope changes, available meeting dates, reviews and approvals by city staff, commissions and or the city council.
2. Environmental reviews/ reports if required.

June 2014

Pre-Project:

1. Submit project management proposal.
2. Contract award, City Council approval.
3. Project consultant contract completion.

Section # 1 - Project review and scope development.

- Master plan review. Discussion with key stakeholders (Project Vision).
- Meetings with city recreation and aquatics staff, Antioch City Council members, Parks and Recreation Commissioners to discuss possible design elements. Meetings / interviews – up to twelve (12).
- Key stakeholders meetings up to ten (10) if needed.
- Project input findings/ recommendations report to city staff and Antioch City Council.
- Research design firms with proposed project experience – for RFQ solicitation.
- Project selection – Recommendations by city staff, reviewed by the Antioch Parks and Recreation Commission and approved by the Antioch City Council.

Section # 1 – cost estimate

\$7200.00

Section # 1 and # 2 may run concurrently.

July – August- September- October – November 2014

Section # 2- Project Design Process.

- Mello Roos board mtg. attendance – project scope (Information only).
- RFQ development.
- RFQ solicitation and Informational meetings.
- RFQ review / evaluation and selection.

- Project(s) preliminary budget development
- Contract development process.
 - City attorney review.
 - Contract award – Antioch city council.
 - Contract detail completion – selected design firm, i.e. Insurance, Business License etc.
- Project design starts.
 - Conceptual design review.
 - City staff- recreation , building department , engineering
 - Parks and Recreation Commission.
 - Antioch City council review and approval.
 - Value engineering of project design.
 - Final project design development, review and approval.
 - City Staff reviews recreation building department, engineering.
 - P&R commission review and recommendation to the Antioch City council.
 - Antioch City Council approval.
- Coordination with Environmental consultants if required.
- Meetings city staff – up to eight (8).

Section # 2 Cost Estimate

\$42, 000.00

November- December 2014 and January 2015

Section # 3 RFP – Construction services – contractor selection /bid process

- Project (s) budget update and review
- Development RFP -coordination city staff.
 - RFP to be approved by city staff prior to advertisement (city to provide staff support).

- RFP review / evaluation- selection (city to provide staff support).
- Contract review and award process (city to provide staff support).
- Construction schedule creation (TBD)
- Meetings city staff – up to eight (8).

Final project (s) budget development.

Section # 3 – cost estimate

\$29,000.00

January – (June 2015 or December 2015)

Section # 4 - Project Construction – schedule TBD

- Mello Roos Board project update (TBD).
- Project meetings and coordination client.
 - Coordinate with recreation facility management.
- Weekly project meeting with contractor.
- Coordinate and facilitate city required inspections.
- Change order review coordination (if needed).
- Invoice review coordination (if needed).

Section # 4 – cost estimate

\$38,200.00

Section # 5 – Project wrap up

- Project acceptance – Antioch City Council.
- Final project budget revision.
- Operational cost analysis.
- As-built drawings to Capital Improvement Division.
- Notice of completion filing coordination.

Section # 5- cost estimate

\$3000.00

A4

Project Duration:

General project administration:

- Budget tracking and project expenditures review.
- Provide general assistance, strategic planning and comment/ recommendations project phases as needed.
- Work with Recreation Director as needed on operational issues, budget, user fees, master fee resolution etc.
- Attendance at required city council and commission meetings.
 - Development of required information staff reports for these meetings.
- All travel and expenses included in this proposal.

City of Antioch to provide:

1. Project construction support and coordination within Capital Improvements Division
2. All printing of plans, specifications etc.
3. All meeting notices.
4. Meeting room as requested, to be scheduled in advance with city staff.
5. Project billing of all consultants, contractors sub –contractors. (Consultant to review all invoices prior to approval).
6. All project related costs other than those outlined in this proposal.
7. Onsite work area (project duration only)
8. Project related - Postage and Express mail services.

Meetings:

- a. Key stakeholder Interviews - up to 12 (12)
- b. Antioch City Council-up to six (6)
- c. Parks and Recreation Commission up to four (4)
- d. Mello Roos board –up to two (2)
- e. City staff – up to twenty five (25)

Requested meeting attendance beyond these totals referenced above - Billed at \$150.00 per hour

This proposal does not include:

- 1. Engineering or design services.
- 2. Environmental services if required or recommended.
- 3. Legal reviews related to the project.
- 4. Project inspections
 - a. City of Antioch
 - b. Required inspections by Contra Costa County Health department, the State of California or the Contra Costa Fire District.
- 5. Construction or general contractor services.
- 6. Any project related fees.

Project management cost estimate:

Section # 1	\$7,200.00
Section # 2	\$42,000.00
Section # 3	\$29,000.00
Section # 4	\$38,200.00
Section # 5- cost estimate	\$3,000.00
Total:	\$119,400.00 (Not to Exceed)

Karste Consulting Inc.

5024 Turner rd.

Sebastopol Ca. 95472

STAFF REPORT TO THE MAYOR AND CITY COUNCIL FOR CONSIDERATION AT THE COUNCIL MEETING OF AUGUST 26, 2014

Prepared by: Mike Bechtholdt, Deputy Public Works Director *MB*
Approved by: Ron Bernal, Public Works Director/City Engineer *RB*
Date: August 14, 2014
Subject: Purchase Two (2) Police Patrol Vehicles

RECOMMENDATION

Authorize the purchase and issuance of a purchase order to Folsom Lake Ford, Folsom, CA for two (2) police patrol vehicles for \$59,175 under cooperative purchase state contract number 1-12-23-14.

BACKGROUND

Police patrol vehicle numbers 757 and 759 are at or near the end of their useful service life and are scheduled for replacement. The vehicles will be equipped with auxiliary equipment under separate contract after delivery.

FISCAL IMPACTS

The proposed purchase was approved by City Council with Measure C funds as part of the 2014/15 approved budget. Once taken out of service, the replaced vehicles will be sold at auction.

Cooperative purchase state contracts are another method allowed by the City's procurement procedures to allow the City to take advantage of State-wide contracts. This saves staff time in researching and bidding for items, as well as allows the City to benefit from economies of scale.

OPTIONS

Do not approve the recommended purchase and provide direction regarding how to meet the equipment needs of the Police Department's patrol officers.

ATTACHMENTS

None

**STAFF REPORT TO THE MAYOR AND CITY COUNCIL FOR CONSIDERATION
AT THE MEETING OF AUGUST 26, 2014**

Prepared by: Mike Bechtholdt, Deputy Public Works Director *MB*
Approved by: Ron Bernal, Director of Public Works/City Engineer *REB*
Date: August 14, 2014
Subject: Approve Award of Bid for the Park Maintenance Contract

RECOMMENDATION

Staff recommends that the City Council award the Park Maintenance bid and issuance of a purchase order to Pacheco Brothers Gardening, Hayward, CA, the overall low bidder, for a period of 5 years for \$3,734,821 and an additional \$100,000 per contract year for unscheduled work such as turf repair, accidents and vandalism; and authorize an amendment to the FY 2014/15 General Fund budget for \$216,648.

BACKGROUND

The Department of Public Works published a Request for Proposal for solicitation of competitive bids on June 25, 2014. The bid closed on July 22, 2014. There were three responsive bidders with Pacheco Brothers Gardening, Inc. ("Pacheco") the low bidder.

Pacheco is a full service landscape company with several office locations including Antioch. They have provided the City with landscape maintenance service and worked with our staffing and financial limitations to maintain our park system in a safe and acceptable condition given budget constraints since 2009. In 2011, Pacheco reduced their contract price due to the City's continued severe economic challenges. At that time, Council extended the contract three years ending June 30, 2014.

On June 27, 2014, Council approved a three month contract extension to allow staff to present perspective bidders a comprehensive bid package providing contractors with detailed park maintenance specifications including aerial and base map park acreage and the opportunity to become familiar with the City's park maintenance needs.

The new contract includes all park landscaping within the City including the Antioch Community Center and Prewett Water Park. The bids ranged from a low of \$3,734,821 to \$5,387,243. The annual contract cost would increase from \$531,600 to \$768,409 per year (comparing FY 2014 to FY 2016), which is due to items including:

- Increase in vandalism to the Parks requiring additional services
- Additional costs for fuel and vehicle maintenance
- Two (2) additional employees to address maintenance of aging infrastructure and additional maintenance included in the contract
- An independent subcontractor has been hired by Pacheco to address the damage to turf and plants caused by destructive pests i.e. ground squirrels and gophers
- Replacement irrigation parts for the aging infrastructure
- Increased insurance levels and costs

FISCAL IMPACTS

Funds are allocated as follows and authorized annually through the budget process:

\$3,372,101 General Fund 1002190-Park Maintenance
\$214,250 Antioch Community Center Site 3-A 2194495 63120
\$148,469 Antioch Water Park Interior Site 3-B 6414630 63010

OPTIONS

Do not approve the recommendation.

ATTACHMENTS

A: Bid Tabulation



PARK MAINTENANCE
BID NO. 988-0722-14B
BID CLOSING: Tuesday 22, 2014, 2:00 pm

BID SUBMITTAL LINE ITEM

	1	2	3
	Pacheco Brothers 795 Sandavol Way Hayward, CA 94544	Odyssey Landscape 800 W Eight Mile Road Stockton, CA 95209	MCE Corporation 6515 Trinity Court Dublin, CA 94568
Total 33 Parks for 5 years	3,734,821.00	3,995,550.24	5,387,243.00
Total Discount Credits	42,250.00	78,000.00	0.00
Discounted Total 33 Parks for 5 years	3,692,571.00	3,917,550.24	5,387,243.00
Fiscal year ending June 30, 2015	567,649.00	611,250.00	906,039.00
Fiscal year 2015/16	768,409.00	815,000.00	1,087,247.00
Fiscal year 2016/17	783,823.00	835,375.00	1,108,991.00
Fiscal year 2017/18	799,528.00	856,259.38	1,131,171.00
Fiscal year 2018/19	815,412.00	877,665.86	1,153,795.00
Green Waste Disposal Credit/Deduction / Month	650.00	1,200.00	0.00
Green Waste Disposal Credit/Deduction / 12 Months	7,800.00	14,400.00	0.00
Early Pay Incentives/Discounts	1.00%	0.00	0.00
Terms Net 20			

**STAFF REPORT TO THE MAYOR AND CITY COUNCIL FOR CONSIDERATION AT
THE COUNCIL MEETING OF AUGUST 26, 2014**

Prepared by: Mike Bechtholdt, Deputy Public Works Director *MB*
Approved by: Ron Bernal, Public Works Director/City Engineer *REB*
Date: August 14, 2014
Subject: Purchase Mira Vista Park Playground Equipment

RECOMMENDATION

Authorize the purchase and issuance of a purchase order for Mira Vista Park playground equipment to Miracle Play Group under the "Joint Purchasing" authorization CMAS purchasing program (#64130323) for \$69,870.

BACKGROUND

On July 17, 2014, the Park & Recreation Commission voted unanimously (4-0) to recommend the installation of the proposed play equipment at Mira Vista Park located at Silverado Drive and Cordoba Way. The play equipment is different from other more traditional styles found in most of our other parks within the City and utilizes a rock theme. Additionally, the new system would have poured in place matting only under fall zones and in order to allow disabled users to access the equipment. The remainder of the area would remain sand. The resulting project is significantly less expensive than other traditional play ground equipment installations which generally cost over \$100,000.

The City removed the playground equipment from Mira Vista Park four years ago because it did not meet our public safety and insurance requirements. Construction and installation takes approximately 12 weeks for the date of purchase.

FISCAL IMPACTS

Funds for this project were approved by Council in the 2014/15 Capital Improvement budget in the Park-in-Lieu Fund.

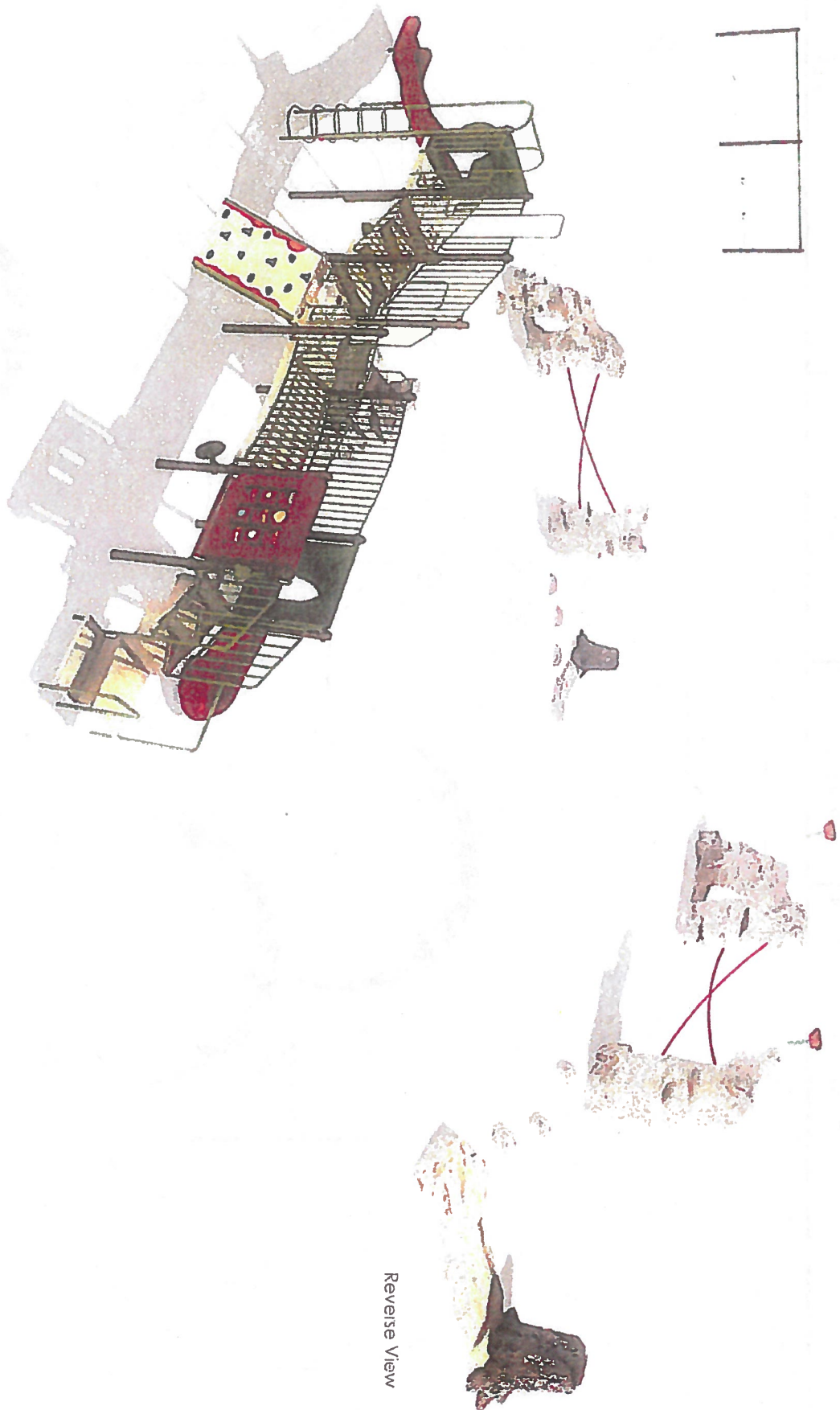
The CMAS purchasing program is run by the California Department of General Services Procurement Division and offers a wide variety of commodities, non-IT services and information technology products and services at prices which have been assessed to be fair, reasonable and competitive. The use of these contracts is available to state and local government agencies and is authorized under the City's procurement policies. Using the CMAS purchasing program saves staff time in researching and bidding for various goods and services and allows the City to take advantage of these "economy of scale" Statewide arrangements.

OPTIONS

Do not approve the recommended purchase or direct staff to look at other equipment.

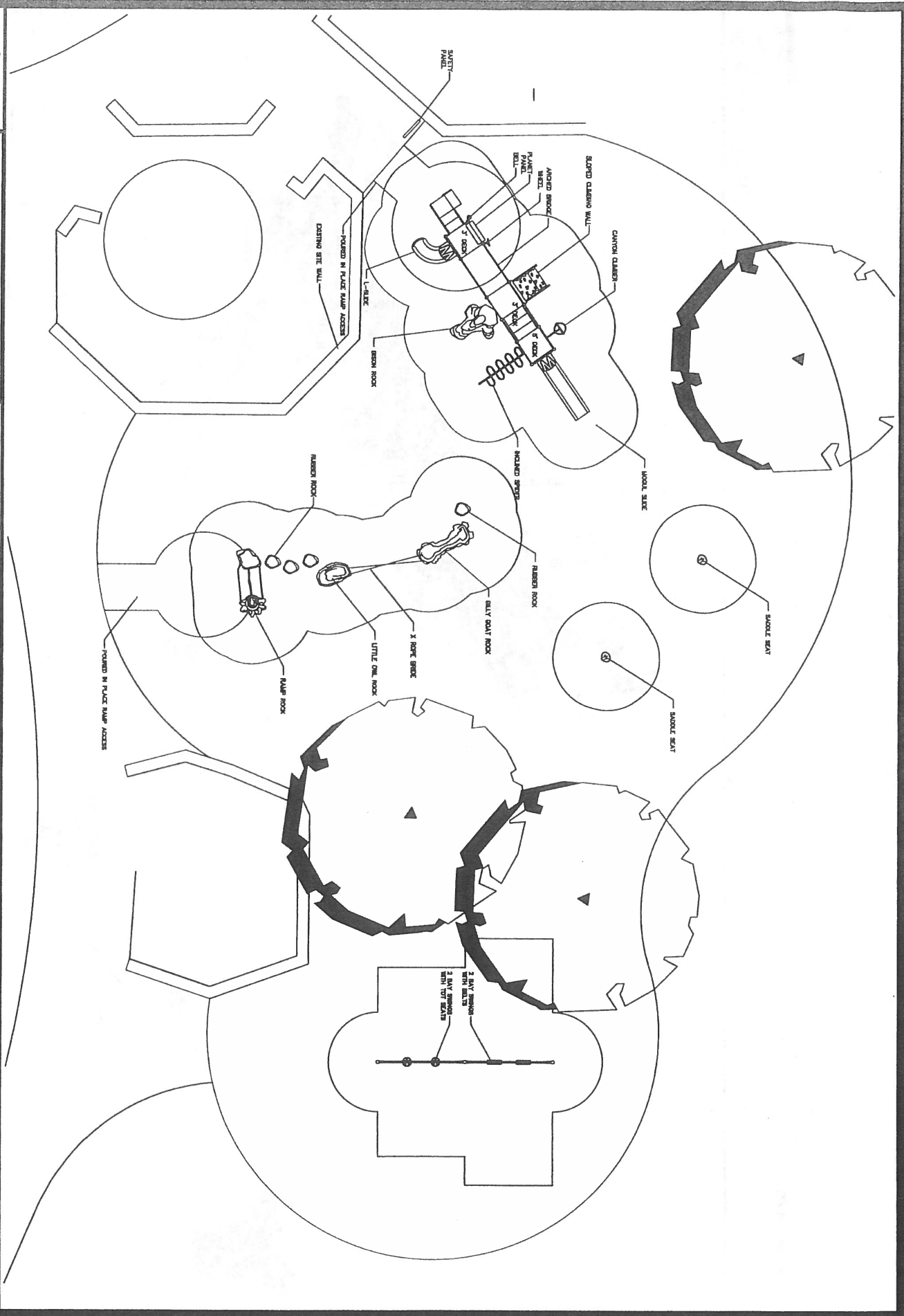
ATTACHMENTS

A: Playground Equipment Overview and Concept



Reverse View

Mira Vista Park
Antioch
6/6/2013
MHO/7/10/00



NOTES:


ALL DRAWINGS ARE SUBJECT TO CHANGE AND SHOULD BE REVIEWED BEFORE FINAL SALE. ALL SITE DIMENSIONS WILL NEED TO BE VERIFIED PRIOR TO SALE AND INSTALLATION.

LINEAR FEET:	N/A	SITE AREA:	64'-9" X 54'-6"
CRITICAL FALL HEIGHT:	5'	SCALE:	1/4"=1'-0"
		DRAWN BY:	DT/TJA
		DATE:	5-24-13

Mira Vista_001

Mira Vista Park
Antioch, CA.

**STAFF REPORT TO THE ANTIOCH CITY COUNCIL FOR CONSIDERATION
AT THE COUNCIL MEETING OF AUGUST 26, 2014**

Prepared by: Steve Duran, City Manager 
Date: August 18, 2014
Subject: Request for Travel and Training – League of California Cities
2014 Annual Conference & Expo

RECOMMENDATION

Motion to approve travel and training for Mayor Pro Tem Mary Rocha.

BACKGROUND

Mayor Pro Tem Mary Rocha will attend the League of California Cities 2014 Annual Conference & Expo. The 2014 program is being held in Los Angeles. A brochure outlining the session is attached as background.

The Annual League Conference provides formal opportunities for training on a wide-range of pertinent City topics, as well as the informal opportunities to hear about successes and failures from other cities.

Mayor Pro Tem Rocha will provide a brief report regarding the Conference at a subsequent Council meeting as required by State law, as well as provide copies of relevant papers and other handouts to the Council and staff.

In addition, the City of Antioch is a member of the League of California Cities and Mayor Pro Tem Rocha will have the opportunity to vote on League policies if she attends.

FISCAL IMPACTS

Total cost is not expected to exceed \$1,000.

OPTIONS

Not approve the requested travel and training.

ATTACHMENT

League of California Cities Annual Conference Brochure

8/26/14



Annual Conference & Expo

SEPTEMBER 3-5, 2014

Registration and Housing Deadline: August 12

Early Bird Registration Deadline: July 9 • www.cacities.org/AC

Los Angeles, California





Invitation to Attend

It is a privilege to serve as your League of California Cities President working with so many esteemed city officials throughout California to keep local governments strong and

ensure that our voices are heard.

I invite you to join me and your colleagues from across the state in Los Angeles for the 2014 Annual Conference and Expo. This three-day conference provides education that benefits your professional development and your city. Come to the Annual Conference to learn from experts on a wide range of municipal issues, network with peers, and discover innovative solutions that you can bring home to your city. You also won't want to miss the Expo where you will find new city-focused products, services, and resources.

This conference is an opportunity to make the most out of your League membership and be at the forefront of local government education. Working together we can ensure that the future of all California cities, and the state as a whole, is bright.

José Cisneros

2013-2014 League of California Cities President
Treasurer, City and County of San Francisco



Welcome

I am proud to welcome the League's Annual Conference back to the City of Angels.

As the center of creativity, Los Angeles has a special place in the hearts of Californians. Our city has long attracted visionaries from around the world who are looking for an opportunity to make their dreams come true.

Los Angeles is a city of big thinkers and big accomplishments and I hope that L.A.'s "can do" spirit inspires conference participants. While you are here, I encourage you to explore the city's world class entertainment venues, parks, museums, and enjoy all that our vibrant neighborhoods have to offer.

On behalf of all Angelenos, I hope you enjoy your stay.

Sincerely,

Eric Garcetti

Mayor, Los Angeles

Los Angeles, California



Dr. Benjamin R. Barber

"If Mayors Ruled the World"

The future of global governance lies with cities. This is the bold thesis of Dr. Benjamin R. Barber in his book *If Mayors Ruled the World*. At a time when nation-states are unable or unwilling to work together across borders in order to address shared challenges, mayors are collaborating and establishing networks with one another with increasing frequency. The activities of these urban partnerships have already made a profound impact on such pressing concerns as climate change and terrorism. A formalization of these networks and processes through a global "Parliament of Mayors" can provide the values of pragmatism, horizontalism, and glocalism to

the way we deal with collective global challenges. It is a proposal sure to spark debate, dialogue, and possibly a new framework for global governance in the 21st century.



Michael Pritchard

"TEAM-Together, Everyone and Anyone Matters"

Hear how Collaboration, Cooperation and Connectivity are the building blocks of a thriving community and workforce. Using humor and humanitarian anecdotes, Michael addresses the themes of overcoming burnout, using humor in stressful situations, fighting indifference and apathy, and ways to reclaim and rejuvenate your dedication to work with and for the public. "I" is illness — "We" is wellness" — Michael Pritchard



2014 ANNUAL CONFERENCE, LOS ANGELES

AS OF APRIL 11, 2014 (SUBJECT TO CHANGE)

WEDNESDAY, SEPTEMBER 3

- 9:00 – 10:30 a.m.....Policy Committees *(at hotel)*
- 10:30 a.m. – NoonPolicy Committees *(at hotel)*
- 8:00 a.m. – 6:00 p.m.Registration Open, Los Angeles Convention Center
- 9:00 – 11:00 a.m.....AB 1234 Training
- 9:00 a.m. – NoonMobile Tours
- 10:30 – 11:15 a.m.....Education
- 11:30 a.m. – 1:00 p.m.Regional Division Lunches *(optional)*
- 1:00 – 1:30 p.m.First Time Attendee Orientation
- 1:30 – 2:45 p.m.**Department Business Meetings**
- 3:00 – 5:00 p.m.**Opening General Session** — Annual Report and Keynote Address
- 5:00 – 7:00 p.m.**Grand Opening Expo Hall & Host City Reception**
(No competing events/receptions are permitted at this time)
- 7:00 – EveningCitipac Event

THURSDAY, SEPTEMBER 4

- 7:00 a.m. – 4:00 p.m.Registration Open
- 8:00 – 9:30 a.m.....Education
- 9:00 a.m. – 4:00 p.m.**Expo Open** *(with Lunch in Exhibit Hall)*
(No competing events 11:30 a.m. – 1:00 p.m.)
- 9:45 – 11:45 a.m.....**General Session** — Keynote Address
- 1:00 – 2:15 p.m.General Resolutions Committee
- 1:00 – 2:15 p.m.Education
- 2:45 – 4:00 p.m.Education
- 4:15 – 5:30 p.m.Education
- 4:15 – 5:30 p.m.Board of Directors Meeting
- 5:30 – EveningNetworking Receptions — Caucus, League Partners, Divisions

FRIDAY, SEPTEMBER 5

- 7:30 – 10:00 a.m.....Registration Open
- 7:30 – 8:45 a.m.....Regional Division Breakfasts *(optional)*
- 9:00 – 10:15 a.m.....Education
- 10:30 – 11:45 a.m.....Education
- Noon – 2:00 p.m.**Closing Luncheon with Voting Delegates & General Assembly**
Install New Board of Directors, Grand Prize
- 2:00 p.m.Adjourn

NOTE: Conference Registration is required to attend Department Meetings, Division Meetings, and General Assembly/Annual Business Meeting as an attendee and/or Voting Delegate.

Tentative Schedule of Events



Resolutions

HOW TO PARTICIPATE IN THE LEAGUE'S ANNUAL CONFERENCE RESOLUTIONS PROCESS

Policy development is a key part of the League's legislative effectiveness. The League's Annual Conference Resolutions process is one way that city officials can directly participate in the development of League policy. The 2014 Annual Conference Resolution Calendar of Events identifies the key points in the process.

Submission of Resolutions

Any elected or appointed city official, individual city, division, department, policy committee, or the board of directors may submit a resolution for consideration at the conference. Resolutions must be submitted to the League's Sacramento office no later than 60 days prior to the opening of the conference. Resolutions should focus on direct municipal issues of statewide importance.

Resolutions submitted to the General Assembly must be concurred by city officials from at least five or more cities. Those submitting resolutions should be prepared to provide written documentation of concurrence by five cities or by city officials from at least five or more cities. This may be in the form of a letter from the city or the city official in support. For concurrence by a city official, the official's city and office held must be included in the letter. All concurrences must be submitted at the time the resolution is submitted by the deadline of Midnight, July 5, 2014.

Consideration at the Conference

The League President refers the resolutions to the League policy committees for review and recommendation at the Conference. Resolutions are next considered by the General Resolutions Committee (GRC), which consists of representatives from each division, department, policy committee and individuals appointed by the League President. Resolutions that are approved by the GRC, and resolutions that are approved by the policy committees, but not approved by the GRC, are next considered by General Assembly. Resolutions approved by the General Assembly become League policy. Other action on resolutions can be: referred back to a policy committee, amend, disapprove, or no action.

Late-Breaking Issues

Resolutions to address late-breaking issues may be introduced by petition at the Annual Conference. To qualify, a petitioned resolution must be signed by 10 percent of the voting delegates and submitted at least 24 hours before the beginning of the Concluding General Assembly (Deadline: Noon, Thursday, September 4). All qualified petitioned resolutions are forwarded to the General Assembly for consideration, regardless of the action recommended by the GRC.

2014 RESOLUTIONS CALENDAR AND DEADLINES

Before the Conference

Friday, June 20: Deadline for submitting appointments to the General Resolutions Committee.

Saturday, July 5, Midnight: Deadline for submitting resolutions to the League office by regular mail, email or fax.

Early August: Resolutions distributed to city officials and posted on the League website.

At the Conference

Wednesday, September 3

9:00 - 10:30 a.m. (Thursday committees)

10:30 a.m. - 12:00 p.m. (Friday committees)

Policy committees meet to review resolutions and make recommendations to the General Resolutions Committee.

Thursday, September 4, 12:00 p.m.: Deadline to submit signatures to qualify a petitioned resolution.

Thursday, September 4, 1:00 p.m.: General Resolutions Committee meets to consider and make recommendations on resolutions.

Friday, September 5, 12:00 p.m.: Consideration of resolutions by cities in the General Assembly at the Annual Business Meeting. (Voting Delegates must be registered at conference and must stay until conclusion of voting. They may register for Friday only.)

EDUCATION

Additional information on speakers and session updates is available at www.cacities.org/AC


A Regional Public Safety Approach to AB 109's Local Impact

The imposition of AB 109 (Realignment) on California communities has severely impacted public safety in and around our cities. In Riverside County, an effort led by the county's 11 city police chiefs in partnership with the District Attorney, Sheriff and Probation is making a huge impact on the negative effects of AB 109. The panel will outline the formation and funding of three regional AB 109 task forces and highlight successes and local impacts. Attendees will be inspired to look at AB 109 regionally and begin working with county agencies to collaborate and share resources to effectively address the local impacts of AB 109.

All About Municipal Revenues — The Update

A constant concern for cities is to ensure their revenues are maximized. Coinciding with the 2014 update of the League's *Municipal Revenue Sources Handbook*, an expert panel provides real examples of revenue enhancement options, and new developments in the revenue arena. Discussions include general fees, special assessments and taxes, sales taxes, and other relevant actions and propositions.

Alternative Methods of Fire Service-Based Service Delivery: Best Practices

Economic reality, elected officials, and other outside influences are compelling fire service leaders to take a serious look at how we deliver service, staff apparatus and deploy resources. During this interactive session, respected California fire service leaders will share the steps they took, the challenges they faced, and the results they are experiencing from their efforts to re-engineer their staffing and deployment. This session will be of interest to elected officials and city managers in addition to Fire Chiefs. 

Beverly Hills Customer Service Initiative

Guided by the Six Essential Elements for Creating a Culture of Service™ – setting expectations, training your team to provide great service, empowering your team, measurement and feedback, celebrating successes, and project and process improvements – the City of Beverly Hills is building a service-driven culture. Learn why focusing on service quality in government is imperative, internally and externally; what the City is doing, how they're doing it; and how your organization can too!

Bigger Than Fun — a Fresh Take on Community Building

Who doesn't like to have fun? What if you could reinvent your city and build community through the power of fun? Hear how the City of Rancho Cordova and other cities are having amazing success boosting community vibrancy and rekindling lost skills by inspiring citizens to step up and create local events, celebrate the arts, explore leadership roles, and more by empowering a local volunteer organization to lead the charge. Learn the secrets to their success and how other cities can do the same. Be prepared to have FUN!

Build Neighborhood Pride and Empower Your Community

Learn effective ways of eliciting public input and increasing neighborhood pride in underserved communities. City staff has collected important feedback from non-profits, seniors and youth; volunteers assisted in the implementation including:

- Civic engagement through ethnic studies projects
- An award winning Mobile Recreation Program called Fun On the Run
- Intergenerational projects created through community dialogues
- Gang Reduction Intervention Partnerships to create a mentor program for at-risk youth
- A Parent Leadership Institute to help Spanish speaking parents navigate the school system and give a voice to our underserved.

These programs run on a shoe string budget.

City Attorneys Track

The League City Attorneys' Department will present its Minimum Continuing Legal Education program at the Annual Conference. Updates will be offered in four municipal litigation subject areas: General Municipal Law, Torts & Civil Rights, Labor & Employment, and Land Use & CEQA. Additional topics will include: Controlling Employee Pension and Retiree Medical Benefit Costs, Defending Fair Housing Claims and Enforcement Actions, and Regulating Non-Emergency Vehicles and Car Service Businesses. Final topics and speakers for the track will be posted on the Annual Conference event website later in the year. Elected officials and city staff are welcome to attend the City Attorneys' Department presentations.

Sessions and speakers are subject to change.

Education


Communicating Complex and Controversial Issues in an Era of Headlines

In today's world where exponentially increasing media sources are constantly competing for our attention, communicating important information and resonating with constituents can be difficult. This process becomes more challenging when cities need to communicate quickly on complex issues or controversial subjects. With the right approach to selecting communications content, developing themes and messages, and making strategic use of all media tools available, cities large and small can reach their residents – or a targeted group of stakeholders – quickly and effectively. Importantly, they can resonate with constituents in a way that promotes engagement and builds consensus.

Continuing the Conversation: Bullying and Municipal Responsibility


Non-discriminatory and anti-harassment policies are important tools for municipalities to communicate community values and sustain public safety. Examine the municipal responsibilities in implementing state, federal, and local laws related to bullying and discriminatory practices in City Hall and beyond. Through the cooperative engagement of civic and community groups, public safety officers and schools, learn about model policies, best practices, and case studies to demonstrate how to effectively implement proactive and culturally appropriate initiatives.

Cooperative Agreements Between Public Agencies – Risks and Rewards

Cooperative agreements allow public agencies to share resources and set forth a clear understanding of how entities provide assistance to each other for their common benefit. Learn the best practices to be considered when crafting cooperative agreements from the perspective of a city attorney and risk management professionals. Specific issues related to public safety will be covered. 

Don't Tweet Your Way To Termination: Social Media & the Public Workplace

Social media in the public workplace continues to raise questions more rapidly than courts can provide answers. This cutting edge session will cover:

- Social media and hiring practices;
- Concerted activity, free speech, and employee discipline;
- Use of social media in workplace investigations;
- Use of social media as evidence in litigation; and
- Social media policies and practices for cities. 


Dog Whisperer Cesar Millan: Mastering Leadership

Get up-close and personal with nationally recognized dog expert, Cesar Millan the Dog Whisperer, as he shares his thoughts on mastering leadership by understanding how to take charge and become a pack leader.


Enhancing Neighborhood Livability Through the Use Of Code Enforcement Receiverships

Health & Safety Code receiverships are powerful, court-supervised tools which can transform neighborhoods. They can be employed to combat substandard single- and multi-family residential properties, dangerous and dilapidated commercial properties, hoarders, drug sales, and other illegal property uses. Learn about the attributes of an effective and cost-effective receivership program, identify potential pitfalls and the means to avoid them, and hear several case studies.

Fire Department EMS Cost Recovery

City managers and elected officials should consider several major points when dealing with emergency medical services delivery systems. Discuss why it can be advantageous for local governments to provide EMS via their fire departments. Assess current and upcoming cost recovery opportunities as a result of federal legislation. Determine how the provision of EMS subsidizes insurance companies unless locals perform appropriate cost analysis and billing of those companies. Establish the value of EMS within fire service to the community. 


Getting to YES! Ballot Box Strategies to Protect/Generate Funding

Does your city need to renew an existing voter tax? Get off the election treadmill by removing its sunset provision? Pass a new measure in a tough community? Fight a tax repeal initiative? Hear from top experts about what other cities are doing to permanently extend voter-approved taxes beyond their sunsets, protect existing taxes or fees from tea party attacks; address significant needs such as street/road repair, old sewer systems, and aging public buildings with simple majority measures. Hear one city's inspiring story of ballot box failure, success, and effective defeat of an attempted repeal and its "lessons learned." 

Government to Governance: Forming Successful Public-Private Partnerships

Every community faces its own set of challenges, but in the current economic climate, one common challenge has emerged: trying to deliver more and better services to citizens with limited resources. From short-term consulting to long-term partnerships, the private sector is poised to be an effective partner for innovation and service delivery. Five key steps to implement public-private partnerships will be shared.

High Cost of Postponing

The high costs arising from incurring an expense (such as promising retiree medical or pension costs) and postponing payment (pay as you go or PERS rates below the needed levels) will be highlighted. 

How to Budget for Your Stormwater Program

There is change underway in stormwater regulation requiring a new level of response from municipalities. Municipalities will need to invest in a variety of actions, including capital improvements. Some key requirements over the next five years include:

- Total Maximum Daily Loads (TMDLs)
- State Boards Trash Amendment
- Sediment Quality Objectives
- Toxicity Policy
- U.S. EPA initiatives: Electronic Reporting Rule, Water Quality Standards Clarifications
- Condition on State Mandates Stormwater Test Claims



An overview of these issues and discuss the resources a typical city will need to comply with stormwater program requirements will be discussed.

Impact of Skateparks: Crime Reduction and Benefits to At-Risk Youth


Learn how to overcome the negative perception often attached to skateboarders and skateboard parks. Hear evidence of crime reduction based on an experience with the skatepark management division along with industry statistics. Information will be shared on the benefits of skateboarding for at-risk youth.

In Depth Study of Health Care Reform Rules Impacting Employers


A number of health care reform provisions are likely to impact whether your organization will continue sponsoring a major medical plan, what kind of plan, and who will be eligible. Understand an organization's options and review a five step action plan to develop your long-term strategy. Information to help explore the following questions will be provided:

- Will you play or pay?
- Would it be beneficial to restructure your workforce?
- Where are your costs likely to increase over the next couple of years?
- Is it time to consider a new type of plan?  


Keeping Focus and Passion in Times of Change and Transition

How can elected and appointed leaders keep their perspectives and positive attitudes in the face of divided councils, angry residents, financial pressures, hostile media, and rapidly changing senior staffing? What techniques can we employ to support ourselves and our teams in times of intense change or transition? The panelists will facilitate structured discussions of what is changing and making governing all the tougher and what attendees can do to keep their passions and focus in the midst of it. 

Keys to Success: Understanding Differences between Private and Public Employment

This workshop will outline the key differences between private and public sector employment, with the goal of providing HR staff tools to address common questions raised by council members and department heads related to discipline, retirement, use of public funds, and overtime. Develop a practical understanding of public service as well as identifying key legal distinctions. 

Lessons from the Field: Cities for Workforce Health

Hear from a panel of cities that received grants and consultation for developing their workforce health programs (through Cities for Workforce Health, an initiative made possible through the League Partner Program). Cities will share the factors that led to the success of their program, the challenges and barriers and how they overcame them, and recommendations for other cities on how to develop their own program. 

Lunch at the Library: Sustainable Partnerships to Support Healthy Kids

For many low-income children, school closures for summer vacation means an end to the daily nutritious meal provided by the school lunch program and limited access to learning and enrichment opportunities. City leaders have an opportunity to bridge the summer nutrition and learning gap and develop sustainable community partnerships by linking public libraries with USDA summer nutrition programs. Through the experiences of Lunch at the Library partnerships in five California cities, learn how to engage schools and community partners and leverage existing resources to support the health and development of children and youth when school is out.

Sessions and speakers are subject to change.


Education

Making the Marriage Work: Effective Relationships from Engagement to Separation

What makes an effective Council-Manager relationship work? Learn from well-respected, veteran professionals about the best practices. Hear candid insights on how to recruit the perfect manager for your city, strategies for ensuring good communication and top quality service. Other topics include succession planning and, should it become necessary, how to arrange for an amicable separation. Even happy marriages can benefit from wise counsel.

Meeting California’s Future Energy Needs; Impacts and Opportunities for Cities

The California electric industry is in the midst of unprecedented change and transformation. Today, new technologies such as solar photovoltaics, battery storage, fuel cells, geothermal energy, wind, micro turbines, and electric vehicle enhanced storage are all emerging markets with challenges and opportunities for cities. Learn to:

- Be prepared for the challenges that will dictate both economic and environmental health of our communities;
- Understand the confluence of factors (i.e., technological innovation, sustainability and efficiency, declining trends in electricity demand growth, etc). 


New Uses of Social Media and the Body Politic

Cities, school districts and other local governmental agencies are increasingly using social media to inform and engage their citizenries. This multi-media workshop will combine various perspectives to discuss innovative uses of social media to facilitate constituent communications and promote important issues of public policy on a regional basis. Discussions focus on different case studies and citizen engagement in local affairs in a time of mass media.

Next Generation Managers: What Every Council Member Should Know!

Council members need to understand the next generation of managers replacing the rapidly retiring “boomers”. Generation X has an outlook on the profession and life that is different than their predecessors. It is a generation who majored in public administration where they were trained in the art and science of city management. In this interactive session, ask the questions you really want to ask but can’t in a formal interview setting.

Panhandling & Prayer: Regulating Conduct Under Recent Case Law

Panhandling regulations and legislative invocations — once considered a relatively settled area of constitutional law came under significant scrutiny as a result of the Due Process revolution of the 1960s. Since then, the Supreme Court has attempted to balance First Amendment protections and the government’s desire to achieve policy interests. Discussions focus on: panhandling regulations and legislative invocations, the origins of Supreme Court jurisprudence and evaluate status of the Supreme Court’s decision, Town of Greece and other decisions, and provide tips to consider when faced with a request to draft a local law or policy regulating panhandling or invocations. 

Public Service, Private Capital

Receive an overview of the latest developments in public-private partnerships for cities, covering California and other U.S. states. Partnerships have the ability to establish or enhance valuable public infrastructure assets without increasing city liabilities, and to harness the creativity and innovation of private sector companies for the public benefit.

Regional Collaborations-Beyond Boundaries Sharing Resources in Constrained Situations

Our post-recession world has changed more than many of us are willing to accept or understand. What “was” no longer exists and “what will be” is not always clear. This is the story of how one city has chosen to lead in uncertain times by re-describing its future both inside and outside city limits. Reaching beyond traditional boundaries, and focusing on energy, water and waste, the city of Salinas is making significant efforts to form regional collaborations that will ultimately result in shared prosperity for an entire region.

Renegotiating City Debt to Revitalize Operations and Improve Essential Services

How do you know if your organization is operationally and financially solvent? How do you deal with the common, sudden realization that there is not enough cash to pay the bills, and enough assets to cover all the promises made to employees and capital providers over the years? Learn to exercise traditional leadership towards a worthwhile goal, within a complex set of state and federal laws. Discussion will focus on revitalizing your operations, delivering essential services to citizens, renegotiating your debts to make your organization solvent, all while treating your employees, contractors and capital providers responsibly.

Retail Opportunity Site Analysis

Learn methodology for analyzing retail opportunity sites. Hear not only about site-specific analysis, but on defining the trade area in which the opportunity site operates as well as the opportunity site's "place" within the larger trade area context. With respect to the opportunity site itself, learn about key areas for and measures of evaluation.


Shared Resources to Attract, Retain and Grow Talented Employees

Learn details of the Two-County Talent Development Programs offered in San Mateo and Santa Clara Counties, with the encouragement of duplicating these programs throughout the State. Some of these programs include:


- Cal-ICMA Coaching Program — Leadership and career development webinars
- Leadership Academies Focused on helping mid-level professionals advance in their organizations
- Tomorrow's City/County Executive Forum prepares future City/County Managers & Department Directors

Attend this session to discover others

Statutory Obligations for Fire Departments to Provide Paramedic & Ambulance Services Part I

Review the impact of legislation enacted in 1980 to protect the rights of cities and fire districts to administer their paramedic and EMS programs. Discussions cover recent challenges to these rights by for-profit corporations, as well as efforts to eliminate 201 rights and replace them with an open bidding process which would result in the award of an exclusive operating area (EOA). 

Statutory Obligations for Fire Departments to Provide Paramedic & Ambulance Services Part II

A brief review of legislation enacted in 1980 to protect the rights of cities and fire districts to administer their paramedic and EMS programs. The session will focus specifically on challenges in Orange, Butte, and Sacramento Counties. Participants may attend Part II without having attended Part I. 

Sessions and speakers are subject to change.

Sustainability — How California Cities are Leading the World

While the State of California has led the nation in energy efficiency, California cities are the true laboratories of new sustainable technologies, renewable power generation, high performance buildings and clean transportation. The audience will learn of cutting edge sustainability programs and the trends in state and municipal laws, as well as opportunities for attracting economic growth and increasing workplace productivity. This entertaining multimedia presentation will incorporate graphics and video to demonstrate the transition to sustainable urban environments and the potential for California cities to lead sustainable development around the world.

Sustainability Solutions: Western Riverside County's Collaborative Approach and New Model

A new model for collaboration and action that responds to WRCOG's unique challenges to improving their defined sustainability indicators for: economic development, education, health, energy & environment, transportation, and water will be highlighted. By uniting local experts/leaders with elected officials and city managers, new roles and actions for WRCOG were identified that support strategies in the above fields. The process resulted in new partnerships in the areas of business attraction/retention, education goals/programs, and connecting businesses and education to better align the future workforce with the local economy.

Sustainable Development: The Pathway to Economic Recovery, Resilience and Prosperity

A growing number of cities are recognizing their climate, energy, health, and economic development goals are all related. Hear perspectives from current and former elected officials and top community development leaders to illustrate how cities of various sizes are addressing social, economic, and environmental issues to be economically competitive and achieve greater prosperity. Learn from best practice case stories, sustainability strategies, useful resources, and funding options to promote economic and community development in today's challenging economic climate.

The California Voting Rights Act — An Update


The CVRA makes all cities that conduct elections for council members "at-large" vulnerable to legal action if plaintiffs who are members of a protected class can prove racially polarized voting and impairment of their ability to elect their chosen candidates. Hear about cities that have been subject to legal action under the CVRA and learn how the Act can affect your city. Receive an update on current legal issues and what the future outlook may be.

Education

**The Elephant NOT in the Room:
Documenting the Silent Majority**

Citizens and interested parties who attend public hearings can heavily influence decision making, despite the possibility that significant populations in the community may not agree with the views expressed in the council chambers or commission room. Explore a variety of emerging tools to help obtain, compile and present to decision makers information to gauge the sentiment of citizens who are not present at public meetings nor typically comment in advance.


**The Science of Developing Alternative
Service Delivery for Local Fire Agencies**

Service demands are compelling fire service leaders to consider reengineering service delivery, taking into consideration risk, citizen expectations, and post Great Recession economics. Interactive discussion led by subject matter experts focus on the science and data analysis needs and processes necessary to determine potential service delivery model changes. 

**Transforming Cities Into Welcoming Places
to Live and Work**

Learn about "Planting Pride In Your Community." California cities participating in the America in Bloom program will share case studies. Hear how cities beautify their communities by establishing partnerships between municipal departments and skilled volunteers. See how these joint efforts can result in cost-saving activities that improve the appearance and visual appeal of each city. Emphasis will be placed on enhancement of floral displays, landscaped areas, urban forestry, environmental awareness and heritage preservation.

**Using Interest Based Principles in Labor
Negotiations and Workplace Management**

A panel of experts will focus on areas including: introducing and practicing the collaborative labor relations paradigm, utilizing interest based principles as a management philosophy, and why these principles resonate as a common denominator in successful organizations of all kinds. 

**Using Mobile Technologies to Enhance
Citizens Collaboration (Engagement)**

How are you keeping up with mobile technologies? Hear discussions on pitfalls and benefits of building your own app. Mobile devices are everywhere. What are you doing about them?

**Veterans Benefits Bring Enormous Value
to Veterans and Their Communities**

Regardless of age, branch of service, post or assignment, honorably discharged veterans are entitled to an impressive array of state and federal veterans' benefits. Those benefits include:

- Bringing hundreds of millions of dollars into California annually;
- Improving the lives and finances of veterans and their families;
- Improving local economies and communities;
- Lowering the local cost of veteran healthcare;
- Lowering veteran unemployment and homelessness;
- Increasing veteran and veteran dependent enrollment in California colleges and universities.

CalVet can help cities ensure their veterans get the benefits they have earned.

What Can You Do For Me?

What untapped university resources are in your cities? Successful city partnerships with universities will be shared. During the discussion, the many university resources available to cities that can resolve fundamental issues will be explored. Learn how government, business, and university partnerships can contribute to economic growth and best practices. 

**Whether You Think Change is Possible or
Not – You're Right!**

Ever thought...things can't get any worse in local government? You know that "awfulization" will never solve our issues. So, how do you move your organization forward? In this interactive session, hear how the City of La Quinta solved a structural deficit, responded to a \$41M hit to general fund reserves, and created a vision as the "City of the Future" that the city council and employees believe in and are enthusiastically implementing. You will learn to create an inspired vision, lead through obstacles, use technology, and discover the secret to unleashing the heroes in your organization. Are you in?

**You're Not Alone: Women on City Councils
of California**

The United Nations defines 30 percent as the minimum number of women required for government to reflect women's concerns. With the underrepresentation of women at the local level, how do we ensure that the actions of the city councils around California adequately represent the interests of women and girls?

Sessions and speakers are subject to change.



Education

TOURS



Explore the Historic Los Angeles River

(Guided van and walking tour)

The City of Los Angeles was founded on the banks of the River. Over 200 years later the Los Angeles River continues to serve as one of the city's most vital natural resources. Today the River is in the midst of a transformation as new parks, wetlands, trails, and bike paths have sprung up on its banks. Come explore some of the River's key

restoration sites in a guided van and walking tour and experience a whole new side of Los Angeles.

Blast Off With the Space Shuttle Endeavour

(Light rail trip to the California Science Center)

Whether it's by car, bus, bike, train or space shuttle, Los Angeles is a city on the move. Experience two of Los Angeles's newest attractions with a trip along our new Expo Line light rail from Downtown to the California Science Center, the new home of the Space Shuttle Endeavour. See firsthand how more Angelenos are getting around and discover the story behind a national treasure.



Be Prepared at the Emergency Operations Center

(Walking tour)

As the second largest city in the country, Los Angeles must be prepared for anything. The city's Emergency Operations Center is the focal point for coordination of the city's emergency planning, training, response, and recovery efforts. See how LA's finest work around the clock and utilize cutting-edge technology to make sure the city is prepared for and defended against natural and man-made disasters.

Expo Grand Prize

Win \$3,000 to be used with any U.S. Communities supplier.

Complete solutions for Facilities, Office, School, Technology, Roads, Workforce, Corrections, First Responders and more!



Must be present at the Closing General Assembly on Friday to win.



Speaker Theater

This expo floor session area highlights successful examples of public-private partnerships. Learn about case studies of innovative projects and programs that have worked in California cities. Hear from elected officials, city staff, and industry experts that have found creative solutions to some of the challenging problems that cities face.

NETWORK

Diversity Groups

The Board of Directors has recognized the following five diversity groups: African-American Caucus; Asian-Pacific Islander Caucus; the Gay, Lesbian, Bisexual & Transgender Local Officials Caucus; Latino Caucus and Women's Caucus. Each will host a networking event at the Annual Conference and are open to all attendees.

Municipal Departments

Departments play an essential role in forming League policy, assisting with conference program development, and are represented on the board of directors. Department Business Meetings will be held at 1:30 p.m. on Wednesday, September 3.

Regional Divisions

Regional Divisions function as the League's grassroots advocacy teams. Divisions are staffed locally by public affairs managers to support League goals. Contact your local manager for more information and prices of onsite networking events.

Brown Act and League Conferences

The Brown Act permits the attendance of a majority of the members of a legislative body at a conference or similar gathering open to the public that addresses issues of general interest to the public or to public agencies of the type represented by the legislative body. However, a majority of the members cannot discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within the local agency's subject matter jurisdiction.

CitiPAC – 9th Annual Leadership Gala Casino Night

In conjunction with the hospitality reception hosted by Willdan, CitiPAC will present its Leadership Gala Casino Night on Wednesday, September 3. Join the League Board of Directors for this exciting evening.

First Time Attendees

Special arrangements to welcome first-time attendees include an orientation briefing on Wednesday, September 3, at 1:00 p.m. Be sure to check the First Time Attendee box when registering.

Helen Putnam Award for Excellence

This program, supported by the League Partners, recognizes outstanding cities that deliver the highest quality and level of service in the most effective manner possible. Visit the special displays by cities that won the 2014 prestigious awards program and learn what your city can adapt from their success.

Host City Reception

Los Angeles is the hottest culinary destination in the country. Food & Wine Magazine called Los Angeles "the best new food city in America" in its March 2014 issue. Hundreds of restaurants in every part of the city offer everything from Michelin-starred, white tablecloth experiences to authentic international street food, not to mention the highly-touted, locally-produced wines and beers. Please join us at the opening night host city reception, taking place from 5:00 – 7:00 p.m. on Wednesday, September 3, at the Los Angeles Convention Center to get a *Taste of L.A.* A registration badge is required to access the event and show floor.

Institute for Local Government

The Institute for Local Government is the 501c3 research affiliate of the California State Association of Counties and the League of California Cities.

Mayors and Council Members Academy

A training certificate program that consists of specific educational programs and community activities that enhance knowledge and skills needed to be more effective in office. Three levels include Leadership, Advanced Leadership, and Leadership in Action. You may participate in all three levels at the same time.

Exhibitors

Exhibitors as of March 21, 2014 (For a current list, visit www.cacities.org/AC)

Note: Those in bold are League Partners

- 1800 Hoarders / Steri-Clean
AAA Flag & Banner
Access Products
Advanced GeoEnvironmental, Inc.
Alliance Resource Consulting LLC
America In Bloom
American Fidelity Assurance Company
American Geotechnical, Inc
AndersonPenna Partners Inc.
Arborjet
Asphalt Zipper
Atkins
Avery Associates
Badger Meter, Inc.
Best Best & Krieger LLP
Best Friends Animal Society
Blais & Associates
Bob Murray & Associates
BonTerra Consulting
BTI Appraisal
Burke, Williams & Sorensen, LLP
Burrtec Waste Industries, Inc.
Buxton
California Association of Code Enforcement Officers
California Building Officials
California Consulting, LLC
California Department of Veteran Affairs
California Fuel Cell Partnership
California Joint Powers Insurance Authority
California Nevada Cement Association
California Prison Industry Authority (CALPIA)
California Product Stewardship Council
CalPERS
CalRecycle
Careers In Government
Carl Warren & Company
CH2M HILL
Champions Funding LLC
Charles Abbott Associates
Chevron Energy Solutions
City Clerks Association of California
City of Rancho Cucamonga
City Ventures
CleanStreet
Climatec BTG
CMB Regional Centers
Comcate, Inc.
Credit Bureau Associates
Crown Castle International, Inc.
CRW Systems, Inc.
CSG Consultants, Inc.
Dapeer, Rosenblit & Litvak, LLP
Dart Container
David Taussig & Associates, Inc.
Digital Ally Inc.
DN Tanks
Dudek
Earth Systems
eCivis
EcoCentre
Environmental Systems Research Institute
Evonik Cyro LLC
Fieldman, Rolapp & Associates, Inc.
Fire Recovery USA
FirstSouthwest
GameTime
George Hills Company, Inc.
GeoStabilization International
Good Energy, L.P.
GovDeals, Inc.
GPS Insight
Graphic Solutions
Griffin Structures, Inc.
GST
HAI, Hirsch & Associates Inc, Landscape Architects
HdL Companies
HEAL Cities Campaign
HMC Architects
HR Green, Inc.
iCity Corporation
In God We Trust-AMERICA, INC.
ING
Intermountain
International Municipal Signal Association Far West
International Parking Design
ITEM, Ltd.
Jamboree Housing Corporation
Jefferies LLC
Jere Melo Foundation
Johnson Controls
Jones & Mayer
Kaiser Permanente
Kasdan Simonds Weber & Vaughan LLP
Keenan & Associates
Kosmont Companies & Auction.com
Laserfiche
LECET Southwest
Library Systems & Services
LINC Housing
Listen Technologies Corporation
Live Earth Products, Inc.
Local Search Association
LPA, Inc.
Matrix Consulting Group
MCE Corporation
Meyers Nave
MRC Inc.
MuniServices
National Construction Rentals
NBS
Newport Pacific Capital Family of Companies
Northern California Carpenters Regional Council
Omni-Means, Ltd.
OpenGov.com
OppSites
Otto Environmental Systems North America, Inc.
Pacific Gas and Electric Company
Paragon Partners Ltd.
PARS
PERC Water
Piper Jaffray
Precision Civil Engineering, Inc.
Public Financial Management Group
Public Restroom Company
Quad Knopf
Ralph Andersen and Associates
RBF Consulting
Renne Sloan Holtzman Sakai, LLP
Renovate America
Republic Services
RJM Design Group, Inc.
RKA Consulting Group
RSG, Inc.
Saber
Schneider Electric
Security Lines US
Sensus
SERVPRO
Severn Trent Services
SIGMAnet, Inc.
SimTek Fence
SmartCitiesPrevail.org
Smartcover by Hadronex
Sol Inc.
Southern California Edison
Southern California Gas Company
Spohn Ranch Skateparks
Sportsplex USA
SSA Landscape Architects, Inc.
State Water Resources Control Board
SyTech Solutions
TBWB Strategies
The Hybrid Shop
The United States Conference of Mayors
TNT Fireworks
TOTER WASTEQUIP
Transtech Engineers, Inc.
Tribal Alliance of Sovereign Indian Nations
Union Pacific Railroad
United Storm Water, Inc.
University of La Verne
U.S. Communities
VacantRegistry.com
Vali Cooper & Associates, Inc.
Valley Vista Services, Inc.
Vanir Construction Management, Inc.
Visa
Vision Internet
Walker Parking Consultants/Engineers Inc.
Water Replenishment District of Southern California
West Coast Arborists, Inc.
Willdan
World Centric

Registration

Registration Includes:

- Admission to education sessions
- Wednesday Host City Reception and Expo; Thursday lunch with exhibitors; Friday General Assembly luncheon

Online Registration (credit card) — Visit www.cacities.org/AC

Mail-in Registration (pay by check) — contact mdunn@cacities.org to request a registration form.

After your registration for the conference is received and processed, a confirmation email will be sent containing the links for housing reservations.

Full Conference Registration Fees

	EARLY BIRD Before July 9	After July 9 and onsite
City Delegate		
Member City	\$ 500	\$ 550
Nonmember City	\$ 1500	\$ 1550
Public Official		
County/State	\$ 575	\$ 625
Partner/Exhibitor/All Others		
Company Representative	\$ 675	\$ 725

NOTE: Conference registration is required to attend the Policy Committees, Department and Annual Conference business meeting and/or to be a Voting Delegate.

One-Day Registration

Early bird rates are not available for one day registrations

City Delegate	
Member City	\$ 275
Nonmember City	\$ 1275
Public Official	
County/State	\$ 325
Partner/Exhibitor/All Others	
Company Representative	\$ 375

Optional Registration Add-ons
(non-refundable)

City Clerks Workshop — \$125 member cities, \$250 non-member cities

Tours:

Explore the Historic Los Angeles River
(Guided van and walking tour)

Blast off with the Space Shuttle Endeavour
(Light rail trip to the California Science Center)

Be Prepared at the Emergency Operations Center
(Walking tour)

Tours have limited space available — \$5 non-refundable processing fee. If you are unable to participate in a tour, your position will be substituted with someone on the wait list.

Guest Registration — \$125

Guest rate is restricted to those who are not city/public officials, are not related to any Partner/Expo company, and would have no professional reason to attend for learning or business. Rate includes admission to the Expo and receptions only. Session seats are reserved for conference registrants. There is no refund for the cancellation of a guest registration. It is not advisable to use city funds to register a guest.

Onsite Badge Pick Up

2014 Annual Conference badges will be available at the registration desk in the Los Angeles Convention Center.

REGISTRATION HOURS:

Wednesday, September 3 – 8:00 a.m. – 6:00 p.m.

Thursday, September 4 – 7:00 a.m. – 4:00 p.m.

Friday, September 5 – 7:30 – 10:00 a.m.



Questions or special needs? Contact our conference registrar at mdunn@cacities.org before Tuesday, August 12.

Refund Policy

Advance registrants unable to attend will receive a refund of rate paid, **minus a \$75 processing charge**, only when a written request is submitted to the League of California Cities, Conference Registration, 1400 K Street, Sacramento, CA, 95814 or mdunn@cacities.org and received before **5:00 p.m. on Tuesday, August 12**. Refunds will not be available after this date. If you are unable to attend, you may substitute a colleague for your entire registration. Please note, sharing of registration is prohibited.



Conference Hotels

JW Marriott Los Angeles L.A. Live*

900 West Olympic Boulevard
 \$199.00 single/double
 (plus occupancy taxes and fees 15.5%)

The Westin Bonaventure Los Angeles*

404 South Figueroa Street
 \$185.00 single/double
 (plus occupancy taxes and fees 15.5%)

*Shuttle services will be provided for the duration of the conference from the hotels to the Los Angeles Convention Center

Reduced room rates are available for registered attendees/exhibitors at the 2014 Annual Conference. Reserve your hotel nights while space is available. Phone reservations will not be available. The discounted hotel rate cut-off is **Tuesday, August 12** and the hotels are subject to sell out prior to the reservation deadline – reserve early.

STEP ONE: Register for the Conference

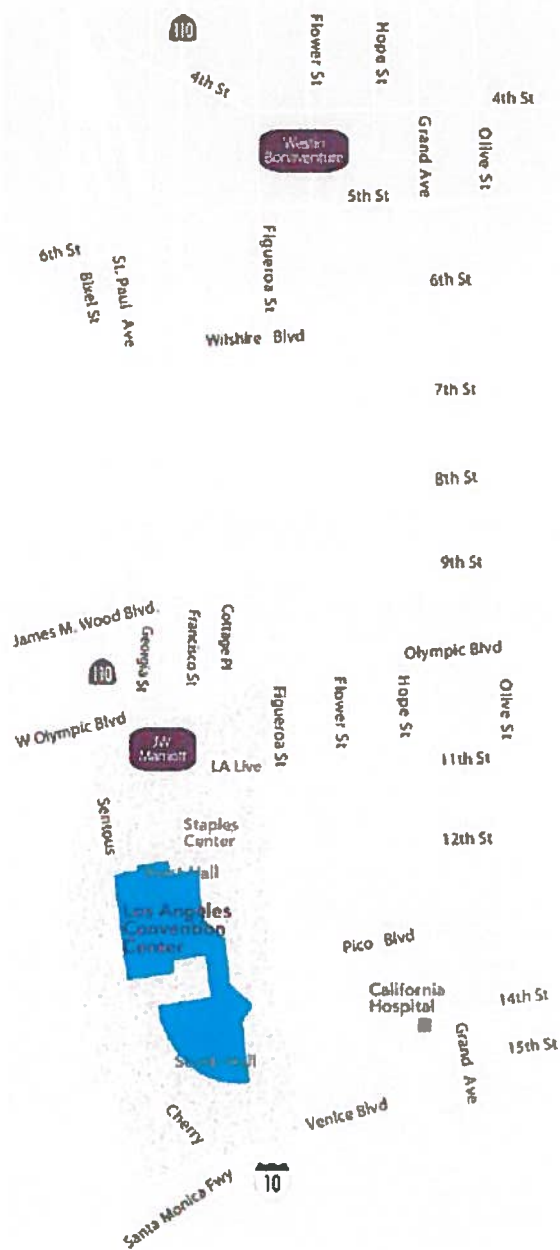
STEP TWO: Book hotel room

After your registration for the conference is received and processed, a confirmation email will be sent containing the links for housing reservations.

Hotel Changes or Hotel Cancellations

Hotel reservation changes, date modifications, early check-out, or cancellations made prior to Tuesday, August 12 must be done through the online reservation link you received when registering for the conference. Use your confirmation/acknowledgement number to access your reservation to make changes. Once the August 12 deadline has passed, please contact the hotel directly with any changes or cancellations. Please note that hotel cancellations after the housing deadline has passed may incur a financial penalty of a minimum one-night room charge or attrition fees.

CAUTION! Do not make a hotel reservation unless you are sure it is needed. Your city/company will be financially responsible for all cancellation/attrition fees. If you are making hotel reservations for others, please confirm with each individual, in advance, that they actually need hotel accommodations and intend to use them on the dates you are reserving.



PLEASE NOTE: The information you provide to the League when registering for a League conference or meeting may be shared with the conference or meeting hotel(s). The hotel(s) will also share with the League the information you provide to the hotel(s) when you make your hotel reservation for the conference or meeting. The information shared between the League and the hotel(s) will be limited to your first name, last name and dates/length of stay in the hotel.



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CITY OF ANTIOCH AS SUCCESSOR AGENCY TO
THE ANTIOCH DEVELOPMENT AGENCY
CLAIMS BY FUND REPORT
FOR THE PERIOD OF
JULY 11 - AUGUST 14, 2014
FUND/CHECK#

239 Redevelopment Obligation Retirement Fund

351953 MUNICIPAL RESOURCE GROUP LLC	CONSULTING SERVICES	7,096.20
352033 GOLDFARB AND LIPMAN LLP	LEGAL SERVICES	286.00
352354 FRASER AND ASSOCIATES	CONSULTING SERVICES	650.00

CITY OF ANTIOCH AS HOUSING SUCCESSOR TO
THE ANTIOCH DEVELOPMENT AGENCY
CLAIMS BY FUND REPORT
FOR THE PERIOD OF
JULY 11 - AUGUST 14, 2014
FUND/CHECK#

227 Housing Fund
Housing - CIP
922532 HOUSE, TERI

CONSULTING SERVICES

2,015.00

**STAFF REPORT TO THE CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF AUGUST 26, 2014**

Prepared by: Mindy Gentry, Senior Planner *MG*
Reviewed by: Tina Wehrmeister, Community Development Director *TW*
Date: August 21, 2014
Subject: **Bingo Halls and Bingo Operations Extension of an Urgency Zoning Ordinance**

RECOMMENDATION

It is recommended that the City Council:

Approve a motion to adopt the attached urgency zoning ordinance extending a temporary moratorium prohibiting the issuance of permits, licenses or approvals for construction, establishment or operation of any new bingo halls or bingo operations, or the expansion of current bingo operations, within the City of Antioch on an interim basis pending consideration of amendments to Title 5, Chapter 15 and Title 9 of the Antioch Municipal Code for a period of 10 months and 15 days and declaring the urgency thereof (four-fifths (4/5th) vote required) (Attachment "A");

BACKGROUND INFORMATION

Pursuant to Government Code section 65858, the City Council adopted Ordinance No. 2091-C-S ("Interim Ordinance") on July 22, 2014 to establish a temporary moratorium on the issuance of any permits, licenses or other approvals for the construction, establishment or operation of bingo halls and/or bingo operations, or the expansion of current bingo operations within the City. The staff report for that City Council meeting is included as Attachment "B" and provides more details regarding the issue and the urgent need for a temporary moratorium to address public safety, health, and welfare issues raised by these bingo halls and bingo operations.

The Interim Ordinance, by law, is effective for only 45 days and is therefore set to expire on September 5, 2014. Government Code section 65858 authorizes the City to extend the moratorium by adopting another urgency ordinance, which would be effective for an additional 10 months and 15 days ("Extension Ordinance") (Attachment "A").

Following the adoption of the Interim Ordinance, staff has begun to review potential amendments to the Antioch Municipal Code ("AMC") with respect to the regulation of bingo games and operations in the City, including potential zoning issues. As part of this review, staff has been gathering and reviewing ordinances from other jurisdictions that regulate bingo games and operations, as well as following up on information presented to the City Council at the July 22, 2014 meeting, including data and other findings from the cities of Pleasant Hill, Concord and Fairfield. Staff needs additional time to study the extent to which new regulations may be desirable and the scope of such regulations with respect to the establishment and operation of bingo halls and/or bingo operations within the City. Staff is continuing to review the City's options, and intends to provide recommendations in the near future.

This ordinance may include an amendment to the Zoning Code, Title 9, Chapter 5 of the Municipal Code, and will therefore require review and recommendation by the Planning Commission at a duly noticed public hearing and review and adoption by the City Council at duly noticed public hearings, pursuant to Government Code section 65854.

Staff has not completed its research and drafting of said regulations. Additional time is required to prepare draft regulations and to consult with interested parties and for public hearings. Also, due to staffing levels in the Community Development Department, Police Department and City Attorney's Office, the complexity of the issues to be studied and the ongoing public safety, health and welfare issues raised by bingo halls and bingo operations, it is recommended that the moratorium be extended for 10 months and 15 days. Any further extension would require an additional noticed public hearing. Proper noticing procedures were followed in advance of this item being placed on the agenda.

It is prudent to extend the moratorium for the statutorily-allowed period because the City cannot predict the precise length of time necessary to complete public hearings. However, adoption of the new ordinance and repeal of this moratorium may take place sooner.

CURRENT BINGO APPLICATIONS

Also, since the adoption of the 45 day urgency ordinance, staff has researched the organization "It Takes a Village", whose representatives voiced opposition to the moratorium. "It Takes a Village" also has an active application with the Community Development Department requesting a use permit to operate a bingo hall. Staff has found "It Takes a Village" does not appear to be currently registered as a nonprofit organization, which is required by the State Penal Code to operate a bingo game. Further, the written synopsis and the public testimony provided by Mr. Al Davis at the July 22nd Council hearing, suggests that "It Takes a Village" staff would be paid to operate the proposed bingo facility (see the video of the City Council meeting at: <http://www.ci.antioch.ca.us/CityGov/CouncilMeetings/072214/>). This is also contrary to the State Penal Code, which does not allow any person to receive pay or a profit, wage, or salary from any bingo game except for security personnel.

These inconsistencies with State law illustrate the need to update the City's Municipal Code regarding bingo operations, which has not been revised or updated in nearly 35 years. Clearly, not all applicants are familiar with State requirements. Extending the moratorium to allow sufficient time to update Code regulations and application requirements will ensure that future bingo use requests are consistent with both State and City laws and land use requirements.

Since the July 22, 2014 hearing, staff has not received any further communications from either applicant: "It Takes a Village" or Ms. Tricia Simmons. However, staff received a letter opposing any further bingo operations within the City (Attachment "C").

City Staff, including the Police Department, is concerned with the potential increased calls for police services, increasing reports of assaults, thefts, prostitution, loan-sharking and drug dealing and related detrimental neighborhood effects associated with bingo hall and/or expanded bingo operations, particularly at facilities that appear to exist only for the purpose of running continual bingo games. The potential for increased calls for police service is of particular concern given the current staffing of the Antioch Police Department and challenges in responding to existing criminal activity in the community.

ENVIRONMENTAL

The moratorium extension contemplated herein is not subject to CEQA pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines, because it has no potential for resulting in a physical change to the environment, directly or indirectly; rather it prevents changes in the environment pending the completion of the contemplated municipal code review).

FISCAL IMPACT

There is no direct fiscal impact with the adoption of the proposed Interim Urgency Zoning Ordinance. The organizations that can legally operate bingo halls and/or bingo operations are non-profits and are exempt from the business license tax. There will be staff time expended to draft a regular ordinance and to prepare a zoning amendment, if appropriate.

OPTIONS

1. If the Council chooses not to adopt the Interim Urgency Zoning Ordinance by 4/5 vote, then additional bingo halls and/or bingo operations could open with the approval of a use permit in any zoning district without the benefit of the City further studying the impacts of these businesses and appropriate land use regulations or police regulatory requirements, when the moratorium expires on September 5, 2014.

ATTACHMENTS

- A. Interim Urgency Zoning Ordinance prohibiting the issuance of permits, licenses or approvals for construction, establishment or operation of any new bingo halls or operations, or the expansion of current bingo operations, within the City of Antioch on an interim basis pending consideration of amendments to Title 5, Chapter 15 and Title 9 of the Antioch Municipal Code for a period of 10 months and 15 days and declaring the urgency thereof
- B. Staff Report and Minutes from the July 22, 2014 City Council Hearing
- C. Letter of Opposition to Bingo Operations Dated August 7, 2014 from Francine McMahon of East County Hot Shots

ATTACHMENT "A"

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH EXTENDING AN INTERIM URGENCY ZONING ORDINANCE PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858 PROHIBITING THE ISSUANCE OF PERMITS, LICENSES OR APPROVALS FOR CONSTRUCTION, ESTABLISHMENT OR OPERATION OF NEW BINGO HALLS OR OPERATIONS, OR THE EXPANSION OF CURRENT BINGO OPERATIONS, WITHIN THE CITY ON AN INTERIM BASIS PENDING CONSIDERATION OF AMENDMENTS TO TITLE 5, CHAPTER 15 AND TITLE 9 OF THE ANTIOCH MUNICIPAL CODE FOR A PERIOD OF 10 MONTHS AND 15 DAYS AND DECLARING THE URGENCY THEREOF

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

SECTION 1. Interim Urgency Zoning Ordinance. This ordinance is adopted pursuant to the authority of Section 65858 of the Government Code of the State of California, the Antioch City Municipal Code and applicable laws.

SECTION 2. Findings. The Antioch City Council hereby finds, determines and declares as follows:

A. The City of Antioch may make and enforce all laws and regulations not in conflict with the general laws, and the City holds all rights and powers established by state law.

B. On July 22, 2014, pursuant to Government Code sections 65858, the City Council adopted Ordinance No. 2091-C-S ("Interim Ordinance") to establish a 45-day moratorium on the issuance of any new permit, license or other approvals for new or expanded bingo games or operations within the City.

C. The City has received and anticipates additional requests for the construction, establishment and operation of bingo halls and/or bingo operations within the City. However, the provisions of the City Municipal Code that may regulate the construction, operation, and establishment of bingo halls and/or bingo operations in the City are inadequate and need review, study, and revision. The current provisions also fail to fully take into account the impacts related to the location and manner of construction, establishment and operation of bingo halls and/or bingo operations, and the related public health, safety, and welfare concerns, including but not limited to the impacts they may have on parking, surrounding uses, and the community.

D. The City of Antioch is aware that other cities, including Pleasant Hill, Concord and Fairfield, have experienced land use impacts and/or criminal activity associated with bingo halls and/or bingo operations, including incidents involving assaults, theft, prostitution, loan-sharking and drug dealing. These impacts are set forth in more detail in the staff report and attachments provided to the City Council at the July 22, 2014 and August 26, 2014 meetings (<http://www.ci.antioch.ca.us/CityGov/agendas/default.asp>). These impacts have particularly occurred at facilities that appear only to exist for the purpose of running continual bingo

games, as distinguished from occasional bingo games operated as an ancillary or occasional use at an established non-profit location.

E. The City is not aware of any currently operating bingo halls in Antioch at facilities that exist only for the purpose of running continual bingo games, as distinguished from occasional bingo games currently operating as an ancillary use at a few established non-profit locations in the City. The City Council of the City of Antioch is concerned with the potential increased calls for police services, increasing reports of assaults, theft, loan sharking behavior, prostitution and drug dealing and related detrimental neighborhood effects associated with bingo halls and/or expanded bingo operations, particularly at facilities that appear only to exist for the purpose of running continual bingo games. The potential for increased calls for police service is of particular concern given the current staffing of the Antioch Police Department and challenges in responding to existing criminal activity in the community. (see Police Department presentations at the City Council meetings on July 22, 2014 and April 22, 2014 at <http://www.ci.antioch.ca.us/CityGov/agendas/default.asp>)

F. Under California Constitution and Penal Code, bingo games are illegal lotteries unless conducted in strict conformance with the detailed requirements in the Penal Code. In addition, there would be further State requirements if a city is going to allow remote caller bingo.

G. While the City's Municipal Code does nominally address bingo operations in the City, that section of the Code has not been revised or updated in nearly 35 years, despite revisions to the State Penal Code regarding bingo games during this period.

H. During the past several years, the City has faced similar land use impacts and criminal activity at computer gaming and internet access businesses, leading the City to adopt a moratorium and eventually regular ordinances to address those issues (see the attached and incorporated staff reports, resolutions and ordinances at <http://www.ci.antioch.ca.us/CityGov/agendas/CityCouncil/2012/agendas/022812/022812.pdf> ; <http://www.ci.antioch.ca.us/CityGov/agendas/CityCouncil/2013/agendas/012213/012213.pdf> ; <http://www.ci.antioch.ca.us/CityGov/agendas/CityCouncil/2013/agendas/111213/111213.pdf>). In addition, the City has also been required to address issues regarding card rooms and illegal activity occurring at those establishments (see the attached and incorporated staff report, resolution and newspaper article regarding Kelly's Card Room in Antioch at <http://www.ci.antioch.ca.us/CityGov/agendas/CityCouncil/2013/agendas/111213/111213.pdf>; http://www.justice.gov/usao/can/news/2014/2014_04_25_keslinke.charged.press.html). These computer gaming and internet access businesses, card rooms and continual or expanded bingo operations all raise some similar issues regarding gambling and the criminal and secondary land use impacts of gambling.

I. Since the adoption of the interim urgency ordinance prohibiting new bingo halls or bingo operations or the expansion of current bingo operations on July 22, 2014, additional questions have been raised about the knowledge and ability of current applicants to comply with the requirements in the California Penal Code regarding nonprofits conducting bingo operations as detailed in the staff report for the City Council meeting on August 26, 2014, which provide further justification for the need to update the City's Municipal Code regarding

bingo operations to ensure that future bingo use applications are consistent with both State and City laws and land use requirements.

J. Without the enactment of this Ordinance to extend the interim urgency ordinance prohibiting new bingo halls or bingo operations or the expansion of current bingo operations multiple applicants could quickly receive entitlements which would allow additional bingo halls and/or bingo operations that pose a threat to the public health, safety, and welfare. The City Council hereby determines that the Municipal Code is in need of updating to protect the public against health, safety, and welfare dangers caused by bingo halls and/or bingo operations. The City requires additional time to prepare, evaluate and adopt reasonable regulations regarding the construction, placement and operation of bingo halls and/or bingo operations so that such regulations are applied in a nondiscriminatory manner.

K. In order to prevent the frustration of these studies and the implementation of new regulations, the public interest, health, safety, and welfare require immediate enactment of this Ordinance to extend the interim urgency ordinance. The absence of this Ordinance would impair the orderly and effective implementation of contemplated Municipal Code amendments, and any further authorization of these uses within the City during the period of the interim zoning regulations may be in conflict with or may frustrate the contemplated updates and revisions of the Municipal Code.

L. Based on the foregoing, the City finds that there is a current and immediate threat to the public health, safety, or welfare and that this Ordinance is necessary in order to protect the City from the potential effects and impacts of bingo halls and/or bingo operations in the City, potential increases in crime, impacts on parking availability in the business areas of the City, the aesthetic impacts to the City, and other similar or related effects on property values and the quality of life in the City's neighborhoods.

M. The City Council further finds that this interim zoning regulation is a matter of local and City-wide importance and is not directed towards any particular business that currently seeks to construct or operate bingo halls and/or bingo operations.

N. The City Council finds that this Ordinance is authorized by the City's police powers. The City Council further finds that the length of the interim zoning regulations imposed by this Ordinance will not in any way deprive any person of rights granted by state or federal laws, because the interim zoning regulation is short in duration and essential to protect the public health, safety and welfare.

SECTION 3. Extension of Temporary Moratorium.

A. In accordance with the authority granted the City under Government Code section 65858, and pursuant to the findings stated herein, the City Council hereby (1) finds that there exists a current and immediate threat to the public health, safety, and welfare requiring this change in the City's permitting provisions for bingo halls and/or bingo operations, (2) further finds that this ordinance is necessary for the immediate preservation of the public peace,

health and safety, and (3) hereby declares and imposes a temporary moratorium for the immediate preservation of the public health, safety and welfare as set forth below.

B. The City orders as follows: For a period of ten (10) months and fifteen (15) days from and after the date of adoption of this Ordinance, no permits (including use permits, conditional use permits, special or temporary permits) or other applicable use entitlement (including variances, building permits, certificates of occupancy or business licenses) may be issued for the establishment or operation of new bingo halls and/or bingo operations within the City, except as otherwise provided for herein. In addition, no existing bingo halls and/or bingo operations may be relocated or expanded, whether by means of additional space, construction of new facility, reconfiguration of existing facility, additional equipment, or additional days or hours of operation.

C. The moratorium set forth above shall not apply to the renewal of any existing business license for bingo halls and/or bingo operations or existing bingo halls and/or bingo operations permit issued under Title 5, Chapter 15 of the Antioch Municipal Code provided the renewal seeks to maintain the business in the existing location with no expansion in use or facilities, whether by means of additional space, construction of new facility, reconfiguration of existing facility, additional equipment, or additional days or hours of operation.

SECTION 4. CEQA. This ordinance is not subject to CEQA pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, because it has no potential for resulting in a physical change to the environment, directly or indirectly; rather it prevents changes in the environment pending the completion of the contemplated municipal code review.

SECTION 5. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 6. Effective Date. This interim ordinance shall take effect immediately upon its adoption and shall continue in effect for 10 months and 15 days from the date of its adoption by not less than a four-fifths vote of the Antioch City Council, and shall thereafter be of no further force and effect, unless, after notice pursuant to Government Code Section 65090 and public hearing, the Antioch City Council extends this Ordinance, and the interim zoning regulations adopted thereby, pursuant to Government Code Section 65858.

SECTION 7. Report of Council. Ten days prior to the expiration of this Ordinance, or any extension thereof, this Council shall issue a written report describing the measures taken to alleviate the condition which led to the adoption of this ordinance, or any extension thereof.

SECTION 8. Declaration of Urgency. This ordinance is hereby declared to be an urgency measure necessary for the immediate protection of the public health, safety and welfare. This Council hereby finds that there is a current and immediate threat to the public health, safety and welfare. The reasons for this urgency are declared and set forth in Section 2 of this Ordinance and are incorporated herein by reference.

SECTION 9. Publication; Certification. The City Clerk shall certify to the adoption of this Ordinance and cause same to be published in accordance with State law.

* * * * *

I HEREBY CERTIFY that the foregoing Ordinance was introduced and adopted as an urgency ordinance pursuant to the terms of California Government Code Section 65858 at a regular meeting of the City Council of the City of Antioch on the 26th day of August, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Wade Harper, Mayor of the City of Antioch

ATTEST:

Arne Simonsen, City Clerk of the City of Antioch

ATTACHMENT "B"

STAFF REPORT TO THE CITY COUNCIL FOR CONSIDERATION AT THE MEETING OF JULY 22, 2014

Prepared by: Mindy Gentry, Senior Planner *MS*
Reviewed by: Tina Wehrmeister, Community Development Director *TW*
Date: July 7, 2014
Subject: Bingo Halls and Bingo Operations Urgency Zoning Ordinance

RECOMMENDATION

It is recommended that the City Council:

Approve a motion to adopt the attached interim urgency zoning ordinance prohibiting the issuance of permits, licenses or approvals for construction, establishment or operation of any new bingo halls or bingo operations, or the expansion of current bingo operations, within the City of Antioch on an interim basis pending consideration of amendments to Title 5, Chapter 15 and Title 9 of the Antioch Municipal Code for a period of forty-five days and declaring the urgency thereof (four-fifths (4/5th) vote required) (Attachment "A");

BACKGROUND INFORMATION

Bingo Hall Games Use Permit Application Requests

Over the past several years, the City has received inquiries regarding the establishment of sole use, continuing bingo halls; however none of these inquiries materialized into land use applications. From a land use perspective, it was determined that the bingo hall/operations use be classified as a public assembly use requiring a use permit in all zoning designations. In the last few months, the City has received two use permit applications to operate bingo halls at the following locations:

- 2317 Buchanan Road (Attachment "B"). The application is proposed in a 2,700 square foot retail space with a zoning designation of Regional Commercial (C-3). The proposed hours of operation are seven days a week from 12:00 PM to 12:00 AM. The floor plan is broken up into four small rooms with tables for those participating in the bingo game as well as a separate room for the call blower. The application was submitted by Ms. Tricia Simmons (former owner of internet access business – Cot on the Web and T's Internet Cafe) in conjunction with Patriotic Heart (Hire Patriots), a nonprofit organization benefiting United States veterans; however staff is in the process of verifying Ms. Simmons's connection to Patriotic Heart as well as their non-profit status, as that is a threshold issue for any bingo operation to operate in conformance with the State Penal Code's limited exceptions for legal bingo games that do not constitute illegal gambling.
- 201 East Eighteenth Street (Attachment "C"). This application proposes bingo games to be conducted within approximately half of a building that was formerly a grocery store with a zoning designation of Neighborhood/Community Commercial (C-2). The maximum capacity of the facility would be 324 players all within the bingo area. There is

7-22-14

B1

an area for purchasing bingo cards and pull tabs as well as a room for security and money storage. The application proposes the hours of operation to be four days week, Wednesday to Sunday, from 4:30 PM to 10:00 PM. The application was submitted by Mr. Al Davis in conjunction with It Takes a Village, a nonprofit organization formed for the express purpose of operating and managing bingo halls.

These two applications are dramatically different than the existing bingo uses in the City, which are typically conducted as an ancillary and occasional use and with little complaints from the community. For example, the Veterans of Foreign Wars operate bingo games which are limited to Tuesday nights at their Fulton Shipyard Road location beginning at 6:45 PM. The Antioch Senior Center has bingo games, which are operated by the Antioch Senior Citizen's Club and are conducted by volunteers on Monday and Thursday afternoons from 1:00 PM to 3:00 PM as a fundraiser. Staff's suggested moratorium is not focused at these long-standing, occasional and ancillary bingo games.

California Penal Code

The Antioch Municipal Code authorizes bingo games to be conducted within the City pursuant the California Penal Code Section 326.5 (Attachment "D"). However, the AMC does not provide any regulations beyond those stated in the State requirements (Attachment "E"). The City's Municipal Code also does not address Penal Code Section 326.3 (Remote Caller Bingo), which was added to State law in 2008. The City's bingo ordinance was adopted in 1980 and does not strictly comply with the provisions of the Penal Code as the ordinance only references Section 326.5 of the Penal Code and does not address remote caller bingo. Further, staff has concerns to the public health, safety, and welfare in regards to bingo games occurring without regulation or City oversight to verify the operation is compliant with the State Penal Code, which is discussed below.

Traditional Bingo (Penal Code Section 326.5) versus Remote Caller Bingo (Penal Code Section 326.3)

Traditional Bingo: Under state law, cities may adopt an ordinance to allow bingo games as long as two basic rules are met:

- 1) The games may only be conducted by certain categories of tax-exempt organizations (e.g. labor organizations, fraternal orders, chamber of commerce, religious corporations, veteran's organizations).
- 2) The receipts from the games may be used only for charitable purposes.

In addition to the two basic rules, there are other notable regulations and restrictions:

- It is a misdemeanor for any person to receive or pay a profit, wage, or salary from any bingo game with the exception that security personnel employed by the organization conducting the bingo game may be paid from the revenues of the bingo games.
- Authorized organizations may only conduct games "on property owned or leased by" the organization, or on property "whose use is donated to the organization" and which property is used by the organization for office space or for the purposes for which the organization was organized.

- A bingo game “shall be operated and staffed only by members” of the non-profit, and those members may not “receive a profit, wage, or salary from any bingo game,” except that the non-profit may employ outside security personnel.
- No one other than the non-profit organization authorized to conduct the bingo games may “hold a financial interest in the conduct of a bingo game.”

Remote Caller Bingo: A remote caller bingo game is a game of bingo in which the numbers or symbols on randomly drawn plastic balls are announced by a natural person present at the site at which the live game is conducted. However, the organization conducting the bingo game uses audio and video technology to link any of its in-state facilities for the purpose of transmitting the remote calling of a live bingo game from a single location to multiple locations.

If a city or county wants to authorize remote caller bingo games in its jurisdiction, a valid ordinance would include the following requirements:

- The games may only be conducted by certain categories of tax-exempt organizations (e.g. labor organizations, fraternal orders, chamber of commerce, religious corporations, veteran’s organizations).
- Organizations conducting the game must be incorporated or in existence for three or more years.
- Organizations conducting the game must be licensed under Penal Code Section 326.5(l). The City may impose a license fee on organizations authorized to conduct bingo games. The fee, whether for initial license or renewal, may not exceed \$50.00 annually. If an application is denied, one-half of any license fee paid must be refunded to the organization. Additional fees for law enforcement and public safety costs incurred by the City that are directly related to bingo activities may be imposed and will be collected monthly. However, the fee may not exceed actual costs incurred.
- Receipts of the game must be used for charitable purposes only. The organization conducting the game must determine the disbursement of the net receipts of the game.
- The operation of bingo may not be the primary purpose for which the organization is organized.

The Penal Code does provide cities with a model ordinance that may be used to allow remote caller bingo in compliance with the Penal Code. According to the California Gambling Control Commission, a local ordinance must explicitly allow remote caller bingo games to be played or conducted in the city. The City’s Municipal Code does not explicitly allow remote caller bingo and further study of the issue is warranted during the interim moratorium period.

Urgency Ordinance

To adopt a regular ordinance, a first reading of the ordinance is held and then a second reading to adopt the ordinance at a regular meeting of the City Council. A regular ordinance is effective 30 days after adoption. An urgency ordinance is adopted at one meeting and takes effect immediately following a 4/5 vote of the City Council finding that there is a need for the immediate preservation of the public peace, health and safety.

Interim Ordinances/Moratoriums

An interim zoning ordinance is often called a moratorium and takes effect immediately to prohibit a use. Pursuant to Government Code Section 65858, the City may establish a moratorium prohibiting any use that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the City Council, Planning Commission or the Planning Department is considering in order to protect and preserve the public safety, health and welfare. A moratorium lasts only 45 days, but may be extended for up to a total of two (2) years, provided that the current and immediate threat to the public safety, health and welfare still exists, and the City follows the public notice and hearing procedures for extension of the moratorium. Interim ordinances require a 4/5 vote of the City Council.

ENVIRONMENTAL

The moratorium is not subject to CEQA pursuant to Sections 15060(c)(2) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, because it has no potential for resulting in a physical change to the environment, directly or indirectly; rather it prevents changes in the environment pending the completion of the contemplated municipal code review.

DISCUSSION

The City's current rules and regulations pertaining to bingo halls and/or bingo operations are in need of an update and modernization in order to comply with State law. Given that the City has not amended its bingo ordinance since 1980 (nearly 35 years) and the fact that the City has received two applications for new bingo hall operations using new technologies and proposing continued daily uses, the City has established a need to study the impacts of new bingo halls and/or bingo operations as well as the expansion of existing bingo halls and/or bingo operations.

The establishment and/or proliferation of bingo halls and/or bingo operations in the City may have negative public health, safety, and welfare impacts. Bingo halls and/or operations are within a similar vein as internet access businesses and online gaming as it is a form of gambling and are considered illegal lotteries unless conducted in strict conformance with the detailed requirements in the California Penal Code; therefore requiring local jurisdictional control.

In the recent past, the City has had to address criminal activities with other gambling uses such as internet access businesses and card rooms; therefore staff feels that the City should be proactive with these potential issues that may occur at bingo halls and/or bingo operations, particularly given the limited resources of the Police Department. The Police Department recommends adopting the moratorium to allow time to better study the uses and consider appropriate regulations, as opposed to waiting for problems to occur that will tax an already under-staffed Police Department.

Further, other cities such as Pleasant Hill, Concord, and Fairfield, have had incidents involving prostitution, loan-sharking, assaults, theft, and drug dealing, particularly at facilities that appear only to exist for the purpose of running bingo games. A copy of a memo prepared by the Pleasant Hill Police Department is attached (Attachment "F"). Given the criminal activity associated with other gambling uses within the City of Antioch and the issues experienced by other communities, the Police Department is concerned with the public safety, health, and welfare by having an increased demand in services on an already thinly stretched department.

As proposed, the interim urgency ordinance would establish a temporary moratorium on the granting of new permits, licenses, or any other entitlements pertaining to bingo halls and/or operations as well as the expansion of existing bingo halls and/or bingo operations, allowing the City time to study the potential effects of new laws or regulations governing bingo halls and/or bingo operations. Staff is not recommending that the current, occasional bingo games that have been run traditionally on a limited and ancillary basis be closed, but just that they not expand during this moratorium period.

Staff anticipates, but is not limited to, studying the following during the moratorium:

- Determining whether new bingo halls and/or bingo operations (traditional and remote caller) should be permitted anywhere in the City, and if they are allowed, which zoning districts would be appropriate.
- Determining whether bingo halls and/or bingo operations should be conditionally permitted uses, zoning administrator permitted uses, or permitted uses.
- Deciding whether bingo halls and/or bingo operations should be located a minimum distance from other bingo halls and/or bingo operations or other sensitive uses.
- Parking and security requirements for bingo halls and/or bingo operations.
- Determining the costs of the annual licensing fee and potentially any other costs the City may incur pertaining to law enforcement and public safety that are directly related to bingo halls and/or bingo operations.
- Determining whether, in addition to land use regulations, a police licensing process should be established similar to card rooms and computer gaming businesses, which is an approach that other cities have taken.

Urgency Findings

The City presently has two requests received, and anticipates additional requests, for the establishment and operation of bingo halls and/or bingo operations within the City. However, the provisions in the Municipal Code that regulates bingo halls and/or bingo operations in the City are inadequate and need review, study, and revision. The provisions fail to take into consideration the impacts related to the location and manner of the operation of bingo halls and/or bingo operations, and the related public health, safety, and welfare concerns, including, but not limited to the impacts they may have on parking, surrounding uses, and the community.

Given the City's historic criminal activities and land use impacts associated with gambling at internet access businesses and card rooms, and other jurisdictions having land use and/or criminal activity associated with bingo halls and/or bingo operations, the City has concerns with a potential increase in calls for police services and increased criminal activities such as theft, assault, prostitution, loan sharking, and drug dealing. Further study is required to address these potential issues and to create rules and regulations that are fitting for the needs of the City of Antioch to minimize impacts to the public health, safety, and welfare.

Operation of additional bingo halls and/or bingo operations will increase these negative impacts while the use is being studied. Due to the threat posed to the public health, safety, and welfare the City requires additional time to prepare, evaluate, and adopt reasonable regulations regarding the operation of bingo halls and/or bingo operations.

FISCAL IMPACT

There is no direct fiscal impact with the adoption of the proposed Interim Urgency Zoning Ordinance. The organizations that are involved with bingo halls and/or bingo operations are non-profits therefore are exempt from the business license tax. There will be staff time expended to draft a regular ordinance and to prepare a zoning amendment, if appropriate.

OPTIONS

1. If the Council chooses not to adopt the Interim Urgency Zoning Ordinance by 4/5 vote, then additional bingo halls and/or bingo operations could open with the approval of a use permit in any zoning district without the benefit of the City further studying the impacts of these businesses and appropriate land use regulations or police regulatory requirements.

ATTACHMENTS

- A. Interim Urgency Zoning Ordinance prohibiting the issuance of permits, licenses or approvals for construction, establishment or operation of any new bingo halls or operations, or the expansion of current bingo operations, within the City of Antioch on an interim basis pending consideration of amendments to Title 5, Chapter 15 and Title 9 of the Antioch Municipal Code for a period of forty-five days and declaring the urgency thereof
- B. Proposed Bingo Hall Application at 2317 Buchanan Road
- C. Proposed Bingo Hall Application at 201 East Eighteenth Street
- D. Antioch Municipal Code Section 5-15.01
- E. California State Penal Code Section 326.3 – 326.5
- F. Memo of the Pleasant Hill Police Department dated October 3, 2012 regarding issues with Bingo Halls
- G. Newspaper Article on Internet Access Businesses and Gambling

an area for purchasing bingo cards and pull tabs as well as a room for security and money storage. The application proposes the hours of operation to be four days week, Wednesday to Sunday, from 4:30 PM to 10:00 PM. The application was submitted by Mr. Al Davis in conjunction with It Takes a Village, a nonprofit organization formed for the express purpose of operating and managing bingo halls.

These two applications are dramatically different than the existing bingo uses in the City, which are typically conducted as an ancillary and occasional use and with little complaints from the community. For example, the Veterans of Foreign Wars operate bingo games which are limited to Tuesday nights at their Fulton Shipyard Road location beginning at 6:45 PM. The Antioch Senior Center has bingo games, which are operated by the Antioch Senior Citizen's Club and are conducted by volunteers on Monday and Thursday afternoons from 1:00 PM to 3:00 PM as a fundraiser. Staff's suggested moratorium is not focused at these long-standing, occasional and ancillary bingo games.

California Penal Code

The Antioch Municipal Code authorizes bingo games to be conducted within the City pursuant the California Penal Code Section 326.5 (Attachment "D"). However, the AMC does not provide any regulations beyond those stated in the State requirements (Attachment "E"). The City's Municipal Code also does not address Penal Code Section 326.3 (Remote Caller Bingo), which was added to State law in 2008. The City's bingo ordinance was adopted in 1980 and does not strictly comply with the provisions of the Penal Code as the ordinance only references Section 326.5 of the Penal Code and does not address remote caller bingo. Further, staff has concerns to the public health, safety, and welfare in regards to bingo games occurring without regulation or City oversight to verify the operation is compliant with the State Penal Code, which is discussed below.

Traditional Bingo (Penal Code Section 326.5) versus Remote Caller Bingo (Penal Code Section 326.3)

Traditional Bingo: Under state law, cities may adopt an ordinance to allow bingo games as long as two basic rules are met:

- 1) The games may only be conducted by certain categories of tax-exempt organizations (e.g. labor organizations, fraternal orders, chamber of commerce, religious corporations, veteran's organizations).
- 2) The receipts from the games may be used only for charitable purposes.

In addition to the two basic rules, there are other notable regulations and restrictions:

- It is a misdemeanor for any person to receive or pay a profit, wage, or salary from any bingo game with the exception that security personnel employed by the organization conducting the bingo game may be paid from the revenues of the bingo games.
- Authorized organizations may only conduct games "on property owned or leased by" the organization, or on property "whose use is donated to the organization" and which property is used by the organization for office space or for the purposes for which the organization was organized.

- A bingo game “shall be operated and staffed only by members” of the non-profit, and those members may not “receive a profit, wage, or salary from any bingo game,” except that the non-profit may employ outside security personnel.
- No one other than the non-profit organization authorized to conduct the bingo games may “hold a financial interest in the conduct of a bingo game.”

Remote Caller Bingo: A remote caller bingo game is a game of bingo in which the numbers or symbols on randomly drawn plastic balls are announced by a natural person present at the site at which the live game is conducted. However, the organization conducting the bingo game uses audio and video technology to link any of its in-state facilities for the purpose of transmitting the remote calling of a live bingo game from a single location to multiple locations.

If a city or county wants to authorize remote caller bingo games in its jurisdiction, a valid ordinance would include the following requirements:

- The games may only be conducted by certain categories of tax-exempt organizations (e.g. labor organizations, fraternal orders, chamber of commerce, religious corporations, veteran’s organizations).
- Organizations conducting the game must be incorporated or in existence for three or more years.
- Organizations conducting the game must be licensed under Penal Code Section 326.5(l). The City may impose a license fee on organizations authorized to conduct bingo games. The fee, whether for initial license or renewal, may not exceed \$50.00 annually. If an application is denied, one-half of any license fee paid must be refunded to the organization. Additional fees for law enforcement and public safety costs incurred by the City that are directly related to bingo activities may be imposed and will be collected monthly. However, the fee may not exceed actual costs incurred.
- Receipts of the game must be used for charitable purposes only. The organization conducting the game must determine the disbursement of the net receipts of the game.
- The operation of bingo may not be the primary purpose for which the organization is organized.

The Penal Code does provide cities with a model ordinance that may be used to allow remote caller bingo in compliance with the Penal Code. According to the California Gambling Control Commission, a local ordinance must explicitly allow remote caller bingo games to be played or conducted in the city. The City’s Municipal Code does not explicitly allow remote caller bingo and further study of the issue is warranted during the interim moratorium period.

Urgency Ordinance

To adopt a regular ordinance, a first reading of the ordinance is held and then a second reading to adopt the ordinance at a regular meeting of the City Council. A regular ordinance is effective 30 days after adoption. An urgency ordinance is adopted at one meeting and takes effect immediately following a 4/5 vote of the City Council finding that there is a need for the immediate preservation of the public peace, health and safety.

Interim Ordinances/Moratoriums

An interim zoning ordinance is often called a moratorium and takes effect immediately to prohibit a use. Pursuant to Government Code Section 65858, the City may establish a moratorium prohibiting any use that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the City Council, Planning Commission or the Planning Department is considering in order to protect and preserve the public safety, health and welfare. A moratorium lasts only 45 days, but may be extended for up to a total of two (2) years, provided that the current and immediate threat to the public safety, health and welfare still exists, and the City follows the public notice and hearing procedures for extension of the moratorium. Interim ordinances require a 4/5 vote of the City Council.

ENVIRONMENTAL

The moratorium is not subject to CEQA pursuant to Sections 15060(c)(2) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, because it has no potential for resulting in a physical change to the environment, directly or indirectly; rather it prevents changes in the environment pending the completion of the contemplated municipal code review.

DISCUSSION

The City's current rules and regulations pertaining to bingo halls and/or bingo operations are in need of an update and modernization in order to comply with State law. Given that the City has not amended its bingo ordinance since 1980 (nearly 35 years) and the fact that the City has received two applications for new bingo hall operations using new technologies and proposing continued daily uses, the City has established a need to study the impacts of new bingo halls and/or bingo operations as well as the expansion of existing bingo halls and/or bingo operations.

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In the recent past, the City has had to address criminal activities with other gambling uses such as internet access businesses and card rooms; therefore staff feels that the City should be proactive with these potential issues that may occur at bingo halls and/or bingo operations, particularly given the limited resources of the Police Department. The Police Department recommends adopting the moratorium to allow time to better study the uses and consider appropriate regulations, as opposed to waiting for problems to occur that will tax an already under-staffed Police Department.

Further, other cities such as Pleasant Hill, Concord, and Fairfield, have had incidents involving prostitution, loan-sharking, assaults, theft, and drug dealing, particularly at facilities that appear only to exist for the purpose of running bingo games. A copy of a memo prepared by the Pleasant Hill Police Department is attached (Attachment "F"). Given the criminal activity associated with other gambling uses within the City of Antioch and the issues experienced by other communities, the Police Department is concerned with the public safety, health, and welfare by having an increased demand in services on an already thinly stretched department.

As proposed, the interim urgency ordinance would establish a temporary moratorium on the granting of new permits, licenses, or any other entitlements pertaining to bingo halls and/or operations as well as the expansion of existing bingo halls and/or bingo operations, allowing the City time to study the potential effects of new laws or regulations governing bingo halls and/or bingo operations. Staff is not recommending that the current, occasional bingo games that have been run traditionally on a limited and ancillary basis be closed, but just that they not expand during this moratorium period.

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- Determining whether, in addition to land use regulations, a police licensing process should be established similar to card rooms and computer gaming businesses, which is an approach that other cities have taken.

Urgency Findings

The City presently has two requests received, and anticipates additional requests, for the establishment and operation of bingo halls and/or bingo operations within the City. However, the provisions in the Municipal Code that regulates bingo halls and/or bingo operations in the City are inadequate and need review, study, and revision. The provisions fail to take into consideration the impacts related to the location and manner of the operation of bingo halls and/or bingo operations, and the related public health, safety, and welfare concerns, including, but not limited to the impacts they may have on parking, surrounding uses, and the community.

Given the City's historic criminal activities and land use impacts associated with gambling at internet access businesses and card rooms, and other jurisdictions having land use and/or criminal activity associated with bingo halls and/or bingo operations, the City has concerns with a potential increase in calls for police services and increased criminal activities such as theft, assault, prostitution, loan sharking, and drug dealing. Further study is required to address these potential issues and to create rules and regulations that are fitting for the needs of the City of Antioch to minimize impacts to the public health, safety, and welfare.

Operation of additional bingo halls and/or bingo operations will increase these negative impacts while the use is being studied. Due to the threat posed to the public health, safety, and welfare the City requires additional time to prepare, evaluate, and adopt reasonable regulations regarding the operation of bingo halls and/or bingo operations.

FISCAL IMPACT

There is no direct fiscal impact with the adoption of the proposed Interim Urgency Zoning Ordinance. The organizations that are involved with bingo halls and/or bingo operations are non-profits therefore are exempt from the business license tax. There will be staff time expended to draft a regular ordinance and to prepare a zoning amendment, if appropriate.

OPTIONS

1. If the Council chooses not to adopt the Interim Urgency Zoning Ordinance by 4/5 vote, then additional bingo halls and/or bingo operations could open with the approval of a use permit in any zoning district without the benefit of the City further studying the impacts of these businesses and appropriate land use regulations or police regulatory requirements.

ATTACHMENTS

- A. Interim Urgency Zoning Ordinance prohibiting the issuance of permits, licenses or approvals for construction, establishment or operation of any new bingo halls or operations, or the expansion of current bingo operations, within the City of Antioch on an interim basis pending consideration of amendments to Title 5, Chapter 15 and Title 9 of the Antioch Municipal Code for a period of forty-five days and declaring the urgency thereof
- B. Proposed Bingo Hall Application at 2317 Buchanan Road
- C. Proposed Bingo Hall Application at 201 East Eighteenth Street
- D. Antioch Municipal Code Section 5-15.01
- E. California State Penal Code Section 326.3 – 326.5
- F. Memo of the Pleasant Hill Police Department dated October 3, 2012 regarding issues with Bingo Halls
- G. Newspaper Article on Internet Access Businesses and Gambling

ATTACHMENT "A"

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH ADOPTING AN INTERIM URGENCY ZONING ORDINANCE PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858 PROHIBITING THE ISSUANCE OF PERMITS, LICENSES OR APPROVALS FOR CONSTRUCTION, ESTABLISHMENT OR OPERATION OF NEW BINGO HALLS OR OPERATIONS, OR THE EXPANSION OF CURRENT BINGO OPERATIONS, WITHIN THE CITY ON AN INTERIM BASIS PENDING CONSIDERATION OF AMENDMENTS TO TITLE 5, CHAPTER 15 AND TITLE 9 OF THE ANTIOCH MUNICIPAL CODE FOR A PERIOD OF FORTY-FIVE DAYS AND DECLARING THE URGENCY THEREOF

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

SECTION 1. Interim Urgency Zoning Ordinance. This ordinance is adopted pursuant to the authority of Section 65858 of the Government Code of the State of California, the Antioch City Municipal Code and applicable laws.

SECTION 2. Findings. The Antioch City Council hereby finds, determines and declares as follows:

A. The City of Antioch may make and enforce all laws and regulations not in conflict with the general laws, and the City holds all rights and powers established by state law.

B. The City has received and anticipates additional requests for the construction, establishment and operation of bingo halls and/or bingo operations within the City. However, the provisions of the City Municipal Code that may regulate the construction, operation, and establishment of bingo halls and/or bingo operations in the City are inadequate and need review, study, and revision. The current provisions also fail to fully take into account the impacts related to the location and manner of construction, establishment and operation of bingo halls and/or bingo operations, and the related public health, safety, and welfare concerns, including but not limited to the impacts they may have on parking, surrounding uses, and the community.

C. The City of Antioch is aware that other cities, including Pleasant Hill, Concord and Fairfield, have experienced land use impacts and/or criminal activity associated with bingo halls and/or bingo operations, including incidents involving assaults, theft, prostitution, loan-sharking and drug dealing. These impacts are set forth in more detail in the staff report and attachments provided to the City Council at the July 22, 2014 meeting (<http://www.ci.antioch.ca.us/CityGov/agendas/default.asp>). These impacts have particularly occurred at facilities that appear only to exist for the purpose of running continual bingo games, as distinguished from occasional bingo games operated as an ancillary or occasional use at an established non-profit location.

D. The City is not aware of any currently operating bingo halls in Antioch at facilities that exist only for the purpose of running continual bingo games, as distinguished

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from occasional bingo games currently operating as an ancillary use at a few established non-profit locations in the City. The City Council of the City of Antioch is concerned with the potential increased calls for police services, increasing reports of assaults, theft, loan sharking behavior, prostitution and drug dealing and related detrimental neighborhood effects associated with bingo halls and/or expanded bingo operations, particularly at facilities that appear only to exist for the purpose of running continual bingo games. The potential for increased calls for police service is of particular concern given the current staffing of the Antioch Police Department and challenges in responding to existing criminal activity in the community. (see Police Department presentations at the City Council meetings on July 22, 2014 and April 22, 2014 at <http://www.ci.antioch.ca.us/CityGov/agendas/default.asp>)

E. Under California Constitution and Penal Code, bingo games are illegal lotteries unless conducted in strict conformance with the detailed requirements in the Penal Code. In addition, there would be further State requirements if a city is going to allow remote caller bingo.

F. While the City's Municipal Code does nominally address bingo operations in the City, that section of the Code has not been revised or updated in nearly 35 years, despite revisions to the State Penal Code regarding bingo games during this period.

G. During the past several years, the City has faced similar land use impacts and criminal activity at computer gaming and internet access businesses, leading the City to adopt a moratorium and eventually regular ordinances to address those issues (see the attached and incorporated staff reports, resolutions and ordinances at <http://www.ci.antioch.ca.us/CityGov/agendas/CityCouncil/2012/agendas/022812/022812.pdf> ; <http://www.ci.antioch.ca.us/CityGov/agendas/CityCouncil/2013/agendas/012213/012213.pdf> ; <http://www.ci.antioch.ca.us/CityGov/agendas/CityCouncil/2013/agendas/111213/111213.pdf>). In addition, the City has also been required to address issues regarding card rooms and illegal activity occurring at those establishments (see the attached and incorporated staff report, resolution and newspaper article regarding Kelly's Card Room in Antioch at <http://www.ci.antioch.ca.us/CityGov/agendas/CityCouncil/2013/agendas/111213/111213.pdf>; http://www.justice.gov/usao/can/news/2014/2014_04_25_keslinke.charged.press.html). These computer gaming and internet access businesses, card rooms and continual or expanded bingo operations all raise some similar issues regarding gambling and the criminal and secondary land use impacts of gambling.

H. Without the enactment of this Ordinance, multiple applicants could quickly receive entitlements which would allow additional bingo halls and/or bingo operations that pose a threat to the public health, safety, and welfare. The City Council hereby determines that the Municipal Code is in need of updating to protect the public against health, safety, and welfare dangers caused by bingo halls and/or bingo operations. The City requires additional time to prepare, evaluate and adopt reasonable regulations regarding the construction, placement and operation of bingo halls and/or bingo operations so that such regulations are applied in a nondiscriminatory manner.

I. In order to prevent the frustration of these studies and the implementation of new regulations, the public interest, health, safety, and welfare require immediate enactment of this Ordinance. The absence of this Ordinance would impair the orderly and effective implementation of contemplated Municipal Code amendments, and any further authorization of these uses within the City during the period of the interim zoning regulations may be in conflict with or may frustrate the contemplated updates and revisions of the Municipal Code.

J. Based on the foregoing, the City finds that there is a current and immediate threat to the public health, safety, or welfare and that this Ordinance is necessary in order to protect the City from the potential effects and impacts of bingo halls and/or bingo operations in the City, potential increases in crime, impacts on parking availability in the business areas of the City, the aesthetic impacts to the City, and other similar or related effects on property values and the quality of life in the City's neighborhoods.

K. The City Council further finds that this interim zoning regulation is a matter of local and City-wide importance and is not directed towards any particular business that currently seeks to construct or operate bingo halls and/or bingo operations.

L. The City Council finds that this Ordinance is authorized by the City's police powers. The City Council further finds that the length of the interim zoning regulations imposed by this Ordinance will not in any way deprive any person of rights granted by state or federal laws, because the interim zoning regulation is short in duration and essential to protect the public health, safety and welfare.

SECTION 3. Imposition of Temporary Moratorium.

A. In accordance with the authority granted the City under Government Code section 65858, and pursuant to the findings stated herein, the City Council hereby (1) finds that there exists a current and immediate threat to the public health, safety, and welfare requiring this change in the City's permitting provisions for bingo halls and/or bingo operations, (2) further finds that this ordinance is necessary for the immediate preservation of the public peace, health and safety, and (3) hereby declares and imposes a temporary moratorium for the immediate preservation of the public health, safety and welfare as set forth below.

B. The City orders as follows: For a period of forty-five (45) days from and after the date of adoption of this Ordinance, no permits (including use permits, conditional use permits, special or temporary permits) or other applicable use entitlement (including variances, building permits, certificates of occupancy or business licenses) may be issued for the establishment or operation of a new bingo halls and/or bingo operations within the City, except as otherwise provided for herein. In addition, no existing bingo halls and/or bingo operations may be relocated or expanded, whether by means of additional space, construction of new facility, reconfiguration of existing facility, additional equipment, or additional days or hours of operation.

C. The moratorium set forth above shall not apply to the renewal of any existing business license for bingo halls and/or bingo operations or existing bingo halls and/or bingo

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operations permit issued under Title 5, Chapter 15 of the Antioch Municipal Code provided the renewal seeks to maintain the business in the existing location with no expansion in use or facilities, whether by means of additional space, construction of new facility, reconfiguration of existing facility, additional equipment, or additional days or hours of operation.

SECTION 4. CEQA. This ordinance is not subject to CEQA pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, because it has no potential for resulting in a physical change to the environment, directly or indirectly; rather it prevents changes in the environment pending the completion of the contemplated municipal code review.

SECTION 5. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 6. Effective Date. This interim ordinance shall take effect immediately upon its adoption and shall continue in effect for forty-five (45) days from the date of its adoption by not less than a four-fifths vote of the Antioch City Council, and shall thereafter be of no further force and effect, unless, after notice pursuant to Government Code Section 65090 and public hearing, the Antioch City Council extends this Ordinance, and the interim zoning regulations adopted thereby, pursuant to Government Code Section 65858.

SECTION 7. Report of Council. Ten days prior to the expiration of this Ordinance, or any extension thereof, this Council shall issue a written report describing the measures taken to alleviate the condition which led to the adoption of this ordinance, or any extension thereof.

SECTION 8. Declaration of Urgency. This ordinance is hereby declared to be an urgency measure necessary for the immediate protection of the public health, safety and welfare. This Council hereby finds that there is a current and immediate threat to the public health, safety and welfare. The reasons for this urgency are declared and set forth in Section 2 of this Ordinance and are incorporated herein by reference.

SECTION 9. Publication; Certification. The City Clerk shall certify to the adoption of this Ordinance and cause same to be published in accordance with State law.

* * * * *

I **HEREBY CERTIFY** that the foregoing Ordinance was introduced and adopted as an urgency ordinance pursuant to the terms of California Government Code Section 65858 at a regular meeting of the City Council of the City of Antioch on the 22nd day of July, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Wade Harper, Mayor of the City of Antioch

ATTEST:

Arne Simonsen, City Clerk of the City of Antioch

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ATTACHMENT "B"



DEVELOPMENT APPLICATION

Community Development Department

P.O. Box 5007

Third & "H" Streets

Antioch, CA 94531-5007

Phone: (925) 779-7035 Fax: (925) 779-7034

SITE LOCATION: 2317 Buchanan Rd #A Antioch CA 94531

ASSESORS PARCEL NO. (S): 076432022 TOTAL ACREAGE: .5301

BRIEF DESCRIPTION OF REQUEST: 23,089 SF

Non-Profit Bldg

PROPERTY OWNER OF RECORD

Name: Lawrence Leong

Company Name: Excel Financial Management

Address: 25222 Cypress Av
Hayward CA 94544

Telephone No. 510-582-7700

Fax No. 510-786-2605

Email: excel.financial.mgmt@gmail.com

Signature: [Signature]

APPLICANT

Name: TRICIA SIMMONS

Company Name: Patriotic Heart

Address: 300 Carlsbad Village Dr
#154 Suite 108A

Carlsbad CA 92008

Telephone No. 760-730-3734

Cell No. 925-209-8332

Email: Hire Patriots upo@gmail.com

Signature: _____

ANY OTHER PERSON THAT YOU WOULD LIKE THE CITY OF ANTIOCH TO NOTIFY OF THE PUBLIC HEARING

Name: TRICIA SIMMONS

Company Name: Patriotic Heart

Address: 2470 Vallecito Ct
Antioch CA 94531

Telephone No. 925-209-8332

Fax No. _____

Email: Hire Patriots upo@

AGENT/DESIGNER

Name: None

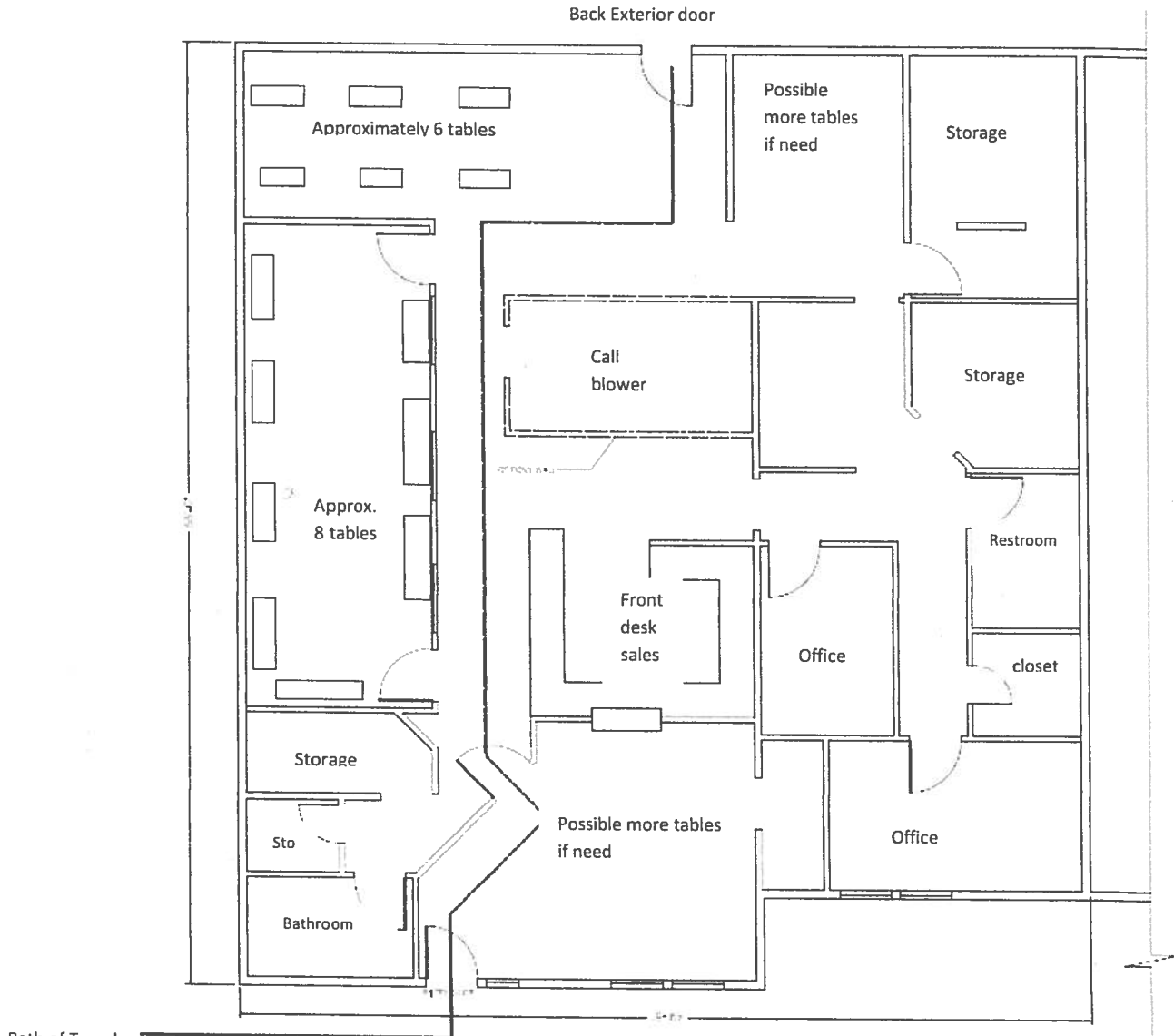
Company Name: _____

Address: _____

Telephone No. _____

Fax No. _____

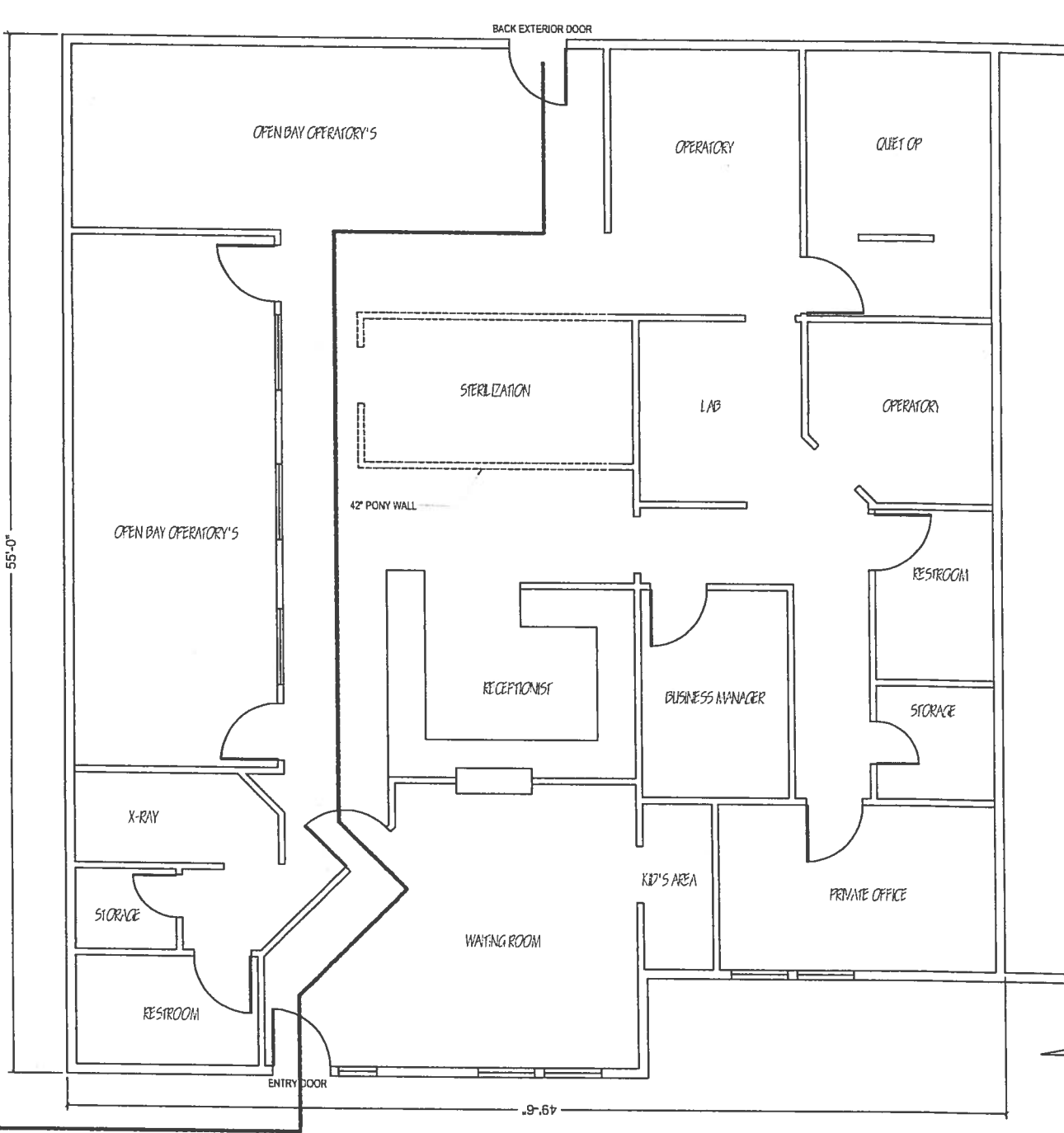
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Path of Travel

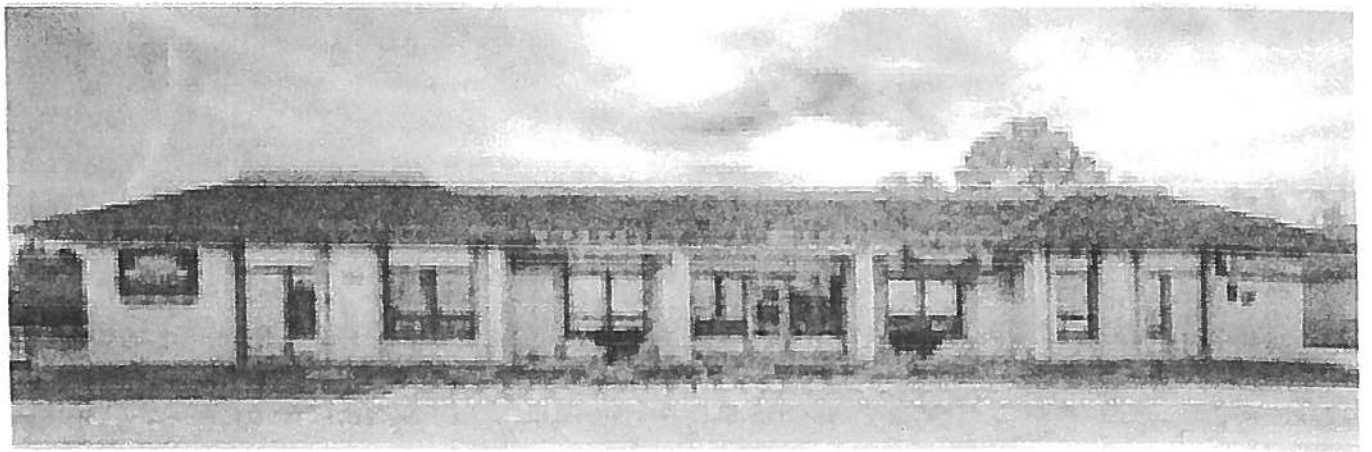
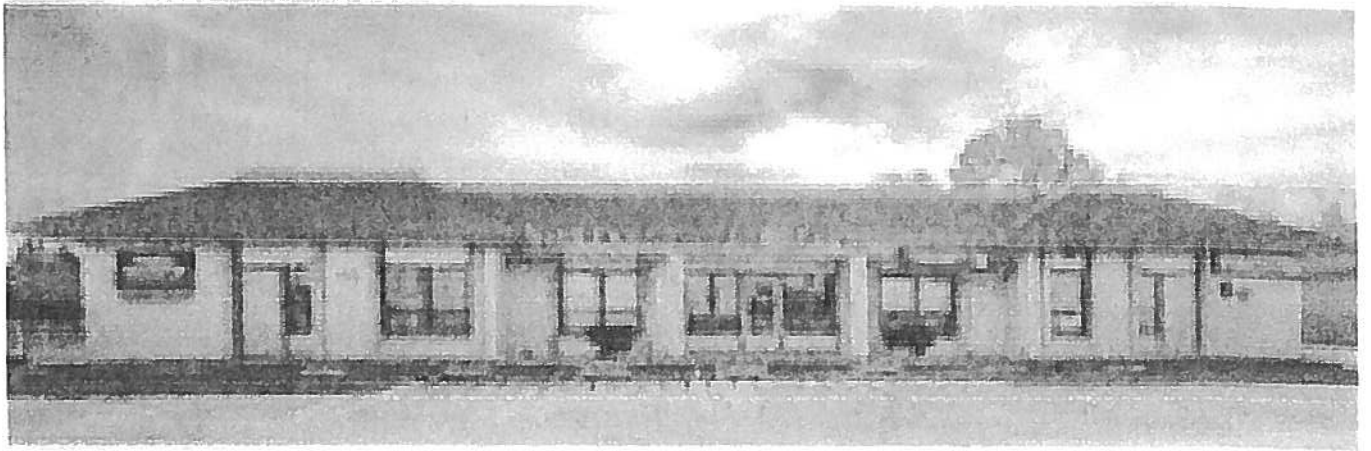
2317 BUCHANAN ROAD SUITE A

B18
BZ



2317 BUCHANAN ROAD SUITE A

B19
B3



B20
B4



B21
B5



B22
B6

Patriotic Heart is a Non-Profit organization that was started in 2007. The Patriot Heart Non-Profit organization would love the opportunity to open a Bingo Hall at, 2317 Buchanan Rd Suit #1 in Antioch Ca 94509. We have followed and reviewed all state regulations to operate a NPO Bingo Hall in the state of California. We do many fundraisers each year and would like to add this to our fundraising portfolio. If allowed to open, we would like to host Bingo games from noon to midnight 7 days a week. Our goal is to have other NPO open a few days/nights a week (they would be responsible to get their own bingo permit from the city) I have had informal talks with a couple local NPO that seem very interested. In the state of California we are aware no one under the age of 18 is allowed in a Bingo Hall, and we will never allow anyone under age or without an ID to be in the building for any reason. There will never be more than seventy people in the building at any given time. The building department has looked at the square footage of the building and said that it would be easily cleared for a maximum of seventy people. There are over ninety immediate parking spaces in front of the building, and another ninety spaces around the area. As a Non-Profit Bingo Hall there is only allowed to be one bingo Director employed, and one Security Guard, to protect the hall and walk people to their cars during open hours. However, we are always looking for new volunteers to help with any fundraiser and would love to get the community involved. We look forward to getting the public and local businesses involved in the Hire Patriots Program.

I have also attached the state of California npo bingo rules that we intend to follow strictly

B23
BT

Past and current fundraising

As a NPO that has been active for coming up on 8 years we have done countless number of fundraising I will only name a few if you would like more please don't hesitate to ask or visit our web site at www.hirepatriots.com

Donation

Sponsorship

Grants

Advertisement on web site

73% of all top selling book sales "An American Crisis"

Job fairs

Interviews

TV appearances

Local and national

Public/privet appearances

Veterans "Green Project"

Media Package

B24
BB

PATRIOTIC HEARTS' PROGRAMS FOR US VETERANS

- Patriotic Hearts' mission is to provide essential services and assistance to US veterans and their families, and to educate the US citizenry about their valiant sacrifices and value to our nation. Patriotic Hearts is a tax-exempt 501(c) 3 non-profit (EIN 20-8599179) that is supported largely by charitable contributions. It is in "good standing" with the IRS.
- We began as a response to a Marine who returned from Iraq to discover his wife and two small children living without utilities, due to his wife being laid off while he was deployed. He knocked on our founders' door and asked: "Sir, Ma'am, I need to earn some money right away to get the electric and gas turned on in my home for my family. Do you have any work that I can do for you right now around your home or yard?"
- The first program of Patriotic Hearts was a site called HireMarines.com. That became HirePatriots.com. Our first job board was a One Day job board that residents in San Diego used to hire local Marines, Corpsmen and sailors. It was a sensation and received several prestigious awards for the benefit it brought to US veterans, as well as to San Diego's communities and economy. Since, we have expanded this program across America, and we will continue to do so with your participation.
- Our U.S. military, particularly the lower and mid-range enlisted and their families, often endure extreme financial stress, coupled with multiple, lengthy deployments and the rigors of military life. And our transitioning veterans often take years before catching up with their civilian peers and securing sustainable employment. This lengthy financial stress takes its toll. Too often it means that a veteran also loses his family as a part of his or her sacrifice to our country.

In response to this burgeoning crisis, Patriotic Hearts has developed several free programs. -- In recognition of our vital programs President Bush presented us with his "Congressional Medal of Merit." And President Obama awarded us the "Presidents Volunteer Service Medal."

- **Programs Provided by Patriotic Hearts:**
- HirePatriots.com Job Board
- Transitional Preparedness Program
- Military Job Fairs
- Vet-Entrepreneur Mentoring
- Military Marriage Enrichment Retreats
- Financial Wellness Training
- Green Program (Carbon Credits and Recycling)
- Career & Personal counselling & Mentoring
- Sales Training & Placement
- Welcome Home Parties
- Community Service Chapters

1325
89

- School Kids Program
- Educational Endeavours
- Public Speaking & Media Interviews for US veterans
- **HirePatriots.com:** This is our most popular program. It creates daily and vocational opportunities for U.S. military: Active duty, Reserves, Guard, veterans and their spouses. This is a free job board for residents and businesses to hire their local military, veterans and their spouses. We currently have HirePatriots websites in multiple areas of the U.S. This popular program is quickly spreading into every state with the collaboration of veteran owned and patriotic businesses, passionate volunteers, and schools. -- The goal of the HirePatriots program is to establish HirePatriots job boards in all 50 states, near every active US military base and throughout every region. This will enable us to assist hundreds of thousands of U.S. Military: Active duty, Reserves, Guard, veterans and their spouses every year.
- One Day Jobs: HirePatriots is an entirely unique and free national outreach. It provides a One Day job board for our U.S. military, veterans and their spouses. These are jobs posted primarily by patriotic U.S. residents who want a nearby G.I. or veteran to come to their home and help them with chores.

These One Day jobs fill a critical need for transitioning troops and veterans. With 900,000 unemployed U.S. veterans, as of this writing, HirePatriots' One Day jobs give patriotic U.S. residents an opportunity to pitch in and temporarily employ them until they can find full time employment.

But these One Day jobs do far than help our dear veterans financially. These jobs allow them to keep their heads held high. And it keeps their focus where it should be: protecting you and me. But they also help stimulate local economies. And it is a great assistance to senior citizens on limited incomes. Plus, it creates a wonderful bond with citizens and veterans. Here are a few of the thousands of comments from those who post jobs and find jobs on HirePatriots.com:
<http://www.hirepatriots.com/news-and-blogs/entry/what-people-say-about-hirepatriots-job-program>

Careers Job Board: HirePatriots encourages companies to post their jobs on HirePatriots.com. Companies benefit from our niche market. They comment on how they receive far more responses to their jobs from HirePatriots than giants like Monster.com. We use all of our resources to help you fill your positions with qualified personnel. Our job board is connected to Facebook, Twitter and LinkedIn. And we create a permanent blog post of your company too. HirePatriots ranks in the top 1% of all U.S. websites and continues to receive constant media attention. The ultimate goal for HirePatriots is to succeed in helping every U.S. veteran to secure sustainable, full-time employment.

- **Transitional Training:** HirePatriots offers online and on-site training seminars for transitioning military personnel and US veterans. This unique and comprehensive program was developed by a veteran with decades of HR experience. This program was created by Captain Cesar Nader (USMC). Here is a sample video: <http://www.youtube.com/watch?v=FPvpwL6rIYQ>

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- **Job Fairs:** HirePatriots has hosted many job fairs for the U.S. military and veterans. HirePatriots has a stellar reputation with businesses across America and the world. And of course, we are highly regarded by the U.S. military.
- **Warriors to the Workforce** is comprehensive hiring events that combines pre-interview training and resume writing for veterans. And they also hold events and seminars for the attending employers to help them better appreciate the value of military training and veteran experience. – Lt. General Donald Jones (Army Ret.) and Crystal Dyer (Army Ret.) are the directors of this program. These job fairs are held across the breadth of our nation.
- **Veteran Entrepreneur Mentoring:** HirePatriots vigorously seeks to support veterans who have chosen to start their own businesses. We believe that this is crucial to the rebuilding of the American economy and to employing more of our transitioned U.S. military. HirePatriots has created a valuable training and support program for U.S Veteran entrepreneurs. We use the combined business acumen of our multiple HirePatriots' business leaders to provide step-by-step hands on business development training.
- **Military Marriage Enrichment Retreats:** Our military's emotional and psychological health, as well as their professionalism is largely dependent upon the health of their relationships with their immediate family members. The divorce rate has risen as high as 90% on bases with frequent combat deployments. Military wives call it "The Plague."
- Patriotic Hearts hosts military marriage enrichment retreats to strengthen military and veterans' marriages. The theme of our retreats is "Love and Respect." They last from Friday night until Sunday afternoon. We continue to follow each couple closely after the retreats. And we have had wonderful success in keeping marriages and families united. These are all-expenses paid retreats.
- **Financial Wellness:** Patriotic Hearts provides training on how to manage personal and family income, through seminars, retreats and online. This is a unique and comprehensive 5 point Financial Wellness series of workshop courses that has been specifically designed for veterans, active duty, and military families. It is a customized, financial wellness curriculum that focuses on helping our heroes and their families understand their particular spending personalities. Then we teach the essentials of money management. And we also explain the necessity for multiple streams of income and investment strategies.
- **Career & Personal Counselling:** Many qualified volunteers offer to give professional counselling to US veterans' career search. And marriage counsellors, PTSD experts and licensed psychologists also donate their time and services.

Sales Training & Placement: For US veterans and their spouses who need immediate employment beyond our One Day jobs, we offer professional sales training. HirePatriots has created sales opportunities for these veterans. And we have contracted with companies seeking US veterans' help with marketing their products and services too.

- **Welcome Home Parties:** Patriotic Hearts hosts all-day picnics for recently returned combat battalions. These include barbeques, games, rides, contest, popular personalities and live music for the entire military family. Volunteers from the local community volunteer to serve at these events and they are a wonderful celebration of our warriors and their families.

B27
BTT

- **Community Service Chapters:** The goal of HirePatriots is to create a Nationwide One Day Jobs Safety Net for U.S. veterans and their spouses. To accomplish this goal, we are creating HirePatriots chapters across America. These chapters have their own local, customized HirePatriots website on which they control the content. We seek leaders in these areas to create and manage a volunteer force of veteran supporters. Their mission is simple: Inform the local business and residents about their HirePatriots.com site and job board and get jobs posted for local veterans. Then inform their local veterans and spouses. They also host fundraisers and seek sponsors to provide Patriotic Hearts programs in their areas.

School Kids Program: A wonderful result of our increasing popularity has been that public schools are adopting Patriotic Hearts and HirePatriots as a community service project. These schools receive their own HirePatriots.com website, and the students fill it with their patriotic efforts, essays, videos and pictures. We are also writing a curriculum and a book to promote this program and make it a perpetual part of our American fabric.

Educational Endeavours: In the last 50 years the American population has gone from 90% of American males being US military veterans to less than 1% of our current generation. And further reductions in our nation's Armed Forces are being planned. There now exists a tremendous vacuum of understanding and appreciation for the important role veterans and their families play in keeping America a safe haven for democracy and freedom. In response, Patriotic Hearts trains patriotic citizens to speak and seeks out opportunities on TV, radio, in the press, and at community events, associations, clubs and schools for them to teach about US veterans' sacrifices and critical role in preserving our way of life.

- **In Development:**
- Road Trip for Veterans: HirePatriots is also seeking funds to purchase an RV and to fund a trip to every state in order to get the HirePatriots Job program started for US veterans everywhere. -- This is an opportunity for company sponsorship.
- Wireless for Heroes: Helping Our Heroes One Cell Phone at a Time

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BTZ



ATTACHMENT "C"

DEVELOPMENT APPLICATION

Community Development Department

P.O. Box 5007

Third & "H" Streets

Antioch, CA 94531-5007

Phone: (925) 779-7035 Fax: (925) 779-7034

SITE LOCATION: 201 E. 18th STREET

ASSESORS PARCEL NO. (S): 065-164-023 TOTAL ACREAGE: _____

BRIEF DESCRIPTION OF REQUEST: USE BUILDING FOR DRUMBO HALL OPERATION

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MAY 28 2014

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

PROPERTY OWNER OF RECORD

Name: JOHN D & MARIA M TRE

Company Name: 18th ST. PARTNERSHIP

Address: 4386 REDCLOUD CT
RANCOLO, CA 94518-1913

Telephone No. 925-372-6100, 60712

Fax No. 372-4715

Email: _____

Signature: [Handwritten Signature]
John D. Tre - 6.18th St Partners

APPLICANT

Name: AL DAVIS

Company Name: IT TAKES A VILLAGE

Address: 4720 FOOTHILL BLVD
OAKLAND, CA 94601

Telephone No. 510-467-7A9A

Fax No. _____

Email: DAVIS BARBARA 4720 @

Signature: [Handwritten Signature]

ANY OTHER PERSON THAT YOU WOULD LIKE THE
CITY OF ANTIOCH TO NOTIFY OF THE PUBLIC
HEARING

Name: AL DAVIS

Company Name: _____

Address: 5233 FLEMING AVE.
OAKLAND, CA 94619

Telephone No. 510-706-4562

Fax No. (510) 261-4602

Email: DAVIS 52 @ COMCAST.NET

AGENT/DESIGNER

Name: AL DAVIS

Company Name: ADL LIMITED,

Address: 5233 FLEMING AVE
OAKLAND, CA 94601

Telephone No. 510-706-4562

Fax No. 510-261-4602

Email: DAVIS 52 @ COMCAST.NET

B29
AT



May 26, 2014

RECEIVED

MAY 28 2014

Executive Summary

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

"It Takes a Village Development Center (ITAV)", is a Non-profit organization formed for the express purpose of operating and managing bingo halls in the San Francisco Bay Area Under the rulings of California Attorney General Guideline (Daniel E. Lungren and Deputy Attorney Clayton P. Roche, December 1998 and subsequently reviewed and reaffirmed by California Governor Edmund G. Brown, Jr. in 2007). Their ruling is that electronic hand devices are legal in California. (See Appendix A)

Thus, It Takes a Village Development Center is formally submitting an application to operate and manage a Bingo Hall in an existing facility located at 201 E. 18th Street, Antioch, California. The attached building and layout drawings provided would meet the guidelines for the planned operation of the facility, for the purpose of offering charity bingo programs to the community of Antioch. It is proposed to operate four days a week Wednesday through Saturday, 4:30 PM until approximately 10:00 PM.

To assist ITAV, they have employed the services of a consultant firm, skilled in project development, implementation and on-going monitoring of both the financial and physical strength of the Non-Profit organization's day to day operations. The consultant firm's resumes are attached for reference.

The City was selected by ITAV's Executive staff and Board of Directors, after a lengthy study of the city of Antioch's demographics, which points to a combined influx of new residents from other communities seeking affordable housing costs; and the previous severe cut backs by City, State and Federal governments' funding sources. The community of Antioch is in need of alternative solutions to some of its economic challenges. There already exists some form of bingo and card room facility in the surrounding communities of Pittsburg, Brentwood, Oakley, Bethel Island, and similar locations. However, neither offers the depth of service, and commitment to adequately tap the hidden resources for community support, as those proposed by ITAV.

B30
CZ

Market Area:

The demographics of the city of Antioch as of 2010 have a population of 102,372. The ethnic make-up is:

White	38.6%
Hispanic	31.5%
Afro American	15.1%
Asian	7.2%
Two or More	6.1%
Other Race	0.07%
Native American	0.06%
Hawaiian & Pacific Islander	0.1%

High Schools

Public	8
Private	3

Elementary Schools

Public	10
Private	5

Proposed Infusion of Capital:

ITAV is proposing to invest upward of \$3,010,888.80 in year one, to acquire and start operate of the Bingo Hall.

It is projected, that this amount should generate conservatively, \$10,044,000.00 annually. Of this amount, \$572,214.00 in donations can go directly to Schools, Youth and Senior programs.

Additionally, 18 new full and part time jobs can be created for the communities of Antioch, Oakley, Brentwood, Pittsburg, and Bethel Island. At least 5 secondary economic spend offs will be needed to support the Bingo Hall Management and Operation.

1331
L3

Security:

Of major concern will be the security deployed to deter or minimize the opportunity for robbery and theft in an establishment that will be dealing with significant sums of cash on a daily basis. Therefore, attention has been given to how best to warrant against such occurrences. This issue is being addressed as the "first line of defense" and is reflected in the budget (See Pro forma sheets). Thus, the following is planned:

- Hire certified armed security guards, with number determined by capacity of facility.
- Install surveillance cameras at strategic locations throughout the facility, both inside and outside, particularly where cash transactions are taking place.
- Contract with a money transportation company such as Loomis, to pick up and deliver money to and from a FDIC institution on a daily basis.
- Install change counting machine and a "Bill" counting machine that is capable of detecting counterfeit bills immediately.
- Ongoing training and monitoring for staff and volunteers selling special game cards and pull tabs.

Medical Considerations:

Due to the fact that a larger number of Bingo Players appear to be senior citizens, the Managers are also installing at least one **defibrillator**, provided for Medical EMTs, or at a minimum, have a certified CPR person during all Bingo sessions.

Planned Donation Opportunities from Bingo Operation:

The largest benefit of being allowed to operate a Bingo Hall lies in the ability of the Non-profit organization to provide a mechanism to morally, legally and ethically distribute funds to a large number of other non-profit organizations, who may not have the capability to financially sustain themselves. Some of these non-profits are, Diverse ethnic groups, Public Schools, Boys and Girls Clubs, Senior Centers, Foundations, Arts and Repertory Groups, Scouting programs, Church food programs, Battered Women and Children Shelters, and Youth sports programs are but a few of the programs that are being reduced or eliminated due to Federal and State Government cut backs. Such cutbacks negatively impact our communities and provide fewer, if any alternatives for relief.

Our strategy is to use profits from operation of the Bingo Halls to make up the shortfall in our communities.

Exit Strategy:

At the end of the life of the Non-Profit, a decision will be made to liquidate commercial properties through distribution of assets to a non-profit organization and/or "shareholders" or exercise option to renew the Non-profit under new management. This is a "Buy Out" opportunity for new investor(s).

Management Team:

CEO and Fund Manager, Funding Wealth Capital, LLC

AL DAVIS

After serving 10 years in the United States Air Force, Mr. Davis started a new career in the Construction Industry. This was the result of not being able to find suitable employment to support his newly acquired family after his military career. Reflecting upon two of his earlier childhood experiences, the first seeing his step-father building their first house from adobe, straw and railroad ties at the age of five or six; and second, having learned Architectural drafting in High School. These influences set in motion, perhaps unconsciously, a career in Designer and Developer. Mr. Davis' first venture was his participation in the development of a Modular Home Manufacturing Company in Benicia, California in 1963. At the time housing was on the up rise and new and innovative experimental methods of construction were being developed in the housing construction industry. During the two years of operation of DGH Industries, the company manufactured dozens of houses in the plant that was ultimately shipped to building sites. Each 1,100 to 1,500 square foot house was erected on site, finished and ready for occupancy in less than 45 working days. Unions were not ready for this in those days.

After closing of the plant in Benicia, Mr. Davis moved to Richmond California, where he operated a freelance Housing Design service. This ultimately led to acquiring a General Contractor's License for commercial and residential properties. These two combined careers resulted in acquiring an in-depth knowledge of the various aspects associated with the building industry which included planning, designing, construction cost estimating, building permit processing, building, inspection procedures and "Turn Key" operations.

From 1964 through 1979, Mr. Davis worked for four U.S. Presidential Administrations (Presidents Johnson, Nixon, Ford and Carter) in Contract Evaluation Analyst for the Department of Labor, Department of Commerce and Department Education's Office of Child Development, Head Start and Supplemental Training. During this period of time, Mr. Davis also provided free consultant services to building contractors and homeowners involved in remodeling and construction projects in various communities in the United States.

Between 1972 and 1984, Mr. Davis was engaged in the development of the Bay Area Purchasing Council, where he served two terms as President of the Purchasing Council. The Council's objective during that time period was to provide contracting opportunities to Black and Hispanic contractors, Engineers, Architects, Certified Public Accountants, and support services to Private Industry, State and Federal Governments The high point in this endeavor was in May 1976, generating over \$5,000,000 in contracts being awarded to black and Hispanic contractors by private, State and Federal contracting agencies, in a span of three days.

Mr. Davis returned to the building industry in 1986, by remodeling and adding onto his own home in Oakland, California. He was also an Executive Director of a federally funded non-profit organization.

Mr. Davis retired from active participation in the construction industry in 1999.

His prior experiences lead to the development authoring and publishing of four significant books associated with the building industry. These publications were: "The Source Exchange Guide" Published by Source Publications, Inc. 1973 to 1984; and "Owner-Builders Work Book for Remodeling House Moving" editions, 1989, 2000 and 2005. In addition, Mr. Davis has authored two non-construction related publications.

Mr. Davis is currently the Chief Operating Officer of ADC Limited, LLC, which is a management training and technical assistant firm, engaged in improving communications between home owners and general contractors during construction engagements. This company was born out of the desire to minimize the conflict that occurs between homeowners and general contractors. Most conflicts result in three issues:

- 1) Homeowners losing money, or property loss resulting from litigation;
- 2) General contractors losing licenses resulting from faulty work, lack of work and in some cases, no work at all; and
- 3) Lending institutions, insurance and bonding companies losing money, resulting from the former two issues; leading to the development of a Real Estate Investment Company.

Mr. Davis also operates several other internet marketing companies, including: www.adcbuilderseminar.com; and www.fundingwealthcapital.com. Mr. Davis has two children, eight grandchildren, and two great grandchildren, all living in California. His hobbies include flying, fishing, coaching and sports.

President and Fund Manager

LEONA GREENLOW-TURNER

Mrs. Greenlow-Turner is a Bay Area Realtor, specializing in the listing and sale of distressed properties. She works with several prominent lending institutions (Chase, Indy Mac, Bank of America, and Wells Fargo) in the evaluation of their residential and commercial real estate assets.

The beginning of her career included telecommunications, banking and financial planning industries. Every career opportunity has led her to teaching those around her vital technical skills necessary for their careers. Her area of expertise is coaching new entrepreneurs in starting and maintaining new business ventures.

With this training background, she began creating custom training materials and classes. She has taught and created technical courses over the past 20 years. She brings real estate insight to Funding Wealth Capital, LLC with her extensive training and real estate expertise. Additionally, she provides sound financial guidelines regarding profit, losses, income and expenditures for Funding Wealth Capital, LLC and other companies hired by FWC, LLC in a consultant capacity.

She has created three feature courses for Funding Wealth Capital, LLC:

1. Tax Deed and Tax Lien Investing (the course includes training and one-on-one coaching.)
2. Investing in California Short Sales
3. Bingo Hall Operations

Mrs. Greenlow-Turner is the mother of four and grandmother of four. Her hobbies include reading and studying the Bible, writing, blogging, knitting and sewing. She currently serves as Parent Teacher Association (PTA) President at a prominent Oakland Elementary school.

The following additional resumes are available to Subscriber upon request:

- Real Estate Attorney
- Certified Public Accountant
- Mortgage Broker
- Administrator and Business Development Consultant

For more detailed information, or to request a full disclosure of the Private Placement Memorandum (PPM) from www.FundingWealthCapital.com, please email your request to: info@FundingWealthCapital.com or call (510)706-4562



Date: May 26, 2014

Barbara Davis, Executive Director
"It Takes a Village Development Center"



Date: 5/24/14

Al Davis, Project Consultant (Not Related to Exc. Dir.)
CEO: Funding Wealth Capital, LLC

Appendix A

Electronic Handheld Devices

Traditional bingo is a game of chance where players pay a bingo hall an entrance fee for game cards to play several bingo games. Players can play multiple cards at the same time to increase their chance at winning games. Bingo cards consist of 24 random numbers and a free space in the center. During the game a caller calls random numbers from a bingo blower. The caller calls each number as it comes up until a player announces "bingo". Once the winning combination is established as a winning bingo, the winner is paid.

Section 326.5 specifies precisely what the game of bingo is that is permitted under these conditions. Subdivision (o) of California Penal Code section 326.5 provides: (o) As used in this section, "bingo" means a game of chance in which prizes are awarded on the basis of designated numbers or symbols on a card that conform to numbers or symbols selected at random. Notwithstanding Section 330c, as used in this section, the game of bingo includes cards having numbers or symbols that are concealed and preprinted in a manner providing for distribution of prizes. The winning cards shall not be known prior to the game by any person.

Currently, bingo halls are using a combination of paper cards and electronic handheld devices to play bingo. Electronic handheld devices are used as an aid to notify the player of a winning card. The serial numbers of each bingo card are programmed into the handheld device. These devices do not require any additional financial investment from the players. Electronic handheld devices and paper games are the same game and are played simultaneously.

In 1991, State Attorney General, Dan Lungren said, "Lungren's directive--sent Tuesday to the state's district attorneys, city attorneys, sheriffs and chiefs of police--noted that the only gambling machines legal in California are "actual facsimiles of the game of bingo," such as terminals that enable players to keep track of 250 bingo cards at once. "All other machines are illegal," Lungren said."

"During the 20-year period which has followed the Attorney General's (Lungren) opinion quoted above, the Legislature has amended Penal Code section 326.5 twice, but it has not amended the section to authorize electronic bingo. It has, however, amended subdivision (o), containing the definition of bingo, but notably, it has made no change to the elements of the definition itself. Accordingly, subdivision (o) of section 326.5, as quoted above, continues to prescribe the elements of the game that is permissible as bingo, conducted by organizations authorized by section 326.5, subdivision (a)."

"The Attorney General (Edmund G. Brown, Jr., 2007), however, has subsequently concluded that in games in which players purchase and receive traditional bingo cards, the use of an

electronic aid to notify the player of a winning card is **not prohibited**. The Attorney General concluded that under these circumstances, "the combined use of the electronic aid and traditional cards will allow each player to meet the requirements of subdivision (o), since the 'designated numbers or symbols' are 'on a card' as well as being programmed into the electronic aid." (81 Ops.Cal.Atty.Gen 415, at p. 417 (1998).)"

With the handheld electronic bingo device players can play as many bingo cards as they can afford since monitoring each bingo card is no longer a problem. All it takes for a bingo player to do is to key in the numbers being drawn into the portable handheld electronic device and the computer will automatically search for these numbers from the bingo card of the players then daub it in their behalf.

This type of electronic bingo device has a tracking system that automatically monitors the bingo cards of the player making it plausible for its players to play multiple bingo cards simultaneously. The best thing about electronic bingo device is the opportunity it gives to bingo players with physical disabilities to play bingo with less efforts and added convenience.

References:

Subdivision (o) of section 326.5 defines "bingo" as follows:

"As used in this section 'bingo' means a game of chance in which prizes are awarded on the basis of designated numbers or symbols on a card that conform to numbers or symbols selected at random. Notwithstanding Section 330c, as used in this section, the game of bingo includes cards having numbers or symbols which are concealed and preprinted in a manner providing for distribution of prizes. The winning cards shall not be known prior to the game by any person participating in the playing or operation of the bingo game. All preprinted cards shall bear the legend, 'for sale or use only in a bingo game authorized under California law and pursuant to local ordinance.' It is the intention of the Legislature that bingo as defined in this subdivision applies exclusively to this section and shall not be applied in the construction or enforcement of any other provision of law."

"We believe that when bingo players purchase and receive traditional bingo cards, the use of electronic aids in conjunction therewith to ascertain when a game has been won does not remove the game from the scope of section 326.5. The courts have ruled similarly in somewhat analogous situations. (See *Lubavitch Congregation v. City of Long Beach* (1990) 217 Cal.App.3d 1388; *People v. 8,000 Punchboard Card Devices* (1983) 142 Cal.App.3d 618.) We conclude that the requirements of section 326.5, subdivision (o), are satisfied when bingo players use, in conjunction with traditional bingo cards, electronic aids to notify them when a game has been won."

**Proposed Bingo Hall
201 E 18th Street
Antioch, CA 94509**

"Scope of Work"

Change of Occupancy:

Remodel structure to meet to compliance to meet Fire Code and ADA requirement to use as Bingo Hall; remove non bearing wall on south side of building; relocate and modify electrical; install new framing of non bearing walls per plans.



Legend

- Page 1 Cover sheet
- Page 2 Parking (Exempt)
- Page 3 Sealing Layout
- Page 4 New Electrical Plan
- Page 5 Interiors
- Page 6 Fire Escape Plan
- Page 7 ADA Requirements
- Page 8 Security/Surveillance cameras

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MAY 28 2014

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

APN: 065-164-023

201 E 18th Street

Commercial Property

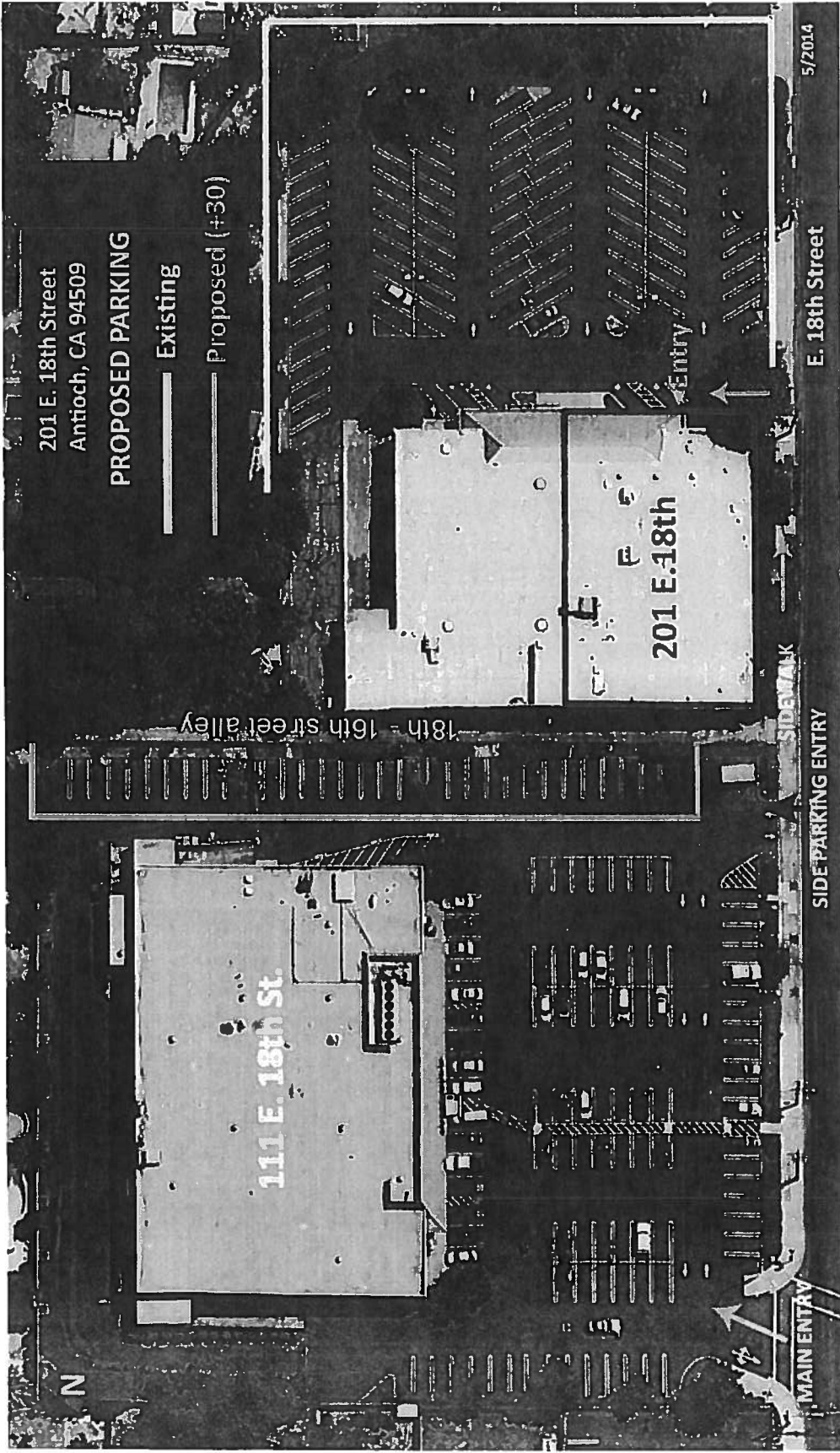
DESIGN BY:

5/27/2014

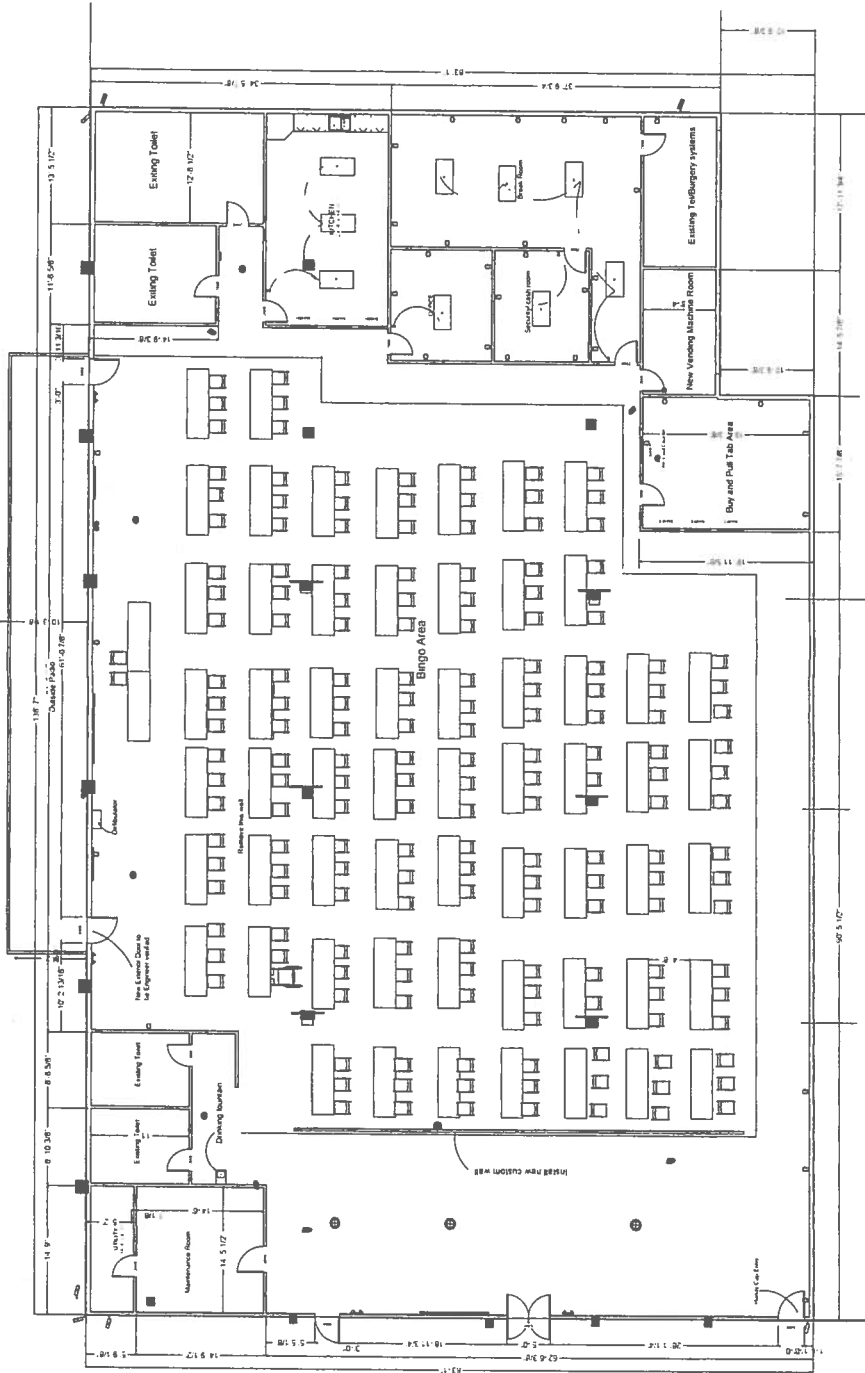
201 E 18th Street Antioch_auto_save_bak
Cover Sheet

ADC Limited
3542 Fruitvale Avenue#306
Oakland, CA 94602
510-706-4562

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A10



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Capacity: 54 tables with 3 persons per one side of table for a total low of 162 participants to a maximum of both side of table for max.324 individuals.

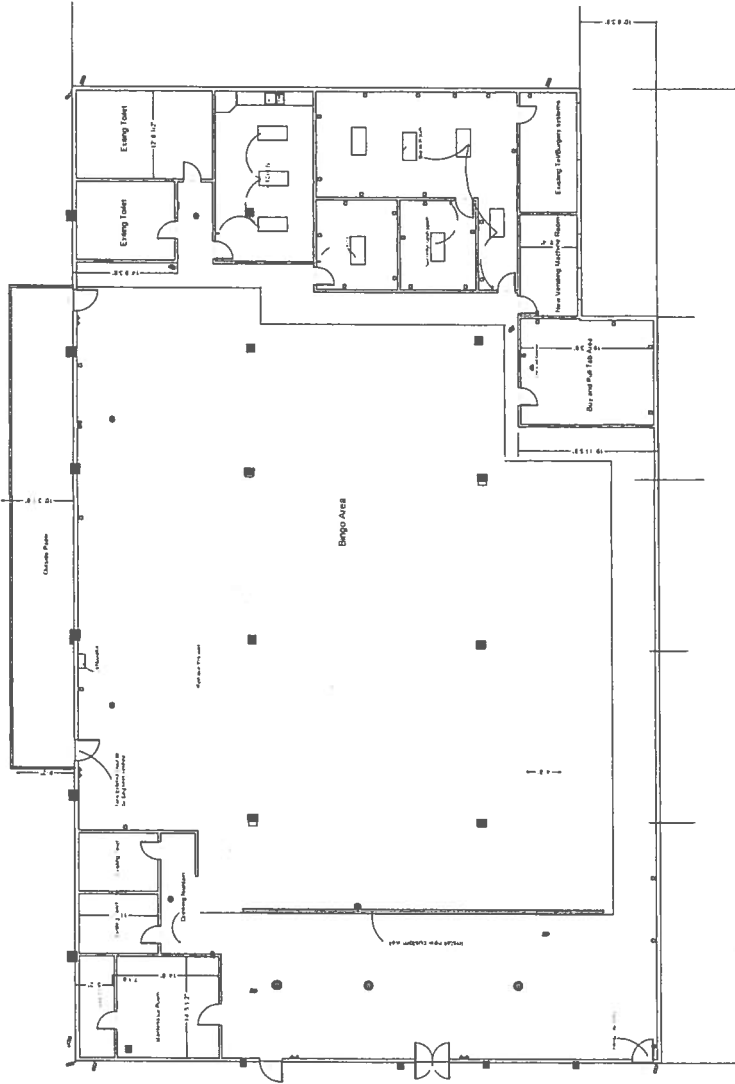
Security protection
 5 Armed Guards
 Money Transporters
 11 Security Cameras
 4 Exterior Security Cameras
 6 security Monitors

Material and Labor
 Estimates
 Archit
 Permits/ Fees
 972 Square yards of Carpet
 Electrical
 Plumbing
 Mechanical
 Finishing

Bingo Electronic
 Hand Held Devices

Equip with WiFi and 3 modems equally spaced.
 Emergency Phone 911
 Install Cabinet for Deflator on wall behind Caller's Table.
 one EMT or CPR Tech per each Session.

B40
 A1Z



New Electrical Plan

Scale: 1/8" = 1'-0"

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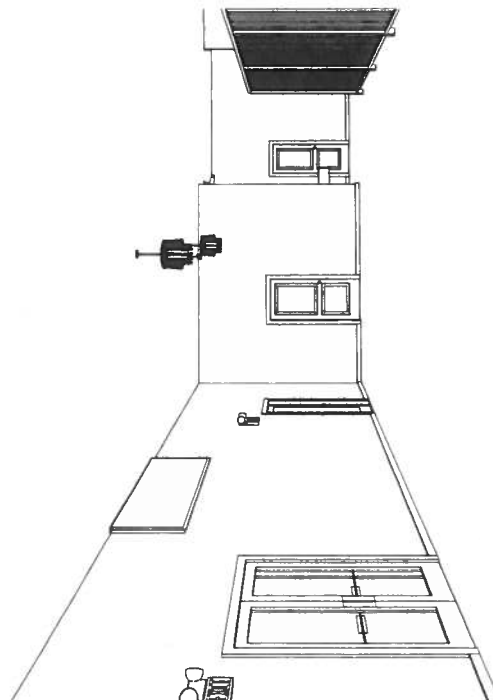
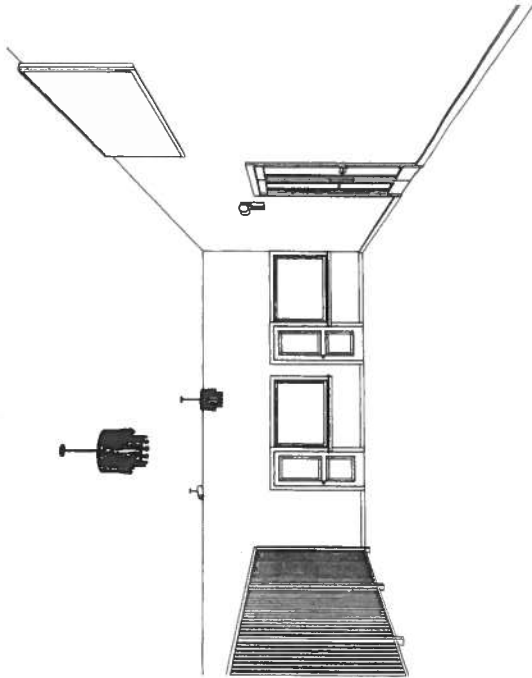
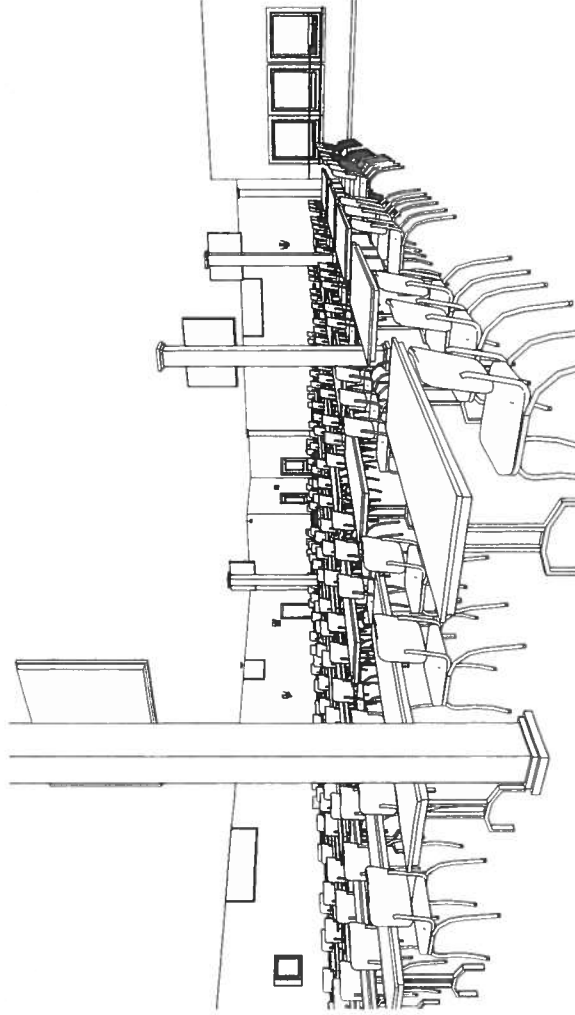
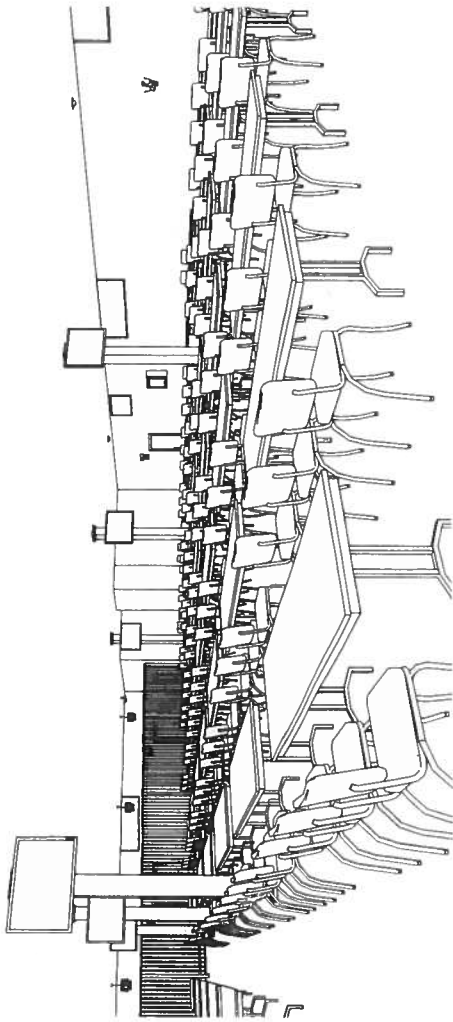
5/27/2014

DESIGN BY:

201 E 18th Street Antioch_auto_save_bak

ADC Limited
3542 Fruitvale Avenue#306
Oakland, CA 94602
510-706-4562

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Print

ATTACHMENT "D"

Antioch, CA Code of Ordinances

CHAPTER 15: BINGO GAMES

Section

5-15.01 Bingo games authorized

§ 5-15.01 BINGO GAMES AUTHORIZED.

Any bingo game played pursuant to Cal. Penal Code § 326.5, or successor legislation, is hereby authorized to be conducted within the city.

('66 Code, § 5-15.01) (Ord. 451-C-S, passed 5-22-80)

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ATTACHMENT "E"

326.3. (a) The Legislature finds and declares all of the following:

(1) Nonprofit organizations provide important and essential educational, philanthropic, and social services to the people of the state.

(2) One of the great strengths of California is a vibrant nonprofit sector.

(3) Nonprofit and philanthropic organizations touch the lives of every Californian through service and employment.

(4) Many of these services would not be available if nonprofit organizations did not provide them.

(5) There is a need to provide methods of fundraising to nonprofit organizations to enable them to provide these essential services.

(6) Historically, many nonprofit organizations have used charitable bingo as one of their key fundraising strategies to promote the mission of the charity.

(7) Legislation is needed to provide greater revenues for nonprofit organizations to enable them to fulfill their charitable purposes, and especially to meet their increasing social service obligations.

(8) Legislation is also needed to clarify that existing law requires that all charitable bingo must be played using a tangible card and that the only permissible electronic devices to be used by charitable bingo players are card-minding devices.

(b) Neither the prohibition on gambling in this chapter nor in Chapter 10 (commencing with Section 330) applies to any remote caller bingo game that is played or conducted in a city, county, or city and county pursuant to an ordinance enacted under Section 19 of Article IV of the California Constitution, if the ordinance allows a remote caller bingo game to be played or conducted only in accordance with this section, including the following requirements:

(1) The game may be conducted only by the following organizations:

(A) An organization that is exempted from the payment of the taxes imposed under the Corporation Tax Law by Section 23701a, 23701b, 23701d, 23701e, 23701f, 23701g, 23701k, 23701l, or 23701w of the Revenue and Taxation Code.

(B) A mobilehome park association.

(C) A senior citizens' organization.

(D) Charitable organizations affiliated with a school district.

(2) The organization conducting the game shall have been incorporated or in existence for three years or more.

(3) The organization conducting the game shall be licensed pursuant to subdivision (1) of Section 326.5.

(4) The receipts of the game shall be used only for charitable purposes. The organization conducting the game shall determine the disbursement of the net receipts of the game.

(5) The operation of bingo may not be the primary purpose for which the organization is organized.

(c) (1) A city, county, or city and county may adopt an ordinance in substantially the following form to authorize remote caller bingo in accordance with the requirements of subdivision (b):

Sec. __.01. Legislative Authorization.

This chapter is adopted pursuant to Section 19 of Article IV of the California Constitution, as implemented by Sections 326.3 and 326.4 of the Penal Code.

Sec. __.02. Remote Caller Bingo Authorized.

Remote Caller Bingo may be lawfully played in the [City, County,

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or City and County] pursuant to the provisions of Sections 326.3 and 326.4 of the Penal Code, and this chapter, and not otherwise.

Sec. __.03. Qualified Applicants: Applicants for Licensure.

(a) The following organizations are qualified to apply to the License Official for a license to operate a bingo game if the receipts of those games are used only for charitable purposes:

(1) An organization exempt from the payment of the taxes imposed under the Corporation Tax Law by Section 23701a, 23701b, 23701d, 23701e, 23701f, 23701g, 23701k, 23701l, or 23701w of the Revenue and Taxation Code.

(2) A mobilehome park association of a mobilehome park that is situated in the [City, County, or City and County].

(3) Senior citizen organizations.

(4) Charitable organizations affiliated with a school district.

(b) The application shall be in a form prescribed by the License Official and shall be accompanied by a nonrefundable filing fee in an amount determined by resolution of the [Governing Body of the City, County, or City and County] from time to time. The following documentation shall be attached to the application, as applicable:

(1) A certificate issued by the Franchise Tax Board certifying that the applicant is exempt from the payment of the taxes imposed under the Corporation Tax Law pursuant to Section 23701a, 23701b, 23701d, 23701e, 23701f, 23701g, 23701k, 23701l, or 23701w of the Revenue and Taxation Code. In lieu of a certificate issued by the Franchise Tax Board, the License Official may refer to the Franchise Tax Board's Internet Web site to verify that the applicant is exempt from the payment of the taxes imposed under the Corporation Tax Law.

(2) Other evidence as the License Official determines is necessary to verify that the applicant is a duly organized mobilehome park association of a mobilehome park situated in the [City, County, or City and County].

Sec. __.04. License Application: Verification.

The license shall not be issued until the License Official has verified the facts stated in the application and determined that the applicant is qualified.

Sec. __.05. Annual Licenses.

A license issued pursuant to this chapter shall be valid until the end of the calendar year, at which time the license shall expire. A new license shall only be obtained upon filing a new application and payment of the license fee. The fact that a license has been issued to an applicant creates no vested right on the part of the licensee to continue to offer bingo for play. The [Governing Body of the City, County, or City and County] expressly reserves the right to amend or repeal this chapter at any time by resolution. If this chapter is repealed, all licenses issued pursuant to this chapter shall cease to be effective for any purpose on the effective date of the repealing resolution.

Sec. __.06. Conditions of Licensure.

(a) Any license issued pursuant to this chapter shall be subject to the conditions contained in Sections 326.3 and 326.4 of the Penal Code, and each licensee shall comply with the requirements of those provisions.

(b) Each license issued pursuant to this chapter shall be subject to the following additional conditions:

(1) Bingo games shall not be conducted by any licensee on more than two days during any week, except that a licensee may hold one additional game, at its election, in each calendar quarter.

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(2) The licensed organization is responsible for ensuring that the conditions of this chapter and Sections 326.3 and 326.4 of the Penal Code are complied with by the organization and its officers and members. A violation of any one or more of those conditions or provisions shall constitute cause for the revocation of the organization's license. At the request of the organization, the [Governing Body of the City, County, or City and County] shall hold a public hearing before revoking any license issued pursuant to this chapter.

(3) This section shall not require a city, county, or city and county to use this model ordinance in order to authorize remote caller bingo.

(d) It is a misdemeanor for any person to receive or pay a profit, wage, or salary from any remote caller bingo game, provided that administrative, managerial, technical, financial, and security personnel employed by the organization conducting the bingo game may be paid reasonable fees for services rendered from the revenues of bingo games, as provided in subdivision (1), except that fees paid under those agreements shall not be determined as a percentage of receipts or other revenues from, or be dependent on the outcome of, the game.

(e) A violation of subdivision (d) shall be punishable by a fine not to exceed ten thousand dollars (\$10,000), which fine shall be deposited in the general fund of the city, county, or city and county that enacted the ordinance authorizing the remote caller bingo game. A violation of any provision of this section, other than subdivision (d), is a misdemeanor.

(f) The city, county, or city and county that enacted the ordinance authorizing the remote caller bingo game, or the Attorney General, may bring an action to enjoin a violation of this section.

(g) No minors shall be allowed to participate in any remote caller bingo game.

(h) A remote caller bingo game shall include only sites that are located within this state.

(i) An organization authorized to conduct a remote caller bingo game pursuant to subdivision (b) shall conduct the game only on property that is owned or leased by the organization, or the use of which is donated to the organization. This subdivision shall not be construed to require that the property that is owned or leased by, or the use of which is donated to, the organization be used or leased exclusively by, or donated exclusively to, that organization.

(j) (1) All remote caller bingo games shall be open to the public, and shall not be limited to the members of the authorized organization.

(2) No more than 750 players may participate in a remote caller bingo game in a single location.

(3) If the Governor or the President declares a state of emergency in response to a natural disaster or other public catastrophe occurring in California, an organization authorized to conduct remote caller bingo games may, while that declaration is in effect, conduct a remote caller bingo game pursuant to this section with more than 750 participants in a single venue if the net proceeds of the game, after deduction of prizes and overhead expenses, are donated to or expended exclusively for the relief of the victims of the disaster or catastrophe, and the organization gives, for each participating remote caller bingo site, the department and local law enforcement at least 10 days' written notice of the intent to conduct that game.

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(4) For each participating remote caller bingo site, an organization authorized by the commission to conduct remote caller bingo games shall provide the department and local law enforcement with at least 30 days' advance written notice of its intent to conduct a remote caller bingo game. That notice shall include all of the following:

(A) The legal name of the organization and the address of record of the agent upon whom legal notice may be served.

(B) The locations of the caller and remote players, whether the property is owned by the organization or donated, and if donated, by whom.

(C) The name of the licensed caller and site manager.

(D) The names of administrative, managerial, technical, financial, and security personnel employed.

(E) The name of the vendor and any person or entity maintaining the equipment used to operate and transmit the game.

(F) The name of the person designated as having a fiduciary responsibility for the game pursuant to paragraph (2) of subdivision (k).

(G) The license numbers of all persons specified in subparagraphs (A) to (F), inclusive, who are required to be licensed.

(H) A copy of the local ordinance for any city, county, or city and county in which the game will be played. The department shall post the ordinance on its Internet Web site.

(I) A copy of the license issued to the organization by the governing body of the city, county, or city and county pursuant to subdivision (b).

(k) (1) A remote caller bingo game shall be operated and staffed only by members of the authorized organization that organized it. Those members shall not receive a profit, wage, or salary from any remote caller bingo game. Only the organization authorized to conduct a remote caller bingo game shall operate that game, or participate in the promotion, supervision, or any other phase of a remote caller bingo game. Subject to subdivision (m), this subdivision shall not preclude the employment of administrative, managerial, technical, financial, or security personnel who are not members of the authorized organization at a location participating in the remote caller bingo game by the organization conducting the game.

Notwithstanding any other law, exclusive or other agreements between the authorized organization and other entities or persons to provide services in the administration, management, or conduct of the game shall not be considered a violation of the prohibition against holding a legally cognizable financial interest in the conduct of the remote caller bingo game by persons or entities other than the charitable organization, or other entity authorized to conduct the remote caller bingo games, if those persons or entities obtain the gambling licenses, the key employee licenses, or the work permits required by, and otherwise comply with, Chapter 5 (commencing with Section 19800) of Division 8 of the Business and Professions Code. Fees to be paid under those agreements shall be reasonable and shall not be determined as a percentage of receipts or other revenues from, or be dependent on the outcome of, the game.

(2) An organization that conducts a remote caller bingo game shall designate a person as having fiduciary responsibility for the game.

(1) No individual, corporation, partnership, or other legal entity, except the organization authorized to conduct or participate in a remote caller bingo game, shall hold a legally cognizable

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financial interest in the conduct of that game.

(m) An organization authorized to conduct a remote caller bingo game pursuant to this section shall not have overhead costs exceeding 20 percent of gross sales, except that the limitations of this section shall not apply to one-time, nonrecurring capital acquisitions. For purposes of this subdivision, "overhead costs" includes, but is not limited to, amounts paid for rent and equipment leasing and the reasonable fees authorized to be paid to administrative, managerial, technical, financial, and security personnel employed by the organization pursuant to subdivision (d). For the purpose of keeping its overhead costs below 20 percent of gross sales, an authorized organization may elect to deduct all or a portion of the fees paid to financial institutions for the use and processing of credit card sales from the amount of gross revenues awarded for prizes. In that case, the redirected fees for the use and processing of credit card sales shall not be included in "overhead costs" as defined in the California Remote Caller Bingo Act. Additionally, fees paid to financial institutions for the use and processing of credit card sales shall not be deducted from the proceeds retained by the charitable organization.

(n) A person shall not be allowed to participate in a remote caller bingo game unless the person is physically present at the time and place where the remote caller bingo game is being conducted. A person shall be deemed to be physically present at the place where the remote caller bingo game is being conducted if he or she is present at any of the locations participating in the remote caller bingo game in accordance with this section.

(o) (1) An organization shall not cosponsor a remote caller bingo game with one or more other organizations unless one of the following is true:

(A) All of the cosponsors are affiliated under the master charter or articles and bylaws of a single organization.

(B) All of the cosponsors are affiliated through an organization described in paragraph (1) of subdivision (b), and have the same Internal Revenue Service activity code.

(2) Notwithstanding paragraph (1), a maximum of 10 unaffiliated organizations described in paragraph (1) of subdivision (b) may enter into an agreement to cosponsor a remote caller game, but that game shall have no more than 10 locations.

(3) An organization shall not conduct remote caller bingo more than two days per week.

(4) Before sponsoring or operating any game authorized under paragraph (1) or (2), each of the cosponsoring organizations shall have entered into a written agreement, a copy of which shall be provided to the department, setting forth how the expenses and proceeds of the game are to be allocated among the participating organizations, the bank accounts into which all receipts are to be deposited and from which all prizes are to be paid, and how game records are to be maintained and subjected to annual audit.

(p) The value of prizes awarded during the conduct of any remote caller bingo game shall not exceed 37 percent of the gross receipts for that game. When an authorized organization elects to deduct fees paid for the use and processing of credit card sales from the amount of gross revenues for that game awarded for prizes, the maximum amount of gross revenues that may be awarded for prizes shall not exceed 37 percent of the gross receipts for that game, less the amount of redirected fees paid for the use and processing of credit

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card sales. Every remote caller bingo game shall be played until a winner is declared. Progressive prizes are prohibited. The declared winner of a remote caller bingo game shall provide his or her identifying information and a mailing address to the onsite manager of the remote caller bingo game. Prizes shall be paid only by check; no cash prizes shall be paid. The organization conducting the remote caller bingo game may issue a check to the winner at the time of the game, or may send a check to the declared winner by United States Postal Service certified mail, return receipt requested. All prize money exceeding state and federal exemption limits on prize money shall be subject to income tax reporting and withholding requirements under applicable state and federal laws and regulations and those reports and withholding shall be forwarded, within 10 business days, to the appropriate state or federal agency on behalf of the winner. A report shall accompany the amount withheld identifying the person on whose behalf the money is being sent. Any game interrupted by a transmission failure, electrical outage, or act of God shall be considered void in the location that was affected. A refund for a canceled game or games shall be provided to the purchasers.

(q) (1) The commission shall require the licensure of the following:

(A) Any person who contracts to conduct remote caller bingo on behalf of an organization described in subdivision (b) or who is identified as having fiduciary responsibility for the game pursuant to subdivision (k).

(B) Any person who directly or indirectly manufactures, distributes, supplies, vends, leases, or otherwise provides supplies, devices, services, or other equipment designed for use in the playing of a remote caller bingo game by any organization described in subdivision (b).

(C) Beginning January 31, 2009, or a later date as may be established by the commission, all persons described in subparagraph (A) or (B) may submit to the commission a letter of intent to submit an application for licensure. The letter shall clearly identify the principal applicant, all categories under which the application will be filed, and the names of all those particular individuals who are applying. Each charitable organization shall provide an estimate of the frequency with which it plans to conduct remote caller bingo operations, including the number of locations. The letter of intent may be withdrawn or updated at any time.

(2) (A) Background investigations related to remote caller bingo conducted by the department shall be in accordance with the Gambling Control Act (Chapter 5 (commencing with Section 19800) of Division 8 of the Business and Professions Code) and as specified in regulations promulgated by the commission or the department.

(B) Fees to cover background investigation costs shall be paid and accounted for in accordance with Section 19867 of the Business and Professions Code.

(3) (A) Every application for a license or approval by a person described in subparagraph (A) of paragraph (1) shall be submitted to the department and accompanied by a nonrefundable fee.

(B) Fees and revenue collected pursuant to this paragraph shall be deposited in the California Bingo Fund, which is hereby created in the State Treasury. The funds deposited in the California Bingo Fund shall be available, upon appropriation by the Legislature, for expenditure by the commission and the department exclusively for the support of the commission and department in carrying out their duties

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and responsibilities under this section and Section 326.5.

(C) A loan is hereby authorized from the Gambling Control Fund to the California Bingo Fund on or after January 1, 2009, in an amount of up to five hundred thousand dollars (\$500,000) to fund operating, personnel, and other startup costs incurred by the commission and department relating to this section. Funds from the California Bingo Fund shall be available to the commission and department upon appropriation by the Legislature in the annual Budget Act. The loan shall be subject to all of the following conditions:

(i) The loan shall be repaid to the Gambling Control Fund as soon as there is sufficient money in the California Bingo Fund to repay the amount loaned, but no later than July 1, 2019.

(ii) Interest on the loan shall be paid from the California Bingo Fund at the rate accruing to moneys in the Pooled Money Investment Account.

(iii) The terms and conditions of the loan are approved, prior to the transfer of funds, by the Department of Finance pursuant to appropriate fiscal standards.

The commission and department may assess and collect reasonable fees and deposits as necessary to defray the costs of regulation and oversight.

(D) Notwithstanding any other law, the loan authorized by Provision 1 of Item 0855-001-0567 of the Budget Act of 2009, in the amount of four hundred fifty-seven thousand dollars (\$457,000), shall be repaid no later than July 1, 2019.

(E) The licensing fee for any person or entity that directly or indirectly manufactures, distributes, supplies, vends, leases, or otherwise provides supplies, devices, services, or other equipment designed for use in the playing of a remote caller bingo game by any nonprofit organization shall be in an amount determined by the department, not to exceed the reasonable regulatory costs to the department and in accordance with regulations adopted pursuant to this chapter. Prior to the adoption of the regulations, the nonrefundable license fee shall be the amount of the reasonable regulatory costs to the department, not to exceed three thousand dollars (\$3,000) per year.

(r) The administrative, managerial, technical, financial, and security personnel employed by an organization that conducts remote caller bingo games shall apply for, obtain, and thereafter maintain valid work permits, as defined in Section 19805 of the Business and Professions Code.

(s) An organization that conducts remote caller bingo games shall retain records in connection with the remote caller bingo game for five years.

(t) (1) All equipment used for remote caller bingo shall be certified as compliant with regulations adopted by the department by a manufacturing expert recognized by the department. Certifications shall be submitted to the department prior to the use of any equipment subject to this subdivision.

(2) The department may monitor operation of the transmission and other equipment used for remote caller bingo, and monitor the game.

(u) (1) As used in this section, "remote caller bingo game" means a game of bingo, as defined in subdivision (o) of Section 326.5, in which the numbers or symbols on randomly drawn plastic balls are announced by a natural person present at the site at which the live game is conducted, and the organization conducting the bingo game uses audio and video technology to link any of its in-state

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facilities for the purpose of transmitting the remote calling of a live bingo game from a single location to multiple locations owned, leased, or rented by that organization, or as described in subdivision (o) of this section. The audio or video technology used to link the facilities may include cable, Internet, satellite, broadband, or telephone technology, or any other means of electronic transmission that ensures the secure, accurate, and simultaneous transmission of the announcement of numbers or symbols in the game from the location at which the game is called by a natural person to the remote location or locations at which players may participate in the game. The drawing of each ball bearing a number or symbol by the natural person calling the game shall be visible to all players as the ball is drawn, including through a simultaneous live video feed at remote locations at which players may participate in the game.

(2) The caller in the live game must be licensed by the California Gambling Control Commission. A game may be called by a nonlicensed caller if the drawing of balls and calling of numbers or symbols by that person is observed and personally supervised by a licensed caller.

(3) Remote caller bingo games shall be played using traditional paper or other tangible bingo cards and daubers, and shall not be played by using electronic devices, except card-minding devices, as described in paragraph (1) of subdivision (p) of Section 326.5.

(4) Prior to conducting a remote caller bingo game, the organization that conducts remote caller bingo shall submit to the department the controls, methodology, and standards of game play, which shall include, but not be limited to, the equipment used to select bingo numbers and create or originate cards, control or maintenance, distribution to participating locations, and distribution to players. Those controls, methodologies, and standards shall be subject to prior approval by the department, provided that the controls shall be deemed approved by the department after 90 days from the date of submission unless disapproved.

(v) A location shall not be eligible to participate in a remote caller bingo game if bingo games are conducted at that location in violation of Section 326.5 or any regulation adopted by the commission pursuant to Section 19841 of the Business and Professions Code, including, but not limited to, a location at which unlawful electronic devices are used.

(w) (1) The vendor of the equipment used in a remote caller bingo game shall have its books and records audited at least annually by an independent California certified public accountant and shall submit the results of that audit to the department within 120 days after the close of the vendor's fiscal year. In addition, the department may audit the books and records of the vendor at any time.

(2) An authorized organization that conducts remote caller bingo games shall be audited by an independent California certified public accountant at least annually and copies of the audit reports shall be provided to the department within 60 days of completion of the audit report. A city, county, or city and county shall be provided a full copy of the audit or an audit report upon request. The audit report shall account for the annual amount of fees paid to financial institutions for the use and processing of credit card sales by the authorized organization and the amount of fees for the use and processing of credit card sales redirected from "overhead costs" and deducted from the amount of gross revenues awarded for prizes.

(3) The costs of the licensing and audits required by this section

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shall be borne by the person or entity required to be licensed or audited. The audit shall enumerate the receipts for remote caller bingo, the prizes disbursed, the overhead costs, and the amount retained by the nonprofit organization. The department may audit the books and records of an organization that conducts remote caller bingo games at any time.

(4) If the department identifies practices in violation of this section, the license for the audited entity may be suspended pending review and hearing before the commission for a final determination.

(x) (1) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

(2) Notwithstanding paragraph (1), if paragraph (1) or (3) of subdivision (u), or the application of either of those provisions, is held invalid, this entire section shall be invalid.

(y) The department shall submit a report to the Legislature, on or before January 1, 2016, on the fundraising effectiveness and regulation of remote caller bingo, and other matters that are relevant to the public interest regarding remote caller bingo.

(z) The following definitions apply for purposes of this section:

(1) "Commission" means the California Gambling Control Commission.

(2) "Department" means the Department of Justice.

(3) "Person" includes a natural person, corporation, limited liability company, partnership, trust, joint venture, association, or any other business organization.

(aa) This section shall become inoperative on July 1, 2016, and, as of January 1, 2017, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2017, deletes or extends the dates on which it becomes inoperative and is repealed.

326.4. (a) Consistent with the Legislature's finding that card-minding devices, as described in subdivision (p) of Section 326.5, are the only permissible electronic devices to be used by charity bingo players, and in an effort to ease the transition to remote caller bingo on the part of those nonprofit organizations that, as of July 1, 2008, used electronic devices other than card-minding devices to conduct games in reliance on an ordinance of a city, county, or city and county that, as of July 1, 2008, expressly recognized the operation of electronic devices other than card-minding devices by organizations purportedly authorized to conduct bingo in the city, county, or city and county, there is hereby created the Charity Bingo Mitigation Fund.

(b) The Charity Bingo Mitigation Fund shall be administered by the Department of Justice.

(c) Mitigation payments to be made by the Charity Bingo Mitigation Fund shall not exceed five million dollars (\$5,000,000) in the aggregate.

(d) (1) To allow the Charity Bingo Mitigation Fund to become immediately operable, five million dollars (\$5,000,000) shall be loaned from the accrued interest in the Indian Gaming Special Distribution Fund to the Charity Bingo Mitigation Fund on or after January 1, 2009, to make mitigation payments to eligible nonprofit organizations. Five million dollars (\$5,000,000) of this loan amount is hereby appropriated to the California Gambling Control Commission

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for the purposes of providing mitigation payments to certain charitable organizations, as described in subdivision (e). Pursuant to Section 16304 of the Government Code, after three years the unexpended balance shall revert back to the Charity Bingo Mitigation Fund.

(2) To reimburse the Special Distribution Fund, those nonprofit organizations that conduct a remote caller bingo game pursuant to Section 326.3 shall pay to the Department of Justice an amount equal to 5 percent of the gross revenues of each remote caller bingo game played until that time as the full advanced amount plus interest on the loan at the rate accruing to moneys in the Pooled Money Investment Account is reimbursed.

(e) (1) An organization meeting the requirements in subdivision (a) shall be eligible to receive mitigation payments from the Charity Bingo Mitigation Fund only if the city, county, or city and county in which the organization is located maintained official records of the net revenues generated for the fiscal year ending June 30, 2008, by the organization from the use of electronic devices or the organization maintained audited financial records for the fiscal year ending June 30, 2008, which show the net revenues generated from the use of electronic devices.

(2) In addition, an organization applying for mitigation payments shall provide proof that its board of directors has adopted a resolution and its chief executive officer has signed a statement executed under penalty of perjury stating that, as of January 1, 2009, the organization has ceased using electronic devices other than card-minding devices, as described in subdivision (p) of Section 326.5, as a fundraising tool.

(3) Each eligible organization may apply to the California Gambling Control Commission no later than January 31, 2009, for the mitigation payments in the amount equal to net revenues from the fiscal year ending June 30, 2008, by filing an application, including therewith documents and other proof of eligibility, including any and all financial records documenting the organization's net revenues for the fiscal year ending June 30, 2008, as the California Gambling Control Commission may require. The California Gambling Control Commission is authorized to access and examine the financial records of charities requesting funding in order to confirm the legitimacy of the request for funding. In the event that the total of those requests exceeds five million dollars (\$5,000,000), payments to all eligible applicants shall be reduced in proportion to each requesting organization's reported or audited net revenues from the operation of electronic devices.

326.45. Up to five hundred thousand dollars (\$500,000), as determined by order of the Director of Finance, is hereby appropriated from the California Bingo Fund to the California Gambling Control Commission for use in the 2008-09 fiscal year for the purposes described in subparagraph (C) of paragraph (3) of subdivision (q) of Section 326.3.

326.5. (a) Neither the prohibition on gambling in this chapter nor in Chapter 10 (commencing with Section 330) applies to any bingo game

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that is conducted in a city, county, or city and county pursuant to an ordinance enacted under Section 19 of Article IV of the State Constitution, if the ordinance allows games to be conducted only in accordance with this section and only by organizations exempted from the payment of the bank and corporation tax by Sections 23701a, 23701b, 23701d, 23701e, 23701f, 23701g, 23701k, 23701w, and 23701l of the Revenue and Taxation Code and by mobilehome park associations, senior citizens organizations, and charitable organizations affiliated with a school district; and if the receipts of those games are used only for charitable purposes.

(b) It is a misdemeanor for any person to receive or pay a profit, wage, or salary from any bingo game authorized by Section 19 of Article IV of the State Constitution. Security personnel employed by the organization conducting the bingo game may be paid from the revenues of bingo games, as provided in subdivisions (j) and (k).

(c) A violation of subdivision (b) shall be punishable by a fine not to exceed ten thousand dollars (\$10,000), which fine is deposited in the general fund of the city, county, or city and county that enacted the ordinance authorizing the bingo game. A violation of any provision of this section, other than subdivision (b), is a misdemeanor.

(d) The city, county, or city and county that enacted the ordinance authorizing the bingo game may bring an action to enjoin a violation of this section.

(e) Minors shall not be allowed to participate in any bingo game.

(f) An organization authorized to conduct bingo games pursuant to subdivision (a) shall conduct a bingo game only on property owned or leased by it, or property whose use is donated to the organization, and which property is used by that organization for an office or for performance of the purposes for which the organization is organized. Nothing in this subdivision shall be construed to require that the property owned or leased by, or whose use is donated to, the organization be used or leased exclusively by, or donated exclusively to, that organization.

(g) All bingo games shall be open to the public, not just to the members of the authorized organization.

(h) A bingo game shall be operated and staffed only by members of the authorized organization that organized it. Those members shall not receive a profit, wage, or salary from any bingo game. Only the organization authorized to conduct a bingo game shall operate such a game, or participate in the promotion, supervision, or any other phase of a bingo game. This subdivision does not preclude the employment of security personnel who are not members of the authorized organization at a bingo game by the organization conducting the game.

(i) Any individual, corporation, partnership, or other legal entity, except the organization authorized to conduct a bingo game, shall not hold a financial interest in the conduct of a bingo game.

(j) With respect to organizations exempt from payment of the bank and corporation tax by Section 23701d of the Revenue and Taxation Code, all profits derived from a bingo game shall be kept in a special fund or account and shall not be commingled with any other fund or account. Those profits shall be used only for charitable purposes.

(k) With respect to other organizations authorized to conduct bingo games pursuant to this section, all proceeds derived from a bingo game shall be kept in a special fund or account and shall not

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be commingled with any other fund or account. Proceeds are the receipts of bingo games conducted by organizations not within subdivision (j). Those proceeds shall be used only for charitable purposes, except as follows:

(1) The proceeds may be used for prizes.

(2) (A) Except as provided in subparagraph (B), a portion of the proceeds, not to exceed 20 percent of the proceeds before the deduction for prizes, or two thousand dollars (\$2,000) per month, whichever is less, may be used for the rental of property and for overhead, including the purchase of bingo equipment, administrative expenses, security equipment, and security personnel.

(B) For the purposes of bingo games conducted by the Lake Elsinore Elks Lodge, a portion of the proceeds, not to exceed 20 percent of the proceeds before the deduction for prizes, or three thousand dollars (\$3,000) per month, whichever is less, may be used for the rental of property and for overhead, including the purchase of bingo equipment, administrative expenses, security equipment, and security personnel. Any amount of the proceeds that is additional to that permitted under subparagraph (A), up to one thousand dollars (\$1,000), shall be used for the purpose of financing the rebuilding of the facility and the replacement of equipment that was destroyed by fire in 2007. The exception to subparagraph (A) that is provided by this subparagraph shall remain in effect only until the cost of rebuilding the facility is repaid, or January 1, 2019, whichever occurs first.

(3) The proceeds may be used to pay license fees.

(4) A city, county, or city and county that enacts an ordinance permitting bingo games may specify in the ordinance that if the monthly gross receipts from bingo games of an organization within this subdivision exceed five thousand dollars (\$5,000), a minimum percentage of the proceeds shall be used only for charitable purposes not relating to the conducting of bingo games and that the balance shall be used for prizes, rental of property, overhead, administrative expenses, and payment of license fees. The amount of proceeds used for rental of property, overhead, and administrative expenses is subject to the limitations specified in paragraph (2).

(1) (1) A city, county, or city and county may impose a license fee on each organization that it authorizes to conduct bingo games. The fee, whether for the initial license or renewal, shall not exceed fifty dollars (\$50) annually, except as provided in paragraph (2). If an application for a license is denied, one-half of any license fee paid shall be refunded to the organization.

(2) In lieu of the license fee permitted under paragraph (1), a city, county, or city and county may impose a license fee of fifty dollars (\$50) paid upon application. If an application for a license is denied, one-half of the application fee shall be refunded to the organization. An additional fee for law enforcement and public safety costs incurred by the city, county, or city and county that are directly related to bingo activities may be imposed and shall be collected monthly by the city, county, or city and county issuing the license; however, the fee shall not exceed the actual costs incurred in providing the service.

(m) A person shall not be allowed to participate in a bingo game, unless the person is physically present at the time and place where the bingo game is being conducted.

(n) The total value of prizes available to be awarded during the conduct of any bingo games shall not exceed five hundred dollars

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(\$500) in cash or kind, or both, for each separate game which is held.

(o) As used in this section, "bingo" means a game of chance in which prizes are awarded on the basis of designated numbers or symbols that are marked or covered by the player on a tangible card in the player's possession and that conform to numbers or symbols, selected at random and announced by a live caller. Notwithstanding Section 330c, as used in this section, the game of bingo includes tangible cards having numbers or symbols that are concealed and preprinted in a manner providing for distribution of prizes. Electronics or video displays shall not be used in connection with the game of bingo, except in connection with the caller's drawing of numbers or symbols and the public display of that drawing, and except as provided in subdivision (p). The winning cards shall not be known prior to the game by any person participating in the playing or operation of the bingo game. All preprinted cards shall bear the legend, "for sale or use only in a bingo game authorized under California law and pursuant to local ordinance." Only a covered or marked tangible card possessed by a player and presented to an attendant may be used to claim a prize. It is the intention of the Legislature that bingo as defined in this subdivision applies exclusively to this section and shall not be applied in the construction or enforcement of any other provision of law.

(p) (1) Players who are physically present at a bingo game may use hand-held, portable card-minding devices, as described in this subdivision, to assist in monitoring the numbers or symbols announced by a live caller as those numbers or symbols are called in a live game. Card-minding devices may not be used in connection with any game where a bingo card may be sold or distributed after the start of the ball draw for that game. A card-minding device shall do all of the following:

(A) Be capable of storing in the memory of the device bingo faces of tangible cards purchased by a player.

(B) Provide a means for bingo players to input manually each individual number or symbol announced by a live caller.

(C) Compare the numbers or symbols entered by the player to the bingo faces previously stored in the memory of the device.

(D) Identify winning bingo patterns that exist on the stored bingo faces.

(2) A card-minding device shall perform no functions involving the play of the game other than those described in paragraph (1). Card-minding devices shall not do any of the following:

(A) Be capable of accepting or dispensing any coins, currency, or other representative of value or on which value has been encoded.

(B) Be capable of monitoring any bingo card face other than the faces of the tangible bingo card or cards purchased by the player for that game.

(C) Display or represent the game result through any means, including, but not limited to, video or mechanical reels or other slot machine or casino game themes, other than highlighting the winning numbers or symbols marked or covered on the tangible bingo cards or giving an audio alert that the player's card has a prize-winning pattern.

(D) Determine the outcome of any game or be physically or electronically connected to any component that determines the outcome of a game or to any other bingo equipment, including, but not limited to, the ball call station, or to any other card-minding

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device. No other player-operated or player-activated electronic or electromechanical device or equipment is permitted to be used in connection with a bingo game.

(3) (A) A card-minding device shall be approved in advance by the department as meeting the requirements of this section and any additional requirements stated in regulations adopted by the department. Any proposed material change to the device, including any change to the software used by the device, shall be submitted to the department and approved by the department prior to implementation.

(B) In accordance with Chapter 5 (commencing with Section 19800) of Division 8 of the Business and Professions Code, the commission shall establish reasonable criteria for, and require the licensure of, any person that directly or indirectly manufactures, distributes, supplies, vends, leases, or otherwise provides card-minding devices or other supplies, equipment, or services related to card-minding devices designed for use in the playing of bingo games by any nonprofit organization.

(C) A person or entity that supplies or services any card-minding device shall meet all licensing requirements established by the commission in regulations.

(4) The costs of any testing, certification, license, or determination required by this subdivision shall be borne by the person or entity seeking it.

(5) On and after January 1, 2010, the Department of Justice may inspect all card-minding devices at any time without notice, and may immediately prohibit the use of any device that does not comply with the requirements established by the department in regulations. The Department of Justice may at any time, without notice, impound any device the use of which has been prohibited by the commission.

(6) The Department of Justice shall issue regulations to implement the requirements of this subdivision, and the California Gambling Control Commission may issue regulations regarding the means by which the operator of a bingo game, as required by applicable law, may offer assistance to a player with disabilities in order to enable that player to participate in a bingo game, provided that the means of providing that assistance shall not be through any electronic, electromechanical, or other device or equipment that accepts the insertion of any coin, currency, token, credit card, or other means of transmitting value, and does not constitute or is not a part of a system that constitutes a video lottery terminal, slot machine, or device prohibited by Chapter 10 (commencing with Section 330).

(7) The following definitions apply for purposes of this subdivision:

(A) "Commission" means the California Gambling Control Commission.

(B) "Department" means the Department of Justice.

(C) "Person" includes a natural person, corporation, limited liability company, partnership, trust, joint venture, association, or any other business organization.

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CITY OF PLEASANT HILL POLICE DEPARTMENT



MEMORANDUM

Date: October 3, 2012
To: Troy Fujimoto, Senior Planner
From: Lieutenant Dan Connelly
Subject: Blue Devils Bingo

Bingo Parlors operated outside of religious organizations and senior citizen groups have historically caused issues for the police department by attracting some people who have engaged in criminal activity. The proposed Blue Devils Bingo Arcade would merely replace the two previous bingo parlors that were in place at the same address for many years, the Bingo Arcade and the I-Zone. The I-Zone operated with a slightly different bingo model but it was essentially the same concept. Both businesses utilize bingo machines or on-line bingo to operate. There has been controversy over the way these games have been played and their legality has been questioned. The law recently changed and now requires a "tangible card" and that the only electronic device that may be used is a "card minding device".

From January 1, 2005, to June 14, 2012, the Bingo Arcade and the I-Zone had a total of 306 events reported at the address. The majority were related to disturbances, narcotic violations, suspicious persons, and warrant arrests.

The Blue Devils Bingo (BDB) has operated in Concord for many years, dating back to the 1990's. Concord PD has experienced similar issues with patrons of the BDB, drunks, assaults, thefts, etc., but not to the extent that PHPD has with the Bingo Arcade and the Izone. One possible explanation is that the BDB in Concord is located in an industrial park in the far north end of Concord and away from the downtown businesses and shops. Since April 15, 2012 the Concord PD generated 11 events at the BDB; one petty theft, a misdemeanor assault, a felony assault, a hit and run collision, and five officer-initiated contacts resulting in two arrests.

The BDB also supports the Concord High School band, the Contra Costa Food Bank, and the Walnut Creek Aquanauts. Each charity is allotted one or two sessions per week for charity bingo. Each Charity is provided with \$500 for the session and all the tips from winning patrons. Officer Biama spoke with the Contra Costa Food Bank and confirmed that they receive a guaranteed \$500.00 per week from the BDB. In the last few months they have received over \$2000 each month from BDB.

Despite the charitable benefits for community organizations derived from BDB operations, police staff does not favor granting a use permit to the BDB for a bingo arcade. This position is based upon the history of problematic bingo parlors at that same location, albeit with different operators than the BDB.

If the use permit is granted, police staff recommends the following conditions be implemented:

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- A video surveillance system, including the interior of the premise, with retention of stored images for a minimum of 30 days.
- On site security officer (s). Note: If this condition is implemented it could be written into the terms that this requirement is subject to review after a specified period of time, e.g., 90 days.

ATTACHMENT "G"

NEWS - FEATURE

February 02, 2011

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A New Place to Gamble?

Some so-called "Internet cafes" allow you play computer games of chance and win cash. Are they legal?

By Anna McCarthy

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Strip away the packaging of your average slot machine — the flashy lights, the alluring ring-a-ding-dinging— and you've basically got a computer game that spits out money when you win. In the Bay Area, a few enterprising entrepreneurs, including reputed bingo mogul **Robert "Bob" Casteel**, have figured out a way to exploit the similarities between computers and slots by capitalizing on a gray area in California law. They've opened "Internet cafes" that offer slot-like games on computers that pay out cash.

Sound sketchy? The City of Oakland thought so, too. Two of these local ventures, one operated by Casteel at **Foothill Square** and another at **Durant Square**, recently fell under serious scrutiny by city officials. They sent a cease and desist letter last fall to Casteel and Durant Square operator, Ray Abels, stating that the storefronts were operating Internet bingo, which is not allowed in the City of Oakland. The **Oakland City Attorney's Office** then threatened to shut down the businesses.

Although both Casteel and Abels insisted on the legality of their ventures, they voluntarily closed their cafes in mid-October while the city figured out whether the businesses were legit or just a cover for illegal gambling.

During their closure, I visited another one of these Internet cafes — the **I-Zone** — in a strip mall next to a few restaurants near **Diablo Valley College** in Pleasant Hill. The windows of the I-Zone were shaded. About fifteen patrons were inside, sitting among rows of roughly thirty computer screens. I saw one person using the Internet to browse Facebook. The rest were playing flashy, colorful games, some of which made hushed chiming sounds as they played.

I paid the woman at the front desk \$5 for about twenty minutes of "Internet time." She also said I would get "100 chances" to win at a computer sweepstakes game. She said I had the option of sitting at an "Internet exclusive" computer, but I told her I wanted to play the games. Then she sat me at a computer screen and explained that the Internet time would not run while I was playing my chances.

A colorful stack of balls bounced across the screen, and I clicked the "Play" button with my mouse until I had increased my original \$5 investment to \$7.40. A cautious gambler, I decided to quit while I was ahead. There was a button on the corner of the screen that took me back to a Google search prompt when I was ready to use my Internet time. However, the computer I was on didn't really seem set up for Internet use. The keyboard didn't work. So I collected my winnings, and went on my way.

The manager of the I-Zone refused to divulge any names associated with the business or owner, and said that the owner would not comment on the controversy surrounding the sweepstakes cafes in Oakland or the legality of the operations at the I-Zone.

But **James Mecham**, a consultant who works for SweepsCoach, a company that helps people all over the country open "sweepstakes gaming cafes," insists that if the owners are running a tight ship, the ventures could very well be legal. A sweepstakes game, Mecham explained, is lawful where slots aren't

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because, technically speaking, the game is designed to encourage people to buy a product, and not directly buy "chances" like in other forms of gambling. For instance, burger lovers at McDonald's are automatically entered in their "Monopoly" game for the chance to win a bunch of money every time they purchase a burger. Sweepstakes cafes offer the same deal, Mecham argued. "It's kind of like the McDonald's Monopoly game on steroids," he said.

Still sound sketchy? Legally speaking, there are three elements of gambling: prizes, chance, and consideration. The first two are self-explanatory. The third means that the customer paid directly to enter the game. By charging customers for Internet time, or in some cases for long-distance phone time, instead of directly for entrance into a game, a sweepstakes cafe, Mecham argued, removes the third element of gambling — consideration. "Simply put, the sweepstakes machines are our Monopoly game and the Internet or phone time is our cheeseburger," reads the SweepsCoach web site.

Of course, few people buy 1,000 burgers at McDonald's then throw out the burgers to up their chances at winning the Monopoly game. In order for the sweepstakes cafes to remain legal, selling the featured product — Internet time — has to remain the central purpose of the business. **Patricia Simmons**, who owns T's, an Internet cafe in Antioch, said in a phone interview that the games are merely a promotional tool for her Internet business. "Everyone is up in arms about something they don't understand," she said.

Mecham, who is based in Sacramento, said that his SweepsCoach business is booming all over the country — except in California. That's because gambling laws here tend to be more rigid than elsewhere, he said. But that doesn't mean they're airtight.

Depending on how far California sweepstakes cafe operators are willing to go and how much money the vendors providing the games are willing to spend, an operator that chooses to fight the legal battle could very well win, Mecham said. And a higher court decision in favor of the cafes would set a precedent for the whole state. It hasn't been done yet in California because no one has wanted to take such a potentially pricey risk, Mecham said. "They don't want to be the pioneer in charge, taking the arrows," he said.

But local critics contend that Casteel and Abels, the Oakland Internet cafe operators, were using the money they made from computer sweepstakes games to supplement their bingo halls. The two are also the bingo permit holders at Foothill and Durant squares charitable bingo halls, according to Oakland Assistant City Administrator **Arturo Sanchez**. In both cases, the cafes were located adjacent to the respective bingo halls.

Casteel also appears to own an Internet café in Vallejo around the corner from his bingo hall in that city, 777 **Bingo**. According to a Vallejo city official, the business license for the Vallejo Internet cafe, **Lucky Business Services**, is listed under the name **Surety Administrative Service**. And the phone number given for that business belongs to Casteel.

Critics claim that the Internet cafes also give bingo operators like Casteel a competitive advantage over local charities that are trying to raise funds through bingo games. They allege that Casteel can keep his bingo hall "buy-in" charges low because of the extra cash flowing from his nearby cafe. Neither Casteel nor Abels responded to calls for comment.

At an Oakland City Council meeting in October, **Richard Poe**, a Richmond bingo hall landlord who said he was leasing his space to charities at no cost, said that given the prices being offered by the two Oakland halls, there's no way they could be making a profit, let alone stay afloat. "We'd like to see these shut down," Poe said. "What we see going on really is not what they intended in 1976 for charitable bingo."

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Of course, in 1976, when state voters decided to legalize bingo for charitable fund-raising purposes, there was no such thing as electronic bingo. There was just the old paper game. Both Foothill and Durant bingo halls featured electronic bingo until January 2009, when a new California law banned the machines from all charitable bingo halls in the state. Oakland and other Bay Area municipalities adopted the new state rules into their bingo ordinances.

Nancy Marcus, an assistant to the Oakland city administrator, said the city told the two Internet cafe operators to shutter their doors and move out under direction of the California Attorney General's Office. If Casteel and Abels refused, then they might have faced state charges.

In June 2009, the attorney general's office announced it had shut down "illegal gaming operations" in Stockton and San Diego after raids of a number of "Internet cafes," operating video poker, keno, and slots. "The agents purchased a card that allowed them 'Internet time' on the cafe's computers. If they won, an on-site employee paid them in cash," read the press release.

As of January 23, a visit to the former Foothill Square Internet cafe revealed that Casteel had decided to heed the city's warning and move out. However, the Durant Square Internet cafe was still open, advertising itself as the "Bingo Zone." Marcus said she wasn't aware that the cafe was still open and games still were being offered.

Although it's unclear whether Abels, the Durant Internet cafe owner, will fight if the city cracks down again. If it does, he may have a legal case to stay open. Mecham argued that as long as sweepstakes cafe operators stick to a business plan that features the product instead of the gaming, an expert will find that "although it looks like a duck and quacks like a duck, it's not necessarily a duck."

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« The Bingo Kingpin

What's Left of BRT? »

Related Stories

The Bingo Kingpin

When Berkeley concluded that its only major bingo hall was a scam, it apparently didn't realize who was pocketing the proceeds.

by Anna McCarthy

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ATTACHMENT "C"

August 7, 2014

City Of Antioch

City Council

Attn: Mindy Gentry, Tony Tiscareno and Mary Rocha

Re: Moratorium on Bingo Halls in Antioch

My name is Francine McMahon and I am part of the East County Hot Shots. We are a non-profit organization Founded in 2007, located in Antioch, Oakley, Brentwood and Pittsburg. We support a fast pitch traveling softball teams, we focus on keeping the kids in sports and off the streets. We have an indoor practice facility in Antioch where all the girls can go to practice and learn to play ball. Our bingo is located in Pittsburg and funds all proceeds to the kids. Due to economic times for the bingo, we moved to Pittsburg this year, where we had been operating at the VFW Hall in Antioch for several years. We are a small but, very successful bingo operation.

My purpose of the letter is to advise on the impact of additional bingo's opening in Antioch. If the City allows another organization into the city, we will likely be forced to close our doors. I believe we are also speaking on behalf of the VFW Woman's Aux Bingo, whom supports our Veterans and The Antioch Senior Center whom help the senior citizens in our community. We are all legitimate non-profit organizations doing the right things for our organizations. I reside in Antioch myself, we all know the crime and criminal activity is a daily ongoing problem.

Letting new bingo halls into the community will jeopardize the safety of our City and bring additional crime into the community, based on the new organization's history. We have been approached on several different occasions and phone calls to request we let It Takes a Village, operate in our existing building in Pittsburg, on the days we did not do bingo and share costs. After additional research from Bingo Managers and Supply Distributors, we declined, due to their reputation and credibility. The local bingo supply distributors will not so business with them either.

I did some personal research:

It Takes a Village Development Center – previously located in Oakland and Richmond, if we let them in, it will draw all the bad apples from Oakland and Richmond into our city. They have advised they will have the cheapest bingo in town and run the smaller bingo's out. The organization has a bad reputation in Oakland and have been run out, they are not currently operating. I cannot confirm this with the City Of Oakland. They do not have a current 501-C-3 charity organization to run a charity bingo, based on the Secretary of State and has been previously suspended. They are not currently registered with the Secretary of State nor the IRS. No fictitious name has been filed in Contra Costa County, so I'm not sure how they plan to operate.

Patriotic Hearts – This is Patricia Cooper who also goes by Patricia Simmons with the internet café's. She was the President of Love 2 Danz Bingo, she was removed from the board for suspicious activity and left the organization flat broke and in debt. The organization Love 2 Danz was closed by the State of California for non -filling of taxes and revoked there entity and the doors were closed. She then moved on to the internet cafes, in which she kept moving her locations around Pittsburg. The Pittsburg police ended up shutting her down. She then landed in Antioch were it was very difficult to shut down her gaming operation. My understanding is she was facing charges for illegal gaming and was placed on probation instead of jail time, and suppose to have no contact with gaming. She is now trying to open another bingo under the name of Patriotic Hearts, I cannot find any current information on them. There are no current 501C-3 charity nor are they registered with the Secretary of State or the IRS, there is no fictitious name filed with the county. She is clearly opening another internet café. I know her business tactics, she is not a nice person.

I did hear there are new gaming machines coming out soon and they will be just like the internet sweepstakes machines, just formatted differently, same concept. I also was told that these 2 applicants will join together if one location is approved, but this is here say. This is likely her motivation to open a new bingo as a cover up for the internet operations.

If there is a public hearing on this matter please let us know, so all interested parties can attend. I hope that you reconsider allowing any other bingo operations into Antioch. This will impact our local organizations greatly and we will no longer be able to do what we do so well. Should you have any questions or concerns, please feel free to contact me directly.

Sincerely,



Francine McMahon

East County Hot Shots – Bingo Operations Coordinator

Francinemcmahon53@aol.com

925-726-6211

CZ

**STAFF REPORT TO THE CITY COUNCIL FOR CONSIDERATION AT THE MEETING OF
AUGUST 26, 2014**

Prepared by: Tim Coley, Acting Water Distribution Superintendent *TC*
Approved by: Ron Bernal, Public Works Director/City Engineer *RB*
Date: August 18, 2014
Subject: Restricted Water Use – Statewide Drought Emergency

RECOMMENDATION

In response to the Governor's declaration of a State of Emergency due to severe drought conditions and the State Water Resources Control Board's (SWRCB) emergency regulations for statewide urban water conservation, it is recommended the City Council adopt the attached resolution (Attachment A) updating the City's Drought Management Plan (Attachment B) to impose mandatory restrictions on potable water practices, in addition to the 15% voluntary use reduction.

The mandatory restrictions prohibit the following activities:

- a. Using City furnished water for non-recirculating decorative fountains or filling decorative lakes or ponds.
- b. Washing paved or other hard-surfaced areas, including sidewalks, walkways, driveways, patios, and parking areas with City furnished water.
- c. Outside watering with City furnished water that results in flooding or runoff into a gutter, drain, patio, driveway, walkway or street.
- d. Washing a vehicle, trailer or boat with City furnished water using a hose without an automatic shut off nozzle.

BACKGROUND

The Governor of California declared a statewide drought emergency on January 17, 2014 and called upon local urban water suppliers and municipalities to implement their local water shortage contingency plans consistent with their Urban Water Management Plans (UWMP). In response to the Governor's declared emergency, on April 8, 2014 the City Council unanimously passed Resolution No. 2014/31 establishing a 15% Voluntary Drought Management Program. As a result of Resolution No. 2014/31, the City implemented Phase II (Mandatory Conservation Phase) of its Water Shortage Contingency Plan as outlined in its Urban Water Management Plan.

On April 25, 2014, the Governor issued an Executive Order to redouble State drought actions and on July 15, 2014 the State Water Resources Control Board (SWRCB) introduced Resolution No. 2014-0038 (Attachment C) an Emergency Regulation for Statewide Urban Water Conservation in order to prevent the waste and unreasonable use of water.

On July 29, 2014 the California Office of Administrative Law, adopted State Resolution No. 2014-0038, effectuating it immediately. In order to comply and avoid the possibility of significant

State imposed penalties, the City is updating its 15% Voluntary Drought Management Program (Attachment B) by **prohibiting** the practices per the recently adopted State Resolution, with such practices already prohibited by the Antioch Municipal Code, Chapter 6-10 Drought Management Regulations and Water Conservation, Section 6-10.04 Nonessential Use Of Water Prohibited.

The City of Antioch's Urban Water Management Plan (UWMP) provides guidelines for ensuring adequate water supplies are available to reliably meet water demands during both normal and dry year conditions. The UWMP and Antioch's Municipal Code, Chapter 6-10 provide a mechanism for the City to impose penalties and collect from those customers who violate the restrictions. The State Resolution allows local agencies to penalize their customers with a fine of up to \$500 per day for each day that the violation occurs.

CURRENT STATUS AND FUTURE IMPACTS

For the month of July 2014, the City of Antioch reduced usage by 14%, compared to usage in July of 2013. This does not meet the Governor's Proclamation dated January 17, 2014 asking for a 20% reduction in usage. By complying with the State Resolution asking for restrictions in water usage, the City should be able to meet this reduction.

The City reports water usage each month to the State Water Resources Control Board. The Board will be requesting urban water suppliers provide an additional monitoring report which provides current water produced compared with the same calendar month of the previous year. Beginning October 15, 2014, the monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves.

In case of changes to the law, or future water use restrictions imposed by the State due to worsening drought conditions, Chapter 6-10.06 (A) of the Municipal Code states: "The City Manager and/or his designee are hereby authorized to promulgate further rules and regulations further implementing the policies in this Chapter.

OUTREACH

The State is encouraging its urban water providers to educate their customers about the current drought status and impact; and recommends the following websites: www.saveourwater.com; www.saveourh2o.org; and www.drought.ca.gov. To help our customers meet their conservation goals, the City lists Prohibited Activities in Promotion of Water Conservation (Attachment D) and information including and links to Contra Costa Water District's (CCWD) incentive programs will be available on the City's website at www.antiochwater.com or on CCWD's home page at www.ccwater.com.

Conservation Incentives and Good Practices

As Antioch purchases the majority of its raw water from CCWD, Antioch residents are eligible to apply for, and/or participate in all of CCWD's water conservation programs and incentives. CCWD is offering a variety of incentives to customers to help them reach conservation goals. Coupons for these incentives are available at www.ccwater.com. Examples include:

- Free conservation site surveys
- Rebates for water-efficient fixtures (\$125 for high efficiency toilets, the toilet rebates will end in December 2014) and (\$200 for high efficiency clothes washers: \$125 CCWD, \$75 PG&E)
- Coupons for mulch for use in landscaping
- Lawn to Garden: \$1.00 per square foot of lawn replaced with water efficient landscaping (maximum rebate for single family is \$1,000 and pre-approval is required before you start).
- Coupons for carwashes using recycled water
- Sign up for the Water Saver e-Newsletter at www.ccwater.com/conserve/

ENFORCEMENT

The City is implementing several measures to monitor and achieve compliance with the requirements of the State, City ordinance and Resolution No. 2014/31. A dedicated Drought Hotline (925) 779-6140 has been established for water customers to report concerns regarding drought related issues. We will log all calls and respond as appropriate. Water staff will investigate complaints and encourage compliance with educational information. If those actions are unsuccessful, then noncompliant customers will be referred to Code Enforcement for additional action including fines up to \$500 per day per violation.

FISCAL IMPACTS

The update to the City's 15% Voluntary Drought Management Program will not raise customers' rates. The anticipated impacts of the Program on water revenues are projected in the FY14/15 budget request from the Public Works Department. This budget did not reflect revenue from any penalties which may be assessed. If the City does not comply with the State's requirement to prohibit the listed activities, it risks being subject to substantial fines of up to \$10,000 per day.

OPTIONS

None considered as this action is in response to the Governor's request for local agencies to redouble their water conservation efforts and is mandated by the regulations of the State Water Resources Control Board. Failure to comply with these regulations could result in fines against the City of up to \$10,000 per day.

ATTACHMENTS

- A. Resolution updating the City's Drought Management Program
- B. City of Antioch Drought Management Plan
- C. State Water Resources Control Board Resolution No. 2014-0038
- D. City of Antioch Prohibited Activities in Promotion of Water Conservation

RESOLUTION NO. 2014/**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
UPDATING THE CITY'S DROUGHT MANAGEMENT PROGRAM**

WHEREAS, on January 17, 2014 Governor Jerry Brown declared that a state of emergency exists within the State of California due to drought conditions and called on all water districts to implement their water shortage contingency plans; and

WHEREAS, on April 8, 2014, Antioch City Council unanimously passed Resolution No. 2014/31 establishing a 15% Voluntary Drought Management Program; and

WHEREAS, on April 25, 2014, the Governor issued an Executive Order to redouble State drought actions; and

WHEREAS, on July 15, 2014 the State Water Resources Control Board introduced Resolution No. 2014-0038 an Emergency Regulation for Statewide Urban Water Conservation in order to prevent the waste and unreasonable use of water; and

WHEREAS, on July 29, 2014, the California Office of Administrative Law, adopted State Resolution No. 2014-0038;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Antioch that the Council hereby finds and determines that:

1. Each of the facts recited above are incorporated herein;
2. Based upon the facts recited above, drought conditions exist that can affect water supply and quality available to the City; and
3. Based upon the City's Water Shortage Contingency Plan, the City is in Phase II, its mandatory conservation phase and can adopt additional rules and regulations pursuant to Chapter 10 of Title 6 of the Antioch Municipal Code; and
4. In addition to the voluntary reduction plan which asks customers to reduce their overall usage by 15%, focusing on outside water use; customers are prohibited from the following:
 - a. Using City furnished water for non-recirculating decorative fountains or filling decorative lakes or ponds.
 - b. Washing paved or other hard-surfaced areas, including sidewalks, walkways, driveways, patios, and parking areas with City furnished water.
 - c. Outside watering with City furnished water that results in flooding or runoff into a gutter, drain, patio, driveway, walkway or street.
 - d. Washing a vehicle, trailer or boat with City furnished water using a hose without an automatic shut off nozzle.
5. The State Resolution allows agencies to penalize those customers who violate the four prohibited activities in order to promote water conservation and a violation of the Municipal Code, including a violation of Chapter 10 of Title 6 of the Municipal Code is a misdemeanor that can be enforced through criminal or civil proceedings or through administrative citations.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted and passed by the City of Antioch, California, at a regular meeting thereof, held on the 8th day of April, 2014 by the following vote:

AYES:

NOES:

ABSENT:

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



On January 17, 2014, the Governor of California declared a statewide drought emergency and called upon local urban water suppliers and municipalities to implement their local Water Shortage Contingency Plans consistent with their Urban Water Management Plans. On April 25, 2014, Governor Brown issued an Executive Order to Redouble State Drought Actions.

City of Antioch Program

- 15% voluntary water reduction goal
- Focus on reduction in outside (irrigation) use
- Reduce Sprinkler timer for significant water savings
- No increase in customer fees
- Customer incentives and rebates available

On April 8, 2014, the City Council passed a resolution in an attempt to address the current drought conditions and has approved implementation of a 15% Voluntary Drought Management Program by placing certain restrictions on how water is to be used, with the focus on reducing outside water use by 25%. The program is based on an overall 15% water reduction goal and targets a 25% reduction outdoors to achieve the overall 15% goal. Residential customers can measure their usage against previous year's consumption for the same period. Information is provided on their water bill.

- Customers who reduce their usage will realize savings on their water bills.
- Program compliance is voluntary and customers have the option to determine how best to implement reductions.

Good Drought Program Water Practices

To help our customers meet their conservation goals, information, including links to CCWD's incentive programs, will be available on the City's website at www.antiochwater.com or on CCWD's home page at www.ccwater.com. CCWD is offering a variety of incentives to customers to help them reach conservation goals. As the City of Antioch is a retail customer of CCWD, Antioch residents are eligible to participate in these incentive programs. Coupons for the incentives are available at www.ccwater.com. Examples include:

- Free conservation site surveys
- Rebates for water-efficient fixtures (high efficiency toilets and clothes washers; however toilet rebates will be eliminated December 2014).
- Coupons for mulch for use in landscaping
- Lawn to Garden: \$1.00 per square foot of lawn replaced with water efficient landscaping (maximum rebate for single family is \$1,000 and pre-approval is required before you start).
- Coupons for carwashes using recycled water
- Sign up for the Water Saver e-Newsletter at www.ccwater.com/conserves/

Prohibited Activities in Promotion of Water Conservation:

The City **prohibits** the following wasteful water practices. These restrictions are necessary to conserve water, prevent waste and unreasonable use of water; and will remain in place while the Program is in effect.

- Using City furnished water for non-recirculating decorative fountains or filling decorative lakes or ponds.
- Washing paved or other hard-surfaced areas, including sidewalks, walkways, driveways, patios, and parking areas with City furnished water.
- Outside watering with City furnished water that results in flooding or runoff into a gutter, drain, patio, driveway, walkway or street.
- Washing a vehicle, trailer or boat with City furnished water using a hose without an automatic shut off nozzle.

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2014-0038**

**TO ADOPT AN EMERGENCY REGULATION
FOR STATEWIDE URBAN WATER CONSERVATION**

WHEREAS:

1. On April 25, 2014, Governor Edmund G. Brown Jr. issued an executive order to strengthen the state's ability to manage water and habitat effectively in drought conditions and called on all Californians to redouble their efforts to conserve water. The executive order finds that the continuous severe drought conditions present urgent challenges across the state including water shortages in communities and for agricultural production, increased wildfires, degraded habitat for fish and wildlife, threat of saltwater contamination, and additional water scarcity if drought conditions continue into 2015. The National Integrated Drought Information System reported that nearly 80% of the state was reported to be under "extreme" drought conditions at the end of June;
2. The executive order refers to the Governor's Proclamation No. 1-17-2014, issued on January 17, 2014, declaring a State of Emergency to exist in California due to severe drought conditions. The January Proclamation notes that the state is experiencing record dry conditions, with 2014 projected to become the driest year on record. Since January, state water officials indicate that reservoirs, rainfall totals and the snowpack remain critically low. This follows two other dry or below average years, leaving reservoir storage at alarmingly low levels. The January Proclamation highlights the State's dry conditions, lack of precipitation and the resulting effects on drinking water supplies, the cultivation of crops, and the survival of animals and plants that rely on California's rivers and streams. The January Proclamation also calls on all Californians to reduce their water usage by 20 percent;
3. There is no guarantee that winter precipitation will alleviate the drought conditions that the executive orders address, which will lead to even more severe impacts across the state if the drought wears on;
4. Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: "prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter's priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports";
5. Over 400,000 acres of farmland are expected to be fallowed, thousands of people may be out of work, communities risk running out of drinking water, and fish and wildlife will suffer.

6. Many Californians have taken bold steps over the years and in this year to reduce water use; nevertheless, the dire nature of the current drought requires additional conservation actions from residents and businesses. Some severely affected communities have implemented water rationing, limiting water use in some cases to only 50 gallons per person per day, foregoing showers, laundry, toilet flushing, and all outdoor watering.
7. Water conservation is the easiest, most efficient and most cost effective way to quickly reduce water demand and extend supplies into the next year, providing flexibility for all California communities. Water saved this summer is water available next year, giving water suppliers the flexibility to manage their systems efficiently. The more water that is conserved now, the less likely it is that a community will experience such dire circumstances that water rationing is required ;
8. Most Californians use more water outdoors than indoors. In many areas, 50 percent or more of daily water use is for lawns and outdoor landscaping. Outdoor water use is generally discretionary, and many irrigated landscapes would not suffer greatly from receiving a decreased amount of water;
9. Public information and awareness is critical to achieving conservation goals and the Save Our Water campaign, run jointly by the Department of Water Resources (DWR) and the Association of California Water Agencies, is an excellent resource for conservation information and messaging that is integral to effective drought response (<http://saveourwater.com>).
10. Enforcement against water waste is a key tool in conservation programs. When conservation becomes a social norm in a community, the need for enforcement is reduced or eliminated;
11. The emergency regulations set a minimum standard requiring only modest lifestyle changes across the state. Many communities are already doing more and have been for years. They should be commended, but can and should do more. Others are not yet doing so and should at least do this, but should do much more given the severity of the drought;
12. On July 8, 2014, the State Water Board issued public notice that the State Water Board would consider the adoption of the regulation at the Board's regularly-scheduled July 15, 2014 public meeting, in accordance with applicable State laws and regulations. The State Water Board also distributed for public review and comment a Finding of Emergency that complies with State laws and regulations;
13. On April 25, 2014, the Governor suspended the California Environmental Quality Act's application to the State Water Board's adoption of emergency regulations pursuant to Water Code section 1058.5 to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, to promote water recycling or water conservation;
14. As discussed above, the State Water Board is adopting the emergency regulation because of emergency drought conditions, the need for prompt action, and current limitations in the existing enforcement process;

15. Disadvantaged communities may require assistance in increasing water conservation and state agencies should look for opportunities to provide assistance in promoting water conservation;
16. Nothing in the regulations or in the enforcement provisions of the regulations, preclude a local agency from exercising its authority to adopt more stringent conservation measures. Moreover, the Water Code does not impose a mandatory penalty for violations of the regulations adopted by this resolution and local agencies retain their enforcement discretion in enforcing the regulations, to the extent authorized, and may develop their own progressive enforcement practices to encourage conservation.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board adopts California Code of Regulations, title 23, sections 863, 864, and 865, as appended to this resolution as an emergency regulation;
2. The State Water Board staff will submit the regulation to the Office of Administrative Law (OAL) for final approval;
3. If, during the approval process, State Water Board staff, the State Water Board, or OAL determines that minor corrections to the language of the regulation or supporting documentation are needed for clarity or consistency, the State Water Board Executive Director or designee may make such changes;
4. These regulations shall remain in effect for 270 days after filing with the Secretary of State unless the State Water Board determines that it is no longer necessary due to changed conditions, or unless the State Water Board renews the regulations due to continued drought conditions as described in Water Code section 1058.5;
5. The State Water Board directs staff to provide the Board with monthly updates on the implementation of the emergency regulations and their effect;
6. Directs State Water Board staff to condition funding upon compliance with the emergency regulations, to the extent feasible;
7. Directs State Water Board staff to work with the Department of Water Resources and the Save Our Water campaign to disseminate information regarding the emergency regulations; and
8. Directs State Water Board staff in developing an electronic reporting portal to include data fields so that local agencies may provide monthly reporting data on (i) conservation-related implementation measures or enforcement actions taken by the local agency and (ii) substitution during the drought of potable water with recycled water to extend water supplies.

THEREFORE BE IT FURTHER RESOLVED THAT:

9. The State Water Board commends water suppliers that have increased conservation messaging and adopted innovative strategies to enhance customer awareness of water use, such as applications that let customers compare their water use to water use by others; reduce system losses, such as fixing system leaks which can deplete supplies by 10 percent or more; and establish incentives to reduce demand, such as tiered or drought rate structures. The State Water Board also commends all Californians that have already been working to maximize their conservation efforts, both at home and at work;
10. The State Water Board calls upon water suppliers to take the following actions:

Educate customers and employees

- Retail water suppliers should provide notice of the regulations in English and Spanish in one or more of the following ways: newspaper advertisements, bill inserts, website homepage, social media, notices in public libraries;
- Wholesale suppliers should include reference to the regulations in their customer communications;
- All water suppliers should train personnel on the regulations;
- All water suppliers should provide signage where recycled or reclaimed water is being used for activities that the emergency regulations prohibit with the use of potable water, such as operation of fountains and other water features;
- All water suppliers should redouble their efforts to disseminate information regarding opportunities and incentives to upgrade indoor fixtures and appliances;
- All water suppliers should use education and the tools available through the Save Our Water website (<http://saveourwater.com>); and
- All water suppliers should educate and prepare their boards and councils on the drought response actions contained in the emergency regulations and in this resolution, and to make sure that drought response items are placed on agendas as early as possible;

Increasing local supplies

- All water suppliers should accelerate the completion of projects that will conserve potable water by making use of non-potable supplies, such as recycled water, "greywater," and stormwater collection projects;
- All water suppliers should improve their leak reporting and response programs and request that police and fire departments and other local government personnel report leaks and water waste that they encounter during their routine duties/patrols;
- Smaller water suppliers – those with fewer than 3,000 service connections – should take proactive steps to secure their communities' water supplies and educate their customers about water conservation and the status of their supply reserves;
- All water suppliers should conduct water loss audits and make leak detection and repair a top priority for the duration of the drought; and
- All urban water suppliers should evaluate their rate structures and begin to implement needed changes as part of planning for another dry year. Information and assistance on setting and implementing drought rates is available from the Alliance for Water Efficiency. (<http://www.allianceforwaterefficiency.org/>).

11. The State Water Board calls on all Californians to take the following additional actions:
 - Further reduce water demand, whether by using less water in daily routines indoors and out, retrofitting appliances and installing greywater and rainwater catchment systems; and
 - Check residential and business water bills to see if there are high charges that may indicate a leak and to fix the leak, if they are able, or contact their local water utility if they need assistance.
12. The State Water Board encourages its staff, the Department of Water Resources, the Public Utilities Commission, urban water suppliers, and other local agencies to look for opportunities to encourage and promote new technologies that reduce water usage, including through timely access to water usage information and behavioral response.
13. The State Water Board encourages all state and local agencies to look for additional opportunities to minimize potable water use in outdoor spaces.
14. The State Water Board encourages investor-owned utilities to expeditiously submit applications for implementation of the regulations to the California Public Utilities Commission.

CERTIFICATION

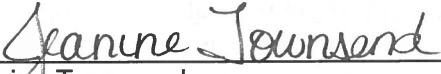
The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on July 15, 2014.

AYE: Chair Felicia Marcus
Vice Chair Frances Spivy-Weber
Board Member Steven Moore
Board Member Dorene D'Adamo

NAY: None

ABSENT: Board Member Tam M. Doduc

ABSTAIN: None



Jeanine Townsend
Clerk to the Board

PROPOSED TEXT OF EMERGENCY REGULATIONS

Article 22.5. Drought Emergency Water Conservation

Sec. 863 Findings of Drought Emergency

(a) The State Water Resources Control Board finds as follows:

(1) On January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions;

(2) On April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions;

(3) The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist;

(4) The present year is critically dry and has been immediately preceded by two or more consecutive below normal, dry, or critically dry years; and

(5) The drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will likely be necessary to further promote conservation.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105.

Sec. 864 Prohibited Activities in Promotion of Water Conservation

(a) To promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

(1) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;

(2) The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;

(3) The application of potable water to driveways and sidewalks; and

(4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.

(b) The taking of any action prohibited in subdivision (a) of this section, in addition to any other applicable civil or criminal penalties, is an infraction, punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105.

PROPOSED TEXT OF EMERGENCY REGULATIONS

Sec. 865 Mandatory Actions by Water Suppliers

(a) The term “urban water supplier,” when used in this section, refers to a supplier that meets the definition set forth in Water Code section 10617, except it does not refer to suppliers when they are functioning solely in a wholesale capacity, but does apply to suppliers when they are functioning in a retail capacity.

(b)(1) To promote water conservation, each urban water supplier shall implement all requirements and actions of the stage of its water shortage contingency plan that imposes mandatory restrictions on outdoor irrigation of ornamental landscapes or turf with potable water.

(2) As an alternative to subdivision (b)(1), an urban water supplier may submit a request to the Executive Director for approval of an alternate plan that includes allocation-based rate structures that satisfies the requirements of chapter 3.4 (commencing with section 370) of division 1 of the Water Code, and the Executive Director may approve such an alternate plan upon determining that the rate structure, in conjunction with other measures, achieves a level of conservation that would be superior to that achieved by implementing limitations on outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week.

(c) To promote water conservation, each urban water supplier that does not have a water shortage contingency plan or has been notified by the Department of Water Resources that its water shortage contingency plan does not meet the requirements of Water Code section 10632 shall, within thirty (30) days, limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week or shall implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

(d) In furtherance of the promotion of water conservation each urban water supplier shall prepare and submit to the State Water Resources Control Board by the 15th of each month a monitoring report on forms provided by the Board. The monitoring report shall include the amount of potable water the urban water supplier produced, including water provided by a wholesaler, in the preceding calendar month and shall compare that amount to the amount produced in the same calendar month in 2013. Beginning October 15, 2014, the monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves. In its initial monitoring report, each urban water supplier shall state the number of persons it serves.

(e) To promote water conservation, each distributor of a public water supply, as defined in Water Code section 350, that is not an urban water supplier shall, within thirty (30) days, take one or more of the following actions:

(1) Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week; or

(2) Implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105; 350; 10617; 10632.



Prohibited Activities in Promotion of Water Conservation

The City of Antioch has determined the following uses of potable water are wasteful; and are **prohibited** at any time when a 15% Voluntary Drought Management Program is in effect:

Single Family and Multi-Family Residential Customers

- a. Using City furnished water for non-recirculating decorative fountains or filling decorative lakes or ponds.
- b. Washing paved or other hard-surfaced areas, including sidewalks, walkways, driveways, patios, and parking areas with City furnished water.
- c. Outside watering with City furnished water that results in excessive flooding or runoff into a gutter, drain, patio, driveway, walkway or street.
- d. Washing a vehicle, trailer or boat with City furnished water using a hose without an automatic shut off nozzle.

Non-residential Customers

- a. Using City furnished water for non-recirculating decorative fountains or for filling decorative lakes or ponds.
- b. Washing paved or other hard-surfaced areas, including sidewalks, walkways, driveways, patios, and parking areas with City furnished water.
- c. Outside watering with City furnished water that results in flooding or runoff into a gutter, drain, patio, driveway, walkway or street.
- d. Outside watering of landscaping during the daylight hours of 9AM-5PM.

Additionally, the City of Antioch discourages outside watering of landscaping between 9:00 a.m. and 5:00 p.m. Use recycled water for dust control, where available.

**REPORT TO THE CITY COUNCIL FOR CONSIDERATION AT THE COUNCIL MEETING OF
AUGUST 26, 2014**

PREPARED BY: Steve Duran, City Manager 

DATE: July 24, 2014

**SUBJECT: CONSIDERATION OF THE PROPOSED LEAGUE OF CALIFORNIA
CITIES RESOLUTION REGARDING CONVENING A SUMMIT ON THE
IMPACTS OF ILLEGAL MARIJUANA GROWS AND DETERMINATION
OF A CITY POSITION FOR THE VOTING DELEGATE**

RECOMMENDATION:

It is recommended that the Council consider the proposed League of California Cities resolution regarding convening a summit on the impacts of illegal marijuana grows, and determine a City position for its voting delegate to the League conference.

BACKGROUND:

At the Annual Conference, the League will consider one resolution at the General Assembly:

"A resolution calling upon the Governor and the Legislature to convene a summit to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing problems to public safety related to these activities by working in partnership with the League of California Cities to develop responsive solutions and to secure adequate funding for cost-effective implementation strategies."

The resolution is included in the attached Resolutions Packet and is also posted on the League's website (www.cacities.org/resolutions).

The resolutions packet contains additional information related to consideration of the resolution at the Annual Conference.

FISCAL IMPACT:

There is no fiscal impact.

ATTACHMENT:

League of California Cities' letter dated July 14, 2014; Annual Conference Resolutions Packet

8/26/14

RECEIVED

JUL 21 2014

July 14, 2014

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

CITY OF ANTIOCH
CITY CLERK

RE: Annual Conference Resolutions Packet
Notice of League Annual Meeting

Enclosed please find the 2014 Annual Conference Resolutions Packet.

Annual Conference in Los Angeles. This year's League Annual Conference will be held September 3-5 in Los Angeles. 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. We look forward to welcoming city officials to the conference.

Annual Luncheon/Business Meeting - Friday, September 5, 12:00 p.m. The League's Annual Business Meeting will be held at the Los Angeles Convention Center.

Resolutions Packet. At the Annual Conference, the League will consider the one resolution introduced by the deadline, Saturday, July 5, 2014, midnight. The resolution is included in this packet. 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 resolution and to determine a city position so that your voting delegate can represent your city's position on each resolution. A copy of the resolution packet is posted on the League's website for your convenience: www.cacities.org/resolutions.

The resolutions packet contains additional information related to consideration of the resolution at the Annual Conference. This includes the date, time and location of the meetings at which the resolution 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. The deadline for submitting a voting delegate form prior to the Annual Conference is August 15, 2014.

Please Bring This Packet to the Annual Conference
September 3 – 5, Los Angeles

RECEIVED

JUL 21 2014

CITY OF ANTIOCH
CITY CLERK



*Annual Conference
Resolutions Packet*

2014 Annual Conference Resolutions



116th Annual Conference

Los Angeles

September 3 - 5, 2014

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, one resolution has 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 the resolution referred to them. The committees are Environmental Quality and Public Safety. These committees will meet on Wednesday, September 3, 2014, at the JW Marriott Hotel in Los Angeles. The sponsor of the resolution has 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 4, at the Los Angeles Convention Center, to consider the reports of the two policy committees regarding the resolution. 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 5, at the Los Angeles Convention Center.

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 4. 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.

Any questions concerning the resolutions procedures may be directed to Meg Desmond at the League office: 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 3, 2014
JW Marriott Los Angeles Hotel
900 West Olympic Boulevard, Los Angeles

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

General Resolutions Committee

Thursday, September 4, 2014, 1:00 p.m.
Los Angeles Convention Center
1201 South Figueroa Street, Los Angeles

Annual Business Meeting and General Assembly Luncheon

Friday, September 5, 2013, 12:00 p.m.
Los Angeles Convention Center
1201 South Figueroa Street, Los Angeles

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	Illegal Marijuana Grow Site			

PUBLIC SAFETY POLICY COMMITTEE

		1	2	3
1	Illegal Marijuana Grow Site			

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

KEY TO ACTIONS TAKEN ON RESOLUTIONS (Continued)

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

KEY TO REVIEWING BODIES

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

KEY TO ACTIONS TAKEN

- | | |
|---|---|
| A | Approve |
| D | Disapprove |
| N | No Action |
| R | Refer to appropriate policy committee for study |

ACTION FOOTNOTES

- | | | |
|--|-----|---|
| * Subject matter covered in another resolution | a | Amend+ |
| ** Existing League policy | Aa | Approve as amended+ |
| *** Local authority presently exists | Aaa | Approve with additional amendment(s)+ |
| | Ra | 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.

2014 ANNUAL CONFERENCE RESOLUTIONS

RESOLUTION REFERRED TO ENVIRONMENTAL QUALITY AND PUBLIC SAFETY POLICY COMMITTEES

1. **A RESOLUTION CALLING UPON THE GOVERNOR AND THE LEGISLATURE TO CONVENE A SUMMIT TO ADDRESS THE DEVASTATING ENVIRONMENTAL IMPACTS OF ILLEGAL MARIJUANA GROWS ON BOTH PRIVATE AND PUBLIC LANDS THROUGHOUT CALIFORNIA AND THE INCREASING PROBLEMS TO PUBLIC SAFETY RELATED TO THESE ACTIVITIES BY WORKING IN PARTNERSHIP WITH THE LEAGUE OF CALIFORNIA CITIES TO DEVELOP RESPONSIVE SOLUTIONS AND TO SECURE ADEQUATE FUNDING FOR COST-EFFECTIVE IMPLEMENTATION STRATEGIES.**

Source: Redwood Empire Division

Concurrence of five or more cities/city officials: Cities of Arcata; Blue Lake; Clearlake; Cloverdale; Crescent City; Eureka; Fort Bragg; Healdsburg; Lakeport; Trinidad; and Ukiah

Referred to: Environmental Quality and Public Safety Policy Committees

Recommendation to General Resolutions Committee:

WHEREAS, public concerns in response to widespread damage to fish and wildlife resources and degradation to California's environment, and threats to public safety resulting from illegal marijuana cultivation statewide requires urgent action by the Governor and the Legislature, and

WHEREAS, local governments and the public support the State's primary objectives in complying with environmental laws including the Clean Water Act, Porter-Cologne Water Quality Control Act, and Endangered Species Act and are supported by substantial public investments at all levels of government to maintain a healthy and sustainable environment for future citizens of California, and

WHEREAS, illegal marijuana cultivation activities include habitat destruction and fragmentation, poaching wildlife, illegal water diversions, unregulated use of fertilizers, pesticides, insecticides, rodenticides, soil amendments contaminating land and waters without regard for the cumulative impacts to the environment or public health, and

WHEREAS, changing global climate conditions are posing escalated threats in California to health, well-being, nature and property; as evidenced by critical water shortages across the state due to prolonged drought conditions, and

WHEREAS, illegal water diversion for the purpose of cultivating marijuana plantations poses a direct threat to California's endangered and threatened anadromous fish species, including coho salmon, Chinook salmon, steelhead trout and other aquatic species, especially at critical life phases during seasonally low flow conditions; and

WHEREAS, California is a leader in the global effort to fight climate change and is pursuing a broad, integrated strategy to reduce greenhouse gas emissions and conserve energy, yet in a recent Lawrence Livermore Lab study estimated that upwards of 10% of electricity usage statewide can be attributed to indoor marijuana cultivation; these sites are often the causation of fires and home invasion incidents due to criminal activity, and

WHEREAS, the presence of illegal marijuana growing sites on State and federal public lands is creating unsafe conditions for visitors; these lands are taxpayer supported and intended to be managed for recreation, resource conservation and the enjoyment by the public, and

WHEREAS, increasing violence and threats to public safety related to illegal marijuana grows is contributing to a sense of lawlessness and impacting nearby communities where criminal activities are expanding, and

WHEREAS, the issue of illegal marijuana grows has reached a crisis level across the state as evidenced by the murder of former League Board member, Fort Bragg Councilmember and veteran forester Jere Melo who was fatally shot down while investigating a report of a marijuana grow on private timberlands in northern California.

RESOLVED, at the League General Assembly, assembled at the League Annual Conference on September 5, 2014 in Los Angeles, that the League calls for the Governor and the Legislature to work with the League and other stakeholders to convene a summit to address the devastating environmental impacts of illegal marijuana grows on both private and public lands and the increasing problems to public safety related to these activities.

FURTHER RESOLVED, that the League will work with its member cities to educate State and federal officials regarding emerging concerns from their communities and citizenry and to the challenges facing local governments. Therefore, we request the Governor and the Legislature to work with the League to provide responsive solutions with adequate funding support and effective State and federal government leadership to address widespread environmental damage and associated threats to public safety impacting every region in the State of California.

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Background Information on Resolution No. 1

Source: Redwood Empire Division

Background:

When California voters approved Proposition 215 in 1996 there was little thought given to a wide range of problems which have emerged in association with the increased availability and demand for marijuana. Cities within the Redwood Empire Division have grappled with the impacts of illicit marijuana grow sites for decades. Yet in recent years the environmental degradation from marijuana growing operations and public safety threats has grown exponentially. In 2011, Fort Bragg City Council Member Jere Melo was fatally shot while investigating illegal marijuana cultivation on private timber lands in Mendocino County.

Illegal marijuana cultivation activities are causing extreme environmental degradation including habitat destruction and fragmentation, illegal water diversions, killing and poisoning wildlife, unregulated use of fertilizers, pesticides, rodenticides contaminating land and polluting waters without regard for the cumulative impacts to the environment and the public's health and safety. It is expensive to remediate this environmental destruction that often destroys significant, federal, state, local, tribal and private investments in restoring or protecting the surrounding landscape.

Public concern for widespread, landscape-level environmental damage resulting from unregulated growing operations and escalating violent crimes associated with the marijuana industry has reached a tipping point across the state. The Redwood Empire Division joins with other cities throughout the state in a call for action to reverse these trends.

Current Problem Facing California's Cities:

Cities throughout California state have struggled with regulating medical marijuana dispensaries and grow houses along with the associated community impacts of those facilities and land use activities. Many unforeseen environmental impacts and public safety concerns are now emerging as a consequence of increased production and demand for marijuana.

Critical water shortages across the state due to prolonged drought conditions have resulted in the Governor declaring a Drought State of Emergency. Illegal water diversions for the purposes of cultivating marijuana plantations are increasing throughout the state. These activities impact agricultural production and domestic water use. The cumulative impacts to watershed health are considerable and pose direct threats to California's salmon, trout and other sensitive aquatic species, especially at critical life stages during seasonally low flow conditions. In addition, under drought conditions, the risk of fire is elevated. The presence of marijuana grow sites in fire prone areas contributes to potential wildfire risks at the Wildland/Urban Interface.

The presence of illegal marijuana growing sites on state and federal public lands creates unsafe conditions for visitors. These lands are managed with taxpayer support and are intended to be for enjoyment by the public, recreation and conservation. However, the increasing level of violence and threats to public safety related to illegal marijuana grows on both private and public lands are contributing to a sense of lawlessness and impacting nearby communities where criminal activities are expanding.

The lack of oversight of marijuana cultivation operations to ensure compliance with existing state and federal environmental regulations is impacting water quality and quantity statewide. The current legal and regulatory framework is inadequate to address numerous environmental issues, as well as public health and safety.

Redwood Empire Division Resolution:

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the rising threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions, and secure adequate funding for implementation strategies.

The issues surrounding marijuana production and distribution are complex and require a comprehensive statewide approach. California cities need to have a strong voice in this process. The mission of the League of California Cities is to enhance the quality of life for all Californians and we believe that our strength lies in the unity of our diverse communities on issues of mutual concern.

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League of California Cities Staff Analysis on Resolution No. 1

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

Summary:

This Resolution seeks to highlight the environmental and public safety issues triggered by illegal marijuana cultivation, and calls upon the League, the Governor and the Legislature to take action by convening a summit to address the environmental impacts of such cultivation sites. It also calls upon the State of California to provide solutions in response, including sufficient funding to decisively address the problem.

Background:

The sponsor of this resolution argues that when California voters approved Proposition 215 in 1996, little thought was given to a wide range of problems which have emerged in association with the increased availability and demand for marijuana. Cities within the Redwood Empire Division have grappled with the impacts of illicit marijuana cultivation sites for decades. Yet in recent years the environmental degradation from marijuana growing operations and public safety threats has grown exponentially. In 2011, Fort Bragg City Council Member Jere Melo was fatally shot while investigating illegal marijuana cultivation on private timber lands in Mendocino County.

Illegal marijuana cultivation activities are causing extreme environmental degradation including habitat destruction and fragmentation, illegal water diversions, killing and poisoning wildlife, unregulated use of fertilizers, pesticides, rodenticides contaminating land and polluting waters without regard for the cumulative impacts to the environment and the public's health and safety. It is expensive to remediate this environmental destruction which often destroys significant, federal, state, local, tribal and private investments in restoring or protecting the surrounding landscape.

Critical water shortages across the state due to prolonged drought conditions have resulted in the Governor declaring a Drought State of Emergency. Illegal water diversions for the purposes of cultivating marijuana plantations are increasing throughout the state. These activities impact agricultural production and domestic water use. The cumulative impacts to watershed health are considerable and pose direct threats to California's salmon, trout and other sensitive aquatic species, especially at critical life stages during seasonally low flow conditions. In addition, under drought conditions, the risk of fire is elevated. The presence of marijuana grow sites in fire prone areas contributes to potential wildfire risks at the Wildland/Urban Interface.

The lack of oversight of marijuana cultivation operations to ensure compliance with existing state and federal environmental regulations is impacting water quality and quantity statewide. The current legal and regulatory framework is inadequate to address numerous environmental issues, as well as public health and safety.

Public concern for widespread environmental damage resulting from unregulated growing operations and escalating violent crimes associated with the marijuana industry has reached a tipping point across the state. The Redwood Empire Division joins with other cities throughout the state in a call for action to reverse these trends.

Note: The League of Cities has joined with the California Police Chiefs Association to co-sponsor legislation, SB 1262 (Correa), to establish a regulatory scheme for medical marijuana that protects local control, addresses the public safety concerns triggered by marijuana regulation, and imposes health and safety standards on marijuana for the first time. However, the measure does not address environmental issues, due to the expense and complexity associated with adding that objective to a bill that already has far-reaching regulatory goals combined with a critical need to contain state costs.

Fiscal Impact:

If the policy advocated by the Resolution is implemented by the state, there will be ongoing and unspecified costs to the State General Fund for enforcement activities, primarily in the rural counties where many of the illicit marijuana cultivation sites are located. Conservatively, the annual costs could run in the hundreds of thousands to low millions to patrol likely grow sites, crack down on illegal water diversion activities, and provide consistent environmental clean-up made necessary by illegal rodenticides and pesticides.

Comment:

To assure success, counties will have to be actively involved in any policy change geared toward rigorous and consistent enforcement against illegal marijuana grows, given the fact that many of the cultivation sites are located in rural areas under the direct authority of county governments. This will require a dialogue with counties, during which the question of local political will to enforce the law, in addition to securing the necessary funding, will arise. If counties should opt not to play an active part in an aggressive enforcement strategy, the chances of success are questionable.

Existing League Policy:

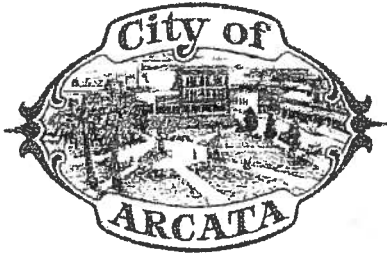
Related to this Resolution, existing policy provides:

- The League opposes the legalization of marijuana cultivation and use for non-medicinal purposes.
- Reaffirming that local control is paramount, the League holds that cities should have the authority to regulate medical marijuana dispensaries, cooperatives, collectives or other distribution points if the regulation relates to location, operation or establishment to best suit the needs of the community.
- The League affirms that revenue or other financial benefits from creating a statewide tax structure on medical marijuana should be considered only after the public safety and health ramifications are fully evaluated.

LETTERS OF CONCURRENCE

Resolution No. 1

Illegal Marijuana Grow Site



736 F Street
Arcata, CA 95521

July 2, 2014

City Manager (707) 822-5953	Environmental Services 822-8184	Police 822-2428	Recreation 822-7091
Community Development 822-5955	Finance 822-5951	Public Works 822-5957	Transportation 822-3775

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The Arcata City Council supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California, and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. ALL of the rural areas adjacent to the City of Arcata and throughout Humboldt County have been greatly affected by the devastating environmental impacts of illegal marijuana grows!

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 at any time at mwheatley@cityofarcata.org if you have any questions.

Sincerely,

Mark E. Wheatley, Mayor

cc: Kathryn Murray, President, Redwood Empire Division, c/o Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division, via email srounds@cacities.org



CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525
Phone 707.668.5655 Fax 707.668.5916

June 30, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Blue Lake supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

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 Lana Manzanita, Mayor Pro-Tem at 707-497-8159 or joe2zither1@gmail.com, if you have any questions.

Sincerely,

Lana Manzanita
Mayor Pro-Tem
City of Blue Lake

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org



City of Clearlake

14050 Olympic Drive, Clearlake, California 95422
(707) 994-8201 Fax (707) 995-2653

July 2, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Clearlake supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. The City of Clearlake is experiencing significant issues with illegal grows in the city limits. Individuals are squatting on lands not belonging to them and planting large grows. Grows are being planted near and along creeks going through the city with unknown substances potentially leeching into the waterways. Others are renting properties and clear cutting them of oak and other trees for plant sites often without the knowledge of the property owner. Homeowners tell of not being able to enjoy their own properties with grow sites next to them creating untenable odors, spewing of foul language and concern of threats to their personal safety if they complain. We hear often the concern of increased crime due to the grows in the city.

As a member 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 Joan Phillipe at 707-994-8201 x120 or city.administrator@clearlake.ca.us, if you have any questions.

Sincerely,

Joan L. Phillipe
City Manager

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org



June 25, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Cloverdale supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. Throughout the Redwood Empire region including the City of Cloverdale, illegal marijuana grows negatively impact our environmental health and public safety. Last year, the Cloverdale Police Department eradicated over 300 plants within our City Limits. Please note that Cloverdale is a total of 2.5 square miles. These plants use scarce water resources during a water shortage emergency caused by the current drought and contribute to lawlessness that threatens the public safety of our citizens.

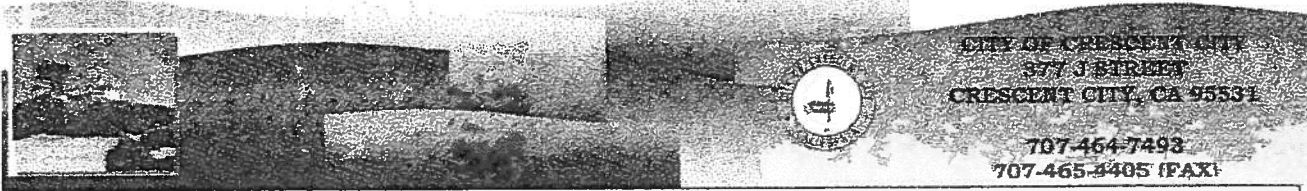
On a personal level, the City of Cloverdale continues to be heartsick for the loss of City of Fort Bragg Council Member JereMelo. Jere was murdered as a result of investigating an illegal marijuana grow. Jere was an exceptional leader in our region, the League of California Cities and the State of California. The City of Cloverdale misses him greatly.

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 Cloverdale City Manager Paul Cayler at 707-894-1710, if you have any questions.

Sincerely,

Carol Russell
Mayor
City of Cloverdale

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org



Mayor Rick Holley * *Mayor Pro Tem Ron Gastineau*
Council Member Richard Enea * Council Member Kelly Schellong * Council Member Kathryn Murray
City Clerk Robin Patch * City Attorney Robert N. Black * City Manager Eugene M. Palazzo

June 23, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Crescent City supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. Illegal marijuana grows have a devastating impact on the State and federal public lands surrounding our community. They create unsafe conditions for our visitors. The use of unregulated fertilizers, pesticides, insecticides and rodenticides contaminate the land and ground water.

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 Eugene Palazzo, City Manager at 707-464-7483 ex 232 or epalazzo@crenscntcity.org, if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Holley", is written over the typed name.

Richard Holley
Mayor
Crescent City

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org



CITY OF EUREKA

531 K Street • Eureka, California 95501-1146 • (707) 441-4144
fax (707) 441-4138

CITY MANAGER

June 26, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Eureka supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. Our city has seen an increase in gang activity and organized crime within the Greater Eureka Area as a result of illegal growing operations. Our law enforcement and community safety have been negatively impacted by these criminal activities.

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 City Manager Greg Sparks at 707.441.4140 or gsparks@ci.eureka.ca.gov, if you have any questions.

Sincerely,

Greg L. Sparks
City Manager
City of Eureka

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org



CITY OF FORT BRAGG

Incorporated August 5, 1889
416 N. Franklin St.
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802
<http://city.fortbragg.com>

June 23, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Fort Bragg supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.


The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. The City of Fort Bragg lost City Councilmember and former Mayor Jere Melo in August 2011 when he walked into an illegal grow site and was shot and killed by the person guarding said site.

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 City Manager Linda Ruffing at 707-961-2823 or lruffing@fortbragg.com, if you have any questions.

Sincerely,


Dave Turner
Mayor


Scott Deitz
Councilmember


Meg Courtney
Vice Mayor


Doug Hammerstrom
Councilmember


Heidi Kraut
Councilmember

cc: Kathryn Murray, President, Redwood Empire Division c/o Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division, srounds@cacities.org



CITY OF HEALDSBURG ADMINISTRATION

401 Grove Street
Healdsburg, CA 95448-4723

Phone: (707) 431-3317
Fax: (707) 431-3321

Visit us at www.ci.healdsburg.ca.us

June 30, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

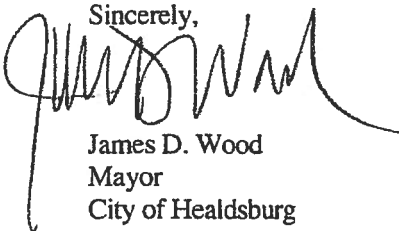
Dear President Cisneros:

The City of Healdsburg supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

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 either by phone at (707) 431-3317 or by e-mail at jwood@ci.healdsburg.ca.us if you have any questions.

Sincerely,



James D. Wood
Mayor
City of Healdsburg

cc: Kathryn Murray, President, Redwood Empire Division
c/o Sara Rounds, Regional Public Affairs Manager,
LOCC Redwood Empire Division, srounds@cacities.org

CITY OF LAKEPORT

*Over 100 years of community
pride, progress and service*



July 1, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: ENVIRONMENTAL AND PUBLIC SAFETY IMPACTS OF ILLEGAL MARIJUANA GROWS RESOLUTION

Dear President Cisneros:

The City of Lakeport supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

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 at (707) 263-5615, Ext. 12 or by email at kparlet@cityoflakeport.com if you have any questions.

Sincerely,

Kenneth Parlet, II
Mayor

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division, srounds@cacities.org

CITY OF TRINIDAD

P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
(707) 677-0223
Fax: (707) 677-3759



July 2, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Trinidad supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue.

Sincerely,

A handwritten signature in black ink that reads "Julie Fulkerson".

Julie Fulkerson
Mayor

Cc: Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division



June 30, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Ukiah supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

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 Jane Chambers, City Manager, at 7407-463-6210 or jchambers@cityofukiah.com, if you have any questions.

Sincerely,

Philip E. Baldwin
Mayor

Mary Anne Landis
Vice Mayor

Benj Thomas
Councilmember

Douglas F. Crane
Councilmember

Steve Scalmanini
Councilmember

Cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org