

ANNOTATED AGENDA

for
March 12, 2013

CITY COUNCIL MEETING *Regular Meeting*

Order of Council vote: AYES: Council Members Wilson, Tiscareno, Agopian and
Mayor Pro Tem Rocha

ABSENT: Mayor Harper

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.

5:32 P.M. ROLL CALL for Closed Sessions – ***Mayor Pro Tem Rocha and Council Members Tiscareno and Agopian (Council Member Wilson arrived at 5:45 p.m. and Mayor Harper was absent)***

PUBLIC COMMENTS for Closed Sessions

CLOSED SESSIONS:

- 1) **CONFERENCE WITH LEGAL COUNSEL** – Existing Litigation pursuant to California Government Code section 54956.9 (d)(1): City of Brentwood et al. v. Robert Campbell, Auditor-Controller Contra Costa Superior Court Case No. N11-1029
No action taken
- 2) **CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION** – Initiation of Litigation pursuant to California Government Code §54956.9 (d)(4): Claim against Contra Costa County for overcharge of Property Tax Administration Fee
Direction given to City Attorney
- 3) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** pursuant to California Government Code section 94956.9(d)(1): *Broughton et al. v. Prewett Family Water Park et al.*, Northern District of California Case. No. C 13-0531
No action taken
- 4) **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Significant exposure to litigation pursuant to subdivision (d)(2) of California Government Code section 54956.9: Claim of Bay Cities regarding Marina Boat Launch
Approved Settlement Contingent on memorializing the terms in a settlement agreement, 4/0
- 5) **CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION** pursuant to California Government Code Section 94956.9(d)(2): Claim of Albert Seeno Construction Co. and Discovery Builders, Inc. regarding fee credit dispute related to Mira Vista Hills subdivision
Direction given to City Attorney

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

PLEDGE OF ALLEGIANCE

PROCLAMATION – *American Red Cross Month, March 2013*
African Children’s Choir Day, March 13, 2013

Approved, 4/0

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

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

CITY COUNCIL SUBCOMMITTEE REPORTS

MAYOR’S COMMENTS

1. CONSENT CALENDAR

A. APPROVAL OF COUNCIL MINUTES FOR FEBRUARY 26, 2013

Recommended Action: Motion to continue to March 26, 2013

Continued to 03/26/13, 4/0

MINUTES

B. APPROVAL OF COUNCIL WARRANTS

Recommended Action: Motion to approve the warrants

Approved, 4/0

STAFF REPORT

C. USE AGREEMENT FOR ASSEMBLY MEMBER FRAZIER’S OFFICE SPACE AT THE ANTIOCH COMMUNITY CENTER

Recommendation: Motion to approve the Use Agreement with the California Assembly Committee on Rules for Assembly Member Frazier’s office space at the Antioch Community Center and authorize the City Manager to execute it

Approved, 4/0

STAFF REPORT

D. EMERGENCY REPAIR WORK AT PREWETT WATER PARK

Recommendation: Motion to receive and file this report regarding the need to engage a contractor to complete emergency work at Prewett Water Park related to the failure of the private fire service pipeline without soliciting competitive bids

Received, 4/0

STAFF REPORT

E. FIRST AMENDMENT TO THE DESIGN CONSULTANT SERVICES AGREEMENT FOR THE CAMBRIDGE TANK EXPANSION PROJECT WITH BROWN AND CALDWELL (P.W. 365-T3)

Recommended Action: Motion to approve the First Amendment to the Design Consultant Services Agreement with Brown and Caldwell for engineering services during construction of the Cambridge Tank Expansion project and authorize the Director of Finance to amend the 2012-2013 Capital Improvement Budget to increase Water Enterprise Funding for this project by \$56,580

Approved, 4/0

STAFF REPORT

CONSENT CALENDAR — Continued

F. AMENDMENT TO THE CONSULTANT SERVICES AGREEMENT FOR PROFESSIONAL SERVICES WITH FLOW SCIENCE INCORPORATED

Approved, 4/0

Recommended Action: Motion to approve the Seventh Amendment to the Consultant Service Agreement with Flow Science Incorporated for assistance in support of our negotiations with the California State Department of Water Resources (DWR) and review of the Bay Delta Conservation Plan

STAFF REPORT

G. RESOLUTION ACCEPTING WORK AND AUTHORIZING THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO FILE A NOTICE OF COMPLETION FOR THE MARINA BOAT LAUNCH FACILITY (P.W. 523-16)

Approved Revised Reso No. 2013/11, 4/0

Recommended Action: Motion to adopt the resolution accepting work, authorizing the Public Works Director/City Engineer to File a Notice of Completion and authorizing the Director of Finance to make a final payment of \$125,976.26 plus retention of \$152,627.21 to be paid thirty five days (35) after recordation of the Notice of Completion and upon resolution of the outstanding subcontractor claim

STAFF REPORT

H. THIRD AMENDMENT TO THE DESIGN CONSULTANT SERVICES AGREEMENT FOR THE JAMES DONLON AND LARKSPUR WATER STORAGE RESERVOIR REHABILITATION WITH PAKPOUR CONSULTING GROUP, INC. (P.W. 246-24)

Approved, 4/0

Recommended Action: Motion to approve the Third Amendment to the Design Consultant Services Agreement with Pakpour Consulting Group, Inc. for additional construction and structural engineering support services for the James Donlon and Larkspur Water Storage Reservoir Rehabilitation project and authorize the Director of Finance to amend the 2012-2013 Capital Improvement Budget to increase Water Enterprise Funding for this project by \$103,500

STAFF REPORT

I. PREWETT WATER AFTER 4:00 PM AND SENIOR/ACTIVE MILITARY ADMISSION FEE INCREASE

Reso No. 2013/12, 4/0

Recommended Action: Motion to adopt the resolution amending the Master Fee Schedule

STAFF REPORT

END OF CONSENT CALENDAR

PUBLIC HEARING

2. RESOLUTION EXTENDING THE TEMPORARY CLOSURE OF MCELHENY ROAD BETWEEN EAST 6TH STREET AND FULTON SHIPYARD ROAD

Reso No. 2013/13, 4/0

Recommended Action: Motion to conduct a public hearing and approve the resolution extending the temporary closure of McElheny Road between East 6th Street and Fulton Shipyard Road for an additional period of eighteen (18) months as a measure to reduce criminal activity in the area

STAFF REPORT

PUBLIC HEARING – Continued

3. RESOLUTION EXTENDING THE TEMPORARY CLOSURE OF EMPIRE MINE ROAD BETWEEN MESA RIDGE DRIVE AND DEER VALLEY ROAD

Reso No. 2013/14, 4/0

Recommended Action: Motion to conduct a public hearing and approve the resolution extending the temporary closure of Empire Mine Road between Mesa Ridge Drive and Deer Valley Road for an additional period of eighteen (18) months as a continued measure to reduce criminal activity in the area

STAFF REPORT

COUNCIL REGULAR AGENDA

4. REVENUE BALLOT MEASURE

Direction provided to Staff

Action: Provide direction to staff regarding further research and action items related to putting a revenue measure on the ballot for the voters to consider

STAFF REPORT

5. NELSON RANCH PARK INFORMATIONAL UPDATE (PW 547-P)

Direction given as follows:

- **(8) Eight foot fence from residents' side to be built on all (5) five affected properties;**
- **June 12, 2013 deadline for all (5) five residents affected to return executed Right to Entry Agreement;**
- **Offer for fence upgrade to be rescinded if the Right to Entry Agreement is not received by 06/12/13 from all (5) residents affected**
- **Staff will look into landscaping options, if requested by residents, to be placed on the parkside if Right to Entry Agreement is received by 06/12/13 from all (5) five affected residents**

4/0

Recommended Action: Motion to receive and file the report and provide direction to staff if necessary

STAFF REPORT

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS

ADJOURNMENT – 9:31 p.m.

**REPORT FROM THE CITY CLERK'S OFFICE TO THE CITY COUNCIL FOR
CONSIDERATION AT THE COUNCIL MEETING OF MARCH 12, 2013**

PREPARED BY: Christina Garcia, Deputy City Clerk
Arne Simonsen, City Clerk 

REVIEWED BY: Jim Jakel, City Manager

DATE: March 7, 2013

SUBJECT: APPROVAL OF COUNCIL MINUTES

The Minutes of February 26, 2013 are continued to the next meeting.

CITY OF ANTIOCH
 CLAIMS BY FUND REPORT
 FOR THE PERIOD OF
 FEBRUARY 21 - MARCH 6, 2013
 FUND/CHECK#

100 General Fund

Non Departmental

343838 KIMLEY HORN AND ASSOCIATES INC	CONSULTANT SERVICES	15,981.75
343928 CONTRA COSTA WATER DISTRICT	CCWD FACILITY RESERVE FEE	116,952.00
343929 CONTRA COSTA WATER DISTRICT	TREATED WATER CAPACITY FEE	26,913.12
343944 ECC REG FEE AND FIN AUTH	ECCRFFA-RTDIM	226,422.00
343983 MONTGOMERY ROOFING	CBSC FEE REFUND	2.00
343987 NEOPOST	POSTAGE	1,000.00
344023 SOLARCITY CORPORATION	CBSC FEE REFUND	5.84

City Council

343852 NUCE NUCE DELI	MEETING EXPENSE	115.73
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City Attorney

343871 SHRED IT INC	SHRED SERVICE	51.48
343917 COLANTUONO AND LEVIN PC	LEGAL SERVICES	97.50
343964 JARVIS FAY AND DOPORTO LLP	LEGAL SERVICES	3,081.09
343972 LEXISNEXIS	ONLINE LEGAL RESEARCH	76.50
344049 WENDEL ROSEN BLACK AND DEAN	LEGAL SERVICES	3,718.28
344053 XEROX CORPORATION	COPIER LEASE/USAGE	107.26

City Manager

202534 DS WATERS OF AMERICA	WATER	35.94
343854 OFFICE MAX INC	OFFICE SUPPLIES	142.84
343886 2013 BOARD REORGANIZATION LUNCH	SUPERVISORS MEETING	50.00
344053 XEROX CORPORATION	COPIER LEASE/USAGE	107.26

City Clerk

343890 AMERICAN LEGAL PUBLISHING	ORDINANCE PAGES 2013	1,730.20
343901 BAY AREA NEWS GROUP	LEGAL AD	2,029.69
343945 EIDEN, KITTY J	MINUTES CLERK	420.00
344053 XEROX CORPORATION	COPIER LEASE/USAGE	107.25

City Treasurer

344002 PFM ASSET MGMT LLC	ADVISORY SERVICES	7,224.35
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Human Resources

343871 SHRED IT INC	SHRED SERVICE	37.83
343897 BANK OF AMERICA	PUBLICATIONS	297.88
344053 XEROX CORPORATION	COPIER LEASE/USAGE	428.82

Economic Development

343849 MUNICIPAL RESOURCE GROUP LLC	CONSULTANT SERVICES	13,285.87
343858 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	320.13
343897 BANK OF AMERICA	BUSINESS EXPENSE	38.00
344053 XEROX CORPORATION	COPIER LEASE/USAGE	107.26

Finance Administration

344053 XEROX CORPORATION	COPIER LEASE/USAGE	303.90
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Finance Accounting

343871 SHRED IT INC	SHRED SERVICE	51.49
343990 OFFICE MAX INC	OFFICE SUPPLIES	334.03
919123 SUNGARD PUBLIC SECTOR INC	ASP SERVICE	12,361.99

CITY OF ANTIOCH
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Finance Operations

343854 OFFICE MAX INC	WATER BILL FORMS	1,359.53
343878 UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	4.00
344053 XEROX CORPORATION	COPIER LEASE/USAGE	2,858.48

Non Departmental

202562 SECURITAS SECURITY SVCS	BUS LIC STICKER FEE REFUND	15.00
202563 SILGAN CONTAINERS MFG CORP	BUS LIC APP FEE REFUND	30.00
202565 AJ BONO PLUMBING	BUS LIC APP FEE REFUND	30.00
202566 DHYANYOGA CENTERS INC	BUS LIC APP FEE REFUND	31.00
343985 MUNISERVICES LLC	STARS SERVICES	250.00
344005 PERS	NON ELIGIBLE PREMIUMS	1,626.09
344045 WAGeworks	ADMIN FEE	150.00
344047 WALMART	BUS LIC OVERPAYMENT REFUND	200.13
919054 RETIREE	MEDICAL AFTER RETIREMENT	1,643.21

Public Works Maintenance Administration

343851 NEXTEL SPRINT	CELL PHONE	57.50
344053 XEROX CORPORATION	COPIER LEASE/USAGE	39.37

Public Works General Maintenance Services

343866 QUESADA CHIROPRACTIC	DMV PHYSICALS	300.00
344053 XEROX CORPORATION	COPIER LEASE/USAGE	105.02

Public Works Street Maintenance

343822 CROP PRODUCTION SERVICES INC	CHEMICALS	3,743.25
343851 NEXTEL SPRINT	CELL PHONE	57.50
343861 PAPA	SEMINAR-DOSSEY	80.00

Public Works-Signal/Street Lights

343825 DILLON ELECTRIC INC	UNDERGROUND REPAIRS	1,375.00
343858 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	4,915.03
343878 UNITED PARCEL SERVICE	SHIPPING	68.49
918987 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	2,066.69
919061 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	2,899.18

Public Works-Striping/Signing

202572 CITY OF ANTIOCH	EXPENSE REIMBURSEMENT	15.00
343830 FASTLANE TEK INC	CONSULTING SERVICES	1,776.55
343843 MANERI SIGN COMPANY	SIGNS	4,170.47
343851 NEXTEL SPRINT	CELL PHONE	57.50
343855 ORCHARD SUPPLY HARDWARE	SUPPLIES	100.36
343859 PACIFIC PRODUCTS AND SERVICES INC	SUPPLIES	347.37
343900 BAY AREA BARRICADE	SIGNS	286.93
343975 LOWES COMPANIES INC	SUPPLIES	340.01
343995 PACIFIC PRODUCTS AND SERVICES INC	SIGN HARDWARE	1,172.28
919043 GRAINGER INC	SUPPLIES	145.80

Public Works-Facilities Maintenance

343816 CONTRA COSTA COUNTY	HAZARDOUS WASTE PERMIT	1,015.00
343826 DREAM RIDE ELEVATOR	ELEVATOR SERVICE	240.00
343845 MAYORGA, MARVIN A	SAFETY SHOE REIMBURSEMENT	207.04
343853 OAKLEYS PEST CONTROL	PEST CONTROL SERVICES	100.00

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 Finance Accounting

3/7/2013

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343858	PACIFIC GAS AND ELECTRIC CO	GAS	12,779.78
343883	WESCO RECEIVABLES CORP	ELECTRICAL SUPPLIES	731.77
343975	LOWES COMPANIES INC	SUPPLIES	155.53
344050	WESCO RECEIVABLES CORP	SUPPLIES	208.32
918982	GRAINGER INC	SUPPLIES	1,072.85
918983	HAMMONS SUPPLY COMPANY	SUPPLIES	59.39
918988	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	2,494.82
919061	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	101.07
Public Works-Parks Maint			
343798	ACE HARDWARE, ANTIOCH	SUPPLIES	16.58
343855	ORCHARD SUPPLY HARDWARE	SUPPLIES	39.30
343856	PACHECO BROTHERS GARDENING INC	LANDSCAPE SERVICES	39,092.82
343858	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	712.49
343937	DELTA FENCE CO	FENCE REPAIR SERVICE	1,828.00
918987	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	1,796.05
Public Works-Median/General Land			
343798	ACE HARDWARE, ANTIOCH	PVC FITTINGS	22.01
343834	HORIZON	SPRAYERS	416.73
343857	PACIFIC COAST LANDSCAPE MGMT INC	LANDSCAPE SERVICES	424.54
343858	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	1,496.84
343874	STEWARTS TREE SERVICE	TREE SERVICE	1,875.00
343975	LOWES COMPANIES INC	SUPPLIES	62.76
Public Works-Work Alternative			
343851	NEXTEL SPRINT	CELL PHONE	48.80
Police Administration			
343811	CANTANDO, ALLAN J	PER DIEM/CAR RENTAL	792.09
343815	COMMERCIAL SUPPORT SERVICES	CAR WASHES	609.00
343840	LAW OFFICES OF JONES AND MAYER	LEGAL SERVICES	6,342.26
343884	FUHRMANN, THOMAS J	PER DIEM	213.00
343885	FUHRMANN, THOMAS J	LODGING-FUHRMANN	283.68
343888	ACME SECURITY SYSTEMS	ACCESS CARD KEYS	89.70
343896	BANK OF AMERICA	AIRFARE-FUHRMANN	244.80
343898	BANK OF AMERICA	OFFICE SUPPLIES	138.49
343907	CA SHOPPING CART RETRIEVAL CORP	SHOPPING CART RETRIEVAL	63.00
343911	CANTANDO, ALLAN J	EXPENSE REIMBURSEMENT	194.28
343922	CONTRA COSTA COUNTY	RANGE USE FEES	195.00
343934	CSI FORENSIC SUPPLY	EVIDENCE SUPPLIES	310.85
343945	EIDEN, KITTY J	MINUTES CLERK	190.00
343948	GALLS INC	EQUIPMENT	357.20
343969	LEE, JENNIFER L	EXPENSE REIMBURSEMENT	79.10
343977	MARRIOTT HOTEL	LODGING-CANTANDO	611.00
343988	NISSSEN, TARRA L	EXPENSE REIMBURSEMENT	64.52
343990	OFFICE MAX INC	OFFICE SUPPLIES	432.82
344015	SAN DIEGO POLICE EQUIPMENT CO	AMMUNITION	3,201.62
344019	SHRED IT INC	SHRED SERVICE	322.05
344020	SIMONELLI, KORINA M	MILEAGE REIMBURSEMENT	79.10

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344021	SIMPSON INVESTIGATIVE SERVICES	INVESTIGATION SERVICES	8,364.87
344027	STATE OF CALIFORNIA	FINGERPRINTING	1,003.00
344041	VERIZON WIRELESS	AIR CARDS	76.02
344053	XEROX CORPORATION	COPIER LEASE/USAGE	1,638.92
918978	CRYSTAL CLEAR LOGOS INC	UNIFORM SHIRTS	384.48
918986	HUNTINGTON COURT REPORTERS INC	TRANSCRIPTION SERVICES	773.50
918989	MOBILE MINI LLC	PORTABLE STORAGE CONTAINER	106.98
919000	ARATA PRINTING	BUSINESS CARDS	168.18
919018	COMPUTERLAND	MEDIA CONVERTER	186.62
919059	HUNTINGTON COURT REPORTERS INC	TRANSCRIPTION SERVICES	729.06
919062	IMAGE SALES INC	ID CARD	16.18
Police Community Policing			
202306	CITY OF ANTIOCH	EXPENSE REIMBURSEMENT	97.37
202499	CITY OF ANTIOCH	EXPENSE REIMBURSEMENT	72.52
343889	AIELLO, STEVEN J	EXPENSE REIMBURSEMENT	76.17
343898	BANK OF AMERICA	K9 EQUIPMENT	920.29
343923	CONTRA COSTA COUNTY	BATTERIES	875.45
343950	GONZALEZ, ADRIAN E	EXPENSE REIMBURSEMENT	30.10
343958	HUNT AND SONS INC	FUEL	50.75
343960	IBS OF TRI VALLEY	BATTERIES	1,234.19
344016	EMPLOYEE	DISABILITY PENSION PAYMENT	3,882.50
344038	EMPLOYEE	DISABILITY PENSION PAYMENT	3,882.50
Police Investigations			
343817	CONTRA COSTA COUNTY	LAB TESTING	7,007.70
343818	CONTRA COSTA COUNTY	SART EXAMS	4,000.00
343819	CONTRA COSTA COUNTY	LAB TESTING	19,615.00
343924	CONTRA COSTA COUNTY	LAB TESTING	19,460.00
343925	CONTRA COSTA COUNTY	EXTRADITION	700.00
343932	CRUISERS SALOON	EVIDENCE RETURN	325.49
343981	METRO PCS	PHONE RECORDS	50.00
344034	THOMSON WEST	ONLINE DATABASE	310.91
344053	XEROX CORPORATION	COPIER LEASE/USAGE	984.31
Police Communications			
343800	AMERICAN TOWER CORPORATION	TOWER RENTAL	216.12
343829	ENTISYS SOLUTIONS INC	COMPUTER SUPPORT	2,784.00
343831	GLOBALSTAR	SATELLITE PHONE	262.94
343923	CONTRA COSTA COUNTY	RADIO PROJECT	9,840.00
918985	HUBB SYSTEMS LLC DATA 911	DATA SUPPORT MAINTENANCE	12,647.25
Office Of Emergency Management			
343920	COMMUNITY AWARENESS & RESPONSE	ANNUAL DUES	500.00
Police Community Volunteers			
343898	BANK OF AMERICA	SUPPLIES	24.42
Police Facilities Maintenance			
343809	CAMALI CORP	MAINTENANCE SERVICES	345.00
343816	CONTRA COSTA COUNTY	HAZARDOUS WASTE PERMIT	1,997.00
343826	DREAM RIDE ELEVATOR	ELEVATOR SERVICE	80.00

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343851 NEXTEL SPRINT	CELL PHONE	2,498.48
343858 PACIFIC GAS AND ELECTRIC CO	GAS	12,870.01
343891 AMERICAN PLUMBING INC	PIPE REPAIR	713.16
343975 LOWES COMPANIES INC	SUPPLIES	59.78
918988 LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	4,411.17
Community Development Administration		
344053 XEROX CORPORATION	COPIER LEASE/USAGE	279.88
Community Development Land Planning Services		
343901 BAY AREA NEWS GROUP	LEGAL AD	532.83
Community Development Neighborhood Improvement		
202480 CONTRA COSTA COUNTY	LIEN RELEASE FEES	78.00
343854 OFFICE MAX INC	OFFICE SUPPLIES	57.08
919023 CRYSTAL CLEAR LOGOS INC	VESTS	133.46
PW Engineer Land Development		
343851 NEXTEL SPRINT	CELL PHONE	169.27
344053 XEROX CORPORATION	COPIER LEASE/USAGE	142.26
Community Development Building Inspection		
202482 EDM PUBLISHERS	RENEWAL FEE	98.78
343851 NEXTEL SPRINT	CELL PHONE	58.64
343963 INTERNATIONAL CODE COUNCIL	MEMBER DUES	225.00
343983 MONTGOMERY ROOFING	ENERGY FEE REFUND	164.44
343990 OFFICE MAX INC	OFFICE SUPPLIES	115.90
344023 SOLARCITY CORPORATION	TECHNOLOGY FEE REFUND	271.02
Capital Imp. Administration		
344053 XEROX CORPORATION	COPIER LEASE/USAGE	24.56
Community Development Engineering Services		
343851 NEXTEL SPRINT	CELL PHONE	57.50
344005 PERS	PAYROLL DEDUCTIONS	2,769.53
344053 XEROX CORPORATION	COPIER LEASE/USAGE	188.12
213 Gas Tax Fund		
Streets		
343858 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	22,183.08
343863 PARSONS BRINCKERHOFF INC	PROFESSIONAL SERVICES	27,679.45
214 Animal Control Fund		
Animal Control		
343851 NEXTEL SPRINT	CELL PHONE	232.52
343858 PACIFIC GAS AND ELECTRIC CO	GAS	677.37
343892 ANIMAL SUPPLY LOGISTICS	SUPPLIES	783.26
343949 GOLOGO PROMOTIONS	SHIRTS	197.47
343989 OAKLEY VETERINARY MEDICAL CLINIC	VETERINARY SERVICES	216.36
344044 VIKING SERVICES	EQUIPMENT REPAIR	178.79
344053 XEROX CORPORATION	COPIER LEASE	216.40
918983 HAMMONS SUPPLY COMPANY	SUPPLIES	400.58
918988 LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	435.75

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216 Park-In-Lieu Fund

Parks & Open Space

343814 COMMERCIAL POOL SYSTEMS INC CONSULTING SERVICES 525.00

219 Recreation Fund

Non Departmental

343881 WATTS, PAMELA DEPOSIT REFUND 500.00

343980 MENDEZ, ERIKA DEPOSIT REFUND 1,000.00

344035 TOP PACER TRACK CLUB DEPOSIT REFUND 500.00

Senior Programs

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 1,017.31

343887 AAA FIRE PROTECTION SVCS STEAM CLEANING 301.68

Recreation Classes/Prog

202428 SANTOS, ANA CLASS REFUND 24.00

202429 CORDOVA, BLANCA CLASS REFUND 24.00

202430 PACKWOOD, MELISSA CLASS REFUND 62.00

202431 DASILVA, MANUEL CLASS REFUND 62.00

202433 DELAVAN, BARRY CLASS REFUND 66.00

343812 CARIASO, ANGELICA CONTRACTOR PAYMENT 471.24

343827 DUGAND, KARINA CONTRACTOR PAYMENT 396.00

343839 KOVALICK, LUANNE CONTRACTOR PAYMENT 662.79

343842 LIPPE, PATRICIA CONTRACTOR PAYMENT 294.84

343876 THOMPSON, RANDALL CONTRACTOR PAYMENT 63.00

343936 DAY ROA, RENEE CONTRACTOR PAYMENT 1,196.25

344012 ROBERTS, NANCY CONTRACTOR PAYMENT 429.00

344048 WE ARE ONE PRODUCTIONS CONTRACTOR PAYMENT 1,029.60

Recreation Sports Programs

202432 NEOPOST EQUIPMENT RENTAL 14.05

343855 ORCHARD SUPPLY HARDWARE SUPPLIES 194.97

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 980.91

344026 STAR SPORTS SUPPLIES 2,145.05

Recreation-New Comm Cntr

343844 MARLIES CLEANING SERVICE CLEANING SERVICE 270.00

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 1,525.95

343883 WESCO RECEIVABLES CORP ELECTRICAL SUPPLIES 735.63

343887 AAA FIRE PROTECTION SVCS STEAM CLEANING 817.31

343918 COLE SUPPLY CO INC SUPPLIES 225.03

343994 PACHECO BROTHERS GARDENING INC LANDSCAPE SERVICES 2,818.34

344053 XEROX CORPORATION COPIER LEASE/USAGE 246.63

220 Traffic Signalization Fund

Traffic Signals

343966 KIMLEY HORN AND ASSOCIATES INC ENGINEERING SERVICES 480.00

918992 TESTING ENGINEERS INC SAMPLE TESTING 600.00

221 Asset Forfeiture Fund

Non departmental

343862 PARCEL QUEST LICENSE RENEWAL 1,628.12

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Asset Forfeiture

343862 PARCEL QUEST LICENSE RENEWAL 542.70

229 Pollution Elimination Fund

Channel Maintenance Operation

202572 CITY OF ANTIOCH EXPENSE REIMBURSEMENT 10.00

343851 NEXTEL SPRINT CELL PHONE 48.80

343866 QUESADA CHIROPRACTIC DMV PHYSICAL 75.00

343875 TARGET SPECIALTY PRODUCTS CHEMICALS 3,901.20

344010 RMC WATER AND ENVIRONMENT CONSULTING SERVICES 5,615.00

251 Lone Tree SLLMD Fund

Lonetree Maintenance Zone 1

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 636.29

Lonetree Maintenance Zone 2

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 625.30

Lonetree Maintenance Zone 3

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 1,057.15

Lonetree Maintenance Zone 4

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 292.13

252 Downtown SLLMD Fund

Downtown Maintenance

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 341.80

253 Almondridge SLLMD Fund

Almondridge Maintenance

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 187.62

254 Hillcrest SLLMD Fund

Hillcrest Maintenance Zone 1

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 492.79

Hillcrest Maintenance Zone 2

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 646.62

Hillcrest Maintenance Zone 4

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 546.12

255 Park 1A Maintenance District Fund

Park 1A Maintenance District

343856 PACHECO BROTHERS GARDENING INC LANDSCAPE SERVICES 160.00

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 67.96

344025 STANTON, RICHARD RV STORAGE LOT MGMT 256.00

256 Citywide 2A Maintenance District Fund

Citywide 2A Maintenance Zone 3

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 67.23

Citywide 2A Maintenance Zone 4

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 247.01

Citywide 2A Maintenance Zone 5

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 349.66

Citywide 2A Maintenance Zone 6

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 199.05

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Citywide 2A Maintenance Zone 8

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 251.42

Citywide 2A Maintenance Zone 9

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 422.49

Citywide 2A Maintenance Zone 10

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 111.36

257 SLLMD Administration Fund

SLLMD Administration

202572 CITY OF ANTIOCH EXPENSE REIMBURSEMENT 7.49

343822 CROP PRODUCTION SERVICES INC CHEMICALS 2,604.00

343851 NEXTEL SPRINT CELL PHONE 163.80

343861 PAPA SEMINAR-GOSS 240.00

259 East Lone Tree SLLMD Fund

Zone 1-District 10

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 23.36

311 Capital Improvement Fund

Public Buildings & Facilities

343865 PLATINUM PIPELINE INC MARKLEY CREEK PROJECT 48,609.48

343901 BAY AREA NEWS GROUP LEGAL AD 316.46

343902 BEALS ALLIANCE INC DESIGN SERVICE 3,259.61

343954 HARRISON ENGINEERING INC ENGINEERING SERVICES 1,108.81

343997 PARSONS BRINCKERHOFF INC MARKLEY CREEK PROJECT 1,746.80

376 Lone Diamond Fund

Assessment District

344010 RMC WATER AND ENVIRONMENT CONSULTING SERVICES 15,803.88

416 Honeywell Capital Lease Fund

Non Departmental

343895 BANK OF AMERICA LOAN PAYMENT 42,588.54

570 Equipment Maintenance Fund

Non Departmental

343835 HUNT AND SONS INC FUEL 9,835.38

343958 HUNT AND SONS INC FUEL 12,723.48

Equipment Maintenance

202572 CITY OF ANTIOCH EXPENSE REIMBURSEMENT 5.00

343801 ANTIOCH AUTO PARTS AUTO PARTS STOCK 96.17

343802 ANTIOCH CHRYSLER JEEP DODGE WINDOW SWITCH 360.60

343805 BILL BRANDT FORD REGISTER 19.82

343816 CONTRA COSTA COUNTY HAZARDOUS WASTE PERMIT 3,420.00

343821 CONTROLLED ENVIRONMENTAL SVCS HEALY PUMP 1,846.33

343824 DIAMOND STEEL CO INC SUPPLIES 118.67

343828 EAST BAY TRUCK CENTER SPEED SENSOR 83.95

343837 KEN KELLER SALES FILTERS 146.64

343847 MSI FUEL MANAGEMENT INC SUPPLIES 580.36

343858 PACIFIC GAS AND ELECTRIC CO ELECTRIC 414.96

343870 SHIELDS HARPER AND CO SUPPLIES 428.93

343910 CALIFORNIA DIESEL AND POWER INC GENERATOR REPAIR 366.73

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343970 LEHR AUTO ELECTRIC	SUPPLIES	190.91
344001 PETERSON	SUPPLIES	77.27
344040 VEE JAY MARINE SERVICES INC	SUPPLIES	5,475.61
344053 XEROX CORPORATION	COPIER LEASE/USAGE	48.14
918976 A1 TRANSMISSION	TRANSMISSION REPAIR	2,237.78
918979 DAN FARIAS MOBILE SMOKE CHECK	SMOG TESTS	350.00
918982 GRAINGER INC	SUPPLIES	85.72
919004 BIG SKY ENTERPRISES INC	TIRE DISPOSAL	165.90
919025 DAN FARIAS MOBILE SMOKE CHECK	SMOKE CHECKS	200.00
573 Information Services Fund		
Non Departmental		
343862 PARCEL QUEST	LICENSE RENEWAL	3,437.64
Information Services		
343851 NEXTEL SPRINT	CELL PHONE	56.51
343855 ORCHARD SUPPLY HARDWARE	SUPPLIES	15.17
344042 VERIZON WIRELESS	AIR CARD	35.11
Network Support & PCs		
343804 AT AND T MCI	PHONE	357.32
343813 COMCAST	ISP SERVICES	111.67
343851 NEXTEL SPRINT	CELL PHONE	120.87
343862 PARCEL QUEST	LICENSE RENEWAL	1,145.85
Telephone System		
343803 AT AND T MCI	PHONE	16.54
Office Equipment Replacement		
343832 HEWLETT PACKARD COMPANY	DESKTOPS	1,622.85
577 Post Retirement Medical-Police Fund		
Non Departmental		
343908 RETIREE	MEDICAL AFTER RETIREMENT	182.05
343968 RETIREE	MEDICAL AFTER RETIREMENT	842.00
343986 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
344005 PERS	MEDICAL AFTER RETIREMENT	3,886.78
344014 RETIREE	MEDICAL AFTER RETIREMENT	219.32
344052 RETIREE	MEDICAL AFTER RETIREMENT	461.74
918994 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
919001 RETIREE	MEDICAL AFTER RETIREMENT	1,111.84
919003 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
919013 RETIREE	MEDICAL AFTER RETIREMENT	1,088.53
919014 RETIREE	MEDICAL AFTER RETIREMENT	973.00
919016 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
919019 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
919031 RETIREE	MEDICAL AFTER RETIREMENT	1,090.04
919036 RETIREE	MEDICAL AFTER RETIREMENT	810.00
919037 RETIREE	MEDICAL AFTER RETIREMENT	219.32
919050 RETIREE	MEDICAL AFTER RETIREMENT	173.37
919053 RETIREE	MEDICAL AFTER RETIREMENT	219.32
919056 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26

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919057 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
919058 RETIREE	MEDICAL AFTER RETIREMENT	130.73
919068 RETIREE	MEDICAL AFTER RETIREMENT	173.37
919085 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
919087 RETIREE	MEDICAL AFTER RETIREMENT	553.63
919099 RETIREE	MEDICAL AFTER RETIREMENT	352.26
919100 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
919102 RETIREE	MEDICAL AFTER RETIREMENT	887.95
919112 RETIREE	MEDICAL AFTER RETIREMENT	553.63
919122 RETIREE	MEDICAL AFTER RETIREMENT	161.21
919126 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
919131 RETIREE	MEDICAL AFTER RETIREMENT	553.63
919141 RETIREE	MEDICAL AFTER RETIREMENT	553.63
919143 RETIREE	MEDICAL AFTER RETIREMENT	580.83

578 Post Retirement Medical-Misc Fund

Non Departmental

343846 RETIREE	MEDICAL AFTER RETIREMENT	479.38
343903 RETIREE	MEDICAL AFTER RETIREMENT	239.69
343935 RETIREE	MEDICAL AFTER RETIREMENT	239.69
343940 RETIREE	MEDICAL AFTER RETIREMENT	121.69
343942 RETIREE	MEDICAL AFTER RETIREMENT	387.26
343943 RETIREE	MEDICAL AFTER RETIREMENT	594.38
343982 RETIREE	MEDICAL AFTER RETIREMENT	239.69
343993 RETIREE	MEDICAL AFTER RETIREMENT	121.69
344005 PERS	MEDICAL AFTER RETIREMENT	6,190.75
344007 RETIREE	MEDICAL AFTER RETIREMENT	121.69
344009 RETIREE	MEDICAL AFTER RETIREMENT	594.38
344013 RETIREE	MEDICAL AFTER RETIREMENT	121.69
344017 RETIREE	MEDICAL AFTER RETIREMENT	239.69
344046 RETIREE	MEDICAL AFTER RETIREMENT	519.26
918981 RETIREE	MEDICAL AFTER RETIREMENT	243.38
918995 RETIREE	MEDICAL AFTER RETIREMENT	255.43
918996 RETIREE	MEDICAL AFTER RETIREMENT	1,783.14
918997 RETIREE	MEDICAL AFTER RETIREMENT	146.32
919007 RETIREE	MEDICAL AFTER RETIREMENT	239.69
919009 RETIREE	MEDICAL AFTER RETIREMENT	239.69
919011 RETIREE	MEDICAL AFTER RETIREMENT	594.38
919017 RETIREE	MEDICAL AFTER RETIREMENT	121.69
919020 RETIREE	MEDICAL AFTER RETIREMENT	358.38
919024 RETIREE	MEDICAL AFTER RETIREMENT	121.69
919027 RETIREE	MEDICAL AFTER RETIREMENT	239.69
919030 RETIREE	MEDICAL AFTER RETIREMENT	121.69
919033 RETIREE	MEDICAL AFTER RETIREMENT	173.37
919035 RETIREE	MEDICAL AFTER RETIREMENT	594.38
919039 RETIREE	MEDICAL AFTER RETIREMENT	173.37
919042 RETIREE	MEDICAL AFTER RETIREMENT	121.69

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919044	RETIREE	MEDICAL AFTER RETIREMENT	121.69
919046	RETIREE	MEDICAL AFTER RETIREMENT	558.59
919047	RETIREE	MEDICAL AFTER RETIREMENT	177.47
919052	RETIREE	MEDICAL AFTER RETIREMENT	594.38
919055	RETIREE	MEDICAL AFTER RETIREMENT	121.69
919063	RETIREE	MEDICAL AFTER RETIREMENT	239.69
919064	RETIREE	MEDICAL AFTER RETIREMENT	121.69
919067	RETIREE	MEDICAL AFTER RETIREMENT	594.38
919070	RETIREE	MEDICAL AFTER RETIREMENT	239.69
919072	RETIREE	MEDICAL AFTER RETIREMENT	365.07
919075	RETIREE	MEDICAL AFTER RETIREMENT	594.38
919078	RETIREE	MEDICAL AFTER RETIREMENT	358.38
919080	RETIREE	MEDICAL AFTER RETIREMENT	358.38
919084	RETIREE	MEDICAL AFTER RETIREMENT	594.38
919094	RETIREE	MEDICAL AFTER RETIREMENT	358.38
919095	RETIREE	MEDICAL AFTER RETIREMENT	121.69
919104	RETIREE	MEDICAL AFTER RETIREMENT	239.69
919107	RETIREE	MEDICAL AFTER RETIREMENT	239.69
919111	RETIREE	MEDICAL AFTER RETIREMENT	594.38
919116	RETIREE	MEDICAL AFTER RETIREMENT	121.69
919125	RETIREE	MEDICAL AFTER RETIREMENT	594.38
919127	RETIREE	MEDICAL AFTER RETIREMENT	255.43
919130	RETIREE	MEDICAL AFTER RETIREMENT	173.37
919134	RETIREE	MEDICAL AFTER RETIREMENT	709.38
919140	RETIREE	MEDICAL AFTER RETIREMENT	358.38
919142	RETIREE	MEDICAL AFTER RETIREMENT	358.38
919144	RETIREE	MEDICAL AFTER RETIREMENT	84.28
919145	RETIREE	MEDICAL AFTER RETIREMENT	121.69

579 Post Retirement Medical-Mgmt Fund

Non Departmental

343899	RETIREE	MEDICAL AFTER RETIREMENT	239.69
343915	RETIREE	MEDICAL AFTER RETIREMENT	898.90
343930	RETIREE	MEDICAL AFTER RETIREMENT	179.69
343947	RETIREE	MEDICAL AFTER RETIREMENT	121.69
343951	RETIREE	MEDICAL AFTER RETIREMENT	239.69
343959	RETIREE	MEDICAL AFTER RETIREMENT	400.00
343971	RETIREE	MEDICAL AFTER RETIREMENT	358.38
343998	RETIREE	MEDICAL AFTER RETIREMENT	121.69
344005	PERS	MEDICAL AFTER RETIREMENT	9,125.75
344008	RETIREE	MEDICAL AFTER RETIREMENT	255.43
344033	RETIREE	MEDICAL AFTER RETIREMENT	594.38
344055	RETIREE	MEDICAL AFTER RETIREMENT	173.37
918984	RETIREE	MEDICAL AFTER RETIREMENT	160.00
919002	RETIREE	MEDICAL AFTER RETIREMENT	358.38
919005	RETIREE	MEDICAL AFTER RETIREMENT	358.38
919006	RETIREE	MEDICAL AFTER RETIREMENT	256.89

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919008 RETIREE	MEDICAL AFTER RETIREMENT	179.70
919010 RETIREE	MEDICAL AFTER RETIREMENT	121.69
919012 RETIREE	MEDICAL AFTER RETIREMENT	898.90
919015 RETIREE	MEDICAL AFTER RETIREMENT	594.38
919021 RETIREE	MEDICAL AFTER RETIREMENT	625.86
919022 RETIREE	MEDICAL AFTER RETIREMENT	121.69
919026 RETIREE	MEDICAL AFTER RETIREMENT	594.38
919028 RETIREE	MEDICAL AFTER RETIREMENT	474.38
919029 RETIREE	MEDICAL AFTER RETIREMENT	358.38
919032 RETIREE	MEDICAL AFTER RETIREMENT	255.43
919038 RETIREE	MEDICAL AFTER RETIREMENT	358.38
919040 RETIREE	MEDICAL AFTER RETIREMENT	898.90
919041 RETIREE	MEDICAL AFTER RETIREMENT	121.69
919045 RETIREE	MEDICAL AFTER RETIREMENT	1,184.56
919048 RETIREE	MEDICAL AFTER RETIREMENT	374.20
919049 RETIREE	MEDICAL AFTER RETIREMENT	358.38
919051 RETIREE	MEDICAL AFTER RETIREMENT	461.74
919060 RETIREE	MEDICAL AFTER RETIREMENT	376.24
919065 RETIREE	MEDICAL AFTER RETIREMENT	724.38
919066 RETIREE	MEDICAL AFTER RETIREMENT	358.38
919069 RETIREE	MEDICAL AFTER RETIREMENT	255.43
919071 RETIREE	MEDICAL AFTER RETIREMENT	594.38
919073 RETIREE	MEDICAL AFTER RETIREMENT	358.38
919074 RETIREE	MEDICAL AFTER RETIREMENT	358.38
919076 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
919077 RETIREE	MEDICAL AFTER RETIREMENT	239.69
919079 RETIREE	MEDICAL AFTER RETIREMENT	239.69
919081 RETIREE	MEDICAL AFTER RETIREMENT	159.02
919082 RETIREE	MEDICAL AFTER RETIREMENT	358.38
919083 RETIREE	MEDICAL AFTER RETIREMENT	358.38
919086 RETIREE	MEDICAL AFTER RETIREMENT	964.95
919088 RETIREE	MEDICAL AFTER RETIREMENT	173.37
919090 RETIREE	MEDICAL AFTER RETIREMENT	255.43
919091 RETIREE	MEDICAL AFTER RETIREMENT	438.96
919092 RETIREE	MEDICAL AFTER RETIREMENT	594.38
919093 RETIREE	MEDICAL AFTER RETIREMENT	358.38
919096 RETIREE	MEDICAL AFTER RETIREMENT	121.69
919097 RETIREE	MEDICAL AFTER RETIREMENT	121.69
919101 RETIREE	MEDICAL AFTER RETIREMENT	1,222.26
919103 RETIREE	MEDICAL AFTER RETIREMENT	121.69
919105 RETIREE	MEDICAL AFTER RETIREMENT	358.38
919106 RETIREE	MEDICAL AFTER RETIREMENT	358.38
919108 RETIREE	MEDICAL AFTER RETIREMENT	239.69
919109 RETIREE	MEDICAL AFTER RETIREMENT	146.32
919110 RETIREE	MEDICAL AFTER RETIREMENT	379.69
919113 RETIREE	MEDICAL AFTER RETIREMENT	898.90

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919114 RETIREE	MEDICAL AFTER RETIREMENT	594.38
919115 RETIREE	MEDICAL AFTER RETIREMENT	121.69
919117 RETIREE	MEDICAL AFTER RETIREMENT	258.43
919118 RETIREE	MEDICAL AFTER RETIREMENT	625.86
919119 RETIREE	MEDICAL AFTER RETIREMENT	121.69
919120 RETIREE	MEDICAL AFTER RETIREMENT	898.80
919121 RETIREE	MEDICAL AFTER RETIREMENT	759.38
919124 RETIREE	MEDICAL AFTER RETIREMENT	121.69
919129 RETIREE	MEDICAL AFTER RETIREMENT	255.43
919132 RETIREE	MEDICAL AFTER RETIREMENT	2,051.22
919133 RETIREE	MEDICAL AFTER RETIREMENT	358.38
919135 RETIREE	MEDICAL AFTER RETIREMENT	358.38
919136 RETIREE	MEDICAL AFTER RETIREMENT	1,623.44
919137 RETIREE	MEDICAL AFTER RETIREMENT	121.69
919138 RETIREE	MEDICAL AFTER RETIREMENT	1,623.44
919139 RETIREE	MEDICAL AFTER RETIREMENT	255.43

580 Loss Control Fund

Human Resources

343961 IEDA INC	PROFESSIONAL SERVICES	3,884.46
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611 Water Fund

Non Departmental

343834 HORIZON	SUPPLIES	93.78
343868 ROBERTS AND BRUNE CO	SUPPLIES	197.75
343904 BISHOP CO	SUPPLIES	1,475.18
343956 HORIZON	IRRIGATION PARTS	1.45
343999 PENSE, VALERIE	CHECK REPLACEMENT	58.81
344003 PINPOINT PRODUCTS INC	SUPPLIES	1,886.97
344011 ROBERTS AND BRUNE CO	SUPPLIES	4,147.59
344031 STATEWIDE SAFETY AND SIGNS INC	SUPPLIES	935.70
344051 WILCO SUPPLY	SUPPLIES	385.09
918982 GRAINGER INC	SUPPLIES	588.98
918983 HAMMONS SUPPLY COMPANY	SUPPLIES	182.60
919023 CRYSTAL CLEAR LOGOS INC	SUPPLIES	993.84

Water Supervision

202572 CITY OF ANTIOCH	EXPENSE REIMBURSEMENT	49.51
343807 BROACH, WILLIE	CHECK REPLACEMENT	23.55
343851 NEXTEL SPRINT	CELL PHONE	96.84
343869 RT LAWRENCE CORP	LOCKBOX PROCESSING FEE	1,572.01

Water Production

343798 ACE HARDWARE, ANTIOCH	SUPPLIES	26.34
343806 BORGES AND MAHONEY	CHLORINATOR PARTS	1,791.31
343816 CONTRA COSTA COUNTY	HAZARDOUS WASTE PERMIT	33,777.00
343820 CONTRA COSTA WATER DISTRICT	RAW WATER	75,127.37
343835 HUNT AND SONS INC	FUEL	25.88
343841 LEIGHTON STONE CORP	SUPPLIES	2,109.35
343851 NEXTEL SPRINT	CELL PHONE	62.60

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343854 OFFICE MAX INC	OFFICE SUPPLIES	67.98
343855 ORCHARD SUPPLY HARDWARE	IMPACT WRENCH	66.14
343858 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	91,156.20
343868 ROBERTS AND BRUNE CO	VALVES	988.74
343879 UNIVAR USA INC	CAUSTIC	12,642.01
343883 WESCO RECEIVABLES CORP	TIMER	811.80
343894 AUTUMN INFORMATION SYSTEMS INC	EPA FEES	562.03
343905 BORGES AND MAHONEY	CHLORINATOR PARTS	107.06
343933 CRWA	MEMBER DUES	1,030.00
343952 HACH CO	LAB SUPPLIES	586.04
344018 SECO CONTROLS LLC	PROCESS CONTROLLER	106.54
344053 XEROX CORPORATION	COPIER LEASE/USAGE	68.20
918977 AIRGAS SPECIALTY PRODUCTS	AMMONIA	810.05
918980 GENERAL CHEMICAL CORP	ALUM	8,579.31
918982 GRAINGER INC	RELAY SWITCHES	420.21
918988 LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	658.60
918990 NTU TECHNOLOGIES INC	POLYMER	2,700.00
918991 SIERRA CHEMICAL CO	CHLORINE	4,064.56
918993 VINCENT ELECTRIC MOTOR CO	MOTOR REPAIR	2,329.47
919034 EUROFINS EATON ANALYTICAL INC	TESTING SERVICES	75.00
919043 GRAINGER INC	BOLTS	138.47

Water Distribution

202571 UNITED STATES POSTAL SERVICE	STAMPS	46.00
202572 CITY OF ANTIOCH	EXPENSE REIMBURSEMENT	6.29
343823 DELTA DIABLO SANITATION DISTRICT	RECYCLED WATER	7,053.28
343830 FASTLANE TEK INC	CONSULTING SERVICES	4,303.10
343848 MT DIABLO LANDSCAPE CENTERS INC	CONCRETE MIX	101.81
343851 NEXTEL SPRINT	CELL PHONE	363.47
343854 OFFICE MAX INC	OFFICE SUPPLIES	101.27
343864 PARTSMASTER	SOCKET SETS	229.04
343866 QUESADA CHIROPRACTIC	DMV PHYSICALS	150.00
343868 ROBERTS AND BRUNE CO	PIPE & FITTINGS	3,795.23
343878 UNITED PARCEL SERVICE	SHIPPING	88.28
343893 ANTIOCH BUILDING MATERIALS	ASPHALT MATERIALS	410.50
343912 CELONI, DENNIS	CERTIFICATION REIMBURSEMENT	180.00
343913 CHADWICK, JEFFREY D	CERTIFICATION REIMBURSEMENT	180.00
343919 COLEFIELD, RONALD G	CERTIFICATION REIMBURSEMENT	180.00
343921 CONNELLY, SHAUN P	CERTIFICATION REIMBURSEMENT	180.00
343931 COUNTY ASPHALT	ASPHALT	723.75
343941 DODSON, DARRYL	CERTIFICATION REIMBURSEMENT	180.00
343953 HANBERG, BRETT K	CERTIFICATION REIMBURSEMENT	180.00
343965 KEN KELLER SALES	TOOLS	895.13
343978 MCCAMPBELL ANALYTICAL INC	TESTING SERVICES	146.70
343979 MCGARD	METER LOCKS	873.18
343990 OFFICE MAX INC	OFFICE SUPPLIES	49.21
344003 PINPOINT PRODUCTS INC	EQUIPMENT REPAIR	242.40

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344011	ROBERTS AND BRUNE CO	EQUIPMENT	9,091.24
344053	XEROX CORPORATION	COPIER LEASE/USAGE	122.54
918982	GRAINGER INC	SMALL TOOLS	589.99
919098	QUENVOLDS	SAFETY SHOES-COLEFIELD	430.76
Water Meter Reading			
343851	NEXTEL SPRINT	CELL PHONE	47.16
343990	OFFICE MAX INC	OFFICE SUPPLIES	60.08
Public Buildings & Facilities			
343808	BROWN AND CALDWELL INC	CONSULTANT SERVICES	65,405.56
343860	PAKPOUR CONSULTING GROUP INC	CONSULTANT SERVICES	1,559.25
343872	SIMPSON SANDBLASTING AND COATINGS	WATER RESEVOIR PROJECT	90,269.00
343906	BROWN AND CALDWELL INC	ENGINEERING SERVICES	69,463.28
343955	HDR ENGINEERING INC	CONSULTANT SERVICES	22,789.75
343976	LOZANO SMITH LLP	LEGAL SERVICES	7,025.57
Warehouse & Central Stores			
343851	NEXTEL SPRINT	CELL PHONE	50.40
343878	UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	4.00
344053	XEROX CORPORATION	COPIER LEASE	140.89
919098	QUENVOLDS	SAFETY SHOES-NOACK	215.92
621 Sewer Fund			
Sewer-Wastewater Supervision			
343851	NEXTEL SPRINT	CELL PHONE	20.93
344053	XEROX CORPORATION	COPIER LEASE/USAGE	122.54
Sewer-Wastewater Collection			
202330	STAPLES	PRINTER	76.29
202571	UNITED STATES POSTAL SERVICE	STAMPS	46.00
343830	FASTLANE TEK INC	CONSULTING SERVICE	1,070.00
343833	HONEYWELL INTERNATIONAL INC	REPAIR SERVICE	2,871.91
343848	MT DIABLO LANDSCAPE CENTERS INC	CONCRETE MIX	390.07
343851	NEXTEL SPRINT	CELL PHONE	163.21
343854	OFFICE MAX INC	OFFICE SUPPLIES	12.61
343878	UNITED PARCEL SERVICE	SHIPPING	17.87
343880	VERIZON WIRELESS	DATA SERVICE	76.02
343882	WECO INDUSTRIES INC	SUPPLIES	409.65
343893	ANTIOCH BUILDING MATERIALS	ASPHALT MATERIALS	410.49
343931	COUNTY ASPHALT	ASPHALT	723.76
343957	HUGHES, DECLAN M	CERTIFICATION REIMBURSEMENT	120.00
343990	OFFICE MAX INC	OFFICE SUPPLIES	49.20
344011	ROBERTS AND BRUNE CO	PIPE & FITTINGS	358.05
919098	QUENVOLDS	SAFETY SHOES-PINCKARD	430.75
622 Sewer Facilities Expansion Fund			
Wastewater Collection			
343867	RMC WATER AND ENVIRONMENT	CONSULTANT SERVICES	24,114.75
631 Marina Fund			
Non Departmental			
343873	STATE BOARD OF EQUALIZATION	SALES TAX	292.40

Prepared by: Georgina Meek
 Finance Accounting

CITY OF ANTIOCH
 CLAIMS BY FUND REPORT
 FOR THE PERIOD OF
 FEBRUARY 21 - MARCH 6, 2013
 FUND/CHECK#

Marina Administration

343816	CONTRA COSTA COUNTY	HAZARDOUS WASTE PERMIT	3,050.00
343858	PACIFIC GAS AND ELECTRIC CO	GAS	3,636.04
343909	CALIFORNIA DELTA CHAMBERS	ANNUAL DUES	150.00
343990	OFFICE MAX INC	OFFICE SUPPLIES	87.54
344053	XEROX CORPORATION	COPIER LEASE/USAGE	68.20

Marina Maintenance

343861	PAPA	SEMINAR-JEFFERSON	80.00
343975	LOWES COMPANIES INC	SUPPLIES	35.14
918988	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	1,355.14
919061	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	101.07

Major Projects

343877	TRANSYSTEMS CORPORATION	CONSULTING SERVICES	7,359.78
343901	BAY AREA NEWS GROUP	LEGAL AD	708.38
344036	TRANSYSTEMS CORPORATION	CONSULTING SERVICES	988.00

641 Prewett Water Park Fund

Non Departmental

343810	CANO, ALICIA	DEPOSIT REFUND	500.00
343914	CLARKE, ROGER	DEPOSIT REFUND	500.00
343946	EISENMAN, YVONNE	DEPOSIT REFUND	500.00
344043	VICTORY CHRISTIAN FELLOWSHIP	DEPOSIT REFUND	500.00

Recreation Water Park

343799	AMERICAN PLUMBING INC	PLUMBING SERVICES	397.68
343836	KELLY MOORE PAINT CO	SUPPLIES	320.98
343858	PACIFIC GAS AND ELECTRIC CO	GAS	9,644.12
343974	LINCOLN EQUIPMENT INC	CHEMICALS	166.06
343975	LOWES COMPANIES INC	SUPPLIES	773.82
343990	OFFICE MAX INC	OFFICE SUPPLIES	91.09
343994	PACHECO BROTHERS GARDENING INC	LANDSCAPE SERVICES	1,879.16
344004	PITCHER, JUSTIN WILLIAM	EXPENSE REIMBURSEMENT	292.15
344053	XEROX CORPORATION	COPIER LEASE/USAGE	247.36
918982	GRAINGER INC	SUPPLIES	56.16
919061	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	1,362.00

Rec Prewett Concessions

343967	LAN CON VOICE AND DATA CABLING	KIOSK TESTING	216.00
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721 Employee Benefits Fund

Non Departmental


343916	CLAYTON FITNESS CENTER	PAYROLL DEDUCTIONS	35.99
343926	CONTRA COSTA COUNTY	PAYROLL DEDUCTIONS	50.00
343927	CONTRA COSTA COUNTY	PAYROLL DEDUCTIONS	400.00
343938	DELTA PARK ATHLETIC CLUB	PAYROLL DEDUCTIONS	37.00
343939	DELTA VALLEY ATHLETIC CLUB	PAYROLL DEDUCTIONS	54.00
343962	IN SHAPE HEALTH CLUBS	PAYROLL DEDUCTIONS	1,130.00
343973	LINA	PAYROLL DEDUCTIONS	4,732.15
343984	MUNICIPAL POOLING AUTHORITY	PAYROLL DEDUCTIONS	2,272.58
343991	OPERATING ENGINEERS LOCAL NO 3	PAYROLL DEDUCTIONS	2,280.00

Prepared by: Georgina Meek
 Finance Accounting

CITY OF ANTIOCH
 CLAIMS BY FUND REPORT
 FOR THE PERIOD OF
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343992 OPERATING ENGINEERS LOCAL NO 3	PAYROLL DEDUCTIONS	1,049.82
343996 PARS	PAYROLL DEDUCTIONS	2,612.77
344000 PERS LONG TERM CARE	PAYROLL DEDUCTIONS	97.27
344005 PERS	PAYROLL DEDUCTIONS	274,754.32
344006 PUBLIC EMPLOYEES UNION LOCAL 1	PAYROLL DEDUCTIONS	2,159.37
344022 SOLAR SWIM AND GYM	PAYROLL DEDUCTIONS	27.00
344024 STANDARD LIFE INSURANCE	PAYROLL DEDUCTIONS	924.50
344028 STATE OF CALIFORNIA	PAYROLL DEDUCTIONS	100.00
344029 STATE OF CALIFORNIA	PAYROLL DEDUCTIONS	214.00
344030 STATE OF FLORIDA DISBURSEMENT UNIT	PAYROLL DEDUCTIONS	150.00
344032 TEXAS CHILD SUPPORT DISBURSE UNIT	PAYROLL DEDUCTIONS	422.77
344037 RECIPIENT	PAYROLL DEDUCTIONS	112.15
344039 US DEPT OF EDUCATION	PAYROLL DEDUCTIONS	187.32
344054 XTREME FITNESS	PAYROLL DEDUCTIONS	104.00
918998 ANTIOCH PD SWORN MGMT ASSOC	PAYROLL DEDUCTIONS	536.75
918999 APOA	PAYROLL DEDUCTIONS	11,857.17
919089 NATIONWIDE RETIREMENT SOLUTIONS	PAYROLL DEDUCTIONS	39,209.70
919128 VANTAGEPOINT TRANSFER AGENTS	PAYROLL DEDUCTIONS	1,334.13
736 APFA Lone Diamond Reassessment 1998 Fund		
<i>Non Departmental</i>		
343850 NBS LOCAL GOVERNMENT SOLUTIONS	DELINQUENCY MGMT	2,972.64

**STAFF REPORT TO THE CITY COUNCIL FOR CONSIDERATION AT THE
COUNCIL MEETING OF MARCH 12, 2013**

FROM: Lynn Tracy Nerland, City Attorney 
DATE: March 4, 2013
SUBJECT: Use Agreement for Assembly Member Frazier's Office Space at the Antioch
Community Center

RECOMMENDATION

Motion to approve the Use Agreement with the California Assembly Committee on Rules for Assembly Member Frazier's office space at the Antioch Community Center and authorize the City Manager to execute it

BACKGROUND INFORMATION

Assembly Member Frazier has indicated an interest in having office space at the Antioch Community Center and is willing to share existing office space with the nonprofit Youth Intervention Network (YIN).

The Agreement is for approximately 72 square feet and can be terminated by either party upon thirty days' notice. The rent for the office space is \$100 per month

FINANCIAL IMPACT

The proposed Use Agreement will generate revenue of \$100 per month, which is additional revenue generated to the City.

OPTIONS

The City Council has the option of approving, denying or modifying the proposed Use Agreement.

ATTACHMENTS

A: Proposed Use Agreement

**CALIFORNIA STATE ASSEMBLY
DISTRICT OFFICE USE AGREEMENT**

PREAMBLE: This Agreement, made and entered into this ____th day of _____, 2____, by and between **The City of Antioch** (hereinafter called the "CITY"), and the **Assembly Committee on Rules, California State Assembly** (hereinafter called the "Rules Committee");

WITNESSETH

1. DESCRIPTION: The CITY hereby leases to the Rules Committee and the Rules Committee hereby hires from the CITY those certain Premises known as: approximately 72 square feet of shared office space with the nonprofit Youth Intervention Network ("YIN") located at the Antioch Community Center at 4703 Lone Tree Way, Antioch, CA. The office area has one shared entrance and exit and keyed access to the Premises will be shared with YIN. Access to the Premises shall only be permitted during the normal operating hours for the Antioch Community Center which are Monday through Friday 8:00 a.m. to 5:00 p.m. There is no access to the Premises from the exterior of the Antioch Community Center.

The Premises will be used by Assembly Member Jim Frazier and his staff for office use only and not for hosting events of any kind. If events are desired to be held, then the Rules Committee or the Assembly Member shall rent additional appropriate space through the City's established rental procedures. The City makes no representation regarding the condition of the Premises or the Antioch Community Center. The Rules Committee, Mr. Frazier and his staff have inspected the Premises and know and accept the condition of the Premises and further recognize that the Antioch Community Center often hosts a large number of children and teenagers and no representations are being made regarding the noise levels in the Premises.

Rules Committee shall not use nor permit the use of the whole or any part of the Premises for any purpose other than that set forth in this paragraph without receiving the prior written consent of CITY. Rules Committee shall not assign or sublet this Agreement or the Premises without the prior written consent of City.

2. TERM: This Agreement shall commence on the date the Rules Committee occupies the Premises and shall continue until canceled by either party upon thirty (30) days' notice. If Rules Committee remains in possession of the Premises after the termination or expiration of this AGREEMENT, then Rules Committee will be deemed to be occupying the Premises on a month-to-month basis, subject to the terms and conditions of this AGREEMENT.

3. RENT: The Premises is offered to the Rules Committee at a cost of One Hundred Dollars **per month**. Rent shall be payable in advance on or before the tenth day of each month during the term and shall be sent to the Finance Director, City of Antioch, P.O. Box 5007, Antioch, CA 94531-5007.

4. SERVICES, UTILITIES AND SUPPLIES: The Rules Committee will use the Premise as general office space for Assembly Member Jim Frazier. CITY shall furnish to the Rules Committee during the term, at CITY's sole cost and expense, the following services and utilities:

- A. All utilities except telephone.
- B. Basic office furniture consisting of a desk and chair.
- C. A suitable building communications closet or other interface location from which the telephone can access and can feed voice and data transmission to the shared office space.
- D. Access to the common restroom for the Antioch Community Center.
- E. Use of the dumpster for the Antioch Community Center for a reasonable amount of office trash.

Rules Committee shall furnish during the term, at Rules Committee's sole cost and expense, the following:

- A. Initial installation and ongoing costs associated with telephones, facsimile and data needs.
- B. Any additional office furniture and equipment.
- C. Should the Rules Committee desire exterior building signage, the CITY reserves the right to approve the existence of such signage, the appearance of such signage and its placement location.
- D. Janitorial Services for the Premises.
- E. Maintenance of the Premises in a good and safe condition and the Rules Committee shall be responsible to repair any damage caused by the Rules Committee or its invitees or employees. Rules Committee shall not make any improvements to the Premises without the prior written consent of the CITY.

5. HOLD HARMLESS. Each party agrees to indemnify and hold the other party harmless for any expenses, including attorneys' fees, costs and legal damages, arising from any injury or damage negligently or otherwise caused by the first party in connection with the Premises. For the purposes of this paragraph, the term "party" includes a party's agents and invitees.

6. INSURANCE: The Rules Committee represents that, as an entity of the State of California, it is self-insured against damages, injury and other forms of liability. CITY shall not be named as an additional insured therein.

7. NOTICES: All notices and correspondence herein provided to be given, or which may be given by either party to the other, shall be deemed to have been fully given when made in writing and deposited in the United States Postal Service, certified and postage prepaid, and addressed as follows:

To the CITY OF ANTIOCH:

City Manager
P.O. Box 5007
Antioch, CA 94531-5007

Telephone: (925) 779-6166
Facsimile: (925) 779-7034

To the Lessee:

ASSEMBLY COMMITTEE ON RULES
1020 N STREET, ROOM 300
SACRAMENTO, CA 95814

Telephone: (916) 319-3709
Facsimile: (916) 319-3720

All notices and correspondence shall reference the Tenant and the address of the Premises.

Rent warrants shall be made payable to:

CITY OF ANTIOCH, and mailed to the Finance Director at the above address.

Nothing herein contained shall preclude the giving of any such written notice by personal service. The address to which notices and correspondence shall be mailed to either party may be changed by giving written notice to the other party.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto as of the date first above written.

CITY OF ANTIOCH

ASSEMBLY COMMITTEE ON RULES
CALIFORNIA STATE ASSEMBLY



BY _____

BY _____

TITLE _____

JONATHAN J. WALDIE
CHIEF ADMINISTRATIVE OFFICER

**STAFF REPORT TO THE CITY COUNCIL FOR CONSIDERATION AT THE
COUNCIL MEETING OF MARCH 12, 2013**

FROM: Jim Jakel, City Manager 
Lynn Tracy Nerland, City Attorney 

DATE: March 5, 2013

SUBJECT: **Emergency Repair Work at Prewett Water Park**

RECOMMENDATION:

Motion to receive and file this report regarding the need to engage a contractor to complete emergency work at Prewett Water Park related to the failure of the private fire service pipeline without soliciting competitive bids.

BACKGROUND:

In the course of testing the fire sprinkler system at Prewett Water Park, an underground fire service pipeline failed causing flooding at one of the maintenance and equipment rooms at Prewett Water Park. It was necessary to have the work repaired as soon as possible to get the fire sprinkler system on-line again per the direction of Contra Costa Fire District. In addition, the fire service pipeline work needed to be repaired immediately to allow construction of the larger filter and resurfacing project scheduled to be completed before the summer water park season.

Accordingly, pursuant to the emergency procurement provisions of Section 3-4.28 of the Antioch Municipal Code, the City Manager authorized contracting with Bay Cities Pryrotector at a cost not to exceed \$33,700 without soliciting three informal bids as is the typical method for contracts in the range of \$30,001 to \$175,000. The City Manager found that substantial evidence existed that (a) the emergency would not permit a delay resulting from the competitive solicitation of bids; and (b) the action was necessary to respond to the emergency.

FISCAL IMPACT:

Funds to cover the work will be budgeted from the Prewett replacement reserves account.

OPTIONS:

No options are presented because the emergency work was done.

03/12/13

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

PREPARED BY: Scott Buenting, Associate Engineer, Capital Improvements Division *SB*
REVIEWED BY: Ron Bernal, Public Works Director/City Engineer *ROB*
DATE: February 28, 2013
SUBJECT: First Amendment to the Design Consultant Services Agreement for the Cambridge Tank Expansion Project with Brown and Caldwell (P.W. 365-T3)

RECOMMENDATION

It is recommended that Council approve the First Amendment to the Design Consultant Services Agreement with Brown and Caldwell to provide engineering services during construction of the Cambridge Tank Expansion project and authorize the Director of Finance to amend the 2012-2013 Capital Improvement Budget to increase Water Enterprise Funding for this project by \$56,580.

BACKGROUND INFORMATION

On July 10, 2012, the City Council authorized the execution of a design consultant services agreement with Brown and Caldwell to develop a complete set of project plans and specifications for publicly bidding of the construction of improvements to the Cambridge Booster Pump Station. The contract for the construction of this project was recently awarded to Koch and Koch, Inc. and work is expected to commence in the near future.

Staff is recommending an amendment to Brown and Caldwell's Design Consultant Service Agreement that includes submittal and shop drawing review, construction engineering support, start up assistance, computer program modifications and system training at a cost not to exceed \$56,580. These tasks are necessary for the construction and operation of the new facilities. Staff believes that Brown and Caldwell's familiarity with this project makes them best suited to provide engineering support during construction.

FINANCIAL IMPACT

The approval of this amendment will increase the total contract amount to \$173,832.00. Additional Water Enterprise funding in the amount of \$56,580 is requested to secure engineering support during construction.

OPTIONS

No options are suggested at this time.

ATTACHMENTS

A: First Amendment to the Design Consultant Service Agreement

ATTACHMENT "A"

AMENDMENT NO. 1 TO AGREEMENT FOR DESIGN CONSULTANT SERVICES
FOR THE CAMBRIDGE TANK EXPANSION
P.W. 365-T3

THIS FIRST AMENDMENT TO THE AGREEMENT FOR CONSULTANT SERVICES is entered into this 13th day of March 2013, by and between the CITY OF ANTIOCH, a municipal corporation ("CITY") and BROWN AND CALDWELL, a California Corporation, their address is 201 North Civic Drive, Suite 115, Walnut Creek, CA 94596-3864 ("Consultant").

RECITALS

WHEREAS, on July 11, 2012, CITY and Brown and Caldwell entered into an Agreement for Professional Consultant Services for the Cambridge Tank Expansion Project ("Agreement") in the amount of \$117,252.00; and

NOW, THEREFORE, THE PARTIES DO MUTUALLY AGREE AS FOLLOWS:

1. **COMPENSATION. Section 2 of the Agreement:**

CITY shall increase the compensation for Brown and Caldwell for actual costs in the amount of \$56,580.00 bringing the total compensation to an amount not to exceed \$173,832.00.

2. **SERVICES. Section 1 of the Agreement:** is amended to include the following provision:

Consultant shall provide to City the services described in the Scope of Work attached as Exhibit A at the time and place and in the manner specified therein.

3. All other terms and conditions of the Agreement shall remain in full force and effect.

CITY OF ANTIOCH:

Brown and Caldwell

By: _____
Jim Jakel, City Manager

By: _____
William K. Faisst, Vice President

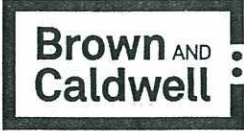
APPROVED AS TO FORM:

By: _____
Lynn Tracy Nerland, City Attorney

AI

Tel: 925.937.9010
Fax: 925.937.9026

February 27, 2013



Mr. Scott Buenting
Associate Civil Engineer
City of Antioch
Third & H Street
PO Box 5007
Antioch, CA 94531-5007

143214

Subject: Proposed Agreement for Engineering Services During
Construction – Letter Agreement

Dear Mr. Buenting:

In accordance with your request, Brown and Caldwell is pleased to present this proposal for Engineering Services During Construction. For convenience, this proposal is presented in a form that can be accepted and signed as an agreement between Brown and Caldwell and City of Antioch, hereinafter "Client."

Scope of Services

The Scope of Services in the Agreement is amended to provide:

Task 1—Project Management

Brown and Caldwell's project management tasks include routine communication with Client staff, day-to-day project tracking, monthly internal meetings and monitoring, internal quality assurance/quality control (QA/QC) reviews, and monthly progress reporting and invoicing.

Construction Period Services

Task 2.1—As-Needed Assistance for Engineering Services during Bidding

All work under Task 2.1 will be completed at the Client's request. Before the work starts, Brown and Caldwell will send Client a brief email outlining the work to be completed, the estimated number of hours required, and the estimated budget. Client shall authorize the work to begin in an email sent to Brown and Caldwell. Work to be completed under Task 2.1 may include the following:

1. Consult on 100 percent plans and specifications.
2. Assist Client in responding to technical questions by prospective bidders.
3. Prepare and submit Addenda, addressing questions from Client and bidders.
4. Assist Client in evaluating bids.

Consultant shall submit Addenda 1 and 2 electronically via email in pdf format.

Assumptions:

1. Consultant's labor effort is limited to contract budget limit.
2. Client shall undertake all communications with potential bidders.
3. Client shall summarize all Client and bidder questions and submit to Consultant in writing via email.
4. Labor effort limited to 50 hours.

Deliverables:

1. Electronic comments on bidders questions.
2. Addenda 1 and 2.
3. Invoicing for individual authorizations.
4. Input on evaluation of bids.

Task 3—Engineering Services During Construction

During construction, Consultant will provide Engineering Services in accordance with the following tasks.

Assumptions:

1. Construction of Cambridge Booster Pumping Station Upgrades and ancillary systems and facilities duration is 40 weeks.

Task 3.1—Review Submittals and Shop Drawings. Receive contractor's submittals and shop drawings from Client. Review and respond with comments on Contractor's shop drawing submittals, and return them to Client in accordance with construction contract provisions. Responses shall be in electronic format, transmitted by email, with paper copies provided only where extensive mark-ups require paper copies for clarification.

In the event Contractor's submittals require three or more total reviews, Client and Consultant agree such reviews are additional work and shall be billed to Client on a time-and-material basis, and shall be adequately documented to support Client back charges to the Contractor for Consultant's labor effort.

Assumptions:

1. Client will conduct preliminary review of Contractor's submittals and confirm they are complete as defined by the contract documents.
2. Responses shall be provided within 14 calendar days after Consultant receives the submittal or shop drawing.
3. Labor effort limited to 64 hours.
4. There are no meetings included with this task.

Deliverables:

1. Submittal review comments and disposition.

A3

Task 3.2—Provide Consultation and Interpretation of Contract Documents. Attend preconstruction conference with Client representatives. Provide consultation with Client's Resident Engineer and authorized Contractor's representative on questions associated with the work. Investigate and respond to requests for information (RFI) on the contract documents. Consultant shall provide responses to RFI's in electronic format, transmitted by email, with paper copies provided only where extensive mark-ups require paper copies for clarification. Visit the site during construction as listed below under assumptions. Provide site visit notes electronically within five business days after each visit.

Assumptions:

1. Labor effort limited to 60 hours.
2. Meetings and site visits for this task include:

Visit Purpose	Number of Consultant staff	Comments
Preconstruction Conference	1	
Structural inspection (code required)	1	
Mechanical inspection	1	

Task 3.3—Assist with Start Up. At the request of Client's Resident Engineer, assist Client with startup of the new system including checking of electrical and instrumentation systems. This work shall include a final inspection by a Consultant team including mechanical, structural, and electrical/instrumentation engineers who will prepare and submit electronically a Consultant's punch list. The structural engineer also will complete and report on the final code-required structural inspection.

Assumptions:

1. Labor effort is limited to 56 hours.
2. Meetings and site visits for this task include:

Visit Purpose	Number of Consultant staff	Comments
Final Punch List	3	

Deliverables:

1. Notes of assistance provided in email format.
2. Punch list in email format.
3. Confirmation on final code-required structural inspection, by email.

Task 4—Integration of the new booster pumps at the Cambridge Booster Pumping Station into the Client's existing Supervisory Control and Data Acquisition (SCADA) System. Consultant shall provide programming services for integration of the two new booster pumps at the Cambridge Booster Pumping Station into the existing Wonderware System Platform SCADA. This task includes PLC, OIT, and SCADA program modifications, and testing, commissioning, and operator training of Client staff on the revised programs.

Assumption:

1. Professional effort for Task 4 is limited to 120 hours.

Pump Station Programming

Task 4.1—Control and Programming Workshop. The Consultant programmer and engineer will attend a workshop with Client Supervisor and Plant Staff to discuss required modifications to the pump station PLC and OIT applications programs, and required modifications to the Wonderware SCADA program. At this workshop the Client shall provide information regarding software versions installed at the pump station RTU and SCADA HMI, this also includes providing the software license key or program for use by the Consultant for programming the equipment (refer to Task 4.2 and 4.3 for software requirements). This programming kickoff meeting will be held at the Water Treatment Plant and not be greater than 4 hours.

Task 4.2—Modicon PLC and Magelis OIT Program Modifications. Consultant shall modify the existing Modicon PLC and Magelis OIT HMI programs operating the existing equipment at the Cambridge Booster Pumping Station to add alarming, monitoring, and remote control functionality for the new equipment installed as part of this project.

Assumptions:

1. The development software and license for the existing Modicon PC-E984-285 CPU and the current version of the program in electronic format with comments will be supplied by the Client for Consultant programmer use.
2. No software upgrades to the existing PLC development or runtime software are included as part of this work.
3. The PLC control logic developed by the Consultant programmer for new PS equipment will generally follow the existing PLC control logic program where applicable.
4. The development software and license for the existing Magelis Model XBT F024310 operator interface terminal (OIT) and existing running program in electronic format will be supplied by the Client for Consultant programmer use.
5. No software upgrades to the existing OIT development or runtime software are included as part of this work.
6. The OIT HMI displays developed by the Consultant programmer for new PS equipment will generally follow the existing OIT HMI displays where applicable.
7. Consultant programmer shall install Client-supplied PLC and OIT software on the Consultant supplied laptop PC.
8. Above work is limited to programming changes associated with the addition of the new PS equipment/process. Modification of existing process control logic and/or operator HMI displays are not included as part of this work, except as needed for the new PS equipment.

Deliverables:

1. One PLC runtime software program which includes control logic for monitoring and controlling new process equipment furnished as part of this project.
2. OIT HMI runtime software program which includes three new graphic screens for monitoring and controlling new process equipment furnished as part of this project. The new graphics will include modified PS overview display, and two new booster pump detailed displays, one for each new booster pump.

Task 4.3—HMI Programming (Water Treatment Plant Control Room). Consultant shall modify existing Wonderware System Platform application software to add monitoring and control displays, trends, alarms, and reports for new process equipment furnished as part of this project. Modifications/update to the existing system and graphics is limited to the New BPS equipment and controls under this task.

Assumptions:

1. The development software and a development work station for the existing Wonderware System Platform will be supplied by the Client for Consultant programmer use.
2. No software upgrades to the existing Wonderware System Platform development or runtime software are included as part of this work.
3. The Wonderware System Platform HMI screens developed by the Consultant programmer for new PS equipment will generally follow the existing Wonderware System Platform HMI screens where applicable.
4. Consultant shall not develop any new custom Wonderware System Platform objects.
5. Three operator process screens shall be sufficient to provide required monitoring and control functionality.
6. Process booster pump detail screens (1 and 2 combined) shall have a maximum of 20 I/O points to display.
7. Consultant will provide maximum of three (3) trending screens. Two will be predefined and one will be runtime customizable by Client's operators.
8. Consultant shall use the Client's standard colors and format of user interface.
9. Wonderware Historian default software for report generation. Reports shall be developed following the Client's standard report format.

Deliverables:

1. Wonderware System Platform runtime software program which includes:
 - a. Three process graphic screens for monitoring and controlling new process equipment furnished as part of this project. The new graphics will include modified PS overview display, and two new booster pump detailed process graphic screens, one for each new booster pump.
 - b. Up to three (3) Trending Screens (one System Overview, one Trend Detail for the Pump Station, one Runtime Definable Trend).
 - c. Up to two new reports or updated reports with the new process data added.

Task 4.4—SCADA System Testing and Training Workshop. Consultant programmer shall work onsite for up to one week (40 hrs) to load, test, and commission the modified PLC, OIT, and SCADA application programs.

Consultant's engineer shall provide one 4-hour training session for up to 4 Client staff members on the operation of the new Cambridge Booster Pump Station at the Water Treatment Plant in Antioch.

AG

Assumptions:

1. Informal PLC, OIT, and SCADA training shall be conducted onsite during the Consultant programmer's one week site visit.
2. Contractor shall have tested local manual and local automatic control of all new equipment and tested the loop integrity of all new instruments and final control elements to the satisfaction of the City Engineer and Construction Manager prior to the Consultant's programmer coming onsite to test and commission the modified PLC, OIT and SCADA software.
3. Client staff to be trained on modified PLC, OIT, and SCADA programs shall be familiar with the applicable PLC, OIT, and SCADA runtime software, and training will be limited to just the modifications completed as part of this work.

Deliverables:

1. Fully commissioned PLC, OIT, and SCADA programs successfully operating the new equipment in remote manual and remote automatic mode as established in the process control strategies.
2. 4-hour operator training.

Schedule

Brown and Caldwell is prepared to begin work on the amendment immediately upon receiving written authorization to proceed. The contract shall be completed within 11 months of notice to proceed.

Compensation

Compensation for the services provided under Article I of this Amendment shall be calculated on the same basis as in the Agreement. The estimated compensation for the services performed under this Amendment is \$56,580 (Exhibit A) which increases the total estimated compensation under the Agreement to \$173,832.

All other terms and conditions of the Agreement and amendment thereto remain unchanged.

A7

Very truly yours,

Brown and Caldwell,
a California Corporation

City of Antioch



Thomas Birmingham, PE, PMP
Project Manager

Signature: _____



William Faisst, PhD, PE
Vice President

Printed Name: _____

Title: _____

TB:dem

Attachment: Exhibit A - Effort Budget

AS

**STAFF REPORT TO CITY COUNCIL FOR CONSIDERATION
AT THE MEETING OF MARCH 12, 2013**

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

DATE: March 4, 2013

SUBJECT: Amendment to the Consultant Services Agreement for Professional Services with Flow Science Incorporated

RECOMMENDATION

It is recommended that Council approve the Seventh Amendment to the Consultant Service Agreement with Flow Science Incorporated for assistance in support of our negotiations with the California State Department of Water Resources (DWR) and review of the Bay Delta Conservation Plan.

BACKGROUND INFORMATION

Flow Science Incorporated is a key component of the City's Delta Vision Task Force. Flow Science continues to provide support to the City of Antioch in helping staff analyze federal, state and local projects and processes that have the potential to impact delta flow circulation and Antioch's reliance on the delta as a primary surface water supply. Several on-going delta processes, such as the Delta Plan, the Bay-Delta Conservation Plan B and new state legislation and bond proposals have the potential to impact the existing circulation pattern of delta flow, which in turn can create a negative impact on the City's surface water supply, recreational opportunities and our existing water rights. Flow Science is currently analyzing hydraulic modeling data as it is made available from the Bay Delta Conservation Plan Committee and participating in their modeling group steering committee to ensure that any proposed changes to either Delta conveyance or management of flow operations do not have negative impacts within the Western Delta and that adequate mitigations measures are being considered for all in-delta users.

Staff is recommending the term of the contract be extended until June 30, 2014 and increase the compensation by an additional \$72,000.00 (seventy-two thousand). The original contract has been approved as to form by both the City Manager and City Attorney.

FINANCIAL IMPACT

The City's Fiscal Year 2012/13 and 2013/14 Water Enterprise Account include funding for these professional services.

OPTIONS

No options are suggested at this time.

ATTACHMENTS

A: Seventh Amendment to Agreement for Professional Services

RB:lm

3-12-13

ATTACHMENT "A"

SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES

THIS SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES is entered into this 13th day of March, 2013, by and between the CITY OF ANTIOCH, a municipal corporation ("CITY") and FLOW SCIENCE INCORPORATED ("CONSULTANT").

RECITALS

WHEREAS, on February 1, 2007, CITY and CONSULTANT entered into an Agreement for Professional Consulting Services; and

WHEREAS, the parties have agreed to modify the services and compensation of that Agreement;

NOW, THEREFORE, THE PARTIES DO MUTALLY AGREE AS FOLLOWS:

1. **SERVICES.** Section 1 of the Agreement, "Services" is amended to include the following provision:

The term of the contract is extended until June 30, 2014.

2. **COMPENSATION.** Section 2 of the Agreement, "Compensation" is amended to include the following provisions:

CITY hereby agrees to Pay Consultant an additional sum not to exceed \$72,000.00 (seventy-two thousand dollars), notwithstanding any contrary indications that may be contained in the Consultant's proposal, for services to be performed and reimbursable costs incurred under this Agreement.

The total contract amount is not to exceed \$349,900.00.

All other terms and conditions of the existing Agreement shall remain in full force and effect.

CITY OF ANTIOCH

FLOW SCIENCE INCORPORATED

By: _____
Jim Jakel, City Manager

By: _____
Dr. Susan C. Paulsen, President

APPROVED AS TO FORM:

By: _____
Lynn Tracy Nerland, City Attorney

REVISED

STAFF REPORT TO THE MAYOR AND CITY COUNCIL FOR CONSIDERATION AT THE MEETING OF MARCH 12, 2013

PREPARED BY: Scott Buenting, Associate Engineer, Capital Improvements Division *SB*
REVIEWED BY: Ron Bernal, Public Works Director/City Engineer *REB*
DATE: March 11, 2013
SUBJECT: Resolution Accepting Work and Authorizing the Public Works
Director/City Engineer to File a Notice of Completion for the Marina
Boat Launch Facility, (P.W. 523-16)

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 \$133,168.59 plus retention of \$153,005.76 to be paid thirty five days (35) after recordation of the Notice of Completion and upon resolution of the outstanding subcontractor claim.

BACKGROUND INFORMATION

On June 22, 2012, the City Council awarded a contract to Bay Cities Paving and Grading, Inc. in the amount of \$3,320,338.90 to construct a new boat launch facility at the Antioch Marina.

On May 17, 2012 the contractor completed all work associated with this project. Completion of the project was significantly delayed due to the inability of the contractor to provide disposal manifests associated with material dredged for the San Joaquin River.

Various claims have been filed by the contractor for perceived additional costs incurred during construction of the project. City staff is working to resolve the contractor's claims for additional compensation pertaining to the work. The City Attorney has advised staff to finalize the original contract with Bay Cities Paving and Grading, Inc. and address the contractor's claims as a separate issue.

FINANCIAL IMPACT

The final contract price for this project is \$3,060,115.10. The final contract price varies from the amount awarded predominately due to modification to the layout and geometry of the boat launch parking lot, deletion of the proposed restroom facility and third boarding float and complications associated with installation of the parking lot lighting facilities. Funding for this project was provided through a grant from State of California Department of Boating and Waterways.

OPTIONS

No options are suggested at this time.

ATTACHMENTS

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

SB:lm

1. G.
3-12-13

RESOLUTION NO. 2013/**

**RESOLUTION ACCEPTING WORK AND DIRECTING
THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO FILE A NOTICE OF
COMPLETION AND AUTHORIZING FINAL PAYMENT TO
BAY CITIES PAVING AND GRADING, INC. FOR THE
MARINA BOAT LAUNCH FACILITY
(P.W. 523-16)**

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. 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 recordation 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 in the amount of \$133,168.59 plus retention of \$153,005.76 to be paid thirty five days (35) after recordation of the Notice of Completion and upon resolution of the outstanding subcontractor claims.

* * * * *

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 12th day of March, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ARNE SIMONSEN, City Clerk

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

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

NOTICE OF COMPLETION

FOR

**MARINA BOAT LAUNCH FACILITY
IN THE CITY OF ANTIOCH
(P.W. 523-16)**

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 May 17, 2012.

The surety for said project was Safeco Insurance Company of America.

The subject project consisted of installing a boat launch facility at the Marina located at the foot of 'L' Street in the City of Antioch, California.

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

Date

Public Works Director/City Engineer

**STAFF REPORT TO THE MAYOR AND CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF MARCH 12, 2013**

PREPARED BY: Scott Buenting, Associate Engineer, Capital Improvements Division *SB*
REVIEWED BY: Ron Bernal, Public Works Director/City Engineer *REB*
DATE: March 5, 2013
SUBJECT: Third Amendment to the Design Consultant Services Agreement for the James Donlon and Larkspur Water Storage Reservoir Rehabilitation with Pakpour Consulting Group, Inc. (P.W. 246-24)

RECOMMENDATION

It is recommended that Council approve the Third Amendment to the Design Consultant Services Agreement with Pakpour Consulting Group, Inc. for additional construction and structural engineering support services for the James Donlon and Larkspur Water Storage Reservoir Rehabilitation project and authorize the Director of Finance to amend the 2012-2013 Capital Improvement Budget to increase Water Enterprise Funding for this project by \$103,500.

BACKGROUND INFORMATION

On April 24th and April 25th of 2012, staff contacted several civil engineering firms requesting proposals for providing engineering design services for the James Donlon and Larkspur Water Storage Reservoir Rehabilitation. The services requested included providing project plans and specifications suitable for public bidding for the interior and exterior recoating and painting of the two reservoirs and the installation of submersible mixing systems, chemical injection equipment and multi-level water quality sampling stations. Assessment of the seismic vulnerability of both tanks was also to be provided. Proposals were received from Brown and Caldwell, Inc., Pakpour Consulting Group, Inc. (PCG) and RMC Water and Environment. Based on the content of the proposals and discussions with the consultants, staff selected Pakpour Consulting Group, Inc. to perform the work and negotiated a contract in the amount of \$20,000.00.

Staff requested an additional proposal from PCG to provide contract documents for the rehabilitation of the 0.5 million gallon storage reservoir located at the Water Treatment Plant. The proposal from PCG was accepted and their Agreement was amended to include coating and lining inspection, rehabilitation recommendation and a seismic risk evaluation of this facility at a cost of \$10,000.00.

A second amendment to PCG's Agreement was executed to include submittal and shop drawing review, attend project progress meetings and providing engineering support during construction at a cost of \$5,000.00.

During the construction of the project, previously unknown structural defectives within the reservoirs have been discovered. Excessive corrosion of various roof components and warping of beams require structural remediation. Staff has received a proposal from PCG that includes additional construction and structural engineering support services to investigate the defects and design the structural repairs. In addition, expanding the scope

of seismic risk evaluations to include all City water storage reservoirs is proposed. A total of nine additional reservoirs will be assessed. Staff is recommending a third amendment to PCG's Design Consultant Service Agreement to perform these tasks at a cost of \$68,500.00.

FINANCIAL IMPACT

The approval of this amendment will increase the total contract amount to \$103,500.00. Additional Water Enterprise funding in the amount of \$103,500 is requested to fully fund the consulting engineering service provided on this project.

OPTIONS

No options are suggested at this time.

ATTACHMENTS

A: Third Amendment to the Design Consultant Services Agreement

ATTACHMENT "A"

**AMENDMENT NO. 3 TO AGREEMENT FOR DESIGN CONSULTANT SERVICES
FOR THE JAMES DONLON AND LARKSPUR
WATER STORAGE RESERVOIR REHABILITATION
P.W. 246-24**

THIS THIRD AMENDMENT TO THE AGREEMENT FOR CONSULTANT SERVICES is entered into this 13th day of March 2013, by and between the CITY OF ANTIOCH, a municipal corporation ("CITY") and PAKPOUR CONSULTING GROUP, INC., their address is 5776 Stoneridge Mall Road, Suite 320, Pleasanton, CA 94588 ("Consultant").

RECITALS

WHEREAS, on May 15, 2012, CITY and PAKPOUR CONSULTING GROUP, INC. entered into an Agreement for Professional Consultant Services for James Donlon and Larkspur Water Storage Reservoir Rehabilitation Project ("Agreement") in the amount of \$20,00.00; and

WHEREAS, the City has amended the original contract agreement to increase the compensation terms in the amount of \$15,000.00 to an amount not to exceed \$35,000.00; and

NOW, THEREFORE, THE PARTIES DO MUTUALLY AGREE AS FOLLOWS:

1. **COMPENSATION. Section 2 of the Agreement:**

CITY shall increase the compensation for Pakpour Consulting Group, Inc. for actual costs in the amount of \$68,500.00 bringing the total compensation to an amount not to exceed \$103,500.00.

2. **SERVICES. Section 1 of the Agreement:** is amended to include the following provision:

Consultant shall provide to City the services described in the Scope of Work attached as Exhibit A at the time and place and in the manner specified therein.

3. All other terms and conditions of the Agreement shall remain in full force and effect.

CITY OF ANTIOCH:

Pakpour Consulting Group, Inc.

By: _____
Jim Jakel, City Manager

By: _____
Joubin Pakpour, Principal Engineer

APPROVED AS TO FORM:

By: _____
Lynn Tracy Nerland, City Attorney

A1



EXHIBIT "A"

Pakpour Consulting Group, Inc.

March 5, 2013

10019.03

Scott Buenting
City of Antioch
Third and "H" Streets
Antioch, CA 94509

Subject: Proposal to Provide Construction and Structural Support Services along with Structural Evaluation of Nine Additional Tanks Reservoir Rehabilitation Project City of Antioch

Dear Scott,

Per your request *Pakpour Consulting Group* has prepared a proposal to provide construction and structural engineering support services for the Larkspur and James Donlon Reservoir Rehabilitation Project currently in construction along with structural evaluation of nine additional tanks.

Task 1 – *Pakpour Consulting Group* and its structural subconsultant, G&E Engineering Systems and Cornerstone Structural Engineering Group, will provide as needed structural engineering analysis of Larkspur and James Donlon Tanks during the Reservoir Rehabilitation Project currently underway. Tasks will include design of a structural fix for corroded roof rafters and warping beams at James Donlon Tank along with corroded roof knuckle beams at Larkspur Tank. This work will be performed at an expedited fashion as to not interfere with the contractors schedule and insure the two tanks are returned to service as soon as possible.

We propose completing task no. 1 at a cost of \$18,500.

Task 2 – *Pakpour Consulting Group* and its structural subconsultant, G&E Engineering Systems, will perform a seismic risk evaluation of nine additional tanks and provide recommendations including water level adjustments. Please refer to G&E's proposal dated February 11, 2013 for a full description.

We propose completing task no. 2 at a cost of \$50,000, which includes a 5% mark up for G&E's proposal to cover insurance costs and 15 hours of PCG time to review the structural report and assist the City during meetings.

Total cost for this proposal is \$68,500.

Should you have any questions please do not hesitate to call me at (925) 224-7717.

Very truly yours,
Pakpour Consulting Group, Inc.


Jonbin Pakpour, P.E.
Principal Engineer

A2



February 11, 2013
L111.01.03

Scott Buenting (via email to SBuenting@ci.antioch.ca.us)
Third & "H" Streets
Antioch, CA 94509

ATTENTION: Mr. Scott Buenting, P.E.
Associate Engineer

REFERENCE: Seismic Evaluations – 9 Tanks, City of Antioch Water Department

Dear Scott:

At the request of Mr. Joubin Pakpour, we have prepared a work plan and budget to perform seismic evaluations and develop upgrade plans for the remaining nine tanks in the Antioch water system (attached).

If you would like to meet to go over this work plan, and address any open items from our existing report, the damage at the Donlon tank, etc., I would be happy to come by your office.

If you have any questions or comments, please do not hesitate to contact me at 510-595-9453 or via email to eidinger@earthlink.net.

Sincerely yours,

A handwritten signature in blue ink that reads "John Eidinger".

John Eidinger
Project Manager

encl.

cc. Mr. Joubin Pakpour (via email)



Background

In mid-2012, G&E was retained by the Pakpour Consulting Group (PCG) to perform a seismic vulnerability assessment of 3 tanks:

- Central Zone 0.5 MG
- Larkspur 2.0 MG
- Donlon 2.0 MG

G&E performed this assessment and presented findings in G&E report R111.01.01 Rev A (September 17 2012).

In late-January, PCG requested that G&E inspect the roof girders of the Donlon tank. This was done in late January, 2013, and a report with observations and recommendations was submitted, G&E report R111.01.02, Rev. A, dated February 7, 2013.

On February 1, 2013, Mr. Pakpour requested that G&E prepare a work plan to extend the seismic vulnerability assessment for the remaining 9 tanks in the Antioch water system. This proposal provides this work plan.

Work Plan. Additional Tanks

We will perform a seismic vulnerability assessment of the remaining 9 tanks for the Antioch water system, and update reports to include the 3 tanks already assessed.

These 9 tanks include the following:

- Empire Mine 3.5 MG
- Mira Vista Hills 0.5 MG
- Cambridge 2.5 MG
- Lone Tree 2.5 MG
- Lone Tree Valley 1.7 MG
- Hillcrest 2.5 MG
- Central Zone 3.0 MG
- "D" street 1.0 MG
- Reservoirs 2A and 2B, 2 MG



We assume that the 240 MG Municipal Reservoir (raw water from the Contra Costa Canal) is not part of the current work. If this reservoir should be included, please let us know and we can provide a modified work plan.

For the above 9 tanks, we will perform the following:

Obtain existing drawings (site design drawings, fabrication drawings, modification drawings, original construction notes / field changes). We will also research the availability of fabrication drawings and construction notes for the 3 other tanks already evaluated. Review these drawings to obtain original design information, types of pipe connections, methods of construction. We assume that the City will provide the bulk of this information to G&E in electronic form, and we allow that G&E will spend about a day's time at Antioch's offices to research through paper files, etc. to collect any other types of information.

We will visit each tank site to obtain additional site information, including: tank wall thicknesses (steel tanks), site conditions, etc. We will use non-destructive tools to measure steel plate thicknesses. For any concrete tank where drawing information is uncertain, we may visit the sites and use NDE equipment to locate the approximate size and location of rebar (prestress wire).

Based on the findings for the Donlon tank (January 2013), there may be corrosion above the water line (steel tanks). We will request that the City provide us with any clean water dives for the 9 tanks. As part of the current base scope, interior inspections may be useful, as this is included as an optional items.

Steel and concrete tank stress analysis (9 tanks). These will be performed for four levels of earthquake, in a manner similar to that already done for the Central 0.5 MG, Larkspur and Donlon tanks (general following AWWA D100, D110). This includes:

- Likely performance of the tanks in the 1989 Loma Prieta earthquake. Specifically, we will consider the potential wave heights and style of tank and roof construction to see if there would possibly be damage to the roof systems due to either water sloshing or wall uplift effects. WE have observe this style of damage at Donlon. This may require knowledge of water heights on October 17 1989 5:04 pm, and if this is unknown, we will assume (conservatively) that the tank was a few inches below the overflow level at the time of this earthquake.
- 475 year earthquake (consistent with design for new tanks, ~1985 though 2002)
- 975 year earthquake
- 2,475 year earthquake (near upper bound)

We will also assess deterministic motions for each tank should a M 6.5+ event occur on the Antioch fault. While an earthquake like this might be rare, it would simultaneously



impact all tanks to high levels of ground shaking, and thus might be the design basis, when considering system redundancy as a whole.

Using available regional surface geology maps, we will assess the potential for liquefaction at each tank site. Note: should liquefaction (or landslide or fault offset) appear to be threat, we will make recommendations accordingly, and any required subsurface work would be include as part of the final design process.

For all these 9 tanks, we will describe if they meet the intent of modern codes (such as AWWA D100, D110, ASCE 7) for the four levels of earthquake loading. We will consider tank functionality (will it reliably hold water after the prescribed level of earthquake motions), as well as other types of damage (attached pipes, sloshing / roof / etc.) that are likely to be repairable after the earthquake.

For those tanks that are found to be potentially deficient, we will develop conceptual level seismic upgrades. This will be done at the four levels of earthquake motion (repeat of 1989 Loma Prieta, 475, 2/3 (2,475) and 2,475-year motions). We will include costs and conceptual design details (some details will be repeated between the tanks), that would be suitable for upgrade. Where upgrades for high levels of seismic motion are too expensive, we will suggest tank replacement.

We will factor in system redundancy to develop a system-wide upgrade strategy (for all 12 tanks) that is cost effective (i.e., look for upgrade strategies that achieve system-wide objectives at the lowest possible cost). We will factor in that certain types of damage (such as due to sloshing at roof levels) might be tolerable, and repair of such damage, while costly, can be reimbursed at a 90% rate from FEMA, should a federal-declared disaster occur (as is likely should any large earthquake occur in the Antioch area). Should the findings suggest that applying for a FEMA grant might be a good approach for the City of Antioch to consider, we will make this suggestion in the report.

We will include all findings in a updated report, inclusive of the Central 0.5MG, Donlon 2.0 MG and Larkspur 2.0 MG tanks; as well as observed interior / roof level damage in January/February 2013. This report will be issued as draft (electronic). The City of Antioch will provide comments, and the report will be issued as final (stamped, 2 hard copies and electronic).

Depending on the findings, some upgrades may be suitable for the nine tanks addressed in this work, as well as the 3 tanks addressed in the prior work. Upon request, G&E can include these upgrades into contract documents (drawings, specifications, cost estimates).



The cost for this work is \$45,000 (see table for breakdown).

Task Description		JE Hours	DD Hours	DLH Hours	Directs	Travel	Total Cost
	2013 Rate	\$224.00	\$202.00	\$186.00	(copies, ultrasound)		
Collect data		4	2	8		\$72.00	\$2,860
Data Gathering - Site		8	10	16	\$400.00	\$100.00	\$7,288
Analysis		16	12	64	\$-	\$-	\$17,912
Modifications		4	12	32	\$-		\$9,272
Report, Meeting		16	4	16	\$200.00	\$100.00	\$7,668
Total Hours		48	40	136	\$600.00	\$272.00	\$45,000

Optional work. Depending on the findings, it might be suitable to do interior inspections of the 9 tanks. This is best done when the tanks are empty, as part of 5-10-year inspections, painting. Often, the clean water dive data is good enough for developing the upgrade plans. Should, during the course of this work, it becomes apparent that we should do either additional clean water dives or other types of inspection, we will provide the City with accost estimate to perform such work. Assuming 3 clean water dives, the cost would be about \$10,000 (G&E would subcontract the clean water dive effort to CSI). Assuming interior inspection by G&E engineers for a tank already drained, \$2,000 per tank. Depending on the findings, it might be worthwhile for the City to submit a grant to FEMA for possible mitigation funds; G&E can prepare this grant (\$12,000). G&E has successfully obtained seismic mitigation grants for many utilities, including the SFPUC (\$3 million); City of Santa Clara Water Department (\$2 million); City of Redwood City Water Department (\$2 million); City of San Diego Water Department (\$3 million); City of Albany Oregon Water Department (\$2 million); Clackamas County Oregon (\$1.5 million); Portland Water Bureau (\$3 million); and more than 100 others.

Staff:

John Eidinger (P.E., S.E.) will be the principal in charge. Mr. Eidinger has 35 years experience in the area of seismic evaluation of water and utility lifeline systems. He has written 4 books on the seismic evaluation of water systems, and has published extensively in this area. He is a world-recognized leader in this field. He will stamp all reports.

Mr. Eidinger has also prepared hundreds of FEMA-grant applications, either post-disaster (90% co-share) or for pre-disaster mitigation funds (75% co-share).

Dr. Donald Duggan (P.E.) and Ms. Darlene Holston (P.E.) will perform field work and structural evaluations and assessments. Dr. Duggan holds a PhD in structural engineering



from Oxford University. Ms. Holston holds a M.S. in structural engineering from U.C. Berkeley. Both have more than 30 years experience with seismic evaluations of water tanks and lifeline infrastructure.

Mr. Eidinger, Dr. Duggan and Ms. Holston have done similar work on water tanks for more than 40 other water utilities. Mr. Eidinger has done seismic assessments for more than 500 steel tanks, and many reinforced concrete, prestressed concrete and redwood tanks.

Schedule: The will take 8 weeks from Notice to Proceed until issuance of the draft report.

**STAFF REPORT TO THE CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF MARCH 12, 2013**

Prepared by: Tina Wehrmeister, Community Development Director 

Date: March 7, 2013

Subject: Prewett Water Park Admission Fee Increase

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution amending the Master Fee Schedule to increase the Prewett Water Park admission fees for After 4pm and Senior/Active Military.

REQUEST

Staff is recommending a \$1.00 increase in the After 4pm, Senior, and Active Military admission fee. Staff does not expect this modest increase to reduce park attendance. An average of 161 patrons arrive at the Water Park after 4pm daily (14,879 for entire 2012 season). Total Senior/Active Military visits were 1,078 last season.

The current After 4pm, Senior, and Active Military fee is \$5.00. The full day admission fee is \$14.00 on the weekends and \$12.00 on weekdays. The Senior and Active Military fee is applicable anytime of day. A Senior is a person 55 years of age.

This item is being brought to Council at this time because Water Park season advertising begins prior to the annual fee schedule update.

FINANCIAL IMPACT

The proposed fee increases will generate an estimated \$15,500 to \$16,000 in additional revenue depending on attendance.

OPTIONS

Do not approve the fee increase.

RESOLUTION NO. 2013/**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH AMENDING THE MASTER FEE SCHEDULE TO INCREASE THE PREWETT WATER PARK ADMISSION FEES

WHEREAS, the City of Antioch requests an amendment to the Master Fee Schedule to increase the After 4pm and Senior/Active Military admission fee by \$1.00, from \$5.00 to \$6.00; and

WHEREAS, City Council previously directed staff to reduce the General Fund subsidy to the Recreation budget; and

WHEREAS, the City Council considered this item at a regularly scheduled public meeting on March 12, 2013.

NOW THEREFORE BE IT RESOLVED, that the City Council hereby ADOPTS the revision to the Master Fee Schedule increasing the Prewett Water Park After 4pm and Senior/Active Military admission fees as follows:

DESCRIPTION	FEE AMOUNT
PREWETT PARK: Daily Admission - After 4:00 pm Senior/Active Military	\$ 6.00 6.00

* * * * *

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 12th day of March, 2013.

AYES:

NOES:

ABSENT:

ARNE SIMONSEN, City Clerk

**STAFF REPORT TO THE CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF MARCH 12, 2013**

Prepared by: Ken Warren, Assistant Engineer *KW*
Approved by: Ron Bernal, Director of Public Works / City Engineer *RER*
Date: February 26, 2013
Subject: Resolution Extending the Temporary Closure of McElheny Road between East 6th Street and Fulton Shipyard Road

RECOMMENDATION

It is recommended that the City Council conduct a public hearing and approve the resolution extending the temporary closure of McElheny Road between East 6th Street and Fulton Shipyard Road for an additional period of eighteen (18) months as a measure to reduce criminal activity in the area.

BACKGROUND INFORMATION

McElheny Road is a 750-foot long, 30-foot wide, mostly unpaved road that crosses under the Burlington Northern Santa Fe (BNSF) railroad bridge between East 6th Street and Fulton Shipyard Road in the City of Antioch (Attachment "A"). The Public Works Department maintains water and sewer pipes that are located in the roadway alignment and periodically cleans adjacent open channels, but the road surface is not maintained.

Over the years the condition of McElheny Road had been a continuous source of consternation for adjacent land owners and the law enforcement community, and the area became a public nuisance and threat to the public health, safety, and welfare. The roadway often became impassable from seasonal rainfall and incoming tides due to its low elevation and lack of adequate drainage, with multiple occurrences of vehicles becoming submerged and disabled. Its isolated location and lack of street lighting made McElheny Road particularly attractive for criminal behavior and illegal dumping. According to statistics provided by the Antioch Police Department, during the five years prior to the 2011 temporary closure, the Department responded to a total of fifty-three (53) calls for service on this road, which varied between reports of discarded boats and stolen vehicles; dumping of trash, debris, construction materials and oil; discovery of pipe bombs and other dangerous objects; fights and miscellaneous disturbances; trespassing complaints, illegal camping and homeless encampments. McElheny Road was a significant and costly problem for the City and for Allied Waste, each of whom experienced difficulties accessing the illegal dumping occurring on this road.

Additionally, the trestles supporting the railroad facilities limited accessibility due to width and height restrictions.

In 2011, dumping and other illegal activities on McElheny Road prompted a concerted effort by both the property and business owner of the Red Caboose Restaurant, the Antioch Police Department, the Contra Costa County Fire Protection District (CCCFPD), and to the BNSF Railway Police Department to close the road.

California Vehicle Code §21101.4 authorizes the temporary closure of roads due to criminal activity subject to certain conditions and by resolution of a local authority at a public hearing. To date, the following actions have been taken:

- On September 13, 2011 the Antioch City Council adopted Resolution No. 2011/62 making findings and ordering the temporary closure of McElheny Road for a period of eighteen (18) months.

Per California Vehicle Code §21101.4, the temporary closure order may be extended for the periods and by the procedures specified in the Vehicle Code, which allows for eight (8) additional 18-month closures with each time extension requiring a public hearing. The current 18-month temporary closure expires on March 13, 2013.

To alert the public of the temporary road closure, "No Outlet" signs were installed on W. 6th Street at "A" Street and on Fulton Shipyard Road at Wilbur Avenue, and "End of City Maintained Street" and "Rough Road Subject to Flooding" signs are installed at each end of McElheny Road. To effectuate the temporary road closure, the Public Works Department in conjunction with the Antioch Police Department and the CCCFPD constructed gates at each end of McElheny Road. One gate is located approximately 100 feet north of East 6th Street and the other approximately 200 feet north of the BNSF Railroad Line. The gate locations provide for existing rear driveway access to the residence at 49 East 6th Street and adequate vehicular turn-around space at both ends of McElheny Road. The gates swing or open inward, have fire-trail lock-access or "daisy" chaining and allow for access by City and County Public Works employees, emergency response personnel, as well as pedestrians and bicyclists. The gates and the adjacent areas are regularly monitored by Public Works crews and police officers to determine if additional work is necessary to repair vandalized improvements or add measures to prevent vehicular access.

Per California Vehicle Code §21101.4 and Resolution No. 2011/62, the attached resolution lists seven findings that must be made by the City Council at public hearing to extend the temporary closure of the road. A copy of Antioch Police Department Memo, "McElheny Road Closure Extension", dated February 26, 2013, recommending the extension of the closure for an additional 18-month period, is provided as Attachment "B". Captain Stephen J. McConnell, Field

Services Division, reports that there have been a total of fourteen (14) calls for police service involving McElheny Road since the temporary closure began and that this isolated area remains a haven for illegal dumping and various other activities that pose a threat to public safety.

Fronting property owners to McElheny Road include Bert Mannall, LLC; Fruitful Farms, LLC; Riverfront Partners, LLC; City of Antioch; James & Phyllis Boccio; Antioch Diversified Development Association and the BNSF Railway. All adjacent property owners were noticed in writing of the proposed temporary road closure extension and the public hearing for Council to consider this action. If the temporary road closure extension is approved, all property owners adjacent to the McElheny will continue to have an alternate means of access to a public road. Staff requests that the Antioch City Council approve the resolution to extend the road closure an additional 18 months beyond the March 13, 2013 termination date.

FINANCIAL IMPACT

The cost of gates and signs for the McElheny Road closure were paid for with storm drain funds. No additional financial impacts are expected to come from this action.

OPTIONS

The City Council may choose to not approve the extension of the temporary closure of the road. This is not recommended by staff.

ATTACHMENTS

A: Vicinity Map

B: Antioch Police Department Memo, "McElheny Road Closure Extension", dated February 26, 2013

RESOLUTION NO 2013/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH MAKING
FINDINGS AND ORDERING EXTENSION OF THE TEMPORARY CLOSURE OF
McELHENY ROAD**

WHEREAS certain business and property owners adjacent to McElheny Road requested that McElheny Road be temporarily closed due to serious and continual criminal activity; and

WHEREAS Vehicle Code §21101.4 authorizes the temporary closure of roads due to criminal activity, and provides criteria and procedures for such closure; and

WHEREAS on September 13, 2011 the Antioch City Council adopted Resolution No. 2011/62 making findings and ordering the temporary closure of McElheny Road for a period of eighteen (18) months; and

WHEREAS the temporary closure order may be extended for the periods and by the procedures specified in Vehicle Code §21101.4 or successor legislation; and

WHEREAS Vehicle Code §21101.4 provides that the closure may be extended for eight (8) additional 18-month periods if, prior to each of those extensions, the local authority holds a public hearing and finds by resolution that all of the following conditions exist;

NOW, THEREFORE, BE IT RESOLVED that the City Council makes the following findings:

1. A duly-noticed public hearing was conducted by the City Council on March 12, 2013, at which all interested persons were allowed to address the Council. Notice was mailed to all residents and owners, as shown on the last equalized assessment roll, of property adjacent to McElheny Road;

2. The Police Department recommends extending the closure of the road. Field Services Division Captain Stephen J. McConnell has authored a memorandum dated February 26, 2013, on file with the Office of the City Attorney, which the City Council incorporates by reference. In summary, Capt. McConnell reports the following:

a. A cooperative effort from all of the interested parties and a significant portion of the initial closure period was expended to install the gates on McElheny Road;

b. All of the qualifying closure criteria outlined in City Council Resolution No. 2011/62 still exists. There is less activity on McElheny Road, namely due to advertisement of the impending road closure extension. This condition would drastically

change if the road were reopened;

c. Vehicle Code §21101.4 (b) provides for an extension of the temporary closure as long as the following conditions exist:

- (1) The extension of the temporary closure will assist in preventing the occurrence or reoccurrence of the serious and continual criminal activity which existed immediately prior to the authorization of the temporary closure.
- (2) The highway has not been designated as a through highway or arterial street.
- (3) Vehicular or pedestrian traffic on the highway contributes to the criminal activity.
- (4) The existing temporary closure has not substantially or adversely affected traffic flow, safety on the adjacent streets or in the surrounding neighborhoods, the operation of emergency vehicles, the performance of municipal or public utility services, or the delivery of freight by commercial vehicles in the area of McElheny Road; and

d. The aforementioned conditions still exist. Anything less than an order for extending the temporary closure of McElheny Road for another eighteen month period as prescribed in California Vehicle Code §21101.4 (b) will have a detrimental effect on the quality of life and the safety of the community.

4. From the foregoing, the Council concludes that continuation of the temporary closure of McElheny Road will assist in preventing reoccurrence of the serious and continual activity found to exist when the immediately preceding temporary closure was authorized;

5. McElheny Road has not been designated as a through highway or arterial street;

6. Vehicular traffic on the road contributes to the criminal activity;

7. The immediately preceding closure has not substantially adversely affected the following:

a. traffic flow or traffic safety on adjacent streets or surrounding neighborhoods, because McElheny Road does not have any public cross streets along its length and is not necessary to travel to any other neighborhoods;

b. operation of emergency vehicles, because other routes provide better linkages to destinations of emergency vehicles. The gates used to close the road are equipped with lock types that can be removed by emergency responders if it is necessary for response along the McElheny Road itself;

c. performance of municipal or public utility services, since no such services are provided along this roadway;

d. delivery of freight by commercial carriers, as other routes provide better linkages to destinations of commercial freight carriers.

BE IT FURTHER RESOLVED that pursuant to Vehicle Code §21101.4, the Council hereby determines that the temporary closure of McElheny Road shall be extended for a period of eighteen months (**until September 13, 2014**);

BE IT FURTHER RESOLVED that the extended closure shall be physically accomplished by gates with access points for pedestrians and bicyclists on both ends of the roadway. Adjoining property owners/authorized residents (if any) shall have the right to travel on the closed roadway and shall be responsible for closing and securing the gates. Pedestrians and bicyclists shall have the right to travel on the closed roadway and shall be required to use access points provided. The City shall provide an adequate level of road maintenance for use by bicyclists and pedestrians.

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately.

* * * * *

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 March 12, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ARNE SIMONSEN, City Clerk

ATTACHMENT "A"

**EBRPD 20'-WIDE STANDARD GATE
200' NORTH OF BNSF RR CROSSING**

**EBRPD 20'-WIDE STANDARD GATE
100' NORTH OF 6TH STREET**

**McELHENY ROAD:
WIDTH: 30 FT
LENGTH: 750 FT**



6 TH STREET

McELHENY ROAD



ATTACHMENT "B"

ANTIOCH POLICE DEPARTMENT INTER-OFFICE MEMORANDUM

TO: Ken Warren, Assistant City Engineer

FROM: Stephen J. McConnell, Captain, Field Services Division

DATE: February 26, 2013

SUBJECT: **McElheny Road Temporary Closure**

On September 13, 2011 the City Council adopted Resolution No. 2011/62 extending the temporary closure of McElheny Road for its first period of eighteen months. This action was taken pursuant to California Vehicle Code Section 21101.4. A significant effort was undertaken by all interested parties to ensure this roadway was temporarily closed.

All of the qualifying closure criteria outlined in City Council Resolution No. 2011/62 still exists. In spite of the extension of this closure, the isolated nature of this area is still a haven for illegal dumping and various other activities that have posed a threat to public safety. Since the last extension there has been a total of (14) calls for police service involving McElheny Road since September 13, 2011.

The vested interest shared by the City of Antioch, the Antioch Police Department, the Fire Department, Burlington Northern Santa Fe Railroad and adjacent property owners still exists. Opening McElheny Road at this time would dramatically increase the Police Department's public safety demands, and would put the health, safety and welfare of Antioch Citizens and adjacent property owners at risk.

Vehicle Code Section 21101.4 does provide for an extension of the temporary closure as long as the following conditions exist:

1. The extension of the temporary closure will assist in preventing the occurrence or reoccurrence of the serious and continual criminal activity which existed immediately prior to the authorization of the temporary closure.
2. The highway has not been designated as a through highway or arterial street.
3. Vehicular or pedestrian traffic on the highway contributes to the criminal activity.
4. The existing temporary closure has not substantially or adversely affected traffic flow, safety on the adjacent streets or in the surrounding neighborhoods, the operation of emergency vehicles, the performance of municipal or public utility services, or the delivery of freight by commercial vehicles in the area of Empire Mine Road.

It is the Police Department's opinion that the aforementioned conditions still exist, and we recommend the order of temporary closure for Empire Mine Road be extended for another eighteen month period as prescribed in California Vehicle Code Section 21101.4 (b). To do any less has a detrimental affect on the quality of life and the safety of the community.

**STAFF REPORT TO THE CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF MARCH 12, 2013**

Prepared by: Ken Warren, Assistant Engineer *kw*
Approved by: Ron Bernal, Director of Public Works / City Engineer *REB*
Date: February 25, 2013
Subject: Resolution Extending the Temporary Closure of Empire Mine Road
between Mesa Ridge Drive and Deer Valley Road

RECOMMENDATION

It is recommended that the City Council conduct a public hearing and approve the resolution extending the temporary closure of Empire Mine Road between Mesa Ridge Drive and Deer Valley Road for an additional period of eighteen (18) months as a continued measure to reduce criminal activity in the area.

BACKGROUND INFORMATION

Empire Mine Road is located in the southern portion of the City in undeveloped Future Urban Area 1 (FUA 1). The roadway is generally flat with the exception of a steep, winding portion that stretches approximately three quarters of a mile from the old Higgins Ranch driveway (Zeka property) up to Mesa Ridge Drive. This 3½-mile two-lane paved road with gravel shoulders, which extends from Mesa Ridge Drive in the Dallas Ranch Subdivision to Deer Valley Road, has for a long time been a source of consternation for adjacent land owners and the law enforcement community. Arson, vandalism, dumping, trespassing, discharging of firearms, parties involving the use of drugs and alcohol, and malicious activities leading to the death of livestock prompted a concerted effort in 2005 by property owners (especially rancher Jack Roddy), the Antioch Police Department and the County Sheriff to close the road. Fronting property owners include Ginochio, Richfield Development Corporation, Shea Adult Communities, Zeka Group, The Golf Course at Roddy Ranch (GKK Roddy Ranch Owner, LP (Gramercy)), East Bay Regional Park District, and City open space adjacent to developed residential property.

When the request to close the road was originally made in 2005, the 3-mile portion of Empire Mine Road from ½ mile east of Deer Valley Road to Mesa Ridge Drive was within the City limits and the remaining ½ mile section from the east City limit line to Deer Valley Road was located in the County. Therefore, approval from both the City Council and Contra Costa County Board of Supervisors was required to temporarily close the road. With the annexation of the Roddy Ranch property in 2007, the City assumed jurisdiction over the entire road.

California Vehicle Code §21101.4 authorizes the temporary closure of roads due to criminal activity subject to certain conditions and by resolution of a local authority at public hearing. To date, the following actions have been taken:

- On September 13, 2005 the Antioch City Council adopted Resolution No. 2005/102 making findings and ordering the temporary closure of Empire Mine Road for a period of eighteen (18) months.
- On May 16, 2006 the Contra Costa County Board of Supervisors adopted Traffic Resolution No. 2006/4162 ordering the temporary closure of Empire Mine Road No. 6963 (the portion of Empire Mine Road 2,600 feet west of Deer Valley Road to Mesa Ridge Drive) for an initial period of 18 months as a measure to reduce criminal activity in the Antioch area.
- On April 10, 2007 the City Council adopted Resolution No. 2007/26 extending the temporary closure of the entire road for an additional period of eighteen months.
- On September 9, 2008, the City Council adopted Resolution No. 2008/87 extending the temporary closure of the entire road for a 2nd additional period of eighteen months.
- On March 9, 2010, the City Council adopted Resolution No. 2010/19 extending the temporary closure of the entire road for a 3rd additional period of eighteen months.
- On September 13, 2011, the City Council adopted Resolution No. 2011/63 extending the temporary closure of the entire road for a 4th additional period of eighteen months.

Per California Vehicle Code §21101.4, the temporary closure order may be extended for the periods and by the procedures specified in the Vehicle Code, which allows for four (4) additional 18-month closures with each time extension requiring a public hearing. The current 18-month extension expires on March 13, 2013.

The owners of Roddy Ranch have constructed gates approved by the City Engineer on Empire Mine Road at both Mesa Ridge Drive and Deer Valley Road as part of the temporary road closure. The gates and gate locks are of a type approved by the Chief of Police and the Contra Costa County Fire District. "Road Closed" signs have been installed on Deer Valley Road (northbound and southbound directions) adjacent to Empire Mine Road. The gates have signs affixed indicating that the road is closed to all through vehicular traffic with provisions for access by the residents on the Zeka Ranch property, City and County Public Works employees, emergency response personnel, as well as pedestrians and bicyclists. The gates and the adjacent areas are regularly monitored by the Public Works crews and police officers to determine if additional work is necessary to repair vandalized improvements or added measures to prevent vehicular access.

Per California Vehicle Code §21101.4 and Resolution No. 2011/63, the attached resolution lists seven findings that must be made by the City Council at public hearing to extend the temporary closure of the road. A copy of Antioch Police Department Memo, "Empire Mine Road Closure Extension", dated February 26, 2013 recommending the extension of the closure for an additional 18-month period, is provided as Attachment "B". Captain Stephen J. McConnell, Field Services Division, reports that in spite of the existing temporary road closure, the isolated and rural nature of this area is still a big lure for illegal activity. There have been a total of eighteen (18) calls for police service involving Empire Mine Road since the last extension.

The adjacent property owners have been given notice of the public hearing in writing. Staff requests that the Antioch City Council approve the resolution to extend the road closure an additional 18 months beyond the March 13, 2013 termination date.

FINANCIAL IMPACT

The costs of the gates and signs for the Empire Mine Road closure have been borne by the owners of the Golf Club at Roddy Ranch. No additional financial impacts are expected to come from this action.

OPTIONS

The City Council may choose to not approve the extension of the temporary closure of the road. This is not recommended by staff.

ATTACHMENTS

- A: Vicinity Map
- B: Antioch Police Department Memo, "Empire Mine Road Closure Extension", dated February 26, 2013

RESOLUTION NO. 2013/**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH MAKING FINDINGS AND ORDERING EXTENSION OF THE TEMPORARY CLOSURE OF EMPIRE MINE ROAD

WHEREAS property owners adjacent to Empire Mine Road requested that Empire Mine Road be temporarily closed due to serious and continual criminal activity; and

WHEREAS Vehicle Code §21101.4 authorizes the temporary closure of roads due to criminal activity, and provides criteria and procedures for such closure; and

WHEREAS on September 13, 2011 the Antioch City Council adopted Resolution No. 2011/63 making findings and ordering the extension of the temporary closure of Empire Mine Road for an additional period of eighteen (18) months; and

WHEREAS the temporary closure order may be extended for the periods and by the procedures specified in Vehicle Code §21101.4 or successor legislation; and

WHEREAS Vehicle Code §21101.4 provides that the closure may be extended for four (4) additional 18-month periods if, prior to each of those extensions, the local authority holds a public hearing and finds by resolution that all of the following conditions exist;

NOW, THEREFORE, BE IT RESOLVED that the City Council makes the following findings:

1. A duly-noticed public hearing was conducted by the City Council on March 12, 2013, at which all interested persons were allowed to address the Council. Notice was mailed to all residents and owners, as shown on the last equalized assessment roll, of property adjacent to Empire Mine Road;

2. The Police Department recommends extending the closure of the road. Field Services Division Captain Stephen J. McConnell has authored a memorandum dated February 26, 2013 on file with the Office of the City Attorney, which the City Council incorporates by reference. In summary, Capt. McConnell reports the following:

a. A cooperative effort from all of the interested parties and a significant portion of the initial closure period was expended to install the gates on Empire Mine Road;

b. All of the qualifying closure criteria outlined in City Council Resolution No. 2011/63 still exists. There is less activity about Empire Mine Road on the internet, namely due to the advertisement of the impending closure extension. This condition

would drastically change if the road were reopened;

c. Vehicle Code §21101.4 (b) provides for an extension of the temporary closure as long as the following conditions exist:

- (1) The extension of the temporary closure will assist in preventing the occurrence or reoccurrence of the serious and continual criminal activity which existed immediately prior to the authorization of the temporary closure.
- (2) The highway has not been designated as a through highway or arterial street.
- (3) Vehicular or pedestrian traffic on the highway contributes to the criminal activity.
- (4) The existing temporary closure has not substantially or adversely affected traffic flow, safety on the adjacent streets or in the surrounding neighborhoods, the operation of emergency vehicles, the performance of municipal or public utility services, or the delivery of freight by commercial vehicles in the area of Empire Mine Road; and

d. The aforementioned conditions still exist. Anything less than an order for extending the temporary closure of Empire Mine Road for another eighteen month period as prescribed in California Vehicle Code §21101.4 (b) will have a detrimental affect on the quality of life and the safety of the community.

4. From the foregoing, the Council concludes that continuation of the temporary closure of Empire Mine Road will assist in preventing reoccurrence of the serious and continual activity found to exist when the immediately preceding temporary closure was authorized;

5. Empire Mine Road has not been designated as a through highway or arterial street;

6. Vehicular traffic on the road contributes to the criminal activity;

7. The immediately preceding closure has not substantially adversely affected the following:

a. traffic flow or traffic safety on adjacent streets or surrounding neighborhoods, because Empire Mine Road does not have any public cross streets along its length and is not necessary to travel to any other neighborhoods;

b. operation of emergency vehicles, because other routes provide better linkages to destinations of emergency vehicles. The gates used to close the road are equipped with lock types that can be removed by emergency responders if it is necessary for response along Empire Mine Road itself;

c. performance of municipal or public utility services, since no such services are provided along this roadway;

d. delivery of freight by commercial carriers, as other routes provide better linkages to destinations of commercial freight carriers.

BE IT FURTHER RESOLVED that pursuant to Vehicle Code §21101.4, the Council hereby determines that the temporary closure of Empire Mine Road shall be extended for a period of eighteen months (**until September 13, 2014**);

BE IT FURTHER RESOLVED that the extended closure shall be physically accomplished by gates with access points for pedestrians and bicyclists on both ends of the roadway. Adjoining property owners/authorized residents (if any) shall have the right to travel on the closed roadway and shall be responsible for closing and securing the gates. Pedestrians and bicyclists shall have the right to travel on the closed roadway and shall be required to use access points provided. The City shall provide an adequate level of road maintenance for use by bicyclists and pedestrians.

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately.

* * * * *

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 March 12, 2013, by the following vote:

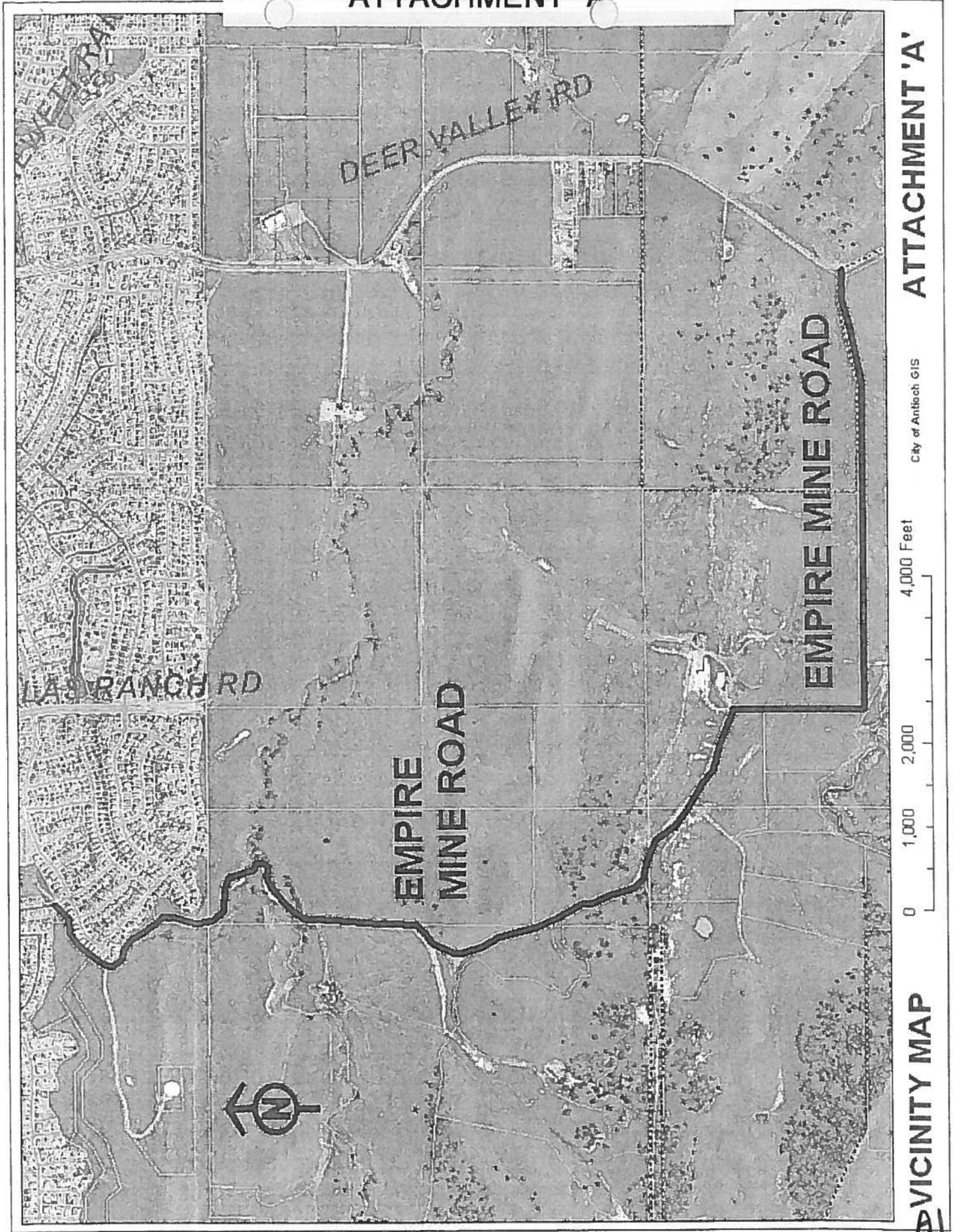
AYES:

NOES:

ABSENT:

ARNE SIMONSEN, City Clerk

ATTACHMENT "A"



ATTACHMENT "A"

City of Antioch GIS

4,000 Feet

2,000

1,000

0

VICINITY MAP

ATTACHMENT "B"

ANTIOCH POLICE DEPARTMENT INTER-OFFICE MEMORANDUM

TO: Ken Warren, Assistant City Engineer

FROM: Stephen J. McConnell, Captain, Field Services Division

DATE: February 26, 2013

SUBJECT: **Empire Mine Road Closure Extension**

On September 13, 2011 the City Council adopted Resolution No. 2011/63 extending the temporary closure of Empire Mine Road for a 4th additional period of eighteen months. This action was taken pursuant to California Vehicle Code Section 21101.4. A significant effort was undertaken by all interested parties to ensure this roadway was temporarily closed.

All of the qualifying closure criteria outlined in City Council Resolution No. 2011/63 still exists. In spite of the extension of this closure, the isolated and rural nature of this area is still a big lure for illegal activity. Since the last extension there has been a total of (18) calls for police service involving Empire Mine Road since September 13, 2011.

The vested interest shared by the City of Antioch, the Antioch Police Department, County Board of Supervisors, Sheriff's Department, Fire Department and adjacent property owners still exists. Opening Empire Mine Road at this time would dramatically increase the Police Department's public safety demands, and would put the health, safety and welfare of Antioch Citizens and adjacent property owners at risk.

Vehicle Code Section 21101.4 does provide for an extension of the temporary closure as long as the following conditions exist:

1. The extension of the temporary closure will assist in preventing the occurrence or reoccurrence of the serious and continual criminal activity which existed immediately prior to the authorization of the temporary closure.
2. The highway has not been designated as a through highway or arterial street.
3. Vehicular or pedestrian traffic on the highway contributes to the criminal activity.
4. The existing temporary closure has not substantially or adversely affected traffic flow, safety on the adjacent streets or in the surrounding neighborhoods, the operation of emergency vehicles, the performance of municipal or public utility services, or the delivery of freight by commercial vehicles in the area of Empire Mine Road.

It is the Police Department's opinion that the aforementioned conditions still exist, and we recommend the order of temporary closure for Empire Mine Road be extended for another eighteen month period as prescribed in California Vehicle Code Section 21101.4 (b). To do any less has a detrimental affect on the quality of life and the safety of the community.

**STAFF REPORT TO THE MAYOR AND CITY COUNCIL FOR
CONSIDERATION AT THE COUNCIL MEETING OF MARCH 12, 2013**

FROM: Jim Jakel, City Manager 
Lynn Tracy Nerland, City Attorney 

DATE: March 7, 2013

SUBJECT: **Revenue Ballot Measure**

ACTION:

Provide direction to staff regarding further research and action items related to putting a revenue measure on the ballot for the voters to consider

BACKGROUND:

In light of comments raised at prior Council meetings regarding the level of City services given the City's significant revenue declines due in part to the national economic recession and housing market crisis, the City Council discussed an agenda item regarding a revenue ballot measure. Staff was asked to bring back additional information about various options. Some of that information is available now.

For ease of reference, the City of Antioch Budget Fact Sheets (Attachment A) are provided again. Although significant expenditure cuts have been made through lay-offs, service reductions and furloughs, serious budget issues remain.

In addition, as previously indicated, there are really two phases to any revenue measure or some experts describe it as "running a two-lap marathon." The first phase/lap is where we are now with the City in its general governance role trying to determine whether the community is satisfied with the level of services it is receiving, particularly given comments about police department staffing, and if not, is a revenue measure something that the community would support. Through public meetings, community surveys and community dialog, the City Council decides whether to place a revenue measure on the ballot for the voters' consideration. The second phase/lap would then be a campaign to support that revenue measure, in which the City cannot advocate for the revenue measure but can provide information. Accordingly, community members and stakeholders must run that second lap if there is a desire to advocate for the successful passage of the revenue measure and increased services.

Direction from February 26, 2012 City Council Meeting

Staff requested direction on the following preliminary questions:

1. Kind of revenue measure
2. Amount of tax imposed and amount that the tax will generate
3. Length of tax
4. Timing of election and mode of election
5. Community support and likelihood of success

The Council consensus that staff heard was to bring back information on a sales tax, parcel tax and business license tax with estimated amounts needed to raise sufficient staffing for 126 police officers or 144 police officers as a starting point. This information is still being generated.

- Does the City Council want the estimated amounts to increase police staffing to also include restoration of the 40-hour work week for the non-public safety employees and an amount to address the pre-existing structural deficit?

Working from the other direction, there was interest in seeing what a ¼, ½ or 1 cent sales tax would generate, as well as a business license tax that froze the general gross receipts formula for a set period of time but established a set business license tax amount for landlords of single-family residential units. There also was an understanding of the need for time to adequately consider these various options; although, there were concerns raised about the cost of an “off-year” election in November 2013. One Council Member desired further discussion regarding the mail-in only ballot option, which is less expensive. Another Council Member desired data as to the impact of an increased sales tax on neighboring cities Pittsburg and Concord. Staff has some of that information, but not all as discussed below.

The Council also expressed a desire for additional community input on the issue of a revenue measure. The idea of a survey of a significant number of households raised.

Kind of Revenue Measure; Amount of Tax Imposed and Amount Generated

Again for background, Attachment B is a chart prepared by an outside entity that shows various kinds of revenue measures and the approval requirements for each. Any parcel tax or revenue measure mandated for a certain use requires 2/3 voter approval.

Business License Tax

Attachment C is the City’s current business license ordinance. Staff is still finalizing estimates, but a business license tax that froze the current gross receipts tax on businesses, but set a business license tax for landlords of single-family residential units, would likely not be sufficient to staff the Police Department at 126 police officers much less 144 police officers. However, the revenue (offset by the need for additional Finance staffing to implement and enforce a business license tax on landlords) would have other benefits including allowing for the restoration of the 40-hour work week and/or addressing the existing structural deficit. There would be some effort in rewriting the

business license tax ordinance to be approved first by the Council and then to the voters for their consideration.

- Does a Council majority want staff to provide information on increasing the business license tax on businesses generally? If not, does the Council majority want staff to provide information on increasing the business license tax on specific businesses such as card rooms or other businesses that the Council directs?
- Does a Council majority want to consider a business license tax on landlords of single-family residential uses? If so, is there an amount of such a tax that the City Council would like staff to use in its analysis?

Sales Tax

A sales tax measure does require approval of the ordinance by the Board of Equalization ahead of time, but that is not expected to be difficult given that an ordinance was drafted in 2010 and approved by the Board. A preliminary estimate of the amount of revenue that various sales tax measures from ¼ % to 1% would generate is included as Attachment D.

Parcel Tax

A parcel tax measure would likely also require the drafting of an ordinance for Council approval before placing the measure on the ballot for the voters' consideration. A mailed-ballot only is an option for conducting a parcel tax election, but is generally limited to parcel taxes requiring a 2/3 vote.

Length of tax

The challenge with a sunset measure is how to maintain the level of services to which the community has grown accustomed once the additional revenue is gone.

- Does a Council majority want the tax to sunset and if so after how many years?

Timing of election and mode of election

Attachment E is from the Contra Costa County Elections Office and sets forth the established election dates, including a mailed ballot only option. General tax ballot measures (majority vote required), for which revenues are not restricted, require a declaration of fiscal emergency if not brought to the voters during a consolidated election when council member seats are contested.

Mailed-ballot only election is a more recent option but are generally limited to parcel taxes requiring a 2/3 vote.

- Does a Council majority want to pursue an August mailed-ballot parcel tax, which has a June 1 deadline?

Community Input

The issue of community support is one that the elected officials will need to ultimately decide for themselves as far as whether to place a revenue issue on the ballot for the voters' consideration. Attachment F includes materials available from the League of California Cities regarding the fate of local revenue measures in November 2012 (a general election year) and November 2011. In addition, Attachment G looks at the fate of local revenue measures historically dating back to 2001 with a focus on those measures requiring a majority vote and those requiring a 2/3 vote.

In addition, the poll conducted by an outside entity in 2010 has been attached (Attachment H). This is a second phase/lap kind of poll undertaken by an outside entity, but it provides fairly recent historical data and more detail than the City's survey can.

- Does a Council majority authorize the City Manager to engage a consultant to conduct a community survey regarding service levels and financial challenges?

FINANCIAL IMPACT:

Estimated costs of an election are shown in the attached letter from the County Elections Division (Attachment I). A successful ballot measure would raise revenue for the City, but the amount and timing of receipt would depend on the measure.

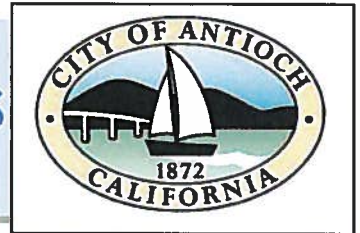
OPTIONS:

The Council could direct staff to bring back information about one, some or none of these revenue measure options.

ATTACHMENTS:

- A. City of Antioch Budget Fact Sheets
- B. Approval Requirements for State and Local Revenues
- C. City's Business License Ordinance
- D. Estimates of revenue generated by a sales tax measure
- E. Established Election Dates from the Contra Costa County Elections Division
- F. Local Revenue Measures in California: November 2012 and November 2011 Results
- G. Local Super-Majority Voting Rules and Results
- H. 2010 Poll
- I. Letter from the Contra Costa County Elections Division regarding the cost of elections

CITY OF ANTIOCH BUDGET FACTS



Getting to Know the Budget

A budget is adopted annually covering all services and runs from July 1 to June 30 each fiscal year. The budget is segregated by fund type and then individual fund based upon the legally allowable use of monies received. The complete budget adopted for fiscal year 2012-13 can be viewed on the City's website at www.ci.antioch.ca.us/CityGov/Finance.

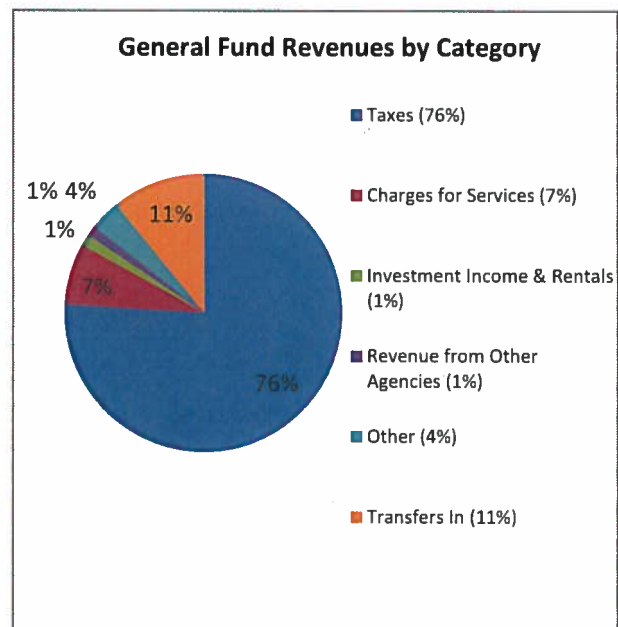
The main operating fund of the City is the General Fund which funds most of the day-to-day services the City provides. Since the recession began in late 2007, deteriorating home values and decreased consumer spending have seriously eroded the General Fund's two main sources of revenue – property and sales taxes – that pay for the vital services that affect the safety, health and welfare of our citizens. In addition, State grabs of local funds have reduced revenues, as has low interest yields on invested funds.

Thus, General Fund revenues have decreased by approximately \$13 million since fiscal year 2006-07 and the City has reduced expenditures by approximately \$7 million through a variety of measures including the following actions:

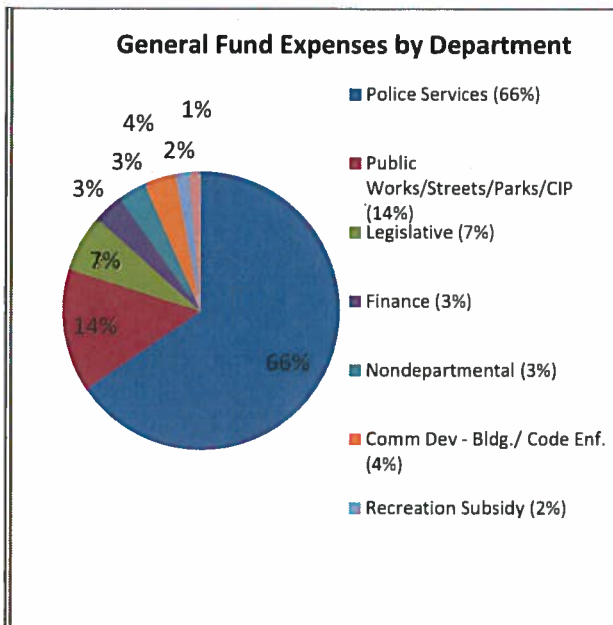
- Laid off 41 employees and not filled most vacant positions
- Sought additional grant funding (but grants do not typically cover operating costs)
- Decreased management salaries and employee work hours through furloughs and reduced overtime
- Postponed employee cost of living increases and deferred compensation and Police Department salary increases
- Eliminated non-mandatory training

- Reduced supply and equipment costs
- Deferred vehicle & equipment maintenance
- Reduced funding to the Animal Shelter and Recreation Programs
- Negotiated with labor groups for employees to contribute a higher percentage towards retirement costs
- Reduced retirement benefits for new employees

The Fiscal Year 2012-13 Budget was adopted on June 26, 2012 and amended by the City Council on September 25, 2012. Total budgeted General Fund revenues are \$34,561,200 broken down by category as follows:



The next chart reflects where tax dollars and other fees collected are allocated. Of the total budgeted expenditures of \$36,724,850, approximately 72% are for personnel and the remaining 28% for services and supplies.



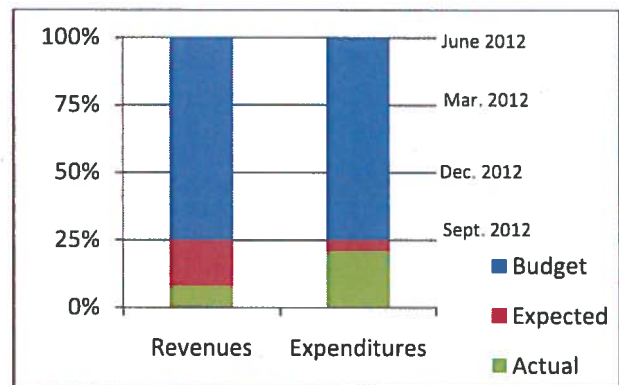
Fund Balance

Fund balance represents the net of assets and liabilities of the government and is often referred to as reserves. It is a measure of the financial stability of a City. It is important to maintain an adequate level to fund operating expenditures for a period of time in the event of a significant natural or economic event, and to cover cash flows for uneven revenue streams such as property tax. Having too low or no fund balance can result in a state of fiscal emergency or bankruptcy for a city.

The City of Antioch has adopted a fund balance policy requiring the unassigned fund balance of the General Fund to be at least 10% of total operating revenues with a goal of reaching and maintaining a level of 15%. At the close of fiscal year 2011-12, the unassigned fund balance was \$8,110,949, or 23.11% of operating revenues. At the close of the current fiscal year, it is projected to be \$5,719,689, or 16.55%. This is a significant decline over the prior fiscal year and means that the City is using reserves to cover all the expenditures for the current year. Or stated another way, the City is not generating enough revenues to cover current year operating costs.

Current Year Budget Status

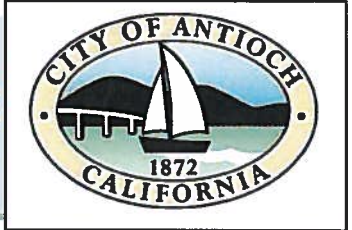
The budget is monitored continually by City staff. A helpful tool in this analysis is to compare expected budget results on a quarterly basis to actual performance and determining the cause of any significant variances. A budget to actual comparison for the period ended 9/30/12 follows:



Based on the chart above, actual revenues and expenditures in September should be at 25% of the budgeted levels. Revenues appear significantly below the target due to the timing of the City's property tax receipts. The first allocation of 55% of the annual property tax amount will not be received until December 2012. This demonstrates the need to maintain adequate reserves, or fund balances, to cover the cash flows for operating costs until the first significant source of revenue is received.

Expenditures are slightly below expectations due to the timing of expenditures. Subsidies to Animal Services and Recreation Services do not occur until June when the actual amount needed is known. A better picture of how the City is tracking to projections will be seen at 12/31/2012 after the first installment of property tax is received.

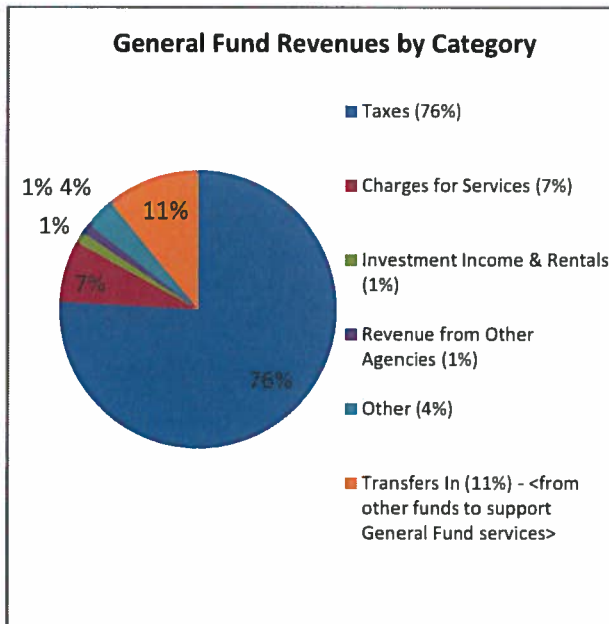
CITY OF ANTIOCH BUDGET FACTS



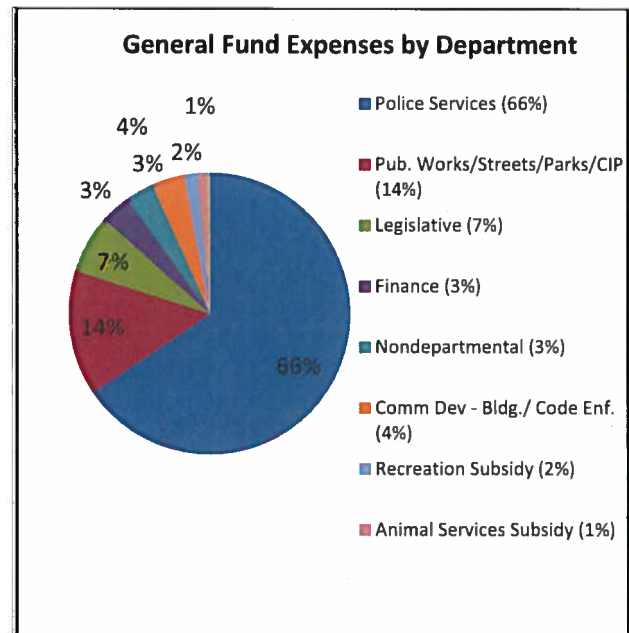
Second Quarter Budget Update

A budget is adopted annually covering all services and runs from July 1 to June 30 each fiscal year. The budget is segregated by fund type and then by individual fund based upon the legally allowable use of monies received. The complete budget adopted for fiscal year 2012-13 can be viewed on the City's website at www.ci.antioch.ca.us/CityGov/Finance.

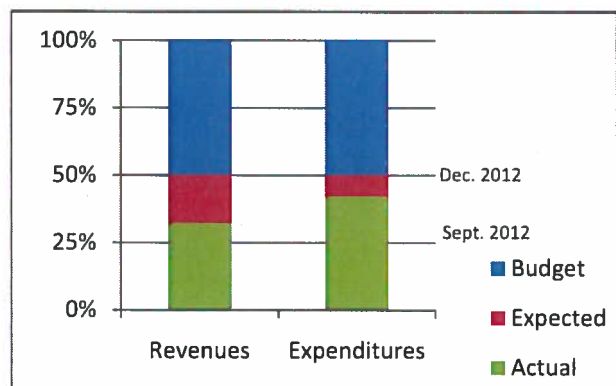
The main operating fund of the City is the General Fund which funds most of the day-to-day services the City provides. Total budgeted General Fund revenues are \$34,561,200 broken down by category as follows:



The next chart reflects where tax dollars and other fees collected are allocated. Of the total budgeted expenditures of \$36,724,850, approximately 72% are for personnel and the remaining 28% for services and supplies.



The budget is monitored continually by City staff. A helpful tool in this analysis is to compare expected budget results on a quarterly basis to actual performance and determining the cause of any significant variances. A budget to actual comparison for the period ended 12/31/12 follows:



Based on the chart above, actual revenues and expenditures as of December 31st should be at 50% of the budgeted levels. Revenues appear significantly below the target due to the timing of the City's property and sales tax in lieu receipts. The first allocation of 50% of the annual amount will not be received until January 2013 with the second installments to be received in May. The total revenue budgeted for these two items totals \$7.5M. This demonstrates the need to maintain adequate reserves, or fund balances, to cover the cash flows for operating costs due to the uneven timing of receipts.

Expenditures are slightly below expectations due to the timing of expenditures. In addition, subsidies to Animal Services and Recreation Services do not occur until June when the actual amount needed to subsidize the programs is known.

Upcoming Budget Cycle

The budget process for the next fiscal year is underway. Each department has been sent budget worksheets and requested to provide revisions to the current year budget, requested budgets for fiscal year 2014 (which begins July 1st) and projections for fiscal year 2015. Study sessions to review the budget will begin with the City Council in April, and the budget will be presented for adoption at the June 25, 2013 council meeting.



Approval Requirements for State and Local Revenues

State Level	Legislative Approval	Voter Approval
Taxes	2/3	None
General obligation bonds	2/3	Majority
Other debt ^a	Majority	None
Fees	Majority	None
Local Level	Governing Body Approval	Voter Approval
City or county "general" taxes (revenues used for unrestricted purposes)	<p>If consolidated with a regularly scheduled election of members of the legislative body:</p> <ul style="list-style-type: none"> • 2/3 for transactions & use taxes • Other taxes: 2/3 for general law cities; majority for charter cities. <p>If not consolidated, unanimous declaration of "emergency" required.</p>	Majority
City or county "special" taxes (revenues used for specific purposes)	Majority (2/3 for transactions & use taxes)	2/3
All school or special district taxes	Majority	2/3
General obligation bonds	Majority	2/3 ^b
Other debt	Majority	None
Property assessments	Majority	Majority of affected property owners. Votes weighted by assessment liability
Property—related fees	Majority	2/3 of voters or majority of affected property owners ^c
Fees—all other	Majority	None
<p>^a Includes revenue and lease-revenue bonds and certificates of participation.</p> <p>^b Exception: The Constitution specifies that a majority of voters can approve bonds used for repairing or replacing unsafe public school buildings and 55 percent of voters can approve bonds for new school facilities under certain conditions.</p> <p>^c No vote required for gas, electric, water, sewer, refuse, or developer fees.</p>		

Source: Adapted from CAI FACTS, Legislative Analyst's Office

CaliforniaCityFinance.com

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CHAPTER 1: BUSINESS LICENSING

Section

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	<i>Card rooms, see §§ 5-4.01 et seq.</i>

ARTICLE 1: GENERAL PROVISIONS

§ 3-1.101 PURPOSE.

This chapter establishes the business licensing law of the city.
(’66 Code, § 3-1.101) (Ord. 210-A, passed 5-26-47)

§ 3-1.102 DEFINITIONS.

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

BUSINESS BY VEHICLE. The business of providing a service or soliciting work, labor or services to be performed from a vehicle on goods, wares, merchandise or other personal or real property. Such business shall include, but not be limited to, the following: janitorial, gardening, pest control, mechanics, handyman, pethouse sitting, and the like. **BUSINESS BY VEHICLE** shall not be deemed to apply to the delivery of goods, wares, or merchandise purchased by retail merchants in the city at wholesale prices and delivered to such merchants in the city for resale by them for use or consumption by the public off the premises, nor to persons operating such vehicles together and in conjunction with a fixed place of business within the city for which such business a license fee is paid under other provisions of this chapter. This definition shall not be interpreted as reclassifying any other business as defined in this section.

CONTRACTOR. Any person who engages with the owner, lessee, or other person in possession of any lot or parcel of land or building for the erection, construction, or repair of any building or structure in the city, or for the doing of any plumbing, wiring, heating, air-conditioning, drainage, irrigation, brick laying, cement work, sewer work, painting, tile work, carpenter work, lathing, plastering, roofing, shingling, landscaping, fencing, interior decorating, or any other work in connection with any of the building trades in the city, whether the same be by contract at a fixed price, upon the cost of material and labor basis, or upon the cost of construction plus a percentage thereof basis.

CONTRACTOR-UNLICENSED. A contractor, as defined in this section, who does not possess a valid license issued by the Contractor State License Board.

ENGAGED IN BUSINESS. The conducting, managing, or carrying on of any profession, trade, calling, occupation, or commercial enterprise, or any other activity for profit or livelihood in the city as owner, officer, agent, manager, employee, servant, or lessee of any of them.

FLEA MARKET. The occasional sale of used goods, wares, and merchandise on commercially zoned property operated by the licensee who is not otherwise licensed for retail sales. Any such sale shall be conducted on such property and shall not exceed two days in length and shall not be conducted more than two times per calendar year.

FORTUNE-TELLER. A person who practices or who professes to practice the business or art of astrology, palmistry, phrenology, card reading, fortune-telling, cartomancy, clairvoyance, crystal gazing, hypnotism, mediumship, prophecy, augury, divination, magic, or necromancy, or who receives a gift or a fee for such practice, or where admission is charged.

GARAGE SALE. A sale conducted at the residence of the owner of the used goods, wares, and merchandise being offered for sale. Any such sale shall not exceed three days in length and shall not be conducted more than two times per calendar year.

ITINERANT VENDOR. Any person who engages in a temporary or transient business in the city, selling goods, wares, merchandise, or any other thing of value with the intention of conducting such business in the city for a period of not more than 90 days and who, for the purpose of carrying on such business, hires, leases, or occupies any room, doorway, vacant lot, building, or other place for the exhibition or sale of goods, wares, merchandise, or other thing of value. If the place in which a business is conducted is rented or leased for a period of 90 days or less, such fact shall be presumptive evidence that the business carried on therein is a transient business.

LICENSEE. Any person to whom a license has been issued pursuant to the provisions of this chapter.

PERSON. All domestic and foreign corporations, syndicates, joint stock corporations, partnerships of every kind, corporations, Massachusetts business or common law trusts, societies, and individuals engaged in business as defined in this section.

PROMOTIONAL SALE AND MERCHANDISE SHOW. A sale and merchandise show, organized and sponsored by six or more licensees having fixed places of business and holding valid business licenses issued pursuant to the provisions of this chapter, in which itinerant vendors, invited and authorized by the sponsoring licensees, exhibit and sell goods, wares, and merchandise. Any such sale shall not exceed seven days.

RUMMAGE SALE. The occasional sale of used goods, wares, and merchandise by any religious or nonprofit organization on property used by the religious organization as its principal place of worship or on any other commercially zoned land. Any such sale shall not exceed three days in length and shall not be conducted by the licensee more than four times per calendar year.

STREET. All streets, avenues, alleys, highways, courts, lanes, places, squares, curbing, sidewalks, and other ways in the city which have been or may hereafter be dedicated as such or which, though not dedicated, are open to public use.

VENDING MACHINE. Any coin-operated machine dispensing any item, product, amusement, or service, whether tangible or intangible.

WITHIN THE CITY. Within the corporate limits of the city as they now exist or may hereafter be made to exist by subsequent exclusion or addition. ('66 Code, § 3-1.102) (Ord. 210-A, passed 5-26-47; Am. Ord. 318-C-S, passed 6-10-76; Am. Ord. 333-C-S, passed 3-24-77; Am. Ord. 849-C-S, passed 6-11-92)

§ 3-1.103 LICENSE REQUIRED; EXCEPTIONS.

It shall be unlawful for any person to be engaged in business in the city without having an unrevoked license from the city so to do, valid and in effect at the time, and without complying with any and all regulations of such business provided in this chapter, unless such person is exempt under the provisions of this chapter. No person who is an employee or who is the direct representative of a licensee shall be required to pay a license tax for doing any part of the work of such licensee.

('66 Code, § 3-1.103) (Ord. 210-A, passed 5-26-47) Penalty, see § 3-1.129

§ 3-1.104 LICENSES; FORM.

It shall be the duty of the Director of Financial Services to issue a license pursuant to the provisions of this chapter to every person engaging in business in the city in such form as the Director of Financial Services shall provide and to state in each license the period of time to be covered thereby, the name of the licensee, the business licensed, and the location or place where the same is to be carried on.

('66 Code, § 3-1.104) (Ord. 210-A, passed 5-26-47; Am. Ord. 849-C-S, passed 6-11-92)

§ 3-1.105 LICENSE TRANSFERABLE; FEES.

Any license issued pursuant to the provisions of this chapter may be transferred or assigned, or the business to which it is applicable relocated, upon the payment of a transfer fee in the amount of \$25 to the city, provided the licensed business is sold, assigned, or relocated, and provided, further, if not relocated, that the same or a substantially similar business is to be carried on at the same location.

('66 Code, § 3-1.105) (Ord. 210-A, passed 5-26-47; Am. Ord. 635-A, passed 6-28-65; Am. Ord. 318-C-S, passed 6-10-76; Am. Ord. 815-C-S, passed 6-27-91)

§ 3-1.106 POSTING, CARRYING, AND EXHIBITING LICENSE.

(A) *Posting.* Every person having a license pursuant to the provisions of this chapter for engaging in business at a fixed place of business shall keep such license posted for exhibition while in force in some conspicuous part of such place of business.

(B) *Carrying.* Every person having such a license and not having a fixed place of business shall carry such license with him at all times while carrying on the business for which the license was granted.

(C) *Exhibiting.* Every person having a license shall produce and exhibit the license when applying for a renewal thereof and whenever requested to do so by any police officer or by any person authorized to issue or inspect licenses or collect license taxes. ('66 Code, § 3-1.106) (Ord. 210-A, passed 5-26-47) Penalty, see § 3-1.129

§ 3-1.107 ANNUAL LICENSES.

All license fees provided in this chapter shall be annual and run for one year from the date of purchase, except as stated in this chapter. ('66 Code, § 3-1.107) (Ord. 210-A, passed 5-26-47; Am. Ord. 294-A, passed 7-9-51; Am. Ord. 635-A, passed 6-28-65; Am. Ord. 849-C-S, passed 6-11-92)

§ 3-1.108 DAILY LICENSES.

The daily license taxes provided in this chapter shall be due and payable to the city each day in advance. ('66 Code, § 3-1.108) (Ord. 210-A, passed 5-26-47)

§ 3-1.109 SEPARATE LICENSES; MORE THAN ONE BUSINESS; EXCEPTIONS.

Separate licenses shall be obtained for each kind or class of business carried on at one location; provided, however, any person carrying on a business at one location containing several departments, all of which are presided over and

carried on exclusively by such person as proprietor or by members of his immediate family (parents, spouse, or children) shall be required to pay only one license tax which shall be the full license tax of whichever business calls for the highest license tax. ('66 Code, § 3-1.109) (Ord. 210-A, passed 5-26-47)

§ 3-1.110 SEPARATE LICENSES; BRANCH ESTABLISHMENTS; EXCEPTIONS.

Separate licenses shall be obtained for each branch establishment or separate place of business in which the business is carried on, except only one license shall be required for vending machines, regardless of the number of separate locations within the city. ('66 Code, § 3-1.110) (Ord. 210-A, passed 5-26-47; Am. Ord. 318-C-S, passed 6-10-76)

§ 3-1.111 [RESERVED]

§ 3-1.112 PERMITS REQUIRED FOR CERTAIN BUSINESSES.

(A) No license shall be issued for a circus, boxing contest, boxing or sparring exhibition, sideshow, dance hall, skating rink, bowling lane, amusement or recreation parlor or place of any description, or similar enterprise until a permit has first been obtained from the Council upon an application in writing therefor. The Council shall have the right to refuse any such permit if it shall determine that the granting of the permit will be contrary to the preservation of the public peace, safety, or welfare of the city or its inhabitants. If such permit is granted, the Council may impose such terms, conditions, and restrictions upon the operation, management, and conduct of such business, not in conflict with any paramount law, as the Council may deem necessary or expedient to protect the health, safety, or welfare of the city or its inhabitants. Any applicant for such a permit shall be entitled to a hearing thereon before the Council upon a request therefor. In addition to the permit required by this section, a business license authorizing such uses shall be obtained from the city, and the appropriate fees shall be paid.

(B) It shall be unlawful for the holder of any such permit to violate or permit the violation of any of the terms, conditions, and restrictions imposed upon the issuance of such permit by the Council. ('66 Code, § 3-1.112) (Ord. 210-A, passed 5-26-47; Am. Ord. 379-C-S, passed 10-12-78) Penalty, see § 3-1.129

§ 3-1.113 [RESERVED]

§ 3-1.114 VEHICULAR BUSINESSES.

The provisions of this chapter shall not be construed as imposing a tax upon vehicles but as a method of classifying businesses, distinguishing between those maintaining a fixed place of business in the conduct of which vehicles are used and those maintaining a business in the conduct of which vehicles are used but who do not have a fixed place of business in the city.

('66 Code, § 3-1.114) (Ord. 210-A, passed 5-26-47; Am. Ord. 849-C-S, passed 6-11-92)

Cross-reference:

Taxicabs and rent cars, see §§ 5-12.01 et seq.

§ 3-1.115 LICENSE TAXES; PAYMENT.

All license taxes shall be paid in advance in lawful money of the United States. All such taxes shall be payable at the office of the Finance Director of the city, but the Council may subsequently change the places of payment of such taxes by resolution or ordinance.

('66 Code, § 3-1.115) (Ord. 210-A, passed 5-26-47; Am. Ord. 815-C-S, passed 6-27-91)

§ 3-1.116 LICENSE TAXES; DELINQUENCY PENALTIES.

(A) Any annual, semiannual, quarterly, or interim license tax not paid in the calendar month in which it becomes due and payable shall be deemed delinquent and the following penalties added to the cost thereof:

(1) Ten percent for a delinquency of one calendar month;

(2) Thirty percent for a delinquency of two calendar months plus re-application fee of \$25; and

(3) Fifty percent for a delinquency of three calendar months plus re-application fee of \$25.

(B) The calendar month in which a license is first due and payable shall be deemed the first calendar month of delinquency for the purpose of calculating the penalty to be paid pursuant to the provisions of this section.

('66 Code, § 3-1.116) (Ord. 210-A, passed 5-26-47; Am. Ord. 635-A, passed 6-28-65; Am. Ord. 815-C-S, passed 6-27-91)

§ 3-1.117 LICENSE TAXES; DEBT TO CITY; SUITS FOR COLLECTION.

The amount of any license tax imposed pursuant to the provisions of this chapter shall constitute a debt to the city and any person engaging in business in the city without having a license from the Finance Director so to do shall be subject to an action in the name of the city in any court of competent jurisdiction for the collection of the amount of the license tax imposed by the provisions of this chapter.

('66 Code, § 3-1.117) (Ord. 210-A, passed 5-26-47; Am. Ord. 815-C-S, passed 6-27-91)

§ 3-1.118 LICENSE TAXES; EXEMPTIONS; COUNCIL DISCRETION.

In all cases of doubt as to any applicant being entitled to an exemption from any license tax or from the application of any of the provisions of this chapter, the burden of establishing the right of such exemptions in such cases shall be referred to the Council. The Council shall consider and act upon the same and grant or refuse such exemptions as, in the use of its discretion, it shall deem just. In the event the Council refuses an exemption, the applicant therefor shall be entitled to a hearing before the Council upon request therefor, at which time the Council shall review the matter.

('66 Code, § 3-1.118) (Ord. 210-A, passed 5-26-47)

**§ 3-1.119 LICENSE TAXES; EXEMPTIONS;
CHARITABLE ORGANIZATIONS.**

The provisions of this chapter shall not be deemed or construed to require the payment of a license tax to conduct, manage, or carry on any business or to require the payment of any license tax from any institution or organization which is conducted, managed, or carried on wholly for the benefit of charitable purposes and from which profit is not derived, either directly or indirectly, by any individual, firm, or corporation; nor shall any license be required for the conducting of any entertainment, concert, exhibition, or lecture on scientific, historical, literary, religious, or moral subjects whenever the receipts from the same are to be appropriated to any church or school or to any religious or benevolent purpose within the city; nor shall any license be required for the conducting of any entertainment, concert, exhibition, or lecture whenever the receipts from the same are to be appropriated for the objects and purposes for which such association or organization was formed and from which profit is not derived, either directly or indirectly, by any individual, firm, or corporation. Nothing in this chapter shall be deemed to exempt any such institution or organization from complying with the provisions of this chapter requiring such institution or organization to obtain a permit from the Council or proper officer to conduct, manage, or carry on any business.

('66 Code, § 3-1.119) (Ord. 210-A, passed 5-26-47)

**§ 3-1.120 LICENSE TAXES; EXEMPTIONS;
DISABLED VETERANS.**

Disabled war veterans shall be entitled to receive free licenses for peddling or soliciting provided such persons first exhibit to the Director of Financial Services evidence of such character as shall satisfy the Director of Financial Services that the veteran applying therefor has received an honorable discharge from the United States Service and of service-connected disability. Applicants for free licenses pursuant to the provisions of this section shall be required to comply with all other provisions of this chapter pertaining to the licensing of peddlers and solicitors.

('66 Code, § 3-1.120) (Ord. 210-A, passed 5-26-47)

**§ 3-1.121 LICENSE TAXES; EXEMPTIONS;
FARMERS, POULTRYMEN, AND
HORTICULTURISTS.**

The provisions of this chapter shall not be construed as requiring farmers, poultrymen, or horticulturists to procure a license for the privilege of selling exclusively their own produce. This exemption shall not apply to nurseries or other commercial establishments who buy goods for resale as well as selling their own produce.

('66 Code, § 3-1.121) (Ord. 210-A, passed 5-26-47)

**§ 3-1.122 LICENSE TAXES; EXEMPTIONS;
INTERSTATE COMMERCE.**

(A) Every person claiming to be entitled to exemption from payment of any license tax provided for in this chapter upon the grounds that the imposition of such tax casts an unlawful burden upon his right to engage in commerce with foreign nations or among the several states or conflicts with the regulation of interstate commerce by the United States shall file a verified statement with the officer or employee of the city having charge of the collection of licenses, disclosing the interstate or other character of the business entitling such exemption. Such statement shall contain the following information:

(1) The name and the location of the person for whom the orders are to be solicited or secured;

(2) The name of the nearest local or state manager, if any, and his address;

(3) The kind of goods, wares, merchandise, or services to be delivered or performed;

(4) The place from which the same are to be shipped or forwarded or the services performed;

(5) The method of solicitation or taking orders;

(6) The location of any warehouse, factory, or plant within the state;

(7) The method of delivery;

(8) The name and the location of the residence of the applicant; and

(9) Any other facts necessary to establish such claim of exemption.

(B) A copy of the order blank, contract form, or other papers used by such person in taking orders shall be attached to the affidavit. If it appears that the applicant is entitled to such exemption, such applicant shall forthwith be issued a free license. ('66 Code, § 3-1.122) (Ord. 210-A, passed 5-26-47)

§ 3-1.123 LICENSE TAXES; EXEMPTIONS; YOUTH GROUPS.

Members of national youth groups under 15 years of age and of other nationally recognized nonprofit organizations soliciting for the benefit of health, educational, welfare, charitable, or religious causes without compensation, reimbursement, or subsistence payments to its collectors are hereby exempted from the tax required by the provisions of this chapter when permanently located within the city or when maintaining a permanent office within the city.

('66 Code, § 3-1.123) (Ord. 210-A, passed 5-26-47; Am. Ord. 637-A, passed 7-12-65)

§ 3-1.124 EXCEPTIONS TO PROVISIONS; YOUTH GROUPS.

Members of national youth groups under 15 years of age and of other nationally recognized nonprofit organizations soliciting for the benefit of health, educational, welfare, charitable, or religious causes without compensation, reimbursement, or subsistence payments to its collectors are hereby exempted from the fingerprinting and bonding requirements of this chapter when permanently located within the city or when maintaining a permanent office within the city.

('66 Code, § 3-1.124) (Ord. 210-A, passed 5-26-47; Am. Ord. 637-A, passed 7-12-65)

§ 3-1.125 EXCEPTIONS TO PROVISIONS; RELIGIOUS GROUPS.

The provisions of this chapter shall not apply to bona fide local churches and other religious groups when contacting members of such churches or groups.

('66 Code, § 3-1.125) (Ord. 210-A, passed 5-26-47; Am. Ord. 637-A, passed 7-12-65)

§ 3-1.126 UNLAWFUL BUSINESS.

The issuance of a license pursuant to the provisions of this chapter shall not entitle the licensee to engage in any business which for any reason is in violation of any law.

('66 Code, § 3-1.126) (Ord. 210-A, passed 5-26-47)

§ 3-1.127 [RESERVED]

§ 3-1.128 DIRECTOR OF FINANCIAL SERVICES; ADDITIONAL DUTIES.

The Director of Financial Services or such other officer to whom the Council may delegate all or any part of such duties shall be in charge of the collection of license taxes as are so delegated.

('66 Code, § 3-1.128) (Ord. 210-A, passed 5-26-47)

§ 3-1.129 PENALTY.

(A) Every person who shall carry on any business, trade, profession, or calling, whether as principal, agent, clerk, solicitor, or otherwise, for the prosecution or carrying on of which a license is required pursuant to the provisions of this chapter without first taking out and procuring such license, or who shall otherwise violate any of the provisions of this chapter, shall be deemed guilty of a misdemeanor and punished according to §§ 1-2.01 et seq. of this code.

(B) The engaging in business without first having procured a license from the city so to do or without complying with any and all regulations of

such business as provided in this chapter shall be deemed a separate violation of this chapter for each and every day that such business is carried on.

(C) The conviction and punishment of any person having engaged in business without a license shall not excuse or exempt such person from the payment of any license tax due or unpaid at the time of such conviction, and nothing in this chapter shall prevent criminal prosecution for any violation of any provision of this chapter.

('66 Code, § 3-1.129) (Ord. 210-A, passed 5-26-47)

ARTICLE 2: TAXES

§ 3-1.201 GROSS RECEIPTS.

(A) Any business not specifically enumerated in this chapter for which the city has a legal right to impose a license tax shall pay a license tax therefor according to the class to which such business belongs.

(B) Such business classes are specified as follows:

(1) *Computation.* Average annual gross receipts shall be based on the calendar year preceding the fiscal year to be covered by such license; provided, however, if the business was not in operation during all of the calendar year, the average annual gross receipts shall be based on the first 12 months of operation or on a fair and reasonable estimate of the total gross receipts for the first 12 month period of operation.

(2) (a) **GROSS RECEIPTS** shall mean the total amount of the sale price of all sales, and/or the total amount charged or received for the performance of any act or service or employment, of whatever nature it may be, for which a charge is made or credit allowed, whether or not such act, service or employment is done as a part of or in connection with the sale of materials, goods, wares or merchandise, and when such act, service or employment occurs as a result of any activity within the city. Included in **GROSS RECEIPTS** shall be all

receipts, cash, credits and property of any kind or nature, except as excluded in this subdivision, without any deduction therefrom on account of the cost of the property sold, the cost of the materials used, labor or service costs, interest paid or payable, or losses or other expenses whatsoever as shown by either the federal or state income tax return required to be filed by such person. Excluded from **GROSS RECEIPTS** shall be:

1. Cash discounts allowed and taken on sales;
2. Credit allowed on property accepted as part of the purchase price and which property may later be sold;
3. Any tax required by law to be included in or added to the purchase price and collected from the consumer or purchaser;
4. Such part of the sale price of property returned by purchasers upon rescision of the contract of sale as is refunded either in cash or by credit;
5. Amounts collected for others where the business is acting as an agent or trustee to the extent that such amounts are paid to those for whom collected;
6. The amount of gross receipts which has been the measure of a license tax paid to any other city; and
7. Sale of alcoholic beverages.

(b) Those whose average annual gross receipts fall within the range limits set forth in this subdivision shall pay a license fee as indicated below:

<i>From</i>	<i>To</i>	<i>Tax</i>
\$0	\$20,000	\$25
20,001	1,000,000	\$1.25/\$1,000
1,000,001 & above		\$1,250 plus 20c/ thousand over \$1,000,000

(3) *Licenses; applications.* Before any license is issued to any business under this section, a properly authorized person shall submit an application

therefor on a form furnished by the city. Such application shall contain the name, location, and ownership of the business and the actual total gross receipts thereof for the calendar year immediately preceding the fiscal year for which the application for a license is made or, if not in operation during said fiscal year, the total gross receipts for the first 12 months of operation, or a fair and reasonable estimate of its total gross receipts for the first 12 months of operation if operated less than 12 months prior to the application. The applicant shall be further required to furnish all other information pertinent to the provisions of this chapter or other city laws applicable to the operation of such business.

('66 Code, § 3-1.201) (Ord. 210-A, passed 5-26-47; Am. Ord. 849-C-S, passed 6-11-92; Am. Ord. 864-C-S, passed 6-23-93; Am. Ord. 904-C-S, passed 1-24-95)

§ 3-1.202 ADVERTISING; REGULATIONS.

(A) *Commercial.* Every person, except those mentioned in division (B) of this section, engaged in advertising by means of a loudspeaker, sound amplifier, or similar device, or a display of signs, placards, billboards, or other advertising matter, when such mechanical or electrical device and/or signs, placards, billboards, or other advertising matter is attached to a vehicle moving about on the public streets of the city, shall pay a license tax in the amount of \$15 per month, or any part thereof. Each such license shall terminate at the end of the month and be subject to the regulations set forth in division (C) of this section.

(B) *Noncommercial.* Every person engaged in publicizing patriotic, civic, or charitable drives, shows, enterprises, or functions by means of a loudspeaker or sound amplifier attached to a vehicle moving about on the public streets of the city shall pay a license tax in the amount of \$1 per month, or any part thereof. Each such license shall terminate at the end of the month and be subject to the regulations set forth in division (C) of this section.

(C) *Regulations.* Sound advertising from vehicles shall be subject to the following regulations:

(1) The only sounds permitted shall be music and human speech.

(2) Sound advertising shall be permitted only between 9:00 a.m. and sunset.

(3) The vehicle with the sound device shall not proceed at a speed of less than 10 miles per hour, nor shall sound be issued while the vehicle is not in motion.

(4) No sound shall be issued within 100 yards of a hospital, school or church.

(5) Human speech amplified by the sound device shall not be lewd, indecent, slanderous, or contrary to any federal, state, or municipal law; nor shall such speech be specifically addressed to individuals, pedestrians, or motorists as distinguished from the public in general.

(6) The volume of the sound shall be controlled so that it is not audible for a distance in excess of 100 yards.

(7) (a) The Chief of Police shall have the authority, based upon traffic conditions and the health, safety, and welfare of the public, to determine the streets upon which the vehicle with the sound device shall proceed.

(b) The Chief of Police shall monitor the operation of vehicles with sound devices and shall report to the Council violations of the regulations set forth in this division. If the Council reasonably finds that the licensee has violated the regulations, the Council shall direct the Director of Financial Services to refuse the issuance of a new license to the licensee and may revoke the license already granted. Any person whose license has been revoked or a new license refused, within 10 days after the receipt of a written notice of such action by the Council, may file a written appeal to the Council for a review of such matter. If no written appeal is taken within such 10 day period, the decision of the Council shall be final. ('66 Code, § 3-1.202) (Ord. 210-A, passed 5-26-47; Am. Ord. 849-C-S, passed 6-11-92) Penalty, see § 3-1.129

Cross-reference:

Advertising, see §§ 5-2.101 et seq.

§ 3-1.203 [RESERVED]

§ 3-1.204 BOXING AND WRESTLING.

Every person engaged in the business of conducting boxing contests or boxing or sparring exhibitions shall pay a license tax in the amount of \$100 per day.

('66 Code, § 3-1.204) (Ord. 210-A, passed 5-26-47; Am. Ord. 495-A, passed 7-11-60; Am. Ord. 635-A, passed 6-28-65; Am. Ord. 815-C-S, passed 6-27-91)

§ 3-1.205 CIRCUSES AND CARNIVALS.

Every person engaged in the business of conducting circuses and carnivals shall pay a license tax in the amount of \$100 for the first day and \$50 for each day thereafter.

('66 Code, § 3-1.205) (Ord. 210-A, passed 5-26-47; Am. Ord. 309-A, passed 2-11-52; Am. Ord. 495-A, passed 7-11-60; Am. Ord. 635-A, passed 6-28-65)

§ 3-1.206 CONTRACTORS.

(A) Every person engaged in any type of business activity as a contractor which requires a city building permit in order to be performed shall pay a business license tax at the time each building permit is issued at the rate of \$0.75 for each \$1,000 or fraction thereof of the value used to determine the charge for the building permit.

(B) The maximum annual fiscal (July 1 to June 30) tax payable by any contractor under this section shall be \$2,400. It shall be the responsibility of the contractor who has paid the maximum tax to establish at the time that a building permit is issued that the maximum tax has been paid and that no additional tax is due.

('66 Code, § 3-1.206) (Ord. 210-A, passed 5-26-47; Am. Ord. 318-C-S, passed 6-10-76; Am. Ord. 815-C-S, passed 6-27-91; Am. Ord. 864-C-S, passed 6-23-93)

§ 3-1.207 DANCES.

Every person engaged in the business of conducting dances for which an admission fee is charged shall pay a license tax in the amount of \$100 for each such dance. The provisions of this chapter shall not apply to dance halls which have permits from the Council as authorized by this code.

('66 Code, § 3-1.207) (Ord. 210-A, passed 5-26-47; Am. Ord. 379-C-S, passed 10-12-78; Am. Ord. 815-C-S, passed 6-27-91)

Cross-reference:

Dances, see §§ 5-6.01 et seq.

§ 3-1.208 FORTUNE-TELLERS.

Every person fulfilling the definition of "fortune-teller" pursuant to § 3-1.102 of this chapter shall pay a license fee based upon the entire gross receipts as provided in § 3-1.201.

('66 Code, § 3-1.208) (Ord. 210-A, passed 5-26-47; Am. Ord. 166-C-S, passed 4-12-72; Am. Ord. 624-C-S, passed 2-27-86; Am. Ord. 849-C-S, passed 6-11-92)

§ 3-1.209 [RESERVED]

§ 3-1.210 [RESERVED]

§ 3-1.211 PROFESSIONS AND TRADES.

(A) The definition of a **PROFESSIONAL** shall be as follows:

(1) A calling requiring specialized knowledge and often long and intensive preparation including instruction in skills and methods as well as in the scientific, historical, or scholarly principles underlying such skills and methods, maintaining by force of organization or concerted opinion high standards of achievement and conduct, and committing its members to continued study and to a kind of work which has for its prime purpose the rendering of a service;

(2) A person engaged in one of the learned professions or in an occupation requiring a high level of training and proficiency characterized by or conforming to the technical or ethical standards of a profession or an occupation, manifesting fine artistry or workmanship based on sound knowledge and conscientiousness, reflecting the results of education, training, and experience;

(3) A person participating for gain or livelihood in an activity or field of endeavor often engaged in by amateurs.

(B) The owner of such business shall pay an annual business license fee based on gross receipts as provided in § 3-1.201, or a flat fee of \$312.50. ('66 Code, § 3-1.211) (Ord. 210-A, passed 5-26-47; Am. Ord. 815-C-S, passed 6-27-91; Am. Ord. 818-C-S, passed 6-25-91; Am. Ord. 849-C-S, passed 6-11-92)

§ 3-1.212 SIGN PAINTERS.

Every person engaged in the business of sign painting shall pay a business license fee based on gross receipts as provided in § 3-1.201. ('66 Code, § 3-1.212) (Ord. 210-A, passed 5-26-47; Am. Ord. 175-C-S, passed 6-19-72; Am. Ord. 815-C-S, passed 6-27-91; Am. Ord. 849-C-S, passed 6-11-92)

§ 3-1.213 SKATING RINKS.

Every person engaged in the business of conducting skating rinks shall pay a license fee in the amount of \$5 per day. ('66 Code, § 3-1.213) (Ord. 210-A, passed 5-26-47; Am. Ord. 495-A, passed 7-11-60; Am. Ord. 635-A, passed 6-28-65; Am. Ord. 849-C-S, passed 6-11-92)

§ 3-1.214 [RESERVED]

§ 3-1.215 [RESERVED]

§ 3-1.216 VEHICULAR BUSINESSES.

Every person engaged in business by vehicle shall pay a license tax based on gross receipts. ('66 Code, § 3-1.216) (Ord. 210-A, passed 5-26-47; Am. Ord. 175-C-S, passed 6-19-72; Am. Ord. 815-C-S, passed 6-27-91; Am. Ord. 864-C-S, passed 6-23-93)

Cross-reference:

Taxicabs and rent cars, see §§ 5-12.01 et seq.

§ 3-1.217 AMUSEMENT DEVICES/VENDING MACHINES.

(A) The owner of each amusement device/vending machine installed, placed or used in the city, except when the machine is owned by the owner operator of the premises where it is located, shall pay a gross receipts license fee as provided in § 3-1.201.

(B) When an amusement device/vending machine is owned or operated by the owner or operator of the premises where it is located, the owner shall include the receipts therefrom in the owner's gross receipts fee computation.

('66 Code, § 3-1.217) (Ord. 210-A, passed 5-26-47; Am. Ord. 175-C-S, passed 6-19-72; Am. Ord. 815-C-S, passed 6-27-91; Am. Ord. 849-C-S, passed 6-11-92)

§ 3-1.218 DELIVERY TRUCKS/WHOLESALE SALES.

Every person engaged in the business of wholesaling within the city, whether at a fixed place of business or from trucks, and including the selling of merchandise, articles and goods to retail stores, restaurants, hotels, and similar businesses shall pay a license tax in the amount of \$115 per year.

('66 Code, § 3-1.218) (Ord. 210-A, passed 5-26-47; Am. Ord. 175-C-S, passed 6-19-72; Am. Ord. 815-C-S, passed 6-27-91; Am. Ord. 864-C-S, passed 6-23-93)

§ 3-1.219 FLEA MARKET SALES.

Every person engaged in a business of a flea market shall pay a license tax in the amount of \$10 per day per sale.

('66 Code, § 3-1.219) (Ord. 318-C-S, passed 6-10-76)

§ 3-1.220 GARAGE SALES.

Every person engaged in a business of a garage sale shall pay a license tax in the amount of \$5 per sale.

('66 Code, § 3-1.220) (Ord. 318-C-S, passed 6-10-76; Am. Ord. 508-C-S, passed 1-7-82)

§ 3-1.221 PROMOTIONAL SALES AND MERCHANDISE SHOWS.

Notwithstanding anything to the contrary contained within this article, itinerant vendors, invited and authorized by the sponsoring licensees, shall not be required to secure or pay a license tax provided the sponsoring licensees pay a license tax in the amount of \$100 per sale.

('66 Code, § 3-1.221) (Ord. 318-C-S, passed 6-10-76)

§ 3-1.222 RUMMAGE SALES.

Every religious or nonprofit organization engaged in a rummage sale shall be exempt from a license tax.

('66 Code, § 3-1.222) (Ord. 318-C-S, passed 6-10-76)

§ 3-1.223 MANUFACTURING, PACKING, AND PROCESSING.

(A) Every person conducting or carrying on a business consisting of manufacturing, packing, or processing any goods, wares, or merchandise at a fixed place of business within the city shall pay a license tax pursuant to the schedule set forth in § 3-1.201.

(B) For the purposes of this section, the tax shall be applicable to the value of the manufactured or processed product, as reflected by the licensee's method of accounting, using generally accepted principles of accounting consistently applied, less the cost of purchased raw materials or, in the alternative, less the value of the raw materials or the value of the partially completed product at the time it enters the manufacturing process within the city.

('66 Code, § 3-1.223) (Ord. 318-C-S, passed 6-10-76)

§ 3-1.224 CONDOMINIUM CONVERSIONS.

A condominium conversion business license tax is imposed solely for revenue purposes upon the development of all condominium conversion projects in the amount of \$500 per dwelling unit.

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CONDOMINIUM and CONDOMINIUM CONVERSION. These terms shall be defined as in § 9-5.203 of Chapter 5 of Title 9.

DEVELOPMENT. Any and all acts connected with the creation, conversion into, marketing of, or improvement to convert an existing residential dwelling unit into a residential condominium.

SALE. The transfer of title to property, or the exclusive right to occupy it, by the execution of a deed, lease, or other instrument by a seller or lessor and unconditional delivery thereof to the purchaser or lessee. For the purposes of this section, a **SALE** shall not be deemed to be completed until a properly executed deed, lease, or other instrument is delivered to the purchaser or lessee, except in a land sale contract where the sale shall be completed upon the execution of the contract. The recordation of the deed or lease, or a memorandum thereof, shall be prima facie evidence of delivery.

(B) *Condominium conversion licenses.* The condominium conversion license will be issued by the Finance Department, following the approval of the

tentative map and use permit, upon the payment of the required tax provided for in this section or upon the execution and recordation of a duly notarized agreement signed by all record owners of the property contained within the condominium project, in a form approved by the City Attorney, agreeing to pay the condominium license tax prior to the transfer of title to each unit. In the event an agreement to pay a tax is utilized, then at least 25% of the tax owing on the first phase of converted units available for sale shall be paid in cash prior to city approval of the final map. Such agreement shall be recorded with the County Recorder and shall create a lien against the property until it is paid. Within five days after the payment of such tax, the Finance Department shall file a release of said lien with the County Recorder. If payment of the tax is not deferred by virtue of the agreement, the tax shall be paid before the final subdivision map is approved by the city.

(C) *Waivers of taxes.* The Council, by resolution, may reduce or waive the tax if the condominium conversion is developed to be occupied predominately by senior citizens or handicapped persons of low income.

(D) *Failure to obtain license unlawful.* It shall be unlawful to engage in, permit, suffer, or assist in the development of, or occupy, any condominium conversion for which a license has not been obtained as provided for in this section.

(E) *Tax liens; hearings.* In the event a developer shall fail to obtain a condominium license, the Director of Financial Services shall notify him that he is in violation and that if he does not request a hearing within five days, a lien will be filed against the property being developed for the full amount of the tax. In the event a hearing is demanded, a properly noticed public hearing will be set within 30 days of such request, at which time evidence may be presented to contest the lien. The contestant will have the right to call witnesses and to cross-examine witnesses of the city. The obligation to pay the tax and the amount of the tax owed will be determined prior to filing such lien.

(F) *Filing notices of liens.* The Director of Financial Services, upon the determination that the tax is due, shall deliver to the County Auditor and record with the County Recorder a notice of lien substantially in the following form:

NOTICE OF LIEN

Pursuant to the authority vested in me by Section 3-1.224 of the Antioch Municipal Code, I did cause a hearing to be held on the ___ day of _____, 19___, which date was within thirty (30) days after receiving a request for said hearing and more than five (5) days after mailing notice of said hearing to all interested parties, to ascertain why a tax lien should not be imposed upon the hereinafter described property for nonpayment of a required condominium conversion tax of which \$___ is still unpaid and owing; and having determined at said hearing that said amount is owed to the City of Antioch, said City does hereby claim a lien on said real property in the sum of \$_____, and the same shall be a lien upon the real property until the said sum has been paid in full and discharged of record, and said sum shall be collected in the same manner and at the same time as are the taxes for said City on said real property and subject to the same penalties and procedures to foreclose.

The real property herein mentioned and upon which a lien is claimed is that certain piece or parcel of land in the City of Antioch, County of Contra Costa, State of California, and particularly described as follows (description of property):

Dated this ___ day of _____, 19___.

Director of Financial Services

(G) *Remedies of this section.* The remedies for failure to pay the tax imposed by this section shall be supplementary to any other remedy provided by law

for the failure to pay a business license tax and shall also be cumulative, both with regard to each remedy provided by this chapter and each remedy provided by law.

(H) *Tax refund.* If the condominium conversion project is never consummated by virtue of no units being sold, the person paying the tax shall be entitled to a refund upon the property being divested of its qualification as a condominium by the filing of a new parcel map or other procedure. The city may have until 30 days following the adoption of the next fiscal year budget in which to make the refund. The Director of Financial Services shall release any recorded lien in the event of such event.

(I) *Use of proceeds.* Funds collected by virtue of this section shall be placed into the General Fund of the city and shall be used for general governmental purposes.
(‘66 Code, § 3-1.224) (Ord. 533-C-S, passed 10-12-82) Penalty, see § 3-1.129

§ 3-1.225 [RESERVED]

§ 3-1.226 NONRESIDENT REAL ESTATE BROKERAGE BUSINESS.

All nonresident real estate brokers and agents doing business within the city limits shall pay a yearly business license fee based upon gross receipts directly attributable to business activity conducted within the city as provided in § 3-1.201.

(‘66 Code, § 3-1.226) (Ord. 815-C-S, passed 6-27-91; Am. Ord. 849-C-S, passed 6-11-92)

§ 3-1.227 ANNUAL RATE ESCALATION.

All license fees will be adjusted from year to year to reflect the percent change in the Consumer’s Price Index as defined by the U.S. Department of Labor Bureau of Labor Statistics All Items Consumer Price Index for the San Francisco/Oakland Urban Area (hereinafter referred to as “CPI factor”) for

March 31st of each year, multiplied by \$1. All business licenses issued on or after July 1st of each year will be based on the CPI factor of the preceding March 31st.

(‘66 Code, § 3-1.227) (Ord. 815-C-S, passed 6-27-91)

§ 3-1.228 STATEMENTS AND RECORDS.

(A) No statements shall be conclusive as to the matters set forth therein, nor shall the filing of the same preclude the city from collecting by appropriate action such sum as is actually due and payable hereunder. Such statement and each of the several items therein contained shall be subject to audit and verification by the Finance Director, his deputies, or authorized employees of the city, who are hereby authorized to examine, audit, and inspect such book and records of any licensee or applicant for license as may be necessary in their judgment to verify or ascertain the amount of license fee due.

(B) All persons subject to the provisions of this chapter shall keep complete records of business transactions, including sales, receipts, purchases, and other expenditures, and shall retain all such records for examination by the Finance Director. Such records shall be maintained for a period of at least three years. Refusal to allow authorized representatives of the Finance Director to examine required records at reasonable times and places shall be sufficient grounds to refuse issuance of a license as herein provided.

(C) The information furnished or secured pursuant to the provisions and sections of this chapter shall be confidential, and any unauthorized disclosure or use of such information by any officer or employee of the city shall constitute a misdemeanor and such officer or employee shall be subject to the penalty provisions of this chapter in addition to any other penalties provided by law.

(‘66 Code, § 3-1.228) (Ord. 815-C-S, passed 6-27-91) Penalty, see § 3-1.129

§ 3-1.229 APPEAL.

Any person aggrieved by any administrative action under any provision of this chapter may appeal in accordance with § 1-4.01 of this code.

('66 Code, § 3-1.229) (Ord. 815-C-S, passed 6-27-91)

Potential Revenue from Sales Tax Rate Increase (Transaction & Use Tax)

ANTIOCH
07031

Capture rate is estimated based on Transactions & Use Tax sourcing rules: tax on product shipped on seller's vehicle (i.e., refrigerator from Sears) is allocated to point of delivery only on applicable Transactions & Use Taxes. For the Transactions and Use Tax only and for Auto Sales, the tax is collected and allocated to the tax rate and location of the buyer.

ESTIMATE FROM INSIDE THE CITY:

Category Segment	Year Ended 2012Q3	Capture Rate	Incremental Tax Rate Percent			
			1/4	1/2	3/4	1
General Retail	3,731,980	97%	\$ 903,926	\$ 1,807,852	\$ 2,711,777	\$ 3,615,703
Apparel Stores	291,854	98%	\$ 71,504	\$ 143,008	\$ 214,512	\$ 286,017
Department Stores	2,560,273	98%	\$ 627,267	\$ 1,254,534	\$ 1,881,801	\$ 2,509,068
Furniture/Appliance	110,618	75%	\$ 20,741	\$ 41,482	\$ 62,223	\$ 82,964
Drug Stores	132,617	98%	\$ 32,491	\$ 64,982	\$ 97,473	\$ 129,964
Recreation Products	109,840	98%	\$ 26,911	\$ 53,821	\$ 80,732	\$ 107,643
Florist/Nursery	22,186	25%	\$ 1,387	\$ 2,773	\$ 4,160	\$ 5,546
Miscellaneous Retail	504,593	98%	\$ 123,625	\$ 247,251	\$ 370,876	\$ 494,501
Food Products	1,440,858	100%	\$ 359,502	\$ 719,003	\$ 1,078,505	\$ 1,438,007
Restaurants	898,687	100%	\$ 224,672	\$ 449,343	\$ 674,015	\$ 898,687
Food Markets	435,005	100%	\$ 108,751	\$ 217,502	\$ 326,254	\$ 435,005
Liquor Stores	105,691	98%	\$ 25,894	\$ 51,789	\$ 77,683	\$ 103,577
Food Processing Eqp	1,476	50%	\$ 184	\$ 369	\$ 553	\$ 738
Transportation	2,681,964	66%	\$ 444,899	\$ 889,799	\$ 1,334,698	\$ 1,779,598
Auto Sales/Parts/Repair	1,556,359	42%	\$ 163,498	\$ 326,997	\$ 490,495	\$ 653,993
Service Stations	1,125,605	100%	\$ 281,401	\$ 562,802	\$ 844,203	\$ 1,125,605
Construction	852,343	58%	\$ 123,212	\$ 246,424	\$ 369,636	\$ 492,848
Bldg.Matls-Whsle	292,818	25%	\$ 18,301	\$ 36,602	\$ 54,903	\$ 73,204
Bldg.Matls-Retail	559,525	75%	\$ 104,911	\$ 209,822	\$ 314,733	\$ 419,644
Business To Business	658,002	24%	\$ 40,142	\$ 80,284	\$ 120,427	\$ 160,569
Office Equipment	109,787	25%	\$ 6,862	\$ 13,723	\$ 20,585	\$ 27,447
Electronic Equipment	315,306	25%	\$ 19,707	\$ 39,413	\$ 59,120	\$ 78,826
Business Services	14,497	25%	\$ 906	\$ 1,812	\$ 2,718	\$ 3,624
Energy Sales	0	25%	\$ -	\$ -	\$ -	\$ -
Chemical Products	11	20%	\$ 1	\$ 1	\$ 2	\$ 2
Heavy Industry	102,311	25%	\$ 6,394	\$ 12,789	\$ 19,183	\$ 25,578
Light Industry	37,468	25%	\$ 2,342	\$ 4,683	\$ 7,025	\$ 9,367
Leasing	78,622	20%	\$ 3,931	\$ 7,862	\$ 11,793	\$ 15,724
Miscellaneous	86,970	86%	\$ 18,738	\$ 37,476	\$ 56,215	\$ 74,953
Health & Government	65,694	98%	\$ 16,095	\$ 32,190	\$ 48,285	\$ 64,380
Miscellaneous Other	21,146	50%	\$ 2,643	\$ 5,286	\$ 7,930	\$ 10,573
CITY TOTAL	9,452,117	80%	\$ 1,890,419	\$ 3,780,838	\$ 5,671,258	\$ 7,561,677

ESTIMATE FROM PURCHASES MADE OUTSIDE THE CITY

		1/4	1/2	3/4	1
Typical Outside	15%	\$ 354,454	\$ 708,909	\$ 1,063,363	\$ 1,417,818
Capture Rates	20%	\$ 472,606	\$ 945,212	\$ 1,417,818	\$ 1,890,423
	25%	\$ 590,757	\$ 1,181,515	\$ 1,772,272	\$ 2,363,029
Possible Total District Tax:		1/4	1/2	3/4	1
Pessimistic	15%	\$ 2,244,874	\$ 4,489,747	\$ 6,734,621	\$ 8,979,494
Most Likely	20%	\$ 2,363,025	\$ 4,726,050	\$ 7,089,075	\$ 9,452,100
Optimistic	25%	\$ 2,481,177	\$ 4,962,353	\$ 7,443,530	\$ 9,924,706

ATTACHMENT E

ESTABLISHED ELECTION DATES

	2012	2013	2014	2015
EC 1000 & 1500				
First Tuesday after First Monday in March odd years	doesn't apply	03/05/13	doesn't apply	03/03/15
E-88 Deadline	doesn't apply	12/07/12	doesn't apply	12/05/14
First Tuesday in March even years	03/06/12	doesn't apply	03/04/14	doesn't apply
E-88 Deadline	12/09/11	doesn't apply	12/06/13	doesn't apply
Second Tuesday in April even years	04/10/12	doesn't apply	04/08/14	doesn't apply
E-88 Deadline	01/13/12	doesn't apply	01/10/14	doesn't apply
First Tuesday after First Monday in May each year	05/08/12	05/07/13	05/06/14	05/05/15
E-88 Deadline	02/10/12	02/08/13	02/07/14	02/06/15
First Tuesday after First Monday in June each year	06/05/12	06/04/13	06/03/14	06/02/15
E-88 Deadline	03/09/12	03/08/13	03/07/14	03/06/15
Last Tuesday in August each year	08/28/12	08/27/13	08/26/14	08/25/15
E-88 Deadline	06/01/12	05/31/13	05/30/14	05/29/15
First Tuesday after First Monday in November each year	11/06/12	11/05/13	11/04/14	11/03/15
E-88 Deadline	08/10/12	08/09/13	08/08/14	08/07/15

Established Polling Place Election Dates do not apply to: Special elections called by the Governor; elections held in charter cities where the charter specifies a different date; school board elections initiated by petition; school district elections which overlap a charter city by 95% population and city is holding election; Initiatives, Referendums or Recalls; Mailed Ballot Elections; 2/3's vote school district bond elections. **Elections Code Section 1003**

Established Mailed Ballot Election Dates are restricted to: A jurisdiction of fewer than 1,000 registered voters; a maximum property tax rate election (2287 Rev. & Tax. Code); imposition of special taxes or expenditure limit overrides or both in a jurisdiction of fewer than 5,000 registered voters; a general obligation water bond; Monterey County Water elections; Aliso Water elections; San Jacinto Water elections; San Lorenzo Water elections; elections or assessment ballot proceedings required or authorized by Article XIII C or XIII D of the CA Const. (includes all parcel tax elections regardless of the size or type of jurisdiction). **Elections Code Section 4000**

Miscellaneous provisions regarding when elections may be held: Elections must be held on Tuesdays and may not be the day before, the day of, or the day after a state holiday (EC1100); 2/3's vote school bond elections may be called for any Tuesday that does not fall within 45 days on either side of a statewide primary or general election, unless it is conducted on the statewide election date or on an established mail ballot election date (Educ. Code 15101 & 15341); 55% school bond elections must be held on primary, general or regular school board election date for jurisdiction (Educ. Code 15266). Just as a rule of thumb, polling place elections should not be held on mailed ballot election dates and vice versa. Currently Special Districts may hold mailed ballot elections on any Tuesday other than an established election date (EC 4108). Small Cities, School Districts and Special Districts (100,000 population or under) may hold special vacancy elections by all mailed ballot on any Tuesday other than a statewide election (EC 4004).

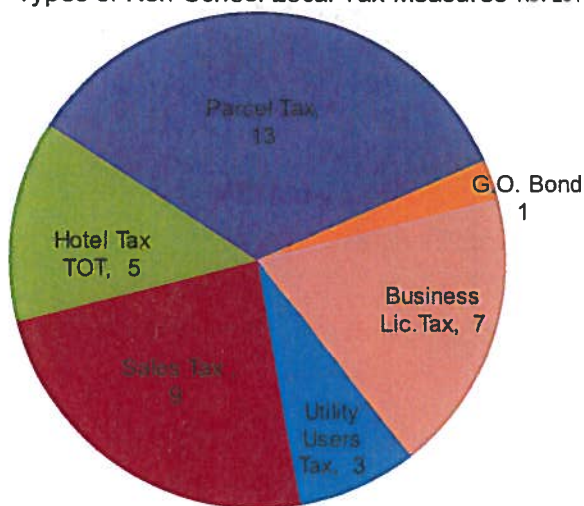
* Must meet criteria set forth in Elections Code Section 4000 (see above).

Local Revenue Measures November 8, 2011

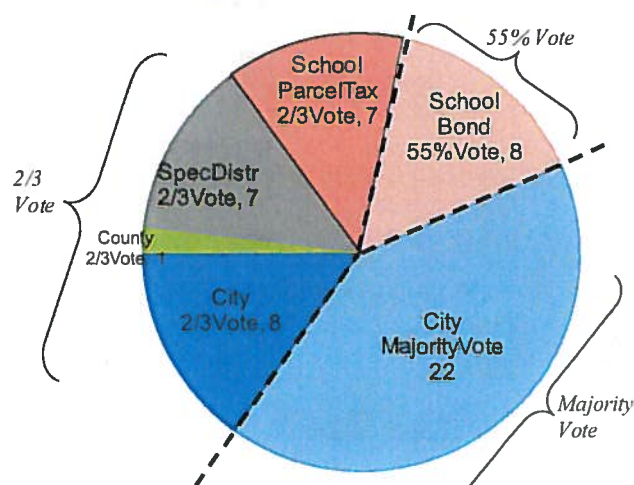
Among 93 local measures put before California voters on Tuesday November 8 were 53 proposals to increase, revise, expand or extend local taxes, fees or bonds. In addition, voters in Holtville considered a citizen referendum and two competing city measures to reduce or phase out the city's utility user tax. There were 30 measures in cities, 7 special district parcel taxes, 1 county measure, and 15 school taxes and bonds.

K-12 schools districts and community colleges requested a total of \$1.315 billion in authorizations for school bonds to construct facilities, acquire equipment and make repairs and upgrades.

Types of Non-School Local Tax Measures Nov 2011



Proposed Local Revenue Measures November 2011



* not including 1 local UUT referendum and 2 city proposed alternative reductions in Holtville.
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Among the 53 non-school local fiscal measures were one general obligation measure and 15 special taxes requiring two-thirds voter approval. The 22 majority vote tax measures included increases and extensions of utility user taxes, add-on sales taxes, hotel taxes, and business license taxes.

Proposed Local Fiscal Measures

	Nov'07	Nov'09	Nov'11
School Bonds 55%	9	3	8
School Parcel Taxes	8	11	7
City, County Majority Vote	26	36	22
City, County, SpecDistr 2/3	19	7	16
	<u>62</u>	<u>57</u>	<u>53</u>

Local Revenue Measures November 2011

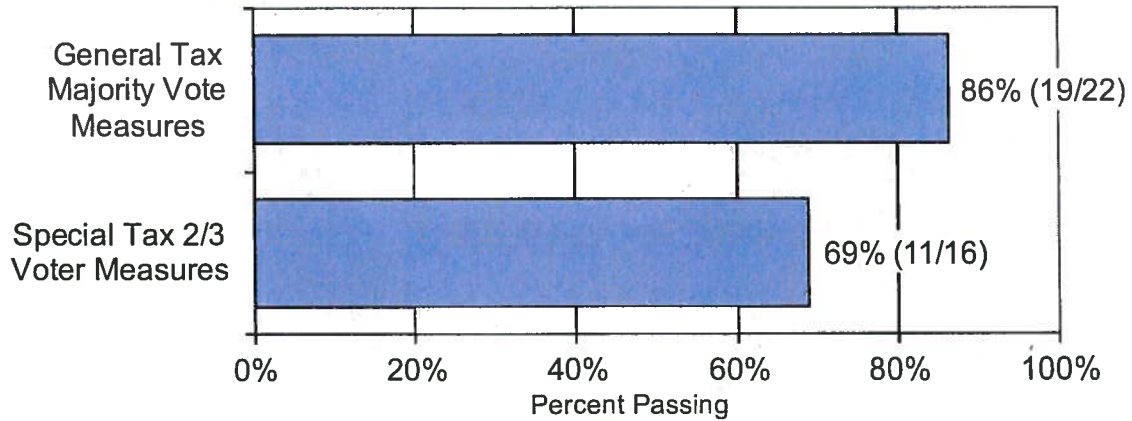
	Total	Pass	Passing%
City Majority Vote	22	19	86%
County Majority Vote	0	0	
City 2/3 Vote	8	4	50%
County 2/3 Vote	1	1	100%
Special District (2/3)	7	6	86%
School ParcelTax2/3	7	5	71%
School Bond 55%	8	6	75%
Total	53	41	77%
Referenda	1	0	0%
Redux(RerendaResponse)	2	0	0%

Overall Passage Rates

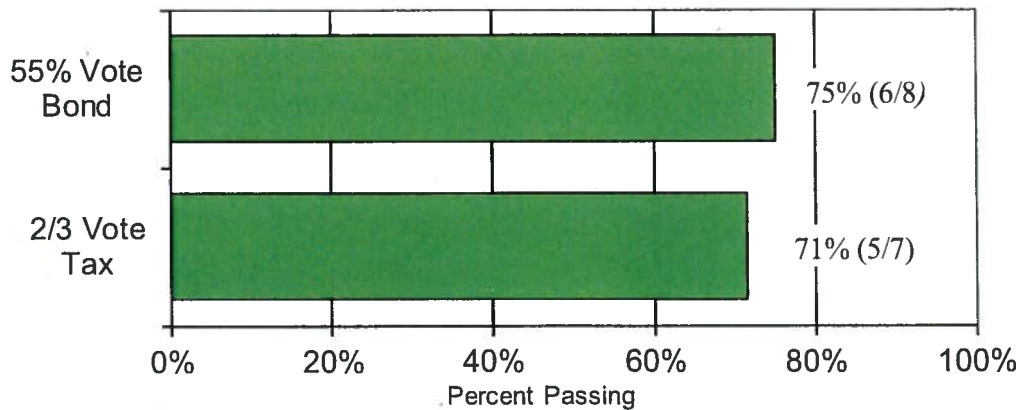
The overall passage rate of non-school local tax measures in November 2011 was better than that of prior elections over the last decade. Of the 22 majority-vote tax measures, 19 passed (86%). Since 2001, 65% of majority vote local tax measures have passed.

Of the 16 special tax measures requiring two-thirds voter approval, 11 passed (69%) exceeding the 46% historic passage rate for special taxes and bonds since 2001.

City / County / Special District Tax & Bond Measures November 2011



School Tax & Bond Measures November 2011



The passage rates for school measures this November were similar to passage rates since 2001. Of the eight 55%-vote school bond measures, six passed (a 75% rate compared to a historic rate of just around 80%).

Local Add-On Sales Taxes (Transaction and Use Taxes)

Eight cities and one county asked their voters to consider new sales tax add-ons (transactions and use taxes). The proposals ranged from a 1/8 percent tax for libraries in Mendocino County to 1 percent add-on taxes for general purposes (majority vote) in Vallejo. Tax increases passed in Fairfax, Palm Springs, Oakdale and Vallejo. Voters in Del Rey Oaks overwhelmingly approved extending their existing one percent add-on tax for another five years. The Mendocino County library tax received the two-thirds supermajority approval needed.

The City of Coachella proposed a general purpose (majority vote tax) but accompanied the measure with an advisory measure regarding the use of the funds. Voters soundly rejected that proposal. In Fillmore, a (3/4 percent) sales taxes also failed and voters in San Francisco soundly rejected a 2/3 supermajority special tax for police and fire services.

Given the sample size, the 67% passage rate for sales tax measures in this election is similar to previous elections. Since 2001, about 60% of measures to increase general purpose (majority vote) local sales taxes passed. Just 36% of two-thirds vote special sales tax increases passed during that time.

Transactions and Use Tax

<u>Agency Name</u>	<u>County</u>	<u>Rate</u>	<u>Sunset</u>	<u>Needed</u>	<u>YES%</u>	<u>NO%</u>		
City of Del Rey Oaks	Monterey	Measure S 1cent	5 yrs	50.0%	85.6%	14.4%	PASS	extend
Town of Fairfax	Marin	Measure D 1/2cent	5 yrs(to3/31/2017)	50.0%	64.5%	35.5%	PASS	increase
City of Palm Springs	Riverside	Measure J 1cent	25 yrs	50.0%	57.9%	42.1%	PASS	increase
City of Oakdale	Stanislaus	Measure O 1/2cent	3 yrs	50.0%	56.1%	43.9%	PASS	increase
City of Vallejo	Solano	Measure B 1 cent	10 yrs	50.0%	50.4%	49.6%	PASS	increase
City of Fillmore	Ventura	Measure I 3/4cent	5yrs	50.0%	36.7%	63.3%	FAIL	increase
City of Coachella	Riverside	Measure K 1/2cent		50.0%	26.9%	73.1%	FAIL	increase
		Measure L		50.0%	51.4%	48.7%	PASS	advisory
Mendocino County	Mendocin	Measure A 1/8cent	16 yrs	66.7%	75.2%	24.8%	PASS	increase
City of San Francisco	San Francisc	Measure G 1/2cent	10 yrs	66.7%	46.1%	53.9%	FAIL	increase

Transient Occupancy (Hotel) Taxes

There were five measures to increase city Transient Occupancy (Hotel) Taxes. All were majority vote general tax measures. All passed easily. In previous elections since 2001, just 64% (80 of 125) of majority vote general purpose TOT measures passed.

Transient Occupancy Tax Tax Measures: All General Majority Vote

<u>Agency Name</u>	<u>County</u>	<u>Rate</u>	<u>YES%</u>	<u>NO%</u>	
City of Foster City	San Mateo	Measure P 8%to9.5%	83.1%	16.9%	PASS
City of Cupertino	Santa Clara	Measure C 10%to12%	82.6%	17.4%	PASS
City of Pittsburg	Contra Costa	Measure H 8%to12%	78.1%	21.9%	PASS
City of Redwood City	San Mateo	Measure I 10%to12%	72.9%	27.1%	PASS
City of Indian Wells	Riverside	Measure H 9.25%to11.25%	65.9%	34.1%	PASS

Utility User Taxes

There were six utility user tax (UUT) measures on the ballot, but three of these, in Holtville, involved reducing, eliminating or sun-setting that city's existing tax. A citizen referendum in Holtville (Measure M) to phase out the city's 5% UUT was met with two competing proposals placed on the ballot by the City Council: Measure N for a more modest reduction and Measure O which would sunset the tax in 5 years with no phase out. All the Holtville measures failed leaving the city's 5% UUT intact.

Voters in Modesto and South Pasadena approved those measures to modernize and expand their UUTs while reducing the tax rate. Brawley voters agreed to extend that city's existing 4% UUT for 5 years to June 30, 2018. These successful measures revised or extended existing taxes. There were no proposals for new or increased UUTs.

Utility User Tax Measures - all majority vote general taxes

<u>Agency Name</u>	<u>County</u>		<u>Rate</u>	<u>YES%</u>	<u>NO%</u>		
City of Modesto	Stanislaus	Measure N	6%to5.8%	75.6%	24.5%	PASS	expand&reduce
City of Brawley	Imperial	Measure K	4%.	57.2%	42.8%	PASS	extend
City of South Pasadena	Los Angeles	Measure UT	8%to7.5%	54.1%	45.9%	PASS	expand&reduce
City of Holtville	Imperial	Measure N	existing 5%	35.5%	64.5%	FAIL	reduce to 1.5%
City of Holtville	Imperial	Measure O	existing 5%	43.9%	56.1%	FAIL	SetSunset2016
City of Holtville	Imperial	Measure M	existing 5%	48.0%	52.0%	FAIL	reduce/eliminate

Business License Taxes

There were seven business license tax measures in five cities. Voters in Emeryville approved an increase in the overall business license tax rate and a second measure increasing the maximum tax. Voters in Vallejo approved a 10% gross receipts tax on Marijuana businesses. Voters in Brisbane approved an increase in the tax applied to recyclers. A citizen initiative to increase city taxes on restaurants and bars in Hermosa Beach was the only failing business license tax measure.

In previous elections since 2001, over 70% of business license tax proposals have passed,

Business License Tax Measures: Majority Vote General

<u>Agency Name</u>	<u>County</u>		<u>Rate</u>	<u>YES%</u>	<u>NO%</u>	
City of Emeryville	Alameda	Measure C	from 0.08% to 0.10%	81.2%	18.8%	PASS
City of Emeryville	Alameda	Measure D	from \$117k to \$300k	79.4%	20.6%	PASS
City of Brisbane	San Mateo	Measure J		77.0%	23.0%	PASS
City of Vallejo	Solano	Measure C		76.2%	23.8%	PASS
City of Hermosa Beach	Los Angeles	Measure N		60.5%	39.5%	PASS
City of Redwood City	San Mateo	Measure M		55.1%	44.9%	PASS
City of Hermosa Beach	Los Angeles	Measure Q	initiative re: restaurants/bars	22.8%	77.3%	FAIL

Parcel Taxes and Special Taxes (non-school)

There were six city parcel taxes and seven special district parcel taxes. Under a state constitutional provision included in Proposition 13 (1978), parcel taxes require two-thirds supermajority approval. Nine of the measures were for fire and emergency medical transport (EMS) services. Seven passed, including new taxes in Pioneer Fire Protection District (El Dorado County) and Prattville/Almanor Fire Protection District (Plumas County). The West Point Fire Protection District attained voter approval for a tax to replace its previous assessment that had been ruled invalid by an appellate court. A fire service tax in the City of Hesperia failed. A fire services measure in West Almanor Community Services District failed by just three (3) votes short of the two-thirds needed of 186 cast.

Two measures increased existing taxes for police and fire services. Voters in San Marino approved the continuation and increase of that city's tax for police fire and emergency services. Voters in California City fell short of approving a similar tax in that city.

Only two of the parcel taxes were for purposes other than police or fire/EMS services. Voters in Lafayette again turned down a measure to fund that city's ailing street and storm drain system after rejecting previous larger proposals in 2007 and 2004. Voters in the City of Riverside voted to continue that city's tax for library services.

City, County and Special District Parcel Taxes (2/3 vote)

<u>Agency Name</u>	<u>County</u>	<u>Amount</u>			<u>YES%</u>	<u>NO%</u>		
Prattville/Almanor Fire Protection District	Plumas	Measure B	\$75/parcel	Fire/EMS	10 yrs	87.0%	13.0%	PASS new
City of Riverside	Riverside	Measure 1	\$19/parcel	Library	10 yrs	85.2%	14.8%	PASS extend
West Point Fire Protection District	Calaveras	Measure A	\$78.5/parcel	Fire/EMS		82.9%	17.1%	PASS new
Town of Corte Madera	Marin	Measure C	\$60/parcel+\$5/yr	Fire/EMS	4 yrs	82.2%	17.8%	PASS extend/increase
Pioneer Fire Protection District	El Dorado	Measure F	\$85/parcel	Fire/EMS	Fire/ems	76.4%	23.6%	PASS new
Lucas Valley County Service Area 13	Marin	Measure E	+\$10to\$95/parcel	Fire/EMS	4yrphasein	75.5%	24.5%	PASS increase
City of San Marino	Los Angeles	Measure S	varies	Police/Fire/EMS	4 yrs	73.3%	26.7%	PASS extend/increase
Santa Venetia-Bayside Acres Fire Protecti	Marin	Measure F	+\$10to\$95/parcel	Fire/EMS	4yrphasein	72.9%	27.1%	PASS increase
Marinwood Community Services District	Marin	Measure G	+10to28¢/sft	Fire/EMS		66.8%	33.2%	PASS increase
West Almanor Community Services Distri	Plumas	Measure A	from\$90to\$200/parcel	Fire/EMS		65.6%	34.4%	FAIL increase
City of California City	Kern	Measure A	\$150/parcel	Police/Fire/EMS	10 years	63.1%	37.0%	FAIL increase
City of Lafayette	Contra Costa	Measure G	\$89/parcel	Streets/Roads		57.8%	42.2%	FAIL new
City of Hesperia	San Bernardi	Measure F	\$85/parcel	Fire/EMS	5 yrs	19.4%	80.6%	FAIL new

General Obligation Bond

There was just one non-school general obligation bond measure on the ballot. Voters in San Francisco approved with the needed 2/3 vote, a \$248 million bond measure for street and road repairs.

City, County and Special District Bond Measures (2/3 vote)

<u>Agency Name</u>	<u>Amount</u>	<u>YES%</u>	<u>NO%</u>	
City of San Francisco	Measure B	\$248m	Streets/Roads	68.0% 32.0% PASS

School Parcel Taxes

The ballot included seven local school parcel taxes. Five passed, including three to extend existing taxes.

School Parcel Taxes (2/3 voter approval)

<u>Agency Name</u>	<u>County</u>	<u>Rate</u>	<u>Sunset</u>	<u>YES%</u>	<u>NO%</u>	
Mammoth Unified SD	Mono	Measure S \$59/parcel	5 yrs	73.8%	26.2%	PASS extend
Tamalpais Union High School District	Marin	Measure B \$246/parcel	10 yrs	72.4%	27.6%	PASS extend
Pacifica School District	San Mateo	Measure L from \$96 to \$118/parcel	5 yrs	68.8%	31.2%	PASS
Palos Verdes Peninsula USD	Los Angeles	Measure M \$374/parcel	none	68.3%	31.7%	PASS extend
Burlingame Elementary School District	San Mateo	Measure E \$76/parcel	4 yrs	67.3%	32.7%	PASS
Pacific Grove USD	Monterey	Measure V \$60/parcel	4 yrs	61.4%	38.6%	FAIL
Las Virgenes Unified School District	Los Angeles/Ventura	Measure K \$95/parcel	8 yrs	56.3%	43.7%	FAIL

School Bonds (55% approval)

There were eight school bond measures on the ballot for a total of over \$1.315 billion in bonds. Six of the measures attained the 55% approval needed for a total of \$711 million in approved bonds.

School Bond Measures - all 55% Approval

<u>Agency Name</u>	<u>County</u>	<u>Amount</u>	<u>YES%</u>	<u>NO%</u>	
San Francisco USD	San Francisco	Measure A \$531m	70.8%	29.3%	PASS
Larkspur School District	Marin	Measure A \$26m	70.4%	29.6%	PASS
Bradley Union SD	Monterey	Measure T \$1.1m	68.2%	31.8%	PASS
Newhall School District	Los Angeles	Measure E \$60m	66.3%	33.7%	PASS
Millbrae School District	San Mateo	Measure N \$30m	58.1%	41.9%	PASS
Newark Unified School District	Alameda	Measure G \$63m	55.8%	44.2%	PASS
San Mateo Community College District	San Mateo	Measure H \$564m	52.7%	47.3%	FAIL
San Bruno Park School District	San Mateo	Measure O \$40m	50.8%	49.2%	FAIL

Employee Benefit Changes

San Francisco approved the somewhat less restrictive of two competing public employee pension reform measures. Voters in Modesto approved three advisory measures to explore moving employees from a defined benefit plan to a defined contribution (401k style) plan for retirement benefits, avoid "pension spiking" by moving to an average of the last three year salary as baseline rather than current last single highest year, and seek retirement formulas that increase employee retirement age to mirror the private sector retirement.

Employee Benefit Changes & Limits

Agency Name	County	Proposal	YES%	NO%	
City of San Francisco	San Francisco	Measure C "Shall the City amend its Charter to adjust pension contribution rates for most current and future City employees based on the City's costs; reduce pension benefits for future City employees; limit cost-of-living adjustments to pension benefits; decrease City contributions to retiree health care costs for certain former employees; require all current and future employees to contribute toward their retiree health care costs; change the composition and voting requirements of the Health Service Board, and make other changes to the City's retirement and health benefits systems?"	68.7%	31.3%	PASS
City of San Francisco	San Francisco	Measure D "Shall the City amend its Charter to increase pension contribution rates for most current City employees based on the City's costs; reduce contribution rates and pension benefits for most future City employees; limit cost-of-living adjustments to pension benefits; prohibit the City from picking up any employee's contribution for pension benefits; and make other changes to the City's retirement system?"	33.8%	66.2%	FAIL
City of Modesto	Stanislaus	Measure Q Should the City of Modesto: Seek to move employees from a defined benefit plan to a defined contribution (401k style) plan for retirement benefits?	57.8%	42.2%	PASS
City of Modesto	Stanislaus	Measure R Should the City of Modesto: Seek to avoid "pension spiking" by city employees by moving to an average of the last three year salary as baseline rather than current last single highest year?	74.6%	25.4%	PASS
City of Modesto	Stanislaus	Measure S Should the City Council seek to increase the minimum age that any city employee must achieve before they are eligible to retire?	63.1%	36.9%	PASS

Appointed City Clerk, Treasurer, Attorney

Voters in Maywood decided to retain their right to directly elect their City Treasurer and City Clerk rather than have the City Council appoint those positions.

Appointed City Clerk / City Treasurer

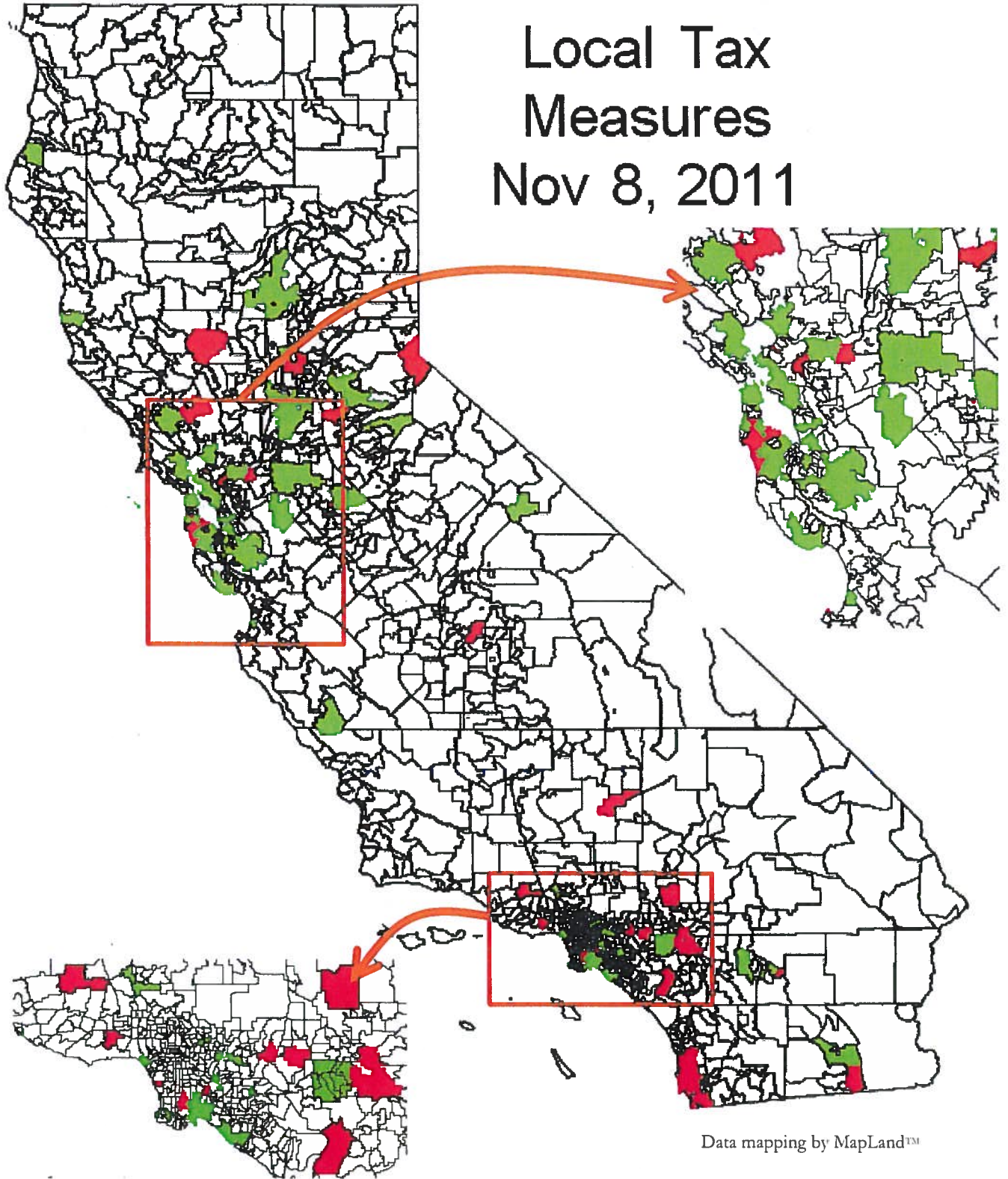
Agency Name	County		YES%	NO%	
City of Maywood	Los Angeles	Measure C apptClerk	42.9%	57.1%	FAIL
City of Maywood	Los Angeles	Measure T apptTreasurer	40.6%	59.4%	FAIL

For more information: Michael Coleman 530-758-3952. coleman@muni1.com

Source: County elections offices.



Local Tax Measures Nov 8, 2011



Data mapping by MapLand™

Local Revenue Measures in California

November 2012 Results

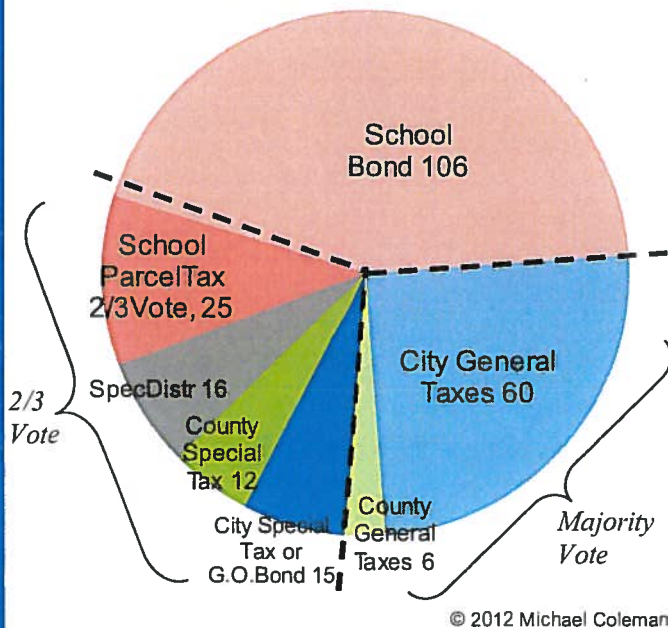
The November 6, 2012 presidential election featured 368 local measures in California on questions including land use development, government organization, bond authorizations and tax increases. Among these were 240 measures seeking approval for taxes, bonds or fees, including three by initiative. Three other measures sought by initiative to reduce previously approved taxes.

This volume of local measures is quite comparable to the number of local measures on each of the last two presidential election ballots in California. In November 2008, there were 233 revenue measures including 116 school bonds and taxes. In November 2004, there were 249 revenue measures including 86 school bonds or taxes.

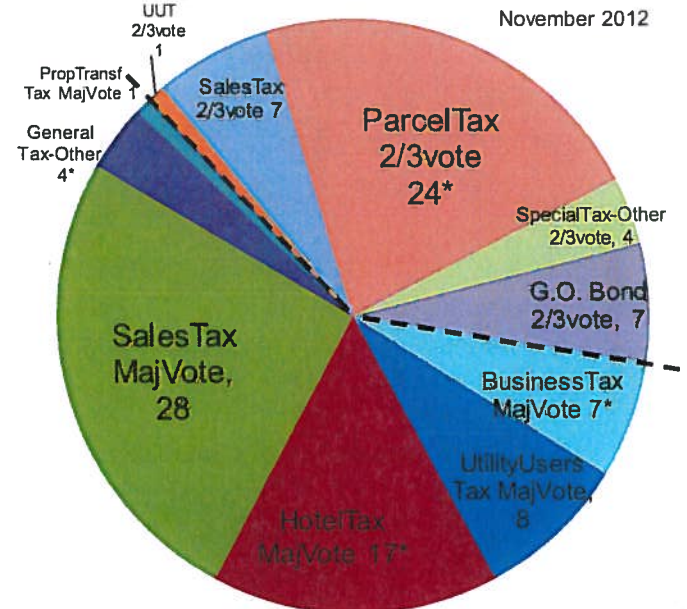
K-12 schools districts and community colleges requested total of \$14.429 billion in 106 separate bond measure authorizations for school bonds to construct facilities, acquire equipment and make repairs and upgrades. There were 25 measures to increase or extend school parcel taxes.

Among the 109 non-school local revenue measures were seven general obligation bond measures and 36 special taxes and parcel taxes requiring two-thirds voter approval. There were 35 proposals to extend or increase transactions and use taxes (so-called add-on sales taxes) and 24 proposals to increase or extend non-school parcel taxes.

Proposed Local Revenue Measures November 2012



Types of Non-School Local Tax Measures



*Vacaville's Measure M combined a business license tax, parcel tax and hotel tax. It is counted here as a "General Tax - other"

Overall Passage Rates

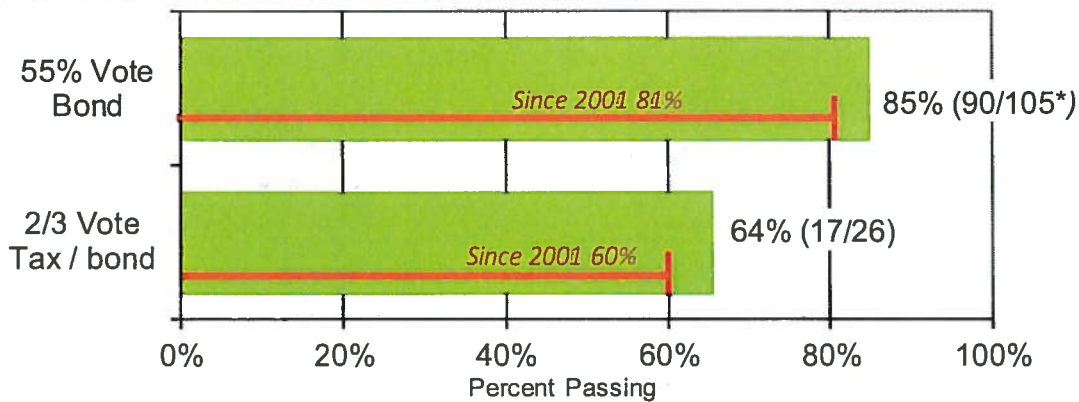
Following post-election night canvases and recounts, five additional 55% school bond measures and one additional two-thirds vote school parcel tax were declared passing. This brings the total number of passing measures to 178 of the 240 tax/revenue measures proposed.

Local Revenue Measures November 2012

	Total	Pass	Passing%
City General Tax (Majority Vote)	60	48	80%
County General Tax (Majority Vote)	6	4	67%
City Special Tax or G.O. bond (2/3 Vote)	15	5	33%
County (Special Tax) 2/3 Vote	12	7	58%
Special District (2/3)	16	7	44%
School Parcel Tax 2/3	25	16	64%
School Bond 2/3	1	1	100%
School Bond 55%	105	90	86%
Total	240	178	74%
Redux by initiative	3	0	0%

The rate of passage of school measures slightly exceeded historic passage rates. Final results indicate 90 of the 105 55% school bonds passed. The one two-thirds vote school bond passed as well as 16 of the 25 school parcel taxes.

School Tax & Bond Measures November 2012

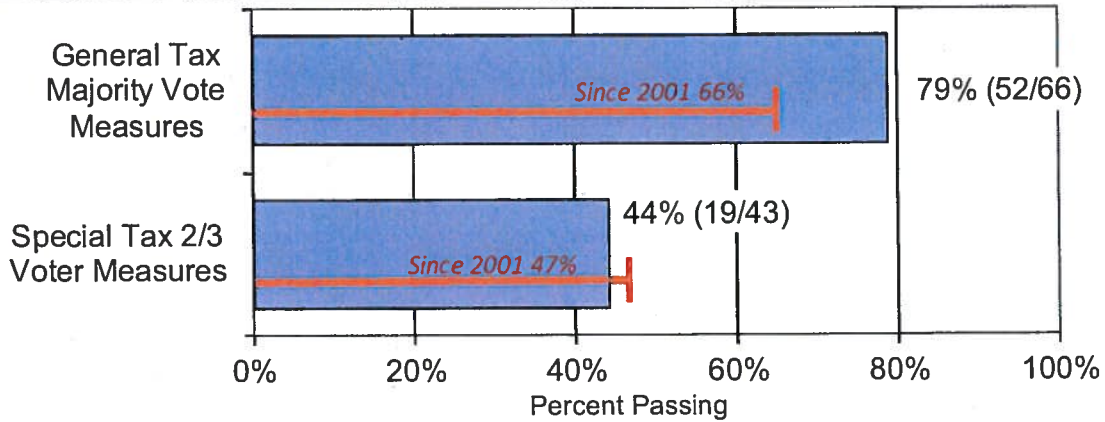


*One school bond required two-thirds approval. It passed.

Local non-school majority vote tax measures did somewhat better this election than in prior years with 52 of 66 passing. Among the failing measures were three taxes proposed in San Diego County cities as a part of marijuana dispensary initiatives. These taxes on the sale of marijuana probably could not have been implemented had they passed.

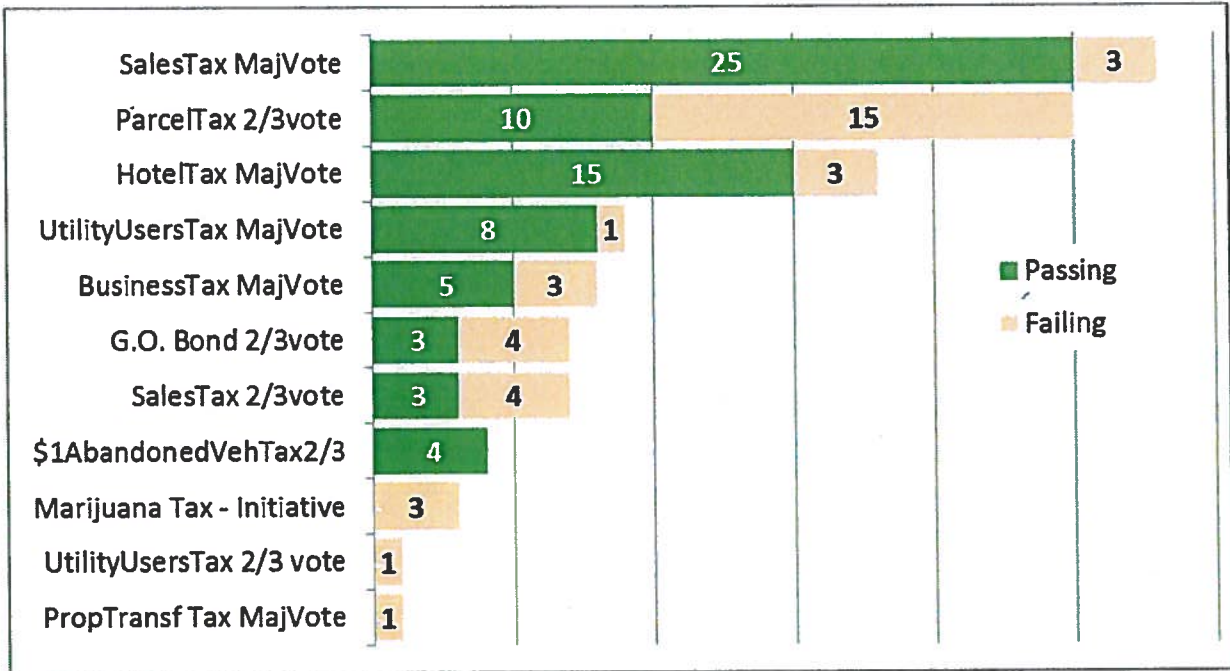
Among the 43 non-school special taxes, parcel taxes and bonds requiring two-thirds voter approval, 19 passed, a very similar passage rate compared to past elections.

City / County / Special District Tax & Bond Measures November 2012



General purpose tax measures fared especially well, especially add-on sales taxes (local transactions and use taxes). Parcel taxes and G.O. bonds had a much more difficult time, mostly, it appears, due to the two-thirds supermajority vote thresholds. Five of the 25 non-school parcel taxes failed to even garner 50% yes votes.

Passing and Failing City / County / Special District Measures by Type November 2012



Local Add-On Sales Taxes (Transaction and Use Taxes)

Twenty five cities and three counties proposed general purpose majority vote add-on sales tax rates ranging from 1/8 percent in Santa Clara County to one percent in several cities. Voters approved all but three of these measures.

Transactions and Use Tax (Add-on Sales Tax) - General Tax - Majority Approval

<u>Agency Name</u>	<u>County</u>	<u>Rate</u>	<u>Sunset</u>	<u>YES%</u>	<u>NO%</u>	
Albany	Alameda	Measure F 1/2 cent		79.0%	21.0%	PASS
Culver City	Los Angeles	Measure Y 1/2percent	10 yrs	76.6%	23.4%	PASS
Lathrop	San Joaquin	Measure C 1cent		76.0%	24.1%	PASS
Salinas	Monterey	Measure E 1/2cent extend		75.7%	24.3%	PASS
Carmel	Monterey	Measure D 1cent	10yrs	75.4%	24.6%	PASS
Nevada City	Nevada	Measure L 3/8cent	5yrs	74.2%	25.8%	PASS
Sebastopol	Sonoma	Measure Y 1/2cent	8yrs	70.8%	29.2%	PASS
Williams	Colusa	Measure G 1/2cent extend		70.5%	29.5%	PASS
Rio Vista	Solano	Measure O 3/4cent	5yrs	70.2%	29.8%	PASS
Moraga	Contra Costa	Measure K 1cent	20yrs	70.1%	29.9%	PASS
Orinda	Contra Costa	Measure L 1/2cent	10yrs	69.1%	30.9%	PASS
Vacaville	Solano	Measure M 1/4cent	5yrs	69.0%	31.0%	PASS
Commerce	Los Angeles	Measure A/ 1/2percent		67.3%	32.7%	PASS
Fairfield	Solano	Measure P 1cent	5yrs	66.5%	33.6%	PASS
Grass Valley	Nevada	Measure N 1/2cent	10yrs	66.3%	33.7%	PASS
La Mirada	Los Angeles	Measure I 1cent	5yrs	66.0%	34.0%	PASS
County of San Mateo	San Mateo	Measure A 1/2cent	10years	64.6%	35.5%	PASS
Sacramento	Sacramento	Measure U 1/2cent	6yrs	63.1%	36.9%	PASS
Paso Robles	San Luis Obis	Measure E 1/2cent	12yrs	59.0%	41.0%	PASS
		Measure F Advisory		71.3%	28.7%	PASS
Hollister	San Benito	Measure E 1cent extend	5yrs	57.4%	42.6%	PASS
County of Santa Clara	Santa Clara	Measure A 1/8cent	10yrs	56.3%	43.7%	PASS
Trinidad	Humboldt	Measure G 3/4cent 4/1/2013 for 4yrs		55.4%	44.6%	PASS
Healdsburg	Sonoma	Measure V 1/2cent	10yrs	55.4%	44.6%	PASS
Half Moon Bay	San Mateo	Measure J 1/2 cent	3yrs	53.9%	46.1%	PASS
Capitola	Santa Cruz	Measure O 1/4cent		50.8%	49.2%	PASS
Yucca Valley	San Bernardin	Measure U 1cent		48.2%	51.8%	FAIL
County of Plumas	Plumas	Measure D 1/4cent	4yrs	36.2%	63.8%	FAIL
Maricopa (224 voters)	Kern	Measure R 1cent	10yrs	32.6%	67.4%	FAIL

There were seven add-on sales tax measures earmarked for specific purposes. Five of these were county-wide measures. All seven received over 60% yes votes, but four fell short of the two-thirds approval needed including transportation measures in Alameda and Los Angeles and two measures related to roads and water quality in Lake County.

Transactions and Use Tax (Add-on Sales Tax) - Special Tax - Two-Thirds Approval

<u>Agency Name</u>	<u>County</u>	<u>Rate</u>	<u>Purpose</u>	<u>Sunset</u>	<u>YES%</u>	<u>NO%</u>	
County of Napa	Napa	Measure T 1/2cent	streets (was flood) extend 25yrs after 2018		74.4%	25.6%	PASS
County of Marin	Marin	Measure A 1/4cent	openspace		73.6%	26.4%	PASS
County fo Fresno	Fresno	Measure B 1/8cent	Library	extend 16yrs	71.8%	28.3%	PASS
County of Alameda	Alameda	Measure Bl 1/2c+1/2c=1cent	transportation	extends&incr	65.5%	34.5%	FAIL
County of Los Angeles	Los Angeles	Measure J 1/2cent	transportation	extend 30yrs	64.7%	35.3%	FAIL
County of Lake	Lake	Measure E 1/2cent	water quality		62.2%	37.8%	FAIL
Clearlake	Lake	Measure G 1cent	streets/roads		61.1%	38.9%	FAIL

Transient Occupancy (Hotel) Taxes

There were eighteen measures to increase or expand Transient Occupancy (Hotel) Taxes. All but three passed. Plymouth voters also approved a companion advisory measure that expresses the preference that “the additional revenues be used primarily for the purpose of repairing and maintaining the city’s roadways.”

Transient Occupancy Tax Tax Measures: All General Majority Vote

<u>Agency Name</u>	<u>County</u>	<u>Rate</u>	<u>YES%</u>	<u>NO%</u>	
Santa Cruz	Santa Cruz	Measure Q +1%to11%	82.1%	17.9%	PASS
Vacaville	Solano	Measure L +2%TOT*	80.1%	19.9%	PASS
Carpinteria	Santa Barbara	Measure E +2%to12%	77.6%	22.4%	PASS
Menlo Park	San Mateo	Measure K +2%to12%	73.6%	26.4%	PASS
County of Santa Cruz	Santa Cruz	Measure N +1.5%to11%	72.1%	27.9%	PASS
Goleta	Santa Barbara	Measure H +2%to12%	71.5%	28.5%	PASS
Exeter	Tulare	Measure M +4%to8%	66.2%	33.8%	PASS
Garden Grove	Orange	Measure Y +1.5%to14.5%	66.1%	33.9%	PASS
County of Amador	Amador	Measure Q +4%to10%	60.5%	39.5%	PASS
Coronado	San Diego	Proposition F +2%to10%	60.5%	39.5%	PASS
Plymouth	Amador	Measure R +4%to10%	57.5%	42.5%	PASS
		Measure S Advisory	65.0%	35.0%	PASS
Solvang	Santa Barbara	Measure Z +2%to12%	57.2%	42.8%	PASS
Santee	San Diego	Proposition U +4%to10%	56.6%	43.4%	PASS
Buellton	Santa Barbara	Measure D +2%to12%	54.8%	45.2%	PASS
Willows	Glenn	Measure Q +2%to12%	52.9%	47.2%	PASS
Pomona	Los Angeles	Measure V +2%to12%	48.2%	51.8%	FAIL
County of Plumas	Plumas	Measure C +2%to11%	41.1%	58.9%	FAIL
Red Bluff	Tehama	Measure A 10% camping/RV	39.6%	60.4%	FAIL

*measure is an "excise tax" also includes BLT, etc.

Utility User Taxes

Voters in ten cities considered measures to increase or expand utility user taxes. Several of the proposals were to modernize existing taxes on telecommunications and among these, five proposed a reduction in the tax rate as a part of effectively expanding the tax base to wireless communications. Chico is one of very few cities to have rejected this approach at the polls.

Among the ten measures, only Citrus Heights earmarked the tax for specific purposes. But voters rejected the proposed increase.

Voters in Arcata approved a novel UUT, a 45% tax on excessive electricity use aimed at home grow houses.

Utility User Taxes									
Agency Name	County		Rate		%Needed	YES%	NO%		
Berkeley	Alameda	Measure Q	same	7.5%	expand/reduce	50.0%	84.5%	15.5%	PASS
San Luis Obispo	San Luis Obispo	Measure D	to 4.8%	from 5%	expand/reduce	50.0%	83.5%	16.5%	PASS
Downey	Los Angeles	Measure D	5%	to 4.8%	expand/reduce	50.0%	79.4%	20.6%	PASS
Pinole	Contra Costa	Measure M	8%		extend	50.0%	78.7%	21.3%	PASS
Los Alamitos	Orange	Measure DD	6%	to 5%	expand/reduce	50.0%	69.5%	30.5%	PASS
Arcata	Humboldt	Measure I	45% on excessive electric use		new	50.0%	69.0%	31.0%	PASS
Bellflower	Los Angeles	Measure P	2%		increase	50.0%	61.3%	38.7%	PASS
Needles*	San Bernardino	Measure T	+2.5%	-2.5% fee=no change	validate/extend	50.0%	51.4%	48.6%	PASS
Chico	Butte	Measure J	5%	to 4.5%	expand/reduce	50.0%	46.9%	53.2%	FAIL
Citrus Heights	Sacramento	Measure K	+1.75%	to 4.25%	increase	66.7%	44.2%	55.8%	FAIL

Business License Taxes

There were eight business license tax measures, including two proposals to tax sugared beverages, a new idea among local measures in California. A proposal to increase local taxes on "businesses engaged in the manufacture, piping, refining, storage and wholesale distribution of petroleum products" failed in Rialto. The sugared beverage taxes were resoundingly rejected. Companion measures in both cities that expressed the preferred use of the funds for particular programs did not help. Six other measures passed easily.

Business License Tax Measures: Majority Vote General						
Agency Name	County		Rate	YES%	NO%	
Vacaville*	Solano	Measure L		80.1%	19.9%	PASS
Rancho Cordova	Sacramento	Measure L	cardrooms	79.3%	20.7%	PASS
Needles	San Bernardino	Measure S	tax on Marijuana	79.3%	20.7%	PASS
Artesia	Los Angeles	Measure M	general incr	78.0%	22.0%	PASS
San Francisco	San Francisco	Proposition E	gross rcpts	70.6%	29.4%	PASS
Rialto	San Bernardino	Measure V	on petrol busn	47.1%	52.9%	FAIL

*measure is an "excise tax" also includes TOT, parcel tax

Sugared Beverage Taxes

Agency Name	County		YES%	NO%	
Richmond	Contra Costa	Measure N	33.1%	66.9%	FAIL
El Monte	Los Angeles	Measure H	23.2%	76.8%	FAIL

Property Transfer Tax

A proposal to increase the property transfer tax in Pomona failed. Pomona pursued the ill-advised approach of placing multiple tax measures on the ballot at once: a hotel tax, a parcel tax (2/3 vote), and this property transfer tax. All failed.

Property Transfer Taxes

<u>Agency Name</u>	<u>County</u>	<u>Measure Na</u>	<u>Rate</u>	<u>YES%</u>	<u>NO%</u>	
Pomona	Los Angeles	Measure W	from \$1.10 to \$2.20	24.6%	75.4%	FAIL

Parcel Taxes and Special Taxes (non-school)

There were 25 parcel taxes including 13 in special districts, ten in cities, and two in counties. Under a state constitutional provision included in Proposition 13 (1978), parcel taxes require two-thirds supermajority approval. Ten of 25 measures passed. Among these ten, six extended – but did not increase – existing parcel taxes.

An initiative measure to revise and reduce a fire parcel tax in Newcastle was rejected by voters in that community. The measure received 61% approval but required two-thirds approval.

City, County and Special District Parcel Taxes (2/3 vote)

<u>Agency Name</u>	<u>County</u>	<u>Measure</u>	<u>Amount</u>	<u>Purpose</u>	<u>YES%</u>	<u>NO%</u>	
Vacaville*	Solano	Measure L	\$58/parcel	general-extend	80.1%	19.9%	PASS
Circle XX Community Services District	Calaveras	Measure D	+\$100to\$400	roads	78.3%	21.7%	PASS
Santa Monica Mountains Rec Conserv Au	Los Angeles	Measure HH	\$24/parcel	open space	76.2%	23.8%	PASS
Santa Clara Valley Water District	Santa Clara	Measure B	\$56/parcel	water -extend	72.7%	27.4%	PASS
Ross	Marin	Measure D	\$950/parcel	general -extend/rec	72.3%	27.7%	PASS
Groveland Community Services District	Tuolumne	Measure G	\$70/parcel	EMS -extend	69.4%	30.6%	PASS
Piedmont	Alameda	Measure Y	varies	general -extend	68.7%	31.3%	PASS
Santa Monica Mountains Rec Conserv Au	Los Angeles	Measure MM	\$19/Parcel	open space	68.1%	32.0%	PASS
Cayucos Fire Protection District	San Luis Obispo	Measure C	\$25/parcel	Fire/EMS -extend	67.9%	32.1%	PASS
Wildomar	Riverside	Measure Z	\$28/parcel	parks/rec	66.8%	33.2%	PASS
Mesa Parks Firehouse Community Park	Marin	Measure E	\$49/parcel	parks/rec	65.4%	34.6%	FAIL
County of Alameda	Alameda	Measure A1	\$12/parcel	zoo	62.7%	37.3%	FAIL
Rancho Adobe Fire Protection District	Sonoma	Measure Z	+\$60/parcel	Fire/EMS	62.6%	37.4%	FAIL
Petaluma	Sonoma	Measure X	\$52/parcel	parks/rec	61.1%	38.9%	FAIL
Pomona	Los Angeles	Measure X	\$37/parcel	Library	60.2%	39.8%	FAIL
Berkeley	Alameda	Measure O	\$0.00779/sqft	pools	59.7%	40.4%	FAIL
Guadalupe	Santa Barbara	Measure I	\$20/parcel	libraries	56.5%	43.5%	FAIL
McCloud Community Services District	Siskiyou	Measure Q	\$12/parcel	Library	52.7%	47.3%	FAIL
Contra Costa County Fire Protection Dist	Contra Costa	Measure Q	\$75/sfu	Fire/EMS	52.5%	47.6%	FAIL
Black Mountain Fire and Emergency Res	Siskiyou	Measure P	\$30/parcel	Fire/EMS	50.0%	50.0%	FAIL
Spalding Community Services District	Lassen	Measure V	\$70/parcel	Fire/EMS	46.4%	53.6%	FAIL
County of El Dorado	El Dorado	Measure L	\$17.58/parcel	Library -extend	44.3%	55.7%	FAIL
Laguna Beach	Orange	Measure CC	\$120/parcel	open space	44.1%	55.9%	FAIL
Lassen Community Library District	Lassen	Measure W	\$28/parcel	Library	42.7%	57.3%	FAIL
Indian Wells	Riverside	Measure R	\$171/parcel	lighting/landscapi	26.8%	73.2%	FAIL

Abandoned Vehicle Abatement Taxes

Four counties had measures to extend \$1 per motor vehicle charges to fund abandoned vehicle abatement programs. These charges were once imposed by the County Boards of Supervisors as fees without a vote of the people. The passage of Proposition 26 in 2010 requires voter approval as taxes of any extension of these charges. All four measures passed.

Abandoned Vehicle Abatement Tax

(Fees prior to Prop26 of 2010) - 2/3 voter approval required

County of Mendocino	Measure G	\$1/veh	78.8%	21.2%	PASS	extend
County of Butte	Measure H	\$1/veh	73.4%	26.6%	PASS	extend
County of Calaveras	Measure B	\$1/veh	70.9%	29.1%	PASS	extend
County of Amador	Measure U	\$1/veh	68.8%	31.2%	PASS	extend

General Obligation Bonds

There were seven local general obligation bond measures in three cities and three special districts. The three passing measures are all in the San Francisco Bay Area. Voters in Berkeley approved a bond for critical drainage and water quality improvements but turned failed to garner the two-thirds approval needed for a parks improvement bond. A hospital bond in Fremont and a parks and environmental clean-up bond in San Francisco also passed.

City, County and Special District Bond Measures (2/3 vote)

Agency Name	County	Amount	YES%	NO%	
Berkeley	Alameda	Measure M \$30 million	73.3%	26.7%	PASS
Washington Township Health Care Distri	Alameda	Measure Z \$186 million	73.0%	27.0%	PASS
San Francisco	San Francisco	Proposition B \$195million	72.0%	28.0%	PASS
Berkeley	Alameda	Measure N \$19.4million	62.1%	37.9%	FAIL
El Medio Fire Protection District	Butte	Measure M \$1million	56.5%	43.5%	FAIL
Rio Dell	Humboldt	Measure J \$2million	54.9%	45.1%	FAIL
Truckee Donner Recreation and Park Dist	Nevada/Placer	Measure J \$8.52million	54.1%	45.9%	FAIL

School Parcel Taxes

School parcel taxes fared better than non-school parcel taxes. The ballot included 25 local school parcel taxes. Sixteen passed. San Leandro USD's tax passed by 24 votes after training in the election night tally. Historically, around four out of five school parcel tax measures are approved.

School Parcel Taxes (2/3 voter approval)

Agency Name	County		Rate	YES%	NO%	
Berryessa Union School District	Santa Clara	Measure K	\$79/parcel	77.3%	22.7%	PASS
Arcata Elementary School Distri	Humboldt	Measure E	\$49/parcel	77.3%	22.7%	PASS
West Contra Costa Unified Scht	Contra Costa	Measure G	7.2c/sf	74.7%	25.4%	PASS
Little Lake City USD	Los Angeles	Measure TT	\$48/parcel	74.1%	25.9%	PASS
San Francisco Community Colle	San Francisco	Proposition A	\$79/parcel	72.5%	27.5%	PASS
West Sonoma County Union Hi	Sonoma	Measure K	\$48/parcel	72.3%	27.7%	PASS
Shoreline Unified School Distric	Marin/Sonoma	Measure C	\$185/parcel	71.5%	28.5%	PASS
Sebastopol Union School Distric	Sonoma	Measure O	\$76/parcel	71.4%	28.6%	PASS
Mill Valley School District	Marin	Measure B	\$196/parcel	70.4%	29.6%	PASS
Santa Barbara Elementary SD	Santa Barbara	Measure B	\$48/parcel	69.6%	30.4%	PASS
Centinela Valley Union High Scl	Los Angeles	Measure CL	2c/sf	69.5%	30.5%	PASS
Davis Joint Unified School Distri	Yolo/Solano	Measure E	\$204/parcel	68.9%	31.1%	PASS
Santa Barbara Unified SD	Santa Barbara	Measure A	\$45/parcel	68.6%	31.4%	PASS
Martinez Unified School District	Contra Costa	Measure C	\$55/parcel	67.7%	32.3%	PASS
Ventura Unified School District	Ventura	Measure Q	\$59/parcel	67.1%	32.9%	PASS
San Leandro Unified School Dis	Alameda	Measure L	\$39/parcel	66.8%	33.3%	PASS
Pacific Grove Unified School Dis	Monterey	Measure A	\$65/parcel	66.4%	33.6%	FAIL
Fort Ross School District	Sonoma	Measure L	\$48/parcel	65.4%	34.6%	FAIL
Contra Costa Community Colleg	Contra Costa	Measure A	\$11/parcel	64.8%	35.2%	FAIL
Three Rivers School District	Tulare	Measure I	\$60/parcel	61.6%	38.4%	FAIL
Chabot-Las Positas Community	Alameda/Contra	Measure I	\$28/parcel	62.5%	37.5%	FAIL
San Bruno Park SD	San Mateo	Measure G	\$199/parcel	58.5%	41.5%	FAIL
Westside Union SD	Los Angeles	Measure WP	\$96/parcel	53.6%	46.4%	FAIL
Mohave Unified School District	Kern	Measure N	\$42/parcel	50.4%	49.6%	FAIL
Pleasant Ridge Union School Di	Nevada	Measure K	\$92/parcel	36.7%	63.3%	FAIL

Fiscal Referenda

Local voters in effect rejected three citizen advanced measures to overturn or alter existing taxes. The approval of Measure AA in Huntington Beach validates the city's taxes extended to the annexed area of Sunset Beach.

Referenda concerning municipal fees or taxes

Agency Name		Rate	YES%	NO%	
Newcastle Fire Protection	Measure K	retain existing tax structure	61.5%	38.5%	FAIL
Huntington Beach	Measure Z	retain PropProp13 Property Tax rate for employee retirement	49.6%	50.4%	FAIL
Huntington Beach	Measure AA	retain taxes on annexed Sunset Beach area	84.0%	16.0%	PASS

School Bonds

There were 106 school bond measures on the ballot for a total of over \$14.429 billion in bonds. All but one required 55% approval. Final tabulations show 91 of the measures passed for bonds totaling \$13.279 billion, among these a \$2.8 billion bond in San Diego.

School Bond Measures

<u>Agency Name</u>	<u>County</u>		<u>Amount</u>	<u>YES%</u>	<u>NO%</u>	
Inglewood USD	Los Angeles	Measure GG	\$90million	85.9%	14.1%	PASS
Oakland Unified School District	Alameda	Measure J	\$475million	84.9%	15.1%	PASS
Earlimart School District	Tulare	Measure H	\$3.6million	81.3%	18.7%	PASS
Alum Rock Union School District	Santa Clara	Measure J	\$125million	78.8%	21.2%	PASS
Pacific Elementary School District	Santa Cruz	Measure M	\$0.83million	78.0%	22.0%	PASS
Ocean View School District	Ventura	Measure P	\$4.2million	77.4%	22.6%	PASS
Jefferson Elementary SD	San Mateo	Measure I	\$67.5million	76.2%	23.8%	PASS
Little Lake City USD	Los Angeles	Measure EE	\$18million	75.8%	24.2%	PASS
Hueneme Elementary School District	Ventura	Measure T	\$19.6million	75.7%	24.3%	PASS
McFarland Unified School District	Kern	Measure M	\$25million	75.2%	24.8%	PASS
Arcata Elementary School District	Humboldt	Measure F	\$7million	74.8%	25.2%	PASS
South Bay Union School District	San Diego	Proposition Y	\$26million	74.3%	25.7%	PASS
Soledad Unified School District	Monterey	Measure C	\$40million	73.7%	26.3%	PASS
Mt. Pleasant School District	Santa Clara	Measure L	\$25million	73.6%	26.4%	PASS
Jefferson Union High SD	San Mateo	Measure E	\$41.9million	73.5%	26.5%	PASS
Mendota Unified School District	Fresno	Measure M	\$19million	73.3%	26.7%	PASS
Palmdale SD	Los Angeles	Measure DD	\$220million	72.8%	27.2%	PASS
Washington Unified School District	Fresno	Measure W	\$22million	72.5%	27.5%	PASS
Covine-Valley USD	Los Angeles	Measure CC	\$129million	72.4%	27.6%	PASS
Stockton Unified School District	San Joaquin	Measure E	\$156million	72.1%	28.0%	PASS
Whittier Elementary SD	Los Angeles	Measure Z	\$55million	71.9%	28.1%	PASS
Bellflower USD	Los Angeles	Measure BB	\$79million	71.6%	28.4%	PASS
Delhi Unified School District	Merced	Measure E	\$8million	70.8%	29.2%	PASS
East Side Union High School District	Santa Clara	Measure I	\$120million	70.5%	29.5%	PASS
San Jose Unified School District	Santa Clara	Measure H	\$290million	70.3%	29.8%	PASS
Cerritos CCD	Los Angeles	Measure G	\$350million	69.9%	30.1%	PASS
San Bernardino City Unified	San Bernardino	Measure N	\$250million	69.6%	30.4%	PASS
Folsom Cordova Unified School District	Sacramento	Measure P	\$68million	69.4%	30.6%	PASS
Rancho Santiago Community College Dis	Orange	Measure Q	\$198million	69.3%	30.7%	PASS
Standard School District	Kern	Measure Q	\$11.2million	69.2%	30.8%	PASS
Lancaster USD	Los Angeles	Measure L	\$63million	68.8%	31.2%	PASS
Sacramento City Unified School District	Sacramento	Measure Q	\$346million	68.8%	31.3%	PASS
Roseland School District	Sonoma	Measure N	\$7million	68.2%	31.8%	PASS
Sanger Unified School District	Fresno	Measure S	\$50million	68.1%	31.9%	PASS
Hemet Unified School District	Riverside	Measure U	\$49million	68.0%	32.0%	PASS
Santa Monica-Malibu USD	Los Angeles	Measure ES	\$385million	67.7%	32.3%	PASS
El Camino CCD	Los Angeles	Measure E	\$350million	67.6%	32.4%	PASS
Rowland USD	Los Angeles/Or	Measure R	\$158.8million	67.6%	32.4%	PASS
Somis Union School District	Ventura	Measure S	\$9million	67.4%	32.6%	PASS
Chula Vista Elementary School District	San Diego	Proposition E	\$90million	66.9%	33.1%	PASS

School Bond Measures (continued)						
Agency Name	County		Amount	YES%	NO%	
Pajaro Valley Unified School Dis	Santa Cruz / Mo	Measure L	\$150million	66.7%	33.3%	PASS
San Carlos SD	San Mateo	Measure H	\$72million	66.7%	33.3%	PASS
Sacramento City Unified School	Sacramento	Measure R	\$68million	66.6%	33.4%	PASS
Burlingame Elementary SD	San Mateo	Measure D	\$56million	66.4%	33.6%	PASS
Visalia Unified School District	Tulare	Measure E	\$60.1million	66.1%	33.9%	PASS
Oxnard School District	Ventura	Measure R	\$90million	65.6%	34.4%	PASS
Brawley Elementary SD	Imperial	Measure S	\$7.5million	65.3%	34.7%	PASS
Gravenstein Union School Distr	Sonoma	Measure M	\$6million	65.1%	34.9%	PASS
Coachella Valley Unified School	Riverside/Imper	Measure X	\$41million	64.6%	35.4%	PASS
Castaic USD	Los Angeles	Measure QS	\$51million	64.5%	35.5%	PASS
Caruthers Unified School Distric	Fresno	Measure C	\$12million	64.3%	35.7%	PASS
Morgan Hill Unified School Dist	Santa Clara	Measure G	\$198.25million	64.0%	36.0%	PASS
Panama-Buena Vista Union Sch	Kern	Measure P	\$147million	63.7%	36.3%	PASS
West Contra Costa Unified Sch	Contra Costa	Measure E	\$360million	63.5%	36.5%	PASS
Redondo Beach USD	Los Angeles	Measure Q	\$63million	63.4%	36.7%	PASS
Chico Unified School District	Butte	Measure E	\$78million	63.3%	36.7%	PASS
Temple City USD	Los Angeles	Measure S	\$128.8million	63.1%	36.9%	PASS
Temecula Valley Unified School	Riverside	Measure Y	\$165million	63.0%	37.0%	PASS
Escalon Unified School District	San Joaquin	Measure B	\$19.5million	63.0%	37.0%	PASS
Nuview Union School District	Riverside	Measure V	\$4million	63.0%	37.0%	PASS
Chaffey Joint Union High Schoc	San Bernardino	Measure P	\$848million	62.9%	37.1%	PASS
Solano Community College Dist	Yolo/Solano	Measure Q	\$348million	62.3%	37.7%	PASS
Wilmar Union School District	Sonoma	Measure P	\$4million	62.3%	37.7%	PASS
Alvord Unified School District	Riverside	Measure W	\$79million	61.8%	38.2%	PASS
Antioch Unified School District	Contra Costa	Measure B	\$56.5million	61.6%	38.5%	PASS
Westside Union SD	Los Angeles	Measure WR	\$18.5million	61.4%	38.6%	PASS
Kings Canyon Joint Unified Sch	Fresno/Tulare	Measure K	\$40million	60.8%	39.2%	PASS
Wheatland Union High School I	Yuba	Measure U	\$9million	60.8%	39.2%	PASS
San Diego Unified School Distri	San Diego	Proposition Z	\$2800million	60.3%	39.8%	PASS
La Habra City School District	Orange	Measure O	\$31million	60.2%	39.8%	PASS
Fortuna High School District	Humboldt	Measure D	\$10million	60.0%	40.0%	PASS
Perris Union High School Distric	Riverside	Measure T	\$153.42million	59.5%	40.5%	PASS
Spreckels Union School District	Monterey	Measure B	\$7million	59.0%	41.0%	PASS
Tustin Unified School District	Orange	Measure S	\$135million	58.8%	41.2%	PASS
San Juan Unified School District	Sacramento	Measure N	\$350million	58.3%	41.7%	PASS
St. Helena Unified School Distri	Napa	Measure C	\$30million	57.6%	42.4%	PASS
Templeton Unified School Distri	San Luis Obisp	Measure H	\$35million	57.3%	42.7%	PASS
Lindsay Unified School District	Tulare	Measure L	\$16million	57.1%	42.9%	PASS
West Hills Community College I	Fresno/Kings	Measure L	\$12.655million	56.8%	43.2%	PASS
Ripon Unified School District	San Joaquin	Measure G	\$25.2million	56.6%	43.4%	PASS
Grossmont-Cuyamaca Communi	San Diego	Proposition V	\$398million	56.5%	43.5%	PASS
Cajon Valley Union School Disti	San Diego	Proposition C	\$88.4million	56.4%	43.6%	PASS
Weaver Union School District	Merced	Measure G	\$9million	56.1%	43.9%	PASS
Coast Community College Distri	Orange	Measure M	\$698million	56.0%	44.1%	PASS

School Bond Measures (continued)

Agency Name	County		Amount	YES%	NO%	
Anderson Union High School District	Shasta	Measure C	\$12.3million	55.9%	44.1%	PASS
Lynwood USD	Los Angeles	Measure K	\$93million	55.7%	44.3%	PASS
San Dieguito Union High School District	San Diego	Proposition AA	\$449million	55.5%	44.5%	PASS
Sonora Union High School District	Tuolumne	Measure J	\$23million	55.3%	44.8%	PASS
Dehesa School District	San Diego	Proposition D	\$3million	55.2%	44.8%	PASS
San Ramon Valley Unified School District	Contra Costa	Measure D	\$260million	55.2%	44.8%	PASS
Summerville Union High School District	Tuolumne	Measure H	\$8million	55.1%	45.0%	PASS
MiraCosta Community College District	San Diego	Proposition EE	\$497million	54.8%	45.2%	FAIL
Del Mar Union School District	San Diego	Proposition CC	\$76.8million	54.3%	45.7%	FAIL
Ocean View School District	Orange	Measure P	\$198million	53.9%	46.1%	FAIL
Willows Unified School District	Glenn	Measure P	\$14.7million	53.8%	46.2%	FAIL
Yucaipa-Calimesa Joint Unified School District	Riverside/San Bernardino	Measure O	\$98million	50.6%	49.4%	FAIL
Fountain Valley School District	Orange	Measure N	\$23.5million	49.8%	50.2%	FAIL
Ramona Unified School District	San Diego	Proposition R	\$66million	49.5%	50.5%	FAIL
Porterville Unified School District	Tulare	Measure J	\$90million	48.6%	51.4%	FAIL
Butteville Union School District	Siskiyou	Measure R	\$3.5million	46.3%	53.7%	FAIL
Santa Ynez Valley High SD	Santa Barbara	Measure L	\$19.84million	46.2%	53.8%	FAIL
Knightsen Elementary School District	Contra Costa	Measure H	\$3million	45.1%	54.9%	FAIL
College SD	Santa Barbara	Measure K	\$12million	44.1%	55.9%	FAIL
Mountain Empire Unified School District	San Diego	Proposition G	\$30.8million	43.9%	56.1%	FAIL
Elk Hills School District (114 voters)	Kern	Measure O	\$6.2million	43.0%	57.0%	FAIL
Gridley Unified School District	Butte	Measure G	\$11million	36.7%	63.3%	FAIL

Other Measures of Interest re: Local Government Finance and Governance

Appointed City Clerk, Treasurer, Administrator

There were ten proposals to make clerk or treasurer/auditor offices to professional appointments of the agency elected governing board.

Appointed City Clerk / City Treasurer / etc.

<u>Agency Name</u>			<u>YES%</u>	<u>NO%</u>	
County of Yolo	Measure H	Appt/Consolid Auditor/Control	65.8%	34.2%	PASS
Chico	Measure L	appt clerk	64.4%	35.6%	PASS
Sutter Creek	Measure T	appt clerk	61.4%	38.6%	PASS
Exeter	Measure N	appt clerk	52.5%	47.5%	PASS
Exeter	Measure O	appt treasurer	49.5%	50.5%	FAIL
Lincoln	Measure H	appt treasurer	48.4%	51.6%	FAIL
Concord	Measure J	appt treasurer	47.1%	52.9%	FAIL
County of San Mateo	Measure C	appt controller	40.5%	59.5%	FAIL
Taft	Measure S	appt clerk	30.3%	69.7%	FAIL
County of Los Angeles	Measure A	Appt Assessor - Advisory	22.3%	77.8%	FAIL

Charter Cities

Voters in three cities considered becoming charter cities.

Charter City

<u>City</u>		<u>YES%</u>	<u>NO%</u>	
Escondido	Proposition P	47.1%	52.9%	FAIL
Costa Mesa	Measure V	40.7%	59.3%	FAIL
Grover Beach	Measure I	50.2%	49.8%	PASS

Local Ballot Box Reaction to Citizens United

Five local measures were approved declaring that corporations are not persons. The Richmond measure reads: "Should Richmond's congressional representatives be instructed to propose, and Richmond's state legislators instructed to ratify, an amendment to the United States Constitution to provide that corporations are not entitled to the Constitutional rights of real people, and that there should be limits on all spending in political campaigns, including ballot measures and "independent" expenditures?"

Corporations are Not Persons

<u>Agency Name</u>		<u>YES%</u>	<u>NO%</u>	
Chico	Measure K	58.1%	41.9%	PASS
Arcata	Measure H	81.6%	18.4%	PASS
Richmond	Measure P	72.4%	27.6%	PASS
San Francisco	Proposition G	80.7%	19.3%	PASS
County of Mendocino	Measure F	73.3%	26.7%	PASS

Observations

At the local government level, voters can usually connect the direct consequences of the passage or failure of a tax measure to specific public services or facilities – rather than just dollar values. This confidence and understanding in what the money will do is essential to passing a measure. By contrast, a source of the failure of many statewide tax measures has been voter uncertainty about what the funds will truly be used for, that the government has done reasonably the best it can with the revenues it already receives, and what the consequences are of passage or failure in terms of specific important public services and facilities.

The success of most city majority vote general purpose tax proposals in this election demonstrates this. Most of the successful city or county measures were majority vote general purpose taxes in cities where a majority of the voters were apparently confident that the money is necessary and trusted their local elected leaders to use it well. They had seen enough of the city's efforts to balance their budgets with existing resources and believed those efforts were sincere and that the additional tax revenue is necessary and worth paying.

On the other hand, very few non-school super-majority taxes are passing these days except for extensions of existing taxes.

But supermajority vote parcel taxes for schools continue to pass – about two out of three succeed – consistent with what we have seen historically. As for school bonds, 91 of 106 bond measures passed, slightly exceeding historic passage rates.

For more information: Michael Coleman 530-758-3952. coleman@muni1.com

Source: County elections offices.

mc

Local Super-Majority Voting Rules and Results

Article XIII of the California State Constitution requires majority voter approval for locally imposed general taxes and a two-thirds supermajority requirement for special taxes. A special tax is a tax earmarked for a specific purpose (*City and County of San Francisco v. Farrell 1982*). Parcel taxes, non-value-based taxes on real property, require two-thirds supermajority voter approval.

With the exception of certain school bonds, two-thirds approval of voters is also required for general obligation bonds. The proceeds of these bonds must be used for the acquisition or improvement of real property. Voter approved rates levied for the debt service of these bonds may be in addition to the limit on ad valorem property taxes of one percent of full cash value of a property.

Proposition 39 (2000) reduced the voter approval requirement for certain school bonds to 55 percent. School districts, community college districts, or county offices of education may issue bonds "for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities" upon approval by 55% of voters of a measure which:

1. lists the specific school facilities projects to be funded, and must certify that the governing board has evaluated safety, class size reduction and information technology needs in developing the list;
2. requires that the governing board conduct an annual independent performance audit to ensure that the funds have been expended only on the specific projects listed; and
3. requires that the governing board conduct an annual independent financial audit of the bond proceeds until all of the proceeds have been expended.

Section 15268 of the Education Code stipulates that a district may only issue bonds using the 55% voter approval procedure if, taking into account any increases in the tax base allowed under Proposition 13, the district projects that the tax rate needed to pay debt service on the bonds will not, exceed the applicable limit of \$60 per \$100,000 for unified school districts, \$30 per \$100,000 for elementary and high school districts.

Approval Requirements for Local Taxes

	City	County	Special District	School District	Approval Required
General Tax	✓	✓	-	-	majority
Special Tax	✓	✓	✓	-	2/3 supermajority
Parcel Tax	✓	✓	✓	✓	2/3 supermajority
G.O. Bond	✓	✓	✓	✓	2/3 supermajority
55% Vote Bond	-	-	-	✓	55%

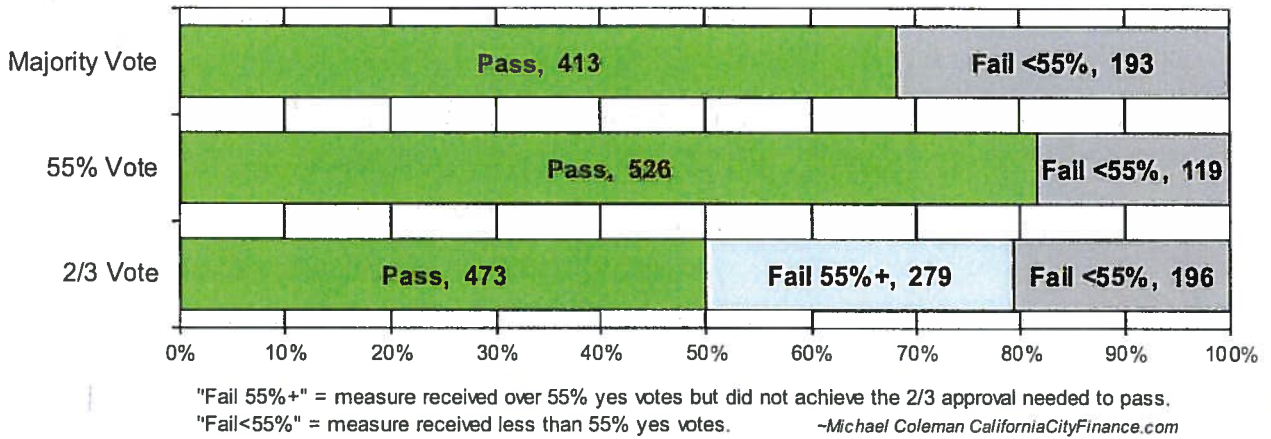
✓ = May propose.

The types of taxes that may be proposed are further limited in law.

Proposed Local Measures Since 2001 – and the 55% Threshold

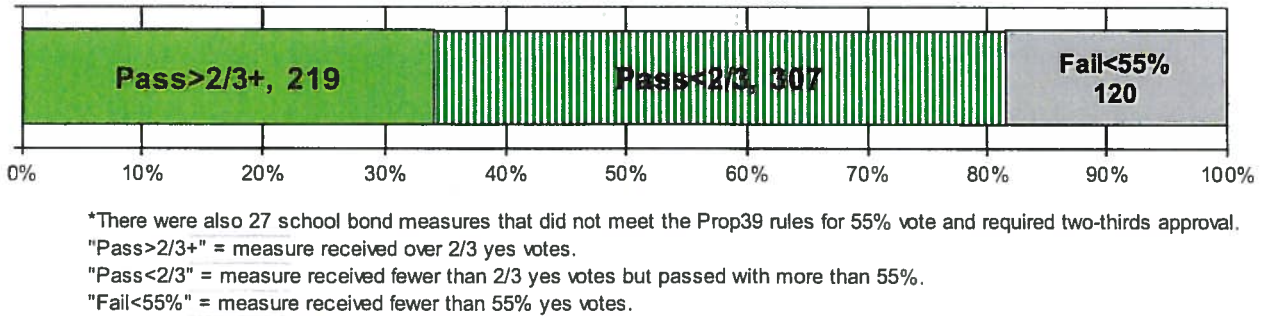
Since 2001 and through the November 2012 election, over 2,200 local revenue measures have been placed before local voters concerning school, city, county or special district taxes or bonds. Despite their general purpose use, majority vote tax measures have been more likely to pass. Two out of three of these measures passed. But fifty-five percent school bonds have been the most successful with four out of five passing. In contrast, just half of two-thirds vote measures succeeded. It appears a 55% voter threshold for special taxes would have made a dramatic difference: nearly 80% of all two-thirds supermajority measures garnered more than 55% yes votes.

Local Revenue Measures Since 2001 through November 2012
Cities, Counties, Special Districts and K-14 Schools



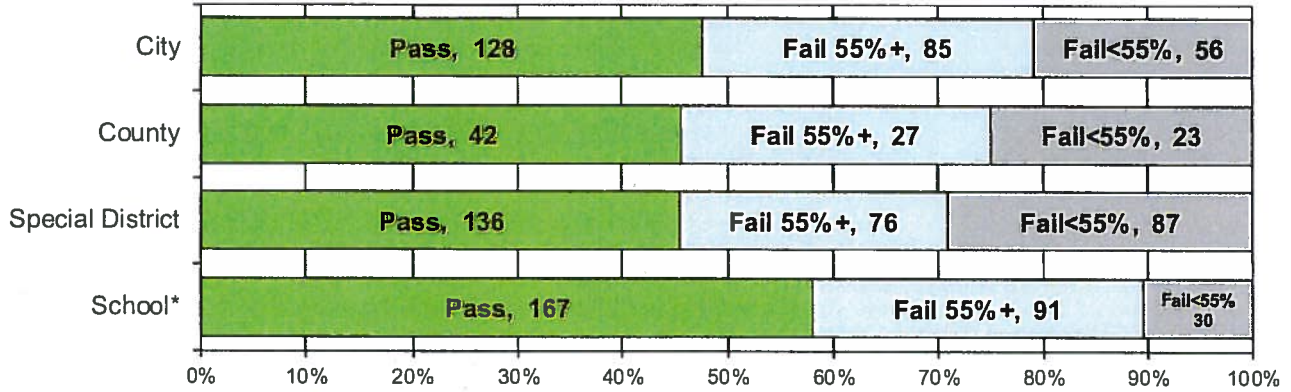
The 55% vote threshold appears to have made a dramatic difference in the success of school bonds. Fewer than half of the succeeding measures achieved the two-thirds approval level required of other bonds and special taxes.

55% School Bond Measures* since 2001 through November 2012



Among these two-thirds vote special taxes and bonds, school measures tended to do better than others. Nearly 90% of two-thirds vote school measures received over 55% voter approval.

Local Special Tax and G.O. Bond Measures Since 2001 through November 2012
 Cities, Counties, Special Districts and K-14 Schools



*School measures included here include parcel taxes and 2/3 vote bonds. Excludes 55% vote bonds.

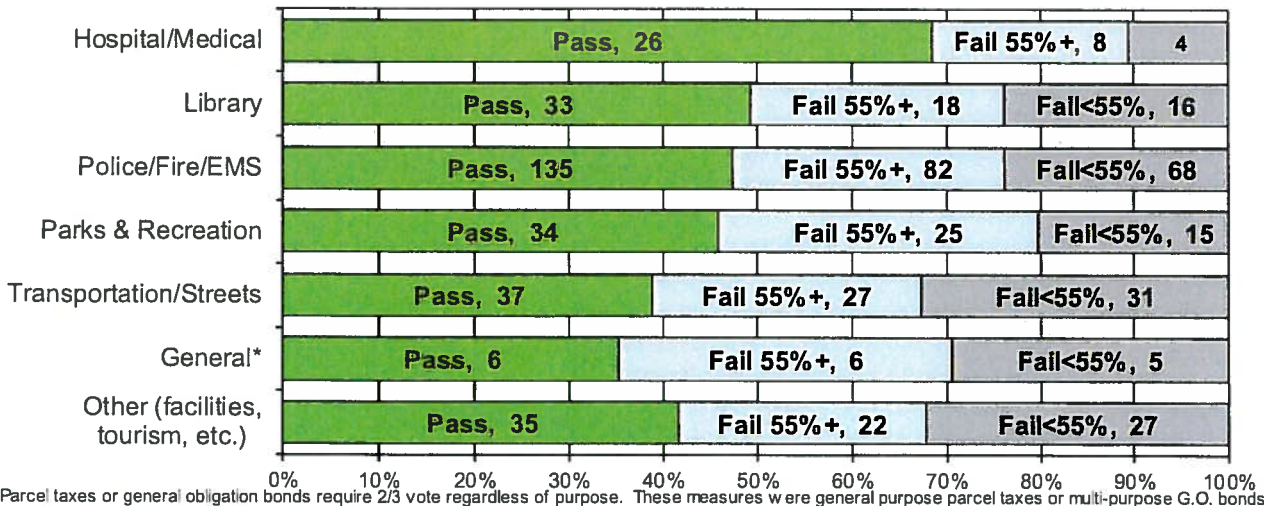
"Fail 55%+" = measure received over 55% yes votes but did not achieve the 2/3 approval needed to pass.

"Fail <55%" = measure received less than 55% yes votes.

-Michael Coleman CaliforniaCityFinance.com

There appears to be some variation as to success rate among non-school special tax and bond measures depending on the purpose of the measure. Hospital/medical measures have been more successful than others.

Local Special Tax & G.O. Bond Measures
 Cities, Counties, and Special Districts



*Parcel taxes or general obligation bonds require 2/3 vote regardless of purpose. These measures were general purpose parcel taxes or multi-purpose G.O. bonds.

"Fail 55%+" = measure received over 55% yes votes but did not achieve the 2/3 approval needed to pass.

"Fail <55%" = measure received less than 55% yes votes.

-Michael Coleman CaliforniaCityFinance.com



For More Information:

- Local tax measures and election results: <http://www.californiacityfinance.com/#VOTES>
- Coleman, Michael. *The California Municipal Revenue Sources Handbook*, 2008 Edition. Sacramento: League of California Cities, 2008.



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TO: Interested parties
FROM: Alex Evans and Molly O'Shaughnessy, EMC Research
DATE: July 21, 2010
RE: Results of Antioch voter survey

From June 21-24, 2009, EMC Research conducted a telephone survey of 400 registered voters in the City of Antioch who are likely to vote in the November 2010 election. The results of the survey show that voters are pessimistic about the direction of the City and give the City weak job ratings for providing services and managing the City budget. At the same time, many voters are aware of the City's budget problems, most are very concerned about crime and public safety, and a majority of voters feel the City has a great need for additional funding. A majority of voters are inclined to support a November ballot measure enacting a half-cent general purpose sales tax to fund city services. Providing voters with additional information about the measure, potential uses of the funds, and provisions for audits and oversight leads to increased support for a tax measure.

The balance of this memo details key findings from the survey.

Voters are dissatisfied and pessimistic about Antioch, but understand the City's fiscal need

Antioch voters are in a negative mood about the City. When asked about the overall direction of the City, 63% of respondents said that things in Antioch are "pretty seriously off on the wrong track." Just over one-third (35%) of voters give the City an "excellent" or "good" rating for overall delivery of City services, with 46% giving a "fair" rating and 16% "poor." Only 18% give the City an "excellent" or "good" rating for managing the City's budget and finances, with 37% "fair" and 32% "poor." These results are similar to the attitudes found in other Bay Area communities as well as statewide and national voter opinions in the current economic climate.

Despite this negative mood, Antioch voters understand the City's need for additional revenue to support basic services. The majority of voters have heard about the City making budget cuts and laying off workers – 31% say they have heard a lot, 32% say they have heard a little. A solid 57% majority of voters feel the City has "a great need" for more funding, and another 28% think the City has "some need." In addition, 62% of Antioch voters agree with the statement *maintaining City services should be a high priority, even if it means raising taxes.*

Crime and maintaining public safety services are voters' top concerns

Antioch voters are greatly concerned about crime, gangs and preserving police and emergency services. When asked in an open-ended question to name the most important problem facing the City of Antioch, 36% volunteered a response relating to crime, gangs, violence, or the need for police services. The next most common response was the City budget crisis and taxes, with 10% of voters offering this response. Voters were also given a list of issues and asked to rate

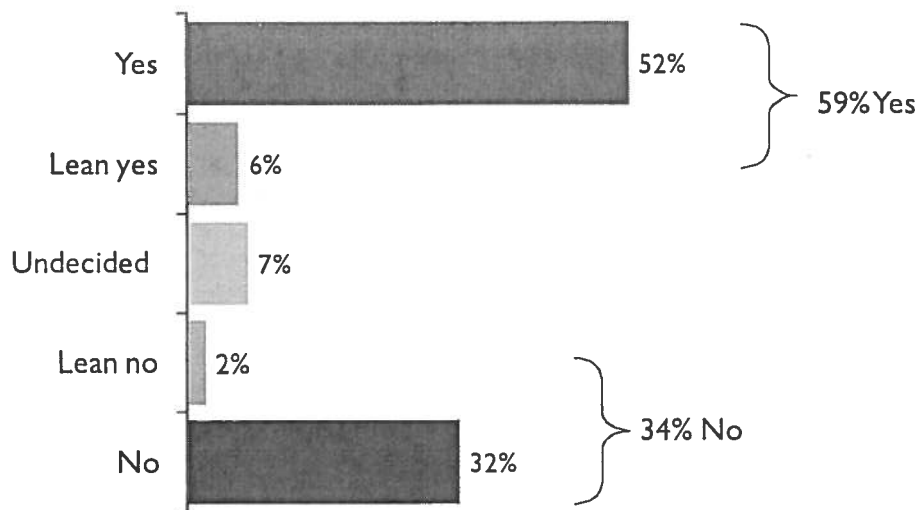
how high a priority each one should be for the City of Antioch. *Reducing crime and gang activity* was rated the highest priority, with 80% of voters calling it a “very high priority” for the City. *Maintaining police and emergency services* was rated a “very high priority” by 77% of voters. These ratings are a positive indicator for the success of a potential sales tax measure, showing a match between voter priorities for the City and the predominant uses of City funds.

A majority of Antioch voters support a tax measure to preserve City services

In order to test support for a number of different tax mechanisms for the City of Antioch, the survey first asked a “generic” question about a tax measure to fund general City services, and then asked about several specific types of taxes – a half cent sales tax, a 5% utility tax, and parcel tax measures of \$120 or \$200. The results show that a majority of voters are inclined to support a tax measure, but that support varies significantly by the type of tax, and there does not appear to be adequate support among voters for any tax requiring a two-thirds supermajority. When the survey presented a tax measure for general City services with an unspecified tax mechanism, 59% of voters said they would vote yes, 34% said they would vote no, and 7% were undecided. See Figure 1 for results.

Figure 1: Support for a “Generic” Tax Measure

There may be a measure on the ballot this November that would raise taxes in the City of Antioch to prevent further severe cuts to all Antioch city services including: preventing police layoffs and maintaining neighborhood police patrols; fixing potholes and maintaining local streets and sidewalks; restoring code enforcement services; and cleaning up abandoned and foreclosed properties. This measure would dedicate all funds to all Antioch city services and would require annual audits and citizen oversight of all funds. If the election were today, would you vote yes to approve or no to reject this ballot measure?

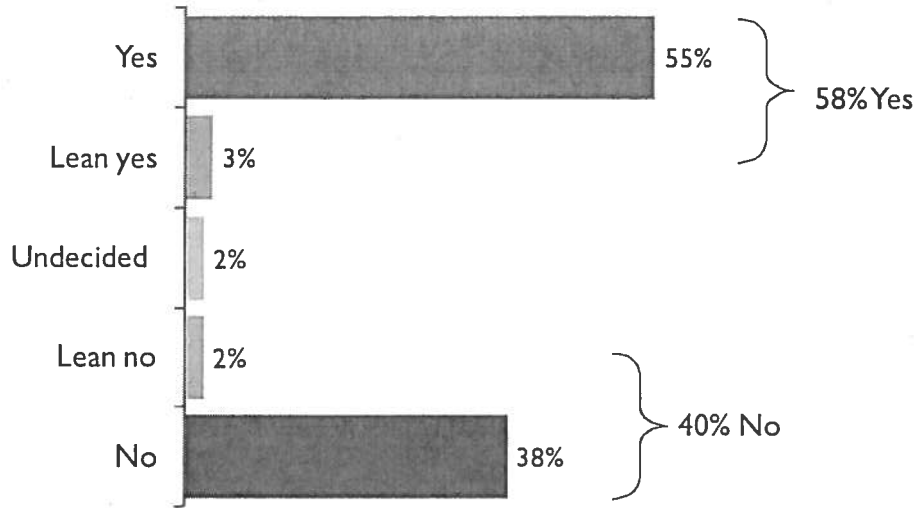


A majority of voters also support a half-cent sales tax to fund City services

When voters were presented with specific types of taxes, support varied significantly. While neither a utility tax nor a parcel tax drew majority support, 58% of Antioch voters said they would support a half-cent sales tax to fund City services, with 40% voting no and 2% undecided. See Figure 2 on the following page.

Figure 2: Support for a Half-Cent General Sales Tax Measure

Would you vote yes to approve or no to reject a one half cent local sales tax to fund essential city services, including police, street repairs and code enforcement?



Support for a City tax measure is broad and increases after voters hear more information

Another positive indicator for the success of a City sales tax measure is the broad support found across demographic subgroups of the voter population. The sales tax measure draws majority support from voters over age 65 (58% yes), the most frequent voters (56% yes among 6/6 voters), homeowners (56% yes) and Republicans (51% yes) – all groups who are typically less likely to support tax measures. In addition, support for a tax measure increases when voters hear additional information about the City’s budget crisis, potential uses of tax funds, and the fiscal accountability protections included in the measure. After voters hear this information, support for the tax measure increases to 63%.

Conclusions

Results of the June survey of likely November 2010 voters in Antioch show that voters are dissatisfied with City services and financial management, but they also show that voters understand City’s need for additional revenue. A majority of voters say that preserving City services is important even if additional taxes are needed. While there does not appear to be adequate support for any measure requiring a two-thirds supermajority vote, passage of a general tax measure requiring majority support appears to be feasible. A 59% majority support a tax for City services with an unspecified tax mechanism, and a 58% majority support a half-cent sales tax to fund City services. Other positive indicators of a measure’s chances for success include the match between voter concerns about crime and the likely uses of the tax revenues; and the broad support for a measure across demographic groups traditionally opposed to tax measures.

Telephone Survey of City of Antioch Voters
EMC Research 10-4295
DRAFT June 15, 2010

Hello, my name is _____, may I speak with (NAME ON LIST). **MUST SPEAK WITH NAME ON LIST**

Hello, my name is _____, and I'm conducting a survey for EMC Research to find out how people in Antioch feel about some of the different issues facing them. We are not trying to sell anything, and are collecting this information on a scientific and completely confidential basis.

1. Sex (record from observation)
 1. Male
 2. Female

2. Age (from sample)
 1. 18-29
 2. 30-39
 3. 40-49
 4. 50-64
 5. 65+
 6. Blank

3. What would you say are the chances that you will vote in the November 2010 election for Governor, U.S. Senator, Congress and other offices and measures? Are you almost certain to vote, will you probably vote, are the chances 50/50, or do you think you will not vote in the November election?
 1. Certain → CONTINUE
 2. Probably → CONTINUE
 3. 50/50 Chance → CONTINUE
 4. Will not vote/(Don't know) → TERMINATE

4. Do you think things in Antioch are generally going in the right direction, or do you feel that things are pretty seriously off on the wrong track?
 1. Right direction
 2. Wrong track
 3. (Don't know)

5. What do you think is the most important problem facing Antioch today? (One response only.)

For each of the following items, please tell me how high a priority that item should be for the City of Antioch. Use a scale of 1 to 7, where 1 means a very low priority and 7 means a very high priority.

SCALE: 1 2 3 4 5 6 7 | 8

Very low priority

Very high priority | (Don't Know)

(Randomize)

.... How high a priority should this be for Antioch where 1 is a very low and 7 is very high.

6. Improving public education
7. Creating local jobs
8. Fixing potholes and maintaining local streets and sidewalks
9. Reducing crime and gang activity
10. Maintaining police and emergency services
11. Maintaining clean and safe parks and recreation facilities
12. Enforcing city codes to reduce blight
13. Enforcing city codes to clean up foreclosed and abandoned properties
14. Maintaining the city animal shelter and animal services
15. Restoring city funding for community events like the Fourth of July fireworks

16. How would you rate the job that the City of Antioch is doing in providing city services? Would you say the City is doing an excellent, good, fair, or poor job?
 1. Excellent
 2. Good
 3. Fair
 4. Poor
 5. (Don't know)

17. How would you rate the job that the City of Antioch is doing in managing the City's budget and finances? Would you say the City is doing an excellent, good, fair, or poor job?
 1. Excellent
 2. Good
 3. Fair
 4. Poor
 5. (Don't know)

18. Would you say that the City of Antioch has a great need for additional funding, some need, a little need, or no real need for additional funding?
 1. Great need
 2. Some need
 3. Little need
 4. No need
 5. (Don't know)

19. Have you heard or read anything recently about the City of Antioch making cuts to City services and laying off City workers? (IF YES ASK: Have you heard a lot about it or just a little?)
 1. Yes, heard a lot
 2. Yes, heard a little
 3. No, haven't heard
 4. (Don't know)

For each of the following statements please tell me if you strongly agree, somewhat agree, somewhat disagree or strongly disagree with the statement.

SCALE: 1. Strongly Agree 2. Somewhat Agree
 3. Somewhat Disagree 4. Strongly Disagree 5. (No Opinion/DK)

BEFORE EACH: The (first/next) one is...

(IF NEEDED) Do you strongly agree, somewhat agree, somewhat disagree or strongly disagree with the statement?

(RANDOMIZE)

20. My property taxes have declined in recent years.
21. Taxes are already high enough. I would vote against any tax increase regardless of how it might be used.
22. The City of Antioch already has enough money, it is just not spent properly.
23. Maintaining City services should be a high priority, even if it means raising taxes.

24. There may be a measure on the ballot this November that would raise taxes in the City of Antioch to prevent further severe cuts to all Antioch city services including: preventing police layoffs and maintaining neighborhood police patrols; fixing potholes and maintaining local streets and sidewalks; restoring code enforcement services; and cleaning up abandoned and foreclosed properties. This measure would dedicate all funds to all Antioch city services and would require annual audits and citizen oversight of all funds. If the election were today, would you vote yes to approve or no to reject this ballot measure? **(IF UNDECIDED)** Well which way do you lean — toward voting yes to approve, or voting no to reject the measure?
 1. Yes, approve
 2. (Lean yes, approve)
 3. No, reject
 4. (Lean no, reject)
 5. (Undecided/Don't know)

25. Would you vote yes to approve or no to reject this ballot measure if it were to expire in 8 years? **(IF UNDECIDED)** Well which way do you lean — toward voting yes to approve, or voting no to reject the measure?
 1. Yes, approve
 2. (Lean yes, approve)
 3. No, reject
 4. (Lean no, reject)
 5. (Undecided/Don't know)

26. Let me ask you about a slightly different ballot measure. How would you vote on a measure that would raise taxes in the City of Antioch with all funds dedicated only to police services? **(IF UNDECIDED)** Well which way do you lean — toward voting yes to approve, or voting no to reject the measure?
 1. Yes, approve
 2. (Lean yes, approve)
 3. No, reject
 4. (Lean no, reject)
 5. (Undecided/Don't know)

The final structure of a ballot measure has not yet been decided. I'm going to read you descriptions of some specific measures that may be on the ballot in Antioch this November. After each one, please tell me if you would vote yes to approve the measure or no to reject it. **(RANDOMIZE)**

(IF UNDECIDED) Well which way do you lean — toward voting yes to approve, or voting no to reject the measure?

SCALE: 1. Yes, approve 2. (Lean yes, approve)
 3. No, reject 4. (Lean no, reject) 5. (Undecided/Don't know)

BEFORE EACH: Would you vote yes to approve or no to reject...

27. A one half cent local sales tax to fund essential city services, including police, street maintenance and code enforcement?
28. A Utility Users Tax of 5 percent on gas, electricity, video and telecommunications services to fund essential city services, including police, street repairs and code enforcement?
29. An annual parcel tax of one hundred twenty dollars per parcel to fund essential city services, including police, street repairs and code enforcement?
30. An annual parcel tax of two hundred dollars per parcel to fund essential city services, including police, street repairs and code enforcement?

I'm going to read you some things that have been said by supporters of a ballot measure that would raise taxes in the City of Antioch to prevent severe cuts to Antioch city services including: preventing police layoffs and maintaining neighborhood police patrols; fixing potholes and maintaining local streets and sidewalks; restoring code enforcement services; and cleaning up abandoned and foreclosed properties. For each item, please tell me if hearing this makes you more likely to vote yes or more likely to vote no on the measure.

SCALE: 1. Much more likely to vote yes 2. Somewhat more likely to vote yes
 3. Somewhat more likely to vote no 4. Much more likely to vote no
 5. (No difference) 6. (Don't know)

BEFORE EACH: The (first/next) one is...

AFTER EACH: ... does hearing this make you more likely to vote yes or more likely to vote no on this measure? (is that much or somewhat more/less likely?)

(RANDOMIZE)

31. Because of the weak economy and the state budget crisis, the City of Antioch has lost nearly one third of its revenues. The City has made severe cuts to services, laid off 25 percent of City workers, and required other workers to take unpaid days off; and the City still has a 8.5 million dollar budget deficit for the next year. Without new tax revenues, even more cuts to basic City services will be needed.
32. If this ballot measure fails, there is a chance the City of Antioch may be forced to declare bankruptcy, like the City of Vallejo did recently.
33. The City budget crisis has forced the Police Department to stop replacing officers who retire or leave the city, and the police department now has 20 fewer officers than it did 2 years ago. Without new tax revenue, the City will have to make additional cuts to the Police Department, which will increase 9-1-1 response times and make our streets more dangerous.
34. The City budget crisis has led to the elimination of the entire City code enforcement department. This tax measure will allow the City to resume code inspections on foreclosed and abandoned properties and force property owners to clean up blight and fix dangerous conditions.

35. Antioch is a great place to live and to raise a family. We should vote to keep our city safe and protect basic City services to preserve our community's quality of life.
36. This measure requires annual public audits to ensure that all funds are spent as promised. All funds from this ballot measure will stay in Antioch, and not one dollar can be taken by the state.
37. Now that you've heard more about it, let me ask you again about a ballot measure that would raise taxes in the City of Antioch to prevent further severe cuts to all Antioch city services including: preventing police layoffs and maintaining neighborhood police patrols; fixing potholes and maintaining local streets and sidewalks; restoring code enforcement services; and cleaning up abandoned and foreclosed properties. This measure would dedicate all funds to all Antioch city services and would require annual audits and citizen oversight of all funds. If the election were today, would you vote yes to approve or no to reject this ballot measure? **(IF UNDECIDED)** Well which way do you lean — toward voting yes to approve, or voting no to reject the measure? **(IF UNDECIDED)** Well which way do you lean — toward voting yes to approve, or voting no to reject the measure?
1. Yes, approve
 2. (Lean yes, approve)
 3. No, reject
 4. (Lean no, reject)
 5. (Undecided/Don't know/Depends on measure)
38. Opponents of this measure say that families are struggling to make ends meet, and this is a terrible time to ask for a tax increase. City Council and bureaucrats have caused this crisis with years of incompetence, waste and poor management; and the City should tighten its budget just like everyone else in these hard times. Now that you've heard more about it, would you vote yes to approve or no to reject a ballot measure that would raise taxes in the City of Antioch to prevent further severe cuts to all Antioch city services including: preventing police layoffs and maintaining neighborhood police patrols; fixing potholes and maintaining local streets and sidewalks; restoring code enforcement services; and cleaning up abandoned and foreclosed properties? **(IF UNDECIDED)** Well which way do you lean — toward voting yes to approve, or voting no to reject the measure?
1. Yes, approve
 2. (Lean yes, approve)
 3. No, reject
 4. (Lean no, reject)
 5. (Undecided/Don't know/ Depends on measure)
39. It is possible that there might be two local tax measures on the ballot this November: a school parcel tax for neighborhood schools in the Antioch Unified School District and a city tax to fund City of Antioch city services including police, street repairs and code enforcement. If both of these measures were on the ballot in November, how would you vote: yes on both measures, yes on only one of the measures, or no on both measures? **(IF YES ON ONLY ONE)** Would you vote yes on the schools measure or the city measure?
1. Yes on both
 2. Yes on schools measure only
 3. Yes on city measure only
 4. No on both
 5. (Undecided/Don't know)

Now I'd like to ask you a few questions for statistical purposes only.

40. Do you own or rent your home?
1. Own
 2. Rent
 3. (Other/DK/Refused)
41. What is the last grade you completed in school?
1. Some grade school
 2. Some high school
 3. Graduated High School
 4. Technical/Vocational
 5. Some College
 6. Graduated College
 7. Graduate/Professional
 8. (Don't Know/Refused)
42. In terms of your job status, are you employed, unemployed but looking for work, retired, a student or a homemaker?
1. Employed
 2. Unemployed
 3. Retired
 4. Student
 5. Homemaker
 6. (Other)
 7. (Don't Know)
43. Would you consider yourself to be Black or African-American, White, Hispanic or Latino, Asian or something else?
1. Black/African-American
 2. White
 3. Hispanic/Latino
 4. Asian
 5. Other
 6. (Refused)
44. In what year were you born? **(Do not read categories, code as appropriate)**
1. 1935 or earlier (75+)
 2. 1936-1940 (70-74)
 3. 1941-1945 (65-69)
 4. 1946-1950 (60-64)
 5. 1951-1955 (55-59)
 6. 1956-1960 (50-54)
 7. 1961-1965 (45-49)
 8. 1966-1970 (40-44)
 9. 1971-1975 (35-39)
 10. 1976-1980 (30-34)
 11. 1981-1985 (25-29)
 12. 1986-1992 (18-24)
 13. (Refused)

THANK YOU!

Party Registration (from sample)

Democrat
Republican
DTS/Other



**CONTRA COSTA COUNTY
CLERK/RECORDER -ELECTIONS DIVISION**

555 ESCOBAR STREET
MARTINEZ, CALIFORNIA 94553
(925) 335-7800 FAX (925) 335-7836
www.cocovote.us

STEPHEN L. WEIR
COUNTY CLERK

CANDY LOPEZ
ASSISTANT REGISTRAR

February 19, 2013
Christina Garcia, Deputy City Clerk
City of Antioch

Under the Federal Help America Vote Act (HAVA), and state law, every polling site is required to provide at least one accessible voting unit, which will allow voters with visual/physical impairments to vote confidentially and unassisted. In addition, HAVA requires that voters who vote for more candidates than there are positions to be elected be notified and given a chance to correct that vote. To accommodate both requirements, Contra Costa County changed voting systems in 2005.

The new voting system equipment was purchased with state and federal funds and no capital charges will be included in election billings, however, other associated costs have impacted the cost of having an election. The costs for supplies, training polling place workers and equipment delivery have all increased, as has staff labor needed to prepare and test the equipment prior to each election. Because of the number of variables involved in preparing for and conducting an election, it is not possible to predetermine the final actual cost.

Estimate for **City of Antioch**
Registered voters 2-15-13: 43,671

Special Municipal Election

Estimate – Special Stand All Mail Ballot Election:	\$ 4.75 per registered voter
Estimate – Special Stand Alone Polling Place Election:	\$ 5.75 per registered voter

When you receive an estimate from the Elections Office you are cautioned the estimate is just an approximation arrived at by comparing costs for prior elections in other jurisdictions and not by attempting to project any actual costs for the upcoming election. Actual costs will vary from one election to another election and between jurisdictions during a consolidated election. The actual cost may be significantly more or less than this estimate, and will depend on supply and paper costs, fuel costs, labor costs and the number of jurisdictions consolidating with the election. The elections official will bill the jurisdiction for the actual costs of the election conducted or a pro rata share of the actual costs if the election is consolidated.

Sincerely,
Candy Lopez, Assistant County Registrar

**STAFF REPORT TO THE CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF MARCH 12, 2013**

Prepared by: Ken Warren, Assistant Engineer *vw*
Approved by: Ron Bernal, Public Works Director / City Engineer *REB*
Date: March 5, 2013
Subject: Nelson Ranch Park Informational Update (PW 547-P)

RECOMMENDATION

It is recommended that the City Council receive and file this staff report.

BACKGROUND

Nelson Ranch Park has a linear design and is located along the south side of Wild Horse Road from Ridgeline Drive to just east of Le Conte Circle. South of the park is KB Homes' Viera Ranch II, Phase III residential subdivision and the Contra Costa Water District corporation yard. North of the park site is the 369-lot Nelson Ranch subdivision with residential housing units being built by Standard Pacific Homes. Park construction is funded by Park-In-Lieu fees paid via building permits by home builders. A Vicinity Map is provided as Attachment "A".

Dating back to late 2011 after park construction had commenced several Menona Court residents with homes that back up to the park expressed concerns about the proximity of park improvements to their homes. In early 2012 these residents spoke at a Council meeting on this matter. Council responded with several recommendations to mitigate the expressed concerns. At a subsequent Council meeting on April 24, 2012, several residents from the Sweetwater Street Neighborhood Watch Group in the Nelson Ranch Subdivision spoke during public comments about concerns they had with potential changes to the approved park design. In response to their comments, Council received a staff report at their May 8, 2012 meeting, heard and considered both the Sweetwater Street Neighborhood Watch Group and the Menona Court resident's concerns, and directed staff to have the park developer raise the height of four Menona Court resident's rear walls from 6 feet to 8 feet, with the condition that all four Menona Court property owners provide their permission prior to the beginning of construction. Subsequent to this meeting, staff learned that a fifth property owner's consent was required.

At their September 11, 2012 meeting Council received a park update from staff. At that meeting Julie and Chris Young reported certain negative impacts from usage of the facility to their quality of life, privacy and security, and requested that the City address their concerns. At that meeting, staff informed Council that only one of the four (in

reality, two of the five) Menona Court residents had returned a signed Right-of-Entry agreement and that the work had not been performed. Council received and filed the report and directed staff to bring the item back 90 days after the completion of the fence improvements for the four (actually, five) properties identified by the City Engineer.

During public comments at the February 12, 2013 Council meeting, Julie Young introduced herself to the new Council members who may not have been familiar with her objection to the park and gave a brief summary of her interaction with staff and the Council to date. Mrs. Young reiterated her concern that the close proximity of park improvements to the rear wall of her residence resulted in a loss of privacy and safety. Council directed staff to agendize a staff report for the next available Council meeting. In addition to e-mailing residents who have expressed past interest in this matter, on February 26, 2013 staff mailed a meeting notice, shown as Attachment "B", to owners of properties within a 300' radius of the park, which includes the Menona Court property owners and many property owners who make up the Sweetwater Street Neighborhood Watch Group.

Park Update

Nelson Ranch Park was opened to the public on June 20, 2012 and to date is functioning and operating as expected. Members of the public who have contacted City staff have made positive comments about the park and its contribution to the neighborhood. Since the current staff report was agendized, Council has received a steady stream of e-mails from Monterra and Vierra Ranch subdivision property owners in favor of retaining the park with all of its amenities, including the play structures, sandbox, picnic tables, shade structures, BBQ pits, basketball court, bathrooms, lighting and open spaces, in their current configuration.

To assess whether Antioch's newest park has had more calls or more severe problems than other established parks, staff requested that the Police Department provide "calls for service" ('calls') data from June 24, 2012 to February 27, 2013. Captain Stephen McConnell of the Field Services Division reported 'calls' data from the subject park with a random sampling of eight other City parks operating during the same time period:

- Nelson Ranch Park 15 calls;
- Almondridge Park 15 calls;
- Dallas Ranch Park 26 calls;
- Gentrytown Park 28 calls;
- Country Manor Park 30 calls;
- Chichibu Park 35 calls;
- Williamson Ranch Park 51 calls;
- City Park 57 calls; and
- Knoll Park 75 calls.

Captain McConnell also reported the date and nature of each 'call' to Nelson Ranch Park, which is appended as Attachment "C". Captain McConnell concluded that the volume of calls at Nelson Ranch Park was not excessive and that the types of calls were similar in nature to, and in most cases much milder than, those reported at some of the other City parks.

FINANCIAL IMPACT

The developer has completed all of the park improvements. In accordance with the terms of the park reimbursement agreement, 80% of the total estimated park cost was reimbursed to the developer from the City's Park-In-Lieu Fund at the end of last year. Staff is awaiting a final accounting of all park costs from Standard Pacific Housing. Once the accounting is complete, staff will bring an item to the Council to accept the park improvements.

In June 2012, a design and build cast-concrete wall manufacturer estimated that it would cost approximately \$34,200 to extend the rear property walls to a minimum height of 8 feet. This would involve adding a section to the top of the existing wall that would match the look of the existing wall in an aesthetically pleasing manner. If all affected property owners consent, the wall extension cost would be paid from Park-In-Lieu funds.

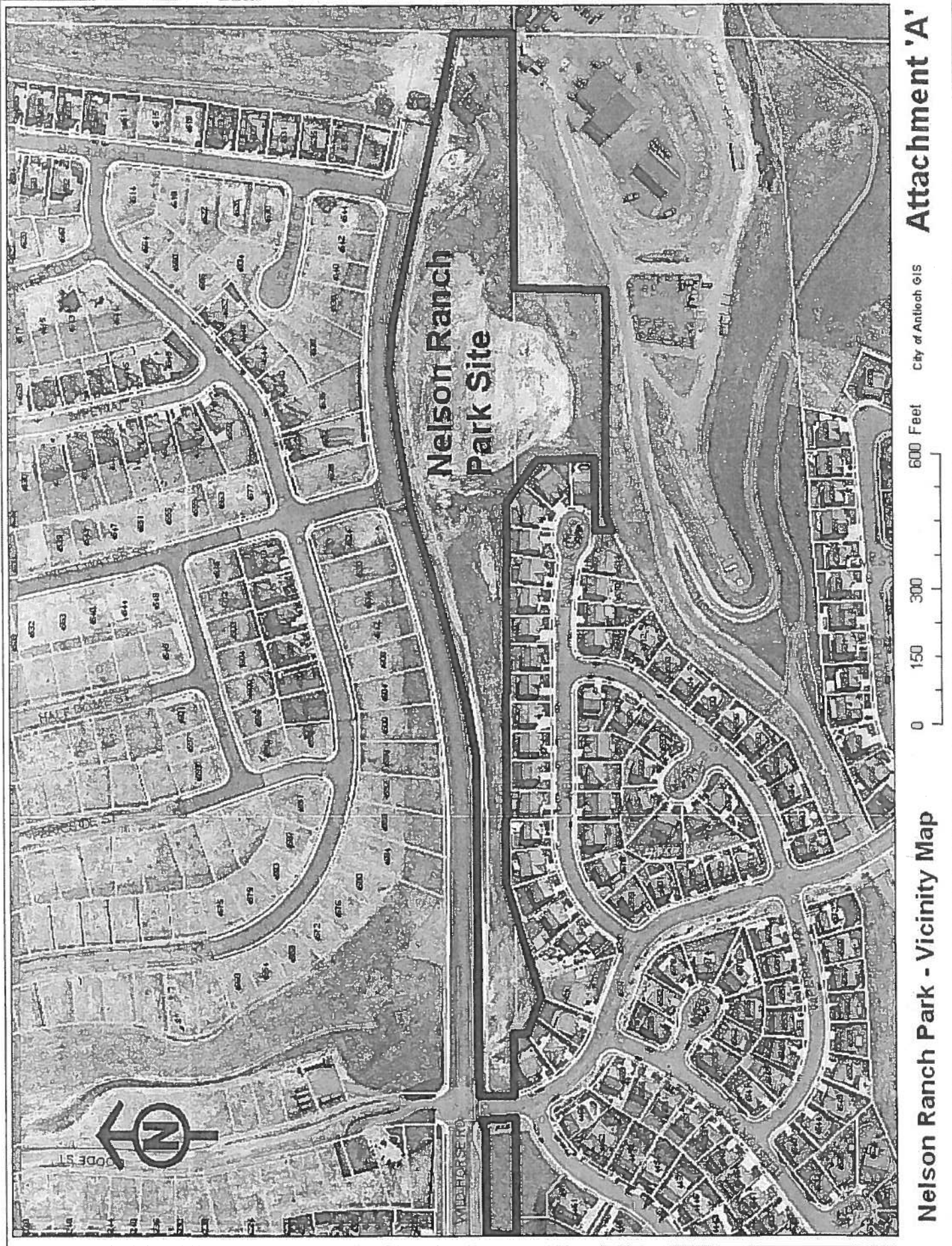
OPTIONS

None recommended.

ATTACHMENTS

- A: Vicinity Map
- B: Meeting Notice to Property Owners
- C: Nelson Ranch Park "Calls for Service"

ATTACHMENT "A"



Attachment 'A'

City of Antioch GIS

600 Feet

300

150

0

Nelson Ranch Park - Vicinity Map

A1

ATTACHMENT "B"

MEETING NOTICE

NOTICE IS HEREBY GIVEN that the City Council of the City of Antioch will hold a meeting in the City Council Chambers, City Hall, 200 "H" Street, at 7:00 P.M. on **TUESDAY, MARCH 12, 2013**, on the following matter:

1) **NELSON RANCH PARK INFORMATIONAL UPDATE**

A copy of the staff report will be available for inspection at the Community Development/Engineering Department, 200 "H" Street, Antioch by March 11th or online at www.ci.antioch.ca.us by March 8th. Written statements in favor of, or in opposition to, this matter may be filed with the City Clerk, City Hall, 200 "H" Street (P.O. Box 5007), Antioch, CA 94531-5007, at any time prior to the meeting. All interested persons are invited to be present at aforesaid meeting and be heard thereon. Please notify any neighbors that you think may be interested in attending. The meeting facility is accessible to the handicapped. Auxiliary aides will be made available, upon request in advance, for persons with hearing or vision disabilities.

2/25/13

cc: Community Dev/Eng

ATTACHMENT "C"

Nelson Ranch Park Antioch Police Department - Calls for Service From June 24, 2012 to February 27, 2013

- 1) June 24, 2012 – A vehicle parked and several subjects in the park after hours.
- 2) June 30, 2012 – There are 6-8 juveniles in the park after hours drinking and making a lot of noise.
- 3) June 30, 2012 – An unfamiliar vehicle with tinted windows near the park after hours and occupied by three people.
- 4) July 11, 2012 – Two adult males hanging out in the park on and off since yesterday. A lot of activity and unfamiliar to the area.
- 5) July 14, 2012 – Two vehicles parked in the parking lot after park hours.
- 6) July 20, 2012 – A dark colored Buick parked at the park after hours and occupied by at least three subjects smoking marijuana.
- 7) July 26, 2012 – An unknown subject from a nearby yard was videotaping children. The subject was contacted and admitted to being involved in ongoing discussions with the City over the park and was taking digital photographs of older children which depicted inappropriate usage of the equipment meant for smaller children.
- 8) August 2, 2012 – Three male subjects smoking marijuana in the park.
- 9) August 9, 2012 (10:39 p.m.) – Subjects hanging out in the park with three associated vehicles.
- 10) October 23, 2012 (7:50 p.m.) – Males in white Cadillac just arrived in park and the reporting party thinks they're suspicious.
- 11) October 28, 2012 (12:06 p.m.) – A group of kids in a black Corolla smoking marijuana.
- 12) October 29, 2012 (12:21 p.m.) – Three males in the park for the last 90 minutes. They are the same subjects who were here last week rolling marijuana. Subjects arrived in a green Yukon type vehicle.
- 13) November 12, 2012 (10:05 p.m.) – Three males in the play area being too loud.
- 14) November 23, 2012 (7:07 p.m.) – Seven to ten subjects in park after hours.
- 15) February 3, 2013 (10:27 a.m.) – Reporting party found a large damaged safe on the basketball court.