



Council Chambers
200 H Street
Antioch, CA 94509

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

ANNOTATED AGENDA

for

SEPTEMBER 23, 2014

Antioch City Council
Regular Meeting

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

Wade Harper, Mayor
Mary Helen Rocha, Mayor Pro Tem
Monica E. Wilson, Council Member
Tony Tiscareno, Council Member
Arne Simonsen, City Clerk
Donna Conley, City Treasurer
Steven Duran, City Manager
Lynn Tracy Nerland, City Attorney

Electronic Agenda Packet viewing at: <http://www.ci.antioch.ca.us/CityGov/agendas/FindAgenda.asp>

With Project Plans at: <http://ci.antioch.ca.us/CityGov/CommDev/PlanningDivision/docs/Project-Pipeline.pdf>

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

Online Viewing: <http://www.ci.antioch.ca.us/CityGov/citycouncilmeetings.asp>

Council meetings are televised live on Comcast Channel 24

Notice of Availability of Reports

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

Notice of Opportunity to Address Council

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

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

PUBLIC COMMENTS for Closed Session – ***None***

CLOSED SESSION:

- 1) **CONFERENCE WITH LABOR NEGOTIATORS** – This Closed Session is authorized by California Government Code section 54957.6. City designated representatives; Michelle Fitzer, Denise Haskett and Glenn Berkheimer; Employee organizations: Management Unit, Operating Engineers Local Union No. 3 (OE3), and Treatment Plant Employees' Association (TPEA).

Direction given to Labor Negotiators / No action taken

7:03 P.M. ROLL CALL for Council Members/City Council Members acting as Successor Agency to the Antioch Development Agency – ***All Present***

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS – *Extended deadline date: 10/16/14*

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

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

CITY COUNCIL COMMITTEE REPORTS

MAYOR'S COMMENTS

PRESENTATION – *Legislative Update, presented by State Senator Mark DeSaulnier*

1. **CONSENT CALENDAR for City /City as Successor Agency to the Antioch Development Agency**

A. APPROVAL OF COUNCIL MINUTES FOR SEPTEMBER 9, 2014

Recommended Action: Motion to approve the minutes

Approved, 4/0

MINUTES

B. APPROVAL OF COUNCIL WARRANTS

Recommended Action: Motion to approve the warrants

Approved, 4/0

STAFF REPORT

C. APPROVAL OF TREASURER'S REPORT FOR JULY 2014

Recommended Action: Motion to approve the report

Approved, 4/0

STAFF REPORT

D. APPROVE SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND MONIES

Recommended Action: Motion to receive and file the report and approve Supplemental Law Enforcement Services Fund Monies

Approved, 4/0

STAFF REPORT

E. CONSIDERATION OF BIDS FOR THE FULTON SHIPYARD ROAD TRANSFER STATION TRASH ENCLOSURE (P.W. 261-12)

Recommended Action: 1) Motion to authorize the Director of Finance to amend the 2014-2015 Capital Improvement Budget to include Water Enterprise Funding in the amount of \$135,000 and Sewer Enterprise Funding in the amount of \$135,000 for this project; and

Approved AND

Rejected, 4/0

2) Motion to reject the bid submitted by Wayne E. Swisher Cement Contractor, Inc., for failure to attend the mandatory pre-bid meeting and award the project to the lowest, responsive bidder, J.D. Partners Concrete in the amount of \$213,600.

STAFF REPORT

F. CONSIDERATION OF BIDS FOR THE PIPING RECONFIGURATION OF CANAL PUMPS 2 AND 4 AND PUMP 2 REPLACEMENT (P.W. 246-26)

Reject bid by JMB Construction, Inc.; award bid to Con-Quest Contracting Inc. in the amount of \$506,000, 4/0

Recommended Action: Motion to award the project to the low bidder, JMB Construction, Inc. in the amount of \$452,500

STAFF REPORT

STAFF REPORT

G. LEASE AGREEMENT FOR 415 O STREET

Recommendation: Motion to approve the lease agreement with Charles and Donna Scotto, Trustees of the Scotto Family Trust; authorize the City Manager to execute the agreement assuming no issues with the preliminary title report and make minor modifications as recommended by the Public Works

Approved, 4/0

STAFF REPORT

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

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

H. APPROVAL OF SUCCESSOR AGENCY WARRANTS

Approved, 4/0

Recommended Action: Motion to approve the warrants

STAFF REPORT

PUBLIC HEARING

- 2. UP-13-12 – MISSION-HOPE DAY PROGRAM – THE RESIDENTS OF THE LAKE ALHAMBRA HOMEOWNERS ASSOCIATION ARE APPEALING THE PLANNING COMMISSION’S DECISION TO APPROVE AN ADULT DAY PROGRAM THAT PROVIDES SERVICES FOR 45 DEVELOPMENTALLY DISABLED ADULTS. THE PROJECT IS LOCATED AT 10 SOUTH LAKE DRIVE (APN: 065-235-019).

Upheld Planning Commission’s decision and denied appeal with the following additional conditions: 1) The applicant shall pay for the installation of “no parking” signage restricting parking in front of the building on South Lake Drive between the hours of 7:00am to 4:00pm Monday – Friday. 2) The applicant shall secure and maintain for the life of the business an off-site parking area for Mission Hope employees with the number of spaces to be determined by the Community Development Director following submittal of the re-striping plan. Operations shall be suspended during any period that the off-site parking is not available or the lease is lost. 3) Company vans shall be no wider than seven (7) feet and no longer than twenty (20) feet.

Reso No. 2014/83 adopted, 4/0

Recommendation: Motion to uphold the Planning Commission’s decision to approve a use permit for an adult day program and deny the appeal

STAFF REPORT

- 3. PDP-14-04 – OAKLEY KNOLLS PRELIMINARY DEVELOPMENT PLAN – DISCOVERY BUILDERS REQUESTS THE REVIEW OF A PRELIMINARY DEVELOPMENT PLAN, WHICH IS NOT AN ENTITLEMENT, FOR THE DEVELOPMENT OF 31 SINGLE FAMILY HOMES ON APPROXIMATELY 5.56 ACRES. THE PROJECT SITE IS LOCATED ON THE NORTH SIDE OF OAKLEY ROAD APPROXIMATELY 875 FEET EAST OF WILLOW AVENUE (APNS 051-430-001, -002, -003, -004, -005, -006, -007, -008, -009, -010, -011, -012, -013, -014, -015, AND -016).

Direction provided to applicant, 4/0

Recommendation: Motion to provide feedback to the applicant and staff regarding the proposal and provide direction to the applicant for the Final Development Plan submittal

STAFF REPORT

- 4. PDP-12-01 – QUAIL COVE PRELIMINARY DEVELOPMENT PLAN – WEST COAST HOME BUILDERS REQUESTS THE REVIEW OF A PRELIMINARY DEVELOPMENT PLAN, WHICH IS NOT AN ENTITLEMENT, FOR THE DEVELOPMENT OF 31 SINGLE FAMILY HOMES ON

STAFF REPORT

APPROXIMATELY 5.59 ACRES. THE PROJECT SITE IS LOCATED ON THE WEST SIDE OF HEIDORN RANCH ROAD, AT THE EASTERN TERMINUS OF PREWETT RANCH DRIVE (APNS 056-130-012).

Direction provided to applicant, 4/0

Recommendation: Motion to provide feedback to the applicant and staff regarding the proposal and provide direction to the applicant for the Final Development Plan submittal

COUNCIL REGULAR AGENDA

5. ADOPTION OF THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORT PROGRAM AND SELECTION OF DESIGN PARAMETERS FOR THE WEST ANTIOCH CREEK CHANNEL IMPROVEMENTS PROJECT (P.W. 201-6)

Reso No. 2014/84 adopted and

Recommendation: 1) Motion to adopt the resolution approving and adopting the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Report Program for the West Antioch Creek Channel Improvements project.

Approved, and

2) Motion to authorize the Director of Public Works/City Engineer to utilize Conveyance Alternative #3A as the basis for final project design.

Approved, 4/0

3) Motion to authorize the Director of Public Works/City Engineer to temporarily close West 10th Street between 'L' Street and Auto Center Drive during the construction of the new culvert structure.

STAFF REPORT

6. ANNUAL HOUSING ELEMENT PROGRESS REPORT

Received and filed, 4/0

Recommendation: Motion to receive, allow public comment, and file the Annual Housing Element Progress Report

STAFF REPORT

7. CITY OF ANTIOCH SOCIAL MEDIA PRESENCE

Received and filed with direction to staff, 4/0

Recommendation: Motion to receive report and direct staff regarding developing and enhancing the City of Antioch's presence on Social Media outlets

STAFF REPORT

8. POTENTIAL MID-YEAR BUDGET PRIORITIES

Received with direction to staff, 4/0

Recommended Action: Motion to receive report and direct staff regarding budget priorities for mid-year budget adjustments if the Business License Tax Measure O, passes on November 4, 2014

STAFF REPORT

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS

ADJOURNMENT @ 11:36 P.M.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

Tim Madigan, Acting Senior Community Library Manager for the Antioch and Prewett Park Libraries, introduced himself and announced the programs available at the local libraries.

Julie Haas-Wajdowicz announced the following events:

- Coastal Cleanup Day - September 20, 2014 at Prewett Water Park, Fulton Shipyard Road, and the Antioch Marina
- Coastal Cleanup Kayak Event – September 19, 2014
- Citywide Yard Sale – October 3-5, 2014
- Donation Reuse Roundup – 8:00 A.M. – 1:00 P.M., October 11, 2014
- Costume Exchange – October 14, 2014 from 6:00 P.M. – 9:00 P.M. at Prewett Water Park

Fred Hoskins announced Victory Outreach was holding a rally from 12:00 P.M. – 5:00 P.M. on September 20, 2014 at Contra Loma Estates Park.

Wayne Harrison, representing Celebrate Antioch Foundation, announced the Holiday DeLights parade and tree lighting would begin at 4:00 P.M. in downtown Antioch.

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

City Clerk Simonsen announced the following Board and Commission openings:

- *Parks and Recreation Commission: Two (2) partial-term vacancies; deadline date is September 18, 2014*
- *Economic Development Commission: Two (2) partial-term vacancies; deadline date is September 18, 2014*
- *Planning Commission: One (1) partial-term vacancy; deadline date is September 18, 2014*

He reported applications would be available in Council Chambers, online at the City's website and at the Deputy City Clerk and City Clerk's office.

PUBLIC COMMENTS

Pam Bartneck and John Steger expressed concern regarding unsafe traffic conditions on Gentrytown Drive and requested the City install stop signs at Putnam Street and Sequoia Drive.

COUNCIL SUBCOMMITTEE REPORTS – None

MAYOR'S COMMENTS

Mayor Harper thanked the Antioch Police Department for increasing proactive enforcements and working with other agencies to reduce crime in East County. He encouraged residents to support local businesses and suggested the community patronize Scends Deux Restaurant.

PRESENTATION

Mobilization for Youth Alcohol Prevention, presented by Teri Lynn Lowery

(This presentation was cancelled. The Clerk's Office was notified after the Agenda was posted).

Police App for Public Notification, presented by Captain Brooks

Captain Brooks gave an overhead presentation of the Antioch Police Department mobile device app for public notification.

The City Council thanked Captain Brooks for the presentation. They commended the Antioch Police Department for utilizing forfeiture funds for the project and improving communication with the community through social media.

2. COUNCIL CONSENT CALENDAR

A. APPROVAL OF COUNCIL MINUTES FOR AUGUST 26, 2014

B. APPROVAL OF COUNCIL WARRANTS

C. APPROVE AWARD OF BID AND CONTRACT TO PURCHASE ONE TRAILER MOUNTED VALVE MAINTENANCE SYSTEM

D. **RESOLUTION NO. 2014/80 APPROVING A FY 2014-15 BUDGET AMENDMENT AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH LOEWKE PLANNING ASSOCIATES FOR THE PREPARATION OF A DOWNTOWN SPECIFIC PLAN AND CITY-WIDE GENERAL PLAN/ZONING CODE UPDATE**

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

Item B – In response to Karl Dietzel, Director of Public Works/City Engineer Bernal clarified Warrant No. 352619 – Public Works was for fish food purchased for the decorative pond at the maintenance facility yard and with regards to Warrant No. 352553 – Major Projects, the permit was funded from the Department of Boating and Waterways grant.

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

Item D – Fred Hoskins, Antioch resident, submitted and reviewed a letter outlining his concerns regarding the City approving the contract for the preparation of a specific plan and general plan/zoning code update. He stated he was opposed to approval of the contract.

Karl Dietzel, Antioch resident, questioned how the portion of the contract not covered by grant, would be funded. He suggested public meetings and a survey be conducted for the specific plan process.

City Manager Duran clarified the City budget included restricted funds set aside through fees specifically for the General Plan/Zoning Code update and staff had combined efforts to save money.

Senior Planner Gentry explained the General Plan and Specific Plan public outreach plan and funding process.

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

PUBLIC HEARING

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

Director of Public Works/City Engineer Bernal presented the staff report dated August 25, 2014 recommending 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.

Mayor Harper opened and closed the public hearing with no speakers requesting to speak.

RESOLUTION NO. 2014/81

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

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

Director of Public Works/City Engineer Bernal presented the staff report dated August 25, 2014 recommending 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.

Mayor Harper opened and closed the public hearing with no speakers requesting to speak.

RESOLUTION NO. 2014/82

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

COUNCIL REGULAR AGENDA

5. MEASURE 'O' INFORMATIONAL COMMUNICATION PLAN

City Manager Duran presented the staff report dated September 3, 2014 recommending the City Council receive the report and provide direction.

In response to Mayor Harper, City Attorney Nerland stated the Council retained the budget authority to prioritize and determine how the funds would be utilized, which would be binding through the budget process.

Councilmember Tiscareno suggested expanding the City's website and moved to file the report. The motion was rescinded for further discussion.

Following discussion, the Council supported the information communication plan and exploring the feasibility of a social media outreach for the community.

Gil Murillo, Antioch resident, clarified social media was bi-directional communication and he offered a point of reference for the Council to consider.

Janet Wilson, Antioch resident, suggested the City consider utilizing interns from the High Schools to build social media content.

On motion by Councilmember Tiscareno, seconded by Councilmember Rocha, the Council unanimously directed the City Manager to 1) Implement the communication plan; and, 2) Provide more information regarding Social Media services and costs.

PUBLIC COMMENTS

Jeff Belle, Antioch resident and candidate for the County Board of Education, reported he had been the victim of vandalism twice in recent weeks and noted unsafe community yields unsafe schools. He suggested more public official presence in the community to deter criminal behavior.

STAFF COMMUNICATIONS

City Manager Duran announced the City had participated in Disaster Preparedness Training. He reported he and MRG Consultant Alan Wolken had met with the Department of Finance to discuss issues related to the Successor Agency and Redevelopment Agency. He noted follow up calls and meetings were being held to discuss the Department of Boating and Waterways loan as well as the Successor Agency Property Management Plan.

COUNCIL COMMUNICATIONS

Councilmember Tiscareno reported on his attendance at the ribbon cutting events for the downtown merchants. He thanked the businesses for being part of revitalizing downtown and everyone who attended the event.

Councilmember Rocha announced Rick's On Second had offered to open for dinner for those attending events at the El Campanil Theatre. She reported on her attendance at the League of California Cities conference. She suggested the City discuss their policy as it related to restricting e-cigarette use.

Councilmember Wilson reported on her attendance at the ribbon cutting events for the downtown merchants and the Board of Supervisors meeting.

Mayor Harper announced he would be attending the Delta Diablo Sanitation meeting on September 10, 2014.

ADJOURNMENT

With no further business, Mayor Harper adjourned the meeting at 8:40 P.M. to the next regular Council meeting on September 23, 2014.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk

CITY OF ANTIOCH
 CLAIMS BY FUND REPORT
 FOR THE PERIOD OF
 AUGUST 29 - SEPTEMBER 11, 2014
 FUND/CHECK#

100 General Fund

Non Departmental

352712 DELTA DENTAL	PAYROLL DEDUCTIONS	108.76
352728 MANWILL, FRED	DEPOSIT REFUND	5,000.00
352745 RANEY PLANNING & MANAGEMENT INC	CONSULTING SERVICES	12,046.76
352787 CRW SYSTEMS INC	TECHNICAL SUPPORT	3,000.00
352832 RANEY PLANNING & MANAGEMENT INC	CONSULTING SERVICES	9,659.15

City Council

203664 NATURES BOUNTY	MEETING EXPENSE	97.93
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City Attorney

352749 SHRED IT INC	SHRED SERVICE	47.35
352753 TELECOM LAW FIRM PC	LEGAL SERVICES	2,955.00

City Manager

203662 DS WATERS OF AMERICA	WATER & SUPPLIES	9.99
352727 MAIL STREAM	POSTAGE	5,719.34
922727 KARSTE CONSULTING INC	CONSULTING SERVICES	1,380.00

City Treasurer

352742 PERS	PAYROLL DEDUCTIONS	1.56
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Human Resources

352749 SHRED IT INC	SHRED SERVICE	47.33
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Economic Development

352743 PERS	PAYROLL DEDUCTIONS	745.25
352821 NUNNALLY, BRIAN D	EXPENSE REIMBURSEMENT	28.50

Finance Accounting

203600 AMERICAN TROPHIES	NAMEPLATE	18.26
352705 AT AND T MCI	PHONE	479.75
352717 FEDEX	SHIPPING	60.44
352749 SHRED IT INC	SHRED SERVICE	47.34
352773 BANK OF AMERICA	TRAINING-VIRAY	580.00

Finance Operations

352742 PERS	PAYROLL DEDUCTIONS	14.06
352755 UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	30.60
352839 UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	2.00

Non Departmental

203691 GOODFELLOW TOP GRADE CONSTR	BUS LIC APP FEE REFUND	30.00
203692 JL STUDIOS	BUS LIC PENALTY FEE REFUND	15.00
203693 TRAVELS BY MONICA	BU LIC OVERPAYMENT REFUND	4.00
352743 PERS	NON ELIGIBLE ADMIN FEE	1,204.22

Public Works Maintenance Administration

203494 CITY OF ANTIOCH	EXPENSE REIMBURSEMENT	17.00
352820 NEXTEL SPRINT	CELL PHONE	57.52

Public Works Street Maintenance

352700 ANTIOCH BUILDING MATERIALS	ASPHALT MATERIALS	63,569.63
352726 L SERPA TRUCKING INC	TRUCK RENTAL	5,328.60
352756 UNIVERSAL BUILDING SERVICES INC	STREET SWEEPING	500.00
352814 L SERPA TRUCKING INC	TRUCK RENTAL	3,660.30

Prepared by: Georgina Meek
 Finance Accounting

CITY OF ANTIOCH
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352820 NEXTEL SPRINT	CELL PHONE	57.52
922728 TELFER OIL COMPANY	PAVING MATERIAL	706.62
922742 TELFER OIL COMPANY	PAVING MATERIAL	3,450.00
Public Works-Signal/Street Lights		
352739 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	569.77
352772 AT AND T MCI	PHONE	575.68
922738 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	1,135.18
Public Works-Striping/Signing		
203493 STAPLES	INK CARTRIDGES	43.59
352757 VISIONS RECYCLING INC	SALES TAX	24.75
352820 NEXTEL SPRINT	CELL PHONE	57.52
922736 GRAINGER INC	SUPPLIES	235.95
Public Works-Facilities Maintenance		
352772 AT AND T MCI	PHONE	49.91
352823 OMEGA INDUSTRIAL SUPPLY	SUPPLIES	141.88
922725 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	160.61
922736 GRAINGER INC	SUPPLIES	39.24
922737 HAMMONS SUPPLY COMPANY	SUPPLIES	206.06
Public Works-Parks Maint		
352697 AMERICAN PLUMBING INC	PLUMBING SERVICES	1,009.98
352772 AT AND T MCI	PHONE	87.40
922726 JOHN DEERE LANDSCAPES PACHECO	CONTROLLER REPAIR	919.54
Public Works-Median/General Land		
352713 DELTA FENCE CO	FENCE REPAIR SERVICE	564.00
352737 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	384.00
352739 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	52.39
352761 ACE HARDWARE, ANTIOCH	PVC FITTINGS	40.55
352772 AT AND T MCI	PHONE	174.90
922726 JOHN DEERE LANDSCAPES PACHECO	CONTROLLER REPAIRS	1,590.52
922738 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	217.53
Public Works-Work Alternative		
352820 NEXTEL SPRINT	CELL PHONE	48.84
Police Administration		
352696 ALAMEDA COUNTY SHERIFFS OFFICE	TUITION-MCDONALD	557.00
352729 MCDONALD, RYAN J	EXPENSE REIMBURSEMENT	75.00
352755 UNITED PARCEL SERVICE	SHIPPING	95.32
352770 ARROWHEAD 24 HOUR TOWING INC	TOWING SERVICE	692.20
352788 DEE, KRISTOPHER M	PER DIEM TRAINING	168.00
352789 DEE, WILLIAM F	PER DIEM TRAINING	168.00
352805 HILTON	LODGING-K DEE	288.96
352806 HILTON	LODGING-W DEE	288.96
352811 JOHNSON, VIRGINIA L	EXPENSE REIMBURSEMENT	21.01
352822 OFFICE MAX INC	OFFICE SUPPLIES	1,090.12
922739 MOBILE MINI LLC	PORTABLE STORAGE CONTAINERS	107.43
Police Community Policing		
352706 EMPLOYEE	PENSION PAYMENT	4,159.00

Prepared by: Georgina Meek
 Finance Accounting

9/18/2014

CITY OF ANTIOCH
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352708 BLUE SHIELD LIFE	PAYROLL DEDUCTIONS	11.97
352743 PERS	PAYROLL DEDUCTIONS	9,546.06
352808 HUNT AND SONS INC	FUEL	330.87
352818 MOORE K9 SERVICES	K9 TRAINING	1,000.00
Police Communications		
352704 AT AND T MCI	PHONE	360.60
352705 AT AND T MCI	PHONE	372.05
352765 AMERICAN TOWER CORPORATION	CELL TOWER	222.84
352772 AT AND T MCI	PHONE	816.33
352783 CONTRA COSTA COUNTY	SHARED COSTS	12,569.26
352801 GLOBALSTAR	SATELLITE PHONE	172.76
Office Of Emergency Management		
352772 AT AND T MCI	PHONE	332.59
Police Community Volunteers		
352816 LEVOC	VIPS CONFERENCE	525.00
Police Facilities Maintenance		
352694 ACME SECURITY SYSTEMS	CARD READER REPAIR	427.50
352697 AMERICAN PLUMBING INC	PLUMBING SERVICES	1,005.58
352735 NEXTEL SPRINT	CELL PHONE	3,126.49
352772 AT AND T MCI	PHONE	301.10
Community Development Land Planning Services		
352832 RANEY PLANNING & MANAGEMENT INC	CONSULTING SERVICES	958.11
CD Code Enforcement		
352750 SOUZA, RENEE R	EXPENSE REIMBURSEMENT	106.38
352763 ALLIED WASTE SERVICES	RESIDENTIAL GARBAGE ABATEMENT	2,546.94
PW Engineer Land Development		
352772 AT AND T MCI	PHONE	32.67
352804 HANSEN, KRAIG E	EXPENSE REIMBURSEMENT	54.49
352820 NEXTEL SPRINT	CELL PHONE	169.34
922729 TESTING ENGINEERS INC	ENGINEERING SERVICES	655.00
922743 TESTING ENGINEERS INC	ENGINEERING SERVICES	655.00
Community Development Building Inspection		
352787 CRW SYSTEMS INC	TECHNICAL SUPPORT	9,000.00
352820 NEXTEL SPRINT	CELL PHONE	55.88
352822 OFFICE MAX INC	OFFICE SUPPLIES	65.55
922730 3M AOSAFETY EYEWARE	SAFETY GLASSES-BOCCIO	282.88
Capital Imp. Administration		
203449 DS WATERS OF AMERICA	WATER DISPENSER	8.50
352743 PERS	PAYROLL DEDUCTIONS	1,490.49
Community Development Engineering Services		
203450 UNITED STATES POSTAL SERVICE	POSTAGE	5.80
352820 NEXTEL SPRINT	CELL PHONE	57.52
352822 OFFICE MAX INC	OFFICE SUPPLIES	161.37
213 Gas Tax Fund		
Streets		
352739 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	321.06

Prepared by: Georgina Meek
 Finance Accounting

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922743 TESTING ENGINEERS INC	TESTING SERVICES	5,596.00
214 Animal Control Fund		
Animal Control		
352714 EAST HILLS VETERINARY HOSPITAL	VETERINARY SERVICES	1,172.36
352723 INTERVET INC	MICROCHIPS	1,021.50
352734 MWI VETERINARY SUPPLY CO	VETERINARY SUPPLIES	1,117.19
352735 NEXTEL SPRINT	CELL PHONE	303.70
352795 EAST BAY VETERINARY EMERGENCY	VETERINARY SERVICES	1,063.57
352802 GUEVARA, GEORGE AND DANIELLE	CITATION FINE REFUND	300.00
352813 KOEFRAN SERVICES INC	ANIMAL DISPOSAL SERVICES	1,850.00
922724 HAMMONS SUPPLY COMPANY	SUPPLIES	586.39
219 Recreation Fund		
Non Departmental		
352825 ORNELAS, HELEN	DEPOSIT REFUND	500.00
Recreation Admin		
352764 AMERICAN PLUMBING INC	PLUMBING SERVICE	798.52
Senior Programs		
352772 AT AND T MCI	PHONE	366.11
Recreation Classes/Prog		
352738 ORTIZ, CHERYL	CONTRACTOR PAYMENT	319.20
352786 COSTCO	SUPPLIES	107.65
352797 EDUCATION TO GO	CONTRACTOR PAYMENT	403.50
Recreation Sports Programs		
352709 BSN SPORTS	SUPPLIES	1,436.91
352781 CONCORD SOFTBALL UMPIRES	UMPIRE FEES	1,014.00
Recreation Concessions		
352772 AT AND T MCI	PHONE	16.67
352841 US FOODSERVICE INC	CONCESSION SUPPLIES	880.61
Recreation-New Comm Cntr		
352739 PACIFIC GAS AND ELECTRIC CO	GAS	9,862.68
352772 AT AND T MCI	PHONE	19.29
352786 COSTCO	SUPPLIES	27.21
222 Measure C/J Fund		
Streets		
352716 FEDERAL ADVOCATES INC	ADVOCACY SERVICES	5,000.00
226 Solid Waste Reduction Fund		
Solid Waste Used Oil		
922736 GRAINGER INC	SUPPLIES	341.12
Solid Waste		
203538 STAPLES	LABELS	14.16
203540 WEST MARINE	SCALE	57.76
229 Pollution Elimination Fund		
Channel Maintenance Operation		
352699 ANKA BEHAVIORAL HEALTH INC	LANDSCAPE SERVICES	5,313.00
352768 ANKA BEHAVIORAL HEALTH INC	LANDSCAPE SERVICES	10,304.00
352777 CALIF DEPT OF FISH AND WILDLIFE	PERMIT FEE	2,456.12

Prepared by: Georgina Meek
 Finance Accounting

CITY OF ANTIOCH
 CLAIMS BY FUND REPORT
 FOR THE PERIOD OF
 AUGUST 29 - SEPTEMBER 11, 2014
 FUND/CHECK#

352778 WATER QUALITY CONTROL BOARD	PERMIT FEE	548.50
352792 DELTA FENCE CO	FENCE REPAIR	460.00
352796 ECORP CONSULTING INC	PROFESSIONAL SERVICES	590.00
352817 MJH EXCAVATING INC	OPERATED EQUIPMENT RENTAL	3,786.72
352820 NEXTEL SPRINT	CELL PHONE	48.84
Storm Drain Administration		
352717 FEDEX	SHIPPING	24.58
251 Lone Tree SLLMD Fund		
Lonetree Maintenance Zone 1		
352737 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	192.00
352772 AT AND T MCI	PHONE	68.96
Lonetree Maintenance Zone 2		
352772 AT AND T MCI	PHONE	132.78
Lonetree Maintenance Zone 3		
352772 AT AND T MCI	PHONE	51.10
Lonetree Maintenance Zone 4		
352737 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	900.00
252 Downtown SLLMD Fund		
Downtown Maintenance		
352737 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	384.00
922726 JOHN DEERE LANDSCAPES PACHECO	CONTROLLER REPAIR	402.00
253 Almondridge SLLMD Fund		
Almondridge Maintenance		
352737 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	1,263.00
254 Hillcrest SLLMD Fund		
Hillcrest Maintenance Zone 1		
352737 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	460.80
352772 AT AND T MCI	PHONE	34.48
352827 PACIFIC COAST LANDSCAPE MGMT INC	LANDSCAPE SERVICES	2,995.00
Hillcrest Maintenance Zone 2		
352737 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	960.00
352752 STEWARTS TREE SERVICE INC	TREE SERVICE	1,875.00
352772 AT AND T MCI	PHONE	119.44
352827 PACIFIC COAST LANDSCAPE MGMT INC	LANDSCAPE SERVICES	3,428.00
Hillcrest Maintenance Zone 4		
352737 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	307.20
352772 AT AND T MCI	PHONE	100.70
352827 PACIFIC COAST LANDSCAPE MGMT INC	LANDSCAPE SERVICES	2,420.00
255 Park 1A Maintenance District Fund		
Park 1A Maintenance District		
352705 AT AND T MCI	PHONE	17.74
352737 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	460.80
352739 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	41.46
256 Citywide 2A Maintenance District Fund		
Citywide 2A Maintenance Zone 6		
352737 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	384.00

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CITY OF ANTIOCH
 CLAIMS BY FUND REPORT
 FOR THE PERIOD OF
 AUGUST 29 - SEPTEMBER 11, 2014
 FUND/CHECK#

Citywide 2A Maintenance Zone 9

352737 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	307.20
352772 AT AND T MCI	PHONE	68.96

Citywide 2A Maintenance Zone10

352737 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	820.00
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257 SLLMD Administration Fund

SLLMD Administration

352754 TUTTS TRUCK OUTFITTERS	STORAGE BOX	1,327.62
352820 NEXTEL SPRINT	CELL PHONE	166.19

259 East Lone Tree SLLMD Fund

Zone 1-District 10

352737 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	1,290.00
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311 Capital Improvement Fund

Measure WW

922727 KARSTE CONSULTING INC	CONSULTING SERVICES	960.00
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376 Lone Diamond Fund

Assessment District

352710 CENTRAL SELF STORAGE ANTIOCH	STORAGE FEES	165.00
352777 CALIF DEPT OF FISH AND WILDLIFE	PERMIT FEE	2,456.13
352778 WATER QUALITY CONTROL BOARD	PERMIT FEE	548.50
352796 Ecorp CONSULTING INC	PROFESSIONAL SERVICES	175.00

416 Honeywell Capital Lease Fund

Non Departmental

352760 BANK OF AMERICA	LOAN PAYMENT	43,516.24
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570 Equipment Maintenance Fund

Non Departmental

352722 HUNT AND SONS INC	FUEL	44,441.92
352808 HUNT AND SONS INC	FUEL	2,062.49

Equipment Maintenance

203491 INTERSTATE TRUCK CENTER	FUEL LEVEL SENDER	92.47
203492 ROBERTSON ENGINEERING NC	FUEL ISLAND ENGINEERING	81.85
203509 BANKS COMMUNICATIONS	CABLES	97.52
352701 ANTIOCH GLASS	REAR WINDOW REPLACEMENT	295.25
352702 APEX INDUSTRY SERVICE INC	RADIOS	2,029.00
352711 CRESCO EQUIPMENT RENTALS	REPAIR PARTS	78.45
352719 GOLDEN GATE TRUCK CENTER	RECOVER TANK	252.73
352725 KEN KELLER SALES	REPAIR PARTS	678.56
352732 MUNICIPAL MAINT EQUIPMENT INC	SUPPLIES	303.04
352733 MUNICIPAL POOLING AUTHORITY	SUPPLEMENTAL INSURANCE	110.90
352736 OCONNELL JETTING	PRESSURE WASHER WAND	186.32
352740 PETERSON	REPAIR SERVICE	5,767.41
352741 PRECISION AUTO BODY	AUTO BODY REPAIR	439.96
352744 PURSUIT NORTH	VEHICLE BUILD	2,806.52
352746 RED WING SHOE STORE	SAFETY SHOES-NAVARRO	213.64
352759 WINTER CHEVROLET CO	KEYS & FOBS	252.88
352769 ANTIOCH AUTO PARTS	FUEL PUMP	751.75

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CITY OF ANTIOCH
 CLAIMS BY FUND REPORT
 FOR THE PERIOD OF
 AUGUST 29 - SEPTEMBER 11, 2014
 FUND/CHECK#

352830 PETERSON	BUCKET TIPS	439.86
352831 PRECISION AUTO BODY	VEHICLE REPAIR	1,895.82
352835 SCHATZ, MICHAEL J	EXPENSE REIMBURSEMENT	65.00
352839 UNITED PARCEL SERVICE	SHIPPING	7.34
922736 GRAINGER INC	SUPPLIES	33.96
922737 HAMMONS SUPPLY COMPANY	SUPPLIES	198.32
573 Information Services Fund		
Non Departmental		
352773 BANK OF AMERICA	COMPUTER PURCHASE	2,509.91
Information Services		
352772 AT AND T MCI	PHONE	61.82
352820 NEXTEL SPRINT	CELL PHONE	56.53
Network Support & PCs		
352705 AT AND T MCI	PHONE	357.32
352766 AMS DOT NET INC	COMPUTER SOFTWARE	1,290.76
352772 AT AND T MCI	PHONE	93.17
352779 COMCAST	INTERNET SERVICE	152.75
352793 DIGITAL SERVICES	WEBSITE MAINTENANCE	3,055.00
352812 KIS	PROFESSIONAL SERVICES	4,500.00
352820 NEXTEL SPRINT	CELL PHONE	120.83
Telephone System		
203523 AMERICAN MESSAGING	PAGER	37.36
352703 AT AND T MCI	PHONE	16.46
352705 AT AND T MCI	PHONE	2,250.86
352721 HP CARE PACK SALES	SERVER SUPPORT WARRANTY	1,714.00
352772 AT AND T MCI	PHONE	0.62
Office Equipment Replacement		
922722 COMPUTERLAND	COMPUTER SUPPLIES	379.75
577 Post Retirement Medical-Police Fund		
Non Departmental		
352718 RETIREE	MEDICAL AFTER RETIREMENT	1,366.44
352743 PERS	MEDICAL AFTER RETIREMENT	4,684.08
578 Post Retirement Medical-Misc Fund		
Non Departmental		
352743 PERS	MEDICAL AFTER RETIREMENT	6,183.33
579 Post Retirement Medical-Mgmt Fund		
Non Departmental		
352743 PERS	MEDICAL AFTER RETIREMENT	9,122.10
611 Water Fund		
Non Departmental		
352715 FASTENAL CO	SUPPLIES	105.46
352771 ARTZ, LUCILLE	CHECK REPLACEMENT	42.26
352776 BISHOP CO	SUPPLIES	2,146.08
352798 FASTENAL CO	SUPPLIES	2,162.87
352843 WILCO SUPPLY	LOCKS	304.02
922724 HAMMONS SUPPLY COMPANY	SUPPLIES	77.61

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 FOR THE PERIOD OF
 AUGUST 29 - SEPTEMBER 11, 2014
 FUND/CHECK#

922736 GRAINGER INC	SUPPLIES	128.09
922737 HAMMONS SUPPLY COMPANY	SUPPLIES	245.45
Water Supervision		
352820 NEXTEL SPRINT	CELL PHONE	95.44
Water Production		
203479 UNITED STATES POSTAL SERVICE	POSTAGE	53.90
352693 HDR ENGINEERING INC	LITIGATION SERVICES	18,410.67
352705 AT AND T MCI	PHONE	66.66
352724 KARL NEEDHAM ENTERPRISES INC	RENTAL EQUIPMENT	23,085.41
352739 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	226.54
352747 S AND S SUPPLIES AND SOLUTIONS	TESTING & INSPECTION	926.50
352748 SECO CONTROLS LLC	FILTER DISPLAY	717.23
352751 STATE OF CALIFORNIA	HAZARDOUS WASTE FEES	225.00
352767 ANIMAL DAMAGE MANAGEMENT	ANIMAL CONTROL	125.00
352772 AT AND T MCI	PHONE	823.00
352782 CONTRA COSTA COUNTY	PERMIT FEES	45,513.62
352798 FASTENAL CO	SUPPLIES	65.17
352799 FISHER SCIENTIFIC COMPANY	LAB SUPPLIES	416.80
352803 HACH CO	LAB SUPPLIES	527.35
352807 HONEYWELL INTERNATIONAL INC	AC REPAIR	1,873.76
352820 NEXTEL SPRINT	CELL PHONE	102.60
352822 OFFICE MAX INC	OFFICE SUPPLIES	37.06
352827 PACIFIC COAST LANDSCAPE MGMT INC	LANDSCAPE SERVICES	857.00
352833 REINHOLDT ENGINEERING CONSTR	FUEL TANK SERVICE	300.00
352834 ROBERTS AND BRUNE CO	PIPE	581.62
352839 UNITED PARCEL SERVICE	SHIPPING	13.14
352846 WQI	TRAINING-BENNETT/CALLAHAN	1,400.00
922723 EVOQUA WATER TECHNOLOGIES LLC	SERVICE DI H2O SYSTEM	117.01
922732 AIRGAS SPECIALTY PRODUCTS	AMMONIA	2,119.67
922734 CONSOLIDATED ELECTRICAL DIST INC	SUPPLIES	152.60
922735 EUROFINS EATON ANALYTICAL INC	MONITORING	115.00
922741 OLIN CHLOR ALKALI PRODUCTS	CAUSTIC	17,214.06
Water Distribution		
203494 CITY OF ANTIOCH	EXPENSE REIMBURSEMENT	25.00
352698 ANIMAL DAMAGE MANAGEMENT	PEST CONTROL SERVICE	100.00
352720 GOLOGO PROMOTIONS	WATER METER TAGS	1,685.00
352755 UNITED PARCEL SERVICE	SHIPPING	60.60
352772 AT AND T MCI	PHONE	17.24
352775 BIG B LUMBER	SUPPLIES	286.60
352791 DELTA DIABLO	RECYCLED WATER	9,392.04
352798 FASTENAL CO	SUPPLIES	195.10
352800 FRIGARD CHIROPRACTIC AND	DMV PHYSICALS	225.00
352809 INFOSEND INC	PRINT/MAIL SERVICES	985.13
352820 NEXTEL SPRINT	CELL PHONE	361.46
352822 OFFICE MAX INC	PAPER	123.84
352826 PAC MACHINE CO INC	SUBMERSIBLE PUMP	979.91

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CITY OF ANTIOCH
 CLAIMS BY FUND REPORT
 FOR THE PERIOD OF
 AUGUST 29 - SEPTEMBER 11, 2014
 FUND/CHECK#

352834	ROBERTS AND BRUNE CO	PIPE & FITTINGS	21.58
352839	UNITED PARCEL SERVICE	SHIPPING	96.84
922727	KARSTE CONSULTING INC	CONSULTING SERVICES	1,140.00
922736	GRAINGER INC	SUPPLIES	90.51
922737	HAMMONS SUPPLY COMPANY	SUPPLIES	97.38
Water Meter Reading			
352820	NEXTEL SPRINT	CELL PHONE	47.17
922733	BADGER METER INC	WATER METER PARTS	11,919.56
Public Buildings & Facilities			
352717	FEDEX	SHIPPING	28.31
352731	MUNICIPAL FINANCIAL SERVICES	PROFESSIONAL SERVICES	3,445.00
352839	UNITED PARCEL SERVICE	SHIPPING	8.18
Warehouse & Central Stores			
352755	UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	30.60
352820	NEXTEL SPRINT	CELL PHONE	55.84
352839	UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	2.00
922730	3M AOSAFETY EYEWARE	SAFETY GLASSES-GLOVER	334.11
621 Sewer Fund			
Sewer-Wastewater Supervision			
203494	CITY OF ANTIOCH	EXPENSE REIMBURSEMENT	11.41
352774	BECHTHOLDT, MICHAEL J	EXPENSE REIMBURSEMENT	133.82
Sewer-Wastewater Collection			
203494	CITY OF ANTIOCH	EXPENSE REIMBURSEMENT	1.41
203510	QUESADA CHIROPRACTIC	DMV EXAM-PORTER	75.00
352702	APEX INDUSTRY SERVICE INC	RADIOS	2,767.46
352707	BACWA	MEMBER DUES	2,280.00
352715	FASTENAL CO	SUPPLIES	226.04
352731	MUNICIPAL FINANCIAL SERVICES	PROFESSIONAL SERVICES	3,445.00
352743	PERS	PAYROLL DEDUCTIONS	13.47
352772	AT AND T MCI	PHONE	65.49
352790	DEJANVIER, KURT JOESPH	PERMIT REIMBURSEMENT	70.00
352794	DKF SOLUTIONS GROUP LLC	CONSULTING SERVICES	5,400.00
352809	INFOSEND INC	PRINT/MAIL SERVICES	985.13
352819	MUNICIPAL MAINT EQUIPMENT INC	NOZZLES	3,222.45
352820	NEXTEL SPRINT	CELL PHONE	219.42
352822	OFFICE MAX INC	OFFICE SUPPLIES	123.85
352845	WINSUPPLY	CALDER COUPLINGS	26.71
922731	3T EQUIPMENT COMPANY	SUPPLIES	212.85
922736	GRAINGER INC	SUPPLIES	86.33
631 Marina Fund			
Marina Administration			
352758	WAUBAUSHENE MACHINE & WELDING	HANDLE & HOSE	546.23
352772	AT AND T MCI	PHONE	85.46
352820	NEXTEL SPRINT	CELL PHONE	56.53
922725	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	165.11
922738	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	1,120.52

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CITY OF ANTIOCH
 CLAIMS BY FUND REPORT
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 AUGUST 29 - SEPTEMBER 11, 2014
 FUND/CHECK#

Marina Maintenance

352737 ODYSSEY LANDSCAPE CO INC	LANDSCAPE SERVICES	970.00
641 Prewett Water Park Fund		

Non Departmental

352844 WILEY, ROLAND	DEPOSIT REFUND	500.00
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Recreation Aquatics

352730 MUIR, ROXANNE	WATER AEROBICS INSTRUCTOR	70.00
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Recreation Water Park

203655 CONTRA COSTA COUNTY	PLAN CHECK FEES	42.50
352762 AGUSTA, ROCHELLE	DEPOSIT REFUND	500.00
352772 AT AND T MCI	PHONE	49.11
352780 COMMERCIAL POOL SYSTEMS INC	SUPPLIES	4,861.15
352786 COSTCO	SUPPLIES	14.16
352815 LENHART ALARM AND SECURITY	MOVE MOTION DETECTOR	99.00

Rec Prewett Concessions

352772 AT AND T MCI	PHONE	49.60
352786 COSTCO	SUPPLIES	7.47

721 Employee Benefits Fund

Non Departmental

352695 AFLAC	PAYROLL DEDUCTIONS	7,575.98
352708 BLUE SHIELD LIFE	PAYROLL DEDUCTIONS	2,385.92
352712 DELTA DENTAL	PAYROLL DEDUCTIONS	27,839.25
352742 PERS	PAYROLL DEDUCTIONS	324,989.43
352743 PERS	PAYROLL DEDUCTIONS	301,197.13
352784 CONTRA COSTA COUNTY	PAYROLL DEDUCTIONS	400.00
352785 CONTRA COSTA COUNTY	PAYROLL DEDUCTIONS	673.42
352810 INTERNAL REVENUE SERVICE	PAYROLL DEDUCTIONS	60.00
352824 OPERATING ENGINEERS TRUST FUND	PAYROLL DEDUCTIONS	5,995.92
352828 PARS	PAYROLL DEDUCTIONS	3,932.25
352829 PERS LONG TERM CARE	PAYROLL DEDUCTIONS	72.02
352836 STATE OF CALIFORNIA	PAYROLL DEDUCTIONS	200.00
352837 STATE OF FLORIDA DISBURSE UNIT	PAYROLL DEDUCTIONS	275.00
352838 RECIPIENT	PAYROLL DEDUCTIONS	112.15
352840 US DEPT OF EDUCATION	PAYROLL DEDUCTIONS	394.68
352842 EMPLOYEE	CHECK REPLACEMENT	140.60
922740 NATIONWIDE RETIREMENT SOLUTIONS	PAYROLL DEDUCTIONS	23,735.26
922744 VANTAGEPOINT TRANSFER AGENTS	PAYROLL DEDUCTIONS	3,609.13



STAFF REPORT TO THE CITY COUNCIL
FOR CONSIDERATION AT THE COUNCIL MEETING OF September 23, 2014

SUBMITTED BY: Donna Conley, City Treasurer

A handwritten signature in blue ink, appearing to be "DC", is written to the right of the name Donna Conley.

DATE AUGUST 20, 2014

SUBJECT: Treasurer's Report – JULY 2014

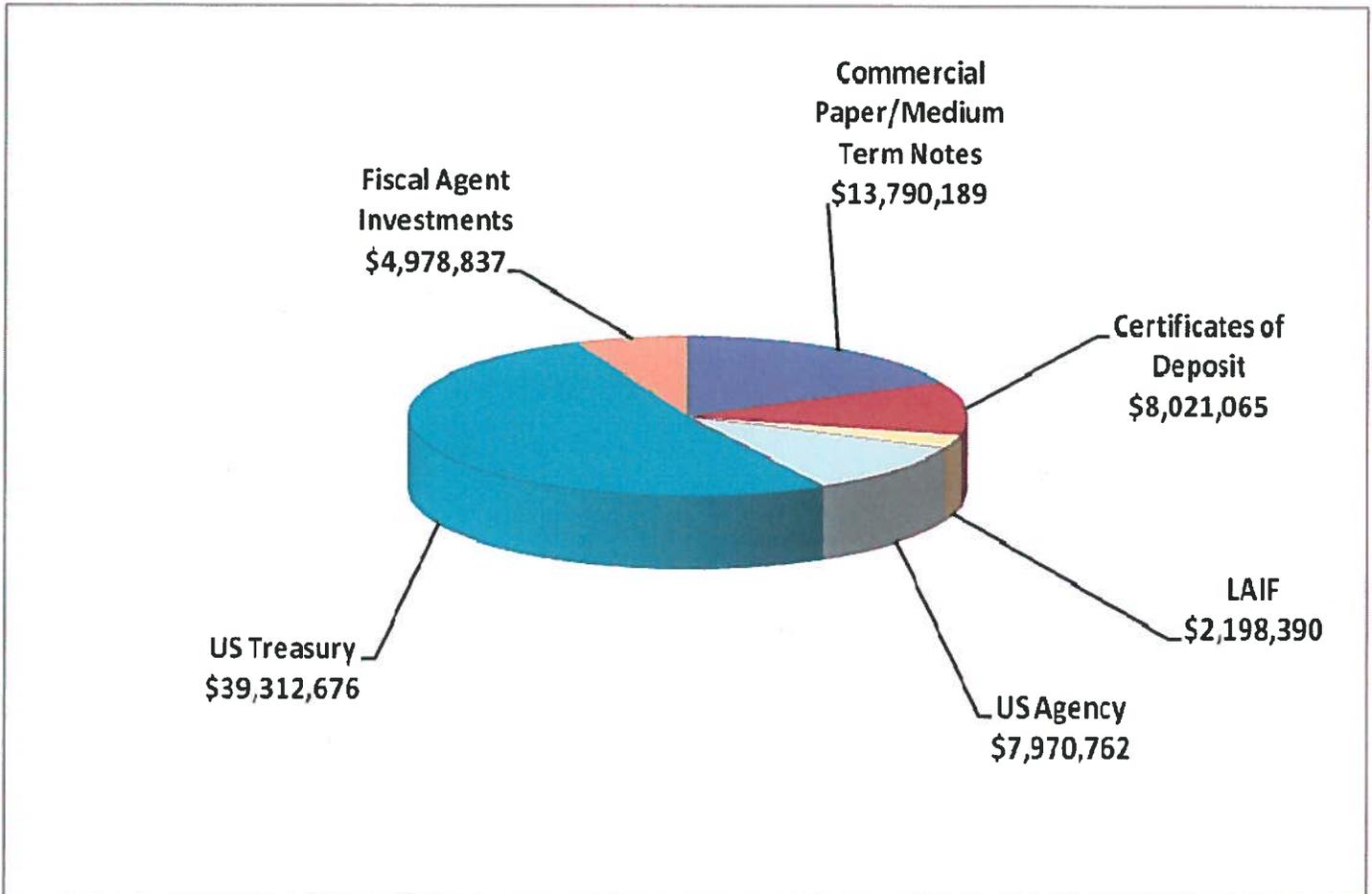
RECOMMENDATION: Review and file.

A handwritten mark in blue ink, resembling the letter "C", is positioned above a horizontal line.

9-23-2014

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

JULY 31, 2014



Total of City and Fiscal Agent Investments = \$76,271,919

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


Donna Conley
Treasurer


Dawn Merchant
Finance Director

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

	<u>Amount</u>
Antioch Public Financing Authority 2002 Lease Revenue Bonds	285,573
Antioch Public Financing Authority 1998 Reassessment Revenue Bonds	4,114,607
Antioch Development Agency 2000 Tax Allocation Bonds	2
Antioch Development Agency 2009 Tax Allocation Bonds	146,063
ABAG Lease Revenue Bonds	<u>432,591</u>
	<u><u>\$4,978,837</u></u>



Managed Account Summary Statement

For the Month Ending July 31, 2014

CITY OF ANTIQCH, CA - 04380500

Transaction Summary - Managed Account

Opening Market Value

Maturities/Calls	\$68,893,649.39
Principal Dispositions	(575,000.00)
Principal Acquisitions	(4,168,313.45)
Unsettled Trades	4,851,789.06
Change in Current Value	0.00
	(109,142.38)
Closing Market Value	\$68,892,982.62

Cash Transactions Summary - Managed Account

Maturities/Calls	575,000.00
Sale Proceeds	4,180,130.15
Coupon/Interest/Dividend Income	70,994.23
Principal Payments	0.00
Security Purchases	(4,855,469.66)
Net Cash Contribution	29,345.28
Reconciling Transactions	0.00

Earnings Reconciliation (Cash Basis) - Managed Account

Interest/Dividends/Coupons Received	82,810.93
Less Purchased Interest Related to Interest/Coupons	(3,680.60)
Plus Net Realized Gains/Losses	(49,025.32)
Total Cash Basis Earnings	\$30,105.01

Cash Balance

Closing Cash Balance

\$481,593.56

Earnings Reconciliation (Accrual Basis)

Ending Amortized Value of Securities	68,872,865.95
Ending Accrued Interest	127,095.86
Plus Proceeds from Sales	4,180,130.15
Plus Proceeds of Maturities/Calls/Principal Payments	575,000.00
Plus Coupons/Dividends Received	70,994.23
Less Cost of New Purchases	(4,855,469.66)
Less Beginning Amortized Value of Securities	(68,785,918.44)
Less Beginning Accrued Interest	(137,959.45)
Total Accrual Basis Earnings	\$46,738.64



PFM Asset Management LLC



For the Month Ending July 31, 2014

Managed Account Detail of Securities Held

CITY OF ANTIOCH, CA - 04380500

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value	
U.S. Treasury Bond / Note												
US TREASURY NOTES	DTD 11/30/2010 1.375% 11/30/2015	912828PJ3	AA+	Aaa	11/29/12	12/05/12	1,957,816.40	0.35	4,425.55	1,925,834.26	1,928,351.56	
US TREASURY NOTES	DTD 01/31/2011 2.000% 01/31/2016	912828PS3	AA+	Aaa	03/04/14	03/05/14	949,756.25	0.30	50.00	943,355.76	943,359.72	
US TREASURY NOTES	DTD 01/31/2014 0.375% 01/31/2016	912828B41	AA+	Aaa	02/04/14	02/07/14	4,655,994.14	0.31	47.38	4,654,534.82	4,655,630.86	
US TREASURY NOTES	DTD 05/02/2011 2.000% 04/30/2016	912828OF0	AA+	Aaa	03/27/13	03/28/13	997,277.34	0.38	4,801.63	976,790.52	975,902.70	
US TREASURY NOTES	DTD 06/02/2014 0.375% 05/31/2016	912828WM8	AA+	Aaa	06/02/14	06/03/14	2,799,562.50	0.38	1,778.69	2,799,597.84	2,795,514.40	
US TREASURY NOTES	DTD 06/17/2013 0.500% 06/15/2016	912828VG2	AA+	Aaa	04/08/14	04/11/14	259,969.53	0.51	166.94	259,973.97	260,040.56	
US TREASURY NOTES	DTD 06/30/2009 3.250% 06/30/2016	912828KZ2	AA+	Aaa	05/10/13	05/15/13	2,394,218.75	0.41	6,217.39	2,319,108.92	2,315,414.06	
US TREASURY NOTES	DTD 06/30/2009 3.250% 06/30/2016	912828KZ2	AA+	Aaa	05/22/13	05/24/13	3,204,783.20	0.44	8,336.96	3,107,529.97	3,104,759.77	
US TREASURY NOTES	DTD 06/30/2009 3.250% 06/30/2016	912828KZ2	AA+	Aaa	05/24/13	05/31/13	3,574,570.31	0.53	9,326.09	3,470,902.05	3,473,121.10	
US TREASURY NOTES	DTD 08/31/2011 1.000% 08/31/2016	912828RF9	AA+	Aaa	08/29/13	08/30/13	1,106,015.63	0.82	4,603.26	1,104,185.48	1,109,281.80	
US TREASURY NOTES	DTD 08/31/2011 1.000% 08/31/2016	912828RF9	AA+	Aaa	02/27/14	03/03/14	4,050,468.75	0.49	16,739.13	4,042,199.08	4,033,752.00	
US TREASURY NOTES	DTD 11/30/2011 0.875% 11/30/2016	912828RU6	AA+	Aaa	10/31/13	11/01/13	2,403,446.48	0.62	3,535.14	2,398,994.66	2,393,943.75	
US TREASURY NOTES	DTD 11/30/2011 0.875% 11/30/2016	912828RU6	AA+	Aaa	11/27/13	12/03/13	3,136,726.56	0.58	4,609.77	3,130,859.11	3,121,662.50	
US TREASURY NOTES	DTD 03/31/2012 1.000% 03/31/2017	912828SM3	AA+	Aaa	03/19/14	03/21/14	541,244.53	0.92	1,814.75	541,097.10	541,561.14	



PFM Asset Management LLC



Managed Account Detail of Securities Held

For the Month Ending July 31, 2014

CITY OF ANTIOCH, CA - 04380500

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
U.S. Treasury Bond / Note											
US TREASURY NOTES	912828SY7	2,800,000.00	AA+	Aaa	06/02/14	06/03/14	2,784,468.75	0.81	2,964.48	2,785,297.20	2,773,094.80
DTD 05/31/2012 0.625% 05/31/2017											
US TREASURY NOTES	912828TG5	725,000.00	AA+	Aaa	07/01/14	07/01/14	715,031.25	0.95	9.85	715,304.69	713,388.40
DTD 07/31/2012 0.500% 07/31/2017											
US TREASURY NOTES	912828TG5	1,000,000.00	AA+	Aaa	07/01/14	07/07/14	986,132.81	0.96	13.59	986,441.18	983,984.00
DTD 07/31/2012 0.500% 07/31/2017											
US TREASURY NOTES	912828TG5	3,200,000.00	AA+	Aaa	07/29/14	07/31/14	3,150,625.00	1.02	43.48	3,150,669.15	3,148,748.80
DTD 07/31/2012 0.500% 07/31/2017											
Security Type Sub-Total		38,790,000.00					39,668,108.18	0.56	69,484.08	39,312,675.76	39,271,511.92
Municipal Bond / Note											
UNIV OF CAL TXBL REV BONDS	91412GSW6	230,000.00	AA	Aa2	09/26/13	10/02/13	230,000.00	0.53	256.37	230,000.00	230,354.20
DTD 10/02/2013 0.528% 05/15/2015											
METRO WTR DIST AUTH, CA TXBL REV BONDS	59266THO7	225,000.00	AAA	Aa1	06/21/12	06/28/12	225,000.00	0.94	176.81	225,000.00	226,266.75
DTD 06/28/2012 0.943% 07/01/2015											
CA ST DEPT OF WATER TXBL REV BONDS	13066KX87	500,000.00	AAA	Aa1	09/19/12	09/27/12	500,000.00	0.65	541.67	500,000.00	501,185.00
DTD 09/27/2012 0.650% 12/01/2015											
CA ST TXBL GO BONDS	13063BN73	550,000.00	A	Aa3	03/13/13	03/27/13	551,859.00	0.93	2,887.50	550,985.68	553,256.00
DTD 03/27/2013 1.050% 02/01/2016											
UNIV OF CAL TXBL REV BONDS	91412GSX4	135,000.00	AA	Aa2	09/26/13	10/02/13	135,000.00	0.91	258.50	135,000.00	135,313.20
DTD 10/02/2013 0.907% 05/15/2016											
CA-ST TAXABLE GO BONDS	13063CFD7	950,000.00	A	Aa3	10/22/13	11/05/13	954,455.50	1.09	2,968.75	953,366.71	957,134.50
DTD 11/05/2013 1.250% 11/01/2016											
Security Type Sub-Total		2,590,000.00					2,596,314.50	0.90	7,089.60	2,594,352.39	2,603,509.65
Federal Agency Bond / Note											
FHLB (CALLABLE) GLOBAL NOTES	3130A0GK0	1,375,000.00	AA+	Aaa	12/12/13	12/30/13	1,374,587.50	0.39	444.01	1,374,708.07	1,374,705.75
DTD 12/30/2013 0.375% 12/30/2015											



PFM Asset Management LLC



Managed Account Detail of Securities Held

For the Month Ending July 31, 2014

CITY OF ANTIOCH, CA - 04380500

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Federal Agency Bond / Note												
FANNIE MAE GLOBAL NOTES	3135G0VA8	3135G0VA8	800,000.00	AA+	Aaa	02/14/13	02/15/13	799,088.00	0.54	1,344.44	799,512.28	800,072.00
DTD 02/15/2013 0.500% 03/30/2016												
FREDDIE MAC GLOBAL NOTES	3137EAD09	3137EAD09	240,000.00	AA+	Aaa	03/06/13	03/07/13	239,985.60	0.50	260.00	239,991.81	239,747.28
DTD 03/07/2013 0.500% 05/13/2016												
FNMA NOTES	3135G0CM3	3135G0CM3	655,000.00	AA+	Aaa	10/01/13	10/03/13	664,674.35	0.75	2,797.40	662,013.63	662,848.21
DTD 08/19/2011 1.250% 09/28/2016												
FNMA NOTES	3135G0CM3	3135G0CM3	970,000.00	AA+	Aaa	10/01/13	10/03/13	984,555.92	0.74	4,142.71	980,552.29	981,622.54
DTD 08/19/2011 1.250% 09/28/2016												
FEDERAL HOME LOAN BANKS (CALLABLE)	3130A1CR7	3130A1CR7	1,310,000.00	AA+	Aaa	04/02/14	04/04/14	1,324,396.90	1.25	7,332.36	1,319,631.25	1,322,044.14
DTD 03/27/2014 1.625% 03/27/2017												
Security Type Sub-Total			5,350,000.00					5,387,288.27	0.74	16,320.92	5,376,409.33	5,381,039.92
Corporate Note												
GENERAL ELEC CAP CORP GLOBAL NOTES	36962G5M2	36962G5M2	865,000.00	AA+	A1	05/23/12	05/29/12	874,419.85	1.72	1,136.51	866,613.29	872,049.75
DTD 01/09/2012 2.150% 01/09/2015												
WELLS FARGO & COMPANY	94974BFES	94974BFES	750,000.00	A+	A2	03/26/13	03/28/13	762,978.08	0.73	937.50	755,293.79	757,846.50
DTD 06/27/2012 1.500% 07/01/2015												
WELLS FARGO & COMPANY	94974BFES	94974BFES	750,000.00	A+	A2	03/27/13	03/28/13	762,757.50	0.74	937.50	755,204.29	757,846.50
DTD 06/27/2012 1.500% 07/01/2015												
JPMORGAN CHASE & CO GLOBAL NOTES	46623EJR1	46623EJR1	650,000.00	A	A3	10/15/12	10/18/12	649,733.50	1.11	2,105.28	649,891.51	653,293.55
DTD 10/18/2012 1.100% 10/15/2015												
BANK OF NEW YORK MELLON (CALLABLE)	06406HCD9	06406HCD9	425,000.00	A+	A1	10/18/12	10/25/12	424,562.25	0.73	809.86	424,819.37	425,583.53
DTD 10/25/2012 0.700% 10/23/2015												
BANK OF NEW YORK MELLON (CALLABLE)	06406HCD9	06406HCD9	640,000.00	A+	A1	12/17/12	12/20/12	638,067.20	0.81	1,219.56	639,160.04	640,878.72
DTD 10/25/2012 0.700% 10/23/2015												
WAL-MART STORES INC GLOBAL NOTES	93114ZDE0	93114ZDE0	400,000.00	AA	Aa2	04/04/13	04/11/13	399,716.00	0.62	733.33	399,838.96	400,279.20
DTD 04/11/2013 0.600% 04/11/2016												
APPLE INC GLOBAL NOTES	037833AH3	037833AH3	380,000.00	AA+	Aa1	04/30/13	05/03/13	379,312.20	0.51	418.00	379,596.27	379,385.54
DTD 05/03/2013 0.450% 05/03/2016												





Managed Account Detail of Securities Held

For the Month Ending July 31, 2014

CITY OF ANTIOCH, CA - 04380500

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note										
TOYOTA MOTOR CREDIT CORP DTD 05/17/2013 0.800% 05/17/2016	892367AL9	AA-	Aa3	05/14/13	05/17/13	724,702.75	0.81	1,192.22	724,821.35	726,818.30
GENERAL ELEC CAP CORP (FLOATING) DTD 07/12/2013 0.884% 07/12/2016	36962G7A6	AA+	A1	07/09/13	07/12/13	1,330,000.00	0.93	587.59	1,330,000.00	1,341,608.24
WELLS FARGO & COMPANY DTD 07/29/2013 1.250% 07/20/2016	94974BFL9	A+	A2	07/22/13	07/29/13	1,024,016.00	1.28	391.49	1,024,343.80	1,033,679.70
BERKSHIRE HATHAWAY FIN GLOBAL NOTES DTD 08/15/2013 0.950% 08/15/2016	0846648X8	AA	Aa2	08/06/13	08/15/13	929,507.10	0.97	4,073.92	929,663.47	932,833.71
AMERICAN HONDA FINANCE GLOBAL NOTES DTD 10/10/2013 1.125% 10/07/2016	02665WAB7	A+	A1	10/03/13	10/10/13	582,964.20	1.24	2,084.06	583,506.96	588,350.30
JPMORGAN CHASE & CO DTD 02/18/2014 1.350% 02/15/2017	46623EJY6	A	A3	02/12/14	02/18/14	999,500.00	1.37	6,112.50	999,574.10	1,001,136.00
APPLE INC CORP NOTE DTD 05/06/2014 1.050% 05/05/2017	037833AM2	AA+	Aa1	04/29/14	05/06/14	1,699,099.00	1.07	4,214.58	1,699,169.04	1,697,966.80
JOHN DEERE CAPITAL CORP NOTES DTD 06/12/2014 1.125% 06/12/2017	24422ESN0	A	A2	06/09/14	06/12/14	1,064,499.45	1.14	1,630.78	1,064,521.84	1,062,937.10
HSBC USA INC DTD 06/23/2014 1.300% 06/23/2017	40434CAA3	A+	A2	06/16/14	06/23/14	564,141.20	1.35	775.31	564,170.91	564,613.54
Security Type Sub-Total						13,809,976.28	1.05	29,359.99	13,790,188.99	13,837,106.98
Certificate of Deposit										
CREDIT SUISSE NEW YORK CERT DEPOS (FLOAT)	22549TDK1	A-1	P-1	07/11/13	07/15/13	1,700,000.00	0.68	508.64	1,700,000.00	1,701,577.60
SKANDINAVISKA ENSKILDA BY NY FLOAT CD	83051HUD6	A-1	P-1	01/07/14	01/10/14	1,700,000.00	0.56	677.76	1,700,000.00	1,701,659.20
WESTPAC BANKING CORP NY LT FLOAT CD DTD 04/17/2014 0.414% 04/15/2016	96121TWF1	A-1+	P-1	04/16/14	04/17/14	1,350,000.00	0.41	263.67	1,350,000.00	1,351,799.55



PFM Asset Management LLC



Managed Account Detail of Securities Held

For the Month Ending July 31, 2014

CITY OF ANTIOCH, CA - 04380500

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value	
Certificate of Deposit												
RABOBANK NEDERLAND NV NY CD DTD 05/13/2014 0.716% 05/06/2016		21684BPV0	A-1+	P-1	05/09/14	05/13/14	1,700,000.00	0.71	2,638.19	1,700,000.00	1,693,886.80	
BANK OF NOVA SCOTIA HOUS CD FLOAT DTD 06/13/2014 0.410% 06/10/2016		06417HMU7	A+	Aa2	06/11/14	06/13/14	1,349,184.60	0.28	753.01	1,349,239.48	1,350,891.00	
Security Type Sub-Total							7,799,184.60	0.54	4,841.27	7,799,239.48	7,799,814.15	
Managed Account Sub-Total							69,260,871.83	0.68	127,095.86	68,872,865.95	68,892,982.62	
Securities Sub-Total							\$69,260,871.83	0.68%	\$127,095.86	\$68,872,865.95	\$68,892,982.62	
Accrued Interest											\$127,095.86	
Total Investments											\$69,020,078.48	





Managed Account Security Transactions & Interest

For the Month Ending July 31, 2014

CITY OF ANTIOCH, CA - 04380500

Transaction Type	Trade	Settle	Security Description	CUSIP	Par	Principal Proceeds	Accrued Interest	Realized G/L Cost	Realized G/L Amort Cost	Sale Method
BUY										
07/01/14	07/01/14		US TREASURY NOTES DTD 07/31/2012 0.500% 07/31/2017	912828TG5	725,000.00	(715,031.25)	(1,512.09)		(716,543.34)	
07/01/14	07/07/14		US TREASURY NOTES DTD 07/31/2012 0.500% 07/31/2017	912828TG5	1,000,000.00	(986,132.81)	(2,168.51)		(988,301.32)	
07/29/14	07/31/14		US TREASURY NOTES DTD 07/31/2012 0.500% 07/31/2017	912828TG5	3,200,000.00	(3,150,625.00)	0.00		(3,150,625.00)	
Transaction Type Sub-Total						(4,851,789.06)	(3,680.60)		(4,855,469.66)	
INTEREST										
07/01/14	07/01/14		WELLS FARGO & COMPANY DTD 06/27/2012 1.500% 07/01/2015	94974BFE5	750,000.00	0.00	5,625.00		5,625.00	
07/01/14	07/01/14		METRO WTR DIST AUTH, CA TXBL REV BONDS	59266THP9	575,000.00	0.00	1,771.00		1,771.00	
07/01/14	07/01/14		METRO WTR DIST AUTH, CA TXBL REV BONDS	59266THO7	225,000.00	0.00	1,060.88		1,060.88	
07/01/14	07/01/14		WELLS FARGO & COMPANY DTD 06/27/2012 1.500% 07/01/2015	94974BFE5	750,000.00	0.00	5,625.00		5,625.00	
07/07/14	07/07/14		SKANDINAVISKA ENSKILDA BY NY FLOAT CD	83051HUD6	1,700,000.00	0.00	2,441.83		2,441.83	
07/09/14	07/09/14		GENERAL ELEC CAP CORP GLOBAL NOTES	36962G5M2	865,000.00	0.00	9,298.75		9,298.75	
07/14/14	07/14/14		GENERAL ELEC CAP CORP (FLOATING) DTD 07/12/2013 0.884% 07/12/2016	36962G7A6	1,330,000.00	0.00	2,948.59		2,948.59	
07/15/14	07/15/14		CREDIT SUISSE NEW YORK CERT DEPOS (FLOAT)	22549TDK1	1,700,000.00	0.00	2,691.99		2,691.99	
07/15/14	07/15/14		WESTPAC BANKING CORP NY LT FLOAT CD	96121TWF1	1,350,000.00	0.00	1,356.19		1,356.19	
			DTD 04/17/2014 0.414% 04/15/2016							





Managed Account Security Transactions & Interest

For the Month Ending July 31, 2014

CITY OF ANTIOCH, CA - 04380500

Transaction Type	Trade Settle	Security Description	CUSIP	Par	Principal Proceeds	Accrued Interest	Total	Realized G/L Cost	Realized G/L Amort Cost	Sale Method
INTEREST										
07/20/14	07/20/14	WELLS FARGO & COMPANY	94974BFL9	1,025,000.00	0.00	6,406.25	6,406.25			
		DTD 07/29/2013 1.250% 07/20/2016								
07/31/14	07/31/14	US TREASURY NOTES	912828NP1	325,000.00	0.00	2,843.75	2,843.75			
		DTD 08/02/2010 1.750% 07/31/2015								
07/31/14	07/31/14	US TREASURY NOTES	912828PS3	920,000.00	0.00	9,200.00	9,200.00			
		DTD 01/31/2011 2.000% 01/31/2016								
07/31/14	07/31/14	US TREASURY NOTES	912828TG5	725,000.00	0.00	1,812.50	1,812.50			
		DTD 07/31/2012 0.500% 07/31/2017								
07/31/14	07/31/14	US TREASURY NOTES	912828B41	4,650,000.00	0.00	8,718.75	8,718.75			
		DTD 01/31/2014 0.375% 01/31/2016								
07/31/14	07/31/14	US TREASURY NOTES	912828TG5	1,000,000.00	0.00	2,500.00	2,500.00			
		DTD 07/31/2012 0.500% 07/31/2017								
07/31/14	07/31/14	US TREASURY NOTES	912828NP1	765,000.00	0.00	6,693.75	6,693.75			
		DTD 08/02/2010 1.750% 07/31/2015								
Transaction Type Sub-Total				18,655,000.00	0.00	70,994.23	70,994.23			
MATURITY										
07/01/14	07/01/14	METRO WTR DIST AUTH, CA TXBL REV BONDS	59266THP9	575,000.00	575,000.00	0.00	575,000.00	0.00	0.00	
		DTD 06/28/2012 0.616% 07/01/2014								
Transaction Type Sub-Total				575,000.00	575,000.00	0.00	575,000.00	0.00	0.00	0.00
SELL										
07/01/14	07/07/14	US TREASURY NOTES	912828NP1	975,000.00	991,491.21	7,400.03	998,891.24	(23,270.51)	1,769.55	SPEC LOT
		DTD 08/02/2010 1.750% 07/31/2015								
07/29/14	07/31/14	US TREASURY NOTES	912828NP1	765,000.00	777,341.60	0.00	777,341.60	(18,856.06)	1,507.28	SPEC LOT
		DTD 08/02/2010 1.750% 07/31/2015								
07/29/14	07/31/14	US TREASURY NOTES	912828NP1	325,000.00	330,243.17	0.00	330,243.17	(6,855.46)	849.83	SPEC LOT
		DTD 08/02/2010 1.750% 07/31/2015								
07/29/14	07/31/14	FREDDIE MAC GLOBAL NOTES	3134G5ZA1	1,825,000.00	1,830,675.75	3,878.13	1,834,553.88	3,545.97	4,925.46	SPEC LOT
		DTD 07/11/2012 0.500% 08/28/2015								
07/29/14	07/31/14	US TREASURY NOTES	912828PJ3	235,000.00	238,561.72	538.54	239,100.26	(3,589.26)	359.88	SPEC LOT
		DTD 11/30/2010 1.375% 11/30/2015								





Managed Account Security Transactions & Interest

For the Month Ending July 31, 2014

CITY OF ANTIOCH, CA - 04380500

Transaction Type	Trade	Settle	Security Description	CUSIP	Par	Principal Proceeds	Accrued Interest	Total	Realized G/L Cost	Realized G/L Amort Cost	Sale Method
Transaction Type Sub-Total					4,125,000.00	4,168,313.45	11,816.70	4,180,130.15	(49,025.32)	9,412.00	
Managed Account Sub-Total						(108,475.61)	79,130.33	(29,345.28)	(49,025.32)	9,412.00	
Total Security Transactions						(\$108,475.61)	\$79,130.33	(\$29,345.28)	(\$49,025.32)	\$9,412.00	



**STAFF REPORT TO THE MAYOR AND CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF SEPTEMBER 23, 2014**

APPROVED BY: Allan Cantando, Chief of Police

PREPARED BY: Leonard Orman, Captain, Support Services

DATE: September 23, 2014

SUBJECT: Approve Supplemental Law Enforcement Services Fund Monies

RECOMMENDATION

Receive and file the report and approve Supplemental Law Enforcement Services Fund Monies.

BACKGROUND

The State of California provides annual funding to local law enforcement agencies to supplement law enforcement services pursuant to the adoption of AB2885. The monies are received by counties and disseminated to the local jurisdictions.

Pursuant to Government Code Section 30061(c)(1), counties must hold public hearings in September to consider front-line funding requests made by county entities. In the case of a city, the city council shall appropriate existing and anticipated monies exclusively to fund front-line municipal services, in accordance with written requests submitted by the Chief of Police of that City or the Chief Administrator of the law enforcement agency that provides police services for the city. These written requests shall be acted upon by the City Council in the same manner as specified in paragraph (1) for county appropriations.

For the 2014/2015 allocation our City will receive an *estimated* \$180,000 that will fund a percentage of one Community Policing Officer position. Payment allocations will be made on quarterly basis.

FISCAL IMPACT

Revenues of an estimated \$180,000 for the 2014/2015 allocation based on the current fiscal years allocation.

STRATEGIC PURPOSE

This item supports Strategy A-1 in the Strategic Plan by rebuilding Police services utilizing Community Service Officers when possible to maximize sworn Police Officers deployed in the field and Strategy N-1, improving financial stability by providing services in a cost effective manner by utilizing funding allocated by the State for local law enforcement services rather than the General Fund.

**STAFF REPORT TO THE MAYOR AND CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF SEPTEMBER 23, 2014**

PREPARED BY: Scott Buenting, Associate Engineer, Capital Improvements Division *SB*
APPROVED BY: Ron Bernal, Director of Public Works/City Engineer *REB*
DATE: September 10, 2014
SUBJECT: Consideration of Bids for the Fulton Shipyard Road Transfer Station Trash Enclosure, P.W. 261-12

RECOMMENDATION

It is recommended that the City Council authorize the Director of Finance to amend the 2014-2015 Capital Improvement Budget to include Water Enterprise Funding in the amount of \$135,000 and Sewer Enterprise Funding in the amount of \$135,000 for this project.

It is recommended that the City Council reject the bid submitted by Wayne E. Swisher Cement Contractor, Inc. for failure to attend the mandatory pre-bid meeting and award the project to the lowest, responsive bidder, J.D. Partners Concrete in the amount of \$213,600.

BACKGROUND INFORMATION

On September 9, 2014, five (5) bids were received and opened for construction of a reinforced concrete trash enclosure and ramp structure at the City's Fulton Shipyard Road Transfer Station. A copy of the bid tabulation is shown on Attachment A.

The apparent low bid was submitted by Wayne E. Swisher Cement Contractor, Inc. (Swisher) in the amount of \$194,490. The Notice Inviting Bids contained within the project Special Provisions and the Notice to Contractor, which was published in the East County Times on August 15th and 18th stated that a mandatory pre-bid meeting for this project would be held on September 2nd. Swisher did not attend this meeting as shown on the pre-bid meeting sign-in sheet (Attachment B). Due to Swisher's absence from this mandatory meeting, Staff recommends deeming Swisher's bid as non-responsive and rejecting Swisher's bid to this project.

Staff recommends awarding the contract to lowest, responsive bidder, J.D. Partners Concrete (JD) in the amount of \$213,600. JD's bid has been checked and found to be without any omissions. A clerical error was found within Bid Item #4 of JD's proposal, however the extended price of this final pay quantity item is fixed and the unit price discrepancy does not affect project cost.

FINANCIAL IMPACT

This project is not included in the 2014-15 Capital Improvement Budget. The Engineer's estimate for the construction of this project was \$235,000.

STRATEGIC PURPOSE

This item supports Long Term Goal K in the Strategic Plan by operating and maintaining Antioch's assets to create a safe, beautiful, highly functional and desirable community by providing an enhanced facility to deposit, store and transfer green waste, trash and illegally dumped items.

OPTIONS

None considered at this time.

ATTACHMENTS

- A: Tabulation of Bids
- B: Pre-Bid Meeting Sign-In Sheet

SB:lm

9-23-14

ATTACHMENT "A"

CITY OF ANTIOCH TABULATION OF BIDS

JOB TITLE: Fulton Shipyards Road Transfer Station Trash Enclosure
(P.W. 261-12)

BIDS OPENED: September 9, 2014 ~ 3:00 p.m.
City Council Chambers

	Engineer's Estimate	Wayne E. Swisher Cement Antioch	JD Partners Concrete Pleasanton	Robert A. Bothman, Inc. San Jose	Paradiso Mechanical, Inc. San Leandro	Anchor Concrete Construction Antioch
TOTAL BID PRICE	\$235,000.00	\$194,490.00	\$213,600.00	\$272,217.00	\$284,265.00	\$289,000.00

Wayne E. Swisher Cement	JD Partners Concrete	Robert A. Bothman, Inc.	Paradiso Mechanical, Inc.
Rebar Mission City Rebar	Concrete Pumping Interstate Concrete Pumping	Rebar Ortiz Construction	Rebar Mission City Rebar Concrete Richard Moore Contractor Trucking Conrad & Son Trucking
			Anchor Concrete Baekhoe Bay Area Baekhoe Service Concrete Concord Ready Mix Pumping Conco Pumping

ATTACHMENT "B"



SIGN-IN SHEET

FULTON SHIPYARD ROAD TRANSFER STATION TRASH ENCLOSURE P.W. 261-12

~
Pre-Bid Meeting
10:00 p.m.
September 2, 2014

NAME	AGENCY	E-MAIL ADDRESS	PHONE NUMBER
Scott Buenting	City of Antioch	sbuenting@ci.antioch.ca.us	779-6129
SALIANDA PURUGGANAN	S.R.P. COMPANY	SALPUR@SACGLOBAL.NET	(725) 759-3745
Richard Sraun	Sofalco Junior	Richard@SofalcoJunior.com	(209) 747-3947
Garth De Venuta	GEMS	GEM.ST.M@genenvironmental	925 671 6822
Jason Eppert	J & Partners	Eppert, J@Comcast.net	510 714 7551
Leo Sewato	CF Contracting	Leo.CFContracting@gmail.com	510-754-9596
Craig Bupp	Robert A. Rotman	CBupp@Rotman.com	408 279-2277
Mark Kinn	Anchor Concrete	MARKENESS@anchorconcrete.com	925 584 2644
Tom Brickley	T.D. BRICKLEY CONSTR.	T.D.BRICKLEYCONSTRUCTION@GMAIL.COM	510 719 2462
Charlie Slack	CWS Construction	CWSconstruction@Comcast.net	415 699 5585
Al Esfami	A.M.E Contracting	AMEcontracting@yahoo.com	925-435-7968
Rick Montesano	Paradiso Mech. INC	paradiso Mech. INC.	510/614-8390 x 104

**STAFF REPORT TO THE MAYOR AND CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF SEPTEMBER 23, 2014**

PREPARED BY: Scott Buenting, Associate Engineer, Capital Improvements Division 

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

DATE: September 16, 2014

SUBJECT: Consideration of Bids for the Piping Reconfiguration of Canal Pumps 2 and 4 and Pump 2 Replacement, P.W. 246-26

RECOMMENDATION

It is recommended that the City Council award the project to the low bidder, JMB Construction, Inc. in the amount of \$452,500.

BACKGROUND INFORMATION

On September 16, 2014, eight (8) bids were received and opened as shown on the attached tabulation. The low bid was submitted by JMB Construction, Inc. of South San Francisco in the amount of \$452,500. The bids have been checked and found to be without any errors or omissions.

This project will consist of removing and replacing the existing deteriorated discharge piping and inoperable appurtenances connected to Canal Pump No. 4 and provide a direct connection between Canal Pump No. 2 and the raw water pipeline. The pump, motor and starter for Canal Pump No. 2 will also be replaced as part of this project.

FINANCIAL IMPACT

The 2014-15 Capital Improvement Budget includes \$705,000 in Water Enterprise Funds for the construction of this project. The Engineer's estimate for this work was \$600,000.

STRATEGIC PURPOSE

This item supports Strategy K-2 in the Strategic Plan by enhancing the delivery of high quality water to our customers.

OPTIONS

None considered at this time.

ATTACHMENTS

A: Tabulation of Bids

SB:lm

9-23-14

ATTACHMENT "A"

CITY OF ANTIOCH

TABULATION OF BIDS

JOB TITLE: Piping Reconfiguration of Canal Pumps 2 and 4 and Pump 2 Replacement
(P.W. 246-26)

BIDS OPENED: September 16, 2014 ~ 3:00 p.m.
City Council Chambers

	Engineer's Estimate	JMB Construction, Inc. South San Francisco	Con-Quest Contractors, Inc. San Francisco	W.M. Lyles Co. West Sacramento	Monterey Mechanical Oakland	West Bay Builders Novato
TOTAL BID PRICE	\$600,000.00	\$452,500.00	\$506,000.00	\$512,500.00	\$549,800.00	\$563,160.00

JMB Construction, Inc. Painting Mason Painting, Inc. Electrical (Partial) ARD MAC Electric	Con-Quest Contractors, Inc. Line Stops Tap Master Coating Redwood Painting Instrumentation Tel-Star	W.M. Lyles Co. Hot Tapping Tap Master Painting Redwood Painting Elec. Instrumentation Tel-Star	Monterey Mechanical Line Stops Tap Master Painting Redwood Painting Electrical & Controls Gil's Electric	West Bay Builders Line Stops Tap Master Coating Mason Painting Electrical Tel-Star Instruments
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AI

CITY OF ANTIOCH

TABULATION OF BIDS

JOB TITLE: Piping Reconfiguration of Canal Pumps 2 and 4 and Pump 2 Replacement
(P.W. 246-26)

BIDS OPENED: September 16, 2014 ~ 3:00 p.m.
City Council Chambers

Engineer's Estimate	R.J. Gordon Construction, Inc. Pleasant Hill	D.W. Nicholson Corporation Hayward	J & M, Inc. Livermore	
TOTAL BID PRICE	\$600,000.00	\$574,035.00	\$643,000.00	\$659,700.00

R.J. Gordon Construction, Inc.	D.W. Nicholson Corporation	J & M, Inc.	
Line Stops Tap Master Painting Redwood Painting Electrical Tel-Star Instruments	Line Stops Tap Master Painting Redwood Painting Excavation Howard's Earth Boring	Line Stops Tap Master Painting Redwood Painting	

A2

**STAFF REPORT TO THE MAYOR AND CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF SEPTEMBER 23, 2014**

Prepared by: Ron Bernal, Public Works Director/City Engineer *RBB*
Date: September 15, 2014
Subject: Lease Agreement for 415 O Street

RECOMMENDATION

Staff recommends City Council approve the lease agreement with Charles and Donna Scotto, Trustees of the Scotto Family Trust; authorize the City Manager to execute the agreement assuming no issues with the preliminary title report and make minor modifications as recommended by the Public Works Director/City Engineer and approved by the City Attorney; and amend the 2014/15 Sewer Enterprise budget in the amount of \$45,000.

BACKGROUND

With the addition of several new employees and two recruitments in process, the Water Distribution and Sewer Collections Divisions have outgrown the building they share at the Public Works Corporation Yard (Corp Yard). Staff has been investigating options for additional space and noticed the adjacent building at 415 O Street was available for lease. Discussions with the owners Charles and Donna Scotto has resulted in a 5-year lease agreement with two additional 5-year extensions and an option for the City to purchase the property.

The approximately 4,500 square foot building located on a fenced 10,000 square foot paved lot is ideally situated immediately adjacent to the Corp Yard and provides adequate space and features for the Collections Division and its needs. The owners have agreed to allow the fence and curb separating the two properties to be modified to allow the Scotto's property to be accessed and secured as part of the Corp Yard. The lease term is 5 years with two five (5) year extensions with no cancellation provision by landlord except to sell the property. The lease terms provide long term stability for the City to utilize this location with the ability to purchase for the appraised value at year sixteen (16) or sooner if the owners decide to sell.

Rent for the initial five year term is \$4,500 per month for the first thirty (30) months with the second thirty (30) month term at \$4,750 per month. The second five year term, if approved by the City Council at that time would be \$5,000 per month. The final five year term, if optioned by the City would be at \$5,350 per month.

Information obtained by staff about the Antioch light industrial with office space rental market would indicate rents in this area for a building and property of this type and condition are in the \$0.80 to \$1.00 per square foot range. The proposed rent is approximately \$1.00 per square foot and the fact that the fully secured and alarmed property can be easily modified to be incorporate it into the adjacent Corp Yard adds additional value to the transaction. The proposed rent schedule remains relatively stable throughout the lease period(s) resulting in a competitive rate.

The City will make minor modifications to the facility to accommodate the operational needs of the Collections Division. Maintenance for the facility will be shared between the City and owner. The City would be responsible to restore the property to original condition should it decline to purchase the property and the lease is terminated.

09/23/14

To ensure no issues regarding the ownership, the City is awaiting for a preliminary title report. Accordingly, the recommended action is to authorize the City Manager to execute the lease agreement assuming that there are no issues flagged in the preliminary title report.

FISCAL IMPACTS

This lease will be funded through the Sewer Enterprise fund through a budget amendment for FY 2014/15 in the amount of \$45,000 with funding beyond June 30, 2015 to be included in the budget process in subsequent years. There is no financial impact to the General Fund budget as a result of this agreement.

STRATEGIC PURPOSE

As identified in Long Term Goal K, Public Works operates and maintains Antioch's assets and create a highly functional community by enhancing the City's Collections program expansion.

OPTIONS

Do not approve the recommended purchase. Staff does not recommend this option as this agreement provides a unique opportunity to mitigate a space and operations need for Public Works.

ATTACHMENTS

A: Lease Agreement

LEASE AGREEMENT

This Lease Agreement (the “**Lease**”) is entered into as of October 1, 2014, by and between the CITY OF ANTIOCH, a general law city (“**Tenant**” or “**City**”), and Charles W. Scotto and Donna F. Scotto as Trustees of the Scotto Family Trust Dated February 13, 2002 (“**Landlord**”), who agree as follows:

1. **Lease.** Landlord leases to Tenant and Tenant leases from Landlord the real property located at 415 O Street in Antioch, California (APN 066-121-004) generally depicted and described on attached Exhibit “A” (the “**Premises**”) for use by Tenant as municipal corporation yard for sewer and/or water utilities.

2. **Term.**

(a) **Period of Lease.** The term (the “**Term**”) of this Lease shall be for a period of five (5) years, commencing at 12:01 A.M. October 1, 2014 (the “**Commencement Date**”), and ending at 12:01 A.M. September 30, 2019 (the “**Expiration Date**”), or on such earlier date upon which the Term may expire or be cancelled or terminated pursuant to any of the provisions of this Lease.

(b) **Optional Lease Periods.** Upon the expiration of the first Term, the Lease may be extended for two (2) additional and consecutive five (5) year Terms at the option of the City. If Tenant desires an extension of the Term, Tenant shall provide written notice to Landlord no later than sixty (60) days prior to the Expiration Date for the then current Lease Term. Such extension shall be on the same terms of this Lease Agreement (but with no further option periods than those provided in this Lease Agreement) with the rent modifications indicated in Section 4 of this Agreement.

(c) **Termination.** Tenant has no right to terminate the Lease during the first five (5) year Term, except if the Premises are sold to Tenant. If Tenant does not exercise its option to extend for the second five (5) year Term, then the Lease Term will automatically be extended at the end of the first five (5) year term for an additional twelve (12) months (i.e. from October 1, 2019 to September 30, 2020). If Tenant exercises the first five (5) year option but does not exercise the second five (5) year option, then the Lease Term shall automatically be extended at the end of the second five (5) year term for an additional twelve (12) months (i.e. from October 1, 2024 to September 30, 2025). Landlord shall have the right to terminate this Lease only to sell the Premises pursuant to Section 5, upon 12 months advance notice to Tenant, which notice may be waived by Tenant in its sole discretion.

(d) **Abandonment.** If Tenant shall abandon or vacate Premises for more than thirty (30) days, all personal property left upon the Premises shall be deemed to be abandoned.

(e) **Surrender.** Upon the expiration or other termination of the Term, Tenant agrees to surrender possession of the Premises to Landlord in the same condition in which Tenant received the Premises, ordinary wear and tear and damage by casualty or the elements excepted.

(f) **Holding Over.** Tenant agrees to surrender the Premises to Landlord in accordance with the terms of this Lease upon expiration. If Tenant remains in possession of the Premises after the expiration of the Term with Landlord’s consent, then possession shall be on a month-to-month

basis and otherwise in accordance with the terms of this Lease and the most recent rental payment amounts.

(g) Damage or Destruction. Tenant is responsible for repairing damage to Premises it causes or is due to its failure to fulfill its maintenance obligations under Section 6 of the Lease. Landlord is responsible for repairing damage to Premises that it causes or is due to its failure to fulfill its maintenance obligations under Section 6. In the case the Premises is damaged by fire or other casualty and Landlord is unable or unwilling to repair damage caused by fire or other casualty, Tenant may elect to terminate the Lease provided such fire or other casualty is not caused by Tenant or Tenants employees, agents or invitees.

(h) No Assignment or Sublet. Neither party may assign or sublet this Lease or any part of the Premises without the prior written consent of the other party. Except as provided in subparagraph (i) below, neither party shall place a lien or encumbrance on the Premises, without the prior written consent of the other party.

3. Use; Compliance with Laws.

(a) Purpose of Use. The Premises are to be used by Tenant for the purpose of municipal utility operations. Subject to Landlord's prior written consent, Tenant may make minor modifications to the Premises in order to accommodate needs of the utility operations utilizing the Premises. Landlord's consent shall not unreasonably be withheld.

(b) Use in Compliance with All Laws. Tenant agrees that its use of the Premises will at all times be in compliance with all applicable laws, rules and regulations of all governmental authorities having jurisdiction over the Premises.

(c) Warranties. Landlord represents and warrants that it owns the Premises; that there is no lien or mortgage on the Premises; that there is not notice or action to abate any condition on the Premises including but not limited to nuisance or environmental abatement or any notice of pending litigation regarding the Premises. Tenant agrees that it takes the Premises "AS-IS" and that:

(i) Tenant has had full access to the Premises and is relying solely on its own investigation and analysis of the Premises in entering into this Lease.

(ii) Except for any express representations and warranties made by Landlord in this Lease, Tenant acknowledges and confirms that Landlord has not made any representations, warranties, guaranties, promises, statements or assurances whatsoever, express or implied, directly or through any employee or agent, as to the Premises, or any other matter relating to the Premises, including, but not limited to: (a) the physical condition of the Premises and/or (b) the existence or nonexistence of any hazardous materials in, under or affecting the Premises.

(iii) Tenant acknowledges and agrees that to the fullest extent permitted by law, the Premises are being leased strictly in an "as-is", "where-is" condition. Tenant assumes all risks inherent in leasing the Premises in an "as-is", "where-is" condition and acknowledges that the Tenant is not relying on any statement or representation of Landlord, its agents, employees, representatives, whether express or implied, relating to the condition of the Premises, or any other matter whatsoever related to the Premises unless such representation is expressly made by Landlord in writing in this Lease.

(d) Landlord Access. Tenant shall permit Landlord or Landlord's agent to enter upon the Property at reasonable times and upon reasonable notice, for the purpose of inspecting the same.

(e) Tenant's Property. All trade fixtures, equipment and personal property of Tenant, if any, located at the Premises will remain the property of Tenant during the Term and may be removed by Tenant at any time. Upon expiration or termination of the Lease, these trade fixtures, equipment and personal property shall be removed from the Premises. Tenant, at Tenant's cost and expense, must promptly repair all damage to the Premises occasioned by the removal of its trade fixtures, equipment and personal property.

4. Rent.

(a) Tenant shall pay an annual rent in monthly installments in advance for the use of the Premises during the entire Term. The rent for the first thirty (30) months of the Lease Term shall be \$4,500 per month. Rent for the subsequent thirty (30) months shall be \$4,750 per month. Should the Tenant choose to exercise the first five (5) year option, the rent for this period shall be \$5,000 per month. Should the Tenant choose to exercise the second five (5) year option, the rent for this period shall be \$5,350 per month.

(b) Taxes. Landlord will remain responsible for all taxes and assessments on the Premises except for the amount that exceeds the current annual tax and assessments of \$4,091.16 per year as evidenced by the latest property tax bill. Landlord is responsible for all other charges on the property tax bill. Any such excess shall be paid by Tenant to Landlord within thirty (30) days following written request to Tenant for payment.

5. Option to Purchase.

(a) If during the initial five (5) year Lease Term, Landlord desires to sell the Premises, Landlord shall only offer Premises for sale to Tenant for the appraised value as determined to be the average of three certified commercial real estate appraisers with at least two of the appraisers having offices outside Antioch but within Contra Costa County. Tenant shall have the option to conduct a Phase 1 and/or Phase 2 environmental assessment of Premises at Tenant's expense. Upon mutual execution of a final purchase agreement, Tenant shall close escrow within ninety (90) days. Tenant agrees to pay rent at the monthly rate established in Section 4 until the property transfers to the ownership of Tenant. If Tenant does not purchase the Premises, then Tenant shall continue to lease the Premises for the rest of the initial five-year term.

(b) If during the first option period and/or second option period, the Landlord elects to sell the Premises, Tenant shall have the option to purchase the Premises for the appraised value as determined to be the average of three certified commercial real estate appraisers with at least two of the appraisers having offices outside Antioch but within Contra Costa County. Costs of the appraisals and any other closing costs shall be shared equally by the parties, except for title insurance that Tenant shall pay if desired. Tenant shall have the option to conduct a Phase 1 and/or Phase 2 environmental assessment of Premises at Tenant's expense. Upon mutual execution of a final purchase agreement, Tenant shall close escrow within ninety (90) days. Tenant agrees to pay rent at the monthly rate established in Section 4 until the property transfers to the ownership of Tenant. If Tenant does not purchase the Premises, then Tenant shall continue to lease the Premises for the rest of the five-year term.

(c) If Tenant does not exercise the right to purchase within sixty (60) days following receipt of Landlord's election to sell and completion of the appraisals and environmental assessments, Landlord may sell the Premises to another party. However, Landlord shall provide Tenant 12-months notice following Tenant's written notice to Landlord that it does not intend to purchase Premises.

(d) Should Tenant not exercise the option to purchase the Premises during the 15-year lease term and Landlord has not sold the Premises to another party during that period, then upon the expiration of the Term, then Landlord shall sell Premises to Tenant for the appraised value and pursuant to the terms described above in subsection b.

(e) Tenant shall be under no obligation to purchase the Premises at any time.

6. Maintenance and Operation.

(a) Regular Maintenance. Except for the roof and structural portions of the walls and foundation (which the Landlord shall maintain), Tenant agrees that it will, at its sole cost and expense: (a) maintain the Premises, including without limitation, the non-structural portions of the walls and foundation, operational systems (cooling, heating, air conditioning ("HVAC")), plumbing equipment, fixtures, floors, doors, windows, toilets, light replacements, paving and landscaping) and all other improvements or systems on or serving the Premises, in a good condition and repair, (b) maintain in good condition the existing and required landscaping located on the Premises, (c) maintain the surfacing on the Premises, fencing, signage and the lighting; (d), maintain the building including removing leaves and debris from the roof and gutters each October; and (e) promptly (within 48 hours of discovery or reporting) remove any graffiti from the Premises.

(b) Tenant Improvements. In addition to maintaining the Premises as provided in (a) above, Tenant shall construct and/or perform the Tenant Improvements described in Exhibit "B" attached hereto. Said improvements shall be completed on or before December 1, 2014. Except for the improvements described in Exhibit "B", Tenant shall not make any alterations or improvements to the Premises except with Landlord's prior written consent, except for those improvements set forth in Exhibit C which are approved by Landlord.

(c) Utilities. Tenant shall arrange for and pay for all water, telephone service, trash removal, gas and electricity at the Premises. Landlord shall be responsible for sewer charges on the property tax bill.

(d) Paint Booth. Landlord shall disconnect heater for paint booth and industrial hookups to the paint booth. Tenant shall utilize paint booth only for storage.

(e) 4" Gas Line. Landlord shall close and lock the existing 4" gas line serving the Premises. Tenant shall not unlock, use or relocate the gas line during the Lease Term or any extension thereof.

7. **Insurance.**

(a) **Commercial General Liability Coverage.** Tenant shall carry \$1 million in general liability coverage through a joint risk pool (in effect "self insurance"). Landlord shall be named as additional insured on that general liability coverage as to Tenant's operations at Premises.

(b) **Property Insurance.** Landlord shall maintain property insurance for the Premises for all risks and at the full cost of replacement of the building, but is not required to cover property insurance for the Tenant's equipment or improvements. The Tenant shall maintain property insurance for any Tenant improvement and equipment.

8. **Indemnification.**

(a) Tenant agrees to indemnify, protect, defend and hold Landlord harmless from and against any and all claims, losses, liabilities, actions, judgments, costs and expenses (including attorneys' fees and costs) (collectively, "Claims") due to injury to or death of, or damage to the property arising out of Tenant's negligence and/or use of the Premises. Landlord agrees to indemnify, protect, defend and hold Tenant harmless from and against any and all Claims due to injury to or death of, or damage to the property arising out of Landlord's negligence and/or use of the Premises.

(b) Tenant agrees to indemnify, protect, defend and hold Landlord harmless from and against any and all pollution or hazardous materials claims, losses, liabilities, actions, judgments, costs and expenses (including attorneys' fees and costs) due to Tenant's operations of the Premises. Landlord agrees to indemnify, protect, defend and hold Tenant harmless from and against any and all pollution or hazardous materials claims, losses, liabilities, actions, judgments, costs and expenses (including attorneys' fees and costs) arising from Landlord's operations of the Premises or pollution or hazardous materials existing as of the Commencement Date of the Lease.

(c) Negligent or criminal acts by members of the public at the Premises shall not be deemed to be the liability or responsibility of Landlord or Tenant.

(d) The indemnity provision of this section shall survive the expiration or cancellation of this Lease.

9. **Default.**

(a) **Rights and Remedies.** Upon the occurrence of a default by either party under this Lease, the other party shall have the rights and remedies set forth in this Lease, in addition to any and all other rights and remedies available at law or in equity.

(b) **Default and Cure by Tenant.** Tenant will not be considered to be in default under this Lease unless (a) in the case of any obligation requiring the payment of money by Tenant to Landlord, Tenant fails to make such payment within the time specified in this Lease or otherwise within five (5) days following written notice from Landlord and (b) in the case of any other alleged default, Tenant fails to cure such default within thirty (30) days following written notice from Landlord, provided that if the nature of the alleged default is such that it cannot reasonably be cured within thirty (30) days, Tenant shall have a reasonable time in which to cure such alleged breach or default.

10. **Notices.** Except as otherwise provided, all notices required or permitted to be given under this Lease must be in writing and addressed to the parties at their respective notice addresses set forth below. Notices must be given by personal delivery (including by commercial delivery service) or by first-class mail, postage prepaid. Notices will be deemed effectively given, in the case of personal delivery, upon receipt (or if receipt is refused, upon attempted delivery), and in the case of mailing, three (3) business days following deposit into the custody of the United States Postal Service. The notice addresses of the parties are as follows:

If to Tenant: City of Antioch
 PO Box 5007
 Antioch, California 94531
 Attention: City Manager

With a copy to: City Attorney
 City of Antioch
 PO Box 5007
 Antioch, CA 94531

If to Landlord: Charles W. Scotto and Donna F. Scotto
 Trustees for the Scotto Family Trust, Dated
 February 13, 2002
 305 Blue Rock Drive
 Antioch, CA 94509

11. **General.**

(a) **Interpretation.** The titles to the sections of this Lease are for convenience of reference only and are not a part of this Lease and shall have no effect upon the construction or interpretation of any part of this Lease. Any exhibits attached to this Lease are, however, a part of this Lease. In construing this Lease, none of the parties to it shall have any term or provision construed against it solely by reason of its having drafted the same.

(b) **Governing Law.** This Lease shall be governed by and construed in accordance with the laws of the State of California, without regard to any otherwise governing principles of conflicts of law. Any litigation concerning this Lease shall be subject to jurisdiction in Contra Costa County or the Northern District of California for federal court.

(c) **Severance.** Any provision of this Lease that is invalid, illegal or unenforceable shall be ineffective to the extent of such invalidity, illegality or unenforceability without invalidating, diminishing or rendering unenforceable the rights and obligations of the parties under the remaining provisions of this Lease.

(d) **Written Amendment.** No term or provision of this Lease may be amended or modified, except by an instrument in writing signed by the parties to this Lease.

(e) **Entire Agreement.** This Lease and all exhibits attached to it constitutes the entire agreement of the parties with respect to the subject matter hereof and supersedes all prior or contemporaneous agreements (whether written or oral) with respect to that subject matter.

(f) Counterparts. This Lease may be executed in several counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

(g) No Mechanic's Lien. Tenant shall at all times keep the Premises free from any liens arising out of any work performed or allegedly performed, materials furnished or allegedly furnished or obligations incurred, by or for Tenant. Tenant agrees to indemnify and hold Landlord harmless from and against any and all claims for mechanics', materialmen's or other liens in connection with any Improvements, repairs or any work performed or allegedly performed, materials furnished allegedly furnished or obligations incurred or allegedly incurred, by or for Tenant.

(h) No Personal Liability. No member, official or employee of Tenant shall be personally liable in the event of any default or breach of this Lease.

(i) Authority. The parties represent that the individuals signing this Lease Agreement have the authority to do so.

(j) No Brokers. Each Party represents to the other that it has not had any contact or dealings regarding the Premises, or any communication in connection with the subject matter of this transaction, through any real estate broker or other person who can claim a right to a commission or finder's fee. If any broker or finder makes a claim for a commission or finder's fee based upon a contact, dealings, or communications, the party through whom the broker or finder makes this claim shall indemnify, defend with counsel of the indemnified Party's choice, and hold the indemnified Party harmless from all expense, loss, damage and claims, including the indemnified Party's attorneys' fees, if necessary, arising out of the broker's or finder's claim

Executed as of the date first set forth above.

TENANT:
CITY OF ANTIOCH

By: _____
Steven Duran
City Manager

Attest:

Arne Simonsen, City Clerk
City of Antioch

Approved as to Form:

By: _____
Lynn Tracy Nerland, City Attorney

Attachments:

EXHIBIT "A" - Depiction of the Premises
EXHIBIT "B" AND "C" - Improvements to Premises

LANDLORD:

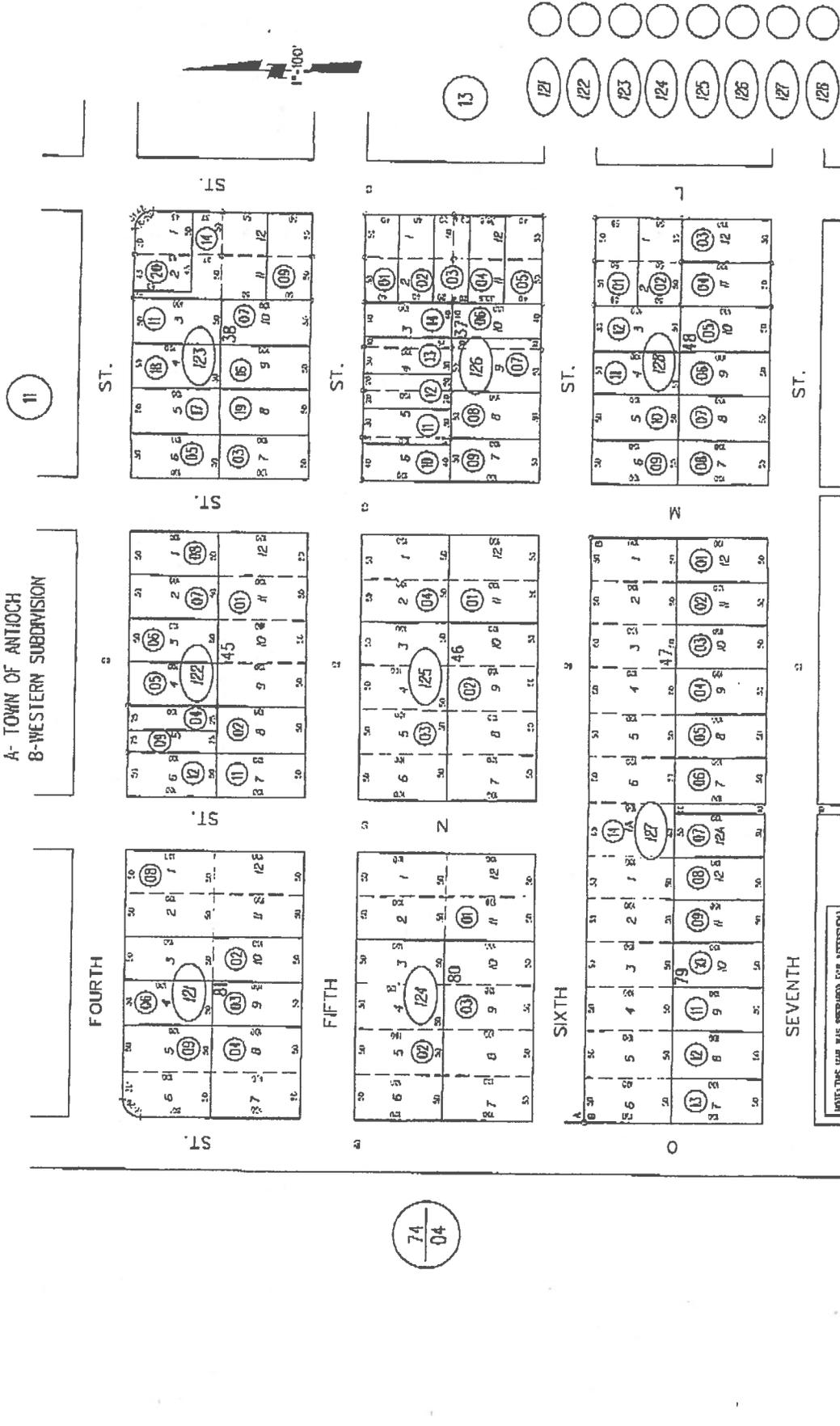
CHARLES W. SCOTTO AND DONNA F. SCOTTO, TRUSTEES FOR THE SCOTTO FAMILY TRUST, DATED FEBRUARY 13, 2002

By: _____
Charles W. Scotto, Trustee

By: _____
Donna F. Scotto, Trustee

Exhibit "A"

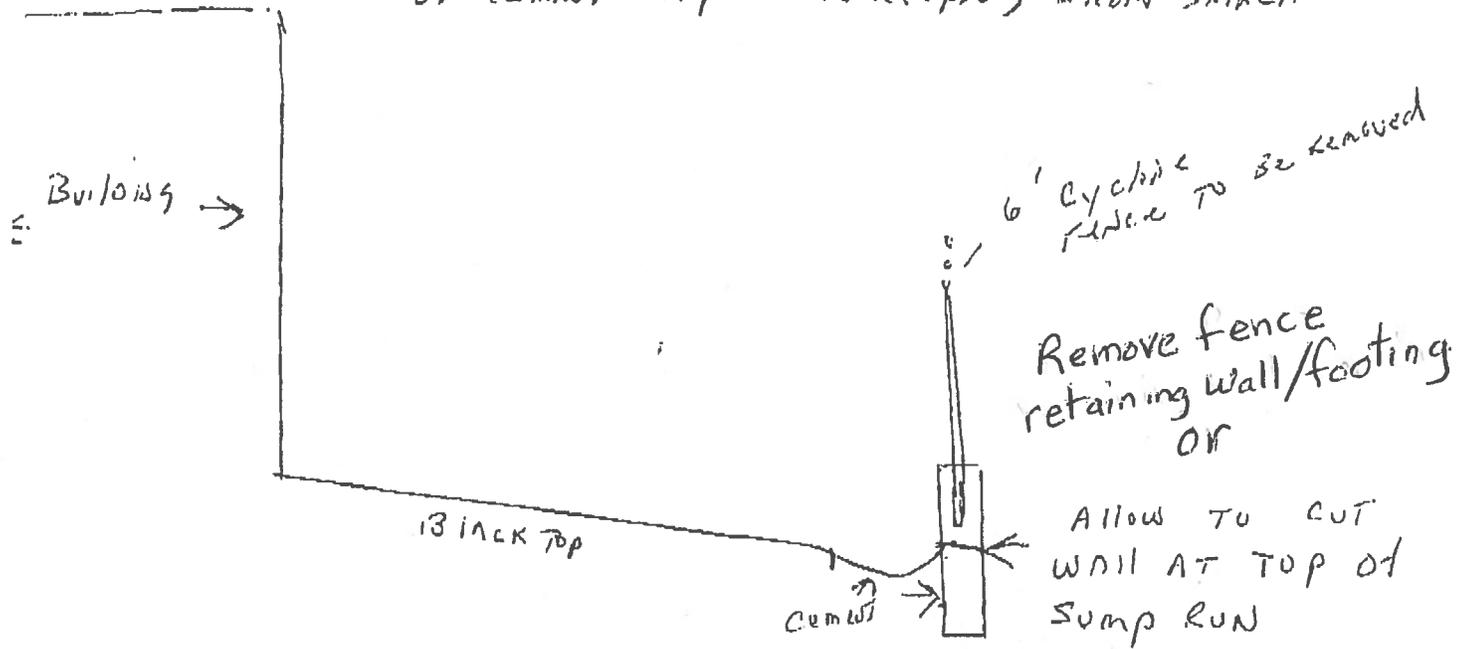
A- TOWN OF ANTIOCH
B- WESTERN SUBDIVISION



NOTE: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR ANY ERRORS OR OMISSIONS. THE INFORMATION CONTAINED HEREON IS FOR GENERAL INFORMATION ONLY AND CANNOT BE RELIED UPON FOR ANY PURPOSES WITHOUT CONSULTING THE ORIGINAL RECORDS OR THE LOCAL GOVERNMENT OFFICIALS.

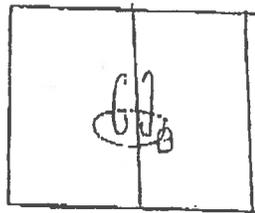
All other changes to be submitted to Landlord in writing;
 with sketch double copy to be held by
 Landlord + one to retain by Landlord

Retaining wall to be cut at top
 of cement sump drain keeping iron intact.



Fence Replace will have to be at out side of wall, it was built into wall and take to meet orig height.

Booth as vault



Booth Doors

Lock with chain + lock
 around handles

No holes drilled

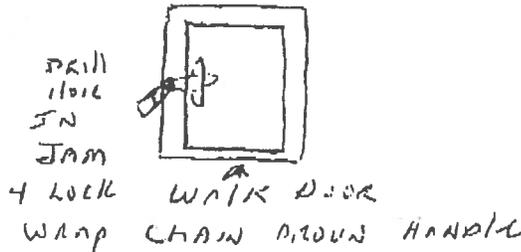


Exhibit "B"

1) PROPOSED IMPROVEMENTS BY CITY OF ANTIOCH

- a. Resurface the flooring with epoxy - as needed
- b. Install shelving
- c. Install secured portable shelving in the paint booth
- d. Re-key existing locks to City key system
- e. Provide security system to building and property to be integral with Corp Yard system
- f. Remove back fence and footing per Exhibit B
- g. Install conduit for computers and phone system (including fiber to computer stations)
- h. Remove Scotto's signage
- i. Add new exterior signage
- j. Reconfigure south fence to incorporate Corp Yard
- k. Remove front counter (to be replaced with a workstation in the front office)

CITY OF ANTIOCH AS SUCCESSOR AGENCY TO
THE ANTIOCH DEVELOPMENT AGENCY
CLAIMS BY FUND REPORT
FOR THE PERIOD OF
AUGUST 15 - SEPTEMBER 11, 2014
FUND/CHECK#

239 Redevelopment Obligation Retirement Fund

352496 MUNICIPAL RESOURCE GROUP LLC	CONSULTING SERVICES	7,486.20
352594 GOLDFARB AND LIPMAN LLP	LEGAL SERVICES	78.00

**STAFF REPORT TO THE CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF SEPTEMBER 23, 2014**

Prepared by: Mindy Gentry, Senior Planner *MG*
Approved by: Tina Wehrmeister, Director of Community Development *TW*
Date: September 18, 2014
Subject: **UP-13-12 – Mission-Hope Adult Day Program Appeal**

RECOMMENDATION

It is recommended the City Council uphold the Planning Commission's decision to approve a use permit for an adult day program and deny the appeal.

REQUEST

The residents of the Lake Alhambra Homeowners Association are appealing the Planning Commission's decision to approve an adult day program that provides services for 45 developmentally disabled adults. The project is located at 10 South Lake Drive (**APN: 065-235-019**) (Attachment "A").

BACKGROUND INFORMATION

The project was continued by the Planning Commission at the April 16, 2014 hearing due to concerns raised by the surrounding residential community regarding traffic and the proposed use being too intensive adjacent to a residential neighborhood (Attachments "B" and "C"). Staff held a meeting with neighborhood representatives and the applicant to discuss the issues raised at the Planning Commission hearing. The outcome of the meeting between the two groups was amicable but divergent; however, the applicant did agree to conduct a traffic study.

On August 6, 2014, the Planning Commission again heard the project and was provided with additional information and testimony (Attachments "D" and "E"). A traffic study was presented, which concluded the project would generate fewer than 40 peak hour trips and would not have a significant impact on East Eighteenth Street, the Alhambra Drive intersection, or the study area traffic operations. Parking was also not expected to be a problem for the project. The study did recommend the project applicant should encourage employee carpools and restripe the 90 degree angle parking stalls to 60 degrees to provide a wider drive aisle and improved maneuverability for facility vans.

Responding to comments made during the Planning Commission hearing, the applicant has submitted a written response pledging to work with the surrounding neighborhood for use of the subject parking lot for community events at the park across the street. Also, a transportation plan was submitted to address concerns with employee parking and carpooling (Attachment "F")

The project opponents also presented information regarding safety concerns in the neighborhood as well as proposed alternatives to directly connect the project to East Eighteenth Street (Attachment "G"). The Planning Commission voiced their support of the project as long as additional conditions were added to the use permit to address the community's concerns.

The additional conditions pertained to the hours of operation, prohibiting the movement of the facility's vans through the residential neighborhood, the addition of a staff smoking area, and that all of the facility's vans be stored onsite. The Planning Commission approved the use permit (4-1-0).

On August 13, 2014, the residents of the Lake Alhambra Homeowners Association filed an appeal of the Planning Commission's decision on the approval of the use permit (Attachment "H").

ENVIRONMENTAL

The project is Categorical Exempt from the provisions of CEQA, pursuant to section 15301 – Existing Facilities. This section of CEQA exempts projects that involve negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

ANALYSIS

Issue #1: Project Overview

The applicant proposes using the subject site for an adult day program that provides living skills training, recreational activities, and outings into the community for the developmentally disabled. The applicant's project description is included as Attachment "I". Mission-Hope Adult Day Program has other facilities in Hayward, Dublin, Fremont, and Brentwood as well as a facility within the City of Antioch on Verne Roberts Circle that has been operating for more than 11 years. The program would be relocating from its location on Verne Roberts Circle to the South Lake Drive location.

The program will provide services to approximately 45 developmentally disabled adults Monday to Friday from 7:30 AM to 3:30 PM. The facility employs a staff of 20. The recreational activities include handicrafts, artwork, dancing, and aerobic exercise. The facility also provides outings to parks, museums, bowling alleys, malls, movies, restaurants, and grocery stores to name a few.

The site consists of a single story building approximately 4,800 s.f. of which the applicant would occupy the entire building. The floor plan has been broken into different rooms for offices, meetings, art, a library, exercise, relaxation and entertainment. No exterior modifications are being proposed.

Issue #2: General Plan, Zoning Consistency, and Land Use

The General Plan designation of the property is Neighborhood Community Commercial. The site is zoned Convenience Commercial (C-1) and day care requires a use permit in this zoning designation. The surrounding land use designations are as noted below:

North: Lake Alhambra, single family homes, and apartments (R-6 and R-20)
South: Various commercial uses and East Eighteenth Street (C-2)
East: Single family homes and apartments (R-20 and C-1)
West: An office building and single family homes (R-6 and C-2)

FINANCIAL IMPACT

The subject site has historically been occupied by lower volume service commercial businesses such as a hair salon and a professional engineering and surveying offices. The site could accommodate higher volume commercial businesses under the current zoning however, this may not be the most desirable location because the site is not readily visible from East Eighteenth Street.

STRATEGIC PURPOSE

Consideration of this item is consistent with Strategic Plan Long Term Goal G, process entitlement requests.

OPTIONS

1. Approve the appeal and deny the use permit. A resolution has been provided approving the appeal and denying the use permit.

ATTACHMENTS

- A: Aerial Photograph
- B: Planning Commission Staff Report from the April 16, 2014 Hearing
- C: Minutes from the April 16, 2014 Planning Commission Hearing
- D: Planning Commission Staff Report from the August 6, 2014 Hearing with Traffic Study Attachment
- E: Minutes from the August 6, 2014 Planning Commission Hearing
- F: Mission-Hope's Response to Employee Parking and Community Use of the Parking Lot
- G: Petition Letter Submitted to the Planning Commission (Redacted)
- H: Appeal Letter from the Residents of the Lake Alhambra Homeowners Association (Redacted)
- I: Applicant's Project Description

RESOLUTION NO. 2014/**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH UPHOLDING THE PLANNING COMMISSION'S DECISION AND DENYING THE APPEAL OF USE PERMIT FOR AN ADULT DAY PROGRAM

WHEREAS, the City of Antioch received a request from Juanita Ninifa Ganiez, on behalf of Mission-Hope Day Program, for a use permit for an adult day program that provides services for developmentally disabled adults. The use will include living skills training, recreational activities, and outings into the community. The project is located at 10 South Lake Drive (**APN: 065-235-019**); and

WHEREAS, this project is exempt from the provisions of CEQA pursuant to CEQA Guideline section 15301 – Existing Facilities; and

WHEREAS, the Planning Commission on April 16, 2014, duly held a hearing, received, and considered evidence, both oral and documentary and continued the project; and

WHEREAS, the Planning Commission on August 6, 2014, duly held a hearing, received, and considered evidence, both oral and documentary and approved the use permit; and

WHEREAS, the Planning Commission Resolution 2014-18, from August 6, 2014, is attached as Exhibit A; and

WHEREAS, the City of Antioch on August 13, 2014 received an appeal from residents of the Lake Alhambra Homeowners Association of the Planning Commission's decision; and

WHEREAS, the City Council on September 23, 2014, duly held a hearing, received, and considered evidence, both oral and documentary; and

WHEREAS, the City Council reaffirms the findings made by the Planning Commission:

1. The granting of such use permit will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.

The use will not be detrimental to the public health or welfare or injurious to the property or improvements because the use will occupy an existing building large enough to accommodate the use.

2. The use applied at the location indicated is properly one for which a use permit is authorized.

The site is zoned Convenience Commercial (C-1) and per the Municipal Code, adult day programs are allowed with a use permit. The use and the site meet the standards of the Antioch Municipal Code.

3. That the site for the proposed use is adequate in size and shape to accommodate such use, and all yards, fences, parking, loading, landscaping, and other features required, to other uses in the neighborhood.

RESOLUTION NO. 2014/**

September 23, 2014

Page 2

The site is adequate in size and shape to accommodate an adult day program. The site has adequate yards, fences, parking and landscaping to accommodate the proposed use.

4. That the site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

The site is located on South Lake Drive, which is adequate in width and pavement type to carry the traffic generated by the use. The project would generate fewer than 40 peak hour trips and per the traffic study from the consulting traffic engineering, the project would not have a significant impact on East Eighteenth Street, the Alhambra Drive intersection, or the study area traffic operations.

5. That the granting of such use permit will not adversely affect the comprehensive General Plan.

The use is considered an adult day program which will not adversely affect the comprehensive General Plan.

NOW THEREFORE BE IT RESOLVED the City Council of the City of Antioch does hereby **DENY** the appeal and upholds the Planning Commission decision to approve the Use Permit, attached as Exhibit A to this resolution (UP-13-12).

* * * * *

I HEREBY CERTIFY the foregoing resolution was duly adopted by the City Council of the City of Antioch, at a regular meeting thereof held on the 23rd day of September, 2014.

AYES:

NOES:

ABSENT:

ARNE SIMONSEN
CITY CLERK OF THE CITY OF ANTIOCH

EXHIBIT "A"

CITY OF ANTIOCH PLANNING COMMISSION RESOLUTION NO. 2014-18

RESOLUTION OF THE CITY OF ANTIOCH PLANNING COMMISSION APPROVING A USE PERMIT FOR AN ADULT DAY PROGRAM

WHEREAS, the City of Antioch received a request from Juanita Ninifa Ganiez, on behalf of Mission-Hope Day Program for a use permit for an adult day program that provides services for developmentally disabled adults. The use will include living skills training, recreational activities, and outings into the community. The project is located at 10 South Lake Drive (**APN: 065-235-019**).

WHEREAS, this project is exempt from the provisions of CEQA pursuant to CEQA Guideline section 15301 – Existing Facilities; and

WHEREAS, the Planning Commission duly gave notice of public hearing as required by law; and,

WHEREAS, the Planning Commission on August 6, 2014, duly held a public hearing, received, and considered evidence, both oral and documentary, and

WHEREAS, the Planning Commission does determine:

1. The granting of such use permit will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.

The use will not be detrimental to the public health or welfare or injurious to the property or improvements because the use will occupy an existing building large enough to accommodate the use.

2. The use applied at the location indicated is properly one for which a use permit is authorized.

The site is zoned Convenience Commercial (C-1) and per the Municipal Code, adult day programs are allowed with a use permit. The use and the site meet the standards of the Antioch Municipal Code.

3. That the site for the proposed use is adequate in size and shape to accommodate such use, and all yards, fences, parking, loading, landscaping, and other features required, to other uses in the neighborhood.

The site is adequate in size and shape to accommodate an adult day program. The site has adequate yards, fences, parking and landscaping to accommodate the proposed use.

- 4. That the site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

The site is located on South Lake Drive, which is adequate in width and pavement type to carry the traffic generated by the use.

- 5. That the granting of such use permit will not adversely affect the comprehensive General Plan.

The use is considered an adult day program which will not adversely affect the comprehensive General Plan.

NOW THEREFORE BE IT RESOLVED the Planning Commission of the City of Antioch does hereby **APPROVE** the use permit (UP-13-12) for an adult day program, subject to the following conditions and the findings for the conditions, which are attached to this resolution as Exhibit A:

A. GENERAL CONDITIONS

- 1. The project shall comply with the Antioch Municipal Code.
- 2. Conditions required by the Planning Commission, which call for a modification or any change to the site plan submitted, be corrected to show those conditions and all standards and requirements of the City of Antioch prior to any submittal for a building permit. No building permit will be issued unless the site plan meets the requirements stipulated by the Planning Commission and the standards of the City.
- 3. City staff shall inspect the site for compliance with the conditions of approval prior to final building inspection.
- 4. This approval expires two years from the date of approval (Expires August 6, 2016), unless a building permit has been issued and construction has diligently commenced thereon and has not expired, or an extension has been approved by the Zoning Administrator. Requests for extensions must be received in writing with the appropriate fees prior to the expiration of this approval. No more than one, one year extension shall be granted.
- 5. The applicant shall defend, indemnify and hold harmless the City in any action brought by a third party to challenge the land use entitlement. In addition, if there is any referendum or other election action to contest or overturn these approvals, the applicant shall either withdraw the application or pay all City costs for such an election.

6. No permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, reimbursement payments and any other payments that are due.
7. The applicant shall obtain an encroachment permit for all work to be done within the public right-of-way.
8. This approval supersedes previous approvals that have been granted for this site.
9. All required easements or rights-of-way for off tract improvements shall be obtained by the applicant at no cost to the City of Antioch. Advance permission shall be obtained from any property or easement holders for any work done within such property or easements.

B. CONSTRUCTION CONDITIONS

1. The use of construction equipment shall be restricted to weekdays between the hours 8:00 A.M. and 5:00 P.M., or as approved in writing by the City Manager.
2. The project shall be in compliance with and supply all the necessary documentation for AMC6-3.2: Construction and Demolition Debris Recycling.
3. Building permits shall be secured for all proposed construction associated with this facility, including any interior improvements not expressly evident on the plans submitted.

C. FIRE REQUIREMENTS

1. All requirements of the Contra Costa County Fire Protection District shall be met:
 - a. The developer shall submit three (3) complete sets of plans and specifications of the subject project, including plans for any of the following required submittals, to the Fire District for review and approval prior to construction to ensure compliance with minimum requirements related to fire and life safety. The required resubmittals include tenant improvement plans, fire sprinklers, and fire alarm. (105.4.1) CFC, (901.2) CFC, (107) CBC.
 - b. Plan review and inspection fees shall be submitted at the time of plan review submittal. Checks may be made payable to "CCCFPD" (Contra Costa Fire Protection District).

D. FEES

1. The applicant shall pay all fees as required by the City Council.

E. PROPERTY MAINTENANCE

1. A parking lot sweeping program shall be implemented that, at a minimum, provides for sweeping immediately prior to, and once during, the storm season.
2. The project shall comply with Property Maintenance Ordinance Section 5-1.204. No final landscape and irrigation plan shall be considered to be complete without an approved maintenance agreement reflective of standards contained in Section 5-1.204 (G).
3. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.
4. No signs shall be installed on this site without prior City approval.

F. USE REQUIREMENTS

1. The use permit applies to the service of 45 developmentally disabled adults per day. A supplemental use permit shall be required to serve more than 45 clients.
2. The parking lot shall be restriped to 60 degree angled spaces or as approved by the City Engineer.
3. The applicant shall encourage its employees to carpool.
4. Operating hours shall be 7:00 a.m. to 4:00 p.m. Monday through Friday.
5. The applicant shall install bike racks or stalls pursuant to Code requirements and staff approval.
6. All company vehicles shall use Alhambra Drive only.
7. No company vehicles shall travel through the residential neighborhood, except to drop off or to pick up a client.
8. Applicant shall design a smoking break area in the back of the building and shall discourage loitering in the front of the building.
9. All company vehicle parking shall be onsite.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 6th day of August 2014.

AYES: Hinojosa, Motts, Baatrup and Westerman
NOES: Pinto
ABSTAIN: None
ABSENT: Miller

TINA WEHRMEISTER, SECRETARY TO THE
PLANNING COMMISSION

EXHIBIT A

MISSION HOPE ADULT DAY PROGRAM (UP-13-12)

FINDINGS IN SUPPORT OF CONDITIONS OF APPROVAL

A. GENERAL CONDITIONS

1. The City of Antioch has established a Municipal Code to protect the public health, safety, and welfare of the citizens within the City. This condition of approval is necessary for the developer to mitigate any project impacts that may threaten the health, safety, or welfare of its citizens.
- 2-3. In order for the project to be constructed to the City's approved standards, the plans need to adequately reflect the changes made by the Planning Commission and City staff needs to inspect the site for compliance with the conditions of approval prior to final inspection approval. These conditions protects the public safety, health, and general welfare of the residents of the project and surrounding residential and other uses by providing an adequate reflection of the approved project prior to the issuance of building permits and a follow up site inspection to ensure the Project was built as conditioned.
4. The regulatory environment of land development and base line conditions change frequently; therefore, this condition is necessary to ensure any project going forward is subject to the most current regulations in order to promote the public health, safety, and welfare in the City of Antioch.
5. The project is being pursued by a developer and the City's responsibility is to promote orderly development within the City. This condition is necessary to protect the City from the financial and time expenses for defending challenges to land use entitlements or environmental reviews that are financially benefitting the applicant, particularly given the City's own financial challenges.
- 6-7. The project takes City time and staff to process development applications through the land use entitlement process. The development of property is at the benefit of the applicant; therefore, the conditions are necessary to ensure the applicant pays the expenses to process the application rather than having that burden placed on the taxpayers for another's benefit and satisfies all necessary requirements to make use of public lands that serve the project site.
8. It is necessary to ensure administrative consistency and avoid confusion between plan versions by identifying the most recent entitlements that govern site development and use.

9. The project requires the use of public lands in order to provide access and extend infrastructure to the project site. These conditions are necessary to allow the project sponsors to make use of public lands to benefit the project.

B. CONSTRUCTION CONDITIONS

- 1-3. Construction activities will produce impacts related to noise, dust, vibrations, and traffic that must be addressed and mitigated. In addition, the City is under a State-wide mandate to divert its waste by 50% and thus the City has adopted an ordinance to reduce construction and demolition debris from going to the landfill. The City also has adopted the State of California Building Code; therefore, a building permit must be pulled for work performed inside the building even if it is not expressly on the plans. These conditions of approval are necessary to address these impacts from the project to ensure the public health, safety, and welfare of the Antioch community are protected and that development in the City occurs in an orderly fashion consistent with the City's General Plan and Municipal Code and to not create temporary or permanent nuisances.

C. FIRE REQUIREMENTS

1. The Contra Costa Fire Protection District provides fire services for the City of Antioch and follows the California Fire Code. The conditions of approval are necessary on the Project to protect the public health and provide for the safety and welfare of life and property from fire and explosion hazards or dangerous conditions in new buildings and existing buildings; structures and premises; and to provide safety and assistance to fire fighters and emergency responders during emergency operations.

D. FEES

1. The City of Antioch provide existing infrastructure such as streets, utilities, traffic signals, schools, public right-of-way, parks, flood mitigation improvements, parks, and police services. The fees required by the condition of approval serve two functions: 1) the funds will provide mitigation for the project's fair share impact and the project's responsibility of costs for the existing infrastructure due to the increase in population and 2) to mitigate the costs of additional infrastructure and maintenance necessary due to the impact of the project. The conditions of approval are necessary to mitigate impacts to public infrastructure from deterioration as well as provide additional infrastructure to serve the additional population.

E. PROPERTY MAINTENANCE

- 1-4. These conditions are necessary to ensure that the project site is kept in good working order to ensure adequate trash collection, to avoid localized flooding, reduce fire risks, and ensure the continued health, safety and welfare of the project environs.

F. USE REQUIREMENTS

- 1-3. The use contemplated under this use permit only analyzed serving 45 people; additional people could result in impacts not contemplated by this use permit. Restriping the parking lot will result in better maneuverability for the facilities' vans and carpooling will minimize the need for parking on the street in the neighborhood.

RESOLUTION NO. 2014/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPROVING AN APPEAL AND DENYING A USE PERMIT FOR AN ADULT DAY PROGRAM**

WHEREAS, the City of Antioch received a request from Juanita Ninifa Ganiez, on behalf of Mission-Hope Day Program, for a use permit for an adult day program that provides services for developmentally disabled adults. The use will include living skills training, recreational activities, and outings into the community. The project is located at 10 South Lake Drive (**APN: 065-235-019**); and

WHEREAS, this project is exempt from the provisions of CEQA pursuant to CEQA Guideline section 15301 – Existing Facilities; and

WHEREAS, the Planning Commission on April 16, 2014, duly held a hearing, received, and considered evidence, both oral and documentary and continued the project; and

WHEREAS, the Planning Commission on August 6, 2014, duly held a hearing, received, and considered evidence, both oral and documentary and approved the use permit; and

WHEREAS, the City of Antioch on August 13, 2014 received an appeal from residents of the Lake Alhambra Homeowners Association of the Planning Commission's decision; and

WHEREAS, the City Council on September 23, 2014, duly held a hearing, received, and considered evidence, both oral and documentary; and

WHEREAS, the City Council does determine:

1. The granting of such use permit will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.

The use will be detrimental to the public health or welfare or injurious to the property or improvements because the use will be too intensive to be adjacent to a residential neighborhood.

2. The use applied at the location indicated is properly one for which a use permit is authorized.

The site is zoned Convenience Commercial (C-1) and per the Municipal Code, adult day programs are allowed with a use permit; however the City Council finds the use to be too intensive adjacent to a residential neighborhood.

3. That the site for the proposed use is adequate in size and shape to accommodate such use, and all yards, fences, parking, loading, landscaping, and other features required, to other uses in the neighborhood.

The City Council finds the site is not adequate in size and shape to mitigate all potential impacts to the surrounding residential neighborhood due to being too intensive of a use.

RESOLUTION NO. 2014/**

September 23, 2014

Page 2

4. That the site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

The site is located on South Lake Drive, which the traffic study found adequate to serve the use and property; however the City Council finds the use to be too intensive for the neighborhood, particularly with larger vans in a residential neighborhood. The use will generate additional peak hour vehicular trips.

5. That the granting of such use permit will not adversely affect the comprehensive General Plan.

The use is considered an adult day program which could adversely affect the comprehensive General Plan by compromising the integrity of the adjacent residential neighborhood with too intensive of a use.

NOW THEREFORE BE IT RESOLVED the City Council of the City of Antioch does hereby **APPROVE** the appeal and denies the use permit

* * * * *

I HEREBY CERTIFY the foregoing resolution was duly adopted by the City Council of the City of Antioch, at a regular meeting thereof held on the 23rd day of September, 2014.

AYES:

NOES:

ABSENT:

ARNE SIMONSEN
CITY CLERK OF THE CITY OF ANTIOCH

ATTACHMENT "A"

Aerial Photo



ATTACHMENT "B"

STAFF REPORT TO THE PLANNING COMMISSION FOR CONSIDERATION AT THE MEETING OF APRIL 16, 2014

Prepared by: Mindy Gentry, Senior Planner *MS*
Date: April 10, 2014
Subject: UP-13-12 – Use Permit for Adult Day Program

RECOMMENDATION

It is recommended that the Planning Commission approve a use permit for an adult day program that provides services for developmentally disabled adults (UP-13-12), subject to the conditions contained in the attached resolution.

REQUEST

Juanita Ninifa Ganiez, on behalf of Mission-Hope Day Program, requests the approval of a use permit for an adult day program that provides services for developmentally disabled adults. The use will include living skills training, recreational activities, and outings into the community. The project is located at 10 South Lake Drive (APN: 065-235-019).

BACKGROUND

The building was approved in 1972 as a professional office building and has contained a variety of office and retail uses.

ENVIRONMENTAL

The project is Categorically Exempt from the provisions of CEQA, pursuant to section 15301 – Existing Facilities. This section of CEQA exempts projects that involve negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

ANALYSIS

Issue #1: Project Overview

The applicant proposes using the subject site for an adult day program that provides living skills training, recreational activities, and outings into the community for the developmentally disabled. The applicant's project description is included as Attachment "B". Mission-Hope Adult Day Program has other facilities in Hayward, Dublin, Fremont, and Brentwood as well as a facility within the City of Antioch on Verne Roberts Circle

3
4-16-14

B1

that has been operating for more than 11 years. The program would be relocating from its location on Verne Roberts Circle to the South Lake Drive location.

The program will provide services to approximately 45 developmentally disabled adults from Monday to Friday from 7:30 AM to 3:30 PM. The facility employs a staff of 20. The recreational activities include handicrafts, artwork, dancing, and aerobic exercise. The facility also provides outings to parks, museums, bowling alleys, malls, movies, restaurants, and grocery stores to name a few.

The site consists of a single story building approximately 4,800 s.f. of which the applicant would occupy the entire building. The floor plan has been broken into different rooms for offices, meetings, art, a library, exercise, relaxation and entertainment. No exterior modifications are being proposed.

Issue #2: General Plan, Zoning Consistency, and Land Use

The General Plan designation of the property is Neighborhood Community Commercial. The site is zoned Convenience Commercial (C-1) and day care requires a use permit in this zoning designation. The surrounding land use designations are as noted below:

- North:** Lake Alhambra, single family homes, and apartments (R-6 and R-20)
- South:** Various commercial uses and East Eighteenth Street (C-2)
- East:** Single family homes and apartments (R-20 and C-1)
- West:** An office building and single family homes (R-6 and C-2)

Issue #3: Parking

The subject property has a total of 25 parking spaces. There are 20 employees and 8 vans. The vans range in size from 8 to 15 passengers. The parking requirements outlined in the municipal code for day care are 1 space for each employee and 1 per 8 children. While the fit is not exact in regards to the parking requirements in that the clients are adults and not children, staff feels that this parking requirement would still be representative for the parking required for this use.

The vans are dispatched each morning to pick up their clients from their homes or from residential care facilities in the area. Some clients are brought to the facility and others will have outings in the community.

ATTACHMENTS

- A: Aerial Photo
- B: Applicant's Summary

B2

**CITY OF ANTIOCH PLANNING COMMISSION
RESOLUTION NO. 2014-****

**RESOLUTION OF THE CITY OF ANTIOCH PLANNING COMMISSION
APPROVING A USE PERMIT FOR AN ADULT DAY PROGRAM**

WHEREAS, the City of Antioch received a request from Juanita Ninifa Ganiez, on behalf of Mission-Hope Day Program for a use permit for an adult day program that provides services for developmentally disabled adults. The use will include living skills training, recreational activities, and outings into the community. The project is located at 10 South Lake Drive (**APN: 065-235-019**).

WHEREAS, this project is exempt from the provisions of CEQA pursuant to CEQA Guideline section 15301 – Existing Facilities; and

WHEREAS, the Planning Commission duly gave notice of public hearing as required by law; and,

WHEREAS, the Planning Commission on April 16, 2014, duly held a public hearing, received, and considered evidence, both oral and documentary, and

WHEREAS, the Planning Commission does determine:

1. The granting of such use permit will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.

The use will not be detrimental to the public health or welfare or injurious to the property or improvements because the use will occupy an existing building large enough to accommodate the use.

2. The use applied at the location indicated is properly one for which a use permit is authorized.

The site is zoned Convenience Commercial (C-1) and per the Municipal Code, adult day programs are allowed with a use permit. The use and the site meet the standards of the Antioch Municipal Code.

3. That the site for the proposed use is adequate in size and shape to accommodate such use, and all yards, fences, parking, loading, landscaping, and other features required, to other uses in the neighborhood.

The site is adequate in size and shape to accommodate an adult day program. The site has adequate yards, fences, parking and landscaping to accommodate the proposed use.

4. That the site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

The site is located on South Lake Drive, which is adequate in width and pavement type to carry the traffic generated by the use.

5. That the granting of such use permit will not adversely affect the comprehensive General Plan.

The use is considered an adult day program which will not adversely affect the comprehensive General Plan.

NOW THEREFORE BE IT RESOLVED the Planning Commission of the City of Antioch does hereby **APPROVE** the use permit (UP-13-12) for an adult day program, subject to the following conditions and the findings for the conditions, which are attached to this resolution as Exhibit A:

A. GENERAL CONDITIONS

1. The project shall comply with the Antioch Municipal Code.
2. Conditions required by the Planning Commission, which call for a modification or any change to the site plan submitted, be corrected to show those conditions and all standards and requirements of the City of Antioch prior to any submittal for a building permit. No building permit will be issued unless the site plan meets the requirements stipulated by the Planning Commission and the standards of the City.
3. City staff shall inspect the site for compliance with the conditions of approval prior to final building inspection.
4. This approval expires two years from the date of approval (Expires April 16, 2016), unless a building permit has been issued and construction has diligently commenced thereon and has not expired, or an extension has been approved by the Zoning Administrator. Requests for extensions must be received in writing with the appropriate fees prior to the expiration of this approval. No more than one, one year extension shall be granted.
5. The applicant shall defend, indemnify and hold harmless the City in any action brought by a third party to challenge the land use entitlement. In addition, if there is any referendum or other election action to contest or overturn these approvals, the applicant shall either withdraw the application or pay all City costs for such an election.

6. No permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, reimbursement payments and any other payments that are due.
7. The applicant shall obtain an encroachment permit for all work to be done within the public right-of-way.
8. This approval supersedes previous approvals that have been granted for this site.
9. All required easements or rights-of-way for off tract improvements shall be obtained by the applicant at no cost to the City of Antioch. Advance permission shall be obtained from any property or easement holders for any work done within such property or easements.

B. CONSTRUCTION CONDITIONS

1. The use of construction equipment shall be restricted to weekdays between the hours 8:00 A.M. and 5:00 P.M., or as approved in writing by the City Manager.
2. The project shall be in compliance with and supply all the necessary documentation for AMC6-3.2: Construction and Demolition Debris Recycling.
3. Building permits shall be secured for all proposed construction associated with this facility, including any interior improvements not expressly evident on the plans submitted.

C. FIRE REQUIREMENTS

1. All requirements of the Contra Costa County Fire Protection District shall be met:
 - a. The developer shall submit three (3) complete sets of plans and specifications of the subject project, including plans for any of the following required submittals, to the Fire District for review and approval prior to construction to ensure compliance with minimum requirements related to fire and life safety. The required resubmittals include tenant improvement plans, fire sprinklers, and fire alarm. (105.4.1) CFC, (901.2) CFC, (107) CBC.
 - b. Plan review and inspection fees shall be submitted at the time of plan review submittal. Checks may be made payable to "CCCFFPD" (Contra Costa Fire Protection District).

D. FEES

- 1. The applicant shall pay all fees as required by the City Council.

E. PROPERTY MAINTENANCE

- 1. A parking lot sweeping program shall be implemented that, at a minimum, provides for sweeping immediately prior to, and once during, the storm season.
- 2. The project shall comply with Property Maintenance Ordinance Section 5-1.204. No final landscape and irrigation plan shall be considered to be complete without an approved maintenance agreement reflective of standards contained in Section 5-1.204 (G).
- 3. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.
- 4. No signs shall be installed on this site without prior City approval.

F. USE REQUIREMENTS

- 1. The use permit applies to the service of 45 developmentally disabled adults. A supplemental use permit shall be required to serve more than 45 clients.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 16th day of April 2014.

AYES:
NOES:
ABSTAIN:
ABSENT:

TINA WEHRMEISTER, SECRETARY TO THE
PLANNING COMMISSION

B6

EXHIBIT A

MISSION HOPE ADULT DAY PROGRAM (UP-13-12)

FINDINGS IN SUPPORT OF CONDITIONS OF APPROVAL

A. GENERAL CONDITIONS

1. The City of Antioch has established a Municipal Code to protect the public health, safety, and welfare of the citizens within the City. This condition of approval is necessary for the developer to mitigate any project impacts that may threaten the health, safety, or welfare of its citizens.
- 2-3. In order for the project to be constructed to the City's approved standards, the plans need to adequately reflect the changes made by the Planning Commission and City staff needs to inspect the site for compliance with the conditions of approval prior to final inspection approval. These conditions protects the public safety, health, and general welfare of the residents of the Project and surrounding residential and other uses by providing an adequate reflection of the approved project prior to the issuance of building permits and a follow up site inspection to ensure the Project was built as conditioned.
4. The regulatory environment of land development and base line conditions change frequently; therefore this condition is necessary to ensure any project going forward is subject to the most current regulations in order to promote the public health, safety, and welfare in the City of Antioch.
5. The Project is being pursued by a developer and the City's responsibility is to promote orderly development within the City. This condition is necessary to protect the City from the financial and time expenses for defending challenges to land use entitlements or environmental reviews that are financially benefitting the applicant, particularly given the City's own financial challenges.
- 6-7. The Project takes City time and staff to process development applications through the land use entitlement process. The development of property is at the benefit of the applicant; therefore the conditions are necessary to ensure the applicant pays the expenses to process the application rather than having that burden placed on the taxpayers for another's benefit and satisfies all necessary requirements to make use of public lands that serve the project site.
8. It is necessary to ensure administrative consistency and avoid confusion between plan versions by identifying the most recent entitlements that govern site development and use.

9. The project requires the use of public lands in order to provide access and extend infrastructure to the project site. These conditions are necessary to allow the project sponsors to make use of public lands to benefit the project.

B. CONSTRUCTION CONDITIONS

- 1-3. Construction activities will produce impacts related to noise, dust, vibrations, and traffic that must be addressed and mitigated. In addition, the City is under a State-wide mandate to divert its waste by 50% and thus the City has adopted an ordinance to reduce construction and demolition debris from going to the landfill. The City also has adopted the State of California Building Code; therefore a building permit must be pulled for work performed inside the building even if it is not expressly on the plans. These conditions of approval are necessary to address these impacts from the Project to ensure the public health, safety, and welfare of the Antioch community are protected and that development in the City occurs in an orderly fashion consistent with the City's General Plan and Municipal Code and to not create temporary or permanent nuisances.

C. FIRE REQUIREMENTS

1. The Contra Costa Fire Protection District provides fire services for the City of Antioch and follows the California Fire Code. The conditions of approval are necessary on the Project to protect the public health and provide for the safety and welfare of life and property from fire and explosion hazards or dangerous conditions in new buildings and existing buildings; structures and premises; and to provide safety and assistance to fire fighters and emergency responders during emergency operations.

D. FEES

- 1-5. The City of Antioch provide existing infrastructure such as streets, utilities, traffic signals, schools, public right-of-way, parks, flood mitigation improvements, parks, and police services. The fees required by the condition of approval serve two functions: 1) the funds will provide mitigation for the project's fair share impact and the Project's responsibility of costs for the existing infrastructure due to the increase in population and 2) to mitigate the costs of additional infrastructure and maintenance necessary due to the impact of the Project. The conditions of approval are necessary to mitigate impacts to public infrastructure from deterioration as well as provide additional infrastructure to serve the additional population.

E. PROPERTY MAINTENANCE

- 1-4. These conditions are necessary to ensure that the project site is kept in good working order to ensure adequate trash collection, to avoid localized flooding, reduce fire risks, and ensure the continued health, safety and welfare of the project environs.

F. USE REQUIREMENTS

1. The use contemplated under this use permit only analyzed serving 45 people; additional people could result in impacts not contemplated by this use permit.

ATTACHMENT "C"

AYES: *Hinojosa, Motts, Pinto, Baatrup and Westerman*
NOES: *None*
ABSTAIN: *None*
ABSENT: *Miller*

NEW PUBLIC HEARINGS

3. **UP-13-12 – Mission Hope Day Program** – Mission-Hope Day Program requests the approval of a use permit to operate an adult day care that provides services for developmentally disabled adults. The project site is located at 10 South Lake Drive (**APN 065-235-019**).

CDD Wehrmeister provided a summary of the staff report dated April 10, 2014.

In response to Commissioner Baatrup, CDD Wehrmeister stated that some business licenses are still active but the most recent business may have closed in this last year.

In response to Commissioner Pinto, CDD Wehrmeister said that the project meets parking requirements and that the applicant can speak to whether the vans are mobile or parked.

In response to Commissioner Pinto, CDD Wehrmeister said that there are no plans to modify the existing landscaping but that the Municipal Code has provisions to require adequate maintenance.

Vice Chair Motts clarified with staff that there are specific conditions contained in the staff report.

Chair Hinojosa asked staff about calls for service at the Verne Roberts location, whether the majority of the activities occur at the facility, and if bike parking is required. CDD Wehrmeister said that while she did not check with the police department, there have been no complaints received by Community Development, that it is her understanding that activities will occur in the building as well as clients shuttled to different activities, and that given this is an older building it is reasonable to add a condition to add bicycle parking.

OPENED PUBLIC HEARING

Applicant, Juanita Nanifa Ganiez, said that they have been in business for many years, that they provide independent living skills training for individuals in our community, that they provide employment in the community, that they try to co-exist in any community they are in to be an asset, and that they have respect for traffic and the neighborhood.

Vice Chair Motts questioned applicant about the timing of people coming in. Applicant said that staff is available from 7:30 a.m. to 3:30 p.m., that there are staggered schedules, that drivers work eight hours while other staff works six hours and that some of the activities are offsite to movies, concerts, etc. She said that their Brentwood and

Hayward locations are in a semi-residential and commercial location while their Dublin location is a more commercial area.

Commissioner Pinto asked applicant the reason for moving and the funding for these services. Applicant said that they are taking advantage of low rates and prices of property right now and that they are funded by the State.

Chair Hinojosa asked applicant to elaborate on the circulation route for buses and the hours of operation. Ms. Ganiez said that they will be using Highway 4, taking the back road to Pittsburg, and using Alhambra to 18th Street. She said that everyone leaves at 3:30 p.m.

Commissioner Westerman clarified with the applicant that some clients use other transit but most utilize the vans.

Chair Hinojosa read a letter into the record from Jason Brown:

"The Lake Alhambra Property Owners Association, which consists of 246 individual association members, would like a fair and equal opportunity to voice its opposition to the adult day care facility planned to replace the existing small businesses in the commercial office building located at 10 S. Lake Drive. Although the site is located in the midst of the Lake Alhambra Property Owners Association and directly across the street from the Association's primary common area and feature amenity – the boat launch and picnic area, neither the Association's Manager nor any member of the Association's Board of Directors received notice of the planned conversion or the hearing to be held this evening. Thus, the Association respectfully requests that their Board of Directors be allowed an opportunity to meet and discuss the matter so that the Association may provide a thoughtful and detailed statement as to their opposition to this proposed conversion."

Chair Hinojosa read a comment into the record from Jane Shearrer:

"This is residential area. To add more traffic and people would be detrimental to our way of life. Also a danger to the children that walk and ride their bikes on our streets. I am against, against, against. We have an association that sees to most of our activities. Why wasn't they presented to them before this meeting?"

Martha Parsons said that she is very upset, that to grant a use permit will not preserve the comfort or wellbeing of Lake Alhambra, that increased traffic will make the streets unsafe with the vans on the streets and that those who walk will be in harm's way. She said that there are narrow streets, that their biggest van is equivalent to a Tri Delta Transit dial a ride bus, that the previous uses have been low impact businesses, and that she is asking that the Planning Commission deny the project.

Richard Guadagni agreed with Martha, said that these people are going to be walking around their lake, that there are narrow streets and that they have enough in their area.

Applicant said that there is a misconception in the neighborhood, that they have a 1 to 3 ratio and that these are the most vulnerable members of the community.

Commissioner Pinto asked applicant how many trips do vans make a day, do all eight vans leave at the same time, are the bus drivers class B or C at the current location, how often in the middle of the day do you have to take someone back home, and in the last twelve months how many moving citations have been received.

Applicant stated that one bus is going out and one bus is coming back, that they leave one by one, that most drivers are Class C but the two big vans are Class B, and that she is not aware of any moving citations.

Vice Chair Motts asked applicant if they had the opportunity to talk to the residents. Applicant said that she did not know of the Homeowners Association but that they did provide envelopes to staff for noticing purposes.

CLOSED PUBLIC HEARING

In response to Chair Hinojosa regarding noticing, CDD Wehrmeister said that the notice was published in the newspaper and notice was sent to residents in a 300' radius around the parcel.

In response to Commissioner Pinto, CDD Wehrmeister stated that the building is very recently vacant, that she is not aware of any complaints, that the uses included offices, tax preparation, a surveyors office and a beauty salon and that the site is zoned C-1 with quite a variety of uses that could go in there.

Commissioner Baatrup asked staff if a condition could be added to require access to the site via Alhambra Drive. CDD Wehrmeister responded in the affirmative.

Vice Chair Motts said that he has concerns that the public feels that there wasn't the opportunity to talk about issues beforehand, that he doesn't think there is an issue with safety for people in the area, that it seems like a large change in the use and wondered if a continuation is possible for the chance for residents to speak with the applicant. He said that he would like to get the other Commissioners feelings on that.

Commissioner Westerman said that this project does present some dilemmas, that this particular building has no separation from the residential area, that he is not sure that this is the best fit for this particular building and could support a proposal to delay this and allow others to speak.

In response to Commissioner Baatrup and Chair Hinojosa's questions regarding current zoning, CDD Wehrmeister stated that this type of daycare center requires a use permit but that there are a variety of commercial uses that could go in without a use permit requirement, including appliance repair, bank, barber shop, book store, various retail stores, laundry, pharmacy, photography, general restaurant and take out restaurant. She said that when this building was built and put into the C1 District it should have conformed to the parking at that time.

Commissioner Pinto questioned staff about a location on the map and the possibility of creating a separate entrance and exit. CDD Wehrmeister stated that area was private

C3

property. Chair Hinojosa responded that based on the photographs, the parking lot for this building is only used by tenants of this building and there is no way for different access.

Commissioner Pinto said that some of the previous businesses generated traffic, that they do not know of any complaints, and that none of the clients of this project will be driving with vans coming in and out. He said that it appears that the true hours of operation for vans leaving and coming back are well into non-commute traffic hours and no later than 3:30 p.m., that it appears there would be less traffic on Alhambra, and that with a condition imposed to force the new operator to have their vans use Alhambra Drive to East 18th Street there should not be an issue with traffic.

Chair Hinojosa clarified that a condition could regulate operating hours of business.

Vice Chair Motts said that given the concerns raised, there is credence to further discussion with the applicant, and that he is still in favor of a continuation to pursue issues.

CDD Wehrmeister recommending continuing to a date certain with the next meeting date being May 7th.

Commissioner Pinto clarified with staff that noticing was provided ten days prior to the meeting.

Vice Chair Motts asked staff if further communication would be arranged by staff or on their own to which CDD Wehrmeister said that they can do on their own, that staff can offer a conference room and attend, and then write a report and report back.

Chair Hinojosa said that she is sympathetic to the concerns of residents, that it sounds like there was not enough outreach and that while she is open to the idea of continuing the item she is not sure what kind of resolution would be made with a meeting.

On motion by Commissioner Motts and seconded by Commissioner Westerman, the Planning Commission continued this item to May 7, 2014, to include reopening the public hearing.

AYES: Hinojosa, Motts, Pinto, Baatrup and Westerman
NOES: None
ABSTAIN: None
ABSENT: Miller

RECESS TAKEN

- The City of Antioch** is proposing Zoning Ordinance and General Plan amendments to implement the 2007 – 2014 Housing Element Program. The Planning Commission will consider a recommendation to rezoning several parcels, new Multi-Family Residential Development Standards, updates to Parking and Density Bonus ordinances, and several other amendments related

ATTACHMENT "D"

STAFF REPORT TO THE PLANNING COMMISSION FOR CONSIDERATION AT THE MEETING OF AUGUST 6, 2014

Prepared by: Mindy Gentry, Senior Planner *MAG*
Date: July 31, 2014
Subject: UP-13-12 – Use Permit for Adult Day Program

RECOMMENDATION

It is recommended that the Planning Commission approve a use permit for an adult day program that provides services for developmentally disabled adults (UP-13-12), subject to the conditions contained in the attached resolution.

REQUEST

Juanita Ninifa Ganiez, on behalf of Mission-Hope Day Program, requests the approval of a use permit for an adult day program that provides services for developmentally disabled adults. The use will include living skills training, recreational activities, and outings into the community. The project is located at 10 South Lake Drive (APN: 065-235-019) (Attachment "A").

BACKGROUND

The project was continued by the Planning Commission at the April 16, 2014 hearing due to concerns raised by the surrounding residential community regarding traffic and the proposed use being too intensive adjacent to a residential neighborhood (Attachments "B" and "C"). Following the Planning Commission hearing, staff held a meeting with neighborhood representatives and the applicant to discuss the issues raised at the Planning Commission hearing. The outcome of the meeting between the two groups was amicable but divergent; however, the applicant did agree to conduct a traffic study.

The traffic study concluded that the project will generate fewer than 40 peak hour trips and would not have a significant impact on East Eighteenth Street, the Alhambra Drive intersection, or the study area traffic operations. Parking was also not expected to be a problem for the project. The study did recommend the project applicant should encourage employee carpools and to restripe the 90 degree angle parking stalls to 60 degrees to provide a wider drive aisle and improved maneuverability for facility vans. Staff has added a condition of approval that the parking lot be restriped to 60 degree parking spaces or as approved by the City Engineer.

ATTACHMENTS

- A: Aerial Photo
- B: Staff Report from the April 16, 2014 Planning Commission Hearing
- C: Minutes from the April 16, 2014 Planning Commission Hearing
- D: Traffic Study

**CITY OF ANTIOCH PLANNING COMMISSION
RESOLUTION NO. 2014-****

**RESOLUTION OF THE CITY OF ANTIOCH PLANNING COMMISSION
APPROVING A USE PERMIT FOR AN ADULT DAY PROGRAM**

WHEREAS, the City of Antioch received a request from Juanita Ninifa Ganiez, on behalf of Mission-Hope Day Program for a use permit for an adult day program that provides services for developmentally disabled adults. The use will include living skills training, recreational activities, and outings into the community. The project is located at 10 South Lake Drive (APN: 065-235-019).

WHEREAS, this project is exempt from the provisions of CEQA pursuant to CEQA Guideline section 15301 – Existing Facilities; and

WHEREAS, the Planning Commission duly gave notice of public hearing as required by law; and,

WHEREAS, the Planning Commission on August 6, 2014, duly held a public hearing, received, and considered evidence, both oral and documentary, and

WHEREAS, the Planning Commission does determine:

1. The granting of such use permit will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.

The use will not be detrimental to the public health or welfare or injurious to the property or improvements because the use will occupy an existing building large enough to accommodate the use.

2. The use applied at the location indicated is properly one for which a use permit is authorized.

The site is zoned Convenience Commercial (C-1) and per the Municipal Code, adult day programs are allowed with a use permit. The use and the site meet the standards of the Antioch Municipal Code.

3. That the site for the proposed use is adequate in size and shape to accommodate such use, and all yards, fences, parking, loading, landscaping, and other features required, to other uses in the neighborhood.

The site is adequate in size and shape to accommodate an adult day program. The site has adequate yards, fences, parking and landscaping to accommodate the proposed use.

4. That the site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

The site is located on South Lake Drive, which is adequate in width and pavement type to carry the traffic generated by the use.

5. That the granting of such use permit will not adversely affect the comprehensive General Plan.

The use is considered an adult day program which will not adversely affect the comprehensive General Plan.

NOW THEREFORE BE IT RESOLVED the Planning Commission of the City of Antioch does hereby **APPROVE** the use permit (UP-13-12) for an adult day program, subject to the following conditions and the findings for the conditions, which are attached to this resolution as Exhibit A:

A. GENERAL CONDITIONS

1. The project shall comply with the Antioch Municipal Code.
2. Conditions required by the Planning Commission, which call for a modification or any change to the site plan submitted, be corrected to show those conditions and all standards and requirements of the City of Antioch prior to any submittal for a building permit. No building permit will be issued unless the site plan meets the requirements stipulated by the Planning Commission and the standards of the City.
3. City staff shall inspect the site for compliance with the conditions of approval prior to final building inspection.
4. This approval expires two years from the date of approval (Expires August 6, 2016), unless a building permit has been issued and construction has diligently commenced thereon and has not expired, or an extension has been approved by the Zoning Administrator. Requests for extensions must be received in writing with the appropriate fees prior to the expiration of this approval. No more than one, one year extension shall be granted.
5. The applicant shall defend, indemnify and hold harmless the City in any action brought by a third party to challenge the land use entitlement. In addition, if there is any referendum or other election action to contest or overturn these approvals, the applicant shall either withdraw the application or pay all City costs for such an election.

6. No permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, reimbursement payments and any other payments that are due.
7. The applicant shall obtain an encroachment permit for all work to be done within the public right-of-way.
8. This approval supersedes previous approvals that have been granted for this site.
9. All required easements or rights-of-way for off tract improvements shall be obtained by the applicant at no cost to the City of Antioch. Advance permission shall be obtained from any property or easement holders for any work done within such property or easements.

B. CONSTRUCTION CONDITIONS

1. The use of construction equipment shall be restricted to weekdays between the hours 8:00 A.M. and 5:00 P.M., or as approved in writing by the City Manager.
2. The project shall be in compliance with and supply all the necessary documentation for AMC6-3.2: Construction and Demolition Debris Recycling.
3. Building permits shall be secured for all proposed construction associated with this facility, including any interior improvements not expressly evident on the plans submitted.

C. FIRE REQUIREMENTS

1. All requirements of the Contra Costa County Fire Protection District shall be met:
 - a. The developer shall submit three (3) complete sets of plans and specifications of the subject project, including plans for any of the following required submittals, to the Fire District for review and approval prior to construction to ensure compliance with minimum requirements related to fire and life safety. The required resubmittals include tenant improvement plans, fire sprinklers, and fire alarm. (105.4.1) CFC, (901.2) CFC, (107) CBC.
 - b. Plan review and inspection fees shall be submitted at the time of plan review submittal. Checks may be made payable to "CCCFPD" (Contra Costa Fire Protection District).

D. FEES

- 1. The applicant shall pay all fees as required by the City Council.

E. PROPERTY MAINTENANCE

- 1. A parking lot sweeping program shall be implemented that, at a minimum, provides for sweeping immediately prior to, and once during, the storm season.
- 2. The project shall comply with Property Maintenance Ordinance Section 5-1.204. No final landscape and irrigation plan shall be considered to be complete without an approved maintenance agreement reflective of standards contained in Section 5-1.204 (G).
- 3. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.
- 4. No signs shall be installed on this site without prior City approval.

F. USE REQUIREMENTS

- 1. The use permit applies to the service of 45 developmentally disabled adults. A supplemental use permit shall be required to serve more than 45 clients.
- 2. The parking lot shall be restriped to 60 degree angled spaces or as approved by the City Engineer.
- 3. The applicant shall encourage its employees to carpool.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 6th day of August 2014.

AYES:
NOES:
ABSTAIN:
ABSENT:

TINA WEHRMEISTER, SECRETARY TO THE
PLANNING COMMISSION

EXHIBIT A

MISSION HOPE ADULT DAY PROGRAM (UP-13-12)

FINDINGS IN SUPPORT OF CONDITIONS OF APPROVAL

A. GENERAL CONDITIONS

1. The City of Antioch has established a Municipal Code to protect the public health, safety, and welfare of the citizens within the City. This condition of approval is necessary for the developer to mitigate any project impacts that may threaten the health, safety, or welfare of its citizens.

- 2-3. In order for the project to be constructed to the City's approved standards, the plans need to adequately reflect the changes made by the Planning Commission and City staff needs to inspect the site for compliance with the conditions of approval prior to final inspection approval. These conditions protects the public safety, health, and general welfare of the residents of the project and surrounding residential and other uses by providing an adequate reflection of the approved project prior to the issuance of building permits and a follow up site inspection to ensure the Project was built as conditioned.

4. The regulatory environment of land development and base line conditions change frequently; therefore, this condition is necessary to ensure any project going forward is subject to the most current regulations in order to promote the public health, safety, and welfare in the City of Antioch.

5. The project is being pursued by a developer and the City's responsibility is to promote orderly development within the City. This condition is necessary to protect the City from the financial and time expenses for defending challenges to land use entitlements or environmental reviews that are financially benefitting the applicant, particularly given the City's own financial challenges.

- 6-7. The project takes City time and staff to process development applications through the land use entitlement process. The development of property is at the benefit of the applicant; therefore, the conditions are necessary to ensure the applicant pays the expenses to process the application rather than having that burden placed on the taxpayers for another's benefit and satisfies all necessary requirements to make use of public lands that serve the project site.

8. It is necessary to ensure administrative consistency and avoid confusion between plan versions by identifying the most recent entitlements that govern site development and use.

9. The project requires the use of public lands in order to provide access and extend infrastructure to the project site. These conditions are necessary to allow the project sponsors to make use of public lands to benefit the project.

B. CONSTRUCTION CONDITIONS

- 1-3. Construction activities will produce impacts related to noise, dust, vibrations, and traffic that must be addressed and mitigated. In addition, the City is under a State-wide mandate to divert its waste by 50% and thus the City has adopted an ordinance to reduce construction and demolition debris from going to the landfill. The City also has adopted the State of California Building Code; therefore, a building permit must be pulled for work performed inside the building even if it is not expressly on the plans. These conditions of approval are necessary to address these impacts from the project to ensure the public health, safety, and welfare of the Antioch community are protected and that development in the City occurs in an orderly fashion consistent with the City's General Plan and Municipal Code and to not create temporary or permanent nuisances.

C. FIRE REQUIREMENTS

1. The Contra Costa Fire Protection District provides fire services for the City of Antioch and follows the California Fire Code. The conditions of approval are necessary on the Project to protect the public health and provide for the safety and welfare of life and property from fire and explosion hazards or dangerous conditions in new buildings and existing buildings; structures and premises; and to provide safety and assistance to fire fighters and emergency responders during emergency operations.

D. FEES

1. The City of Antioch provide existing infrastructure such as streets, utilities, traffic signals, schools, public right-of-way, parks, flood mitigation improvements, parks, and police services. The fees required by the condition of approval serve two functions: 1) the funds will provide mitigation for the project's fair share impact and the project's responsibility of costs for the existing infrastructure due to the increase in population and 2) to mitigate the costs of additional infrastructure and maintenance necessary due to the impact of the project. The conditions of approval are necessary to mitigate impacts to public infrastructure from deterioration as well as provide additional infrastructure to serve the additional population.

E. PROPERTY MAINTENANCE

- 1-4. These conditions are necessary to ensure that the project site is kept in good working order to ensure adequate trash collection, to avoid localized flooding, reduce fire risks, and ensure the continued health, safety and welfare of the project environs.

F. USE REQUIREMENTS

- 1-3. The use contemplated under this use permit only analyzed serving 45 people; additional people could result in impacts not contemplated by this use permit. Restriping the parking lot will result in better maneuverability for the facilities' vans and carpooling will minimize the need for parking on the street in the neighborhood.

ATTACHMENT "D"

PHA Transportation Consultants

2711 Stuart Street Berkeley CA 94705

Phone (510) 848-9233

Web www.pangho.com



June 30, 2014

Ms. Mindy Gentry, City Antioch Planning Department
Lynne Filson, City of Antioch Public Works Department

Dear Mindy and Lynne:

In response to your request, PHA Transportation Consultants has conducted a focused traffic study to evaluate the potential traffic impact of the proposed relocation of Mission Hope Adult Care facility from its current location at 1826 Verne Roberts Circle to 10 South Lake Drive.

Our analysis indicated that the project generates fewer than 40 vehicle trips during peak periods and would not have a significant impact on study area traffic operations. The project provides 25 parking spaces on the site, which may appear tight for all of its 20 staff members and 9 facility vans since the facility vans take up more spaces than a regular size passenger car. However, based on our site visit and observation, the project site frontage measures about 115 feet long and should be able to provide parking for 5 passenger cars. South Lake Drive is a residential street measuring about 28 feet wide and on-street parking is permitted on the south side of the street in the vicinity of the project. As such, parking is not expected to be a problem for the project.

The access driveway at the new South Lake Drive site would be able to handle the access of the proposed 8-10 passenger facility vans. Our site observation at another Mission Hope facility in Brentwood, which has similar "saw cut" type driveways with no curb returns, have no problem accommodating the facility's vans and 15 passenger buses. A more detailed discussion of our analysis is as follows:

Project Description

The proposed Mission Hope Adult Care facility is an adult day care program currently operating at 1826 Verne Roberts Circle in Antioch. It provides daily living skills and training services for developmentally disable adults. Program activities include various recreational and instructional activities such as dancing, artwork, handicrafts, aerobic exercise, visitation of parks, banks, restaurants, and grocery stores, etc. as part of its community integration training. According to the project sponsor, the current facility on Verne Roberts Circle has

20 staff members and is licensed to care for 45 adult students. The facility at the new site will have the same number of students and staff members and will operate between 7:30 a.m. and 3:30 p.m., the same as its current facility on Verne Roberts Circle.

The building at the proposed location on South Lake Drive is currently vacant but was previously a professional office building with about 5,000 square feet of space, approximately the same size as the facility on Verne Roberts Circle. The proposed location has two 18-20 feet wide driveways, one inbound and one outbound. The site has 25 parking spaces, including two handicapped spaces. Figure 1 shows an aerial of the project site and its environs.

Study Area Description

South Lake Drive in the vicinity of the project site is a residential street with a mixture of single family homes and multi-family apartments. The street measures about 28 feet wide providing two-way vehicle travel and a westbound bike lane. On-street parking is permitted on the south side of the street. Access to and from the proposed project site is provided via South Lake Drive in conjunction with Alhambra Drive and East 18th Street.

South Lake Drive is a two-lane local street providing east-west access. Alhambra Drive is a short two-lane collector street with a raised landscaped median connecting South Lake Drive and East 18th Street. Land use along the street is mostly commercial and the posted speed limit on Alhambra Drive is 25 mph. East 18th Street is a major arterial providing east-west access, connecting Antioch High School and L Street in the west and SR 160 in the east. In the vicinity of Alhambra Drive, East 18th has two travel lanes in each direction plus a center lane accommodating dual left-turn access to adjacent businesses and side streets. Land use in the vicinity of the project site is mostly retail commercial. The speed limit posted is 35 mph. On-street parking is not permitted. The intersection of East 18th Street and Alhambra Drive is the key access point to the project site and is the study intersection. Traffic at the slightly off-set intersection is controlled by stop signs on side streets at Alhambra Drive and Biglow Drive.

Site Traffic Generation Analysis

To evaluate project traffic generation, PHA conducted traffic surveys at another Mission Hope facility in Brentwood during the peak periods of 7-9 a.m. and 3-5 p.m. These hours are designed to capture peak hour site traffic at the facility. Mission Hope currently operates five other facilities in the Bay Area, in Antioch (Verne Roberts Circle), Brentwood, Dublin, Hayward, and Fremont. While all Mission Hope facilities have similar number of students, staff members and operate at similar hours, the Brentwood facility is most comparable based on the number of students and staff members. Further, the Brentwood site layout, along with its exclusive use of the access driveways, would yield more comparable and

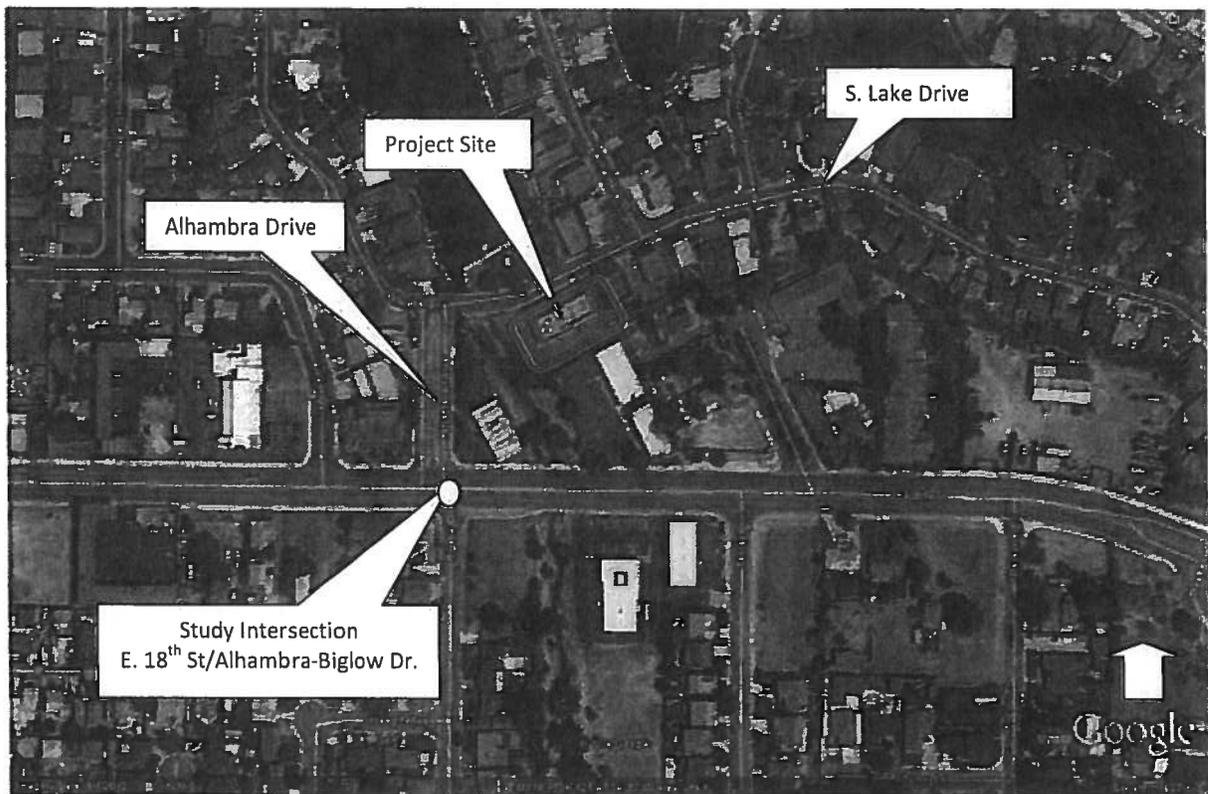


Figure 1 Site Location Map

reliable results. Table 1 shows the sizes, parking, and driveway access of other Mission Hope facilities in the Bay Area.

Table 1 Bay Area Mission Hope Facility Features			
Mission Hope Site Traffic Analysis, South Lake Drive, Antioch			
Sites	Staff	Vans	Site access/parking
Antioch	20	8	Shared driveway and parking
Dublin	25	12	Shared driveway and parking
Hayward	25	10	Remote parking
Fremont	23	10	Shared driveway and parking
Brentwood	20	7	Exclusive use driveway and parking
S. Lake Dr. (proposed)	20	9 ^a	Exclusive use driveway and parking
Source: Mission Hope project sponsor			
^a vans with 8-10 seats.			

It should be noted that the number of students at these facilities would only have an indirect impact on site traffic generation (more students requires more staff due to licensing requirements). As observed at the Brentwood facility, students are picked up from their residences by facility vans in the morning and then dropped off back at their homes in the afternoon after classes. Site traffic is generated primarily by staff members and facility vans.

DB
D12

Results of site traffic surveys indicated that the staff generally arrives shortly before or after 7:30 a.m. Some parked on the street, some carpoled, and some parked in the parking lot. Shortly afterward, several staff members then drive the facility vans to pick up students and return to the facility within a window of 30 and 60 minutes. In the afternoon, shortly after 3 p.m. some staff members would drive the facility vans from the site to drop students back to their homes and residences. All facility vans were back at the site before 4:30 p.m. after dropping off students. Other staff members generally leave shortly after 3:30 p.m. There is little to no traffic to and from the site after 4:30 p.m. Table 2 summarizes the Brentwood site survey results.

Table 2 Brentwood Site Traffic Generation Survey						
Mission Hope Traffic Analysis – South Lake Drive, Antioch						
	AM Trips (7-9 a.m.)			PM Trips (3-5 p.m.)		
	Enter	Exit	Total	Enter	Exit	Total
Peak hour count ^a	14	8	22	10	17	27
Peak period count ^b	21	14	35	10	18	28
Maximum ^c	28	8	36	8	28	36
^a Peak hour count: 4 consecutive 15- minute periods with the highest count during two hours. ^b Peak period count: total of two hour count. ^c Maximum: estimated based on the number of staff and vans used for pickups and drop-off. PHA Transportation Consultants.						

Traffic Impact Analysis

PHA evaluated traffic operation LOS (Level-of Service) at the study intersection of East 18th Street and Alhambra Drive first based on traffic counts collected on June 12, 2014 to establish a baseline. Subsequently, PHA evaluated the study intersection LOS again with the added traffic from the proposed Mission Hope facility to assess the potential traffic impact of the proposed facility. Since the traffic counts were collected the week after schools were out of session, Antioch city staff adjusted the traffic counts upward to reflect the presence of school traffic. Traffic counts were adjusted based on other traffic data collected by the City while schools were in session.

In evaluating the project condition, PHA added the “maximum” peak period site traffic to the existing traffic volumes. The “maximum” peak hour traffic was estimated based on the number of facility vans that must be used to transport students and the number of staff members, assuming that they all drive alone to and from work. This is a more conservative estimate than the peak hour count generally used in traffic studies. Trips estimated based on employees and facility van operations would include those employees that parked on adjacent streets and walked to the site. These trips would not have been accounted for during traffic surveys.

DA
D13

The traffic Level-of Service (LOS) analysis results indicated that the study intersection LOS for all movements would remain unchanged with or without Mission Hope traffic. Traffic movements from East 18th Street would operate at LOS A while movements from Alhambra and Biglow Drives would operate at LOS B and C. The City of Antioch considers LOS D as the lowest acceptable condition for signalized intersections, and LOS D for minor street movements for non-signalized intersections. As such, it can be concluded that the project would have little impact on area traffic circulation. Table 3 shows traffic LOS analysis results.

Table 3 Traffic Operation (LOS) Summary Mission Hope Traffic Analysis, South Lake Drive, Antioch									
Study Intersection	Current Conditions				Project Conditions				
	A.M. Peak		P.M. Peak		A.M. Peak		P.M. Peak		
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	
E. 18 th St./Alhambra-Biglow Dr.									
-Thru/right movements from E. 18th St	0.0	A	0.0	A	0.0	A	0.0	A	
-Left-turn from EB E. 18 th St.	8.9	A	8.3	A	9.0	A	8.3	A	
-Left-turn from WB E. 18 th St.	8.1	A	8.1	A	8.1	A	8.3	A	
-All movements from Alhambra Dr.	12.9	B	12.4	B	13.6	B	13.1	B	
-All movements from Biglow Dr.	11.5	B	15.7	B	11.9	B	16.5	B	
PHA Transportation Consultants									

Since the study intersection is not signalized, PHA evaluated the peak hour traffic signal warrant to determine if signalization is needed for the study intersection. Results indicated that the intersection would not meet the minimum peak hour traffic volume requirements for installing a traffic light.

PHA also collected daily traffic volume counts on South Lake Drive near the project site frontage between Thursday and the following Tuesday (6/12-6/17). The result of the daily volume count indicated that South Lake Drive currently carries less than 900 vehicles a day. Based on a conservative estimate, the project site is expected to add no more than 90 vehicle trips a day (both inbound and outbound) to South Lake Drive, representing an increase of 10% or less. This is assuming all staff members would drive alone to and from work and all 9 vans would pickup and drop-off students plus one outing a day with the student. Streets such as South Lake Drive generally have environmental capacities to accommodate more than 2,500 vehicles a day.

DS
D14

Parking and Driveway Access

As discussed earlier, the proposed site has 25 parking spaces, including 2 handicapped spaces. Assuming a worst case scenario that all 20 staff members would drive alone to and from work, the site would have 5 spaces left for the 9 facility vans. Considering the facility vans are of 8-10 seat capacity and may take up more than a standard size parking stall, the parking lot on the site may not be able to accommodate all of its parking needs. However, based on our site visits and reviews, the project frontage measures about 115 feet long and would be able to provide parking for five to six vehicles. Additionally, on-street parking is permitted on the south side of South Lake Drive, and would accommodate more parking if it becomes necessary. Further, PHA traffic surveys at the Brentwood site indicated several employees carpooled to work or were drop-off at the site. As such, parking for the project is adequate. PHA recommends the project sponsor to encourage employee carpools to reduce parking needs on the street.

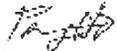
According to the project sponsor, the facility will use up to 9 small passenger vans with a seating capacity for 8 to 10 passengers to transport students. No larger vehicles, vans or buses will be used at the facility. Based on our observation during the traffic survey at the Brentwood site, vans and small buses have no problem entering or exiting the site. The Brentwood site has "saw cut" driveways (the same as those at South Lake Drive site) measuring about 22 feet wide. The proposed site at South Lake Drive measures between 18 and 20 feet wide. Figure 2 shows the Brentwood Mission Hope site with facility vans parked in the front parking lot in the early morning before 7:30 a.m.

Conclusion

In summary, our evaluation indicated the proposed Mission Hope project would not create a significant traffic impact on the East 18th Street and Alhambra Drive intersection or in the study area. The project site would provide adequate on-site circulation with one inbound and one outbound driveway. Parking on the site may be short of several of spaces based on a worst case estimate but can be easily mitigated with the available on-street parking or employee carpools. Based on our observation at the Brentwood facility, the access driveways at the proposed site at South Lake Drive should be able to accommodate facility van access. We recommend that the project sponsor encourage employee carpools and to restripe the 90 degree angle parking stalls to a 60 degree to provide a wider drive aisle and improved maneuverability for facility vans.

We appreciate the opportunity to provide the about review. Please call or email me if you have any questions.

Sincerely,



Pang Ho, AICP

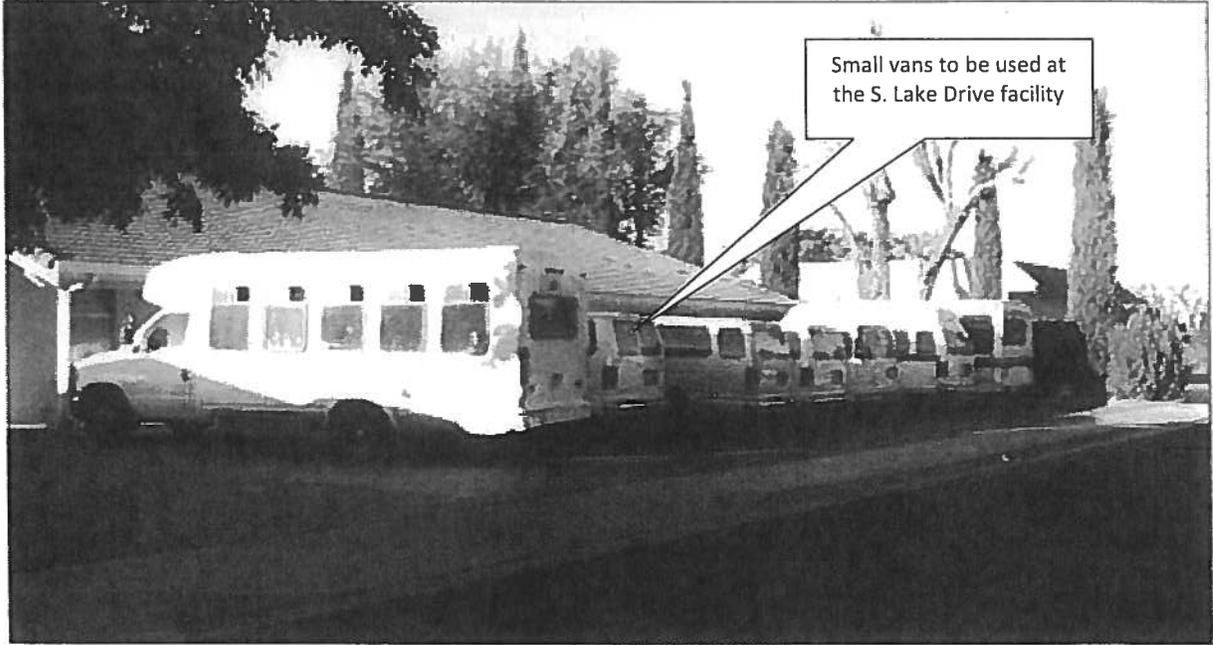


Figure 2 Facility vans used at the Brentwood site.

Attachments

LOS Calculation Sheets,
Site Traffic Generation Surveys
Traffic Counts

D8
D17

HCM Unsignalized Intersection Capacity Analysis
1: E. 18th St & Alhambra

Existing AM
6/19/2014



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SEL	SBT	SBR
Lane Configurations	↖	↕		↖	↕			↕			↕	↕
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Volume (veh/h)	6	336	4	19	595	1	4	0	13	3	0	11
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (veh/h)	7	365	4	21	647	1	4	0	14	3	0	12
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
vC, conflicting volume	648			370			757	1070	185	898	1071	324
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
tC, single (s)	4.1			4.1			7.5	6.5	6.9	7.5	6.5	6.9
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	99			98			98	100	98	99	100	98
cM capacity (veh/h)	934			1186			286	214	826	226	214	672

Direction, Lane #	EB 1	EB 2	EB 3	WB 1	WB 2	WB 3	NB 1	SB 1
Volume Total	7	243	126	21	431	217	18	15
Volume Left	7	0	0	21	0	0	4	3
Volume Right	0	0	4	0	0	1	14	12
cSH	934	1700	1700	1186	1700	1700	572	472
Volume to Capacity	0.01	0.14	0.07	0.02	0.25	0.13	0.03	0.03
Queue Length (ft)	1	0	0	1	0	0	3	2
Control Delay (s)	8.9	0.0	0.0	8.1	0.0	0.0	11.5	12.9
Lane LOS	A			A			B	B
Approach Delay (s)	0.2			0.2			11.5	12.9
Approach LOS							B	B

Intersection Summary

Average Delay	0.6
Intersection Capacity Utilization	27.9%
ICU Level of Service	A

D9
D18

HCM Unsignalized Intersection Capacity Analysis
 1: E. 18th St & Alhambra

Existing PM
 6/19/2014



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SEL	SBT	SER
Lane Configurations	↔	↕		↔	↕			↕			↕	↔
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Volume (veh/h)	28	592	11	15	386	7	10	0	19	4	0	13
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (veh/h)	30	643	12	16	420	8	11	0	21	4	0	14
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
vC, conflicting volume	427			655			967	1170	328	859	1172	214
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
tC, single (s)	4.1			4.1			7.5	6.5	6.9	7.5	6.5	6.9
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	97			98			95	100	97	98	100	98
cM capacity (veh/h)	1129			928			198	183	668	234	183	791
Direction, Lane #	EB 1	EB 2	EB 3	WB 1	WB 2	WB 3	NB 1	SB 1				
Volume Total	30	429	226	16	280	147	32	18				
Volume Left	30	0	0	16	0	0	11	4				
Volume Right	0	0	12	0	0	8	21	14				
cSH	1129	1700	1700	928	1700	1700	367	507				
Volume to Capacity	0.03	0.25	0.13	0.02	0.16	0.09	0.09	0.04				
Queue Length (ft)	2	0	0	1	0	0	7	3				
Control Delay (s)	8.3	0.0	0.0	8.9	0.0	0.0	15.7	12.4				
Lane LOS	A			A			C	B				
Approach Delay (s)	0.4			0.3			15.7	12.4				
Approach LOS							C	B				
Intersection Summary												
Average Delay			1.0									
Intersection Capacity Utilization			28.2%	ICU Level of Service		A						

*DTD
 DIA*

HCM Unsignalized Intersection Capacity Analysis
 1: E. 18th St & Alhambra

Existing AM+Project
 6/19/2014



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↖	↗		↖	↗			↕			↕	
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Volume (veh/h)	27	336	4	19	595	8	4	0	13	5	0	17
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (veh/h)	29	365	4	21	647	9	4	0	14	5	0	18
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
vC, conflicting volume	655			370			809	1123	185	948	1121	328
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
tC, single (s)	4.1			4.1			7.5	6.5	6.9	7.5	6.5	6.9
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	97			98			98	100	98	97	100	97
cM capacity (veh/h)	928			1186			254	194	826	204	195	668

Direction, Lane #	EB 1	EB 2	EB 3	WB 1	WB 2	WB 3	NB 1	SB 1
Volume Total	29	243	126	21	431	224	18	24
Volume Left	29	0	0	21	0	0	4	5
Volume Right	0	0	4	0	0	9	14	18
cSH	928	1700	1700	1186	1700	1700	540	440
Volume to Capacity	0.03	0.14	0.07	0.02	0.25	0.13	0.03	0.05
Queue Length (ft)	2	0	0	1	0	0	3	4
Control Delay (s)	9.0	0.0	0.0	8.1	0.0	0.0	11.9	13.6
Lane LOS	A			A			B	B
Approach Delay (s)	0.7			0.2			11.9	13.6
Approach LOS							B	B

Intersection Summary		
Average Delay		0.9
Intersection Capacity Utilization	28.2%	ICU Level of Service A

DIT
 DZO

HCM Unsignalized Intersection Capacity Analysis
 1: E. 18th St & Alhambra

Existing PM+Project
 6/19/2014



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NEL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↵	↕		↵	↕			↕			↕	↕
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Volume (veh/h)	34	592	11	15	386	9	10	0	19	11	0	34
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (veh/h)	37	643	12	16	420	10	11	0	21	12	0	37
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
vC, conflicting volume	429			655			1003	1185	328	873	1186	215
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
tC, single (s)	4.1			4.1			7.5	6.5	6.9	7.5	6.5	6.9
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	97			98			94	100	97	95	100	95
cM capacity (veh/h)	1127			928			180	178	668	228	178	790

Direction, Lane #	EB 1	EB 2	EB 3	WB 1	WB 2	WB 3	NB 1	SB 1
Volume Total	37	429	226	16	280	150	32	49
Volume Left	37	0	0	16	0	0	11	12
Volume Right	0	0	12	0	0	10	21	37
cSH	1127	1700	1700	928	1700	1700	345	493
Volume to Capacity	0.03	0.25	0.13	0.02	0.16	0.09	0.09	0.10
Queue Length (ft)	3	0	0	1	0	0	7	8
Control Delay (s)	8.3	0.0	0.0	8.9	0.0	0.0	16.5	13.1
Lane LOS	A			A			C	B
Approach Delay (s)	0.4			0.3			16.5	13.1
Approach LOS							C	B

Intersection Summary		
Average Delay		1.3
Intersection Capacity Utilization	28.2%	ICU Level of Service A

DZ
DZI

PHA Transportation Consultants
510.848.9233

E18 ST/ALHAMBRA DRIVE- Antioch 6/12/2014
Side Street Stop Control

Direction Street Name	FROM NORTH Alhambra			FROM EAST E. 18th St.			FROM SOUTH Biglow			FROM WEST E. 18th Street			Hour Total	
	RIGHT	THRU	LEFT	RIGHT	THRU	LEFT	RIGHT	THRU	LEFT	RIGHT	THRU	LEFT		
7:00-7:15	7	0	0	1	163	3	1	0	0	2	54	1	232	232
7:15-7:30	3	0	2	0	146	1	2	0	0	0	57	2	213	445
7:30-7:45	3	0	1	0	184	1	0	0	3	1	81	1	275	720
7:45-8:00	2	0	0	0	161	2	4	0	0	1	56	1	227	947
8:00-8:15	3	0	2	1	114	4	3	0	1	0	96	2	226	941
8:15-8:30	3	0	0	0	136	12	6	0	0	2	103	2	264	992
8:30-8:45	3	0	0	1	136	10	12	0	4	3	65	5	239	956
8:45-9:00	2	0	2	3	120	1	4	0	5	1	89	2	229	958
2-hour Vol.	26	0	7	6	1160	34	32	0	13	10	601	16		992
Peak Hour Vol.	11	0	3	1	595	19	13	0	4	4	336	6		992

4:00-4:15	3	0	2	6	105	4	1	1	7	3	132	0	264	264
4:15-4:30	7	0	2	1	103	8	8	0	4	6	154	9	302	566
4:30-4:45	0	0	0	2	95	2	7	0	3	3	118	9	239	805
4:45-5:00	4	0	1	2	88	4	2	0	2	2	147	4	256	1061
5:00-5:15	2	0	1	2	100	1	2	0	1	0	173	6	288	1085
5:15-5:30	2	0	4	1	97	5	3	0	4	5	167	8	296	1079
5:30-5:45	7	0	1	1	74	3	3	0	3	1	137	4	234	1074
5:45-6:00	1	0	0	4	69	3	0	0	1	3	138	8	227	1045
2-hour Vol.	26	0	11	19	731	30	26	1	25	23	1166	48		1085
Peak Hour Vol.	13	0	4	7	386	15	19	0	10	11	592	28		1085

Adjusted numbers to estimate school traffic.

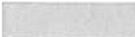
DHJ
DZZ

PHA Transportation Consultants
510.848.9233

Drwy @ Brentwood Mission Hope-Brentwood 6/12/2014

Direction Street Name	FROM NORTH			FROM SOUTH			Hour Total	
	Entrance			Exit				
	RIGHT	THRU	LEFT	RIGHT	THRU	LEFT		
7:00-7:15		1			0		1	1
7:15-7:30		6			0		6	7
7:30-7:45		4			2		6	13
7:45-8:00		3			6		9	22
8:00-8:15		1			0		1	22
8:15-8:30		3			2		5	21
8:30-8:45		3			3		6	21
8:45-9:00		2			1		3	15
2-hour Vol.	0	23	0	0	14	0		22
Peak Hour Vol	0	14	0	0	8	0	22	

3:00-3:15		5			4		9	9
3:15-3:30		1			1		2	11
3:30-3:45		3			6		9	20
3:45-4:00		1			6		7	27
4:00-4:15		0			1		1	19
4:15-4:30		0			0		0	17
4:30-4:45		0			0		0	8
4:45-5:00		0			0		0	1
2-hour Vol.	0	10	0	0	18	0		27
Peak Hour Vol	0	10	0	0	17	0	19	

 Peak Hour Vol

D14
DZ3

PHA Transportation Consultants 510-848-9233

Description 1: Antioch
 Description 2: Westlake Dr East of Alhambra Dr
 Description 3: 14-10-410

Site: 1
 Date: 6/12/2014
 Thursday

24 Hour Volume

Begin	24 Hour Volume			Begin	24 Hour Volume			Begin	24 Hour Volume			
	EB	WB	Combined		EB	WB	Combined		EB	WB	Combined	
10:00 AM	3	21	3	18	6	39	4	28	0	10	4	38
10:15 AM	7		10		10		7		1		8	
10:30 AM	7		11		11		12		6		18	
10:45 AM	4		12		12		5		3		8	
11:00 AM	2	27	6	22	6	49	3	8	5	9	8	17
11:15 AM	11		18		18		2		1		3	
11:30 AM	4		9		9		1		3		4	
11:45 AM	10		16		16		2		0		2	
12:00 PM	8	31	13	26	13	57	0	7	1	2	1	9
12:15 PM	4		9		9		1		1		2	
12:30 PM	12		24		24		6		0		6	
12:45 PM	7		11		11		0		0		0	
1:00 PM	7	36	10	17	10	53	2	10	3	6	5	16
1:15 PM	8		11		11		2		2		4	
1:30 PM	9		17		17		2		1		3	
1:45 PM	3		15		15		4		0		4	
2:00 PM	7	38	14	24	14	62	0	5	1	1	1	6
2:15 PM	11		14		14		1		0		1	
2:30 PM	11		18		18		3		0		3	
2:45 PM	9		16		16		1		0		1	
3:00 PM	11	34	17	16	17	50	0	2	0	1	0	3
3:15 PM	4		7		7		0		1		1	
3:30 PM	10		12		12		1		0		1	
3:45 PM	9		14		14		1		0		1	
4:00 PM	15	49	19	20	19	69	1	4	0	3	1	7
4:15 PM	15		19		19		0		0		0	
4:30 PM	11		16		16		1		2		3	
4:45 PM	8		15		15		2		1		3	
5:00 PM	6	26	9	21	9	47	0	3	5	15	5	18
5:15 PM	7		13		13		0		5		5	
5:30 PM	8		16		16		0		1		1	
5:45 PM	5		9		9		0		4		7	
6:00 PM	7	41	13	22	13	63	2	11	4	18	6	29
6:15 PM	6		10		10		1		3		4	
6:30 PM	17		22		22		4		3		7	
6:45 PM	11		18		18		4		3		7	
7:00 PM	18	38	23	15	23	53	4	4	8	15	12	19
7:15 PM	2		4		4		0		0		0	
7:30 PM	11		16		16		4		3		7	
7:45 PM	7		10		10		0		8		8	
8:00 PM	11	32	13	15	13	47	5	19	4	12	6	31
8:15 PM	8		13		13		3		2		5	
8:30 PM	5		10		10		6		5		11	
8:45 PM	8		11		11		5		4		9	
9:00 PM	6	21	11	14	11	35	3	18	6	23	9	41
9:15 PM	7		11		11		5		5		10	
9:30 PM	3		7		7		8		10		18	
9:45 PM	5		6		6		2		2		4	
24 Hour Volume	EB	WB	Combined	EB	WB	Combined	EB	WB	Combined	EB	WB	Combined
	513 (59.8%)	345 (40.2%)	858	382	209	591	382	209	591	382	209	591

12:00 AM - 12:00 PM
 EB 382
 WB 209
 Combined 591
 64.6%
 35.4%
 6:15 PM 73
 12:00 PM 26
 0.72
 0.54

12:00 PM - 12:00 AM
 EB 382
 WB 209
 Combined 591
 64.6%
 35.4%
 6:15 PM 73
 12:00 PM 26
 0.72
 0.54

12:00 AM - 12:00 PM
 EB 131
 WB 136
 Combined 267
 49.1%
 50.9%
 11:00 AM 49
 8:45 AM 25
 0.61
 0.63

Peak Hour
 Volume Factor
 11:00 AM 49 0.61
 8:45 AM 25 0.63

DTS
DZL

PHA Transportation Consultants

510-848-9233

Description 1: Antioch
 Description 2: Westlake Dr East of Alhambra Dr
 Description 3: 14-10-410

Site: 6/14/2014
 Date: Saturday

24 Hour Volume

Begin	EB	WB	Combined	20	Begin	EB	WB	Combined	14	WB	Combined
10:00 AM	0	0	0	20	10:00 PM	7	4	11	14	4	11
10:15 AM	0	0	0		10:15 PM	6	0	6		0	6
10:30 AM	3	3	6		10:30 PM	1	1	2		1	2
10:45 AM	6	8	14		10:45 PM	0	0	0		0	0
11:00 AM	6	9	15	61	11:00 PM	4	1	5	12	1	6
11:15 AM	7	6	13		11:15 PM	5	1	6		1	6
11:30 AM	7	7	14		11:30 PM	1	2	3		2	3
11:45 AM	11	8	19		11:45 PM	2	2	4		2	4
12:00 PM	8	10	18	62	12:00 AM	4	2	6	11	2	6
12:15 PM	8	4	12		12:15 AM	2	1	3		1	3
12:30 PM	8	7	15		12:30 AM	3	3	6		3	6
12:45 PM	6	11	17		12:45 AM	2	1	3		1	3
1:00 PM	2	3	5	47	1:00 AM	3	7	10	7	1	8
1:15 PM	9	8	17		1:15 AM	2	3	5		3	5
1:30 PM	6	11	17		1:30 AM	2	5	7		5	7
1:45 PM	3	5	8		1:45 AM	0	1	1		1	1
2:00 PM	4	1	5	39	2:00 AM	3	0	3	8	0	8
2:15 PM	2	2	4		2:15 AM	2	0	2		0	2
2:30 PM	8	4	12		2:30 AM	3	0	3		0	3
2:45 PM	12	6	18		2:45 AM	0	1	1		1	1
3:00 PM	6	8	14	45	3:00 AM	1	2	3	2	0	2
3:15 PM	5	4	9		3:15 AM	0	0	0		0	0
3:30 PM	8	1	9		3:30 AM	0	1	1		1	1
3:45 PM	13	0	13		3:45 AM	1	1	2		1	2
4:00 PM	5	7	12	47	4:00 AM	1	0	1	3	0	3
4:15 PM	1	8	9		4:15 AM	0	0	0		0	0
4:30 PM	7	5	12		4:30 AM	0	0	0		0	0
4:45 PM	10	4	14		4:45 AM	2	0	2		0	2
5:00 PM	10	5	15	43	5:00 AM	1	5	6	5	0	5
5:15 PM	7	6	13		5:15 AM	0	1	1		1	1
5:30 PM	7	4	11		5:30 AM	4	1	5		1	5
5:45 PM	2	2	4		5:45 AM	0	0	0		0	0
6:00 PM	5	0	5	42	6:00 AM	0	3	3	2	8	10
6:15 PM	6	4	10		6:15 AM	0	2	2		2	2
6:30 PM	12	4	16		6:30 AM	0	1	1		1	1
6:45 PM	4	7	11		6:45 AM	2	2	4	7	3	10
7:00 PM	4	2	6	42	7:00 AM	1	7	8	10	3	13
7:15 PM	12	5	17		7:15 AM	1	2	3		2	5
7:30 PM	8	6	14		7:30 AM	4	3	7		3	7
7:45 PM	4	1	5		7:45 AM	1	2	3		2	3
8:00 PM	3	3	6	41	8:00 AM	2	1	3	13	1	14
8:15 PM	7	3	10		8:15 AM	2	1	3		1	4
8:30 PM	4	9	13		8:30 AM	6	7	13		7	13
8:45 PM	7	5	12		8:45 AM	3	1	4		1	5
9:00 PM	1	3	4	37	9:00 AM	1	5	6	22	5	27
9:15 PM	7	2	9		9:15 AM	9	4	13		4	17
9:30 PM	9	4	13		9:30 AM	6	4	10		4	14
9:45 PM	8	3	11		9:45 AM	6	6	12		6	18

Combined
712

24 Hour Volume EB 404 (56.7%) WB 308 (43.3%)

12:00 AM - 12:00 PM

EB 120
WB 110
Combined 230

Count
52.2 %
11:00 AM
31
0.70

12:00 PM - 12:00 AM

EB 284
WB 198
Combined 482

Count
58.9 %
4:30 PM
34
0.85

Combined
482

Count
12:00 PM
62
0.86

D226

PHA Transportation Consultants

510-848-9233

Description 1: Antioch
 Description 2: Westlake Dr East of Alhambra Dr
 Description 3: 14-10-410

Site: j
 Date: 6/15/2014
 Sunday

Begin	24 Hour Volume				Begin	24 Hour Volume			
	EB	WB	Combined	WB		EB	WB	Combined	
10:00 AM	2	16	12	40	10:00 PM	4	19	1	8
10:15 AM	4	7	11	11	10:15 PM	4	3	1	7
10:30 AM	5	3	8	8	10:30 PM	9	2	2	11
10:45 AM	5	4	9	9	10:45 PM	2	2	2	4
11:00 AM	5	24	13	52	11:00 PM	2	13	2	5
11:15 AM	8	6	14	14	11:15 PM	3	1	1	4
11:30 AM	4	6	10	10	11:30 PM	2	0	0	2
11:45 AM	7	8	15	15	11:45 PM	6	2	2	8
12:00 PM	5	21	16	50	12:00 AM	1	8	0	2
12:15 PM	5	8	13	13	12:15 AM	1	1	1	2
12:30 PM	6	5	11	11	12:30 AM	5	1	1	6
12:45 PM	5	5	10	10	12:45 AM	1	1	0	1
1:00 PM	8	4	12	12	1:00 AM	1	1	2	3
1:15 PM	6	7	13	13	1:15 AM	0	0	0	0
1:30 PM	8	5	13	13	1:30 AM	0	0	0	0
1:45 PM	10	4	14	14	1:45 AM	0	0	0	0
2:00 PM	12	32	17	48	2:00 AM	0	2	0	1
2:15 PM	8	4	12	12	2:15 AM	0	1	1	1
2:30 PM	2	2	4	4	2:30 AM	1	0	0	1
2:45 PM	10	5	15	15	2:45 AM	1	0	0	1
3:00 PM	9	32	14	57	3:00 AM	0	1	0	3
3:15 PM	8	5	13	13	3:15 AM	0	2	2	2
3:30 PM	5	12	17	17	3:30 AM	1	1	1	2
3:45 PM	10	3	13	13	3:45 AM	0	0	0	0
4:00 PM	6	28	10	49	4:00 AM	0	4	0	2
4:15 PM	6	6	12	12	4:15 AM	0	0	0	0
4:30 PM	12	3	15	15	4:30 AM	4	1	1	5
4:45 PM	4	8	12	12	4:45 AM	0	1	1	1
5:00 PM	7	26	11	49	5:00 AM	0	2	7	16
5:15 PM	6	7	13	13	5:15 AM	2	4	4	6
5:30 PM	7	8	15	15	5:30 AM	0	4	4	4
5:45 PM	6	4	10	10	5:45 AM	0	1	1	1
6:00 PM	3	32	6	44	6:00 AM	5	10	4	16
6:15 PM	9	2	11	11	6:15 AM	3	2	2	5
6:30 PM	4	2	6	6	6:30 AM	1	8	8	9
6:45 PM	16	5	21	21	6:45 AM	1	2	2	3
7:00 PM	4	20	8	37	7:00 AM	0	4	4	15
7:15 PM	4	3	7	7	7:15 AM	1	3	3	4
7:30 PM	4	5	9	9	7:30 AM	1	4	4	5
7:45 PM	8	5	13	13	7:45 AM	2	4	4	6
8:00 PM	4	23	10	41	8:00 AM	4	16	2	13
8:15 PM	7	5	12	12	8:15 AM	8	4	4	12
8:30 PM	8	4	12	12	8:30 AM	2	5	5	7
8:45 PM	4	3	7	7	8:45 AM	2	2	2	4
9:00 PM	6	18	9	33	9:00 AM	6	15	5	13
9:15 PM	1	7	8	8	9:15 AM	3	1	1	4
9:30 PM	3	3	6	6	9:30 AM	3	4	4	7
9:45 PM	8	2	10	10	9:45 AM	3	3	3	6
24 Hour Volume					24 Hour Volume				
EB 399 (53.7%)					EB 399 (53.7%)				
WB 344 (46.3%)					WB 344 (46.3%)				
Combined 743					Combined 743				

12:00 AM - 12:00 PM		12:00 PM - 12:00 AM	
EB	WB	EB	WB
103	135	296	209
43.3 %	56.7 %	58.6 %	41.4 %
11:00 AM	11:00 AM	1:30 PM	12:00 PM
24	28	38	29
0.75	0.88	0.79	0.66
Combined 238		Combined 505	
Peak Hour Volume Factor		Peak Hour Volume Factor	
11:00 AM 52 0.87		12:00 PM 59 0.87	

D27

PHA Transportation Consultants

510-848-9233

Description 1: Antioch
 Description 2: Westlake Dr East of Alhambra Dr
 Description 3: 14-10-410

Site: 6/16/2014
 Date: Monday

Begin	24 Hour Volume				Begin	24 Hour Volume			
	EB	WB	Combined	WB		EB	WB	Combined	WB
10:00 AM	6	17	8	32	10:00 AM	5	19	4	6
10:15 AM	0	2	2	2	10:15 PM	8	0	0	8
10:30 AM	4	5	9	4	10:30 PM	4	2	2	6
10:45 AM	7	6	13	40	10:45 PM	2	0	0	2
11:00 AM	2	1	3	16	11:00 PM	5	17	4	12
11:15 AM	9	7	16	10	11:15 PM	2	1	1	3
11:30 AM	7	3	10	11	11:30 PM	8	6	6	14
11:45 AM	6	5	11	43	11:45 PM	2	1	1	3
12:00 PM	2	1	3	21	12:00 AM	2	7	1	3
12:15 PM	6	8	14	7	12:15 AM	2	2	2	4
12:30 PM	5	4	9	17	12:30 AM	2	0	0	2
12:45 PM	9	8	17	21	12:45 AM	1	0	0	1
1:00 PM	9	5	14	20	1:00 AM	2	4	0	2
1:15 PM	5	2	7	15	1:15 AM	2	1	1	3
1:30 PM	10	8	18	18	1:30 AM	0	0	1	1
1:45 PM	2	6	8	20	1:45 AM	0	0	0	0
2:00 PM	8	7	15	59	2:00 AM	0	1	0	2
2:15 PM	15	5	20	13	2:15 AM	0	0	0	0
2:30 PM	9	6	15	16	2:30 AM	1	1	0	1
2:45 PM	7	2	9	18	2:45 AM	0	2	2	2
3:00 PM	11	4	15	25	3:00 AM	2	3	1	3
3:15 PM	8	5	13	19	3:15 AM	0	1	1	1
3:30 PM	7	12	19	14	3:30 AM	0	0	1	1
3:45 PM	12	4	16	14	3:45 AM	1	0	0	1
4:00 PM	7	7	14	54	4:00 AM	0	0	0	0
4:15 PM	12	2	14	11	4:15 AM	0	0	1	1
4:30 PM	9	2	11	15	4:30 AM	0	2	2	2
4:45 PM	8	7	15	10	4:45 AM	0	1	1	1
5:00 PM	6	4	10	64	5:00 AM	1	2	5	6
5:15 PM	11	5	16	16	5:15 AM	0	4	4	4
5:30 PM	16	5	21	17	5:30 AM	0	2	2	2
5:45 PM	11	6	17	18	5:45 AM	1	3	3	4
6:00 PM	8	3	11	56	6:00 AM	1	4	4	5
6:15 PM	11	7	18	12	6:15 AM	2	1	1	3
6:30 PM	11	4	15	12	6:30 AM	1	6	6	7
6:45 PM	8	4	12	24	6:45 AM	0	3	3	3
7:00 PM	5	7	12	17	7:00 AM	4	10	4	18
7:15 PM	11	6	17	16	7:15 AM	2	4	4	6
7:30 PM	10	9	19	16	7:30 AM	2	6	6	8
7:45 PM	11	2	13	17	7:45 AM	2	4	4	6
8:00 PM	7	2	9	55	8:00 AM	5	17	7	19
8:15 PM	10	6	16	4	8:15 AM	2	4	4	6
8:30 PM	9	4	13	17	8:30 AM	8	2	2	10
8:45 PM	13	4	17	17	8:45 AM	2	6	6	8
9:00 PM	3	1	4	38	9:00 AM	2	10	1	18
9:15 PM	7	6	13	13	9:15 AM	0	6	6	6
9:30 PM	3	5	8	13	9:30 AM	4	5	5	9
9:45 PM	8	5	13	13	9:45 AM	4	4	6	10
24 Hour Volume									
	EB	WB	Combined	WB	EB	WB	Combined	WB	EB
	475 (57.9%)	346 (42.1%)	821	346 (42.1%)	376	218	594	376	218

12:00 AM - 12:00 PM

Count: 99
 Peak Hour Volume Factor: 43.6%
 10:45 AM
 25
 0.69

12:00 PM - 12:00 AM

Count: 376
 Peak Hour Volume Factor: 63.3%
 5:15 PM
 46
 0.72

12:00 PM - 12:00 AM

Count: 227
 Peak Hour Volume Factor: 10:45 AM
 42
 0.66

12:00 PM - 12:00 AM

Count: 594
 Peak Hour Volume Factor: 5:30 PM
 67
 0.80

DZ09

ATTACHMENT "E"

NEW PUBLIC HEARINGS

2. **UP-13-12 – Mission Hope Day Program** – Mission-Hope Day Program requests the approval of a use permit to operate an adult day care that provides services for developmentally disabled adults. The Planning Commission continued the project at the April 16, 2014 meeting. The project site is located at 10 South Lake Drive (**APNs 065-235-019**).

Senior Planner Gentry provided a summary of the staff report dated July 31, 2014.

Vice Chair Motts asked staff if the alternatives listed in the letter were viable to which SP Gentry said that they have no control over providing access via 18th Street and that staff did look at the distance the vans travel.

Commissioner Baatrup asked about the nature of the topics of the meeting between the applicant and the residents to which SP Gentry responded it was to get an idea of how they ran the facility and to address traffic concerns

Chair Hinojosa asked staff if 40 trips indicated in the traffic study was typical and asked given the study was not conducted during the normal school year how the extra counts were calculated. SP Gentry said that the General Plan provides a threshold of 50 peak trips and if that was exceeded it would require an environmental study. She stated that a formula is used for calculations.

In response to Vice Chair Motts, SP Gentry said that most of the trips would be leaving via East 18th Street, that a left hand turn only sign could be posted.

In response to Chair Hinojosa asking staff about the previous meeting minutes, SP Gentry said that they don't have control over the property adjacent to them but that a condition can be put in saying the vans would have to access the site through Alhambra Drive.

Commissioner Baatrup added that his thought was that they would leave the site turning left instead of winding through the Lake Alhambra community.

In response to Commissioner Pinto, SP Gentry said that the distance from 18th Street to the site via Alhambra Drive was approximately 800 feet.

OPENED PUBLIC HEARING

Applicant, Guy Houston representing Mission Hope, said that Mission Hope has been in existence since 2001 and is currently located on Verne Roberts Circle. At the meeting in April, the biggest concerns were parking and traffic and that they supported the recommendation for a traffic study and are pleased with the results. That they feel that they don't have an overall undue impact in the area and that they want to make it clear that at no time would they ever drop off clients on South Lake Drive. He said that they are great neighbors, that after 3:30 pm during the week, on weekends and on holidays there is zero traffic. That during the day when people are at work is the time with the

most intense traffic. He said that they would not be turning right into the neighborhood, unless they were picking up a client and that there is no reason to turn right and go through the neighborhood; exiting onto Alhambra is common sense. He said that regarding the traffic report and the issue of school year trips, that with their clientele there are no school children and no trips generated from that.

In response to Vice Chair Motts, applicant said that they have two larger buses that will be phased out over time but that at no time will they be parking on South Lake.

In response to Commissioner Pinto asking about entertainment, applicant said that their program is community based, that while one-third of the clients remain at Mission Hope, many are out in the community bowling, shopping and visiting parks. He said that they are supervised with the requirement being one supervisor for three clients. Applicant stated that most groups consist of three, four or five at a time except for an occasional BBQ or picnic at various parks in the City of Antioch.

Martha Parsons spoke to say that she was at the meeting, that they were told that the vans went out once a day to pick up clients and bring clients back and then leave again to take them home. She said that she is assuming that the traffic control person was told the same thing and 40 trips is not true. That Lake Alhambra has a park that they use, that school children have to go through narrow streets, and that if someone parks on South Lake Drive, you have to stop. She said that some schools start at 8:00 and others start at 9:00 a.m. That this is a well established neighborhood with 50% of the residents being seniors and retired that use the walkway all the time. She said that in addition to the small vans they have buses. That for their private park most of the residents use that parking lot to park and that they have always co-existed with all businesses at that location but now they are being told no. She said that they are not good neighbors, that they want to keep the residential area residential and that while 800 feet doesn't sound like much, kids are on that every day. That it is just not feasible to have vans, buses and 20 cars coming in and out of the residential area; that it doesn't make sense.

Commissioner Westerman confirmed with Ms. Parsons that the park is straight across the street from the site.

William Leroy spoke to say that he had a son going to Mission Hope, that he has been in the facility, that those vans go in and out all day long, and that his son was half beat to death while at the site. He said that while he loves the kids and that the kids should have some place to go, this is all about saving money and that the kids deserve a better location. He said that there is no way for buses to go in and out without disruption and congestion.

Applicant responded that these are serious accusations about the beating, that if it happened a report should be filed and that they don't condone that at their facilities. He said that regarding the traffic study, the consultant did not just take their word and that they did onsite reports. That regarding the park across the street and parking, that if there is a special event such as National Night Out, they can accommodate the local community as long as it doesn't interfere with their operations during the day. He said

that if the park is a private HOA park, it would not be on their roster of sites they would use and that for larger events they obtain permits from the City. He said that they drop off internally and that there will not be a time when they stop in the street to drop off.

In response to Chair Hinojosa, applicant said that they can put together a parking agreement for special events such as National Night Out and that while their hours are 7:30 a.m. to 3:30 p.m., they do park their vehicles there after hours. They are not against a condition regulating operating hours from 7:00 a.m. to 4:00 p.m. and that at this time they have two larger buses that they are phasing out but that larger ones are needed for wheel chairs.

In response to Vice Chair Motts, applicant said that some employees are dropped off, some carpool, and others will park internally. He said that there is no reason for anyone to park on South Lake and at no time is there maximum potential to have 20 cars and buses there.

In response to Commissioner Pinto's concern with temporary parking on South Lake, applicant said that they have nine vans, that Mission Hope encourages car pooling, that the nature of their operation is picking up and that the traffic study states there is adequate parking on site.

Martha Parsons spoke again to say that there are not enough parking spaces and they will have to park on South Lake Drive. The applicant can't require the employees to carpool, and that they must provide spaces for every employee and every bus. She said that if this use permit is allowed, the complaint will be that a child was hit or a senior was hit which is a travesty. She said that they are ok with a restaurant or other businesses going in and that they have always co-existed with all businesses.

Chair Hinojosa read parts of a letter from Jimmy Bean stating his concerns with traffic and parking problems and encouraging the Planning Commission not to approve the use permit.

CLOSED PUBLIC HEARING

Chair Hinojosa asked staff about the parking requirement calculations, wanted to confirm with staff that the project is able to meet the onsite parking requirements and asked about the enforceability of car pooling.

SP Gentry said that according to the traffic study there would not be a parking issue, that the City found the closest comparable use which was child care, that the study drilled it down and that the traffic engineer went out to their Brentwood facility and concluded that there was adequate parking. She said that parking onsite is adequate with potential overflow on the street. That while the issue of car pooling is not enforceable, applicant can encourage employees on an honor system and that if the City gets complaints they can be proactive.

In response to Commissioner Westerman, SP Gentry said that other types of businesses that can go in there would include medical offices by right, restaurant uses, and neighborhood oriented business with smaller commercial uses overall.

Commissioner Baatrup asked about a use by right, if that meant no restrictions on clients coming through car pooling, buses, ride sharing, etc.

SP Gentry said that by right means that they can just come in for a business license with no conditions on limitations of travel on South Lake Drive to this site.

In response to Commissioner Pinto's concern with parking, SP Gentry said that streets are public right of way available for public parking. She said that a condition can be put in requiring employees to park in the onsite parking lot and that applicant can provide a transportation plan for employees which staff can review.

Chair Hinojosa interjected that the Brentwood location did not require a use permit.

Commissioner Pinto said that the street is very narrow, that he is not sure there is any way to ensure that employees are prohibited from parking on South Lake Drive, but that is very hard to enforce.

Vice Chair Motts said that the community has become used to using those parking spaces and he is thinking that the applicant has stated they can use the parking lot for special events, and with a sign for a left turn only out of the parking lot, that it seems that some of those concerns might have been addressed.

Chair Hinojosa said that she has given this project a lot of thought and that she was very hopeful that allowing the HOA meeting with the applicant would have resolved issues. She is very sympathetic to the HOA but they have done due diligence and the traffic study and they meet onsite parking. She is prepared to put forward additional conditions.

Commissioner Baatrup confirmed with staff that this project meets the code.

Chair Hinojosa said she would like to see conditions indicating operating hours being between 7:00 a.m. to 4:00 p.m. Monday through Friday, the installation of bicycle stalls, encouraging carpooling, that all company vehicles must access the site via Alhambra with no access through the residential neighborhood, that there be no loitering with a break or smoking area behind the building, and that all parking needs to be met onsite and not on the street.

Commissioner Baatrup said that while he likes those conditions, he is not excited about limiting their operating hours. He said that he remembers going through the hearing on Auto Zone where the Planning Commission had very serious reservations about traffic issues with it being very unsafe and that they had others telling them this was not business friendly. That here is an applicant not seeking any variances and matching zoning, and that by turning it down we are being unfriendly to developmentally disabled adults.

Commissioner Westerman concurred and said that there is no telling what else may move in or maybe no one if this project is denied which could leave the building empty. He said that with the conditions discussed earlier, that they could also put conditions about residents using the parking lot and that the tenant and residents arrive at some sort of agreement for use on weekends and special events.

Chair Hinojosa said that given this is private parking she is not sure the Planning Commission can condition that.

Commissioner Pinto said that currently the building is empty, and that once applicant takes over the property, they would be subject to any liability that could occur on their property. He said that while he appreciates the conditions suggested, prohibiting employees from parking on the street is very difficult to monitor and enforce which leaves a big void for him.

Chair Hinojosa confirmed with staff that it is on the applicant to address the enforceability.

Commissioner Baatrup stated that the use permit is a revocable permit and that if the user is not complying it can be brought back and be subject to revocation or change.

CA Nerland interjected that staff has a revision to Condition F1 and SP Gentry stated the change would be to add "per day" to the end of the first sentence.

Commissioner Pinto clarified that the business could come back to expand the business and the conditions could be different, and that perhaps if applicant is amenable to put a condition that no buses but only vans can be used at this location.

Vice Chair Motts said that in general this use is fairly non invasive and given the suggested conditions he could support it.

Chair Hinojosa said that she had a reservation about the operating hours and is prepared to make a motion including operating hours.

Commissioner Westerman said that including operating hours in the motion is fine.

Chair Hinojosa made a motion to approve the project, subject to the following:

- Operating hours 7:00 a.m. to 4:00 p.m. Monday through Friday.
- Installation of bike racks or stalls pursuant to requirement of the Code and staff approval.
- All company vehicles will use Alhambra Avenue only.
- No vehicles shall travel through the residential neighborhood.
- Applicant shall design a smoking break area in the back of the building and discourage loitering in front of the building.
- All van parking must be onsite with no street parking.
- Eliminate buses and only use vans.

- Modifying Conditions F1 to add "per day" to the end of the first sentence.

Commissioner Baatrup stated his reservation that the buses are used for wheelchair and he is not sure that vans can accommodate that.

Chair Hinojosa rescinded that condition from her motion.

Applicant stated that he will put together a transportation plan for staff and will propose a parking agreement with the HOA.

RESOLUTION NO. 2014-18

On Motion by Commissioner Hinojosa and seconded by Commissioner Baatrup, the Planning Commission approves the Use Permit (UP-13-12) for an adult day program, subject to additions and changes as follows:

Modifying Condition F1 to read:

- F.1. The use permit applies to the service of 45 developmentally disabled adults per day. A supplemental use permit shall be required to serve more than 45 clients.**

And adding Conditions:

- F.4. Operating hours shall be 7:00 a.m. to 4:00 p.m. Monday through Friday.**
- F.5. The applicant shall install bike racks or stalls pursuant to Code requirements and staff approval.**
- F.6. All company vehicles shall use Alhambra Drive only.**
- F.7. No company vehicles shall travel through the residential neighborhood, except to drop off or to pick up a client.**
- F.8. Applicant shall design a smoking break area in the back of the building and shall discourage loitering in the front of the building.**
- F.9. All company vehicle parking shall be onsite.**

AYES: *Hinojosa, Motts, Baatrup and Westerman*
NOES: *Pinto*
ABSTAIN: *None*
ABSENT: *Miller*

ATTACHMENT "F"

Mission Hope Day Program 7080 Donlon Way, Suite 209 Dublin, Ca. 94568

Mission Hope Employee Transportation Plan 10 South Lake Drive, Antioch Location

A commuter transportation benefits plan is a type of benefits plan under Section 132(f) of the IRS code that allows you to set aside money on a pre-tax basis to pay for qualified work-related transportation expenses for mass transit, van pools, parking and bicycling.

Our commuter transportation plan is funded through your voluntary pre-tax salary deductions

All full-time, regular employees are eligible for the plan.

The four types of qualifying benefits are:

- 1- Mass Transit- can be a publicly operated bus such as Tri Deltas Transit.
- 2- Van Pools- a commuter highway vehicle used for transportation from the employee's home and workplace.
- 3- Parking- parking provided on or near the workplace. Also included is parking provided on or near the location from which you commute to work using mass transit or van pools. This does not include parking on or near your homes.
- 4- Bicycling Expenses- Bicycling reimbursement for reasonable expenses for a purchase of a bicycle and accessories for a bicycle used to travel to and from work.

Mission Hope Day Program has leased parking spaces for its use at a location at 12123 18th Street Antioch for employee use during normal business hours. Employees will then be shuttled to the 10 South Lake location and then back after the work day has concluded. Mission Hope Day Program employees shall not be responsible for cost associated with lease of parking facility.

**Mission Hope Day Program
7080 Donlon Way, Suite 209
Dublin, Ca. 94568**

September 10, 2014

Ms. Mindy Gentry
City of Antioch
Third and "H" Streets
Antioch, Ca. 94509

RE: Community Use of Parking at Mission Hope

Ms. Gentry,

As we prepare for the upcoming public hearing before the Antioch City Council regarding our application at 10 South Lake Drive, we have been asked to clarify our understanding of the potential use of the parking facility on our site for community uses or events by the local homeowners association.

The parking lot at 10 South Lake Drive has 25 spaces on-site and will be used exclusively by the Mission Hope Day Program Monday thru Friday from 7 AM to 3:30PM. Mission Hope is closed on all weekends and holidays.

It is our understanding that the current owner of has allowed the use of parking at 10 South Lake Drive's parking lot by the Lake Alhambra Property Owners Association for special events at the community park across the street from the subject property. It is our further understanding that the Lake Alhambra Property Owners Association would request use of the parking area and provide reasonable notice of dates and times of their events. Additionally, the homeowners association would name the owner at 10 South Lake Drive as an additional insured on the Association insurance policy and indemnify the property owner against any claims. Owner's permission to use the site has been discretionary, but has consistently worked with the Lake Alhambra Property Owners Association to accommodate their needs.

FZ

Please be advised that as the future owners of the location on 10 Lake Drive, it is our intention to continue this civic cooperation by allowing the use of the parking area under the same provisions. Based on a written request with the day and time of any proposed event, we will verify our schedule to determine if the parking area can be used in its entirety, or the amount which can be offered for use depending on the needs of the Mission Hope Day Program.

We look forward to working with the City of Antioch and the Lake Alhambra Property Owners Association to accommodate for parking on the Mission Hope property.

Sincerely,

A handwritten signature in black ink, appearing to read "Guy Houston". The signature is written in a cursive style with a large initial "G".

Guy Houston
Mission Hope Day Program

ATTACHMENT "G"

Petition in Opposition to Mission Hope Facility Use Permit at 10 South Lake Drive, Antioch, CA

Lake Alhambra is an established residential community off East 18th St, Antioch.

The proposed location is on South Lake Dr, a residential street, less than normal width with a 6' bike/walk lane on one side and parking on the other side. Our community park is directly across the street from the proposed site. We oppose this use permit because:

1. It will put our children and seniors using the bike/walk at risk! It is currently unsafe for two-way traffic to pass when there is pedestrian/pedaling traffic when cars are parked on the other side of the street. One car must stop and let the other one pass. With the use of 8/9 buses and 20 vehicles minimum, it will be even more unsafe! Safety is our PRIMARY concern!
2. The Mission Hope buses are wider than normal vehicles and our streets are narrower than normal streets in Antioch! Because the larger buses it owns are being used at their current facility on Verne Roberts Circle, it is wrong to assume as the PHS Transportation Report does that only smaller vans will be used on South Lake.
3. PHS Transportation Report was not done during the time when school was in session. The report states it took that into consideration, however the "green" estimated times used are incorrect. The school traffic hours are 7:30am until 8:45am and 2:45pm until 4pm.
4. During the PHS Transportation Report, the measurement unit was removed from the street numerous times so no accurate count could be taken, therefore, we can place no credibility in this study.
5. The residents of Lake Alhambra will have limited access to our community park because the parking spaces we currently use will not be available! Thus, we are being deprived of our property rights and our rights to a livable community! The proposed tenant has stated any use of their parking lot will be illegal! We have coexisted well with the current occupants for over 50 years.
6. Mission Hope is not a good neighbor for a residential community such as Lake Alhambra! Their statement that our employees carpool is not to be believed. We were told that the buses only leave in the morning to pick up and return clients to the facility and then in the afternoon to return them home and return to park for the night. Today, August 6th at 9:53am, the buses were being loaded up to leave the facility on Verne Roberts...the applicant does not tell the truth and if you allow this use permit, we will have no recourse on what they do to damage our use of our park and residential streets!
7. If you allow this use permit, our quiet community atmosphere, as will our property values will be destroyed when higher vehicle occupancy causing unsafe conditions is introduced!

Please listen to our plea that we be allowed to keep our neighborhood streets SAFE for our children, disabled and seniors and our community park accessible to all residents as we have for over 50 years!

The Lake Alhambra residents!

Signatures Attached

Alternatives:

- A. Open a driveway to 18th Street using the strip of land next to the Alhambra Creek allowing direct access to East 18th from their parking lot.
- B. Negotiate with the neighbors to the South to connect the two parking lots, again allowing direct access to East 18th St.

Name	Address	Phone Number
Robert B. Pogan		
Kenneth C. Bray		
Catherine G. Bray		
Ronald LeRoy		
Will LeRoy		
Arthur E. Mann		
Steve Peola		
Louise Bradshaw		
Jerry		
Robert		
John		
Daniel Wilson		
John Connolly		
Virginia Cunniff		
Caitlyn Higgins		
JIMMY BEAN		
Charles Bradshaw		
Jerry		
Bob		
Mary's Mary		
John Skane		
John Clark		
Susan S. Clark		

Name	Address	Phone Number
Bonnie Greenberg		
Carol Green		
Carol Green		
Janece Green		
Janece Green		
Janece Green		
Mary Olson		
Jeanne Allison		
Kelma Verna		
Kenda Verna		
Karla Olson		
Jan Batin		
Karen Ann		
Christ Miller		
Brenda Miller		
SOFIA VALER		
Judy Romanoff		
Rose Ann		
Chad Johnson		
Wendy		
Wendy		
Angelina		
Debra Neal		

Name	Address	Phone Number
Frank F. Anglin		
Robert Creamer		
Senora Nell		
Nicole Costella		
Marshall		
Steve Adams		
		
Kalash		
Angela Fagundes		
Robert Bruce		
		
		
Trevor Duncan		
Dean Royal, Hon Royal		
Winston Anderson		
SIPES		
Anna Huttleson		
Ken Deman		
Glenn Letort		
BILL CAMPBELL		
Mickey Adkins		
Johnny Adkins		











G10





G12



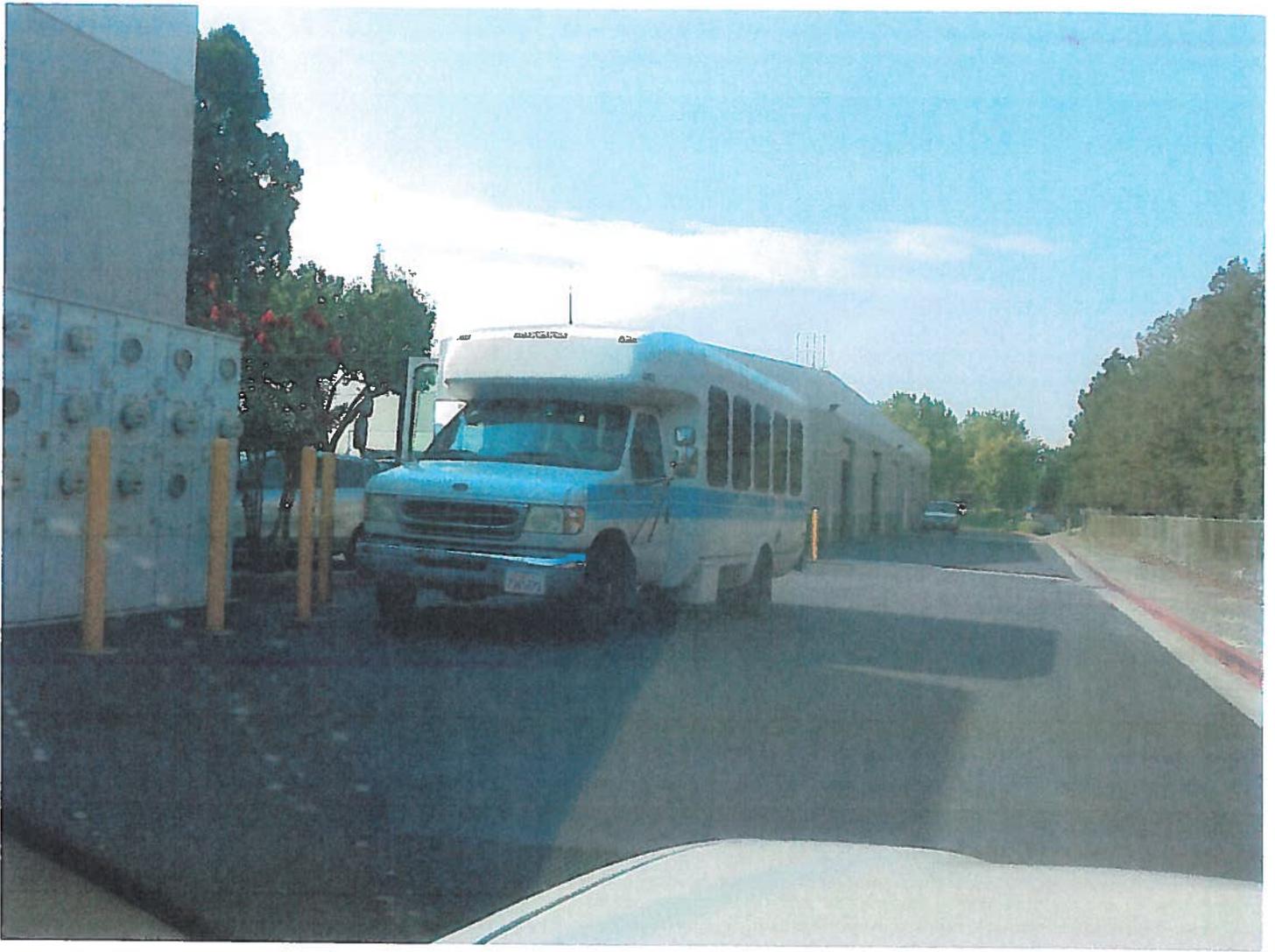
G13



G14



G15



616



G17



G18



G19

ATTACHMENT "H"



City of Antioch Decision Appeal Application

RECEIVED

CITY OF ANTIOCH
ATTN: CITY CLERK
P.O. BOX 5007
ANTIOCH, CA 94531-5007
(925) 779-7009

AUG 13 2014

CITY OF ANTIOCH
CITY CLERK

Date of Decision:

August 6, 2014

Name:

*U.P.-13-12-Mission Hope Day Program
Lake Alhambra Homeowner's Association
Residents by Martha Parsons*

Property Address:

Mailing Address:

Same

martha.parsons@gmail.com

Home Phone:

Work Phone:

REASON FOR APPEAL

See attached documentation

Signature

Martha Parsons

Date

August 13, 2014

August 12, 2014

Honorable Arne Simonsen
City Clerk
City of Antioch
PO Box 5007
Antioch, CA 94509

Dear Mr. Simonsen,

As required under 9-5.2509 of the Antioch Municipal Code of the City of Antioch, the residents of the Lake Alhambra Homeowners' Association are appealing the decision of the Planning Commission regarding UP-13-12 – MISSION HOPE DAY PROGRAM – Mission-Hope Day Program of August 6, 2014.

On that date, the Planning Commission approved a use permit to operate an adult day care facility in our residential neighborhood, ignoring our safety and parking concerns. We appeal RESOLUTION NO. 2014-18, as amended.

See attached documentation.

Respectfully,

Lake Alhambra Homeowners' Association Residents

by Martha Parsons
925-890-2665

HZ

ATTACHMENT "I"

RECEIVED

DEC 19 2013

WHAT MISSION-HOPE DAY PROGRAM IS ALL ABOUT

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Mission-Hope Adult Day Program Antioch is a facility licensed BY Community Care Licensing and have been currently in operation for more than 11 years across from Costco on Verne Roberts Circle, Antioch, to provide services to 45 developmentally disabled adults, from Monday to Friday, with a daily schedule of 7:30 a.m. to 3:30 p.m., employing 20 personnel, for a 1:3 staff ratio. Mission-Hope's main office at 7080 Donlon Way, Ste. 209, Dublin, CA 94568, operates our other Mission-Hope Day Programs in Hayward, Dublin, Brentwood and Fremont.

The Regional Center of the East Bay is the non-profit agency that vendors and refer clients/consumers to us and they also continuously and systematically oversees our operation to ensure safety and quality of the services we provide, together with two other agencies, the Area Board 5 and Adult Protective Services. But because of our good reputation, and the much needed services to the most vulnerable members of our society that we provide, we continue to get the support of the Regional Center and the Community Care Licensing and the rest of the advocates for the developmentally disabled, in the community.

The whole building structure will be fully utilized for Activities of Daily Living Skills training and a lot of recreational activities, like doing handicrafts, artworks like painting, drawing, dancing, aerobics exercises. But most of our clients will utilize other community resources like parks, museums, bowling alleys, malls, movie houses, restaurants, banks, grocery stores, laundrymats, recycling centers, fitness clubs, bus, BART, etc. for their daily community integration trainings.

There are 25 parking spaces in the back and on the right side of the building and 3 spots on the street in front which are all enough for our 8 vans that are from small

to medium vans that can hold 8 passengers including driver up to the biggest that can hold 15 passengers and the driver.

Our employees all have fingerprint clearances and have extensive training on providing the services needed by our consumers. We are open when most people in the neighborhood are at their own workplace or in school. Some of our employees ride together in one car as most of them, like some families whose 3 family members are all employees of Mission-Hope. Others are dropped off when they carpool with their friends or family, and few employees ride bikes, walk, or take the bus to work. All of our company vans will leave after 7:30 a.m. to pick-up our clients from their family homes or from residential care facilities around the area, then some will come back, others will go about doing their community integration activities. After 3:30 p.m. the only vehicles parked on the parking lot will be our company vans.

**STAFF REPORT TO THE CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF SEPTEMBER 23, 2014**

Prepared by: Alexis Morris, Associate Planner 
Approved by: Tina Wehrmeister, Community Development Director 
Date: September 18, 2014
Subject: **Preliminary Development Plan for the Oakley Knolls
Subdivision (PDP-14-04)**

RECOMMENDATION

It is recommended that the City Council provide feedback to the applicant and staff regarding the proposal and provide direction to the applicant for the Final Development Plan submittal.

REQUEST

Discovery Builders Inc., the applicant, is requesting a preliminary plan review of a proposal to develop a 31 unit residential subdivision on 5.56 acres. The project site is located on the north side of Oakley Road approximately 875 feet east of Willow Avenue (APNs 051-430-001, -002, -003, -004, -005, -006, -007, -008, -009, -010, -011, -012, -013, -014, -015, and -016) (Attachment "A").

The purpose of a preliminary plan is to gather feedback from the Planning Commission, City Council, and outside agencies in order for the applicant to become aware of concerns and/or issues prior to final development plan and tentative map submittal. As standard practice, preliminary plans are not conditioned; rather a list of needed items, information, and issues are compiled for the applicant to address prior to a final development plan hearing.

ENVIRONMENTAL

Preliminary plan review is a non-entitlement action and does not require environmental review. The Final Development Plan will require compliance with the California Environmental Quality Act (CEQA).

BACKGROUND

On November 27, 2001, the City Council heard and approved a final development plan, tentative map, and Mitigated Negative Declaration on the subject property for a 16 unit single family development on ¼ acre parcels. The Council expanded the conditions of approval and required a drainage study on the proposed site. Furthermore, the project was conditioned to require a use permit and design review approval if the homes were

to be constructed by a single developer or require design review approval only if the lots are to be custom. Since the applicant proceeded without defining the option for home construction, a use permit application was required. The developer recorded the final map which resulted in the creation of the 16 approved lots.

A use permit to develop the project was conditionally approved by the Planning Commission in May of 2003. The use permit was never acted upon and has expired. The applicant is requesting an increase in the number of units, therefore approval of a new planned development, tentative map and use permit will be required for this 31 unit project.

The Planning Commission provided feedback on the subject project at the August 6, 2014 hearing (Attachment "C"). The Planning Commission provided the following feedback to the applicant in addition to the items in the staff report (Attachment "D"):

- Several Commissioners expressed concerns with the higher density and said that the number of homes may have to be reduced.
- Several Commissioners expressed concerns with the small lot sizes.
- The project design should consider the requirement for varying setbacks in the design guidelines.
- Project landscaping should use drought tolerant, California natives.

One letter opposing the project (Attachment "E") was submitted prior to the Planning Commission meeting. Two residents spoke against the project at the meeting. The residents' concerns included the increase in density, the existing crime rate and the projects' impacts to police services, construction impacts, and the sizing of the proposed utilities.

ANALYSIS

Issue #1: Project Overview

The proposed project consists of 31 single family homes on approximately 5.56 acres. There are two proposed water quality basins (Parcel 'C' and 'D') to accommodate the stormwater draining to the north. Parcel 'C', which is 9,501 s.f., is located in the middle of the property towards the eastern edge and Parcel 'D', which is 4,771 s.f., is located in the northeast corner of the property adjacent to the current terminus of Honeynut Street. The single family home lots range in size from 3,649 s.f. to 8,172 s.f. with an average lot size of 4,770 s.f. The applicant has not proposed architecture as part of the application; therefore, a design discussion is absent from this staff report. Staff has recommended that the architecture comply with the City's Design Guidelines.

A Homeowner's Association (HOA) will be required for the project, which will be responsible for, at a minimum, maintaining the water quality basins, the landscape parcels (Parcel 'A' and 'B'), and a sloped parcel (Parcel 'E').

The project is located in Community Facilities District 89-1 (Mello Roos).

This project site is directly north of the Town Center Mixed Use area of the Hillcrest Station Area Specific Plan, which allows retail, residential, and office uses.

Issue #2: Consistency with the General Plan

The General Plan designation for the project site is Medium Low Density Residential which allows a maximum density of six units an acre. The zoning designation is Planned Development (PD). The proposed land use is consistent with the General Plan and will require submittal of a zoning change as part of the applicant's entitlement package. The applicant is proposing Planned Development (PD) as the zoning designation, which is a designation to encourage flexibility in the design and development of land so as to promote the most appropriate use; to allow diversification in the relationship of various uses, structures, and space; to facilitate the adequate and economical provision of streets and utilities; to preserve natural and scenic qualities of open space; to offer recreational opportunities convenient to residents to enhance the appearance of neighborhoods through the preservation of natural green spaces; and to counteract the effects of urban congestion and monotony.

Medium Low Density Residential is characterized in the General Plan as a typical subdivision, as well as other detached housing such as zero lot line units and patio homes. Areas designated as Medium Low Density Residential are typically located on level terrain with no or relatively few geological or environmental constraints. The maximum allowable density is six dwelling units per acre. The proposed project density is 5.57 dwelling units per acres, which is just under the maximum density allowed under the General Plan.

According to the General Plan, achievement of maximum densities are not guaranteed nor implied. The final density is determined by development design, any onsite constraints such as physical or environmental, available infrastructure, and other factors. Lastly, the development standards in the zoning code could also influence the number of lots thereby limiting the maximum allowable densities.

Due to the City budgetary issues and the lack of police staffing to meet General Plan standards, residential projects have been conditioned to participate in a community facilities district or other funding mechanism deemed acceptable by the City pertaining to police services. The project will be required to mitigate its impact on police services due to the increase in demand, which is based on the number of individuals that are expected to reside in the new project. The General Plan identifies a performance ratio, which is 1.2 to 1.5 police officers per 1,000 individuals. Currently, the district or other funding mechanism has not been formed and the residential development that will be the first to move forward will be required to establish the district or other mechanism. Staff is also recommending that the Oakley Knolls project be conditioned to establish, if necessary, and participate in the CFD or other funding mechanism.

Issue #3: Site Plan

The proposed project is a small lot subdivision with the majority of the lots on the site plan having a lot size that is under 5,000 s.f. The neighboring subdivision to the north has a lot size minimum of approximately 5,000 s.f. According to the applicant, the lots will accommodate homes up to 3,000 square feet, which may be difficult to achieve on such small lots while still maintaining the appropriate setbacks and requirements of the City's Design Guidelines.

The applicant has not provided any setback information or a typical lot detail. The table below illustrates the setbacks for City's R-6 zoning designation, which is the comparable zoning designation to the Medium Low Density Residential General Plan designation. Staff is recommending the R-6 setbacks be met as part of the Final Development Plan submittal.

Setback	R-6 Setbacks
Front (Local Street)	20'
Front (Collector)*	25'
Front (Garage)	20-25'
Rear (Single Story)	10'
Rear (Two Story)	20'
Side	5'

*Oakley Road is a collector street.

Each home would be required to have a two car garage with at least a 20' driveway, which staff is recommending the driveways be at a right angle to the street.

The proposal includes two public streets to serve the project, which will require annexation into the Streetlight and Landscaping District. There are two points of access, one from Oakley Road with Hickorynut Street connecting to the current terminus of Honeynut Street. All of the houses front onto these local neighborhood streets.

Parking: Per the code, the parking requirements for a single family home are a two car garage and one guest parking space on the street within close proximity to the unit served. The applicant has provided a City standard cul-de-sac at the end of Hickorynut Court. The applicant will also be required to submit a parking plan showing there is ample space for guest parking. The ordinance doesn't specify the placement of the guest spaces, but small lot subdivisions are typically conditioned to provide a guest parking space within 150-200' of the unit it is serving.

The Zoning Ordinance also requires unrestricted access to the rear yard for recreational vehicles for 25% of single family lots. The applicant's proposed site plan makes it difficult to provide the required number of RV parking spaces. Requiring RV parking may not be practical for this type of development and could be appropriately deterred by prohibiting RV parking in the development's Covenants, Codes and Restrictions

(CC&Rs). This is consistent with other approved small-lot subdivisions. The PD zoning allows flexibility with development standards; therefore, the Council will have the ability to require or not require RV parking for this project.

Issue #4: Grading and Drainage

Grading: Staff has concerns regarding the proposed grading and recommends the applicant work with staff to reach a grading plan that will address staff's concerns prior to the submittal of the Final Development Plan. The issues that staff has identified are as follows:

- The entrance to the development on Hickorynut Street is too steep and the slope needs to be reduced. The applicant shall coordinate with City staff and Contra Costa Fire Protection District (CCCFFPD) to achieve an acceptable slope.
- Staff believes the soil conditions of the project site are sandy; therefore, a soils report shall be submitted with the Final Development Plan to verify the proposed slopes are not too steep.
- The slope within Parcel A is identified as a 4:1 slope in the Oakley Road Typical Section; however based on the grades provided, staff believes the slope will be closer to 2:1. This steep slope is not favorable to have in the right of way and should be revised prior to submittal of the Final Development Plan. The sound wall will also need to be located at the top of the slope as it is currently planned.
- Staff does have concerns regarding the provision of a flat useable backyard on lots 6 to 10 and 19 to 22. Staff has provided a recommendation of providing at least a 20' flat area in the backyard for all lots.
- A retaining wall is proposed along the eastern property boundary along Parcel 'C' and Honeynut Street. The applicant has designed the project so that Honeynut Street will turn to the left to eventually access the neighboring property once it's developed; however, the adjacent property is higher than the proposed final grade of Honeynut Street therefore requiring a retaining wall. As part of the redesign of the grading, staff wants to see the elimination of the retaining wall along the eastern property line.

Drainage: According to the Contra Costa County Flood Control District, a natural watershed boundary bisects the project site and previously the District has allowed part of the project site to drain a portion of the site to the south but recommended that the City condition the project to locate and construct an adequately sized outfall to East Antioch Creek to serve the southern draining portion of the project and properties in Drainage Area 56, north of Oakley Road and west of the project site. Staff has recommended that a drainage study be conducted with review by the Flood Control District and be submitted along with the Final Planned Development.

The applicant has proposed draining a portion of the project to the south (Lots 14-22 and Parcel 'E'); however, the water is not being treated or retained in any manner as per the C.3 stormwater regulations. The water is flowing into the curb and gutter, and will eventually pool on adjacent land and into Oakley Road. This does not meet the

stormwater discharge requirements. Further, the applicant has proposed a storm drain line that is to be capped until future use. The applicant needs to revise the drainage for the Final Planned Development submittal to adhere to the C.3 stormwater requirements and to design a functional system.

The applicant has proposed through curb drains to convey the stormwater from the curb and gutter to the C.3 bioretention basin. This is an unacceptable means of conveyance and needs to be revised to meet the City's requirements. The applicant should work with staff prior to the submittal of the Final Development Plan to address the deficiency.

Issue #5: Infrastructure and Off-Site Improvements

The developer is required to provide all infrastructure necessary to serve the site. This includes utility tie-ins such as water, streets, sanitary sewer and storm drainage systems.

Oakley Road: The proposed plan shows a 52.5' wide right of way, which will provide full improvements on the north side of Oakley Road. The improvements on the north side of Oakley Road include a 20' travel lane, a 5' sidewalk, 5' of public right of way, and then 20' of landscaping to a sound wall. The temporary southern roadway improvements consist of a 16' travel lane and a 4' shoulder. The southern roadway improvements will eventually be completed to the ultimate configuration to match the northern improvements when the property to the south develops.

Water: An 8" water line currently terminates at Honeynut Street, where the developer has proposed to connect the project to the City's water supply. The waterline will then run beneath the streets to serve the development. The water system is required to be a looped system; therefore, the waterline would need to run from its current terminus at the intersection of Oakley Avenue and Willow Avenue to the project and connect to the waterline at its current terminus in Honeynut Street.

Sewer: A 6" sewer line currently terminates at Honeynut Street; however, staff has concerns regarding the capacity. As part of the Final Development Plan submittal, the applicant will need to provide a study of the existing sewer line to verify there is adequate capacity.

Stormwater: There are two bioretention basins, both on the northern side of the property. As discussed above, a portion of the project drains to the south with the remainder draining to the north. The portion that drains to the south is not meeting the C.3 stormwater guidelines as it is not being treated or retained and then discharged into the City's storm drain system or natural water course. A recommendation has been added that this issue be addressed prior to submitting for a Final Development Plan.

Due to the smaller lots, staff has concerns about the placement of the required utility boxes. In some cases on small lot developments, the utility boxes can be placed in a manner that dramatically reduces front yard landscaping. Therefore, staff is

recommending the applicant submit a utility plan as part of the Final Development Plan submittal showing the placement of all utility boxes.

Issue #6: Architecture, Landscaping and Walls

The applicant has not provided plans for architecture, landscaping, fences, or walls with this application. As part of the future development application, staff wants to ensure architecturally enhanced elevations will be submitted for homes sited on the corners. It is typical to require that for homes located on corner lots, the design treatments (e.g. a built-up stucco or stone veneer) found on the “front” elevations should also be placed on the side elevations facing the street.

A masonry wall will be required along the frontage of Oakley Road. The height associated with the attenuation will need to be determined by a noise study. The design of this wall will also need to be submitted for review.

The City’s Design Guidelines discuss having entries that incorporate special paving, architectural elements, and landscaping to set the overall tone for the community’s character. Staff has suggested adding a project entry feature to set the overall character of the project.

CONCLUSION

The purpose of a preliminary plan is to gather feedback from the Planning Commission, City Council, and outside agencies in order for the applicant to become aware of concerns and/or issues prior to Final Development Plan submittal. As standard practice, preliminary plans are not conditioned; rather a list of needed items, information, and issues to be addressed is compiled for the applicant to address prior to a final plan hearing. Staff suggests the following, along with any issues brought up by the City Council and the Planning Commission on August 6th, be addressed in the Final Development Plan submittal:

1. Where practical, the developer shall stagger the front yard setbacks of adjacent lots to provide for a varied streetscape.
2. Each home shall include a two car garage and at least a 20 foot deep driveway apron, which shall be at a right angle to the street.
3. A HOA shall be established for the project and at a minimum the HOA will be responsible for maintaining the water quality basins, landscaped parcels, and sloped parcels.
4. The project shall provide guest parking spaces within 150’ – 200’ of the unit each space serves. The applicant shall submit a parking plan with the Final Development Plan submittal that numbers each unit and its corresponding parking space in order to verify the distance from each unit.

5. For homes located on corner lots, the design treatments (e.g. a built-up stucco or stone veneer) found on the "front" elevations shall also be placed on the side elevations facing the street.
6. The project's CC&Rs will not allow any RV's, boats or jet skis to be parked within the project.
7. The developer shall prepare a drainage study. The developer shall design and construct storm drain facilities to adequately collect and convey stormwater entering or originating within the development to the nearest adequate man-made drainage facility or natural watercourse, without diversion of the watershed, per Title 9 of the County Ordinance Code.
8. The applicant shall submit a utility plan showing the location of water meter boxes, backflows for fire sprinklers, sewer cleanouts, cable, phone, and power boxes as it relates to frontage of the houses.
9. The Final Development Plan shall include a project entry feature and landscaping to set the overall character of the development. The entry feature shall incorporate some of the following: lighting, public art, large specimen trees, stone wall features, architectural monumentation and water features. The entry feature shall include authentic materials such as brick, stone, wood, or iron work.
10. All lots shall be a minimum of 3,500 square feet.
11. One floor plan shall be a single story.
12. Included with the Final Development Plan submittal, a site plan shall show the location where garbage cans will be located on the main streets for trash pickup days. The areas shall be able to accommodate three bins plus three feet between the bins.
13. The applicant shall submit a drainage study outlining what facilities are to be constructed and how they will function as part of the Drainage District. The project shall also comply with the C.3 stormwater requirements. Any drainage concerns expressed by the City or by Contra Costa County Flood Control District shall be implemented, as approved by the City Engineer.
14. The through curb drains need to be redesigned to the satisfaction of the City.
15. The project shall be annexed into the Streetlight and Landscape District.
16. The waterline system shall be looped; therefore, the waterline needs to be extended eastward to the project from the current terminus at the intersection of Oakley Avenue and Willow Avenue. The waterline shall be connected from Honeynut Street through the development and into Oakley Road.

17. The project shall establish, if necessary, and participate in a community facilities district pertaining to police services, or other mechanism deemed acceptable by the City.
18. Reduce retaining walls to the maximum extent practical and eliminate retaining walls within the public right-of-way.
19. The project's architecture shall comply with the City's Residential Design Guidelines.
20. The entrance to the project off of Oakley Road onto Hickorynut Street is too steep. The site grading needs to be reconfigured to minimize this slope, which should be coordinated with staff and the CCCFPD.
21. A soils report shall be submitted with the Final Development Plan.
22. The slope within Parcel A needs to be reduced and the sound wall shall be located at the top of the slope.
23. The setbacks for R-6 shall be met and a 20' flat useable backyard shall be provided on all lots.
24. The retaining wall adjacent to Parcel 'C' and to Honeynut Court shall be eliminated.
25. A study needs to be submitted with the Final Development Plan analyzing the capacity of the 6" sewer line to serve the project.
26. The height of the masonry wall along Oakley Road shall be determined by a noise study, but shall not be less than six feet. Design of the wall shall be submitted as part of the Final Development Plan submittal.

STRATEGIC PURPOSE

Consideration of this item is consistent with Strategic Plan Long Term Goal G, process entitlement requests. Although a Preliminary Plan is not an entitlement, it is a part of the process for residential projects and provides a mechanism for a developer to solicit input on a proposed project before expending a great deal of effort on it.

ATTACHMENTS

- A: Aerial Photograph
- B: Applicant's Description
- C: August 6, 2014 Planning Commission Staff Report
- D: August 6, 2014 Planning Commission Minutes
- E: August 5, 2014 Letter from Sreelekha Sen and Rakesh Singh

ATTACHMENT "A"

Aerial Photo



ATTACHMENT "B"

RECEIVED

APR 15 2014

OAKLEY KNOLLS
PROJECT CHARACTERISTICS
PRELIMINARY DEVELOPMENT PLAN

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

The proposed Oakley Knolls Project consists of 31 single family residential lots on 5.56 acres. The proposal is to re-subdivide the 16 lot Tract 8501. This project is located on the north side of Oakley Road east of Willow Avenue.

The proposed density of this project is about 5.5 units per acre and the average lots size is approximately 4700 sq. ft. These lot sizes will accommodate homes sizes likely up to 3000 sq. ft.

The current General Plan for this parcel calls for Medium Low Density Residential. The layout and density we are proposing is consistent with this General Plan land use designation. This project will involve a rezoning of the existing Planned Development (PD) district. The new proposed development is an increase in density, but again, it is consistent with the General Plan. We feel that the lot sizes we are proposing are more marketable and viable than the existing Tract 8501 lots which are over 10,000 sq. ft. The existing Tract 8501 is not consistent with the project to the north. Our proposed project is much more consistent with the development to the north.

We are proposing two access points, one off Oakley Road and one via Honeynut Street. We are also proposing two bioretention areas on parcels C and D within the project site to comply with C.3 requirements. Parcels A and B will be set aside for frontage landscaping (20' wide) and then there is a small Parcel E which is a sloped area which will be owned and maintained by a proposed project HOA.

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ATTACHMENT "C"

STAFF REPORT TO THE CITY OF ANTIOCH PLANNING COMMISSION FOR CONSIDERATION AT THE MEETING OF AUGUST 6, 2014

Prepared by: Mindy Gentry, Senior Planner ~~1/8~~
Approved by: Tina Wehrmeister, Community Development Director
Date: July 31, 2014
Subject: Preliminary Development Plan for the Oakley Knolls
Subdivision (PDP-14-04)

RECOMMENDATION

It is recommended that the Planning Commission provide feedback to the applicant and staff regarding the proposal and to provide direction to the applicant for the Final Development Plan submittal.

REQUEST

Discovery Builders Inc., the applicant, is requesting a preliminary plan review of a proposal to develop a 31 unit residential subdivision on 5.56 acres. The project site is located on the north side of Oakley Road approximately 875 feet east of Willow Avenue (APNs 051-430-001, -002, -003, -004, -005, -006, -007, -008, -009, -010, -011, -012, -013, -014, -015, and -016) (Attachment "A").

The purpose of a preliminary plan is to gather feedback from the Planning Commission and outside agencies in order for the applicant to become aware of concerns and/or issues prior to final development plan and tentative map submittal. As standard practice, preliminary plans are not conditioned; rather a list of needed items, information, and issues to be addressed is compiled for the applicant to address prior to a final development plan hearing.

ENVIRONMENTAL

Preliminary plan review is a non-entitlement action and does not require environmental review. The Final Development Plan will require compliance with the California Environmental Quality Act (CEQA).

BACKGROUND

On November 27, 2001, the City Council heard and approved a final development plan, tentative map, and Mitigated Negative Declaration on the subject property for a 16 unit single family development on ¼ acre parcels. The Council expanded the conditions of approval and required a drainage study on the proposed site. Furthermore, the project was conditioned to require a use permit and design review approval if the homes were

to be constructed by a single developer or require design review approval only if the lots are to be custom. Since the applicant proceeded without defining the option for home construction, a use permit application was required. The developer recorded the final map which resulted in the creation of the 16 approved lots.

A use permit to develop the project was conditionally approved by the Planning Commission in May of 2003.

ANALYSIS

Issue #1: Project Overview

The proposed project consists of 31 single family homes on approximately 5.56 acres. There are two proposed water quality basins (Parcel 'C' and 'D') to accommodate the stormwater draining to the north. Parcel 'C', which is 9,501 s.f., is located in the middle of the property towards the eastern edge and Parcel 'D', which is 4,771 s.f., is located in the northeast corner of the property adjacent to the current terminus of Honeynut Street. The single family home lots range in size from 3,649 s.f. to 8,172 s.f. with an average lot size of 4,770 s.f. The applicant has not proposed architecture as part of the application; therefore, a design discussion is absent from this staff report. Staff has recommended that the architecture comply with the City's Design Guidelines.

A homeowner's association (HOA) will be required for the project, which will be responsible for maintaining the water quality basins, the landscape parcels (Parcel 'A' and 'B'), and a sloped parcel (Parcel 'E').

The project is located in Community Facilities District 89-1 (Mello Roos).

This project could serve as a transitional development from the future mixed uses (retail, residential, and office) to the south as well as the eBART station located to the southwest.

Issue #2: Consistency with the General Plan

The General Plan designation for the project site is Medium Low Density Residential which allows a maximum density of six units an acre. The zoning designation is Planned Development (PD). The proposed land use is consistent with the General Plan and will require submittal of a zoning change as part of the applicant's entitlement package. The applicant is proposing Planned Development (PD) as the zoning designation, which is a designation to encourage flexibility in the design and development of land so as to promote the most appropriate use; to allow diversification in the relationship of various uses, structures, and space; to facilitate the adequate and economical provision of streets and utilities; to preserve natural and scenic qualities of open space; to offer recreational opportunities convenient to residents to enhance the appearance of neighborhoods through the preservation of natural green spaces; and to counteract the effects of urban congestion and monotony.

Medium Low Density Residential is characterized in the General Plan as a typical subdivision, as well as other detached housing such as zero lot line units and patio homes. Areas designated as Medium Low Density Residential are typically located on level terrain with no or relatively few geological or environmental constraints. The maximum allowable density is six dwelling units per acre. The proposed project density is 5.57 dwelling units per acres, which is just under the maximum density allowed under the General Plan.

According to the General Plan, achievement of maximum densities are not guaranteed nor implied. The final density is determined by development design, any onsite constraints such as physical or environmental, available infrastructure, and other factors. Lastly, the development standards in the zoning code could also influence the number of lots thereby limiting the maximum allowable densities.

Due to the City budgetary issues and the lack of police staffing to meet General Plan standards, residential projects have been conditioned to participate in a community facilities district or other funding mechanism deemed acceptable by the City pertaining to police services. The project will be required to mitigate its impact on police services due to the increase in demand, which is based on the number of individuals that are expected to reside in the new project. The General Plan identifies a performance ratio, which is 1.2 to 1.5 police officers per 1,000 individuals. Currently, the district or other funding mechanism has not been formed and the residential development that will be the first to move forward will be required to establish the district or other mechanism. Staff is also recommending that the Oakley Knolls project be conditioned to establish, if necessary, and participate in the CFD or other funding mechanism.

Issue #3: Site Plan

The proposed project is a small lot subdivision with the majority of the lots on the site plan having a lot size that is under 5,000 s.f. The neighboring subdivision to the north has a lot size minimum of approximately 5,000 s.f. According to the applicant, the lots will accommodate homes up to 3,000 square feet, which may be difficult to achieve on such small lots while still maintaining the appropriate setbacks and requirements of the City's Design Guidelines.

The applicant has not provided any setback information or a typical lot detail. The table below illustrates the setbacks for City's R-6 zoning designation, which is the comparable zoning designation to the Medium Low Density Residential General Plan designation. Staff is recommending the R-6 setbacks be met as part of the Final Development Plan submittal.

Setback	R-6 Setbacks
Front (Local Street)	20'
Front (Collector)*	25'
Front (Garage)	20-25'
Rear (Single Story)	10'
Rear (Two Story)	20'
Side	5'

*Oakley Road is a collector street.

Each home would be required to have a two car garage with at least a 20' driveway, which staff is recommending the driveways be at a right angle to the street.

The proposal includes two public streets to serve the project, which will require annexation into the Streetlight and Landscaping District. There are two points of access, one from Oakley Road with Hickorynut Street connecting to the current terminus of Honeynut Street. All of the houses front onto these local neighborhood streets.

Parking: Per the code, the parking requirements for a single family home are a two car garage and one guest parking space on the street within close proximity to the unit served. The applicant has provided a City standard cul-de-sac at the end of Hickorynut Court. The applicant will also be required to submit a parking plan showing there is ample space for guest parking. The ordinance doesn't specify the placement of the guest spaces, but small lot subdivisions are typically conditioned to provide a guest parking space within 150-200' of the unit it is serving.

The Zoning Ordinance also requires unrestricted access to the rear yard for recreational vehicles for 25% of single family lots. The applicant's proposed site plan makes it difficult to provide the required number of RV parking spaces. Requiring RV parking may not be practical for this type of development and could be appropriately deterred by prohibiting RV parking in the development's Covenants, Codes and Restrictions (CC&Rs). This is consistent with other approved small-lot subdivisions. The PD zoning allows flexibility with development standards; therefore, the Commission has the ability to require or not require RV parking for this project.

Issue #4: Grading and Drainage

Grading: Staff has concerns regarding the proposed grading and recommends the applicant work with staff to reach a grading plan that will address staff's concerns prior to the submittal of the Final Development Plan. The issues that staff has identified are as follows:

- The entrance to the development on Hickorynut Street is too steep and the slope needs to be reduced. The applicant shall coordinate with City staff and Contra Costa Fire Protection District (CCCFPD) to achieve an acceptable slope.

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- Staff believes the soil conditions of the project site are sandy; therefore, a soils report shall be submitted with the Final Development Plan to verify the proposed slopes are not too steep.
- The slope within Parcel A is identified as a 4:1 slope in the Oakley Road Typical Section; however based on the grades provided, staff believes the slope will be closer to 2:1. This steep slope is not favorable to have in the right of way and should be revised prior to submittal of the Final Development Plan. The sound wall will also need to be located at the top of the slope as it is currently planned.
- Staff does have concerns regarding the provision of a flat useable backyard on lots 6 to 10 and 19 to 22. Staff has provided a recommendation of providing at least a 20' flat area in the backyard for all lots.
- A retaining wall is proposed along the eastern property boundary along Parcel 'C' and Honeynut Street. The applicant has designed the project so that Honeynut Street will turn to the left to eventually access the neighboring property once it's developed; however, the adjacent property is higher than the proposed final grade of Honeynut Street therefore requiring a retaining wall. As part of the redesign of the grading, staff wants to see the elimination of the retaining wall along the eastern property line.

Drainage: According to the Contra Costa County Flood Control District, a natural watershed boundary bisects the project site and previously the District has allowed part of the project site to drain a portion of the site to the south but recommended that the City condition the project to locate and construct an adequately sized outfall to East Antioch Creek to serve the southern draining portion of the project and properties in Drainage Area 56, north of Oakley Road and west of the project site. Staff has recommended that a drainage study be conducted with review by the Flood Control District and be submitted along with the Final Planned Development.

The applicant has proposed draining a portion of the project to the south (Lots 14-22 and Parcel 'E'); however, the water is not being treated or retained in any manner as per the C.3 stormwater regulations. The water is flowing into the curb and gutter, and will eventually pool on adjacent land and into Oakley Road. This does not meet the stormwater discharge requirements. Further, the applicant has proposed a storm drain line that is to be capped until future use. The applicant needs to revise the drainage for the Final Planned Development submittal to adhere to the C.3 stormwater requirements and to design a functional system.

The applicant has proposed through curb drains to convey the stormwater from the curb and gutter to the C.3 bioretention basin. This is an unacceptable means of conveyance and needs to be revised to meet the City's requirements. The applicant should work with staff prior to the submittal of the Final Development Plan to address the deficiency.

Issue #5: Infrastructure and Off-Site Improvements

The developer is required to provide all infrastructure necessary to serve the site. This includes utility tie-ins such as water, streets, sanitary sewer and storm drainage systems.

Oakley Road: The proposed plan shows a 52.5' wide right of way, which will provide full improvements on the north side of Oakley Road. The improvements on the north side of Oakley Road include a 20' travel lane, a 5' sidewalk, 5' of public right of way, and then 20' of landscaping to a sound wall. The temporary southern roadway improvements consist of a 16' travel lane and a 4' shoulder. The southern roadway improvements will eventually be completed to the ultimate configuration to match the northern improvements when the property to the south develops.

Water: An 8" water line currently terminates at Honeynut Street, where the developer has proposed to connect the project to the City's water supply. The waterline will then run beneath the streets to serve the development. The water system is required to be a looped system; therefore, the waterline would need to run from its current terminus at the intersection of Oakley Avenue and Willow Avenue to the project and connect to the waterline at its current terminus in Honeynut Street.

Sewer: A 6" sewer line currently terminates at Honeynut Street; however, staff has concerns regarding the capacity. As part of the Final Development Plan submittal, the applicant will need to provide a study of the existing sewer line to verify there is adequate capacity.

Stormwater: There are two bioretention basins, both on the northern side of the property. As discussed above, a portion of the project drains to the south with the remainder draining to the north. The portion that drains to the south is not meeting the C.3 stormwater guidelines as it is not being treated or retained and then discharged into the City's storm drain system or natural water course. A recommendation has been added that this issue be addressed prior to submitting for a Final Development Plan.

Due to the smaller lots, staff has concerns about the placement of the required utility boxes. In some cases on small lot developments, the utility boxes can be placed in a manner that dramatically reduces front yard landscaping. Therefore, staff is recommending the applicant submit a utility plan as part of the Final Development Plan submittal showing the placement of all utility boxes.

Issue #6: Architecture, Landscaping and Walls

The applicant has not provided plans for architecture, landscaping, fences, or walls with this application. As part of the future development application, staff wants to ensure architecturally enhanced elevations will be submitted for homes sited on the corners. It is typical to require that for homes located on corner lots, the design treatments (e.g. a

built-up stucco or stone veneer) found on the “front” elevations should also be placed on the side elevations facing the street.

A masonry wall will be required along the frontage of Oakley Road. The height associated with the attenuation will need to be determined by a noise study. The design of this wall will also need to be submitted for review.

The City’s Design Guidelines discuss having entries that incorporate special paving, architectural elements, and landscaping to set the overall tone for the community’s character. Staff has suggested adding a project entry feature to set the overall character of the project.

CONCLUSION

The purpose of a preliminary plan is to gather feedback from the Planning Commission and outside agencies in order for the applicant to become aware of concerns and/or issues prior to Final Development Plan submittal. As standard practice, preliminary plans are not conditioned; rather a list of needed items, information, and issues to be addressed is compiled for the applicant to address prior to a final plan hearing. Staff suggests the following, along with any issues brought up by the Planning Commission at the August 6th hearing, be addressed in the Final Development Plan submittal:

1. Where practical, the developer shall stagger the front yard setbacks of adjacent lots to provide for a varied streetscape.
2. Each home shall include a two car garage and at least a 20 foot deep driveway apron, which shall be at a right angle to the street.
3. A HOA shall be established for the project and will be responsible for maintaining the water quality basins, landscape parcels, and sloped parcels.
4. The project shall provide guest parking spaces within 150’ – 200’ of the unit each space serves. The applicant shall submit a parking plan with the Final Development Plan submittal that numbers each unit and its corresponding parking space in order to verify the distance from each unit.
5. For homes located on corner lots, the design treatments (e.g. a built-up stucco or stone veneer) found on the “front” elevations shall also be placed on the side elevations facing the street.
6. The project’s CC&Rs will not allow any RV’s, boats or jet skis to be parked within the project.

7. The developer shall prepare a drainage study. The developer shall design and construct storm drain facilities to adequately collect and convey stormwater entering or originating within the development to the nearest adequate man-made drainage facility or natural watercourse, without diversion of the watershed, per Title 9 of the County Ordinance Code.
8. The applicant shall submit a utility plan showing the location of water meter boxes, backflows for fire sprinklers, sewer cleanouts, cable, phone, and power boxes as it relates to frontage of the houses.
9. The Final Development Plan shall include a project entry feature and landscaping to set the overall character of the development. The entry feature shall incorporate some of the following: lighting, public art, large specimen trees, stone wall features, architectural monumentation and water features. The entry feature shall include authentic materials such as brick, stone, wood, or iron work.
10. All lots shall be a minimum of 3,500 square feet.
11. One floor plan shall be a single story.
12. Included with the Final Development Plan submittal, a site plan shall show the location where garbage cans will be located on the main streets for trash pickup days. The areas shall be able to accommodate three bins plus three feet between the bins.
13. The applicant shall submit a drainage study outlining what facilities are to be constructed and how they will function as part of the Drainage District. The project shall also comply with the C.3 stormwater requirements. Any drainage concerns expressed by the City or by Contra Costa County Flood Control District shall be implemented, as approved by the City Engineer.
14. The through curb drains need to be redesigned to the satisfaction of the City.
15. The project shall be annexed into the Streetlight and Landscape District.
16. The waterline system shall be looped; therefore, the waterline needs to be extended eastward to the project from the current terminus at the intersection of Oakley Avenue and Willow Avenue. The waterline shall be connected from Honeynut Street through the development and into Oakley Road.
17. The project shall establish, if necessary, and participate in the community facilities district or other mechanism deemed acceptable by the City.
18. Reduce retaining walls to the maximum extent practical and eliminate retaining walls within the public right-of-way.

19. The project's architecture shall comply with the City's Residential Design Guidelines.
20. The entrance to the project off of Oakley Road onto Hickorynut Street is too steep. The site grading needs to be reconfigured to minimize this slope, which should be coordinated with staff and the CCCFPD.
21. A soils report shall be submitted with the Final Development Plan.
22. The slope within Parcel A needs to be reduced and the sound wall shall be located at the top of the slope.
23. The setbacks for R-6 shall be met and a 20' flat useable backyard shall be provided on all lots.
24. The retaining wall adjacent to Parcel 'C' and to Honeynut Court shall be eliminated.
25. A study needs to be submitted with the Final Development Plan analyzing the capacity of the 6" sewer line to serve the project.
26. The height of the masonry wall along Oakley Road shall be determined by a noise study, but shall not be less than six feet. Design of the wall shall be submitted as part of the Final Development Plan submittal.

ATTACHMENTS

- A. Aerial Photograph
- B. Applicant's Description

ATTACHMENT "A"

Aerial Photo



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ATTACHMENT "B"

RECEIVED

APR 15 2014

OAKLEY KNOLLS
PROJECT CHARACTERISTICS
PRELIMINARY DEVELOPMENT PLAN

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

The proposed Oakley Knolls Project consists of 31 single family residential lots on 5.56 acres. The proposal is to re-subdivide the 16 lot Tract 8501. This project is located on the north side of Oakley Road east of Willow Avenue.

The proposed density of this project is about 5.5 units per acre and the average lots size is approximately 4700 sq. ft. These lot sizes will accommodate homes sizes likely up to 3000 sq. ft.

The current General Plan for this parcel calls for Medium Low Density Residential. The layout and density we are proposing is consistent with this General Plan land use designation. This project will involve a rezoning of the existing Planned Development (PD) district. The new proposed development is an increase in density, but again, it is consistent with the General Plan. We feel that the lot sizes we are proposing are more marketable and viable than the existing Tract 8501 lots which are over 10,000 sq. ft. The existing Tract 8501 is not consistent with the project to the north. Our proposed project is much more consistent with the development to the north.

We are proposing two access points, one off Oakley Road and one via Honeynut Street. We are also proposing two bioretention areas on parcels C and D within the project site to comply with C.3 requirements. Parcels A and B will be set aside for frontage landscaping (20' wide) and then there is a small Parcel E which is a sloped area which will be owned and maintained by a proposed project HOA.

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ATTACHMENT "D"

CITY OF ANTIOCH PLANNING COMMISSION MINUTES

Regular Meeting
6:30 p.m.

August 6, 2014
City Council Chambers

CALL TO ORDER

Chair Hinojosa called the meeting to order at 6:30 p.m. on Wednesday, August 6, 2014, in the City Council Chambers. She stated that all items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the decision. The final appeal date of decisions made at this meeting is 5:00 p.m. on Thursday, August 14, 2014.

ROLL CALL

Present: Commissioners Pinto, Baatrup and Westerman
Chair Hinojosa and Vice Chair Motts
Absent: Commissioner Miller
Staff: Senior Planner, Mindy Gentry
Assistant Engineer, Harold Jirousky
City Attorney, Lynn Tracy Nerland
Minutes Clerk, Cheryl Hammers

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. Approval of Minutes: A. June 4, 2014
B. June 18, 2014

On motion by Commissioner Westerman, and seconded by Commissioner Pinto, the Planning Commission approved the Minutes of June 4, and June 18, 2014.

AYES: Hinojosa, Motts, Pinto, Baatrup and Westerman
NOES: None
ABSTAIN: None
ABSENT: Miller

END OF CONSENT CALENDAR

NEW PUBLIC HEARINGS

2. **UP-13-12 – Mission Hope Day Program** – Mission-Hope Day Program requests the approval of a use permit to operate an adult day care that provides services for developmentally disabled adults. The Planning Commission continued the project at the April 16, 2014 meeting. The project site is located at 10 South Lake Drive (APNs 065-235-019).

Senior Planner Gentry provided a summary of the staff report dated July 31, 2014.

Vice Chair Motts asked staff if the alternatives listed in the letter were viable to which SP Gentry said that they have no control over providing access via 18th Street and that staff did look at the distance the vans travel.

Commissioner Baatrup asked about the nature of the topics of the meeting between the applicant and the residents to which SP Gentry responded it was to get an idea of how they ran the facility and to address traffic concerns

Chair Hinojosa asked staff if 40 trips indicated in the traffic study was typical and asked given the study was not conducted during the normal school year how the extra counts were calculated. SP Gentry said that the General Plan provides a threshold of 50 peak trips and if that was exceeded it would require an environmental study. She stated that a formula is used for calculations.

In response to Vice Chair Motts, SP Gentry said that most of the trips would be leaving via East 18th Street, that a left hand turn only sign could be posted.

In response to Chair Hinojosa asking staff about the previous meeting minutes, SP Gentry said that they don't have control over the property adjacent to them but that a condition can be put in saying the vans would have to access the site through Alhambra Drive.

Commissioner Baatrup added that his thought was that they would leave the site turning left instead of winding through the Lake Alhambra community.

In response to Commissioner Pinto, SP Gentry said that the distance from 18th Street to the site via Alhambra Drive was approximately 800 feet.

OPENED PUBLIC HEARING

Applicant, Guy Houston representing Mission Hope, said that Mission Hope has been in existence since 2001 and is currently located on Verne Roberts Circle. At the meeting in April, the biggest concerns were parking and traffic and that they supported the recommendation for a traffic study and are pleased with the results. That they feel that they don't have an overall undue impact in the area and that they want to make it clear that at no time would they ever drop off clients on South Lake Drive. He said that they are great neighbors, that after 3:30 pm during the week, on weekends and on holidays there is zero traffic. That during the day when people are at work is the time with the

most intense traffic. He said that they would not be turning right into the neighborhood, unless they were picking up a client and that there is no reason to turn right and go through the neighborhood; exiting onto Alhambra is common sense. He said that regarding the traffic report and the issue of school year trips, that with their clientele there are no school children and no trips generated from that.

In response to Vice Chair Motts, applicant said that they have two larger buses that will be phased out over time but that at no time will they be parking on South Lake.

In response to Commissioner Pinto asking about entertainment, applicant said that their program is community based, that while one-third of the clients remain at Mission Hope, many are out in the community bowling, shopping and visiting parks. He said that they are supervised with the requirement being one supervisor for three clients. Applicant stated that most groups consist of three, four or five at a time except for an occasional BBQ or picnic at various parks in the City of Antioch.

Martha Parsons spoke to say that she was at the meeting, that they were told that the vans went out once a day to pick up clients and bring clients back and then leave again to take them home. She said that she is assuming that the traffic control person was told the same thing and 40 trips is not true. That Lake Alhambra has a park that they use, that school children have to go through narrow streets, and that if someone parks on South Lake Drive, you have to stop. She said that some schools start at 8:00 and others start at 9:00 a.m. That this is a well established neighborhood with 50% of the residents being seniors and retired that use the walkway all the time. She said that in addition to the small vans they have buses. That for their private park most of the residents use that parking lot to park and that they have always co-existed with all businesses at that location but now they are being told no. She said that they are not good neighbors, that they want to keep the residential area residential and that while 800 feet doesn't sound like much, kids are on that every day. That it is just not feasible to have vans, buses and 20 cars coming in and out of the residential area; that it doesn't make sense.

Commissioner Westerman confirmed with Ms. Parsons that the park is straight across the street from the site.

William Leroy spoke to say that he had a son going to Mission Hope, that he has been in the facility, that those vans go in and out all day long, and that his son was half beat to death while at the site. He said that while he loves the kids and that the kids should have some place to go, this is all about saving money and that the kids deserve a better location. He said that there is no way for buses to go in and out without disruption and congestion.

Applicant responded that these are serious accusations about the beating, that if it happened a report should be filed and that they don't condone that at their facilities. He said that regarding the traffic study, the consultant did not just take their word and that they did onsite reports. That regarding the park across the street and parking, that if there is a special event such as National Night Out, they can accommodate the local community as long as it doesn't interfere with their operations during the day. He said

that if the park is a private HOA park, it would not be on their roster of sites they would use and that for larger events they obtain permits from the City. He said that they drop off internally and that there will not be a time when they stop in the street to drop off.

In response to Chair Hinojosa, applicant said that they can put together a parking agreement for special events such as National Night Out and that while their hours are 7:30 a.m. to 3:30 p.m., they do park their vehicles there after hours. They are not against a condition regulating operating hours from 7:00 a.m. to 4:00 p.m. and that at this time they have two larger buses that they are phasing out but that larger ones are needed for wheel chairs.

In response to Vice Chair Motts, applicant said that some employees are dropped off, some carpool, and others will park internally. He said that there is no reason for anyone to park on South Lake and at no time is there maximum potential to have 20 cars and buses there.

In response to Commissioner Pinto's concern with temporary parking on South Lake, applicant said that they have nine vans, that Mission Hope encourages car pooling, that the nature of their operation is picking up and that the traffic study states there is adequate parking on site.

Martha Parsons spoke again to say that there are not enough parking spaces and they will have to park on South Lake Drive. The applicant can't require the employees to carpool, and that they must provide spaces for every employee and every bus. She said that if this use permit is allowed, the complaint will be that a child was hit or a senior was hit which is a travesty. She said that they are ok with a restaurant or other businesses going in and that they have always co-existed with all businesses.

Chair Hinojosa read parts of a letter from Jimmy Bean stating his concerns with traffic and parking problems and encouraging the Planning Commission not to approve the use permit.

CLOSED PUBLIC HEARING

Chair Hinojosa asked staff about the parking requirement calculations, wanted to confirm with staff that the project is able to meet the onsite parking requirements and asked about the enforceability of car pooling.

SP Gentry said that according to the traffic study there would not be a parking issue, that the City found the closest comparable use which was child care, that the study drilled it down and that the traffic engineer went out to their Brentwood facility and concluded that there was adequate parking. She said that parking onsite is adequate with potential overflow on the street. That while the issue of car pooling is not enforceable, applicant can encourage employees on an honor system and that if the City gets complaints they can be proactive.

In response to Commissioner Westerman, SP Gentry said that other types of businesses that can go in there would include medical offices by right, restaurant uses, and neighborhood oriented business with smaller commercial uses overall.

Commissioner Baatrup asked about a use by right, if that meant no restrictions on clients coming through car pooling, buses, ride sharing, etc.

SP Gentry said that by right means that they can just come in for a business license with no conditions on limitations of travel on South Lake Drive to this site.

In response to Commissioner Pinto's concern with parking, SP Gentry said that streets are public right of way available for public parking. She said that a condition can be put in requiring employees to park in the onsite parking lot and that applicant can provide a transportation plan for employees which staff can review.

Chair Hinojosa interjected that the Brentwood location did not require a use permit.

Commissioner Pinto said that the street is very narrow, that he is not sure there is any way to ensure that employees are prohibited from parking on South Lake Drive, but that is very hard to enforce.

Vice Chair Motts said that the community has become used to using those parking spaces and he is thinking that the applicant has stated they can use the parking lot for special events, and with a sign for a left turn only out of the parking lot, that it seems that some of those concerns might have been addressed.

Chair Hinojosa said that she has given this project a lot of thought and that she was very hopeful that allowing the HOA meeting with the applicant would have resolved issues. She is very sympathetic to the HOA but they have done due diligence and the traffic study and they meet onsite parking. She is prepared to put forward additional conditions.

Commissioner Baatrup confirmed with staff that this project meets the code.

Chair Hinojosa said she would like to see conditions indicating operating hours being between 7:00 a.m. to 4:00 p.m. Monday through Friday, the installation of bicycle stalls, encouraging carpooling, that all company vehicles must access the site via Alhambra with no access through the residential neighborhood, that there be no loitering with a break or smoking area behind the building, and that all parking needs to be met onsite and not on the street.

Commissioner Baatrup said that while he likes those conditions, he is not excited about limiting their operating hours. He said that he remembers going through the hearing on Auto Zone where the Planning Commission had very serious reservations about traffic issues with it being very unsafe and that they had others telling them this was not business friendly. That here is an applicant not seeking any variances and matching zoning, and that by turning it down we are being unfriendly to developmentally disabled adults.

Commissioner Westerman concurred and said that there is no telling what else may move in or maybe no one if this project is denied which could leave the building empty. He said that with the conditions discussed earlier, that they could also put conditions about residents using the parking lot and that the tenant and residents arrive at some sort of agreement for use on weekends and special events.

Chair Hinojosa said that given this is private parking she is not sure the Planning Commission can condition that.

Commissioner Pinto said that currently the building is empty, and that once applicant takes over the property, they would be subject to any liability that could occur on their property. He said that while he appreciates the conditions suggested, prohibiting employees from parking on the street is very difficult to monitor and enforce which leaves a big void for him.

Chair Hinojosa confirmed with staff that it is on the applicant to address the enforceability.

Commissioner Baatrup stated that the use permit is a revocable permit and that if the user is not complying it can be brought back and be subject to revocation or change.

CA Nerland interjected that staff has a revision to Condition F1 and SP Gentry stated the change would be to add "per day" to the end of the first sentence.

Commissioner Pinto clarified that the business could come back to expand the business and the conditions could be different, and that perhaps if applicant is amenable to put a condition that no buses but only vans can be used at this location.

Vice Chair Motts said that in general this use is fairly non invasive and given the suggested conditions he could support it.

Chair Hinojosa said that she had a reservation about the operating hours and is prepared to make a motion including operating hours.

Commissioner Westerman said that including operating hours in the motion is fine.

Chair Hinojosa made a motion to approve the project, subject to the following:

- Operating hours 7:00 a.m. to 4:00 p.m. Monday through Friday.
- Installation of bike racks or stalls pursuant to requirement of the Code and staff approval.
- All company vehicles will use Alhambra Avenue only.
- No vehicles shall travel through the residential neighborhood.
- Applicant shall design a smoking break area in the back of the building and discourage loitering in front of the building.
- All van parking must be onsite with no street parking.
- Eliminate buses and only use vans.

- Modifying Conditions F1 to add "per day" to the end of the first sentence.

Commissioner Baatrup stated his reservation that the buses are used for wheelchair and he is not sure that vans can accommodate that.

Chair Hinojosa rescinded that condition from her motion.

Applicant stated that he will put together a transportation plan for staff and will propose a parking agreement with the HOA.

RESOLUTION NO. 2014-18

On Motion by Commissioner Hinojosa and seconded by Commissioner Baatrup, the Planning Commission approves the Use Permit (UP-13-12) for an adult day program, subject to additions and changes as follows:

Modifying Condition F1 to read:

- F.1. The use permit applies to the service of 45 developmentally disabled adults per day. A supplemental use permit shall be required to serve more than 45 clients.**

And adding Conditions:

- F.4. Operating hours shall be 7:00 a.m. to 4:00 p.m. Monday through Friday.**
- F.5. The applicant shall install bike racks or stalls pursuant to Code requirements and staff approval.**
- F.6. All company vehicles shall use Alhambra Drive only.**
- F.7. No company vehicles shall travel through the residential neighborhood, except to drop off or to pick up a client.**
- F.8. Applicant shall design a smoking break area in the back of the building and shall discourage loitering in the front of the building.**
- F.9. All company vehicle parking shall be onsite.**

AYES: *Hinojosa, Motts, Baatrup and Westerman*
NOES: *Pinto*
ABSTAIN: *None*
ABSENT: *Miller*

3. **UP-14-03 – Antioch Produce** – Haroon Sherzai requests approval of a use permit for the Antioch Produce Market to sell locally grown fruits and vegetables seven days a week from 8:00 a.m. to 8:00 p.m. The business will also offer a variety of juices, snacks, and other general items. No alcohol, cigarettes, or tobacco will be sold at the store. The project site is located at 1625 A Street, in an approximately 3,500 square foot retail unit in the Antioch Square Shopping Center on the northeast corner of A Street and East 18th Street (**APN 065-183-035**).

SP Gentry provided a summary of the staff report dated July 31, 2014. She stated that the applicant was not present at the meeting.

CA Nerland said that the Planning Commission can take action unless it is felt that information is needed from the applicant.

In response to Vice Chair Motts asking if this project would sell convenience store items, SP Gentry said that this location would mainly contract with local produce suppliers and be a produce market.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Baatrup motioned for approval.

Commissioner Pinto asked staff if the second sentence on Condition F.1. could be eliminated. SP Gentry responded that the condition was needed to make it 100% clear, that currently there is a moratorium and by eliminating you would be removing their right to come back.

CA Nerland said that the second statement is a true statement but does not see a problem with deleting the second sentence.

Vice Chair Motts said that it was fine either way.

Chair Hinojosa said that given the applicant is not proposing to sell those things, she does not see any harm in leaving it in there.

RESOLUTION NO. 2014-19

On Motion by Commissioner Baatrup and seconded by Commissioner Westerman, the Planning Commission approves the Use Permit (UP-14-03) for the Antioch Produce Market, subject to all conditions.

AYES: *Hinojosa, Motts, Pinto, Baatrup and Westerman*
NOES: *None*
ABSTAIN: *None*
ABSENT: *Miller*

4. **PDP-14-04 – Oakley Knolls Preliminary Development Plan** – Discovery Builders requests the review of a preliminary development plan, which is not an entitlement, for the development of 31 single family homes on approximately 5.56 acres. The project site is located on the north side of Oakley Road approximately 875 feet east of Willow Avenue (APNs 051-430-001, -002, -003, -004, -005, -006, -007, -008, -009, -010, -011, -012, -013, -014, -015 and -016).

SP Gentry provided a summary of the staff report dated July 31, 2014.

In response to Commissioner Motts, SP Gentry said that there is no particular definition for transitional development but that this project is going to be adjacent to the Hillcrest Specific Plan area and eBART and smaller higher density lots would be transitional. She said that this site is already an approved development and that PD zoning is needed for resubdivision of this property.

Commissioner Pinto asked staff about percentages for low income to which SP Gentry said that there is a regional allocation number provided by ABAG which is mandated by the State but that cities have limited control.

Chair Hinojosa asked staff about the Community Facilities District and asked if that requirement was contained in previous reports for PDPs to which SP Gentry confirmed that it was.

Chair Hinojosa asked staff about the water line terminating at Honeynut being pretty far from the project to which SP Gentry said that the City requires that the water system be looped and that as future development comes in, reimbursement agreements can be approved by City Council.

OPENED PUBLIC HEARING

Applicant, Louis Parsons, stated that he read the report and that their request is to get feedback on their site plan which is an approved project for 16 lots. He said that going with this density is more consistent with what is out there and would provide houses up to 3000 sf, maximum. He said that he does recognize the water connection which is a considerable expense. He said under conclusion in the report, item 6 indicates a recommendation that the project's CCRs not allow RVs, boats or jet skis and that he wanted to clarify this being for recreational vehicles. He said that item 7 talks about diversion of the watershed and the possible need to divert unless otherwise approved by the County. On item 8 he understands the need however still preliminary. He said he understands the need to eliminate the retaining wall but wants to mention that they have the right from the property owner to access the adjacent property to make improvements the City approves. He said that C3 is challenging and there are some other alternatives they can look at. For setbacks, they have no issues except providing useable backyard on all lots, and wondered if there is any latitude just for single story homes. He is seeking input on density and looking forward to comments.

D9

Commissioner Pinto asked the applicant about solar panels and landscaping. Applicant said that they will be pre-wiring for solar and making it an option. For landscaping, there are State guidelines for drought tolerant landscaping and C3 areas receive runoff to minimize irrigation.

Commissioner Pinto said that going forward they should think about alternative landscaping with maybe rocks.

Vice Chair Motts said that maybe the best way would be to use native California plants which are drought tolerant. The applicant said that he is open to any suggestions.

Chair Hinojosa asked the reason for capping the storm drain until future use to which applicant responded that as far as design, the storm drain is coming in on Oakley Road and there will be future connections to it. He said that staff's concern is that C3 is on one side but their C3 is just preliminary at this time.

Chair Hinojosa asked applicant if there are any projects that use bio retention on lots to which applicant said that yes they do have natural facilities in front yards but when you have these C3 systems, you have to develop a plan which gets a little cumbersome so they try to centrally locate them.

Chair Hinojosa asked about lot 19 or 20 showing something going through it to which applicant said that was just a slope with a grade difference.

In response to Chair Hinojosa, applicant said that they have kept the same roadway alignment. Also, it gets tough to sell single stories with limited square footage and that they would like latitude to go to 15 foot setbacks for single stories or possibly locate on lots that don't have minimum depth.

Jeff Denny, resident for over 30 years with 18 years in the Almondridge subdivision, said that they want to put 30 houses on 5 acres with current marginal services being provided by the City. He said that he was robbed two years ago, that he called the police three times and that it took four and a half hours for an officer to arrive. That this is complete madness and that he has concerns about the dust, elevations, and construction hours.

Duane Shoemaker said he has been in the area his whole life, living on his three acre property next door since 1978. He said that this doesn't blend in with the community that is already there; there is a lot of violence in the area; and that he has had to call the police many times. He said that he can live with 16 lots but high density doesn't belong in this area. He said that some concerns were addressed by staff but that he saw a 6" sewer line for those houses which doesn't make sense. He also doesn't see a mention of the jogging trail which is not being maintained by the City.

Chair Hinojosa said that the Commission is not taking any action this evening and that the project has existing entitlements for the 16 lots at this time.

CLOSED PUBLIC HEARING

Vice Chair Motts said that both speakers make a compelling argument, that there has been too many houses built without infrastructure and that economic development needs to be a part of the equation.

Commissioner Pinto said that based upon the two speakers, he thinks maybe the developer may want to take into consideration reducing the number of homes proposed here.

Chair Hinojosa said that it seems like given the conditions and requirements that some of the density may have to go down.

Commissioner Westerman concurred with Commission Pinto and said that it may be worthwhile to look at reducing the density, making this a true transitional community. He said that there are design guidelines that should be taken into account with such things as varying setbacks.

Commissioner Baatrup reiterated his concern with small lots and trying to squeeze too many residents into the area now that the market has changed. He doesn't think as a community we should suffer with a lower standard. He said that he continues to support the concept that these are too small and that it doesn't make sense to reduce back yard space and that maybe they should plot the homes to larger lots for single story homes.

Chair Hinojosa said that this project is close to the Hillcrest Specific Plan which envisions mixed uses and that they need to be open minded.

ORAL COMMUNICATIONS

SP Gentry said that the next meeting is August 20 and that nothing is currently on the agenda and the meeting after that will be September 3rd. She announced that the new planner is starting on Monday.

CA Nerland said that the City Council has adopted a moratorium on large 24/7 bingo halls.

She said that Council member Agopian passed away, that funeral services will be 2:00 p.m. this Saturday, and that there will be a memorial for him next Tuesday at the City Council meeting.

Chair Hinojosa suggested adjourning tonight's meeting in his honor.

Commissioner Westerman said that he thinks Mr. Agopian was the only council member that came to a meeting just to say hello and meet them.

Chair Hinojosa said that at the last meeting she had mentioned a land use committee and said that she would like staff to consider and to come back with options for that.

SP Gentry said that City staff is in the process of hiring a consultant for the General Plan update and that she was unaware of the suggested land use committee.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

Vice Chair Motts said that Transplan was cancelled.

ADJOURNMENT

Chair Hinojosa adjourned the Planning Commission at 8:53 p.m. in honor of Council Member Gary Agopian.

Respectfully Submitted,
Cheryl Hammers

ATTACHMENT "E"

Sreelekha Sen &
Rakesh Singh
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August 3, 2014

To : Planning Commission of the City of Antioch &
Department of Community Development, City of Antioch
City Hall
200 H St
Antioch CA 94531
And whomever it may Concern

Re : Opposition statement for Oakley Knolls Preliminary Development Plan

We strongly oppose the proposed development of 31 single family homes per the Oakley Knolls Preliminary Development Plan for which we received the Notice of Public Hearing from the Community Development Department on July 24, 2014. Our reasons for opposition are outlined below:

1. We own the Single family home at 2951 Honeynut St, Antioch CA. Currently the house is at the end of Honeynut St with no through traffic, very private and with ample street parking and nice views of the mountains. If the proposed new houses were built they would be across from our house and result in increased traffic, noise, loss of privacy, loss of the view, overcrowding and less street parking. Honeynut St would no longer be a dead end street increasing the potential for crime.
2. There would also be noise, dust and constant traffic of construction vehicles during the construction affecting the nearby residents.
3. Antioch does not need more houses as evidenced by the recent housing market crash with very high vacancy rates in Antioch along with price drops of upto 60-80% from the peak. Antioch was one of the worst hit cities in the Bay Area and also one of the first to be hit mainly because of overbuilding during the last boom. Prices are determined by the simple law of supply and demand and when we allow builders to build more houses in our community we are effectively reducing the price of all existing houses by creating an oversupply.
4. Support services like Police etc are not being increased proportional to number of new residents these new houses would create. This would be result in a reduced quality of life for existing residents due to crime, increased traffic and other problems inherent with overpopulation.
5. Long term jobs are not being created in Antioch proportional to the number of new residents these new houses would attract thus reinforcing Antioch's position as a bedroom community with increased traffic on the freeways and long commute times.

6. The developers/builders of the new houses would make a fast buck and be gone after all the houses are sold leaving the City and residents to deal with the problems created by the new houses as detailed above.
7. The city of Antioch should focus it's time, money and energy on solving it's existing problems of crime, blight and bad schools first and not introduce more problems in the form of increased population overwhelming the support services.
8. Antioch should support more open spaces within the city providing habitat for birds, squirrels and other animals. More open spaces would support a better quality of life and improve the perception and image of the city.
9. Water is in short supply. We are being asked to conserve water, yet adding new houses would use much more water than conserving.

We are available via phone, email or postal mail if there are any questions about this letter. Our contact information is below.

Sen

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August 3, 2014



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August 3, 2014

**STAFF REPORT TO THE CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF SEPTEMBER 23, 2014**

Prepared by: Alexis Morris, Associate Planner 
Approved by: Tina Wehrmeister, Community Development Director 
Date: September 18, 2014
Subject: Preliminary Development Plan for the Quail Cove Subdivision
(PDP-12-01)

RECOMMENDATION

It is recommended that the City Council provide feedback to the applicant and staff regarding the proposal and provide direction to the applicant for the Final Development Plan submittal.

REQUEST

The applicant is requesting preliminary plan review of a proposal to develop a 31 unit residential subdivision on 5.59 acres. The project site is located in southeast Antioch on the west side of Heidorn Ranch Road, at the eastern terminus of Prewett Ranch Drive (APN 056-130-012) (Attachment "A").

The purpose of a preliminary plan is to gather feedback from the City Council and outside agencies in order for the applicant to become aware of concerns and/or issues prior to final development plan and tentative map submittal. As standard practice, preliminary plans are not conditioned; rather a list of needed items, information, and issues are compiled for the applicant to address prior to a final development plan hearing.

BACKGROUND INFORMATION

The Planning Commission provided feedback on the subject project at the June 18, 2014 hearing (Attachment "C"). The Planning Commission provided the following feedback to the applicant (Attachment "D"):

- Consider dual use of the drainage basin to include recreational amenities or consider moving the basin to another location on site.
- Consider a distinct entry feature with varying façade treatments.
- Consider using low water landscaping and HOA maintenance of front yards.
- Address flooding and any potential wetland issues in the future submittal.
- One Commissioner expressed concern with the project's density and small lot sizes.

Several residents spoke at the meeting and expressed concerns with the traffic and safety impacts of extending Prewett Ranch Drive through to Heidorn Ranch Road. The property owners of an adjacent parcel expressed concerns with the project's density, drainage and flooding on Heidorn Ranch Road, and the potential for the widening of Heidorn Ranch Road to take a portion of the front of the property.

ENVIRONMENTAL

Preliminary plan review is a non-entitlement action and does not require environmental review. The Final Development Plan will require compliance with the California Environmental Quality Act (CEQA).

ANALYSIS

Issue #1: Project Overview

The proposed project consists of 31 single family homes on approximately 5.59 acres. There is a proposed water quality basin (Parcel 'A'), which is located on the northwesterly corner of the property and is 17,194 s.f. in size, which will accommodate the stormwater for the subject project. The lots range in size from 4,301 s.f. to 12,072 s.f. with an average lot size of 5,152 s.f. The applicant has not proposed architecture as part of the application; therefore, a design discussion is absent from this staff report. Staff has recommended that the architecture comply with the City's Design Guidelines.

A homeowner's association (HOA) will be required for the project, which, at a minimum, will be responsible for maintaining the water quality basin.

This project could also serve as a transitional development from the lower density residential development to the west and the future commercial uses and the potential future eBART station located to the east in Brentwood. The City of Brentwood recently updated their General Plan and the area to the east of the project is designated Mixed Use Pedestrian Transit which has a heavy emphasis on a mixture of uses that will generate jobs as well as opportunities for transit oriented development.

Issue #2: Consistency with the General Plan

The General Plan designation for the project site is Medium Low Density Residential which allows a maximum density of six units an acre. The zoning designation is Planned Development (PD). The proposed land use is consistent with the General Plan and zoning designations.

Medium Low Density Residential is characterized in the General Plan as a typical subdivision, as well as other detached housing such as zero lot line units and patio homes. Areas designated as Medium Low Density are typically located on level terrain with no or relatively few geological or environmental constraints. The maximum

allowable density is six dwelling units per acre. The proposed project density is just under the maximum density allowed under the General Plan, which would be 33 homes.

According to the General Plan, achievement of maximum densities are not guaranteed nor implied. The final density is determined by development design; any onsite constraints such as physical or environmental; available infrastructure; and other factors. Lastly, the development standards in the zoning code could also influence the number of lots thereby limiting the maximum allowable densities.

Due to the City budgetary issues and the lack of police staffing to meet General Plan standards, residential projects have been conditioned to participate in a community facilities district or other funding mechanism deemed acceptable by the City pertaining to police services. The project will be required to mitigate its impact on police services due to the increase in demand, which is based on the number of individuals that are expected to reside in the new project. The General Plan identifies a performance ratio, which is 1.2 to 1.5 police officers per 1,000 individuals. Currently, the district or other funding mechanism has not been formed and the residential development that will be the first to move forward will be required to establish the district or other mechanism. Staff is also recommending that the Quail Cove project be conditioned to establish, if necessary, and participate in the CFD or other funding mechanism.

Issue #3: Site Plan

The proposed project is a small lot subdivision, which is a product type that has not been developed in the City of Antioch in recent years. The majority of the lots on the site plan have a lot size that is under 5,000 s.f. The neighboring subdivision has a lot size minimum of approximately 5,000 s.f. The table below illustrates the different setbacks between the proposed project and the City’s R-6 zoning designation, which is the comparable zoning designation to the Medium Low Density Residential General Plan designation. There are differences in the setbacks, but the R-6 setbacks are more difficult to meet with the smaller lot size that is proposed.

Setback	R-6 Setbacks	Project Setbacks
Front (Local Street)	20'	15'
Front (Collector)*	25'	15'
Front (Garage)	20-25'	20'
Rear (Single Story)	10'	15'
Rear (Two Story)	20'	15'
Side	5'	5'

*Prewett Ranch Drive is a collector street.

Each home would have a two car garage with at least a 20’ driveway, which staff is recommending the driveways be at a right angle to the street.

The proposal includes houses that front onto Prewett Ranch Road, which is similar to the subdivision to the west as well as the preliminary plans for the development to the north. The subdivision has one access point via Colchico Drive which turns right onto Summerfield Court and then terminates into a cul-de-sac. All streets are proposed to be public; therefore, the project would require annexation into the Streetlight and Landscaping District.

Parking: The Zoning Ordinance parking requirements for single family residential are a two car garage and one guest parking space on the street within close proximity to the unit served. The preliminary development plan does not include the City standard cul-de-sac design, which provides parking for the units around the cul-de-sac. If the applicant does not want to construct the City standard cul-de-sac, then the applicant shall provide a parking plan showing how each unit has the required guest space in close proximity, which is subject to review and approval by the City Engineer. The Ordinance doesn't specify the placement of the spaces, but small lot subdivisions are typically conditioned to provide a guest parking space within 150-200' of the unit it is serving.

The Zoning Ordinance also requires unrestricted access to the rear yard for recreational vehicles for 25% of single family lots. The applicant's proposed site plan makes it difficult to provide the required number of RV parking spaces. Requiring RV parking may not be practical for this type of development and could be appropriately deterred by prohibiting RV parking in the development's Covenants, Codes and Restrictions (CC&Rs). This is consistent with other approved small-lot subdivisions. The PD zoning allows flexibility with development standards; therefore, the Council has the ability to require or not require RV parking for this project.

Colchico Drive: Colchico Drive is currently designed in a manner that does not have a crown in the centerline of the street and the preliminary plan shows the construction of a retaining wall on property not owned by the applicant. Colchico Drive needs to be designed with a crown at the centerline of the street and the retaining wall needs to be constructed on the applicant's property, unless written approval is provided by the adjacent property owner.

Issue #4: Infrastructure and Off-Site Improvements

The developer is required to provide all infrastructure necessary to serve the site. This includes utility tie-ins such as water, streets, sanitary sewer and storm drainage systems. Staff recommends that the City work with the developer on a reimbursement agreement for any items that will require other developers to pay their fair share for improvements completed with this project.

Prewett Ranch Drive: The proposed plan shows access to the project from Prewett Ranch Drive; however, Prewett Ranch Drive is shown only extending east to Colchico Drive. The subject property contains a pan-handle that extends all the way to Heidorn Ranch Road, which is identified as "Not a Part" on the project plans. The applicant will

be responsible for the construction of the southerly half width of Prewett Ranch Drive with full improvements and shall be constructed to connect to Heidorn Ranch Road, which shall be included in the Vesting Tentative Map and Final Planned Development submittal. Further, a retaining wall up to four feet in height is proposed at the intersection of Colchico Drive, Prewett Ranch Drive, and the Johnson property. The wall shall be eliminated with the extension of Prewett Ranch Drive. City staff is supportive of a reimbursement agreement as the applicant will be responsible just for their fair share of costs.

Prewett Ranch Drive will require a 76' wide street section from the intersection of Heidorn Ranch Road approximately 500 feet to the west. This street section will include two travel lanes, a left turn pocket, and a median with sidewalks, bike lanes, and public right-of-way on either side of road. Approximately 500 feet west of the Prewett Ranch Road and Heidorn Ranch Road, Prewett Ranch Road will then transition back to a 60' right-of-way as shown in the street cross sections on the plans. Further, a left turn lane needs to be provided from Prewett Ranch Drive onto Heidorn Ranch Road.

Water: The developer shows a 10" waterline running eastward in Prewett Ranch Drive to Colchico Drive. Staff has concerns regarding the utility connections, future service, and the requirement that the waterlines be a looped system; therefore, staff is recommending the applicant be required to run the utilities eastward to connect to the utilities in Heidorn Ranch Road. The waterline in Prewett Ranch Road shall continue from its current terminus to Heidorn Ranch Road. The waterline in Heidorn Ranch Road, from its current terminus, shall be extended to the intersection of Prewett Ranch Drive and connect creating a looped system.

Sewer: The developer shows a 12" future sewer line on the project plans. This is not acceptable and a permanent sewer line needs to connect to the project in accordance with the ultimate sewer plan. The sewer line shall run from its current terminus in Prewett Ranch Drive to Heidorn Ranch Road. The sewer line in Heidorn Ranch Road from its current terminus shall be extended and connect at Prewett Ranch Drive.

Stormwater: Parcel 'A' is identified as a stormwater basin to meet the C.3 requirements. However there are stormwater lines that run through Lots 2, 13, 16, and 26, which is not staff's preference due to maintenance of the lines and the required easements. Staff is recommending the applicant work with staff to relocate the C.3 basin to run between Prewett Ranch Drive and Summerfield Court in order to remove the stormwater lines from running beneath lots 2, 13, and 16.

Due to the smaller lots, staff has concerns about the placement of the required utility boxes. In some cases on small lot developments, the utility boxes can be placed in a manner that dramatically reduces front yard landscaping. Therefore, staff is recommending the applicant submit a utility plan as part of the final development plan submittal showing the placement of all utility boxes.

Issue #5: Architecture, Landscaping and Walls

The applicant has not provided plans for architecture, landscaping, fences, or walls with this application. As part of the future development application, staff wants to ensure architecturally enhanced elevations will be submitted for homes sited on the corners. It is typical to require that for homes located on corner lots, the design treatments (e.g. a built-up stucco or stone veneer) found on the “front” elevations should also be placed on the side elevations facing the street.

The City’s Design Guidelines discuss having entries that incorporate special paving, architectural elements, and landscaping to set the overall tone for the community’s character. Staff has suggested adding a project entry feature to set the overall character of the project.

Issue #6: Other Issues

Outside Agency Comments

Comments from the Contra Costa County Fire Protection District are included as Attachment “E”. The applicant should address these comments with the Final Development Plan submittal.

CONCLUSION

The purpose of a preliminary plan is to gather feedback from the Planning Commission, City Council, and outside agencies in order for the applicant to become aware of concerns and/or issues prior to Final Development Plan submittal. As standard practice, preliminary plans are not conditioned; rather a list of needed items, information, and issues to be addressed is compiled for the applicant to address prior to a final plan hearing. Staff suggests the following, along with any issues brought up by the City Council and the Planning Commission on June 18th, be addressed in the Final Development Plan submittal:

1. Where practical, the developer shall stagger the front yard setbacks of adjacent lots to provide for a varied streetscape.
2. Each home shall include at least a 20 foot deep driveway apron, which shall be at a right angle to the street.
3. A HOA shall be established for the project and will, at a minimum, be responsible for maintaining the water quality basin.
4. The project shall provide guest parking spaces within 150’ – 200’ of the unit each space serves. The applicant shall submit a parking plan with the final development plan submittal that numbers each unit and its corresponding parking space in order to verify the distance from each unit or shall provide a City standard cul-de-sac on Summerfield Court.

5. Homes located on corner lots, the design treatments (e.g. a built-up stucco or stone veneer) found on the "front" elevations shall also be placed on the side elevations facing the street.
6. The project's CC&Rs will not allow any RV's, boats or jet skis to be parked within the project.
7. The developer shall design and construct storm drain facilities to adequately collect and convey storm water entering or originating within the development to the nearest adequate man-made drainage facility or natural watercourse, without diversion of the watershed, per Title 9 of the County Ordinance Code.
8. The applicant shall submit a utility plan showing the location of water meter boxes; backflows for fire sprinklers; sewer cleanouts; cable, phone, and power boxes as it relates to frontage of the houses.
9. The Final Development Plan shall include a project entry feature and landscaping to set the overall character of the development. The entry feature shall incorporate some of the following: lighting, public art, large specimen trees, stone wall features, architectural monumentation and water features. The entry feature shall include authentic materials such as brick, stone, wood, or iron work.
10. The water quality basin and the public right-of-way on Colchico Drive shall be landscaped and included in the landscape plan to be submitted with the Final Development Plan.
11. All lots shall be a minimum of 4,000 square feet.
12. One floor plan shall be a single story.
13. Included with the Final Development Plan submittal, a site plan shall show the location where garbage cans will be located on the main streets for trash pickup days. The areas shall be able to accommodate three bins plus three feet between the bins.
14. The Final Development Plan submittal shall include plans to complete the southerly half width of Prewett Ranch Drive to Heidorn Ranch Road with full improvements and shall be constructed to connect to Heidorn Ranch Road, which shall be included in the Vesting Tentative Map and Final Planned Development submittal
15. The applicant shall submit a drainage study showing impacts to downstream development.
16. The area identified on the Preliminary Development Plan as "Not a Part" shall be included as part of the Project.

17. Colchico Drive shall be constructed in a manner where there is a crown at the centerline of the street and the retaining wall needs to be constructed on the applicant's property unless written approval is provided by the adjacent property owner.
18. The project shall be annexed into the Streetlight and Landscape District.
19. The waterline system shall be looped; therefore, the waterline needs to be extended eastward from the current terminus in Prewett Ranch Drive to Heidorn Ranch Road. The waterline in Heidorn Ranch Road shall be extended from its current terminus to connect at Prewett Ranch Drive; thereby creating a looped system.
20. A permanent sewer line needs to connect to the project in accordance with the ultimate sewer plan. The sewer line shall run from the current terminus in Prewett Ranch Drive to Heidorn Ranch Road. The sewer line in Heidorn Ranch Road from its current terminus shall be extended and connect at Prewett Ranch Drive.
21. The applicant shall work with staff on the relocation of the C.3 basin between Prewett Ranch Drive and Summerfield Court and to run the stormdrain line to the basin in order to eliminate the two stormdrain easements that would be required on lots 2, 13, and 26.
22. The project shall establish, if necessary, and participate in a community facilities district pertaining to police services, or other mechanism deemed acceptable by the City.
23. Utilities, water, sewer, and stormdrain, shall be extended along Prewett Ranch Drive and Heidorn Ranch Road and connect within the intersection of the two streets.
24. Reduce retaining walls to the maximum extent practical and eliminate retaining walls within the public right-of-way.
25. Coordinate street grades for Prewett Ranch Drive with the property to the north (Heidorn Village).
26. The project's architecture shall comply with the City's Residential Design Guidelines.
27. Grading is proposed on property that is not owned by West Coast Homebuilders, Inc. and written consent from the property owners was not submitted. The Final Development Plan needs to be revised to be entirely on West Coast Homebuilders Inc.'s property or submission of signed letters from the impacted property owners acknowledging and accepting development on their property.

STRATEGIC PURPOSE

Consideration of this item is consistent with Strategic Plan Long Term Goal G, process entitlement requests. Although a Preliminary Plan is not an entitlement, it is a part of the process for residential projects and provides a mechanism for a developer to solicit input on a proposed project before expending a great deal of effort on it.

ATTACHMENTS

- A: Aerial Photograph
- B: Applicant's Description
- C: June 18, 2014 Planning Commission Staff Report
- D: June 18, 2014 Planning Commission Minutes
- E: CCCFPD Letter

ATTACHMENT "A"

Aerial Photograph



ATTACHMENT "B"

RECEIVED

APR 15 2014

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

QUAIL COVE PROJECT CHARACTERISTICS PRELIMINARY DEVELOPMENT PLAN

The proposed Quail Cove Project consists of 31 single family residential lots on 5.59 acres. This project is located in the southeast portion of the City at the terminus of Prewett Ranch Dr.

The proposed density of this project is about 5.54 units per acre and the average lots size is approximately 5152 sq. ft. These lot sizes will accommodate homes sizes likely up to 3000 sq. ft.

The current General Plan for this parcel calls for Medium Low Density Residential. The layout and density we are proposing is consistent with this General Plan land use designation. This project will involve formalizing the development standards for a Planned Development (PD) district. The project lots sizes are largely consistent with the lot sizes proposed within the Heidorn Village project to the north and are largely consistent with the existing developments to the west. In addition, we feel that these lot sizes we are proposing are more marketable.

We are proposing an extension of Prewett Ranch Dr. to access this site. We are also proposing a bioretention area on parcels A to comply with C.3 requirements.

ATTACHMENT "C"

STAFF REPORT TO THE CITY OF ANTIOCH PLANNING COMMISSION FOR CONSIDERATION AT THE MEETING OF JUNE 18, 2014

Prepared by: Mindy Gentry, Senior Planner *AA*

Approved by: Tina Wehrmeister, Community Development Director *tw*

Date: June 12, 2014

Subject: Preliminary Development Plan for the Quail Cove Subdivision
(PDP-12-01)

RECOMMENDATION

It is recommended that the Planning Commission provide feedback to the applicant and staff regarding the proposal and to provide direction to the applicant for the Final Development Plan submittal.

REQUEST

The applicant is requesting preliminary plan review of a proposal to develop a 31 unit residential subdivision on 5.59 acres. The project site is located in southeast Antioch on the west side of Heidorn Ranch Road, at the eastern terminus of Prewett Ranch Drive (APN 056-130-012) (Attachment "A").

The purpose of a preliminary plan is to gather feedback from the Planning Commission and outside agencies in order for the applicant to become aware of concerns and/or issues prior to final development plan and tentative map submittal. As standard practice, preliminary plans are not conditioned; rather a list of needed items, information, and issues to be addressed is compiled for the applicant to address prior to a final development plan hearing.

ENVIRONMENTAL

Preliminary plan review is a non-entitlement action and does not require environmental review. The Final Development Plan will require compliance with the California Environmental Quality Act (CEQA).

ANALYSIS

Issue #1: Project Overview

The proposed project consists of 31 single family homes on approximately 5.59 acres. There is a proposed water quality basin (Parcel 'A'), which is located on the northwesterly corner of the property and is 17,194 s.f. in size, which will accommodate the stormwater for the subject project. The lots range in size from 4,301 s.f. to 12,072

s.f. with an average lot size of 5,152 s.f. The applicant has not proposed architecture as part of the application; therefore, a design discussion is absent from this staff report. Staff has recommended that the architecture comply with the City's Design Guidelines.

A homeowner's association (HOA) will be required for the project, which will be responsible for maintaining the water quality basin.

This project could also serve as a transitional development from the commercial uses to the east located in Brentwood as well as the potential future eBART station east of Heidorn Ranch Road. The properties to the east of Heidorn Ranch Road have only been identified as a potential location for an eBART station; however, the City of Brentwood is currently updating their General Plan and is proposing to change the current General Plan designation from Mixed Use Business Park to Mixed Use Pedestrian Transit which has a heavy emphasis on a mixture of uses that will generate jobs as well as opportunities for transit oriented development.

Issue #2: Consistency with the General Plan

The General Plan designation for the project site is Medium Low Density Residential which allows a maximum density of six units an acre. The zoning designation is Planned Development (PD). The proposed land use is consistent with the General Plan and zoning designations.

Medium Low Density Residential is characterized in the General Plan as a typical subdivision, as well as other detached housing such as zero lot line units and patio homes. Areas designated as Medium Low Density are typically located on level terrain with no or relatively few geological or environmental constraints. The maximum allowable density is six dwelling units per acre. The proposed project density is just under the maximum density allowed under the General Plan, which would be 33 homes.

According to the General Plan, achievement of maximum densities are not guaranteed nor implied. The final density is determined by development design; any onsite constraints such as physical or environmental; available infrastructure; and other factors. Lastly, the development standards in the zoning code could also influence the number of lots thereby limiting the maximum allowable densities.

Due to the City budgetary issues and the lack of police staffing to meet General Plan standards, residential projects have been conditioned to participate in a community facilities district or other funding mechanism deemed acceptable by the City pertaining to police services. The project will be required to mitigate its impact on police services due to the increase in demand, which is based on the number of individuals that are expected to reside in the new project. The General Plan identifies a performance ratio, which is 1.2 to 1.5 police officers per 1,000 individuals. Currently, the district or other funding mechanism has not been formed and the residential development that will be the first to move forward will be required to establish the district or other mechanism.

Staff is also recommending that the Quail Cove project be conditioned to establish, if necessary, and participate in the CFD or other funding mechanism.

Issue #3: Site Plan

The proposed project is a small lot subdivision, which is a product type that has not been developed in the City of Antioch in recent years. The majority of the lots on the site plan have a lot size that is under 5,000 s.f. The neighboring subdivision has a lot size minimum of approximately 5,000 s.f. The table below illustrates the different setbacks between the proposed project and the City's R-6 zoning designation, which is the comparable zoning designation to the Medium Low Density Residential General Plan designation. There are differences in the setbacks, but the R-6 setbacks are more difficult to meet with the smaller lot size that is proposed.

Setback	R-6 Setbacks	Project Setbacks
Front (Local Street)	20'	15'
Front (Collector)*	25'	15'
Front (Garage)	20-25'	20'
Rear (Single Story)	10'	15'
Rear (Two Story)	20'	15'
Side	5'	5'

*Prewett Ranch Drive is a collector street.

Each home would have a two car garage with at least a 20' driveway, which staff is recommending the driveways be at a right angle to the street.

The proposal includes houses that front onto Prewett Ranch Road, which is similar to the subdivision to the west as well as the preliminary plans for the development to the north. The subdivision has one access point via Colchico Drive which turns right onto Summerfield Court and then terminates into a cul-de-sac. All streets are proposed to be public; therefore, would require annexation into the Streetlight and Landscaping District.

Parking: Per the code, the parking requirements for a single family home are a two car garage and one guest parking space on the street within close proximity to the unit served. The applicant has not included the City standard cul-de-sac design, which provides parking for the units around the cul-de-sac. If the applicant does not want to construct the City standard cul-de-sac, then the applicant shall provide a parking plan showing how each unit has the required guest space in close proximity, which is subject to review and approval by the City Engineer. The ordinance doesn't specify the placement of the spaces, but small lot subdivisions are typically conditioned to provide a guest parking space within 150-200' of the unit it is serving.

The Zoning Ordinance also requires unrestricted access to the rear yard for recreational vehicles for 25% of single family lots. The applicant's proposed site plan makes it difficult to provide the required number of RV parking spaces. Requiring RV parking may not be practical for this type of development and could be appropriately deterred by

prohibiting RV parking in the development's Covenants, Codes and Restrictions (CC&Rs). This is consistent with other approved small-lot subdivisions. The PD zoning allows flexibility with development standards; therefore, the Commission has the ability to require or not require RV parking for this project.

Colchico Drive: Colchico Drive is currently designed in a manner that does not have a crown in the centerline of the street and shows a retaining wall on property not owned by the applicant. The ultimate composition of Colchico Drive needs to be designed in a manner where there is a crown at the centerline of the street and the retaining wall needs to be constructed on the applicant's property unless written approval is provided by the adjacent property owner.

Issue #4: Infrastructure and Off-Site Improvements

The developer is required to provide all infrastructure necessary to serve the site. This includes utility tie-ins such as water, streets, sanitary sewer and storm drainage systems. Staff recommends that the City work with the developer on a reimbursement agreement for any items that will require other developers to pay their fair share for improvements completed with this project.

Prewett Ranch Drive: The proposed plan shows access to the project from Prewett Ranch Drive; however, Prewett Ranch Drive is shown only extending east to Colchico Drive. The subject property contains a pan-handle, which is identified as "Not a Part" on the project plans that extends all the way to Heidorn Ranch Road. The applicant will be responsible for the construction of the southerly half width of Prewett Ranch Drive with full improvements and shall be constructed to connect to Heidorn Ranch Road, which shall be included in the Vesting Tentative Map and Final Planned Development submittal. Further a retaining wall up to four feet in height is proposed at the intersection of Colchico Drive, Prewett Ranch Drive, and the Johnson property, which shall be eliminated with the extension of Prewett Ranch Drive. City staff is supportive of a reimbursement agreement as the applicant will be responsible just for their fair share of costs.

Prewett Ranch Drive will require a 76' wide street section from the intersection of Heidorn Ranch Road approximately 500 feet to the west. This street section will include two travel lanes, a left turn pocket, and a median with sidewalks, bike lanes, and public right-of-way on either side of road. Approximately 500 feet west of the Prewett Ranch Road and Heidorn Ranch Road, Prewett Ranch Road will then transition back to a 60' right-of-way as shown in the street cross sections on the plans. Further, a left turn lane needs to be provided from Prewett Ranch Drive onto Heidorn Ranch Road.

Water: The developer shows a 10" waterline running eastward in Prewett Ranch Drive to Colchico Drive. Staff has concerns regarding the utility connections, future service, and the requirement that the waterlines be a looped system; therefore, staff is recommending the applicant shall be required to run the utilities eastward to connect to the utilities in Heidorn Ranch Road. The waterline in Prewett Ranch Road shall

continue from its current terminus to Heidorn Ranch Road. The waterline in Heidorn Ranch Road, from its current terminus, shall be extended to the intersection of Prewett Ranch Drive and connect creating a looped system.

Sewer: The developer shows a 12" future sewer line on the project plans. This is not acceptable and a permanent sewer line needs to connect to the project in accordance with the ultimate sewer plan. The sewer line shall run from its current terminus in Prewett Ranch Drive to Heidorn Ranch Road. The sewer line in Heidorn Ranch Road from its current terminus shall be extended and connect at Prewett Ranch Drive.

Stormwater: Parcel 'A' is identified as a stormwater basin to meet the C.3 requirements. However there are stormwater lines that run through Lots 2, 13, 16, and 26, which is not staff's preference due to maintenance of the lines and the required easements. Staff is recommending the applicant work with staff to relocate the C.3 basin to run between Prewett Ranch Drive and Summerfield Court in order to remove the stormwater lines from running beneath lots 2, 13, and 16.

Due to the smaller lots, staff has concerns about the placement of the required utility boxes. In some cases on small lot developments, the utility boxes can be placed in a manner that dramatically reduces front yard landscaping. Therefore, staff is recommending the applicant submit a utility plan as part of the final development plan submittal showing the placement of all utility boxes.

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The applicant has not provided plans for architecture, landscaping, fences, or walls with this application. As part of the future development application, staff wants to ensure architecturally enhanced elevations will be submitted for homes sited on the corners. It is typical to require that for homes located on corner lots, the design treatments (e.g. a built-up stucco or stone veneer) found on the "front" elevations should also be placed on the side elevations facing the street.

The City's Design Guidelines discuss having entries that incorporate special paving, architectural elements, and landscaping to set the overall tone for the community's character. Staff has suggested adding a project entry feature to set the overall character of the project.

Issue #6: Other Issues

Outside Agency Comments

Comments from the Contra Costa County Fire Protection District are included as Attachment "B". The applicant should address these comments with the Final Development Plan submittal.

CONCLUSION

The purpose of a preliminary plan is to gather feedback from the Planning Commission and outside agencies in order for the applicant to become aware of concerns and/or issues prior to Final Development Plan submittal. As standard practice, preliminary plans are not conditioned; rather a list of needed items, information, and issues to be addressed is compiled for the applicant to address prior to a final plan hearing. Staff suggests the following along with any issues brought up by the Planning Commission at the June 18th hearing, be addressed in the Final Development Plan submittal:

1. Where practical, the developer shall stagger the front yard setbacks of adjacent lots to provide for a varied streetscape.
2. Each home shall include at least a 20 foot deep driveway apron, which shall be at a right angle to the street.
3. A HOA shall be established for the project and will be responsible for maintaining the water quality basin.
4. The project shall provide guest parking spaces within 150' – 200' of the unit each space serves. The applicant shall submit a parking plan with the final development plan submittal that numbers each unit and its corresponding parking space in order to verify the distance from each unit or shall provide a City standard cul-de-sac on Summerfield Court.
5. Homes located on corner lots, the design treatments (e.g. a built-up stucco or stone veneer) found on the "front" elevations shall also be placed on the side elevations facing the street.
6. The project's CC&Rs will not allow any RV's, boats or jet skis to be parked within the project.
7. The developer shall design and construct storm drain facilities to adequately collect and convey storm water entering or originating within the development to the nearest adequate man-made drainage facility or natural watercourse, without diversion of the watershed, per Title 9 of the County Ordinance Code.
8. The applicant shall submit a utility plan showing the location of water meter boxes; backflows for fire sprinklers; sewer cleanouts; cable, phone, and power boxes as it relates to frontage of the houses.
9. The Final Development Plan shall include a project entry feature and landscaping to set the overall character of the development. The entry feature shall incorporate some of the following: lighting, public art, large specimen trees, stone wall features, architectural monumentation and water features. The entry feature shall include authentic materials such as brick, stone, wood, or iron work.

10. The water quality basin and the public right-of-way on Colchico Drive shall be landscaped and included in the landscape plan to be submitted with the Final Development Plan.
11. All lots shall be a minimum of 4,000 square feet.
12. One floor plan shall be a single story.
13. Included with the Final Development Plan submittal, a site plan shall show the location where garbage cans will be located on the main streets for trash pickup days. The areas shall be able to accommodate three bins plus three feet between the bins.
14. The Final Development Plan submittal shall include plans to complete the southerly half width of Prewett Ranch Drive to Heidorn Ranch Road with full improvements and shall be constructed to connect to Heidorn Ranch Road, which shall be included in the Vesting Tentative Map and Final Planned Development submittal
15. The applicant shall submit a drainage study showing impacts to downstream development.
16. The area identified on the Preliminary Development Plan as "Not a Part" shall be included as part of the Project.
17. Colchico Drive shall be constructed in a manner where there is a crown at the centerline of the street and the retaining wall needs to be constructed on the applicant's property unless written approval is provided by the adjacent property owner.
18. The project shall be annexed into the Streetlight and Landscape District.
19. The waterline system shall be looped; therefore, the waterline needs to be extended eastward from the current terminus in Prewett Ranch Drive to Heidorn Ranch Road. The waterline in Heidorn Ranch Road shall be extended from its current terminus to connect at Prewett Ranch Drive; thereby creating a looped system.
20. A permanent sewer line needs to connect to the project in accordance with the ultimate sewer plan. The sewer line shall run from the current terminus in Prewett Ranch Drive to Heidorn Ranch Road. The sewer line in Heidorn Ranch Road from its current terminus shall be extended and connect at Prewett Ranch Drive.

21. The applicant shall work with staff on the relocation of the C.3 basin between Prewett Ranch Drive and Summerfield Court and to run the stormdrain line to the basin in order to eliminate the two stormdrain easements that would be required on lots 2, 13, and 26.
22. The project shall establish, if necessary, and participate in the community facilities district or other mechanism deemed acceptable by the City.
23. Utilities, water, sewer, and stormdrain, shall be extended along Prewett Ranch Drive and Heidorn Ranch Road and connect within the intersection of the two streets.
24. Reduce retaining walls to the maximum extent practical and eliminate retaining walls within the public right-of-way.
25. Coordinate street grades for Prewett Ranch Drive with the property to the north (Heidorn Village).
26. The project's architecture shall comply with the City's Residential Design Guidelines.
27. Grading is proposed on property that is not owned by West Coast Homebuilders, Inc. and written consent from the property owners was not submitted. The Final Development Plan needs to be revised to be entirely on West Coast Homebuilders Inc.'s property or submission of signed letters from the impacted property owners acknowledging and accepting development on their property.

ATTACHMENTS

- A. Aerial Photograph
- B. CCCFPD Letter
- C. Applicant's Description

ATTACHMENT "A"

Aerial Photograph



Atca

ATTACHMENT "B"

Contra Costa County



Fire Protection District

April 16, 2012

RECEIVED

Ms. Mindy Gentry
City of Antioch
Planning Division
P.O. Box 5007
Antioch, CA 94531

APR 18 2012

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Subject: Quail Cove (Subdivision 7938): PDP-12-01
Prewett Ranch Drive and Summerfield Drive
APN: 056-130-012
CCCFPD Project No.: P-2012-01908

Dear Ms. Gentry:

We have reviewed the site plan and vesting tentative map application to establish a 31-lot residential subdivision at the subject location. The following is required for Fire District approval in accordance with the 2010 California Fire Code (CFC), the 2010 California Residential Code (CRC), the California Vehicle Code (CVC), and adopted standards:

1. Access roadways of **28 feet or greater, but less than 36-feet** unobstructed width shall have **NO PARKING – FIRE LANE** signs posted, allowing for parking on one side only or curbs painted red with the words **NO PARKING – FIRE LANE** clearly marked. *Parking is permitted only on the side of the road that does not have hydrants.* (22500.1) CVC, (503.3) CFC
2. The turnaround at the terminus of Summerfield Court shall have a minimum outside turning radius of 45 feet measured to face of curb. (503) CFC
3. The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 1500 GPM. Required flow must be delivered from not more than one (1) hydrant flowing for a duration of 120 minutes while maintaining 20-pounds residual pressure in the main. (507.1), (B105) CFC
4. The developer shall provide a minimum of three (3) hydrants of the East Bay type. Hydrants shall be spaced at a maximum of 500 feet on center so that all property frontages are within 250 feet of a hydrant. Hydrants located within the bulb of a cul-de-sac or within 100 feet of the roadway terminus are considered inaccessible and therefore will not count as one of the required hydrants. (C103.1) CFC

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C10

April 16, 2012

5. The developer shall submit three (3) copies of site improvement plans indicating proposed hydrant locations and fire apparatus access for review and approval prior to obtaining a building permit. **Final placement of hydrants shall be determined by this office.** (501.3) CFC
6. **Emergency apparatus access roadways and hydrants shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site.** (501.4) CFC
7. All homes as proposed shall be protected with an approved automatic fire sprinkler system complying with the 2010 Edition of NFPA 13D or Section R313.3 of the 2010 California Residential Code. Submit three (3) sets of plans for each model type to this office for review and approval prior to installation. (R313.3) CRC, (903.2) CFC
8. The developer shall submit three (3) copies of a 300-foot scale parcel map indicating approved fire hydrant locations, street names, and addresses to the Fire District for mapping purposes. These maps are required **prior to** Fire District signing for final improvement plans (Mylar).

Our preliminary review comments shall not be construed to encompass the complete project. Additional plans and specifications may be required after further review.

If you have any questions regarding this matter, please contact this office at (925) 941-3300.

Sincerely,



Ted Leach
Fire Inspector

TL/cm

c: Discovery Builders, Inc.
4061 Port Chicago Highway, Suite H
Concord, CA 94520

File: P-2012-01908.ltr

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RECEIVED

APR 15 2014

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

QUAIL COVE
PROJECT CHARACTERISTICS
PRELIMINARY DEVELOPMENT PLAN

The proposed Quail Cove Project consists of 31 single family residential lots on 5.59 acres. This project is located in the southeast portion of the City at the terminus of Prewett Ranch Dr.

The proposed density of this project is about 5.54 units per acre and the average lots size is approximately 5152 sq. ft. These lot sizes will accommodate homes sizes likely up to 3000 sq. ft.

The current General Plan for this parcel calls for Medium Low Density Residential. The layout and density we are proposing is consistent with this General Plan land use designation. This project will involve formalizing the development standards for a Planned Development (PD) district. The project lots sizes are largely consistent with the lot sizes proposed within the Heidorn Village project to the north and are largely consistent with the existing developments to the west. In addition, we feel that these lot sizes we are proposing are more marketable.

We are proposing an extension of Prewett Ranch Dr. to access this site. We are also proposing a bioretention area on parcels A to comply with C.3 requirements.

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C12

ATTACHMENT "D"

CITY OF ANTIOCH PLANNING COMMISSION MINUTES

Regular Meeting
6:30 p.m.

June 18, 2014
City Council Chambers

CALL TO ORDER

Chair Hinojosa called the meeting to order at 6:30 p.m. on Wednesday, June 18, 2014, in the City Council Chambers. She stated that all items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the decision. The final appeal date of decisions made at this meeting is 5:00 p.m. on Thursday, June 26, 2014.

ROLL CALL

Present: Commissioners Pinto and Baatrup
Chair Hinojosa and Vice Chair Motts
Absent: Commissioners Miller and Westerman
Staff: Community Development Director, Tina Wehrmeister
Assistant City Engineer, Lynne Filson
City Attorney, Lynn Tracy Nerland
Minutes Clerk, Cheryl Hammers

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. Approval of Minutes: None

END OF CONSENT CALENDAR

NEW PUBLIC HEARINGS

2. PDP-12-01 – Quail Cove Preliminary Development Plan – West Coast Home Builders requests the review of a preliminary development plan, which is not an entitlement, for the development of 31 single family homes on approximately 5.59 acres. The project site is located on the west side of Heidorn Ranch Road, at the eastern terminus of Prewett Ranch Road (APNs 056-130-012).

CDD Wehrmeister provided a summary of the staff report dated June 12, 2014.

In response to Chair Hinojosa's questions about lot coverage, the potential to have patios, covers, and ancillary structures given the small lots and zoning for this project

having the potential to have zero lot lines, CDD Wehrmeister responded that the project will have a typical lot grading plan, that she doesn't see specific plotting, but yes, zero lot lines can be proposed.

OPENED PUBLIC HEARING

Applicant, Louis Parsons, said that when laying out this project they looked at the preliminary project to the north and the density proposed there. That the density of lot size has similar lot coverage and that although they haven't designed the project yet, they will have at least one type of product being single story with higher lot coverage. He said that single stories need to go 50 to 55% lot coverage while 2 stories can get to 40 to 45% lot coverage. He said that the difficulty with the site is the connection to the project to the west and that they understand the conditions of paying their fair share of improvements. He said that one of the challenges is coming up with C3 and water quality and that they can look at adjusting parcels and working with engineering for C3. That this project is 31 units while the other project to the north is over 100 units if it gets approved, and he appreciates feedback moving forward.

In response to Vice Chair Motts, applicant stated that typically 25% of their projects are single family homes, that they are running an analysis, that they don't think setbacks are problematic with two story homes, but that they might propose that rear yards for two stories be deeper than single stories.

In response to Commissioner Pinto, applicant stated that he was not aware of future plans for the project site to the right and CDD Wehrmeister stated that the property immediately to the north is Heidorn Ranch which came before the Planning Commission and that the site to the east is privately owned and is not the subject of a current application. Regarding proposed landscaping, applicant stated that the City has design guidelines which they would comply with, that given the concern of aesthetics of the basin the area would be enclosed with perimeter landscaping maintained by the HOA, and that front yard landscaping would be proposed with design review.

Commissioner Pinto expressed concerns with water shortage and suggested that the City should be proactive and that maybe grass should be stopped in the future.

Applicant said that there were new requirements adopted by the State, that turf has been drastically reduced, and species planted are drought tolerant. He said that they have implemented some artificial turf on some of their projects which has been well received.

CDD Wehrmeister added that the State did adopt a water efficient landscaping bill and that all jurisdictions must comply with that.

Chair Hinojosa commented that considering front yard landscaping under the HOA with drought tolerant plants is a good idea.

Commissioner Baatrup said that he dislikes artificial turf in front, that he agrees with drought tolerant plants and asked for comments on the ideas behind the future sewer

DZ

and other utilities draining to the west. Applicant responded that the Heidorn Village project had drawings that showed design and that while it is ideal to drain out to Heidorn they are looking at the cost and will need to figure out how it will be funded.

Commissioner Baatrup then asked applicant to comment on communicating the concept given their projects to the west has a much larger product to which applicant said that this project is market driven and that they are proposing densities like this because of where the market is and the fact that it is becoming increasingly difficult to sell larger houses on larger lots.

Elizabeth Wallace, homeowner in the development to the west of this location, said that while she doesn't oppose the project, she is concerned with traffic on Prewett Ranch Drive given that kids play in the street and is concerned that this project will increase traffic and speed.

Lori Schrader, resident of Prewett Ranch Drive, said that she is the development but her concern is also safety with the speed of autos on Prewett Ranch which will increase if they open into the cove; that she is worried about kids and the amount of traffic and speed that will increase.

Richard Johnson said that he has lived there for 30 years, that the developer is trying to crowd in so many homes there that it is infringing on his 5 acres. He said that this will be a very heavily traveled road which dead ends alongside his bedroom window. That while he believes in moving forward, this project should not infringe on someone else and that if they were to loosen up the lots it would seem a better quality of life for them. He said that he does not plan on developing his property although they have been approached twice in the last two weeks and that if they widen Heidorn Ranch Road it will take part of the front of his property.

Gloria Johnson said that there is a big squirrel problem out there which would tear up artificial turf, that Heidorn Ranch Road floods every year, and she is concerned about water drainage as well as roadway widths.

CLOSED PUBLIC HEARING

In response to Commissioner Baatrup, ACE Filson said that while she doesn't have the traffic study in front of her, Prewett Ranch has been proposed for many years to go through and that she would propose traffic calming in this area to help with speed and volume on the road. She said that in this location Prewett Ranch changes with intersections, that some turn lanes can be fit in, that this area is consistently inconsistent following the same pattern as other areas, and that she will work with the developer to get creative to make the residential streets safe.

Chair Hinojosa said that this is a good idea, maybe speed bumps to slow traffic down.

In response to Vice Chair Motts, ACE Filson said that the improvements required for this area should take care of flooding problems, that this won't solve all the problems of the world but there are new C3 requirements requiring basins to hold water on site and

that as each developer comes in they will be required to make improvements to the drainage situation.

Commissioner Pinto asked staff about the possibility to consider the entry point from Prewett Ranch Drive into the development being closer to the existing homes rather than to the east side as proposed. CDD Wehrmeister responded that after feedback from this meeting, the developers will be tasked with compiling comments and looking at the site again and that there is potential to see a variety of changes in the final submittal. She commented that given Mr. and Mrs. Johnson are owners of their property, the City cannot allow a developer to propose improvements on their property without their written permission.

REOPENED PUBLIC HEARING

Commissioner Pinto asked about the width of space between two story homes.

Applicant said that they are proposing five feet width on each side of two story homes with an aggregate ten feet minimum between homes.

Vice Chair Motts stated there may be some way to mitigate the issues the Johnsons are concerned about.

Chair Hinojosa stated that she did have concerns about having the drainage lines running through lots and suggested the possibility of moving the detention basin on site or creating a recreational facility in the basin as an option.

Commissioner Pinto asked Mr. Johnson about the mentioned removal of lots 31, 8 and 9 and asked for clarification as to what would be the benefit of that change.

Mr. Johnson responded that the road should not infringe on his property and suggested that opening up and widening lots out instead of ten feet between homes. He said that in winter time thirty feet of his front yard will be flooded.

RECLOSED PUBLIC HEARING

Chair Hinojosa said that she doesn't have any grave concerns with this project, that she thinks they need to be open toward this trend of small lot development and that she thinks it is important to think about single story homes next to two story homes. That placement of the basin should be considered as well as a recreational area maybe a tot lot. She said that she has no issue with removing RV parking but would like to see a more distinct entry with varying facade treatments.

Commissioner Pinto said that he would like to make sure that staff does check into the wetland issue that was raised and that he supports this project.

Vice Chair Motts concurred with the Chair and Commissioner Pinto. He said that it was a good idea for dual usage of the basin no matter where it is located. He said that

staff's recommendation covers most of his concerns and that this is a pretty good project.

Commissioner Baatrup reiterated his comments made earlier about traffic and mitigating landscaping when the project comes back. He said that he is not real excited about high density projects, and that while he cannot form an opinion against this project given there is some need for a smaller product, he is not in favor of revisiting prior approvals to significantly change what was approved. He said that the market will improve and he would hate to see a bunch of small product.

3. **PDP-14-01 – Sorrento Village Preliminary Development Plan** – Albert D. Seeno Construction Company requests the review of a preliminary development plan, which is not an entitlement, for the development of 93 single family homes on approximately 20.24 acres. The project site is located at the intersection of James Donlon Boulevard and Pintail Drive on the north side of James Donlon Boulevard (**APNs 076-021-010, -011, and -013**).

CDD Wehrmeister provided a summary of the staff report dated June 12, 2014.

In response to Vice Chair Motts, CDD Wehrmeister said that whether this property should remain commercial specifically is something that would warrant further study. She said the extension of James Donlon could increase drive by trips.

Commissioner Baatrup asked staff about the reuse of the landfill to anything other than open space to which CDD Wehrmeister responded that there has not been any discussion regarding use of that site and that given that it is an unincorporated island there is no zoning or General Plan designation other than former sanitary landfill site.

Chair Hinojosa asked staff about setbacks with backyards so small, what type of flexibility with lot coverage and said that she doesn't want housing projects where they are not able to build covers, patios, etc because they are maxed out on coverage. CDD Wehrmeister said that small lots could be limiting.

In response to Chair Hinojosa, CDD Wehrmeister said that staff has looked at the slopes to the north and are concerned about having areas difficult to maintain for property owners, that sometimes those areas get ignored and it may be better to have the HOA maintain those areas.

Chair Hinojosa stated that she would like to understand the history of the zoning on these parcels to which CDD Wehrmeister said that more background can be provided when the final project comes back to the Commission.

Commissioner Pinto said that it appears that the proposed interior street that leads to James Donlon, Sorrento Drive, is over 2,000 feet long with driveways where cars back out and the potential for people driving fast is high. He said that perhaps a secondary street be created in this long stretch as a cross street.

CDD Wehrmeister said that there is also potential safety concerns on James Donlon

with additional intersections and there could be opportunity for traffic calming measures to be incorporated into the project.

ACE Filson said that on James Donlon, there are median breaks where applicant proposed the intersections. She said there probably wouldn't be much traffic using that street and that traffic calming may be a better solution.

OPENED PUBLIC HEARING

Applicant, Louis Parsons, said that dual use basins pose some difficulty during wet season as they are detention vs. retention basins. He said that they did look at all of staff's comments and are pretty much in agreement with all of them. He wanted to point out, looking at alternative land uses, they have projects where there are isolated office commercial sites looking at doing conversions. From their standpoint, they don't see how they can get a commercial user in there and that is why they are looking at residential land use. He said that there is a very real possibility that back slope area of some lots would be neglected but that it is not that severe of a slope and it would be prudent for the HOA to maintain. They would be amenable to traffic calming measures. He said that while he understands the concerns with smaller lot projects, they are building this now in many jurisdictions and it seems that this is marketable for them and a change from larger lots with larger houses. They do recognize that this is a difficult site.

In response to Chair Hinojosa, applicant said the only concern he has is when you do a single story on a smaller lot, they may request higher lot coverage for single stories to get a viable single story product. He said that they can put in an open space element maintained by the HOA.

In response to Commissioner Pinto, applicant said that they pre-wire houses to be solar, and while they don't want to force it on people, he would guess that you will see it more and more. Commissioner Pinto said they may want to consider a percentage of them having solar to which Vice Chair Motts agreed.

Commissioner Baatrup said that he is not satisfied with lots in the 3,000 range; that he thinks this is too much house on too small of lots. He said that he is having a hard time getting on board with this project next to the landfill and that he sees problems given this project is lower than other developments in the area. He said that he has concerns with risks to people and animals. That if we are going to put in small lots targeting older or single individuals, it should have more single story homes. He said that landscaping needs to be towards an environmentally friendly development.

CLOSED PUBLIC HEARING

Vice Chair Motts said that he is concerned about the project being next to an old dump site and that everything hinges on contamination testing and the results but thinks there are some other things to think about such as prevailing winds and outgassing.

CDD Wehrmeister said that she agrees with the applicant's comments regarding

viability of a commercial parcel, that the shape of the lot is such that it is not going to be popular for national retailers and that it would need to market as a niche project site but this is not a typical commercial site configuration.

Vice Chair Motts stated that this would not be marketed to large retail but neighborhood oriented retail.

Commissioner Pinto asked staff if the City was aggressively pursuing interest in research centers for this site to which CDD Wehrmeister said that the Economic Development Department is always looking at potentials.

Chair Hinojosa said that she has the same comments concerning small lots and this parcel having commercial zoning and being adjacent to a landfill because of her own professional experience. She said how do you justify putting homes which will be attractive to seniors, young families, and those that may not economically have other ownership housing choices next to the landfill which becomes a very hard sell for her. That she is also thinking about the general concept of shift to different housing products. She said she wants to make sure that we have this issue thoroughly researched and look into the history of the site. That if this project moves forward, there needs to be deed restrictions or CCRs that residents are aware of. She said that the applicant deserves due process.

Commissioner Baatrup said that he would support understanding what the previous decision making process was for the current general plan designation and that they need to be very careful before contemplating changing that designation.

4. **PDP-14-02 – Rialto Place Preliminary Development Plan – SPPI – Somersville** requests the review of a preliminary development plan, which is not an entitlement, for the development of 93 single family homes and a self storage complex on approximately 21.29 acres. The project site is located on Somersville Road approximately 1,200 feet north of the intersection of Somersville Road and James Donlon Boulevard (**APNs 076-010-030, -031, -032, and -034**).

CDD Wehrmeister provided a summary of the staff report dated June 12, 2014.

In response to Chair Hinojosa, CDD Wehrmeister said that Attachment A reflects the current parcel configuration.

Chair Hinojosa said that the list to be assumed by the HOA is much greater than previous projects and includes maintaining the Markley Creek parcel Also what type of encroachments are allowed within the setback.

CDD Wehrmeister said that staff will note comments and address as part of the final development plan.

Chair Hinojosa clarified with staff that townhomes would be acceptable. She asked staff to clarify the Somersville improvements and whether they included sidewalks or bike

trails. ACE Filson said that there are bike lanes and sidewalks along the west side of the roadway.

OPENED PUBLIC HEARING

Applicant, Louis Parsons, said that they are totally onboard with modifying their General Plan amendment request for the ministorage parcel from heavy industrial to light industrial. That Somersville Road is being widened now. That this new C3 requirement is something that has been imposed on cities and developers, that they do understand why the City is reluctant to maintain C3 basins, and that it makes sense for HOAs to maintain. He said that he understands the creek was remediated and there is a monitoring plan in place and that long term maintenance of that is not going to require a lot of maintenance but that he is not prepared to answer that tonight. He did want to communicate that as far as the connection to the south, it is going to be expensive to cross the creek to provide some development there; that it is not off the table and will look at with staff. The density here is consistent with density on other projects with very similar density right across the street on the west side of Somersville.

Chair Hinojosa asked about the long term monitoring plan for Markley Creek and that burden pushed off on the HOA to which applicant said not necessarily, that he doesn't want to misspeak and that he is not prepared to answer that question.

CLOSED PUBLIC HEARING

Commissioner Baatrup dittoed previous comments as far as lot size and landscaping. He said that he doesn't think this is the right place for residential until or unless we can get certainty that people will not see any form of harm from that landfill; planners before them designated not residential and we need to respect that.

Commissioner Pinto recommended that the sentence in the staff report, page 2 "Staff is recommending the applicant perform studies and consult with regulatory agencies to ensure the subject property is safe for a residential use" be modified removing "recommending" and put in "directing".

Vice Chair Motts dittoed all concerns of Commissioners Baatrup and Pinto. He said that he is less concerned on airborne environmental given winds, he is less concerned with commercial but that he does think this being a larger piece of property he is concerned with the small lot size.

Chair Hinojosa said that it may be a better option to use an overlay district for the ministorage area. She said that she likes to see open space features, that she would consider town homes in this area, that she has concerns being next to a landfill but if all issues are sorted out she could support something more dense such as town homes. She said that she likes the suggestion about pedestrian connection to the De Anza Trail and on Somersville Road.

Vice Chair Motts clarified that although he supports higher density, it is not appropriate everywhere and that the trail connection is a great idea.

Commissioner Baatrup suggested a modification from what Commissioner Pinto had said that in the studies rather than have the developer perform them, his preference is to say either the City perform them to be funded by the developer so the City is selecting the consultant who is conducting studies or collaborating to bring in an unbiased perspective to give the City representation of concerns.

Chair Hinojosa agreed and wondered if this would happen as part of the CEQA review or separately to which CDD Wehrmeister said that is certainly something that must be done and would work with CEQA consultants.

Commissioner Pinto said that his comments would be that the developer, with help of staff, consider an option that would include both townhomes as well as single family homes rather than everything single family homes. He said that having a park located at one end of the project forces residents on the other side to drive so why not relocate the park in the middle of the project for everyone to access.

Vice Chair Motts asked staff about him reading somewhere in Bart's plan that Somersville was mentioned as a future substation. CDD Wehrmeister and Chair Hinojosa both said they had not heard anything about that.

ORAL COMMUNICATIONS

CDD Wehrmeister said that recruitment for the Associate Planner position closed. She said that the recruitment for the Planning Commissioner also closed and there was one applicant.

Chair Hinojosa suggested a land use subcommittee meeting once a month to talk about project pipeline to facilitate regular communication and dialogue.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

Vice Chair Motts reported on his attendance at Transplan on June 12.

ADJOURNMENT

Chair Hinojosa adjourned the Planning Commission at 8:55 p.m.

Respectfully Submitted,
Cheryl Hammers

ATTACHMENT "E"

Contra Costa County



Fire Protection District

April 16, 2012

Ms. Mindy Gentry
City of Antioch
Planning Division
P.O. Box 5007
Antioch, CA 94531

RECEIVED

APR 18 2012

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Subject: Quail Cove (Subdivision 7938): PDP-12-01
Prewett Ranch Drive and Summerfield Drive
APN: 056-130-012
CCCFPD Project No.: P-2012-01908

Dear Ms. Gentry:

We have reviewed the site plan and vesting tentative map application to establish a 31-lot residential subdivision at the subject location. The following is required for Fire District approval in accordance with the 2010 California Fire Code (CFC), the 2010 California Residential Code (CRC), the California Vehicle Code (CVC), and adopted standards:

1. Access roadways of **28 feet or greater, but less than 36-feet** unobstructed width shall have **NO PARKING – FIRE LANE** signs posted, allowing for parking on one side only or curbs painted red with the words **NO PARKING – FIRE LANE** clearly marked. *Parking is permitted only on the side of the road that does not have hydrants.* (22500.1) CVC, (503.3) CFC
2. The turnaround at the terminus of Summerfield Court shall have a minimum outside turning radius of 45 feet measured to face of curb. (503) CFC
3. The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 1500 GPM. Required flow must be delivered from not more than one (1) hydrant flowing for a duration of 120 minutes while maintaining 20-pounds residual pressure in the main. (507.1), (B105) CFC
4. The developer shall provide a minimum of three (3) hydrants of the East Bay type. Hydrants shall be spaced at a maximum of 500 feet on center so that all property frontages are within 250 feet of a hydrant. Hydrants located within the bulb of a cul-de-sac or within 100 feet of the roadway terminus are considered inaccessible and therefore will not count as one of the required hydrants. (C103.1) CFC

April 16, 2012

5. The developer shall submit three (3) copies of site improvement plans indicating proposed hydrant locations and fire apparatus access for review and approval prior to obtaining a building permit. **Final placement of hydrants shall be determined by this office.** (501.3) CFC
6. **Emergency apparatus access roadways and hydrants shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site.** (501.4) CFC
7. All homes as proposed shall be protected with an approved automatic fire sprinkler system complying with the 2010 Edition of NFPA 13D or Section R313.3 of the 2010 California Residential Code. Submit three (3) sets of plans for each model type to this office for review and approval prior to installation. (R313.3) CRC, (903.2) CFC
8. The developer shall submit three (3) copies of a 300-foot scale parcel map indicating approved fire hydrant locations, street names, and addresses to the Fire District for mapping purposes. These maps are required **prior to** Fire District signing for final improvement plans (Mylar).

Our preliminary review comments shall not be construed to encompass the complete project. Additional plans and specifications may be required after further review.

If you have any questions regarding this matter, please contact this office at (925) 941-3300.

Sincerely,



Ted Leach
Fire Inspector

TL/cm

c: Discovery Builders, Inc.
4061 Port Chicago Highway, Suite H
Concord, CA 94520

File: P-2012-01908.ltr

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**STAFF REPORT TO THE MAYOR AND CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF SEPTEMBER 23, 2014**

PREPARED BY: Scott Buenting, Associate Engineer, Capital Improvements Division *SB*
Mindy Gentry, Senior Planner *MG*

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

DATE: September 10, 2014

SUBJECT: Adoption of the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Report Program and Selection of Design Parameters for the West Antioch Creek Channel Improvements Project (P.W. 201-6)

RECOMMENDATION

- 1) Motion to adopt the attached resolution approving and adopting the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Report Program for the West Antioch Creek Channel Improvements project (Attachment "A").
- 2) Motion to authorize the Director of Public Works/City Engineer to utilize Conveyance Alternative #3A as the basis for final project design.
- 3) Motion to authorize the Director of Public Works/City Engineer to temporarily close West 10th Street between 'L' Street and Auto Center Drive during the construction of the new culvert structure.

BACKGROUND INFORMATION

West Antioch Creek has been a source of repeated, localized flooding between West 10th Street and Antioch Point, located 200 feet north of the BNSF railroad crossing. The project location and the surrounding area are shown on Attachment "B". Various conveyance alternatives were evaluated to increase the channel capacity between West 10th Street and West 8th Street. These alternatives are detailed within the "Project Alternatives" section of this document. All of the conveyance alternatives provide a minimum 25-year level of flood protection and include replacing the undersized structural plate steel arch culverts under West 10th Street with four (4) pre-cast reinforced concrete culverts measuring 14 feet wide, 7 feet high and 100 feet long.

The desilting portion of the project is intended to restore approximately 3,000 lineal feet of West Antioch Creek to 25-year level of flood protection by removing approximately 30,000 cubic yards of accumulated sediment from the creek. It is anticipated that an area of approximately 5.2 acres will be impacted by the desilting operation. Desilting, coupled with the upstream conveyance improvements is needed to realize the full flood protection benefit to the surrounding neighborhood.

On June 17, 2014, a neighborhood meeting was held at the City's Maintenance Service Center to explain the project alternatives to the public. Meeting notifications were mailed to property owners within a 300 foot radius of the project site. Businesses along West 10th Street and in the vicinity of the project were also contacted by phone notifying them of the meeting. The meeting was attended by representatives of the Contra Costa Fairgrounds, Holiday Lodge Motel, Antioch Charter Academy, East County Times and Contra Costa County. Questions and concerns

SB:lm

9-23-14

regarding the project were responded to by City staff and the design engineer to the apparent satisfaction of all in attendance.

PROJECT ALTERNATIVES

A total of six (6) alternatives were evaluated to increase the channel's conveyance between West 10th Street and West 8th Street. All of the conveyance alternatives include the construction of a new, larger culvert system under West 10th Street; however differ in their conveyance configuration. Descriptions of the various conveyance alternatives are provided below.

- Conveyance Alternative #1 – Hybrid Option (Attachment “C”) – The reinforced concrete culvert system would extend an additional 200 feet beyond the northern side of West 10th Street and terminate near West 9th Street. A realigned earthen channel would be constructed between West 9th Street and West 8th Street. This option would require obtaining permanent and/or temporary construction easements, as well as acquiring a portion of the parcels located at 1400 West 10th Street and 804 O Street. Removal and relocation of a carport at 804 O Street would also be required. Permitting from the resources agencies of this alternative is expected to be moderately difficult because of the reduction in plant and wildlife habitat due to the installation of an extended amount (200') of concrete culvert. The cost of this alternative is estimated to be \$760,000 more than the least expensive alternative.
- Conveyance Alternative #2 – Maximum Culvert Option (Attachment “D”) – The reinforced concrete culvert system would extend the entire length of the channel from West 10th Street to West 8th Street. This option would require obtaining a permanent and/or temporary easement from the property located at 1400 West 10th Street. Permitting from the resources agencies of this alternative is expected to be the most difficult due to the elimination of all plant and wildlife habitat within this section of the channel. The cost of this alternative is estimated to be \$3,500,000 more than the least expensive alternative.
- Conveyance Alternative #3 – Minimum Culvert Option (Attachment “E”) – A realigned earthen channel would be constructed from West 10th Street to West 8th Street. This option would require obtaining permanent and/or temporary construction easements, as well as acquiring a portion of the parcels located at 1400 West 10th Street and 804 O Street. Removal and relocation of a carport at 804 O Street would also be required. Permitting from the resources agencies of this alternative is expected to be less difficult due to the creation of new plant and wildlife habitat within the entire section of the channel. This alternative is estimated to be the least expensive option at an estimated cost of \$4,420,000.
- Conveyance Alternative #3A – Revised Alternative Minimum Culvert Option (Attachment “F”) – A realigned earthen channel would be constructed from West 10th Street to West 8th Street. This option would require obtaining permanent and/or temporary construction easements, as well as acquiring a portion of the privately owned vacant parcel number 074-130-076 and a portion of the parcels located at 1400 West 10th Street and 804 O Street. A breezeway attached to the main building at 1400 West 10th Street and a portion of the existing service bays on this parcel would need to be demolished. A carport at 804 O Street would need to be removed and relocated. Permitting from the resources agencies of this alternative is expected to be less difficult due to the creation of new plant and wildlife habitat within the entire section of the channel. The alignment of this alternative differs for Conveyance Alternative #3 in that it provides consistent channel geometry between West 10th Street to West 8th Street. This geometry will lower the average flow velocity and minimize embankment scouring. The cost of this alternative is estimated to be \$20,000 more than the least expensive alternative.

- Conveyance Alternative #4 – Full Parcel Acquisition (Attachment “F”) - A realigned earthen channel would be constructed from West 10th Street to West 8th Street. This option would require acquisition of all or most of the property located at 1400 West 10th Street and demolition of all existing structures on the parcel. Permitting from the resources agencies of this alternative is expected to be less difficult due to the creation of new plant and wildlife habitat within the entire section of the channel. The cost of this alternative is estimated to be \$1,160,000 more than the least expensive alternative.
- Conveyance Alternative #5 – Alternate Minimum Culvert Option A (Attachment “G”) – A realigned earthen channel would be constructed from West 10th Street to West 8th Street. This option would require obtaining permanent and/or temporary construction easements, as well as acquiring a portion of the parcels located at 1400 West 10th Street and 804 O Street. Existing service bays at 1400 West 10th Street would need to be demolished and a carport at 804 O Street would need to be removed and relocated. Permitting from the resources agencies of this alternative is expected to be least difficult due to the creation of new plant and wildlife habitat through the entire section of the channel. The cost of this alternative is estimated to be \$410,000 more than the least expensive alternative.

ROAD AND TRAFFIC IMPACTS

The construction of a new culvert system under West 10th Street will require the removal and replacement of the existing roadway. This operation will inevitably affect traffic flow between ‘O’ Street and Crestview Drive during construction. Two methods of traffic control through the culvert replacement work area have been evaluated. Descriptions of the traffic control alternatives are provided below:

- Traffic Control Alternative #1 – Maintain Two-Way Traffic – One lane of traffic would be maintained in each direction at all times on West 10th Street during construction. This option would require the culvert replacement to be performed in 3-4 phases. Traffic patterns would need to be shifted approximately every month over a five month period. Construction productivity of the culvert would be hindered due to the narrow work area.
- Traffic Control Alternative #2 – West 10th Street Closure – No through traffic would be allowed on West 10th Street between ‘L’ Street and Auto Center Drive for approximately eleven weeks. Access to all businesses, schools and residences would be maintained at all times during construction. A temporary detour utilizing West 4th Street would be implemented to bypass the construction area. Construction productivity of the culvert would be maximized by allowing work to be performed in a single phase. This traffic control option is estimated to decrease the project cost by approximately \$300,000 and shorten the construction time on West 10th Street by up to three months compared to Traffic Control Alternative #1.

ENVIRONMENTAL

The City has prepared an Initial Study/Mitigated Negative Declaration (IS/MND) to evaluate the potential environmental impacts of the West Antioch Creek Channel Improvements project in conformance with Section 15063 of Title 14 of the California Code of Regulations (the CEQA “Guidelines”). Staff has evaluated the preferred Alternative #3A revisions, particularly with respect to the findings contained in CEQA Guideline Sections 15162 and 15073.5 and has concluded that the project refinements do not modify the findings, conclusions or recommendations contained in the IS/MND. Thus, the City is not required to recirculate the draft Mitigated Negative Declaration pursuant to section 15073.5 or prepare a supplement or subsequent document pursuant to section 15162. In summary, the IS/MND found that the proposed project would have significant impacts to

air quality, biological resources, cultural resources, geology and soils, hazards/hazardous materials, noise, and transportation/circulation, but that those impacts could be mitigated to a less significant level if the proposed mitigation measures were implemented.

The IS/MND and Mitigation Monitoring and Reporting Program (MMRP) have been prepared for the project in conformance with the California Environmental Quality Act (CEQA). The IS/MND and MMRP are available for review at the City's Community Development Department and are located on the City's website:

<http://www.ci.antioch.ca.us/CityGov/CommDev/PlanningDivision/Environmental-docs.htm>.

FINANCIAL IMPACT

Funding for this work will be provided from a Proposition 1E Grant from the California Department of Water Resources, Drainage Area 55 Impact Fees, Assessment District 27 Funds and NPDES Funds.

STRATEGIC PURPOSE

This item supports Strategy K-1 in the Strategic Plan by ensuring well maintained public facilities and rights-of-way, as well as Strategy K-5 by reducing the City's liability from third party claims and continuing to comply with regulatory requirements of state and federal agencies.

OPTIONS

- A: The City Council may choose not to approve and adopt the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Report Program for the project.
- B: The City Council may choose a Conveyance Alternative other than Option #3A to be used as a basis of design for the project.
- C: The City Council may choose to maintain two-way traffic on West 10th Street throughout the construction of the project.

ATTACHMENTS

- A: Resolution approving and adopting Initial Study/Mitigated Negative Declaration (IS/MND) as adequate for the West Antioch Creek Channel Improvements project.
- B: Project Location/Surrounding Land Uses
- C: Conveyance Alternative #1 - Hybrid Option
- D: Conveyance Alternative #2 - Maximum Culvert Option
- E: Conveyance Alternative #3 - Minimum Culvert Option
- F: Conveyance Alternative #3A - Revised Alternative Minimum Culvert Option
- G: Conveyance Alternative #4 - Full Parcel Acquisition
- H: Conveyance Alternative #5 - Alternate Minimum Culvert Option A

ATTACHMENT "A"

RESOLUTION NO. 2014/**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH ADOPTING THE FINAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE WEST ANTIOCH CREEK CHANNEL IMPROVEMENTS PROJECT

WHEREAS, the City of Antioch has identified necessary channel improvements to be made to the West Antioch Creek Channel to improve flood protection, eliminate the public health threat caused by degraded flood waters and reduce flood related debris and pollutants entering the creek (the "Project");

WHEREAS, on July 25, 2012, the City of Antioch received a grant from the California Department of Water Resources in the amount of \$2,997,300.

WHEREAS, the City of Antioch entered into a Joint Exercise of Powers Agreement (JEPA) with the Contra Costa County Flood Control and Water Conservation District;

WHEREAS, the City prepared an Initial Study/Mitigated Negative Declaration to evaluate the potential environmental impacts of the Project in conformance with Section 15063 of Title 14 of the California Code of Regulations (the "CEQA Guidelines");

WHEREAS, a draft Initial Study and Mitigated Negative Declaration ("IS/MND") was circulated for a 30-day review period, with the public review period commencing on April 25, 2014 and ending on May 28, 2014;

WHEREAS, on September 23, 2014, the City Council duly held a hearing on the matter, and received and considered evidence, both oral and documentary on the Final IS/MND and MMRP; and

WHEREAS, the City Council has reviewed the Final IS/MND for this Project and the comments received during the comment period; and

WHEREAS, the custodian of the Final IS/MND is the Community Development Department and the Final IS/MND is available for public review on the second floor of City Hall in the Community Development Department, Monday - Thursday 8:00 am - 11 :30 am and the MMRP is attached as Exhibit A to this Resolution.

NOW THEREFORE BE IT RESOLVED

1. The City Council of the City of Antioch hereby finds, on the basis of the whole record before it (including the Initial Study and all comments received) that:
 - a. The City of Antioch exercised overall control and direction over the CEQA review for the Project, including the preparation of the Final Initial Study and Mitigated Negative Declaration, and independently reviewed the Final Initial Study and Mitigated Negative Declaration; and

- b. There is no substantial evidence that the Project will have a significant effect on the environment once mitigation measures have been followed;
 - c. The Final Initial Study and Mitigated Negative Declaration reflect the City's independent judgment and analysis; and
 - d. There is no need to recirculate or supplement the Mitigated Negative Declaration due to the revisions to Alternative #3A because the project refinements do not modify the findings, conclusions or recommendations contained in the IS/MND and thus are not a substantial revision pursuant to 14 California Code of Regulations section 15073.5 (CEQA Guidelines) as the new information merely clarifies, amplifies or makes insignificant modifications to the Mitigated Negative Declaration. Further, the changes are not substantial and thus there is no requirement to prepare a subsequent or supplement document pursuant to section 15162.
2. The City Council of the City of Antioch approves and adopts the Initial Study, Mitigated Negative Declaration and Mitigation Monitoring and Report Program for the Project.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the City Council of the City of Antioch at a regular meeting thereof held on the 23rd day of September, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ARNE SIMONSEN
CITY CLERK OF THE CITY OF ANTIOCH

ATTACHMENT "B"



Location: N:\2012\2012-140 West Antioch Creek\MAP5\Site_Vicinity\WestAntiochCreek_Location_v1b.mxd (JD5)-Jswager-4/17/2014

Map Date: 4/17/2014
 Photo Source: USGS 2011
 Base Data: RMC

Figure 2a. Project Location/Surrounding Land Uses
 West Antioch Creek Channel Improvement Project

ATTACHMENT "C"

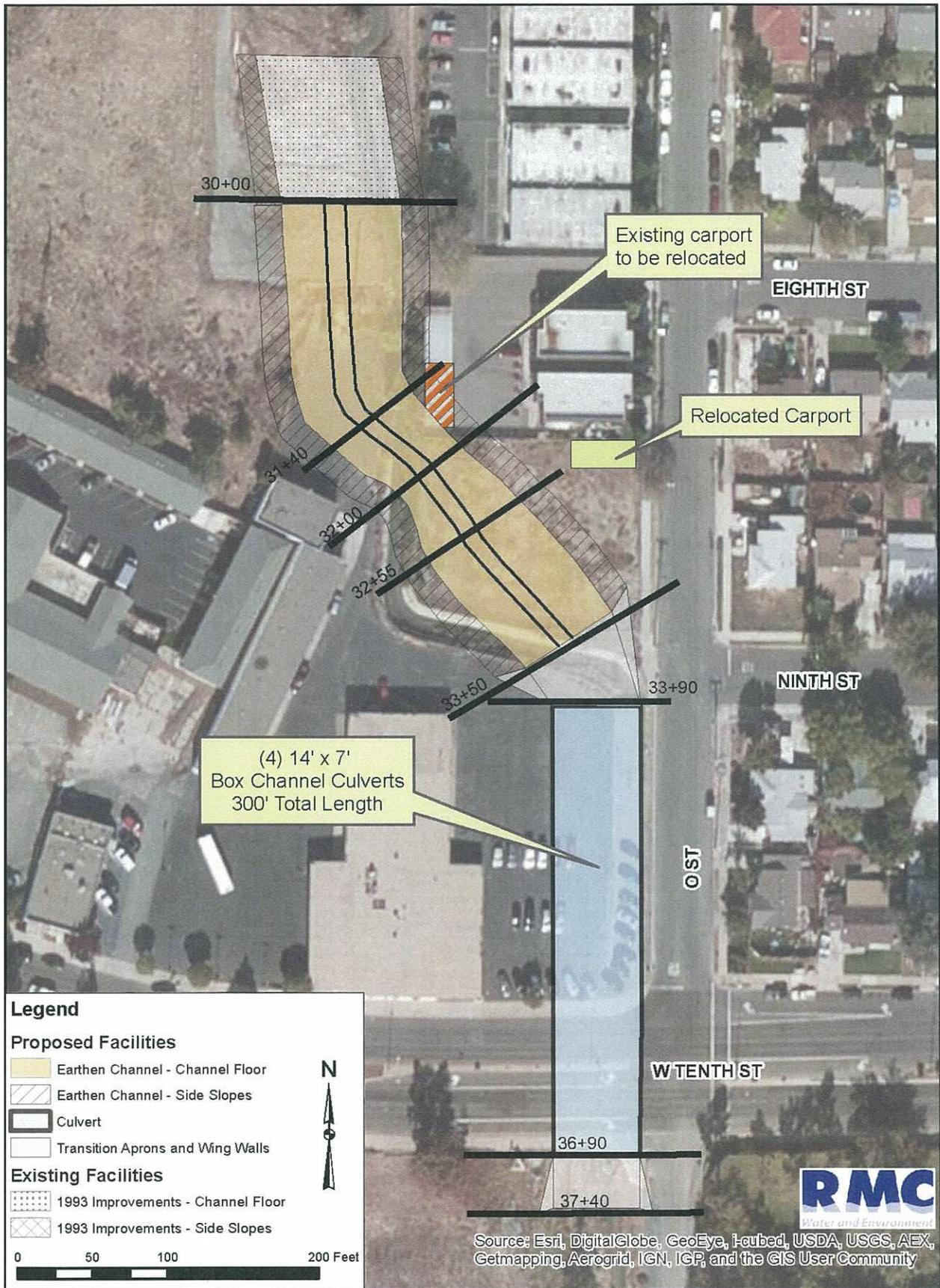


Figure 3a. Alternative 1 - Hybrid Option

ATTACHMENT "D"

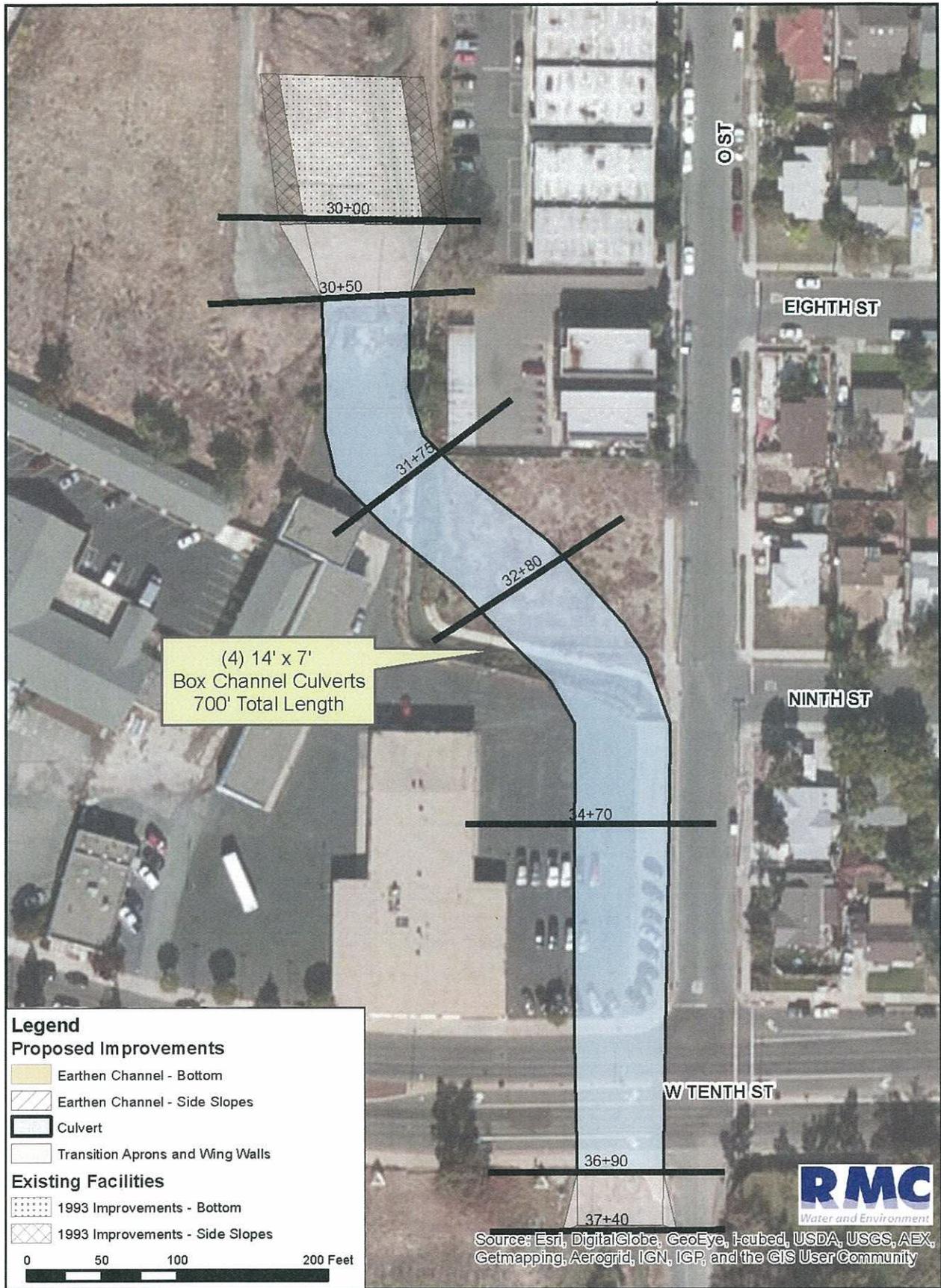


Figure 3b. Alternative 2 - Maximum Culvert Option

ATTACHMENT "E"

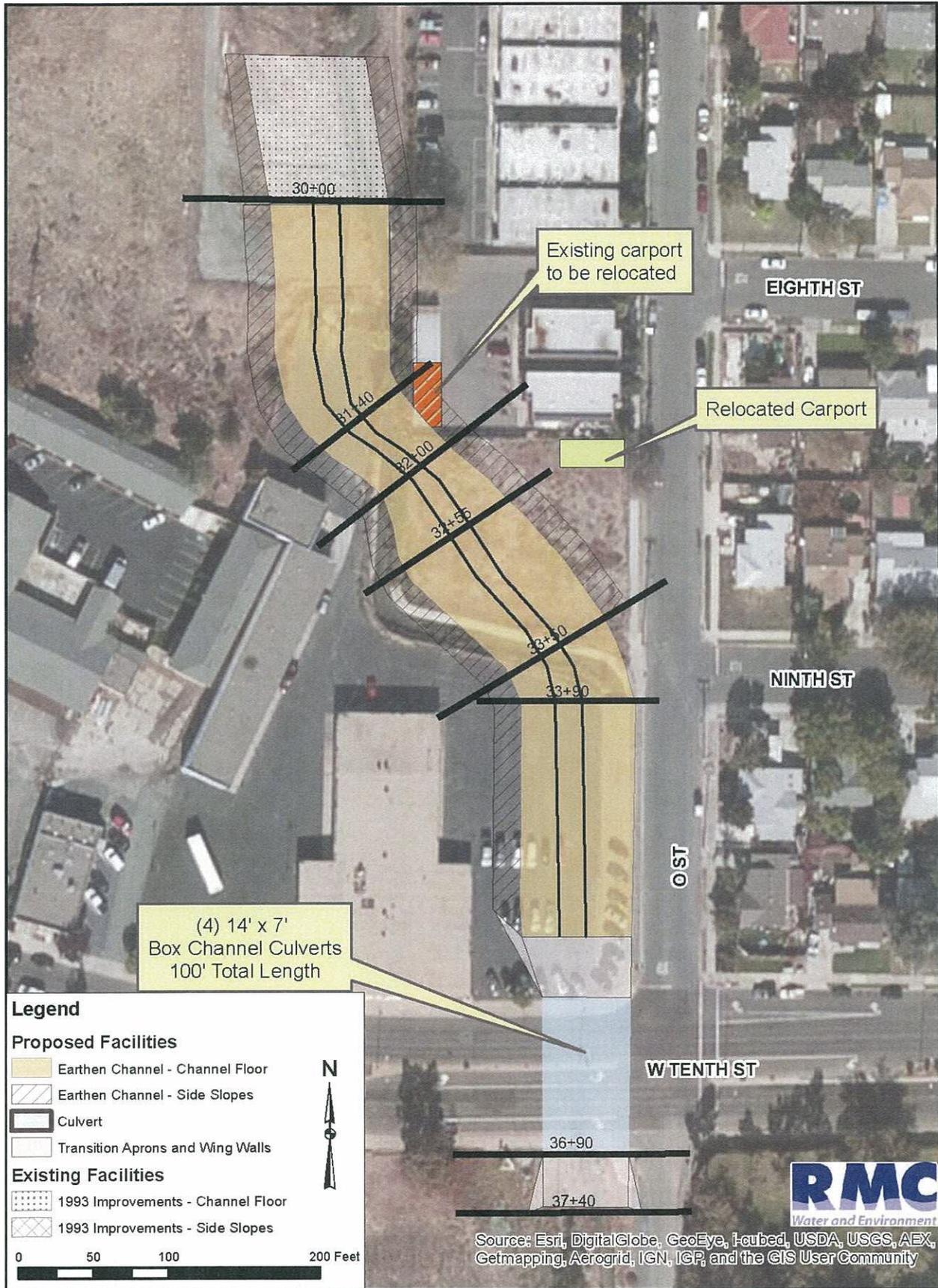


Figure 3c. Alternative 3 - Minimum Culvert Option

ATTACHMENT "F"



Figure 1. Alternative 3A: Revised Alternative Minimum Culvert Option

ATTACHMENT "G"

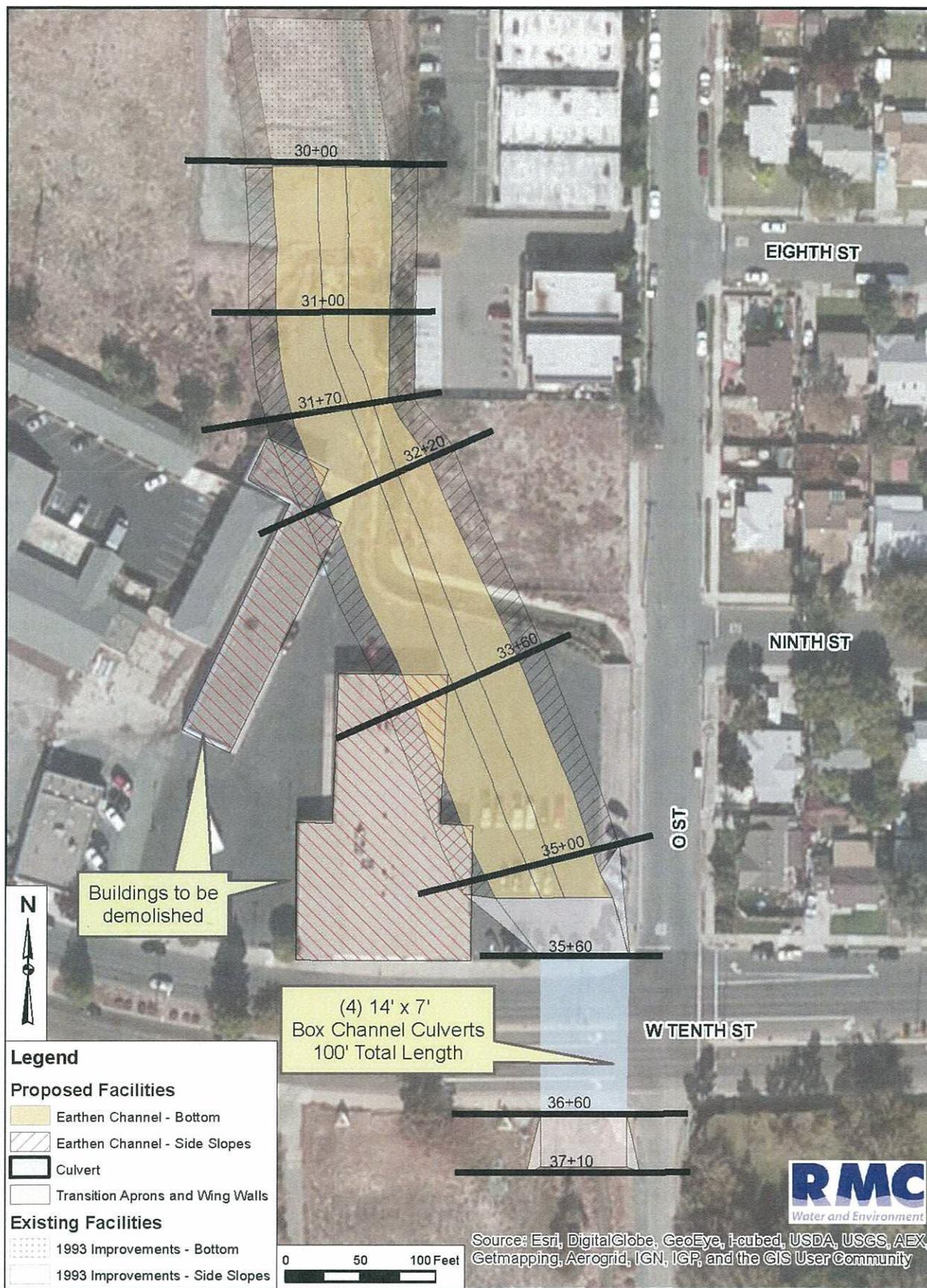


Figure 3d. Alternative 4 - Full Parcel Acquisition

ATTACHMENT "H"

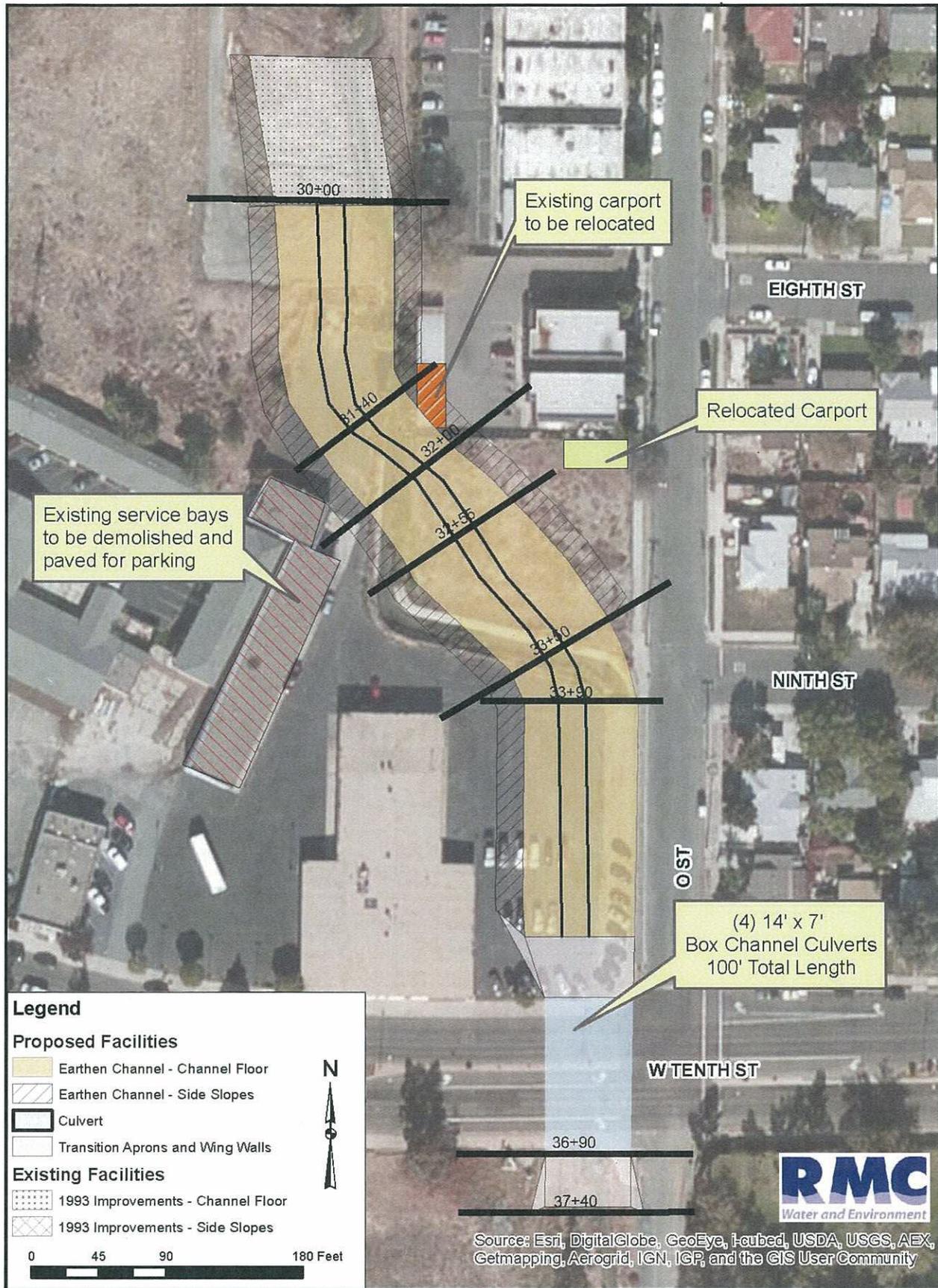


Figure 3e. Alternative 5 - Alternate Minimum Culvert Option

**STAFF REPORT TO THE CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF SEPTEMBER 23, 2014**

Prepared by: Teri House, CDBG/Housing Programs Consultant *TH*
Approved by: Tina Wehrmeister, Director of Community Development *TW*
Date: September 18, 2014
Subject: **Annual Housing Element Progress Report**

RECOMMENDATION

Receive, allow public comment, and file the attached Annual Housing Element Progress Report.

DISCUSSION

The State Department of Housing and Community Development (HCD) requires each jurisdiction to submit an annual report on the status of its housing element and implementation of the housing element programs. HCD provides a template for this information which has been completed by staff and is attached to this report. Following the September 23, 2014 City Council meeting the report will be transmitted to the California Department of Housing and Community Development (HCD).

Since 2007, the City has issued 1091 building permits for new construction. Of the units built during this time, a total of 48 units (primarily multifamily) are affordable to those with very low-income, 12 are affordable to those with low-income, and 431 affordable to those with moderate income. The remaining 600 units are affordable to those with incomes above moderate. The majority of all units are market rate single family dwellings that are affordable to persons of a variety of incomes without any subsidy.

Antioch's RHNA allocation for the plan period of 2007-14 is 2,282 units of very low-, low-, and moderate-income housing. The total amount of housing produced in the City of Antioch for *all* incomes during that time is less than half of the RHNA amount, due primarily to the state of the general economy and foreclosure crisis. However, it is interesting to note that the RHNA allocation for moderate income households was 381, and the City has exceeded that by 50 units.

STRATEGIC PURPOSE

This action is consistent with Strategic Plan strategy G-1, implementation of the Housing Element.

ATTACHMENTS

A: Annual Housing Element Progress Report

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

Jurisdiction: City of Antioch
Reporting Period: 1/1/2013 - 12/31/2013

Table A

Annual Building Activity Report Summary - New Construction
Very Low-, Low-, and Mixed-Income Multifamily Projects

1	2	3	4				5	5a	6		7	8
			Affordability by Household Incomes						Assistance Programs for Each Development	Deed Restrictions		
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Total Units per Project	Est. # Infill Units*	See Instructions	See Instructions	See Instructions	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
No new construction of VLI, LI, or Mixed-Income Multifamily in 2013												
(9) Total of Moderate and Above Moderate from Table A3			0	0	57	174		1				
(10) Total by income Table A/A3			0	0	57	174		1				
(11) Total Extremely Low-Income Units*			0									

* Note: These fields are voluntary

AI

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

Jurisdiction City of Antioch
Reporting Period 1/1/2013 - 12/31/2013

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				TOTAL UNITS	(4) The Description should adequately document how each unit complies with subsection (c) (7) of Government Code Section 65583.1
	Extremely Low- income*	Very Low- income	Low- income			
(1) Rehabilitation Activity					0	Housing Rehabilitation Program was previously funded with Redevelopment funds;
(2) Preservation of Units At-Risk					0	delay in program implementation until CDBG funding was secured and program redesigned to accommodate new requirements.
(3) Acquisition of Units			1		1	
(5) Total Units by Income	0	0	1		1	

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)

	1. Single Family	2. Units	2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate	57						57	1
No. of Units Permitted for Above Moderate	174						174	0

* Note: This field is voluntary

AZ

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

Jurisdiction City of Antioch
Reporting Period 1/1/2013 - 12/31/2013

Table C
Program Implementation Status

Program Description (By Housing Element Program Names)	Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.	Status of Program Implementation
Name of Program	Objective	Timeframe in H.E.
1.1.1 Monitor and Preserve At-Risk Projects:	The City has identified 251 multi-family rental units at-risk of converting from income-restricted to market-rate during the planning period. To preserve affordability of these units, the City shall proactively meet with the property owners and identify funding sources and other incentives to continue income-restrictions. The City shall develop strategies to act quickly should the property owners decide not to continue income-restrictions. The strategy program may include, but is not limited to, identifying potential funding sources and organizations and agencies to purchase the property. The City will also ensure that proper noticing requirements are followed and tenant education is conducted.	2007-14
		No affordable housing units were lost during the planning period due to successful and proactive meetings with property owners and identification of additional funding as necessary. Casa Del Rio, a senior complex with 82 units of affordable housing, was set to expire in 2009 but these units were retained through LIHTC until 2024. Riverstone Apartments, a family complex with 136 affordable units, was retained through an ADA funded multifamily loan in 2010, ensuring affordability until 2030. No other housing is at risk in the 2007-14 plan period.

A4

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

Jurisdiction	City of Antioch
Reporting Period	1/1/2013 - 12/31/2013
<p>1.1.2 Neighborhood Preservation Program:</p>	<p>Neighborhood Preservation Program: Continue to contribute funds for and promote the Neighborhood Preservation Program (NPP) administered by Contra Costa County. The NPP provides zero and low-interest loans to low and moderate-income households for housing rehabilitation. The City will continue to provide information about the program on the City website and at City Hall and refer homeowners to the County.</p>
<p>1.1.3 Community Education Regarding the Availability of Housing Rehabilitation Programs:</p>	<p>Continue to provide information to extremely-low, very-low, low and moderate income households and other special needs groups regarding the availability of housing rehabilitation programs through neighborhood and community organizations, and through the media.</p>
	2007-14
	<p>This funding source ended with the dissolution of the Redevelopment agencies in FY 2011-12. The NPP program remained unfunded until FY 2012-13, when it was approved by Council to be granted CDBG funding in the amount of \$100,000 annually through FY 2014-15. This program restarted in FY 2014-15 when sufficient funds were accumulated to loan and after all federal requirements were satisfied to transition the program from ADA to CDBG funding.</p> <p>The City contracts with Contra Costa County to administer the Neighborhood Preservation Program. The Neighborhood Preservation Program, which is operated by the County Building Inspection Department, provides housing rehabilitation loans to low- and moderate-income homeowners to bring their homes up to code, to ensure health and safety code standards are met, and provide handicap access.</p> <p>The City has found the Program to be effective and efficient and will continue to fund the program with CDBG funds during the next Planning Period to the extent that funding is available.</p>
	Ongoing
	<p>With the exception of the years 2011-13, when there was no programming due to loss of Redevelopment agency funds, the City has conducted outreach to all levels of lower income households about the Housing Rehabilitation program. Nonprofit organizations serving Antioch clientele were sent brochures, the City's various Fair Housing and Landlord/Tenant counseling providers were educated and given brochures. Brochures were available at the Antioch Senior Center, and discussed at Senior Center activities, and newspaper articles and op-ed pieces were written during the plan period.</p>

ANNUAL ELEMENT PROGRESS REPORT *Housing Element Implementation*

(CCR Title 25 §6202)

Jurisdiction	City of Antioch
Reporting Period	1/1/2013 - 12/31/2013
<p>1.1.4 Rental Rehabilitation Program:</p>	<p>Continue to provide financial assistance to owners of rental property to rehabilitate substandard units to enable such units to remain affordable following rehabilitation. The City will continue to promote and provide funds for the Rental Rehabilitation Program administered by the Housing Authority of Contra Costa County. The program provides low-interest loans to property owners for rehabilitation of rental units. The use of these funds will ensure that rental properties will not deteriorate and still remain affordable. The City shall continue to provide information about the program on the City's website and at City Hall and will refer property owners to the Housing Authority.</p>
<p>1.1.5 Code Enforcement:</p>	<p>Provide ongoing inspection services to review code violations on a survey and complaint basis. Examples of code violations include families living in illegal units, such as garages and recreational vehicles, construction of illegal buildings, and households living in unsafe buildings.</p>
	2007-14
	<p>From 2007 to 2011, the City loaned \$196,638 in Antioch Development Agency (ADA) funds to rental property owners to rehabilitate 146 units of rental housing. Of these units, 73 will remain affordable for a 20 year period. Most of these loans are 3% deferred loans (one 4-plex received a 1% deferred loan).</p> <p>This program ended with the demise of ADA funding, as had to wait to apply for CDBG funding for the 2012-14. The program was retooled, and qualified to meet federal regulations of that program. The amount of CDBG funds available is \$100,000 per year. The program will be relaunched in FY 2014.</p>
	<p>The City has utilized \$511,573 in CDBG funding during the 2007-14 program period (\$147,576 in FY2013-14) to provide code enforcement in lower income areas in Antioch. Code enforcement staff opened cases on 1,162 Antioch households during the 2007-14 period, 197 in 2013-14. Code Enforcement conducted inspections and enforcement of all state and local codes. Cases included illegal dumping, construction without a permit, inoperable vehicles, overgrown vegetation, operating a business from home without a permit, trash left in the front yard and debris blocking the sidewalk, and a wide variety of other issues. Since the foreclosure crisis, identifying, red-tagging and boarding up foreclosed and abandoned properties has been an increasing part of the Code Enforcement team's workload. Code Enforcement also seeks warrants through Superior Court in order to secure the homes with no water, gas, electricity and sanitation so that they are not inhabited by squatters. This remains an ongoing problem in the City, especially in lower income areas which were hardest hit by the foreclosure crisis.</p>

AG

ANNUAL ELEMENT PROGRESS REPORT *Housing Element Implementation*

(CCR Title 25 §6202)

Jurisdiction	City of Antioch	Reporting Period	1/1/2013 - 12/31/2013
<p>1.1.10 Foreclosure Counseling and Prevention:</p>	<p>Continue and expand partnerships between various governmental, public service and private agencies and advocacy organizations to provide ongoing foreclosure counseling services, workshops and written materials to aid in the prevention of foreclosures. The City will continue to provide information about foreclosure resources on the City website and at City Hall. The City will also continue to refer persons at-risk of foreclosure to public and private agencies that provide foreclosure counseling and prevention services. In addition, the City will provide homebuyer pre-purchase counseling through the First Time Homebuyer program in conjunction with the NSP activities in Program 1.1.9 to educate homebuyers and prevent foreclosures in the future.</p>	<p>2007-14</p>	<p>The Contra Costa County Home Equity Preservation Alliance (HEPA) was created by a partnership with Housing and Economic Rights Advocates (HERA), Bay Area Legal Aid (BALA), Pacific Community Services, Inc. (PCSI), and Housing Rights, Inc. HEPA was a coalition of agencies serving families that were at risk of losing their home because of Contra Costa County's foreclosure crisis and the vast increase in subprime lending that occurred in the early 2000's.</p> <p>The legal service provider's role was to provide technical assistance to the collaborations partners and free civil legal assistance to homeowners needing assistance with foreclosure issues. The housing counseling agencies role was to assist homeowners in their negotiations with lenders/servicers and provide them with information to ensure that they do everything necessary to make positive decisions about their mortgage and future financial situation.</p> <p>The City provided a total of \$185,000 in ADA funds, which served 1,228 Antioch residents with a wide array of foreclosure-related services, including counseling, mortgage negotiation and assistance in obtaining refinancing, and legal assistance. The need for these services has now diminished substantially, and similar foreclosure counseling services are provided by BayLegal, the current providers of Fair Housing and Tenant/Landlord services for the City.</p>

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

Jurisdiction	Reporting Period			
City of Antioch	1/1/2013 - 12/31/2013	<p>Continue to utilize available Federal, State, and local housing funds for infrastructure improvements that support housing for Antioch's extremely-low, very-low, low income, large and farm worker households. The City uses CDBG funds for street improvements and handicapped barrier removal within low-income census tracts. The City also offers sidewalk improvement grants to qualified low income residents utilizing CDBG funds. The City will ensure that the Capital Improvement Program includes projects needed to correct existing infrastructure deficiencies to help finance and facilitate the development of housing for special needs groups. This will ensure that the condition of infrastructure does not preclude lower income housing development. The City will coordinate and promote these improvements with non-profit housing development programs. In addition, improvements and resources are promoted on the City's web site, local newspapers, at the senior center, and through televised public City meeting and hearings.</p>	Ongoing	<p>Funding for infrastructure improvements has continued, although the dissolution of RDA has significantly reduced the amount of funding for this purpose, as funds have been diverted to provide homeowner and rental housing rehabilitation and additional homeless and other services funded with ADA funds. For 2012-14, Infrastructure received \$135,000 annually, but had to accumulate three years of funding (\$405,000) to bid a cost-effective project. This project will be bid and completed in early 2015.</p>

AB

**ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation**

(CCR Title 25 §6202)

Jurisdiction	Reporting Period	City of Antioch	1/1/2013 - 12/31/2013
2.2.2 First-Time Homebuyer Program:	<p>Continue to provide down referrals and brochures payment to the State of California's first time homebuyer program - California Homebuyer's Downpayment Assistance Program (CHDAP) as well as Contra Costa County's Mortgage Credit Certificates, which is a homebuyer assistance program, homebuyer counseling and closing cost assistance to qualified low and moderate-income households purchasing their first home. The First-Time Homebuyer Down payment Assistance Program provides loans up to \$30,000 with interest terms depending on the length of the loan.</p>	Ongoing	<p>Antioch's First Time Homebuyer program also ended in 2010 due to the loss of redevelopment housing set-aside funds. No local funding source has been identified to replace it, as CDBG funds are already burdened. Realtors and residents inquiring about FTHB funds are given flyers with details about the CHDAP and the Contra Costa Mortgage Certificate Program, and this information is also available on the City website.</p>
2.3.1 Affordable Housing Program Inventory;	<p>Pursue Available Projects. Explore and inventory the variety of potential financial assistance programs from both the public and private sectors to provide more affordable housing units. The Housing Coordinator will provide assistance to the City in preparation of applications for potential financial assistance programs. Additionally, the Housing Coordinator, on an annual basis, will specify which programs the City should apply for. All available local, State, Federal, and private affordable housing programs for new housing and for the conservation and/or rehabilitation of existing housing will be pursued, including, but not limited to the following:</p>	Ongoing	<p>The City has worked with Satellite Housing to develop 85 units of affordable senior housing utilizing ADA, NSP, HOME, and a variety of other housing funds. Currently this project is before TCAC in competition for an allocation of tax credits. Due to the recession, this is the only viable affordable housing project that has come before the City, and one that we have been working with since 2009.</p> <p>This project will provide housing for elderly, frail elderly, homeless, and disabled clients when built.</p>

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

Jurisdiction	City of Antioch	Reporting Period	1/1/2013 - 12/31/2013
3.1.2 Senior Housing: Implement the Senior Housing Overlay District (SH).	Through density bonus options and other incentives, this district allows higher densities and more flexible design standards, reflecting the unique needs of an elderly population and providing more affordable units to the growing number of senior citizens that live on a small fixed income. Additional bonuses will be granted for projects including very low and low-income seniors. These overlay district areas are located close to services specific to senior citizen needs. The parking requirement for these projects is 0.75 parking spaces per dwelling unit.	Ongoing	The Satellite Senior Housing project, above, received a density bonus for their project. No other multifamily projects applied for permits during the plan period.
3.1.4 Coordination with Agencies Serving the Homeless:	Continue to cooperate with public and private agencies, such as the Contra Costa Continuum of Care, to develop housing (including transitional housing), family counseling, and employment programs for the homeless. The City will continue to fund homeless services through CDBG and LMHF monies. The City shall monitor statistics from police, County agencies, and private organizations regarding homeless shelter needs to determine if Antioch is meeting the needs of its homeless population.	Ongoing	During the 2007-2014 Housing Element period, 4,580 persons who have ties to Antioch were served by six agencies which received a total of \$264,600 in ADA and CDBG funding from the City of Antioch. Agencies providing services were: - Armador Institute, Shelter and programs for transition age homeless youth (7 served, \$7,000 ADA) - Contra Costa County Homeless Program, Adult Interim Housing (388 served, \$66,000 ADA, \$10,000 CDBG) - Contra Costa Crisis Center, Homeless Hotline (2,206 served, \$40,000 ADA) - Northern California Runaway Center (38 homeless youth served, \$5,000 ADA) - SHELTER Inc., Emergency Housing & Rental Assistance (1,809 served, \$34,000 ADA, \$34,000 CDBG) - STAND! Against Domestic Violence, Domestic violence shelter and services (132 served, \$68,500 CDBG) In addition, the City's Housing Coordinator served on the Executive Committee of the Contra Costa Homeless Continuum of Care during this time, and served as Chair for over 4 years. In this capacity, the City helped to sponsor three Homeless Connect events at the Antioch Fairgrounds, where thousands of homeless persons from all over the region came to receive a wide variety of services. Were it not for the demise of the ADA funding, the number of homeless people served during the reporting period would have increased by an estimated 2,200 persons.

A10

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

Jurisdiction	City of Antioch
Reporting Period	1/1/2013 - 12/31/2013
<p>Goal 6: Provide equal housing opportunities for all existing and future Antioch residents.</p> <p>Policy 6.1: Encourage and support the enforcement of laws and regulations prohibiting discrimination in lending practices and in the sale or rental of housing.</p>	<p>6.1.1 Cooperative Association: Continue to contract with Bay Area Legal Aid and/or other similar organizations to provide fair housing counseling and tenant/landlord counseling. Continue to refer cases and questions to the appropriate fair housing service provider for enforcement of prohibitions on discrimination in lending practices and in the sale or rental of housing. Additionally, the City will create a brochure in English and Spanish, explaining how complaints can be filed. The brochure will be available at City Hall in the Community Development Department, City Manager's office, the City's website and throughout the community in places such as bus stops, public libraries, community centers, local social centers, and other public locations.</p>
<p>From 2007 to 2014, the City funded both Fair Housing and Tenant/Landlord Counseling services, as well as Foreclosure Counseling (Goal 1.1.0) and Prevention services, to Antioch residents to help provide equal housing opportunities and enforce the rights of tenants and landlords.</p> <p>The purpose of Fair Housing services is to end housing discrimination by providing discrimination investigations, counseling, mediation and advocacy, education and legal referrals through counseling, legal representation, and housing testing. The City provided \$112,231 in ADA and CDBG funding to serve 237 Antioch residents during the 07-14 period. Services were provided by La Raza, Housing Rights, Advocates for Humanity, BayLegal, and Echo Housing. For 2013-14, \$20k was provided to Bay Legal (with Echo housing as subcontractor) in 2013-14 to serve 30 clients.</p> <p>The purpose of Tenant/Landlord housing service is to provide housing counseling and legal services to Antioch tenants and/or landlords to preserve their rights and responsibilities under federal, state, and local housing laws. Over the plan period, the City has provided \$135,000 in ADA and CDBG funding to serve 1,329 Antioch residents during the 07-14 period. Services were provided by La Raza, Pacific Community Services, Housing Rights, and Bay Area Legal Aid during this time. For 2013-14, \$10K was provided to Bay Legal to serve 167 persons.</p> <p>Services included counseling on such issues as evictions, lockouts, mortgage foreclosure, repairs and habitability, security deposits, understanding lease terms, negotiating debt payment plans between landlords and tenants, and assisted tenants in public housing and those with Section 8 vouchers.</p> <p>In addition, from 2007-14 Antioch residents benefitted from weekly Housing Law Clinics, conducted by BayLegal, at the Pittsburg Courthouse free of charge. Residents accessing these services are not counted above.</p>	<p style="text-align: center;">Ongoing</p>

All

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

Jurisdiction	City of Antioch
Reporting Period	1/1/2013 - 12/31/2013

General Comments:

During calendar year 2013, 231 permits were issued for new residential construction. At the time of this report, 188 units of housing had been sold and it is these units for which actual sales price data has been gathered and reported in Table A3. Of these 188 units, 19 homes were determined to be affordable to Small Families of Moderate income, and 38 were affordable to Large Families of Moderate income. 131 of the sold units were confirmed to be affordable to above moderate, leaving the remaining 43 units of housing not yet constructed/sold to be counted, in Table A3, as above moderate (No. of Units **Permitted** for Above Moderate).

Notations:

1. Small Family = 3 persons; Large Families = 5 or more persons
2. Monthly affordable rent based upon payments of no more than 30% of household income
3. Property taxes and insurance based on averages for the region.
4. Affordable home price is based on down payment of 10%, annual interest of 5%, a 30-year mortgage, and monthly payment of 30% of gross household income.

Note: Maximum affordable home prices are for illustrative purposes only, and are not to be used for determining specific program eligibility.

Deed restricted units in 2011, 2012, and 13 were produced through the NSP program.

Deed restricted units in 2008 (40 units) were produced by Eden Housing - Rivertown Place, affordable 30-50% AMI, TCAC/ADA restricted.

A12

STAFF REPORT TO THE CITY COUNCIL FOR CONSIDERATION AT THE COUNCIL MEETING OF SEPTEMBER 23, 2014

FROM: Steve Duran, City Manager
DATE: September 23, 2014
SUBJECT: City of Antioch Social Media Presence

RECOMMENDATION

Receive report and direct staff regarding developing and enhancing the City of Antioch's presence on Social Media outlets.

DISCUSSION

Currently the Police Department, Environmental Services, and Recreation have Facebook pages. The City does not have a general Facebook page or any other social media presence.

Over the past year, Staff has been looking into the possibility of developing a general City presence in the social media world. Many other cities have established these accounts as an additional method of communicating with their communities. In these days of electronic media, it is likely in our best interest to utilize as many communication tools as we can. Of course, the content would have to be managed on a continuous basis and the protocol regarding removing comments/posts would be followed, just as it is with the other City pages.

Staff Recommendation:

Staff recommends that we initiate a Facebook page immediately, the content of which would be developed over time. We have received cost proposals from a consultant to establish our page and manage it on an ongoing basis. Given our financial challenges, at this time staff would prefer to look to our local volunteers, or perhaps an Intern to assist us in creating the page and developing the initial content.

Staff further recommends that once the Facebook page is up and running, the viability of other social media outlets such as Twitter be investigated as well.

STRATEGIC PURPOSE

This proposed action addresses the Council's identified Strategic Plan goal of:

Strategy L-1: Improve community communications and trust in City government and keep the community well informed as to the activities of the City departments.

ATTACHMENTS

None.

STAFF REPORT TO THE CITY COUNCIL FOR CONSIDERATION AT THE COUNCIL MEETING OF SEPTEMBER 23, 2014

FROM: Steve Duran, City Manager
DATE: September 23, 2014
SUBJECT: Potential Mid-Year Budget Priorities

RECOMMENDATION

Receive report and direct staff regarding budget priorities for mid-year budget adjustments if the Business License Tax Measure, Measure O, passes on November 4, 2014.

DISCUSSION

Background: The proposed Business License Tax update was unanimously approved by the City Council on June 24, 2014 for placement on the November ballot. Measure O does four key things:

- Measure O confirms that the rental or leasing of real property is a business subject to the City's Business License Tax.
- Measure O confirms the existing business license tax rate, and raises the minimum tax from \$25.00 per year, where it has been since the 1960's, to \$100.00 a year for all businesses subject to the gross receipts formula, other than Home Occupation businesses not categorized as "professionals" in the Antioch Municipal Code, for whom the minimum tax will remain \$25.00 per year.
- Measure O establishes a Business License Tax on the rental or leasing of detached single family dwelling units at \$250.00 per dwelling unit per year.
- Measure O establishes a Business License Tax on the rental or leasing of attached multi-family dwelling units at \$150.00 per dwelling unit, including condominiums, duplexes and apartments.

Exemptions from the Business License Tax on Residential Landlords include hotels and motels, hospitals, and convalescence, extended care and residential care facilities. Not-for-profit organizations are exempt from the Business License Tax.

In June, staff estimated that the proposed Business License Tax on Residential Rental Property Owners (Landlords) would bring approximately \$2.27 million in annual revenues.

Staff Recommended Budget Priorities: The Fiscal Year 2014-15 Budget document projects a significant structural deficit in Fiscal Year 2016-17. The passage of Measure O would therefore provide significant funding for one-time expenditures in Fiscal Year 2014-15 and 2015-16. If Measure O passes and provides \$2.27 million in additional annual funding, staff recommends the following spending priorities:

- In Fiscal Year 2014-15, use approximately \$100,000 for start-up costs related to new enforcement activities for the Business License Tax. There will be ongoing operating costs, which will be brought forward at Mid-Year Budget Review in March.
- Between January 2015 and the end of Fiscal Year 2015-16, use approximately \$1.3 million to fund the buy-in cost for the Antioch Police Department to participate in the East Bay Regional Communication System (EBRCS). Antioch is the only City in all of Contra Costa and Alameda Counties that does not participate in the EBRCS system. In addition to all of the cities, also participating in EBRCS are both Alameda and Contra Costa County, the State Department of Transportation, UC Berkeley, and six (6) special districts including the Fire Districts. This system is an essential tool that is necessary to ensure that our Police Department can communicate effectively with the other law enforcement agencies and emergency responders in the two counties. It will help make the Community and our Police Officers safer when joint agency operations or mutual assistance activities are necessary. This is a one-time cost, for which at this point other sources of funding have not been identified. In addition to the one-time buy-in cost, there is a monthly \$40 charge per radio on the system. Staff will have full operating and maintenance cost estimates by Mid-Year Budget Review.
- Between January 2015 and the end of Fiscal Year 2015-16, use approximately \$800,000 for the elimination of “Furlough Fridays” so that City Hall, Police Department reception, and the Public Works office can once again be open to the public for a five day work week. All field staff would also return to 40 hour operations. When implemented in 2009, the furlough program was intended to be a temporary fiscal solution to the downturn in the economy, not an indefinite service reduction to the public. Although a five day work week would be implemented, restoration of afternoon counter hours in Community Development and the Police Department will be dependent upon staffing resources. This will be an ongoing cost.
- In Fiscal Year 2015-16, purchase body cameras for Police Officers. This cost is yet to be determined. If Measure O passes, staff will research the costs and provide options to the City Council.
- Consider other budget priorities at Mid-Year Budget Review, including applying any short term surplus toward the projected budget deficit in Fiscal Year 2016-17.

Conclusion: If Measure O passes, there will be a one time opportunity to get the Antioch Police Department into EBRCS and to get Police Officers body cameras. Beyond that, staff recommends eliminating Furlough Fridays and focusing our attention on eliminating the projected structural deficit in Fiscal Year 2016-17 and beyond.

STRATEGIC PURPOSE

These proposed mid-year budget priorities address the Council's identified Strategic Plan goals of:

Strategy A-3: Improve public safety using technology. Joining EBRCS is specifically listed, and the Police Officer body cameras also fall within this Strategy.

Strategy F-1: Improve the City's Business Processes. Increase Planning/Building counter hours of service and improve customer services.

Strategy G-4: Streamline entitlement and permit processes. Increase (staffing in order to increase) front-desk hours of operation.

With regard to the elimination of the furlough program, in addition to addressing the above identified Strategic Plan goals, the inaccessibility of City services on Friday is a frequent complaint from residents and businesses. It has also been a stated Council priority to end the furlough program as soon as financially possible.

ATTACHMENTS

None.

SUPPLEMENTAL STAFF REPORT TO ITEM F

STAFF REPORT TO THE MAYOR AND CITY COUNCIL FOR CONSIDERATION AT THE MEETING OF SEPTEMBER 23, 2014

PREPARED BY: Scott Buenting, Associate Engineer, Capital Improvements Division 

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

DATE: September 23, 2014

SUBJECT: **Supplemental Report:** Consideration of Bids for the Piping
Reconfiguration of Canal Pumps 2 and 4 and Pump 2
Replacement, P.W. 246-26: **Bid Protest**

RECOMMENDATION

It is recommended that the City Council reject the bid submitted by JMB Construction, Inc. and award the project to the lowest, responsive bidder, Con-Quest Contracting, Inc., in the amount of \$506,000.

BACKGROUND INFORMATION

On September 16, 2014, eight (8) bids were received and opened for this project. A copy of the bid tabulation is shown on Attachment A.

The apparent low bid was submitted by JMB Contracting, Inc. (JMB) in the amount of 452,500. On September 18, 2014, Con-Quest Contracting, Inc. (C-QC) submitted a bid protest claiming JMB should be considered a non-responsive bidder, due to a failure to list a subcontractor to perform specialized work known as a "line stop" associated with Bid Item B-6 in the project's Schedule of Bid Prices. In addition, C-QC claimed that JMB did not possess adequate experience to perform the line stop activities with their own forces. A copy of C-QC's bid protest is included as Attachment B.

On September 19, 2014, Staff presented the bid protest to JMB. JMB's response to the protest dated September 19, 2014 (Attachment C) stated that JMB would be self-performing the line stop operation utilizing rental equipment provided by Tap Master, Inc. and an advisor also provided by Tap Master, Inc. A copy of Tap Master, Inc.'s quote provided to JMB is included as Attachment D. In addition, JMB stated that their company was licensed to perform line stops as part of the California Contractor's 'A' license.

On September 22, 2014, C-QC provided a rebuttal to JMB's response to the bid protest (Attachment E). C-QC contends that although JMB has received multiple quotations from Tap Master, Inc. for performing various tasks associated with the line stop operation, Tap Master, Inc. would be performing the task at a total cost that exceeds subcontractor listing requirements as outlined in the Sections 4100-4114 of the Public Contract Code (Subletting and Subcontracting Fair Practices Act) included as Attachment F.

Section 2-1.054 of the project General Conditions (State of California, Department of Transportation, Standard Specification dated 2006) (Attachment G), the Subletting and Subcontracting Fair Practices Act and the "List of Subcontractors" contained within the project bid forms (Attachment H) all state that a bidder must list each subcontractor that will perform work, provide labor or render services in conjunction with a project in an amount in excess of one-half of one percent of the total bid.

The Subletting and Subcontracting Fair Practices Act is intended to prevent a bidder from bid shopping by disclosing a subcontractor's bid to other subcontractors in an attempt to obtain a lower bid than the one in which it based its bid. Staff is not implying that JMB intentionally omitted a subcontractor for this work with the intent to solicit another subcontractor after the bid was opened. However, this situation presents an advantage in the competitive bidding procedure and could be unfair to the other bidders. In accordance with State Law and the City of Antioch's contract documents, the City must provide a fair and level bidding environment.

In addition to the attached written correspondence, Staff has spoken with representatives of JMB, C-QC and Tap Master, Inc. regarding this issue. It is understood that JMB intends to assist Tap Master, Inc. with the line stop operation, however Tap Master, Inc. will be providing the necessary equipment and material, as well as the personnel required to perform the activity. The quote provided by Tap Masters, Inc. to JMB for this work was for \$31,800, which exceeds one-half of one percent of the total bid and is the same amount apparently quoted to other bidders.

Staff, under the advisement of the City Attorney, recommends upholding C-QC's bid protest, deeming JMB's bid as non-responsive and rejecting JMB's bid to this project and awarding the contract to the lowest, responsive bidder, Con-Quest Contractors, Inc., in the amount of \$506,000. C-QC's bid has been checked and found to be without any errors or omissions.

Letters to both C-QC and JMB dated September 23, 2014 informing the bidder of Staff recommendation on this matter were emailed to both contractors and are listed as Attachments I & J, respectively.

OPTIONS

1. Reject C-QC's bid protest and award the contract to JMB in the amount of \$452,500.
2. Reject all project bids and re-bid the project.

ATTACHMENTS

- A: Tabulation of Bids
- B: Bid Protest from C-QC dated 9/18/14
- C: Letter from JMB dated 9/19/14
- D: Tap Master proposal to JMB
- E: Letter from C-QC dated 9/22/14
- F: Public Contract Code, Sections 4100-4114
- G: Standard Specifications dated 2006, Section 2-1.054
- H: Project Bid Forms, List of Subcontractors
- I: Letter to JMB dated 9/23/14
- J: Letter to C-QC dated 9/23/14

ATTACHMENT "A"

CITY OF ANTIOCH

TABULATION OF BIDS

JOB TITLE: Piping Reconfiguration of Canal Pumps 2 and 4 and Pump 2 Replacement
(P.W. 246-26)

BIDS OPENED: September 16, 2014 ~ 3:00 p.m.
City Council Chambers

	Engineer's Estimate	JMB Construction, Inc. South San Francisco	Con-Quest Contractors, Inc. San Francisco	W.M. Lyles Co., West Sacramento	Monterey Mechanical Oakland	West Bay Builders Novato
TOTAL BID PRICE	\$600,000.00	\$452,500.00	\$506,000.00	\$512,500.00	\$549,800.00	\$563,160.00

JMB Construction, Inc.		Con-Quest Contractors, Inc.		W.M. Lyles Co.		Monterey Mechanical		West Bay Builders
<u>Painting</u> Mason Painting, Inc. <u>Electrical (Partial)</u> ARD MAC Electric		<u>Line Stops</u> Tap Master <u>Coating</u> Redwood Painting <u>Instrumentation</u> Tel-Star	Hot Tapping Tap Master Painting Redwood Painting <u>Elec. Instrumentation</u> Tel-Star	<u>Line Stops</u> Tap Master Painting Redwood Painting <u>Electrical & Controls</u> Gil's Electric	<u>Line Stops</u> Tap Master Coating Mason Painting <u>Electrical</u> Tel-Star Instruments			

AI

CITY OF ANTIOCH

TABULATION OF BIDS

JOB TITLE: Piping Reconfiguration of Canal Pumps 2 and 4 and Pump 2 Replacement
(P.W. 246-26)

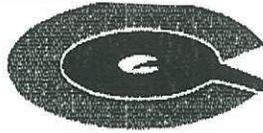
BIDS OPENED: September 16, 2014 ~ 3:00 p.m.
City Council Chambers

Engineer's Estimate	R.J. Gordon Construction, Inc. Pleasant Hill	D.W. Nicholson Corporation Hayward	J & M, Inc. Livermore	
TOTAL BID PRICE	\$600,000.00	\$574,035.00	\$643,000.00	\$659,700.00

<i>R.J. Gordon Construction, Inc.</i>	<i>D.W. Nicholson Corporation</i>	<i>J & M, Inc.</i>	
Line Stops Tap Master Painting Redwood Painting Electrical Tel-Star Instruments	Line Stops Tap Master Painting Redwood Painting Excavation Howard's Earth Boring	Line Stops Tap Master Painting Redwood Painting	

A2

ATTACHMENT "B"



CON-QUEST
CONTRACTORS, INC.

General Engineering Contractors Lic.# 818668

290 Toland Street
San Francisco, CA 94124
415.206.0524 - Phone
415.206.0528 - Fax

To:	Ron Bernal, PE City of Antioch	From:	Con-Quest Contractors, Inc.
Fax:	925.779.7062	Pages:	4 (including cover)
Phone:	925.779.7050	Date:	September 18, 2014
Re:	Protest of Bid Piping Configuration of Canal Pumps 2 and 4 and Pump 2 Replacement - PW 246-26	CC:	

Urgent For Review Please Comment Please Reply Please Recycle

Comments:

B1



Via Overnight Delivery and Facsimile

Ron Bernal, PE
Public Works Director/City Engineer
City of Antioch,
P.O. Box 5007,
200 "H" Street,
Antioch, CA 94531-5007

Re: PIPING RECONFIGURATION OF CANAL PUMPS 2 AND 4 AND PUMP 2
REPLACEMENT in ANTIOCH, CALIFORNIA P.W. 246-26

Protest of Bid Submitted by JMB Construction, Inc.

Dear Mr. Bernal:

Please accept this letter as Con-Quest Contractors, Inc.'s ("C-QC's") formal protest of the bid proposal submitted by JMB Construction Inc. ("JMB") JMB's proposal is nonresponsive, we therefore respectfully request that JMB's proposal be rejected and that the project be awarded to C-QC, which submitted the lowest responsive bid from a responsible contractor.

JMB's Bid Is Nonresponsive

Section 6.24 of the Standard Provisions states that "The Contractor shall comply with the Subletting and Subcontracting Fair Practices Act commencing with Section 4100 of the Public Contract Code. Violations shall subject Contractor to penalties described in the Act."

Thus, JMB was required to list each subcontractor that will perform more than ½ of 1% of the value of its bid, or any amount of work that is more than \$2,262.50, based on its bid price. Pub. Contract Code § 4104.

In reviewing the bid results and sub-listing, it is noted that JMB did not list anyone for Line Stops. All seven of the remaining bidders listed a subcontractor for line stops, namely Tap Masters of Concord, CA. Attached, please find a copy of their quote. As you will note the value of this work is \$31,800.00, well above the listing threshold. JMB's price for item no. B-6 – Line Stops was \$ 45,000.00 clearly over the listing threshold. This is highly specialized work requiring specialized equipment and knowledge. Nothing in JMB's bid package indicated that they have self-performed line-stops in the past or that their supervisors have experience in self performing line-stops, therefore, JMB is not qualified to perform this work.

Accordingly, to the extent that JMB intends to subcontract the Line Stop work, it is guilty of a violation with Subletting and Subcontracting Fair Practices Act and is in breach of Standard Provision Section 6.24. Its bid is therefore nonresponsive.

B2

If JMB plans on self-performing this work, then JMB's bid must be rejected because JMB lacks the experience, skill, and equipment necessary to undertake this work, and JMB is not a responsible bidder.

Conclusion

Because JMB's bid was not responsive, an award to a contractor other than C-QC would be illegal and void. *Valley Crest Landscape, Inc. v. Davis*, 41 C.A.4th 1432 (1996); *Monterey Mechanical v. Sacramento Regional County Sanitation District*, 44 C.A.4th 1391 (1996).

Payment of any funds to JMB would violate the California Constitution. Section 10 of Article XI of the Constitution provides that "a local government body may not ... pay a claim under an agreement made without authority of law." A concerned taxpayer, as well as C-QC, may bring an action to enjoin payments on a contract awarded to another bidder and to require the return to the District of any such payments. *Rubino v. Lolli*, 10 C.A.3d 1059 (1970); *Miller v. McKinnon*, 20 Cal. 2d 83 (1942).

The public policy underlying competitive bidding is so strong that a court is required, on its own initiative, to order the return of payments even if the parties to a lawsuit do not request such an order. *Greer v. Hitchcock*, 271 C.A.2d 334 (1969).

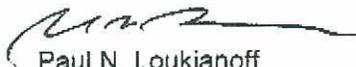
A court also may enjoin the award and performance of the contract. See *Baldwin Lima Hamilton Corp. v. Superior Court*, 208 C.A.2d 803 (1962); see also *Eel River Disposal & Resource Recovery, Inc. v. County of Humboldt*, 221 Cal. App. 4th 209, 215 (2013) (directing issuance of writ of mandate).

For the reasons set forth above, we respectfully request that the District sustain the protest of JMB's bid and award the project to C-QC, which submitted the lowest responsive bid from a responsible contractor. Please feel free to contact me if you have any questions. We reserve all rights and remedies, including the right to a writ of mandate and injunctive relief.

Very truly yours,

CON-QUEST

CONTRACTORS, INC.



Paul N. Loukianoff
President

cc: 14-033

B3

Tap Master, Inc

1647 Willow Pass Rd. # 136
 Concord, CA 94520-2611
 Ph: (925) 439-7975 Fax: (925) 432-1871

QUOTE

DATE	ESTIMATE #
9/16/2014	21333

NAME / ADDRESS

Con-Quest Contractors
 Atten: Alex
 Ph: 415-206-0524
 Email: bidday@cqccontractors.com

TERMS
Net 30

DESCRIPTION	TOTAL
LOCATION: ANTIOCH, CA (2) 18" LINE STOPS ON CAST IRON LINE INCLUDES THE FOLLOWING ON STRAIGHT TIME: LABOR, TRUCK, EQUIPMENT (2) 18" LINE STOP SADDLE (2) 125# IMMEDIATE PRESSURE TEST WITH AIR (2) BOLT-ON INSTALLATION QUOTE IS FOR LINE STOP EQUIPMENT TO BE IN-LINE FOR UP TO (2) DAYS ADDITIONAL DAY(S) RENTAL - \$650.00 PER MACHINE, PER DAY ADDITIONAL DAY(S) LABOR - \$1,500.00 PER MAN, PER DAY CUSTOMER TO SUPPLY: PERMITS, FEES, BONDS EXCAVATION, BACKFILL, THRUSTBLOCKS SHORING FOR 5FT DEPTH OR DEEPER EXCAVATION PIPING & CONNECTIONS PIPE COATINGS/TRAFFIC CONTROL	31,800.00
TOTAL	\$31,800.00

Conditions: We agree to furnish new merchandise in exchange for any merchandise sold that is found to be defective.
 We assume no liability of any kind such as labor cost expenses, or any type of damages, direct or indirect.
 Quote is based on information given by customer and may be subject to any changes occurring on the job.
 Quote valid for 30 days from date of issue. Customer accepts above terms.

PLEASE SIGN & FAX BACK WHEN APPROVED: PO#

B4

ATTACHMENT "C"
JMB CONSTRUCTION INC.
General
Engineering Contractor
CCL 715324

September 19, 2014

Ron Bernal, PE
Public Works Director/City Engineering
City of Antioch
P.O. Box 5007
200 H Street
Antioch, CA 94531

Re: PIPING RECONFIGURATION OF CANAL 2 AND 4 AND PUMP 2
REPLACEMENT IN ANTIOCH, CALIFORNIA P.W. 246-26

Dear Mr. Bernal,

JMB Construction, Inc. (JMB) is in receipt of the bid protest letter submitted by Con-Quest Contractor's Inc. received this date. We contend that our firm is in compliance with the project requirements and that we should be awarded as the lowest responsible bidder. The submitted protest is based on two points: 1) JMB did not meet the required subcontractor listing requirements; 2) JMB's bid package has not indicated that we have the required experience to perform the line-stop work.

JMB is only required to list a subcontractor if the dollar amount exceeds ½ of 1% and this does not occur for this item. JMB will self-perform this work utilizing rented equipment and a line-stop advisor. A purchase order – not a subcontract - will be issued for this work (purchase order # is indicated on the bottom of Tap Master quotation). We understand our duty to comply with the legal requirements for subcontracting as described in California Public Contracting Code Section 4100. As for second the point, that JMB's bid package has not indicated that we have sufficient experience is not accurate. The bid package only asked for all projects completed in the last five years, and current projects underway. We complied with this requirement. Attached is a more comprehensive listing of JMB's past projects, and in addition we have included an Vendor A/P report indicating we have performed many projects with Tap Master, Inc ranging from 2005 to 2014 and totaling \$115,000 (our experience pre-dates 2005, but this was readily available in our accounting system). Clearly, our experience is much more substantial in this area of work than the protestors.

132 South Maple Avenue • South San Francisco, California 94080
(650) 267-5300 • Fax (650) 267-5301
www.jmbconstruction.com

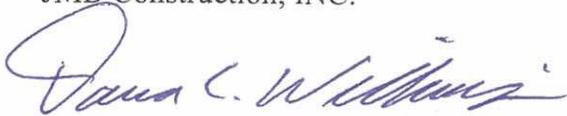
01

Piping Reconfiguration..Bid Protest
September 19, 2014

In addition, we would point out that under our California Contractor's A license JMB can self-perform the line-stop work. This issue of licensing was well described in a previous bid protest (attached) with Con-Quest, in which our bid protest was struck down when Con-Quest did not list an Electrical subcontractor, and elected to self-perform the work.

Please do not hesitate to contact me at (650) 267-5300, should you have any questions regarding this matter.

Sincerely,
JMB Construction, INC.



Dana Wilkins
Chief Estimator

ATTACHMENTS

File: dw/bidprotest/antiochcanal2&4

C2

JMB CONSTRUCTION INC

Year
Cmplt

PROJECTS COMPLETED		OWNER/ GENERAL	NO.	CONTRACT AMOUNT	CONTACT	PHONE
JMB JOB#	CONTRACT DESCRIPTION					
128	SAN FRANCISCO ZOO EXHIBIT IMPROVEMENTS	CITY AND COUNTY OF SAN FRANCISCO DPW		\$36,000.00	Bryan Dessauere	(415) 866-0512
129	ENCHANTED KNOLL PUMP STATION	CITY OF MILL VALLEY		\$65,500.00	Cesar Jamie	(415) 347-8388
130	PLOT 41 HARDSTANDS PHASE A	SAN FRANCISCO INTERNATIONAL AIRPORT	5826A	\$5,989,740.00	Chung Tam	(415) 821-7827
131	FT CRONKITE & FT BARRY SEWER REHAB	NATIONAL PARK SERVICE		\$236,000.00	Karen Giles	(415) 516-0818
132	RAC LOOP ROAD	PAVEX CONSTRUCTION CO		\$750,000.00	Terry Tuggey	(650) 615-0306
133	AIRPORT EMERGENCY CONTRACT	SAN FRANCISCO INTERNATIONAL AIRPORT	3354	\$178,000.00	Reuben Hallii	(650) 737-7802
134	EL CERRITO STORM DRAIN	CITY OF EL CERRITO		\$92,000.00	Chris Addington	(510) 827-4907
135	PLOT 41 HARDSTANDS PHASE B	PAVEX CONSTRUCTION CO	5826B	\$1,800,000.00	Terry Tuggey	(650) 615-0306
137	PLOT 52 UNITED	PAVEX CONSTRUCTION CO		\$1,150,000.00	Terry Tuggey	(650) 615-0306
138	MCDONNELL ROAD WIDENING	SAN FRANCISCO INTERNATIONAL AIRPORT	1106	\$271,000.00	Terry Tuggey	(650) 615-0306
139	GSE UTILITIES RELOCATIONS	PAVEX CONSTRUCTION CO		\$3,364,000.00	Terry Tuggey	(650) 615-0306
140	RUNWAY 19L	PAVEX CONSTRUCTION CO	2377B	\$178,600.00	Terry Tuggey	(650) 615-0306
141	SAN FRANCISCO INTERNATIONAL AIRPORT	SAN FRANCISCO INTERNATIONAL AIRPORT	3501	\$344,011.00	Mark Costanzo	(415) 77-7809
142	LAGUNA STREET SEWER REPLACEMENT	CITY AND COUNTY OF SAN FRANCISCO DPW	1269N	\$150,000.00	Wallace Wong	(415) 554-8222
143	UTILITIES RELOCATIONS PHASE 3	RANGER PIPELINES/D/ARCY HARTY JV	5601E	\$1,500,000.00	Tom Hunt	(415) 827-3700
144	NORTH FIELD CARGO FACILITIES UTILITY TRENCH	SAN FRANCISCO INTERNATIONAL AIRPORT		\$4,000,000.00	Terry Tuggey	(650) 615-0306
145	TAXIWAY "S" & "U" OVERLAY	PAVEX CONSTRUCTION CO	3062C	\$400,000.00	Terry Tuggey	(650) 615-0306
146	R16/18 TEMPORARY ROAD DETOUR	SAN FRANCISCO INTERNATIONAL AIRPORT	5600AR	\$251,000.00	Terry Tuggey	(650) 615-0306
147	RUNWAY 1L - 19R OVERLAY & RECONST.	PAVEX CONSTRUCTION CO.	3228	\$92,000.00	Terry Tuggey	(650) 615-0306
148	PARKING LOT D ADDITION PHASE A	SAN FRANCISCO INTERNATIONAL AIRPORT	5851A	\$664,452.00	Joe Ferrer	(650) 827-7742
149	BOARDING AREA A	COSCO FIRE PROTECTION/ TUTOR SALIBA	5510E	\$307,012.00	Jim Crossley	927-455-2751
150	RENTAL CAR FACILITY ON LOT D	TUTOR SALIBA CORP	5650A	\$966,988.00	Robert Langford	813-262-8391
151	ELEVATED SURFACE ROADWAY	KULCHIN CONDON & ASSOCIATES	5900D	\$1,876,033.00	Ken Welch	510-534-3400
152	OLD BUDGET CAR LOT 14" WATER LINE	KULCHIN CONDON & ASSOCIATES	5900C	\$59,365.00	Ken Welch	510-534-3400
153	INSTALLING 8" SANITARY SEWER	KULCHIN CONDON & ASSOCIATES	5900C	\$54,932.00	Ken Welch	510-534-3400
154	LOT CC	KULCHIN CONDON & ASSOCIATES	5900C	\$55,000.00	Keith Bissack	510-534-3400
155	JERSEY ST SEWER REPLACEMENT EMERGENCY	CITY AND COUNTY OF SAN FRANCISCO DPW	1462N	\$145,177.00	Wallace Wong	(415) 554-8222
156	INSTALLING 2" COPPER PIPE & CAPPING 20" LINE	KULCHIN CONDON & ASSOCIATES	5900C	\$14,933.00	Ken Welch	510-534-3400
157	Installing Storm Drain in old Budget Lot	KULCHIN CONDON & ASSOCIATES	5900C	\$147,000.00	Ken Welch	510-534-3400
158	UAL CO-GEN AT SFIA	BARRI ELECTRIC	3712	\$687,000.00	Mark Edelstein	(415) 468-6477
159	23 rd Ave Sewer Replacement	San Francisco Dept of Public Works	1462N	\$187,000.00	Wallace Wong	(415) 554-8226
160	Boarding Area G	COSCO Fire Protection	5520E	\$290,000.00	Sonny Bottari	927-455-2751
161	BELLE AIR STORM & WATER MAINS	CITY OF SAN BRUNO	SD-97-01	\$1,700,000.00	John Tallitch	650-877-8865
162	American Airlines Parking Lot	BARRI ELECTRIC	3512	\$52,000.00	Mark Edelstein	(415) 468-6477
163	BOARDING AREA "B" TO "F" CONNECTOR PIPING	MECCON INDUSTRIES		\$577,756.00	John Curran	707-474-8300
164	CHINESE PLAYGROUND 850 SACRAMENTO ST	CUEVAS & MANNION CONSTRUCTION	7037E	\$41,000.00	Jorge Cuevas	415-827-8622
165	PARKING LOT D ADDITION PHASE B	BARRI ELECTRIC	5851B	\$5,000.00	Ernie Ulibarri	(415) 468-6477
166	NORTH FIELD APRON AT SFIA	BASS ELECTRIC	3376	\$20,000.00	Jeff Yee	415-729-1600
167	OLD SHIMMICK LOT	KULCHIN CONDON & ASSOCIATES	5900D	\$72,000.00	Ken Welch	510-534-3400

C3

168	NORTH FIELD CARGO FUEL LINE	MECCON INDUSTRIES										708/474-8300
169	NORTH PERIMETER ROAD PHASE 1	SAN FRANCISCO INTERNATIONAL AIRPORT	5901A									(650)615-0306
170	TAXIWAY A & B REALIGNMENT	PAVEX CONSTRUCTION CO	5530D									(650)615-0306
171	TAXIWAY C & P OVERLAY & UTILITIES RELOCATION	PAVEX CONSTRUCTION CO	3192B									(650)615-0306
172	RELOCATE UTILITIES IN ENGINEERING PARKING LOT	KULCHIN CONDON & ASSOCIATES	5900D									(650)615-0306
173	AIRPORT LIGHT RAIL PHASE 1	TUTOR SALIBA CORP	5700A									510/534-3400
174	UAL CO GEN PHASE II	BARRI ELECTRIC	3712									818/362-8391
175	SOUTH INTERNATIONAL PARKING GARAGE	TUTOR SALIBA CORP	5600C									(415)468-6477
177	UNITED AIRLINES 26A SEWER & LIFT STATION	HELPS PROGRAM MANAGEMENT	3712									818/362-8391
178	UAL CO-GEN PHASE III	BARRI ELECTRIC	3712									650/876-5700
179	SOUTH INTERNATIONAL PARKING GARAGE	TUTOR SALIBA CORP	5600C									415/468-6477
180	AIRPORT LIGHT RAIL PHASE II	TUTOR SALIBA CORP	5700B									818/362-8391
181	UNITED GATE 82	HELPS PROGRAM MANAGEMENT	3384B									818/362-8391
186	TAXIWAY Q EXTENSION PHASE B	PAVEX CONSTRUCTION CO	3712									650/876-5700
187	UAL CO GEN PHASE IV	BARRI ELECTRIC	5701A									(650)615-0306
188	ART MAINTENANCE FACILITY	SJ AMOROSO CONSTRUCTION	5701A									(415)468-6477
191	TAXIWAY 'Q' EXTENSION PHASE C	SAN FRANCISCO INTERNATIONAL AIRPORT	3834C									607/349-6691
192	ANNUAL UTILITY CONTRACT 1998-99	CITY AND COUNTY OF SAN FRANCISCO	3789									650/821-2136
193	BOARDING AREA A APRON	GHILOTTI BROS CONSTRUCTION	5511A									650/737-7809
194	TAXIWAY R REALIGNMENT	PAVEX CONSTRUCTION CO	3444									415/454-7011
196	TAXIWAY Q BETWEEN S & U	PAVEX CONSTRUCTION CO	3062C									650/615-0306
197	ART MAINTENANCE FACILITY ELECTRICAL	BARRI ELECTRIC	5701A									(415)468-6477
198	MCDONNELL RD WIDENING	BARRI ELECTRIC	5903B									(415)468-6477
199	NORTH AIRPORT WATER SERVICE	CITY AND COUNTY OF SAN FRANCISCO	2357B									650/737-7809
200	SOUTH AIRFIELD ELECTRICAL	BARRI ELECTRIC	3058C									415/468-6477
202	ON CALL PAVING	GHILOTTI BROS CONSTRUCTION	3949									415/468-6477
203	UTILITY REPAIRS & MAINTENANCE MISC 1999	SAN FRANCISCO INTERNATIONAL AIRPORT	4126									650/737-7809
204	TELEPHONE/ELECTRICAL DUCT BANK @ B/AG	AMELCO ELECTRIC	5500E									510/895-2040
205	TAXIWAY A & B EAST PHASE	PAVEX CONSTRUCTION CO	5530E									(650)615-0306
206	NEW WASH-DOWN AREA @ SFIA	CITY AND COUNTY OF SAN FRANCISCO	3698									650/821-7838
207	AS NEEDED UTILITY PIPELINE REPAIRS 99-00	CITY AND COUNTY OF SAN FRANCISCO	4228									650/821-7838
208	MULTINODAL	BASS ELECTRIC	3996AR									415/295-1600
209	NORTH CARGO CATHODIC PROTECTION	PAVEX CONSTRUCTION CO	5750B									(650)615-0306
210	AIRFIELD PONDING	CITY AND COUNTY OF SAN FRANCISCO	4231									650/821-7735
211	NORTH MCDONNELL RD IMPROVEMENTS	BASS ELECTRIC	4291									415/295-1600
212	AS NEEDED UTILITY PIPELINE REPAIRS 00-01	SAN FRANCISCO INTERNATIONAL AIRPORT	4346									650/821-7837
213	ROADWAY LIGHTING IMPROVEMENTS TASK 1	BASS ELECTRIC	3601A									415/295-1600
214	14" WATER LINE IN MCDONNELL RD	ANGOTTI & REILLY	4114A									415/295-1600
215	AIRPORT SHORELINE PROTECTION RESTORATION PH 1	SAN FRANCISCO INTERNATIONAL AIRPORT	3836									650/635-5970
216	WEST FIELD SECURITY CHECKPOINTS	GHILOTTI BROS CONSTRUCTION	3569									650/821-7735
217	TAXIWAY 'C' IMPROVEMENTS	PAVEX CONSTRUCTION CO	4156									650/615-0306
218	TAXIWAY B CROSSING	BASS ELECTRIC	4156									415/295-1600

94

JOB#	CONTRACT DESCRIPTION	OWNER/ GENERAL	NO.	CONTRACT AMOUNT	CONTACT	PHONE
219	STORM DRAIN IN LOT CC	TUTOR SALIBA CORP		\$108,700.00	Robert Langford	818/762-8397
220	UTILITIES RELOCATION PHASE VIII	CITY AND COUNTY OF SAN FRANCISCO	5601L	\$4,000,000.00	Reuben Halli	650/821-7808
221	NEW UTILITY MAINS NORTHEAST FIELD	CITY AND COUNTY OF SAN FRANCISCO	2084	\$649,930.00	Raymond Lew	650/821-7806
222	TERMINAL	LD STROBEL		\$20,000.00		925/686-3247
223	Emergency work for Delta Airlines	DELTA AIRLINES		\$56,000.00	Jay	404/714-3757
224	NORTH McDONNELL RD IMPROVEMENTS	GHILOTTI BROS CONSTRUCTION	4291	\$10,100.00	Tom Barr	415/454-7011
225	TAXIWAY A & B RECONSTRUCTION	PAVEX CONSTRUCTION CO	3479	SUB	Terry Tuggey	650/515-0306
JMB	CONTRACT DESCRIPTION	OWNER/ GENERAL	NO.	CONTRACT AMOUNT	CONTACT	PHONE
226	TAXIWAY 'Z' BYPASS	GHILOTTI BROS CONSTRUCTION	3384D	\$2,925,904.00	Tom Barr	415/454-7011
229	SAN FRANCISCO JAIL IN SAN BRUNO	BASS ELECTRIC		\$55,000.00	Jeff Yee	415/295-1601
501	GSE STORM DRAIN UNITED	PHELPS PROGRAM MANAGEMENT		\$70,000.00	Jay Olsen	650/876-5700
502	SINGAPORE AIRLINES PUMP STATION	SINGAPORE AIRLINES		\$89,500.00	Jay Olsen	650/876-5700
503	PACIFIC AVE SEWER REPLACEMENT	CITY & COUNTY OF SAN FRANCISCO	CW-104	\$120,542.00	Kay Lee	415/760-0437
504	CENTRAL AVE SEWER REPLACEMENT	CITY & COUNTY OF SAN FRANCISCO	CW-181	\$139,446.00	Kay Lee	415/760-0437
505	SINGAPORE AIRLINES PUMP STATION	MILLER COOK ARCHITECTS		\$89,000.00	Hayden Lee	503/226-0622
506	EMERGENCY JOB FOSTER CITY	PAVEX CONSTRUCTION CO		\$5,000.00	Kristen Zurak	650/488-4000
507	VALLEJO STREET SEWER REPLACEMENT	CITY & COUNTY OF SAN FRANCISCO	CW-176	\$220,094.00	Mary Jim	415/554-3263
508	JACKSON STREET EMERGENCY SEWER	CITY & COUNTY OF SAN FRANCISCO	CW-189	\$253,000.00	Mary Jim	415/554-3263
509	PINE STREET EMERGENCY SEWER	CITY & COUNTY OF SAN FRANCISCO	CW-188	\$258,110.00	Mary Jim	415/554-3263
510	DOLORES STREET	CITY & COUNTY OF SAN FRANCISCO	CW-122	\$414,895.00	Kay Lee	415/760-0437
511	8TH & BRANNAN	ANNUZZI'S CONCRETE SERVICE		\$15,480.00	Jack Annuzzi	415/468-2795
512	60 SCENIC WAY EMERGENCY SEWER	CITY & COUNTY OF SAN FRANCISCO	CW-200	\$53,324.00	Mary Jim	415/554-3268
514	ANZA STREET SEWER REPLACEMENT	CITY & COUNTY OF SAN FRANCISCO	CW-201	\$165,800.00	Mary Jim	415/554-3263
515	YOSEMITE/ EGBERT SEWER ENLARGEMENT	CITY & COUNTY OF SAN FRANCISCO	CW-100R	\$6,558,036.00	Boon Lim	415/554-0745
517	GREEN ST SEWER REPLACEMENT	CITY & COUNTY OF SAN FRANCISCO	CW-203	\$141,020.00	Mary Jim	415/554-3263
518	VAN NESS BTWN MCALLISTER & GOLDEN GATE	CITY & COUNTY OF SAN FRANCISCO	CW-222	\$209,816.00	Mary Jim	415/554-3263
519	UNITED AIRLINES	MARCHETTI CONSTRUCTION	MOC # 47	\$8,273.00	Joe Marchetti	415/554-3263
520	DUMBARTON PROJECT	MILLER THOMPSON CONSTRUCTORS	WD-	\$53,494.00	JIM THOMPSON	650/588-3893
521	SAN BRUNO PARK	CITY OF SOUTH SAN FRANCISCO		\$102,750.00		510/215-5200
522	HOWARD AND FIRST ST SEWER REPLACEMENT	CITY & COUNTY OF SAN FRANCISCO	CW-233E	\$99,652.00		
523	DOBBS FLIGHT KITCHEN	DOBBS KITCHEN		\$31,000.00		
524	SAN MATEO CREEK BANK RESTORATION	CITY & COUNTY OF SAN FRANCISCO	WD-2306E	\$407,515.00	GARY HAWKINS	RETIRED
525	BROADWAY EMERGENCY SEWER	CITY & COUNTY OF SAN FRANCISCO	CW-252E	\$111,739.00	Jeff Young	415/716-6968
526	WEST END UTILITIES GOLDEN GATE PARK	CITY & COUNTY OF SAN FRANCISCO	1076N	\$7,738,226.00	GORDON KING	415/850-8036
527	SAN BRUNO AVE / ELCAMINO REAL WATER CO#15	PAVEX CONSTRUCTION CO	ST-92-05	\$369,000.00	Mike Eaker	650/482-4006
529	EARL P MILLS SEWER	CITY & COUNTY OF SAN FRANCISCO	0006J	\$22,548.00	Jeff Young	415/242-2277
530	TRASH COMPACTOR PADS	SUNSET SCAVENGER	4034	\$49,971.00		
532	TABER PLACE / GOUGH ST SEWER	CITY & COUNTY OF SAN FRANCISCO	CW-230	\$173,468.00	Jeff Young	415/242-2277
533	MOSCONE CENTER EXPANSION	SUBSURFACE ENVIRONMENTAL	1993N	\$50,000.00	Roxanne Harris	415/863-8106
534	CLAY AND SACRAMENTO ST SEWER	CITY & COUNTY OF SAN FRANCISCO	CW-246	\$793,269.00	Jeff Young	415/242-2277
535	8" DUCTILE IRON MAIN IN WALLER ST /STANYAN & CENTER	CITY & COUNTY OF SAN FRANCISCO	WD-2257	\$620,800.00	Jan Ronis	415/550-2976

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538	EDDY AND TURK STREET PAVEMENT RENOVATION	CITY & COUNTY OF SAN FRANCISCO	1732N	\$598,289.00	Norman Yim	415/554-8277
539	VARIOUS LOCATIONS CONCRETE ST RECONSTRUCTION	CITY & COUNTY OF SAN FRANCISCO	1477N	\$316,415.00	Wallace Wong	415/554-8229
540	8" DIM IN GOLDEN GATE AVE	CITY & COUNTY OF SAN FRANCISCO	WD-2240	\$1,055,149.00	Jan Ronis	415/550-2976
541	ALAMEDA WAS WASTEWATER DISCHARGE PIPELINE	EAST BAY MUD	SD 245	\$2,597,347.00	Pam Hopkins	510/287-1405
542	DUCT BANK FOR COURTYARD BY MARRIOTT	SASCO		\$100,018.00	Mark Edelstein	415/512-9158
543	GOLDEN GATE PARK GROUNDWATER	MAGGIORA BROS GRILLING INC	7417E	\$23,597.00	Mike Maggioria	415/724-1338
544	TOWNSEND ST SAN FRANCISCO	SASCO		\$20,500.00	Ernie Ulibarri	415/512-9158
545	8" DIM IN LEAVENWORTH	CITY & COUNTY OF SAN FRANCISCO	WD-2286	\$373,252.00	Jan Ronis	415/550-2976
546	GEARY AND SECOND ST SEWER REPLACEMENT	CITY & COUNTY OF SAN FRANCISCO	CW-245/0108	\$261,011.00	Jeff Young	415/242-2272
547	6" & 8" DIM IN MORRIS, HARRIET AND OTHER STREETS	CITY & COUNTY OF SAN FRANCISCO	WD-2297	\$910,489.00	Jan Ronis	415/550-2976
548	USPS AIR MAIL CENTER EXPANSION	HENSEN PHELPS CONSTRUCTION CO				
549	DELTA STREET LOTS					
550	LAKE ST & ARGUELLO BLVD SEWER	CITY & COUNTY OF SAN FRANCISCO	CW-279/0143	\$356,153.00	Mary Lam	415/554-8351
551	CAPP/LIBERTY/HARTFORD 19TH ST SEWER	CITY & COUNTY OF SAN FRANCISCO	CW-250/0101	\$551,504.00	Mary Lam	415/554-8351
552	United Gse Bldg @ 642 Rd 9 SFIA	United Airlines	155087	\$519,820.00		
553	12' & 16" DIM IN WASHINGTON BTWN LAGUNA & JON	CITY & COUNTY OF SAN FRANCISCO	WD-2265	\$744,136.00	Jan Ronis	415/550-2976
554	UNION ST/KEARNY ST SEWER REPLACEMENT	CITY & COUNTY OF SAN FRANCISCO	W-208/1629	\$1,080,750.00	Norman Yim	415/554-8218
555	INSTALL APPROX 80 LIGHT POLE BASES @ 700	Cresci Electric	48	\$41,100.00	Carole Cresci	415/557-1950
556	INSTALL UTILITIES @ 699 SERRAMONTE BLVD	T.M. CONSTRUCTION INC	00-5040	\$104,575.00		415/649-7740
557	MORRIS/RITCH/STERLING/RINCON SEWER REPLACEMENT	CITY & COUNTY OF SAN FRANCISCO	CW-243	\$343,694.00	Norman Yim	415/554-8218
558	PERRY ST SEWER REPLACEMENT	CITY & COUNTY OF SAN FRANCISCO	CW-285	\$324,890.00	Norman Yim	415/554-8218
559	IRVING AND QUINTARA STREET CURB RAMPS	CITY & COUNTY OF SAN FRANCISCO	7228E	\$145,925.00	Wallace Wong	415/554-8226
560	WARD ST PAVEMENT & RENOVATION	CITY & COUNTY OF SAN FRANCISCO	0338J	\$324,575.00	Joe Timonere	415/554-8351
561	LOWER CRYSTAL SPRINGS DAM ENERGY DISSIPATER	CITY & COUNTY OF SAN FRANCISCO	WD-2363	\$289,315.00	Dinish	650/
563	GOLDEN GATE PARK S. PERIMETER & CROSSOVER	BAUMAN LANDSCAPE INC.	0318J	\$62,000.00		
564	GREENWICH ST SEWER REPLACEMENT	CITY & COUNTY OF SAN FRANCISCO	CW-273	\$592,696.00	Norman Yim	415/554-8218
565	5th St Sewer Replacement	CITY & COUNTY OF SAN FRANCISCO	CW-247	\$721,320.00	Jim Wang	415/642-6915
566	CLEMENT ST & GEARY BLVD PAVEMENT RENOVATION	CITY AND COUNTY OF SAN FRANCISCO	0226J	\$848,446.00	Tom Barr	415/454-7011
567	HYDE STREET PAVEMENT RENOVATION & SEWER REPL	CITY AND COUNTY OF SAN FRANCISCO	0228J	\$389,500.00	Tom Barr	415/454-7011
569	REDESIGN APRON DRAINAGE FOR TRITUATOR	DELTA AIRLINES				
570	BEALE ST EMERGENCY SEWER	CITY AND COUNTY OF SAN FRANCISCO	CW-319E	\$154,000.00	Steve Jackson	415/
573	CHESTNUT ST PAVEMENT RENOVATION & SEWER REPL	Subsurface Environmental Corp	0304J	\$160,554.00	Steve Negri	415/865-8106
574	SEISMIC UPGRADE OF BAY DIVISION PIPELINE PHASE 1	CITY AND COUNTY OF SAN FRANCISCO	WD-2393	\$2,639,723.00	Ronald Yee	415/218-6055
575	MARY/THIRD/FREMONT/FREELON ST SEWER	CITY AND COUNTY OF SAN FRANCISCO	CW-287	\$720,000.00	Norman Yim	415/554-8227
577	MISSION BAY FOR BASS	BASS ELECTRIC		\$25,000.00	Jeff Yee	415/291-1686
578	SEPTIC SYSTEMS REHABILITATION	CITY AND COUNTY OF SAN FRANCISCO	WP-15R	\$1,400,000.00	Tim Parkin	209/989-2139
579	JOOST AVE PAVEMENT RENOVATION & SEWER REPLAC	CITY AND COUNTY OF SAN FRANCISCO	0458J	\$634,618.00	Joe Timonere	415/554-8351
580	SFFD Twin Peaks Reservoir Installation of Motorized Va	CITY AND COUNTY OF SAN FRANCISCO	0443J (R)	\$348,000.00	Norman Yim	415/554-8227
581	SUNOL VALLEY WATER TREATMENT PLANT IMPROV PH	MONTEREY MECHANICAL	WD-2316R	\$146,913.00		510/642-3173
582	VARIOUS LOCATIONS OF MOTORIZED VALVE OPERATOR	CITY AND COUNTY OF SAN FRANCISCO	7090E (R)	\$661,000.00	Norman Yim	415/554-8227
583	SHOTWELL ST & TREAT AVE PAVEMENT RENOVATION	CITY AND COUNTY OF SAN FRANCISCO	0333J	\$1,900,000.00	Joe Timonere	415/554-8351
584	24TH/ WASHBURN STREET SEWER REPLACEMENT	CITY AND COUNTY OF SAN FRANCISCO	CW-294	\$230,000.00	Joe Timonere	415/554-8351

C6

IMB#	CONTRACT DESCRIPTION	OWNER/GENERAL	NO.	CONTRACT AMOUNT	CONTACT	PHONE	Year Cmplte
585	10TH AVE / ORTEGA STREET OAK PARK DRIVE SEWER	CITY AND COUNTY OF SAN FRANCISCO	CW-335	\$632,000.00	Joe Timonere	415/554-8351	2007
586	CHESTNUT/ OCTAVIA ST AND BROADWAY SEWER	CITY AND COUNTY OF SAN FRANCISCO	CW-277	\$317,667.00	Joe Timonere	415/554-8351	2007
587	ASHBURY /FREDERICK/ WOODLAND AVE/ WILLARD ST	CITY AND COUNTY OF SAN FRANCISCO	CW-312	\$1,426,000.00	Norman Yim	415/554-8277	2007
588	SANITARY SEWER REPAIR & REHABILITATION PROJECT	CITY OF SAN MATEO	CW-294	\$166,000.00	Vince Hansen	650/522-7305	2007
589	CURB RAMPS CONSTRUCTION VARIOUS LOCATIONS	CITY AND COUNTY OF SAN FRANCISCO	1480N				2007
590	2003 WATERMAIN REPLACEMENT	CITY OF REDWOOD CITY		\$1,400,000.00	Saber Sarway	650/780-7380	2007
591	VIEWRIDGE STORM DRAIN IMPROVEMENTS	CITY OF SAN MATEO	03.03-001	\$24,000.00	Vince Hansen	650/522-7305	2007
592	AIRFIELD PONDING PHASE I	CITY AND COUNTY OF SAN FRANCISCO	4237R	\$492,000.00	Stan Palat	650/821-7773	2007
593	2003-2004 STORM DRAIN IMPROVEMENTS PROJECT	CITY OF REDWOOD CITY		\$432,000.00	Joel Evora	650/780-7388	2007
594	VAL VERDE/DICK COOK PIPELINE	PLACER COUNTY WATER AGENCY	2002-12	\$3,400,000.00	Dale Boeinger	330/823-4856	2007
595	BURLINGHOM/EASTON MAIN REPLACEMENT PHASE 2	CITY OF BURLINGAME	80770	\$2,074,964.00	Jim Kelly	650/558-7206	2007
596	CASANOVA PUMP STATION REPLACEMENT	CITY OF SAN MATEO		\$1,644,152.00	Michelle Kenyon	650/522-7319	2007
599	FAIR OAKS SANITARY SEWER IMPROVEMENTS PROJECT	COUNTY OF SAN MATEO		\$1,315,872.00	Ziad Ammari	650/558-7206	2007
600	42" DUCTILE IRON TRANSMISSION MAIN IN BOWDOIN	CITY AND COUNTY OF SAN FRANCISCO	WD-2433	\$1,187,680.00	Kevin Bartheaux	415/584-2075	2007
601	SANCHEZ CREEK BOX CULVERT	CITY OF BURLINGAME		\$420,000.00	Doug Bell	650/558-7206	2007
602	CALIFORNIA DRIVE STORM DRAIN	CITY OF BURLINGAME		\$257,000.00	Doug Bell	650/558-7206	2007
603	ADELIN INTERCEPTOR RELOCATION	EAST BAY MUD	SD-267	\$3,714,564.00	Steve Savage	510-487-1162	2007
604	SBSA FACILITIES PROJECT DISINFECTION, STORAGE, & PAVEMENT	SOUTH BAYSIDE SYSTEM AUTHORITY		\$15,000,000.00	Bill Tanner	650/620-9775	2007
605	SFO SOUTH RUNWAY SAFETY AREA	PAVEX CONSTRUCTION CO	3509A	\$438,790.00	Terry Tuggey	650/615-0306	2007
606	GATES 92 & 94 at BOARDING AREA "G" APRON	SE PIPELINE		\$103,796.00	John Walling	650/222-4335	2007
607	1500 BLOCK OF DRAKE AVENUE WATER MAIN IMPROVEMENTS	MILLER DEVELOPMENT	81380	\$60,075.00	Denise McNeil	949/348-2852	2007
608	VARIOUS LOCATIONS PAVEMENT RENOVATION NO 9		0865J	\$930,000.00	Joe Timonere	415/554-8351	2007
609	TRENCHING IN GOLDEN GATE PARK	CITY AND COUNTY OF SAN FRANCISCO		\$15,000.00	Bill Gunn	415/	2007
610	SANITARY SEWER CONSTRUCTION AND MODIFICATION	CITY OF BELMONT	465	\$421,000.00	Bozhena Palatnik	650/595-7463	2007
611	SWIFT AVENUE PUMP STATION NO 3 UPGRADE AND SANITARY	CITY OF SOUTH SAN FRANCISCO	SS-04-01	\$2,600,000.00	Nourdin Kayata	650-355-0831	2007
612	FAIR OAKS SANITARY SEWER IMPROVEMENTS PROJECT	COUNTY OF SAN MATEO		\$2,283,813.00	Ziad Ammari	650/599-7650	2007
613	SFPUC SOUTHEAST PLANT 750 PHELPS ST SF	POWERLIGHT SOLAR ELECTRIC SYSTEMS		\$24,000.00	Jamie Seidel	510/540-6550	2007
614	NORTH POINT FACILITY WET WEATHER IMPROVEMENT	MONTEREY MECHANICAL	CW-269R	\$1,200,000.00	Ron Vanairsdale	415/283-2400	2007
615	SFMC UNITED AIRLINES	UNITED AIRLINES	163514	\$337,029.00	Bob Shoopan	650/333-5540	2007
616	2005 WATER MAIN REPLACEMENT PHASE IV	TOWN OF HILLSBOROUGH		\$2,316,117.00	Mike Martinelli	650/888-6197	2007
617	AIRFIELD PONDING PHASE II	CITY AND COUNTY OF SAN FRANCISCO AIRPOR	8351	\$518,034.00	Stan Palat	650/821-7773	2007
618	EASTON BURLINGHOME WATER PROJECT PHASE 3	CITY OF BURLINGAME		\$990,000.00	Jim Kelly	650/558-7206	2007
620	Key Motorized Valve Ph 2	City and County of San Francisco	WD-2467	\$8,534,385.00	Kevin Bartheaux	415-584-2070	2007
623	EL ARROYO WATER TANK REPLACEMENT	TOWN OF HILLSBOROUGH		\$2,536,815.00	Dave Baletrasse	650/375-7444	2007
626	SOUTH FIELD CHECKPOINT RELOCATION	CITY AND COUNTY OF SAN FRANCISCO AIRPOR	8638	\$708,304.00	Angel Camerino	650/821-7752	2007
627	OLD BOARDING AREA A ABATEMENT/DEMOLITION	S E PIPELINE	8433AR	\$170,500.00	Jim Doulames	567/868-9771	2007
629	DOWNTOWN WATER, SEWER & STORM DRAIN IMPROVEMENTS	CITY OF PITTSBURG	2004-10	\$7,332,374.00	Ron Nevels	915/252-4949	2008
628	ROSEMONT FORCE MAIN	SEWERAGE AGENCY OF SOUTHERN MARIN		\$1,700,000.00	Steve Danehy	415/388-7613	2007
630	LOCATE AND REPAIR FORCE MAIN ON BELLE AIR	CITY OF SOUTH SAN FRANCISCO		\$27,239.00	Bob Hahn	650/629-3350	2007
631	SHAW ROAD PUMP STATION	CITY OF SOUTH SAN FRANCISCO		\$30,580.00	Bob Hahn	650/888-4791	2007

C7

633	PONDING REPAIR 28L AND 28R	PAVE CONSTRUCTION CO				\$765,000.00	Terry Tuggey	650/615-0310	2006
634	CASTLE COURT WATER MAIN HILLSBOROUGH	TOWN OF HILLSBOROUGH				\$60,000.00	Mike Martinelli	650/888-6197	2007
635	ALAMEDA DE LAS PUGLAS REHABILITATION	CITY OF SAN MATEO				\$1,012,500.00	Michelle Kenyon	650/522-7310	2007
636	GRIZZLY GULCH	PL ANNUZZI				\$666,626.00	Rich Cross	650/533-7143	2007
638	TAXIWAYS H & M REALIGNMENT PHASE II	PAVE CONSTRUCTION CO	8491			\$380,278.00	Terry Tuggey	650/615-0306	2007
640	CONVENTION CENTER SOUTH SAN FRANCISCO	SOUTH SAN FRANCISCO				\$42,000.00	Jorge Cruz	650/703-1518	2007
645	TAXIWAY F RECONSTRUCTION	BASS ELECTRIC				\$36,000.00	Jeff Yee	415/295-1600	2007
646	WATER MAIN REPLACEMENT (WMR) 20 PROJECT C071	CITY OF PALO ALTO	C07120189			\$2,090,948.00	Bill Chan	650/566-4226	2008
647	Pavement Repair @ Cargo Checkpoint	United Airlines							2008
648	Vineyard Ave Corridor Water Boodter Pump Station	City Of Pleasanton	0 11023P.S.			\$1,874,733.00			2008
649	Pittsburg Emergency Interries	Contra Costa Water District	306027			\$322,000.00			2008
550	Pavement Replacement at United Express	United Airlines				\$40,000.00			2008
651	South Pleasant Hill	Contra Costa Water District	105601			\$1,380,855.00			2008
652	LINDENVILLE STORM DRAINAGE PUMP STATION PROJECT	CITY OF SOUTH SAN FRANCISCO	SS-05-2			\$4,337,301.00	Bob Hahn	650/829-3830	2008
553	12KV High Voltage Cable Replacement	Liberty Electric				\$103,460.00			2008
654	SANITARY SEWER REHABILITATION, HASKINS DRIVE PROJECT	CITY OF BELMONT	467			\$399,466.00	Bozhena Palatnik	650/595-7463	2008
555	Wet Weather Program Sewer Improvements, Phase 1	City of South San Francisco	71-13235-0560			\$3,683,233.00	Dennis Chuck	650-829-6663	2008
556	Install Blue Light Telephone	Electronic Innovations, Inc.				\$36,292.00	Eric Bledsoe	510-965-5292	2008
557	Meadows Pump Station Improvement	Vallejo Sanitation & Flood Control District	62918			\$1,841,034.00	Charles Canepa	707-644-8769	2008
558	South San Francisco Conference Center	Conference Ctr Pre-Fab Bldg Foundation				\$269,625.00	Jorge Cruz		2008
559	130-148 Beacon Street - Trench Failure Repair	City of South San Francisco	71-13235-0351			\$446,063.00	Robert Hahn	650-	2008
560	Palo Alto Pump Station Upgrade	CITY & COUNTY OF SAN FRANCISCO PUC	WD-2500			\$3,467,248.00	Ryan Cayabyab	415-760-0931	2009
561	South Airport Blvd Sanitary Sewer Point Repair	City of South San Francisco				\$17,200.00	Bob Hahn	650/829-3830	2008
562	Taxiway 'L' Reconstruction	Bass Electric	3570B			\$6,025.00	Jeff Yee	415/295-1600	2008
563	Underground Utilities Improvements-Storm Drainage Project	City and County of San Francisco Airports Com	8256BR2			\$1,071,663.00	JC Panganiban	650/821-7805	2009
564	Miller Ave/Almonte Blvd Sink Hole Repair	Sewerage Agency of Southern Marin				\$18,113.00	Bill Johnstone		2008
565	Black Diamond Improvements (Pittsburg)	Johnstone Moyer, Inc.	2007-45			\$3,232,846.00			2008
566	Sanitary Sewer Pump Station 5A - Replacement	NCCI Inc,	8516R			\$17,291.00			2008
567	Phase 3 El Granada Transmission Pipeline Replacement	Coastside Water District				\$4,857,706.00	Camden O'Toole	650/726-4405	2008
568	Deer Creek Pump Station Improvements	Purissima Hills Water District				\$465,494.00	Brandon Laurie	925/774-7117	2009
569	Oyster Point Marina /Park Boat Launch Ramp Reconstruction	San Mateo County Harbor District				\$465,494.00	Robert Johnson	650-829-3830	2009
570	Alemany Pump Station	Monterey Mechanical	WD-2501			\$945,659.00	Daryl Farnstrom	510-632-3173	2009
571	Lot D Improvements at SFIA	BASS ELECTRIC	8737			\$120,142.00	Jeff Yee	415/295-1600	2008
572	Mid-Plant Pump Station Hyd Improvements	East Bay Mud	SD-308			\$1,153,764.00	Steve Kallal	510/787-1638	2008
573	Colma Creek Wall Bracing Project	County of San Mateo				\$166,500.00	Mark Chow	650-599-1789	2008
574	901 Jefferson - Sewer Lateral	Johnstone Moyer				\$34,600.00	Bill Johnstone	650/570-6161	2008
575	Mission Bay Plan BLK 26-28 Ph2	Catellus Urban Construction				\$757,200.00			2008
576	Sheet Piles on N. Canal Street to Protect 27" Sewer Line	City of South San Francisco				\$17,563.00	Bob Hahn	650-829-3830	2008
577	Hastings Pump Station	City of Belmont	486			\$496,812.00	Bozhena Palatnik	650/595-7463	2008

28

679	Emergency Sewer Force Main Repair at Gate 75	Hensel Phelps				\$15,363.00	Jason	209,551,090	2008
680	Big Basin Redwoods State Park - Water System Improvement	California Dept of Parks and Recreation				\$2,484,552.00	Trevor Platz	916,802,686	2008
681	Black Diamond Filtration Boxes	Johnstone Moyer, Inc.				\$132,631.00	Bill Johnstone	650,570,616	2008
682	Stage 2 - Project 3 - Enhanced Primary Treatment Facility	South Bayside System Authority				\$145,174.00	Gary Storms	650,591,712	2008
683	Sanitary Sewer Rehabilitation, Belmont	Pacific Liners				\$48,427.00	Jackie Smiley	77,446,822	2008
684	Black Diamond Handicap Ramp at 5th & Railroad Ave.	Johnstone Moyer, Inc.				\$38,600.00	Bill Johnstone	650,570,616	2008
685	South and North Gym Demolition	Silverado Contractors				\$49,302.00	Rick Gusman	510,658,990	2008
686	Emergency Work	SE PIPELINES				\$277,867.00	Jim Doulames	562,868,977	2008
687	T & M Miscellaneous Site Improvements	City of South San Francisco WQCP				\$6,100.00	Bob Hahn	650,829,380	2009
688	Alamo Canal Trunk Sewer Replacement	Dublin San Ramon Services District				\$608,558.00	Chris Davenport	927,461,324	2009
690	Bel Marin Keys Pump Station Improvements	Novato Sanitary District				\$1,964,763.00	Ali Shultz	925,766,390	2009
691	4" Water Service Repairs	City College of San Francisco				\$23,303.00	David Chan	445,201,328	2008
692	East of 101 Sewer Improvements Project	South San Francisco				\$3,701,638.00	Ray Razavi	650,829,666	2009
693	Loch Lomond Pump Station Improvement	Nute Engineering				\$1,771,485.00	Mark Wilson	415,453,480	2009
694	Building Demo El Camino Real	South San Francisco			n/a	\$15,500.00	Robert Hahn	650,888,493	2009
695	Recycled Water Contact Chamber Retrofit	City of Palo Alto				\$946,428.00	Padmaker Chaobal	650,329,287	2009
696	Bellflower & Farwell ARP Well Site Upgrade	Alameda County Water District				\$844,504.00	Shane O'Neaky	510,668,489	2009
697	Trench Drain Installation at WQCP	City of Palo Alto				\$27,000.00	Padmaker Chaobal	650,329,287	2009
698	Rollingwood Sewer Basin Improvements, Ph 3	City of San Bruno				\$1,242,989.00	Wing Wong	650,616,705	2009
699	Mission Bay Sanitary Sewer Pump Station	Catellus Urban Construction				\$3,093,276.00	Philip Owen	415,355,686	2010
700	Drying Bed Safety Imps & RC Odor Scrubber Replacement	South Bayside System Authority				\$15,964.00	Gary Storms	650,591,712	2008
701	Chemical Feed Systems for the MLSS Channel	East Bay Mud				\$809,053.00	Steve Kallal	510,287,163	2010
702	San Francisco Creek Pump Station Upgrade	Stanford University				\$993,146.00	Joseph Kearney	610,444,560	2010
703	Los Trancos Creek & Diversion Facility Modifications	Stanford University				\$1,257,351.00	Karla Traynor Smith	610,444,560	2010
704	Digester No. 2 Mixing Pump Replacement Project	Union City Sanitary District				\$650,947.00	Chris Pachmayer	510,477,468	2010
705	Baden & San Pedro Valve Lot Improvements	San Francisco PUC				\$11,600,000.00	Ryan Cayabyab	415,760,994	2011
706	NASA Ames Research Center, Moffett Field	Agbayan Construction Corporation				\$38,449.00	Daniel Myrick	415,221,206	2009
707	Pump Station 17 & 18	US Electric Technologies				\$441,414.00	James Magsombol	415,553,407	2010
708	Excavate and Backfill for 10" & 14" Fuel Line at Santa Clara	SE Pipelines				\$728,262.00	Jim Doulames	562,868,977	2010
709	Excavate and Backfill Fuel Line at Westfield Checkpoint	SE Pipelines				\$10,992.00	Jim Doulames	562,868,977	2009
710	Storm Drain System Improvement - East Field Pipelines	City & County of San Francisco - Airports Com				\$1,018,300.00	Ryan Louie	610,821,787	2010
711	DDSD/Antioch Recycled Water Project	DDSD/Antioch Recycled Water Project				\$9,333,679.00	Thanh Vo	615,756,949	2011
712	Rinconada Water Treatment Plant Chemical Systems Upgrade	Santa Clara Valley Water District				\$2,078,109.00	Nigel Bullock	408,204,453	2011
713	SFIA Boarding Area G	Burns & McDonnell				\$183,776.00	Mitch Monroe	610,255,433	2010
714	Rinconada Water Treatment Plant Clarifier Rehabilitation	Santa Clara Valley Water District				\$3,802,295.00	Nigel Bullock	408,204,453	2011
715	SFO Fuel Vault FV-13 Repairs	Burns & McDonnell				\$211,394.00	Mitch Monroe	610,255,433	2010
716	Site Drainage Repairs at Newark Compound	Pape Machinery				\$26,444.00	Cris Lemley	510,790,360	2010
717	EBMUB Turbochargers	East Bay MUD				\$1,293,652.00	John Kyser	510,287,163	2013
718	Guard House & Access Control Improvements, Port of San Francisco	Electronic Innovations, Inc.				\$180,194.00	Eric Bledsoe	510,233,279	2010
719	540 Stockton Street PG&E Trench	Canning Electric				\$26,500.00	Seamus Canning	415,753,933	2010
720	Water Sys Imp Program, Bay Div Pipeline Reliability Upgrade	Ranger Pipelines, Inc.				\$12,000.00	Peter Cuddihy	415,822,370	2010
722	San Juan Pump Station Replacement Project	City of Belmont				\$80,602.00	Bozhena Palatnik	650,595,768	2010

69

723	Arcy Lane Influent Junction Structures	Delta Diablo Sanitation District	10127	\$328,000.00	Patrica Chapman	925-756-1939	2010
724	Pinole Creek Demonstration Project	Interstate Grading & Paving, Inc.		\$465,326.00	Mike Paraini	650-922-7331	2010
725	San Bruno Grade Separation	Granite Construction Company	N/A	\$4,025,000.00	Jason Picard	707-467-4135	Underway
726	Pine Lane Sewage Lift Station	City of Lost Altos		\$519,880.00	Aida Fairman	650-947-2706	2010
727	Larkspur Ferry Terminal Utility Rehabilitation	Golden Gate Bridge, Highway & Transport	2011-FT-3	\$890,407.00	Rodolfo Galang	415-716-8726	2010
728	PG&E Shoring on Skyline Blvd	Jim-N-I Rentals	NA	\$31,000.00	Matt Randell	707-569-1606	2010
729	Antioch Force Main Rehabilitation Project	Delta Diablo Sanitation District	10145	\$61,100.00	Patrica Chapman	925-756-1939	2010
730	Ranger Pipelines, Inc. ABI Rental	Ranger Pipelines, Inc.	NA	\$20,000.00	Peter Cuddihy	415-822-3700	2010
731	Giorgi Bros	Giorgi Bros Lateral Repair	NA	\$10,600.00	Robert Giorgi	650-588-4621	2010
732	Delta Diablo Sanitation District	Carried under Job 723 (Shore Damaged 42" RC	10145	\$220,005.00	Thanh Vo	925-756-1949	2011
733	Replace Sewer Lateral at 114 So. Maple Ave	Richard Haskins	NA	\$6,300.00	Richard Haskins	650-761-1550	2010
734	Pacifica Recycled Water Project - Pipeline	North Coast County Water District	1116-301	\$3,423,000.00	Deb Hart	415-994-7890	2011
735	Pacifica Recycled Water Project - Pump Station &	North Coast County Water District	1116-300	\$2,313,026.00	Deb Hart	415-994-7890	2013
737	SMUJSD Aragon High School	Sun Power Corporation	NA	\$54,311.00	Pat Dalton	925-818-8072	2012
738	PG&E Shoring First Street San Francisco	PG&E	NA	\$28,600.00	Dave Vendrucci		2012
739	SMUJSD San Mateo High School	SunPower Corporation	NA	\$12,250.00	Pat Dalton	925-818-8072	2012
740	JMB MISC JOBS 2011	MISC	NA	\$288,864.00	Misc		2012
741	East of 101 Sewer Improvements - Pump Station 8	City of South San Francisco	N/A	\$1,173,405.00	Bob Hahn	650-829-3830	2012
742	Cesar Chavez Street Sewer Improvements	SFOUC	N/A	\$18,887,519.00	Alfredo Tio	415-794-7705	2013
743	Electrical Trenching, Las Positas College, Livermore	Electronic Innovations, Inc.	NA	\$93,101.00	Eric Bledsoe	510-233-2795	2012
744	Seminary Storm Water Pump Station Flood Zone 3	Marin County Flood Control & Water Cons	Z3-44	\$397,067.00	Neal Conatser	415-686-7769	2012
745	VA Hospital, 3801 Miranda Avenue, Palo Alto	MJ Gilbert Construction Company	3191-001	\$105,071.00	Out of Business	NA	2012
746	North San Mateo County Sanitation District Recycled W	City of Daly City	NA	\$276,452.00	Jeff Bastian	650-746-8318	2012
747	Buchanan Field Airport Security Upgrades	Electronic Innovations, Inc.	NA	\$159,957.00	Eric Bledsoe	510-233-2795	2012
748	Trenching and Concrete Work Taxiway C F 14S	Bass Electric	8613	\$110,305.00	Jeff Yee	415-295-1606	2012
751	N-Line along Carl Street Track Improvements Proj	F Connolly	1248	\$116,555.00	Out of Business	NA	2013
752	Installation of Large Trash Capture Devices at Pierce Ave	City of San Jose	6953	\$320,088.00	Mirabel Aguilar	408-535-6822	2012
753	Installation of Large Trash Capture Devices at S Sunset Ave	City of San Jose	6956	\$328,427.00	Mirabel Aguilar	408-535-6822	2012
754	WPCF Grease Receiving and Processing Facility	City of Hayward	613-7511	\$545,435.00	Don Clark	510-298-6998	2012
755	Merritt Electrical Trenching	Sierra Central Electric	NA	\$23,517.00	Steve Lagomarsino	209/610-9964	2012
756	Primary Influent Pipeline Repair	Delta Diablo Sanitation District	10148	\$962,112.00	Tim Roa	925-382-6739	2012
757	Half Moon Bay Leak Repair	Coastside County Water District	NA	\$24,400.00	Camden O'Toole	650/726-4400	2012
758	PGS GAS Piping Repairs	East Bay MUD	NA	\$57,323.00	John Kyser	510/287-1676	2013
761	Loral Space Systems	Rosendin Electric	NA	\$1,855,278.00	Robert Leung	408-793-5038	Underway
762	Marina Development Sanitary Sewer Improvement	Rodeo Sanitary District	NA	\$1,336,551.00	Steven S Beall	510-799-2970	2013
763	Electrical Trenching at Alameda College	Sierra Central Electric	NA	\$11,769.00	Steve Lagomarsino	209/610-9964	2013
764	SFIA ATCT Utility Relocation	Hensel Phelps	NA	\$1,550,000.00	Jason Conrad	650-821-9386	2014
765	RSA Southfield Substation	Bass Electric	NA	\$424,010.00	Daniel Lee	650-821-7761	2014

510

766	Millbrae Electrical Trench	Sierra Central Electric	NA	\$3,389.00	Steve Lagomarsino	207/610-9906	2013
767	Exhaus Heat Recovery Silencers	EBMUD	NA	\$405,758.00	John Kyser	510-287-1626	2013
768	WWTP Clarifier #3	City of San Mateo	NA	\$585,000.00	Pat Rosenthal	510-522-7386	Underway
769	TG-03 Butress/Shoring/Excavation	Balfour Beatty Infrastructure	NA	\$75,000	Jeff Malloy	415-318-0163	2012
770	Carl Stree MH Coating	Shimmick Construction	NA	\$25,000	Brian Seamount	650-243-5665	2013
771	Bernal Substain	Balfour Beatty Infrastructure	NA	\$108,348	Lorimer Ancheta	408-975-7298	2013
772	General Engr. Contract 2012-2014	City of San Jose	NA	\$999,999	Kim Hackett	510-501-7121	2014
773	DMF Valve Replacement	South Bayside System Authority	NA	\$1,091,607	Brian Seamount	650-243-5665	2013
774	Guadalupe Corridor TPSS	Balfour Beatty Infrastructure	NA	\$270,000	Clete McConville	510-657-3686	2014
775	Peralta-Tyson Wellfield Generator and Blending Facility	Blocka Construction	NA	\$267,346.00	Clete McConville	510-657-3686	Underway
776	Standby Generator SSF WWTP	Blocka Construction	NA	\$315,800.00	Sven Mayor	418-279-2277	Underway
777	Burlingame Ave. Streetscape Utilities	Robert A. Bothman	NA	\$3,749,048.00	Shane O'Nesky	510-668-4489	2014
778	Kaiser-Shinn Project	CH2M Hill	NA	\$2,088,173.00	Craig Carone	650-952-7333	2014
779	Menlo Park Development Sheetpiling	Interstate Grading & Paving	NA	\$29,500.00	Shane O'Nesky	510-668-4489	2014
780	Shinn Gravity (Private)	CH2M Hill	NA	\$3,481,827.00	Eilbret Mirzapour	408-793-5505	2014
781	Misc. Sewer Repairs Packg #2	City of San Jose	NA	\$536,652.00	Lorimer Ancheta	408-975-7298	2013
782	Misc. Sewer Repairs Packg #3	City of San Jose	NA	\$814,442.00	Eilbret Mirzapour	408-793-5505	2014
783	South White Rd. Sewer Repairs	City of San Jose	NA	\$600,273.00	Brian Seamount	650-243-5665	2013
784	Caltrain Signal Rehab Project	Balfour Beatty Infrastructure	B-PCJPB-C-00	\$110,458.00	Harry Burrows	650-616-7056	Underway
785	Crestmoore Neighborhood Util. Ph-III	City of San Bruno	NA	\$6,473,399.00	Jonathan Tham	510-287-1269	Underway
786	Berkely View Regulator	EBMUD	NA	\$1,642,000.00	Jonathan Tham	510-287-1269	Underway
787	Influent Screens Replacement	EBMUD	NA	\$1,400,000.00	Rene Apelo	408-945-5481	Underway
788	Influent Magmeter & Valve Replace	City of San Jose	NA	\$270,300.00	Lorimer Ancheta	408-975-7298	2013
789	General Engr. Contract 2013-2015	City of San Jose	NA	\$1,000,000	Jonathan Tham	510-287-1269	2014
790	Summit South Reservoir Rehab	EBMUD	NA	\$651,500.00	Gordan Bolton	510-670-3450	2013
791	Pump Station Line B Davis St.	Public Works Agency Alameda Co.	NA	\$5,390,685.00	Craig Young	650-965-1926	2013
792	Montague Expressway Widening Project	O'Grady Paving	NA	\$223,906.00	Jonathan Tham	510-287-1269	Underway
793	Lafayette WTP Clearwell & Pipe	EBMUD	NA	\$1,610,000.00	Will Anderson	550-616-7032	Underway
794	Water Pump Station No 4	City of San Bruno	NA	\$2,499,000.00	Lorimer Ancheta	408-975-7298	Underway
795	Pressure Pipe Systems 2013 - 2015	City of San Jose	NA	\$1,000,000.00	Steven S Beall	510-799-2970	2014
796	Rodeo Creek Bridge Force Main	Rodeo Sanitary District	NA	\$354,000.00	Jonathan Tham	510-287-1269	Underway
797	El Portal Reservoir & Almond PS	EBMUD	NA	\$10,768,100.00	Lorimer Ancheta	408-975-7298	Underway
798	General Engr. Contract 2013-2015	City of San Jose	NA	\$1,000,000.00	Jonathan Tham	510-287-1269	Underway
799	Fontaine, El Portal Pipeline Imprvmnts	EBMUD	NA	\$1,531,400.00	Jonathan Tham	510-287-1269	Underway
300	SFIA Terminal 3 East Imprvmnts	Hensel Phelps	NA	\$2,800,000.00	Jason Conrad	650-821-9286	Underway
301	Antioch Force Main Repair	Delta Diablo Sanitation District	NA	\$75,000.00	Patricia Chapman	925-756-1948	2014
302	Pine Ave Sewer Replacement	City of San Jose	NA	\$1,649,884.00	Mathew Tan	408-535-8300	Underway

51

803	Minnesota Ave Sanitary Sewer	City of San Jose	NA	\$1,064,000.00	Amanda Lei	708-535-8478	Underway
804	Coleman Rd. Sanitary Sewer	City of San Jose	NA	\$5,647,000.00	Mellownie Salvador	708-793-4458	Underway
805	Vactor Receiving Station	Dublin San Ramon Services District	NA	\$310,000.00	Rudy Portugal	925-875-2251	Underway
806	Storm System Trash Capture Devices	City of Sunnyvale	NA	\$1,376,100.00	Nathan Scribner	408-730-2783	Underway
807	Bay Point Sewer Repairs	Delta Diablo Sanitation District	NA	\$861,867.00	Patrica Chapman	925-756-1935	Underway

** A/P HISTORY REPORT **
January 2005 to Date

VENDOR: 0177 - TAP MASTER INC
CONTACT: Suzanne
PHONE: (925) 439-7975

TRAN #	DATE	DOCUMENT	JOB #	CHARGES	PAYMENTS	BALANCE
AAAAAAA	AAAAAAA	AAAAAAAAAAAAAAAAAAAA	AAAAA	AAAAAAAAAAAA	AAAAAAAAAAAA	AAAAAAAAAAAA
		12/04 ENDING BALANCE:				4,164.58
724-0014	01/06/05	Inv# 0105-18	595	595	325.00	
614-0065	01/12/05	Chk# 20886				4,164.58
		01/05 TOTALS:		AAAAAAA	AAAAAAA	AAAAAAA
				325.00	4,164.58	325.00
091-0006	03/09/05	Inv# 0305-44	595	595	425.00	
137-0008	03/12/05	Inv# 0305-80	596	596	10,437.50	
		03/05 TOTALS:		AAAAAAA	AAAAAAA	AAAAAAA
				10,862.50	0.00	11,187.50
371-0011	05/20/05	Chk# 18631			325.00	
		05/05 TOTALS:		AAAAAAA	AAAAAAA	AAAAAAA
				0.00	325.00	10,862.50
570-0011	06/06/05	Inv# 0605-27	607	607	375.00	
583-0034	06/28/05	Chk# 18852			425.00	
		06/05 TOTALS:		AAAAAAA	AAAAAAA	AAAAAAA
				375.00	425.00	10,812.50
739-0001	07/25/05	Chk# 25109			10,437.50	
		07/05 TOTALS:		AAAAAAA	AAAAAAA	AAAAAAA
				0.00	10,437.50	375.00
108-0065	08/25/05	Chk# 25485			375.00	
		08/05 TOTALS:		AAAAAAA	AAAAAAA	AAAAAAA
				0.00	375.00	0.00
378-0007	09/02/05	Inv# 0905-8	612	612	9,974.00	
		09/05 TOTALS:		AAAAAAA	AAAAAAA	AAAAAAA
				9,974.00	0.00	9,974.00
507-0007	10/13/05	Chk# 26070			9,974.00	
		10/05 TOTALS:		AAAAAAA	AAAAAAA	AAAAAAA
				0.00	9,974.00	0.00
604-0024	03/07/06	Inv# 0306-19	999	999	2,775.00	
		03/06 TOTALS:		AAAAAAA	AAAAAAA	AAAAAAA
				2,775.00	0.00	2,775.00
592-0046	07/10/06	Inv# 0706-30-01	623	623	750.00	
592-0047	07/10/06	Inv# 0706-30-02	623	623	400.00	
		07/06 TOTALS:		AAAAAAA	AAAAAAA	AAAAAAA
				1,150.00	0.00	3,925.00

(Continued)

C13

|||||
 VENDOR: 0177 - TAP MASTER INC (Continued)

TRAN #	DATE	DOCUMENT	JOB #	CHARGES	PAYMENTS	BALANCE
563-0006	08/10/06	Chk# 29320			2,775.00	
749-0010	08/21/06	Inv# 0806-103	603	1,750.00		
749-0009	08/23/06	Inv# 0806-114	603	290.60		
672-0010	08/24/06	Chk# 29532			1,150.00	
08/06 TOTALS:				2,040.60	3,925.00	2,040.60
884-0005	09/21/06	Chk# 29931			2,040.60	
09/06 TOTALS:				0.00	2,040.60	0.00
686-0010	12/08/06	Inv# 1206-48	632	1,198.00		
12/06 TOTALS:				1,198.00	0.00	1,198.00
802-0010	01/18/07	Chk# 31575			1,198.00	
01/07 TOTALS:				0.00	1,198.00	0.00
665-0003	03/29/07	Inv# 0307-134	639	7,329.79		
03/07 TOTALS:				7,329.79	0.00	7,329.79
665-0002	04/09/07	Inv# 0407-42	639	38.56		
04/07 TOTALS:				38.56	0.00	7,368.35
010-0035	05/18/07	Inv# 0507-82	642	13,886.00		
010-0034	05/21/07	Inv# 0507-94	642	1,296.00		
977-0033	05/31/07	Chk# 33779			7,368.35	
05/07 TOTALS:				15,182.00	7,368.35	15,182.00
169-0015	06/01/07	Inv# 0507-138	05/30/ 642	1,298.00		
095-0027	06/05/07	Inv# 0607-15	642	1,296.00		
269-0009	06/22/07	Inv# 0607-119	646	675.00		
161-0015	06/28/07	Chk# 34241			13,886.00	
06/07 TOTALS:				3,269.00	13,886.00	4,565.00
205-0012	07/05/07	Chk# 34416			2,594.00	
325-0008	07/19/07	Chk# 34637			1,296.00	
431-0022	07/26/07	Chk# 34782			675.00	
07/07 TOTALS:				0.00	4,565.00	0.00
102-0013	10/03/07	Inv# 1007-17	646	3,330.00		
10/07 TOTALS:				3,330.00	0.00	3,330.00

(Continued)

C14

VENDOR: 0177 - TAP MASTER INC (Continued)

TRAN #	DATE	DOCUMENT	JOB #	CHARGES	PAYMENTS	BALANCE
230-0090	11/01/07	Chk# 36575			3,330.00	
	11/07	TOTALS:		0.00	3,330.00	0.00
736-0016	12/04/07	Inv# 1207-32	641	4,971.00		
769-0016	12/04/07	Inv# 1207-29	646	420.00		
	12/07	TOTALS:		5,391.00	0.00	5,391.00
760-0001	01/03/08	Chk# 37753			4,971.00	
816-0011	01/10/08	Chk# 37889			420.00	
	01/08	TOTALS:		0.00	5,391.00	0.00
435-0031	06/24/08	Inv# 0608-119	682	1,989.00		
	06/08	TOTALS:		1,989.00	0.00	1,989.00
604-0014	07/24/08	Chk# 41269			1,989.00	
	07/08	TOTALS:		0.00	1,989.00	0.00
813-0025	08/04/08	Inv# 0808-13	691	6,285.00		
881-0011	08/28/08	Chk# 41848			6,285.00	
	08/08	TOTALS:		6,285.00	6,285.00	0.00
683-0003	05/11/11	Inv# 0411-302	712	2,398.00		
	05/11	TOTALS:		2,398.00	0.00	2,398.00
121-0055	08/01/11	Chk# 56756			2,398.00	
	08/11	TOTALS:		0.00	2,398.00	0.00
862-0061	08/27/12	Inv# 0812-126 PP#1	767	5,199.00		
	08/12	TOTALS:		5,199.00	0.00	5,199.00
199-0075	10/25/12	Chk# 70780			5,199.00	
	10/12	TOTALS:		0.00	5,199.00	0.00
790-0011	02/03/14	Inv# 0214-4	786	2,488.00		
	02/14	TOTALS:		2,488.00	0.00	2,488.00

(Continued)

CIS

VENDOR: 0177 - TAP MASTER INC (Continued)

TRAN #	DATE	DOCUMENT	JOB #	CHARGES	PAYMENTS	BALANCE
022-0010	03/03/14	Inv# 0314-14	786	10,200.00		
074-0031	03/14/14	Inv# 0314-54	786	5,470.00		
223-0044	03/31/14	Inv# 0314-123	786	13,875.00		
	03/14	TOTALS:		29,545.00	0.00	32,033.00
188-0085	04/14/14	Chk# 74803			2,488.00	
	04/14	TOTALS:		0.00	2,488.00	29,545.00
456-0074	05/20/14	Chk# 75075			10,200.00	
	05/14	TOTALS:		0.00	10,200.00	19,345.00
541-0053	06/05/14	Chk# 75178			5,470.00	
617-0080	06/11/14	Chk# 75272			13,875.00	
711-0049	06/17/14	Inv# 0614-59	777	350.00		
	06/14	TOTALS:		350.00	19,345.00	350.00
050-0084	08/14/14	Chk# 75830			350.00	
		CURRENT TOTALS:		0.00	350.00	0.00
		VENDOR 0177 TOTALS:		111,494.45	115,659.03	0.00

C16

JMB CONSTRUCTION INC.
General
Engineering Contractor
CCL 715324

May 19, 2010

Director of Construction
Contra Costa Water District
Director of Construction
2411 Bisso Lane
Concord, CA 94520

Re: Canal Safety And Drainage Improvements
Project o. 109067

Director of Construction:

This letter is hereby submitted as our firm's Bid Protest for the above referenced project. Specifically, we are protesting the current apparent low bid submitted by Con-Quest Contractors Inc.

Con-Quest Contractors, Inc. (Con-Quest) was required to list all subcontractors whom will perform work in an amount in excess of $\frac{1}{2}$ of 1 percent of the total bid as defined in specification section 00100 Instructions to Bidders, part 17 Subcontractors, and in accordance with California Public Contracting Code Section 4100.

The contract documents clearly indicate the performance of electrical work to lower existing conduits and relocate transducers at the existing check structures. This work involves disconnecting existing systems, removal and resetting/replacement of existing conduits and conductors, and re-connection and re-energizing of the existing systems. This work clearly falls within the craft jurisdiction for electrical work.

Con-Quest did not list a subcontractor for the electrical portions of this contract. As Con-Quest does not hold a C-10 Electrical License this work cannot be self performed (ref. attached CSLB document). The cost of this work is in the range of \$44,000 to \$57,000 as indicated in the attached quotations from Bleyco Incorporated and Canning Electrical), which is 5.8% to 7.6% of Co-Quest's bid amount. The maximum amount of work that could be performed without exceeding the $\frac{1}{2}$ % listing threshold would be \$3,780.

132 South Maple Avenue • South San Francisco, California 94080
(650) 267-5300 • Fax (650) 267-5301
www.jmbconstruction.com

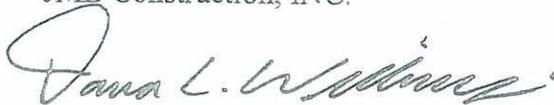
C17

JMB Construction, Inc.
Canal Safety and Drainage Improvements
Page Two

It should be noted that an employee working for Con-Quest who holds a C-10 license will not satisfy the listing requirement for the California Public Contracting Code Section 4100. The employee's license is not transferrable to the employer. The employee can, however, work as a subcontractor provided they perform less than 1/2 of 1 percent of the work. If contractors were allowed to simply hire an employee with a qualifying license after a bid, it would make the listing of subcontractors nearly meaningless by circumventing the public contracting code.

We respectfully request that the bid submitted by Con-Quest be determined non-responsive, and that the bid submitted by JMB Construction, INC. be determined the lowest responsible bid. Please do not hesitate to contact me at (650) 267-5300, should you have any questions regarding this matter.

Sincerely,
JMB Construction, INC.



Dana Wilkins
Senior Estimator

ATTACHMENTS

cc: Margaret Burke, President

File: dw/msword/canalsafetyprotest

C18

BOLD, POLISNER, MADDOW, NELSON & JUDSON

A PROFESSIONAL CORPORATION

500 YGNACIO VALLEY ROAD, SUITE 325

WALNUT CREEK, CALIFORNIA 94596-3840

TELEPHONE (925) 933-7777

TELEFAX (925) 933-7804

E-MAIL office@bpmnj.com

FREDERICK BOLD, JR.
(1913-2003)

JEFFREY D. POLISNER
(RETIRED)

ROBERT B. MADDOW
CARL P.A. NELSON
CRAIG L. JUDSON

SHARON M. NAGLE
DOUGLAS E. COTY

May 28, 2010

Sara K. Hayden
Watt, Tieder, Hoffar & Fitzgerald
333 Bush Street, Suite 1500
San Francisco, California 94104

COPY SENT BY E-MAIL

Re: *Canal Safety and Drainage Improvements* (Project 109067): "Bid Protest" on behalf of JMB Construction, Inc.

Dear Ms. Hayden:

The Contra Costa Water District ("CCWD") requested that I respond to your May 27, 2010 letter that asserts that the District must "find that Con-Quest Contractors, Inc.'s ... bid was non-responsive because Con-Quest does not ha[ve] the requisite license to self-perform the electrical scope of work." Neither of the two elements of this assertion are well taken.

Competitive Bidding

Citing *Menefee v. County of Fresno* (1985) 163 Cal.App.3d 1175, and *Stimson v. Hanley* (1907) 151 Cal. 379, two competitive bidding cases, you assert that the apparent low bid submitted by Con-Quest Contractors, Inc. was non-responsive and must therefore be rejected because "a bid that differs materially from the bid requirements must be rejected." Unlike the public agencies whose contracting practices were at issue in *Menefee* and *Stimson* – a county and city, respectively – CCWD is a county water district. The First Appellate District has squarely held that CCWD is not required to award its public works contracts under competitive bidding principles. (*Associated Building Contractors v. Contra Costa Water District* (1995) 37 Cal. App. 4th 466, 471.) This necessarily means that the principles underlying *Menefee* and *Stimson* have no application to the contemplated contract award by CCWD.

Contractor's License

Your letter further asserts that the bid submitted by Con-Quest Contractors, Inc. "did not include a legally valid means of completing the electrical scope of work" and "the bid documents actually show that there is specialty electrical work to be performed, which requires a C-10 Electrical License." As will be explained below, although the electrical work clearly *could be* performed by a contractor holding a C-10 classification license, it could also be performed by a general engineering contractor (holding an "A" license). Thus, there was no need for Con-Quest to have listed an electrical subcontractor in its bid.

In support of your assertion that Con-Quest Contractors, Inc. was required to have a C-10 specialty license, your letter relies on a "declaration" from an electrical subcontractor stating that "the electrical scope of work identified on Plan Sheets 4, 5, 6, 7, 8, and 10 is specialty electrical work that requires a electrical license." This assertion is contrary to the law as it has developed during the past fifty-plus years.

C19

May 28, 2010

Sara K. Hayden

Re: *Canal Safety and Drainage Improvements* (Project 109067): JMB Constr. "Bid Protest"

Page 2

In 1952, a general engineering contractor challenged a rule promulgated by the Contractors' State License Board that a contractor holding a general engineering contractor's license was required, "prior to bidding on, contracting for or performing any class of work referred to in the rule [creating 31 classes of specialty contractors' licenses] must apply for and obtain the specialty licenses required thereby." (*Chas. L. Harney, Inc. v. Contractors' Bd.* (1952) 39 Cal. 2d 561, 563.) Although the court ultimately reversed on the ground that plaintiff had alleged facts sufficient to obtain a declaratory judgment,¹ it correctly noted, "There is no statute which requires licensed general engineering contractors to obtain additional specialty licenses as a condition to performing the types of jobs which are listed in rule 732, and it is not claimed that the rule requires such additional licenses where the general engineering contractors undertake specialty work as part of a larger project which they are entitled to perform." (*Chas. L. Harney, Inc. v. Contractors' Bd.* (1952) 39 Cal. 2d 561, 563.)

Section 7056, last amended in 1951, governs the scope of general engineering contractors:

A general engineering contractor is a contractor whose principal contracting business is in connection with fixed works requiring specialized engineering knowledge and skill, including the following divisions or subjects: irrigation, drainage, water power, water supply, flood control, inland waterways, harbors, docks and wharves, shipyards and ports, dams and hydroelectric projects, levees, river control and reclamation works, railroads, highways, streets and roads, tunnels, airports and airways, sewers and sewage disposal plants and systems, waste reduction plants, bridges, overpasses, underpasses and other similar works, pipelines and other systems for the transmission of petroleum and other liquid or gaseous substances, parks, playgrounds and other recreational works, refineries, chemical plants and similar industrial plants requiring specialized engineering knowledge and skill, powerhouses, power plants and other utility plants and installations, mines and metallurgical plants, land leveling and earthmoving projects, excavating, grading, trenching, paving and surfacing work and cement and concrete works in connection with the above mentioned fixed works.

(Emphasis added.)

This statute has been interpreted broadly by the courts. In a 1986 case brought by a general engineering contractor (holding a Class A license) seeking to be paid for constructing a seawall, septic system, and foundation caissons for their beach-front residence, two homeowners sought to defend by asserting that a only a general building contractor (holding a Class B license) could install the foundation caissons. This assertion was backed by a "determination" of the Contractors' State License Board, and the trial court accordingly granted a summary adjudication (on the second motion) holding that the plaintiff was not properly licensed to construct the caisson foundation, but was properly licensed to build the seawall and septic system. (*Ron Yates Construction Co. v. Superior Court* (1986) 186 Cal.App.3d 337, 341-342.)

On appeal, the homeowners cited section 830 of title 16 of what is now the Code of California Regulations: "Contractors licensed in one classification shall be prohibited from contracting in the field of any other classification unless they are also licensed in that classification or are permitted to be so by Section 831." (*Id.*, at 344.) The appellate court rejected this argument,

1. On remand, the plaintiff was allowed to proceed to trial against the Contractors' State License Board on its argument that an engineering contractor could perform construction consisting solely of specialty work.

May 28, 2010

Sara K. Hayden

Re: *Canal Safety and Drainage Improvements* (Project 109067): JMB Constr. "Bid Protest"

Page 3

noting that "a regulation cannot restrict or enlarge the scope of a statute," and noting that the trial court's ruling had disregarded the phrases, "requiring specialized engineering knowledge and skill," and "including the following divisions and subjects." In the following analysis, the appellate court made clear that the list of activities in section 7056 was not intended to be exclusive:

If the Legislature intended to limit the scope of the general engineering contractor in the manner suggested by respondent court, it could easily have added the words "or other like fixed works" to the end of the statute.

Section 7056 provides that a "general engineering contractor is a contractor whose principal contracting business is in connection with fixed works requiring specialized engineering knowledge and skill, including the following divisions or subjects:" (Italics added.) On its face the statute does not restrict those divisions or subjects of fixed works requiring the specialized skill of the Class A licensee. The term "includes" is ordinarily a word of enlargement and not of limitation. (*Atlantic Oil Co. v. County of Los Angeles* (1968) 69 Cal.2d 585, 596 [72 Cal.Rptr. 886, 446 P.2d 1006]; *People v. Western Air Lines, Inc., supra.*, 42 Cal.2d at p. 639; *Paramount Gen. Hosp. Co. v. National Medical Enterprises, Inc.* (1974) 42 Cal.App.3d 496, 501 [117 Cal.Rptr. 42].)

Section 7056, defining a general engineering contractor, was amended to its present form in 1951 (Stats. 1951, ch. 1606, § 1, p. 3608). Before that amendment, section 7056 read: "A general engineering contractor is a contractor whose principal contracting business is in connection with *fixed works for any or all* of the following divisions or subjects: Irrigation, drainage, water power, water supply, flood control, inland waterways, harbors, railroads, highways, tunnels, airports and airways, sewerage and bridges." (Italics added; see Historical Note, 3C West's Ann. Bus. & Prof. Code (1975 ed.) § 7056, p. 254.) [¶]

We have reviewed the legislative history of section 7056 and have taken judicial notice (Ev. Code, § 452, subd. (c), 459) [fn. omitted] of relevant documents which indicate that the Legislature intended to *expand* the categories enumerated in that statute and to that end modified the words "fixed works" to include any fixed works requiring the "specialized engineering knowledge and skill" of the general engineering (Class A) contractor.

The Legislative Counsel's Digest of Assembly Bill No. 1684 (1951 Reg. Sess.), which proposed the 1951 amendment to section 7056, reads as follows: "Under Business and Professions Code section 7059 [ante, at p. 343], the registrar of contractors, with the approval of the Contractors' State License Board, [fn. omitted] may adopt rules and regulations relating to the classification of contractors and may limit the field and scope of the operations of a licensed contractor to those in which he is classified and qualified to engage, as defined by law. The measure does not amend [section 7059]. *However, as to general engineering contractors engaged in the types of work enumerated by it, this measure expands the field of operation with which such rules or regulations may not interfere.*" (Italics added.)

May 28, 2010

Sara K. Hayden

Re: *Canal Safety and Drainage Improvements* (Project 109067): JMB Constr. "Bid Protest"

Page 4

(*Id.* at 345-347.)² Based on the foregoing analysis, the court held that a general engineering contractor could properly perform the work. (*Id.*, at 848.)

Properly interpreted, there is no doubt that section 7056 encompasses the electrical work that is a minor part of the project in question. Specifically included among the work specifically mentioned in section 7056 are "hydroelectric projects, powerhouses, power plants and other utility plants and installations." Given that the listing of activities in section 7056 is inclusive rather than exclusive, the conclusion seems inescapable that the installation of electrical conduit as a minor part of the project in question is soundly within the sort of work that a general engineering contractor is entitled to perform.³

Finally, your assertion that "the District does not have the authority to permit its contractors to circumvent California state contractors' licensing requirements" wholly ignores the effect of subdivision (b) of section 7509, which specifically authorizes public agencies like CCWD to "determine the license classification necessary to bid and perform the project."

A specialty contractor excluded from bidding on a canal and pipeline project by a bid specification requiring an Class A license filed suit and successfully persuaded a trial court to determine that the public agency lacked discretion to require that bidders hold a Class A license. The appellate court reversed, squarely rejecting the argument that "because the Contractors' State License Board has the exclusive right to license contractors pursuant to Business and Professions Codes sections 7028 et seq., 7032 and 7059, the Agency is preempted from 'making new or different requirements for the qualifications of contractors.' ... However, those circumstances do not apply here. The Agency's decision affects only which category of licensee may bid on a particular contract, not who may be licensed, or the qualifications for licensure." (*M & B Const. v. Yuba County Water Agency* (1999) 68 Cal.App.4th 1353, 1362.) The appellate court also noted that the legislative history of subdivision (b) fully supported the Agency's contention that

2. The appellate court also looked to the "Board-published study guides" for the two classifications at issue, noting that "[a] general engineering (Class A) contractor, is required to have a fundamental knowledge of foundation work; in contrast, a general building (Class B) contractor is not required to have this knowledge and is not tested on foundational work." (*Id.*, at 347.) Turning to the instant situation, it is instructive to note that the Study Guide for an engineering contractor specifically includes "electrical" as a classification of work about which a candidate for an engineering license is required to have knowledge (the copy attached to the covering e-mail was obtained from the Contractors' State License Board website at <http://www.cslb.ca.gov/Resources/StudyGuides/AStudyGuide.pdf>).

3. Moreover, even if the analysis in the text was incorrect, section 7056 does not purport to limit a general engineering contractor from occasionally bidding projects that might otherwise fall outside its expertise, for the statutory description of the scope of such work includes the phrase "*whose principal contracting business* is in connection with fixed works requiring specialized engineering knowledge and skill." As a 1997 opinion observed, Section 7057 – the statute defining the scope of a general building contractor (Class B) – "defines a general building contractor's work in terms of its *principal* business, and the vast majority of Hazard's contracts included not only site work but the building of structures. There is nothing prohibiting a contractor whose principal business meets the criteria from contracting for other types of work from time to time." (*Hazard, Jr. Enterprises, Inc. v. Insurance Company of the West* (1997) 52 Cal.App.4th 1088, 1098 (emphasis in original).) Although the Legislature "reined in" the scope of work that a general building contractor could contract to perform in response to *Hazard* and *Home Depot, U.S.A., Inc. v. Contractors' State License Board* (1996) 41 Cal.App.4th 1592, section 7056 continues to define a general engineering contractor's work in terms of its *principal* business, meaning that "there is nothing prohibiting a [general engineering] contractor whose principal business meets the criteria from contracting for other types of work from time to time."

BOLD, POLISNER, MADDOW, NELSON & JUDSON

May 28, 2010

Sara K. Hayden

Re: *Canal Safety and Drainage Improvements* (Project 109067): JMB Constr. "Bid Protest"

Page 5

"the statutory directive of section 7059(b) to 'determine the license classification' authorizes it to select from among the license categories in deciding which classification(s) should be permitted to bid on the project":

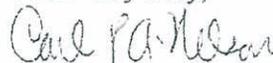
The enrolled bill report states: "This bill may reduce some of the board's requests for classification determination since it will *allow* the awarding authority to determine the licensing classification necessary for bidding a project." (*Id.* at p. 2, italics added.) It further noted, "Under AB 1741 the specialty contractor would be protected from spending time and money in a public works bid process only to find him or herself disqualified after being the low bidder. *The awarding authority would have more flexibility and control in deciding who it will be doing business with.*" (*Id.* at p. 3, italics added.)

(*Id.*, at 1359-1361.) This statute plainly allows CCWD to determine that a general engineering contractor holds the proper classification to perform the electrical work as part of the drainage and safety project.⁴

Thus, CCWD has ample discretion to award the construction contract for the above project to Con-Quest Contractors, Inc. and cannot be compelled to reject Con-Quest's bid. Since the question of licensure is a question of law (*Ron Yates Construction Co.*, *supra*, 186 Cal.App.3d at 344), there would be no point in holding a hearing.

We expect, given the foregoing analysis, that you will not be recommending that your client pursue its "bid protest." If your client does intends to pursue this matter, please have your client contact CCWD's Director of Construction, Dan Owre, at (925) 688-8396 by close of business on June 1, 2010 to make arrangements to facilitate its presentation to the CCWD Board. If your client does not intend to pursue this matter, the award of the contract will remain scheduled on the consent portion of the Agenda for the June 2, 2010 Board meeting.

Yours very truly,



Carl P.A. Nelson

cc: Dan Owre, Director of Construction

4. The only apparent limitation on that statutory delegation applies to specialty contractors who submit bids to be prime contractors: "In no case shall the awarding authority award a prime contract to a specialty contractor whose classification constitutes less than a majority of the project. When a specialty contractor is authorized to bid a project, all work to be performed outside of his or her license specialty, except work authorized by subdivision (a), shall be performed by a licensed subcontractor in compliance with the Subletting and Subcontracting Fair Practices Act (Chapter 4 (commencing with Section 4100) of Part 1 of Division 2 of the Public Contract Code)." (Business & Professions Code § 7059, sub. (b).) Plainly, if Con-Quest Contractors, Inc. only held a specialty license (other than a C-10 license), it would have been required to retain "a licensed subcontractor in compliance with the Subletting and Subcontracting Fair Practices Act" to perform the electrical work. However, Con-Quest holds a Class A license.

C23

ATTACHMENT "D"

Tap Master, Inc

1647 Willow Pass Rd. # 136
 Concord, CA 94520-2611
 Ph: (925) 439-7975 Fax: (925) 432-1871

QUOTE

DATE	ESTIMATE #
9/22/2014	21251

NAME / ADDRESS

JMB Construction, Inc
 Attention: Dana Wilkins
 Ph: (650) 267-5300
 Email: dwilkins@jmbconstruction.com

TERMS
Net 30

DESCRIPTION	TOTAL
LOCATION: CITY OF ANTIOCH	
(2) 18" LINE STOPS ON CAST IRON LINE- CONSULANT EQUIPMENT RENTAL MATERIALS	2,150.00 20,650.00 9,000.00
INCLUDES THE FOLLOWING ON STRAIGHT TIME: LABOR, TRUCK, EQUIPMENT (2) 18" x 12" LINE STOP NOZZLE FULL WRAP PAD (2) 125# IMMEDIATE PRESSURE TESTS (2) BOLT ON INSTALLATIONS	
* LINE STOP EQUIPMENT ON LINE FOR UP TO (2) DAYS, ADDITIONAL DAYS RENTAL @ \$595.00 PER UNIT PER DAY EXTRA DAYS ON SITE FOR LABOR @ \$1,500.00 PER UNIT PER DAY	
IF JOB IS ON OVERTIME ADD \$3,988.00	
CUSTOMER TO SUPPLY: PERMITS, FEES, BONDS EXCAVATION, BACKFILL, THRUSTBLOCKS SHORING FOR 5FT DEPTH OR DEEPER EXCAVATION PIPING & CONNECTIONS PIPE COATINGS/TRAFFIC CONTROL LABOR CREW TO INSTALL & REMOVE WELDING-C REMOVE & REPAIR MORTOR COATING REWATERING	
THANK YOU MARK MATTHEWSON	TOTAL \$31,800.00

Conditions: We agree to furnish new merchandise in exchange for any merchandise sold that is found to be defective.
 We assume no liability of any kind such as labor cost expenses, or any type of damages, direct or indirect.
 Quote is based on information given by customer and may be subject to any changes occurring on the job.
 Quote valid for 30 days from date of issue. Customer accepts above terms.

PLEASE SIGN & FAX BACK WHEN APPROVED: PO#

ATTACHMENT "E"



September 22, 2014

Via Mail and E-mail

Ron Bernal, PE
Public Works Director/City Engineer
City of Antioch,
P.O. Box 5007,
200 "H" Street,
Antioch, CA 94531-5007

Re: PIPING RECONFIGURATION OF CANAL PUMPS 2 AND 4 AND PUMP 2 REPLACEMENT
in ANTIOCH, CALIFORNIA P.W. 246-26

Protest of Bid Submitted by JMB Construction, Inc.

Dear Mr. Bernal:

Please accept this letter as Con-Quest Contractors, Inc.'s ("C-QC's") response to JMB Construction, Inc. ("JMB") JMB's letter dated September 19, 2014 regarding the protest of JMB's bid for the above referenced project. C-QC maintains that JMB is not a responsible bidder because JMB failed to list a critical subcontractor, lacks the experience and qualifications to perform that work itself, and has engaged in a subterfuge intended to end run the Subletting and Subcontracting Fair Practices Act. We, therefore, respectfully request that the contract for the above project be awarded to C-QC, the contractor that submitted the lowest responsive bid. The facts of C-QC's protest remain:

JMB's Bid Is Nonresponsive

Section 6.24 of the Standard Provisions states that "The Contractor shall comply with the Subletting and Subcontracting Fair Practices Act commencing with Section 4100 of the Public Contract Code. Violations shall subject Contractor to penalties described in the Act."

Thus, JMB was required to list each subcontractor that will perform more than ½ of 1% of the value of its bid, or any amount of work that is more than \$2,262.50, based on its bid price. Pub. Contract Code § 4104.

When JMB realized that it had failed to list a subcontractor for the Line Stop work, it sought to create a subterfuge to try to avoid the requirements of the Subletting and Subcontracting Fair Practices Act. It purported to enter into two contracts with Tap Master, Inc., the company that will actually be performing the Line Stop work for JMB. Under the first contract, Tap Master, Inc. purports to sell "materials", while in the second contract, which is arbitrarily priced just below the listing threshold of ½ of 1% of the value of JMB's bid, Tap Master will provide supervision. Regardless of the number of contracts utilized, however, it is Tap Master that is performing the Line Stops, not JMB. Tap Master, Inc. is acting as a subcontractor. See Pub. Contract Code §§ 4104 & 4113. Significantly, Tap Master, Inc.'s quotation to general contractors was for a single price for all labor and material and did

E1

not provide contractors with the opportunity to purchase separately "materials" or "supervision." A copy of the Tap Master, Inc. quotation is enclosed. C-QC finds it curious that JMB submitted a payment history of Tap Masters but no proof that they have a standard working practice of issuing purchase orders and self-performing the work, as they allege they will do on this project. Also, they submitted no evidence that they have the experience to self-perform this work.

In applying the law, courts and public agencies "must look to the substance of the transaction and not allow mere form to dictate the result." *Glaire v. La Lanne-Paris Health Spa*, 12 Cal. 3d 915, 925 (1974). Tap Master is providing both material and supervision to JMB and is therefore a subcontractor as defined by the Subletting and Subcontracting Fair Practices Act. Pub. Contract Code § 4113. Splitting the amount it will be paid into more than one contract cannot change the essential nature of Tap Master, Inc.'s role on the project.

Accordingly, to the extent that JMB intends to subcontract the Line Stop work, it is guilty of a violation with Subletting and Subcontracting Fair Practices Act and is in breach of Standard Provision Section 6.24. Its bid is therefore nonresponsive.

If JMB plans on self-performing this work, then JMB's bid must be rejected because JMB lacks the experience, skill, and equipment necessary to undertake this work, and JMB is not a responsible bidder. In addition, because JMB is seeking to violate the Subletting and Subcontracting Fair Practices Act by using an unlisted company, and attempting to hide that fact by dividing the work given to its subcontractor into several contracts, JMB has acted inconsistently with the requirement of trustworthiness necessary for JMB to be a responsible contractor for purposes of an award. See Pub. Contract Code § 1103.

Conclusion

Because JMB's bid was not responsive, an award to a contractor other than C-QC would be illegal and void. *Valley Crest Landscape, Inc. v. Davis*, 41 C.A.4th 1432 (1996); *Monterey Mechanical v. Sacramento Regional County Sanitation District*, 44 C.A.4th 1391 (1996).

Payment of any funds to JMB would violate the California Constitution. Section 10 of Article XI of the Constitution provides that "a local government body may not ... pay a claim under an agreement made without authority of law." A concerned taxpayer, as well as C-QC, may bring an action to enjoin payments on a contract awarded to another bidder and to require the return to the District of any such payments. *Rubino v. Lolli*, 10 C.A.3d 1059 (1970); *Miller v. McKinnon*, 20 Cal. 2d 83 (1942).

The public policy underlying competitive bidding is so strong that a court is required, on its own initiative, to order the return of payments even if the parties to a lawsuit do not request such an order. *Greer v. Hitchcock*, 271 C.A.2d 334 (1969).

A court also may enjoin the award and performance of the contract. See *Baldwin Lima Hamilton Corp. v. Superior Court*, 208 C.A.2d 803 (1962); see also *Eel River Disposal & Resource Recovery, Inc. v. County of Humboldt*, 221 Cal. App. 4th 209, 215 (2013) (directing issuance of writ of mandate).

For the reasons set forth above, we respectfully request that the District sustain the protest of JMB's bid and award the project to C-QC, which submitted the lowest responsive bid from a responsible contractor. Please feel free to contact me if you have any questions. We reserve all rights and remedies, including the right to a writ of mandate and injunctive relief.

Very truly yours,

CON-QUEST
CONTRACTORS, INC.



Paul N. Loukianoff
President



Page 1 of 1

ATTACHMENT "F"

PUBLIC CONTRACT CODE

SECTION 4100-4114

4100. This chapter may be cited as the "Subletting and Subcontracting Fair Practices Act."

4101. The Legislature finds that the practices of bid shopping and bid peddling in connection with the construction, alteration, and repair of public improvements often result in poor quality of material and workmanship to the detriment of the public, deprive the public of the full benefits of fair competition among prime contractors and subcontractors, and lead to insolvencies, loss of wages to employees, and other evils.

4103. Nothing in this chapter limits or diminishes any rights or remedies, either legal or equitable, which:

(a) An original or substituted subcontractor may have against the prime contractor, his or her successors or assigns.

(b) The state or any county, city, body politic, or public agency may have against the prime contractor, his or her successors or assigns, including the right to take over and complete the contract.

4104. Any officer, department, board, or commission taking bids for the construction of any public work or improvement shall provide in the specifications prepared for the work or improvement or in the general conditions under which bids will be received for the doing of the work incident to the public work or improvement that any person making a bid or offer to perform the work, shall, in his or her bid or offer, set forth:

(a) (1) The name and the location of the place of business of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of California who, under subcontract to the prime contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of 1 percent of the prime contractor's total bid or, in the case of bids or offers for the construction of streets or highways, including bridges, in excess of one-half of 1 percent of the prime contractor's total bid or ten thousand dollars (\$10,000), whichever is greater.

(2) (A) Subject to subparagraph (B), any information requested by the officer, department, board, or commission concerning any subcontractor who the prime contractor is required to list under this subdivision, other than the subcontractor's name and location of business, may be submitted by the prime contractor up to 24 hours after the deadline established by the officer, department, board, or commission for receipt of bids by prime contractors.

(B) A state or local agency may implement subparagraph (A) at its option.

F1

(b) The portion of the work that will be done by each subcontractor under this act. The prime contractor shall list only one subcontractor for each portion as is defined by the prime contractor in his or her bid.

(c) This section shall become inoperative on July 1, 2014, and, as of January 1, 2015, is repealed.

4104. Any officer, department, board, or commission taking bids for the construction of any public work or improvement shall provide in the specifications prepared for the work or improvement or in the general conditions under which bids will be received for the doing of the work incident to the public work or improvement that any person making a bid or offer to perform the work, shall, in his or her bid or offer, set forth:

(a) (1) The name, the location of the place of business, and the California contractor license number of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of California who, under subcontract to the prime contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of 1 percent of the prime contractor's total bid or, in the case of bids or offers for the construction of streets or highways, including bridges, in excess of one-half of 1 percent of the prime contractor's total bid or ten thousand dollars (\$10,000), whichever is greater.

(2) An inadvertent error in listing the California contractor license number provided pursuant to paragraph (1) shall not be grounds for filing a bid protest or grounds for considering the bid nonresponsive if the corrected contractor's license number is submitted to the public entity by the prime contractor within 24 hours after the bid opening and provided the corrected contractor's license number corresponds to the submitted name and location for that subcontractor.

(3) (A) Subject to subparagraph (B), any information requested by the officer, department, board, or commission concerning any subcontractor who the prime contractor is required to list under this subdivision, other than the subcontractor's name, location of business, and California contractor license number, may be submitted by the prime contractor up to 24 hours after the deadline established by the officer, department, board, or commission for receipt of bids by prime contractors.

(B) A state or local agency may implement subparagraph (A) at its option.

(b) The portion of the work that will be done by each subcontractor under this act. The prime contractor shall list only one subcontractor for each portion as is defined by the prime contractor in his or her bid.

(c) This section shall become operative on July 1, 2014.

4104.5. (a) The officer, department, board, or commission taking bids for construction of any public work or improvement shall specify in the bid invitation and public notice the place the bids of the prime contractors are to be received and the time by which they shall

F2

be received. The date and time shall be extended by no less than 72 hours if the officer, department, board, or commission issues any material changes, additions, or deletions to the invitation later than 72 hours prior to the bid closing. Any bids received after the time specified in the notice or any extension due to material changes shall be returned unopened.

(b) As used in this section, the term "material change" means a change with a substantial cost impact on the total bid as determined by the awarding agency.

(c) As used in this section, the term "bid invitation" shall include any documents issued to prime contractors that contain descriptions of the work to be bid or the content, form, or manner of submission of bids by bidders.

4105. Circumvention by a general contractor who bids as a prime contractor of the requirement under Section 4104 for him or her to list his or her subcontractors, by the device of listing another contractor who will in turn sublet portions constituting the majority of the work covered by the prime contract, shall be considered a violation of this chapter and shall subject that prime contractor to the penalties set forth in Sections 4110 and 4111.

4106. If a prime contractor fails to specify a subcontractor or if a prime contractor specifies more than one subcontractor for the same portion of work to be performed under the contract in excess of one-half of 1 percent of the prime contractor's total bid, the prime contractor agrees that he or she is fully qualified to perform that portion himself or herself, and that the prime contractor shall perform that portion himself or herself.

If after award of contract, the prime contractor subcontracts, except as provided for in Sections 4107 or 4109, any such portion of the work, the prime contractor shall be subject to the penalties named in Section 4111.

4107. A prime contractor whose bid is accepted may not:

(a) Substitute a person as subcontractor in place of the subcontractor listed in the original bid, except that the awarding authority, or its duly authorized officer, may, except as otherwise provided in Section 4107.5, consent to the substitution of another person as a subcontractor in any of the following situations:

(1) When the subcontractor listed in the bid, after having had a reasonable opportunity to do so, fails or refuses to execute a written contract for the scope of work specified in the subcontractor's bid and at the price specified in the subcontractor's bid, when that written contract, based upon the general terms, conditions, plans, and specifications for the project involved or the terms of that subcontractor's written bid, is presented to the subcontractor by the prime contractor.

(2) When the listed subcontractor becomes insolvent or the subject of an order for relief in bankruptcy.

(3) When the listed subcontractor fails or refuses to perform his or her subcontract.

(4) When the listed subcontractor fails or refuses to meet the bond requirements of the prime contractor as set forth in Section 4108.

F3

(5) When the prime contractor demonstrates to the awarding authority, or its duly authorized officer, subject to the further provisions set forth in Section 4107.5, that the name of the subcontractor was listed as the result of an inadvertent clerical error.

(6) When the listed subcontractor is not licensed pursuant to the Contractors License Law.

(7) When the awarding authority, or its duly authorized officer, determines that the work performed by the listed subcontractor is substantially unsatisfactory and not in substantial accordance with the plans and specifications, or that the subcontractor is substantially delaying or disrupting the progress of the work.

(8) When the listed subcontractor is ineligible to work on a public works project pursuant to Section 1777.1 or 1777.7 of the Labor Code.

(9) When the awarding authority determines that a listed subcontractor is not a responsible contractor.

Prior to approval of the prime contractor's request for the substitution, the awarding authority, or its duly authorized officer, shall give notice in writing to the listed subcontractor of the prime contractor's request to substitute and of the reasons for the request. The notice shall be served by certified or registered mail to the last known address of the subcontractor. The listed subcontractor who has been so notified has five working days within which to submit written objections to the substitution to the awarding authority. Failure to file these written objections constitutes the listed subcontractor's consent to the substitution.

If written objections are filed, the awarding authority shall give notice in writing of at least five working days to the listed subcontractor of a hearing by the awarding authority on the prime contractor's request for substitution.

(b) Permit a subcontract to be voluntarily assigned or transferred or allow it to be performed by anyone other than the original subcontractor listed in the original bid, without the consent of the awarding authority, or its duly authorized officer.

(c) Other than in the performance of "change orders" causing changes or deviations from the original contract, sublet or subcontract any portion of the work in excess of one-half of 1 percent of the prime contractor's total bid as to which his or her original bid did not designate a subcontractor.

4107.2. No subcontractor listed by a prime contractor under Section 4104 as furnishing and installing carpeting, shall voluntarily sublet his or her subcontract with respect to any portion of the labor to be performed unless he or she specified the subcontractor in his or her bid for that subcontract to the prime contractor.

4107.5. The prime contractor as a condition to assert a claim of inadvertent clerical error in the listing of a subcontractor shall within two working days after the time of the prime bid opening by the awarding authority give written notice to the awarding authority and copies of that notice to both the subcontractor he or she claims to have listed in error and the intended subcontractor who had bid to the prime contractor prior to bid opening.

Any listed subcontractor who has been notified by the prime

F4

contractor in accordance with this section as to an inadvertent clerical error shall be allowed six working days from the time of the prime bid opening within which to submit to the awarding authority and to the prime contractor written objection to the prime contractor's claim of inadvertent clerical error. Failure of the listed subcontractor to file the written notice within the six working days shall be primary evidence of his or her agreement that an inadvertent clerical error was made.

The awarding authority shall, after a public hearing as provided in Section 4107 and in the absence of compelling reasons to the contrary, consent to the substitution of the intended subcontractor:

(a) If (1) the prime contractor, (2) the subcontractor listed in error, and (3) the intended subcontractor each submit an affidavit to the awarding authority along with such additional evidence as the parties may wish to submit that an inadvertent clerical error was in fact made, provided that the affidavits from each of the three parties are filed within eight working days from the time of the prime bid opening, or

(b) If the affidavits are filed by both the prime contractor and the intended subcontractor within the specified time but the subcontractor whom the prime contractor claims to have listed in error does not submit within six working days, to the awarding authority and to the prime contractor, written objection to the prime contractor's claim of inadvertent clerical error as provided in this section.

If the affidavits are filed by both the prime contractor and the intended subcontractor but the listed subcontractor has, within six working days from the time of the prime bid opening, submitted to the awarding authority and to the prime contractor written objection to the prime contractor's claim of inadvertent clerical error, the awarding authority shall investigate the claims of the parties and shall hold a public hearing as provided in Section 4107 to determine the validity of those claims. Any determination made shall be based on the facts contained in the declarations submitted under penalty of perjury by all three parties and supported by testimony under oath and subject to cross-examination. The awarding authority may, on its own motion or that of any other party, admit testimony of other contractors, any bid registries or depositories, or any other party in possession of facts which may have a bearing on the decision of the awarding authority.

4107.7. If a contractor who enters into a contract with a public entity for investigation, removal or remedial action, or disposal relative to the release or presence of a hazardous material or hazardous waste fails to pay a subcontractor registered as a hazardous waste hauler pursuant to Section 25163 of the Health and Safety Code within 10 days after the investigation, removal or remedial action, or disposal is completed, the subcontractor may serve a stop notice upon the public entity in accordance with Chapter 4 (commencing with Section 9350) of Title 3 of Part 6 of Division 4 of the Civil Code.

4108. (a) It shall be the responsibility of each subcontractor submitting bids to a prime contractor to be prepared to submit a faithful performance and payment bond or bonds if so requested by the prime contractor.

F5

(b) In the event any subcontractor submitting a bid to a prime contractor does not, upon the request of the prime contractor and at the expense of the prime contractor at the established charge or premium therefor, furnish to the prime contractor a bond or bonds issued by an admitted surety wherein the prime contractor shall be named the obligee, guaranteeing prompt and faithful performance of the subcontract and the payment of all claims for labor and materials furnished or used in and about the work to be done and performed under the subcontract, the prime contractor may reject the bid and make a substitution of another subcontractor subject to Section 4107.

(c) (1) The bond or bonds may be required under this section only if the prime contractor in his or her written or published request for subbids clearly specifies the amount and requirements of the bond or bonds.

(2) If the expense of the bond or bonds required under this section is to be borne by the subcontractor, that requirement shall also be specified in the prime contractor's written or published request for subbids.

(3) The prime contractor's failure to specify bond requirements, in accordance with this subdivision, in the written or published request for subbids shall preclude the prime contractor from imposing bond requirements under this section.

4109. Subletting or subcontracting of any portion of the work in excess of one-half of 1 percent of the prime contractor's total bid as to which no subcontractor was designated in the original bid shall only be permitted in cases of public emergency or necessity, and then only after a finding reduced to writing as a public record of the awarding authority setting forth the facts constituting the emergency or necessity.

4110. A prime contractor violating any of the provisions of this chapter violates his or her contract and the awarding authority may exercise the option, in its own discretion, of (1) canceling his or her contract or (2) assessing the prime contractor a penalty in an amount of not more than 10 percent of the amount of the subcontract involved, and this penalty shall be deposited in the fund out of which the prime contract is awarded. In any proceedings under this section the prime contractor shall be entitled to a public hearing and to five days' notice of the time and place thereof.

4111. Violation of this chapter by a licensee under Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code constitutes grounds for disciplinary action by the Contractors State License Board, in addition to the penalties prescribed in Section 4110.

4112. The failure on the part of a contractor to comply with any provision of this chapter does not constitute a defense to the contractor in any action brought against the contractor by a subcontractor.

F6

4113. As used in this chapter, the word "subcontractor" shall mean a contractor, within the meaning of the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, who contracts directly with the prime contractor.

"Prime contractor" shall mean the contractor who contracts directly with the awarding authority.

4114. The county board of supervisors, when it is the awarding authority, may delegate its functions under Sections 4107 and 4110 to any officer designated by the board.

The authorized officer shall make a written recommendation to the board of supervisors. The board of supervisors may adopt the recommendation without further notice or hearing, or may set the matter for a de novo hearing before the board.

F7

ATTACHMENT "G"

SECTION 2

PROPOSAL REQUIREMENTS AND CONDITIONS

presented on forms so furnished, and copies or facsimiles of the bidder's completed and executed proposal forms submitted as a bid will be rejected.

- The proposal form is bound together with the contract in a book entitled "Proposal and Contract." The proposal shall set forth the item prices and totals, in clearly legible figures, in the respective spaces provided, and shall be signed by the bidder, who shall fill out all blanks in the proposal form as therein required.
- The proposal shall be submitted as directed in the "Notice to Contractors" under sealed cover plainly marked as a proposal, and identifying the project to which the proposal relates and the date of the bid opening therefor. Proposals which are not properly marked may be disregarded.
- All proposal forms other than for "District Opening" projects shall be obtained from the Department of Transportation, Plans and Bid Documents, Room 0200, Transportation Building, 1120 N Street, Sacramento, California 95814, or as otherwise designated in the "Notice to Contractor."
- Proposals for "District Opening" projects shall be made on forms obtained from the District Director of Transportation in whose district the work is to be performed, but in all other respects the provisions in this Section 2-1.05 shall apply.

2-1.054 REQUIRED LISTING OF PROPOSED SUBCONTRACTORS

- Each proposal shall have listed therein the name and address of each subcontractor to whom the bidder proposes to subcontract portions of the work in an amount in excess of one-half of one percent of the total bid or \$10,000, whichever is greater, in accordance with the Subletting and Subcontracting Fair Practices Act, commencing with Section 4100 of the Public Contract Code. The bidder's attention is invited to other provisions of the Act related to the imposition of penalties for a failure to observe its provisions by using unauthorized subcontractors or by making unauthorized substitutions.
- A sheet for listing the subcontractors, as required herein, is included in the "Proposal and Contract" book.

2-1.056 STATE EMPLOYEES AND DESIGN ENGINEERS MAY NOT BID ON CONSTRUCTION CONTRACT

- No employee of the State shall be eligible to submit a proposal for, nor to subcontract for any portion of, nor to supply any materials for any contract administered by the Department.
- No engineering or architectural firm which has provided design services for a project shall be eligible to submit a proposal for the contract to construct the project nor to subcontract for any portion of the work. The ineligible firms include the prime contractor for design, subcontractors of portions of the design and affiliates of either. An affiliate is a firm which is subject to the control of the same persons, through joint ownership or otherwise.

2-1.06 REJECTION OF PROPOSALS

- Proposals may be rejected if they have been transferred to another bidder, or if they show any alteration of form, additions not called for, conditional bids, incomplete bids, erasures, or irregularities of any kind.
- When proposals are signed by an agent, other than the officer or officers of a corporation authorized to sign contracts on its behalf or a member of a partnership,

ATTACHMENT "H"

LIST OF SUBCONTRACTORS

The Bidder is required to furnish the following information in accordance with the provisions of Sections 4100 to 4114, inclusive, of the Public Contract Code of the State of California. This list and information shall include all subcontractors that will perform work, provide labor or render services to the Bidder in connection with the project in an amount in excess of one-half of one percent of the total amount of Bidder's Total Bid Price.

Do not list alternative subcontractors for the same work. Use additional sheets if necessary.

NAME OF SUBCONTRACTOR	LICENSE NUMBER	LOCATION OF/ PLACE OF BUSINESS	TYPE & PERCENTAGE OF WORK
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			

END LIST OF SUBCONTRACTORS

ATTACHMENT "I"

JMB Construction, Inc.
Attn: Ms. Margaret Burke
132 South Maple Avenue
South San Francisco, CA 94080

September 23, 2014

Re: Piping Reconfiguration of Canal Pumps 2 and 4 and Pump 2 Replacement
P.W. 246-26

Dear Ms. Burke:

The City is in receipt of JMB Construction, Inc.'s (JMB) letter of explanation dated September 19, 2014, regarding the omission of a subcontractor to perform the line stop operation associated with the above referenced project.

Section 2-1.054 of the project General Conditions (State of California, Department of Transportation, Standard Specification dated 2006), the Subletting and Subcontracting Fair Practices Act (Section 4100- 4114 of the Public Contract Code) and the "List of Subcontractors" contained within the project bid forms all state that a bidder must list each subcontractor that will perform work, provide labor or render services in conjunction with a project in an amount in excess of one-half of one percent of the total bid price.

The City is not implying that JMB omitted a subcontractor for this portion of work with the intent of circumventing the Subletting and Subcontracting Fair Practices Act. However, the City contends that the majority of the work associated with this activity will be performed by another contractor and the cost of the work exceeds one-half of one percent of the total bid price. This omission does provide a bidder the ability to disclose the subcontractor's bid to other subcontractors in an attempt to obtain a lower bid than the one in which it based its bid. This situation presents an advantage in the competitive bidding procedure and unfairness to the other bidders. In accordance with State Law and the City of Antioch's contract documents, the City must provide a fair and level bidding environment.

Consideration of the bids for the Piping Reconfiguration of Canal Pumps 2 and 4 and Pump 2 Replacement project will be presented at the City Council meeting to be held on September 23, 2014 at the Council Chambers located at 200 'H' Street. Staff will be recommending that the bid submitted by JMB be considered non-responsive and be rejected. In addition, Staff will be recommending that this contract be awarded to Con-Quest, Inc., in the amount of \$506,000. A copy of the staff report containing these recommendations can be found within the September 23, 2014 City Council meeting agenda, located on our website at www.ci.antioch.ca.us/citygov/agendas/default.asp and a copy of the Supplemental Staff Report associated with the award of this project is

attached.

Feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Buenting". The signature is stylized and cursive.

Scott Buenting
Associate Engineer

Attachment

C: Lynn Tracy Nerland, City Attorney
Ron Bernal, Director of Public Works/City Engineer
Lynne B. Filson, Assistant City Engineer

ATTACHMENT "J"



Con-Quest Contractors, Inc.
Attn: Mr. Paul Loukianoff
290 Toland Street
San Francisco, CA 94124

September 23, 2014

Re: Piping Reconfiguration of Canal Pumps 2 and 4 and Pump 2 Replacement
P.W. 246-26

Dear Mr. Loukianoff:

The City is in receipt of Con-Quest Contractors, Inc.'s (C-QC) protest, dated September 19, 2014, of the bid submitted by JMB Construction, Inc. (JMB) for the above referenced project.

Section 2-1.054 of the project General Conditions (State of California, Department of Transportation, Standard Specification dated 2006), the Subletting and Subcontracting Fair Practices Act (Section 4100- 4114 of the Public Contract Code) and the "List of Subcontractors" contained within the project bid forms all state that a bidder must list each subcontractor that will perform work, provide labor or render services in conjunction with a project in an amount in excess of one-half of one percent of the total bid price.

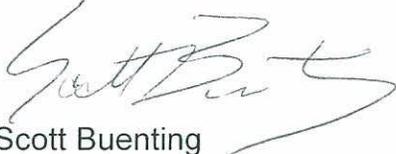
The City is not that JMB omitted a subcontractor for this portion of work with the intent of circumventing the Subletting and Subcontracting Fair Practices Act. However, the City contends that the majority of the work associated with this activity will be performed by another contractor and the cost of the work exceeds one-half of one percent of the total bid price. This omission provides a bidder the ability to disclose the subcontractor's bid to other subcontractors in an attempt to obtain a lower bid than the one in which it based its bid. This situation presents an advantage in the competitive bidding procedure and unfairness to the other bidders. In accordance with State Law and the City of Antioch's contract documents, the City must provide a fair and level bidding environment.

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Feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Buening". The signature is fluid and cursive, with a long horizontal stroke at the end.

Scott Buening
Associate Engineer

Attachment

- C: Lynn Tracy Nerland, City Attorney
- Ron Bernal, Director of Public Works/City Engineer
- Lynne B. Filson, Assistant City Engineer