CITY OF
ANTIOCH
CALIFORNIA

ANNOTATED AGENDA

Antioch City Council
SPECIAL AND REGULAR MEETING

Date: **Tuesday, August 10, 2021**

Time: 4:00 P.M. – Closed Session

6:00 P.M. – Special Meeting/Work Session for City Council and Economic Development Commission

7:00 P.M. – Regular Meeting

Place: The City of Antioch, in response to the Executive Order of the Governor and the Order of the Health Officer of Contra Costa County concerning the Novel Coronavirus Disease, is making Antioch City Council meetings available via Comcast channel 24, AT&T U-verse channel 99, or live stream (at www.antiochca.gov).

If you wish to provide a written public comment, you may do so any of the following ways **by 3:00 p.m. the day of the Council Meeting**: **(1)** Fill out an online speaker card, located at https://www.antiochca.gov/speaker_card, or **(2)** Email the City Clerk's Department at cityclerk@ci.antioch.ca.us.

To provide oral public comments during the meeting, click the following link to register in advance to access the meeting via Zoom Webinar: https://www.antiochca.gov/speakers. You may also provide an oral public comment by dialing **(925) 776-3057**. Please see inside cover for detailed Speaker Rules.

*The City cannot guarantee that its network and/or the site will be uninterrupted. To ensure that the City Council receives your comments, you must submit your comments in writing **by 3:00 p.m. the day of the City Council Meeting**.*

Lamar Thorpe, Mayor
Monica E. Wilson, Mayor Pro Tem (Council Member District 4)
Tamisha Torres-Walker, Council Member District 1
Michael Barbanica, Council Member District 2
Lori Ogorchock, Council Member District 3

Ellie Householder, City Clerk
Lauren Posada, City Treasurer

Ron Bernal, City Manager
Thomas Lloyd Smith, City Attorney

Online Viewing: https://www.antiochca.gov/government/city-council-meetings/
Electronic Agenda Packet: https://www.antiochca.gov/government/agendas-and-minutes/city-council/
Project Plans: https://www.antiochca.gov/fc/community-development/planning/Project-Pipeline.pdf

SPEAKERS' RULES

IMPORTANT NOTICE REGARDING THIS MEETING: To protect our residents, officials, and staff, and aligned with the Governor's Executive Order N-29-20, certain teleconference requirements of the Brown Act have been suspended, including the requirement to provide a physical location for members of the public to participate in the meeting.

Members of the public seeking to observe the meeting may do so at https://www.antiochca.gov/live_stream, on Comcast Channel 24, or AT&T U-Verse Channel 99.

Members of the public wishing to provide public comment may do so one of the following ways (#2 pertains to the Zoom Webinar):

1. Fill out an online speaker card **by 3:00 p.m. the day of the Council Meeting** located at: https://www.antiochca.gov/speaker_card.

2. Provide oral public comments during the meeting by clicking the following link to register in advance to access the meeting via Zoom Webinar: https://www.antiochca.gov/speakers

   - You will be asked to enter an email address and a name. Your email address will not be disclosed to the public. After registering, you will receive an email with instructions on how to connect to the meeting.

   - When the Mayor announces public comments, click the "raise hand" feature in Zoom. For instructions on using the "raise hand" feature in Zoom, visit: https://www.antiochca.gov/raise_hand. When calling into the meeting using the Zoom Webinar telephone number, press *9 on your telephone keypad to "raise your hand". Please ensure your Zoom client is updated so staff can enable your microphone when it is your turn to speak.

3. Email comments to cityclerk@ci.antioch.ca.us **by 3:00 p.m. the day of the Council Meeting**. The comment will be read into the record at the meeting (350 words maximum, up to 3 minutes, at the discretion of the Mayor). IMPORTANT: Identify the agenda item in the subject line of your email if the comment is for Announcement of Community Events, Public Comment, or a specific Agenda Item number. No one may speak more than once on an agenda item or during "Public Comments". All emails received **by 3:00 p.m. the day of the Council Meeting** will be entered into the record for the meeting.

Speakers will be notified shortly before they are called to speak.

- When called to speak, please limit your comments to the time allotted (350 words, up to 3 minutes, at the discretion of the Mayor).

After having heard from the public, the agenda item will be closed. Deliberations will then be limited to members of the City Council.

If the Council meeting appears to be going late, the City Council may decide to continue some items until a subsequent meeting. We will try to make this determination around 10:00 p.m. It is the goal of the City Council to stop discussing agenda items no later than 11:00 p.m.

In accordance with the Americans with Disabilities Act and California law, it is the policy of the City of Antioch to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including individuals with disabilities. If you are a person with a disability and require information or materials in an appropriate alternative format; or if you require any other accommodation, please contact the ADA Coordinator at the number or address below at least 72 hours prior to the meeting or when you desire to receive services. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility. The City's ADA Coordinator can be reached @ Phone: (925) 779-6950, and e-mail: publicworks@ci.antioch.ca.us.

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. City Council Agendas, including Staff Reports are posted onto our City's Website 72 hours before each Council Meeting. To be notified when the agenda packets are posted onto our City's Website, simply click on this link: https://www.antiochca.gov/notifications/ and enter your e-mail address to subscribe. To view the agenda information, click on the following link: https://www.antiochca.gov/government/agendas-and-minutes/city-council/. Questions may be directed to the staff member who prepared the staff report, 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 Speaker Request form online **by 3:00 p.m. the day of the Council Meeting** at https://www.antiochca.gov/speaker_card. See the Speakers' Rules on the inside cover of this Agenda. The Council can only take action on items that are listed on the agenda. Comments regarding matters not on this Agenda**,** may be addressed during the "Public Comments" section.

4:00 P.M. **ROLL CALL – CLOSED SESSION –** for Council Members ***– Council Members District 1 Torres-Walker, District 2 Barbanica, Mayor Pro Tem (District 4) Wilson, and Mayor Thorpe (Council Member District 3 Ogorchock was let into the meeting at 4:04 p.m.)***

PUBLIC COMMENTS for Closed Session

CLOSED SESSION:

1) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** pursuant to Government Code section 54956.9: Robert Stout v. City of Antioch, United State District Court, Northern District of California, Case No. 4:20-cv-08370-YGR.

No reportable action

2) **PUBLIC EMPLOYEE PERFORMANCE EVALUATION: CITY MANAGER**. This closed session is authorized pursuant to Government Code section 54957.

No reportable action

3) **PUBLIC EMPLOYEE APPOINTMENTS – TITLE: SERGEANT AND CORPORAL, ANTIOCH POLICE DEPARTMENT**. This closed session is authorized pursuant to Government Code section 54957.

No reportable action

CLOSED SESSION (Continued):

4) **CONFERENCE WITH LABOR NEGOTIATORS** – This Closed Session is authorized by California Government Code section 54957.6: Agency designated representatives: Katie Kaneko, City Manager Ron Bernal, Administrative Services Director Nickie Mastay, Jeff Bailey; Employee organization: All bargaining units.

No reportable action

MOTION TO ADJOURN TO CLOSED SESSION

Motioned to adjourn Closed Session at 6:09 p.m., 5/0

6:09 P.M. **ROLL CALL – SPECIAL MEETING/WORK SESSION –** for Council Members ***– All Present***
And Economic Development Commissioners present:

- Chairperson Tim McCall ***– Present***
- Vice Chairperson Kelly Kalfsbeek ***– Present***
- Commissioner Rick Fuller ***– Present***
- Commissioner Daniel Herzberg ***– Present***
- ***Commissioner Christian Hills – Present***

PLEDGE OF ALLEGIANCE

WORK SESSION

1. CITY COUNCIL / ECONOMIC DEVELOPMENT COMMISSION (EDC) DISCUSSION OF STRATEGIC ITEMS

Received with direction provided to City Staff / EDC

Recommended Action: The Economic Development Commission recommends the City Council receive the presentation and provide feedback/direction.

STAFF REPORT

PUBLIC COMMENT

MOTION TO ADJOURN SPECIAL MEETING/WORK SESSION

Motioned to adjourn Special Meeting/Work Session at 7:10 p.m., 5/0

7:11 P.M. **ROLL CALL – REGULAR MEETING –** for Council Members ***– All Present***

PLEDGE OF ALLEGIANCE

STAFF REPORT

2. INTRODUCTION OF NEW CITY EMPLOYEES

3. PROCLAMATION

- Recognizing the Heroic Acts of Antioch's Good Samaritans involved in the Extraordinary Rescue of a Child and Mother at Canal Park, July 27, 2021

Approved, 5/0

Recommended Action: It is recommended that the City Council approve the proclamation.

STAFF REPORT

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

4. ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

- POLICE CRIME PREVENTION COMMISSION

PUBLIC COMMENTS – *Members of the public may comment only on unagendized items. The public may comment on agendized items when they come up on this Agenda.*

STAFF REPORT

CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS

MAYOR'S COMMENTS

5. PRESENTATIONS – *Public Financial Management (PFM) Report on City Investments, presented by Managing Director Sarah Meacham*

– *Urban Strategies Council: Mental Health Crisis Response, presented by President and CEO David A. Harris*

STAFF REPORT **STAFF REPORT**

6. *CONSENT CALENDAR*

A. APPROVAL OF COUNCIL MEETING MINUTES FOR JULY 27, 2021

Continued, 5/0

Recommended Action: It is recommended that the City Council continue the Meeting Minutes.

STAFF REPORT

B. APPROVAL OF COUNCIL WARRANTS

Approved, 5/0

Recommended Action: It is recommended that the City Council approve the warrants.

STAFF REPORT

C. CONSIDERATION OF BIDS FOR ASPHALT OVERLAY MESA RIDGE AND DEERFIELD CORRIDOR TRAILS BID NO. 988-0722-21A AWARD

Reso No. 2021/132 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt a resolution:

1) Awarding the Maintenance Services Agreement for Asphalt Overlay Mesa Ridge and Deerfield Corridor Trails, to the lowest, responsive, and responsible bidder GradeTech, Inc.,
2) Approving an Agreement with GradeTech, Inc. for a total amount not to exceed $108,349.32; and
3) Authorizing the City Manager to execute the Agreement with GradeTech, Inc. for the total amount not to exceed $108,349.32.

STAFF REPORT

D. APPROVAL OF A VALVE MAINTENANCE TRUCK UTILIZING A SOURCEWELL COOPERATIVE PURCHASING AGREEMENT WITH NATIONAL AUTO FLEET GROUP

Reso No. 2021/133 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt the resolution:

1) Approving the replacement purchase of one (1) New 2022 Ford Super Duty F550 DRW (X5G) XL 2WD SuperCab 192" WB 84" CA, with E.H. Wachs valve maintenance system, for an amount not to exceed $192,370.92, and
2) Authorizing the City Manager to execute the Sourcewell Cooperative Purchasing Agreement with National Auto Fleet Group.

STAFF REPORT

E. FORMATION OF A COMMUNITY FACILITIES DISTRICT FOR THE LAUREL RANCH RESIDENTIAL PROJECT

Reso No. 2021/134 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt a resolution:

1) Authorizing the California Statewide Communities Development Authority ("CSCDA") to form a Community Facilities District (CFD) within the City of Antioch to finance certain public improvements;
2) Incorporating a Joint Community Facilities Agreement setting forth the terms and conditions of the CFD financing;
3) Approving an acquisition agreement between the City and the Developer or its assignee; and
4) Authorizing City staff to cooperate with CSCDA and its consultants in connection with the CFD formation and financing.

STAFF REPORT

PUBLIC HEARING

7. DEER VALLEY ESTATES PROJECT (PD-19-03, UP-19-12, AR-19-19)

Recommended Action: It is recommended that the City Council take the following actions:

Reso No. 2021/135 adopted, 3/2 (Barbanica, Thorpe)

1) Adopt the resolution certifying the Deer Valley Estates Project Environmental Impact Report, adopting findings of fact and statement of overriding considerations, and adopting the mitigation monitoring and reporting program.

Reso No. 2021/136 adopted, 3/2 (Barbanica, Thorpe)

2) Adopt the resolution approving a Vesting Tentative Subdivision Map, Final Development Plan, Use Permit, and Design Review subject to conditions of approval (PD-19-03, UP-19-12, AR-19-19).

STAFF REPORT

9:10 P.M. ADJOURNED TO BREAK
9:17 P.M. RECONVENE. ROLL CALL *for Council Members –* ***All Present***

COUNCIL REGULAR AGENDA

8. PARKS AND RECREATION COMMISSION APPOINTMENT FOR ONE (1) FULL-TERM VACANCY EXPIRING MARCH 2024

Reso No. 2021/137 adopted Appointing Dominique L. King for the full-term vacancy expiring March 2024, 5/0

Recommended Action: It is recommended that the City Council adopt a resolution approving the Mayor's nomination of Dominique L. King for appointment as a member of the Parks and Recreation Commission for a vacancy expiring March 2024.

STAFF REPORT

MAYOR THORPE ASKED IF SOMEONE COULD MAKE A MOTION TO SUSPEND THE RULES TO FLIP COUNCIL REGULAR AGENDA ITEMS #9 AND #10. COUNCIL MEMBER BARBANICA MADE THE MOTION, WITH A SECOND BY COUNCIL MEMBER OGORCHOCK; APPROVED 5/0

10. *STRATEGIC HOUSING AND INFILL STUDY*

Received with direction provided to staff

Recommended Action: It is recommended that the City Council receive the presentation and offer any questions or suggestions.

STAFF REPORT

9. *ECONOMIC REVITALIZATION PRIORITY AREAS*

A. SOMERSVILLE ROAD BETWEEN HIGHWAY 4 AND BUCHANAN ROAD

B. DELTA FAIR BOULEVARD BETWEEN FAIRVIEW DRIVE AND BUCHANAN ROAD

C. L STREET STUDY AREA

D. A STREET BETWEEN HIGHWAY 4 AND 10TH STREET

E. 18TH STREET BETWEEN HILLCREST TO A STREET

F. 10TH STREET BETWEEN A STREET TO L STREET

Direction provided to staff

Recommended Action: It is recommended that the City Council discuss and provide direction to staff.

STAFF REPORT

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS – *Council Members report out various activities and any Council Member may place an item for discussion and direction on a future agenda. Timing determined by Mayor and City Manager – no longer than 6 months.*

MOTION TO ADJOURN – *After Council Communications and Future Agenda Items, the Mayor will make a motion to adjourn the meeting. A second of the motion is required, and then a majority vote is required to adjourn the meeting.*

Motioned to adjourn meeting at 10:31 p.m., 5/0

CITY OF
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STAFF REPORT TO THE CITY COUNCIL

DATE: Special Meeting of August 10, 2021

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: City of Antioch Economic Development Commission

APPROVED BY: Kwame Reed, Economic Development Director KPR

SUBJECT: City Council/Economic Development Commission Discussion of Strategic Topics

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RECOMMENDED ACTION
Receive the presentation.

DISCUSSION
The City of Antioch's Economic Development Commission ("EDC") has requested a work session with the City Council. The EDC has focused its efforts on the review of goals from the City of Antioch Vision and Strategic Plan adopted March 26, 2019. Several reports were prepared on three of seven goals for a joint discussion with the City Council. The three goals included in the attached reports are: Goal 3 – Support Sustainable Economic Development; Goal 6 – Support Historic Downtown Revitalization; and Goal 7 – Promote Sustainable Development. The EDC has also included an additional report it has identified as Action Item - The Yard.

The presentation will be led by EDC Chairperson, Tim McCall. The EDC is seeking input directly from the City Council on the reports being presented.

ATTACHMENTS
A. EDC Reports
- Goal 3
- Goal 6
- Goal 7
- Action Item - The Yard

Goal 3 Recommended Changes

prepared by Daniel Herzberg

Note: The commission recommends the wording be revised as follows.

Goal 3: Support Growth Oriented Economic Development

City Council growth oriented economic development prioritizes, in order:

1. Business creation
2. Job creation
3. Sales tax generation.

The City should focus its efforts in areas with the highest return on investment, which requires that staff think of the city as a business development enterprise, rather than primary as a business maintenance entity. The City Council wants the City to facilitate new business development and promote new businesses to come. As such, strategies to support this goal include three core areas:

I Creating Future Growth While Maintaining Economic Successes
II Maximizing Local Resources and Dynamics
III Optimizing Local and External Synergies

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I Creating Future Growth While Maintaining Economic Successes

Develop an Economic Development Plan that includes elements to support all programs and services within the following service areas:

A. Clarification of objectives.

Distinguish between economic development growth vs. maintenance related activities, and focus increasingly on growth related economic development activities.

B. Maintaining Economic Success

Promote a compelling business retention program.

C. Creating Future Growth

1. Identify and attach growth oriented economic development key performance indicators to track and evaluate progress.
2. Invest in resources to promote active entrepreneurship in the community, including innovative businesses and franchise prototypes.
3. Promote innovative entrepreneurship.

a) Bring tech hub incubators, technology, investment, and financing to Antioch.
b) Create a virtual or physical incubator leveraging resources for creating and growing businesses available online and accessible from anywhere.
c) Promote events to bring together entrepreneurs, investors, and other support resources to the area.
d) Promote innovative home based businesses as potential longer term growth opportunities that could potentially lead to hiring local employees and contributing substantially to city tax base.
e) Invest in resources to promote entrepreneurship in 7th to 12th grade education.

4. Market materials to promote new development and revitalization.
5. Expand open for business outreach/signage efforts, and signage with community announcements.
6. Utilize inventory infrastructure to determine future needs in employment areas.
7. Facilitate efforts to improve jobs:housing balance from a 1:4 to 2:4 ratio.
8. Invest in training trade skills.
9. Promote affordable live/work energy efficient smart villages.

II Maximizing Local Resources and Dynamics

1. Use technology to provide tools to bring the community together, improve local citizen engagement, and support local businesses and staff.
2. Engage property owners in a standing committee to promote conversations and relations with city officials, land owners, business owners, developers, and brokers around highest and best use for commercial properties. Facilitate information sharing.
3. Promote local business engagement, cooperation, and investment with business roundtables led by mayor.
4. Map out specific business types to target and plan for in the revitalized Antioch Waterfront/Downtown area. Support downtown Rivertown Dining District. Identify and support relocation of businesses that are not consumer friendly and conflict with the riverfront tourism, dining, and shopping experience.
5. Promote development and support revitalization of strategic enterprise zones and major employment opportunity areas:

a) Antioch Town Center on Lone Tree Way (between Sutter Urgent Care and In Shape)
b) Fulton Shipyard and Rogers Point use exploration for revitalization.
c) The Hillcrest Station Area Specific Plan.
d) The East Lone Tree Specific Plan area.
e) Somersville area.
f) Cannabis Overlay Zones.
g) Wilbur Avenue Corridor.

III Optimizing Local and External Synergies

1. Continue developing a compelling business attraction program, strongly promoting the City's competitive advantages.

2. Pursue networking with regional, statewide, and national resources in the public and private sectors for economic development.
3. Invest in education and joint venture partnerships with regional companies seeking to expand training and employment.
4. Promote maritime, tourism, and industrial economies.
5. Encourage medical device pilots and manufacturing to leverage local health care resources and infrastructure.
6. Develop partnerships with regional colleges to have satellite campuses in Antioch.
7. Encourage sister city and student exchange programs to and from our area.
8. Create and promote regional entertainment.

Goal 6
Support Historic Downtown Revitalization
Created by Vice Chair Kalfsbeek

EDC Review and Up-Date Recommendations of Goal 6 to the City of Antioch Strategic Plan

Created by Vice Chair Kalfsbeek
April 28th, 2021

Goal 6. Support Historic Downtown Revitalization

The revitalization of Antioch's waterfront/downtown area continues to be a top priority for the City Council. The waterfront represents a tremendous opportunity for growth. The Council envisions a thriving, bustling area populated with restaurants, shopping, recreation and entertainment opportunities for all ages. Strategies for this Goal include:

- Creation of a Transit Center (Ferry/Train/BART/Bus).
- Work closely with Contra Costa Health Services to address impacts and identify solutions related to the City's homeless population.
- Explore the establishment of a multi-purpose Municipal/Civic Center.
- Creation of an Adventure Center (Jet Skis/Boat Rentals).

The EDC recommends new wording: Creation of an Adventure Center/Family Beach Area (Jet Skis/Boat Rentals).

- Support Community Events in the downtown/waterfront area.
- Provide a business-friendly environment to attract new tenants/owners.
- Provide for Hard House update/upkeep.
- Create a trail connection from Downtown to Black Diamond Mines.

The EDC recommends new wording: Create Walkability to and around The Downtown District.

- Provide location-based technology for visitors.
- Provide Wi-Fi and better cell service.
- Establish a Farmers Market.
- Plan for upscale waterfront/view housing.

The EDC recommends new wording: Plan for upscale waterfront Mixed Use Housing

- Plan for senior housing.
- Promote walkability.

The EDC recommends removing this item in lieu of the above recommendation

- Update Waldie Plaza.
- Create a River Walk.

The EDC recommends the following items be incorporated/prioritized in Goal 6 of the strategic plan:

- Naming and Promoting this area as “The Downtown Dining District”
- Support with grant funding and recognition of a business alliance to discuss best practices, needs and cross-promotion among existing businesses.
- Incentivize businesses that offer live entertainment and a dining "experience" that will extend beyond eating and leaving.
- Establishing a slate of yearly events that encourage repeat visits and showcase local, cultural and regional entertainment/artisans
- Promote through advertising the extensive history of Antioch
- Prioritize up-dated street lighting and improve to offer a safe, comfortable night time experience for visitors patronizing district businesses
- Recognize the importance of El Campanil Theater and its fiscal benefits and historical significance to the Downtown District

In addition, the EDC recommends great thought and investment into quality, comfortable parking relative to the amount of patrons desired.

Goal 7
Promote Sustainable Development
Submitted by Rick Fuller

City of Antioch
Economic Development Commission
Sub Committee Report
Dated: April 26, 2021

Subject: Goal 7: Promote Sustainable Development

Premise: Antioch is one of the oldest cities in California and should be built on its established strengths.

Suggestion: *Replace Promote Sustainable Development with Promote Development Focused On City Strengths.*

As one of the oldest communities in the state of California and second largest city in the county, Antioch has many economic development opportunities. Promoting development focused on the city strengths builds upon the assets of the city, its convenient location in the region and unique community attributes residents have come to enjoy and appreciate.

Strengths

1. San Joaquin River
2. East Bay Regional Parks
3. Heart of Northern California
4. Healthcare (Top 2 Employers in the City: Sutter and Kaiser employing over 1500 employees)
5. Transportation
6. Value Based Real Estate
7. Desalination plant

Goal 7: Promote Sustainable Development

Suggestion: *Replace Promote Sustainable Development with Promote Development Focused On City Strengths.*

This Goal reflects the desire to plan for the long-term health of the City through thoughtful and careful planning.

Strategies may include:

- San Joaquin River
    - Promote marina and engage marina tenants to shop local.
    - Develop Rivertown entertainment and dining district
- Heart of California
    - Promote Antioch as the heart of California with its proximity to San Francisco, Sacramento and Silicon Valley.
- East Bay Regional Parks
    - Build upon Antioch's recreational activities. Hiking, Mountain Biking, Fishing, Boating, etc... Including Contra Loma/Lone Tree Golf Course.
- Healthcare
    - Collaborate and advance healthcare for the growing population of seniors. Working with the largest employers in the city to grow employment clusters.
- Transportation
    - Focusing on employment sectors that rely heavily on BART & Water-way Transportation.
- Value Based Real Estate
    - Focus on affordable Bay Area Real Estate.
    - During Covid many employees now work from home. Capitalizing on this trend and providing affordable bay area real estate.
        - Median home price in San Francisco $1.4M, According to Zillow
        - Median home price in Antioch $531,000, According to Zillow

      Recent study reveals a 'dramatic' shift in population size in San Francisco during 2020. Net exits from San Francisco increased by 649%. https://www.kron4.com/news/bay-area/exodus-study-reveals-dramatic-san-francisco-population-change/
- Desalination plan
    - Pursuing various employers that can benefit from Antioch's future desalination plant.https://www.sfchronicle.com/bayarea/article/10-million-coming-to-Bay-Area-desalination-12759970.php

Respectfully submitted,
Rick Fuller
Economic Development Commissioner

Action Item
The Yard
Submitted by: Rick Fuller

City of Antioch
Economic Development Commission
Sub Committee Report
Dated: April 26, 2021

"The Yard"

Subject: C Street: 3.85 Acres Parcel # 066-055-001

History

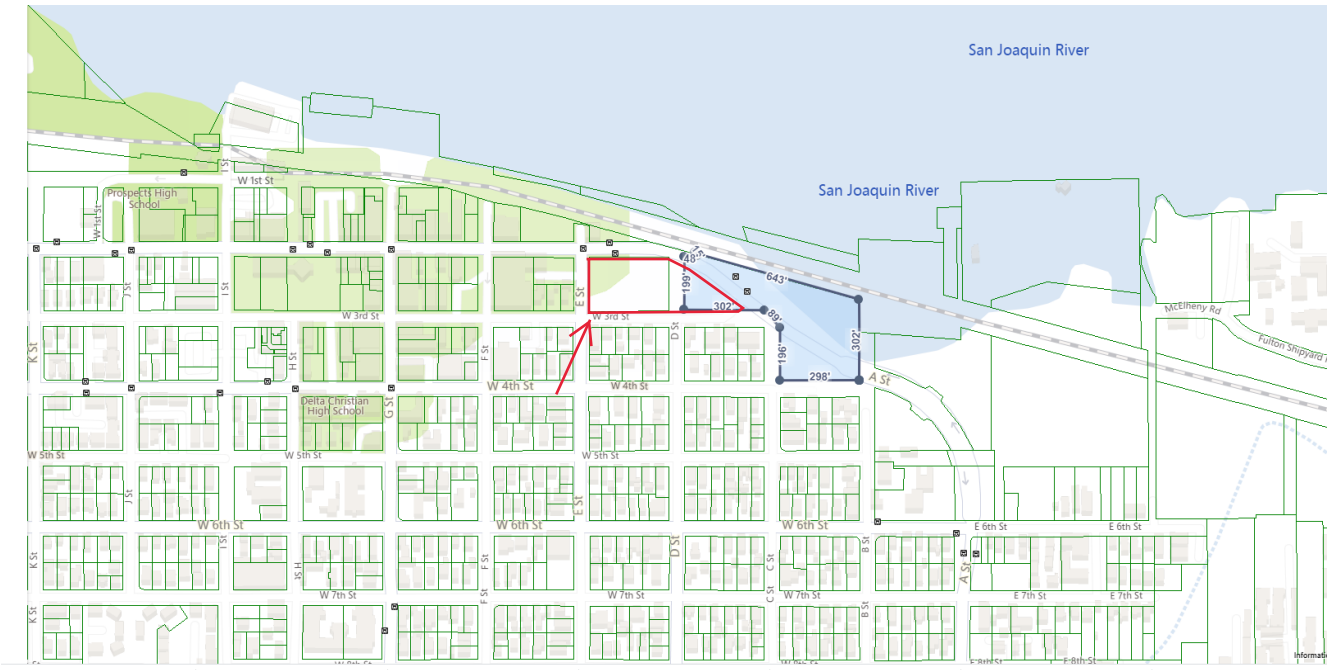
Founded by Henry Fuller Beede, during the Civil War, the lumber company was the oldest retail business in Contra Costa County.

Source: East Bay Times

Importance

Located in the heart of Antioch's Rivertown Downtown, the "Beede Lumber Yard" is a critical piece of downtown with an exceptional view of the San Joaquin River. An introductory parcel to the rivertown district and downtown Antioch from A Street.

Description



Approx.

1. C Street: 3.85 Acres Parcel # 066-055-001

Legal Description:

Town Of Antioch Lots 1 To 12 Incl Blk 60

Land Use: Government/Public Use

Various Options

- Residential
  - Condominiums
  - Townhomes
  - Single Family
- Commercial
- Mixed Use
- Park/Event Center
- Watersports Access (Windsurfing, Sailing, Etc.)
- Other

Additional Observations

- Consider broader downstown strategy including:
  - Antioch Senior Center/Nick Rodriguez E Street: 1.38 Acres Parcel # 066-055-001)
  - Fairgrounds
  - Waldie Plaza
- Recommendation:
  - City Council to assign to new or existing committee to:
    - Further review various options listed above and alignment with the general plan & downtown specific plan.
    - Explore broader strategy and feasibility of relocating fairgrounds, potentially repurposing Antioch Senior Center/Nick Rodriguez to create downtown catalysts and provide additional options and solutions to the various interest groups.

Respectfully submitted,

Rick Fuller

Economic Development Commissioner

CITY OF
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INTRODUCTION OF NEW CITY EMPLOYEES

DATE: Regular Meeting of August 10, 2021

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Nickie Mastay, Administrative Services Director

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- Public Works Director/City Engineer John Samuelson would like to introduce:
  - Alan Luna, Water Distribution Operator I
  - Tyler Hulegaard, Water Distribution Operator I
  - Justin Griffith, Water Distribution Operator I

- Community Development Director Forrest Ebbs would like to introduce:
  - Kevin Scudero, Senior Planner
  - Zoe Meredith, Senior Planner

- Police Chief Brooks would like to introduce:
  - Ashley Gomez, Police Records Technician
  - Kristian Palma, Police Officer
  - Nicholas Gaitan, Community Services Officer
  - Ashley Lunden, Police Officer
  - Jamal Meadors, Police Officer

CITY OF
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OPPORTUNITY LIVES HERE

RECOGNIZING THE HEROIC ACTS OF ANTIOCH'S GOOD SAMARITANS INVOLVED IN THE EXTRORDINARY RESCUE OF A CHILD AND MOTHER AT CANAL PARK JULY 27, 2021

WHEREAS, on July 27, 2021, during a family outing at Canal Park, an 8-year-old non-verbal autistic child became excited and ran towards the canal that borders the northern park boundary, climbed over a fence, and entered the water;

WHEREAS, the child's mother followed him and jumped in the water in an attempt to save her son and struggled to safely exit the water;

WHEREAS, two people, Holly H. and Megan L., spring into action and jumped into the water to help and, along with an unnamed bystander from a nearby construction site, formed a "human chain" to pull the mother and her son out of the water;

WHEREAS, a fourth citizen,~~,~~ Maggie W., tended to the family's toddler daughter who was on scene and Antioch Police Officer Price Kendall helped with crowd control during what Contra Costa County Fire called a "chaotic" scene; and

WHEREAS, these actions resulted in the successful rescue of a mother and her son with no significant injury.

NOW, THEREFORE, I, LAMAR A. THORPE, Mayor of the City of Antioch, do hereby recognize Holly H., Megan L., Maggie W., and an unnamed bystander for their extraordinary and spontaneous acts of human kindness which are beacons of good will and generosity in our community of Antioch.

AUGUST 10, 2021

_____

LAMAR A. THORPE, Mayor

CITY OF ANTIOCH CALIFORNIA
OPPORTUNITY LIVES HERE

BOARDS / COMMISSION / COMMITTEE VACANCY ANNOUNCEMENTS

The City of Antioch encourages residents to become involved in their local community. One way to do so is to serve on various commissions, boards and committees. Any interested resident is encouraged to apply for the vacancy listed below. To be considered for these volunteer positions, a completed application must be received in the Office of the City Clerk **by 5:00 p.m., on Friday, August 27, 2021**. Applications are available at https://www.antiochca.gov/#.

- ***POLICE CRIME PREVENTION COMMISSION***

Your interest and desire to serve our community is appreciated.

CITY OF ANTIOCH CALIFORNIA
OPPORTUNITY LIVES HERE

POLICE CRIME PREVENTION COMMISSION

(Deadline date: 08/27/2021)

One (1) Commissioner partial-term vacancy, expiring June 2023

- The Police Crime Prevention Commission makes recommendations to the City Council relative to crime prevention and makes reports on programs, which might be initiated to help the Police Department and the citizens create a safer community.

- Commissioners are involved in public presentations, coordination of Neighborhood Watch groups and programs, and special community events.

- The commission consists of seven members who serve a 4-year term. Applicants cannot be a full-time police officer.

- The Police Crime Prevention Commission meets on the 3rd Monday of each month at 7:00 p.m. in the Police Department Community Room at 300 L Street.

- Commissioners are required to submit a FPPC Form 700 (Statement of Economic Interests) upon assuming office, and every year thereafter no later than April 1st.

- Newly appointed Commissioners are also required to complete the AB 1234 Ethics training within 1-year of their appointment. All Commissioners must then take the AB 1234 Ethics training every two years thereafter. The Ethics training is available online.

CITY OF ANTIOCH

Investment Performance Review
For the Quarter Ended June 30, 2021

Client Management Team

Sarah Meacham, Managing Director
Monique Spyke, Managing Director

601 South Figueroa, Suite 4500
Los Angeles, CA 90017
213-489-4075

PFM Asset Management LLC

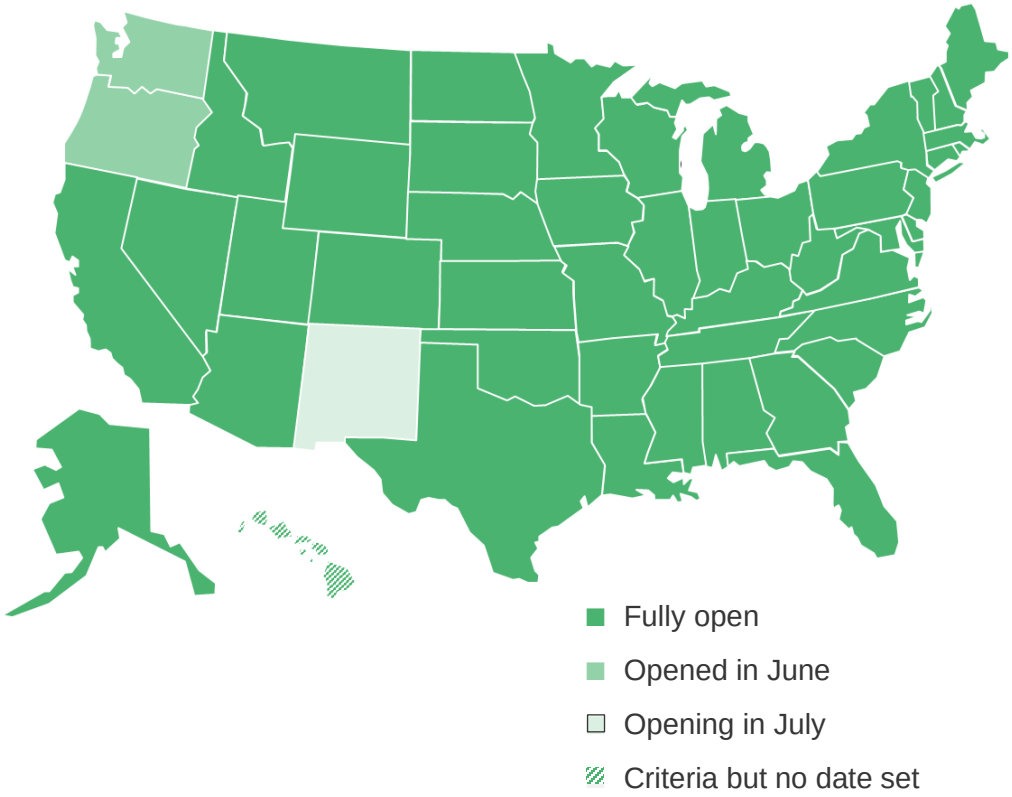
213 Market Street
Harrisburg, PA 17101-2141
717-232-2723

#5.01
08-10-21

Market Update

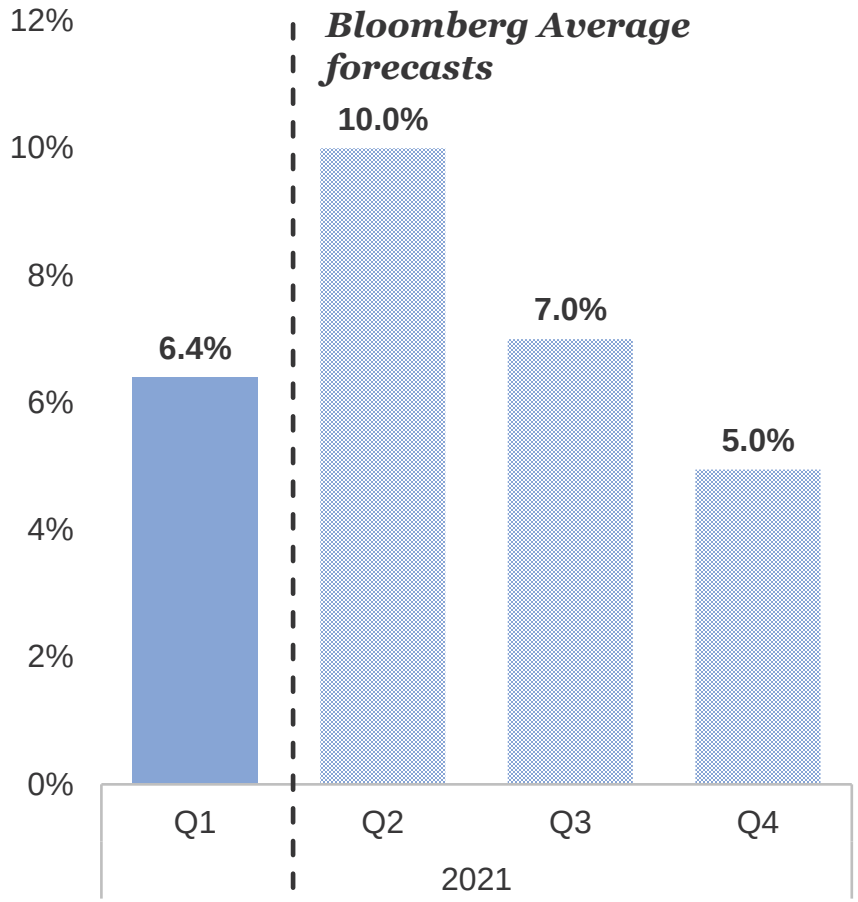
Reopening Economy Drives GDP Growth

Reopening Status of U.S. States



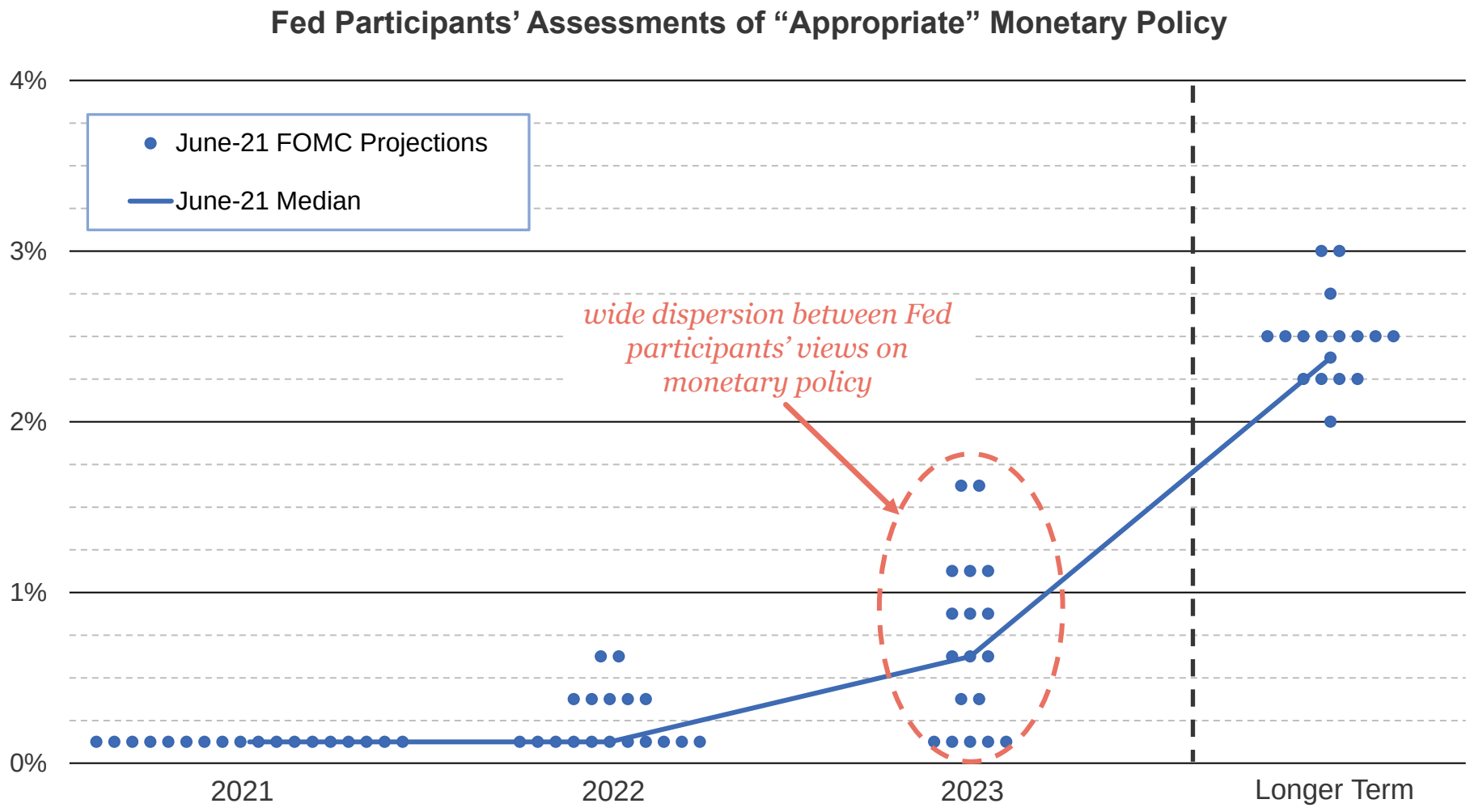
U.S. GDP Forecasts

Annualized Rate



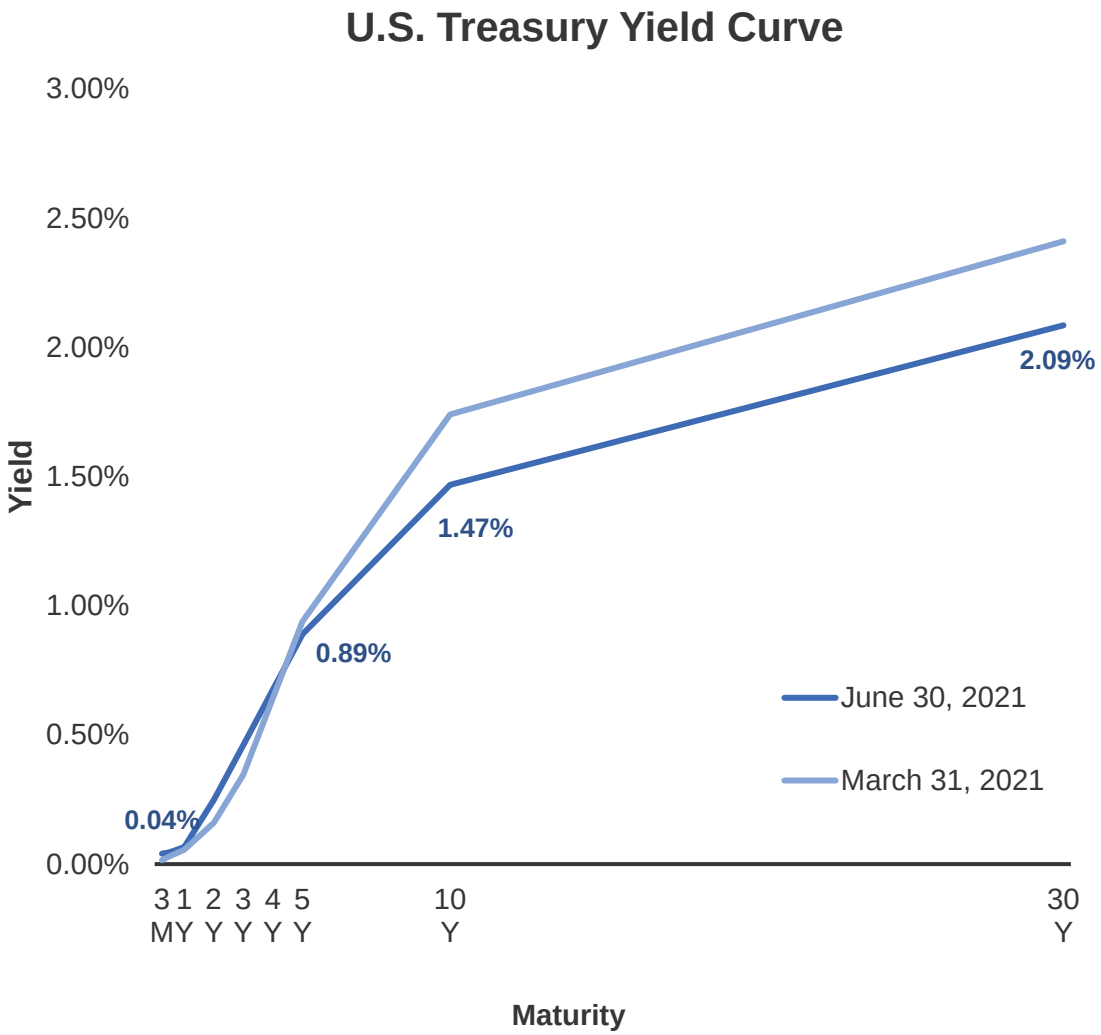
Sources: New York Times (left) and Bloomberg (right), Bureau of Economic Analysis, as of June 30, 2021.

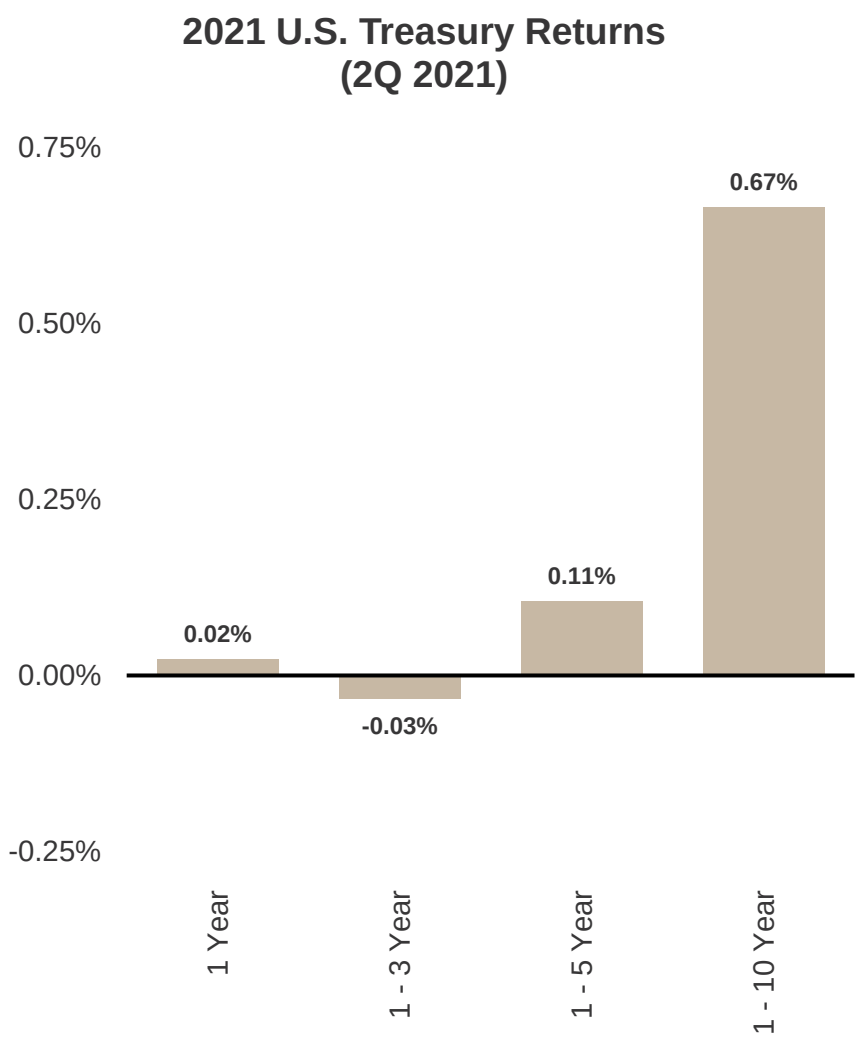
Fed's "Dot Plot" Reflects Evolving Monetary Policy Views



Source: Federal Reserve and Bloomberg. Individual dots represent each Fed members' judgement of the midpoint of the appropriate target range for the federal funds rate at each year end.

Yield Curve Moves Have Differing Impacts on Performance





Source: Bloomberg, as of June 30, 2021.

Portfolio Review

Sector Allocation & Compliance

- The portfolio is in compliance with the City's Investment Policy and California Government Code.

Security Type	Market Value	% of Portfolio	% Change vs. 3/31/2021	Permitted by Policy	In Compliance
U.S. Treasury	$38,864,350	35.1%	+2.9%	100%	✓
Federal Agency	$19,008,213	17.2%	-1.8%	100%	✓
Federal Agency CMOs	$1,735,826	1.6%	-0.1%	100%	✓
Municipal Obligations	$3,256,313	2.9%	-0.4%	100%	✓
Supranationals	$1,999,339	1.8%	+0.6%	30%	✓
Negotiable CDs	$5,592,341	5.1%	-	30%	✓
Corporate Notes	$13,914,306	12.6%	-0.2%	30%	✓
Asset-Backed Securities	$9,349,059	8.5%	-1.0%	20%	✓
Securities Sub-Total	**$93,719,748**	**84.7%**			
Accrued Interest	$251,152				
Securities Total	**$93,970,900**	**84.7%**			
CAMP	$10,200,851	9.2%	-	100%	✓
LAIF	$6,706,450	6.1%	-	$75 million	✓
Total Investments	**$110,878,200**	**100.0%**			

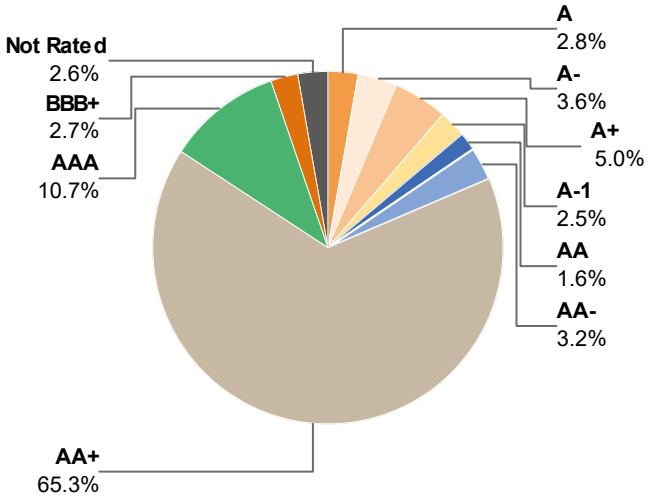
Market values, excluding accrued interest. Detail may not add to total due to rounding. Current investment policy as of June 24, 2020.

Portfolio Statistics

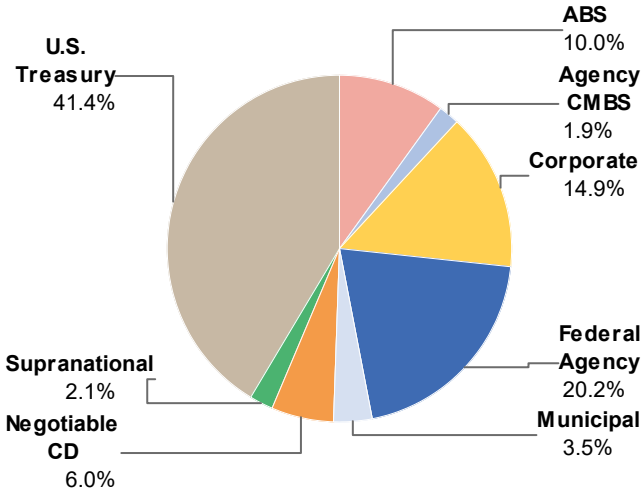
As of June 30, 2021

Par Value:	$92,685,759
Total Market Value:	$93,970,900
Security Market Value:	$93,719,748
Accrued Interest:	$251,152
Cash:	-
Amortized Cost:	$93,142,173
Yield at Market:	0.46%
Yield at Cost:	0.94%
Effective Duration:	1.87 Years
Average Maturity:	2.10 Years
Average Credit: *	AA

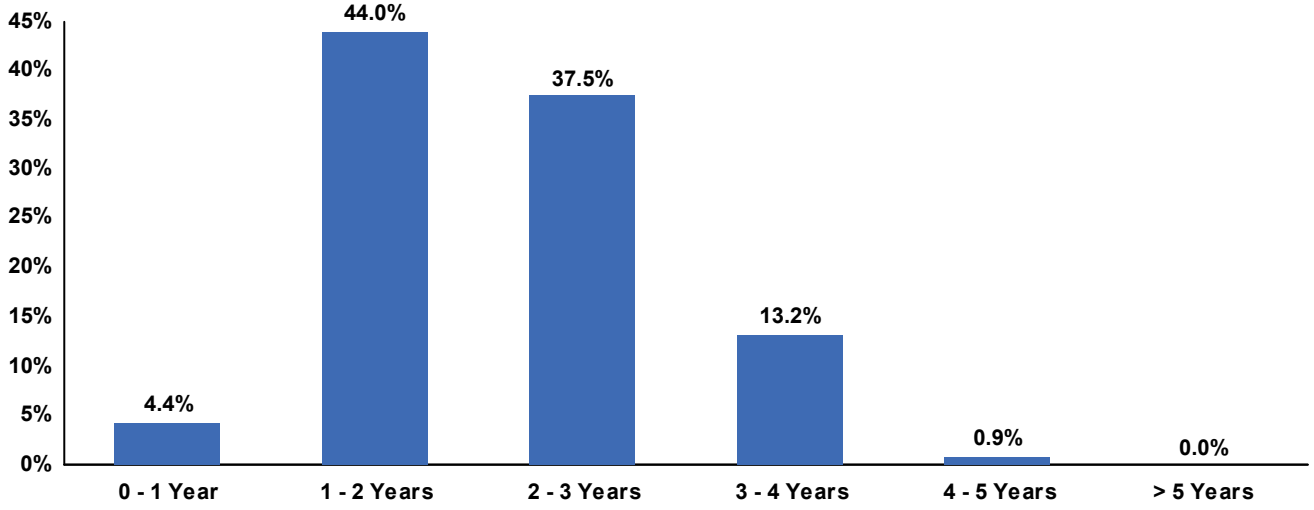
Credit Quality (S&P Ratings)**



Sector Allocation



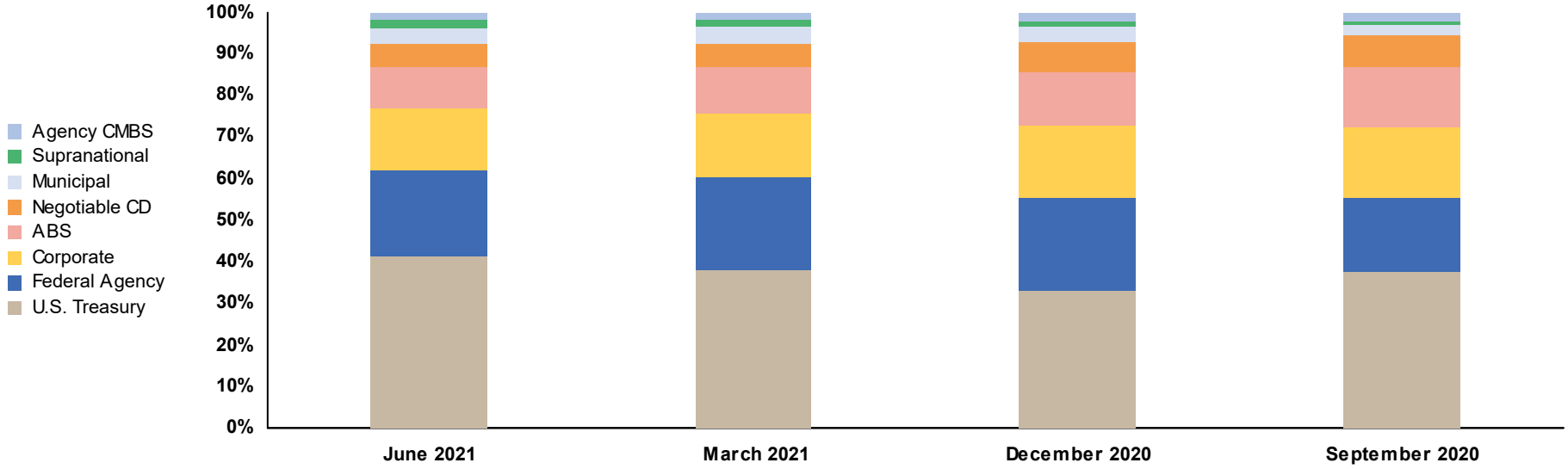
Maturity Distribution



** An average of each security's credit rating assigned a numeric value and adjusted for its relative weighting in the portfolio.*
*** Securities held in the City's portfolio are in compliance with California Government Code and the City's investment policy reviewed June 24, 2020*

Sector Allocation

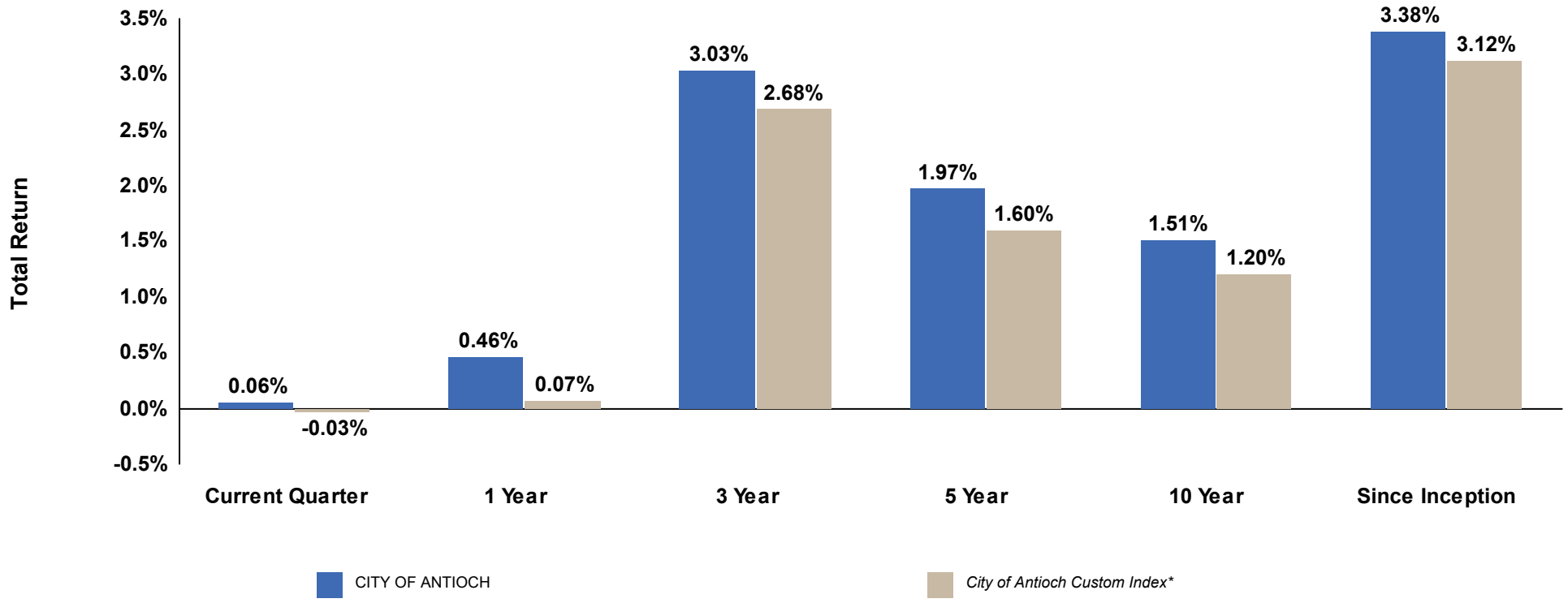
Sector	June 30, 2021 MV ($MM)	June 30, 2021 % of Total	March 31, 2021 MV ($MM)	March 31, 2021 % of Total	December 31, 2020 MV ($MM)	December 31, 2020 % of Total	September 30, 2020 MV ($MM)	September 30, 2020 % of Total
U.S. Treasury	38.9	41.4%	35.8	38.0%	31.1	33.1%	35.4	37.6%
Federal Agency	19.0	20.2%	21.0	22.3%	21.1	22.4%	16.4	17.5%
Corporate	13.9	14.9%	14.2	15.1%	16.3	17.3%	16.1	17.2%
ABS	9.3	10.0%	10.5	11.2%	12.1	12.8%	13.6	14.4%
Negotiable CD	5.6	6.0%	5.6	6.0%	6.6	7.1%	7.4	7.9%
Municipal	3.3	3.5%	3.7	4.0%	3.5	3.8%	2.3	2.4%
Supranational	2.0	2.1%	1.3	1.4%	1.3	1.4%	0.7	0.7%
Agency CMBS	1.7	1.9%	1.9	2.0%	2.0	2.1%	2.1	2.3%
Total	**$93.7**	**100.0%**	**$94.0**	**100.0%**	**$94.1**	**100.0%**	**$94.0**	**100.0%**



Detail may not add to total due to rounding.

Portfolio Performance (Total Return)

Portfolio/Benchmark	Effective Duration	Current Quarter	1 Year	Annualized Return 3 Year	5 Year	10 Year	Since Inception (06/30/95)
CITY OF ANTIOCH	1.87	0.06%	0.46%	3.03%	1.97%	1.51%	3.38%
City of Antioch Custom Index*	*1.84*	*-0.03%*	*0.07%*	*2.68%*	*1.60%*	*1.20%*	*3.12%*
Difference		0.09%	0.39%	0.35%	0.37%	0.31%	0.26%



The City's Benchmark is the ICE BofAML 1-3 Year U.S. Treasury Index as of February 28, 2011. Prior to February 28, 2011, the City's benchmark was the ICE BofAML 1-Year U.S. Treasury Index as of September 30, 2010. Prior to September 30, 2010, the City's benchmark was the 1-3 Year U.S. Treasury Index as of June 30, 2002. Prior to June 30, 2002, the City's benchmark was the 1-Year Treasury Note as of June 30, 2001. Prior to June 30, 2001, the City's benchmark was the ICE BofAML 1-Year Treasury Bill.

IMPORTANT DISCLOSURES

This material is based on information obtained from sources generally believed to be reliable and available to the public; however, PFM Asset Management LLC cannot guarantee its accuracy, completeness or suitability. This material is for general information purposes only and is not intended to provide specific advice or a specific recommendation. All statements as to what will or may happen under certain circumstances are based on assumptions, some, but not all of which, are noted in the presentation. Assumptions may or may not be proven correct as actual events occur, and results may depend on events outside of your or our control. Changes in assumptions may have a material effect on results. Past performance does not necessarily reflect and is not a guaranty of future results. The information contained in this presentation is not an offer to purchase or sell any securities.

- Market values that include accrued interest are derived from closing bid prices as of the last business day of the month as supplied by Refinitiv, Bloomberg, or Telerate. Where prices are not available from generally recognized sources, the securities are priced using a yield based matrix system to arrive at an estimated market value.
- In accordance with generally accepted accounting principles, information is presented on a trade date basis; forward settling purchases are included in the monthly balances, and forward settling sales are excluded.
- Performance is presented in accordance with the CFA Institute's Global Investment Performance Standards (GIPS). Unless otherwise noted, performance is shown gross of fees. Quarterly returns are presented on an unannualized basis. Returns for periods greater than one year are presented on an annualized basis. Past performance is not indicative of future returns.
- Bank of America/Merrill Lynch Indices provided by Bloomberg Financial Markets.
- Money market fund/cash balances are included in performance and duration computations.
- Standard & Poor's is the source of the credit ratings. Distribution of credit rating is exclusive of money market fund/LGIP holdings.
- Callable securities in the portfolio are included in the maturity distribution analysis to their stated maturity date, although, they may be called prior to maturity.
- MBS maturities are represented by expected average life.

GLOSSARY

- **ACCRUED INTEREST:** Interest that is due on a bond or other fixed income security since the last interest payment was made.
- **AGENCIES:** Federal agency securities and/or Government-sponsored enterprises.
- **AMORTIZED COST:** The original cost of the principal of the security is adjusted for the amount of the periodic reduction of any discount or premium from the purchase date until the date of the report. Discount or premium with respect to short-term securities (those with less than one year to maturity at time of issuance) is amortized on a straight line basis. Such discount or premium with respect to longer-term securities is amortized using the constant yield basis.
- **BANKERS' ACCEPTANCE:** A draft or bill or exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill as well as the insurer.
- **COMMERCIAL PAPER:** An unsecured obligation issued by a corporation or bank to finance its short-term credit needs, such as accounts receivable and inventory.
- **CONTRIBUTION TO DURATION:** Represents each sector or maturity range's relative contribution to the overall duration of the portfolio measured as a percentage weighting. Since duration is a key measure of interest rate sensitivity, the contribution to duration measures the relative amount or contribution of that sector or maturity range to the total rate sensitivity of the portfolio.
- **EFFECTIVE DURATION:** A measure of the sensitivity of a security's price to a change in interest rates, stated in years.
- **EFFECTIVE YIELD:** The total yield an investor receives in relation to the nominal yield or coupon of a bond. Effective yield takes into account the power of compounding on investment returns, while nominal yield does not.
- **FDIC:** Federal Deposit Insurance Corporation. A federal agency that insures bank deposits to a specified amount.
- **INTEREST RATE:** Interest per year divided by principal amount and expressed as a percentage.
- **MARKET VALUE:** The value that would be received or paid for an investment in an orderly transaction between market participants at the measurement date.
- **MATURITY:** The date upon which the principal or stated value of an investment becomes due and payable.
- **NEGOTIABLE CERTIFICATES OF DEPOSIT:** A CD with a very large denomination, usually $1 million or more, that can be traded in secondary markets.
- **PAR VALUE:** The nominal dollar face amount of a security.
- **PASS THROUGH SECURITY:** A security representing pooled debt obligations that passes income from debtors to its shareholders. The most common type is the mortgage-backed security.

GLOSSARY

- **REPURCHASE AGREEMENTS:** A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date.
- **SETTLE DATE:** The date on which the transaction is settled and monies/securities are exchanged. If the settle date of the transaction (i.e., coupon payments and maturity proceeds) occurs on a non-business day, the funds are exchanged on the next business day.
- **TRADE DATE:** The date on which the transaction occurred; however, the final consummation of the security transaction and payment has not yet taken place.
- **UNSETTLED TRADE:** A trade which has been executed; however, the final consummation of the security transaction and payment has not yet taken place.
- **U.S. TREASURY:** The department of the U.S. government that issues Treasury securities.
- **YIELD:** The rate of return based on the current market value, the annual interest receipts, maturity value, and the time period remaining until maturity, stated as a percentage on an annualized basis.
- **YTM AT COST:** The yield to maturity at cost is the expected rate of return based on the original cost, the annual interest receipts, maturity value, and the time period from purchase date to maturity, stated as a percentage on an annualized basis.
- **YTM AT MARKET:** The yield to maturity at market is the rate of return based on the current market value, the annual interest receipts, maturity value, and the time period remaining until maturity, stated as a percentage on an annualized basis.

urban strategies council

CITY OF ANTIOCH, CA
Mobile/Mental Health Crisis Response Program Design Presentation

Antioch, CA.
August 10, 2021

Presentation Overview

- Urban Strategies Council (USC) Overview
- City of Antioch Program Design Activities
- Program Design Community Outreach & Engagement
- Program Design Data Collection & Analysis
- USC Project Team
- Q & A

Urban Strategies Council Overview

Our mission is to eliminate persistent poverty in the Bay Area by working with partners to transform low-income neighborhoods into vibrant, healthy communities.

USC Core Competencies –

- ***Data & Research***
- ***Collaboration Building & Collective Impact***
- ***Leadership Development***
- ***Policy Innovation & Advocacy***

USC – Relevant Experience

- **City of San Leandro (2018) – Human Services Needs Assessment/Mapping**
- **City of Oakland (2018) – Department of Violence Prevention Strategic Planning/Community Engagement**
- **City of Oakland (2020) – MACRO (Mobile Assistance Community Responders of Oakland) Design/Planning**
- **City of Vallejo (2021) – City Council Goal Setting/ Community Participatory Research**

City of Antioch – Mobile/Mental Health Crisis Response Program Design Activities

- **Project Goal = Pilot program development by 10/31/21**
  - **Community outreach & engagement**
  - **Identification of performance measures (Data analysis, logic model development)**
  - **Model development (mobile, scalable, accessible)**
  - **Budget development**
  - **Partnership/asset mapping**
  - **Resource development/sustainability planning**
  - **RFP/RFQ development/Implementation timetable**

Stage 1 - Program Design
Community Outreach & Engagement

- **Community advisory table convening/facilitation (2-3 meetings)**
- **Community resident survey (focusing on most-impacted residents – African-American, Asian-Pacific Islander, Latinx)**
- **Key stakeholder interviews (public sector, re-entry, immigrant, disabled, service providers, etc.)**

Stage 2 - Program Design
Data Collection & Analysis

- **Primary Data (Quantitative) - APD from FBI's Uniform Crime Reporting, CCFD data**

- **Secondary Data (Qualitative) – Key stakeholder interviews, community resident surveys**

- **Community (secondary) data – Community advisory table, focus groups, resident interviews**

Q & A

THANK YOU!

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of August 10, 2021

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Christina Garcia, CMC, Deputy City Clerk *Cg*

APPROVED BY: Nickie Mastay, Administrative Services Director

SUBJECT: City Council Meeting Minutes of July 27, 2021

RECOMMENDED ACTION
It is recommended that the City Council continue the Meeting Minutes of July 27, 2021.

FISCAL IMPACT
None

DISCUSSION
N/A

ATTACHMENT
None.

6A
08-10-21

CITY OF
ANTIOCH
CALIFORNIA

CLAIMS BY FUND REPORT
FOR THE PERIOD OF
JULY 16 - JULY 29, 2021
FUND/CHECK#

100 General Fund

Non Departmental

00395129	BAY AREA TRAFFIC SOLUTIONS INC	BOND REFUND	5,000.00
00395130	VARLEY, CHRIS	BOND REFUND	7,000.00
00395231	AD ART SIGN COMPANY	DEPOSIT REFUND	500.00
00395239	ALBERT D SEENO CONSTRUCTION CO	DEPOSIT REFUND	575.00
00395250	ARCHON ENERGY SOLUTIONS	CBSC FEE REFUND	2.92
00395256	BRIGHT PLANET SOLAR	CBSC FEE REFUND	2.27
00395275	CONTRA COSTA WATER DISTRICT	TREATED WATER CAPACITY FEE	34,762.78
00395276	CONTRA COSTA WATER DISTRICT	FACILITY RESERVE CHARGES	171,833.00
00395278	DAVID BABCOCK AND ASSOCIATES	REFUND DEPOSIT	2,000.00
00395284	ECC REG FEE AND FIN AUTH	ECCRFFA-RTDIM	584,460.00
00395288	FEIDI, SALEH	SB1186 STATE FEE REFUND	4.00
00395306	MANZANO, PATRICK	DEPOSIT REFUND	2,000.00
00395309	MCDERMOTT, WILLIAM R	DEPOSIT REFUND	500.00
00395311	MESA OUTDOOR	DEPOSIT REFUND	1,950.00
00395328	PRINCE BOOKKEEPING AND TAX	DEPOSIT REFUND	2,000.00
00395332	RIDGE COMMUNICATIONS INC	DEPOSIT REFUND	2,000.00
00395368	COLONIAL LIFE	PREMIUM PAYMENT	1,139.18
00395386	ANYTIME FITNESS	PAYROLL DEDUCTIONS	39.00
00395433	DIAMOND HILLS SPORT CLUB	PAYROLL DEDUCTIONS	80.00
00395452	IN SHAPE HEALTH CLUBS	PAYROLL DEDUCTIONS	547.99
00395460	LIFE INSURANCE CO OF N AMERICA	PAYROLL DEDUCTIONS	4,025.17
00395465	MUNICIPAL POOLING AUTHORITY	PAYROLL DEDUCTIONS	2,089.33
00395466	MUNICIPAL POOLING AUTHORITY	PAYROLL DEDUCTIONS	1,534.75
00395473	OPERATING ENGINEERS LOCAL NO 3	PAYROLL DEDUCTIONS	3,696.00
00395477	PARS	PAYROLL DEDUCTIONS	11,010.36
00395481	PLANET FITNESS	PAYROLL DEDUCTIONS	21.99
00395490	STATE OF CALIFORNIA	PAYROLL DEDUCTIONS	396.39
00395491	STATE OF CALIFORNIA	PAYROLL DEDUCTIONS	200.00
00395492	STATE OF CALIFORNIA	PAYROLL DEDUCTIONS	200.00
00395517	LIFE INSURANCE CO OF N AMERICA	PAYROLL DEDUCTIONS	17.08
00395518	MUNICIPAL POOLING AUTHORITY	PAYROLL DEDUCTIONS	2.76
00395519	OPERATING ENGINEERS LOCAL NO 3	PAYROLL DEDUCTIONS	66.00
00395520	AFLAC	INSURANCE PREMIUMS	5,286.76
00395531	COLONIAL LIFE	PREMIUM PAYMENT	711.54
00395538	DELTA DENTAL	INSURANCE PREMIUM	42,920.64
00940195	ANTIOCH PD SWORN MGMT ASSOC	PAYROLL DEDUCTIONS	880.00
00940196	APOA	PAYROLL DEDUCTIONS	21,456.50
00940197	APWEA	PAYROLL DEDUCTIONS	4,362.74
00940209	NATIONWIDE RETIREMENT SOLUTIONS	PAYROLL DEDUCTIONS	39,316.42
00940215	VANTAGEPOINT TRANSFER AGENTS	PAYROLL DEDUCTIONS	8,317.93
00940216	NATIONWIDE RETIREMENT SOLUTION	PAYROLL DEDUCTIONS	28,108.44
00940217	NATIONWIDE RETIREMENT SOLUTION	PAYROLL DEDUCTIONS	47.43

City Council

00395412	CALIF, STATE OF	USE TAX REMITTANCE	5.78
00395511	VERIZON WIRELESS	DATA SERVICES	98.50

Prepared by: Lauren Posada
Finance Accounting
8/4/2021

6B
August 10, 2021

CITY OF
ANTIOCH
CALIFORNIA

CLAIMS BY FUND REPORT
FOR THE PERIOD OF
JULY 16 - JULY 29, 2021
FUND/CHECK#

City Attorney			
00395378	ALLEN GLAESSNER HAZELWOOD	LEGAL SERVICES RENDERED	79,371.93
00395412	CALIF, STATE OF	USE TAX REMITTANCE	1.09
00395440	EXAMWORKS LLC	LEGAL SERVICES RENDERED	8,175.00
00395454	INSIGHT TRAINING STRATEGIES INC	LEGAL SERVICES RENDERED	14,025.19
00395458	LEXISNEXIS	LEXIS NEXIS RESEARCH ADVANCE	229.00
00395459	LIBERTY EXECUTIVE ADMIN INC	LEGAL SERVICES RENDERED	29,977.50
00395474	OPPENHEIMER INVESTIGATIONS	LEGAL SERVICES RENDERED	1,050.00
00395487	SHRED IT INC	SHRED SERVICES	87.87
00395488	SPIEHLER, VINA ROSETTA	LEGAL SERVICES RENDERED	2,235.00
00395499	TELECOM LAW FIRM PC	LEGAL SERVICES RENDERED	334.10
00395511	VERIZON WIRELESS	DATA SERVICES	51.75
City Manager			
00395242	AMBIUS	PLANT SERVICE	312.37
00395289	FOCUS STRATEGIES	UNHOUSED RES.COORD SERVICES	3,892.50
00395375	ALHAMBRA	WATER COOLER SERVICE	13.00
00395393	BIG SKY LOGOS AND EMBROIDERY	CITY APPAREL	128.37
00395412	CALIF, STATE OF	USE TAX REMITTANCE	0.81
00395511	VERIZON WIRELESS	DATA SERVICES	131.51
City Clerk			
00395436	EIDEN, KITTY J	MINUTES CLERK	2,520.00
00395437	EIDEN, KITTY J	MINUTES CLERK	1,350.00
00395487	SHRED IT INC	SHRED SERVICES	43.94
City Treasurer			
00395304	LOOMIS ARMORED LLC	ARMORED CAR PICKUP	175.80
00940210	PFM ASSET MGMT LLC	ADVISORY SERVICES	9,474.62
Human Resources			
00395277	CPS HUMAN RESOURCE SERVICES	PROFESSIONAL SERVICES	199.00
00395487	SHRED IT INC	SHRED SERVICES	87.87
00395523	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	96.67
00395552	IEDA INC	PROFESSIONAL SERVICES	5,637.32
Economic Development			
00395396	BLUDOT TECHNOLOGIES INC	OPEN REWARDS - CITY SPONSOR	20,000.00
00395412	CALIF, STATE OF	USE TAX REMITTANCE	6.06
00395469	NATELSON DALE GROUP INC, THE	STRATEGIC PLAN SERVICES	7,005.00
00395511	VERIZON WIRELESS	DATA SERVICES	52.30
Finance Administration			
00395534	CRYSTAL CLEAR LOGOS INC	CITY APPAREL	31.92
Finance Accounting			
00395322	OFFICE DEPOT INC	OFFICE SUPPLIES	123.00
00395377	ALL PRO PRINTING SOLUTIONS	ENVELOPES	1,416.16
00395487	SHRED IT INC	SHRED SERVICES	43.94
00395503	TYLER TECHNOLOGIES	ANNUAL ACCESS FEE	12,480.00
Finance Operations			
00395505	UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	12.00
00395534	CRYSTAL CLEAR LOGOS INC	CITY APPAREL	133.52
Non Departmental			

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00395251	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	224.00
00395285	ENRIQUE M.D., LOUIS A	OVER PAYMENT REFUND	212.50
00395288	FEIDI, SALEH	OVER PAYMENT REFUND	260.00
00395316	MUNICIPAL POOLING AUTHORITY	ANNUAL INSURANCE PREMIUM	1,915,655.00
00395522	ASSOC OF BAY AREA GOVERNMENTS	MEMBERSHIP DUES	25,158.00
00940208	MUNISERVICES LLC	SUTA SERVICES	56,069.34
00940292	RETIREE	MEDICAL AFTER RETIREMENT	1,842.77
Public Works Street Maintenance			
00395248	ANTIOCH ACE HARDWARE	SUPPLIES	85.07
00395249	ANTIOCH BUILDING MATERIALS	ASPHALT MATERIALS	28,280.50
00395253	BAY AREA BARRICADE	SUPPLIES	10,751.01
00395258	C AND J FAVALORA TRUCKING INC	EQUIPMENT RENTAL	3,120.00
00395295	INTERSTATE SALES	SUPPLIES	7,623.44
00395300	KELLY MOORE PAINT CO	PAINT AND SUPPLIES	382.12
00395301	KELLY MOORE PAINT CO	SUPPLIES	145.70
00395315	MT DIABLO LANDSCAPE CENTERS	CONCRETE MIX	231.61
00395321	NUTRIEN AG SOLUTIONS	PESTICIDES	8,608.52
00395339	SHERWIN WILLIAMS CO	SUPPLIES	1,254.16
00395340	SHERWIN WILLIAMS CO	SUPPLIES	23.78
00395362	VISIONS RECYCLING INC	SOUND WALL PAINT	3,389.52
00395382	ANDELIN, RHEANNA A	TRAINING REIMBURSEMENT	539.53
00395412	CALIF, STATE OF	USE TAX REMITTANCE	750.16
00395449	HOME DEPOT, THE	SUPPLIES	1,201.76
00395470	NEXTEL SPRINT	CELL PHONES	75.16
00395471	OFFICE DEPOT INC	OFFICE SUPPLIES	105.92
00395538	DELTA DENTAL	INSURANCE PREMIUM	86.42
00940190	QUENVOLDS	SAFETY SHOES - E LOPEZ	300.00
00940191	RED WING SHOE STORE	SAFETY SHOES - PUTMAN	300.00
00940192	RSM DESIGN	CITYWIDE SIGNAGE	13,043.75
Public Works-Signal/Street Lights			
00395380	AMERICAN GREENPOWER USA INC	SUPPLIES	914.47
00395390	AT AND T MOBILITY	CONNECTION SERVICES	46.23
00940183	CONSOLIDATED ELECTRICAL DIST	LIGHT POLES	33,939.09
00940185	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	1,350.70
Public Works-Facilities Maintenance			
00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	9,008.00
00395338	SHELTERWERK	ARCHITECT DRAWINGS	6,081.25
00395379	ALTA FENCE	PROFESSIONAL SERVICES	496.00
00395384	ANTIOCH ACE HARDWARE	SUPPLIES	6.28
00395412	CALIF, STATE OF	USE TAX REMITTANCE	14.13
00395416	COMCAST	CONNECTION SERVICES	110.15
00395449	HOME DEPOT, THE	SUPPLIES	273.35
00395450	HONEYWELL INTERNATIONAL INC	HVAC SERVICES	2,628.00
00395471	OFFICE DEPOT INC	OFFICE SUPPLIES	109.74
Public Works-Parks Maint			
00395243	AMERICAN PLUMBING INC	PLUMBING SERVICES	595.00
00395351	TERRACARE ASSOCIATES	PARK MAINTENANCE	98,915.08

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00395363	WATERSAVERS IRRIGATION	IRRIGATION PARTS	1,042.89
00395412	CALIF, STATE OF	USE TAX REMITTANCE	89.70
00395431	DELTA CONTROL SOLUTIONS LLC	PROFESSIONAL SERVICES	861.01
00395471	OFFICE DEPOT INC	OFFICE SUPPLIES	80.89
00395484	ROBINS LOCK AND KEY	MAINTENANCE SERVICES	526.59
00395494	STEWARTS TREE SERVICE INC	LANDSCAPE SERVICES	9,700.00
00395514	WATERSAVERS IRRIGATION	IRRIGATION PARTS	599.53
00395525	BIG B LUMBER	SUPPLIES	762.01
00395565	ROBINS LOCK AND KEY	MAINTENANCE SERVICES	120.00
Public Works-Median/General Land			
00395237	AL FRESCO LANDSCAPING INC	LANDSCAPE SERVICES	7,680.00
00395238	AL FRESCO LANDSCAPING INC	LANDSCAPE SERVICES	17,694.88
00395308	MCCAULEY AGRICULTURAL AND PEST	WEED ABATEMENT	1,000.00
00395343	SILVA LANDSCAPE	LANDSCAPE SERVICES	7,651.84
00395348	STEWARTS TREE SERVICE INC	TREE SERVICE	8,400.00
00395363	WATERSAVERS IRRIGATION	EQUIPMENT	1,132.15
00395412	CALIF, STATE OF	USE TAX REMITTANCE	346.34
00395449	HOME DEPOT, THE	SUPPLIES	21.46
00395494	STEWARTS TREE SERVICE INC	LANDSCAPE SERVICES	14,150.00
PW-Work Alternative-Strt Maint			
00395470	NEXTEL SPRINT	CELL PHONES	15.93
Police Administration			
00395232	ADAMS, JONATHAN B	TRAINING PER DIEM	264.00
00395233	ADAMSON POLICE PRODUCTS	UNIFORMS	131.69
00395234	ADAMSON POLICE PRODUCTS	UNIFORMS	131.69
00395241	ALL PRO PRINTING SOLUTIONS	PRINTING SERVICES	2,534.15
00395254	BECERRA, ARTURO MODESTO	TRAINING PER DIEM	264.00
00395259	CALIFORNIA POLICE CHIEFS ASSOC	TRAINING - S PETERSON	375.00
00395260	CALIFORNIA POLICE CHIEFS ASSOC	TRAINING - A CRANDELL	375.00
00395261	CALIFORNIA POLICE CHIEFS ASSOC	TRAINING - J GIRARD	375.00
00395262	CALIFORNIA POLICE CHIEFS ASSOC	TRAINING - A SOARES	375.00
00395263	CALIFORNIA POLICE CHIEFS ASSOC	TRAINING - A RODRIGUEZ	375.00
00395265	CLASSY GLASS TINTING	VEHICLE TINT	120.00
00395271	CONCORD UNIFORMS LLC	VIPS UNIFORMS	533.89
00395272	CONTRA COSTA COUNTY	SWAT TRAINING	565.00
00395273	CONTRA COSTA COUNTY	SART EXAMS	1,700.00
00395286	EVANS, JOSHUA FIELD	TRAINING PER DIEM	304.00
00395291	GALLS LLC	EQUIPMENT	4,210.87
00395305	LOWTHER, GARY M	TRAINING PER DIEM	213.00
00395312	MILNER, BRAYTON THOMAS	TRAINING PER DIEM	264.00
00395319	NET TRANSCRIPTS	TRANSCRIPTION SERVICES	822.60
00395322	OFFICE DEPOT INC	OFFICE SUPPLIES	442.84
00395331	REACH PROJECT INC	PROGRAM SERVICES	17,083.00
00395337	SAM CLAR OFFICE FURNITURE	OFFICE SUPPLIES	258.56
00395344	SMITH, THOMAS S	TRAINING PER DIEM	198.00
00395345	SOUTH BAY REGIONAL PUBLIC SAFETY	TRAINING - D WENGER	753.00
00395365	WENGER, DEVON	TRAINING PER DIEM	660.00

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00395388	ARROWHEAD 24 HOUR TOWING INC	TOWING SERVICES	115.00
00395412	CALIF, STATE OF	USE TAX REMITTANCE	1,141.78
00395418	CONCORD UNIFORMS LLC	UNIFORMS	744.46
00395420	CONTRA COSTA COUNTY	TRAINING - B MILNER	618.00
00395421	CONTRA COSTA COUNTY	TRAINING - S MILLER	618.00
00395428	D PREP INC	TRAINING - B CRITES	357.00
00395429	D PREP INC	TRAINING - T NGUYEN	357.00
00395430	D PREP INC	TRAINING - A DUFFY	357.00
00395441	FEDEX	SHIPPING	56.30
00395442	FEDEX	SHIPPING	33.07
00395443	FERNANDES AUTO WRECKING TOWING	RV TOWING SERVICES	1,500.00
00395447	HAWK ANALYTICS	TRAINING - R GRAGG	995.00
00395456	KREINS CONSULTING	PROMOTIONAL TESTING	10,000.00
00395480	PITNEY BOWES INC	POSTAGE MACHINE LEASE	300.72
00395485	SAVE MART SUPERMARKETS	VARIOUS BUSINESS EXPENSES	259.19
00395489	STATE OF CALIFORNIA	BACKGROUND SERVICES	64.00
00395538	DELTA DENTAL	INSURANCE PREMIUM	172.84
00940193	RETIREE	COURT HOURS	228.63
00940203	IMAGE SALES INC	SUPPLIES	62.51
00940207	MOBILE MINI LLC	EVIDENCE STORAGE	161.54
Police Cadets			
00395412	CALIF, STATE OF	USE TAX REMITTANCE	32.77
Police Community Policing			
00395236	AGENCY360	SOFTWARE	1,197.00
00395346	SP PLUS CORPORATION	PARKING ENFORCEMENT	21,000.00
00395360	VIGILANT SOLUTIONS, LLC	ALPR CAMERA LICENSE	17,625.00
00395368	COLONIAL LIFE	PREMIUM PAYMENT	56.78
00395388	ARROWHEAD 24 HOUR TOWING INC	TOWING SERVICES	1,062.50
00395412	CALIF, STATE OF	USE TAX REMITTANCE	104.98
00395451	HUNT AND SONS INC	FUEL	85.96
00395462	MC MANUS, ERIC A	MILEAGE REIMBURSEMENT	126.98
00395495	STOMMEL INC	ALPR CAMERAS	1,070.06
00395509	VCA ENCINA VETERINARY MEDICAL	VETERINARY SERVICES	160.00
00395538	DELTA DENTAL	INSURANCE PREMIUM	345.68
00940211	PROFORCE MARKETING INC	TASER EQUIPMENT	49,854.05
Police Investigations			
00395325	PFEIFFER, DEAN A	EXPENSE REIMBURSEMENT	25.05
00395376	ALHAMBRA	WATER SERVICES	202.23
00395412	CALIF, STATE OF	USE TAX REMITTANCE	2.47
00395414	CALIFORNIA EXTRADITION SERVICES	EXTRADITION	800.00
00395417	COMCAST	CONNECTION SERVICES	150.15
00395461	MATIS, ZECHARIAH DANIEL	MEAL REIMBURSEMENTS	52.80
00395486	SEROLOGICAL RESEARCH INSTITUTE	LAB FEES	6,800.00
00395496	T MOBILE USA INC	DIGITAL ANALYSIS	800.00
00395497	T MOBILE USA INC	DIGITAL ANALYSIS	150.00
00395571	T MOBILE USA INC	DIGITAL ANALYSIS	830.00
00940188	MOBILE MINI LLC	EVIDENCE STORAGE	129.98

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Police Special Operations Unit			
00395281	EAN SERVICES LLC	VEHICLE RENTAL	5,625.47
00395412	CALIF, STATE OF	USE TAX REMITTANCE	21.55
Police Communications			
00395235	AEROTEK INC	SUPPORT SERVICES	607.50
00395267	COMCAST	CONNECTION SERVICES	3,216.33
00395370	AEROTEK INC	DATA 911 MAINTENANCE	135.00
00395371	AEROTEK INC	DATA 911 MAINTENANCE	202.50
00395412	CALIF, STATE OF	USE TAX REMITTANCE	65.69
00395511	VERIZON WIRELESS	PATROL VEHICLE MODEMS	2,798.16
Office Of Emergency Management			
00395251	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	65.83
00395573	USA BLUEBOOK	SUPPLIES	826.74
Police Community Volunteers			
00395412	CALIF, STATE OF	USE TAX REMITTANCE	32.77
Police Facilities Maintenance			
00395333	ROCHESTER MIDLAND CORP	PROFESSIONAL SERVICES	1,686.42
00395341	SHERWIN WILLIAMS CO	SUPPLIES	239.43
00395412	CALIF, STATE OF	USE TAX REMITTANCE	1.10
P & R Administration			
00395251	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	57.00
CD Code Enforcement			
00395412	CALIF, STATE OF	USE TAX REMITTANCE	8.48
00395422	CCC CLERK RECORDER	RECORDING FEES	184.00
00395470	NEXTEL SPRINT	CELL PHONES	525.42
PW Engineer Land Development			
00395470	NEXTEL SPRINT	CELL PHONES	300.60
00395510	VERIZON WIRELESS	DATA SERVICES	68.42
00940191	RED WING SHOE STORE	SAFETY SHOES - T BARAJAS	250.00
00940194	TESTING ENGINEERS INC	MATERIAL TESTING	4,680.25
Community Development Building Inspection			
00395250	ARCHON ENERGY SOLUTIONS	ENERGY INSP FEE REFUND	282.23
00395256	BRIGHT PLANET SOLAR	ENERGY INSP FEE REFUND	245.48
00395470	NEXTEL SPRINT	CELL PHONES	107.68
Capital Imp. Administration			
00395412	CALIF, STATE OF	USE TAX REMITTANCE	0.31
00395470	NEXTEL SPRINT	CELL PHONES	126.26
00395510	VERIZON WIRELESS	DATA SERVICES	34.21
209	**RMRA Fund**		
Non Departmental			
Streets			
00395395	BKF ENGINEERS INC	PROFESSIONAL SERVICES	11,215.95
00395498	TEICHERT CONSTRUCTION	PAVEMENT PLUGS PROJECT	728,496.65
00940187	MCK SERVICES INC	PAVEMENT REHABILITATION PROJECT	450,544.00
213	**Gas Tax Fund**		
Streets			

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00940205	JJR CONSTRUCTION INC	STAMPED CONCRETE	104,164.99
214	**Animal Services Fund**		
Animal Services			
00395255	BOEHRINGER INGELHEIM ANIMAL	SUPPLIES	760.37
00395282	EAST BAY VETERINARY EMERGENCY	VETERINARY SERVICES	691.52
00395283	EAST HILLS VETERINARY HOSPITAL	VETERINARY SERVICES	134.20
00395294	HILLS PET NUTRITION	SUPPLIES	77.57
00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	52,716.00
00395317	MWI VETERINARY SUPPLY CO	SUPPLIES	427.91
00395372	AIRGAS USA LLC	OXYGEN	63.51
00395412	CALIF, STATE OF	USE TAX REMITTANCE	273.02
00395435	EAST HILLS VETERINARY HOSPITAL	VETERINARY SERVICES	167.75
00395501	TONY LA RUSSA'S ANIMAL RESCUE	PROFESSIONAL SERVICES	1,289.89
00395516	ZOETIS LLC	SUPPLIES	233.77
00940186	IDEXX LABORATORIES INC	LAB SERVICES	143.68
215	**Civic Arts Fund**		
Civic Arts			
00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	1,860.00
219	**Recreation Fund**		
Non Departmental			
00395326	PICO CALIFORNIA	DEPOSIT REFUND	500.00
00395353	UDO, KOKOMMA	DEPOSIT REFUND	1,000.00
00395361	VINTAGE CHRISTIAN INTERCESSORY	DEPOSIT REFUND	500.00
00395569	STATE BOARD OF EQUALIZATION	SALES TAX REMITTANCE	647.23
Nick Rodriguez Community Cent			
00395412	CALIF, STATE OF	USE TAX REMITTANCE	2.77
Senior Programs			
00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	11,874.00
00395412	CALIF, STATE OF	USE TAX REMITTANCE	64.72
00395450	HONEYWELL INTERNATIONAL INC	HVAC SERVICES	11,224.45
Recreation Sports Programs			
00395251	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	684.88
00395257	BSN SPORTS LLC	CITY APPAREL	6,001.97
00395270	CONCORD SOFTBALL UMPIRES	CONTRACTOR PAYMENT	580.00
00395292	GONZALEZ-ALSON, ZONIA	CONTRACTOR PAYMENT	720.00
00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	8,896.00
00395320	NIZAR, CYNTHIA	CAMP REFUND	322.00
00395350	TEAMSIDELINE.COM	SCHEDULING SOFTWARE	599.00
00395366	Z SPORTS INC	TEMPORARY HELP-AGENCIES	1,950.00
00395448	HO, TRISHA	CLASS REFUND	118.00
00395476	PANGA, REGGIE	GYM RENTAL REFUND	2,670.00
Recreation-Comm Center			
00395251	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	901.53
00395266	CLEAN VENT INC	MAINTENANCE SERVICES	1,395.00
00395267	COMCAST	CONNECTION SERVICES	50.01
00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	69,853.00
00395322	OFFICE DEPOT INC	OFFICE SUPPLIES	29.52

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00395326	PICO CALIFORNIA	EQUIPMENT RENTAL REFUND	20.00
00395342	SILKE COMMUNICATION	COMMUNICATION REPLACEMENT	3,503.57
00395353	UDO, KOKOMMA	KITCHEN FEE REFUND	107.00
00395355	UNITED STATES POSTAL SERVICE	PREPAID POSTAGE	8,756.16
00395369	ADT COMMERCIAL	ALARM MONITORING	300.00
00395392	BE EXCEPTIONAL	CONTRACTOR PAYMENT	540.00
00395412	CALIF, STATE OF	USE TAX REMITTANCE	5.38
00395415	COLE SUPPLY CO INC	SUPPLIES	835.53
00395500	THOMPSON, RANDALL	CONTRACTOR PAYMENT	104.00
00395532	COMMERCIAL APPLIANCE SERVICE	MAINTENANCE SERVICES	470.98
00940185	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	1,156.60
Recreation Water Park			
00395244	AMERICAN RED CROSS	LIFEGUARD CERTIFICATIONS	817.00
00395251	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	891.51
00395257	BSN SPORTS LLC	STAFF UNIFORMS	2,628.50
00395268	COMCAST	CONNECTION SERVICES	96.86
00395269	COMMERCIAL POOL SYSTEMS INC	SUPPLIES	69.14
00395280	DEPT OF INDUSTRIAL RELATIONS	STATE SLIDE INSPECTION	1,526.86
00395303	LINCOLN EQUIPMENT INC	SUPPLIES	3,525.59
00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	36,208.00
00395318	NATIONAL AQUATICS INC	MAINTENANCE SERVICES	54,721.73
00395324	PEPSI COLA COMPANY	SUPPLIES	1,219.80
00395358	US FOODS INC	SUPPLIES	5,106.32
00395367	ZEPEDA, ROSA	LIFEGUARD TRAINING REFUND	235.00
00395412	CALIF, STATE OF	USE TAX REMITTANCE	118.43
00395457	LESLIES POOL SUPPLIES	CHEMICALS	341.12
00395470	NEXTEL SPRINT	CELL PHONES	15.93
00395507	US FOODS INC	SUPPLIES	2,892.91
00395572	US FOODS INC	SUPPLIES	2,088.21
221	**Asset Forfeiture Fund**		
Non Departmental			
00395439	EVANGELHO, KYLIE ANN	ASSET FORFEITURE	665.00
222	**Measure C/J Fund**		
Streets			
00395237	AL FRESCO LANDSCAPING INC	HILLCREST AVE MEDIAN LANDSCAPE	33,150.00
00395412	CALIF, STATE OF	USE TAX REMITTANCE	16.72
223	**Child Care Fund**		
Child Care			
00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	1,226.00
226	**Solid Waste Reduction Fund**		
Solid Waste			
00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	4,370.00
00395330	RAMON ROOFING	WASTE MANAGEMENT FEE REFUND	35.00
229	**Pollution Elimination Fund**		
Channel Maintenance Operation			
00395238	AL FRESCO LANDSCAPING INC	LANDSCAPE SERVICES	4,160.00
00395246	ANTIOCH ACE HARDWARE	KEYS	13.60

00395313	MJH EXCAVATING INC	EQUIPMENT	2,740.00
00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	12,277.00
00395412	CALIF, STATE OF	USE TAX REMITTANCE	45.27
00395463	MJH EXCAVATING INC	EQUIPMENT RENTAL	5,080.00
00395470	NEXTEL SPRINT	CELL PHONES	15.93
238	**PEG Franchise Fee Fund**		
Non Departmental			
00395336	SABOO INC	CITY HALL COUNCIL CHAMBERS	674.43
00395567	SABOO INC	RETENTION PAYMENT	1,318.72
251	**Lone Tree SLLMD Fund**		
Lonetree Maintenance Zone 1			
00395308	MCCAULEY AGRICULTURAL AND PEST	WEED ABATEMENT	7,000.00
00395351	TERRACARE ASSOCIATES	TURF MOWING	173.10
Lonetree Maintenance Zone 2			
00395308	MCCAULEY AGRICULTURAL AND PEST	WEED ABATEMENT	10,000.00
00395343	SILVA LANDSCAPE	LANDSCAPE SERVICES	7,524.00
Lonetree Maintenance Zone 3			
00395308	MCCAULEY AGRICULTURAL AND PEST	WEED ABATEMENT	12,000.00
Lonetree Maintenance Zone 4			
00395351	TERRACARE ASSOCIATES	TURF MOWING	276.96
252	**Downtown SLLMD Fund**		
Downtown Maintenance			
00395347	STEWARTS TREE SERVICE INC	LANDSCAPE SERVICES	2,100.00
00395351	TERRACARE ASSOCIATES	TURF MOWING	173.10
00395464	MT DIABLO LANDSCAPE CENTERS INC	SUPPLIES	231.61
00395478	PEREZ NURSERY AND LANDSCAPING	PLANTS	945.29
00395494	STEWARTS TREE SERVICE INC	LANDSCAPE SERVICES	2,600.00
253	**Almondridge SLLMD Fund**		
Almondridge Maintenance			
00395308	MCCAULEY AGRICULTURAL AND PEST	WEED ABATEMENT	4,000.00
254	**Hillcrest SLLMD Fund**		
Hillcrest Maintenance Zone 1			
00395308	MCCAULEY AGRICULTURAL AND PEST	WEED ABATEMENT	13,000.00
00395351	TERRACARE ASSOCIATES	TURF MOWING	450.06
Hillcrest Maintenance Zone 2			
00395308	MCCAULEY AGRICULTURAL AND PEST	WEED ABATEMENT	16,000.00
00395343	SILVA LANDSCAPE	LANDSCAPE SERVICES	5,544.00
00395351	TERRACARE ASSOCIATES	TURF MOWING	616.24
Hillcrest Maintenance Zone 4			
00395308	MCCAULEY AGRICULTURAL AND PEST	WEED ABATEMENT	12,000.00
00395351	TERRACARE ASSOCIATES	TURF MOWING	346.20
255	**Park 1A Maintenance District Fund**		
Park 1A Maintenance District			
00395308	MCCAULEY AGRICULTURAL AND PEST	WEED ABATEMENT	1,000.00
00395351	TERRACARE ASSOCIATES	TURF MOWING	450.06

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256	**Citywide 2A Maintenance District Fund**		
Citywide 2A Maintenance Zone 3			
00395308	MCCAULEY AGRICULTURAL AND PEST	WEED ABATEMENT	6,000.00
00395351	TERRACARE ASSOCIATES	TURF MOWING	6.92
Citywide 2A Maintenance Zone 4			
00395308	MCCAULEY AGRICULTURAL AND PEST	WEED ABATEMENT	8,000.00
00395343	SILVA LANDSCAPE	LANDSCAPE SERVICES	3,432.00
00395412	CALIF, STATE OF	USE TAX REMITTANCE	20.27
Citywide 2A Maintenance Zone 5			
00395308	MCCAULEY AGRICULTURAL AND PEST	WEED ABATEMENT	7,000.00
00395343	SILVA LANDSCAPE	LANDSCAPE SERVICES	1,232.00
Citywide 2A Maintenance Zone 6			
00395237	AL FRESCO LANDSCAPING INC	LANDSCAPE SERVICES	7,680.00
00395246	ANTIOCH ACE HARDWARE	SUPPLIES	49.63
00395308	MCCAULEY AGRICULTURAL AND PEST	WEED ABATEMENT	5,000.00
00395343	SILVA LANDSCAPE	LANDSCAPE SERVICES	2,200.00
00395351	TERRACARE ASSOCIATES	TURF MOWING	415.44
00395412	CALIF, STATE OF	USE TAX REMITTANCE	0.58
Citywide 2A Maintenance Zone 8			
00395308	MCCAULEY AGRICULTURAL AND PEST	WEED ABATEMENT	7,000.00
00395343	SILVA LANDSCAPE	LANDSCAPE SERVICES	1,496.00
00395351	TERRACARE ASSOCIATES	TURF MOWING	34.62
00395363	WATERSAVERS IRRIGATION	IRRIGATION PARTS	345.16
00395412	CALIF, STATE OF	USE TAX REMITTANCE	56.27
00395478	PEREZ NURSERY AND LANDSCAPING	PLANTS	11,430.55
Citywide 2A Maintenance Zone 9			
00395308	MCCAULEY AGRICULTURAL AND PEST	WEED ABATEMENT	8,000.00
00395343	SILVA LANDSCAPE	LANDSCAPE SERVICES	8,340.00
00395351	TERRACARE ASSOCIATES	TURF MOWING	103.86
Citywide 2A Maintenance Zone10			
00395308	MCCAULEY AGRICULTURAL AND PEST	WEED ABATEMENT	5,000.00
00395343	SILVA LANDSCAPE	LANDSCAPE SERVICES	176.00
00395412	CALIF, STATE OF	USE TAX REMITTANCE	21.27
257	**SLLMD Administration Fund**		
SLLMD Administration			
00395248	ANTIOCH ACE HARDWARE	SUPPLIES	49.37
00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	32,833.00
00395351	TERRACARE ASSOCIATES	TURF MOWING	415.44
00395412	CALIF, STATE OF	USE TAX REMITTANCE	21.20
00395471	OFFICE DEPOT INC	OFFICE SUPPLIES	34.15
00395504	ULINE	OFFICE CHAIR	690.42
00940212	QUENVOLDS	SAFETY SHOES - O IBARRA	300.00
259	**East Lone Tree SLLMD Fund**		
Zone 1-District 10			
00395308	MCCAULEY AGRICULTURAL AND PEST	WEED ABATEMENT	6,000.00
00395343	SILVA LANDSCAPE	LANDSCAPE SERVICES	176.00
00395363	WATERSAVERS IRRIGATION	IRRIGATION PARTS	2,643.72

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00395397	BOETHING TREELAND FARMS	PLANTS	6,740.13
00395412	CALIF, STATE OF	USE TAX REMITTANCE	43.91
00395478	PEREZ NURSERY AND LANDSCAPING	PLANTS	483.07
00395514	WATERSAVERS IRRIGATION	IRRIGATION PARTS	326.85
280	**CFD 2016-01 Police Protection Fund**		
Police Community Policing			
00395279	DAVID TAUSSIG AND ASSOCIATES	PROFESSIONAL SERVICES	597.40
281	**CFD 2018-01 Public Services Fund**		
CFD 2018-01 Maintenance			
00395279	DAVID TAUSSIG AND ASSOCIATES	PROFESSIONAL SERVICES	597.40
282	**CFD 2018-02 Police Protection Fund**		
Police Community Policing			
00395279	DAVID TAUSSIG AND ASSOCIATES	PROFESSIONAL SERVICES	1,555.30
311	**Capital Improvement Fund**		
Non Departmental			
Parks & Open Space			
00395240	ALEX KUSHNER GENERAL INC	CITY HALL INTERIOR PROJECT	81,756.20
00395310	MERCOZA	CITY HALL PLAZA PROJECT	79,234.00
00395412	CALIF, STATE OF	USE TAX REMITTANCE	0.90
Streets			
00395298	JOES LANDSCAPE AND CONCRETE	SIDWALK REPAIR PROJECT	34,624.65
376	**Lone Diamond Fund**		
Assessment District			
00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	39.00
00395529	CENTRAL SELF STORAGE ANTIOCH	STORAGE	336.00
570	**Equipment Maintenance Fund**		
Equipment Maintenance			
00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	53,600.00
00395323	OREILLY AUTO PARTS	AUTO PARTS	426.49
00395385	ANTIOCH AUTO PARTS	AUTO PARTS	824.25
00395394	BILL BRANDT FORD	AUTO PARTS	2,052.90
00395412	CALIF, STATE OF	USE TAX REMITTANCE	105.05
00395413	CA DEPT OF TAX AND FEE ADMIN	FUEL TAX	36.20
00395434	EAST BAY WELDING SUPPLY	EQUIPMENT RENTAL	15.49
00395467	MUNICIPAL POOLING AUTHORITY	SUPPLEMENTAL VEHICLE INSURANCE	944.06
00395471	OFFICE DEPOT INC	OFFICE SUPPLIES	69.13
00395475	OREILLY AUTO PARTS	AUTO PARTS	2,751.89
00395484	ROBINS LOCK AND KEY	PROFESSIONAL SERVICES	554.85
00395505	UNITED PARCEL SERVICE	SHIPPING	46.90
00395512	WALNUT CREEK FORD	AUTO PARTS	293.84
00395515	WINTER CHEVROLET CO	PARTS	100.67
00395540	FALCON COLLISION REPAIR INC	EMERGENCY VEHICLE REPAIR	8,530.40
00940206	KIMBALL MIDWEST	PARTS	1,565.68
00940214	UNLIMITED GRAPHIC SIGN NETWORK	PROFESSIONAL SERVICES	210.72
573	**Information Services Fund**		

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Information Services			
00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	9,811.00
00395511	VERIZON WIRELESS	EQUIPMENT	1,171.55
Network Support & PCs			
00395268	COMCAST	CONNECTION SERVICES	487.10
00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	24,118.00
00395412	CALIF, STATE OF	USE TAX REMITTANCE	2.68
00940184	DELL COMPUTER CORP	COMPUTER EQUIPMENT	308.60
00940200	DELL COMPUTER CORP	COMPUTER EQUIPMENT	2,147.14
00940201	DIGITAL SERVICES	SERVER/WEBSITE MAINTENANCE	6,045.00
Telephone System			
00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	1,060.00
00395389	AT AND T MCI	LONG DISTANCE PHONE LINES	51.63
GIS Support Services			
00395296	INTERWEST CONSULTING GROUP	GIS SERVICES	3,149.99
00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	17,961.00
00395412	CALIF, STATE OF	USE TAX REMITTANCE	19.44
00395438	ESRI INC	ESRI-SOFTWARE MAINT	25,144.11
00395455	INTERWEST CONSULTING GROUP	GIS SERVICES	1,283.33
577	**Post Retirement Medical-Police Fund**		
Non Departmental			
00395526	RETIREE	MEDICAL AFTER RETIREMENT	1,484.28
00395528	RETIREE	MEDICAL AFTER RETIREMENT	813.64
00395537	RETIREE	MEDICAL AFTER RETIREMENT	1,158.82
00395544	RETIREE	MEDICAL AFTER RETIREMENT	1,158.82
00395553	RETIREE	MEDICAL AFTER RETIREMENT	505.96
00395554	RETIREE	MEDICAL AFTER RETIREMENT	670.64
00395555	RETIREE	MEDICAL AFTER RETIREMENT	203.41
00395556	RETIREE	MEDICAL AFTER RETIREMENT	1,402.92
00395559	RETIREE	MEDICAL AFTER RETIREMENT	1,402.92
00395561	RETIREE	MEDICAL AFTER RETIREMENT	709.38
00395570	RETIREE	MEDICAL AFTER RETIREMENT	64.00
00940218	RETIREE	MEDICAL AFTER RETIREMENT	505.96
00940219	RETIREE	MEDICAL AFTER RETIREMENT	1,972.46
00940224	RETIREE	MEDICAL AFTER RETIREMENT	995.12
00940225	RETIREE	MEDICAL AFTER RETIREMENT	304.50
00940227	RETIREE	MEDICAL AFTER RETIREMENT	1,484.28
00940228	RETIREE	MEDICAL AFTER RETIREMENT	1,548.23
00940232	RETIREE	MEDICAL AFTER RETIREMENT	1,484.28
00940233	RETIREE	MEDICAL AFTER RETIREMENT	1,377.34
00940241	RETIREE	MEDICAL AFTER RETIREMENT	1,484.28
00940246	RETIREE	MEDICAL AFTER RETIREMENT	994.14
00940248	RETIREE	MEDICAL AFTER RETIREMENT	879.00
00940251	RETIREE	MEDICAL AFTER RETIREMENT	556.94
00940255	RETIREE	MEDICAL AFTER RETIREMENT	623.74
00940268	RETIREE	MEDICAL AFTER RETIREMENT	1,377.34
00940269	RETIREE	MEDICAL AFTER RETIREMENT	1,627.28

00940275	RETIREE	MEDICAL AFTER RETIREMENT	1,377.34
00940276	RETIREE	MEDICAL AFTER RETIREMENT	879.00
00940277	RETIREE	MEDICAL AFTER RETIREMENT	1,484.28
00940291	RETIREE	MEDICAL AFTER RETIREMENT	181.48
00940294	RETIREE	MEDICAL AFTER RETIREMENT	505.96
00940295	RETIREE	MEDICAL AFTER RETIREMENT	266.57
00940296	RETIREE	MEDICAL AFTER RETIREMENT	1,484.28
00940306	RETIREE	MEDICAL AFTER RETIREMENT	181.48
00940307	RETIREE	MEDICAL AFTER RETIREMENT	1,464.55
00940308	RETIREE	MEDICAL AFTER RETIREMENT	1,484.28
00940311	RETIREE	MEDICAL AFTER RETIREMENT	212.28
00940324	RETIREE	MEDICAL AFTER RETIREMENT	1,627.28
00940327	RETIREE	MEDICAL AFTER RETIREMENT	670.64
00940328	RETIREE	MEDICAL AFTER RETIREMENT	238.25
00940336	RETIREE	MEDICAL AFTER RETIREMENT	1,377.34
00940337	RETIREE	MEDICAL AFTER RETIREMENT	556.94
00940339	RETIREE	MEDICAL AFTER RETIREMENT	505.96
00940341	RETIREE	MEDICAL AFTER RETIREMENT	1,077.46
00940344	RETIREE	MEDICAL AFTER RETIREMENT	263.82
00940353	RETIREE	MEDICAL AFTER RETIREMENT	594.83
00940355	RETIREE	MEDICAL AFTER RETIREMENT	1,484.28
00940364	RETIREE	MEDICAL AFTER RETIREMENT	1,484.28
00940365	RETIREE	MEDICAL AFTER RETIREMENT	1,484.28
00940367	RETIREE	MEDICAL AFTER RETIREMENT	813.64
00940372	RETIREE	MEDICAL AFTER RETIREMENT	505.96
00940373	RETIREE	MEDICAL AFTER RETIREMENT	1,484.28
00940377	RETIREE	MEDICAL AFTER RETIREMENT	263.82
00940385	RETIREE	MEDICAL AFTER RETIREMENT	435.31
00940389	RETIREE	MEDICAL AFTER RETIREMENT	505.96
00940390	RETIREE	MEDICAL AFTER RETIREMENT	670.64
00940392	RETIREE	MEDICAL AFTER RETIREMENT	18.06
00940394	RETIREE	MEDICAL AFTER RETIREMENT	670.64
578	**Post Retirement Medical-Misc Fund**		
Non Departmental			
00395524	RETIREE	MEDICAL AFTER RETIREMENT	211.69
00395539	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00395541	RETIREE	MEDICAL AFTER RETIREMENT	566.38
00395543	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00395545	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00395547	RETIREE	MEDICAL AFTER RETIREMENT	709.38
00395563	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00395566	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00395575	RETIREE	MEDICAL AFTER RETIREMENT	100.00
00940220	RETIREE	MEDICAL AFTER RETIREMENT	238.25
00940221	RETIREE	MEDICAL AFTER RETIREMENT	566.38
00940223	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940226	RETIREE	MEDICAL AFTER RETIREMENT	566.38

00940231	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940236	RETIREE	MEDICAL AFTER RETIREMENT	211.69
00940238	RETIREE	MEDICAL AFTER RETIREMENT	211.69
00940239	RETIREE	MEDICAL AFTER RETIREMENT	566.38
00940242	RETIREE	MEDICAL AFTER RETIREMENT	211.69
00940243	RETIREE	MEDICAL AFTER RETIREMENT	566.38
00940244	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940247	RETIREE	MEDICAL AFTER RETIREMENT	566.38
00940253	RETIREE	MEDICAL AFTER RETIREMENT	423.38
00940256	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940260	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940261	RETIREE	MEDICAL AFTER RETIREMENT	211.69
00940264	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940267	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940271	RETIREE	MEDICAL AFTER RETIREMENT	566.38
00940272	RETIREE	MEDICAL AFTER RETIREMENT	566.38
00940273	RETIREE	MEDICAL AFTER RETIREMENT	566.38
00940274	RETIREE	MEDICAL AFTER RETIREMENT	181.48
00940281	RETIREE	MEDICAL AFTER RETIREMENT	709.38
00940282	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940283	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940284	RETIREE	MEDICAL AFTER RETIREMENT	125.39
00940285	RETIREE	MEDICAL AFTER RETIREMENT	566.38
00940290	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940293	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940300	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940301	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940305	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940310	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940315	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940317	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940318	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940321	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940323	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940333	RETIREE	MEDICAL AFTER RETIREMENT	181.48
00940334	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940338	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940343	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940347	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940352	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940354	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940359	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940370	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940375	RETIREE	MEDICAL AFTER RETIREMENT	48.08
00940376	RETIREE	MEDICAL AFTER RETIREMENT	181.48
00940378	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940380	RETIREE	MEDICAL AFTER RETIREMENT	93.69

00940388	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940391	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940393	RETIREE	MEDICAL AFTER RETIREMENT	566.38
579	**Post Retirement Medical-Mgmt Fund**		
Non Departmental			
00395530	RETIREE	MEDICAL AFTER RETIREMENT	870.90
00395542	RETIREE	MEDICAL AFTER RETIREMENT	93.96
00395546	RETIREE	MEDICAL AFTER RETIREMENT	211.69
00395549	RETIREE	MEDICAL AFTER RETIREMENT	202.28
00395550	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00395557	RETIREE	MEDICAL AFTER RETIREMENT	467.23
00395558	RETIREE	MEDICAL AFTER RETIREMENT	446.38
00395574	RETIREE	MEDICAL AFTER RETIREMENT	1,972.46
00395576	RETIREE	MEDICAL AFTER RETIREMENT	566.38
00940222	RETIREE	MEDICAL AFTER RETIREMENT	566.38
00940229	RETIREE	MEDICAL AFTER RETIREMENT	566.38
00940230	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940234	RETIREE	MEDICAL AFTER RETIREMENT	181.48
00940235	RETIREE	MEDICAL AFTER RETIREMENT	174.48
00940237	RETIREE	MEDICAL AFTER RETIREMENT	151.69
00940240	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940245	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940249	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940250	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940252	RETIREE	MEDICAL AFTER RETIREMENT	709.38
00940254	RETIREE	MEDICAL AFTER RETIREMENT	870.90
00940257	RETIREE	MEDICAL AFTER RETIREMENT	619.50
00940258	RETIREE	MEDICAL AFTER RETIREMENT	151.69
00940259	RETIREE	MEDICAL AFTER RETIREMENT	168.56
00940262	RETIREE	MEDICAL AFTER RETIREMENT	566.23
00940263	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940265	RETIREE	MEDICAL AFTER RETIREMENT	446.98
00940266	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940270	RETIREE	MEDICAL AFTER RETIREMENT	238.25
00940278	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940279	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940280	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940286	RETIREE	MEDICAL AFTER RETIREMENT	417.40
00940287	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940288	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940289	RETIREE	MEDICAL AFTER RETIREMENT	181.48
00940297	RETIREE	MEDICAL AFTER RETIREMENT	355.47
00940298	RETIREE	MEDICAL AFTER RETIREMENT	400.00
00940299	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940302	RETIREE	MEDICAL AFTER RETIREMENT	696.38
00940303	RETIREE	MEDICAL AFTER RETIREMENT	235.18
00940304	RETIREE	MEDICAL AFTER RETIREMENT	1,972.46

00940309	RETIREE	MEDICAL AFTER RETIREMENT	870.90
00940312	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940313	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940314	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940316	RETIREE	MEDICAL AFTER RETIREMENT	1,484.28
00940319	RETIREE	MEDICAL AFTER RETIREMENT	50.71
00940320	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940322	RETIREE	MEDICAL AFTER RETIREMENT	1,321.55
00940326	RETIREE	MEDICAL AFTER RETIREMENT	206.97
00940329	RETIREE	MEDICAL AFTER RETIREMENT	151.69
00940330	RETIREE	MEDICAL AFTER RETIREMENT	1,484.28
00940331	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940332	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940335	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940340	RETIREE	MEDICAL AFTER RETIREMENT	670.64
00940342	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940345	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940346	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940348	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940349	RETIREE	MEDICAL AFTER RETIREMENT	151.69
00940350	RETIREE	MEDICAL AFTER RETIREMENT	870.90
00940351	RETIREE	MEDICAL AFTER RETIREMENT	211.69
00940356	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940357	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940358	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940360	RETIREE	MEDICAL AFTER RETIREMENT	238.25
00940361	RETIREE	MEDICAL AFTER RETIREMENT	619.50
00940362	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940363	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940366	RETIREE	MEDICAL AFTER RETIREMENT	446.38
00940368	RETIREE	MEDICAL AFTER RETIREMENT	251.46
00940369	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940371	RETIREE	MEDICAL AFTER RETIREMENT	566.38
00940374	RETIREE	MEDICAL AFTER RETIREMENT	418.26
00940379	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940381	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940382	RETIREE	MEDICAL AFTER RETIREMENT	330.38
00940383	RETIREE	MEDICAL AFTER RETIREMENT	211.69
00940384	RETIREE	MEDICAL AFTER RETIREMENT	1,972.46
00940386	RETIREE	MEDICAL AFTER RETIREMENT	93.69
00940387	RETIREE	MEDICAL AFTER RETIREMENT	1,833.44
580	**Loss Control Fund**		
Human Resources			
00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	2,382,689.00
611	**Water Fund**		
Non Departmental			
00395274	CONTRA COSTA FIRE EQUIPMENT	EQUIPMENT	1,052.64

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00395322	OFFICE DEPOT INC	OFFICE SUPPLIES	1,899.21
00395412	CALIF, STATE OF	USE TAX REMITTANCE	683.90
Water Supervision			
00395245	AMERICAN UNDERGROUND CONST	HYDRANT METER REFUND	140.00
00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	414,809.00
00395352	TYLER TECHNOLOGIES	TRANSACTION FEES	21,109.75
00395470	NEXTEL SPRINT	CELL PHONES	20.56
Water Production			
00395264	CFMSF INC	PARTS	3,007.94
00395287	FASTENAL CO	SUPPLIES	155.87
00395293	HACH CO	EQUIPMENT	683.20
00395299	KARL NEEDHAM ENTERPRISES INC	EQUIPMENT RENTAL	31,149.00
00395302	KOFFLER ELECTRICAL MECH	REPAIR SERVICES	34,358.08
00395307	MASSONE MECHANICAL INC	MAINTENANCE SERVICES	542.27
00395308	MCCAULEY AGRICULTURAL AND PEST	WEED ABATEMENT	12,000.00
00395327	PREPARATIVE CONSULTING	PROFESSIONAL SERVICES	20,000.00
00395356	UNIVAR SOLUTIONS USA INC	CHEMICALS	15,469.59
00395357	US BANK	COPIER	212.59
00395359	USA BLUEBOOK	PARTS	115.28
00395383	ANIMAL DAMAGE MANAGEMENT	PEST CONTROL	425.00
00395387	ARAMARK UNIFORM SERVICES	PROFESSIONAL SERVICES	67.94
00395398	BORGES AND MAHONEY	PARTS	2,641.54
00395412	CALIF, STATE OF	USE TAX REMITTANCE	336.95
00395424	CONTRA COSTA WATER DISTRICT	RAW WATER	1,168,636.95
00395425	CONTRA COSTA WATER DISTRICT	RAW WATER	359,476.21
00395444	FINBERG FENCING INC	FENCE REPAIR	325.00
00395445	FISHER SCIENTIFIC COMPANY	SUPPLIES	100.93
00395446	HACH CO	SUPPLIES	766.76
00395453	INDUSTRIAL SOLUTIONS SERVICES	CHEMICALS	6,951.32
00395470	NEXTEL SPRINT	CELL PHONES	15.93
00395483	REINHOLDT ENGINEERING CONSTR	TESTING	700.00
00395506	UNIVAR SOLUTIONS USA INC	CHEMICALS	27,181.32
00395513	WALTER BISHOP CONSULTING	PROFESSIONAL SERVICES	7,400.80
00395521	ARAMARK UNIFORM SERVICES	PROFESSIONAL SERVICES	67.94
00395548	HARRINGTON INDUSTRIAL PLASTICS	PARTS	1,182.74
00395551	HOUSE, KEVIN SHAW	CWEA FEE REIMBURSEMENT	192.00
00940183	CONSOLIDATED ELECTRICAL DIST	PARTS	105.36
00940189	PETERSON TRACTOR CO	REPAIR SERVICE	13,319.88
00940202	EUROFINS EATON ANALYTICAL INC	TESTING	20.00
Water Distribution			
00395247	ANTIOCH ACE HARDWARE	SUPPLIES	25.43
00395249	ANTIOCH BUILDING MATERIALS	ASPHALT MATERIALS	7,749.63
00395258	C AND J FAVALORA TRUCKING INC	FULTON YARD RECYCLING PROJECT	23,800.00
00395267	COMCAST	CONNECTION SERVICES	1,016.33
00395290	FURBER SAW INC	PARTS	653.44
00395322	OFFICE DEPOT INC	OFFICE SUPPLIES	379.07
00395334	RT LAWRENCE CORP	MONTHLY LOCKBOX PROCESSING	318.99

Prepared by: Lauren Posada
Finance Accounting
8/4/2021

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00395349	SYAR INDUSTRIES INC	ASPHALT	2,064.44
00395354	ULINE	PARTS	774.11
00395374	ALBOUM AND ASSOCIATES LLC	PROFESSIONAL SERVICES	175.20
00395384	ANTIOCH ACE HARDWARE	SUPPLIES	15.79
00395391	BACKFLOW DISTRIBUTORS INC	PARTS	364.07
00395412	CALIF, STATE OF	USE TAX REMITTANCE	1,789.50
00395427	CWEA SFBS	CWEA MEMBERSHIP RENEWAL	288.00
00395432	DELTA DIABLO	RECYCLED WATER	10,267.16
00395468	NATEC INTERNATIONAL INC	PARTS	910.00
00395470	NEXTEL SPRINT	CELL PHONES	117.79
00395471	OFFICE DEPOT INC	OFFICE SUPPLIES	206.55
00395472	OFFICE TEAM	TEMPORARY HELP AGENGIES	240.00
00395482	POLLARDWATER	SUPPLIES	492.08
00395502	TT TECHNOLOGIES INC	SUPPLIES	4,525.12
00395505	UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	12.00
00395508	USA BLUEBOOK	PARTS	389.45
00395533	CREATIVE LOGO PRODUCTIONS	SUPPLIES	2,299.26
00395536	CWEA SFBS	CWEA COLLECTIONS GD1 RENEWAL	91.00
00395562	OFFICE TEAM	TEMPORARY HELP AGENGIES	333.75
00395564	RESTORATION MANAGEMENT CO	RESTORATION SERVICES	5,821.61
00395573	USA BLUEBOOK	SUPPLIES	389.45
00395577	WATERWISEPRO TRAINING LLC	TRAINING	2,700.00
00940188	MOBILE MINI LLC	STORAGE	145.78
00940191	RED WING SHOE STORE	SAFETY SHOES - M LOWE	1,485.62
00940198	BADGER METER INC	WATER METERS	105,818.86
00940204	INFOSEND INC	PRINT & MAIL SERVICES	3,114.85
00940325	MOBILE MINI LLC	STORAGE	161.83
Public Buildings & Facilities			
00395314	MOUNTAIN CASCADE INC	HILLCREST & DONLON BOOSTER	25,200.00
00395399	BROWN AND CALDWELL INC	PROFESSIONAL SERVICES	6,730.00
00395412	CALIF, STATE OF	USE TAX REMITTANCE	42.30
00395419	CONSTRUCTION TESTING SERVICES	MATERIAL TESTING	8,327.39
00940199	CAROLLO ENGINEERS INC	PROFESSIONAL SERVICES	108,989.25
617	**APFA Brackish Water LOC Fund**		
Water Systems			
00395252	BANK OF THE WEST	INTEREST PAYMENT	888.77
621	**Sewer Fund**		
Non Departmental			
00395245	AMERICAN UNDERGROUND CONST	HYDRANT METER REFUND	2,885.00
Swr-Wastewater Administration			
00395238	AL FRESCO LANDSCAPING INC	WEED ABATEMENT	3,200.00
00395249	ANTIOCH BUILDING MATERIALS	ASPHALT MATERIALS	7,749.64
00395258	C AND J FAVALORA TRUCKING INC	FULTON YARD RECYCLING PROJECT	23,800.00
00395267	COMCAST	CONNECTION SERVICES	1,016.33
00395297	JAMES ODOM CONSTRUCTION	PROFESSIONAL SERVICES	2,000.00
00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	133,943.00
00395322	OFFICE DEPOT INC	OFFICE SUPPLIES	998.02

CITY OF
ANTIOCH
CALIFORNIA

CLAIMS BY FUND REPORT
FOR THE PERIOD OF
JULY 16 - JULY 29, 2021
FUND/CHECK#

00395329	PUMP REPAIR SERVICE INC	PUMP REPAIR SERVICES	3,150.00
00395334	RT LAWRENCE CORP	MONTHLY LOCKBOX PROCESSING	318.99
00395349	SYAR INDUSTRIES INC	ASPHALT	2,064.44
00395364	WECO INDUSTRIES INC	PIPE PLUGS	21,585.77
00395373	AL FRESCO LANDSCAPING INC	LANDSCAPE SERVICES	4,480.00
00395374	ALBOUM AND ASSOCIATES LLC	WATER NOTICE TRANSLATION	175.20
00395384	ANTIOCH ACE HARDWARE	SUPPLIES	13.77
00395412	CALIF, STATE OF	USE TAX REMITTANCE	185.30
00395470	NEXTEL SPRINT	CELL PHONES	36.49
00395471	OFFICE DEPOT INC	OFFICE SUPPLIES	226.73
00395472	OFFICE TEAM	TEMPORARY HELP AGENCIES	240.00
00395527	BNSF RAILWAY COMPANY INC	PROFESSIONAL SERVICES	1,052.85
00395560	NATEC INTERNATIONAL INC	TRAINING	825.00
00395562	OFFICE TEAM	TEMPORARY HELP AGENCIES	333.75
00940204	INFOSEND INC	PRINT AND MAIL SERVICES	3,115.85
00940213	SCOTTO, CHARLES W AND DONNA F	BUILDING LEASE	5,000.00

631 Marina Fund

Non Departmental

00395335	RUMELHART, JIMMY	DEPOSIT REFUND	192.00
00395568	STATE BOARD OF EQUALIZATION	SALES TAX REMITTANCE	1,100.00
00395569	STATE BOARD OF EQUALIZATION	SALES TAX REMITTANCE	7.81

Marina Administration

00395316	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	26,430.00
00395322	OFFICE DEPOT INC	OFFICE SUPPLIES	262.31
00395381	AMS DOT NET INC	PARTS	6,188.93
00395412	CALIF, STATE OF	USE TAX REMITTANCE	9.32
00395423	CONTRA COSTA HEALTH SERVICES	HAZMAT OPERATING PERMIT	3,085.00
00395426	CUSTOM COMPUTERS INC	COMPUTER SUPPORT	877.50
00395449	HOME DEPOT, THE	SUPPLIES	61.79
00395493	STEPHANIES AUTO CLEARANCE	LIEN SALE PROCEEDS	110.00
00395535	CUSTOM COMPUTERS INC	SERVICE	405.00

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of August 10, 2021

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Carlos Zepeda, Deputy Public Works Director

APPROVED BY: John Samuelson, Public Works Director/City Engineer JS

SUBJECT: Consideration of Bids for Asphalt Overlay Mesa Ridge & Deerfield Corridor Trails Bid No. 988-0722-21A Award

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RECOMMENDED ACTION

It is recommended that the City Council adopt a resolution:

1. Awarding the Maintenance Services Agreement for Asphalt Overlay Mesa Ridge & Deerfield Corridor Trails, to the lowest, responsive, and responsible bidder GradeTech, Inc., and

2. Approving an Agreement with GradeTech, Inc. for a total amount not to exceed $108,349.32, and

3. Authorizing the City Manager to execute the Agreement with GradeTech, Inc. for the total amount not to exceed $108,349.32.

FISCAL IMPACT

Funding for the Asphalt Overlay Mesa Ridge & Deerfield Corridor Trails is included in the adopted fiscal year 2021/22 Public Works General Fund budget.

DISCUSSION

This service contract provides a 1.5" asphalt resurfacing to sections of the Mesa Ridge and Deerfield Corridor Trails. This overlay will preserve the existing infrastructure while maintaining the safety and functionality of the trailways for the residents of Antioch.

The Public Works Department published the Asphalt Overlay Mesa Ridge & Deerfield Corridor Trails Request for Bids on July 1, 2021; the bid closed on July 22, 2021. Bids were solicited and six (6) complete and qualified bids were received. GradeTech, Inc. was found to be the lowest, responsive, and responsible bidder.

ATTACHMENTS

A. Resolution

C
Agenda Item #

B. Bid Tabulation
C. Draft Maintenance Services Agreement
D. Location Maps

ATTACHMENT "A"

RESOLUTION NO. 2021/**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH AWARDING THE CONTRACT, APPROVING AN AGREEMENT, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH GRADETECH, INC. FOR ASPHALT OVERLAY MESA RIDGE & DEERFIELD CORRIDOR TRAILS BID NO. 988-0722-21A

WHEREAS, the City of Antioch requested formal bid responses for the asphalt overlay of Mesa Ridge & Deerfield Corridor Trails; and

WHEREAS, bids were solicited on July 1, 2021, the solicitation closed on July 22, 2021 and six (6) bids were received; and

WHEREAS, GradeTech, Inc. submitted the lowest, responsive and responsible bid in the amount of $108,349.32 to complete this project.

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

1. Awards the Maintenance Services Agreement for Asphalt Overlay Mesa Ridge & Deerfield Corridor Trails to the lowest, responsive and responsible bidder GradeTech, Inc.; and

2. Approves an Agreement with GradeTech, Inc., in substantially the form attached as Attachment C, for a total amount not to exceed $108,349.32; and

3. Authorizes the City Manager to execute the Agreement in a form approved by the City Attorney.

* * * * * * * * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 10th day of August 2021, by the following vote:

AYES:

ABSENT:

ABSTAIN:

NOES:

ELIZABETH HOUSEHOLDER
CITY CLERK OF THE CITY OF ANTIOCH

ATTACHMENT "B"

Bid Tabulation
Asphalt Overlay Mesa Ridge and Deerfield Corridor Trails
Bid No. 988-0722-21A

GradeTech, Inc.	JV Lucas Paving, Inc.	E. E. Gilbert Construction, Inc.	Pacific Coast General Engineering, Inc.	MCK Services, Inc.	American Asphalt Repair & Resurfacing Co. Inc.
78,514.00	78,514.00	78,514.00	78,600.00	78,791.00	78,514.00
Contractor Estimated Square Footage	Contractor Estimated Square Footage	Contractor Estimated Square Footage	Contractor Estimated Square Footage	Contractor Estimated Square Footage	Contractor Estimated Square Footage
$ 1.38	$ 1.46	$ 1.61	$ 1.89	$ 2.00	$ 2.10
Unit Price $/sq ft	Unit Price $/sq ft	Unit Price $/sq ft	Unit Price $/sq ft	Unit Price $/sq ft	Unit Price $/sq ft
$ 108,349.32	**$ 114,630.44**	**$ 126,407.54**	**$ 148,554.00**	**$ 157,582.00**	**$ 164,879.40**
Extended Cost	Extended Cost	Extended Cost	Extended Cost	Extended Cost	Extended Cost

No Bid:
AJW Construction
APCO Paving Co.
California Pavement Maintenance
G&S Paving, Inc.
Granite Construction Incorporated
Teichert Construction
MCE Corporation
Redgwick Construction

ATTACHMENT "C"

CITY OF ANTIOCH
MAINTENANCE SERVICES AGREEMENT

1. PARTIES AND DATE.

This Agreement (**"Agreement"**) is made and entered into this [***INSERT DAY***] day of [***INSERT MONTH***], [***INSERT YEAR***] (**"Effective Date"**) by and between the City of Antioch, a municipal corporation organized under the laws of the State of California with its principal place of business at 200 H Street, Antioch California 94509 (**"City"**) and **GradeTech, Inc.**, a Corporation with its principal place of business at PO Box 1728, San Ramon, CA 94583 (**"Contractor"**). City and Contractor are sometimes individually referred to as **"Party"** and collectively as **"Parties"** in this Agreement.

2. RECITALS.

2.1 Contractor.

Contractor desires to perform and assume responsibility for the provision of certain maintenance services required by the City on the terms and conditions set forth in this Agreement. Contractor represents that it is experienced in providing asphalt overlay to public clients, that it and its employees or subcontractors have all necessary licenses and permits to perform the Services in the State of California, and that is familiar with the plans of City. Contractor shall not subcontract any portion of the work required by this Agreement, except as expressly stated herein, without prior written approval of City. Subcontracts, if any, shall contain a provision making them subject to all provisions stipulated in this Agreement.

2.2 Project.

City desires to engage Contractor to render such services for the **Asphalt Overlay Mesa Ridge & Deerfield Corridor Trails** project ("Project") as set forth in this Agreement.

3. TERMS.

3.1 Scope of Services and Term.

3.1.1 General Scope of Services. Contractor promises and agrees to furnish to the City all labor, materials, tools, equipment, services, and incidental and customary work necessary to fully and adequately supply the professional asphalt overlay maintenance services necessary for the Project ("Services"). The Services are more particularly described in Exhibit "A" attached hereto and incorporated herein by reference. All Services shall be subject to, and performed in accordance with, this Agreement, the exhibits attached hereto and incorporated herein by reference, and all applicable local, state and federal laws, rules and regulations.

3.1.2 The term of this Agreement shall be from **September 1, 2021** to **October 1, 2021,** unless earlier terminated as provided herein. The City reserves the right to review the Contractor's performance at the end of each year and cancel all or part of the Agreement.

3.2 Responsibilities of Contractor.

3.2.1 Control and Payment of Subordinates; Independent Contractor. The Services shall be performed by Contractor or under its supervision. Contractor will determine the means, methods and details of performing the Services subject to the requirements of this Agreement. City retains Contractor on an independent contractor basis and not as an employee. Contractor retains the right to perform similar or different services for others during the term of this Agreement. Any additional personnel performing the Services under this Agreement on behalf of Contractor shall also not be employees of City and shall at all times be under Contractor's exclusive direction and control. Contractor shall pay all wages, salaries, and other amounts due such personnel in connection with their performance of Services under this Agreement and as required by law. Contractor shall be responsible for all reports and obligations respecting such additional personnel, including, but not limited to: social security taxes, income tax withholding, unemployment insurance, disability insurance, and workers' compensation insurance.

3.2.2 Schedule of Services. Contractor shall perform the Services expeditiously, within the term of this Agreement, and in accordance with the Schedule of Services set forth in Exhibit "B" attached hereto and incorporated herein by reference. Contractor represents that it has the professional and technical personnel required to perform the Services in conformance with such conditions. In order to facilitate Contractor's conformance with the Schedule, City shall respond to Contractor's submittals in a timely manner. Upon request of City, Contractor shall provide a more detailed schedule of anticipated performance to meet the Schedule of Services.

3.2.3 Conformance to Applicable Requirements. All work prepared by Contractor shall be subject to the approval of City.

3.2.4 City's Representative. The City hereby designates Carlos Zepeda, Deputy Public Works Director, or his or her designee, to act as its representative for the performance of this Agreement ("City's Representative"). City's Representative shall have the power to act on behalf of the City for all purposes under this Agreement. Contractor shall not accept direction or orders from any person other than the City's Representative or his or her designee.

3.2.5 Contractor's Representative. Contractor hereby designates [***INSERT NAME OR TITLE***], or his or her designee, to act as its representative for the performance of this Agreement ("Contractor's Representative"). Contractor's Representative shall have full authority to represent and act on behalf of the Contractor for all purposes under this Agreement. The Contractor's Representative shall supervise and direct the Services, using his best skill and attention, and shall be responsible for all means, methods, techniques, sequences and procedures and for the satisfactory coordination of all portions of the Services under this Agreement.

3.2.6 Coordination of Services. Contractor agrees to work closely with City staff in the performance of Services and shall be available to City's staff, consultants and other staff at all reasonable times.

3.2.7 Standard of Care; Performance of Employees. Contractor shall perform all Services under this Agreement in a skillful and competent manner, consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California. Contractor represents and maintains that it is skilled in the professional calling necessary to perform the Services. Contractor warrants that all employees and subcontractors shall have sufficient skill and experience to perform the Services assigned to them. Finally, Contractor represents that it, its employees and subcontractors have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the Services, including a City Business License, and that such licenses and approvals shall be maintained throughout the term of this Agreement. As provided for in the indemnification provisions of this Agreement, Contractor shall perform, at its own cost and expense and without reimbursement from the City, any services necessary to correct errors or omissions which are caused by the Contractor's failure to comply with the standard of care provided for herein. Any employee of the Contractor or its sub-contractors who is determined by the City to be uncooperative, incompetent, a threat to the adequate or timely completion of the Project, a threat to the safety of persons or property, or any employee who fails or refuses to perform the Services in a manner acceptable to the City, shall be promptly removed from the Project by the Contractor and shall not be re-employed to perform any of the Services or to work on the Project.

3.2.8 Period of Performance and Liquidated Damages. Contractor shall perform and complete all Services under this Agreement within the term set forth in Section 3.1.2 above ("Performance Time"). Contractor shall perform the Services in strict accordance with any completion schedule or Project milestones described in Exhibits "A" or "B" attached hereto, or which may be provided separately in writing to the Contractor. Contractor agrees that if the Services are not completed within the aforementioned Performance Time and/or pursuant to any such completion schedule or Project milestones developed pursuant to provisions of this Agreement, it is understood, acknowledged and agreed that the City will suffer damage. Pursuant to Government Code Section 53069.85, Contractor shall pay to the City as fixed and liquidated damages, and not as a penalty, the sum of Two Hundred Dollars ($200.00) per day for each and every calendar day of delay beyond the Performance Time or beyond any completion schedule or Project milestones established pursuant to this Agreement.

3.2.9 Disputes. Should any dispute arise respecting the true value of any work done, of any work omitted, or of any extra work which Contractor may be required to do, or respecting the size of any payment to Contractor during the performance of this Agreement, Contractor shall continue to perform the Work while said dispute is decided by the City. If Contractor disputes the City's decision, Contractor shall have such remedies as may be provided by law.

3.2.10 Laws and Regulations; Employee/Labor Certifications. Contractor shall keep itself fully informed of and in compliance with all local, state and federal laws, rules and regulations in any manner affecting the performance of the Project or the Services, including all Cal/OSHA requirements, and shall give all notices required by law. Contractor shall be liable for all violations of such laws and regulations in connection with Services. If the Contractor performs any work knowing it to be contrary to such laws, rules and regulations and without giving written notice to the City, Contractor shall be solely responsible for all costs arising therefrom. City is a public entity of the State of California subject to certain provisions of the Health & Safety Code, Government Code, Public Contract Code, and Labor Code of the State. It is stipulated and agreed that all provisions of the law applicable to the public contracts of a municipality are a part of this Agreement to the same extent as though set forth herein and will be complied with. These include but are not limited to the payment of prevailing wages, the stipulation that eight (8) hours' labor shall constitute a legal day's work and that no worker shall be permitted to work in excess of eight (8) hours during any one

calendar day except as permitted by law. Contractor shall defend, indemnify and hold City, its officials, officers, employees and agents free and harmless, pursuant to the indemnification provisions of this Agreement, from any claim or liability arising out of any failure or alleged failure to comply with such laws, rules or regulations.

3.2.10.1Employment Eligibility; Contractor. By executing this Agreement, Contractor verifies that it fully complies with all requirements and restrictions of state and federal law respecting the employment of undocumented aliens, including, but not limited to, the Immigration Reform and Control Act of 1986, as may be amended from time to time. Such requirements and restrictions include, but are not limited to, examination and retention of documentation confirming the identity and immigration status of each employee of the Contractor. Contractor also verifies that it has not committed a violation of any such law within the five (5) years immediately preceding the date of execution of this Agreement, and shall not violate any such law at any time during the term of the Agreement. Contractor shall avoid any violation of any such law during the term of this Agreement by participating in an electronic verification of work authorization program operated by the United States Department of Homeland Security, by participating in an equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, or by some other legally acceptable method. Contractor shall maintain records of each such verification, and shall make them available to the City or its representatives for inspection and copy at any time during normal business hours. The City shall not be responsible for any costs or expenses related to Contractor's compliance with the requirements provided for in Section 3.2.10 or any of its sub-sections.

3.2.10.2Employment Eligibility; Subcontractors, Sub-subcontractors and Consultants. To the same extent and under the same conditions as Contractor, Contractor shall require all of its subcontractors, sub-subcontractors and consultants performing any work relating to the Project or this Agreement to make the same verifications and comply with all requirements and restrictions provided for in Section 3.2.10.1.

3.2.10.3Employment Eligibility; Failure to Comply. Each person executing this Agreement on behalf of Contractor verifies that they are a duly authorized officer of Contractor, and understands that any of the following shall be grounds for the City to terminate the Agreement for cause: (1) failure of Contractor or its subcontractors, sub-subcontractors or consultants to meet any of the requirements provided for in Sections 3.2.10.1 or 3.2.10.2; (2) any misrepresentation or material omission concerning compliance with such requirements (including in those verifications provided to the Contractor under Section 3.2.10.2); or (3) failure to immediately remove from the Project any person found not to be in compliance with such requirements.

3.2.10.4Labor Certification. By its signature hereunder, Contractor certifies that it is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that Code, and agrees to comply with such provisions before commencing the performance of the Services.

3.2.10.5Equal Opportunity Employment. Contractor represents that it is an equal opportunity employer and it shall not discriminate against any subcontractor, employee or applicant for employment because of race, religion, color, national origin, handicap, ancestry, sex or age. Such non-

discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination.

3.2.10.6Air Quality. Contractor must fully comply with all applicable laws, rules and regulations in furnishing or using equipment and/or providing services, including, but not limited to, emissions limits and permitting requirements imposed by the California Air Resources Board (CARB). Contractor shall specifically be aware of the CARB limits and requirements' application to "portable equipment", which definition is considered by CARB to include any item of equipment with a fuel-powered engine. Contractor shall indemnify City against any fines or penalties imposed by CARB or any other governmental or regulatory agency for violations of applicable laws, rules and/or regulations by Contractor, its subcontractors, or others for whom Contractor is responsible under its indemnity obligations provided for in this Agreement.

3.2.10.7Water Quality.

(A) Management and Compliance. To the extent applicable, Contractor's Services must account for, and fully comply with, all local, state and federal laws, rules and regulations that may impact water quality compliance, including, without limitation, all applicable provisions of the Federal Water Pollution Control Act (33 U.S.C. §§ 1300); the California Porter-Cologne Water Quality Control Act (Cal Water Code §§ 13000-14950); laws, rules and regulations of the Environmental Protection Agency and the State Water Resources Control Board; the City's ordinances regulating discharges of storm water; and any and all regulations, policies, or permits issued pursuant to any such authority regulating the discharge of pollutants, as that term is used in the Porter-Cologne Water Quality Control Act, to any ground or surface water in the state.

(B) Liability for Non-Compliance. Failure to comply with the laws, regulations and policies described in this Section is a violation of law that may subject Contractor or City to penalties, fines, or additional regulatory requirements. Contractor shall defend, indemnify and hold the City, its officials, officers, employees, volunteers and agents free and harmless, pursuant to the indemnification provisions of this Agreement, from and against any and all fines, penalties, claims or other regulatory requirements imposed as a result of Contractor's non-compliance with the laws, regulations and policies described in this Section, unless such non-compliance is the result of the sole established negligence, willful misconduct or active negligence of the City, its officials, officers, agents, employees or authorized volunteers.

(C) Training. In addition to any other standard of care requirements set forth in this Agreement, Contractor warrants that all employees and subcontractors shall have sufficient skill and experience to perform the Services assigned to them without impacting water quality in violation of the laws, regulations and policies described in this Section. Contractor further warrants that it, its employees and subcontractors will receive adequate training, as determined by City, regarding the requirements of the laws, regulations and policies described in this Section as they may relate to the Services provided under this Agreement. Upon request, City will provide Contractor with a list of training programs that meet the requirements of this paragraph.

3.2.11 Insurance. Contractor shall not commence work for the City until it has provided evidence satisfactory to the City it has secured all insurance required under Exhibit "D" (Insurance Requirements), attached hereto and incorporated herein by this reference. In addition, Contractor shall not allow any subcontractor to commence work on any subcontract until it has secured all insurance required therein.

3.2.12 Safety. Contractor shall execute and maintain its work so as to avoid injury or damage to any person or property. In carrying out its Services, the Contractor shall at all times be in compliance with all applicable local, state and federal laws, rules and regulations, and shall exercise all necessary precautions for the safety of employees appropriate to the nature of the work and the conditions under which the work is to be performed. Safety precautions as applicable shall include, but shall not be limited to: (A) adequate life protection and lifesaving equipment and procedures; (B) instructions in accident prevention for all employees and subcontractors, such as safe walkways, scaffolds, fall protection ladders, bridges, gang planks, confined space procedures, trenching and shoring, equipment and other safety devices, equipment and wearing apparel as are necessary or lawfully required to prevent accidents or injuries; and (C) adequate facilities for the proper inspection and maintenance of all safety measures.

3.2.13 Bonds.

3.2.13.1 Performance Bond. If required by law or otherwise specifically requested by City in Exhibit "D" attached hereto and incorporated herein by reference, Contractor shall execute and provide to City concurrently with this Agreement a Performance Bond in the amount of the total, not-to-exceed compensation indicated in this Agreement, and in a form provided or approved by the City. If such bond is required, no payment will be made to Contractor until it has been received and approved by the City.

3.2.13.2 Payment Bond. If required by law or otherwise specifically requested by City in Exhibit "D" attached hereto and incorporated herein by reference, Contractor shall execute and provide to City concurrently with this Agreement a Payment Bond in the amount of the total, not-to-exceed compensation indicated in this Agreement, and in a form provided or approved by the City. If such bond is required, no payment will be made to Contractor until it has been received and approved by the City.

3.2.13.3 Bond Provisions. Should, in City's sole opinion, any bond become insufficient or any surety be found to be unsatisfactory, Contractor shall renew or replace the affected bond within 10 days of receiving notice from City. In the event the surety or Contractor intends to reduce or cancel any required bond, at least thirty (30) days prior written notice shall be given to the City, and Contractor shall post acceptable replacement bonds at least ten (10) days prior to expiration of the original bonds. No further payments shall be deemed due or will be made under this Agreement until any replacement bonds required by this Section are accepted by the City. To the extent, if any, that the total compensation is increased in accordance with the Agreement, the Contractor shall, upon request of the City, cause the amount of the bonds to be increased accordingly and shall promptly deliver satisfactory evidence of such increase to the City. To the extent available, the bonds shall further provide that no change or alteration of the Agreement (including, without limitation, an increase in the total compensation, as referred to above), extensions of time, or modifications of the time, terms, or conditions of payment to the Contractor, will release the surety. If the Contractor fails to furnish any required bond, the City may terminate this Agreement for cause.

3.2.13.4 Surety Qualifications. Only bonds executed by an admitted surety insurer, as defined in Code of Civil Procedure Section 995.120, shall be accepted. The surety must be a California-admitted surety with a current A.M. Best's rating no less than A:VIII and satisfactory to the City. If a California-admitted surety insurer issuing bonds does not meet these requirements, the insurer will be considered qualified if it is in conformance with Section 995.660 of the California Code of Civil Procedure, and proof of such is provided to the City.

3.2.14 Accounting Records. Contractor shall maintain complete and accurate records with respect to all costs and expenses incurred under this Agreement. All such records shall be clearly identifiable. Contractor shall allow a representative of City during normal business hours to examine, audit, and make transcripts or copies of such records and any other documents created pursuant to this Agreement. Contractor shall allow inspection of all work, data, documents, proceedings, and activities related to the Agreement for a period of three (3) years from the date of final payment under this Agreement.

3.3 Fees and Payments.

3.3.1 Compensation. Contractor shall receive compensation, including authorized reimbursements, for all Services rendered under this Agreement at the rates set forth in Exhibit "C" attached hereto and incorporated herein by reference. The total compensation shall not exceed **One Hundred Eight Thousand Three Hundred Forty Nine Dollars and Thirty Two Cents ($108,349.32)** without written approval of City's Finance Director. Extra Work may be authorized, as described below, and if authorized, will be compensated at the rates and manner set forth in this Agreement.

3.3.2 Payment of Compensation. Contractor shall submit to City a monthly itemized statement which indicates work completed and hours of Services rendered by Contractor. The statement shall describe the amount of Services and supplies provided since the initial commencement date, or since the start of the subsequent billing periods, as appropriate, through the date of the statement. City shall, within thirty (30) days of receiving such statement, review the statement and pay all approved charges thereon.

3.3.3 Reimbursement for Expenses. Contractor shall not be reimbursed for any expenses unless authorized in writing by City.

3.3.4 Extra Work. At any time during the term of this Agreement, City may request that Contractor perform Extra Work. As used herein, "Extra Work" means any work which is determined by City to be necessary for the proper completion of the Project, but which the parties did not reasonably anticipate would be necessary at the execution of this Agreement. Contractor shall not perform, nor be compensated for, Extra Work without written authorization from City's Representative.

3.3.5 California Labor Code Requirements

a. Contractor is aware of the requirements of California Labor Code Sections 1720 et seq. and 1770 et seq., which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects ("Prevailing Wage Laws"). If the Services are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and if the total compensation is $1,000 or more, Contractor agrees to fully comply with such Prevailing Wage Laws. Contractor shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure to comply with the Prevailing Wage Laws. It shall be mandatory upon the Contractor and all subcontractors to comply with all California Labor Code provisions, which include but are not limited to prevailing wages (Labor Code Sections 1771, 1774 and 1775), employment of apprentices (Labor Code Section 1777.5), certified payroll records (Labor Code Sections 1771.4 and 1776), hours of labor (Labor Code Sections 1813 and 1815) and debarment of contractors and subcontractors (Labor Code Section 1777.1). The requirement to submit certified payroll records directly to the Labor Commissioner

under Labor Code section 1771.4 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Section 1771.4.

b. If the Services are being performed as part of an applicable "public works" or "maintenance" project, then pursuant to Labor Code Sections 1725.5 and 1771.1, the Contractor and all subcontractors performing such Services must be registered with the Department of Industrial Relations. Contractor shall maintain registration for the duration of the Project and require the same of any subcontractors, as applicable. Notwithstanding the foregoing, the contractor registration requirements mandated by Labor Code Sections 1725.5 and 1771.1 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Sections 1725.5 and 1771.1.

c. This Agreement may also be subject to compliance monitoring and enforcement by the Department of Industrial Relations. It shall be Contractor's sole responsibility to comply with all applicable registration and labor compliance requirements. Any stop orders issued by the Department of Industrial Relations against Contractor or any subcontractor that affect Contractor's performance of Services, including any delay, shall be Contractor's sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Contractor caused delay and shall not be compensable by the City. Contractor shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Contractor or any subcontractor.

3.4 Termination of Agreement.

3.4.1 Grounds for Termination. City may, by written notice to Contractor, terminate the whole or any part of this Agreement at any time and without cause by giving written notice to Contractor of such termination, and specifying the effective date thereof, at least seven (7) days before the effective date of such termination. Upon termination, Contractor shall be compensated only for those services which have been adequately rendered to City, and Contractor shall be entitled to no further compensation. Contractor may not terminate this Agreement except for cause.

3.4.2 Effect of Termination. If this Agreement is terminated as provided herein, City may require Contractor to provide all finished or unfinished documents and data and other information of any kind prepared by Contractor in connection with the performance of Services under this Agreement. Contractor shall be required to provide such document and other information within fifteen (15) days of the request.

3.4.3 Additional Services. In the event this Agreement is terminated in whole or in part as provided herein, City may procure, upon such terms and in such manner as it may determine appropriate, services similar to those terminated.

3.4.4 Agreement Subject to Appropriation of Funds. The Contractor understands and accepts that at all times; the Agreement is subject to appropriation of funds by the Antioch City Council. The Agreement may terminate without penalty, liability or expense of any kind to the City at the end of any fiscal year if funds are not appropriated for the next succeeding fiscal year. If funds are appropriated for a portion of the fiscal year, the Agreement will terminate, without penalty, liability or expense of any kind at the end of the term for which funds are appropriated. The City has no obligation to make appropriations for the Agreement in lieu of appropriations for new or other agreements. City budget decisions are subject to the

discretion of the Mayor and City Council. Contractor's assumption of risk of possible non-appropriation is a part of the consideration for the Agreement. This section controls against any and all other provisions of the Agreement.

3.5 General Provisions.

3.5.1 Delivery of Notices. All notices permitted or required under this Agreement shall be given to the respective parties at the following address, or at such other address as the respective parties may provide in writing for this purpose:

Contractor:

GradeTech, Inc.
PO Box 1728
San Ramon, CA 94583

City:

Public Works Department
Attn: Carlos Zepeda
City of Antioch
P. O. Box 5007
Antioch, CA 94531-5007

City:

City of Antioch
P. O. Box 5007
Antioch, CA 94531-5007
Attn: City Attorney

Such notice shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

3.5.2 Indemnification.

3.5.2.1 Scope of Indemnity. To the fullest extent permitted by law, Contractor shall defend, indemnify and hold the City, its officials, officers, employees, volunteers and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner arising out of, pertaining to, or incident to any alleged acts, errors or omissions of Contractor, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Contractor's Services, the Project or this Agreement, including without limitation the payment of all consequential damages, expert witness fees and attorneys' fees and other related costs and expenses. Notwithstanding the foregoing, to the extent Contractor's Services are subject to Civil Code Section 2782.8, the above indemnity shall be limited, to the extent required by Civil Code Section 2782.8, to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Contractor.

3.5.2.2 Additional Indemnity Obligations. Contractor shall defend, with counsel of City's choosing and at Contractor's own cost, expense and risk, any and all claims, suits, actions or other proceedings of every kind covered by Section 3.5.2.1 that may be brought or instituted against City or its officials, officers, employees, volunteers and agents. Contractor shall pay and satisfy any judgment, award or decree that may be rendered against City or its officials, officers, employees, volunteers and agents as part of any such claim, suit, action or other proceeding. Contractor shall also reimburse City for the cost of any settlement paid by City or its officials, officers, employees, agents or volunteers as part of any such claim, suit, action or other proceeding. Such reimbursement shall include payment for City's attorneys' fees and costs, including expert witness fees. Contractor shall reimburse City and its officials, officers, employees, agents, and/or volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Contractor's obligation to indemnify shall survive expiration or termination of this Agreement, and shall not be restricted to insurance proceeds, if any, received by the City, its officials, officers, employees, agents, or volunteers.

3.5.3 Governing Law; Government Code Claim Compliance. This Agreement shall be governed by the laws of the State of California. Venue shall be in Contra Costa County, California. In addition to any and all Agreement requirements pertaining to notices of and requests for compensation or payment for extra work, disputed work, claims and/or changed conditions, Contractor must comply with the claim procedures set forth in Government Code sections 900 et seq. prior to filing any lawsuit against the City. Such Government Code claims and any subsequent lawsuit based upon the Government Code claims shall be limited to those matters that remain unresolved after all procedures pertaining to extra work, disputed work, claims, and/or changed conditions have been followed by Contractor. If no such Government Code claim is submitted, or if any prerequisite contractual requirements are not otherwise satisfied as specified herein, Contractor shall be barred from bringing and maintaining a valid lawsuit against the City.

3.5.4 Time of Essence. Time is of the essence for each and every provision of this Agreement.

3.5.5 City's Right to Employ Other Contractors. City reserves right to employ other contractors in connection with this Project.

3.5.6 Successors and Assigns. This Agreement shall be binding on the successors and assigns of the parties.

3.5.7 Assignment or Transfer. Contractor shall not assign, hypothecate or transfer, either directly or by operation of law, this Agreement or any interest herein without the prior written consent of the City. Any attempt to do so shall be null and void, and any assignees, hypothecates or transferees shall acquire no right or interest by reason of such attempted assignment, hypothecation or transfer.

3.5.8 Construction; References; Captions. Since the Parties or their agents have participated fully in the preparation of this Agreement, the language of this Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any Party. Any term referencing time, days or period for performance shall be deemed calendar days and not work days. All references to Contractor include all personnel, employees, agents, and subcontractors of Contractor, except as otherwise specified in this Agreement. All references to City include its officials, officers, employees, agents, and volunteers except as otherwise specified in this Agreement. The captions of the various articles and

paragraphs are for convenience and ease of reference only, and do not define, limit, augment, or describe the scope, content or intent of this Agreement.

3.5.9 Amendment; Modification. No supplement, modification or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.

3.5.10 Waiver. No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a Party shall give the other Party any contractual rights by custom, estoppel or otherwise.

3.5.11 No Third-Party Beneficiaries. Except to the extent expressly provided for in Section 3.5.7, there are no intended third-party beneficiaries of any right or obligation assumed by the Parties.

3.5.12 Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

3.5.13 Prohibited Interests. Contractor maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Contractor, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Contractor, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Contractor further agrees to file, or shall cause its employees or subcontractors to file, a Statement of Economic Interest with the City's Filing Officer as required under state law in the performance of the Services. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability. For the term of this Agreement, no member, officer or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

3.5.14 Cooperation; Further Acts. The Parties shall fully cooperate with one another, and shall take any additional acts or sign any additional documents as may be necessary, appropriate or convenient to attain the purposes of this Agreement.

3.5.15 Attorneys' Fees and Costs. If any action in law or equity, including an action for declaratory relief, is brought to enforce or interpret the provisions of this Agreement, the prevailing Party shall be entitled to recover from the losing party attorney's fees and costs in an amount determined to be reasonable by a court of competent jurisdiction.

3.5.16 Authority to Enter Agreement. Contractor has all requisite power and authority to conduct its business and to execute, deliver, and perform the Agreement. Each Party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and bind each respective Party.

3.5.17 Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original.

3.5.18 Entire Agreement. This Agreement contains the entire Agreement of the parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings or agreements. This Agreement may only be modified by a writing signed by both parties.

3.5.19 Wage Theft Prevention.

3.5.19.1Contractor, and any subcontractor it employs to complete work under this Agreement, shall comply with all applicable federal, state and local wage and hour laws. Applicable laws may include, but are not limited to, the Federal Fair Labor Standards Act and the California Labor Code.

3.5.19.2BY SIGNING THIS AGREEMENT, CONTRACTOR AFFIRMS THAT IT HAS DISCLOSED ANY FINAL JUDGMENTS, DECISIONS OR ORDERS FROM A COURT OR INVESTIGATORY GOVERNMENT AGENCY, FINDING IN THE FIVE (5) YEARS PRIOR TO EXECUTING THIS AGREEMENT THAT CONTRACTOR OR ITS SUBCONTRACTORS HAS VIOLATED ANY APPLICABLE WAGE AND HOUR LAWS. CONTRACTOR FURTHER AFFIRMS THAT IT OR ITS SUBCONTRACTOR(S) HAS EITHER FULLY SATISFIED EACH JUDGMENT, DECISION OR ORDER, OR, IF ANY JUDGMENT, DECISION OR ORDER HAS NOT BEEN FULLY SATISFIED, CONTRACTOR AFFIRMS THAT IT OR ITS SUBCONTRACTOR(S) IS CURRENTLY SATISFYING SAID JUDGMENT, DECISION OR ORDER THROUGH A PAYMENT OR ALTERNATIVE PLAN APPROVED BY THE APPLICABLE COURT/GOVERNMENT AGENCY AND THAT CONTRACTOR OR ITS SUBCONTRACTOR(S) ARE IN COMPLIANCE WITH SAID PLAN AS OF THE DATE OF EXECUTING THIS AGREEMENT.

3.5.19.3If at any time during the term of this Agreement, a court or investigatory government agency issues a final judgment, decision or order finding that Contractor or a subcontractor it employs to perform work under this Agreement has violated any applicable wage and hour law, or Contractor learns of such a judgment, decision, or order that was not previously disclosed in its bid/proposal, Contractor shall inform the City no more than fifteen (15) calendar days after the judgment, decision or order becomes final or from the date of learning of the final judgment, decision or order. Contractor or its subcontractor(s) shall, within thirty (30) calendar days after notifying the City, either (i) fully satisfy any such judgment, decision, or order and provide the City with documentary evidence of satisfying said judgment, decision or order; or (ii) provide the City documentary evidence of a payment or other alternative plan approved by the court/government agency to satisfy the judgment, decision or order. If the Contractor or its subcontractor is subject to a payment or other alternative plan, the Contractor or its subcontractor shall continue to submit documentary evidence every thirty (30) calendar days during the term of the Agreement demonstrating continued compliance with the plan until the judgment, decision or order has been fully satisfied.

3.5.19.4For purposes of this Section, a "final judgment, decision, or order" refers to one for which all appeals have been exhausted or the time period to appeal has expired. Relevant investigatory government agencies include: the United States Department of Labor, the California Division of Labor Standards Enforcement, the City, or any other governmental entity or division tasked with the investigation and enforcement of wage and hour laws.

3.5.19.5Failure to comply with any part of this Section constitutes a material breach of this Agreement. Such breach may serve as a basis for immediate termination of this Agreement and/or any other remedies available under this Agreement and/or law.

3.5.19.6Notice provided to the City shall be addressed to: Attention: City Manager, P. O. Box 5007, Antioch, CA 94531-5007. The Notice provisions of this Section are separate from any other notice provisions in this Agreement and, accordingly, only notice provided to the above address satisfies the notice requirements in this Section.

[SIGNATURES ON NEXT PAGE]

SIGNATURE PAGE FOR MAINTENANCE SERVICES AGREEMENT
BETWEEN THE CITY OF ANTIOCH
AND GRADETECH, INC.

IN WITNESS WHEREOF, the Parties have entered into this Agreement as of the [***INSERT DAY***] day of [***INSERT MONTH***], [***INSERT YEAR***].

CITY OF ANTIOCH
Approved By:

_____
Rowland E. Bernal Jr.
City Manager

ATTEST:

_____
Elizabeth Householder
City Clerk

Approved As To Form:

_____
Thomas Lloyd Smith
City Attorney

GradeTech, Inc.

_____
Signature

_____
Name

_____
Title

EXHIBIT "A"

SCOPE OF SERVICES

II. SPECIFICATIONS

Customer Service & Quality Assurance
Any work or assigned duties that are not performed to our standards and/or contractual agreement may result in delay, reduction or discount at the Contractor's expense. The judgment for reduced payment or discount shall be at the City's sole discretion. In addition, the City may move to the next lowest responsible bidder if the City is not happy with the services or communication supplied by the contractor. All complaints about services rendered will be processed by the Public Works Director or designee/s.

Contractor Will Provide
A safe and motivated crew capable of performing all work per specifications. After approval to start work the contractor is to supply the City representative with a work schedule that must include starting times, dates and locations. Contractor is to keep the City informed of working locations so that the City representative can inspect the work throughout the process. At least one crew member must speak English. All labor, equipment and materials are required to perform the work as specified in a safe and productive manner. Contractor will be responsible for onsite safety, traffic control and quality control. Contractor must abide by all Cal-Trans specified traffic control standards. All work must be in accordance with all state and local laws, codes and specifications. Workers to wear reflective vests at all times. Vehicles must be clearly labeled with company name and vehicles numbers.

Equipment & Supplies
Contractor agrees to provide and maintain all equipment required to perform the above services. The contractor's equipment is to be of top quality and in good working order at all times. If the City or its designee requests replacement equipment due to poor quality or performance the contractor will replace the equipment at his/her own expense as soon as possible.

Hours of Operation
The Contractor shall have a representative available to meet with City of Antioch personnel during the normal City working hours, which are 7:00 a.m. to 4:00 p.m., Monday through Friday, except holidays. Contractor may work on Fridays or Saturdays with prior permission from City representative. Per Antioch Municipal Code, Section 5-17-05, construction noise is limited on weekdays, no construction noise prior to 7:00 am and after 6:00 pm, and further limited to 8:00 am and 5:00 pm if within 300 feet of occupied dwellings.

Payments & Invoicing
Invoices may be issued after work is completed and must list the City issued purchase order number and work order number of the corresponding job. All information is to be provided in email format and hard copy if directed so.

No payment will be made without any deficiencies noted and corrected. All information is to be provided in email format and hard copy if directed so.

Contract Length & Effective Dates
This contract will be effective September 1, 2021 to October 1, 2021. All work must be completed no later than October 1, 2021. Liquidated damages will be applied if asphalt concrete project is not completed by the date above, according to the terms specified in section 20 of the General Conditions section of this bid package.

Bonds
The following bonds will be required for this project:
- Payment Bond

Scope of Work
The price quoted shall include compliance with all specifications listed above, as well as the following specifications/construction details: Work includes a 1.5" asphalt overlay of the pathway and side trails at Mesa Ridge Trail and Deerfield Corridor Trail as delineated in attachment "A" and includes any and all work needed to prepare the existing asphalt pathway and trails for overlay such as cleaning pathway and trails and applying

tack coat. Estimated asphalt concrete tonnage to complete this job is 735 tons. However, it is the Contractor's responsibility to measure the proposed work area to bid the job accordingly to the specifications contained in this bid package to ensure that all path-ways and trails described in Exhibit A receive a 1.5" A.C. overlay.

CONSTRUCTION DETAILS

SECTION C-1: GENERAL

A. GENERAL

All asphalt concrete used for this project shall be Type "A" conforming to the provisions of Section 39 "Asphalt Concrete" with a maximum 15% Reclaimed Asphalt Pavement "RAP" of the Caltrans Standard Specifications 2018 and these technical specifications.

B. MATERIALS

1. Asphalt Binder. Bituminous binder shall be steam refined paving asphalt PG 64-10 conforming to the provisions in Section 92 "Asphalt Binders" of the Caltrans Standard Specifications and these Technical Specifications.
2. Aggregates: Asphalt shall be produced at a central mixing plant. Asphalt concrete shall be Type A (1/2" Max., Medium) for the asphalt overlay and shall conform to the provisions in Section 39-2.02B (4) "Aggregates" of the Caltrans Standard Specifications and these technical specifications.
3. Tack Coat: Tack coat shall be asphalt emulsion grade SS-1 furnished and applied in conformance with the provisions in Section 39-2.01 C (3)(f) "Tack Coat" and section 94 "Asphaltic Emulsions" of the Caltrans Standard Specifications and these technical specifications. Tack coat shall be applied to existing pathway and trails that will come in contact with new asphalt concrete.
4. The Contractor shall submit the asphalt concrete mix design at least 10 working days in advance of manufacturing to allow for City review and approval. The City Engineer may direct the amount of asphalt binder to be mixed with the aggregate.
5. Batch data and load slips shall be presented to the City Engineer or his designee as asphalt is delivered to the project site to allow verification of location and use. Failure to do so may result in non-payment for questionable quantities.

SECTION C-2: SPREADING AND COMPACTING

A. WEATHER

The Contractor shall not perform paving operations when the weather is rainy or foggy or when atmospheric temperature is below 50 degrees Fahrenheit. Determination of inclement weather shall be made by the City Engineer or his designee. If the day's operations are canceled because of fog or rain, a non-working day will be allowed only as specified under section 1-1.07, "Definitions," of Caltrans Standard Specifications.

Contractor shall receive the approval of the City Engineer before placing any asphalt concrete on the pathway or trails. Asphalt concrete shall not be placed on any surface which is not clean, or contains ponded water or excessive moisture nor in any unapproved location, as determined by the City Engineer or his designee.

If paving operations are in progress and rain or fog forces a shutdown, loaded trucks shall return to the plant and no compensation will be allowed. The Contractor shall furnish and use canvas tarpaulins to cover all loads of asphalt concrete from the time that the mixture is loaded until it is discharged from the delivery vehicle, unless otherwise directed in writing by the City Engineer or his designee.

B. TACK COAT PLACEMENT

No traffic shall be allowed on the asphalt emulsion with the exception of vehicles unloading asphalt concrete. All vehicles involved with the Contractor's operations shall turn around within the road right-of-way. Driveways and other private property shall not be used without prior written consent of the involved property owner, a dated copy of which shall be delivered to the City Engineer prior to the use thereof.

Any area to which tack coat has been applied shall be closed to pedestrian traffic. Care shall be taken to avoid tracking any binder material onto existing pathways or sidewalks beyond the limits of construction. The surface shall be free of water, foreign material, and dust when tack coat is applied. Contractor shall clean at his own expense any tracking outside of the construction area to the satisfaction of the City.

C. SPREADING EQUIPMENT

Asphalt pavers shall be self-propelled mechanical spreading and finishing equipment provided with a screed or strike-off assembly capable of distributing the material to not less than the full width of a pathway or trail lane unless otherwise approved by the Engineer. Screed action shall include cutting, crowding or other practical action that is effective on the hot mix asphalt mixture without tearing, shoving or gouging and that produces a surface texture of uniform appearance. The screed shall be adjustable to the required section and thickness. The screed shall be provided with a suitable full width compacting device.

Pavers that leave ridges, indentations or other marks in the surface shall not be used unless the ridges, indentations or marks are eliminated by rolling or prevented by adjustment in the operation. When end dump haul vehicles are used, the asphalt paver shall operate independently of the vehicle being unloaded or shall be capable of propelling the vehicle being unloaded. The load of the haul vehicle shall be limited to that which will insure satisfactory spreading. When being unloaded, the haul vehicle shall be in contact with the machine and the brakes on the haul vehicle shall not be depended upon to maintain contact between the vehicle and the machine.

No portion of the mass of hauling or loading equipment, other than the connection, shall be supported by the asphalt paver. No vibrations or other motions of the loader that could have a detrimental effect on the riding quality of the completed pavement shall be transmitted to the paver.

The City will provide any patch work or conforms necessary for Contractor's asphalt overlay on the pathway and trails 48 hours in advance of the Contractor's start date.

Asphalt concrete placed adjacent to any fall-away gutter shall be placed flush with the lip of gutter. Asphalt concrete placed adjacent to any gutter designed to carry water shall be 0 inches to 0.25 inch above the gutter lip after final compaction, but in no case shall it be more than 0.25 inch. Any areas greater than 0.25 inch shall be repaired by wedge grinding a minimum depth of 1 inch and repaving as directed by the City Engineer. Asphalt concrete placed adjacent to any gutter designed to shed water shall be flush with the gutter lip after final compaction.

D. COMPACTION

HMA shall be placed in lifts conforming to Section 39-2.02C of the State Specifications. The HMA shall be placed and compacted to ninety-two to ninety-seven percent (92% to 97%) of theoretical maximum density and shall meet the elevation of the existing pavement contour. Areas inaccessible to rollers shall be compacted by use of a power compactor of the high impact, vibra-plate type, capable of attaining the same compaction as the rolled areas.

E. QUALITY

The finished pavement surface shall be smooth and free of cracks, shoving, displacement, and segregation of coarse and fine materials. Paving shall be to a clean neat joint with existing grade. Paving with evidence of poor workmanship such as rock pockets, ripples, voids, segregation, or out of tolerance as determined by the Engineer or defined by these Special Provisions, shall be removed and replaced at Contractor's expense.

SECTION C-3: MEASUREMENT AND PAYMENT

Payment for "Asphalt Concrete Overlay" shall be at the contract square foot unit price lump sum listed in the bid schedule. This work shall include full compensation for furnishing all labor, materials, tools, equipment, and incidentals for doing all work involved in asphalt concrete pavement, and conforming to the requirements of this section, and all work as may be required by the Contract Documents, as directed by the City Engineer. No payment shall be made for any unused asphalt. It is the Contractor's responsibility to submit all asphalt concrete weight tags to the City Engineer or his designee at the job site on all pave days.

No Payment will be made until any and all deficiencies due to poor workmanship or failure to follow the specifications contained in this bid package are fixed to the City's satisfaction.

SECTION C-4: WATER POLLUTION CONTROL

Contractor shall comply with California's General Permit for Storm-water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit) Order No. 2009-0009-DWQ as amended by Order No. 2010-0014-DWQ (NPDES No. CAS000002) issued by the State Water Resources Control Board (State Water Board), the Contractor shall be responsible for preparing, submitting and implementing a Water Pollution Control Plan (WPCP)-Best Management Practices. This project may have little if any requirement. Contractor shall provide the City a copy of plan for review and approval prior to the start of work. City may provide additional comments to ensure compliance with SWRCB requirements.

Full compensation for water pollution control, including all permit fees, labor, materials, tools, equipment and incidentals, and for doing all the work involved in preparing, implementing, inspecting, maintaining, removing, and disposing all aspects of the Water Pollution Control Plan complete and in place and all the work involved in complying with Construction General Permit, the Standard Specifications, the Special Provisions and as directed by the Engineer shall be considered as included in the contract lumpsum price quoted in the bid submittal worksheet for asphalt concrete paving and no additional compensation will be allowed therefore.

EXHIBIT "B"

SCHEDULE OF SERVICES

Please See Exhibit "A"

EXHIBIT "C"

COMPENSATION

OFFICIAL BID SUBMITTAL PAGE 1 OF 3 INITIAL HERE SR

III. BID SUBMITTAL WORK SHEET - BID NO. 988-0722-21A

Your Company Name: GradeTech Inc.

Contact Name: Eric Remson

Contact Phone: 510-733-0390

Contact Email: gradetinc@sbcglobal.Net

This quote shall include full compensation for furnishing all labor, materials, tools, equipment, and incidentals for doing all work involved in asphalt concrete overlay, and conforming to the Specifications of this bid package and as outlined in the Scope of Work section and Exhibit A. The extended cost bid price per ton of ½" hot-mix asphalt shall be considered full compensation. The square footage estimated by the City is 78,514 sq ft, however, **the contractor is responsible for measurements in the field and for providing a total asphalt concrete tonnage estimate when bidding this job.** Bid price must include a 1.5" A.C overlay for all areas described in exhibit A. The extended lump sum cost will be the **final price paid**.

DESCRIPTION: 1 ½ INCH ASPHALT OVERLAY WITH ½ INCH HOT-MIX ASPHALT.

78514 SQ FT	X	1.38	=	$ 108,349.32
Contractor Estimated Square Footage		Unit Price $/sq ft		**EXTENDED LUMP SUM COST**

EXHIBIT "D"

INSURANCE REQUIREMENTS

Please refer to the insurance requirements listed below. **Those that have an "X" indicated in the space before the requirement apply to Contractor's Agreement.**

Contractor shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder and the results of that work by the Contractor, its agents, representatives, employees or subcontractors.

Contractor shall provide its insurance broker(s)/agent(s) with a copy of these requirements and request that they provide Certificates of Insurance complete with copies of all required endorsements.

Contractor shall furnish City with copies of original endorsements affecting coverage required by this Exhibit D. The endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. All endorsements and certificates are to be received and approved by City before work commences. City has the right to require Contractor's insurer to provide complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications.

Commercial General Liability (CGL):

_X_ Coverage at least as broad as Insurance Services Office ("ISO") Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal and advertising injury with limits no less than **$2,000,000.00** per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

___ Coverage at least as broad as ISO Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal and advertising injury with limits no less than **$1,000,000.00** per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

___ Coverage at least as broad as ISO Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal and advertising injury with limits no less than **$5,000,000.00** per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

Automobile Liability:

X Coverage at least as broad as ISO Form Number CA 0001 covering, Code 1 (any auto), of if Contractor has no owned autos, Code 8 (hired) and 9 (non-owned), with limits no less than **$1,000,000.00** combined single limit for bodily injury and property damage.

___ Coverage at least as broad as ISO Form Number CA 0001 covering, Code 1 (any auto), with limits no less than $5,000,000.00 combined single limit for bodily injury and property damage.

___ Garage keepers' extra liability endorsement to extend coverage to all vehicles in the care, custody and control of the Contractor, regardless of where the vehicles are kept or driven.

Professional Liability (Errors and Omissions):

___ Insurance appropriate to the Contractor's profession, with limit no less than $1,000,000.00 per occurrence or claim, $2,000,000.00 aggregate.

___ (If Design/Build), with limits no less than $1,000,000.00 per occurrence or claim, and $2,000,000.00 policy aggregate.

___ Insurance appropriates to the Contractor's profession, with limit no less than _____ per occurrence or claim, _____ aggregate

Workers' Compensation Insurance:

X Insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than **$1,000,000.00** per accident for bodily injury or disease. *(Not required if Contractor provides written verification it has no employees. Waiver needed.)*

The Employer's Liability policy shall be endorsed to waive any right of subrogation as respects the City, its elected and appointed officials, officers, attorneys, agents, and employees.

Builder's Risk (Course of Construction):

___ Insurance utilizing an "All Risk" (Special Perils) coverage form, with limits equal to the completed value of the project and no coinsurance penalty provisions. If the project does not involve new or major reconstruction, at the option of the City, an Installation Floater may be acceptable. For such projects, a Property Installation Floater shall be obtained that provides for the improvement, remodel, modification, alteration, conversion or adjustment to existing buildings, structures, processes, machinery and equipment. The Property Installation Floater shall provide property damage coverage for any building, structure, machinery or equipment damaged, impaired, broken, or destroyed during the performance of the Work, including during transit, installation, and testing at the City's site.

Contractor's Pollution Legal Liability:

___ Contractor's pollution legal liability and/or Asbestos Legal Liability and/or Errors and Omissions (if project involves environmental hazards) with limits no less than $1,000,000.00 per occurrence or claim and $2,000,000.00 policy aggregate.

If the Contractor maintains higher limits than the minimums shown above, the City requires and shall be entitled to coverage for the higher limits maintained by the Contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to City.

Cyber Liability Insurance

___ Cyber Liability Insurance with limits not less than $1,000,000 per claim.

Coverage shall be sufficiently broad to respond to the duties and obligations as is undertaken by Contractor in this Agreement and shall include, but not be limited to, claims involving infringement of intellectual property, including but not limited to infringement of copyright, trademark, trade dress, invasion of privacy violations, information theft, damage to or destruction of electronic information, release of private information, alteration of electronic information, extortion, and network security.

The policy shall provide coverage for breach response costs as well as regulatory fines and penalties, and credit monitoring expenses with limits sufficient to respond to these obligations.

Surety Bonds:

Contractor shall provide the following Surety Bonds:

____ Bid Bond
____ Performance Bond
____ Payment Bond

The Payment Bond and Performance Bond shall be in a sum equal to the contract price. Bonds shall be duly executed by a responsible corporate surety, authorized to issue such bonds in the State of California and secured through an authorized agent with an office in California.

Other Insurance Provisions:

The insurance policies are to contain, or be endorsed to contain the following provisions:

_X_ Additional Insured Status and Primary/Non-Contributory Language:

Contractor's general liability and automobile liability policies shall be primary and shall not seek contribution from the City's coverage and be endorsed to add the City and its officers, officials, employees, and agents as additional insureds under such policies using Insurance Services Office form CG 20 10 (or equivalent) on the general liability policy. For construction projects, an endorsement providing completed operations

coverage for the additional insured on the general liability policy, ISO form CG 20 37 (or equivalent), is also required.

The limits of insurance required in this Agreement may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of City (if agreed to in a written contract or agreement) before the City's own insurance or self-insurance shall be called upon to protect it as a named insured.

___ **Loss Payee Status – Builder's Risk/Course of Construction Insurance (applicable to Construction Contracts only)**

Contractor may submit evidence of Builder's Risk insurance in the form of Course of Construction coverage. Such coverage shall name the City as a loss payee as their interest may appear.

___ **Notice of Cancellation, Suspension or Otherwise Voiding Policies:**

Each insurance policy required above shall contain or be endorsed to contain that coverage shall not be suspended, voided, canceled or reduced in coverage or in limits except with thirty (30) days' prior written notice by certified mail, return receipt requested to the City.

___ **Waiver of Subrogation:**

Contractor hereby grants to City a waiver of any right to subrogation which any insurer of said Contractor may acquire against the City by virtue of the payment of any loss under such insurance. Contractor agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer. The Workers' Compensation Policy shall be endorsed with a waiver of subrogation in favor of the City for all work performed by Contractor, its employees, agents and subcontractors.

___ **Completed Operations**

For Construction Agreements, Contractor shall maintain insurance as required by this Agreement to the fullest amount allowed by law and shall maintain insurance for a minimum of five (5) years following the completion of this project. In the event Contractor fails to obtain or maintain completed operations coverage as required by this Agreement, the City at its sole discretion may purchase the coverage required and the cost will be paid by Contractor.

THE FOLLOWING PROVISIONS APPLY TO ALL AGREEMENTS

Deductibles and Self-Insured Retentions ("SIR"):

Any deductibles or self-insured retentions must be declared to and approved by City. The City may require the Contractor to purchase coverage with a lower deductible or retention or provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. At the

option of the City, either (1) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its elected and appointed officials, officers, attorneys, agents, and employees; or (2) the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

All SIRs must be disclosed to Risk Management for approval and shall not reduce the limits of liability.

Policies containing any SIR provision shall provide or be endorsed to provide that the SIR may be satisfied by either the named insured or the City.

City reserves the right to obtain a full-certified copy of any insurance policy and endorsements. Failure to exercise this right shall not constitute a waiver of right to exercise later.

Acceptability of Insurers:

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A-:VII, unless otherwise acceptable to City.

Claims Made Policies: (note - should be applicable only to professional liability, see below)

1. The Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work.

2. Insurance must be maintained, and evidence of insurance must be provided for at least five (5) years after completion of contract of work.

3. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a Retroactive Date prior to the contract effective date, the Contractor must purchase "extended reporting" coverage for a minimum of five (5) years after completion of work.

4. A copy of the claims reporting requirements must be submitted to the City for review.

5. If the services involve lead-based paint or asbestos identification/remediation, the Contractor's Pollution Liability Policy shall not contain lead-based paint or asbestos exclusions. If the services involve mold identification/remediation, the Contractors Pollution Liability Policy shall not contain a mold exclusion, and the definition of Pollution shall include microbial matter, including mold.

Subcontractors:

Contractor shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein, and Contractor shall ensure that City is an additional insured on insurance required from subcontractors.

Subcontractor agrees to be bound to Contractor and City in the same manner and to the same extent as Contractor is bound to City under this Agreement and any other contract documents. Subcontractor further agrees to include the same requirements and provisions of this Agreement, including the indemnity and insurance requirements, with any sub-subcontractor to the extent they apply to the scope of the sub-subcontractor's work. A copy of the City indemnity and insurance provisions will be furnished to the subcontractor upon request.

Verification of Coverage:

Contractor shall furnish the City with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the City before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Contractor's obligation to provide them. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Special Risks or Circumstances

City reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage or other special circumstances.

Failure to Comply:

Each insurance policy required above shall contain or be endorsed to contain that any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City, its elected and appointed officials, officers, attorneys, agents, and employees.

Applicability of Coverage:

Each insurance policy required above shall contain or be endorsed to contain that the Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

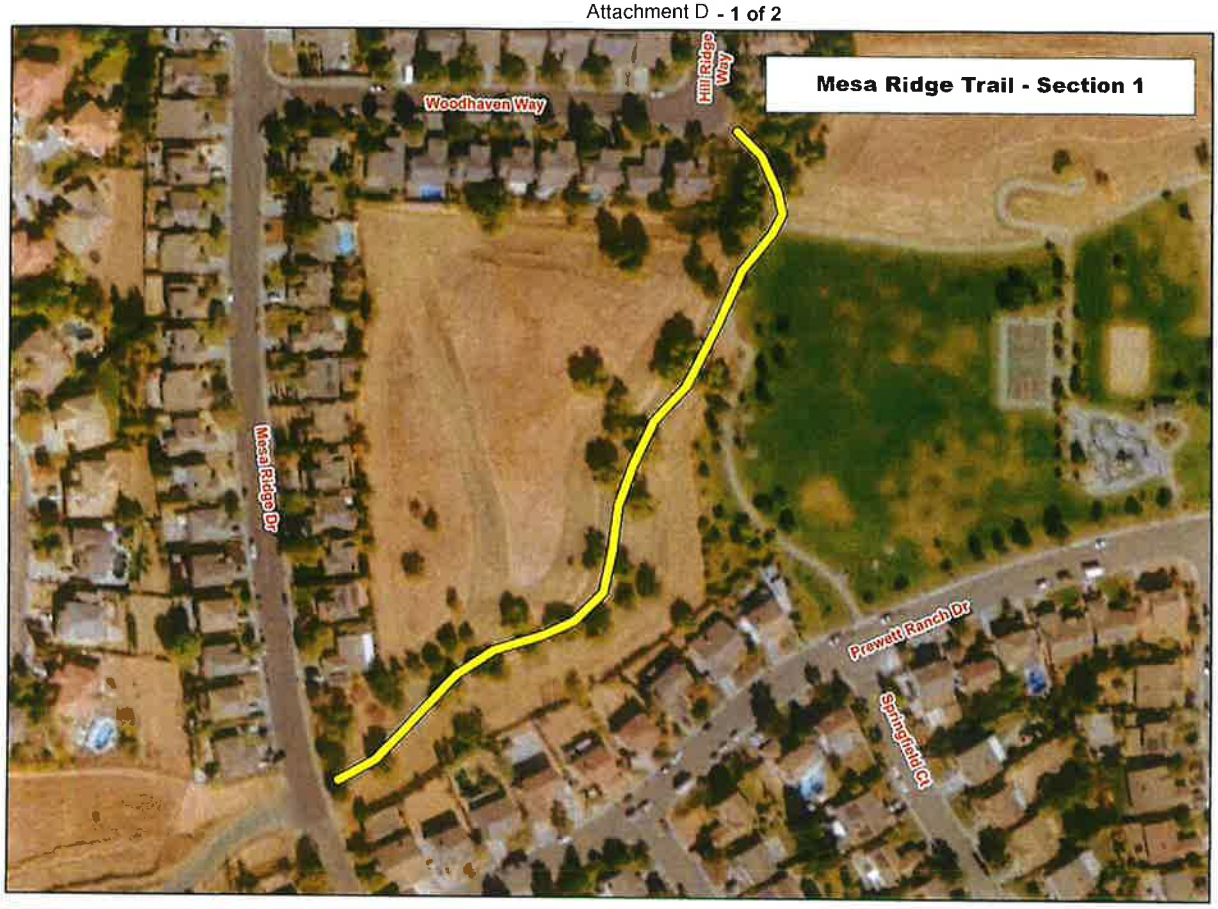
[***INCLUDE THIS EXHIBIT (AND CORRESPONDING AGREEMENT PROVISION) ONLY IF APPLICABLE; DELETE OTHERWISE. IF APPLICABLE, YOU MAY ALSO NEED TO INCLUDE SOME INFORMATION IN THE SOLICITATION DOCUMENT. CONSULT THE CITY ATTORNEY IF NECESSARY***]

EXHIBIT "E"

FEDERAL REQUIREMENTS

[*INSERT ALL FORMS, PROVISIONS AND OTHER REQUIREMENTS**

OF THE FEDERAL FUNDING SOURCE*]**



Mesa Ridge Trail - Section 1

The project starts from Mesa Ridge Dr and ends at Woodhaven Way

Mesa Ridge Trail - Section 2

The project starts from Dallas Ranch Rd and ends at Mokelumne Dr

N

Total ft² = 35,652

ANTIOCH CALIFORNIA

Deerfield Corridor Trail - Section 1

The project starts from Lone Tree Way and ends at Indian Hill Dr

Deerfield Corridor Trail - Section 2

The project starts from Indian Hill Dr and ends at Mokelumne Dr

N

Total ft² = 42,862

ANTIOCH CALIFORNIA

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of August 10, 2021

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Ronald Chandra, Operations Supervisor (Fleet)
Shaun Connelly, Water Distribution Superintendent

APPROVED BY: John Samuelson, Public Works Director/City Engineer JS

SUBJECT: Approval of a Valve Maintenance Truck Utilizing a Sourcewell Cooperative Purchasing Agreement with National Auto Fleet Group

---

RECOMMENDED ACTION

It is recommended that the City Council adopt the resolution:

1. Approving the replacement purchase of one (1) New 2022 Ford Super Duty F550 DRW (X5G) XL 2WD SuperCab 192" WB 84" CA, with E.H. Wachs valve maintenance system, for an amount not to exceed $192,370.92 and

2. Authorizing the City Manager to execute the Sourcewell Cooperative Purchasing Agreement with National Auto Fleet Group.

FISCAL IMPACT

Funding for this replacement vehicle is included in the adopted fiscal year 2021/22 budget in the Water Enterprise Fund. The replaced vehicle will be sold at auction and revenue from the sale will be returned to the Vehicle Replacement Fund.

DISCUSSION

The City's inventory of vehicles and equipment is examined annually in conjunction with the budget process to determine which existing units meet replacement criteria and which divisions have new operational needs. Criteria includes, but is not limited to, vehicles which have reached or exceeded 100,000 miles, vehicles which require frequent and costly maintenance repairs and older model vehicles that lack available parts.

This recommendation replaces an E.H. Wachs Valve Trailer with a Ford F550 E.H. Wachs valve truck. The valve trailer is currently used daily to ensure all water main valves (nearly 10,000 valves) are exercised every two (2) years to comply with State guidelines set by AWWA and provide improved maintenance to the City's water infrastructure. Because of its daily usage, the valve trailer has experienced significant wear and tear to its frame.

D
Agenda Item #

Further welding repairs of the frame are no longer recommended. In addition, the overall length of the current truck and valve trailer is 33' which creates a public and employee safety concern while working in busy intersections where critical valves are located. The idea is to have a stand-alone unit (truck) with a mounted valve turning machine to decrease the workspace needed in these busy intersections to enhance worker safety.

Replacement

Veh#	Year	Model		Year	Model
307	2013	E.H. Wachs Valve Trailer	Replacement	2022	E.H. Wachs Valve Truck

The City received a quote for the purchase of an E.H. Wachs Valve Truck from National Auto Fleet Group; a Sourcewell cooperative purchasing vendor. The City can utilize Sourcewell Cooperative Purchasing agreements for the purchases of goods and services under its municipal code section 3-4.12 (C) (1), which allows the dispensing of bidding procedures for purchasing goods or services or proposal procedures for professional services. Many public agencies, including neighboring cities and special districts, use certain national cooperative purchasing programs such as Sourcewell to enable them to obtain significant savings while maintaining the principles of fair and open competition in public procurement.

ATTACHMENT
A. Resolution
B. Quote

ATTACHMENT "A"

RESOLUTION NO. 2021/**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROVING THE PURCHASE OF ONE REPLACEMENT VEHICLE FROM NATIONAL AUTO FLEET GROUP IN AN AMOUNT NOT TO EXCEED $192,370.92 AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO PURCHASE THE VEHICLES.

WHEREAS, the City's Fleet Division annually assesses its inventory of vehicles and equipment based on standard replacement criteria in conjunction with the operational needs of each division; and

WHEREAS, the City's Fleet Division maintains the City's fleet through timely replacement of vehicles and equipment that are at or beyond their useful life, which is critical in managing costs and liability associated with an aging fleet; and

WHEREAS, the City of Antioch received a quote from National Auto Fleet Group with Sourcewell government pricing; and

WHEREAS, by utilizing the National Auto Fleet Group Sourcewell **Contract 120716-NAF**, the Public Works Department will be guaranteed a significant cost savings while maintaining the principles of fair and open competition in public procurement.

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

1. Approves the purchase of one (1) Ford F550 truck with an E.H. Wachs valve maintenance system utilizing the National Auto Fleet Group Sourcewell Contract 120716-NAF, in the amount not to exceed $192,370.92 and
2. Authorizes the City Manager or designee to purchase the vehicles.

* * * * * * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 10th day of August 2021, by the following vote:

AYES:

ABSENT:

ABSTAIN:

NOES:

ELIZABETH HOUSEHOLDER
CITY CLERK OF THE CITY OF ANTIOCH

National Auto Fleet Group

A Division of Chevrolet of Watsonville
490 Auto Center Drive, Watsonville, CA 95076
(855) 289-6572 • (831) 480-8497 Fax
Fleet@NationalAutoFleetGroup.com

6/7/2021
6/10/2021 Re-Configured

Quote ID: **17153 R1**

Order Cut Off Date: **TBA**

Mr Shaun Connelly
City of Antioch

1201 W. 4th Street

Antioch, California, 94531

Dear Shaun Connelly,

National Auto Fleet Group is pleased to quote the following vehicle(s) for your consideration.
One (1) New/Unused (2022 Ford Super Duty F-550 DRW (X5G) XL 2WD SuperCab 192" WB 84" CA, E.H. Wachs Proposal #KR148379 + Chassing Handling $2,000.00) and delivered to your specified location, each for

	One Unit (MSRP)	One Unit	Total % Savings	Total Savings
Contract Price	$59,275.00	$52,756.20	10.998 %	$6,518.80
E.H. Wachs Proposal #KR148379	$121,915.25	$121,915.25		
+ Chassing Handling $2,000.00				
2 additional key(s)		$600.00		
Tax (9.7500 %)		$17,088.97		
Tire fee		$10.50		
Total		$192,370.92		

- per the attached specifications.

This vehicle(s) is available under the **Sourcewell (Formerly Known as NJPA) Contract 120716-NAF** . Please reference this Contract number on all purchase orders to National Auto Fleet Group. Payment terms are Net 20 days after receipt of vehicle.

Thank you in advance for your consideration. Should you have any questions, please do not hesitate to call.

Sincerely,

Jesse Cooper
Account Manager
Email: Fleet@NationalAutoFleetGroup.com
Office: (855) 289-6572
Fax: (831) 480-8497

Quoting Department
Account Manager
Fleet@NationalAutoFleetGroup.com
(855) 289-6572

Purchase Order Instructions & Resources

In order to finalize your purchase please submit this purchase packet to your governing body for a purchase order approval and submit your purchase order in the following way:

Email: Fleet@NationalAutoFleetGroup.com

Fax: (831) 480-8497

Mail: National Auto Fleet Group

490 Auto Center Drive

Watsonville, CA 95076

We will send a courtesy confirmation for your order and a W-9 if needed.

Additional Resources

Learn how to track your vehicle:	**www.NAFGETA.com**
Use the upfitter of your choice:	**www.NAFGpartner.com**
Vehicle Status:	**ETA@NationalAutoFleetGroup.com**
General Inquiries:	**Fleet@NationalAutoFleetGroup.com**

For general questions or assistance please contact our main office at:

1-855-289-6572

E.H.WACHS
A Division of TRS
Superior Equipment. Complete Support.

Water Utility Products
600 Knightsbridge Pkwy | Lincolnshire IL 60069
T +1 847 537 8800 | F +1 847 520 1147
ehwachs.com

Quotation

TO: **Shaun Connelly**
City of Antioch
Third & H Street
P.O. Box 5007
Antioch, CA 94531-5007

Date:	12/21/2020
Quotation Number:	KR148379
Payment Terms:	Net 30
Shipping Terms:	FOB Origin
Valid Through:	7/1/2021
Estimated Delivery:	Will advise

E.H. Wachs is pleased to offer the following quotation.

Sourcewell quote no. 15460

	Item Number	Description	Qty	U/M	Unit Price (USD)	Disc%	Line Total (USD)
1	77-000-58	Standard SB (Diesel) – VMS (RH): Single turner valve maintenance skid to be used in conjunction with custom Knapheide Valve Service Body; includes Wachs 750 Ft/lb (1020 Nm) Extended Reach Valve operator, telescoping valve key and Wachs ruggedized HC-100 with GPS controller/datalogger. A Tier 4F compliant, Kubota 1.1L, I-3 4-stroke, liquid cooled, IDI diesel engine provides ample power for all contained functions, including an auxiliary HTMA Class II circuit; 10 gallon (38 L) reservoir, fan cooled heat exchanger, continuous duty rated for 8 GPM (30.3 LPM) @ 1,800 PSI (125 bar). A positive displacement blower provides 500 CFM (14.2 cmm)- 11" (280mm) Hg vacuum, with spoils containment provided by a 250 (950 L) gallon tank with power hydraulic dump (rear discharge) and latching rear door. Also driven from the common power train is a 2.5 gpm (9.5 LPM) @ 3000 PSI (210 bar) pressure washer system with 3 gallon (11.4 L) anti-freeze tank and 95 gallon (360 L) water tank. Includes 2-1/2" (63.5mm), 1-1/4" (31.75mm) & 7/8" (22mm) suction wands and one each short and long wash-down guns. Also included in the SB are all the LX features: the service light bar with arrow board, 50' (15 M) auxiliary hydraulic hose reel for operation of hydraulic power tools & Bluetooth tethering module (installed in ERV-750) for wireless communication between the exerciser and Controller/Data Logger. Battery and fuel tank are removed as these systems interface directly with the Chassis Cab. Available Options: TM-7 HD (up to 2,500 Ft/lb [3,390 Nm] of torque) with Hybrid control valve operator (17-405-00), Hot Water Heater (77-414-02) or already GPS enabled, however adding Trimble R2 GNSS receiver (79-412-02) provides survey grade centimeter accuracy. A unique feature of the Custom Service body is the dedicated storage tray located under the bed, between the frame rails for a Wachs 45lb hydraulic breaker (08-000-10), a variety of breaker bits are available separately.	1	EA	72,500.00	5.0%	68,875.00

E.H.WACHS
A Division of ITW
Superior Equipment. Complete Support.
Water Utility Products
800 Knightsbridge Pkwy | Lincolnshire IL 60069
T +1 847 537 8800 | F +1 847 520 1147
ehwachs.com

Quotation

TO: **Shaun Connelly**

Date: 12/21/2020
Quotation Number: KR148379

	Item Number	Description	Qty	U/M	Unit Price (USD)	Disc%	Line Total (USD)
2	77-811-01	Valve Truck Service Body and Upfit - Ford, Diesel. Custom Wachs Valve Service Body painted Oxford White and Upfitting for Ford Diesel Chassis Cabs. Chassis Cab must be 84" Cab to Axle with a GVRW Rating of 19,500 lbs, included with Upfitter Switches, Reverse Camera with Prep Kit and drop shipped to Knapheide in Quincy, IL (drop ship code 88QNR4). Features include: Underbody Storage for TM-7 (integrated into service body deck maximizing free deck space) with Rollup Service Door (TM-7 #17-405-01 & ufitting #77-813-01 sold separately). Underbody Storage at rear for 45 lb Breaker (#08-000-10 and tools sold separately), located between frame rails. 110v Electric, 20 Amp Continuous (90 Amp Peak) Low Frequency Inverter with (2) Auxiliary Batteries & Electric Cord Reel - 50ft. Two Drawer Tool Box. Grip Strut Rear Bumper with Pintle Hook Recess, Class V Receiver (Rated @ 12,000 lb trailer weight & 2,400 lb tongue) and Cable Steps. LED Warning Strobe Lights (front/rear), LED lighting in all cabinets and full width Cab Guard with 2 rear facing LED Work Lights & Grab Handle. Key/Shovel Storage Box (132in L x 10in H x 20in D) above full height cabinets with Reinforced and Covered front (32"). Retractable Steps (24in & 12in) with Stainless Steel Kick Plates. Extended Cargo Floor to Edge of Body Curb Side (vertical compartments deleted above floor level), all Spray Lined. Rear Spray Booth with storage for Paint Cans & Wire Brush. Installation includes Wachs Valve Maintenance Skid (including fuel and power taps) & OEM Backup Camera installed behind bumper for protection (camera kit must be ordered with the chassis cab).	1	EA	39,500.00	5.0%	37,525.00
3	77-815-PDI	Pre-Delivery Inspection preformed by corresponding OEM dealer, price includes transportation of the vehicle from/to Knapheide upfitting facility in Taylor, MO.	1	EA	250.00		250.00
4	DELIVERY	Pool Delivery Rate (Per Mile) with a minimum of 300 miles. Rate calculated is from Taylor, MO to final destination.	1928.00	MILE	2.50		4,820.00
5	08-000-15	Valve Nut Rx Kit - Includes 7' Nut Extracting Tool and 7' Installation Tool, Toolbox, (10) Stainless Steel Emergency Nuts, (1) each sizes 1-10 with Template. (1) Professional Battery Operated Drill to operate drill and tap kit included, (1) Set of extracting sockets, (1) Set of Deep Well 6 Piece Sockets with sleeves, (1) Chaser Kit - 3/4", 5/8", 1/2", 9/16", 3lb. Sledge Hammer with Soft Sledge, Allen Wrench Set, Grease Tube, (1) Each 1/4" and 11/32" Drill Bits. Kit also to includes 6" File, Flashlight, Adjustable Magnet, Roll of Fixing Tape and all necessary hardware to reinstall operating nuts.	1	EA	7,995.00	5.0%	7,595.25
6	79-104-05	Operations line item to adjust build and inventory from TC-100 (>2021 BOMs) to HC-100.	1	EA	0.00		0.00
					Subtotal		**119,065.25**
					Shipping & Handling		**850.00**
					Total (USD)		**$119,915.25**

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Water Utility Products
600 Knightsbridge Pkwy | Lincolnshire IL 60069
T +1 847 537 8800 | F +1 847 520 1147
ehwachs.com

Quotation

TO: **Shaun Connelly**

Date: 12/21/2020
Quotation Number: KR148379

We will prepay and add shipping charges to your order, or we can ship collect via your choice of carrier service. If you have any questions please feel free to call Matt Goodwin at 209-534-1671 or call me at 815-943-4785 x2773.

(SALES TAX!!!!) We collect sales tax in all but the following states AK, DE, MT, OR and NH. If you are tax exempt please supply your identification number and certificate with your order. If your exempt number is not on file, tax will be added to your invoice.

Please reference this quote number when placing your order. Thank You.

Ken Redding
Utility Technical Sales Rep
815-943-4785 x2773
kredding@ehwachs.com

Sales of E.H. Wachs products and services are expressly limited to and made conditional on acceptance of its current Terms and Conditions of Sale , found at www.ehwachs.com ("Terms"). Any additional or different terms are hereby rejected . Commencement of work by E.H. Wachs or acceptance of delivery of products by you constitutes your acceptance of the Terms .

Vehicle Configuration Options

ENGINE	
Code	**Description**
99T	ENGINE: 6.7L 4V OHV POWER STROKE V8 TURBO DIESEL B20, -inc: Diesel Exhaust Fluid (DEF) tank, intelligent oil-life monitor and manual push-button engine-exhaust braking, 240 Amp Alternator, 4.10 Axle Ratio, Dual 78-AH 750 CCA Batteries
TRANSMISSION	
Code	**Description**
44G	TRANSMISSION: TORQSHIFT 10-SPEED AUTOMATIC, -inc: 10R140 w/neutral idle and selectable drive modes: normal, tow/haul, eco, deep sand/snow and slippery (STD)
TIRES	
Code	**Description**
TGJ	TIRES: 225/70RX19.5G BSW A/P, (STD)
PRIMARY PAINT	
Code	**Description**
Z1	OXFORD WHITE
PAINT SCHEME	
Code	**Description**
___	STANDARD PAINT
SEAT TYPE	
Code	**Description**
AS	MEDIUM EARTH GRAY, HD VINYL 40/20/40 SPLIT BENCH SEAT, -inc: center armrest, cupholder, storage and driver's side manual lumbar
AXLE RATIO	
Code	**Description**
X8L	LIMITED SLIP W/4.88 AXLE RATIO
ADDITIONAL EQUIPMENT	
Code	**Description**
90L	POWER EQUIPMENT GROUP, -inc: Deletes passenger side lock cylinder, upgraded door-trim panel, Accessory Delay, Advanced Security Pack, SecuriLock Passive Anti-Theft System (PATS) and inclination/intrusion sensors, MyKey, owner controls feature, Power Locks, Remote Keyless Entry, Folding Trailer Tow Mirrors w/Power Heated Glass, manual telescoping, heated convex spotter mirror and integrated clearance lamps/turn signals, Power Front & Rear Side Windows, 1-touch up/down driver/passenger window

62R	TRANSMISSION POWER TAKE-OFF PROVISION, -inc: mobile and stationary PTO modes
67B	397 AMP ALTERNATORS
98R	OPERATOR COMMANDED REGENERATION
68M	GVWR: 19,500 LB PAYLOAD PLUS UPGRADE PACKAGE, -inc: upgraded frame, rear-axle and low deflection/high capacity springs, Increases max RGAWR to 14, 706, Note: See Order Guide Supplemental Reference for further details on GVWR
63A	UTILITY LIGHTING SYSTEM, -inc: LED side-mirror spotlights
18B	PLATFORM RUNNING BOARDS
942	DAYTIME RUNNING LAMPS (DRL), -inc: The non-controllable 942 Daytime Running Lamps (DRL) replace the standard Daytime Running Lamps (DRL) on/off cluster controllable
61L	FRONT WHEEL WELL LINERS (PRE-INSTALLED)
872	REAR VIEW CAMERA & PREP KIT, -inc: Pre-installed content includes cab wiring and frame wiring to the rear most cross member, Upfitters kit includes camera w/mounting bracket, 20' jumper wire and camera mounting/aiming instructions
76C	EXTERIOR BACKUP ALARM (PRE-INSTALLED)

OPTION PACKAGE

Code	Description
660A	ORDER CODE 660A

2022 Fleet/Non-Retail Ford Super Duty F-550 DRW XL 2WD SuperCab 192" WB 84" CA

WINDOW STICKER

2022 Ford Super Duty F-550 DRW XL 2WD SuperCab 192" WB 84" CA

CODE	MODEL	MSRP
X5G	2022 Ford Super Duty F-550 DRW XL 2WD SuperCab 192" WB 84" CA	$44,075.00
	OPTIONS	
99T	ENGINE: 6.7L 4V OHV POWER STROKE V8 TURBO DIESEL B20, -inc: Diesel Exhaust Fluid (DEF) tank, intelligent oil-life monitor and manual push-button engine-exhaust braking, 240 Amp Alternator, 4.10 Axle Ratio, Dual 78-AH 750 CCA Batteries	$9,325.00
44G	TRANSMISSION: TORQSHIFT 10-SPEED AUTOMATIC, -inc: 10R140 w/neutral idle and selectable drive modes: normal, tow/haul, eco, deep sand/snow and slippery (STD)	$0.00
TGJ	TIRES: 225/70RX19.5G BSW A/P, (STD)	$0.00
Z1	OXFORD WHITE	$0.00
—	STANDARD PAINT	$0.00
AS	MEDIUM EARTH GRAY, HD VINYL 40/20/40 SPLIT BENCH SEAT, -inc: center armrest, cupholder, storage and driver's side manual lumbar	$0.00
X8L	LIMITED SLIP W/4.88 AXLE RATIO	$360.00
90L	POWER EQUIPMENT GROUP, -inc: Deletes passenger side lock cylinder, upgraded door-trim panel, Accessory Delay, Advanced Security Pack, SecuriLock Passive Anti-Theft System (PATS) and inclination/intrusion sensors, MyKey, owner controls feature, Power Locks, Remote Keyless Entry, Folding Trailer Tow Mirrors w/Power Heated Glass, manual telescoping, heated convex spotter mirror and integrated clearance lamps/turn signals, Power Front & Rear Side Windows, 1-touch up/down driver/passenger window	$915.00
62R	TRANSMISSION POWER TAKE-OFF PROVISION, -inc: mobile and stationary PTO modes	$0.00
67B	397 AMP ALTERNATORS	$115.00
98R	OPERATOR COMMANDED REGENERATION	$250.00
68M	GVWR: 19,500 LB PAYLOAD PLUS UPGRADE PACKAGE, -inc: upgraded frame, rear-axle and low deflection/high capacity springs, Increases max RGAWR to 14, 706, Note: See Order Guide Supplemental Reference for further details on GVWR	$1,155.00
63A	UTILITY LIGHTING SYSTEM, -inc: LED side-mirror spotlights	$160.00
18B	PLATFORM RUNNING BOARDS	$445.00
942	DAYTIME RUNNING LAMPS (DRL), -inc: The non-controllable 942 Daytime Running Lamps (DRL) replace the standard Daytime Running Lamps (DRL) on/off cluster controllable	$45.00
61L	FRONT WHEEL WELL LINERS (PRE-INSTALLED)	$180.00
872	REAR VIEW CAMERA & PREP KIT, -inc: Pre-installed content includes cab wiring and frame wiring to the rear most cross member, Upfitters kit includes camera w/mounting bracket, 20' jumper wire and camera mounting/aiming instructions	$415.00
76C	EXTERIOR BACKUP ALARM (PRE-INSTALLED)	$140.00
660A	ORDER CODE 660A	$0.00

Please note selected options override standard equipment

SUBTOTAL	**$57,580.00**
Advert/ Adjustments	$0.00
Manufacturer Destination Charge	$1,695.00
TOTAL PRICE	**$59,275.00**

Est City: N/A MPG
Est Highway: N/A MPG
Est Highway Cruising Range: N/A mi

Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

Standard Equipment

MECHANICAL

Engine: 7.3L 2V DEVCT NA PFI V8 Gas
Transmission: TorqShift 10-Speed Automatic -inc: 10R140 w/neutral idle and selectable drive modes: normal, tow/haul, eco, deep sand/snow and slippery
4.88 Axle Ratio
GVWR: 18,000 lbs Payload Package
50-State Emissions System
Transmission w/Oil Cooler
Rear-Wheel Drive
78-Amp/Hr 750CCA Maintenance-Free Battery w/Run Down Protection
HD 240 Amp Alternator
Towing Equipment -inc: Trailer Sway Control
Trailer Wiring Harness
10860# Maximum Payload
HD Shock Absorbers
Front And Rear Anti-Roll Bars
Firm Suspension
Hydraulic Power-Assist Steering
40 Gal. Fuel Tank
Single Stainless Steel Exhaust
Dual Rear Wheels
Front Suspension w/Coil Springs
Leaf Rear Suspension w/Leaf Springs
4-Wheel Disc Brakes w/4-Wheel ABS, Front And Rear Vented Discs and Brake Assist
Upfitter Switches

EXTERIOR

Wheels: 19.5" x 6" Argent Painted Steel -inc: Hub covers/center ornaments not included
Tires: 225/70Rx19.5G BSW A/P
Clearcoat Paint
Black Front Bumper w/Black Rub Strip/Fascia Accent and 2 Tow Hooks
Black Fender Flares
Black Side Windows Trim and Black Front Windshield Trim
Black Door Handles
Black Manual Side Mirrors w/Manual Folding
Manual Extendable Trailer Style Mirrors
Fixed Rear Window

Light Tinted Glass
Variable Intermittent Wipers
Aluminum Panels
Front Splash Guards
Black Grille
Reverse Opening Rear Doors
Autolamp Auto On/Off Aero-Composite Halogen Daytime Running Lights Preference Setting Headlamps w/Delay-Off
Cab Clearance Lights

ENTERTAINMENT

Radio: AM/FM Stereo w/MP3 Player -inc: 6 speakers
Radio w/Seek-Scan and Clock
Fixed Antenna
SYNC Communications & Entertainment System -inc: enhanced voice recognition, 911 Assist, 4.2" LCD center stack screen, AppLink, 1 smart-charging USB port and steering wheel audio controls
2 LCD Monitors In The Front

INTERIOR

4-Way Driver Seat -inc: Manual Recline and Fore/Aft Movement
4-Way Passenger Seat -inc: Manual Recline and Fore/Aft Movement
60-40 Folding Split-Bench Front Facing Fold-Up Cushion Rear Seat
Manual Tilt/Telescoping Steering Column
Gauges -inc: Speedometer, Odometer, Oil Pressure, Engine Coolant Temp, Tachometer, Transmission Fluid Temp, Engine Hour Meter, Trip Odometer and Trip Computer
Fixed Rear Windows
FordPass Connect 4G Mobile Hotspot Internet Access
Rear Cupholder
Manual Air Conditioning
HVAC -inc: Underseat Ducts
Illuminated Locking Glove Box
Interior Trim -inc: Chrome Interior Accents
Full Cloth Headliner
Urethane Gear Shifter Material
HD Vinyl 40/20/40 Split Bench Seat -inc: center armrest, cupholder, storage and driver's side manual lumbar
Day-Night Rearview Mirror
Passenger Visor Vanity Mirror
3 12V DC Power Outlets
Full Overhead Console w/Storage and 3 12V DC Power Outlets

Front Map Lights
Fade-To-Off Interior Lighting
Full Vinyl/Rubber Floor Covering
Smart Device Remote Engine Start
Instrument Panel Covered Bin and Dashboard Storage
Manual 1st Row Windows
Systems Monitor
Trip Computer
Outside Temp Gauge
Analog Appearance
Seats w/Vinyl Back Material
Manual Adjustable Front Head Restraints and Manual Adjustable Rear Head Restraints
Air Filtration

SAFETY

Driveline Traction Control
Side Impact Beams
Dual Stage Driver And Passenger Seat-Mounted Side Airbags
Dual Stage Driver And Passenger Front Airbags w/Passenger Off Switch
Outboard Front Lap And Shoulder Safety Belts -inc: Height Adjusters
Safety Canopy System Curtain 1st And 2nd Row Airbags

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of August 10, 2021

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Phil Hoffmeister, Administrative Analyst II

APPROVED BY: John Samuelson, Director of Public Works/City Engineer JS

SUBJECT: Formation of a Community Facilities District for the Laurel Ranch Residential Project

---

RECOMMENDED ACTION

It is recommended that the City Council adopt a resolution:

1. Authorizing the California Statewide Communities Development Authority ("CSCDA") to form a Community Facilities District (CFD) within the City of Antioch to finance certain public improvements,
2. Incorporating a Joint Community Facilities Agreement setting forth the terms and conditions of the CFD financing,
3. Approving an acquisition agreement between the City and the Developer or its assignee, and
4. Authorizing City staff to cooperate with CSCDA and its consultants in connection with the CFD formation and financing.

FISCAL IMPACT

There is no fiscal impact related to this item. The Developer is responsible for all the costs associated with forming the CFD and issuing the bonds. There is no cost to the City's General Fund related to the adoption of the attached resolution. The Laurel Ranch residential project will promote economic development, the stimulation of economic activity, and the increase of the tax base within the City.

DISCUSSION

The Laurel Ranch Project ("Project") of Richland Communities ("Developer") located in the City of Antioch ("City") involves the development of approximately 52.68 acres of property. The Project will be comprised of 179 tentative mapped lots which will consist of 92 cluster lots and 87 traditional single family lots. Off-site work on Laurel Road and

E
Agenda Item #

Country Hills Drive is currently underway, pursuant to a cost sharing agreement with Davidon Homes.

The Developer of the Laurel Ranch Project has requested public financing of certain public improvements associated with the Project. To accomplish this, the Developer has requested the California Statewide Communities Development Authority ("CSCDA") form a community facilities district ("CFD"). CSCDA would issue bonds to pay for improvements and levy a special tax on the property to pay debt service on the bonds.

Authorized Improvements that may be funded through the CFD include the following on-site and off-site public Improvements: In-Tract Improvements and Improvements to Laurel Road and Country Hill Drive. but in order to be able to fund Laurel Road or Country Hill Drive the Council will have to approve a form of Acquisition Agreement with Davidon in addition to the forms for Richland and KB Homes included in Exhibit C to the Resolution. The CFD also includes an authorization for the East Lone Tree Specific Plan Infrastructure Fee, but if that is funded it would be as a taxable bond, so as not to have to meet the 3-year expenditure requirement.

The total tax burden with the CFD is estimated at 1.67% (exclusive of HOA fees) for either tax exempt and/or taxable bonds combined. This is based on an average home value of $662,000 and includes the City's service and maintenance fees charges.

The following table provides an estimated budget for the project and the estimated funding to be provided by the CFD.

Authorized Facilities and Fees	
(a) In-Tract Improvements	$4,496,029
(b) Laurel Road Improvements	2,980,798
(c) Country Hill Drive Improvements	2,068,103
(d) East Lone Tree Specific Plan Infrastructure Fee	2,774,500
Total Authorized [1]	**$12,319,430**
Developer's Contribution*	**$6,488,351**
Estimated Net Funded Amount*	**$5,831,079**
Par Amount of CFD Bonds* [2]	**$6,725,000**

**Preliminary; subject to change*

[1] Source: Development Planning & Financing Group, Inc.
[2] Assumes funding of: Debt Service Reserve Fund sized to 125% Average Annual Debt Service; Capitalized Interest for 1 year; and Costs of Issuance including legal, special tax consultant, CSCDA issuance fee, underwriter's discount and other costs associated with the issuance of the CFD bonds.

In order for CSCDA to proceed, the City Council, as the legislative body of the jurisdiction in which the project is located, is required to authorize the formation of the Laurel Ranch CFD, approve related agreements and authorize actions related to the improvements constructed and fees to be paid.

While the City has the same authority to form Special Districts, to issue the bonds and to levy assessments or special taxes to pay such bonds as CSCDA under the Statewide

Communities Infrastructure Program ("SCIP") program, there is an administrative advantage in allowing CSCDA to be the lead agency in the process. By allowing developers to use the SCIP CFD process, the City avoids all of the administrative responsibility in (1) establishing a Special District and (2) issuing and administering the municipal bonds used to finance the public improvements or development impact fees secured by the property within the Special District. CSCDA assumes all responsibility for the issuance and payment of the municipal bonds and placing the annual assessments or special taxes on the property tax roll. The liability for the bonds is secured by a lien on the property included in the Special District. Therefore, if necessary, CSCDA would initiate foreclosure on property with delinquent payments. In attached resolution ("Attachment A"), the City acknowledges that CSCDA has adopted Local Goals and Policies and approves the use of those Local Goals and Policies in connection with the CFD.

The City does not desire to allocate City resources and City staff time to the formation and administration of a CFD and to the issuance of bonds. Staff is proposing that the CFD be formed through the CSCDA. CSCDA offers CFD financing through the Statewide Communities Infrastructure Program, of which the City has been a member since March 14, 2017.

The resolution, included as Attachment A, accomplishes the following:

- Authorizes the CSCDA to form a CFD, with boundaries substantially as shown in Exhibit A, to finance a proposed list of city facilities and public improvements at no cost to the City and without binding or obligating the City's general fund or taxing authority;
- Approves the list of improvements and fees to be financed (Exhibit B);
- Provides that CSCDA is the issuer of any bonds and is fully responsible for their issuance and administration;
- Contains the provisions necessary to embody the requirements of and to constitute, along with the Joint Powers Agreement governing CSCDA (to which the City is a party), a joint community facilities agreement between the City and the Authority under the Mello-Roos Act;
- Authorizes the City Manager or designee to execute the form of Acquisition Agreement (Exhibit C) on behalf of the City in substantially the form as attached, with such changes as shall be approved by the City Manager after consultation with the City Attorney; and
- Authorizes the City Manager or their designee to cooperate with CSCDA and to execute certificates and documents in connection with a future bond issuance for the CFD.

ATTACHMENTS

A. Resolution
   - Exhibits A through C

ATTACHMENT A

RESOLUTION NO. 2021/**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH (1) AUTHORIZING THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO FORM A COMMUNITY FACILITIES DISTRICT (CFD) WITHIN THE TERRITORIAL LIMITS OF THE CITY OF ANTIOCH TO FINANCE CERTAIN PUBLIC IMPROVEMENTS; (2) EMBODYING A JOINT COMMUNITY FACILITIES AGREEMENT SETTING FORTH THE TERMS AND CONDITIONS OF THE CFD FINANCING; (3) APPROVING TWO ACQUISITION AGREEMENTS; AND (4) AUTHORIZING STAFF TO COOPERATE WITH THE AUTHORITY AND ITS CONSULTANTS IN CONNECTION THEREWITH.

WHEREAS, the City of Antioch ("City") is a municipal corporation duly organized and existing under and by virtue of the laws of the State of California ("State");

WHEREAS, the California Statewide Communities Development Authority ("Authority") is a California joint-exercise of powers authority lawfully formed and operating within the State pursuant to an agreement ("Joint Powers Agreement") entered into as of June 1, 1988 under the authority of Title 1, Division 7, Chapter 5 (commencing with Section 6500) of the California Government Code;

WHEREAS, the City is a party to the Joint Powers Agreement and by virtue thereof a member ("Program Participant") of the Authority;

WHEREAS, the Joint Powers Agreement was entered into to establish the Authority as an agency authorized to issue bonds to finance projects within the territorial limits of its Program Participants;

WHEREAS, the Joint Powers Agreement authorizes the Authority to undertake financing programs under any applicable provisions of State law to promote economic development, the stimulation of economic activity, and the increase of the tax base within the jurisdictional boundaries of its Program Participants;

WHEREAS, the "Mello-Roos Community Facilities Act of 1982," being Chapter 2.5, Part 1, Division 2, Title 5 (beginning with Section 53311) of the Government Code of the State ("Act") is an applicable provision of State law available to, among other things, finance public improvements necessary to meet increased demands placed upon local agencies as a result of development;

WHEREAS, there is a development project in the City known as "Laurel Ranch" ("Development Project") and Richland Developers, Inc., the developer of the Development Project ("Richland"), has requested the City to consider formation of a CFD for the Development Project under the Act in order to finance certain capital improvements of the City that are required for the Development Project ("Improvements");

WHEREAS, the City does not desire to allocate City resources and City staff time to the formation and administration of a CFD and to the issuance of bonds;

WHEREAS, the Improvements will promote economic development, the stimulation of economic activity, and the increase of the tax base within the City;

WHEREAS, both the Authority and City are "local agencies" under the Act;

WHEREAS, the Act permits two or more local agencies to enter into a joint community facilities agreement to exercise any power authorized by the Act;

WHEREAS, the City desires to enter into such an agreement with the Authority to authorize the Authority to form a CFD within the territorial limits of the City to finance the Improvements;

WHEREAS, a form of Acquisition Agreement between the Authority, City, and KB HOME North Bay LLC ("KB") relating to certain Improvements to be constructed by KB (the "KB Acquisition Agreement") has been presented to the City Council and is on file with the City Clerk;

WHEREAS, a form of Acquisition Agreement between the Authority, City and Richland relating to certain Improvements to be constructed by Richland (the "Richland Acquisition Agreement" and, with the KB Acquisition Agreement, the "Acquisition Agreements") has been presented to the City Council and is on file with the City Clerk;

WHEREAS, nothing herein constitutes the City's approval of any applications, Development Project entitlements and/or permits, and such, to the extent required in the future, are subject to and contingent upon City Council approval following, to the extent applicable, environmental review in compliance with the California Environmental Quality Act ("CEQA");

WHEREAS, nothing herein affects, without limitation, requirements for and/or compliance with any and all applicable and/or necessary improvement standards, land use requirements or subdivision requirements relating to the Development Project or any portion thereof, which obligations are and shall remain independent and subsisting; and

WHEREAS, the City Council is fully advised in this matter;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Antioch that it does hereby find, determine, declare and resolve as follows:

Section 1. The City hereby specifically finds and declares that the actions authorized hereby constitute and are with respect to municipal affairs of the City and the statements, findings and determinations of the City set forth in the recitals above and in the preambles of the documents approved herein are true and correct.

Section 2. This resolution shall constitute full "local approval," under Section 9 of the Joint Powers Agreement, and under the Authority's Local Goals and

Policies (see below), for the Authority to undertake and conduct proceedings in accordance herewith and under the Act to form a CFD with boundaries substantially as shown on Exhibit A, attached hereto, and to authorize a special tax and to issue bonds with respect thereto. The CFD may be segregated into one or more improvement areas at the discretion of the Authority and Richland or its successor in interest or assignee.

Section 3. The Joint Powers Agreement, together with the terms and provisions of this resolution, shall together constitute a joint community facilities agreement between the City and the Authority under the Act. As, without this resolution, the Authority has no power to conduct proceedings under the Act to form the CFD, adoption by the Commission of the Authority of the Resolution of Intention to form the CFD under the Act shall constitute acceptance of the terms hereof by the Authority.

Section 4. This resolution and the agreement it embodies are determined to be beneficial to the residents/customers of the City and are in the best interests of the residents of the City, and of the future residents of the area within the CFD.

Section 5. The Authority has adopted Local Goals and Policies as required by Section 53312.7 of the Act. The City approves the use of those Local Goals and Policies in connection with the CFD. The City hereby agrees that the Authority may act in lieu of the City under those Local Goals and Policies in forming and administering the CFD.

Section 6. Pursuant to the Act and this resolution, the Authority may conduct proceedings under the Act to form the CFD and to have it authorize the financing of the facilities and fees set forth on Exhibit B, attached hereto. All of the facilities (whether to be financed directly or through fees) are facilities that have an expected useful life of five years or longer and are facilities that the City or other local public agencies, as the case may be, are authorized by law to construct, own or operate, or to which they may contribute revenue. The facilities (including facilities to be financed through the fees) are referred to herein as the "Improvements" and the fees are referred to herein as the "Fees."

Section 7. The City Council certifies to the Commission of the Authority that all of the Improvements (including improvements to be constructed or acquired with the proceeds allocated to the Fees) are necessary to meet increased demands placed upon the City as a result of development occurring or expected to occur within the CFD. Joint community facilities agreements with other local agencies, if any, will each contain a certification with respect to the facilities (including facilities funded from Fees) to be owned by the other local agencies equivalent to that made by the City in this paragraph.

Section 8. The Authority will apply the special tax collections initially as required by the Acquisition Agreements and then pursuant to the documents under which any bonds are issued; and thereafter, to the extent not provided in the bond documents, the Authority may pay its own reasonable administrative costs incurred in the

administration of the CFD. The Authority will remit any special tax revenues remaining after the final retirement of all bonds to the City and to the other local agencies in the proportions specified in the Authority's proceedings. The City will apply any such special tax revenues it receives for authorized Improvements and its own administrative costs only as permitted by the Act. The joint community facilities agreements with other local agencies must require the other local agencies to apply the special tax revenues they receive for their authorized facilities under the CFD and for their own related administrative costs only as permitted by the Act.

Section 9. The Authority will administer the CFD, including employing and paying all consultants, annually levying the special tax and all aspects of paying and administering the bonds, and complying with all State and Federal requirements appertaining to the proceedings, including the requirements of the United States Internal Revenue Code. The City will cooperate fully with the Authority in respect of the requirements of the Internal Revenue Code and to the extent information is required of the City to enable the Authority to perform its disclosure and continuing disclosure obligations with respect to the bonds, although the City will not participate in nor be considered to be a participant in the proceedings respecting the CFD (other than as a party to the agreement embodied by this resolution) nor will the City be or be considered to be an issuer of the bonds. The Authority is required to obtain a provision equivalent to this paragraph in all joint community facilities agreements with other local agencies.

Section 10. In the event the Authority completes issuance and sale of bonds, and bond proceeds become available to finance the Improvements, the Authority shall establish and maintain a special fund for a portion of such proceeds (the "Acquisition and Construction Fund"). The portion of bond proceeds which is intended to be utilized to finance the Improvements shall be deposited in the Acquisition and Construction Fund. The Acquisition and Construction Fund will be available both for Improvements (including Improvements funded from Fees) and for the facilities pertaining to the other local agencies that have entered into a joint community facilities agreement. The City shall provide a pro rata credit to the property owner(s) in respect of the amount of any Fees for which bond proceeds are allocated and deposited in a separate account of the Acquisition and Construction Fund.

Section 11. As respects the Authority and the other local agencies, the City agrees to fully administer, and to take full governmental responsibility for, the construction or acquisition of the Improvements including the administration and expenditure of the Fees, including but not limited to environmental review, approval of plans and specifications, bid requirements, performance and payment bond requirements, insurance requirements, contract and construction administration, staking, inspection, acquisition of necessary property interests in real or personal property, the holding back and administration of retention payments, punch list administration, and the Authority and the other local agencies shall have no responsibility in that regard. The City reserves the right, as respects KB and Richland, to require KB and/or Richland to contract with the City to assume any portion or all of this responsibility, which the City intends to

do pursuant to the Acquisition Agreements. The Authority is required to obtain provisions equivalent to this paragraph in the joint community facilities agreement with the other local agencies.

Section 12. The City agrees to indemnify and to hold the Authority, its other members, and its other members' officers, agents and employees, and the other local agencies and their officers, agents and employees (collectively, the "Indemnified Parties") harmless from any and all claims, suits and damages (including costs and reasonable attorneys' fees) arising out of the design, engineering, construction and installation of the Improvements, including Improvements funded from Fees. The City reserves the right, as respects KB and Richland, to require KB and/or Richland to assume by contract with the City any portion or all of this responsibility. The Authority is required to obtain a provision equivalent to this paragraph in all joint community facilities agreements with the other local agencies naming the City and its officers, agents and employees as Indemnified Parties with respect to the other local agencies' Improvements.

Section 13. As respects the Authority, the City agrees – once the Improvements are constructed according to the approved plans and specifications, and the City, KB and Richland have put in place their agreed arrangements for the funding of maintenance of the Improvements – to accept ownership of the Improvements, to take maintenance responsibility for the Improvements, and to indemnify and hold harmless the Indemnified Parties to the extent provided in the preceding paragraph from any and all claims, etc., arising out of the use and maintenance of the Improvements. The City reserves the right, as respects KB and Richland, to require KB and/or Richland by contract with the City to assume any portion or all of this responsibility. The Authority is required to obtain a provision equivalent to this paragraph in all joint community facilities agreements with other local agencies naming the City and its officers, agents and employees as Indemnified Parties.

Section 14. The City acknowledges the requirement of the Act that if the Improvements are not completed prior to the adoption, by the Authority Commission, of the Resolution of Formation of the CFD, the Improvements must be constructed as if they had been constructed under the direction and supervision, or under the authority of, the City. The City acknowledges that this means all Improvements must be constructed under contracts that require the payment of prevailing wages as required by Section 1720 and following of the Labor Code of the State of California. The Authority makes no representation that this requirement is the only applicable legal requirement in this regard. The City reserves the right, as respects KB and Richland, to assign appropriate responsibility for compliance with this paragraph to KB and/or Richland.

Section 15. The forms of the Acquisition Agreements attached hereto as Exhibit C are hereby approved, and the City Manager or such officer's designee (the "Authorized Officer") is authorized to execute, and deliver to KB and Richland, respectively, the Acquisition Agreements, on behalf of the City in substantially such forms, with such changes as shall be approved by the Authorized Officer, Richland, and KB,

after consultation with the City Attorney and the Authority's bond counsel, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 16. After completion of the Improvements and appropriate arrangements for the maintenance of the Improvements, or any discrete portion thereof as provided in Section 53313.51 of the Act and in the Acquisition Agreements, to the satisfaction of the City, and in conjunction with the City's acceptance thereof, acquisition of the Improvements shall be undertaken as provided in the Acquisition Agreements. The City Council hereby waives its policies regarding bidding, contracting and construction requirements to the extent the bidding requirements set forth in Exhibit C to the Acquisition Agreements are inconsistent with such policies.

Section 17. The City hereby consents to the formation of the CFD in accordance with this resolution and consents to the assumption of jurisdiction by the Authority for the proceedings respecting the CFD with the understanding that the Authority will hereafter take each and every step required for or suitable for consummation of the proceedings, the levy, collection and enforcement of the special tax, and the issuance, sale, delivery and administration of the bonds, all at no cost to the City and without binding or obligating the City's general fund or taxing authority.

Section 18. The terms of the Agreement embodied by this resolution may be amended by a writing duly authorized, executed and delivered by the City and the Authority, except that no amendment may be made after the issuance of the bonds by the Authority that would be detrimental to the interests of the bondholders without complying with all of the bondholder consent provisions for the amendment of the bond resolutions, bond indentures or like instruments governing the issuance, delivery and administration of all outstanding bonds.

Section 19. Except to the extent of the indemnifications extended to the other local agencies in the Agreement embodied by this resolution, and the City's agreement to take responsibility for and ownership of the Improvements, no person or entity, including KB and Richland, shall be deemed to be a third party beneficiary of this resolution, and nothing in this resolution (either express or implied) is intended to confer upon any person or entity other than the Authority and the City (and their respective successors and assigns) any rights, remedies, obligations or liabilities under or by reason of this resolution.

Section 20. The City shall be identified as a third-party beneficiary of all joint community facilities agreements between the Authority and the other local agencies to the extent of the indemnification provisions and the provisions whereby the local agencies agree to take responsibility for and ownership of their facilities.

Section 21. This resolution shall remain in force until all bonds have been retired and the authority to levy the special tax conferred by the CFD proceedings has ended or is otherwise terminated.

Section 22. The City Council hereby authorizes and directs the Authorized Officer and other appropriate City staff to cooperate with the Authority and its consultants and to do all things necessary and appropriate to carry out the intent of this resolution and the CFD financing, and to execute any and all certificates and documents in connection with the bond issuance as shall be approved by the Authorized Officer after consultation with the City Attorney and the Authority's bond counsel.

Section 23. The City Council hereby approves delivery of a certified copy of this resolution to the Authority's Bond Counsel, Orrick, Herrington & Sutcliffe LLP.

Section 24. This Resolution shall take effect upon its adoption.

* * * * * * * * * *

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 10th day of August 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

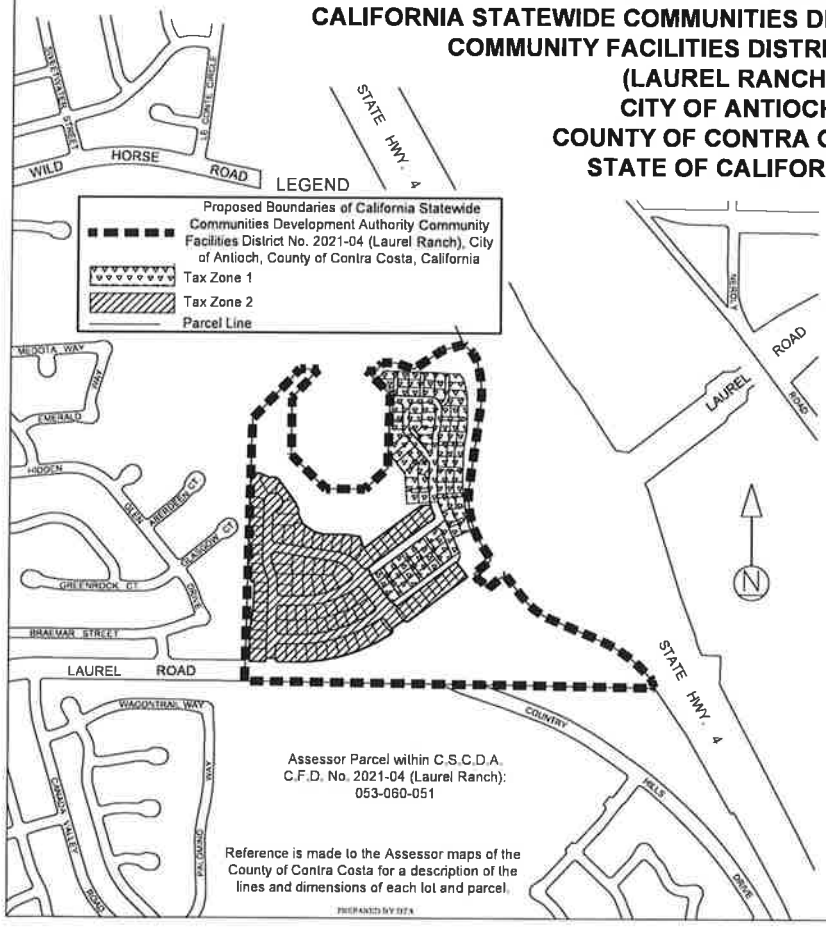
ABSENT:

ELIZABETH HOUSEHOLDER
CITY CLERK OF THE CITY OF ANTIOCH

EXHIBIT A

SHEET 1 OF 1

PROPOSED BOUNDARIES OF CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2021-04 (LAUREL RANCH) CITY OF ANTIOCH COUNTY OF CONTRA COSTA STATE OF CALIFORNIA



(1) Filed in the office of the Secretary of California Statewide Communities Development Authority this ____ day of _____, 2021.

_____
Secretary, California Statewide Communities Development Authority

(2) I hereby certify that the within map showing proposed boundaries of California Statewide Communities Development Authority Community Facilities District No. 2021-04 (Laurel Ranch), City of Antioch, County of Contra Costa, State of California, was approved by the Commission of the California Statewide Communities Development Authority at a regular meeting thereof, held on this _____ day of _____, 2021, by its resolution No. _____.

_____
Secretary, California Statewide Communities Development Authority

(3) Contra Costa County Recorder's Certificate

This map has been filed under Document Number _____, this _____ day of _____, 2021, at _____.m., in Book _____ of Maps of Assessment and Community Facilities Districts at page _____, in the office of the county recorder in the County of Contra Costa, State of California, at the request of the City of Antioch in the amount of $_____.

Deborah R. Cooper
County Clerk-Recorder
County of Contra Costa

By:_____

Deputy Recorder

EXHIBIT B

AUTHORIZED IMPROVEMENTS AND FEES

1. Preliminary and Incidental Expense and Appurtenant Work and Improvements

Generally, for each of the following categories of public capital facilities to be acquired, constructed and installed on public property (including dedicated rights-of-way and public easements), the authorized facilities shall be deemed to include the cost and expense of mobilization, clearing, grubbing, protective fencing and erosion control, excavation, curb, gutter and sidewalks, base and finish paving, concrete work, striping, traffic signage, traffic signals, streetlights, landscaping, irrigation, barricades, undergrounding of various utilities, and related appurtenant work and facilities, together with the cost and expense of engineering design, plan review, project management, construction-related surety bonds or like security instruments, construction staking and management, inspection, and any like fees and costs incidental to such acquisition, construction and installation.

2. Public Capital Improvements and Fees

Roadway improvements, including Laurel Road and Country Hills Drive; sanitary sewer improvements; water improvements; storm drain improvements; joint trench improvements including public utilities; and offsite walls and fences.

All public capital improvements eligible for funding by and through the City's East Lone Tree Specific Plan Infrastructure Fee and any development impact fee or infrastructure fee that replaces such fee in the future.

CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY

STATEWIDE COMMUNITY INFRASTRUCTURE PROGRAM

ACQUISITION AGREEMENT

BY AND AMONG

CSCDA,

CITY OF ANTIOCH

AND

KB HOME NORTH BAY LLC

Dated as of [_____], 2021

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ACQUISITION AGREEMENT

Recitals

A. The parties to this Acquisition Agreement (the "Agreement") are the City of Antioch, (the "City"), California Statewide Communities Development Authority (the "Authority"), and _____, a _____ (the "Developer").

B. The effective date of this Agreement is [_____], 2021.

C. The Developer has applied for the financing of certain public capital improvements (collectively, the "Acquisition Improvements") through the California Statewide Communities Development Authority (the "Authority"). The public capital improvements are to be owned and operated by the City, and the financing is to be accomplished through a Community Facilities District which will be administered by the Authority under and pursuant to the Mello-Roos Community Facilities Act of 1982 – California Government Code Section 53311 and following (the "Act"). On [_____], 2021, the City adopted Resolution No. [_____] authorizing the Authority to form a community facilities district (the "Community Facilities District") within the territorial limits of the City to finance the Acquisition Improvements. The Authority has commenced proceedings and is expected to form the Community Facilities District on [_____], 2021 and, on the same date, conduct a landowner election conferring the Community Facilities District authority on the Authority Commission.

D. Pursuant to the authority of the Community Facilities District, the Authority intends to levy special taxes and issue bonds to fund, among other things, all or a portion of the costs of the Acquisition Improvements. The portion of the proceeds of the special taxes and bonds allocable to the cost of the Acquisition Improvements, together with interest earned thereon, as such amount becomes available from time to time, is referred to herein as the "Available Amount".

E. The Authority will provide financing for the acquisition by the City of the Acquisition Improvements and the payment of the Acquisition Price (as defined herein) of the Acquisition Improvements from time to time in any number of installments from the Available Amount. Attached hereto as Exhibit A is a description of the Acquisition Improvements.

F. The parties anticipate that, upon completion of the Acquisition Improvements, and subject to the terms and conditions of this Agreement, the City will acquire the constructed Acquisition Improvements. Acquisition Improvements do not need to be dedicated to and accepted by the City as a condition precedent to payment but any such payment shall not be made until the Acquisition Improvement has been constructed and completed in accordance with this Agreement.

G. Any and all monetary obligations of the City arising out of this Agreement are the special and limited obligations of the City payable only from the Available Amount, and no other funds whatsoever of the City shall be obligated therefor under any circumstances.

H. Attached to this Agreement are Exhibit A (the Acquisition Improvements), Exhibit B (Disbursement Request Form), and Exhibit C (Bidding, Contracting and Construction Requirements for Acquisition Improvements), all of which are incorporated into this Agreement for all purposes.

AGREEMENT

ARTICLE I

DEFINITIONS; COMMUNITY FACILITIES DISTRICT FORMATION AND FINANCING PLAN

Section 1.01. Definitions. As used herein, the following capitalized terms shall have the meanings ascribed to them below:

"Acceptable Title" means free and clear of all monetary liens, encumbrances, assessments, whether any such item is recorded or unrecorded, and taxes, except those items which are reasonably determined by the City Engineer not to interfere with the intended use and therefore are not required to be cleared from the title.

"Acquisition and Construction Fund" means the fund or funds established by the Authority pursuant to the Resolution and Section 1.03 hereof for the purpose of paying the Acquisition Price of the Acquisition Improvements.

"Acquisition Improvement" means each of the public capital improvements listed as items A-E, inclusive, in Exhibit A hereto.

"Acquisition Price" means the total amount eligible to be paid to the Developer upon acquisition of an Acquisition Improvement as provided in Section 2.03, equal to the Actual Cost of the Acquisition Improvement.

"Actual Cost" means the total cost of an Acquisition Improvement, as documented by the Developer to the satisfaction of the City and as certified by the City Engineer in an Actual Cost Certificate including, without limitation, (a) the Developer's cost of constructing such Acquisition Improvement including grading, labor, material and equipment costs, (b) the Developer's cost of designing and engineering the Acquisition Improvement, preparing the plans and specifications and bid documents for such Acquisition Improvement, and the costs of inspection, materials testing and construction staking for such Acquisition Improvement, (c) the Developer's cost of any performance, payment and maintenance bonds and insurance, including title insurance, required hereby for such Acquisition Improvement, (d) the Developer's cost of biological monitoring required for such Acquisition Improvement, (f) the amount of any fees actually paid by the Developer to governmental agencies in order to obtain permits, licenses or other necessary governmental approvals and reviews for such Acquisition Improvement, but not including development impact fees or capital facilities charges, (g) the Developer's cost paid to third parties for construction and project management, administration and supervision services for such Acquisition Improvement, and (h) the Developer's cost paid to third parties for professional services related to such Acquisition Improvement, including engineering, accounting, legal,

financial, appraisal and similar professional services.

"Actual Cost Certificate" means a certificate prepared by the Developer detailing the Actual Cost of an Acquisition Improvement to be acquired hereunder, as may be revised by the City Engineer pursuant to Section 2.03.

"Agreement" means this Acquisition Agreement, dated as of [_____], 2021.

"Authority" means the California Statewide Communities Development Authority.

"Authority Trust Agreement" means a Trust Agreement entered into by the Authority and an Authority Trustee in connection with the issuance of bonds.

"Authority Trustee" means the financial institution identified as trustee in an Authority Trust Agreement.

"Available Amount" shall have the meaning assigned to the term in Recital D.

"Bonds" means bonds or other indebtedness issued by the Authority that is to be repaid with Special Taxes.

"City" means City of Antioch.

"City Engineer" means the Engineer of the City or his/her designee who will be responsible for administering the acquisition of the Acquisition Improvements hereunder.

"Code" means the Government Code of the State of California.

"Community Facilities District" shall have the meaning assigned to the term in Recital C.

"Developer" means KB HOME North Bay LLC, a Delaware limited liability company, its successors and assigns.

"Disbursement Request Form" means a requisition for payment of funds from the Acquisition and Construction Fund for an Acquisition Improvement in substantially the form contained in Exhibit B hereto.

"Project" means the Developer's development of the property in the Community Facilities District, including the design and construction of the Acquisition Improvements and the other public and private improvements to be constructed by the Developer within or serving the Community Facilities District.

"Resolution" means City of Antioch Resolution No. [_____], adopted [_____], 2021, authorizing execution and delivery of this Agreement.

"Special Taxes" means annual special taxes, and prepayments thereof, authorized by the Community Facilities District to be levied by the Commission of the Authority.

"Title Documents" means, for each Acquisition Improvement acquired hereunder, a grant

deed or similar instrument necessary to transfer title to any real property or interests therein (including easements), or an irrevocable offer of dedication of such real property with interests therein necessary to the operation, maintenance, rehabilitation and improvement by the City of the Acquisition Improvement (including, if necessary, easements for ingress and egress) and a bill of sale or similar instrument evidencing transfer of title to the Acquisition Improvement (other than said real property interests) to the City, where applicable.

Section 1.02. Establishment of Community Facilities District. The Developer has requested the City to permit the Authority to provide for financing of the Acquisition Improvements through the establishment and authorization of the Community Facilities District and the City agreed by its adoption of the Resolution. The Community Facilities District was established by the Authority on [_____], 2021, and through the landowner election to be held that same day, the Commission of the Authority is authorized to levy the Special Taxes and to issue the Bonds to finance the Acquisition Improvements. The Developer and the City agree to reasonably cooperate with one another and with the Authority in the completion of the financing through the issuance of the Bonds in one or more series.

Section 1.03. Deposit and Use of Available Amount.

(a) Prior to the issuance of Bonds, Special Taxes collected by the Authority shall be deposited in the Acquisition and Construction Fund established by the Authority pursuant to the terms of the Resolution, and may be disbursed to pay the Acquisition Price of Acquisition Improvements in accordance with Article II of this Agreement. All funds in the Acquisition and Construction Fund shall be considered a portion of the Available Amount, and upon the issuance of the Bonds the Acquisition and Construction Fund shall be transferred to the Authority Trustee to be held in accordance with the Authority Trust Agreement.

(b) If not already established pursuant to the Resolution, upon the issuance of the Bonds, the Authority will cause the Authority Trustee to establish and maintain the Acquisition and Construction Fund for the purpose of holding all funds for the Acquisition Improvements. All earnings on amounts in the Acquisition and Construction Fund shall remain in the Acquisition and Construction Fund for use as provided herein and pursuant to the Authority Trust Agreement. Money in the Acquisition and Construction Fund shall be available to respond to delivery of a Disbursement Request Form and to be paid to the Developer or a third party designated in writing by the Developer to the City to pay the Acquisition Price of the Acquisition Improvements, as specified in Article II hereof. Upon completion of all of the Acquisition Improvements and the payment of all costs thereof, any remaining funds in the Acquisition and Construction Fund (less any amount determined by the City as necessary to reserve for claims against the account) (i) shall be applied to pay the costs of any additional improvements eligible for acquisition with respect to the Project as approved by the Authority and, to the extent not so used, (ii) shall be applied by the Authority to call Bonds or to reduce Special Taxes as the Authority shall determine.

Section 1.04. No City Liability; City Discretion; No Effect on Other Agreements. In no event shall any actual or alleged act by the City or any actual or alleged omission or failure to act by the City with respect to the Community Facilities District subject the City to monetary liability therefor. Further, nothing in this Agreement shall be construed as affecting the Developer's or the City's duty to perform their respective obligations under any other

agreements, public improvement standards, land use regulations or subdivision requirements related to the Project, which obligations are and shall remain independent of the Developer's and the City's rights and obligations under this Agreement.

ARTICLE II

DESIGN, CONSTRUCTION AND ACQUISITION OF ACQUISITION IMPROVEMENTS

Section 2.01. Letting and Administering Design Contracts. The Developer has awarded and administered (or caused to be awarded and administered), or will award and administer (or cause to award and administer), engineering design contracts for the Acquisition Improvements to be acquired hereunder. All eligible expenditures of the Developer for design engineering and related costs in connection with the Acquisition Improvements (whether as an advance to the City or directly to the design consultant) shall be reimbursed at the time of acquisition of the Acquisition Improvements. The Developer shall be entitled to reimbursement for any design costs of the Acquisition Improvements only out of the Acquisition Price as provided in Section 2.03 and shall not be entitled to any payment for design costs independent of the acquisition of Acquisition Improvements.

Section 2.02. Letting and Administration of Construction Contracts; Indemnification. State law requires that all Acquisition Improvements not completed prior to the formation of the Community Facilities District shall be constructed as if they were constructed under the direction and supervision, or under the authority, of the City. In order to assure compliance with those provisions, except for any contracts entered into prior to the date hereof, the Developer agrees to comply with the requirements set forth in Exhibit C hereto with respect to the bidding and contracting for the construction of the Acquisition Improvements. The Developer agrees that all the contracts shall call for payment of prevailing wages as required by the Labor Code of the State of California. The Developer's indemnification obligation set forth in Section 3.01 of this Agreement shall also apply to any alleged failure to comply with the requirements of this Section, and/or applicable State laws regarding public contracting and prevailing wages.

Section 2.03. Sale of Acquisition Improvements. The Developer agrees to sell to the City each Acquisition Improvement to be constructed by the Developer when the Acquisition Improvement has been constructed and is complete to the satisfaction of the City for an amount equal to the Actual Cost of the Acquisition Improvement, but solely from the Available Amount. Exhibit A, attached hereto and incorporated herein, contains a list of the Acquisition Improvements. At the time of completion of each Acquisition Improvement the Developer shall deliver to the City Engineer a written request for acquisition, accompanied by an Actual Cost Certificate and executed Title Documents for the transfer of the Acquisition Improvement where necessary. In the event that the City Engineer finds that the supporting paperwork submitted by the Developer fails to demonstrate the required relationship between the subject Actual Cost and eligible work, the City Engineer shall advise the Developer that the determination of the Actual Cost (or the ineligible portion thereof) has been disallowed and shall request further documentation from the Developer. If the further documentation is still not adequate, the City Engineer may revise the Actual Cost Certificate to delete any disallowed items and the determination shall be final and conclusive.

Certain soft costs for the Acquisition Improvements, such as civil engineering, may have been incurred pursuant to single contracts that include work relating also to the private improvements. In those instances, a portion of the total costs under such contracts will be allocated to each Acquisition Improvement as approved by the City Engineer. Where a specific contract has been awarded for design or engineering work relating solely to an Acquisition Improvement, one hundred percent (100%) of the costs under the contract will be allocated to that Acquisition Improvement. Costs will be allocated to each Acquisition Improvement as approved by the City Engineer. The costs of biological monitoring as required by the pertinent natural resource permits needed to install the public improvements will be allocated to each Acquisition Improvement as approved by the City Engineer.

Section 2.04. Conditions Precedent to Payment of Acquisition Price. Payment to the Developer or its designee of the Acquisition Price for an Acquisition Improvement from the Acquisition and Construction Fund shall in every case be conditioned first upon the determination of the City Engineer, pursuant to Section 2.03, that the Acquisition Improvement satisfies all City regulations and ordinances and is otherwise complete and ready for acceptance by the City, and shall be further conditioned upon satisfaction of the following additional conditions precedent:

(a) the Developer shall have provided the City with lien releases or other similar documentation satisfactory to the City Engineer as evidence that none of the property (including any rights-of-way or other easements necessary for the operation and maintenance of the Acquisition Improvement, to the extent not already publicly owned) comprising the Acquisition Improvement, and the property which is subject to the special taxes of the Community Facilities District, is not subject to any prospective mechanics lien claim respecting the Acquisition Improvements.

(b) The Developer shall not be delinquent in the payment of all due and payable general property taxes, and all special taxes of the Community Facilities District, on property owned by the Developer within the Community Facilities District.

(c) The Developer shall certify that it is not in default with respect to any loan secured by any interest in the Project.

(d) (b) The Developer shall have provided the City with Title Documents needed to provide the City with title to the site, right-of-way, or easement upon which the subject Acquisition Improvement is situated. All such Title Documents shall be in a form acceptable to the City and shall convey Acceptable Title. The Developer shall provide a policy of title insurance as of the date of transfer in a form acceptable to the City Engineer and the City Attorney insuring the City as to the interests acquired in connection with the acquisition of any interest for which such a policy of title insurance is not required by another agreement between the City and the Developer. Each title insurance policy required hereunder shall be in the amount equal to the Acquisition Price. The amount paid to the Developer or its designee upon satisfaction of the foregoing conditions precedent shall be the Acquisition Price.

Section 2.05. Disbursement Request Form. Upon a determination by the City Engineer to pay the Acquisition Price of an Acquisition Improvement pursuant to Section 2.04, the City Engineer shall cause a Disbursement Request Form substantially in the form attached

hereto as Exhibit B to be submitted to the Authority Trustee, and the Authority Trustee shall make payment directly to the Developer or its designee of the amount pursuant to the Authority Trust Agreement.

The payment of the Acquisition Price for completed Acquisition Improvements is not contingent upon completion of all subdivision improvements for the Project and is not contingent upon formal acceptance of dedicated improvements by the City Council.

The City and the Developer acknowledge and agree that the Authority Trustee shall make payment strictly in accordance with the Disbursement Request Form and shall not be required to determine whether or not the Acquisition Improvement has been completed or what the Actual Costs may be with respect to the Acquisition Improvement. The Authority Trustee shall be entitled to rely on the executed Disbursement Request Form on its face without any further duty of investigation.

In the event that a Disbursement Request Form requests disbursement for payment of the Acquisition Price of an Acquisition Improvement in excess of the Available Amount then on hand, the Authority Trustee shall withdraw all funds remaining in the Acquisition and Construction Fund and shall transfer those amounts to the Developer or its designee. The unpaid portion of the Acquisition Price shall be paid from an Available Amount that may subsequently be deposited in the Acquisition and Construction Fund from a subsequent issuance of Bonds or from Special Tax revenues, if either of those occurs.

Section 2.06. Limitation on Obligations. In no event shall the City be required to pay the Developer or its designee more than the amounts held in the Acquisition and Construction Fund at any given time, although the parties acknowledge and agree that the Acquisition Price may be paid in one or more installments over time as additional Available Amounts become available.

ARTICLE III

MISCELLANEOUS

Section 3.01. Indemnification and Hold Harmless. The Developer hereby assumes the defense of, and indemnifies and saves harmless the City, the Authority and their respective officers, directors, employees and agents, including the Authority Trustee, from and against all actions, damages, claims, losses or expenses of every type and description to which they may be subjected or put, by reason of, or resulting from or alleged to have resulted from the acts or omissions of the Developer or its agents and employees arising out of any contract for the design, engineering and construction of the Acquisition Improvements entered into by the Developer; provided that nothing in this Section 3.01 shall limit in any manner the City's rights against any of the Developer's architects, engineers, contractors or other consultants. Except as set forth in this Section 3.01, no provision of this Agreement shall in any way limit the extent of the responsibility of the Developer for payment of damages resulting from the operations of the Developer, its agents and employees. Nothing in this Section 3.01 shall be understood or construed to mean that the Developer agrees to indemnify the City, the Authority or any of their respective officers, directors, employees or agents, for any wrongful acts or omissions to act of the Authority

or its officers, employees, agents or any consultants or contractors, including the Authority Trustee, and for any wrongful acts, willful misconduct, active negligence or omissions to act of the City, or its officers, employees, agents or any consultants or contractors, including the Authority Trustee.

Section 3.02. Audit. The City shall have the right, during normal business hours and upon the giving of ten days' written notice to the Developer, to review all books and records of the Developer pertaining to costs and expenses incurred by the Developer (for which the Developer seeks reimbursement pursuant to this Agreement) in constructing the Acquisition Improvements.

Section 3.03. Cooperation. The City and the Developer agree to cooperate with respect to the completion of the financing of the Acquisition Improvements by the Authority through the levy of the Community Facilities District Special Taxes and issuance of Bonds. The City and the Developer agree to meet in good faith to resolve any differences on future matters which are not specifically covered by this Agreement.

Section 3.04. General Standard of Reasonableness. Any provision of this Agreement which requires the consent, approval or acceptance of either party hereto or any of their respective employees, officers or agents shall be deemed to require that the consent, approval or acceptance not be unreasonably withheld or delayed, unless the provision expressly incorporates a different standard. The foregoing provision shall not apply to provisions in the Agreement which provide for decisions to be in the sole discretion of the party making the decision.

Section 3.05. Third Party Beneficiaries. It is expressly agreed that there are no third party beneficiaries of this Agreement, including without limitation any owners of bonds, any of the City's or the Developer's contractors for the Acquisition Improvements and any of the City's, the Authority's, or the Developer's agents and employees.

Section 3.06. Conflict with Other Agreements. Nothing contained herein shall be construed as releasing the Developer or the City from any condition of development or requirement imposed by any other agreement between the City and the Developer, and, in the event of a conflicting provision, the other agreement shall prevail unless the conflicting provision is specifically waived or modified in writing by the City and the Developer.

Section 3.07. Notices. All invoices for payment, reports, other communication and notices relating to this Agreement shall be mailed to:

If to the Authority:

California Statewide Communities Development Authority
1100 K Street, Suite 101
Sacramento, CA 95814
Attention: Chair

If to the City:

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

If to the Developer:

KB HOME North Bay LLC
[_____]
[_____]

Either party may change its address by giving notice in writing to the other party.

Section 3.08. Severability. If any part of this Agreement is held to be illegal or unenforceable by a court of competent jurisdiction, the remainder of this Agreement shall be given effect to the fullest extent reasonably possible.

Section 3.09. Governing Law. This Agreement and any dispute arising hereunder shall be governed by and interpreted in accordance with the laws of the State of California.

Section 3.10. Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Agreement.

Section 3.11. Singular and Plural; Gender. As used herein, the singular of any word includes the plural, and terms in the masculine gender shall include the feminine.

Section 3.12. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original.

Section 3.13. Successors and Assigns. This Agreement is binding upon the heirs, assigns and successors-in-interest of the parties hereto. The Developer may not assign its rights or obligations hereunder without the prior written consent of the City and the Developer. Notwithstanding the foregoing, the Developer may direct in writing that the Acquisition Price of any Acquisition Improvement be payable to a third-party other than the Developer, and such delegation shall not be considered an assignment under this Agreement. The Developer may not

assign its rights and obligations hereunder, except to successors-in-interest to the property within the Community Facilities District, without the prior written consent of the City.

Section 3.14. Remedies in General. It is acknowledged by the parties that the City would not have entered into this Agreement if it were to be liable in damages under or with respect to this Agreement or the application thereof, other than for the payment to the Developer of any (i) moneys owing to the Developer hereunder, or (ii) moneys paid by the Developer pursuant to the provisions hereof which are misappropriated or improperly obtained, withheld or applied by the City.

In general, each of the parties hereto may pursue any remedy at law or equity available for the breach of any provision of this Agreement, except that the City shall not be liable in damages to the Developer, or to any assignee or transferee of the Developer other than for the payments to the Developer specified in the preceding paragraph. Subject to the foregoing, the Developer covenants not to sue for or claim any damages for any alleged breach of, or dispute which arises out of, this Agreement.

Section 3.15. Non-Liability of the Authority. The Authority shall not be liable for any costs, expenses, losses, damages, claims or actions, of any conceivable kind on any conceivable theory, under or by reason of or in connection with this Agreement, except only to the extent amounts are received for the payment thereof from the Special Tax.

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IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year written above.

CITY OF ANTIOCH

By _____
Authorized Officer

ATTEST:

City Clerk

By _____

APPROVED AS TO FORM:

City Attorney

By _____

KB HOME NORTH BAY LLC,
a Delaware limited liability company

By _____
(Signature)

_____
(Print Name)

CALIFORNIA STATEWIDE COMMUNITIES
DEVELOPMENT AUTHORITY,
a joint powers authority

By _____
(Signature)

_____
(Print Name)

EXHIBIT A TO THE ACQUISITION AGREEMENT

DESCRIPTION OF ACQUISITION IMPROVEMENTS AND BUDGETED AMOUNTS

Attachment 1
Richland Communities
Laurel Ranch
Preliminary List of Potential Eligible Facilities and Fees

Facility Description		Budget		Potentially Eligible [1]
In-Tract Improvements		**Total**		
Grading	$	2,178,964	$	-
Erosion Control		399,764		-
Sanitary Sewer		838,771		838,771
Water		1,183,286		1,183,286
Storm Drain		1,179,177		1,179,177
Concrete		831,667		-
Street Surface		1,933,894		1,933,894
Signage & Striping		39,500		39,500
Joint Trench		2,562,500		-
Temporary Utility		48,875		-
Street Lights		50,000		50,000
Landscaping		221,050		-
Offsite Walls & Fences		2,479,640		-
Maintenance & Clean-up		189,000		-
Compliance		2,285,250		-
Contingency		1,642,134		522,463
Total:	$	18,063,472		5,747,091
Per Unit:	$	100,913.25	$	32,107

Attachment 1 (Continued)
Richland Communities
50x80 Total
Preliminary List of Potential Eligible Facilities and Fees

Richland Share of Laurel Road Costs (Constructed by Davidon)				
Land Planning		$ 496	$	496
Civil Engineering		239,641		239,641
Surveying		47,955		47,955
Landscape Architecture		16,107		16,107
Soil Engineer		159,728		159,728
Other		27,300		27,300
Site Prep		252,999		252,999
Grading		769,080		769,080
Subdrainis		4,403		4,403
Sanitary Sewer		55,421		55,421
Water System		250,129		250,129
Storm Drain		52,175		52,175
Public Utility		834,642		-
Street Work		739,876		739,876
Concrete Work		175,878		175,878
Concrete R&R		13,650		-
Electroliers		34,020		34,020
Retaining Walls		5,880		5,880
Signage		12,665		12,665
Landscaping		137,045		137,045
Alternate Items		776,939		-
City Fees at Final Map		319,016		-
	Total:	$ 4,925,045		2,980,798
	Per Unit:	$ 27,514.22	$	16,653

Attachment 1 (Continued)
Richland Communities
Laurel Ranch
Preliminary List of Potential Eligible Facilities and Fees

Richland Share of Country Hills Dirve Costs (Constructed by Davidon)		
Land Planning	$ -	$ -
Civil Engineering	66,429	66,429
Surveying	37,734	37,734
Landscape Architecture	2,448	2,448
Soil Engineer	17,890	17,890
Other	3,874	3,874
Site Prep	24,008	24,008
Grading	61,652	61,652
Subdrainis	10,518	10,518
Sanitary Sewer	260,755	260,755
Water System	685,414	685,414
Storm Drain	325,925	325,925
Public Utility	61,356	-
Street Work	121,934	121,934
Concrete Work	326,724	326,724
Concrete R&R	1,336	-
Electroliers	31,980	31,980
Retaining Walls	1,246	1,246
Signage	6,280	6,280
Landscaping	83,292	83,292
Alternate Items	414,111	-
City Fees at Final Map	46,998	-
Total:	**2,591,904**	**2,068,103**
Per Unit:	**14,480**	**11,554**
Total Improvements:		**10,795,992**
Per Unit:		**60,313**

All costs shown in Exhibit A are estimates of the costs of the Acquisition Improvements and are not intended to limit the Acquisition Price of the Acquisition Improvements, it being understood that the amount funded from the Available Amount from time to time for all Acquisition Improvements to be acquired hereunder shall not be substantially greater than the Estimated Total Budgeted Amount shown above. The Acquisition Price of the Acquisition Improvements will be the Actual Costs, as determined pursuant to Article II of the Acquisition Agreement, less the oversized portion of the Acquisition Improvement, if any, but payment of the Acquisition Price is dependent upon the availability of the Available Amount, as specified in Section 2.03.

EXHIBIT B TO THE ACQUISITION AGREEMENT

DISBURSEMENT REQUEST FORM
(Acquisition Improvement)

To: [Authority Trustee]
Attention: _____
Fax: _____
Phone: _____

Re: CSCDA Community Facilities District No. _____

The undersigned, a duly authorized officer of the CITY OF ANTIOCH hereby requests a withdrawal from the City of Antioch [Laurel Ranch] Community Facilities District Acquisition and Construction Fund, as follows:

Request Date:	[Insert Date of Request]
Name of Developer:	_____
Withdrawal Amount:	[Insert Acquisition Price]
Acquisition Improvements:	[Insert Description of Acquisition Improvement(s) from Exhibit A]
Payment Instructions:	[Insert Wire Instructions or Payment Address for Developer or Developer's designee as provided by the Developer]

The undersigned hereby certifies as follows:

The Withdrawal is being made in accordance with a permitted use of the monies pursuant to the Acquisition Agreement and the Withdrawal is not being made for the purpose of reinvestment.

None of the items for which payment is requested have been reimbursed previously from the Acquisition and Construction Fund.

If the Withdrawal Amount is greater than the funds held in the Acquisition and Construction Fund, the Authority Trustee is authorized to pay the amount of such funds and to pay remaining amount(s) as funds are subsequently deposited in the Acquisition and Construction Fund, should that occur.

CITY OF ANTIOCH

By:_____

Title:_____

EXHIBIT C TO THE ACQUISITION AGREEMENT

BIDDING, CONTRACTING AND CONSTRUCTION REQUIREMENTS FOR ACQUISITION IMPROVEMENTS

The following requirements shall apply to all Acquisition Improvements unless waived by the City Council.

With respect to construction contracts awarded after approval of the Agreement, bids for construction shall be solicited from qualified contractors. The Developer may directly solicit bids. The bid package may consist of preliminary plans and specifications. A minimum of three bids is preferred, but not mandatory. The Developer shall provide documentation of its solicitation efforts.

Each bidder will be provided with detailed Scopes of Work (SOW), Instructions to Bidders (ITB) along with detailed and itemized bid sheets with estimated quantities.

The bidding response time shall be not less than three (3) weeks.

Contract(s) for the construction of the public Acquisition Improvements shall be awarded based on the completeness of the bids, pricing and ability to meet the construction schedule, as determined by the Developer and approved by the City on a "lowest responsible bidder or best value basis" depending on the number of bids received.

The contractor to whom a contract is awarded shall be required to pay not less than the prevailing rates of wages pursuant to Labor Code Sections 1770, 1773 and 1773.1. A current copy of applicable wage rates is available from the State Department of Industrial Relations.

The Developer shall provide the City with certified payrolls, supporting documents, and a certification of compliance from the Developer's labor compliance consultant.

OH&S DRAFT
07/20/2021

EXHIBIT C – ACQUISITION AGREEMENT RICHLAND, 2 OF 2

CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY

STATEWIDE COMMUNITY INFRASTRUCTURE PROGRAM

ACQUISITION AGREEMENT

BY AND AMONG

CSCDA,

CITY OF ANTIOCH

AND

RICHLAND DEVELOPERS, INC.

Dated as of [_____], 2021

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ACQUISITION AGREEMENT

Recitals

A. The parties to this Acquisition Agreement (the "Agreement") are the City of Antioch, (the "City"), California Statewide Communities Development Authority (the "Authority"), and _____, a _____ (the "Developer").

B. The effective date of this Agreement is [_____], 2021.

C. The Developer has applied for the financing of certain public capital improvements (collectively, the "Acquisition Improvements") through the California Statewide Communities Development Authority (the "Authority"). The public capital improvements are to be owned and operated by the City, and the financing is to be accomplished through a Community Facilities District which will be administered by the Authority under and pursuant to the Mello-Roos Community Facilities Act of 1982 – California Government Code Section 53311 and following (the "Act"). On [_____], 2021, the City adopted Resolution No. [_____] authorizing the Authority to form a community facilities district (the "Community Facilities District") within the territorial limits of the City to finance the Acquisition Improvements. The Authority has commenced proceedings and is expected to form the Community Facilities District on [_____], 2021 and, on the same date, conduct a landowner election conferring the Community Facilities District authority on the Authority Commission.

D. Pursuant to the authority of the Community Facilities District, the Authority intends to levy special taxes and issue bonds to fund, among other things, all or a portion of the costs of the Acquisition Improvements. The portion of the proceeds of the special taxes and bonds allocable to the cost of the Acquisition Improvements, together with interest earned thereon, as such amount becomes available from time to time, is referred to herein as the "Available Amount".

E. The Authority will provide financing for the acquisition by the City of the Acquisition Improvements and the payment of the Acquisition Price (as defined herein) of the Acquisition Improvements from time to time in any number of installments from the Available Amount. Attached hereto as Exhibit A is a description of the Acquisition Improvements.

F. The parties anticipate that, upon completion of the Acquisition Improvements, and subject to the terms and conditions of this Agreement, the City will acquire the constructed Acquisition Improvements. Acquisition Improvements do not need to be dedicated to and accepted by the City as a condition precedent to payment but any such payment shall not be made until the Acquisition Improvement has been constructed and completed in accordance with this Agreement.

G. Any and all monetary obligations of the City arising out of this Agreement are the special and limited obligations of the City payable only from the Available Amount, and no other funds whatsoever of the City shall be obligated therefor under any circumstances.

H. Attached to this Agreement are Exhibit A (the Acquisition Improvements), Exhibit B (Disbursement Request Form), and Exhibit C (Bidding, Contracting and Construction Requirements for Acquisition Improvements), all of which are incorporated into this Agreement for all purposes.

AGREEMENT

ARTICLE I

DEFINITIONS; COMMUNITY FACILITIES DISTRICT FORMATION AND FINANCING PLAN

Section 1.01. Definitions. As used herein, the following capitalized terms shall have the meanings ascribed to them below:

"Acceptable Title" means free and clear of all monetary liens, encumbrances, assessments, whether any such item is recorded or unrecorded, and taxes, except those items which are reasonably determined by the City Engineer not to interfere with the intended use and therefore are not required to be cleared from the title.

"Acquisition and Construction Fund" means the fund or funds established by the Authority pursuant to the Resolution and Section 1.03 hereof for the purpose of paying the Acquisition Price of the Acquisition Improvements.

"Acquisition Improvement" means each of the public capital improvements listed as items A-E, inclusive, in Exhibit A hereto.

"Acquisition Price" means the total amount eligible to be paid to the Developer upon acquisition of an Acquisition Improvement as provided in Section 2.03, equal to the Actual Cost of the Acquisition Improvement.

"Actual Cost" means the total cost of an Acquisition Improvement, as documented by the Developer to the satisfaction of the City and as certified by the City Engineer in an Actual Cost Certificate including, without limitation, (a) the Developer's cost of constructing such Acquisition Improvement including grading, labor, material and equipment costs, (b) the Developer's cost of designing and engineering the Acquisition Improvement, preparing the plans and specifications and bid documents for such Acquisition Improvement, and the costs of inspection, materials testing and construction staking for such Acquisition Improvement, (c) the Developer's cost of any performance, payment and maintenance bonds and insurance, including title insurance, required hereby for such Acquisition Improvement, (d) the Developer's cost of biological monitoring required for such Acquisition Improvement, (f) the amount of any fees actually paid by the Developer to governmental agencies in order to obtain permits, licenses or other necessary governmental approvals and reviews for such Acquisition Improvement, but not including development impact fees or capital facilities charges, (g) the Developer's cost paid to third parties for construction and project management, administration and supervision services for such Acquisition Improvement, and (h) the Developer's cost paid to third parties for professional services related to such Acquisition Improvement, including engineering, accounting, legal,

financial, appraisal and similar professional services.

"Actual Cost Certificate" means a certificate prepared by the Developer detailing the Actual Cost of an Acquisition Improvement to be acquired hereunder, as may be revised by the City Engineer pursuant to Section 2.03.

"Agreement" means this Acquisition Agreement, dated as of [_____], 2021.

"Authority" means the California Statewide Communities Development Authority.

"Authority Trust Agreement" means a Trust Agreement entered into by the Authority and an Authority Trustee in connection with the issuance of bonds.

"Authority Trustee" means the financial institution identified as trustee in an Authority Trust Agreement.

"Available Amount" shall have the meaning assigned to the term in Recital D.

"Bonds" means bonds or other indebtedness issued by the Authority that is to be repaid with Special Taxes.

"City" means City of Antioch.

"City Engineer" means the Engineer of the City or his/her designee who will be responsible for administering the acquisition of the Acquisition Improvements hereunder.

"Code" means the Government Code of the State of California.

"Community Facilities District" shall have the meaning assigned to the term in Recital C.

"Developer" means Richland Developers, INC., a Delaware corporation, its successors and assigns.

"Disbursement Request Form" means a requisition for payment of funds from the Acquisition and Construction Fund for an Acquisition Improvement in substantially the form contained in Exhibit B hereto.

"Project" means the Developer's development of the property in the Community Facilities District, including the design and construction of the Acquisition Improvements and the other public and private improvements to be constructed by the Developer within or serving the Community Facilities District.

"Resolution" means City of Antioch Resolution No. [_____], adopted [_____], 2021, authorizing execution and delivery of this Agreement.

"Special Taxes" means annual special taxes, and prepayments thereof, authorized by the Community Facilities District to be levied by the Commission of the Authority.

"Title Documents" means, for each Acquisition Improvement acquired hereunder, a grant

deed or similar instrument necessary to transfer title to any real property or interests therein (including easements), or an irrevocable offer of dedication of such real property with interests therein necessary to the operation, maintenance, rehabilitation and improvement by the City of the Acquisition Improvement (including, if necessary, easements for ingress and egress) and a bill of sale or similar instrument evidencing transfer of title to the Acquisition Improvement (other than said real property interests) to the City, where applicable.

Section 1.02. Establishment of Community Facilities District. The Developer has requested the City to permit the Authority to provide for financing of the Acquisition Improvements through the establishment and authorization of the Community Facilities District and the City agreed by its adoption of the Resolution. The Community Facilities District was established by the Authority on [_____], 2021, and through the landowner election to be held that same day, the Commission of the Authority is authorized to levy the Special Taxes and to issue the Bonds to finance the Acquisition Improvements. The Developer and the City agree to reasonably cooperate with one another and with the Authority in the completion of the financing through the issuance of the Bonds in one or more series.

Section 1.03. Deposit and Use of Available Amount.

(a) Prior to the issuance of Bonds, Special Taxes collected by the Authority shall be deposited in the Acquisition and Construction Fund established by the Authority pursuant to the terms of the Resolution, and may be disbursed to pay the Acquisition Price of Acquisition Improvements in accordance with Article II of this Agreement. All funds in the Acquisition and Construction Fund shall be considered a portion of the Available Amount, and upon the issuance of the Bonds the Acquisition and Construction Fund shall be transferred to the Authority Trustee to be held in accordance with the Authority Trust Agreement.

(b) If not already established pursuant to the Resolution, upon the issuance of the Bonds, the Authority will cause the Authority Trustee to establish and maintain the Acquisition and Construction Fund for the purpose of holding all funds for the Acquisition Improvements. All earnings on amounts in the Acquisition and Construction Fund shall remain in the Acquisition and Construction Fund for use as provided herein and pursuant to the Authority Trust Agreement. Money in the Acquisition and Construction Fund shall be available to respond to delivery of a Disbursement Request Form and to be paid to the Developer or a third party designated in writing by the Developer to the City to pay the Acquisition Price of the Acquisition Improvements, as specified in Article II hereof. Upon completion of all of the Acquisition Improvements and the payment of all costs thereof, any remaining funds in the Acquisition and Construction Fund (less any amount determined by the City as necessary to reserve for claims against the account) (i) shall be applied to pay the costs of any additional improvements eligible for acquisition with respect to the Project as approved by the Authority and, to the extent not so used, (ii) shall be applied by the Authority to call Bonds or to reduce Special Taxes as the Authority shall determine.

Section 1.04. No City Liability; City Discretion; No Effect on Other Agreements. In no event shall any actual or alleged act by the City or any actual or alleged omission or failure to act by the City with respect to the Community Facilities District subject the City to monetary liability therefor. Further, nothing in this Agreement shall be construed as affecting the Developer's or the City's duty to perform their respective obligations under any other

agreements, public improvement standards, land use regulations or subdivision requirements related to the Project, which obligations are and shall remain independent of the Developer's and the City's rights and obligations under this Agreement.

ARTICLE II

DESIGN, CONSTRUCTION AND ACQUISITION OF ACQUISITION IMPROVEMENTS

Section 2.01. Letting and Administering Design Contracts. The Developer has awarded and administered (or caused to be awarded and administered), or will award and administer (or cause to award and administer), engineering design contracts for the Acquisition Improvements to be acquired hereunder. All eligible expenditures of the Developer for design engineering and related costs in connection with the Acquisition Improvements (whether as an advance to the City or directly to the design consultant) shall be reimbursed at the time of acquisition of the Acquisition Improvements. The Developer shall be entitled to reimbursement for any design costs of the Acquisition Improvements only out of the Acquisition Price as provided in Section 2.03 and shall not be entitled to any payment for design costs independent of the acquisition of Acquisition Improvements.

Section 2.02. Letting and Administration of Construction Contracts; Indemnification. State law requires that all Acquisition Improvements not completed prior to the formation of the Community Facilities District shall be constructed as if they were constructed under the direction and supervision, or under the authority, of the City. In order to assure compliance with those provisions, except for any contracts entered into prior to the date hereof, the Developer agrees to comply with the requirements set forth in Exhibit C hereto with respect to the bidding and contracting for the construction of the Acquisition Improvements. The Developer agrees that all the contracts shall call for payment of prevailing wages as required by the Labor Code of the State of California. The Developer's indemnification obligation set forth in Section 3.01 of this Agreement shall also apply to any alleged failure to comply with the requirements of this Section, and/or applicable State laws regarding public contracting and prevailing wages.

Section 2.03. Sale of Acquisition Improvements. The Developer agrees to sell to the City each Acquisition Improvement to be constructed by the Developer when the Acquisition Improvement has been constructed and is complete to the satisfaction of the City for an amount equal to the Actual Cost of the Acquisition Improvement, but solely from the Available Amount. Exhibit A, attached hereto and incorporated herein, contains a list of the Acquisition Improvements. At the time of completion of each Acquisition Improvement the Developer shall deliver to the City Engineer a written request for acquisition, accompanied by an Actual Cost Certificate and executed Title Documents for the transfer of the Acquisition Improvement where necessary. In the event that the City Engineer finds that the supporting paperwork submitted by the Developer fails to demonstrate the required relationship between the subject Actual Cost and eligible work, the City Engineer shall advise the Developer that the determination of the Actual Cost (or the ineligible portion thereof) has been disallowed and shall request further documentation from the Developer. If the further documentation is still not adequate, the City Engineer may revise the Actual Cost Certificate to delete any disallowed items and the determination shall be final and conclusive.

Certain soft costs for the Acquisition Improvements, such as civil engineering, may have been incurred pursuant to single contracts that include work relating also to the private improvements. In those instances, a portion of the total costs under such contracts will be allocated to each Acquisition Improvement as approved by the City Engineer. Where a specific contract has been awarded for design or engineering work relating solely to an Acquisition Improvement, one hundred percent (100%) of the costs under the contract will be allocated to that Acquisition Improvement. Costs will be allocated to each Acquisition Improvement as approved by the City Engineer. The costs of biological monitoring as required by the pertinent natural resource permits needed to install the public improvements will be allocated to each Acquisition Improvement as approved by the City Engineer.

Section 2.04. Conditions Precedent to Payment of Acquisition Price. Payment to the Developer or its designee of the Acquisition Price for an Acquisition Improvement from the Acquisition and Construction Fund shall in every case be conditioned first upon the determination of the City Engineer, pursuant to Section 2.03, that the Acquisition Improvement satisfies all City regulations and ordinances and is otherwise complete and ready for acceptance by the City, and shall be further conditioned upon satisfaction of the following additional conditions precedent:

(a) the Developer shall have provided the City with lien releases or other similar documentation satisfactory to the City Engineer as evidence that none of the property (including any rights-of-way or other easements necessary for the operation and maintenance of the Acquisition Improvement, to the extent not already publicly owned) comprising the Acquisition Improvement, and the property which is subject to the special taxes of the Community Facilities District, is not subject to any prospective mechanics lien claim respecting the Acquisition Improvements.

(b) The Developer shall not be delinquent in the payment of all due and payable general property taxes, and all special taxes of the Community Facilities District, on property owned by the Developer within the Community Facilities District.

(c) The Developer shall certify that it is not in default with respect to any loan secured by any interest in the Project.

(d) (b) The Developer shall have provided the City with Title Documents needed to provide the City with title to the site, right-of-way, or easement upon which the subject Acquisition Improvement is situated. All such Title Documents shall be in a form acceptable to the City and shall convey Acceptable Title. The Developer shall provide a policy of title insurance as of the date of transfer in a form acceptable to the City Engineer and the City Attorney insuring the City as to the interests acquired in connection with the acquisition of any interest for which such a policy of title insurance is not required by another agreement between the City and the Developer. Each title insurance policy required hereunder shall be in the amount equal to the Acquisition Price. The amount paid to the Developer or its designee upon satisfaction of the foregoing conditions precedent shall be the Acquisition Price.

Section 2.05. Disbursement Request Form. Upon a determination by the City Engineer to pay the Acquisition Price of an Acquisition Improvement pursuant to Section 2.04, the City Engineer shall cause a Disbursement Request Form substantially in the form attached

hereto as Exhibit B to be submitted to the Authority Trustee, and the Authority Trustee shall make payment directly to the Developer or its designee of the amount pursuant to the Authority Trust Agreement.

The payment of the Acquisition Price for completed Acquisition Improvements is not contingent upon completion of all subdivision improvements for the Project and is not contingent upon formal acceptance of dedicated improvements by the City Council.

The City and the Developer acknowledge and agree that the Authority Trustee shall make payment strictly in accordance with the Disbursement Request Form and shall not be required to determine whether or not the Acquisition Improvement has been completed or what the Actual Costs may be with respect to the Acquisition Improvement. The Authority Trustee shall be entitled to rely on the executed Disbursement Request Form on its face without any further duty of investigation.

In the event that a Disbursement Request Form requests disbursement for payment of the Acquisition Price of an Acquisition Improvement in excess of the Available Amount then on hand, the Authority Trustee shall withdraw all funds remaining in the Acquisition and Construction Fund and shall transfer those amounts to the Developer or its designee. The unpaid portion of the Acquisition Price shall be paid from an Available Amount that may subsequently be deposited in the Acquisition and Construction Fund from a subsequent issuance of Bonds or from Special Tax revenues, if either of those occurs.

Section 2.06. Limitation on Obligations. In no event shall the City be required to pay the Developer or its designee more than the amounts held in the Acquisition and Construction Fund at any given time, although the parties acknowledge and agree that the Acquisition Price may be paid in one or more installments over time as additional Available Amounts become available.

ARTICLE III

MISCELLANEOUS

Section 3.01. Indemnification and Hold Harmless. The Developer hereby assumes the defense of, and indemnifies and saves harmless the City, the Authority and their respective officers, directors, employees and agents, including the Authority Trustee, from and against all actions, damages, claims, losses or expenses of every type and description to which they may be subjected or put, by reason of, or resulting from or alleged to have resulted from the acts or omissions of the Developer or its agents and employees arising out of any contract for the design, engineering and construction of the Acquisition Improvements entered into by the Developer; provided that nothing in this Section 3.01 shall limit in any manner the City's rights against any of the Developer's architects, engineers, contractors or other consultants. Except as set forth in this Section 3.01, no provision of this Agreement shall in any way limit the extent of the responsibility of the Developer for payment of damages resulting from the operations of the Developer, its agents and employees. Nothing in this Section 3.01 shall be understood or construed to mean that the Developer agrees to indemnify the City, the Authority or any of their respective officers, directors, employees or agents, for any wrongful acts or omissions to act of the Authority

or its officers, employees, agents or any consultants or contractors, including the Authority Trustee, and for any wrongful acts, willful misconduct, active negligence or omissions to act of the City, or its officers, employees, agents or any consultants or contractors, including the Authority Trustee.

Section 3.02. Audit. The City shall have the right, during normal business hours and upon the giving of ten days' written notice to the Developer, to review all books and records of the Developer pertaining to costs and expenses incurred by the Developer (for which the Developer seeks reimbursement pursuant to this Agreement) in constructing the Acquisition Improvements.

Section 3.03. Cooperation. The City and the Developer agree to cooperate with respect to the completion of the financing of the Acquisition Improvements by the Authority through the levy of the Community Facilities District Special Taxes and issuance of Bonds. The City and the Developer agree to meet in good faith to resolve any differences on future matters which are not specifically covered by this Agreement.

Section 3.04. General Standard of Reasonableness. Any provision of this Agreement which requires the consent, approval or acceptance of either party hereto or any of their respective employees, officers or agents shall be deemed to require that the consent, approval or acceptance not be unreasonably withheld or delayed, unless the provision expressly incorporates a different standard. The foregoing provision shall not apply to provisions in the Agreement which provide for decisions to be in the sole discretion of the party making the decision.

Section 3.05. Third Party Beneficiaries. It is expressly agreed that there are no third party beneficiaries of this Agreement, including without limitation any owners of bonds, any of the City's or the Developer's contractors for the Acquisition Improvements and any of the City's, the Authority's, or the Developer's agents and employees.

Section 3.06. Conflict with Other Agreements. Nothing contained herein shall be construed as releasing the Developer or the City from any condition of development or requirement imposed by any other agreement between the City and the Developer, and, in the event of a conflicting provision, the other agreement shall prevail unless the conflicting provision is specifically waived or modified in writing by the City and the Developer.

Section 3.07. Notices. All invoices for payment, reports, other communication and notices relating to this Agreement shall be mailed to:

If to the Authority:

California Statewide Communities Development Authority
1100 K Street, Suite 101
Sacramento, CA 95814
Attention: Chair

If to the City:

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

If to the Developer:

Richland Developers, INC.
[_____]
[_____]

Either party may change its address by giving notice in writing to the other party.

Section 3.08. Severability. If any part of this Agreement is held to be illegal or unenforceable by a court of competent jurisdiction, the remainder of this Agreement shall be given effect to the fullest extent reasonably possible.

Section 3.09. Governing Law. This Agreement and any dispute arising hereunder shall be governed by and interpreted in accordance with the laws of the State of California.

Section 3.10. Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Agreement.

Section 3.11. Singular and Plural; Gender. As used herein, the singular of any word includes the plural, and terms in the masculine gender shall include the feminine.

Section 3.12. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original.

Section 3.13. Successors and Assigns. This Agreement is binding upon the heirs, assigns and successors-in-interest of the parties hereto. The Developer may not assign its rights or obligations hereunder without the prior written consent of the City and the Developer. Notwithstanding the foregoing, the Developer may direct in writing that the Acquisition Price of any Acquisition Improvement be payable to a third-party other than the Developer, and such delegation shall not be considered an assignment under this Agreement. The Developer may not

assign its rights and obligations hereunder, except to successors-in-interest to the property within the Community Facilities District, without the prior written consent of the City.

Section 3.14. Remedies in General. It is acknowledged by the parties that the City would not have entered into this Agreement if it were to be liable in damages under or with respect to this Agreement or the application thereof, other than for the payment to the Developer of any (i) moneys owing to the Developer hereunder, or (ii) moneys paid by the Developer pursuant to the provisions hereof which are misappropriated or improperly obtained, withheld or applied by the City.

In general, each of the parties hereto may pursue any remedy at law or equity available for the breach of any provision of this Agreement, except that the City shall not be liable in damages to the Developer, or to any assignee or transferee of the Developer other than for the payments to the Developer specified in the preceding paragraph. Subject to the foregoing, the Developer covenants not to sue for or claim any damages for any alleged breach of, or dispute which arises out of, this Agreement.

Section 3.15. Non-Liability of the Authority. The Authority shall not be liable for any costs, expenses, losses, damages, claims or actions, of any conceivable kind on any conceivable theory, under or by reason of or in connection with this Agreement, except only to the extent amounts are received for the payment thereof from the Special Tax.

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IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year written above.

CITY OF ANTIOCH

By _____
Authorized Officer

ATTEST:

City Clerk

By _____

APPROVED AS TO FORM:

City Attorney

By _____

RICHLAND DEVELOPERS, INC.,
a Delaware corporation

By _____
(Signature)

_____
(Print Name)

CALIFORNIA STATEWIDE COMMUNITIES
DEVELOPMENT AUTHORITY,
a joint powers authority

By _____
(Signature)

_____
(Print Name)

EXHIBIT A TO THE ACQUISITION AGREEMENT

DESCRIPTION OF ACQUISITION IMPROVEMENTS AND BUDGETED AMOUNTS

Attachment 1
Richland Communities
Laurel Ranch
Preliminary List of Potential Eligible Facilities and Fees

Facility Description		Budget		Potentially Eligible [1]
In-Tract Improvements		**Total**		
Grading	$	2,178,964	$	-
Erosion Control		399,764		-
Sanitary Sewer		838,771		838,771
Water		1,183,286		1,183,286
Storm Drain		1,179,177		1,179,177
Concrete		831,667		-
Street Surface		1,933,894		1,933,894
Signage & Striping		39,500		39,500
Joint Trench		2,562,500		-
Temporary Utility		48,875		-
Street Lights		50,000		50,000
Landscaping		221,050		-
Offsite Walls & Fences		2,479,640		-
Maintenance & Clean-up		189,000		-
Compliance		2,285,250		-
Contingency		1,642,134		522,463
Total:	$	18,063,472		5,747,091
Per Unit:	$	100,913.25	$	32,107

Attachment 1 (Continued)
Richland Communities
50x80 Total
Preliminary List of Potential Eligible Facilities and Fees

Richland Share of Laurel Road Costs (Constructed by Davidon)				
Land Planning		$ 496	$	496
Civil Engineering		239,641		239,641
Surveying		47,955		47,955
Landscape Architecture		16,107		16,107
Soil Engineer		159,728		159,728
Other		27,300		27,300
Site Prep		252,999		252,999
Grading		769,080		769,080
Subdrainis		4,403		4,403
Sanitary Sewer		55,421		55,421
Water System		250,129		250,129
Storm Drain		52,175		52,175
Public Utility		834,642		-
Street Work		739,876		739,876
Concrete Work		175,878		175,878
Concrete R&R		13,650		-
Electroliers		34,020		34,020
Retaining Walls		5,880		5,880
Signage		12,665		12,665
Landscaping		137,045		137,045
Alternate Items		776,939		-
City Fees at Final Map		319,016		-
	Total:	$ 4,925,045		2,980,798
	Per Unit:	$ 27,514.22	$	16,653

Attachment 1 (Continued)
Richland Communities
Laurel Ranch
Preliminary List of Potential Eligible Facilities and Fees

Richland Share of Country Hills Dirve Costs (Constructed by Davidon)		
Land Planning	$ -	$ -
Civil Engineering	66,429	66,429
Surveying	37,734	37,734
Landscape Architecture	2,448	2,448
Soil Engineer	17,890	17,890
Other	3,874	3,874
Site Prep	24,008	24,008
Grading	61,652	61,652
Subdrainis	10,518	10,518
Sanitary Sewer	260,755	260,755
Water System	685,414	685,414
Storm Drain	325,925	325,925
Public Utility	61,356	-
Street Work	121,934	121,934
Concrete Work	326,724	326,724
Concrete R&R	1,336	-
Electroliers	31,980	31,980
Retaining Walls	1,246	1,246
Signage	6,280	6,280
Landscaping	83,292	83,292
Alternate Items	414,111	-
City Fees at Final Map	46,998	-
Total:	**2,591,904**	**2,068,103**
Per Unit:	**14,480**	**11,554**
Total Improvements:		**10,795,992**
Per Unit:		**60,313**

All costs shown in Exhibit A are estimates of the costs of the Acquisition Improvements and are not intended to limit the Acquisition Price of the Acquisition Improvements, it being understood that the amount funded from the Available Amount from time to time for all Acquisition Improvements to be acquired hereunder shall not be substantially greater than the Estimated Total Budgeted Amount shown above. The Acquisition Price of the Acquisition Improvements will be the Actual Costs, as determined pursuant to Article II of the Acquisition Agreement, less the oversized portion of the Acquisition Improvement, if any, but payment of the Acquisition Price is dependent upon the availability of the Available Amount, as specified in Section 2.03.

EXHIBIT B TO THE ACQUISITION AGREEMENT

DISBURSEMENT REQUEST FORM
(Acquisition Improvement)

To: [Authority Trustee]
Attention: _____
Fax: _____
Phone: _____

Re: CSCDA Community Facilities District No. _____

The undersigned, a duly authorized officer of the CITY OF ANTIOCH hereby requests a withdrawal from the City of Antioch [Laurel Ranch] Community Facilities District Acquisition and Construction Fund, as follows:

Request Date:	[Insert Date of Request]
Name of Developer:	_____
Withdrawal Amount:	[Insert Acquisition Price]
Acquisition Improvements:	[Insert Description of Acquisition Improvement(s) from Exhibit A]
Payment Instructions:	[Insert Wire Instructions or Payment Address for Developer or Developer's designee as provided by the Developer]

The undersigned hereby certifies as follows:

The Withdrawal is being made in accordance with a permitted use of the monies pursuant to the Acquisition Agreement and the Withdrawal is not being made for the purpose of reinvestment.

None of the items for which payment is requested have been reimbursed previously from the Acquisition and Construction Fund.

If the Withdrawal Amount is greater than the funds held in the Acquisition and Construction Fund, the Authority Trustee is authorized to pay the amount of such funds and to pay remaining amount(s) as funds are subsequently deposited in the Acquisition and Construction Fund, should that occur.

CITY OF ANTIOCH

By:_____

Title:_____

EXHIBIT C TO THE ACQUISITION AGREEMENT

BIDDING, CONTRACTING AND CONSTRUCTION REQUIREMENTS FOR ACQUISITION IMPROVEMENTS

The following requirements shall apply to all Acquisition Improvements unless waived by the City Council.

With respect to construction contracts awarded after approval of the Agreement, bids for construction shall be solicited from qualified contractors. The Developer may directly solicit bids. The bid package may consist of preliminary plans and specifications. A minimum of three bids is preferred, but not mandatory. The Developer shall provide documentation of its solicitation efforts.

Each bidder will be provided with detailed Scopes of Work (SOW), Instructions to Bidders (ITB) along with detailed and itemized bid sheets with estimated quantities.

The bidding response time shall be not less than three (3) weeks.

Contract(s) for the construction of the public Acquisition Improvements shall be awarded based on the completeness of the bids, pricing and ability to meet the construction schedule, as determined by the Developer and approved by the City on a "lowest responsible bidder or best value basis" depending on the number of bids received.

The contractor to whom a contract is awarded shall be required to pay not less than the prevailing rates of wages pursuant to Labor Code Sections 1770, 1773 and 1773.1. A current copy of applicable wage rates is available from the State Department of Industrial Relations.

The Developer shall provide the City with certified payrolls, supporting documents, and a certification of compliance from the Developer's labor compliance consultant.

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of August 10, 2021

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Zoe Merideth, Senior Planner

APPROVED BY: Forrest Ebbs, Community Development Director

SUBJECT: Deer Valley Estates Project (PD-19-03, UP-19-12, AR-19-19)

RECOMMENDED ACTION

It is recommended that the City Council take the following actions:

1. Adopt the resolution certifying the Deer Valley Estates Project Environmental Impact Report, adopting findings of fact and statement of overriding considerations, and adopting the mitigation monitoring and reporting program.

2. Adopt the resolution approving a Vesting Tentative Subdivision Map, Final Development Plan, Use Permit, and Design Review subject to conditions of approval (PD-19-03, UP-19-12, AR-19-19).

FISCAL IMPACT

All improvements and infrastructure necessary to facilitate development will be funded by the applicant and ongoing funding mechanisms will be established to address costs related to maintenance of the project. The project is required to annex into a CFD for the purposes of financing police services. The project will also generate property tax revenue.

DISCUSSION

Project Overview/Requested Approvals

The applicant, Blue Mountain Communities, requests approval of a Vesting Tentative Subdivision Map, Final Development Plan, Use Permit, and Design Review to subdivide two undeveloped parcels totaling 37.56 acres to construct 121 new single family homes with new infrastructure, parking, detention basin, lighting, landscaping, and a private park. The Project is located at 6100 Deer Valley Road (APNs 055-071-026 and 057-022-013).

The 37.56 acre project site is comprised of two contiguous parcels and is located in the southern portion of the City of Antioch. The site is located in the northeast corner of the intersection of Deer Valley Road and Wellness Way. The project site is situated within the Sand Creek Focus Area of the General Plan. The project site is rectangular, generally flat and currently vacant and generally consists of non-native annual grassland. There are a number of existing utility easements on the project site that generally run along the northern border and through the center of the project site. Specifically, a buried petroleum pipeline runs in a north-south direction through the approximate center of the site and continues west along the site's northern boundary within a 25-foot-wide easement. Additional easements on the project site include 10- to 16-foot-wide easements in this area for pipelines and telephones lines, and a 25-foot storm drain easement along the eastern boundary. The project site is surrounded by existing and under-construction residential uses, vacant land, and healthcare uses.

The proposed project involves the construction of 121 new single-family homes on the project site and associated open space, roadway, and utility improvements. The single-family residential units will range in size from approximately 2,252 square feet to approximately 3,445 square feet and will be located on individual lots that would be a minimum of 7,000 square feet. All the residential units will front onto internal streets within the project site, and none would front onto Deer Valley Road or Wellness Way. Each of the residential lots on the project site will include private backyards that would be an

average of 2,240 square feet in size. The proposed project will include multiple common open space areas for project residents, including an approximately 1.12-acre private park, which will be in the center of the project site and will include a dog park and a playground. A trail will run through the northwest and center portions of the site and connect the proposed park to Deer Valley Road. Access to the proposed trail would be provided by a tubular steel fence with an access gate in the northwest corner of the project site. The applicant will also install a stormwater detention basin in the eastern portion of the site.

The project will have a homeowner's association (HOA). The HOA will be responsible for maintaining the stormwater detention basin, the private park, the trail parcels, and landscape parcels.

The applicant is requesting the following approvals:

1. *The Deer Valley Estates Project Environmental Impact Report.* The City Council must certify the Environmental Impact Report and adoption of the findings of fact and statement of overriding considerations and mitigation monitoring and reporting program prior to acting on the other resolution for the project.

2. *Vesting Tentative Subdivision Map.* The proposed project requires approval of a Tentative Subdivision Map for the subdivision of the project site into multiple parcels to accommodate a total of 121 single-family residential units, as well as roadways, private park, and private open space parcels.

3. *Final Development Plan*. The project is in a previously approved Planned Development (PD) Zoning District, therefore, approval of a Final Development Plan is required.

4. *Use Permit*. The Zoning Ordinance requires that a use permit be approved prior to the construction of any phase of an approved PD district.

5. *Design Review*. Design review of the project's architecture, design and landscaping is required.

<u>Environmental</u>

An Environmental Impact Report (EIR) was prepared for this project in accordance with the California Environmental Quality Act (CEQA).

On February 26, 2008, an Initial Study/Mitigated Negative Declaration (2008 IS/MND) for the proposed Deer Valley Estates Master Development Plan Project was adopted by the Antioch City Council. The 2008 IS/MND evaluated the potential impacts associated with the development of 136 single-family residential units and an approximately 1.69-acre park on the project site.

Per *State CEQA Guideline*s Section 15152, "where an EIR [or negative declaration] has been prepared and certified [or adopted] for a program … consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program … should limit the EIR … on the later project to effects which: (1) were not examined as significant effects on the environment in the prior EIR; or (2) are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means." The analysis provided in this EIR and Initial Study tiers from the 2008 IS/MND, as appropriate.

For the current project, an Environmental Impact Report (EIR) was prepared for this project in accordance with the California Environmental Quality Act (CEQA). A Notice of Preparation (NOP) for the Draft EIR was released for a 30-day review from December 16, 2020 to January 15, 2021. A Notice of Availability (NOA) of the Draft EIR was distributed and the Draft EIR was sent to the State Clearinghouse for distribution on January 29, 2021 for the 45-day public review period. The Draft EIR was published on the City's website at: antiochca.gov/environmentaldocs. Due to the State and Contra Costa County's Shelter-in-Place orders, publicly accessible locations to review the Draft EIR were closed. Consistent with the Governor's Executive Order, posting materials on the City's website was adequate. The City provided the opportunity for members of the public to review paper copies of the documents at City Hall by appointment.

A Final EIR, including response to comments, has also been prepared and is located on the City's website at the link above.

The Planning Commission recommended certification of the Deer Valley Estates Project Environmental Impact Report, adopting findings of fact and statement of overriding considerations, and adopting the mitigation monitoring and reporting program at the June 16, 2021 meeting with a vote of four yeses, one abstention, and two noes.

Background

The project site is within the 2,700-acre Sand Creek Focus Area located in the southern portion of the City of Antioch, and as shown on the City's General Plan Land Use Map. The General Plan anticipates this Focus Area to evolve into a large-scale planned community that provides a mix of housing and commercial opportunities. Per the City's General Plan, the project site is designated as Low Density Residential. In 2005, the City Council adopted an Alternate Planning Process for the Sand Creek Focus Area. The process requires the submittal of a rezone to Planned Development, including submittal of a Master Development Plan.

As required by the Alternate Planning Process, a rezone to Planned Development and a Master Development Plan was submitted by a different applicant in 2007. The proposed project consisted of a development with up to 136 single-family residential units and an approximately 1.69-acre park on the project site. An Initial Study/Mitigated Negative Declaration (IS/MND) evaluated the impacts of the proposed development. On February 26, 2008, the City Council approved the IS/MND, adopted a Mitigation Monitoring and Reporting Program, approved a rezone from Study Zone (S) to the project's current

Planned Development District (PD), and approved the Master Development Plan. The P-D zoning and associated standards, including lot size and setbacks, allow implementation of the previously approved Master Development Plan, which is a previous iteration of the currently proposed project. The project's PD zoning district does not expire. Attachment E to this staff report includes the Master Development Plan staff report and minutes. Attachment F includes the Planned Development ordinance. The proposed Vesting Tentative Map, Final Development Plan, and project architecture and landscaping is the next and final stage of the entitlement process to allow development of residential uses on the site.

ANALYSIS

General Plan, Zoning, and Land Use

As discussed above, the General Plan designation is Sand Creek Focus Area – Low Density Residential. The Low Density Residential designation allows single family residential uses and densities up to 4 dwelling units an acre. The proposed project has a density of 3.2 dwelling units an acre. The zoning of the site is Planned Development, which was established in 2008. The currently proposed project adheres to the development standards of the Planned Development.

The surrounding land uses and zoning designations are noted below:

North:	Existing residential development / Planned Development (PD)
South:	Wellness Way and Kaiser Medical Center / Planned Development (PD)
East:	Aviano Farms residential development, currently under construction / Planned Development (PD)
West:	Deer Valley Road and the approved The Ranch development / Planned Development (PD)

After the project was deemed complete, the voters of the City of Antioch enacted Measure T which amended the General Plan to limit the number of units within the Sand Creek Focus Area to a maximum of 2,100 residential units. The State Department of Housing and Community Development (HCD) reviewed the enforceability of Measure T's reduction in land use intensity pursuant to the Housing Crisis Act of 2019. HCD determined that the reduction in development intensity, and the corresponding reduction in the maximum number of residential units, established in Measure T is impermissible and unenforceable under Government Code section 66300. Therefore, this project is not impacted by Measure T due to the project application being deemed complete prior to the voters enacting Measure T and HCD finding Measure T to be impermissible and unenforceable.

Site Plan and Circulation

Access to the project site will be provided at four points. The site's main access will be from Wellness Way to the south of the project in the western half of the project site, off Deer Valley Road. The main entrance, labeled Street F on the project plans, leads to

connected roads that create two general loops in the project, one in the western half of the project and one in the eastern half of the project. In the eastern half of the project streets bisect the lots main roads to create smaller blocks for residential lots, and the stormwater detention basin. The project plans, including a site plan, are included in Attachment C and the project description is included as Attachment D.

To connect to the existing residential neighborhood to the north of the project, the project will also construct extensions of Piute Way, Mojave Way, and Oneida Way, all of which are existing residential streets that currently have a terminus at the northern boundary of the project site. In consultation with City staff, the proposed project design has Oneida Way terminating within the project and not connecting through to a future extension of Wellness Way to the South, in order to prevent the neighborhood from being used as a future cut-through to Kaiser, Dozier Libby High School, and possibly the future Sand Creek Road. Lot 121 was configured to allow for an easement to benefit the City to allow for the extension of Oneida Way, should this be required in the future.

In the approximate center of the site is a 1.12 acre private park. The proposed park (Parcel A on the project plans) will feature turf with landscaping around the perimeter of the park. The park will have a fenced dog park in its northwestern corner. In the eastern portion of the park, there will be a play structure and separate swing set. The play area will feature a metal shade structure with picnic tables. The park will also feature a barbeque station.

The site plan also features a trail. The landscaped walking trail will be connected to the western edge of the park, travelling northward to the northern property line and then west to Deer Valley Road. The trail is Parcels C and D on the project plans. The proposed trail will end at Deer Valley Road and will feature a locked, tubular steel gate for site security. A recommended condition of approval requires the trail to be 10 feet wide and be made out of concrete. Currently, the proposed trail is made out of asphalt.

The other main feature of the project site is the proposed stormwater control bioretention basin (Parcel B) at the eastern side of the project, between Oneida Way and Street J. The basin will be approximately 1.51 acres. The proposed project would include catch basins and storm drains throughout the project site that would connect to the bioretention basin and existing stormwater facilities. The HOA will be responsible for the maintenance of the basin.

<u>Private Park</u>

As described above, the project features a private park. Section 9-4.1011 of the Antioch Municipal Code requires that at the time of the review of the tentative subdivision map, the Parks and Recreation Commission shall determine, after a report and recommendation from the City Engineer/Director of Public Works, the land to be dedicated and/or the fees to be paid by the subdivider. The recommendation by the City Engineer/Director of Public Works and the action of the Parks and Recreation Commission shall be forwarded to the Planning Commission.

On November 19, 2020, the Park and Recreation Commission adopted a resolution which recommended to the Planning Commission acceptance of park-in-lieu fees in the amount of $181,500 to meet the park land obligation of the project and to condition the private park to meet all the City's park design standards current at the time of park construction. The recommendation to use the City's park design standards allows the City to take over maintenance of the private park in the unlikely event the HOA is dissolved. The Commission also recommended that the park design include all access surfacing, a color scheme soothing for children with visual sensitivities, with more muted and earth tones. A similar color scheme was used at Chichibu Park. The Commission also recommended shade coverings over the playground elements. Finally, the Commission recommended that the specific park design should come back to the Commission for review and approval. All these recommendations have been incorporated as recommended conditions of approval. (The staff report and meeting minutes are included as Attachment G).

Traffic Study

The City's General Plan contains a Circulation Element, which has policies necessary for creating safe and convenient movement of people. To facilitate these policies, policy 7.3.2.h states, in relevant part, "Require traffic impact studies for all new developments that propose to increase the approved density or intensity of development or are projected to generate 50 peak hour trips or more at any intersection of Circulation Element roadways." As required in the General Plan, the traffic impact study evaluates the Level of Service (LOS) at the study intersections. LOS is a measure of how freely traffic and how much vehicle delay there is. LOS is designated A through F, with LOS A representing free-flowing conditions and LOS F representing severe congestion.

Historically, the traffic study and mitigation measures related to LOS have been included in the project's CEQA document, as allowed by CEQA Guidelines and the City's General Plan. On December 28, 2018, the California Office of Administrative Law cleared the revised CEQA Guidelines for use. Among the changes to the guidelines was removal of vehicle delay and LOS from consideration under CEQA. With the adopted guidelines, transportation impacts are to be evaluated based on a project's effect on Vehicle Miles Traveled (VMT). Lead agencies were required to use the new guidelines starting July 1, 2020. Therefore, this project's EIR only includes an evaluation of VMT and a standalone traffic study evaluates LOS. The traffic study is available at the following link: https://www.antiochca.gov/fc/community-development/planning/deer_valley_estates/Deer-Valley-Estates-TA_02-26-2021.pdf

The traffic study aides the City in determining compliance with the policies found in the Growth Management Element and Circulation Element of the General Plan. The Growth Management Element contains policy 3.4.1.1 Performance Standards for Routes of Regional Significance, which states, "discretionary projects that impact Routes of Regional Significance shall comply with the requirements of the adopted Action Plans."

The Contra Costa Transportation Authority's East County Action Plan states that suburban arterial routes (Deer Valley Road and Lone Tree Way are listed) shall maintain LOS D or better at all signalized intersections (page 29).

Similarly, the Circulation Element contains policy 7.3.2.d. Vehicular Circulation Policies, which states, "Where feasible, design arterial roadways, including routes of regional significance, to provide better service than the minimum standards set forth in Measure C and the Growth Management Element. Thus, where feasible, the City will strive to maintain a "High D" level of service within regional commercial areas and at intersections within 1,000 feet of a freeway interchange. The City will also strive where feasible to maintain Low-range "D' in all other areas of the City, including freeway interchanges."

The Deer Valley Estates traffic study analyzed the following conditions at 10 intersections around the project site:

- Existing Conditions;
- Existing Plus Project Conditions;
- Near-Term (2023) Conditions;
- Near-Term (2023) Plus Project Conditions;
- Cumulative (2040) Conditions; and
- Cumulative (2040) Plus Project Conditions.

The study found that under the existing condition, the intersection of Deer Valley Road/Prewett Ranch Drive is forecast to operate at an unsatisfactory LOS under existing conditions both without and plus project conditions. In the near term (2023), this unsatisfactory LOS condition is forecast to remain at the intersection. In the cumulative (2040) conditions, the intersection is forecast to operate at an unsatisfactory LOS under cumulative both without and plus project conditions. The study found that the intersection of Deer Valley Road/Lone Tree Way is forecast to operate at a satisfactory LOS under all conditions except the cumulative. Under the cumulative, the intersection would operate at an unsatisfactory LOS under both without and plus project conditions.

The traffic study evaluated improvements to the impacted intersections. At the intersection of Deer Valley Road/Prewett Ranch Drive, the study recommended that the signal phasing be changed and the signal timings be optimized. By implementing this improvement, the intersection is forecast to operate at a satisfactory LOS under existing and near-term conditions. However, under cumulative conditions, the intersection is forecast to operate at a deficient LOS, although the delay improves to better than the cumulative without project conditions. It was determined that no further improvements, such as adding an additional turn lane, are feasible at this intersection due to right-of-way constraints. The project's fair share for such improvements at this intersection would 3.79 percent, which is calculated based on project traffic as a percentage of total growth from

existing to cumulative conditions. Additionally, the City is recommending that the project add bike lanes on Prewett Ranch Drive between Forty Niner Way and Deer Valley Road.

It was determined that no improvement is feasible at the intersection of Deer Valley Road/Lone Tree Way due to right-of way constraints as there is no additional right-of-way at the intersection to construct additional traffic lanes. As such, this intersection will continue to operate at a deficient LOS under cumulative conditions. If any improvements are identified at this intersection prior to near-term conditions, the project's fair share will be 2.94 percent.

The project will have an impact on the LOS of Routes of Regional Significance, but the project itself will not be the sole cause of the unsatisfactory LOS and the project's contributing fair share to the intersections ranges from only 2.94 percent to 3.79 percent, depending on the intersection. Deer Valley Road/Prewett Ranch Drive is forecast to operate at an unsatisfactory LOS under existing conditions even without the project. Additionally, the cumulative conditions at Deer Valley Road/Lone Tree Way are forecast to operate at an unsatisfactory LOS under the cumulative with and without the project. Based on the traffic study, the Action Plan policy will not be fully met, but this will not be solely because of the traffic generated by the project, which only accounts for a small percentage of the impact. Additionally, as described above, the project will be required to mitigate its impacts to the extent feasible. These mitigation measures are included as recommended conditions of approval. The project complies with the General Plan's land use designation and standards, which allows for and anticipated a development of the proposed density at the project site. Therefore, the project meets the General Plan policies.

Architecture

In accordance with the Planned Development standards, all the homes will have a minimum setback of 20 feet for both the front yard and the garage, and a minimum of 10 feet where the side yard abuts a street. Single-story units will include a minimum setback of 5 feet for side yards adjacent to other residential units; two-story units will include a minimum 10-foot setback on one side. Units that will be adjacent to Deer Valley Road and Wellness Way will have a minimum rear yard setback of 30 feet, while all other units will have a minimum rear yard setback of 25 feet.

The proposed project would include six different plan types, each of which would have three different architectural styles. Plans 1 and 2 are single story, with the remaining plans containing two stories. Plans 4 and 5 provides options for a rear loggia or rear deck. The layout and size of each residence would vary based on the plan type but would range from three bedrooms, with an option for only two, and two bathrooms in the smallest plan type to six bedrooms, as options, and four bathrooms in the largest. Many of the plans allow multiple options for the space within the home to be used either for flex spaces, dens, bonus rooms, additional bedrooms, or combinations of those options. Some plans also allow for additional bathrooms or for a bathroom to be either a full or half bath/powder

room. For floor plans detailing the options, please refer to the project plans (Attachment C).

Home	Size (s.f.)	Bedrooms	Baths	Garage	Stories
Plan 1	2,252	3, with option for 2	2	2 car	1
Plan 2	2,213	3, with option for 4	3	2 car	1
Plan 2X	3,112	5, with options for 4 or 6	4	2 car	2
Plan 3	2,820	3, with options for 2, 4, or 5	2.5, with option for 3.5	2 car	2
Plan 4	3,779	4, with options for 5 or 6	3, with options for 2.5, 3.5 or 4	2 car, with optional 3rd tandem spot	2
Plan 5	3,445	5, with option for 4	4	3 car tandem	2

Each of the six plans are offered in three different architectural styles. The applicant stated in their project description (Attachment D) that the styles take inspiration from three popular 20th century design trends: ranch, prairie, and mid-century modern.

Contemporary Ranch
This style is an update of the traditional ranch style home. The homes feature a mix of gable and shed roofs, exposed beams, stone accents, and a warm color palette. The style features horizontal lap siding, which is reflective of traditional ranch homes.

Modern Prairie
This style emulates the original prairie style home with hipped roofs, broad eaves, horizontal banding, and alternating rhythm of piers and windows. The style has been updated with horizontal stone veneer, strong horizontal banding and trim elements, and hipped roofs that are low and broad.

Mid-Century Modern
These homes re-imagine the 1950s residential design with shed roof forms, larger windows and more horizontal windows, exposed beams, and touches of bright colors. The garage door and entry door feature vertically aligned windows that add to the mid-century modern aesthetic.

All the proposed home plans are 55 feet wide and have a minimum of 20’x20’ two-car garages. Plan 4 provides the option for either a third tandem garage spot or a bedroom. Plan 5 has a two-car garage with a third tandem space. The home plans have the garage

recessed behind the main living portion, which is consistent with Section 6.1.3E1 of the Citywide Design Guidelines.

Staff has included recommended conditions of approval to help the project better conform to the Citywide Design Guidelines. Citywide Design Guideline 6.1.4.B focuses on how the homes relate to the street using elements such as porches, front entry focal points, garages to be subordinate to the front of the home, and massing to providing visual interest. While all the plans incorporate porches, the porch elements are relatively small and do not always provide an inviting appearance or provide a prominent focal point to the home. Staff has added recommended conditions of approval to enhance the front entry focal points. Recommended conditions of approval include adding additional stone veneer on some plans, redesigning the porch entrance of Plan 2C and 2CX to better integrate the entrance with the main home, and extending the stone veneer in some Plan 4 elevations.

Staff has included recommended conditions of approval to address the massing of the homes. Citywide Design Guideline 6.1.4.C.11 states, “massing shall accentuate entries and minimize garage prominence” Plans 4 and 5, as designed, do not provide architectural elements that reduce the perceived scale of the structure. Staff has added a recommended condition of approval to revise the entrance feature of the homes to reduce the perceived massing and enhance the porch element to better align with the Citywide Design Guidelines. Design Guideline 6.1.4.D.3 states that corner lots shall feature single story homes to add visual interest. Staff has added a recommended condition of approval that the majority of the corner lots shall have single story homes to comply with the Design Guideline.

Landscaping

The applicant submitted preliminary landscaping plans as required in the Final Development Plan application checklist. The applicant is proposing a mix of plants with varying growth habits that are appropriate for the climate and many are drought tolerant.

For the front yard landscaping, the applicant has provided different plant palettes for each of the three architectural styles. Each of the plant palettes features a tree, shrubs, and ground cover. The Contemporary Ranch landscaping includes a flowering plum tree, English lavender, New Zealand flax, Australian rosemary, and dwarf rose. The Modern Prairie palette includes a western redbud tree, feather red grass, red fountain grass, dwarf olive, and dwarf juniper. Finally, the Mid-Century Modern plants include a ginkgo “maidenhair tree”, dwarf myrtle, New Zealand flax, rosemary, and evergreen fountain grass. The use of some species of plant in multiple palettes, such as the New Zealand flax, and plants unique to each palette provides cohesive design elements that carry through landscaping while maintain distinct palettes.

The park and trail parcel will feature trees along the exterior boundaries. The park is proposed to feature red maple, Chinese pistache, flowering plum, and Chinese elm along with additional plantings and groundcover. The interior of the park will feature turf. The

park will feature a fenced dog park and a play area, barbeque station, play structure, and decorative accent paving around a tree planter. The trail, which connects to the park, features some of the same trees as the park and street trees, including the Chinese pistache and saucer magnolis. The stormwater control basin will feature ginkgo "maidenhair tree". The use of the same trees throughout adds continuity to the project.

The applicant has also proposed landscaping along Deer Valley Road, Wellness Way, and the main project entrance at Street F. The landscape plans call out the proposed street trees to include saucer magnolia, London plane tree, and Chinese pistache. Many of the street trees shown appear to be London plane trees. Citywide Design Guideline 6.1.4.A states, "Residential neighborhood entries shall incorporate special paving, architectural elements, and landscaping treatments to set the overall tone for the community's character and design." The proposed project plans currently show Street F and the entry framed by Chinese elm trees, which will provide a contrast to the other street trees. In order to ensure that the entry and monument sign coordinate with the community's design and landscaping, a recommended condition of approval has been added stating, "The final landscaping plans shall show enhanced landscaping around the monument sign that coordinates with the front yard landscaping of the homes." With this added condition of approval, the interior landscaping will be reflected in the entry monument.

In compliance with Section 9-5.1003 of the Antioch Municipal Code, front yards would not be planted with any trees smaller than 15 gallons, any shrubs smaller than five gallons, or any groundcover smaller than one gallon. In compliance with Section 9-5.1002 of the Antioch Municipal Code, the applicant will submit final landscape plans that identify specific plant materials to be used, providing both common and botanical names, sizes and quantities when submitting for building permits.

Further discussion about the landscaping is included in the June 16, 2021 Planning Commission Meeting heading.

<u>Sound Wall, Entry, and Fencing</u>

The applicant has proposed the installation of a six-foot precast sound wall along the northern property line, western property line along Deer Valley Road, and along part of the southern property line along Wellness Way. The northern property line of the project abuts existing residential homes with wooden fences. In order to install the proposed sound wall along the northern property line, the developer would either have to work with the individual property owners to install the sound wall, which not all property owners may agree to, or install the sound wall wholly on the Deer Valley Estates property, which would make the sound wall not sit on the property line. Additionally, typically in Antioch neighboring residential projects would only utilize a wooden fence to separate a project. Therefore, a recommended condition of approval has been added that the northern property line shall replace the proposed sound wall with the same fencing as the rest of the project.

Recommended conditions of approval have been added requiring a masonry sound wall be installed and that it shall be installed along the western and southern property lines. The project's mitigation measures from 2008 include the installation of a sound wall along Wellness Way, this condition of approval extends the wall along the entire southern property line. A sound wall will provide greater separation between the project and the Kaiser Medical Center. Consistent with the Residential Design Guidelines, a recommended condition of approval requires the sound wall to use materials and colors that complement the neighborhood and feature decorative columns or pilasters at regular intervals to provide relief.

The entry at the corner of Deer Valley Road and Wellness Way features a three-foot tall, curved monument sign that includes the project's name. The monument sign would feature a stone veneer that coordinates with the project. As discussed above, staff has added a recommended condition of approval to add enhanced landscaping at the entryway.

Fencing around the stormwater detention basin is currently proposed as a vinyl clad chain link fencing. A recommended condition of approval requires the fencing to be wrought iron or a black powder coated tubular steel fencing. This fencing will coordinate with the proposed tubular steel gate at the trail entrance on Deer Valley Road. In addition to the other sound walls and project fencing, the side and rear fencing of the homes will feature six-foot-tall wood fencing.

PLANNING COMMISSION MEETINGS

May 19, 2021 Planning Commission Meeting

On May 19, 2021 the City and Planning Commissioners received a letter from the applicant regarding the staff report, conditions of approval and CEQA mitigation measures. The letter is included as Attachment I. Due to the complexity and length of the letter, at the Planning Commission hearing, staff recommended that the public comments be heard and that the item be continued to the June 16, 2021 meeting. After hearing public comments, the Planning Commission voted six in favor, with one absence to continue the hearing.

During public comment, two residents provided comments and one written comment was read into the record. The written comment is included as Attachment J. The public comments covered topics regarding the fence on the project's northern property line and the grade change between the project property and the neighboring homes, the 2007 project and approvals, the traffic study, and Antioch Police Department's ability to protect the new homes.

The Antioch Municipal Code addresses fence heights when the project grades are not the same on both sides of the fence. § 9-5.1602(B) states, "For interior and rear yard fences, height shall be measured from the grade level of the property line. In the event the ground elevation is not the same on both sides of a fence or wall, the height thereof

may be measured from the higher ground elevation." This section would apply to the proposed fence.

The project's history, previous approvals and discussions, and traffic study are discussed in previous sections of the staff report. The 2007 project's City Council staff report and meeting minutes are included as Attachment E to this staff report. Through the Master Development Plan and Planned Development Rezone process, the only entitlement action is the rezone to Planned Development and ordinance with zoning standards. A link to the entire traffic study, which discusses the methodology used because of COVID, is included earlier in this report.

New residential projects are required to annex into the Police Community Facilities District (CFD), which assesses these developments their proportionate share of providing additional police services to the new development and meeting the police staffing required by the General Plan. A recommended condition of approval in the resolution requires the developer to annex into the Police CFD.

The day after the hearing, the applicant provided a revised letter. The revised letter is included in Attachment K. City staff met with the applicant and modified conditions of approval to address some of the concerns in the letter. Changes to the conditions include adjusting some timing triggers and clarifying language related to the traffic impact conditions, the stormwater detention basin design, and any future modifications to the design review approvals. The letter included comments about the project's proposed park and CEQA mitigations. The private park and CEQA document are discussed in detail in previous sections of the staff report. Draft meeting minutes from the meeting are included in Attachment M.

<u>June 16, 2021 Planning Commission Meeting</u>

At the June 16, 2021 Planning Commission meeting, Commissioners had a number of questions regarding the project. The Planning Commission voted to recommend certification of the Deer Valley Estates Project Environmental Impact Report, adopting findings of fact and statement of overriding considerations, and adopting the mitigation monitoring and reporting program. The Commission then unanimously approved a motion tabling the Vesting Tentative Map, Final Development Plan, Use Permit, Design Review until staff brought back more information. Draft meeting minutes are included in Attachment N. The following items are the topics requested in the motion:

Pipeline
The project site has pipelines running through the center of the project site and then along the northwest property line of the site out to Deer Valley Road. The site contains a Crimson Midstream pipeline and a Kinder Morgan pipeline. The Crimson Midstream pipeline transports crude oil products. Crimson Midstream acquired the pipeline from Chevron in 2015/2016. The Kinder Morgan pipeline at the site is part of the SFPP North line, which includes approximately 864 miles of trunk pipeline in five segments in northern California as well as Reno, Nevada. The products delivered come from refineries in the

Bay Area, various pipelines, and marine terminals. The pipelines transport gasoline, jet fuel, and diesel fuel.

The EIR's Hazards and Hazardous Materials section has two mitigation measures designed to reduce potential impacts associated with possible hazards on the site. The first measure is for pre-construction environmental investigations for hazardous materials, and the second measure is for the preparation of a Construction Risk Management Plan to address potential hazardous material issues during the construction of the project. The EIR found that with the implementation of these mitigation measures, the hazards would be less than significant.

The pipelines are contained within easements granted to the pipeline companies. The applicant has designed the project so that these easements are not located within the backyards of homes, as was the case with the 2008 proposal. By placing the easements in HOA owned parcels the pipelines will not be located in the backyards of any of the homes in the project. There are no actions from 2008 that require the pipelines to be moved. Further, the City does not have a policy regarding pipelines or siting developments near pipelines, which would set standards for any project in the city. In the future, a policy could be developed and adopted by City Council. Until such time, staff does not recommend any unique requirement for this project.

Traffic Calming Measures and Wellness Way Circulation
The Planning Commission asked about traffic calming measures in either the subject development or the existing development to discourage cut through traffic and encourage traffic to use Wellness Way. The traffic study determined that 90% of the project traffic is expected to use Wellness Way. The Engineering Division reviews projects, including this project, to ensure that the roadway network has been designed in a way to reduce speeds and cut through traffic and for safety. For this project, this was accomplished through the street design and by not having Oneida Way connect to a future extension of Wellness Way, unless it is determined to be necessary at that time. City staff does not believe there will be a problem caused by cut through traffic. Engineering staff do not condition projects to include traffic calming because they work with applicants to ensure the project design does not require traffic calming measures be installed. Off-site improvements or traffic calming measures, other than those required as part of a traffic study are also not added as conditions to projects for the same reason.

If the residents in the future want to add traffic calming, the City has a policy and a process to do so. The process includes first initiating enforcement and engineering, including conducting a speed study, posting signage and striping, using a mobile radar trailer, and traffic enforcement. If these steps do not resolve speeding issues, then placement of traffic calming devices will be considered with neighborhood support. The policy is available here:
https://www.antiochca.gov/fc/community-development/engineering/traffic-calming-policy.pdf
In general, speed bumps are not installed to deter or inconvenience drivers but are used to reduce speed where a study demonstrates an unsafe condition.

As stated above, the Engineering Division reviews projects to ensure the roadway network has been designed to create a safe project. The proposed project has four exits – three connecting through the existing streets at the north of the project and the main entrance on Wellness Way. As discussed in the Site Plan and Circulation section, the proposed project design has Oneida Way terminating within the project and not connecting through to a future extension of Wellness Way to the South. Lot 121 was configured to allow for an easement to benefit the City to allow for the extension of Oneida Way, should this be required in the future. The easternmost approximate 600 feet of the current Wellness Way is private and located entirely on the Kaiser property. In the future, should Kaiser choose to develop, Wellness Way may extend eastward on the Kaiser property. At that time, Kaiser may also be required to dedicate Wellness way to the City as a public street. As designed, the public portion of Wellness Way, with the proposed and conditioned improvements will be adequate to serve the project's traffic based on the traffic study and Engineering staff's review. Engineering staff believe the current project design provides adequate ingress and egress to the project site.

Photovoltaic

California's Building Energy Efficiency Standards (Title 24, Parts 6 and 11) are updated by the California Energy Commission every three years. In 2019, standards were added, that went into effect on January 1, 2020, that requires solar photovoltaic (PV) systems for all newly constructed low-rise residential buildings. Generally, the installed PV system must be big enough to offset the electricity use of the proposed building as if it were a mixed-fuel building, which assumes a natural gas furnace, water heater, stove, and clothes dryer. There are two exceptions to this standard. First, there is an exception for structures where the annual solar access is reduced because of shading. Second, there is an exception for buildings that were destroyed because of a disaster in an area in which a state of emergency was proclaimed by the Governor before January 1, 2020, such as the Town of Paradise. These exceptions do not apply to the current project. The Standards allow community-scale PV as an alternative renewable resource to onsite PV systems when approved by the Energy Commission. The applicant has stated that they will be installing PV systems on each home, as is common for new home development. The City's Building Division ensures compliance with all Title 24 Standards for all projects.

Natural Gas

Natural gas is common in homes throughout the city. The City does not have a policy disallowing the usage of natural gas in development projects. The prohibition of natural gas in new single family homes would be a citywide policy decision that would have to be approved by the City Council. Additionally, the EIR determined that the project will not have significant effect on the environment related to greenhouse gas emissions or air quality with the mitigation measures placed on the project.

Park

At the Planning Commission meeting, the applicant showed an alternate park design during his presentation that added amenities to the linear walking path (Parcels C and D) in an attempt to create a linear park with amenities. The design shown at the Planning

Commission meeting was not seen by staff beforehand, not taken to the Parks and Recreation Commission, nor included in the project plans included by reference in the project resolution.

As discussed previously in the report, the City Engineer recommended an in-lieu fee payment of $181,500 for the project's private park because the park parcel (Parcel A) is 1.12 acres. A dedication of 1.813 acres is required based on the Antioch Municipal Code, and, per the Code, fee credits are not given if the park parcel is less than two acres. If Parcels C and D were included in the park calculations with the park parcel, the total area considered a park would be 2.39, over the two-acre requirement to receive fee credits in the Antioch Municipal Code. The City Engineer has looked at the design presented by the applicant at the Planning Commission meeting, and, even with the added amenities to Parcels C and D, does not consider these parcels to meet the criteria of a park. The City Engineer still recommends the in-lieu fee that was calculated using only the area of the private park parcel A be recommended to City Council. Per the Antioch Municipal Code § 9-4.1011, the City Engineer's recommendation of the in-lieu fee, based on the application's submitted plans, is taken to the Parks and Recreation Commission, the Parks and Recreation Commission's recommendation is taken to the Planning Commission, and the Planning Commission's recommendation is taken to the City Council. The attached resolution contains the Parks and Recreation Commission's recommendation, as required by the Antioch Municipal Code. The Planning Commission may offer unique comments regarding this park, which staff will forward to the City Council for their consideration.

Landscaping

The Planning Commission requested information regarding some of the plants shown on the landscaping plans. Within the Zoning code, Article 10 details the landscaping and irrigation requirements for the City. § 9-5.1003 General Design Standards lists specific landscaping requirements a project must comply with including stating, "Plant materials shall be selected for drought tolerance; adaptability and relationship to city environment; color, form and pattern; ability to provide shade; soil retention; fire resistance, and the like. The overall landscape plan shall be integrated with all elements of the project, such as buildings, parking lots and streets, to achieve desirable micro-climate and minimize energy demand. Plant materials and landscape design shall be consistent with the city's water conservation guidelines," requiring mulch, and requiring minimum size trees and shrubs. Additionally, to comply with State law, the Antioch Municipal Code includes § 9-5.1006 - Adoption of the Model Water Efficient Landscape Ordinance, which is required by the State and encourages efficient irrigation usage and limits the amount of turf to reduce water usage for landscaping. Meeting these requirements are included as a recommended condition of approval. Finally, the City's Citywide Design Guidelines includes a recommended plant palette for applicants to use.

The Commission asked that if the maiden hair gingko trees are male or female because of the unpleasant smell of the female trees. The Design Guidelines specify the male variety of the tree. The Planning Commission can add a condition of approval specifying the male variety of the tree. The Commission asked about dwarf fountain grass, red

fountain grass, Berkeley sedge, and cotoneaster. Berkeley sedge and cotoneaster are plants listed in the Design Guidelines. The City does not have a policy to disallow a plant based on its invasiveness. Additionally, CEQA does not examine this impact. Further, the Commission asked about the Chinese elm, Chinese pistache, and London plane. The Chinese elm is a common tree used throughout the City of Antioch. The Chinese pistache is listed in the Design Guidelines and is on the City's street tree list. The London Plane is also listed in the Design Guidelines.

Based on the standards staff uses to review landscaping plans – the Municipal Code, Water Efficient Landscape Ordinance, and referring to the Design Guidelines – the proposed landscaping is compliant. The applicant has stated that they are willing to change the landscaping plans. The Planning Commission has discretion over the landscape design and may add a condition of approval requiring changes to the landscaping or plants.

July 21, 2021 Planning Commission Meeting

At the July 21, 2021 Planning Commission meeting, the Planning Commission discussed the new information provided in the staff report. The applicant gave a presentation. One public comment was read into the record. One email received prior to the meeting is included as Attachment O. The Planning Commission recommended that City Council approve the project with a vote of 5-0 with two members absent. The motion included two added conditions of approval. First, that the project shall use non-invasive plants. Second, that the pipeline is disclosed to homeowners in the development.

ATTACHMENTS

A. Resolution Certifying the Deer Valley Estates Project EIR
   Exhibit A: Mitigation and Monitoring Reporting Program
B. Resolution Approving the Vesting Tentative Map, Final Development Plan, Use Permit, and Design Review for the Project
C. Project Plans
D. Project Description
E. Master Development Plan City Council Staff Report and Minutes (February 26, 2008)
F. Planned Development Ordinance (2013-C-S)
G. Parks and Recreation Commission Staff Report and Meeting Minutes (November 19, 2020)
H. Contra Costa Fire Protection District Letter (August 25, 2020)
I. Letter from Blue Mountain Communities (dated May 13, 2021, received May 19, 2021)
J. Written Comments from Kathleen Jakabcin (Received via Email May 19, 2021)
K. Revised Letter from Blue Mountain Communities (May 20, 2021)
L. Email from Kathleen Jakabcin (Received June 17, 2021)

M. Planning Commission Meeting Minutes from May 19, 2021
N. Planning Commission Meeting Minutes from June 16, 2021
O. Email from Bree Simonson (Received July 17, 2021)

ATTACHMENT A

Resolution Certifying the Deer Valley Estates Project EIR

ATTACHMENT A

RESOLUTION NO. 2021/**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR THE DEER VALLEY ESTATES PROJECT AS ADEQUATE FOR ADDRESSING THE ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT AND ADOPTING CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS, STATEMENT OF OVERRIDING CONSIDERATIONS, AND MITIGATION MEASURES AND A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, the City of Antioch ("City") received an application from Blue Mountain Communities ("Applicant"), seeking City approval of the following: Vesting Tentative Subdivision Map, Final Development Plan, Use Permit, and Design Review for the development of a 121-unit residential community and associated improvements on approximately 37.56 acre project site, which is known as the Deer Valley Estates Project ("Project");

WHEREAS, the 37.56 acre project site is comprised of two contiguous parcels and is located in the southern portion of the City of Antioch. The site is located in the northeast corner of the intersection of Deer Valley Road and Wellness Way and is identified as 6100 Deer Valley Road and by Assessor's Parcel Numbers (APNs) 055-071-026 and 057-022-013. The project site is situated within the Sand Creek Focus Area of the General Plan and has a designation of Sand Creek Focus Area - Low Density Residential;

WHEREAS, the Project consists of development of 121 single-family homes and associated improvements. The Project improvements would include, but would not be limited to, infrastructure, parking, detention basins, lighting, landscaping, and a private park;

WHEREAS, the City, as lead agency under the California Environmental Quality Act ("CEQA"), has completed the Final Environmental Impact Report ("Final EIR" or "EIR") for the Project;

WHEREAS, this document contains the City's certification of the EIR, its CEQA findings, and its statement of overriding considerations supporting approval of the Project considered in the EIR. The Final EIR has State Clearinghouse No. 2020120352;

WHEREAS, a Draft Environmental Impact Report ("Draft EIR") was released for a 45-day public and agency review on January 29, 2021. The Draft EIR assesses the potential environmental effects of implementation of the Project, identifies means to eliminate or reduce potential adverse impacts, and evaluates a reasonable range of alternatives to the Project; and

WHEREAS, the Final EIR comprises the Draft EIR together with one additional volume that includes the comments on the Draft EIR submitted by interested public agencies, organizations, and members of the public; written responses to the environmental issues raised in those comments; revisions to the text of the Draft EIR reflecting changes made in response to comments and other information; and other minor changes to the text of the Draft EIR. The Final EIR is hereby incorporated in this document by reference.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED, as follows:

CERTIFICATION OF THE FINAL EIR

The City Council of the City of Antioch (the "City Council") certifies that it has been presented with the Final EIR and that it has reviewed and considered the information contained in the Final EIR prior to making the following findings.

Pursuant to CEQA Guidelines Section 15090 (Title 14 of the California Code of Regulations, Section 15090) the City Council certifies that the Final EIR has been completed in compliance with CEQA and the State CEQA Guidelines, and that the City Council certify the Final EIR for the Project as described above.

The City Council further certifies that the Final EIR reflects its independent judgment and analysis.

FINDINGS

Having received, reviewed, and considered the Final EIR and other information in the record of proceedings, the City Council hereby adopts the following findings in compliance with CEQA and the CEQA Guidelines:

Part 3.1: Findings regarding environmental effects of the project which are considered unavoidable significant impacts.

Part 3.2: Findings regarding environmental effects evaluated in the Final EIR which can be avoided or substantially lessened to less than significant levels with implementation of the identified mitigation measures.

Part 3.3 Findings regarding environmental effects found to be less than significant.

Part 3.4 Findings regarding environmental impacts found to be beneficial.

Part 4: Findings regarding considerations that make alternatives analyzed in the Final EIR infeasible.

Part 5: Statement of Overriding Considerations.

The City Council certifies that these findings are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental issues identified and discussed in the Final EIR. The City Council adopts the findings and the statements in Parts 3.1, 3.2, 3.3, 3.4, 4, and 5 for the Project.

In addition to the findings regarding environmental impacts and mitigation measures, Part 6, below, identifies the custodian and location of the record of proceedings, as required by CEQA.

Part 7 describes the Mitigation Monitoring and Reporting Program for the Project. As described in Part 7, the City Council hereby adopts the Mitigation Monitoring and Reporting Program as set forth in Exhibit A to these findings.

1.0 INTRODUCTION

1.1 PURPOSE

This statement of Findings of Fact addresses the environmental effects associated with the Deer Valley Estates Project (proposed project) located in Antioch, California. These Findings are made pursuant to the California Environmental Quality Act (CEQA) under Sections 21081 and 21081.6 of the Public Resources Code and Sections 15091 of the CEQA Guidelines, Title 14, Cal. Code Regs. 15000, et. seq. The potentially significant impacts were identified in both the Draft Environmental Impact Report (EIR) and the Final EIR, as well as additional facts found in the complete record of proceedings.

Public Resources Code 21081 and Section 15091 of the CEQA Guidelines require that the lead agency prepare written findings for identified significant impacts, accompanied by a brief explanation for the rationale for each finding. The City of Antioch Community Development Department (City) is the lead agency responsible for preparation of the EIR in compliance with CEQA and the CEQA Guidelines. Section 15091 of the CEQA Guidelines states, in part, that:

a. No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

    1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

    2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

    3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

In accordance with Public Resource Code 21081 and Section 15093 of the CEQA Guidelines, whenever significant impacts cannot be mitigated to a level below significance, the lead agency is required to balance, as applicable, the benefits of the proposed project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable." In that case, the decision-making agency may prepare and adopt a Statement of Overriding Considerations, pursuant to the CEQA Guidelines.

Section 15093 of the CEQA Guidelines states that:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project

outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project, which will result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091. As required by CEQA, the City, in adopting these findings, also adopts a Mitigation Monitoring and Reporting Program for the project. The City finds that the Mitigation Monitoring and Reporting Program, which is incorporated by reference and made a part of these findings, meets the requirements of Section 21081.6 of the Public Resources Code by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the project.

The Final EIR for the project identified potentially significant effects that could result from project implementation. However, the City Council finds that the inclusion of certain mitigation measures as part of the project approval will reduce most, but not all, of those effects to less than significant levels. Those impacts that are not reduced to less than significant levels are identified and overridden due to specific project benefits in a Statement of Overriding Considerations.

In accordance with CEQA and the CEQA Guidelines, the City Council adopts these findings as part of its certification of the Final EIR for the project. Pursuant to Section 21082.1(c)(3) of the Public Resources Code, the City Council also finds that the Final EIR reflects the City's independent judgment as the lead agency for the project.

1.2 ORGANIZATION AND FORMAT OF FINDINGS

Section 1.0 contains a summary description of the project and background facts relative to the environmental review process. Section 2.0 discusses the CEQA finding of independent judgment. Section 3.0 identifies the impacts of the project that were studied in the EIR. Section 3.1 of these Findings identifies the significant impacts of the project that cannot be mitigated to a less than significant level, even though all feasible mitigation measures have been identified and incorporated into the project.

Section 3.2 identifies the potentially significant effects of the project that would be mitigated to a less than significant level with implementation of the identified mitigation measures. Section 3.3 identifies the project's potential environmental effects that were determined not to be significant and, therefore, do not require mitigation measures. Section 4.0 discusses the feasibility of project alternatives. Section 5.0 discusses findings with respect to mitigation of significant adverse impacts, and adoption of the Mitigation Monitoring and Reporting Program (MMRP).

1.3 SUMMARY OF PROJECT DESCRIPTION

The proposed project involves the construction of 121 new single-family homes on the project site and associated open space, roadway, and utility improvements. The single-family

residential units would range in size from approximately 2,252 square feet to approximately 3,445 square feet and would be located on individual lots that would be a minimum of 7,000 square feet. All of the residential units would front onto internal streets within the project site, discussed below, and none would front onto either Deer Valley Road or Wellness Way.

Each of the residential lots on the project site would include private backyards that would be an average of 2,240 square feet in size. In total, the proposed project would provide approximately 15.2 acres (662,380 square feet) of common open space and private recreational space, including backyards. The proposed project would include multiple common open space areas for project residents, including an approximately 1.12-acre park, which would be located in the approximate center of the project site (as shown on Figure 3) and would include a dog park and a playground. An approximate total of 1.5 acres of the site would be improved with landscaping, including street trees and native grasses and an approximately 4- to 6-foot-wide trail that would run through the northwest and center portions of the site and connect the proposed park to Deer Valley Road. Access to the proposed trail would be provided by a tubular steel fence with an access gate in the northwest corner of the project site.

Refer to Chapter 3.0, Project Description, of the Draft EIR for a complete description of the proposed project.

1.4 PROJECT OBJECTIVES

CEQA states that the statement of project objectives should be clearly written and define the underlying purpose of the project, in order to permit the development of a reasonable range of alternatives and aid the Lead Agency in making findings.

As provided by the project sponsor, the objectives of the Deer Valley Estates Project are to:

- Develop a project consistent with the Sand Creek Focus Area of the General Plan that incorporates market-acceptable design features and promotes an attractive, well-maintained community.

- Establish a well-planned community that is family friendly or could accommodate senior residents and that incorporates the natural, historic, and physical elements of the land and the surrounding uses.

- Design a land use plan with uses complementary to existing neighborhoods and in symmetry with the larger Antioch community.

- Provide housing opportunities responsive to the needs of Antioch, the region and market conditions, to serve a range of family incomes and household types.

- Contribute to the City of Antioch's economic and social viability by creating a community that creates jobs and attracts investment and positive attention.

- Provide work force housing adjacent to Deer Valley Road and next to Kaiser Permanente Antioch Medical Center enhancing the attractiveness of the community to health care workers.

- Implement the County's Growth Management Program by providing for urban development within the Urban Limit Line. Preserving open space by relieving sprawl pressure and acting as an infill development placing new homes on parcels surrounded by existing development on three sides and adjacent to existing homes.

- Provide a land use plan and density that results in an adequate tax base, which at project buildout generates financial resources to pay for public services and infrastructure without financial burden to existing residents.

- Establish a land use and circulation system that promotes convenient mobility, while limiting circulation thru existing communities, and provides safe, accessible, pedestrian access to medical facilities next door.

- Provide a pedestrian-friendly community and comprehensive infrastructure system, including parks, open space, trails, stormwater quality facilities, public services, roadways, and utilities infrastructure sized to serve the proposed project and properties to the north complementing the existing Citywide infrastructure and ensures funding for the on-going maintenance needs of such infrastructure.

- Help the City of Antioch provide its fair share of housing, and help alleviate a regional housing shortage, by providing a mix of housing types and sizes, some moderately affordable, and which can meet the needs of a variety of different and growing household sizes.

- Provide housing near major transportation and regional trails connections, with increased land use intensities near regional transportation connections.

1.5 ENVIRONMENTAL REVIEW PROCESS

Initial Study: To determine the number, scope and extent of environmental issues, the Notice of Preparation (NOP) of the Draft Environmental Impact Report was circulated for public review for a period of 30 days, beginning on December 16, 2020, and ending on January 15, 2021. An Initial Study was circulated with the NOP. The Initial Study tiers from the analysis provided in the Initial Study/Mitigated Negative Declaration (2008 IS/MND) prepared for the proposed Deer Valley Estates Master Development Plan Project (2008 Project), which was adopted by the Antioch City Council.

A total of three written comments on the NOP were received by the City and were considered during preparation of the EIR. Copies of the NOP and comment letters received are included in Appendix A of the Draft EIR.

Draft EIR: In accordance with the requirements of CEQA and the CEQA Guidelines, a Draft EIR was prepared to address the potential significant environmental effects associated with the proposed project identified during the NOP process. Based on the NOP and Initial Study scoping process, the EIR addressed the following potential significant environmental issues:

- Transportation and Circulation

The Draft EIR was released for public and agency review 45-day period, from January 29, 2021, to March 15, 2021. During the Draft EIR public review period, the City received two comment letters.

Final EIR: Section 15088 of the CEQA Guidelines requires that the Lead Agency responsible for the preparation of an EIR evaluate comments on environmental issues and prepare a written response addressing each of the comments. The intent of the Final EIR is to provide a forum to address comments pertaining to the information and analysis contained within the Draft EIR, and to provide an opportunity for clarifications, corrections, or minor revisions to the Draft EIR as needed.

The Final EIR assembles in one document all of the environmental information and analysis prepared for the proposed project, including comments on the Draft EIR and responses by the City to those comments.

Pursuant to Section 15132 of the State CEQA Guidelines, the Final EIR consists of the following:

(a) The Draft EIR, including all of its appendices;

(b) The Response to Comments Document, which includes a list of persons, organizations, and public agencies commenting on the Draft EIR, copies of all letters received by the City during the Draft EIR public review period, and responses to the comments; and

(c) Any other information added by the Lead Agency.

1.6 ABSENCE OF SIGNFICANT NEW INFORMATION

CEQA Guidelines Section 15088.5 requires that a lead agency recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of a Draft EIR, but before certification of the Final EIR. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project proponent declines to implement. Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The Guidelines provide examples of significant new information under this standard, which include the following:

1. A new significant environmental impact that would result from the Project (or any alternative) or from a new mitigation measure proposed to be implemented.

2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the Project (or an alternative), but the Project's proponents decline to adopt it.

4. The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Having reviewed all the information in the record, the City Council finds that no significant new information has been added to the Final EIR since public notice was given of the availability of the Draft EIR. No new or substantial changes to the Draft EIR were proposed as a result of the public comment process. The Final EIR responds to comments and makes only minor technical changes, clarifications or additions to the Draft EIR. The minor changes, clarifications, or additions to the Draft EIR do not identify any new significant impacts or substantial increase in the severity of any environmental impacts, and do not include any new mitigation measures that would have a potentially significant impact. Therefore, the City Council finds that recirculation of the EIR is not required.

1.7 DIFFERENCES OF OPINION REGARDING THE IMPACTS OF THE PROJECT

In making its determination to certify the Final EIR and to approve the Project, the City Council recognizes that a range of technical and scientific opinion exists with respect to certain environmental issues. The City Council acknowledges that it has acquired an understanding of the range of this technical and scientific opinion by its review of the Draft EIR, the comments received on the Draft EIR and the responses to those comments in the Final EIR, as well as testimony, letters, and reports regarding the Final EIR and its own experience and expertise in these environmental issues. The City Council acknowledges that it has reviewed and considered, as a whole, the evidence and analysis presented in the Draft EIR, the evidence and analysis presented in the comments on the Draft EIR, the evidence and analysis presented in the Final EIR, the information submitted on the Final EIR, and the reports prepared by the experts who prepared the EIR, by the City's consultants, and by staff, addressing those comments. The City Council acknowledges that it has gained a comprehensive and well-rounded understanding of the environmental issues presented by the Project. The City Council acknowledges that in turn, this understanding has enabled the City Council to make its decisions after weighing and considering the various viewpoints on these important issues. The City Council accordingly certifies that its findings are based on full appraisal of all of the evidence contained in the Final EIR, as well as the evidence and other information in the record addressing the Final EIR.

2.0 CEQA FINDING OF INDEPENDENT JUDGMENT

The Final EIR reflects the City's independent judgment. The City has exercised independent judgment in accordance with Public Resources Code 21082.1(c)(3) in retaining its own environmental consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

Having received, reviewed, and considered the information in the Final EIR, as well as any and all other information in the record, the City Council hereby makes findings pursuant to and in accordance with Sections 21081, 21081.5, and 21081.6 of the Public Resources Code.

3.0 FINDINGS OF FACT

3.1 ENVIRONMENTAL EFFECTS OF THE PROJECT WHICH ARE CONSIDERED UNAVOIDABLE SIGNIFICANT IMPACTS

This section identifies the significant unavoidable impact that requires a statement of overriding considerations to be issued by the City, pursuant to Section 15093 of the CEQA Guidelines, if the project is approved. Based on the analysis contained in the Final EIR, the following impact has been determined to be significant and unavoidable:

- The proposed project would exceed the applicable vehicle miles traveled (VMT) threshold of significance, and no feasible mitigation measures are available to reduce this impact to a less-than-significant level.

3.1.1 Project Impacts: Vehicle Miles Traveled

An evaluation of the project-specific and cumulative impact on transportation associated with the project is found in Chapter 4.0, Transportation, of the Final EIR.

The threshold of significance for determining VMT impacts is a 15 percent decrease compared to the region's existing VMT. A 15 percent reduction of the regional VMT would be 14.24. Therefore, the proposed project's VMT per capita of 22.19 is approximately 55.82 percent above the threshold of significance of 14.24 VMT per capita.

The estimated VMT does not account for the implementation of a potential transportation demand management (TDM) plan, which could be used to reduce the project VMT. A TDM plan would need to achieve a minimum of 55.82 percent reduction in VMT to reduce the project impacts to less-than-significant levels.

The range of effectiveness for VMT reductions is based on information included in the California Air Pollution Control Officers Association (CAPCOA) Quantifying Greenhouse Gas Mitigation Measures report (CAPCOA report).[1] The quantification methods provided in the CAPCOA report are based on an extensive literature review. The CAPCOA report identifies the global maximum reduction for all VMT as 75 percent for projects in urban areas, 40 percent for compact infill projects, 20 percent for suburban center projects (or suburban with a neighborhood electric vehicle (NEV) network), and 15 percent for suburban projects. The proposed project most closely resembles a suburban center project, which is characterized by dispersed, low-density, automobile-dependent land use patterns centered around a historic downtown that has become surrounded by its region's suburban growth pattern. Therefore, an aggressive TDM plan for the proposed project would be expected to achieve a maximum reduction in per capita VMT of 20 percent. A 20 percent reduction would result in 17.75 daily VMT per capita for the proposed project. Therefore, even with the implementation of an aggressive TDM plan, the proposed project's VMT would be 24.64 percent above the threshold of significance of 14.24 VMT per capita.

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[1] California Air Pollution Control Officers Association (CAPCOA). 2010. *Quantifying Greenhouse Gas Mitigation Measures*. August. Website: www.capcoa.org/wp-content/uploads/2010/11/CAPCOA Quantification-Report-9-14-Final.pdf (accessed July 24, 2020).

Based on the above, there are no feasible or realistic mitigation measures currently available that would reduce this impact to a less-than-significant level. Therefore, this impact would be significant and unavoidable.

Findings for Impact TRA-1: The City Council finds that the project-specific VMT impacts will remain significant and unavoidable. Pursuant to Section 21081(a)(3) of the Public Resources Code, as described in the Statement of Overriding Considerations, the City has determined that specific economic, legal, social, technological, or other benefits, make infeasible the alternatives identified in the EIR and the identified project-specific VMT impacts are thereby acceptable because of specific overriding considerations (see Statement of Overriding Considerations).

3.1.2 Cumulative Impacts: Vehicle Miles Traveled

Consistent with OPR's TA on Evaluating Transportation Impacts in CEQA,[2] a project's cumulative impacts are based on an assessment of whether the "incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects." A project that falls below an efficiency-based threshold that is aligned with long-term environmental goals and relevant plans would have no cumulative impact distinct from the project impact.

The proposed project would exceed the existing VMT thresholds of significance. Therefore, the proposed project would also have a cumulatively considerable impact with respect to VMT. The proposed project, in combination with cumulative projects, would exceed the existing VMT thresholds of significance.

Future buildout of the Sand Creek Focus area could create a built environment with a more diverse mix of uses and therefore result in a potential decrease in per capita VMT by reducing the distance required for residents of the proposed project to access services and places of employment. However, this efficient mix of uses cannot be guaranteed, as it would rely on future private development in the area. Therefore, the proposed project, in combination with cumulative projects, would have a significant unavoidable impact with respect to VMT.

Findings for Impact TRA-2: The City Council finds that the cumulative VMT impacts will remain significant and unavoidable. Pursuant to Section 21081(a)(3) of the Public Resources Code, as described in the Statement of Overriding Considerations, the City has determined that specific economic, legal, social, technological, or other benefits, make infeasible the alternatives identified in the EIR and the identified cumulative VMT impacts are thereby acceptable because of specific overriding considerations (see Statement of Overriding Considerations).

3.2 ENVIRONMENTAL EFFECTS EVALUATED IN THE FINAL EIR WHICH CAN BE AVOIDED OR SUBSTANTIALLY LESSENED TO LESS THAN SIGNIFICANT LEVELS WITH IMPLEMENTATION OF THE IDENTIFIED MITIGATION MEASURES

This section identifies significant adverse impacts of the project that require findings to be made pursuant to Section 21081 of the Public Resources Code and Section 15091 of the CEQA Guidelines. Based on information in the Final EIR, the City Council finds that, based upon substantial evidence in the record, adoption and implementation of the mitigation measures set

[2] Governor's Office of Planning and Research (OPR). 2018. *Technical Advisory on Evaluating Transportation Impacts in CEQA.* December.

forth below will reduce the identified significant impacts to less than significant levels. Based on the analysis contained in the Final EIR, the following impacts have been determined to be impacts that can be reduced to less-than-significant levels with implementation of the mitigation measures set forth below:

- AES-1: Project construction would result in new sources of glare that would adversely affect daytime views in the area.
- AIR-1: Construction of the proposed project would generate air pollutant emissions that could violate air quality standards.
- AIR-2: Construction of the proposed project would expose sensitive receptors to substantial pollutant concentrations.
- BIO-1: Project construction could result in substantial adverse impacts to vernal pool fairy shrimp, vernal pool tadpole shrimp, California red-legged frog, and California tiger salamander.
- BIO-2: Project construction could result in substantial adverse impacts to burrowing owls.
- BIO-3: Project construction could result in substantial adverse impacts to San Joaquin kit fox.
- BIO-4: Mismanagement of off-site mitigation lands would result in the loss of habitat for special status species.
- BIO-5: Project construction would result in the removal of suitable habitat for Swainson's hawk, Loggerhead shrike, and white-tailed kite.
- BIO-6: Construction and operation of the proposed project would result in incidental take of federal and State listed species.
- CULT-1: Project construction activities could cause a substantial adverse change in the significance of an archaeological resource.
- CULT-2: Project construction activities could disturb human remains, including those interred outside of formal cemeteries.
- GEO-1: Project construction activities could cause seismic-related ground failure.
- GEO-2: Project construction activities could result in caving at excavations and trenches and differential settlement.
- GEO-3: Project construction activities could disturb unique paleontological resources.
- HAZ-1: Project construction activities could release hazardous materials into the environment.
- HAZ-2: Project construction activities could expose construction workers and the public to hazardous materials, including from nearby pipelines.

- HYD-1: Project construction activities could result in pollutants being released into surface waters.

- HYD-2: Project operation could result in the release of pollutants into the City's storm drain system.

- HYD-3: Project implementation could result in a lack of capacity in the City's storm drain system.

- HYD-4: Project implementation could result in off-site flooding impacts.

- HYD-5: Project implementation would contribute to the degradation of regional drainage infrastructure.

- NOI-1: Project construction activities could generate a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of established standards.

- NOI-2: Project implementation could expose residents to excessive noise levels.

3.2.1 Aesthetic Resources

AES-1: Project construction would result in new sources of glare that would adversely affect daytime views in the area.

Mitigation Measure AES-1: Outdoor lighting shall be designed to minimize glare and spillover to surrounding properties. The proposed project shall incorporate non-mirrored glass to minimize daylight glare.

Findings for Impact AES-1: Mitigation Measure AES-1 requires that any outdoor lighting be designed to limit and minimize glare and spillover, and likewise requires the incorporation of non-mirrored glass to minimize glare. The purpose of this measure is to avoid any potential impact to daytime views due to glare. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact on aesthetic resources, including potential impacts to daytime views due to glare.

3.2.2 Air Quality

AIR-1: Construction of the proposed project would generate air pollutant emissions that could violate air quality standards.

Mitigation Measure AIR-1: In order to meet the Bay Area Air Quality Management District (BAAQMD) fugitive dust threshold, the following BAAQMD Basic Construction Mitigation Measures shall be implemented:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
- Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- A publicly visible sign shall be posted with the telephone number and person to contact at the City of Antioch regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

Findings for Impact AIR-1: Mitigation Measure AIR-1 requires the construction contractor to water exposed surfaces, cover haul trucks, remove tracked-out mud or dirt with wet power vacuum street sweepers, limit speeds to 15 mph, prioritize paving of roadways, driveways, and sidewalk and laying of building pads, minimize idling times, regularly maintain and tune equipment, and display contact information for dust complaints. The purpose of this measure is to avoid any potential impact due to fugitive dust emissions during construction. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact on air quality, including potential impacts due to fugitive dust emissions.

AIR-2: Construction of the proposed project would expose sensitive receptors to substantial pollutant concentrations.

Mitigation Measure AIR-2: During construction of the proposed project, the project contractor shall ensure all off-road diesel-powered construction equipment of 50 horsepower or more used for the project construction at a minimum meets the California Air Resources Board (CARB) Tier 2 emissions standards or equivalent equipped with Level 3 diesel particulate filters.

Findings for Impact AIR-2: Mitigation Measure AIR-2 requires the construction contractor ensure all off-road diesel-powered construction equipment of 50 horsepower or more used for the project construction at a minimum meets the CARB Tier 2 emissions standards or equivalent, equipped with Level 3 diesel particulate filters. The purpose of this measure is to avoid any potential impact due to exposure of sensitive receptors to substantial pollutant concentrations. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact on air quality, including potential impacts due to exposure of sensitive receptors to substantial pollutant concentrations.

3.2.3 Biological Resources

BIO-1: Project construction could result in substantial adverse impacts to vernal pool fairy shrimp, vernal pool tadpole shrimp, California red-legged frog, and California tiger salamander.

Mitigation Measure BIO-1a: Prior to issuance of grading or construction permits for the proposed project, a qualified biologist shall conduct protocol level surveys to determine the presence or absence of vernal pool fairy shrimp, vernal pool tadpole shrimp, California red-legged frog, and California tiger salamander on the project site. These surveys shall be conducted in consultation with the appropriate regulatory agencies to determine under what conditions surveys could occur. Some protocol level surveys may take up to two years to conduct. If these species are determined to be absent from the site, no further mitigation would be required. If suitable conditions do not exist for protocol level surveys prior to grading or construction activities, these species must be assumed present on the project site.

Mitigation Measure BIO-1b: If vernal pool fairy shrimp, vernal pool tadpole shrimp, California red-legged frog or California tiger salamander are identified on the project site, or are assumed present due to the absence of protocol level surveys, and avoidance is not feasible, the project applicant shall mitigate for the loss of habitat. Authorized take permits may be required by the U.S. Fish and Wildlife Service (USFWS) for incidental take of individuals that may be present.

The project applicant shall purchase credits at an approved off-site mitigation bank or other lands approved by the applicable resources agencies and the City of Antioch (e.g., in fee-title or through conservation easement). Mitigation would be required at a

replacement to loss ratio of 2:1 and a creation to loss ratio of 1:1 (a total mitigation ratio of 3:1) for vernal pool fairy shrimp and/or vernal pool tadpole shrimp (these are standard mitigation ratios used by the USFWS for impacts to these species).

The Elsie Gridley Multi-Species Conservation Bank includes Antioch within its service area and offers preservation and creation habitat. Loss of California red-legged frog or California tiger salamander habitat should be mitigated at a 1:1 mitigation to loss ratio (38 acres) at a suitable site that is known to support a breeding population. Because the project site supports low value California tiger salamander habitat, the preservation of high quality, known breeding habitat would duly compensate for the loss of low quality habitat, especially if the site acquired is either in fee-title or via a conservation easement that preserves and enhances breeding and estivation habitat or preserves and enhances suitable estivation habitat adjacent to a known, protected breeding site.

Enhancement shall include a controlled grazing regime, limited public access, fencing, or other appropriate measures to be implemented by the bank using funds from the sale of credits. An authorized bank may offer~~s~~ California tiger salamander habitat and burrowing owl credits on the same acres if authorized. These 38 acres may also accommodate the potential loss of burrowing owl and Swainson's hawk habitat.

Findings for Impact BIO-1: Mitigation Measure BIO-1a requires the applicant to hire a qualified biologist to conduct protocol level surveys to determine the presence or absence of vernal pool fairy shrimp, vernal pool tadpole shrimp, California red-legged frog, and California tiger salamander on the project site. If vernal pool fairy shrimp, vernal pool tadpole shrimp, California red-legged frog or California tiger salamander are identified on the project site, or are assumed present due to the absence of protocol level surveys, and avoidance is not feasible, Mitigation Measure BIO-1b requires the project applicant to mitigate for the loss of habitat, and states that authorized take permits may be required by the U.S. Fish and Wildlife Service (USFWS) for incidental take of individuals that may be present. The purpose of these measures is to avoid any potential impact to vernal pool fairy shrimp, vernal pool tadpole shrimp, California red-legged frog, and California tiger salamander. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact on biological resources, including potential impacts to vernal pool fairy shrimp, vernal pool tadpole shrimp, California red-legged frog, and California tiger salamander.

BIO-2: Project construction could result in substantial adverse impacts to burrowing owls.

Mitigation Measure BIO-2a: Protocol level burrowing owl surveys shall be conducted during the height of the breeding season (April 15 to July 15) to

determine the number of both individuals and breeding pairs present on the site. Preconstruction surveys shall also be conducted for burrowing owls prior to site preparation, grading, and construction. All surveys shall conform to the survey protocol established by the California Burrowing Owl Consortium. Preconstruction surveys shall be conducted no more than 30 days prior to the initiation of construction activities and at 30-day intervals if construction activities have not been initiated in an area.

Mitigation Measure BIO-2b: For grading and construction activities occurring during the non-breeding season (September 1 through January 31), burrowing owls may be evicted from the entire construction area using passive relocation techniques. One-way doors shall be installed in all suitable burrows (approximately 4 inches in diameter), left in place for a minimum of 48 hours, and monitored daily to evaluate the exclusion of owls from burrows and to maintain the one-way doors in good repair. Burrows shall then be excavated, using hand tools. Sections of flexible plastic pipe shall also be inserted into burrows during excavation to maintain an escape route for any animals inside the burrow. Once excavation is completed and no owls remain on-site, burrows shall be refilled to prevent reoccupation, or the entire site shall be managed until construction activities begin.

Mitigation Measure BIO-2c: For grading and construction activities occurring during the breeding season (February 1 through August 31), a 75-meter (250-foot) radius circular buffer shall be erected around each active burrow and a qualified biologist shall monitor construction activities to ensure effectiveness of the buffer area for breeding activities. Construction-related activity (e.g., site grading, staking, surveying) shall not occur within the exclusion zone until the burrows are confirmed to be unoccupied and/or juveniles from the nest are foraging independently and capable of independent survival. Only biologists familiar with burrowing owl behavior shall be permitted to determine whether juveniles are capable of independent survival. Once the burrows are unoccupied or the young are capable of independent survival, passive relocation techniques (as described above in Mitigation Measure BIO-2a) shall be implemented to evict the owls from the burrows. Burrows shall be excavated, using hand tools, and re-filled to prevent reoccupation prior to allowing construction within the exclusion zone. Sections of flexible plastic pipe shall also be inserted into burrows during excavation to maintain an escape route for any animals inside the burrow. Due to the density of the burrowing owl population on the project site, it is possible that construction activities may not be able to avoid active burrows; in this case, construction activities shall not be permitted during the breeding season.

Mitigation Measure BIO-2d: The project applicant shall comply with all take avoidance measures contained in the Staff Report on Burrowing Owl Mitigation. Compensatory mitigation for loss of burrowing owl habitat shall be consistent with CDFW mitigation guidance for burrowing owls. Prior to issuance of grading or construction permits, the project applicant shall be required to purchase and protect in perpetuity compensatory mitigation lands at a minimum of a 1:1 mitigation ratio (or a minimum mitigation ratio of 3:1 if active burrows or winter roosts are identified on-site and take cannot be avoided). Mitigation lands shall be within 210 meters of an active breeding colony at minimum and shall have an active breeding colony if burrowing owls are be evicted from the project site. Mitigation lands shall be protected in perpetuity under a conservation easement and be managed in perpetuity through an endowment with an appointed land manager. Mitigation for burrowing owls may take place on California tiger salamander, kit fox, or Swainson's hawk (grassland) habitat provided it is suitable for this species.

Findings for Impact BIO-2: Mitigation Measure BIO-2a requires the applicant to hire a qualified biologist to conduct protocol level surveys during the height of the breeding season (April 15 to July 15) to determine the number of both individuals and breeding pairs or burrowing owls present on the site. For grading and construction activities occurring during the non-breeding season (September 1 through January 31), Mitigation Measure BIO-2b states that burrowing owls may be evicted from the entire construction area using passive relocation techniques, as outlined in the measure. For grading and construction activities occurring during the breeding season (February 1 through August 31), Mitigation Measure BIO-2c requires that a 75-meter (250-foot) radius circular buffer be erected around each active burrow and that a qualified biologist monitor construction activities to ensure effectiveness of the buffer area for breeding activities. Further, construction-related activity (e.g., site grading, staking, surveying) shall not occur within the exclusion zone until the burrows are confirmed to be unoccupied and/or juveniles from the nest are foraging independently and capable of independent survival. Once the burrows are unoccupied or the young are capable of independent survival, passive relocation techniques (as described above in Mitigation Measure BIO-2a) shall be implemented to evict the owls from the burrows. If burrowing owls are removed at the project site, Mitigation Measures BIO-2d requires that these removals, and any required compensatory mitigation, conform to the requirements of CDFG's Staff Report on Burrowing Owl Mitigation, as outlined in the measure. The purpose of these measures is to avoid any potential impact to burrowing owls and preserve habitat. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact on biological resources, including potential impacts to burrowing owls.

BIO-3: Project construction could result in substantial adverse impacts to San Joaquin kit fox.

Mitigation Measure BIO-3a: Pre-construction surveys for kit fox dens shall be conducted by a qualified biologist no less than 14 days or more than 30 days prior to any grading or construction activities on the project site. If an

active den is detected within (or immediately adjacent to) the construction area, the USFWS shall be immediately contacted to determine the best course of action. If no kit fox activity is detected, a written report shall be submitted to the USFWS within 5 days of survey completion.

Mitigation Measure BIO-3b: If active dens are identified within (or immediately adjacent to) the construction area, the project applicant shall follow the USFWS's Standardized Recommendations for Protection of the Kit Fox Prior to or During Ground Disturbance throughout the construction period.

Mitigation Measure BIO-3c: If active dens are identified within (or immediately adjacent to) the construction area, the project applicant shall mitigate for the loss of San Joaquin Kit Fox habitat at a mitigation to loss ratio of 3:1 (114 acres). The project applicant shall obtain Incidental Take Permits (ITPs) from CDFW and the USFW and shall provide evidence of compliance with the permits to the City prior to project implementation. Issuance of a CESA Permit is subject to CEQA documentation; therefore, the CEQA document should specify impacts, mitigation measures, and fully describe a mitigation, monitoring and reporting program. These 114 acres may also accommodate the potential loss of estivation habitat for California tiger salamander, and grassland habitats for and burrowing owl, California tiger salamander, and Swainson's hawk habitat, as applicable. An equivalent number of credits at a mitigation bank approved for grassland species may be substituted for purchase of land provided the purchase is approved by the City, CDFW, and USFWS.

Findings for Impact BIO-3: Mitigation Measure BIO-3a requires the applicant to hire a qualified biologist to conduct pre-construction surveys for San Joaquin kit fox dens no less than 14 days or more than 30 days prior to any grading or construction activities on the project site. If active dens are identified within (or immediately adjacent to) the construction area, Mitigation Measure BIO-3b requires the project applicant to follow the USFWS's Standardized Recommendations for Protection of the Kit Fox Prior to or During Ground Disturbance, as described in the Biological Evaluation, throughout the construction period. If active dens are identified within (or immediately adjacent to) the construction area, Mitigation Measure BIO-3c requires the project applicant to mitigate for the loss of San Joaquin kit fox habitat at a mitigation to loss ratio of 3:1 (114 acres). The purpose of these measures is to avoid any potential impact to San Joaquin kit fox. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact on biological resources, including potential impacts to San Joaquin kit fox.

BIO-4: Mismanagement of off-site mitigation lands would result in the loss of habitat for special status species.

Mitigation Measure BIO-4: If mitigation lands are purchased through conservation easements or in fee-title, the project applicant shall implement the Resource Management Plan prepared for the proposed project. The plan shall include a monitoring protocol for the listed species, performance criteria to document success of the mitigation, and identification of the funding mechanism for plan implementation.

Findings for Impact BIO-4: If mitigation lands are purchased through conservation easements or in fee-title, Mitigation Measure BIO-4 requires the project applicant to implement the Resource Management Plan prepared for the proposed project. The purpose of this measure is to avoid any potential impacts due to mismanagement of off-site mitigation lands. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact on biological resources, including potential impacts due to mismanagement of off-site mitigation lands.

BIO-5: Project construction would result in the removal of suitable habitat for Swainson's hawk, Loggerhead shrike, and white-tailed kite.

Mitigation Measure BIO-5a: The proposed project shall avoid any construction activities that result in vegetation removal, including grading and other ground-disturbing activities, during the bird nesting season (February 1 through August 31). If construction activities are scheduled during the nesting season, the project applicant shall retain a qualified biologist to conduct a pre-construction survey of all suitable nesting habitat (i.e., field, trees) within 250 feet of the project site (where accessible). The pre-construction survey shall be conducted no more than 5 days prior to the start of work. If the survey indicates the presence of nesting birds, protective buffer zones should be established around the nests as follows: for raptor nests, the size of the buffer zone should be a 250-foot radius centered on the nest; for other birds, the size of the buffer zone should be a 50- to 100-foot radius centered on the nest. In some cases, these buffers may be increased or decreased depending on the bird species and the level of disturbance that will occur near the nest.

If there is a pause in construction activities of 7 days or more during the nesting season, an additional nesting bird survey shall be conducted to ensure that there are no new nests that require buffering.

Mitigation Measure BIO-5b: Prior to the initiation of construction activities, the project applicant should have a qualified biologist conduct surveys for Swainson's hawk in accordance with the Swainson's Hawk Technical Advisory Committee's (TAC) Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (2000). If an active nest is identified, a 0.25-mile protective buffer

shall be maintained around the nest until the young fledge. If the 0.25-mile buffer must be reduced the project applicant shall obtain a California Endangered Species Act (CESA) ITP prior to ground disturbance.

If Swainson's hawk activity (foraging, not just nests) is identified on or within 0.25 mile of the project site, the project applicant shall mitigate for the permanent loss of foraging habitat at a minimum of a 1:1 mitigation ratio (mitigation:loss). Mitigation lands should be protected in perpetuity under a conservation easement and be managed in perpetuity through an endowment with an appointed land manager. A comprehensive plan should be prepared to specify how the mitigation land will be managed, funded, and monitored. The easement should be held by a governmental entity, special district, non-profit organization, for-profit entity, person, or another entity to hold title to and manage the property. Mitigation for Swainson's hawk may take place on California tiger salamander, burrowing owl, or kit fox habitat provided it is suitable for this species.

Findings for Impact BIO-5: Mitigation Measure BIO-5a requires the project applicant to, if feasible, conduct vegetation removal activities during the non-nesting season, or have a qualified biologist conduct a preconstruction survey for all suitable nesting habitat within 250 feet of the project site, no more than 5 days prior to the start of work. If any active nests or roosts are found, additional avoidance actions are required, as outlined in the measures. The purpose of this measure is to avoid any potential impact to nesting Swainson's hawk, loggerhead shrikes, nesting white-tailed kites, and other native birds protected under the California Fish and Game Code and/or federal Migratory Bird Treaty Act. Mitigation Measure BIO-5b requires compensatory mitigation for the loss of Swainson's hawk foraging habitat, if hawk activity is identified on the project site. Implementation of the identified mitigation measures would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact on biological resources, including potential impacts to nesting birds.

BIO-6: Construction and operation of the proposed project would result in incidental take of federal and State listed species.

Mitigation Measure BIO-6: The project applicant shall obtain the appropriate federal and State Incidental Take Permits (ITPs) authorizing incidental take of State and federal listed species that may be killed or injured during project development. The applicant shall provide proof to the City of Antioch Community Development Department of compliance with the terms and conditions of any required permits or ITPs prior to issuance of the grading permit. All work onsite shall be in compliance with the terms and conditions of the federal and State permits.

Findings for Impact BIO-6: Mitigation Measure BIO-6 requires the project applicant to obtain the appropriate State and federal permits from the CDFW and USFWS for incidental take of protected species. The permits would specify the avoidance measures and compensatory mitigation required by Mitigation Measures BIO-1 through BIO-5. Implementation of the identified mitigation measures would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1 the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact on biological resources, including potential impacts to special status species.

3.2.4 Cultural Resources

CULT-1: Project construction activities could cause a substantial adverse change in the significance of an archaeological resource.

Mitigation Measure CULT-1: If deposits of prehistoric or historic archaeological materials are encountered during project activities, all work within 25 feet of the discovery shall be redirected and a qualified archeologist shall be contacted to assess the deposit finds and make recommendations.

While deposits of prehistoric or historic archeological materials should be avoided by project activities, if the deposits cannot be avoided, they shall be evaluated for their California Register eligibility. If the deposits are not eligible for the California Register, avoidance is not necessary. If the deposits are eligible for the California Register, they shall be avoided. If avoidance is not feasible, project impacts shall be mitigated in accordance with the recommendations of the evaluating archaeologist and CEQA Guidelines Section 15126.4 (b)(3)(C), which requires implementation of a data recovery plan and avoidance of human remains. Upon completion of the archaeologist's assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the discovered archaeological materials. The report shall be submitted to the project applicant, the City of Antioch, and the Northwest Information Center (NWIC).

Findings for Impact CULT-1: If deposits of prehistoric or historic archaeological materials are encountered during project activities, Mitigation Measure CULT-1 requires the project applicant to retain a qualified archaeologist to assess the deposit finds and make recommendations. If deposits cannot be avoided, further measures are required, as outlined in the mitigation measure. The purpose of this measure is to avoid destroying a unique prehistoric or historic archaeological resource or site. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the

potentially significant impact on prehistoric or historic archaeological resources that could be located within the project site.

CULT-2: Project construction activities could disturb human remains, including those interred outside of formal cemeteries.

Mitigation Measure CULT-2: If human remains are encountered, work within 25 feet of the discovery shall be redirected and the Contra Costa County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation and consult with the appropriate agencies. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

Findings for Impact CUL-2: Mitigation Measure CULT-2 requires the project applicant to contact the Contra Costa Coroner immediately upon discovery of human remains, and an archaeologist contacted to assess the situation and consult with appropriate agencies. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission. The purpose of this measure is to avoid potential adverse effects to human remains and tribal cultural resources. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact related to disturbance of human remains, including potential impacts to Native American human remains.

3.2.5 Geology and Soils

GEO-1: Project construction activities could cause seismic-related ground failure.

Mitigation Measure GEO-1: Project design and construction shall be in conformance with, or exceed, current best standards for earthquake resistant construction in accordance with the California Building Code (Seismic Zone 4), applicable local codes, and in accordance with the generally accepted standards of geotechnical practice for seismic design in Northern California. In addition, project design shall follow the recommendations of a site-specific design level geotechnical investigation report to be prepared by a Certified Engineering Geologist or Geotechnical Engineer. The City Engineer shall approve all final design and engineering plans.

Findings for Impact GEO-1: Mitigation Measure GEO-1 requires project design and construction to conform with or exceed current best standards for earthquake resistant construction in accordance with the California Building Code and applicable local codes, and to follow recommendations of a site-specific design level geotechnical investigation report prepared by a Certified Engineering Geologist or Geotechnical Engineer. The purpose of this measure is to avoid seismic-related ground failure. Implementation of the identified mitigation

measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact related to geology and soils including seismic-related ground failure.

GEO-2: Project construction activities could result in caving at excavations and trenches and differential settlement.

Mitigation Measure GEO-2: The applicant shall ensure that the requirements for worker health and safety as specified by the California Division of Occupational Safety and Health (DOSH) (which acts to protect workers from safety hazards through its California OSHA (Cal/OSHA)) are implemented. In particular, due to the caving proclivity of the soil types of the project site, shoring requirements for workers dealing with work in excavations, as specified in the California Code of Regulations, Title 8, Section 1540 et. al., Excavations, shall be observed. This article applies to all open excavations made in the earth's surface (including trenches).

Mitigation Measure GEO-3: The applicant shall incorporate all recommendations of a final site-specific design-level geotechnical investigation as prepared by a licensed Geotechnical Engineer and approved by the City of Antioch into all development plans submitted for the project, including recommendations for grading, placement of fill materials, pretreatment of expansive soils, and avoidance of settlement and/or differential settlement of infrastructure and buildings.

Findings for Impact GEO-2: Mitigation Measure GEO-2 requires observation of worker health and safety requirements, particularly shoring requirements for workers dealing with work in excavations. Mitigation Measure GEO-3 requires the project applicant to incorporate all recommendations of a final site-specific design-level geotechnical investigation as prepared by a licensed Geotechnical Engineer and approved by the City of Antioch into all development plans submitted for the project. The purpose of this measure is to avoid caving at excavations and trenches and differential settlement. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact related to geology and soils including caving at excavations and trenches and differential settlement.

GEO-4: Project construction activities could disturb unique paleontological resources.

Mitigation Measure GEO-4: If paleontological resources are encountered during site preparation or grading activities, all work within 25 feet of the discovery shall be redirected until a qualified paleontologist has assessed the discoveries and made recommendations. If the paleontological resources are found to be significant, adverse effects to such resources shall be avoided by project activities. If project activities cannot avoid the resources, the adverse effects

shall be mitigated. Mitigation shall include data recovery and analysis, preparation of a final report, and the formal transmission or delivery of any fossil material recovered to a paleontological repository, such as the University of California Museum of Paleontology (UCMP). Upon completion of project activities, a final report documenting methods and findings of the mitigation shall be prepared and submitted to the project applicant, the City of Antioch, and a suitable paleontological repository.

Findings for Impact GEO-4: If paleontological resources are encountered during site preparation or grading activities, Mitigation Measure CUL-2 requires the project applicant to retain a qualified paleontologist to assess the discoveries and make recommendations. The purpose of this measure is to avoid destroying a unique paleontological resource or site. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact on paleontological resources that could be located within the project site.

3.2.6 Greenhouse Gas Emissions

GHG-1: The proposed project would generate greenhouse gas emissions (GHGs) during both the construction and operation periods.

Mitigation Measure AIR-1: In order to meet the Bay Area Air Quality Management District (BAAQMD) fugitive dust threshold, the following BAAQMD Basic Construction Mitigation Measures shall be implemented:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
- Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5

minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- A publicly visible sign shall be posted with the telephone number and person to contact at the City of Antioch regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

Findings for Impact GHG-1: Mitigation Measure AIR-1 requires the construction contractor reduce the amount of construction vehicle idling and also requires the use of properly maintained equipment. The purpose of this measure is to avoid any potential impact due to fugitive dust emissions during construction and therefore greenhouse gas emissions. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1 the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact related to greenhouse gas emissions.

3.2.7 Hazards and Hazardous Materials

HAZ-1: Project construction activities could release hazardous materials into the environment.

Mitigation Measure HAZ-1: Prior to the issuance of grading or construction permits for the project site, a qualified environmental professional shall conduct an environmental investigation at the project site in accordance with California Department of Toxic Substances Control (DTSC) Interim Guidance for Sampling Former Agricultural Fields (Interim Guidance). As specified in the Interim Guidance, any detected organic compounds or metals above naturally occurring concentrations must be evaluated in a risk assessment, and additional remedial action such as soils removal may be required, depending on the results of the environmental investigation and risk assessment. The investigation report and certification that required further actions have been completed shall be submitted to the City of Antioch for review and approval.

Findings for Impact HAZ-1: Mitigation Measure HAZ-1 requires the project applicant to hire a qualified environmental professional to conduct an environmental investigation at the project site in accordance with California Department of Toxic Substances Control (DTSC) Interim Guidance for Sampling Former Agricultural Fields (Interim Guidance). The investigation report and certification that required further actions have been completed shall be submitted to the City

of Antioch for review and approval. The purpose of this measure is to avoid the release of lead, asbestos, PCBs, and other hazardous materials into the environment. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact related to hazardous materials, including potential impacts related to the release of lead, asbestos, PCBs, and other hazardous materials.

HAZ-2: Project construction activities could expose construction workers and the public to hazardous materials, including from nearby pipelines.

Mitigation Measure HAZ-2: Prior to the issuance of grading or construction permits for the project site, a Construction Risk Management Plan (CRMP) should be prepared to address potential hazardous material issues during construction of the project. The CRMP should include any available data from sampling conducted for the project, including the sampling specified in Mitigation Measure HAZ-1. The CRMP shall include provisions to protect construction workers and the nearby public from health risks from pipeline hazards and potential historic releases associated with oil and natural gas production in the project vicinity.

The CRMP shall incorporate Best Practices defined by the Common Ground Alliance to protect construction worker safety and prevent accidental releases from oil and natural gas pipelines. The CRMP shall also require site inspections during initial grading activities at the site; provide procedures to be undertaken in the event that previously unreported petroleum contamination or subsurface hazards are discovered during construction; incorporate construction safety measures for excavation and other construction activities; establish detailed procedures for the safe storage, stockpiling, use, and disposal of hazardous materials at the project site; provide emergency response procedures; and designate personnel responsible for implementation of the CRMP. The CRMP shall be submitted to the City of Antioch for review and approval.

Findings for Impact HAZ-2: Mitigation Measure HAZ-2 requires the project applicant to prepare a Construction Risk Management Plan (CRMP). The purpose of this measure is to protect construction workers, the public, and the environment from hazardous materials, including risks from pipeline hazards and potential historic releases associated with oil and natural gas production in the project vicinity. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact on hazards materials, including potential impacts to construction workers, the public, and the environment.

3.2.8 Hydrology and Water Quality

HYD-1: Project construction activities could result in pollutants being released into surface waters.

Mitigation Measure HYD-1a: The project proponent shall prepare a SWPPP designed to reduce potential impacts to surface water quality through the project construction period. The SWPPP must be maintained on-site and made available to City inspectors and/or Regional Water Quality Control Board (RWQCB) staff upon request. The SWPPP shall include specific and detailed BMPs designed to mitigate construction-related pollutants. At minimum, BMPs shall include practices to minimize the contact of construction materials, equipment, and maintenance supplies (e.g., fuels, lubricants, paints, solvents, adhesives) with stormwater. The SWPPP shall specify properly designed centralized storage areas that keep these materials out of the rain.

An important component of the stormwater quality protection effort is the knowledge of the site supervisors and workers. To educate on-site personnel and maintain awareness of the importance of stormwater quality protection, site supervisors shall conduct regular tailgate meetings to discuss pollution prevention. The frequency of the meetings and required personnel attendance list shall be specified in the SWPPP.

The SWPPP shall specify a monitoring program to be implemented by the construction site supervisor, which must include both dry and wet weather inspections. RWQCB and /or City personnel, who may make unannounced site inspections, are empowered to levy considerable fines if it is determined that the SWPPP has not been properly prepared and implemented.

BMPs designed to reduce erosion of exposed soil may include, but are not limited to: soil stabilization controls, watering for dust control, perimeter silt fences, placement of hay bales, and sediment basins. The potential for erosion is generally increased if grading is performed during the rainy season as disturbed soil can be exposed to rainfall and storm runoff. If grading must be conducted during the rainy season, the primary BMPs selected shall focus on erosion control; that is, keeping sediment on the site. End-of-pipe sediment control measures (e.g., basins and traps) shall be used only as secondary measures. Entry and egress from the construction site shall be carefully controlled to minimize off-site tracking of sediment. Vehicle and equipment wash-down facilities shall be designed to be accessible and functional during both dry and wet conditions. The City of Antioch Community Development Department shall review and approve the SWPPP prior to approval of the grading plan.

Findings for Impact HYD-1: Mitigation Measure HYD-1a requires the project applicant to prepare a Storm Water Pollution Prevention Plan (SWPPP). The purpose of this measure is to prevent release of pollutants into surface waters during construction. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impacts to water quality, including the release of pollutants into surface waters during construction.

HYD-2: Project operation could result in the release of pollutants into the City's storm drain system.

Mitigation Measure HYD-1b: The project applicant shall design Best Management Practices into the project to reduce potential impacts to surface water quality associated with operation of the project. These features shall be included in the final development drawings. Specifically, the final design shall include measures designed to mitigate potential water quality degradation of runoff from all portions of the completed development, and to detain and treat 75 percent of the runoff from a major storm event. The design team for the development project shall review and incorporate as many concepts as practicable from Start at the Source, Design Guidance Manual for Stormwater Quality Protection.

Mitigation Measure HYD-2: The City of Antioch Community Development Department shall review and approve the design-level stormwater control plan prior to approval of the grading plan. If it is determined by the City that the stormwater control plan for the proposed project does not include adequate measures to treat runoff to the maximum extent practicable in compliance with the County NPDES permit, then the applicant shall work closely with the City to revise the stormwater control plan so the Maximum Extent Practical (MEP) requirement is achieved.

Findings for Impact HYD-2: Mitigation Measure HYD-1b requires the project applicant to design Best Management Practices into the project aimed at reducing operational impacts to surface water quality. Mitigation Measure HYD-2 requires the City to review and approve the design-level stormwater control plan prior to approval of the grading plan. The purpose of these measures is to avoid and prevent the release of pollutants into the City's storm drain system. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact to water quality, including the release of pollutants into the City's storm drain system during operation.

HYD-3: Project implementation could result in a lack of capacity in the City's storm drain system.

Mitigation Measure HYD-3: As a condition of approval of the final grading and drainage plans for the project, the project applicant shall demonstrate through

detailed hydraulic analysis that implementation of the proposed drainage plans will not create potential hydromodification impacts downstream by implementing the following:

- The project applicant's licensed professional engineer shall work cooperatively with the City of Antioch and the RWQCB to incorporate BMPs into the final drainage plan that will result in a post-project runoff curve (i.e., storm water flow/duration graphs) that closely resembles the pre-project curve;

- Include drainage components that are designed in compliance with City of Antioch standards. The grading and drainage plans shall be reviewed for compliance with these requirements by the City of Antioch; and

- The project applicant shall establish a self-perpetuating drainage system maintenance program (to be managed by a homeowner association or similar entity) that includes annual inspections of detention basins, sedimentation basins, drainage ditches, swales, and drainage inlets. Any accumulation of sediment or other debris shall be promptly removed and necessary maintenance to insure continued efficient operation shall be performed.

Findings for Impact HYD-3: Mitigation Measure HYD-3 requires the project applicant to prepare a detailed hydraulic analysis that will demonstrate that implementation of the proposed drainage plans will not create potential hydromodification impacts downstream. The purpose of this measure is to prevent capacity-reducing impacts to the City's storm drain system. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1 the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact to water quality, including the potential to result in a lack of capacity in the City's storm drain system.

HYD-4: Project implementation could result in off-site flooding impacts.

Mitigation Measure HYD-4: The project applicant's licensed professional engineer shall analyze the potential for the project to contribute to downstream flooding impacts. The final drainage plan shall include a design that, when implemented, would not increase peak flows or exacerbate downstream flooding. Properly implemented hydrograph modification mitigation (required under Mitigation Measure HYD-3) will also mitigate the potential for impacting downstream flooding impacts.

Findings for Impact HYD-4: Mitigation Measure HYD-4 requires the project applicant's licensed professional engineer to analyze the potential for the project to contribute to downstream flooding impacts. The purpose of this measure is to prevent off-site flooding impacts resulting from the proposed project. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code

Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact to water quality, including the potential to result in off-site flooding impacts.

HYD-5: Project implementation would contribute to the degradation of regional drainage infrastructure.

Mitigation Measure HYD-5: As required by Ordinance 90-74, the applicant shall contribute to the construction and maintenance of regional drainage infrastructure by paying applicable fees associated with the amount of new impervious cover proposed by the project.

Findings for Impact HYD-5: Mitigation Measure HYD-5 requires the project applicant to contribute to the construction and maintenance of regional drainage infrastructure by paying applicable fees associated with the amount of new impervious cover proposed by the project. The purpose of this measure is to reduce the proposed project's contribution to the degradation of regional drainage infrastructure. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact to water quality, including the potential to contribute to the degradation of regional drainage infrastructure.

3.2.9 Noise

NOI-1: Project construction activities could generate a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of established standards.

Mitigation Measure Noise-1a: The project contractor ensure that all construction related activities are restricted to the hours of 7:00 a.m. to 6:00 p.m. on weekdays, within 300 feet of occupied dwelling spaces between 8:00 a.m. and 5:00 p.m. on weekends, and between 9:00 a.m. and 5:00 p.m. on weekends and holidays, irrespective of the distance from the occupied dwelling.

Mitigation Measure NOI-1b: During all project site excavation and on-site grading, the construction contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.

Mitigation Measure NOI-1c: The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.

Mitigation Measure NOI-1d: The construction contractor shall locate equipment staging in areas that will create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.

Mitigation Measure NOI-1e: The construction contractor shall use temporary noise attenuation fences at least 6 feet in height to protect all sensitive receptors along the project site's northern property line that are not currently protected by a sound wall of at least 6 feet in height. Noise attenuation fencing shall consist of a solid, continuous fence (with no horizontal or vertical gaps) at least 6 feet in height and of equivalent mass as that of solid wood fencing boards (e.g., made of plywood of at least ¾ inch thickness).

Findings for Impact NOI-1: Mitigation Measures NOI-1a through 1e require the project applicant to comply with the City's noise ordinance, including restrictions on construction activity during certain days and hours, requirements to install and operate mufflers for all construction equipment, specifications about stationary equipment placement and equipment staging area locations, and requirements for the use of temporary noise attenuation fences. The purpose of this measure is to reduce any substantial temporary increase in ambient noise levels in the vicinity of the project in excess of established standards. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1),the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact associated with increased ambient noise levels related to construction.

NOI-2: Project implementation could expose residents to excessive noise levels.

Mitigation Measure Noise-2a: A sound wall a minimum of 6 feet in height (measured above the finished roadway elevation) shall be constructed along the project property line bordering Deer Valley Road. The sound wall must be constructed without gaps (including at the bottom) and must be at least 1 inch thick and have equivalent mass to that of solid wood fencing boards.

Mitigation Measure Noise-2b: A sound wall a minimum of 6 feet in height (measured above the finished roadway elevation) shall also be constructed along the project property line bordering Wellness Way. The sound wall must be constructed without gaps (including at the bottom) and must be at least 1 inch thick and have equivalent mass to that of solid wood fencing boards.

Findings for Impact NOI-2: Mitigation Measure NOI-2a and Mitigation Measure NOI-2b require the project proponent to construct sound walls along the project property line bordering Deer Valley Road and along the project property line bordering Wellness Way. The purpose of this measure is to reduce exposure of residents to excessive noise levels. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant noise impacts, including potential

impacts related to exposure of residents to excessive noise levels related to traffic on Deer Valley Road and on Wellness Way.

3.2.10 Tribal Cultural Resources

TCR-1: Project construction activities could cause a substantial adverse change in the significance of a tribal cultural resource, including disturbance of previously undiscovered human remains, including those interred outside of formal cemeteries.

Mitigation Measure CULT-1: If deposits of prehistoric or historic archaeological materials are encountered during project activities, all work within 25 feet of the discovery shall be redirected and a qualified archeologist shall be contacted to assess the deposit finds and make recommendations.

While deposits of prehistoric or historic archeological materials should be avoided by project activities, if the deposits cannot be avoided, they shall be evaluated for their California Register eligibility. If the deposits are not eligible for the California Register, avoidance is not necessary. If the deposits are eligible for the California Register, they shall be avoided. If avoidance is not feasible, project impacts shall be mitigated in accordance with the recommendations of the evaluating archaeologist and CEQA Guidelines Section 15126.4 (b)(3)(C), which requires implementation of a data recovery plan and avoidance of human remains. Upon completion of the archaeologist's assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the discovered archaeological materials. The report shall be submitted to the project applicant, the City of Antioch, and the Northwest Information Center (NWIC).

Mitigation Measure CULT-2: If human remains are encountered, work within 25 feet of the discovery shall be redirected and the Contra Costa County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation and consult with the appropriate agencies. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

Findings for Impact TRC-1: If deposits of prehistoric or historic archaeological materials are encountered during project activities, Mitigation Measure CULT-1 requires the project applicant to retain a qualified archaeologist to assess the deposit finds and make recommendations. Mitigation Measure CULT-2 requires the project applicant to contact the Contra Costa Coroner immediately upon discovery of human remains, and an archaeologist contacted to assess the situation and consult with appropriate agencies. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission. The purpose of these

measures is to avoid potential adverse effects to human remains and tribal cultural resources. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City Council finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact on tribal cultural resources, including potential impacts to Native American human remains.

3.3 ENVIRONMENTAL EFFECTS FOUND TO BE LESS THAN SIGNIFICANT

This section identifies impacts of the project that are less than significant and do not require mitigation measures. Based on information in the Final EIR, the City Council finds that based upon substantial evidence in the record, the following impacts have been determined to be less than significant: growth inducement: significant irreversible changes; agriculture and forestry resources; energy; land use and planning; mineral resources; population and housing; public services; recreation; utilities and service systems; and wildfire.

3.3.1 Growth Inducement

A project is considered growth-inducing if it would directly or indirectly foster substantial economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. Examples of projects likely to have significant growth-inducing impacts include extensions or expansions of infrastructure systems beyond what is needed to serve project-specific demand, and development of new residential subdivisions or industrial parks in areas that are only sparsely developed or are underdeveloped. Typically, development projects on sites that are designated for development and surrounded by existing suburban uses are not considered adversely growth-inducing because growth in areas that already have development and infrastructure available to serve new development are generally considered environmentally beneficial.

Implementation of the proposed Deer Valley Estates Project would result in direct population growth within Antioch and specifically within the Sand Creek Focus Area through the construction of 121 dwelling units. As discussed in Section 4.14, Population and Housing, of the Initial Study (Appendix B of the Draft EIR), the proposed project could increase the local population by approximately 372 persons. This growth would account for approximately 3 percent of the population growth anticipated under the General Plan buildout of the Sand Creek Focus Area and evaluated in the Initial Study. Furthermore, this growth accounts for less than 1 percent of the projected and planned for growth within Antioch. As such, the proposed project would neither directly or indirectly lead to substantial or unforeseen economic or population growth, but would instead contribute to the anticipated local and regional housing supply.

Additionally, the project site is located immediately south of and adjacent to existing residential development and immediately north of the Kaiser Permanente Antioch Medical Center (Kaiser Medical Center); the Aviano Farms Project[3] is currently under construction to the east. The proposed project would not require the extension of utilities or roads into undeveloped areas that are not planned for the expansion of infrastructure or directly or indirectly lead to development of greenfield sites that are not planned for development. Due to the location of the project site, the presence of existing uses in the vicinity of the site, and consistency with proposed development within the Sand Creek Focus Area, development of the proposed project

[3] The Aviano Farms Project, which was approved by the Antioch City Council on September 8, 2015, consists of approximately 553 one- to two-story single-family detached homes.

would not induce unplanned growth in the area. Therefore, the growth that would occur as a result of the proposed project would not be substantial or adverse.

3.3.2 Significant Irreversible Changes

CEQA requires an assessment of whether the proposed project would result in significant irreversible changes to the physical environment. The State CEQA Guidelines discuss three categories of significant irreversible changes that should be considered. Each is addressed below.

3.3.2.1 Changes in Land Use Which Commit Future Generations

The project site is located within the Sand Creek Focus Area of Antioch and is generally surrounded by residential and medical uses. The approximately 37.56-acre project site is currently undeveloped; however, construction of the proposed project would occur on land that is designated for urban uses. Additionally, the proposed project would be consistent with existing zoning for the site, which is Planned Development (P-D). In the future, the site could be rezoned, in which case, at the end of the useful life of the proposed project, the use could change. Therefore, the proposed project would not commit future generations to a significant change in land use.

3.3.2.2 Irreversible Damage from Environmental Accidents

No significant environmental damage, such as accidental spills or explosion of a hazardous material, is anticipated to occur with development of the proposed project. As described in Section 4.9, Hazards and Hazardous Materials, of the Initial Study (Appendix B of the Draft EIR), the Phase I Environmental Site Assessment (ESA) prepared for the project site identified potential environmental concerns associated with the site's past agricultural uses, contamination from nearby or unmapped oil/natural gas wells in the vicinity, and potential damage to pipelines in the vicinity of the project site. However, the Initial Study determined that implementation of Mitigation Measures HAZ-1 and HAZ-2 would reduce this impact to a less-than-significant level through preconstruction environmental investigations for hazardous materials and the preparation of a Construction Risk Management Plan. No irreversible changes—such as those that might result from construction of a large-scale mining project, a hydroelectric dam project, or other institutional project—would result from development of the proposed project.

3.3.2.3 Consumption of Nonrenewable Resources

Consumption of nonrenewable resources includes increased energy consumption, conversion of agricultural lands, and lost access to mining reserves. As discussed in Section 4.2 of the Initial Study (Appendix B of the Draft EIR), the State Department of Conservation designates the site as "Farmland of Local Importance," which includes land of importance to the local agricultural economy, as determined by each county's board of supervisors and a local advisory committee. However, the project site is not currently in agricultural production, and although it previously been used for seasonal cattle grazing, it has not been used for grazing for at least the last 2 years. Therefore, no existing agricultural lands would be converted to nonagricultural uses. In addition, as discussed in Section 4.12 of the Initial Study (Appendix B of the Draft EIR), the project site does not contain known mineral resources and does not serve as a mining reserve; thus, development of the proposed project would not result in the loss of access to mining reserves. Please refer to the Initial Study included in Appendix B of the Draft EIR for a discussion of impacts related to agricultural and mining resources.

Construction of the proposed project would require the use of energy, including energy produced from nonrenewable resources. Energy consumption would also occur during the operational period of the proposed project. The proposed project is expected to be relatively energy efficient and would incorporate green building measures in compliance with the latest California Green Building Standards Code (CALGreen) standard building measures for residential buildings and Title 24 requirements. As discussed in Section 4.6, Energy, of the Initial Study (Appendix B of the Draft EIR), the proposed project would not result in the wasteful, inefficient, or unnecessary consumption of fuel or energy and would incorporate renewable energy or energy efficiency measures into building design, equipment use, and transportation. Implementation of Mitigation Measure AIR-1, as identified in Section 4.3, Air Quality, would increase energy efficiency on the site during project construction by restricting equipment idling times to 5 minutes or less and requiring construction workers to shut off idle equipment. Energy usage on the project site during construction would be temporary in nature and would be relatively small in comparison to the State's available energy sources. Therefore, the proposed project would not result in a significant impact associated with the consumption of nonrenewable resources.

3.3.3 Agriculture and Forestry Resources

The proposed project would have no impacts related to agriculture and forestry resources. The project site is located within the P-D zoning district and is classified as "Farmland of Local Importance" by the State Department of Conservation.[4] Although the project site had previously been used for seasonal cattle grazing, it has not been used for grazing for at least the last 2 years. The project site is not used for agricultural production, nor does it support forestry resources

Findings. The City Council finds that, based upon substantial evidence in the record, there would be no project impacts related to agriculture and forestry resources and no mitigation measures are required.

3.3.4 Energy

Energy usage on the project site during construction would be temporary in nature. In addition, energy usage associated with operation of the proposed project would be relatively small in comparison to the State's available energy sources, and energy impacts would be negligible at the regional level. Because California's energy conservation planning actions are conducted at a regional level and because the proposed project's total impact to regional energy supplies would be minor, the proposed project would not conflict with California's energy conservation plans as described in the 2019 Integrated Energy Policy Report. Additionally, the proposed project would be constructed to CALGreen standards, which would help to reduce energy and natural gas consumption. The proposed project would avoid or reduce the inefficient, wasteful, and unnecessary consumption of energy and not result in any irreversible or irretrievable commitments of energy. Therefore, potential impacts related to energy use would be less than significant.

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[4] California Department of Conservation. 2016. California Important Farmland Finder (map). Website: maps.conservation.ca.gov/dlrp/ciff (accessed December 2020).

Findings. The City Council finds that, based upon substantial evidence in the record, the potential project impact on the consumption of energy resources is less than significant and no mitigation measures are required.

3.3.5 Land Use and Planning

The proposed project would not create any physical barriers to travel in the vicinity of the project site. The proposed project would include the development of single-family residential uses on an undeveloped site surrounded by existing and under-construction residential uses, vacant land, and healthcare uses. The proposed project would include new connections to Piute Way, Mojave Way, and Oneida Way and therefore would increase opportunities for vehicular and pedestrian access in the area. Therefore, the proposed project would not physically divide an established community.

The proposed project would be consistent with the City of Antioch General Plan as it would include a density of approximately 3.2 dwelling units per net acre, where the maximum is 4 dwelling units per acre for the Low-Density Residential designation. The project site is located within the P-D zoning district, which is intended to encourage a wider variety of densities, product types, and setbacks than would otherwise be possible under conventional residential zoning. The proposed project would be consistent with the development standards in the P-D district, including the maximum density and maximum number of units, minimum lot size, landscape and open space requirements, architectural guidelines, maximum building heights, and lot coverage. As noted throughout the Initial Study and this Final EIR, the proposed project would generally not conflict with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, impacts related to land use and planning for CEQA purposes would be less than significant.

Findings. The City Council finds that, based upon substantial evidence in the record, the potential project impact related to land use and planning is less than significant and no mitigation measures are required.

3.3.6 Mineral Resources

The project site located within the outer margins of the Brentwood oil field. However, given the marginal economic viability of the Brentwood oil field, development of the site would not result in the loss of availability of a known mineral resource of value. The project site also contains two wells that are no longer in use but are not abandoned to current California Department of Conservation Division of Oil, Gas, and Geothermal Resources requirements. However, the project sponsor would be required to bring the abandonment of these wells into compliance as a part of the proposed project. Therefore, impacts related to mineral resources would be less than significant.

Findings. The City Council finds that, based upon substantial evidence in the record, the potential project impact related to mineral resources is less than significant and no mitigation measures are required.

3.3.7 Population and Housing

The proposed project would not result in substantial unplanned for growth in the area, as the project would contribute to the overall number of housing units as contemplated under the General Plan buildout of the Sand Creek Focus Area, which includes residential among its

allowable uses. Based on the City's current average household size of 3.07 persons,[5] the proposed project would increase the City's population by 372 persons. This growth would account for approximately 3 percent of the population growth anticipated under the General Plan buildout of the Sand Creek Focus Area and less than 1 percent of the projected and planned for growth within Antioch. The proposed project would not include the removal of any existing residential uses and therefore would not require the construction of replacement housing elsewhere. Therefore, impacts related to population and housing would be less than significant.

Findings. The City Council finds that, based upon substantial evidence in the record, the potential project impact related to population and housing is less than significant and no mitigation measures are required.

3.3.8 Public Services

The Contra Costa County Fire Protection District (CCCFPD) would provide adequate service to the project site, as written verification from CCCFPD is required prior to the approval of discretionary permits. In addition, the payment of the fire protection fee would ensure that any impacts related to fire protection would be less than significant.

Because the proposed project would represent less than 1 percent of the overall projected growth for Antioch, new police protection facilities would not be required to serve the site. In addition, the payment of the police impact fee and annexation of the project site into Community Facilities District No. 2018-02 (Police Protection), which requires residents to pay a special tax to fund police protection services including maintenance or upkeep of facilities, would ensure that any impacts related to police protection would be less than significant.

The proposed project would be subject to the payment of development impact fees, which under Senate Bill 50 are deemed to be full and complete mitigation for the generation of new students.

The proposed project would include private and public open space and contribute development impact fees that would address infrastructure and service needs and would not result in substantial deterioration of parks or other public facilities. Therefore, the proposed project's impacts to public services would be less than significant.

Findings. The City Council finds that, based upon substantial evidence in the record, the potential project impact related to public services is less than significant and no mitigation measures are required.

3.3.9 Recreation

Each lot in the proposed project would include a private backyard and a front landscaped area. In addition, a total of 1.5 acres of landscaped area, a 1.12-acre park, and an approximately 4- to 6-footwide trail would be developed. Therefore, the proposed project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration could result. Impacts associated with the development of these facilities can all be mitigated to a less than significant level with the recommended mitigation measures.

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[5] United States Census Bureau. 2020. American Community Survey. Table B25010. Website: data.census.gov/cedsci (accessed October 2020).

Therefore, the proposed project's impacts on recreational facilities would be less than significant.

Findings. The City Council finds that, based upon substantial evidence in the record, the potential project impact related to recreation is less than significant and no mitigation measures are required.

3.3.10 Utilities and Service Systems

The Initial Study determined that the proposed project would be adequately served by wastewater, water, and storm water facilities and that existing water entitlements and solid waste capacity would be sufficient. Therefore, impacts to utilities and service systems would be less than significant.

Findings. The City Council finds that, based upon substantial evidence in the record, the potential project impact related to utilities and service systems is less than significant and no mitigation measures are required.

3.3.11 Wildfire

The project site is not located within a State Responsibility Area (SRA) for fire protection and is not located within a very high fire hazard severity zone. Therefore, the proposed project would have no impact related to wildfire.

Findings. The City Council finds that, based upon substantial evidence in the record, there would be no potential project impacts related to wildfire and no mitigation measures are required.

3.4 ENVIRONMENTAL IMPACTS FOUND TO BE BENEFICIAL

The Final EIR identifies the following project-specific and cumulative effects of the proposed project that are beneficial:

- Developing on a site designated for development with existing infrastructure: Growth in areas designated for development, that already have infrastructure available to serve new development, is generally considered environmentally beneficial.

Findings. The City Council finds that, based upon substantial evidence in the record, the potential project-specific and cumulative effects of the implementing proposed project on a site designated for development, with existing infrastructure, are beneficial and no mitigation measures are required.

4.0 FINDINGS REGARDING CONSIDERATIONS THAT MAKE ALTERNATIVES ANALYZED IN THE FINAL EIR INFEASIBLE

The analysis of alternatives to the project is found in Section 6.0 of the Final EIR. Based on the analysis and the entire record, the City Council finds as follows:

4.1 NO PROJECT ALTERNATIVE

The "No Project" alternative, required to be evaluated in the EIR, considers "existing conditions…as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services" [CEQA Guidelines Section15126.6(e)(2)].

The No Project alternative assumes that the proposed project would not be developed and that the project site would generally remain in its current condition. The project site would remain vacant and no modifications to existing site access, easements, or infrastructure would occur.

Environmental Effects: Implementation of the No Project alternative would not result in any increases in automobile, transit, bicycle, or pedestrian travel to or from the project site. Therefore, compared to the less-than-significant impacts of the proposed project, there would be no impact related to conflicts with applicable transportation-related plans, policies, and ordinances; design hazards; and emergency access. The significant and unavoidable impact related to VMT would not occur. However, the No Project alternative would also not achieve any of the objectives of the proposed project.

Relation to Proposed Project Objectives: The No Project alternative would not achieve the basic project objectives as it would not help the City of Antioch provide its fair share of housing, and help alleviate a regional housing shortage, by providing a mix of housing types and sizes, some moderately affordable, and which can meet the needs of a variety of different and growing household sizes, Provide work force housing adjacent to Deer Valley Road and next to Kaiser Permanente Antioch Medical Center enhancing the attractiveness of the community to health care workers, or implement the County's Growth Management Program by providing for urban development within the Urban Limit Line.

4.2 SENIOR HOUSING ALTERNATIVE

The Senior Housing alternative assumes that the proposed project would be developed with age-restricted units that would be available to residents ages 55 and above. This alternative assumes that lot sizes would be roughly the same as those included in the proposed project; therefore, a total of 121 units would be provided and the project would continue to include the proposed parking and landscaping amenities. Similar to the proposed project, the Senior Housing alternative would include units that would range in size from approximately 2,252 square feet to approximately 3,445 square feet. The Senior Housing alternative would not include any modifications to the site access, floor plans, or setbacks compared to the proposed project.

Environmental Effects: The Senior Housing alternative would require implementation of the same mitigation measures as those required for the proposed project (identified in Table 2.A in Chapter 2.0, Summary, of this EIR and as further detailed in Appendix B, Initial Study). The Senior Housing alternative would include a similar level of development intensity and the same number of units on the project site as compared to the proposed project and would therefore include similar construction activities and similar operations associated with residential development of the project site.

Data supports that residents of an age-restricted senior housing development typically have a lower rate of vehicle ownership, and therefore could generate fewer daily VMT per capita. However, the project site is not located in a transit-rich or amenity-rich area that would support

relying solely on alternative transit. Additionally, the Senior Housing alternative would consist of single-family detached housing with ample parking available to residents, and therefore would not realize the VMT reductions that would be associated with an attached single-family or higher density age-restricted community. These communities typically include managed shuttle programs for use by residents, therefore reducing the need for a car. Therefore, the VMT for the Senior Housing alternative would be the same as under the proposed project (22.19 daily VMT per capita). The estimated average daily VMT per capita for residential uses in the region is 16.75, which would make the threshold of significance 14.24. Similar to the proposed project, an aggressive Transportation Demand Management (TDM) plan would be expected to achieve a maximum reduction in per capita VMT of 20 percent, resulting in a daily per capita VMT of 17.75. Therefore, the Senior Housing alternative would continue to have a significant and unavoidable impact related to VMT.

Relation to Proposed Project Objectives: The Senior Housing alternative would achieve most of the project objectives, although some to a lesser extent than the proposed project. In particular, objectives related to providing a project that would be consistent with applicable land use plans, consistency with existing neighborhoods, a pedestrian-friendly community, providing housing near major transportation and regional trails connections and creating a community that could accommodate senior residents would be achieved. However, objectives related to providing housing that serves a range of family incomes and household types and providing a mix of housing types and sizes would not be achieved to the same extent as the proposed project as the site would only be developed with age-restricted units. In addition, the goal of providing workforce housing adjacent to Deer Valley Road and next to the Kaiser Medical Center would not be achieved.

4.3 LARGE LOT ALTERNATIVE

Under the Large Lot alternative, the project site would be developed with large-lot single-family residential uses. This alternative assumes that lot sizes on the project site would be an average of 18,000 square feet and would not exceed 20,000 square feet per lot, for a maximum of 57 lots/residential units on the project site. The Large Lot alternative would include a smaller park and a smaller landscaped area as compared to the proposed project, while units would increase in size from a maximum of approximately 3,445 square feet to a maximum of approximately 4,000 square feet. Minor modifications to the site access and setbacks would be required.

Environmental Effects: The Large Lot alternative would require implementation of the same mitigation measures as those required for the proposed project (identified in Table 2.A in Chapter 2.0, Summary, of this Final EIR and as further detailed in the Initial Study, found in Appendix B of the Draft EIR) as the Large Lot alternative would also include development of the site with residential uses and associated improvements. However, construction-related impacts would be slightly reduced given that construction activities on the project site would be reduced with fewer residential units, as compared to the proposed project.

As described in Section 4.0, Transportation, VMT is calculated based on the land use and location of a proposed project and largely depends on the surrounding land uses as opposed to the overall level of development or number of units. Any residential use located on the project site that is not accompanied by a significant increase in transit availability would be expected to have the same VMT as it would not result in a reduction of the distance residents would need to travel for goods or services or change in the mode of travel. The VMT for the Large Lot alternative is the same as under the proposed project (22.19 daily VMT per capita). The

estimated average daily VMT per capita for residential uses in the region is 16.75, which would make the threshold of significance 14.24.[6] Similar to the proposed project, an aggressive Transportation Demand Management (TDM) plan would be expected to achieve a maximum reduction in per capita VMT of 20 percent, resulting in a daily per capita VMT of 17.75.[7] Therefore, the Large Lot alternative would continue to have a significant and unavoidable impact related to VMT.

Relation to Proposed Project Objectives: The Large Lot alternative would achieve most of the project objectives, although to a lesser extent than the proposed project. In particular, objectives related to providing a project that would be consistent with land use plans, consistency with existing neighborhoods, a pedestrian-friendly community, providing housing near major transportation and regional trails connections and creating a community that is family friendly would be achieved. However, objectives related to providing housing that serves a range of family incomes and household types, providing workforce housing, contributing to the City's economic and social viability, and providing a mix of housing types and sizes would not be achieved to the same extent as the proposed project as the site would be developed with fewer residential units that would be larger than those included in the proposed project.

5.0 STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological or other benefits of the project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological or other benefits of the project outweigh the unavoidable adverse environmental effects, those effects may be considered "acceptable" (CEQA Guidelines 15093(a)). CEQA requires the agency to state, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record (CEQA Guidelines 15093(b)).

In accordance with the requirements of CEQA and the CEQA Guidelines, the City Council finds that the mitigation measures identified in the Final EIR and the Mitigation Monitoring Program, when implemented, will avoid or substantially lessen many of the significant effects identified in the Final EIR for the Deer Valley Estates Project. However, a significant impact to transportation is unavoidable even after incorporation of all feasible mitigation measures. The Final EIR provides detailed information regarding this impact.

The City Council finds that all feasible mitigation measures identified in the Final EIR within the purview of the project applicant will be implemented with the project, and that the remaining significant unavoidable effect is outweighed and found to be acceptable due to the following specific overriding economic, legal, social, technological, or other benefits based upon the facts set forth above, the Final EIR, and the record, because implementation of the Deer Valley Estate Project will:

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[6] A 15 percent reduction from 16.75 is 14.24.
[7] A 20 percent reduction from 22.19 is 17.75.

- Develop a project consistent with the Sand Creek Focus Area of the General Plan that incorporates market-acceptable design features and promotes an attractive, well-maintained community.

- Establish a well-planned community that is family friendly or could accommodate senior residents and that incorporates the natural, historic, and physical elements of the land and the surrounding uses.

- Design a land use plan with uses complementary to existing neighborhoods and in symmetry with the larger Antioch community.

- Provide housing opportunities responsive to the needs of Antioch, the region and market conditions, to serve a range of family incomes and household types.

- Contribute to the City of Antioch's economic and social viability by creating a community that creates jobs and attracts investment and positive attention.

- Provide work force housing adjacent to Deer Valley Road and next to Kaiser Permanente Antioch Medical Center enhancing the attractiveness of the community to health care workers.

- Implement the County's Growth Management Program by providing for urban development within the Urban Limit Line. Preserving open space by relieving sprawl pressure and acting as an infill development placing new homes on parcels surrounded by existing development on three sides and adjacent to existing homes.

- Provide a land use plan and density that results in an adequate tax base, which at project buildout generates financial resources to pay for public services and infrastructure without financial burden to existing residents.

- Establish a land use and circulation system that promotes convenient mobility, while limiting circulation through existing communities, and provides safe, accessible, pedestrian access to medical facilities next door.

- Provide a pedestrian-friendly community and comprehensive infrastructure system, including parks, open space, trails, stormwater quality facilities, public services, roadways, and utilities infrastructure sized to serve the proposed project and properties to the north complementing the existing Citywide infrastructure and ensures funding for the on-going maintenance needs of such infrastructure.

- Help the City of Antioch provide its fair share of housing, and help alleviate a regional housing shortage, by providing a mix of housing types and sizes, some moderately affordable, and which can meet the needs of a variety of different and growing household sizes.

- Provide housing near major transportation and regional trails connections, with increased land use intensities near regional transportation connections.

Considering all factors, the City Council finds that there are specific economic, legal, social, technological, and other considerations associated with the project that outweigh the project's significant unavoidable effect, and the adverse effect is therefore considered acceptable.

6.0 RECORD OF PROCEEDINGS

Various documents and other materials constitute the record upon which the City Council bases these findings and the approvals contained herein. The location and custodian of these documents and materials is: Forrest Ebbs, Community Development Director, City of Antioch, 200 H Street, Antioch, CA 94531.

7.0 FINDINGS WITH RESPECT TO MITIGATION OF SIGNIFICANT ADVERSE IMPACTS, AND ADOPTION OF MITIGATION MONITORING PROGRAM

Based on the entire record before the City and having considered the unavoidable significant impacts of the project, the City Council hereby determines that all feasible mitigation within the responsibility and jurisdiction of the project applicant has been adopted to reduce or avoid the potentially significant impacts identified in the Final EIR, and that no additional feasible mitigation is available to further reduce significant impacts. The feasible mitigation measures are discussed in Section 3.1 and 3.2, above, and are set forth in the MMRP.

Section 21081.6 of the Public Resources Code requires the City to adopt a monitoring or compliance program regarding the changes in the project and mitigation measures imposed to lessen or avoid significant effects on the environment. The City Council adopts the MMRP for the Deer Valley Estates Project, attached to these findings as Exhibit A, because it fulfills the CEQA mitigation monitoring requirements:

- The Mitigation Monitoring and Reporting Program is designed to ensure compliance with the changes in the project and mitigation measures imposed on the project during project implementation; and

- Measures to mitigate or avoid significant effects on the environment are fully enforceable through conditions of approval, permit conditions, agreements, or other measures.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Environmental Impact Report for the Deer Valley Estates Project is HEREBY CERTIFIED pursuant to the California Environmental Quality Act. All feasible mitigation measures for the Project identified in the EIR and accompanying studies are hereby incorporated into this approval.

* * * * * * * *

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 10th day of August, 2021, by the following vote:

AYES:
NOES:
ABSENT:

_____
ELIZABETH HOUSEHOLDER
CITY CLERK OF THE CITY OF ANTIOCH

ATTACHMENT A

Exhibit A:

Mitigation and Monitoring Reporting Program

MITIGATION MONITORING AND REPORTING PROGRAM

This Draft Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Environmental Impact Report (EIR) prepared for the Deer Valley Estates Project (project) submitted by Blue Mountain Communities (the project sponsor) for which the City of Antioch (City) is the CEQA Lead Agency for environmental review. The MMRP, which is provided in Table A, lists mitigation measures recommended in the EIR for the proposed project and identifies mitigation monitoring requirements. The Final MMRP must be adopted when the City makes a final decision on the project.

This MMRP has been prepared to comply with the requirements of State law (Public Resources Code Section 21081.6). State law requires the adoption of an MMRP when mitigation measures are required to avoid significant impacts. The MMRP is intended to ensure compliance during implementation of the project.

The MMRP is organized in a matrix format:

- The first column identifies the mitigation measure that would be implemented for each project impact.
- The second column refers to the party or agency responsible for implementing the mitigation measure.
- The third column refers to the action that prompts implementation and/or implementation timing.
- The fourth column refers to the agency responsible for oversight or ensuring that the mitigation measure is implemented.
- The fifth column refers to the action that prompts the commencement of monitoring.
- The sixth column refers to when the monitoring will occur to ensure that the mitigation action is completed.
- The seventh and final column is where the lead agency contact initials and dates are provided as verification of mitigation measure implementation.

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
3.1 AESTHETICS						
Mitigation Measure AES-1: Outdoor lighting shall be designed to minimize glare and spillover to surrounding properties. The proposed project shall incorporate non-mirrored glass to minimize daylight glare.	Project Applicant	Prior to issuance of a building permit	City of Antioch Community Development Department	Lighting designs review and approval	Before the start of construction	Initials:_____ Date:_____
3.3 AIR QUALITY						
Mitigation Measure AIR-1: In order to meet the Bay Area Air Quality Management District (BAAQMD) fugitive dust threshold, the following BAAQMD Basic Construction Mitigation Measures shall be implemented: ● All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. ● All haul trucks transporting soil, sand, or other loose material off-site shall be covered. ● All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. ● All vehicle speeds on unpaved roads shall be limited to 15 mph. ● All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. ● Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. ● Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.	Construction Manager	During grading and construction activities	City of Antioch Public Works Department	Construction schedule, equipment, and site to be reviewed and inspected for compliance with BAAQMD Basic Construction Mitigation Measures	Before the start of construction and continually during construction	Initials:_____ Date:_____

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
Mitigation Measure AIR-1 (continued)*:* ● All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. ● A publicly visible sign shall be posted with the telephone number and person to contact at the City of Antioch regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.						
Mitigation Measure AIR-2: During construction of the proposed project, the project contractor shall ensure all off-road diesel-powered construction equipment of 50 horsepower or more used for the project construction at a minimum meets the California Air Resources Board (CARB) Tier 2 emissions standards or equivalent equipped with Level 3 diesel particulate filters equipped with Level 3 diesel particulate filters.	Construction Manager	During grading and construction activities	City of Antioch Public Works Department	Review and inspection of equipment	Before the start of construction and continually during construction	Initials:_____ Date:_____

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
3.4 BIOLOGICAL RESOURCES						
Mitigation Measure BIO-1a: Prior to issuance of grading or construction permits for the proposed project, a qualified biologist shall conduct protocol level surveys to determine the presence or absence of vernal pool fairy shrimp, vernal pool tadpole shrimp, California red-legged frog, and California tiger salamander on the project site. These surveys shall be conducted in consultation with the appropriate regulatory agencies to determine under what conditions surveys could occur. Some protocol level surveys may take up to two years to conduct. If these species are determined to be absent from the site, no further mitigation would be required. If suitable conditions do not exist for protocol level surveys prior to grading or construction activities, these species must be assumed present on the project site.	Project Applicant/ Project Biologist	Prior to issuance of a grading or construction permit	City of Antioch Community Development Department	Protocol level surveys for vernal pool fairy shrimp, vernal pool tadpole shrimp, California red-legged frog, and California tiger salamander completed	Before the start of construction and continually during construction	Initials:_____ Date:_____
Mitigation Measure BIO-1b: If vernal pool fairy shrimp, vernal pool tadpole shrimp, California red-legged frog or California tiger salamander are identified on the project site, or are assumed present due to the absence of protocol level surveys, and avoidance is not feasible, the project applicant shall mitigate for the loss of habitat. Authorized take permits may be required by the U.S. Fish and Wildlife Service (USFWS) for incidental take of individuals that may be present. The project applicant shall purchase credits at an approved off-site mitigation bank or other lands approved by the applicable resources agencies and the City of Antioch (e.g., in fee-title or through conservation easement). Mitigation would be required at a replacement to loss ratio of 2:1 and a creation to loss ratio of 1:1 (a total mitigation ratio of 3:1) for vernal pool fairy shrimp and/or vernal pool tadpole	Project Applicant/ Project Biologist	Prior to issuance of a grading or construction permit and in the event that vernal pool fairy shrimp, vernal pool tad-pole shrimp, California red-legged frog or California tiger salamander are identified on the project site, or are assumed present due to the absence of protocol level surveys	City of Antioch Community Development Department and U.S. Fish and Wildlife Service	Mitigation for loss of habitat and acquisition of take permits from USFWS as necessary	Before the start of construction and continually during construction	Initials:_____ Date:_____

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
Mitigation Measure BIO-1b (continued): shrimp (these are standard mitigation ratios used by the USFWS for impacts to these species). The Elsie Gridley Multi-Species Conservation Bank includes Antioch within its service area and offers preservation and creation habitat. Loss of California red-legged frog or California tiger salamander habitat should be mitigated at a 1:1 mitigation to loss ratio (38 acres) at a suitable site that is known to support a breeding population. Because the project site supports low value California tiger salamander habitat, the preservation of high quality, known breeding habitat would duly compensate for the loss of low-quality habitat, especially if the site acquired is either in fee-title or via a conservation easement that preserves and enhances breeding and estivation habitat or preserves and enhances suitable estivation habitat adjacent to a known, protected breeding site. Enhancement shall include a controlled grazing regime, limited public access, fencing, or other appropriate measures to be implemented by the bank using funds from the sale of credits. An authorized bank may offer California tiger salamander habitat and burrowing owl credits on the same acres if authorized. These 38 acres may also accommodate the potential loss of burrowing owl and Swainson's hawk habitat.						

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
Mitigation Measure BIO-2a: Protocol level burrowing owl surveys shall be conducted during the height of the breeding season (April 15 to July 15) to determine the number of both individuals and breeding pairs present on the site. Preconstruction surveys shall also be conducted for burrowing owls prior to site preparation, grading, and construction. All surveys shall conform to the survey protocol established by the California Burrowing Owl Consortium. Preconstruction surveys shall be conducted no more than 30 days prior to the initiation of construction activities and at 30-day intervals if construction activities have not been initiated in an area.	Project Applicant/ Project Biologist	Protocol level surveys shall occur during the height of the breeding period (April 15 to July 15) Preconstruction surveys shall occur no more than 30 days prior to initiation of construction activities in any given area	City of Antioch Community Development Department	Protocol level and preconstruction surveys for burrowing owl completed	Before the start of construction and continually during construction	Initials:_____ Date:_____
Mitigation Measure BIO-2b: For grading and construction activities occurring during the non-breeding season (September 1 through January 31), burrowing owls may be evicted from the entire construction area using passive relocation techniques. One-way doors shall be installed in all suitable burrows (approximately 4 inches in diameter), left in place for a minimum of 48 hours, and monitored daily to evaluate the exclusion of owls from burrows and to maintain the one-way doors in good repair. Burrows shall then be excavated, using hand tools. Sections of flexible plastic pipe shall also be inserted into burrows during excavation to maintain an escape route for any animals inside the burrow. Once excavation is completed and no owls remain on-site, burrows shall be refilled to prevent reoccupation, or the entire site shall be managed until construction activities begin.	Project Applicant/ Project Biologist	During the non-breeding season (September 1 through January 31)	City of Antioch Community Development Department	Following burrowing owl surveys, burrowing owl exclusion and monitoring between September 1 and January 31	Continually September 1 through January 31	Initials:_____ Date:_____

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
Mitigation Measure BIO-2c: For grading and construction activities occurring during the breeding season (February 1 through August 31), a 75-meter (250-foot) radius circular buffer shall be erected around each active burrow and a qualified biologist shall monitor construction activities to ensure effectiveness of the buffer area for breeding activities. Construction-related activity (e.g., site grading, staking, surveying) shall not occur within the exclusion zone until the burrows are confirmed to be unoccupied and/or juveniles from the nest are foraging independently and capable of independent survival. Only biologists familiar with burrowing owl behavior shall be permitted to determine whether juveniles are capable of independent survival. Once the burrows are unoccupied or the young are capable of independent survival, passive relocation techniques (as described above in Mitigation Measure BIO-2a) shall be implemented to evict the owls from the burrows. Burrows shall be excavated, using hand tools, and re-filled to prevent reoccupation prior to allowing construction within the exclusion zone. Sections of flexible plastic pipe shall also be inserted into burrows during excavation to maintain an escape route for any animals inside the burrow. Due to the density of the burrowing owl population on the project site, it is possible that construction activities may not be able to avoid active burrows; in this case, construction activities shall not be permitted during the breeding season.	Project Applicant/ Project Biologist/ Construction Manager	During the breeding season (February 1 through August 31)	City of Antioch Community Development Department	Following burrowing owl surveys, burrowing owl protection and monitoring between September 1 and January 31	Continually between February 1 through August 31	Initials:_____ Date:_____

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
Mitigation Measure BIO-2d: The project applicant shall comply with all take avoidance measures contained in the Staff Report on Burrowing Owl Mitigation. Compensatory mitigation for loss of burrowing owl habitat shall be consistent with CDFW mitigation guidance for burrowing owls. Prior to issuance of grading or construction permits, the project applicant shall be required to purchase and protect in perpetuity compensatory mitigation lands at a minimum of a 1:1 mitigation ratio (or a minimum mitigation ratio of 3:1 if active burrows or winter roosts are identified on-site and take cannot be avoided). Mitigation lands shall be within 210 meters of an active breeding colony at minimum and shall have an active breeding colony if burrowing owls are be evicted from the project site. Mitigation lands shall be protected in perpetuity under a conservation easement and be managed in perpetuity through an endowment with an appointed land manager. Mitigation for burrowing owls may take place on California tiger salamander, kit fox, or Swainson's hawk (grassland) habitat provided it is suitable for this species.	Project Applicant/ Project Biologist	City of Antioch Community Development Department	Prior to issuance of a grading or construction permit	Habitat mitigation triggered by removal of burrowing owls at the project site	Before the start of construction and continually during construction	Initials:_____ Date:_____
Mitigation Measure BIO-3a: Pre-construction surveys for kit fox dens shall be conducted by a qualified biologist no less than 14 days or more than 30 days prior to any grading or construction activities on the project site. If an active den is detected within (or immediately adjacent to) the construction area, the USFWS shall be immediately contacted to determine the best course of action. If no kit fox activity is detected, a written report shall be submitted to the USFWS within 5 days of survey completion.	Project Applicant/ Project Biologist	No less than 14 days or more than 30 days prior to grading or construction activities	City of Antioch Community Development Department and U.S. Fish and Wildlife Service	Completion of pre-construction surveys and submittal of written report to USFWS	Before the start of construction	Initials:_____ Date:_____

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
Mitigation Measure BIO-3b: If active dens are identified within (or immediately adjacent to) the construction area, the project applicant shall follow the USFWS's Standardized Recommendations for Protection of the Kit Fox Prior to or During Ground Disturbance throughout the construction period.	Project Applicant/ Project Biologist/ Construction Manager	During the construction period	City of Antioch Community Development Department and U.S. Fish and Wildlife Service	Identification of active dens within or immediately adjacent to construction area	Before the start of construction and continually during construction	Initials:_____ Date:_____
Mitigation Measure BIO-3c: If active dens are identified within (or immediately adjacent to) the construction area, the project applicant shall mitigate for the loss of San Joaquin Kit Fox habitat at a mitigation to loss ratio of 3:1 (114 acres). The project applicant shall obtain Incidental Take Permits (ITPs) from CDFW and the USFW and shall provide evidence of compliance with the permits to the City prior to project implementation. Issuance of a CESA Permit is subject to CEQA documentation; therefore, the CEQA document should specify impacts, mitigation measures, and fully describe a mitigation, monitoring and reporting program. The~~se~~ 114 acres may also accommodate the potential loss of estivation habitat for California tiger salamander, and grassland habitats for ~~and~~ burrowing owl, California tiger salamander, and Swainson's hawk~~habitat~~, as applicable. An equivalent number of credits at a mitigation bank approved for grassland species may be substituted for purchase of land provided the purchase is approved by the City, CDFW, and USFWS.	Project Applicant/ Project Biologist	Prior to the issuance of a grading or construction permit	City of Antioch Community Development Department	Identification of active dens within or immediately adjacent to construction area	Before the start of construction and continually during construction	Initials:_____ Date:_____

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
Mitigation Measure BIO-4: If mitigation lands are purchased through conservation easements or in fee-title, the project applicant shall implement the Resource Management Plan prepared for the proposed project. The plan shall include a monitoring protocol for the listed species, performance criteria to document success of the mitigation, and identification of the funding mechanism for plan implementation.	Project Applicant/ Project Biologist	Prior to the issuance of a grading or construction permit	City of Antioch Community Development Department	Implementa-tion of Resource Management Plan	Before the start of construction	Initials:_____ Date:_____
Mitigation Measure BIO-5a: The proposed project shall avoid any construction activities that result in vegetation removal, including grading and other ground-disturbing activities, during the bird nesting season (February 1 through August 31). If construction activities are scheduled during the nesting season, the project applicant shall retain a qualified biologist to conduct a pre-construction survey of all suitable nesting habitat (i.e., field, trees) within 250 feet of the project site (where accessible). The pre-construction survey shall be conducted no more than 5 days prior to the start of work. If the survey indicates the presence of nesting birds, protective buffer zones should be established around the nests as follows: for raptor nests, the size of the buffer zone should be a 250-foot radius centered on the nest; for other birds, the size of the buffer zone should be a 50- to 100-foot radius centered on the nest. In some cases, these buffers may be increased or decreased depending on the bird species and the level of disturbance that will occur near the nest. If there is a pause in construction activities of 7 days or more during the nesting season, an additional nesting bird survey shall be conducted to ensure that there are no new nests that require buffering.	Project Applicant/ Project Biologist	Prior to the issuance of a grading permit	City of Antioch Community Development Department	Construction schedule review and approval, completion of pre-construction survey	Before the start of construction and continually during construction	Initials:_____ Date:_____

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
Mitigation Measure BIO-5b: Prior to the initiation of construction activities, the project applicant should have a qualified biologist conduct surveys for Swainson's hawk in accordance with the Swainson's Hawk Technical Advisory Committee's (TAC) Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (2000). If an active nest is identified, a 0.25-mile protective buffer shall be maintained around the nest until the young fledge. If the 0.25-mile buffer must be reduced the project applicant shall obtain a California Endangered Species Act (CESA) ITP prior to ground disturbance. If Swainson's hawk activity (foraging, not just nests) is identified on or within 0.25 mile of the project site, the project applicant shall mitigate for the permanent loss of foraging habitat at a minimum of a 1:1 mitigation ratio (mitigation:loss). Mitigation lands should be protected in perpetuity under a conservation easement and be managed in perpetuity through an endowment with an appointed land manager. A comprehensive plan should be prepared to specify how the mitigation land will be managed, funded, and monitored. The easement should be held by a governmental entity, special district, non-profit organization, for-profit entity, person, or another entity to hold title to and manage the property. Mitigation for Swainson's hawk may take place on California tiger salamander, burrowing owl, or kit fox habitat provided it is suitable for this species.	Project Applicant/ Project Biologist	Prior to the issuance of a grading permit	City of Antioch Community Development Department	Construction schedule review and approval, completion of pre-construction survey Habitat mitigation triggered by identification of Swainson's hawk activity at the project site	Before the start of construction and continually during construction	Initials:_____ Date:_____

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
Mitigation Measure BIO-6: The project applicant shall obtain the appropriate federal and State ITPs authorizing incidental take of State and federal listed species that may be killed or injured during project development. The applicant shall provide proof to the City of Antioch Community Development Department of compliance with the terms and conditions of any required permits or ITPs prior to issuance of the grading permit. All work onsite shall be in compliance with the terms and conditions of the federal and State permits.	Project Applicant/ Project Biologist	Prior to the issuance of a grading permit	City of Antioch Community Development Department	Acquisition of take permits from CDFW and USFWS as necessary	Before the start of construction and continually during construction	Initials:_____ Date:_____
3.5 CULTURAL RESOURCES						
Mitigation Measure CULT-1: If deposits of prehistoric or historic archeological materials are encountered during project activities, all work within 25 feet of the discovery shall be redirected and a qualified archeologist shall be contacted to assess the deposit finds and make recommendations. While deposits of prehistoric or historic archeological materials should be avoided by project activities, if the deposits cannot be avoided, they shall be evaluated for their California Register eligibility. If the deposits are not eligible for the California Register, avoidance is not necessary. If the deposits are eligible for the California Register, they shall be avoided. If avoidance is not feasible, project impacts shall be mitigated in accordance with the recommendations of the evaluating archaeologist and CEQA Guidelines Section 15126.4 (b)(3)(C), which requires implementation of a data recovery plan and avoidance of human remains. Upon completion of the archaeologist's assessment, the archaeologist shall prepare a report documenting the methods and results and provide recommendations for the treatment of the discovered archaeological materials. The report shall be submitted to the project applicant, the City of Antioch, and the Northwest Information Center (NWIC).	Project Applicant/ Construction Manager/ Qualified Archaeologist	During all ground-disturbing activities and after resources are identified	City of Antioch Community Development Department	Initiated in the event that a find is made during construction	During regularly scheduled site inspections that would be initiated in the event that a find is made during construction	Initials:_____ Date:_____

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
Mitigation Measure CULT-2: If human remains are encountered, work within 25 feet of the discovery shall be redirected and the Contra Costa County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation and consult with the appropriate agencies. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.	Project Applicant/ Construction Manager/ Qualified Archaeologist	During all ground-disturbing activities and after resources are identified	City of Antioch Community Development Department	Initiated in the event that a find is made during construction	During regularly scheduled site inspections initiated after a find is made during construction	Initials:_____ Date:_____
3.7 GEOLOGY AND SOILS						
Mitigation Measure GEO-1: Project design and construction shall be in conformance with, or exceed, current best standards for earthquake resistant construction in accordance with the California Building Code (Seismic Zone 4), applicable local codes, and in accordance with the generally accepted standards of geotechnical practice for seismic design in Northern California. In addition, project design shall follow the recommendations of a site-specific design level geotechnical investigation report to be prepared by a Certified Engineering Geologist or Geotechnical Engineer. The City Engineer shall approve all final design and engineering plans.	Project Appli-cant/ Project Geotechnical Engineer	Prior to final development plan approval	City of Antioch Community Development Department	Review of geotechnical investigation report, final design and engineering plan review and approval	Before the start of construction	Initials:_____ Date:_____

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
Mitigation Measure GEO-2: The applicant shall ensure that the requirements for worker health and safety as specified by the California Division of Occupational Safety and Health (DOSH) (which acts to protect workers from safety hazards through its California OSHA (Cal/OSHA)) are implemented. In particular, due to the caving proclivity of the soil types of the project site, shoring requirements for workers dealing with work in excavations, as specified in the California Code of Regulations, Title 8, Section 1540 et. al., Excavations, shall be observed. This article applies to all open excavations made in the earth's surface (including trenches).	Project Applicant/ Construction Manager	Prior to issuance of a grading permit and during the construction period	City of Antioch Community Development Department	Worker safety plan review and approval	Before the start of construction	Initials:_____ Date:_____
Mitigation Measure GEO-3: The applicant shall incorporate all recommendations of a final site-specific design-level geotechnical investigation as prepared by a licensed Geotechnical Engineer and approved by the City of Antioch into all development plans submitted for the project, including recommendations for grading, placement of fill materials, pretreatment of expansive soils, and avoidance of settlement and/or differential settlement of infrastructure and buildings.	Project Appli-cant/ Project Geotechnical Engineer	Prior to final development plan approval	City of Antioch Community Development Department	Incorporation of recommendatio ns of geotechnical investigations		Initials:_____ Date:_____

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
Mitigation Measure GEO-4: If paleontological resources are encountered during site preparation or grading activities, all work within 25 feet of the discovery shall be redirected until a qualified paleontologist has assessed the discoveries and made recommendations. If the paleontological resources are found to be significant, adverse effects to such resources shall be avoided by project activities. If project activities cannot avoid the resources, the adverse effects shall be mitigated. Mitigation shall include data recovery and analysis, preparation of a final report, and the formal transmission or delivery of any fossil material recovered to a paleontological repository, such as the University of California Museum of Paleontology (UCMP). Upon completion of project activities, a final report documenting methods and findings of the mitigation shall be prepared and submitted to the project applicant, the City of Antioch, and a suitable paleontological repository.	Project Applicant/ Construction Manager/ Qualified Paleontologist	During all ground-disturbing activities and after resources are identified	City of Antioch Community Development Department	Initiated in the event that a find is made during construction	During regularly scheduled site inspections initiated after a find is made during construction	Initials:_____ Date:_____
3.9 HAZARDS AND HAZARDOUS MATERIALS						
Mitigation Measure HAZ-1: Prior to the issuance of grading or construction permits for the project site, a qualified environmental professional shall conduct an environmental investigation at the project site in accordance with California Department of Toxic Substances Control (DTSC) Interim Guidance for Sampling Former Agricultural Fields (Interim Guidance). As specified in the Interim Guidance, any detected organic compounds or metals above naturally-occurring concentrations must be evaluated in a risk assessment, and additional remedial action such as soils removal may be required, depending on the results of the environmental investigation and risk assessment. The investigation report and certification that required further actions have been completed shall be submitted to the City of Antioch for review and approval.	Project Applicant/ Qualified Environmental Professional	Prior to issuance of grading or construction permits	City of Antioch Community Development Department	Environmental investigation and certification review and approval	Before the start of construction	Initials:_____ Date:_____

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
Mitigation Measure HAZ-2: Prior to the issuance of grading or construction permits for the project site, a Construction Risk Management Plan (CRMP) should be prepared to address potential hazardous material issues during construction of the project. The CRMP should include any available data from sampling conducted for the project, including the sampling specified in Mitigation Measure HAZ-1. The CRMP shall include provisions to protect construction workers and the nearby public from health risks from pipeline hazards and potential historic releases associated with oil and natural gas production in the project vicinity. The CRMP shall incorporate Best Practices defined by the Common Ground Alliance to protect construction worker safety and prevent accidental releases from oil and natural gas pipelines. The CRMP shall also require site inspections during initial grading activities at the site; provide procedures to be undertaken in the event that previously unreported petroleum contamination or subsurface hazards are discovered during construction; incorporate construction safety measures for excavation and other construction activities; establish detailed procedures for the safe storage, stockpiling, use, and disposal of hazardous materials at the project site; provide emergency response procedures; and designate personnel responsible for implementation of the CRMP. The CRMP shall be submitted to the City of Antioch for review and approval.	Project Applicant/ Qualified Environmental Professional	Prior to issuance of grading or construction permit	City of Antioch Community Development Department	Construction Risk Management Plan review and approval	Before the start of construction	Initials:_____ Date:_____

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
3.10 HYDROLOGY AND WATER QUALITY						
Mitigation Measure HYD-1a: The project proponent shall prepare a SWPPP designed to reduce potential impacts to surface water quality through the project construction period. The SWPPP must be maintained on-site and made available to City inspectors and/or RWQCB staff upon request. The SWPPP shall include specific and detailed BMPs designed to mitigate construction-related pollutants. At minimum, BMPs shall include practices to minimize the contact of construction materials, equipment, and maintenance supplies (e.g., fuels, lubricants, paints, solvents, adhesives) with stormwater. The SWPPP shall specify properly designed centralized storage areas that keep these materials out of the rain. An important component of the stormwater quality protection effort is the knowledge of the site supervisors and workers. To educate on-site personnel and maintain awareness of the importance of stormwater quality protection, site supervisors shall conduct regular tailgate meetings to discuss pollution prevention. The frequency of the meetings and required personnel attendance list shall be specified in the SWPPP. The SWPPP shall specify a monitoring program to be implemented by the construction site supervisor, which must include both dry and wet weather inspections. RWQCB and /or City personnel, who may make unannounced site inspections, are empowered to levy considerable fines if it is determined that the SWPPP has not been properly prepared and implemented. BMPs designed to reduce erosion of exposed soil may include, but are not limited to: soil stabilization controls, watering for dust control, perimeter silt fences, placement of hay bales, and sediment basins.	Project Applicant/ Construction Manager	Prior to approval of the grading plan	City of Antioch Community Development Department	SWPPP review and approval	Before start of construction	Initials:_____ Date:_____

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
Mitigation Measure HYD-1a: (continued): The potential for erosionis generally increased if grading is performed during the rainy season as disturbed soil can be exposed to rainfall and storm runoff. If grading must be conducted during the rainy season, the primary BMPs selected shall focus on erosion control; that is, keeping sediment on the site. End-of-pipe sediment control measures (e.g., basins and traps) shall be used only as secondary measures. Entry and egress from the construction site shall be carefully controlled to minimize off-site tracking of sediment. Vehicle and equipment wash-down facilities shall be designed to be accessible and functional during both dry and wet conditions. The City of Antioch Community Development Department shall review and approve the SWPPP prior to approval of the grading plan.						
Mitigation Measure HYD-1b: The project applicant shall design Best Management Practices into the project to reduce potential impacts to surface water quality associated with operation of the project. These features shall be included in the final development drawings. Specifically, the final design shall include measures designed to mitigate potential water quality degradation of runoff from all portions of the completed development, and to detain and treat 75 percent of the runoff from a major storm event. The design team for the development project shall review and incorporate as many concepts as practicable from Start at the Source, Design Guidance Manual for Stormwater Quality Protection.	Project Applicant/ Project Engineer	Prior to final development plan approval	City of Antioch Community Development Department	BMPs incorporated into final development drawings, reviewed and approved	Before start of construction	Initials:_____ Date:_____

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
Mitigation Measure HYD-2: The City of Antioch Community Development Department shall review and approve the design-level stormwater control plan prior to approval of the grading plan. If it is determined by the City that the stormwater control plan for the proposed project does not include adequate measures to treat runoff to the maximum extent practicable in compliance with the County NPDES permit, then the applicant shall work closely with the City to revise the stormwater control plan so the Maximum Extent Practical (MEP) requirement is achieved.	Project Applicant/ Project Engineer	Prior to approval of the final grading plan	City of Antioch Community Development Department	Design-level stormwater control plan review and approval	Before start of construction	Initials:_____ Date:_____
Mitigation Measure HYD-3: As a condition of approval of the final grading and drainage plans for the project, the project applicant shall demonstrate through detailed hydraulic analysis that implementation of the proposed drainage plans will not create potential hydromodification impacts downstream by implementing the following: ● The project applicant's licensed professional engineer shall work cooperatively with the City of Antioch and the RWQCB to incorporate BMPs into the final drainage plan that will result in a post-project runoff curve (i.e., storm water flow/duration graphs) that closely resembles the pre-project curve; ● Include drainage components that are designed in compliance with City of Antioch standards. The grading and drainage plans shall be reviewed for compliance with these requirements by the City of Antioch; and ● The project applicant shall establish a self-perpetuating drainage system maintenance program (to be managed by a homeowner association or similar entity) that includes annual inspections of detention basins, sedimentation basins, drainage ditches, swales, and drainage inlets. Any accumulation of sediment or other debris shall be promptly removed and necessary maintenance to insure continued efficient operation shall be performed.	Project Applicant/ Project Hydrologist	Prior to approval of the final grading and drainage plans	City of Antioch Community Development Department	Hydraulic analysis, grading and drainage plans review and approval	Before start of construction	Initials:_____ Date:_____

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
Mitigation Measure HYD-4: The project applicant's licensed professional engineer shall analyze the potential for the project to contribute to downstream flooding impacts. The final drainage plan shall include a design that, when implemented, would not increase peak flows or exacerbate downstream flooding. Properly implemented hydrograph modification mitigation (required under Mitigation Measure HYD-3) will also mitigate the potential for impacting downstream flooding impacts.	Project Applicant/ Project Hydrologist	Prior to approval of the final drainage plan	City of Antioch Community Development Department	Final drainage plan review and approval	Before start of construction	Initials:_____ Date:_____
Mitigation Measure HYD-5: As required by Ordinance 90-74, the applicant shall contribute to the construction and maintenance of regional drainage infrastructure by paying applicable fees associated with the amount of new impervious cover proposed by the project.	Project Applicant	Prior to issuance of a grading permit	City of Antioch Community Development Department	Payment prior to grading permit application	Before start of construction	Initials:_____ Date:_____
3.13 NOISE						
Mitigation Measure Noise-1a: The project contractor ensure that all construction related activities are restricted to the hours of 7:00 a.m. to 6:00 p.m. on weekdays, within 300 feet of occupied dwelling spaces between 8:00 a.m. and 5:00 p.m. on weekends, and between 9:00 a.m. and 5:00 p.m. on weekends and holidays, irrespective of the distance from the occupied dwelling.	Project Applicant/ Construction Manager	During the construction period	City of Antioch Community Development Department	Schedule review and approval	During construction	Initials:_____ Date:_____
Mitigation Measure NOI-1b: During all project site excavation and on-site grading, the construction contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.	Project Applicant/ Construction Manager	During excavation and grading activities	City of Antioch Community Development Department	Equipment review and approval	Before start of construction and regularly during construction	Initials:_____ Date:_____
Mitigation Measure NOI-1c: The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.	Project Applicant/ Construction Manager	During grading and construction activities	City of Antioch Community Development Department	Stationary equipment site review and approval	Before start of construction and regularly during construction	Initials:_____ Date:_____

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
Mitigation Measure NOI-1d: The construction contractor shall locate equipment staging in areas that will create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.	Project Applicant/ Construction Manager	During grading and construction activities	City of Antioch Community Development Department	Staging area review and approval	Before start of construction and regularly during construction	Initials:_____ Date:_____
Mitigation Measure NOI-1e: The construction contractor shall use temporary noise attenuation fences at least 6 feet in height to protect all sensitive receptors along the project site's northern property line that are not currently protected by a sound wall of at least 6 feet in height. Noise attenuation fencing shall consist of a solid, continuous fence (with no horizontal or vertical gaps) at least 6 feet in height and of equivalent mass as that of solid wood fencing boards (e.g., made of plywood of at least ¾ inch thickness).	Project Applicant/ Construction Manager	Prior to and during grading and construction activities	City of Antioch Community Development Department	Noise attenuation fencing plan review and approval	Before start of construction	Initials:_____ Date:_____
Mitigation Measure Noise-2a: A sound wall a minimum of 6 feet in height (measured above the finished roadway elevation) shall be constructed along the project property line bordering Deer Valley Road. The sound wall must be constructed without gaps (including at the bottom) and must be at least 1 inch thick and have equivalent mass to that of solid wood fencing boards.	Project Applicant/ Project Engineer	Prior to issuance of an occupancy permit	City of Antioch Community Development Department	Sound wall plans review and approval	Before start of construction	Initials:_____ Date:_____
Mitigation Measure Noise-2b: A sound wall a minimum of 6 feet in height (measured above the finished roadway elevation) shall also be constructed along the project property line bordering Wellness Way. The sound wall must be constructed without gaps (including at the bottom) and must be at least 1 inch thick and have equivalent mass to that of solid wood fencing boards.	Project Applicant/ Project Engineer	Prior to issuance of an occupancy permit	City of Antioch Community Development Department	Sound wall plans review and approval	Before start of construction	Initials:_____ Date:_____

Source: LSA (2021).

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ATTACHMENT B

Resolution Approving the Vesting Tentative Map, Final Development Plan, Use Permit, and Design Review for the Project

CITY COUNCIL
RESOLUTION NO. 2021/**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROVING A VESTING TENTATIVE SUBDIVISION MAP, FINAL DEVELOPMENT PLAN, USE PERMIT, AND DESIGN REVIEW FOR THE DEER VALLEY ESTATES ZOCCHI PROPERTY (PD-19-03, UP-19-12, AR-19-19)

WHEREAS, the City of Antioch received an application from Blue Mountain Communities for approval of a Vesting Tentative Subdivision Map, Final Development Plan, Use Permit, and Design Review to subdivide two undeveloped parcels totaling 37.56 acres to construct 121 new single family homes with new infrastructure, parking, detention basins, lighting, and landscaping, and a private park (PD-19-03, UP-19-12, AR-19-19). The Project is located at 6100 Deer Valley Road (APNs 055-071-026 and 057-022-013);

WHEREAS, a Final Environmental Impact Report and Mitigation Monitoring and Reporting Program was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15162, and introduced to the Planning Commission on May 19, 2021, but the item was continued until June 16, 2021;

WHEREAS, on June 16, 2021, the Planning Commission recommended certification of the Final Environmental Impact Report based on the findings of fact and adopting a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program to the City Council;

WHEREAS, on August 10, 2021, the City Council certified the Final Environmental Impact Report, based on findings of fact and adopting a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program;

WHEREAS, on November 19, 2020, the Parks and Recreation Commission considered the Deer Valley Estates Project and recommended to the Planning Commission that the project be obligated to pay $181,500 in parkland dedication in lieu fees;

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

WHEREAS, the Planning Commission on May 19, 2021, duly held a hearing, received and considered evidence, both oral and documentary, and voted to continue the item to the June 16, 2021 Planning Commission meeting;

WHEREAS, the Planning Commission on June 16, 2021, duly held a hearing, received and considered evidence, both oral and documentary, and voted to table the consideration of the Vesting Tentative Subdivision Map, Final Development Plan, Use Permit, and Design Review to a future meeting;

WHEREAS, the Planning Commission on July 21, 2021, duly held a hearing, received and considered evidence, both oral and documentary, and recommended approval of a Vesting Tentative Subdivision Map, Final Development Plan, Use Permit, and Design Review to the City Council;

WHEREAS, the City Council duly gave notice of public hearing as required by law; and

WHEREAS, on August 10, 2021, the City Council duly held a public hearing on the matter, and received and considered evidence, both oral and documentary.

NOW, THEREFORE, BE IT RESOLVED that the City Council makes the following required findings for approval of a Vesting Tentative Subdivision Map:

1. The Vesting Tentative Subdivision Map, design and improvements are consistent with the General Plan, as required by Section 66473.5 of the Subdivision Map Act and the City's Subdivision Regulations. The site has a General Plan Designation of Sand Creek Focus Area - Low Density Residential and the Vesting Tentative Subdivision Map will accommodate uses that are consistent with the proposed General Plan designation.

2. The subdivision proposed by the Vesting Tentative Subdivision Map complies with the rules, regulations, standards and criteria of the City's Subdivision Regulations. The City's Planning and Engineering staff have reviewed the Tentative Parcel Map and evaluated the effects of the map proposed and have determined that the Vesting Tentative Map, as conditioned, complies with and conforms to all the applicable rules, regulations, standards, and criteria of the City's Subdivision Regulations.

3. The Project's conditions of approval protect the public safety, health and general welfare of the users of the project and surrounding area. In addition, the conditions ensure the project is consistent with all applicable City standards.

BE IT FURTHER RESOLVED that the City Council makes the following findings for approval of a Final Development Plan:

1. Each individual unit of the development can exist as an independent unit capable of creating an environment of sustained desirability and stability because each parcel has its own independent parking and access. The uses proposed will not be detrimental to present or potential surrounding uses but instead will have a beneficial effect which could not be achieved under the current General Plan Land Use designation or zoning for the project site. The project will provide new housing

options to the area and is designed to function independently while remaining interconnected through pathways and access for both vehicles and pedestrians.

2. The streets and thoroughfares proposed meet the standards of the City's Growth Management Program and adequate utility service can be supplied to all phases of the development because the project will be constructing all the required streets and utilities to serve the project. The final design, location and size of these improvements will be subject to the approval of the City Engineer. The Project design minimizes traffic impacts to the existing street system.

3. There are no commercial components of the project.

4. The residential components will be in harmony with the character of the surrounding neighborhood and community and will result in densities no higher than that permitted by the General Plan because the single-family project is in substantial conformance with the applicable zoning requirements for residential development and the Planned Development District development standards established for the project site. The project has been designed to comply with City density standards as the proposed densities are within General Plan allowances. The Project locates single-family homes adjacent to similar, existing homes.

5. There are no industrial components of the project.

6. Any deviation from the standard zoning requirements is warranted by the design and additional amenities incorporated in the final development plan which offer certain unusual redeeming features to compensate for any deviations that may be permitted. The proposed final development plan is substantially in conformance with the established P-D District for the site, which was established in 2008.

7. The area surrounding the P-D District can be planned and zoned in coordination and substantial compatibility with the proposed development because the proposed development is surrounded by properties developed with health care and residential uses that are consistent with the proposed development and the undeveloped area around the Project will also be required to develop according to the General Plan policies.

8. The Project and the PD District conform to the General Plan of the City in that the single-family residential use is consistent with the General Plan designation of Sand Creek Focus Area - Low Density Residential.

BE IT FURTHER RESOLVED that the City Council does hereby make the following findings for approval of the requested Use Permit:

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

because the project has been designed to comply with the City of Antioch Municipal Code requirements.

2. The use applied at the location indicated is properly one for which a use permit is authorized because the City of Antioch Zoning Ordinance requires a use permit for all Planned Development District (PD) applications.

3. 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 plan complies with the Planned Development standards established for the project's Planned Development District.

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 project site will improve Wellness Way to serve as the project entrance. The street extensions are designed to meet City standards for adequate width and pavement.

5. The granting of such use permit will not adversely affect the comprehensive General Plan because the proposed uses and design are consistent with the General Plan. The General Plan designation for project site is Sand Creek Focus Area - Low Density Residential, which allows for the type of residential development proposed by the project.

6. The Conditions of approval protect the public safety, health and general welfare of the users of the project and surrounding area. In addition, the conditions ensure the project is consistent with City standards.

BE IT FURTHER RESOLVED that the City Council of the City of Antioch does hereby APPROVE a Vesting Tentative Subdivision Map, Final Development Plan, Use Permit, and Design Review to subdivide two undeveloped parcels totaling 37.56 acres to construct 121 new single-family homes with new infrastructure, parking, detention basins, lighting, and landscaping, and a private park (PD-19-03, UP-19-12, AR-19-19). The Project is located at 6100 Deer Valley Road (APNs 055-071-026 and 057-022-013) subject to the following conditions:

A. <u>GENERAL CONDITIONS</u>

1. The development shall comply with the City of Antioch Municipal Code, unless a specific exception is granted thereto, or is otherwise modified in these conditions or in the Development Agreement.

2. Concurrent with the first submittal of grading or improvement plans, the developer shall submit a site plan exhibit showing the site plan as modified by conditions and approvals.

3. This approval expires two years from the date of approval (Expires August 10, 2023), 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.

4. The developer shall defend, indemnify, and hold harmless the City in any action brought challenging any land use approval or environmental review for the Project. In addition, developer shall pay any and all costs associated with any challenge to the land use approval or environmental review for the Project, including, without limitation, the costs associated with any election challenging the Project.

5. A final and unchallenged approval of this project supersedes previous approvals that have been granted for this site.

6. Permits or approvals, whether discretionary or ministerial, will not be considered if the developer is not current on fees, reimbursement and/or other payments that are due the City.

7. All advertising signs shall be consistent with the Sign Ordinance or as approved by the Community Development Director.

8. All required easements or rights-of-way for improvements shall be obtained by the developer at no cost to the City of Antioch. Advance permission shall be obtained from any property or, if required from easement holders, for any work done within such property or easements.

9. All easements of record that are no longer required and affect individual lots or parcels within this project shall be removed prior to or concurrently with the recordation of the final map or subsequent separate document as approved by City Engineer.

B. VESTING TENTATIVE MAP CONDITIONS

1. The Vesting Tentative Map approval is subject to the time lines established in the State of California Subdivision Map Act or as extended by the Development Agreement.

2. Approval is based upon substantial conformance with the Vesting Tentative Map prepared on May 4, 2020 and stamped received by Community Development on May 21, 2020.

3. Approval of this Vesting Tentative map shall not constitute the approval of any improvements shown on the Vesting Tentative map and shall not be construed as a guarantee of future extension or re-approvals of this or similar maps, nor is it an indication of future availability of water or sewer facilities or permission to develop beyond the capacities of these facilities.

C. DISTRICTS AND ANNEXATION

1. Prior to filing of a final map for recording, the developer shall annex into CFD 2018-02 (Police Protection).

2. The property shall annex into CFD 2018-01 (Public Services) and accept a level of annual assessments sufficient to maintain public facilities in the vicinity of the project area at no cost to the City. The annual assessment shall cover the actual annual cost of maintenance as described in the Engineer's Report.

D. HOME OWNERS ASSOCATION AND CC&RS

1. The developer shall establish a Home Owners Association (HOA) for this project in conformance with the regulations set forth by the California Department of Real Estate. The HOA shall be responsible for maintaining:

   - All HOA owned parcels, including structures, walls, and facilities within (Parcels 'A', 'B', 'C', 'D', 'E', 'F', 'G', and 'H').
   - Bio-retention storm drain facilities (pipes, structures, fencing, and Parcel 'B' basin)
   - The City shall be reimbursed for maintenance of landscape, roadway (including striping and signing), concrete (including sidewalk, curb, gutter and curb ramps), storm drain facilities, street lighting, and all other

HOA facilities and amenities not maintained by the HOA to an acceptable City level.

2. Subject to approval by the state, the Codes, Covenants and Restrictions (CC&Rs) for the subdivision shall include a provision indicating that the City of Antioch is named as a third-party beneficiary with the right, but not the obligation, to enforce the provisions of the CC&Rs relating to the maintenance and repair of the property and improvements, including but not limited to landscaping, streets, curbs, gutters, street lights, parking, open space, storm water facilities and the prohibition of nuisances. The City shall have the same rights and remedies as the Association, Manager or Owners are afforded under the CC&Rs, including but not limited to rights of entry. This right of enforcement is in addition to all other legal and equitable remedies available to the City, including the right to refuse to issue building permits for any building or structure that is not in compliance with applicable federal, state or local laws, regulations, permits or approvals. Neither action nor inaction by the City shall constitute a waiver or relinquishment of any rights or remedies. In addition, the CC&Rs shall include a provision that any design approvals required by the CC&RS for construction, reconstruction and remodeling are in addition to any approvals needed from the City as well. Further, the CC&Rs cannot be terminated or amended materially without the prior written consent of the Community Development Director and the City Attorney of the City of Antioch. Material changes are those that would change the fundamental purpose of the development including but not limited to:

- City approvals of uses or external modifications.
- Property ownership or maintenance obligations including, but not limited to, common areas, storm water and landscaping.

The CC&Rs for this project shall be reviewed and approved by the City Attorney and the Community Development Director prior to the issuance of the 1st building permit.

3. The property shall annex into or establish and participate in a Lighting and Landscape District (LLD) and accept a level of annual assessments sufficient to maintain:

- The street lights within the development.
- Landscaping along frontage of Deer Valley Road and Wellness Way

E. CONSTRUCTION CONDITIONS

1. The use of construction equipment shall be as outlined in the Antioch Municipal Code and is restricted to weekdays between the hours 8:00 A.M. and 5:00 P.M., or as approved in writing by the City Manager. Requests for alternative days/time may be submitted in writing to the City Engineer for consideration.

2. The project shall be in compliance with and supply all the necessary documentation for Antioch Municipal Code § 6-3.2: Construction and Demolition Debris Recycling.

3. Standard dust control methods and designs shall be used to stabilize the dust generated by construction activities. The developer shall post dust control signage with a contact number of the developer, City staff, and the air quality control board.

4. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.

5. Wellness Way shall be utilized as sole access point for construction; entrances coming from Piute Way, Mojave Way, and Oneida way shall be barricaded until the issuance of the 1st certificate of occupancy.

F. SITE AND PROJECT DESIGN

1. Provisions for mail delivery and locations of mailbox facilities shall be reviewed by the USPS and approved by the City Engineer prior to the approval of each final map.

2. All proposed improvements shall be constructed to City standards or as approved by the City Engineer.

3. All public streets shall intersect at approximately 90 degrees and meet the requirements of Caltrans Highway Design Manual for Intersection Design Standards (Topic 405), as approved by the City Engineer.

4. All driveways shall be perpendicular or radial to the street centerline, or as approved by the City Engineer.

5. Maximum driveway slope shall be 12% or as approved by the City Engineer.

6. All driveways shall be a minimum of five feet (5') from the curb return.

7. Curb ramps shall meet the latest version of Caltrans ramps.

8. All lot sidelines shall be perpendicular or radial to the fronting street centerline, or as approved by the City Engineer.

9. Monolithic sidewalks with beveled curb shall be six inches (6") thick and reinforced as approved by the City Engineer. Sidewalks at driveway approaches shall be ADA complaint. Minimum sidewalks widths shall be as follows:

   - Adjacent to beveled curb, 4 feet excluding curb (bevel curb to be 12" deep by 3" high with ½" lip and 18" gutter).
   - Adjacent to vertical curb, 4.5 feet excluding curb.

10. Sight distance triangles shall be maintained per Antioch Municipal Code § 9-5.1101 Site Obstructions at Intersections, or as approved by the City Engineer.

11. A minimum of a twenty-foot (20') tangent shall extend beyond the return at intersections at public streets for the maintenance of adequate sight distance, or as approved by the City Engineer.

12. All lot sidelines shall be perpendicular or radial to the fronting street centerline at public streets for a distance of 20 feet, or as approved by the City Engineer.

13. Rear and side yard fencing shall be provided for all units. All fences shall be located at the top of slope, or as approved by the City Engineer.

14. In cases where a fence is to be built in conjunction with a retaining wall, and the wall face is exposed to a side street, the fence shall be setback a minimum of three feet (3') behind the retaining wall per Antioch Municipal Code § 9-5.1603, or as approved by the City Engineer.

15. The street names in the development shall be as follows. Changes to street names shall require Planning Commission review and approval.
    - Deer Valley Road (Existing)
    - Wellness Way (Existing)
    - Mojave Way (Existing)
    - Oneida Way (Existing)
    - Golden Eagle Street (Street 'A')

- Golden Eagle Court (Court ‘K’)
- Cardinal Street (Street ‘B’)
- Cardinal Court (Unidentified Court extending from Street ‘B’)
- Kestrel Street (Street ‘C’)
- Kestrel Court (Court ‘L’)
- Oriole Street (Street ‘D’)
- Harrier Way (Street ‘E’)
- Raptor Way (Street ‘F’)
- Raven Way (Street ‘G’)
- Shrike Way (Street ‘H’)
- Partridge Way (Street ‘I’)
- Lark Way (Street ‘J’)

16. The developer shall provide a “checklist” of universal design accessibility features to home buyers as required by Health and Safety Code § 17959.6.

17. All improvements for each lot (water meters, sewer cleanouts, etc.) shall be contained outside of the driveway and within the lot and the projection of its sidelines, or as approved by the City Engineer.

18. The developer shall install streetlights within the project area at no cost to the City. Streetlights will be owned by the City and maintained as part of the LLD.

19. One (1) on-street parking space per lot shall be located within close proximity to the unit served, as shown on the vesting tentative map prepared May 4, 2020 and stamped received by the Planning Division on May 21, 2020, or as approved by the City Engineer.

20. Cul-de-sac parking shall be provided as required by the City Engineer.

21. All fencing adjacent to open space (trails and basins) shall be wrought iron and shall be located at the top of slope.

22. All two-car garages shall be a minimum of twenty feet by twenty feet (20’ x 20’) clear inside dimensions.

23. The developer and then the HOA, once the CC&Rs are operative, shall maintain all undeveloped areas within this subdivision in an attractive manner, which shall also ensure fire safety.

24. The open space trail and park and associated improvements shall be constructed and completed by the developer prior to the issuance of the 60th building permit or two (2) years from the issuance of the 1st building permit, whichever shall occur first.

G. UTILITIES

1. Public utilities shall be constructed to their ultimate size and configuration with the road construction in which they are to be located.

2. All existing and proposed utilities shall be undergrounded (e.g. transformers and PMH boxes) and subsurface in accordance with the Antioch Municipal Code, or as approved by the City Engineer.

3. All sewage shall flow by gravity to the intersecting street sewer main.

4. Sewer system shall be designed to drain easterly and connect northerly to Oneida Way.

5. All public utilities, including storm drain pipes and ditches, shall be installed in streets avoiding between lot locations. All proposed drainage facilities, including open ditches, be constructed of Portland Concrete Cement or as approved by the City Engineer.

6. Prior to the recordation of the first final map, the developer shall submit hydrology and hydraulic analyses with a storm water control plan that proves the adequacy of the in-tract drainage system and downstream drainage system to the City for review and approval and to Contra Costa County Flood Control for review at no cost to the City as directed by the City Engineer.

7. 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.

8. Storm drain system shall flow easterly into detention basin system and eventually flow into the existing southerly 72” storm drain along Oneida Way to Upper Sand Creek Detention Basin.

9. The detention basin and associated improvements shall be constructed prior to issuance of 1st building permit for residential structures.

10. Detention basins shall be designed with an emergency spillway to provide controlled overflow relief for large storm events an Operations and Maintenance Manual shall be submitted for basins.

11. The developer shall provide adequate water pressure and volume to serve this development. This will include a minimum residual pressure of 20 psi with all losses included at the highest point of water service and a minimum static pressure of 50 psi or as approved by the City Engineer. See Fire Requirements for additional water flow conditions.

12. Water systems shall be designed as a looped distribution system, if not already connecting as a looped system, developer shall be responsible for installing any water mains to create a looped system at no cost to the City.

13. The houses shall contain rain gutters and downspouts that direct water away from the foundation as approved by the City Engineer.

14. Prior to acceptance of public utilities, the developer shall provide GPS coordinates of all in and above ground assets. This includes all Water Distribution Utility features, Collection Utility features, Storm Water Utility features, and inverts associated with these features. Developer shall also include GPS coordinates of metal subdivision entryway signs, street signs, light poles, and irrigation controllers. These GPS coordinates must be taken on a survey-grade sub-meter GPS data receiver/collector and provided in GIS shapefile format using the North American 1983 Coordinate System.

H. <u>LANDSCAPING</u>

1. Landscaping on all slopes, medians, C.3 basins and open space areas shall be approved by the City Engineer and shall be installed, at no cost to the City.

2. One (1) fifteen-gallon tree shall be located within the front yard of each lot prior to the issuance of the certificate of occupancy for each lot. The type and location of the tree shall be in substantial conformance with the preliminary landscape plan submitted to the City on and dated received by Community Development on May 21, 2020.

3. Landscaping for the project shall be designed to comply with the applicable requirements of City of Antioch Ordinance No. 2162-C-S The State Model Water Efficient Landscape Ordinance (MWELO). Prior to issuance of a building permit, the applicant shall demonstrate compliance with the

applicable requirements of the MWELO in the landscape and irrigation plans submitted to the City.

4. Based on drought conditions, the City Engineer has the authority to delay some or all of the landscape Conditions of Approval.

5. The applicant shall submit final landscape plans that identify specific plant materials to be used, including all shrubs and groundcover, providing both common and botanical names, sizes and quantities when submitting for building permits.

I. FIRE REQUIREMENTS

1. The applicant shall comply with the following conditions provided by the Contra Costa County Fire Protection District in the letter dated August 25, 2020:

   a. The applicant shall agree to participate and/or assist in the formation of a Community Facilities District (CFD) to fund the incremental cost of fire protection and ambulance service delivery. The developer shall contact the Office of the Fire Chief for specific details on the CFD.

   b. Access shall comply with Fire District requirements.

      Provide emergency apparatus access roadways with all-weather (paved) driving surfaces of not less than 20-feet unobstructed width, and not less than 13 feet 6 inches of vertical clearance, to within 150 feet of travel distance to all portions of the exterior walls of every building. Access shall have a minimum outside turning radius of 45 feet, and must be capable of supporting the imposed fire apparatus loading of 37 tons. Access roadways shall not exceed 20% grade. Grades exceeding 16% shall be constructed of grooved concrete per the attached Fire District standard. (503) CFC

   c. Access roadways of less than 28-feet unobstructed width shall have signs posted or curbs painted red with the words NO PARKING - FIRE LANE clearly marked. (22500.1) CVC, (503.3) CFC

      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. (22500.1) CVC, (503.3) CFC

   d. Turnarounds shall comply with Fire District Requirements

e. The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 1000 GPM. Required flow must be delivered from not more than 1 hydrant flowing for a duration of 120 minutes while maintaining 20-pounds residual pressure in the main. (507.1), (8105) CFC

f. The developer shall provide hydrants of the East Bay type in compliance with Chapter 5 and Appendix D of the California Fire Code. (C103.1) CFC

g. The developer shall submit a minimum of two (2) copies of full size, scaled site improvement plans indicating:

   i. All existing or proposed hydrant locations

   ii. Fire apparatus access

   iii. Size of building and type of construction

   iv. Striping and signage plan

   This is a separate submittal from the building construction plans. These plans shall be approved prior to submitting building plans for review. (501.3) CFC

h. 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

   Note: A temporary aggregate base or asphalt grindings roadway is not considered an all-weather surface for emergency apparatus access. The first lift of asphalt concrete paving shall be installed as the minimum roadway material and must be engineered to support the designated gross vehicle weight of 37 tons.

i. The homes as proposed shall be protected with an approved automatic fire sprinkler system complying with the 2019 edition of NFPA 13D or Section R313.3 of the 2019 California Residential Code. Submit a minimum of two (2) sets of plans to this office for review and approval prior to installation. (903.2) CFC, (R313.3) CRC, Contra Costa County Ordinance 2019-37.

j. The developer shall provide traffic signal pre-emption systems (Opticom) on any new or modified traffic signals installed with this development. (21351) CVC

k. Flammable or combustible liquid storage tanks shall not be located on the site without obtaining approval and necessary permits from the Fire District. (3401.4) CFC

l. The owner shall cut down and remove all weeds, grass, vines, or other growth that is capable of being ignited and endangering property. (304.1.2) CFC

m. Development on any parcel in this subdivision shall be subject to review and approval by the Fire District to ensure compliance with minimum requirements related to fire and life safety. Submit three (3) sets of plans to the Fire District prior to obtaining a building permit. (501.3) CFC

n. The owner or the owner's authorized agent shall be responsible for the development, implementation and maintenance of a written plan establishing a fire prevention program at the project site applicable throughout all phases of the construction. The plan shall be made available for review by the fire code official upon request. (Ch.33) CFC

o. The fire prevention program superintendent shall develop and maintain an approved prefire plan in cooperation with the fire chief. The fire chief and fire code official shall be notified of changes affecting the utilization of information contained in such prefire plans. (Ch.33) CFC

p. The applicant shall agree to participate and/or assist in the formation of a Community Facilities District (CFD) to fund the incremental cost of fire protection and ambulance service delivery. The developer shall contact the Office of the Fire Chief for specific details on the CFD.

J. FEES

1. The developer shall pay all City fees which have been established by the City Council and as required by the Antioch Municipal Code.

2. The developer shall pay all pass-through fees. Fees include but are not limited to:

   a. East Contra Costa Regional Fee and Financing Authority (ECCRFFA) Fee in effect at the time of building permit issuance.
   b. Contra Costa County Fire Protection District Fire Development Fee in place at the time of building permit issuance.
   c. Contra Costa County Map Maintenance Fee in affect at the time of recordation of the final map(s).
   d. Contra Costa County Flood Control District Drainage Area fee.
   e. School Impact Fees.
   f. Delta Diablo Sanitation Sewer Fees.

g. Contra Costa Water District Fees.

K. MODEL HOMES

1. If developer requests model homes or sales trailer, prior to the placement of any sales trailers, plans shall be submitted to the Engineering Department for review and approval. Any trailer shall be placed out of the public right-of-way and shall have its own parking lot.

2. The model home complex parking lot location and design shall be subject to the City Engineer's approval.

3. The model home landscaping shall be drought tolerant, with total area of spray irrigation for the complex not to exceed 50 percent of the landscaping area.

L. GRADING

1. Prior to the approval of the grading plan(s), the City Engineer shall determine if it is necessary to engage soils and structural engineers, as well as any other professionals, deemed necessary to review and verify the adequacy of the building plans submitted for this project. If deemed necessary by the City Engineer, this condition may include field inspections by such professionals to verify implementation of the plans. Costs for these services shall be borne by the developer.

2. The grading operation shall take place at a time, and in a manner, so as not to allow erosion and sedimentation. The slopes shall be landscaped and reseeded as soon as possible after the grading operation ceases. Erosion measures shall be implemented during all construction phases in accordance with an approved erosion and sedimentation control plan.

3. A grading permit shall be required prior to any grading operations.

4. All lots and slopes shall drain to approved drainage facilities as approved by the City Engineer.

5. All grading shall be accomplished in a manner that precludes surface water drainage across any property line.

6. All lots shall be graded to drain positively from the rear to the street or as approved by the City Engineer.

7. The swales adjacent to the house structure shall have a minimum of a two percent (2%) slope or as directed by the City Engineer.

8. All off-site grading is subject to the coordination and approval of the affected property owners and the City Engineer. The developer shall submit written authorization to “access, enter, or grade” adjacent properties prior to performing any work.

9. Any sale of a portion (or portions) of this project to multiple developers shall include the necessary agreement and/or grading easements to assure that project-wide grading conforms to the approved map and conditions of this resolution.

10. The grading plan for this development shall be approved by the City Engineer.

11. All elevations shown on the plans shall be on the USGS 1929 sea level datum or NAVD 88 with conversion information, as approved by the City Engineer.

12. Retaining walls shall not be constructed in City right-of-way or other City maintained parcels unless approved by the City Engineer.

13. All retaining walls shall be of concrete masonry unit construction.

14. Wall and fence locations shall be included on the grading plan.

15. All retaining walls shall be reduced in height to the maximum extent practicable and the walls shall meet the height requirements in the front yard setback and sight distance triangles as required by the City Engineer.

16. The back-to-back or side-to-side grading transitions from lot-to-lot shall have a maximum slope of 2:1, and shall be accommodated entirely on the lower lot or as approved by the City Engineer.

17. The minimum concrete gutter flow slope shall be 0.75%.

18. All property lines shall be located at the top of slope.

M. CONSERVATION/NPDES

1. Water conservation measures, including low volume toilets, flow restrictors in showers and the use of drought tolerant landscaping, shall be used.

2. The Project shall meet or exceed Tier 1 of the CALGreen Building Code.

3. The project shall comply with all Federal, State, and City regulations for the National Pollution Discharge Elimination System (NPDES) (AMC§6-9). (Note: Per State Regulations, NPDES Requirements are those in affect at the time of the Final Discretional Approval.) Under NPDES regulations, the project is subject to provision C.3: New development and redevelopment regulations for storm water treatment. Provision C.3 requires that the project include storm water treatment and source control measures, as well run-off flow controls, so that post-project runoff does not exceed estimated pre-project runoff. C.3 regulations require the submittal of a Storm Water Control Plan (SWCP) that demonstrates how compliance will be achieved. The SWCP shall be submitted simultaneously with the project plans. For the treatment and flow-controls identified in the approved SWCP, a separate Operation and Maintenance Plan (O&M) shall be submitted and approved before the Building Department will issue Certificate of Occupancy permits. Both the approved SWCP and O&M plans shall be included in the project CC&Rs. Prior to building permit final and issuance of a Certificate of Occupancy, the developer shall execute any agreements identified in the Storm Water Control Plan that pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs. Already stated in COAs below, 5.c and 5.h.w.

4. Additional information regarding the project SWCP is necessary and modifications to the SWCP shown on the proposed Vesting Tentative Map may be required in order to comply with C.3 regulations.

5. The following requirements of the federally mandated NPDES program (National Pollutant Discharge Elimination System) shall be complied with as appropriate, or as required by the City Engineer:

   a. Prior to issuance of permits for building, site improvements, or landscaping, the developer shall submit a permit application consistent with the developer's approved Storm Water Control Plan, and include drawings and specifications necessary for construction of site design features, measures to limit directly connected impervious area, pervious

pavements, self-retaining areas, treatment BMPs, permanent source control BMPs, and other features that control storm water flow and potential storm water pollutants.

b. The Storm Water Control Plan shall be certified by a registered civil engineer, and by a registered architect or landscape architect as applicable. Professionals certifying the Storm Water Control Plan shall be registered in the State of California and submit verification of training, on design of treatment measures for water quality, not more than three years prior to the signature date by an organization with storm water treatment measure design expertise (e.g., a university, American Society of Civil Engineers, American Society of Landscape Architects, American Public Works Association, or the California Water Environment Association), and verify understanding of groundwater protection principles applicable to the project site (see Provision C.3.i of Regional Water Quality Control Board Order R2 2003 0022).

c. Prior to building permit final and issuance of a Certificate of Occupancy, the developer shall submit, for review and approval by the City, a final Storm Water BMP Operation and Maintenance Plan in accordance with City of Antioch guidelines. This O&M plan shall incorporate City comments on the draft O&M plan and any revisions resulting from changes made during construction. The O&M plan shall be incorporated into the CC&Rs for the Project.

d. Prior to building permit final and issuance of a Certificate of Occupancy, the developer shall execute and record any agreements identified in the Storm Water Control Plan which pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.

e. Prevent site drainage from draining across sidewalks and driveways in a concentrated manner.

f. Collect and convey all storm water entering, and/or originating from, the site to an adequate downstream drainage facility without diversion of the watershed. Submit hydrologic and hydraulic calculations with the Improvement Plans to Engineering Services for review and approval.

g. Prior to issuance of the grading permit, submit proof of filing of a Notice of Intent (NOI) by providing the unique Waste Discharge Identification Number (WDID#) issued from the Regional Water Quality Control Board.

h. Submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) for review to the Engineering Department prior to issuance of a building and/or grading permit. The general contractor and all subcontractors and suppliers of materials and equipment shall implement these BMP's. Construction site cleanup and control of construction debris shall also be addressed in this program. Failure to comply with the approved construction BMP may result in the issuance of correction notices, citations, or a project stop work order.

i. Install appropriate clean water devices at all private storm drain locations immediately prior to entering the public storm drain system. Implement Best Management Practices (BMP's) at all times.

j. Install on all catch basins "No Dumping, Drains to River" decal buttons.

k. If sidewalks are pressure washed, debris shall be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be discharged into the storm drain. If any cleaning agent or degreaser is used, wash water shall be collected and discharged to the sanitary sewer, subject to the approval of the sanitary sewer District.

l. Include erosion control/storm water quality measures in the final grading plan that specifically address measures to prevent soil, dirt, and debris from entering the storm drain system. Such measures may include, but are not limited to, hydro seeding, gravel bags and siltation fences and are subject to review and approval of the City Engineer. If no grading plan is required, necessary erosion control/storm water quality measures shall be shown on the site plan submitted for an on-site permit, subject to review and approval of the City Engineer. The developer shall be responsible for ensuring that all contractors and subcontractors are aware of and implement such measures.

m. Sweep or vacuum the parking lot(s) a minimum of once a month and prevent the accumulation of litter and debris on the site. Corners and hard to reach areas shall be swept manually.

n. Ensure that the area surrounding the project such as the streets stay free and clear of construction debris such as silt, dirt, dust, and tracked mud coming in from or in any way related to project construction. Areas that are exposed for extended periods shall be watered regularly to

reduce wind erosion. Paved areas and access roads shall be swept on a regular basis. All trucks shall be covered.

o. Clean all on-site storm drain facilities a minimum of twice a year, once immediately prior to October 15 and once in January. Additional cleaning may be required if found necessary by City Inspectors and/or City Engineer.

6. Per State Regulations, all impervious surfaces including off-site roadways to be constructed as part of the project, are subject to C.3 requirements.

N. FINAL SUBDIVISION MAP REQUIREMENTS

1. The Final Subdivision Map submittal shall include all of the required information described in Title 9, Chapter 4, Article 5: Final Maps, of the Antioch Municipal Code, including, but not limited to:

a. Improvement security in one of the following forms:

i. Bond or bonds issued by one or more duly authorized corporate securities in an amount equal to 100% of the total estimated costs of the improvements for faithful performance, and in an amount equal to 100% of the total estimated costs of the improvements for labor and materials.

ii. A deposit, either with the city or a responsible escrow agent or trust company, at the option of the City Engineer, of money or negotiable bonds of the kind approved for securing deposits of public moneys, in the amounts and for security as specified above, to be released in the same manner as described above for bonds.

iii. An irrevocable letter of credit in form acceptable to the City Attorney issued by a financial institution acceptable to the City Attorney in an amount equal to 100% of the total estimated costs of the improvements for faithful performance, no part thereof to be released until such time as specified by state law.

b. An original, signed subdivision agreement, to be executed by the subdivider or his agent, guaranteeing the completion of the construction of the improvements required by the governing body within a specified time and payment therefore, satisfactory to the City

Attorney as to legality and satisfactory to the City Engineer as to amount.

c. A letter from the Tax Collector showing that all payable taxes have been paid and a bond for the payment of taxes then a lien but not yet payable, as required by the Subdivision Map Act.

d. A cash payment, or receipt therefore, of all the fees required for the checking and filing of the maps and the inspections of the construction; payment for the street signs to be furnished and installed by the city, if required by the subdivider; a cash deposit for the payment of such fire hydrant rental fees as may be established by the respective fire districts or water company or district having jurisdiction; and any other applicable fees or deposits.

e. Deeds for the easements or rights-of-way for road purposes map.

f. Written evidence acceptable to the city, in the form of rights of entry or permanent easements across private property outside the subdivision, permitting or granting access to perform the necessary construction work and permitting the maintenance of the facility.

g. Agreements acceptable to the city, executed by the owners of existing utility easements within the proposed roads rights-of-way, consenting to the dedication of roads or consenting to the joint use of the rights-of-way as may be required by the city for the purpose use and convenience of the roads.

h. A surety bond acceptable to the city, guaranteeing the payment of the taxes and assessments which will be a lien on the property, as set forth in the Subdivision Map Act, when applicable.

i. Payment of map maintenance fee.

j. Payment of the assessment district apportionment fee, if applicable.

k. Evidence of annexation into Police Services Fee CFD

l. Evidence of payment of Contra Costa County Flood Control District fees.

m. A preliminary soil report, prepared by a civil engineer who is registered by the state, based upon adequate test borings or excavations of every subdivision, as defined in Cal. Gov't Code §§ 66490 and 66491. The preliminary soil report may be waived if the City Engineer shall determine that, due to the knowledge of such department as to the soil qualities of the subdivision, no preliminary analysis is necessary.

2. Concurrent with, or prior to, submittal of the Final Subdivision Map, the developer shall submit evidence of annexation into all required districts, including Community Facilities District and Lighting and Landscape District.

O. MITIGATION MONITORING AND REPORTING PROGRAM

1. The developer shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program for the Deer Valley Estates Project.

P. PROJECT SPECIFIC CONDITIONS

1. This approval applies to the vesting tentative map, landscape plans, architectural elevations, utility plans, grading plans, storm water control plan and other design drawings provided to the City of Antioch on May 21, 2020.

2. The project shall be built continuously in one phase. If the project will become a phased project, then the developer shall provide a phasing plan to the Community Development Department.

3. The developer shall comply with all requirements of the California Department of Conservation Geologic Energy Management Division regarding the oil wells on the property.

4. To ensure that present and future property owners are aware of (a) the existence of all wells located on the property, and (b) potentially significant issues associated with any improvements near oil or gas wells, information regarding the wells and any other pertinent information shall be communicated to the appropriate county recorder with the recordation of the final map for inclusion in the title information of the subject real property, or on the adjacent lot if the well is in the right-of-way, by the developer. Copies of the recorded documents shall be provided to the Community Development Department

5. Any soil containing hydrocarbons shall be disposed of in accordance with local, state, and federal laws. The developer shall notify the appropriate

authorities if soil containing significant amounts of hydrocarbons is discovered during development.

6. All plans shall have the design treatments on the front elevations wrapped to the fence line on each side, at a minimum.

7. No two like elevations of the same plan shall be constructed side by side. Building plot plans submitted by the applicant shall indicate the front elevation style (i.e. Contemporary Ranch, Mid-Century Modern, or Modern Prairie) to ensure that no two identical plans are built adjacent to one another on the same street.

8. The houses shall feature rain gutters and downspouts, with the downspouts and runoff of water adjacent to the foundations being collected into an underground conduit and discharged as approved by the City Engineer. The design and location of these gutters and downspouts shall be complementary to the house that they are installed upon, as approved by staff.

9. Windows on all elevations shall be articulated with built out trim and sills, as required for the design, that are compatible with the architectural style of the home.

10. The final landscaping plans shall show enhanced landscaping around the monument sign that coordinates with the front yard landscaping of the homes.

11. The color of the vinyl clad chain link fencing shown in Parcel A, the private park, shown on Sheet L1, shall be green.

12. If the right elevation of Plan 4 shall face a street side, an enhanced elevation shall be provided for the right elevation. Designs for the enhanced elevation shall be shown on the building permit submittal for review and approval by the Community Development Department.

13. All three front entryway columns of Plan 4C – Mid-Century Modern shall have stone veneer. These changes shall be shown on the building permit submittal for review and approval by the Community Development Department.

14. Plan 4B – Modern Prairie and Plan 4C – Mid-Century Modern shall have the stone veneers extended to the garage side of the homes and wrap to the fence lines on the left elevations. These changes shall be shown on the building permit submittal for review and approval by the Community Development Department.

15. The porch entrance of Plan 2C and 2CX – Mid-Century Modern elevations shall be redesigned to better integrate the entrance with the main body of the building and be constructed of columns instead of solid walls. The roof element shall be modified to include a coordinating trim. The redesigned entrance shall be shown on the building permit submittal for review and approval by the Community Development Department.

16. Plan 5C shall have the stone veneer on the entrance wrap fully around the right elevation entrance. The top of the entrance feature shall be capped with trim on all sides. These changes shall be shown on the building permit submittal for review and approval by the Community Development Department.

17. Plans 4 and 5 shall be revised to make the entrance feature more prominent in order to minimize massing of the home. These changes shall be shown on the building permit submittal for review and approval by the Community Development Department.

18. Homes taking advantage of the master deck option shall not have the deck overlooking onto side yards. The deck shall only overlook other back yards for privacy.

19. The front setbacks shall be varied, to the extent possible.

20. Interior streets, excluding street sections surrounding Parcel ‘B’ stormwater detention basin, shall have a right-of-way width of 56’, street width of 36’ from face-of-curb to face-of curb, 5’ sidewalk on both sides of street, a minimum traffic index (TI) of 6, and a minimum pavement thickness of 4” AC over 12” Class II AB.

21. Street ‘B’, ‘D’, and ‘J’ sections surrounding Parcel ‘B’ stormwater detention basin, shall have a right-of-way width of 51’, street width of 36’ from face-of curb to face-of-curb, 5’ sidewalk on both sides of streets, and a 3’-wide public utility easement behind back of sidewalk on the side adjacent to Parcel ‘B’ stormwater detention basin.

22. Mojave Way, Oneida Way, Piute Way, and Street ‘F’ entrances shall have a right-of-way width of 60’ up until the intersection onto interior streets, street width of 40’ from face-of-curb to face-of curb, 5’ sidewalk on both sides of streets, a minimum traffic index (TI) of 6, and a minimum pavement thickness of 4” AC over 12” Class II AB.

23. Wellness Way shall have a right-of way width of 84’ up until the intersection onto Street ‘F’ and a right-of way width of 62’ from the section between

Street ‘F’ and the terminus. Wellness Way shall be designed with a minimum traffic index (TI) of 7 and a minimum pavement thickness of 6” AC over 12” Class II AB.

24. Oneida Way section adjacent to Parcel ‘B’ stormwater detention basin shall have a right-of-way width of 55’, street width of 40’ from face-of curb to face-of-curb, 5’ sidewalk on both sides of street, and a 3’-wide public utility easement behind back of sidewalk on the side adjacent to Parcel ‘B’ stormwater detention basin.

25. A 1’-wide strip shall be dedicated to the City on the final map at the southern end of Oneida Way for the maintenance of access restrictions.

26. Prior to the issuance of the 1st building permit, Wellness Way shall be fully constructed.

27. Prior to the issuance of the 25th building permit or one (1) year from the issuance of the 1st building permit, whichever shall occur first, landscaping and structures on parcel ‘F’, located at the frontage of Deer Valley Road, shall be fully constructed.

28. Trail system pathways shall be a minimum width of 10 feet and concrete.

29. Prior to the issuance of the 25th building permit or one (1) year from the issuance of the 1st building permit, whichever shall occur first, a six foot tall decorative concrete masonry unit sound wall shall be installed on the full southerly and westerly boundary of property.

30. The sound wall shall use materials and colors that complement the neighborhood. The sound wall shall feature decorative columns or pilasters at regular intervals to provide relief. These changes shall be shown on the building permit submittal for review and approval by the Community Development Department.

31. The majority of the corner lots shall have single story homes plotted on them.

32. The wall shown to be built on the northern property line shall be replaced with wooden fencing that matches the rest of the rear and side yard fencing.

33. Fencing around Parcel ‘B’ stormwater detention basin shall be wrought iron or a black powder coated tubular steel fencing and a gate shall be provided for maintenance access.

34. Landscaping for Parcel 'B' stormwater detention basin shall be constructed and completed prior to the issuance of certificates of occupancy for Lots 68-76 and 108-121.

35. A driveway approach shall be constructed for Parcel 'B' stormwater detention basin maintenance to prevent vehicles being driven over sidewalk.

36. Project to comply with City Council Resolution No. 2006/79 and pay all costs and fees and accumulated interests apportioned by Public Benefits District (PW 628-BD) for this development.

37. As recommended by the Parks and Recreation Commission on November 19, 2020, the following condition shall apply prior to the issuance of the 1st building permit:

    a. Park-in-lieu fees in the amount of $181,500 shall be paid to the City of Antioch to meet the Project's park land dedication obligation.

38. As recommended by the Parks and Recreation Commission on November 19, 2020, the "Private Park" shall meet all the City's park design standards current at the time of park construction, shall include all access surfacing, and shall include a color scheme soothing for children with visual sensitivities.

39. The final private park design shall be reviewed and approved by the Parks and Recreation Commission prior to the issuance of a building permit for the park.

40. Prior to the issuance of the 1st building permit, the following improvements shall be fully constructed:

    a. Intersection of Deer Valley Road/Prewett Ranch Drive shall utilize protected phasing for the eastbound and westbound left turn movements and optimize the signal timings.

    b. Bike lanes shall be added on Prewett Ranch Drive at the section between Forty Niner Way and Deer Valley Road.

41. With the submittal of all grading plans, improvement plans, and building permit plans, the applicant shall submit to the Community Development Department a Conditions and Mitigation Measures Compliance Matrix that lists: each Condition of Approval and Mitigation Measure, the City division responsible for review, and how the applicant meets the Condition of

Approval or Mitigation Measure. The applicant shall update the compliance matrix and provide it with each submittal.

42. Any revisions to the architectural plans shall be subject to review and approval. Minor changes shall be approved by the Zoning Administrator. Substantial changes to the approved plans shall require review and approval by the Planning Commission.

43. Non-invasive plants shall be used in the project's landscaping. Revised landscaping plans shall be provided to the Planning Division for review and approval prior to issuance of a building permit.

44. A notice shall be included with the recordation of the final map for inclusion in the title information of the lots that pipelines run through the property. Copies of the recorded documents shall be provided to the Community Development Department.

* * * * * * * *

I HEREBY CERTIFY that the foregoing recommendation was passed and adopted by the City Council of the City of Antioch, at a regular meeting thereof, held on the 10th day of August, 2021 by following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
ELIZABETH HOUSEHOLDER
City Clerk of the City of Antioch

ATTACHMENT C

Project Plans

Deer Valley, Antioch

Response to 2nd Incomplete letter

6 pages Civil: CBG VTM, Site Plan, Grading, Utility, Storm Water and Development Plan Dated 05/04/2020
8 pages Landscape: Ripley Design: Preliminary Landscape Site Plan date 05/07/2020
58 pages Architecture: KTGY Planning Submittal dated 05/01/2020

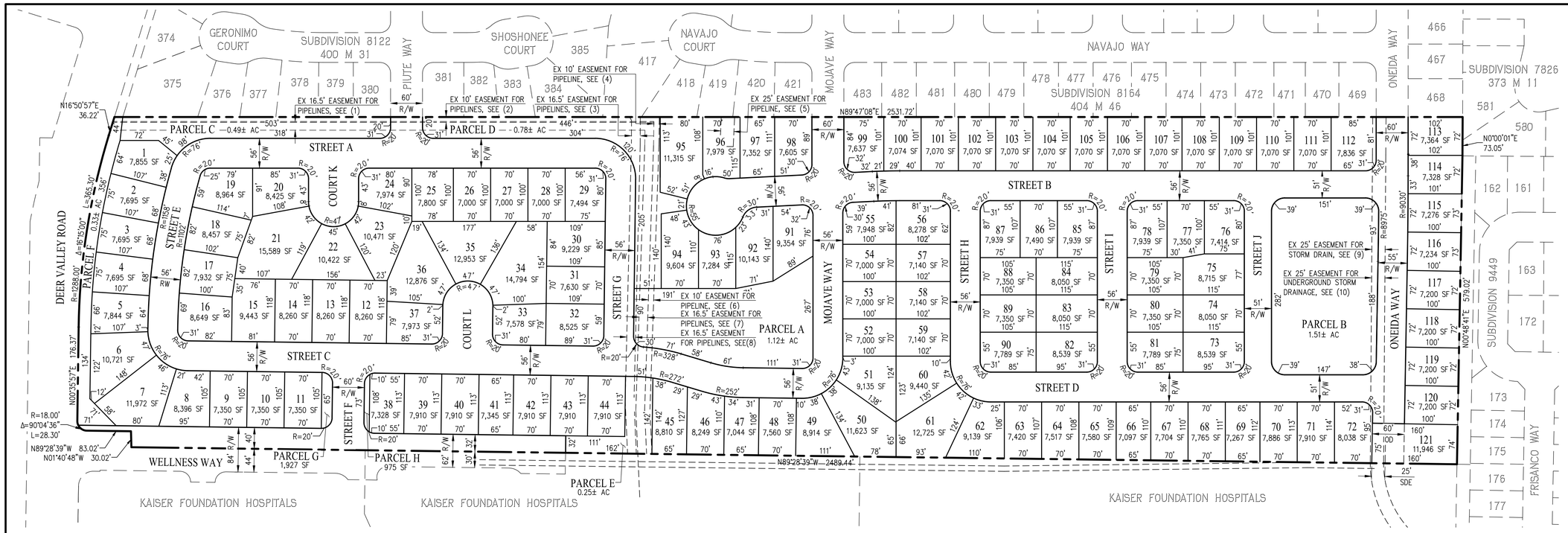
BLUE MOUNTAIN COMMUNITIES
707 Aldridge Ave, Vacaville, CA 95688

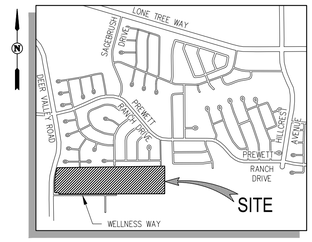
CARLSON, BARBEE & GIBSON, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS

Architecture + Planning
888.456.5849
ktgy.com

LANDSCAPE ARCHITECTURE
LAND PLANNING
1615 BONANZA STREET
SUITE 314
WALNUT CREEK, CA 94596
TEL: 925.938.7377
www.ripleydesign.com

C1





VICINITY MAP

NOT TO SCALE

LEGEND

EXISTING

- SUBDIVISION BOUNDARY
- LOT LINE
- 100 — LOT NUMBER

PROPOSED

- LOT LINE
- RIGHT OF WAY
- EASEMENT
- CENTERLINE
- CURB
- 100 — LOT NUMBER
- 45' — LOT DIMENSION
- 4,000 SF — LOT AREA

SHEET INDEX

SHEET NO.	DESCRIPTION	DATE
	CIVIL	
1	VESTING TENTATIVE MAP	5/4/2020
2	SITE PLAN	5/4/2020
3	CONCEPTUAL GRADING PLAN	5/4/2020
4	CONCEPTUAL UTILITY PLAN	5/4/2020
5	PRELIMINARY STORMWATER CONTROL PLAN	5/4/2020
6	PRELIMINARY DEVELOPMENT PLAN	5/4/2020
	ARCHITECTURE	
A0-01	COVER SHEET	5/1/2020
A1-10	PLAN 1 – STYLE 'A' – FLOOR PLAN	5/1/2020
A1-11	PLAN 1 – STYLE 'B' – FLOOR PLAN	5/1/2020
A1-12	PLAN 1 – STYLE 'C' – FLOOR PLAN	5/1/2020
A1-20	PLAN 1 – PERSPECTIVES	5/1/2020
A1-21	PLAN 1 – FRONT ELEVATIONS	5/1/2020
A1-22	PLAN 1 – STYLE 'A' – EXT EL. & ROOF PLAN	5/1/2020
A1-23	PLAN 1 – STYLE 'B' – EXT EL. & ROOF PLAN	5/1/2020
A1-24	PLAN 1 – STYLE 'C' – EXT. EL. & ROOF PLAN	5/1/2020
A2-10	PLAN 2 – STYLE 'A' – FLOOR PLAN	5/1/2020
A2-11	PLAN 2 – STYLE 'B' – FLOOR PLAN	5/1/2020
A2-12	PLAN 2 – STYLE 'C' – FLOOR PLAN	5/1/2020
A2-20	PLAN 2 – PERSPECTIVES	5/1/2020
A2-21	PLAN 2 – FRONT ELEVATIONS	5/1/2020
A2-22	PLAN 2 – STYLE 'A' – EXT EL. & ROOF PLAN	5/1/2020
A2-23	PLAN 2 – STYLE 'B' – EXT EL. & ROOF PLAN	5/1/2020
A2-24	PLAN 2 – STYLE 'C' – EXT. EL. & ROOF PLAN	5/1/2020
A2X-10	PLAN 2X – STYLE 'A' – FIRST AND SECOND FLOOR PLAN	5/1/2020
A2X-11	PLAN 2X – FLOOR PLAN OPTIONS	5/1/2020
A2X-12	PLAN 2X – STYLE 'B' – FIRST AND SECOND FLOOR PLAN	5/1/2020
A2X-13	PLAN 2X – STYLE 'C' – FIRST AND SECOND FLOOR PLAN	5/1/2020
A2X-20	PLAN 2X – PERSPECTIVES	5/1/2020
A2X-21	PLAN 2X – FRONT ELEVATIONS	5/1/2020
A2X-22	PLAN 2X – STYLE 'A' – EXT. EL. & ROOF PLAN	5/1/2020
A2X-23	PLAN 2X – STYLE 'B' – EXT EL. & ROOF PLAN	5/1/2020
A2X-24	PLAN 2X – STYLE 'C' – EXT. EL. & ROOF PLAN	5/1/2020
A2X-25	PLAN 2X – OPTIONAL DECK	5/1/2020
A3-10	PLAN 3 – STYLE 'A' – FIRST AND SECOND FLOOR PLAN	5/1/2020
A3-11	PLAN 3 – FLOOR PLAN OPTIONS	5/1/2020
A3-12	PLAN 3 – STYLE 'B' – FIRST AND SECOND FLOOR PLAN	5/1/2020
A3-13	PLAN 3 – STYLE 'C' – FIRST AND SECOND FLOOR PLAN	5/1/2020
A3-20	PLAN 3 – PERSPECTIVES	5/1/2020

SHEET INDEX (CONTINUED)

SHEET NO.	DESCRIPTION	DATE
A3-21	PLAN 3 – FRONT ELEVATIONS	5/1/2020
A3-22	PLAN 3 – STYLE 'A' – EXT. EL. & ROOF PLAN	5/1/2020
A3-23	PLAN 3 – STYLE 'B' – EXT EL. & ROOF PLAN	5/1/2020
A3-24	PLAN 3 – STYLE 'C' – EXT. EL. & ROOF PLAN	5/1/2020
A3-25	PLAN 3 – OPTIONAL LOGGIA	5/1/2020
A3-26	PLAN 3 – OPTIONAL DECK	5/1/2020
A4-10	PLAN 4 – STYLE 'A' – FIRST AND SECOND FLOOR PLAN	5/1/2020
A4-11	PLAN 4 – FLOOR PLAN OPTIONS	5/1/2020
A4-12	PLAN 4 – STYLE 'B' – FIRST AND SECOND FLOOR PLAN	5/1/2020
A4-13	PLAN 4 – STYLE 'C' – FIRST AND SECOND FLOOR PLAN	5/1/2020
A4-20	PLAN 4 – PERSPECTIVES	5/1/2020
A4-21	PLAN 4 – FRONT ELEVATIONS	5/1/2020
A4-22	PLAN 4 – STYLE 'A' – EXT. EL. & ROOF PLAN	5/1/2020
A4-23	PLAN 4 – STYLE 'B' – EXT EL. & ROOF PLAN	5/1/2020
A4-24	PLAN 4 – STYLE 'C' – EXT. EL. & ROOF PLAN	5/1/2020
A4-25	PLAN 4 – OPTIONAL LOGGIA	5/1/2020
A4-26	PLAN 4 – OPTIONAL DECK	5/1/2020
A5-10	PLAN 5 – STYLE 'A' – FIRST AND SECOND FLOOR PLAN	5/1/2020
A5-11	PLAN 5 – FLOOR PLAN OPTIONS	5/1/2020
A5-12	PLAN 5 – STYLE 'B' – FIRST AND SECOND FLOOR PLAN	5/1/2020
A5-13	PLAN 5 – STYLE 'C' – FIRST AND SECOND FLOOR PLAN	5/1/2020
A5-20	PLAN 5 – PERSPECTIVES	5/1/2020
A5-21	PLAN 5 – FRONT ELEVATIONS	5/1/2020
A5-22	PLAN 5 – STYLE 'A' – EXT. EL. & ROOF PLAN	5/1/2020
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A5-24	PLAN 5 – STYLE 'C' – EXT. EL. & ROOF PLAN	5/1/2020
A5-25	PLAN 5 – OPTIONAL LOGGIA	5/1/2020
A5-26	PLAN 5 – OPTIONAL DECK	5/1/2020
	LANDSCAPE	
L1	SITE PLAN	3/17/2020
L2	COMMUNITY PARK PLAN ENLARGEMENT	3/17/2020
L3	TRAIL PLAN ENLARGEMENT	3/17/2020
L4	SITE DETAILS	3/17/2020
L5	FRONT YARD TYPICALS	3/17/2020
L6	FRONT YARD TYPICALS	3/17/2020
L7	SITE DATA – WELO CONFORMANCE	3/17/2020
L8	SITE DATA – WELO CONFORMANCE	3/17/2020

GENERAL NOTES

1. PROPERTY OWNER: WEST STATE COMPANY, A CALIFORNIA LIMITED PARTNERSHIP
440 FIFTH STREET WEST, SUITE B
SONOMA, CA 95476
ATTN: ROBERT MAREK

2. APPLICANT/DEVELOPER: BLUE MOUNTAIN COMMUNITIES, INC.
707 ALDRIDGE ROAD, SUITE B
VACAVILLE, CA 95688
ATTN: CARLOS YANEZ

3. ENGINEER: CARLSON, BARBEE, & GIBSON, INC.
2633 CAMINO RAMON, SUITE 350
SAN RAMON, CA 94583
PHONE: (925) 866-0322
ATTN: ANDREA BELLANCA, RCE 61806

4. SOILS ENGINEER: ENGEO, INC.
17278 GOLDEN VALLEY PARKWAY
LATHROP, CA 95330
PHONE: (209) 835-0610
SOILS REPORT #15896.000.000

5. SUBJECT PROPERTY: APN 055-071-026 (3.31 AC), APN 057-022-013 (34.25 AC)

6. USE: EXISTING: AGRICULTURAL/ VACANT LAND
PROPOSED: SINGLE FAMILY DETACHED RESIDENTIAL

7. GENERAL PLAN: EXISTING: SAND CREEK FOCUS AREA–LOW DENSITY RESIDENTIAL
PROPOSED: SAND CREEK FOCUS AREA – LOW DENSITY RESIDENTIAL

8. ZONING: EXISTING: PLANNED DEVELOPMENT (PD)
PROPOSED: PLANNED DEVELOPMENT (PD)

9. LAND AREA SUMMARY:

RESIDENTIAL LOT AREA (LOT 1–121)	22.80± AC
PRIVATE OPEN SPACE (PARCELS A, C, & D)	2.41± AC
PRIVATE LANDSCAPE (PARCELS E–H)	0.65±AC
PUBLIC STREET	10.19± AC
WATER QUALITY/DETENTION (PARCEL B)	1.51± AC
TOTAL AREA	37.56± AC

10. TOTAL NO. OF EX LOTS: 2

PARCEL SUMMARY

PARCEL	LAND USE	ACREAGE	OWNER
PARCEL A	PARK	1.12 AC	HOA
PARCEL B	WATER QUALITY/ DETENTION	1.51 AC	HOA
PARCEL C	LANDSCAPE	0.49 AC	HOA
PARCEL D	LANDSCAPE	0.78 AC	HOA
PARCEL E	LANDSCAPE	0.25 AC	HOA
PARCEL F	LANDSCAPE	0.25 AC	HOA
PARCEL G	LANDSCAPE	1,927 SF	HOA
PARCEL H	LANDSCAPE	975 SF	HOA

GENERAL NOTES (CONTINUED)

11. TOTAL NO. OF PR. LOTS: 121
MIN LOT SIZE: 7,000± SF
AVG LOT SIZE: 8,172± SF
MAX LOT COVERAGE: 40%

12. TOTAL NO. OF PROPOSED PARCELS: 8

13. DENSITY: 121 DWELLING UNITS/37.56 ACRES = 3.2 DWELLING UNITS/AC (GROSS)
121 DWELLING UNITS/34.44 ACRES = 3.5 DWELLING UNITS/AC (NET)

14. UTILITIES:
WATER: CITY OF ANTIOCH
SEWER: CITY OF ANTIOCH
STORM DRAIN: CITY OF ANTIOCH
GAS & ELECTRIC: PACIFIC GAS & ELECTRIC
TELEPHONE: AT&T
CABLE TV: COMCAST

15. CONTOUR INTERVALS: EXISTING – 1 FOOT
PROPOSED – 1 FOOT

16. PROPOSED GRADING AS SHOWN IS PRELIMINARY. FINAL GRADING IS SUBJECT TO FINAL DESIGN.

17. ALL GRADING WILL BE IN CONFORMANCE WITH THE RECOMMENDATIONS AND CONDITIONS OF THE GEOTECHNICAL ENGINEER AND REPORT REGARDING THIS PROJECT.

18. ASSUMED MAXIMUM CUT OR FILL SLOPE IS 2:1. (TO BE VERIFIED WITH DESIGN LEVEL GEOTECHNICAL REPORT)

19. ALL TREES AND FENCES WITHIN DEVELOPED AREA TO BE REMOVED, UNLESS NOTED OTHERWISE. NO TREES WITH TRUNK DIAMETER 4" OR GREATER WERE FOUND ON THE SITE.

20. BOUNDARY IS PER FIELD SURVEY.

21. PROPOSED PROPERTY IS NOT SUBJECT TO INUNDATION.
FLOOD HAZARD DESIGNATION: ZONE X (AREA OF MINIMAL FLOOD HAZARD)
SOURCE: FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA),
FLOOD INSURANCE RATE MAP, MAP NUMBER 06013C0335F, EFFECTIVE JUNE 16, 2009

22. ALL STREETS ARE PUBLIC, TO BE MAINTAINED BY THE CITY OF ANTIOCH.

23. MULTIPLE FINAL MAPS MAY BE FILED ON THE LANDS SHOWN ON THIS MAP.
A MASTER FINAL MAP MAY BE FILED TO CREATE SELLABLE PARCELS.

EXISTING EASEMENTS

(1) 16.5' EASEMENT FOR PIPELINES IN FAVOR OF CHEVRON U.S.A AND STANDARD GASOLINE COMPANY PER BK 16702, OR PG 203

(2) 10' EASEMENT FOR PIPELINES IN FAVOR OF SFPP PER BK 16702, OR PG 207

(3) 16.5' EASEMENT FOR PIPELINES, TELEPHONE AND TELEGRAPH LINES IN FAVOR OF STANDARD OIL COMPANY OF CALIFORNIA AND STANDARD GASOLINE COMPANY PER BK 823, OR PG 137

(4) 10' EASEMENT FOR PIPELINES AND APPURTENANCES IN FAVOR OF SOUTHERN PACIFIC PIPE LINES PER BK 11573, OR PG 733

(5) 25' EASEMENT FOR PIPELINES IN FAVOR OF SHELL OIL COMPANY PER BK 4867, OR PG 77, TO BE QUITCLAIMED

(6) 10' EASEMENT FOR PIPELINES IN FAVOR OF SOUTHERN PACIFIC PIPE LINES PER BK 12562, OR PG 572

(7) 16.5' EASEMENT FOR PIPELINES, TELEPHONE AND TELEGRAPH LINES IN FAVOR OF STANDARD OIL COMPANY OF CALIFORNIA AND STANDARD GASOLINE COMPANY PER BK 847, OR PG 218 AND BK 859, OR PG 62

(8) 16.5' EASEMENT FOR PIPELINES, TELEPHONE AND TELEGRAPH LINES IN FAVOR OF STANDARD OIL COMPANY OF CALIFORNIA AND STANDARD GASOLINE COMPANY PER BK 826, OR PG 470

(9) 25' EASEMENT FOR STORM DRAIN AS DISCLOSED BY OFF-RECORD MATTERS

(10) 25' EASEMENT FOR UNDERGROUND STORM DRAINAGE IN FAVOR OF CITY OF ANTIOCH PER BK 17916 OR PG 343, TO BE QUITCLAIMED

ABBREVIATIONS

BW	BACK OF WALK
CL	CENTERLINE
DU	DWELLING UNIT
EG	EXISTING GROUND
ELEV	ELEVATION
EX	EXISTING
FG	FINISHED GROUND
GB	GRADE BREAK
HOA	HOMEOWNERS ASSOCIATION
IOD	IRREVOCABLE OFFER OF DEDICATION
LL	LOT LINE
LS	LANDSCAPE
P	PAD
PL	PROPERTY LINE
R	RADIUS
R/W	RIGHT OF WAY
SD	STORM DRAIN
SDE	STORM DRAIN EASEMENT
SF	SQUARE FOOTAGE
SS	SANITARY SEWER
SW	SIDEWALK
TC	TOP OF CURB
T.O.P	TOP OF PIPE
TW	TOP OF WALL
W	WATER

VESTING TENTATIVE MAP
DEER VALLEY ESTATES
SUBDIVISION 9518

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA

0' 100' 300' 400'

SCALE: 1" = 100'

DATE: MAY 4, 2020
JOB NO.: 2689-010

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SACRAMENTO ▪ (916) 375-1877
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SHEET NO. 1 OF 6 SHEETS

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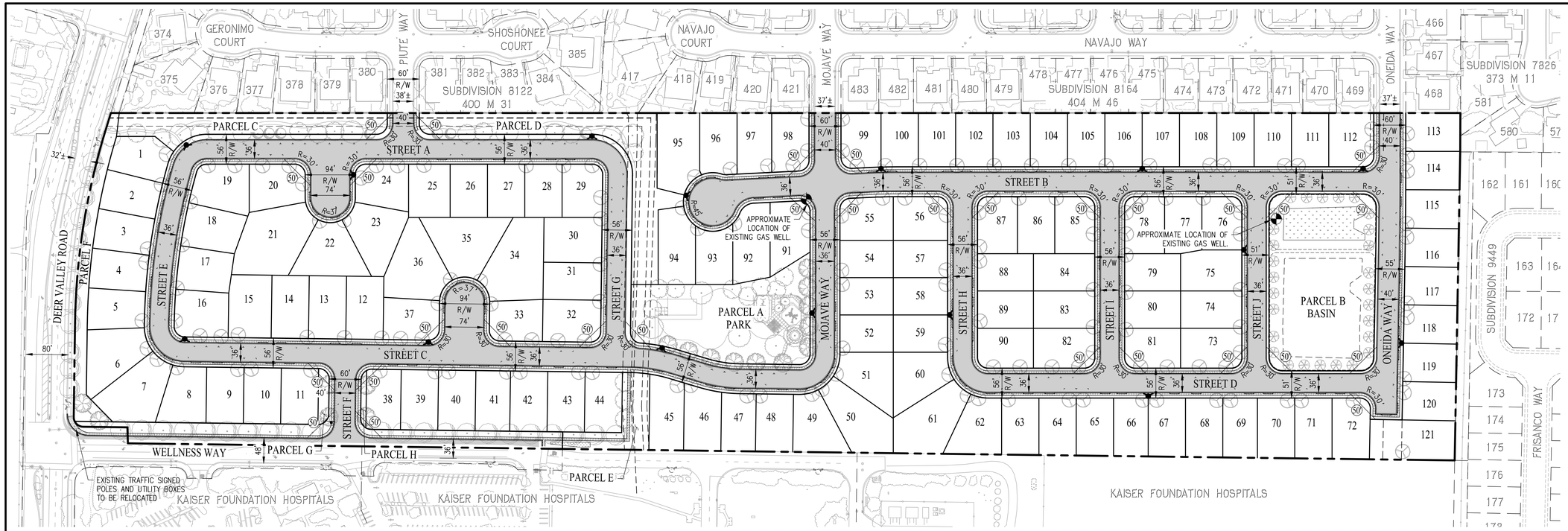
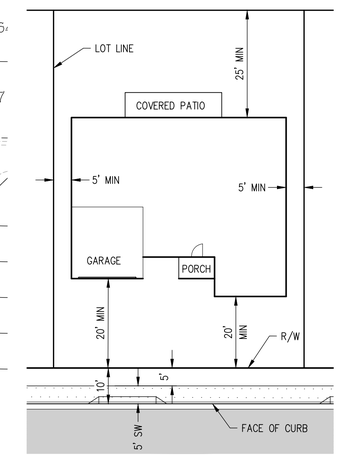


VICINITY MAP

NOT TO SCALE

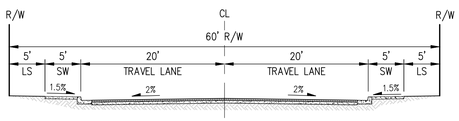


MINIMUM LOT SETBACKS

SCALE: 1" = 20'

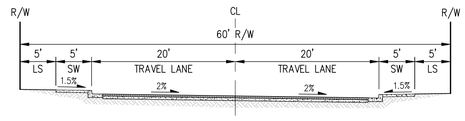
SETBACK NOTES:

1. CORNER LOTS SHALL HOME A 10-FOOT MINIMUM SIDE YARD SETBACK ON THE STREET SIDE.
2. TWO-STORY HOMES SHALL HAVE A 10-FOOT MINIMUM SIDE YARD ON ONE SIDE.



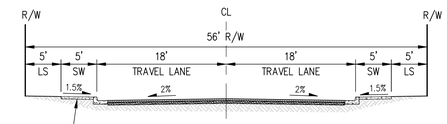
PIUTE WAY AND MOJAVE WAY (60' R/W)

NOT TO SCALE



ONEIDA WAY (60' R/W)

NOT TO SCALE



STREET A AND STREET G WILL HAVE SIDEWALK ON ONE SIDE OF THE STREET ONLY

56' R/W

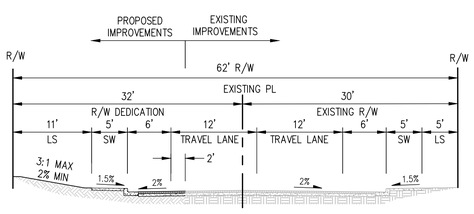
TYPICAL INTERNAL STREET
NOT TO SCALE

PARKING SUMMARY

PARKING TYPE	PARKING REQUIRED	PARKING PROVIDED
GARAGE (COVERED)	242 SPACES (2 PER DU)	267 SPACES
GUEST PARKING (ON-STREET)	121 SPACES (1 PER DU)	232 SPACES
TOTAL	363 SPACES	495 SPACES

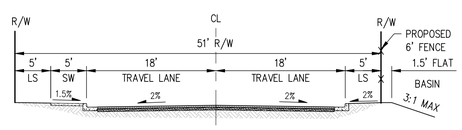
PARKING NOTES:

1. GARAGE PARKING PROVIDED IS THE MINIMUM NUMBER POSSIBLE BASED ON ARCHITECTURE PLANS PROVIDED BY KTGY DATED OCTOBER 21, 2019. PLAN 1, PLAN 2, AND PLAN 2X HAVE A 2-CAR GARAGE. PLAN 3 HAS A STANDARD 3-CAR GARAGE WITH A 2-CAR GARAGE OPTION. PLAN 4 HAS A 3-CAR GARAGE.



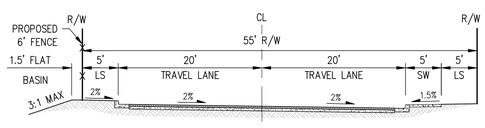
WELLNESS WAY(62' R/W)

(LOOKING EAST)
NOT TO SCALE



51' R/W (AROUND PARCEL B)

SIDEWALK ON ONE SIDE ONLY
NOT TO SCALE

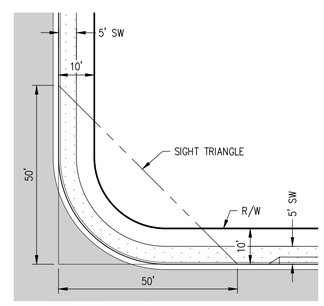


55' R/W (AROUND PARCEL B)

SIDEWALK ON ONE SIDE ONLY
NOT TO SCALE

NOTES:

1. 50-FOOT SIGHT VISIBILITY TRIANGLE APPLIES ONLY AT UNCONTROLLED, UNSIGNALIZED INTERSECTIONS PER CITY OF ANTIOCH MUNICIPAL CODE SECTION 9-5.1101. DOES NOT APPLY AT ELBOWS AND KNUCKLES.
2. ON-STREET PARKING WILL NOT BE STRIPED. STRIPED PARKING STALLS ARE SHOWN TO DEMONSTRATE COMPLIANCE WITH THE SINGLE-FAMILY RESIDENTIAL (DETACHED) GUEST PARKING REQUIREMENT SET FORTH IN CITY OF ANTIOCH MUNICIPAL CODE SECTION 9-5.1703.1.
3. PARALLEL PARKING SPACES ARE SHOWN AT 23 FEET LONG.
4. LANDSCAPING IS SHOWN FOR REFERENCE ONLY. SEE SHEET L1-L8 FOR MORE INFORMATION.

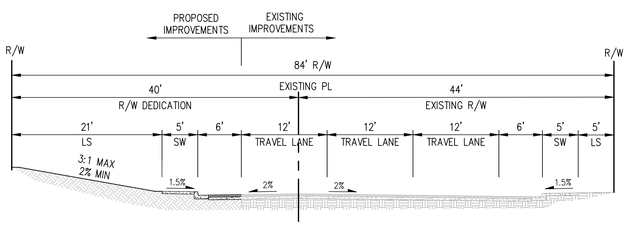


50' SIGHT TRIANGLE

SCALE: 1" = 20'

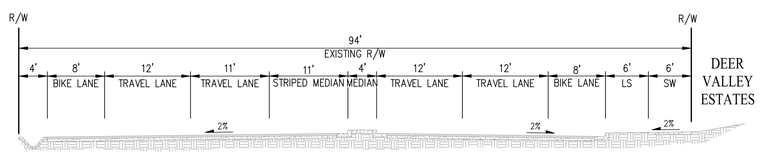
LEGEND

EXISTING	PROPOSED	
		SUBDIVISION BOUNDARY
		LOT LINE
		RIGHT OF WAY
		EASEMENT
		CENTERLINE
		CURB
		FIRE HYDRANT
		WATER VALVE
		50' SIGHT VISIBILITY TRIANGLE
		STREET SIGN



WELLNESS WAY(84' R/W)

(LOOKING EAST)
NOT TO SCALE



DEER VALLEY ROAD (EXISTING)

NOT TO SCALE

SITE PLAN

DEER VALLEY ESTATES

SUBDIVISION 9518

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA

0' 100' 300' 400'

SCALE: 1" = 100'

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SHEET NO. 2 OF 6 SHEETS

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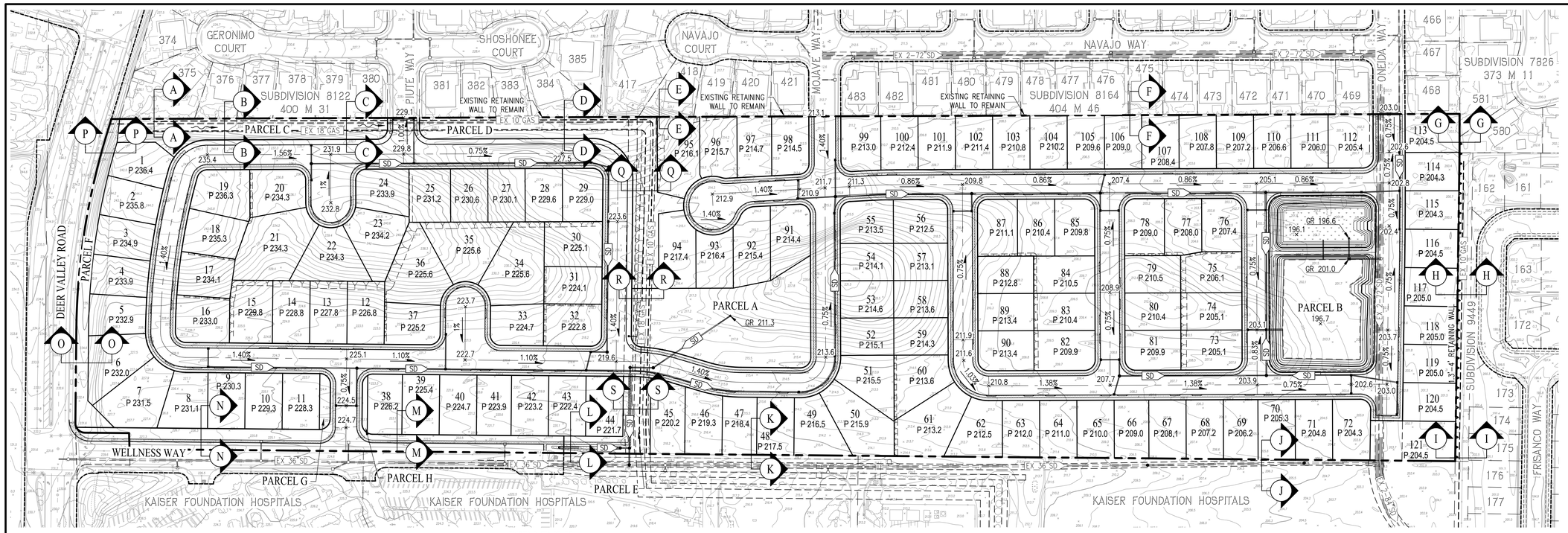
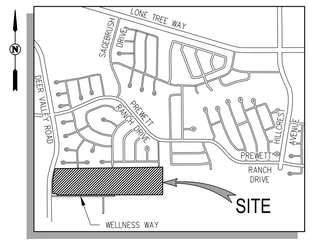




VICINITY MAP

NOT TO SCALE

NOTES:

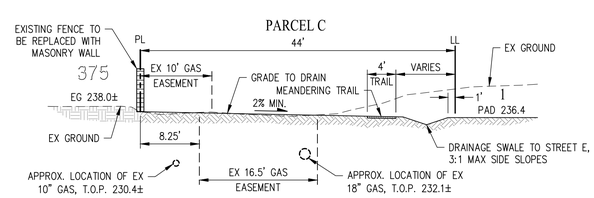
1. PADS ARE DESIGNED FOR A MAXIMUM DRIVEWAY SLOPE OF 12%

EARTHWORK SUMMARY

DESCRIPTION	CUT (CY)	FILL (CY)
ROUGH GRADING	114,380	96,880
SHRINKAGE (10%, ASSUMED)	(11,440)	–
CONSOLIDATION (0.1' OVER GRADED AREA, ASSUMED)	(6,060)	–
TOTAL	96,880	96,880

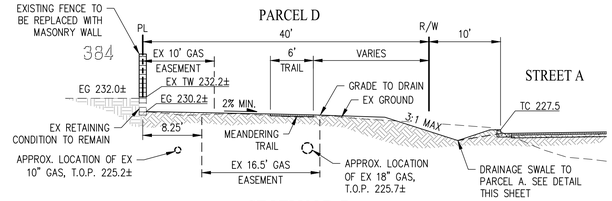
EARTHWORK NOTES:

1. A STREET UNDERCUT OF 6" WAS ASSUMED TO ACCOUNT FOR UTILITY SPOILS.
2. FINAL DESIGN GRADES MAY BE ADJUSTED.



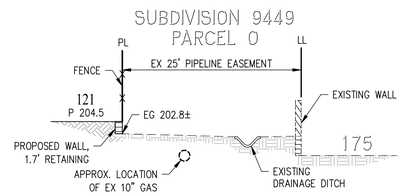
SECTION A-A

SCALE: 1"=10'



SECTION D-D

NOT TO SCALE

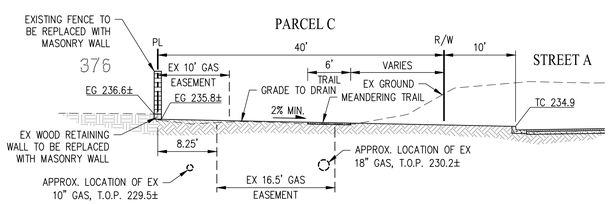


SECTION I-I

SCALE: 1"=10'

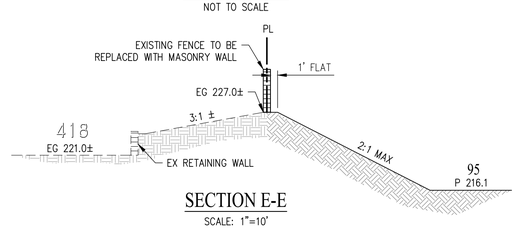
LEGEND

EXISTING	PROPOSED	
		SUBIDIVISION BOUNDARY
		RIGHT OF WAY
		LOT LINE
		CENTERLINE
		RETAINING WALL
		SLOPE
100	100	LOT NUMBER
P 155.1	P 155.1	PAD ELEVATION
	STREET A	BIO-RETENTION AREA



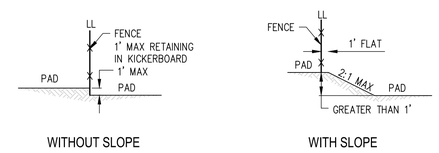
SECTION B-B

SCALE: 1"=10'



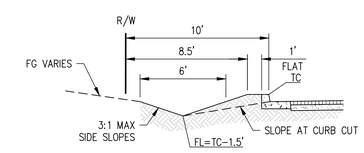
SECTION E-E

SCALE: 1"=10'



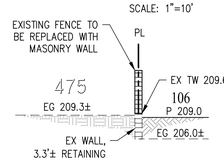
TYPICAL GRADING ACROSS LOT LINES

NOT TO SCALE



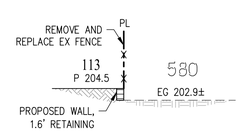
DRAINAGE SWALE DETAIL

NOT TO SCALE



SECTION F-F

SCALE: 1"=10'



SECTION G-G

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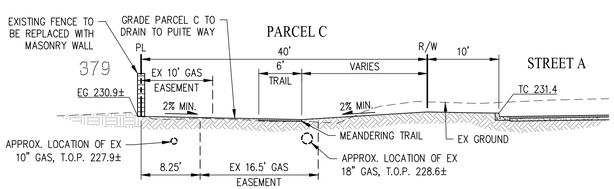

SECTION C-C

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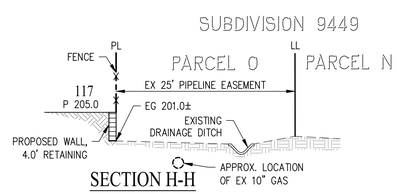

SECTION H-H

SCALE: 1"=10'

NOTE: GRADING SECTIONS ARE CONTINUED ON SHEET 4

CONCEPTUAL GRADING PLAN

DEER VALLEY ESTATES

SUBDIVISION 9518

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA

0' 100' 300' 400'

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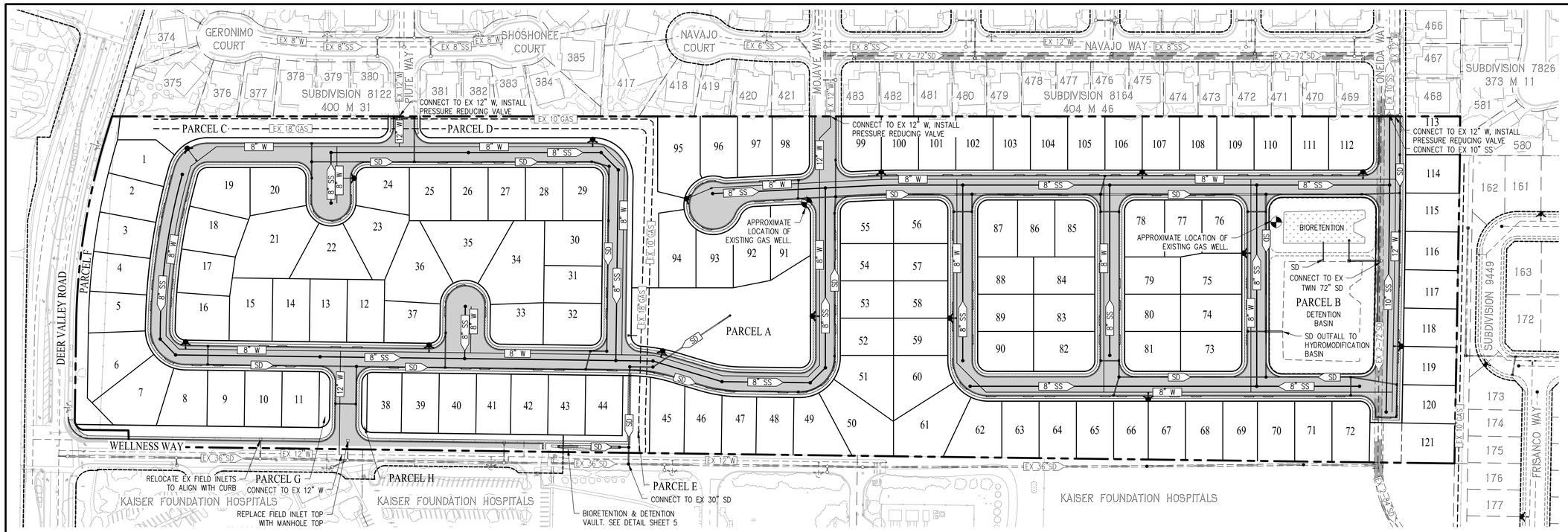
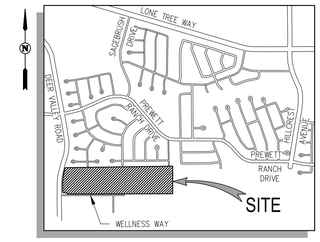
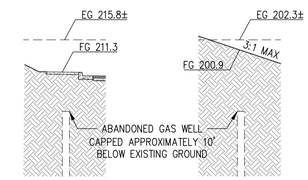




VICINITY MAP

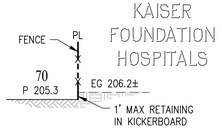
NOT TO SCALE



NOTE: GAS WELL CAPPED DEPTH IS BASED ON RECORD INFORMATION AND SHALL BE VERIFIED IN THE FIELD PRIOR TO CONSTRUCTION.

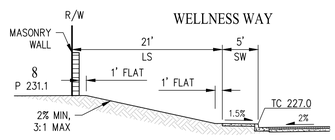
GAS WELL SCHEMATIC

NOT TO SCALE



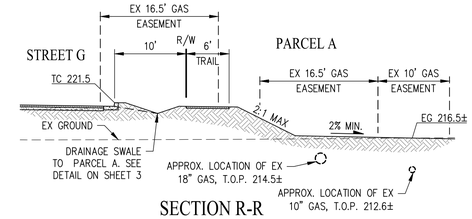
SECTION J-J

SCALE: 1"=10'



SECTION N-N

SCALE: 1"=10'



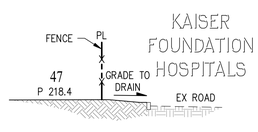
SECTION R-R

SCALE: 1"=10'

LEGEND

EXISTING	PROPOSED	
EX SD	SD	STORM DRAIN LINE
EX SS	SS	SANITARY SEWER LINE
EX W	W	WATER LINE
EX GAS		GAS PIPE
		SANITARY SEWER MANHOLE
		STORM DRAIN MANHOLE
		CATCH BASIN
		FIELD INLET
		FIRE HYDRANT
		WATER VALVE
		BIO-RETENTION AREA

NOTE: GRADING SECTION LOCATIONS ARE SHOWN ON SHEET 3



SECTION K-K

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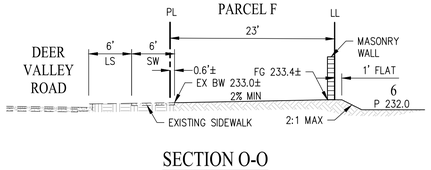
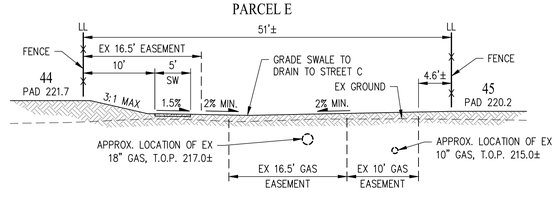


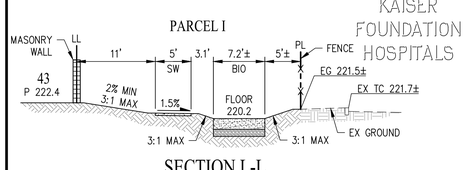
SECTION O-O

SCALE: 1"=10'



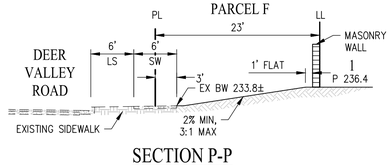
SECTION S-S

SCALE: 1"=10'



SECTION L-L

SCALE: 1"=10'



SECTION P-P

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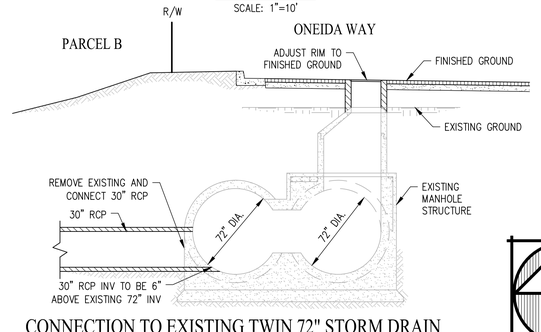
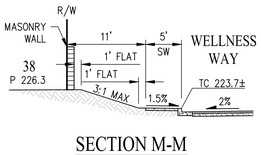


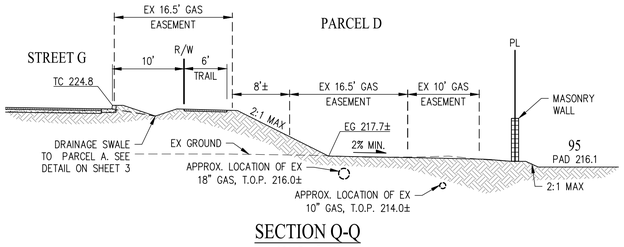
CONNECTION TO EXISTING TWIN 72" STORM DRAIN

NOT TO SCALE



SECTION M-M

SCALE: 1"=10'



SECTION Q-Q

SCALE: 1"=10'

CONCEPTUAL UTILITY PLAN
DEER VALLEY ESTATES
SUBDIVISION 9518

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA

0' 100' 300' 400'

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SHEET NO. 4 OF 6 SHEETS

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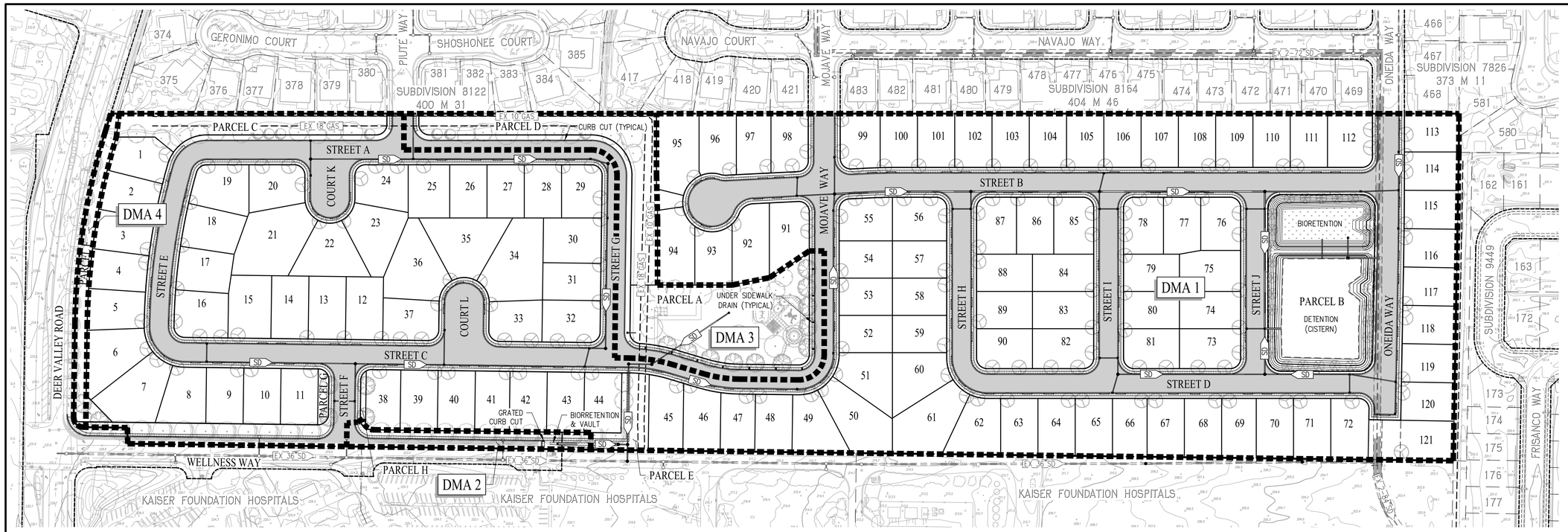


VICINITY MAP

NOT TO SCALE

LEGEND

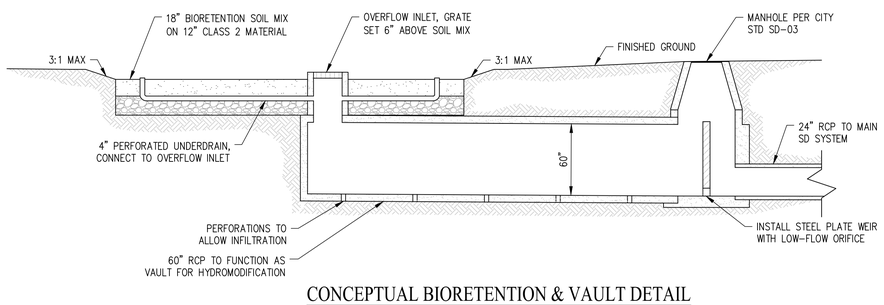
- DRAINAGE MANAGEMENT AREA (DMA) BOUNDARY
- DMA — DRAINAGE MANAGEMENT AREA (DMA) DESIGNATION
- BIORETENTION AREA
- AC PAVEMENT
- SIDEWALK

NOTES:

1. THIS PROJECT IS DESIGNED TO COMPLY WITH THE REQUIREMENTS OUTLINED IN THE CONTRA COSTA CLEAN WATER PROGRAM'S (CCCWP) STORMWATER C.3 GUIDEBOOK, 7TH EDITION.
2. LID TREATMENT IS SIZED USING THE CCCWP IMP SIZING CALCULATOR.
3. THE SITE SOIL IS CLASSIFIED AS HYDROLOGIC SOIL GROUP C PER THE USDA WEB SOIL SURVEY.
4. FOR DMA 1 RESIDENTIAL LOTS AND LANDSCAPING WITHIN THE RIGHT-OF-WAY IS ASSUMED TO BE 40% IMPERVIOUS.

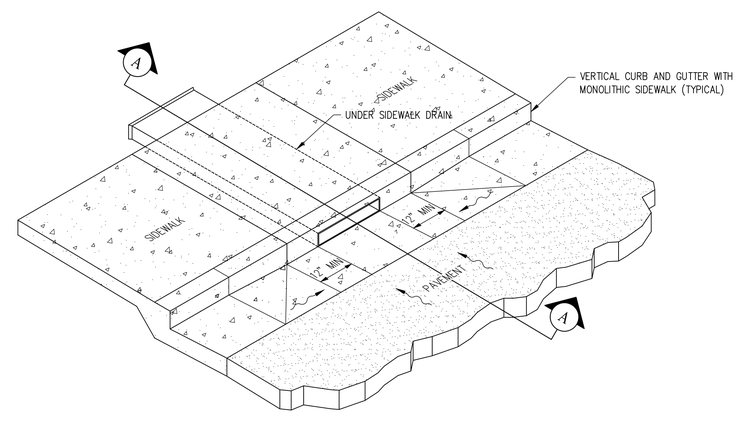
DMA SUMMARY

DMA	IMPERVIOUS AREA (SF)	PERVIOUS AREA (SF)	TOTAL AREA (SF)	C.3 COMPLIANCE
DMA 1	744,052	742,432	1,486,484	CISTERN + BIORETENTION
DMA 2	8,982	6,200	15,182	BIORETENTION + VAULT
DMA 3	38,541	82,590	121,131	SELF RETAINING
DMA 4	850 (EXISTING)	12,608	13,458	NO IMPERVIOUS AREA CREATED
TOTAL	786,621	849,634	1,636,255	–



CONCEPTUAL BIORETENTION & VAULT DETAIL

NOT TO SCALE



UNDER SIDEWALK DRAIN DETAIL

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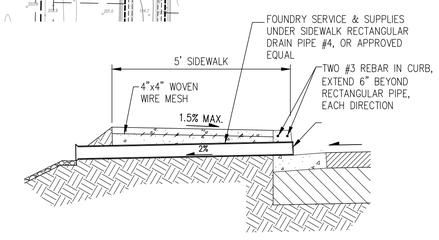

SECTION A-A

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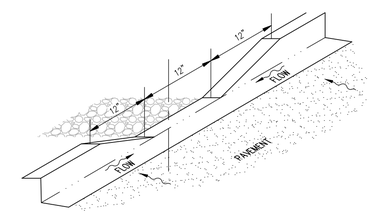
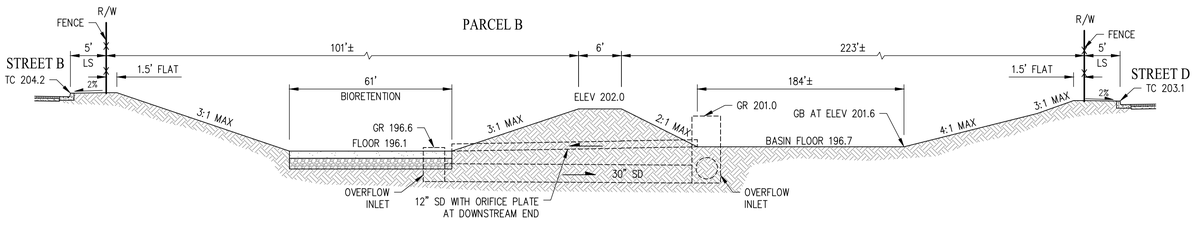


CURB CUT DETAIL

NOT TO SCALE



PARCEL B CROSS SECTION

NOT TO SCALE

PRELIMINARY STORMWATER CONTROL PLAN

DEER VALLEY ESTATES

SUBDIVISION 9518

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA

0' 100' 300' 400'

SCALE: 1" = 100'

DATE: MAY 4, 2020

JOB NO.: 2689-010

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SHEET NO. 5 OF 6 SHEETS

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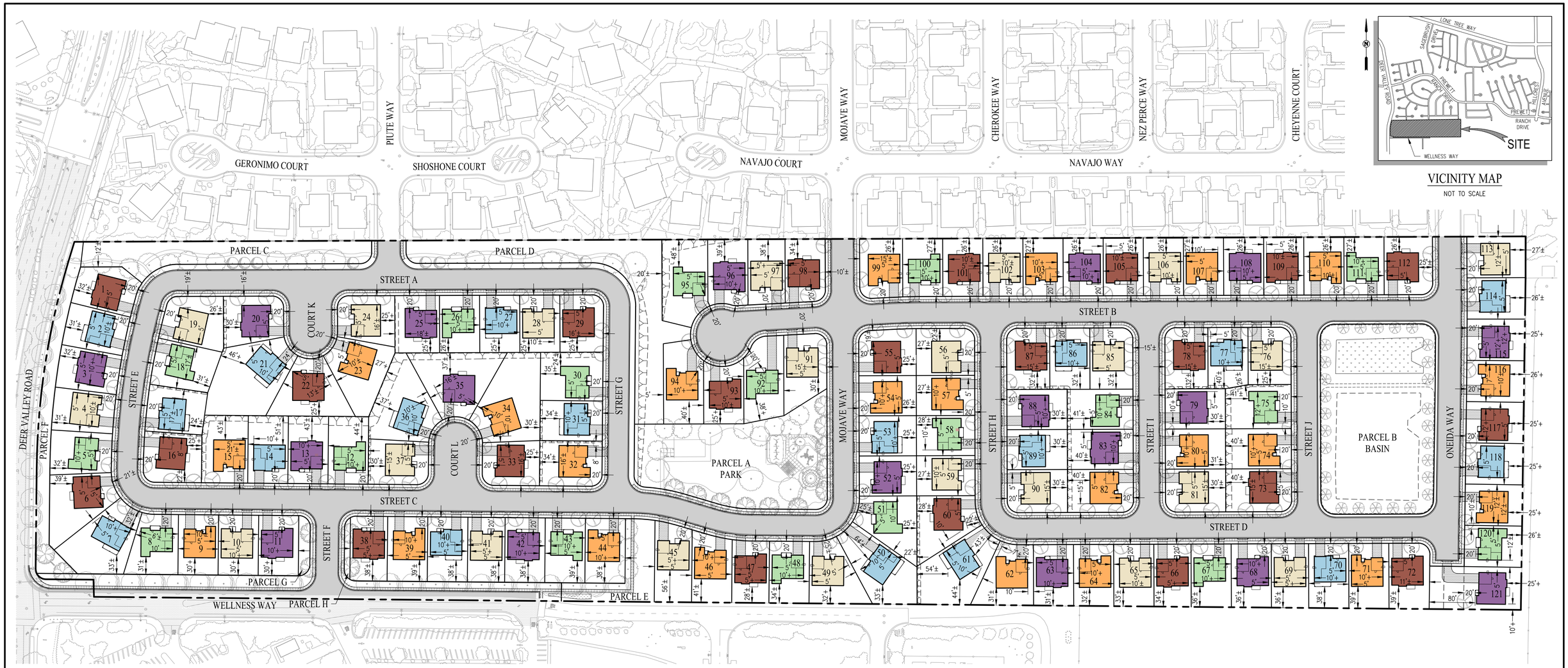
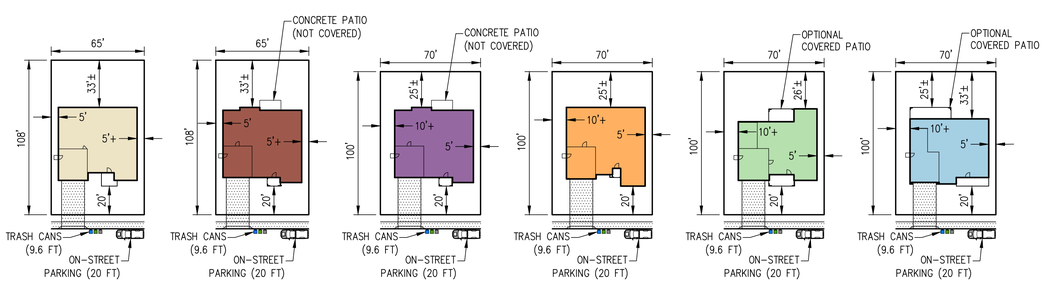


VICINITY MAP

NOT TO SCALE



PLAN 1 PLAN 2 PLAN 2X PLAN 3 PLAN 4 PLAN 5

TYPICAL FIT ILLUSTRATION

SCALE 1" = 50'

NOTES:

1. PLAN SQUARE FOOTAGE IS APPROXIMATE AND MAY VARY WITH ELEVATION.
2. PLAN PLOTTING IS PRELIMINARY AND SUBJECT TO CHANGE.
3. SINGLE STORY HOMES REQUIRE 5' MINIMUM SIDE YARD SETBACK ON BOTH SIDES. (PLANS 1 & 2).
4. TWO-STORY HOMES REQUIRE 5' MINIMUM SIDE YARD SETBACK ON ONE SIDE AND 10' MINIMUM SIDE YARD SETBACK ON THE OTHER SIDE. (PLANS 2X, 3, 4 & 5).
5. ON-STREET PARKING IS SHOWN TO DEMONSTRATE SATISFACTION OF PARKING REQUIREMENT OF 1 ON-STREET SPACE IN FRONT OF EACH HOUSE.
6. TRASH CANS ARE SHOWN TO DEMONSTRATE AMPLE SPACE FOR TRASH CANS ON COLLECTION DAY.

SUBDIVISION 9518

PLAN	# OF LOTS	% OF TOTAL
1	22	18%
2	22	18%
2X	18	15%
3	23	19%
4	18	15%
5	18	15%
TOTAL	121	100%

MINIMUM SETBACK REQUIREMENTS:

FRONT YARD:	20'
GARAGE:	20'
SIDE YARD:	5' BOTH SIDES (SINGLE STORY HOME) 5' AND 10' (TWO-STORY HOME)
STREET SIDE SETBACK:	10'
REAR YARD:	25' (INTERIOR LOTS) 30' (ADJACENT TO DEER VALLEY ROAD AND WELLNESS WAY)

PRELIMINARY DEVELOPMENT PLAN
DEER VALLEY ESTATES
SUBDIVISION 9518

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA

0' 80' 240' 320'

SCALE: 1" = 80'

DATE: MAY 4, 2020
JOB NO.: 2689-010

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SHEET NO. 6 OF 6 SHEETS

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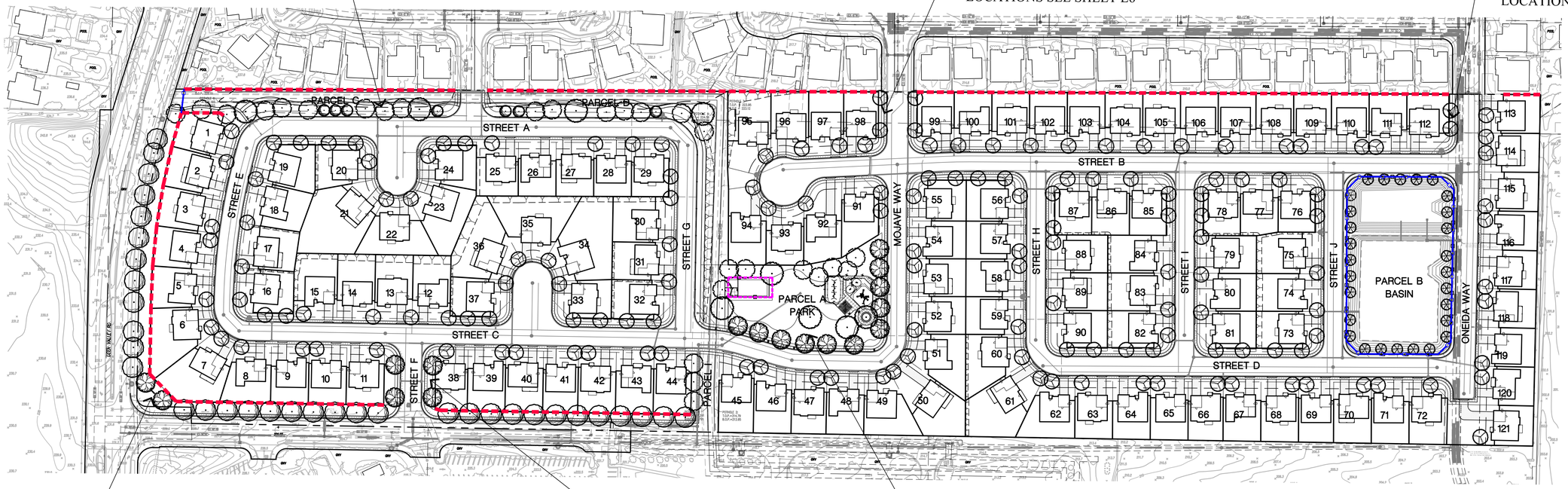


FENCE LEGEND

SYMBOL	FENCE TYPE
	6'-0" PRECAST SOUNDWALL
	3'-6" VINYL CLAD CHAIN-LINK FENCE
	4'-0" VINYL CLAD CHAIN-LINK FENCE
	6'-0" HIGH WOOD FENCE

PRELIMINARY PROPOSED TREE PALETTE

BOTANICAL NAME	COMMON NAME	SIZE	WIDTH / HEIGHT	WATER USE
STREET TREES				
MAGNOLIA X SOULANGEANA	SAUCER MAGNOLIA	24" BOX	25' WIDE/25' HIGH	MEDIUM
PLATANUS A. 'BLOODGOOD'	LONDON PLANE TREE	24" BOX	30' WIDE/60' HIGH	MEDIUM
PISTACIA CHINENSIS	CHINESE PISTACHE	24" BOX	25' WIDE/35' HIGH	MEDIUM
PARK TREES				
ACER RUBRUM 'OCTOBER GLORY'	RED MAPLE	24" BOX	25' WIDE/40' HIGH	MEDIUM
PISTACIA CHINENSIS	CHINESE PISTACHE	24" BOX	30' WIDE/30' HIGH	MEDIUM
PRUNUS C. 'KRAUTER VESUVIUS'	FLOWERING PLUM	24" BOX	15' WIDE/20' HIGH	MEDIUM
ULMUS PARVIFOLIA 'DYNASTY'	CHINESE ELM	24" BOX	40' WIDE/35' HIGH	MEDIUM
BASIN TREES				
GINKGO BILOBA 'FASTIGIATA'	MAIDENHAIR TREE	24" BOX	15' WIDE/50' HIGH	MEDIUM

NOTES:

1. ALL TREES SHALL BE PLANTED AND STAKED PER CITY STANDARDS.
2. TREES BE PLANTED WITHIN 3' OF HARDSCAPE ELEMENTS, SHALL HAVE A LINEAR ROOT BARRIER INSTALLED ADJACENT TO THE HARDSCAPE ELEMENT AT TIME OF TREE PLANTING.
3. LANDSCAPE AND IRRIGATION SHALL COMPLY WITH CITY'S CURRENT WATER-EFFICIENT LANDSCAPE ORDINANCE.
4. ALL PLANTING AREAS SHALL BE AUTOMATICALLY IRRIGATED PER CITY STANDARDS. USING LOW-FLOW SPRAY, BUBBLERS OR DRIP METHODS.
5. ALL PLANTING AREAS SHALL BE MULCHED TO A MINIMUM DEPTH OF 3".

N

GRAPHIC SCALE

0 100 200 250

(IN FEET)
1 inch = 100 ft.

CONCEPTUAL LANDSCAPE STATEMENT

REGIONAL AND MICRO-CLIMATE CONDITIONS, SOLAR ORIENTATION AND SOIL CONDITIONS WILL BE TAKEN INTO ACCOUNT WITH REGARDS TO PLANT SELECTION AND PLACEMENT. THE PLANT PALETTE PROVIDES MANY PLANTS WITH VARYING GROWTH HABITS, PREFERENCES AND TOLERANCES, SO SELECTION OF JUST THE RIGHT PLANT SHOULD NOT BE DIFFICULT. A HIGH PERCENTAGE OF PLANTS SELECTED WILL BE DROUGHT TOLERANT AND APPROPRIATE FOR THE CLIMATE. THIS PALETTE, ALONG WITH A DRIP IRRIGATION SYSTEM WILL CONSERVE WATER WITHIN THE PROJECT.

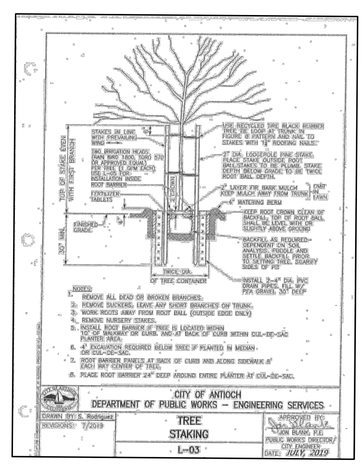
BY SPECIFYING PLANTS WHICH REQUIRE LITTLE TO NO PRUNING, THE GREEN WASTE WILL BE REDUCED. PLANTS SELECTED WILL COMPLEMENT THE ARCHITECTURE.

ENTRYWAYS AND PICTURE WINDOWS WILL BE FRAMED BY SPECIMEN SHRUBS AND NODES WILL HAVE ACCENT PLANTINGS. PLANT SPECIES WHICH ENHANCE THE ARCHITECTURAL ELEVATIONS SHALL BE USED. A DIVERSE USE OF PLANT SPECIES WILL DISPLAY VARIOUS TEXTURES, FORMS, FOLIAGE COLOR, AND FLOWERS; WILL CREATE A BEAUTIFUL LANDSCAPE TO CONTRIBUTE AESTHETICALLY TO THE SURROUNDING NEIGHBORHOODS.

THE TREES HAVE BEEN SELECTED TO HAVE NON-INVASIVE ROOT SYSTEMS, AND PLACED WITH ADEQUATE SETBACKS TO ENSURE NO CONFLICT WITH UTILITIES AND HARDSCAPE, OR CONFLICT WITH ANY SITE LINE DISTANCES. ROOT BARRIERS WILL BE INSTALLED ON ALL TREES NEAR PAVING AND UTILITIES. WHERE FEASIBLE, TREES HAVE BEEN PLACED TO MITIGATE SOLID BUILDING SURFACES AND FENCES. TALLER SHRUBS WILL ALSO BE LOCATED AT SOLID BUILDING SURFACES AND FENCES, WHILE LOWER SHRUBS WILL BE LOCATED WHERE GROUND LEVEL WINDOWS AND ARCHITECTURAL FEATURES OCCUR, AND AT CORNERS TO MAINTAIN SITE LINE DISTANCES.

THE PROJECT FEATURES A COMMON PARK SPACE THAT ENHANCES CIRCULATION BY PROVIDING OPPORTUNITIES FOR ADULTS AND CHILDREN TO TRAVERSE THROUGHOUT THE PARK. PLAY EQUIPMENT AND SEATING PROVIDE A FAMILY FRIENDLY SPACE THAT ALLOWS ITS USERS TO ENJOY THE OUTDOORS, WHILE A TRAIL THAT CONNECTS TO THE COMMON PARK AND DOG PARK ALLOWS PET LOVERS TO TAKE THEIR FURY FRIENDS ON DAILY WALKS.

THE IRRIGATION SYSTEM WILL USE WEATHER-BASED CONTROLLERS TO CONSERVE THE USE OF WATER. SPRAY IRRIGATION WILL ONLY OCCUR AT TURF AREAS, AND SPRAY HEADS WITH LOW PRECIPITATION RATES WILL BE USED TO MINIMIZE RUNOFF, EROSION AND OVERSPRAY. THE BALANCE OF THE PLANTING AREAS WILL BE IRRIGATED USING DRIP IRRIGATION METHODS. THE TREES WILL BE ON SEPARATE VALVES AND WILL BE IRRIGATED WITH BUBBLERS. SHRUBS WILL BE HYDROZONED ACCORDING TO THEIR WATER REQUIREMENTS AND MICROCLIMATES.



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DEER VALLEY
Antioch, CA

Preliminary Landscape Site Plan

Revised 05/07/2020

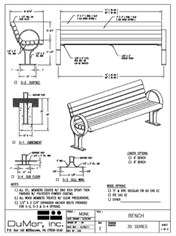
L1

C8

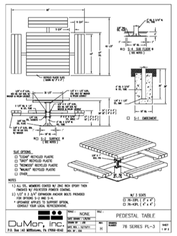
PLAYGROUND STRUCTURE

PLAYGROUND SWINGS

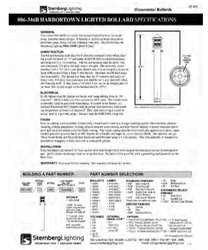
PLAYGROUND BENCH BOULDER



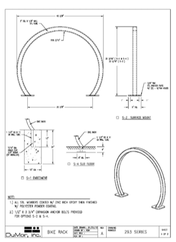
DUMOR BENCH



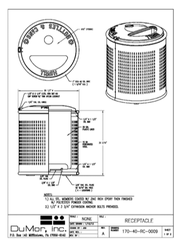
DUMOR PICNIC TABLE



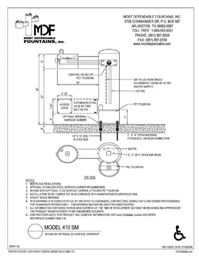
STERNBERG LIGHT BOLLARD



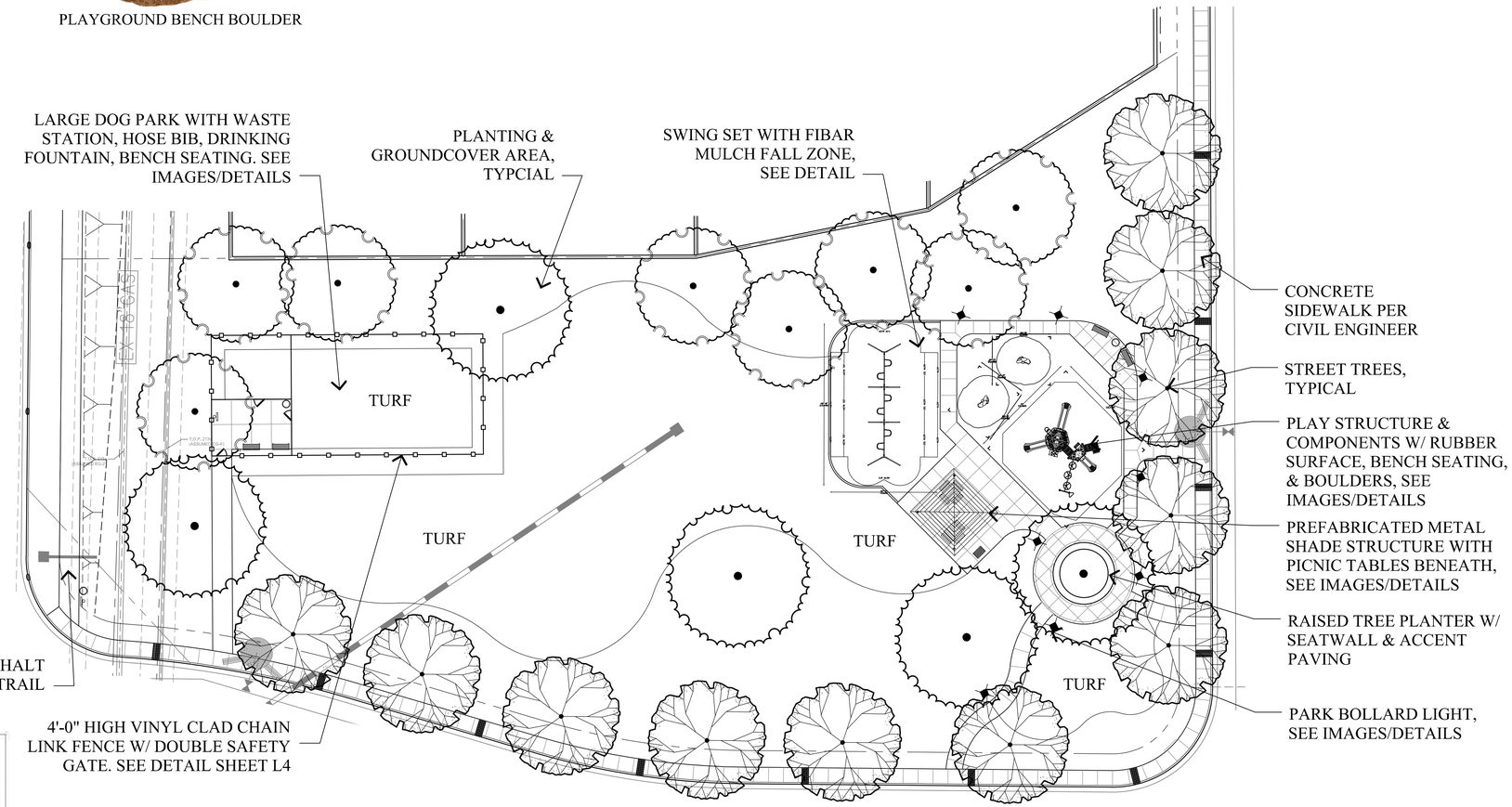
DUMOR BIKE RACK



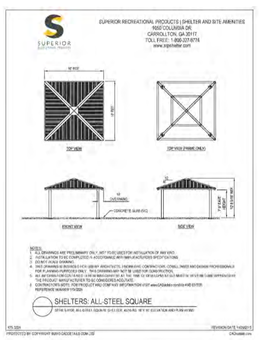
DUMOR TRASH RECEPTACLE



DRINKING FOUNTAIN W/ PET FOUNTAIN



SHADE STRUCTURE



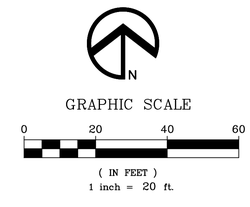
NOTES:

1. SHADE STRUCTURE TO BE 16'X16' SINGLE TIER SQUARE STEEL FRAME SHELTER MODEL #8116: STANDARD POSTS, 24-GAUGE R-PANEL ROOF, W/OPTIONAL "CIRCLE PATTERN" LATTICE TRIM ALL FOUR SIDES.
2. AVAILABLE FROM SUPERIOR RECREATION PRODUCTS OR EQUAL
3. SRPSHELTER.COM (800) 327-8774
4. FRAME COLOR & POST COLOR TO BE POWDER COATED GREEN, ROOF COLOR TO BE EVERGREEN.
5. INSTALL PER MANUFACTURER'S SPECIFICATIONS.

BARBEQUE STATION

WASTE STATION

DOG PARK RULES SIGN



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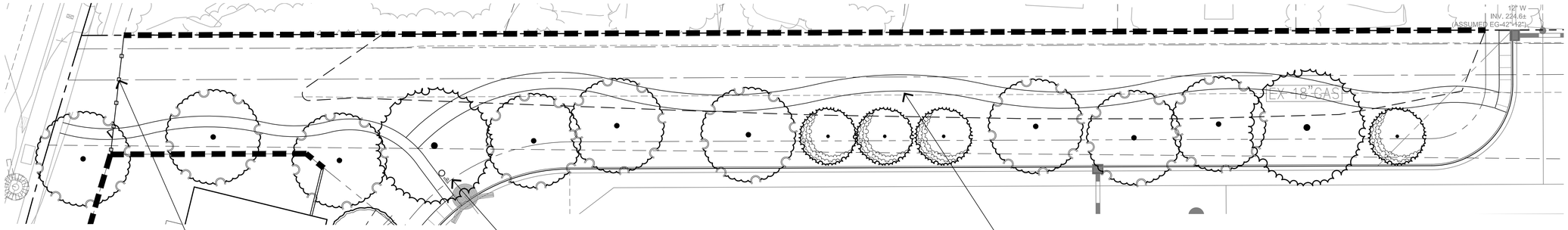
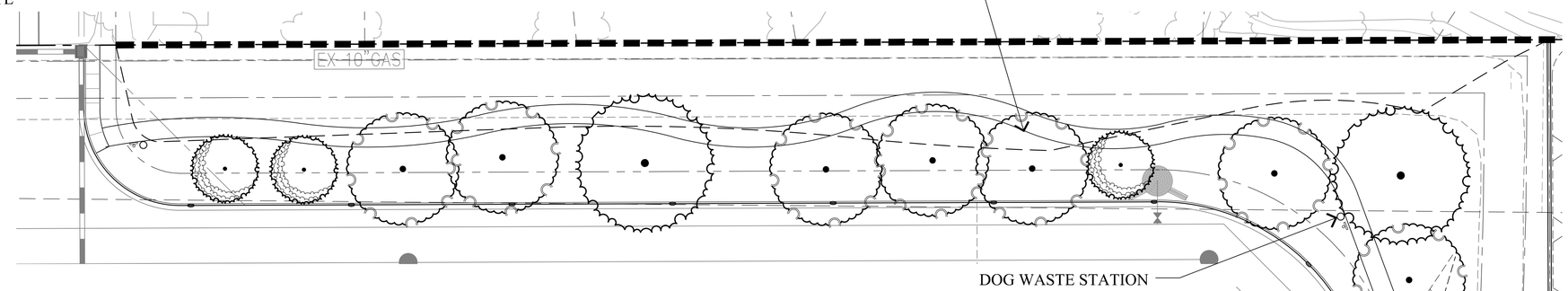
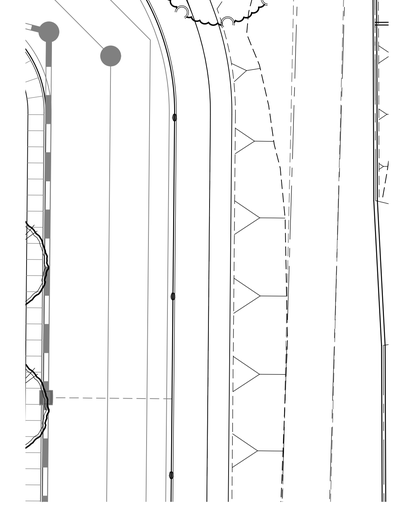
Preliminary Landscape Community Park Plan Enlargement

L2

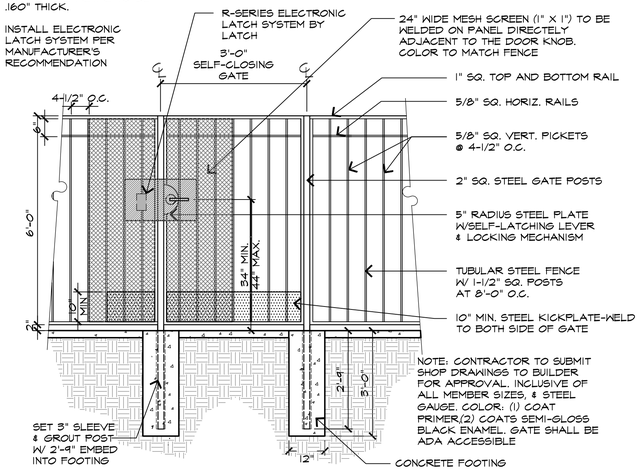






NOTE:
ALL CONNECTIONS TO BE WELDED. FILLET WELD/SMOOTH GRIND ALL JOINTS. ALL METAL TO BE .160" THICK.

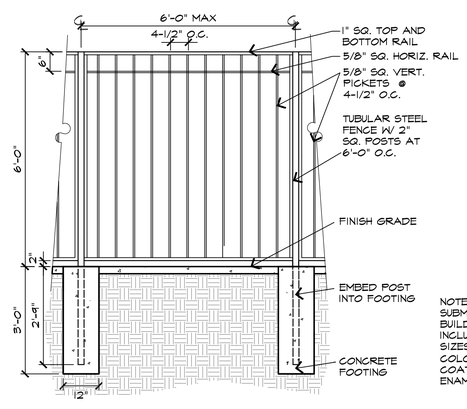
INSTALL ELECTRONIC LATCH SYSTEM PER MANUFACTURER'S RECOMMENDATION



NOTE: CONTRACTOR TO SUBMIT SHOP DRAWINGS TO BUILDER FOR APPROVAL. INCLUSIVE OF ALL MEMBER SIZES, & STEEL GAUGE. COLOR: (1) COAT PRIMER,(2) COATS SEMI-GLOSS BLACK ENAMEL. GATE SHALL BE ADA ACCESSIBLE

TUBULAR STEEL GATE SCALE : 1/2"=1'-0"

024 - TNcHrmGate

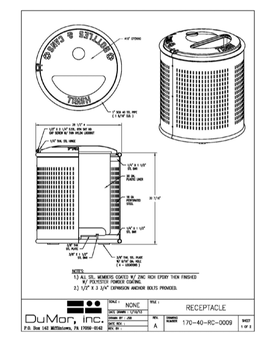


NOTE: CONTRACTOR TO SUBMIT SHOP DRAWINGS TO BUILDER FOR APPROVAL. INCLUSIVE OF ALL MEMBER SIZES, & STEEL GAUGE. COLOR: (1) COAT PRIMER,(2) COATS SEMI-GLOSS BLACK ENAMEL.

TUBULAR STEEL FENCE SCALE : 1/2"=1'-0"

024 - TNcHrm

WASTE STATION



DUMOR TRASH RECEPTACLE

GRAPHIC SCALE

0 20 40 60

(IN FEET)
1 inch = 20 ft.

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L3

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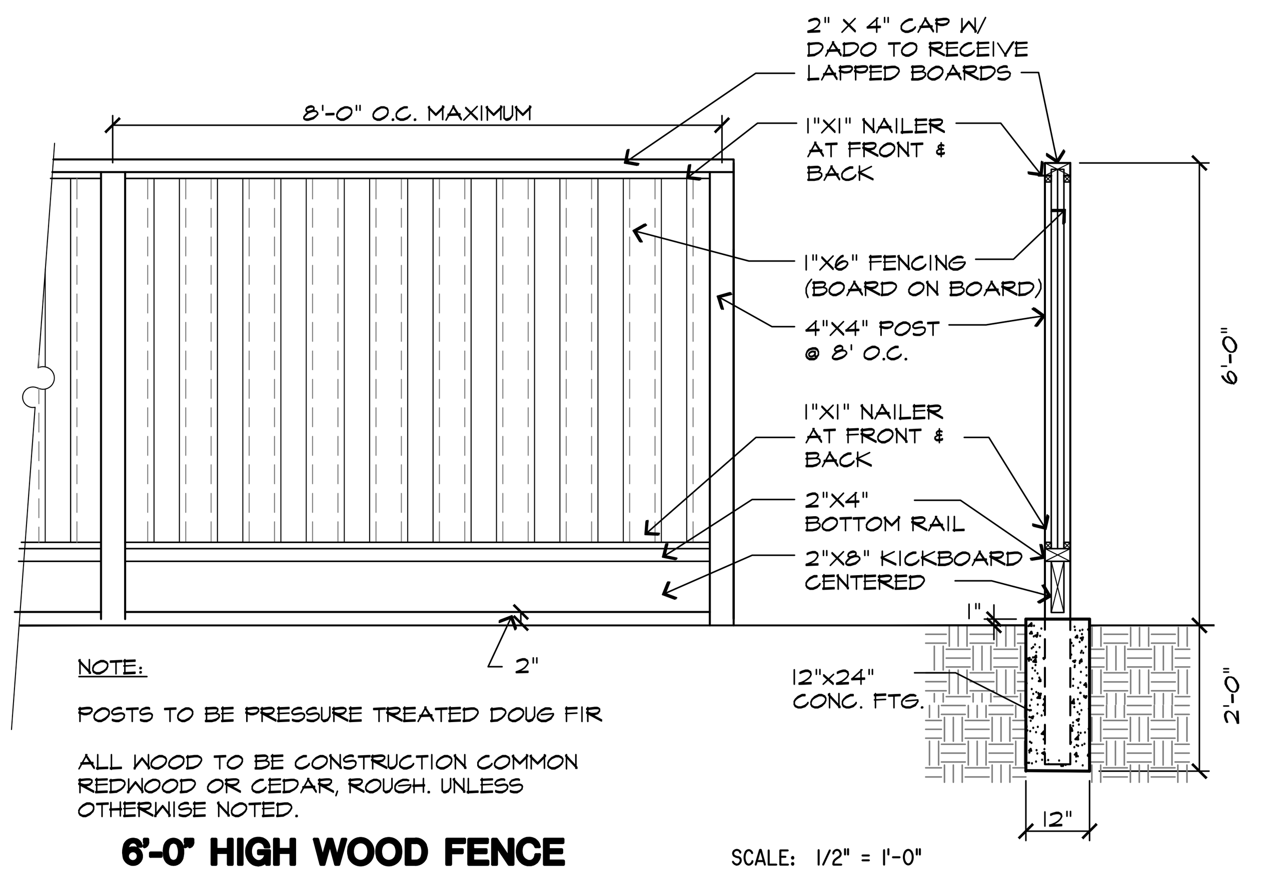


NOTE:

POSTS TO BE PRESSURE TREATED DOUG FIR

ALL WOOD TO BE CONSTRUCTION COMMON REDWOOD OR CEDAR, ROUGH. UNLESS OTHERWISE NOTED.

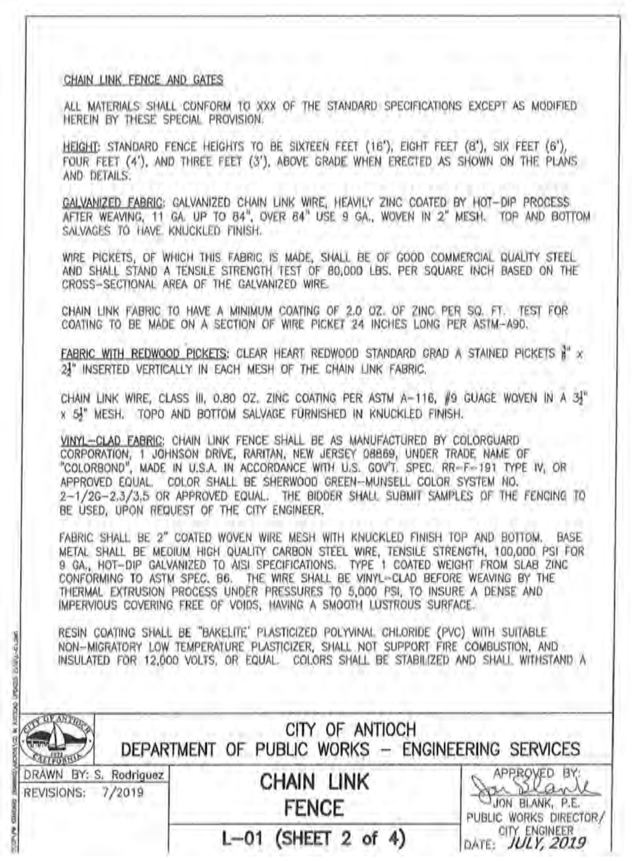
6'-0" HIGH WOOD FENCE W/ GATE SCALE: 1/2" = 1'-0"

024 -FncRur

STONETREE PRECAST FENCE WALL SYSTEM BY JENSEN PRECAST

NOTES:

1. SOUNDWALL FOOTINGS/PIERS SHALL NOT BE INSTALLED IN WATERLINE OR ANY OTHER UTILITY EASEMENTS
2. PUBLIC FACING WALLS SHALL HAVE ANTI-GRAFFITI COATING
3. WALL FACE TEXTURE TO BE ASHLAR, COLOR TBD.



CHAIN LINK FENCE AND GATES

ALL MATERIALS SHALL CONFORM TO XXX OF THE STANDARD SPECIFICATIONS EXCEPT AS MODIFIED HEREIN BY THESE SPECIAL PROVISION.

HEIGHT: STANDARD FENCE HEIGHTS TO BE SIXTEEN FEET (16'), EIGHT FEET (8'), SIX FEET (6'), FOUR FEET (4'), AND THREE FEET (3'), ABOVE GRADE WHEN ERECTED AS SHOWN ON THE PLANS AND DETAILS.

GALVANIZED FABRIC: GALVANIZED CHAIN LINK WIRE, HEAVILY ZINC COATED BY HOT-DIP PROCESS AFTER WEAVING, 11 GA. UP TO 84", OVER 84" USE 9 GA., WOVEN IN 2" MESH. TOP AND BOTTOM SALVAGES TO HAVE KNUCKLED FINISH.

WIRE PICKETS, OF WHICH THIS FABRIC IS MADE, SHALL BE OF GOOD COMMERCIAL QUALITY STEEL AND SHALL STAND A TENSILE STRENGTH TEST OF 80,000 LBS. PER SQUARE INCH BASED ON THE CROSS-SECTIONAL AREA OF THE GALVANIZED WIRE.

CHAIN LINK FABRIC TO HAVE A MINIMUM COATING OF 2.0 OZ. OF ZINC PER SQ. FT. TEST FOR COATING TO BE MADE ON A SECTION OF WIRE PICKET 24 INCHES LONG PER ASTM-A90.

FABRIC WITH REDWOOD PICKETS: CLEAR HEART REDWOOD STANDARD GRAD A STAINED PICKETS ⅜" x 2¼" INSERTED VERTICALLY IN EACH MESH OF THE CHAIN LINK FABRIC.

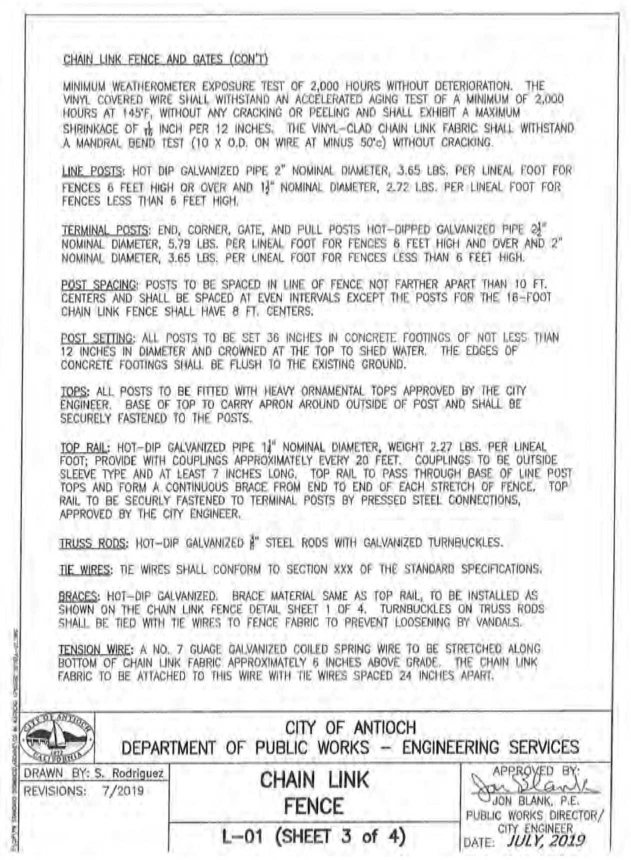
CHAIN LINK WIRE, CLASS III, 0.80 OZ. ZINC COATING PER ASTM A-116, #9 GUAGE WOVEN IN A 3½" x 5¼" MESH. TOPO AND BOTTOM SALVAGE FURNISHED IN KNUCKLED FINISH.

VINYL-CLAD FABRIC: CHAIN LINK FENCE SHALL BE AS MANUFACTURED BY COLORGUARD CORPORATION, 1 JOHNSON DRIVE, RARITAN, NEW JERSEY 08869, UNDER TRADE NAME OF "COLORBOND", MADE IN U.S.A. IN ACCORDANCE WITH U.S. GOV'T. SPEC. RR-F-191 TYPE IV, OR APPROVED EQUAL. COLOR SHALL BE SHERWOOD GREEN-MUNSELL COLOR SYSTEM NO. 2-1/2G-2.3/3.5 OR APPROVED EQUAL. THE BIDDER SHALL SUBMIT SAMPLES OF THE FENCING TO BE USED, UPON REQUEST OF THE CITY ENGINEER.

FABRIC SHALL BE 2" COATED WOVEN WIRE MESH WITH KNUCKLED FINISH TOP AND BOTTOM. BASE METAL SHALL BE MEDIUM HIGH QUALITY CARBON STEEL WIRE, TENSILE STRENGTH, 100,000 PSI FOR 9 GA., HOT-DIP GALVANIZED TO AISI SPECIFICATIONS. TYPE 1 COATED WEIGHT FROM SLAB ZINC CONFORMING TO ASTM SPEC. B6. THE WIRE SHALL BE VINYL-CLAD BEFORE WEAVING BY THE THERMAL EXTRUSION PROCESS UNDER PRESSURES TO 5,000 PSI, TO INSURE A DENSE AND IMPERVIOUS COVERING FREE OF VOIDS, HAVING A SMOOTH LUSTROUS SURFACE.

RESIN COATING SHALL BE "BAKELITE" PLASTICIZED POLYVINAL CHLORIDE (PVC) WITH SUITABLE NON-MIGRATORY LOW TEMPERATURE PLASTICIZER, SHALL NOT SUPPORT FIRE COMBUSTION, AND INSULATED FOR 12,000 VOLTS, OR EQUAL. COLORS SHALL BE STABILIZED AND SHALL WITHSTAND A

CITY OF ANTIOCH
DEPARTMENT OF PUBLIC WORKS – ENGINEERING SERVICES
DRAWN BY: S. Rodriguez
REVISIONS: 7/2019
CHAIN LINK FENCE
L-01 (SHEET 2 of 4)
APPROVED BY: JON BLANK, P.E. PUBLIC WORKS DIRECTOR/ CITY ENGINEER
DATE: JULY, 2019



CHAIN LINK FENCE AND GATES (CON'T)

MINIMUM WEATHEROMETER EXPOSURE TEST OF 2,000 HOURS WITHOUT DETERIORATION. THE VINYL COVERED WIRE SHALL WITHSTAND AN ACCELERATED AGING TEST OF A MINIMUM OF 2,000 HOURS AT 145°F, WITHOUT ANY CRACKING OR PEELING AND SHALL EXHIBIT A MAXIMUM SHRINKAGE OF 1/16 INCH PER 12 INCHES. THE VINYL-CLAD CHAIN LINK FABRIC SHALL WITHSTAND A MANDRAL BEND TEST (10 X O.D. ON WIRE AT MINUS 50°c) WITHOUT CRACKING.

LINE POSTS: HOT DIP GALVANIZED PIPE 2" NOMINAL DIAMETER, 3.65 LBS. PER LINEAL FOOT FOR FENCES 6 FEET HIGH OR OVER AND 1½" NOMINAL DIAMETER, 2.72 LBS. PER LINEAL FOOT FOR FENCES LESS THAN 6 FEET HIGH.

TERMINAL POSTS: END, CORNER, GATE, AND PULL POSTS HOT-DIPPED GALVANIZED PIPE 2½" NOMINAL DIAMETER, 5.79 LBS. PER LINEAL FOOT FOR FENCES 8 FEET HIGH AND OVER AND 2" NOMINAL DIAMETER, 3.65 LBS. PER LINEAL FOOT FOR FENCES LESS THAN 6 FEET HIGH.

POST SPACING: POSTS TO BE SPACED IN LINE OF FENCE NOT FARTHER APART THAN 10 FT. CENTERS AND SHALL BE SPACED AT EVEN INTERVALS EXCEPT THE POSTS FOR THE 16-FOOT CHAIN LINK FENCE SHALL HAVE 8 FT. CENTERS.

POST SETTING: ALL POSTS TO BE SET 36 INCHES IN CONCRETE FOOTINGS OF NOT LESS THAN 12 INCHES IN DIAMETER AND CROWNED AT THE TOP TO SHED WATER. THE EDGES OF CONCRETE FOOTINGS SHALL BE FLUSH TO THE EXISTING GROUND.

TOPS: ALL POSTS TO BE FITTED WITH HEAVY ORNAMENTAL TOPS APPROVED BY THE CITY ENGINEER. BASE OF TOP TO CARRY APRON AROUND OUTSIDE OF POST AND SHALL BE SECURELY FASTENED TO THE POSTS.

TOP RAIL: HOT-DIP GALVANIZED PIPE 1⅝" NOMINAL DIAMETER, WEIGHT 2.27 LBS. PER LINEAL FOOT; PROVIDE WITH COUPLINGS APPROXIMATELY EVERY 20 FEET. COUPLINGS TO BE OUTSIDE SLEEVE TYPE AND AT LEAST 7 INCHES LONG. TOP RAIL TO PASS THROUGH BASE OF LINE POST TOPS AND FORM A CONTINUOUS BRACE FROM END TO END OF EACH STRETCH OF FENCE. TOP RAIL TO BE SECURLY FASTENED TO TERMINAL POSTS BY PRESSED STEEL CONNECTIONS, APPROVED BY THE CITY ENGINEER.

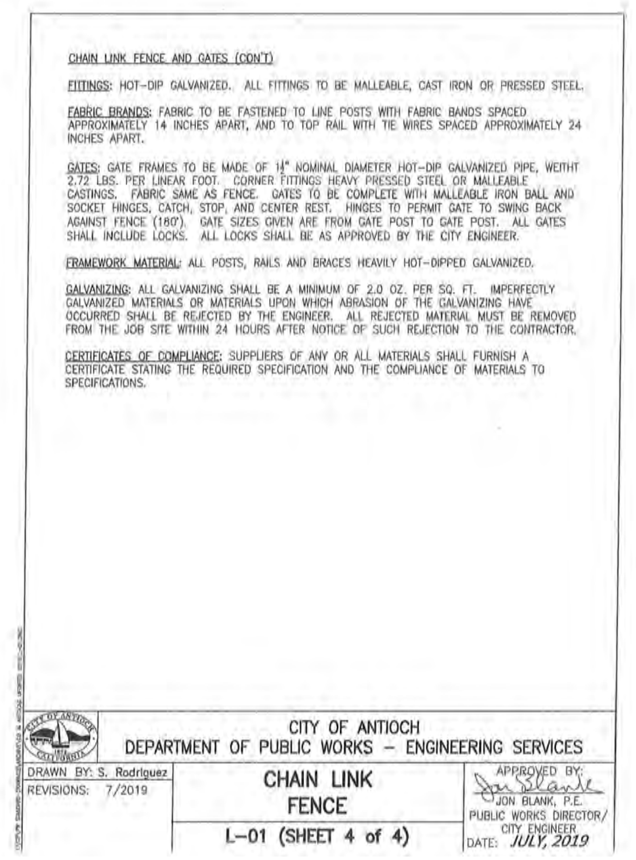
TRUSS RODS: HOT-DIP GALVANIZED ⅜" STEEL RODS WITH GALVANIZED TURNBUCKLES.

TIE WIRES: TIE WIRES SHALL CONFORM TO SECTION XXX OF THE STANDARD SPECIFICATIONS.

BRACES: HOT-DIP GALVANIZED. BRACE MATERIAL SAME AS TOP RAIL, TO BE INSTALLED AS SHOWN ON THE CHAIN LINK FENCE DETAIL SHEET 1 OF 4. TURNBUCKLES ON TRUSS RODS SHALL BE TIED WITH TIE WIRES TO FENCE FABRIC TO PREVENT LOOSENING BY VANDALS.

TENSION WIRE: A NO. 7 GUAGE GALVANIZED COILED SPRING WIRE TO BE STRETCHED ALONG BOTTOM OF CHAIN LINK FABRIC APPROXIMATELY 6 INCHES ABOVE GRADE. THE CHAIN LINK FABRIC TO BE ATTACHED TO THIS WIRE WITH TIE WIRES SPACED 24 INCHES APART.

CITY OF ANTIOCH
DEPARTMENT OF PUBLIC WORKS – ENGINEERING SERVICES
DRAWN BY: S. Rodriguez
REVISIONS: 7/2019
CHAIN LINK FENCE
L-01 (SHEET 3 of 4)
APPROVED BY: JON BLANK, P.E. PUBLIC WORKS DIRECTOR/ CITY ENGINEER
DATE: JULY, 2019



CHAIN LINK FENCE AND GATES (CON'T)

FITTINGS: HOT-DIP GALVANIZED. ALL FITTINGS TO BE MALLEABLE, CAST IRON OR PRESSED STEEL.

FABRIC BRANDS: FABRIC TO BE FASTENED TO LINE POSTS WITH FABRIC BANDS SPACED APPROXIMATELY 14 INCHES APART, AND TO TOP RAIL WITH TIE WIRES SPACED APPROXIMATELY 24 INCHES APART.

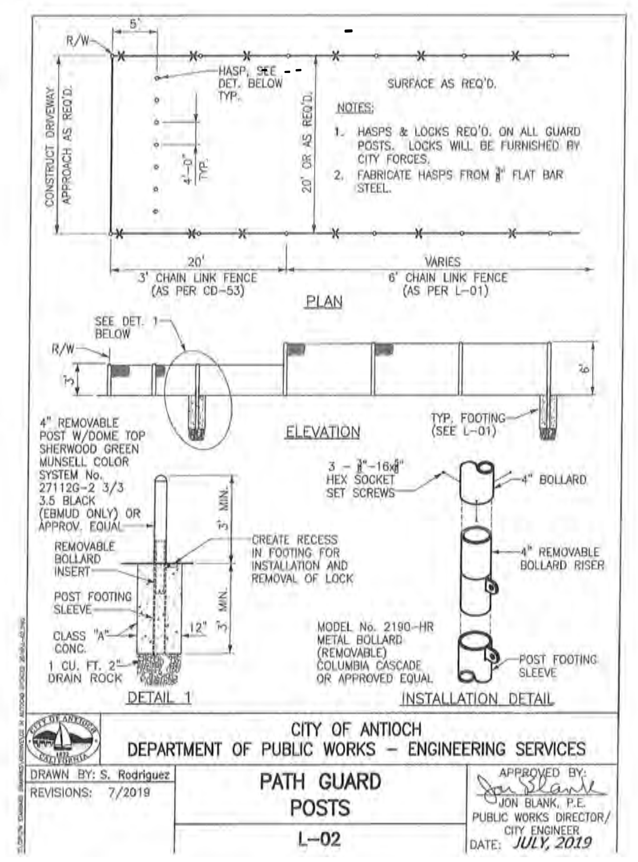
GATES: GATE FRAMES TO BE MADE OF 1½" NOMINAL DIAMETER HOT-DIP GALVANIZED PIPE, WEITHT 2.72 LBS. PER LINEAR FOOT. CORNER FITTINGS HEAVY PRESSED STEEL OR MALLEABLE CASTINGS. FABRIC SAME AS FENCE. GATES TO BE COMPLETE WITH MALLEABLE IRON BALL AND SOCKET HINGES, CATCH, STOP, AND CENTER REST. HINGES TO PERMIT GATE TO SWING BACK AGAINST FENCE (180°). GATE SIZES GIVEN ARE FROM GATE POST TO GATE POST. ALL GATES SHALL INCLUDE LOCKS. ALL LOCKS SHALL BE AS APPROVED BY THE CITY ENGINEER.

FRAMEWORK MATERIAL: ALL POSTS, RAILS AND BRACES HEAVILY HOT-DIPPED GALVANIZED.

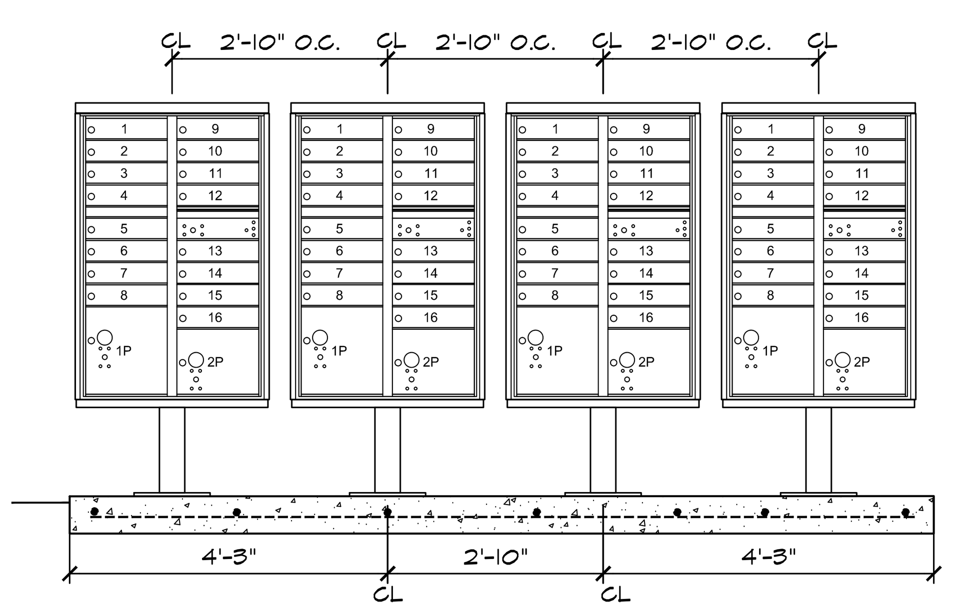
GALVANIZING: ALL GALVANIZING SHALL BE A MINIMUM OF 2.0 OZ. PER SQ. FT. IMPERFECTLY GALVANIZED MATERIALS OR MATERIALS UPON WHICH ABRASION OF THE GALVANIZING HAVE OCCURRED SHALL BE REJECTED BY THE ENGINEER. ALL REJECTED MATERIAL MUST BE REMOVED FROM THE JOB SITE WITHIN 24 HOURS AFTER NOTICE OF SUCH REJECTION TO THE CONTRACTOR.

CERTIFICATES OF COMPLIANCE: SUPPLIERS OF ANY OR ALL MATERIALS SHALL FURNISH A CERTIFICATE STATING THE REQUIRED SPECIFICATION AND THE COMPLIANCE OF MATERIALS TO SPECIFICATIONS.

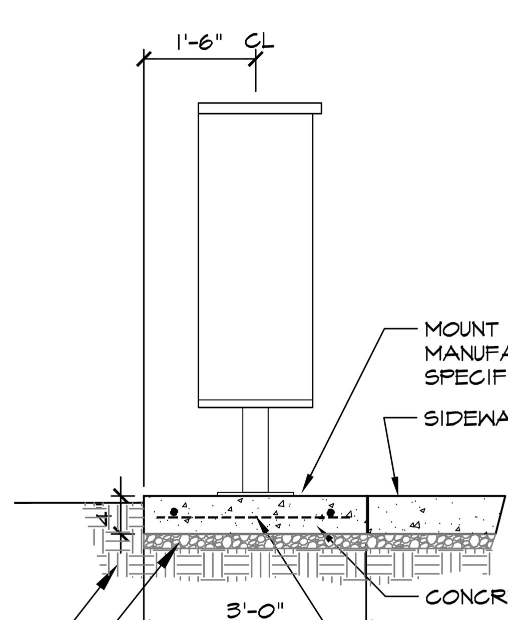
CITY OF ANTIOCH
DEPARTMENT OF PUBLIC WORKS – ENGINEERING SERVICES
DRAWN BY: S. Rodriguez
REVISIONS: 7/2019
CHAIN LINK FENCE
L-01 (SHEET 4 of 4)
APPROVED BY: JON BLANK, P.E. PUBLIC WORKS DIRECTOR/ CITY ENGINEER
DATE: JULY, 2019



1570 MODEL
(16 DOOR TYPE III)



SIDE ELEVATION



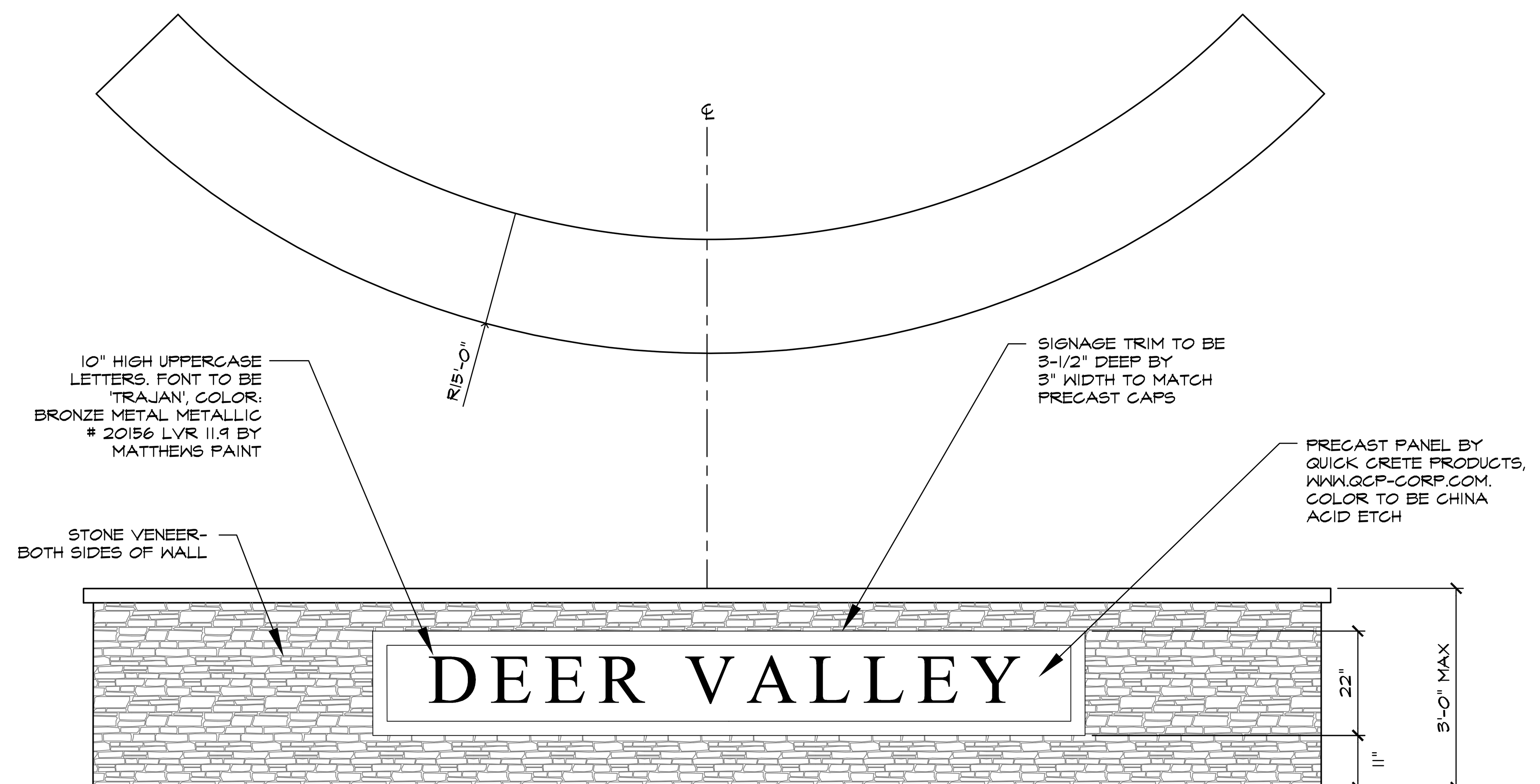
MAILBOX TO BE:
CBU-16,TYPE III - 16 DOOR
#: FL157016
COLOR: BRONZE
BY CUSTOM HOME ACCESSORIES, INC.
WWW.MAILBOXES.INFO

COMMUNITY MAILBOXES SCALE: 1/2" = 1'-0"

024 -

NOTES:

1. MONUMENT VENEER TO BE ELDORADO STONE FIELDLEDGE OR SIMILAR
2. COLOR PADOVA
3. FINAL MATERIAL SELECTION TO BE APPROVED BY BUILDER PRIOR TO INSTALLATION



NOTE: FINAL MATERIAL SELECTIONS TO BE APPROVED BY BUILDER PRIOR TO INSTALLATION

STONE MONUMENT AT ENTRY SCALE: 1/2" = 1'-0"

024 -

C11
RIPLEY DESIGN GROUP
LANDSCAPE ARCHITECTURE
LAND PLANNING
1615 BONANZA STREET
SUITE 314
WALNUT CREEK, CA 94596
TEL: 925.938.7377
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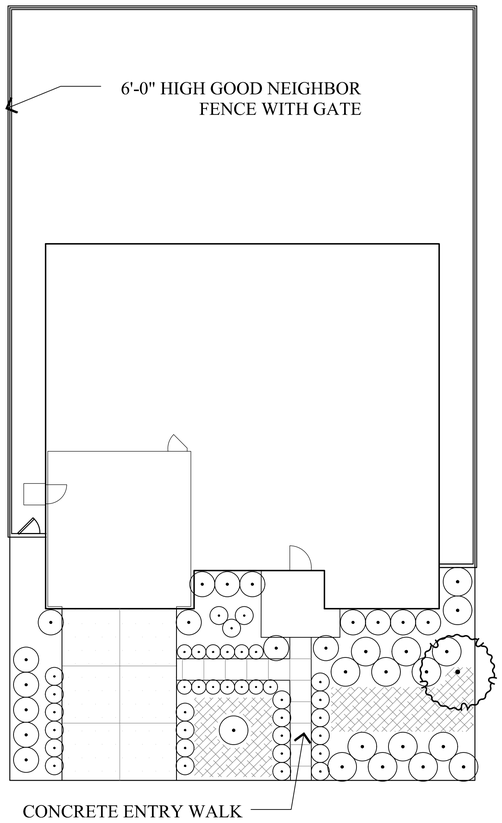
TEL: 707.451.8111

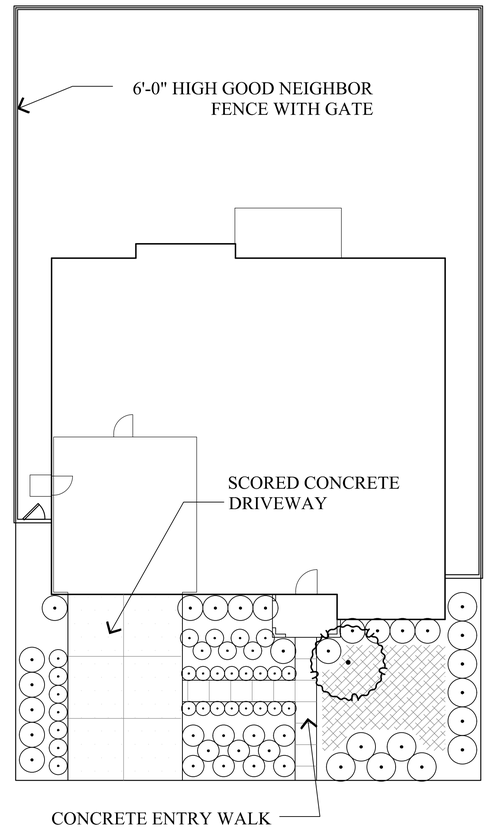
DEER VALLEY
Antioch, CA

Preliminary Landscape Site Details

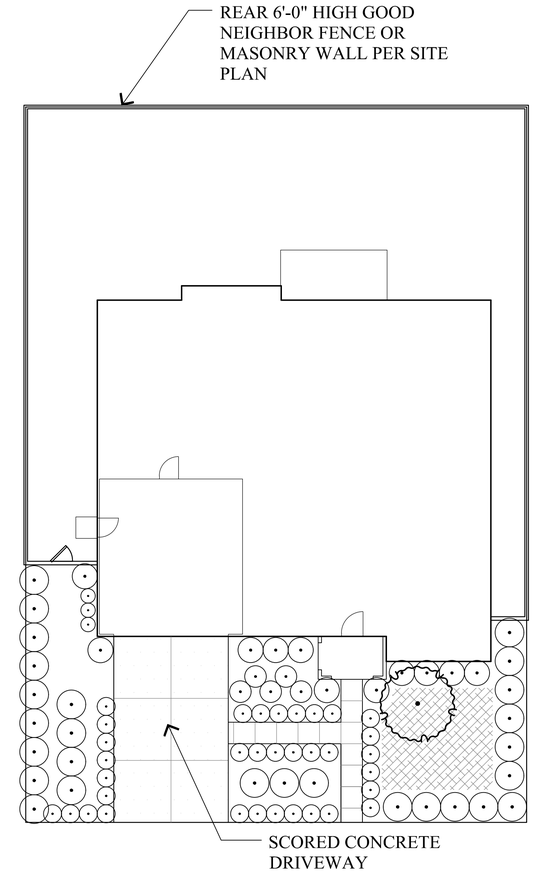
L4



PLAN 1



PLAN 2



PLAN 2X

PRELIMINARY PROPOSED PLANT PALETTES

CONTEMPORARY RANCH

BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
TREES			
PRUNUS BLIREANA	FLOWERING PLUM	15 GALLON	LOW
SHRUBS			
CALLISTEMON 'LITTLE JOHN'	DWARF CALLISTEMON	5 GALLON	LOW
CAREX DIVULSA	BERKELEY SEDGE	5 GALLON	LOW
LAVANDULA ANGUSTIFOLIA 'MUNSTEAD'	ENGLISH LAVENDER	5 GALLON	LOW
LEUCADENDRON 'CLOUDBANK GINNY'	CONEBUSH	5 GALLON	LOW
MUHLENBERGIA DUBIA	PINE MUHLY	5 GALLON	LOW
PENNISETUM S. 'HAMELN'	DWARF FOUNTAIN GRASS	5 GALLON	LOW
PHORMIUM 'DARK DELIGHT'	NEW ZEALAND FLAX	5 GALLON	LOW
WESTRINGIA 'WYNYABBIE HIGHLIGHT'	AUSTRALIAN ROSEMARY	5 GALLON	LOW
GROUND COVERS			
COTONEASTER DAMMERI 'CORAL BEAUTY' 60" O.C	BEARBERRY COTONEASTER	1 GALLON	LOW
ROSMARINUS O. 'HUNTINGTON CARPET' 48" O.C	DWARF ROSEMARY	1 GALLON	LOW

MODERN PRAIRIE

BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
TREES			
CERCIS OCCIDENTALIS	WESTERN REDBUD	15 GALLON	LOW
SHRUBS			
ANIGOZANTHOS 'BUSH DAWN'	YELLOW KANGAROO PAW	5 GALLON	LOW
CALAMAGROSTIS A. 'KARL FOERSTER'	FEATHER REED GRASS	5 GALLON	LOW
LEYMUS C. 'CANYON PRINCE'	CANYON PRINCE WILD RYE	5 GALLON	LOW
MUHLENBERGIA CAPILLARIS	HAIRY AWN MUHLY	5 GALLON	LOW
OLEA E. 'LITTLE OLLIE'	DWARF OLIVE	5 GALLON	LOW
PENNISETUM A. 'RUBRUM'	RED FOUNTAIN GRASS	5 GALLON	LOW
SALVIA LEUCANTHA	MEXICAN SAGE	5 GALLON	LOW
TEUCRIUM CHAMAEDRYS	GERMANDER	5 GALLON	LOW
GROUND COVERS			
VERBENA LILACINA 'DE LA MINA' 42" O.C	CEDROS ISLAND VERBENA	1 GALLON	LOW
JUNIPERUS PROCUMBENS 'NANA' 48" O.C	DWARF JUNIPER	1 GALLON	LOW

MIDCENTURY MODERN

BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
TREES			
GINKGO BILOBA 'FASTIGIATA'	MAIDENHAIR TREE	15 GALLON	LOW
SHRUBS			
CHORONDOPETALUM TECTORUM	CAPE RUSH	5 GALLON	LOW
GREVILLEA 'NOELLII'	NOEL'S GREVILLEA	5 GALLON	LOW
LOMANDRA LONGIFOLIA 'BREEZE	DWARF MAT RUSH	5 GALLON	LOW
MYRTUS COMMUNIS 'COMPACTA'	DWARF MYRTLE	5 GALLON	LOW
PENNISETUM 'FAIRY TAILS'	EVERGREEN FOUNTAIN GRASS	5 GALLON	LOW
PHORMIUM 'YELLOW WAVE'	NEW ZEALAND FLAX	5 GALLON	LOW
ROSMARINUS OFFICINALIS	ROSEMARY	5 GALLON	LOW
SANTOLINA CHAMAECYPARISSUS	GRAY LAVENDER COTTON	5 GALLON	LOW
SANTOLINA VIRENS	GREEN LAVENDER COTTON	5 GALLON	LOW
GROUND COVERS			
MYOPORUM PARVIFOLIUM 'PINK' 48" O.C	PINK CREEPING MYOPORUM	1 GALLON	LOW
SENECIO MANDRALISCAE 24" O.C	BLUE CHALK STICKS	1 GALLON	LOW

GRAPHIC SCALE

0 10 20 30

(IN FEET)
1 inch = 10 ft.

RIPLEY DESIGN GROUP
LANDSCAPE ARCHITECTURE
LAND PLANNING
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SUITE 314
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TEL: 925.938.7377
www.ripleydesign.com

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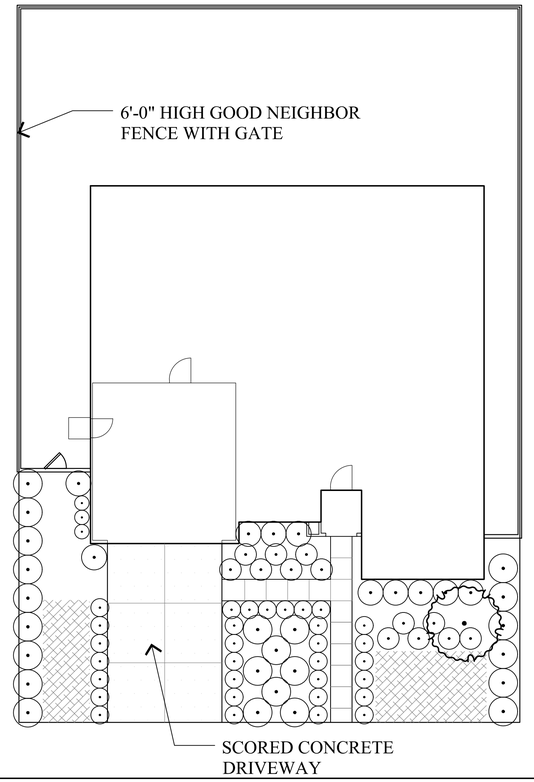
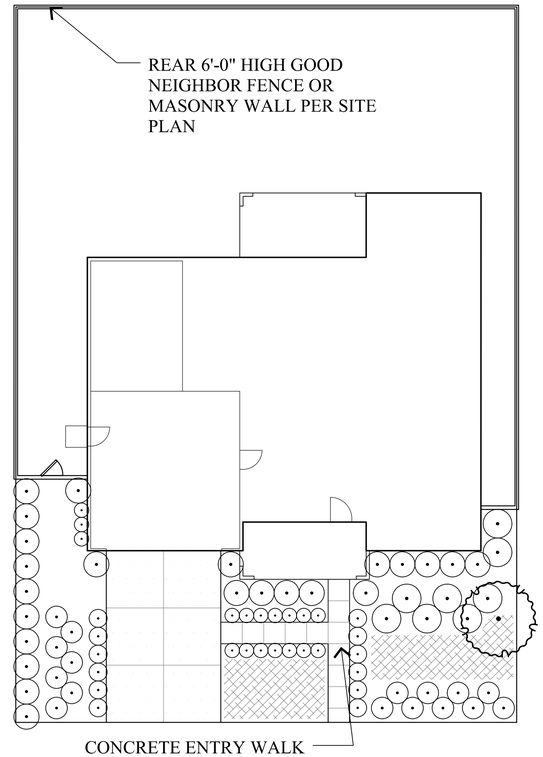
DEER VALLEY
Antioch, CA

Preliminary Landscape Front Yard Typicals

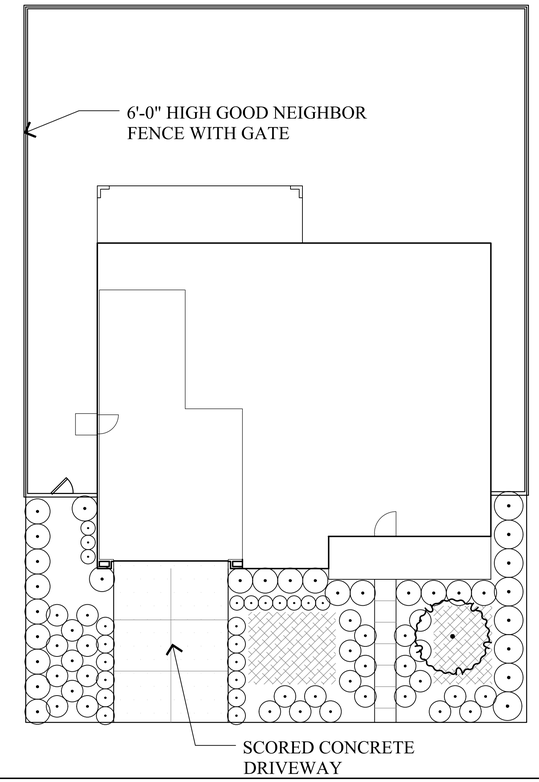
L5



PLAN 3



PLAN 4



PLAN 5

PRELIMINARY PROPOSED PLANT PALETTES

CONTEMPORARY RANCH

BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
TREES			
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MODERN PRAIRIE

BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
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BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
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PENNISETUM 'FAIRY TAILS'	EVERGREEN FOUNTAIN GRASS	5 GALLON	LOW
PHORMIUM 'YELLOW WAVE'	NEW ZEALAND FLAX	5 GALLON	LOW
ROSMARINUS OFFICINALIS	ROSEMARY	5 GALLON	LOW
SANTOLINA CHAMAECYPARISSUS	GRAY LAVENDER COTTON	5 GALLON	LOW
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GRAPHIC SCALE

0 10 20 30

(IN FEET)
1 inch = 10 ft.

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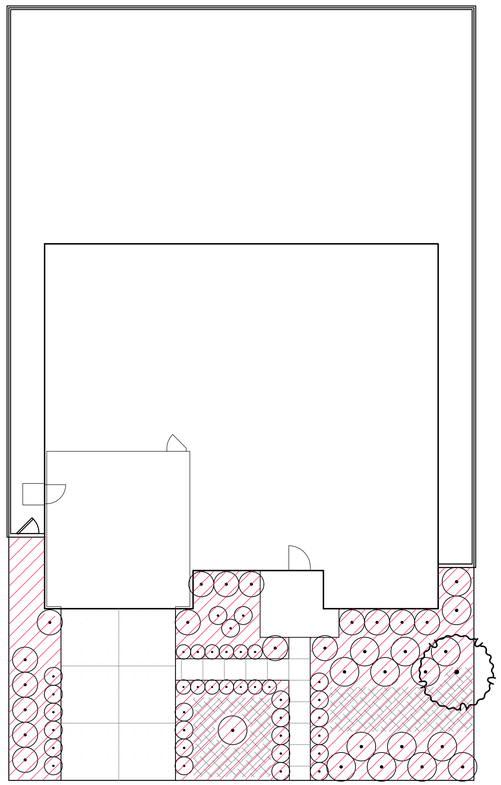
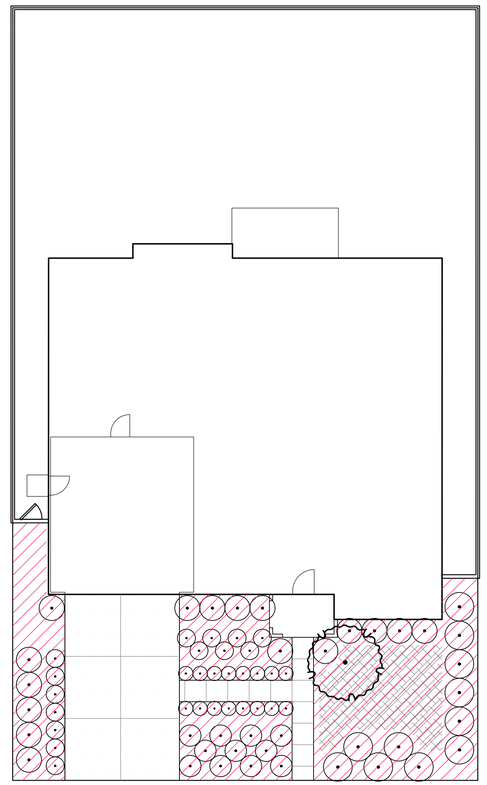
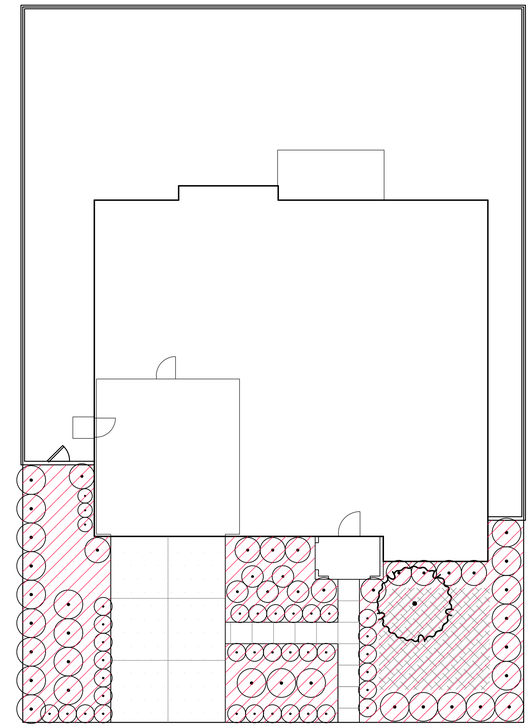
L6



PLAN 1



PLAN 2



PLAN 2X

WATER USE CALCULATIONS:

THE MAXIMUM APPLIED WATER ALLOWANCE (MAWA) IN GALLONS PER YEAR IS BASE ON THE FOLLOWING FORMULA:

MAWA = (ETo)(0.62)(0.55 X LA)

THE ESTIMATED TOTAL WATER USE (ETWU) IS THE SUM TOTAL OF ESTIMATED WATER USE FOR EACH HYDROZONE IN GALLONS PER YEAR AND IS BASED ON THE FOLLOWING FORMULA:

$$ETWU = (ETo)(0.62)((\frac{PF \times HA}{IE}) + SLA)$$

ETo = REFERENCE EVAPOTRANSPIRATION (INCHES PER YEAR)
LA = LANDSCAPE AREA
HA = HYDROZONE AREA (SQUARE FEET)
PF = PLANT FACTOR FROM WUCOLS
IE = IRRIGATION EFFICIENCY (0.71)
0.55 = ET ADJUSTMENT FACTOR
0.62 = CONVERSION FACTOR (TO GALLONS)

REFERENCE EVAPOTRASNPIRATION (ETo) : 48.3

MAXIMUM APPLIED WATER ALLOWANCE:

MAWA = (48.3) X (0.62) X (0.55 X LA SF) = GAL/YR

ESTIMATED TOTAL WATER USE:

$$ETWU = (48.3) \times (0.62) \times (\frac{0.20 \times LA\ SF}{0.71}) = GAL/YR$$

HYDROZONE KEY

SYMBOL	DESCRIPTION
	LOW WATER USE

HYDROZONE INFORMATION TABLE - PLAN 1

HYDROZONE (WATER USE)	ZONE/ VALVE	IRRIG. METHOD	AREA	% OF LANDSCAPE AREA
LOW	A-1	DRIP	1,150 SF	99%
LOW	A-2	BUBBLER	7 SF	7%
		TOTAL	1,157 SF	100%
		MAWA	19,056 GAL/YR	
		ETWU	9,497 GAL/YR	

HYDROZONE INFORMATION TABLE - PLAN 2

HYDROZONE (WATER USE)	ZONE/ VALVE	IRRIG. METHOD	AREA	% OF LANDSCAPE AREA
LOW	A-1	DRIP	1,124 SF	99%
LOW	A-2	BUBBLER	7 SF	1%
		TOTAL	1,131 SF	100%
		MAWA	18,627 GAL/YR	
		ETWU	9,540 GAL/YR	

HYDROZONE INFORMATION TABLE - PLAN 2X

HYDROZONE (WATER USE)	ZONE/ VALVE	IRRIG. METHOD	AREA	% OF LANDSCAPE AREA
LOW	A-1	DRIP	1,299 SF	99%
LOW	A-2	BUBBLER	7 SF	1%
		TOTAL	1,306 SF	100%
		MAWA	21,510 GAL/YR	
		ETWU	11,016 GAL/YR	

GRAPHIC SCALE
0 10 20 30
(IN FEET)
1 inch = 10 ft.

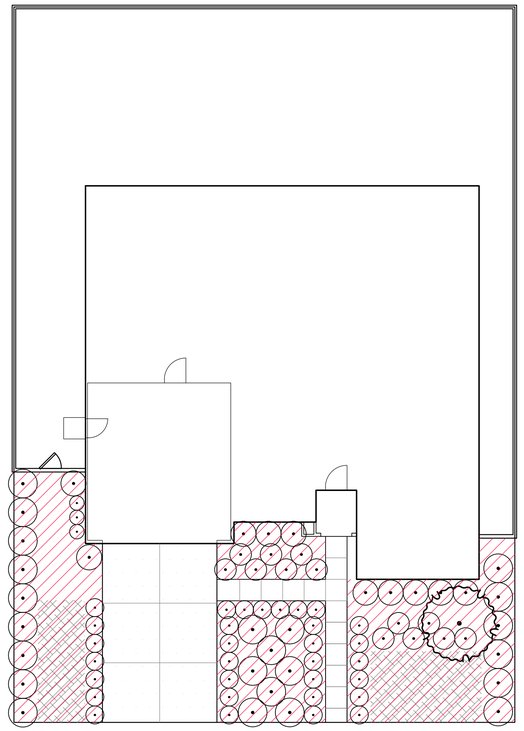
RIPLEY DESIGN GROUP
LANDSCAPE ARCHITECTURE
LAND PLANNING
1615 BONANZA STREET
SUITE 314
WALNUT CREEK, CA 94596
TEL: 925.938.7377
www.ripleydesign.com

BLUE MOUNTAIN COMMUNITIES
707 Aldridge Road
Vacaville, Ca 95688
TEL: 707.451.8111

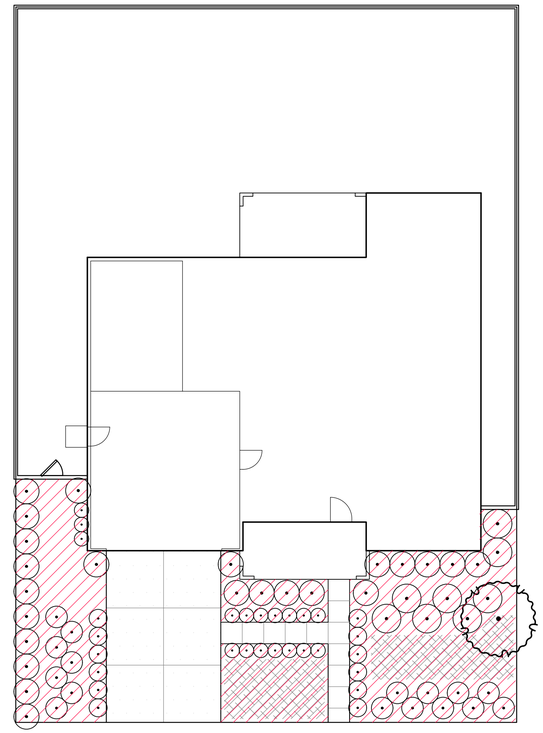
DEER VALLEY
Antioch, CA

Preliminary Landscape Site Data - Welo Conformance

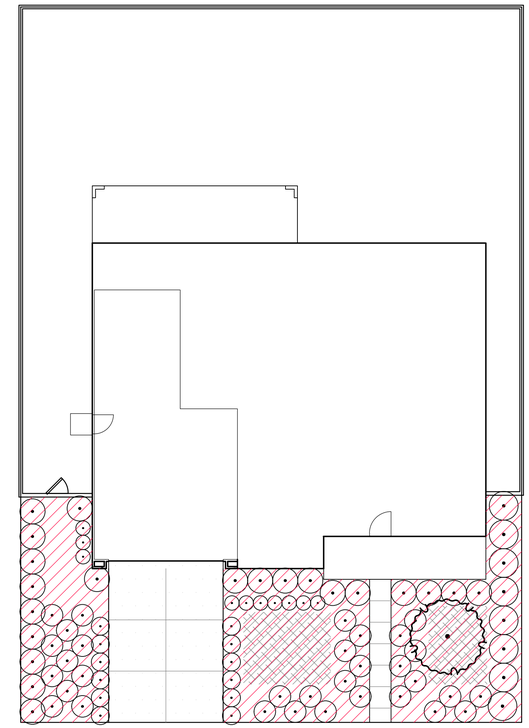
L7



PLAN 3



PLAN 4



PLAN 5

WATER USE CALCULATIONS:

THE MAXIMUM APPLIED WATER ALLOWANCE (MAWA) IN GALLONS PER YEAR IS BASE ON THE FOLLOWING FORMULA:

MAWA = (ETo)(0.62)(0.55 X LA)

THE ESTIMATED TOTAL WATER USE (ETWU) IS THE SUM TOTAL OF ESTIMATED WATER USE FOR EACH HYDROZONE IN GALLONS PER YEAR AND IS BASED ON THE FOLLOWING FORMULA:

$$ETWU = (ETo)(0.62)[\frac{(PF \times HA)}{IE} + SLA]$$

ETo = REFERENCE EVAPOTRANSPIRATION (INCHES PER YEAR)
LA = LANDSCAPE AREA
HA = HYDROZONE AREA (SQUARE FEET)
PF = PLANT FACTOR FROM WUCOLS
IE = IRRIGATION EFFICIENCY (0.71)
0.55 = ET ADJUSTMENT FACTOR
0.62 = CONVERSION FACTOR (TO GALLONS)

REFERENCE EVAPOTRASNPIRATION (ETo) : 48.3

MAXIMUM APPLIED WATER ALLOWANCE:

MAWA = (48.3) X (0.62) X (0.55 X LA SF) = GAL/YR

ESTIMATED TOTAL WATER USE:

$$ETWU = (48.3) \times (0.62) \times \frac{(0.20 \times LA\ SF)}{0.71} = GAL/YR$$

HYDROZONE KEY

SYMBOL	DESCRIPTION
	LOW WATER USE

HYDROZONE INFORMATION TABLE - PLAN 3

HYDROZONE (WATER USE)	ZONE/ VALVE	IRRIG. METHOD	AREA	% OF LANDSCAPE AREA
LOW	A-1	DRIP	1,280 SF	99%
LOW	A-2	BUBBLER	7 SF	7%
		TOTAL	1,287 SF	100%
		MAWA	21,197 GAL/YR	
		ETWU	10,856 GAL/YR	

HYDROZONE INFORMATION TABLE - PLAN 4

HYDROZONE (WATER USE)	ZONE/ VALVE	IRRIG. METHOD	AREA	% OF LANDSCAPE AREA
LOW	A-1	DRIP	1,241 SF	99%
LOW	A-2	BUBBLER	7 SF	7%
		TOTAL	1,248 SF	100%
		MAWA	20,554 GAL/YR	
		ETWU	10,527 GAL/YR	

HYDROZONE INFORMATION TABLE - PLAN 5

HYDROZONE (WATER USE)	ZONE/ VALVE	IRRIG. METHOD	AREA	% OF LANDSCAPE AREA
LOW	A-1	DRIP	1,220 SF	99%
LOW	A-2	BUBBLER	7 SF	1%
		TOTAL	1,227 SF	100%
		MAWA	20,209 GAL/YR	
		ETWU	10,350 GAL/YR	

GRAPHIC SCALE
0 10 20 30
(IN FEET)
1 inch = 10 ft.

RIPLEY DESIGN GROUP
LANDSCAPE ARCHITECTURE
LAND PLANNING
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DEER VALLEY
Antioch, CA

Preliminary Landscape Site Data - Welo Conformance

L8

ANTIOCH, CA
KTGY PROJECT #190072

PLAN 1A

CONTEMPORARY RANCH

PLAN 2B

MODERN PRAIRIE

PLAN 2XC

MID-CENTURY MODERN

PLAN 3C

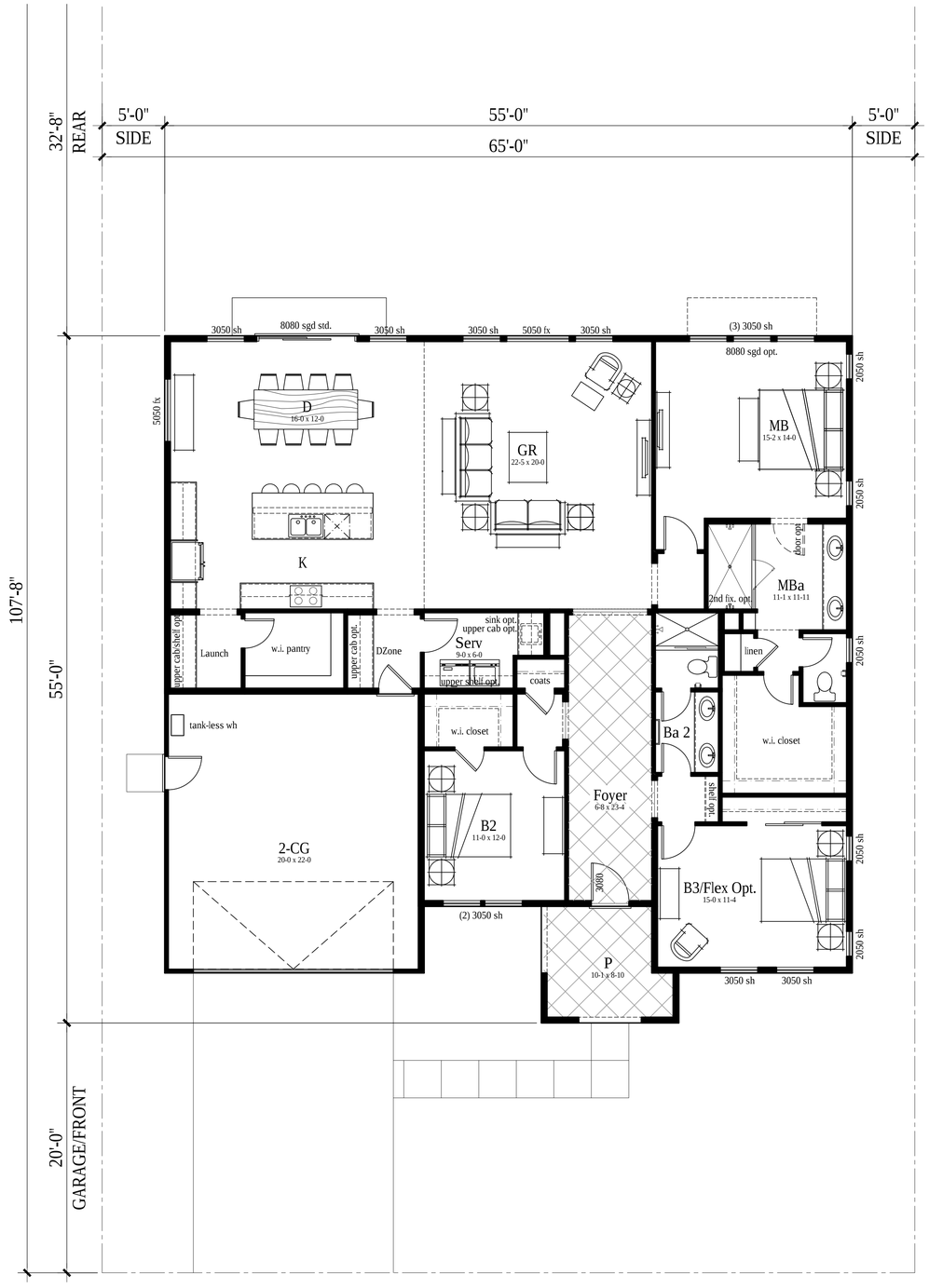
MID-CENTURY MODERN

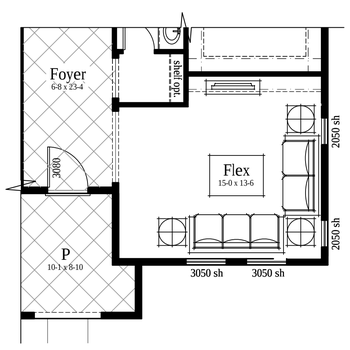
PLAN 4A

CONTEMPORARY RANCH

PLAN 5B

MODERN PRAIRIE





FLEX OPTION

IN LIEU OF BEDROOM 3

SQUARE FOOTAGE SUMMARY	
PLAN 1	
FIRST FLOOR	2,252 S.F.
TOTAL	2,252 S.F.
TOTAL LOT COVERAGE	2,799 S.F.
PORCH	91 S.F.
2-CAR GARAGE	456 S.F.

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Blue Mountain Communities
707 Aldridge Road, Ste. B
Vacaville, CA 95688

DEER VALLEY ESTATES
ANTIOCH, CA # 2019-0072

0 4' 8' 12'

PLANNING SUBMITTAL
05/01/2020

PLAN 1 - STYLE 'A' - FLOOR PLAN

A1-10

SQUARE FOOTAGE SUMMARY	
PLAN 1	
FIRST FLOOR	2,252 S.F.
TOTAL	2,252 S.F.
TOTAL LOT COVERAGE	2,799 S.F.
PORCH	91 S.F.
2-CAR GARAGE	456 S.F.

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Vacaville, CA 95688

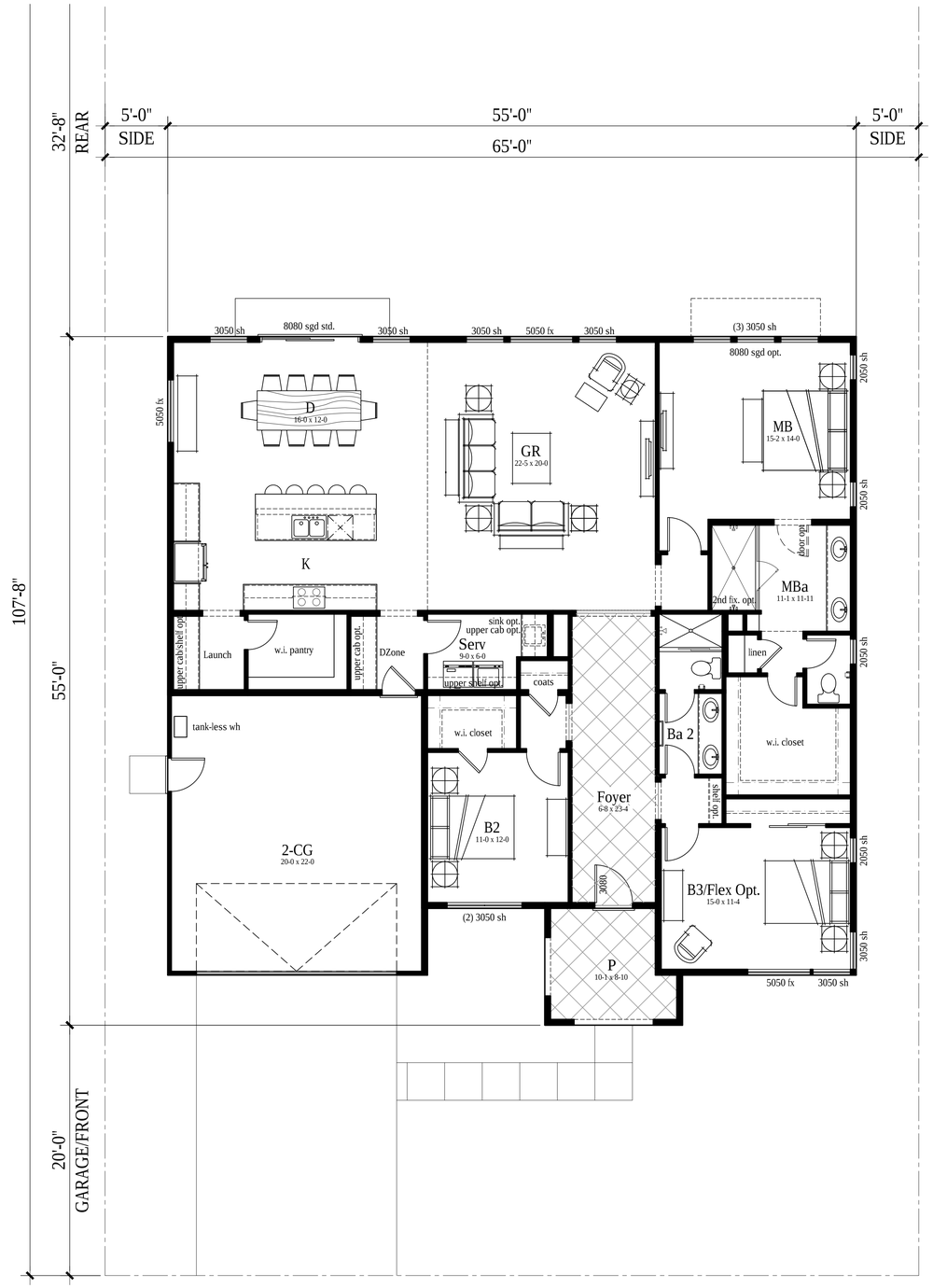
DEER VALLEY ESTATES
ANTIOCH, CA # 2019-0072

0 4' 8' 12'

PLANNING SUBMITTAL
05/01/2020

PLAN 1 - STYLE 'B' - FLOOR PLAN

A1-11



SQUARE FOOTAGE SUMMARY	
PLAN 1	
FIRST FLOOR	2,252 S.F.
TOTAL	2,252 S.F.
TOTAL LOT COVERAGE	2,799 S.F.
PORCH	91 S.F.
2-CAR GARAGE	456 S.F.

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Vacaville, CA 95688

DEER VALLEY ESTATES
ANTIOCH, CA # 2019-0072

0 4' 8' 12'

PLANNING SUBMITTAL
05/01/2020

PLAN 1 - STYLE 'C' - FLOOR PLAN

A1-12

PLAN 1A

CONTEMPORARY RANCH

PLAN 1B

MODERN PRAIRIE

PLAN 1C

MID-CENTURY MODERN

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Vacaville, CA 95688

DEER VALLEY ESTATES
ANTIOCH, CA # 2019-0072

PLANNING SUBMITTAL
05/01/2020

PLAN 1 - PERSPECTIVES

A1-20

Building Materials List

1. Stucco
2. Fiber Cement Lap Siding
3. Stone Veneer
4. Stucco Trim
5. Fiber Cement Trim
6. Vinyl Windows
7. Concrete Tile Roof
8. Fascia Board
9. Entry Door
10. Metal Garage Door
11. Exterior Light Fixture
12. Unit Address
13. Wood Corbel
14. Stucco Control Joint
15. Stucco Column
16. Scored Stucco

PLAN 1A

CONTEMPORARY RANCH

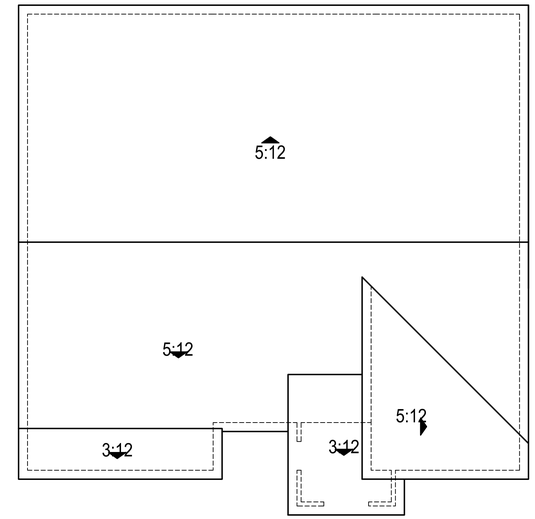
PLAN 1B

MODERN PRAIRIE

PLAN 1C

MID-CENTURY MODERN

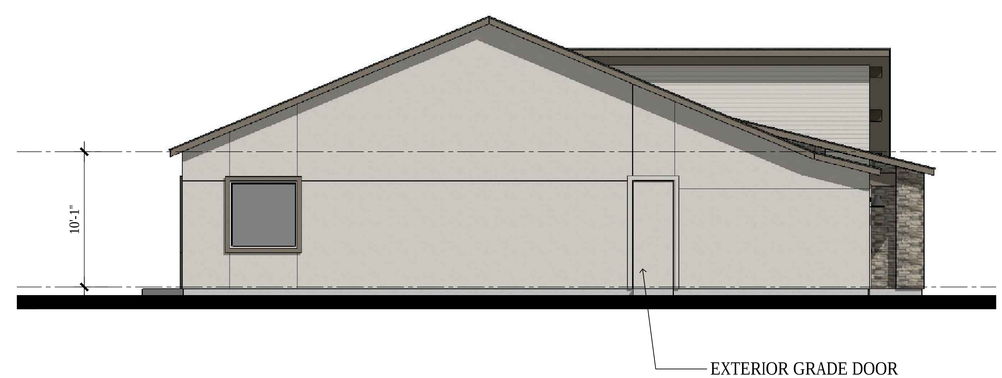
RIGHT ELEVATION



ROOF PLAN

SCALE: $\frac{1}{8}$" = 1--0"

REAR ELEVATION



LEFT ELEVATION

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DEER VALLEY ESTATES
ANTIOCH, CA # 2019-0072

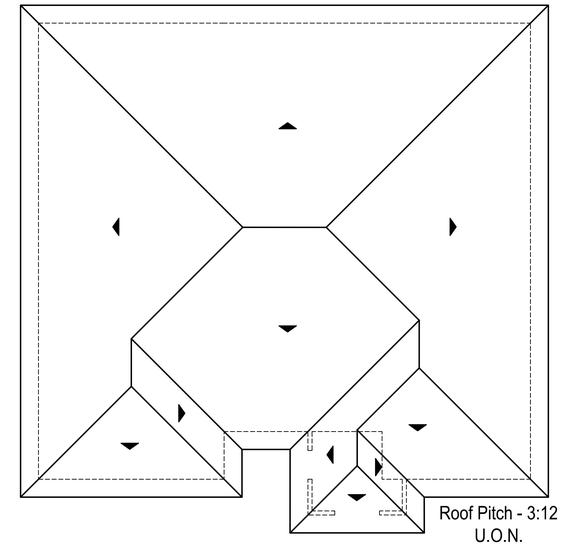
0 8' 16' 24'

PLANNING SUBMITTAL
05/01/2020

PLAN 1 - STYLE 'A' - EXT. EL. & ROOF PLAN

A1-22

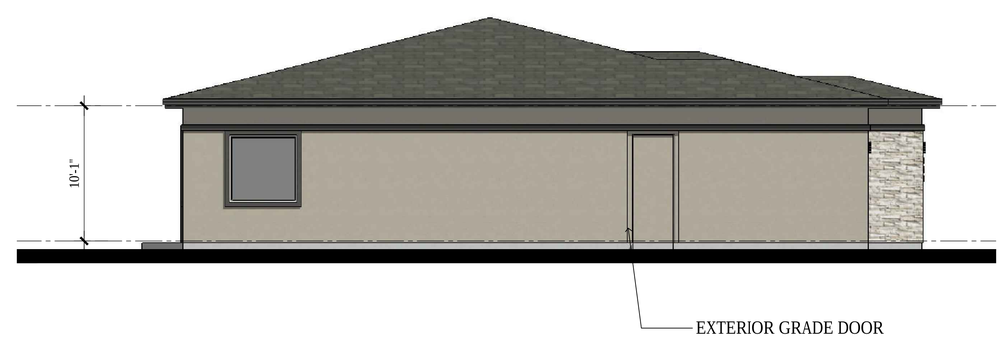
RIGHT ELEVATION



ROOF PLAN

SCALE: $\frac{1}{8}$" = 1--0"

REAR ELEVATION



LEFT ELEVATION

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Vacaville, CA 95688

DEER VALLEY ESTATES
ANTIOCH, CA # 2019-0072

0 8' 16' 24'

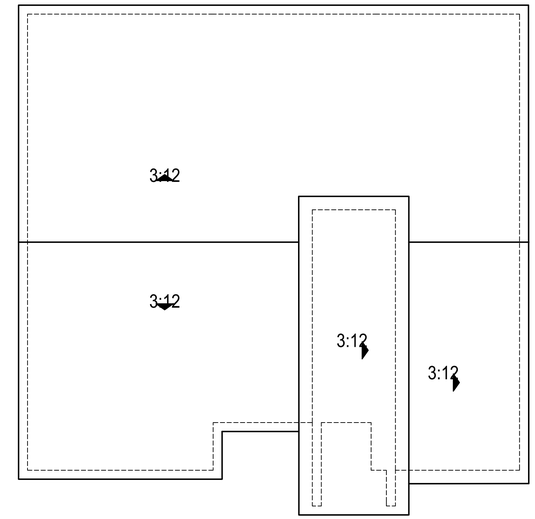
PLANNING SUBMITTAL
05/01/2020

PLAN 1 - STYLE 'B' - EXT. EL. & ROOF PLAN

A1-23

C23

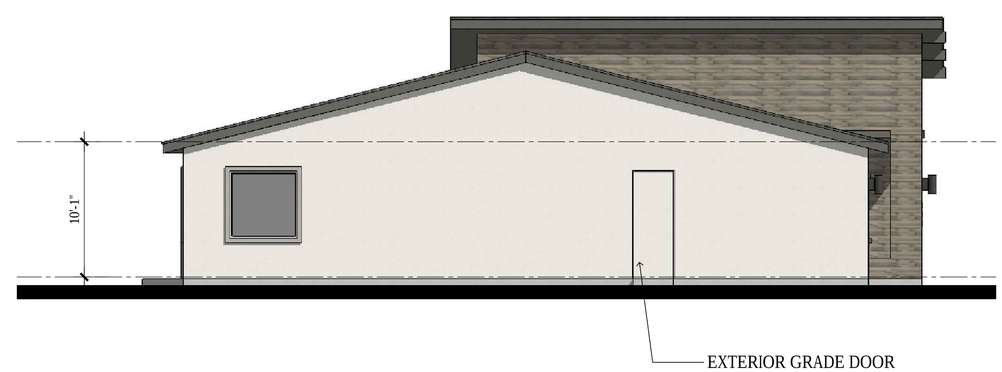
RIGHT ELEVATION



ROOF PLAN

SCALE: $\frac{1}{8}$" = 1--0"

REAR ELEVATION



LEFT ELEVATION

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707 Aldridge Road, Ste. B
Vacaville, CA 95688

DEER VALLEY ESTATES
ANTIOCH, CA # 2019-0072

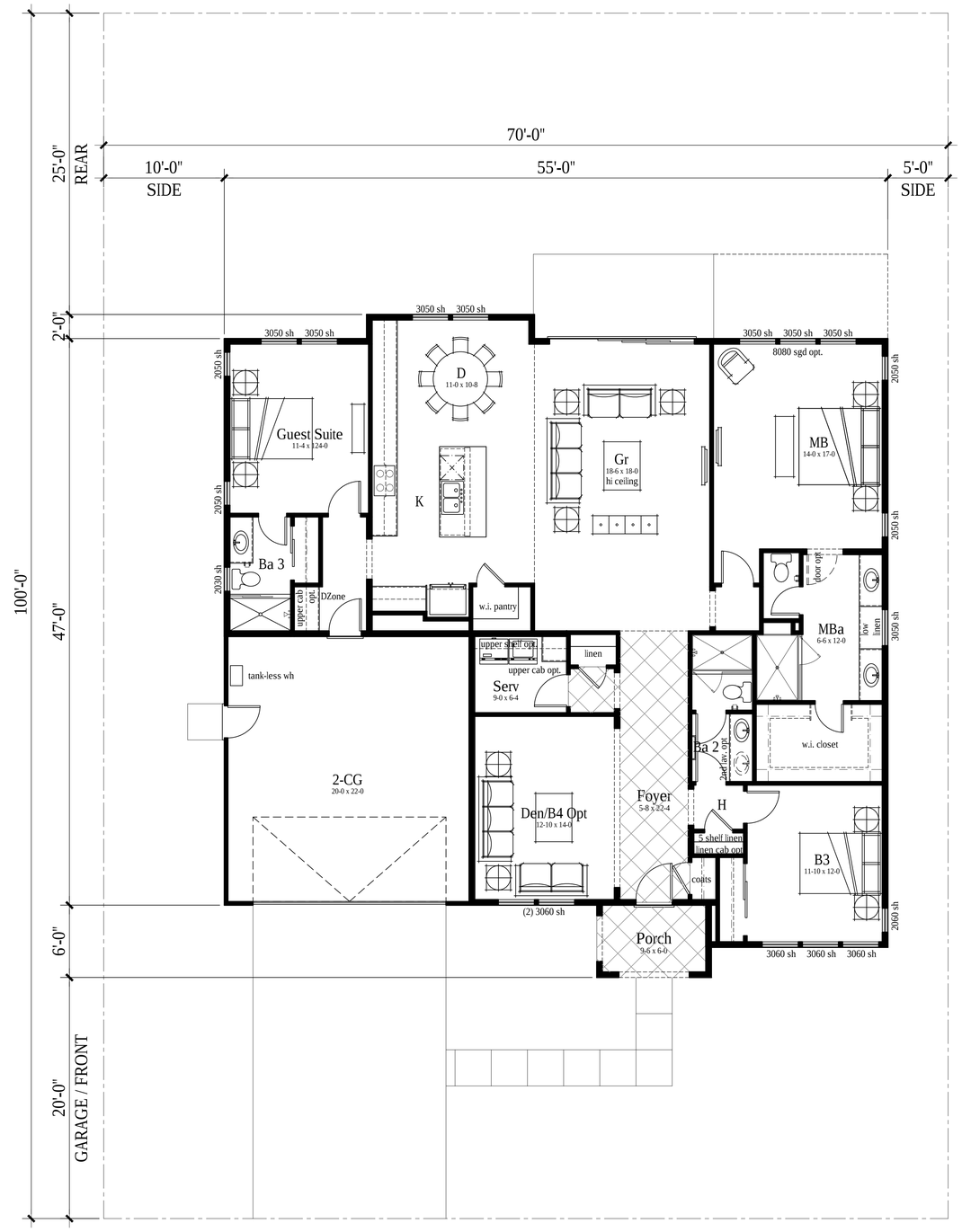
0 8' 16' 24'

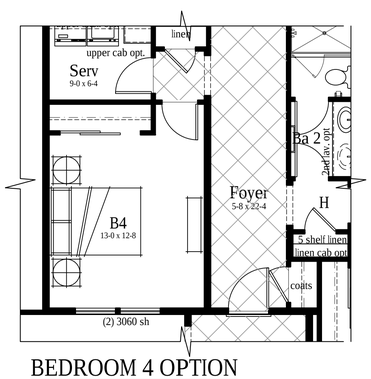
PLANNING SUBMITTAL
05/01/2020

PLAN 1 - STYLE 'C' - EXT. EL. & ROOF PLAN

A1-24

C24





BEDROOM 4 OPTION

IN LIEU OF DEN

SQUARE FOOTAGE SUMMARY	
PLAN 2	
FIRST FLOOR	2,213 S.F.
TOTAL	2,213 S.F.
TOTAL LOT COVERAGE	2,720 S.F.
PORCH	55 S.F.
2-CAR GARAGE	452 S.F.

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DEER VALLEY ESTATES
ANTIOCH, CA # 2019-0072

0 4' 8' 12'

PLANNING SUBMITTAL
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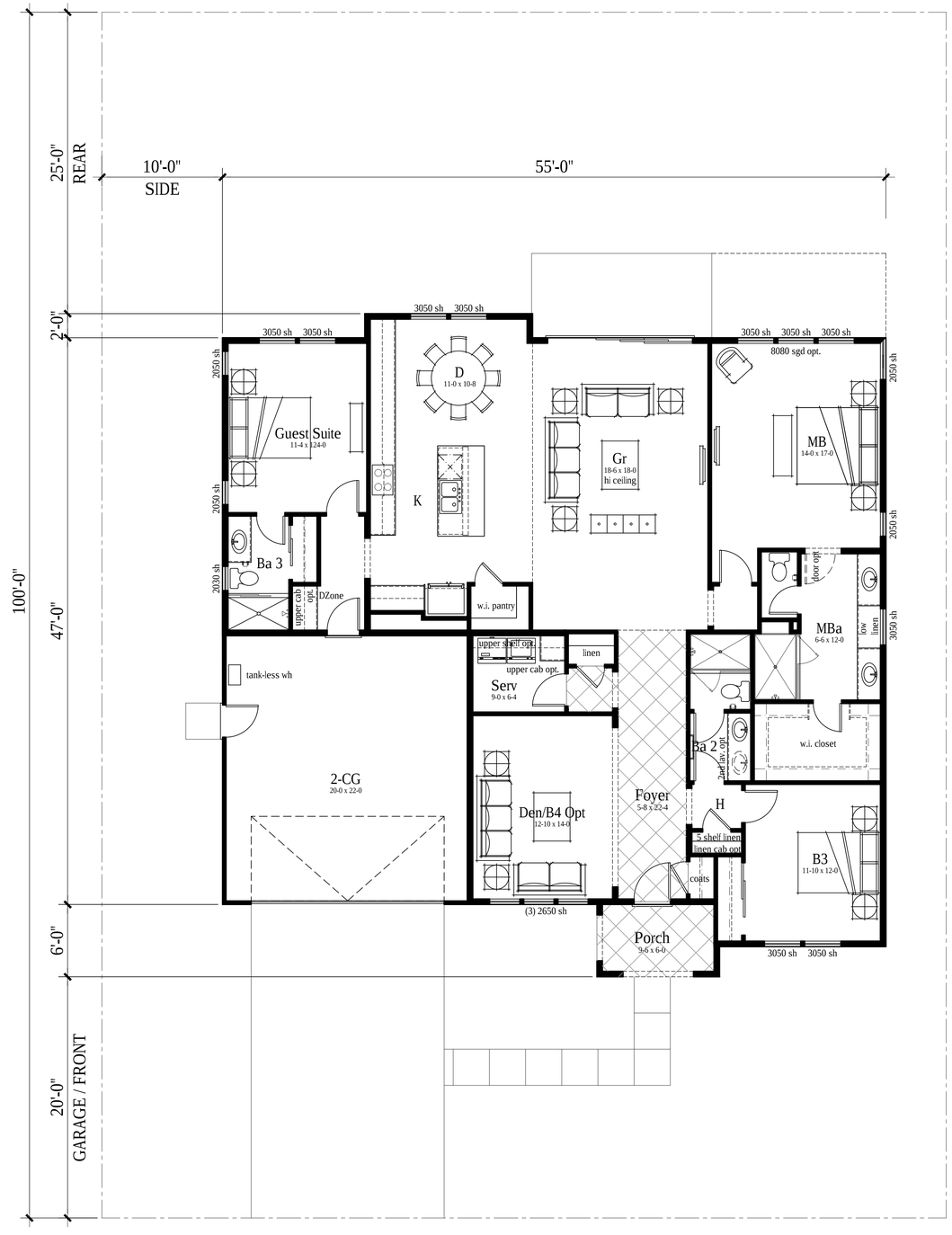
PLAN 2 - STYLE 'A' - FLOOR PLAN

A2-10



SQUARE FOOTAGE SUMMARY	
PLAN 2	
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TOTAL	2,213 S.F.
TOTAL LOT COVERAGE	2,720 S.F.
PORCH	55 S.F.
2-CAR GARAGE	452 S.F.

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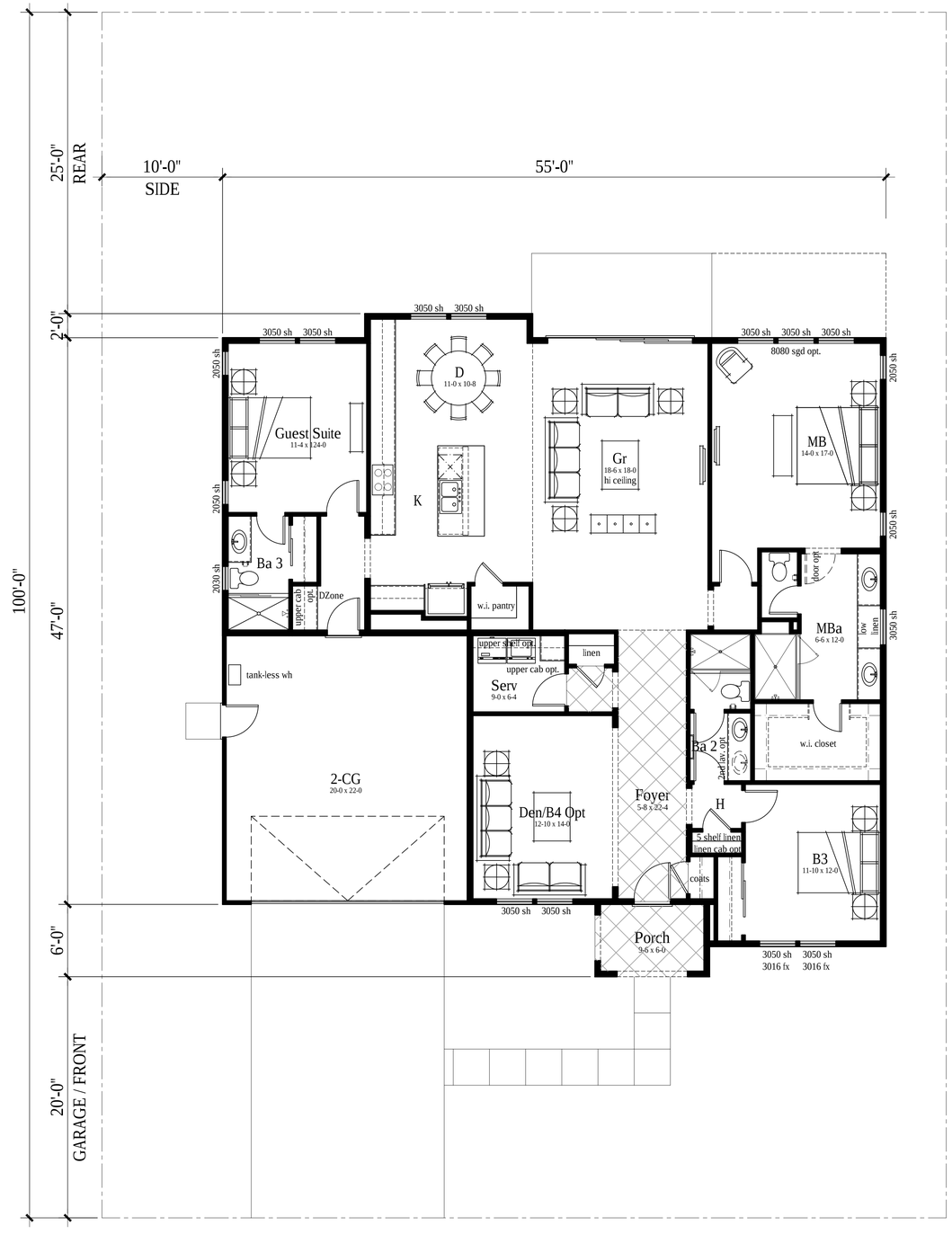
DEER VALLEY ESTATES
ANTIOCH, CA # 2019-0072

0 4' 8' 12'

PLANNING SUBMITTAL
05/01/2020

PLAN 2 - STYLE 'B' - FLOOR PLAN

A2-11



SQUARE FOOTAGE SUMMARY	
PLAN 2	
FIRST FLOOR	2,213 S.F.
TOTAL	2,213 S.F.
TOTAL LOT COVERAGE	2,720 S.F.
PORCH	55 S.F.
2-CAR GARAGE	452 S.F.

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DEER VALLEY ESTATES
ANTIOCH, CA # 2019-0072

0 4' 8' 12'

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PLAN 2 - STYLE 'C' - FLOOR PLAN

A2-12

PLAN 2A

CONTEMPORARY RANCH

PLAN 2B

MODERN PRAIRIE

PLAN 2C

MID-CENTURY MODERN

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DEER VALLEY ESTATES
ANTIOCH, CA # 2019-0072

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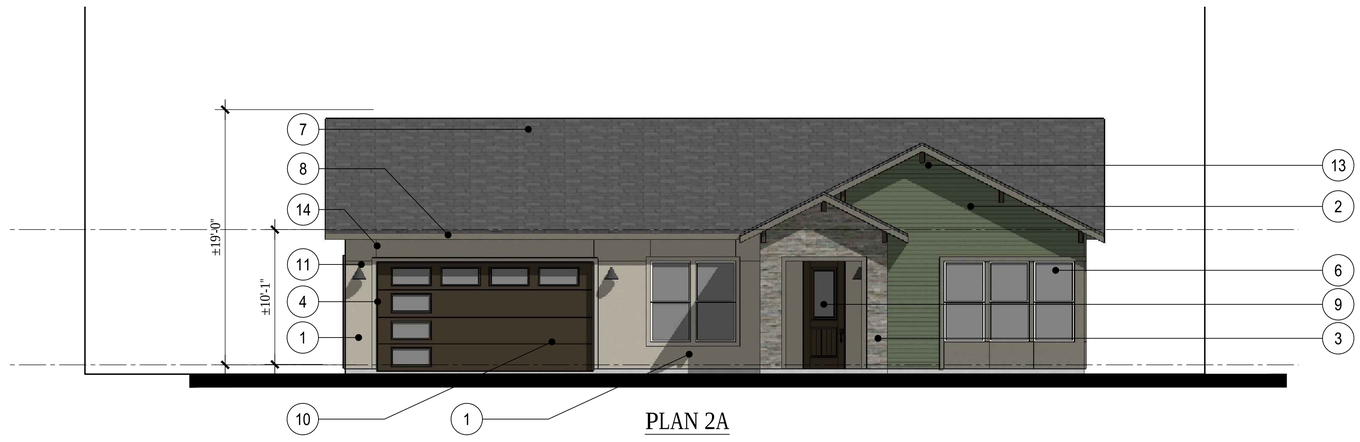
PLAN 2 - PERSPECTIVE

A2-20

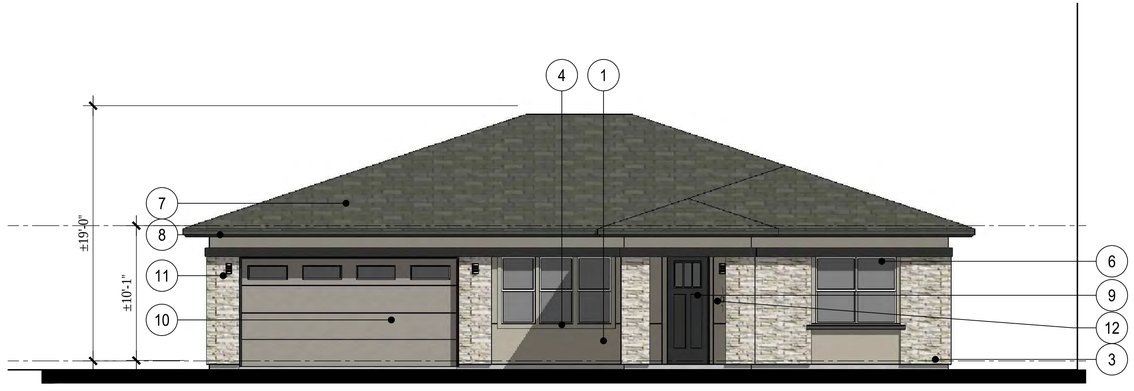
Building Materials List

1. Stucco
2. Fiber Cement Lap Siding
3. Stone Veneer
4. Stucco Trim
5. Fiber Cement Trim
6. Vinyl Windows
7. Concrete Tile Roof
8. Fascia Board
9. Entry Door
10. Metal Garage Door
11. Exterior Light Fixture
12. Unit Address
13. Wood Corbel
14. Stucco Control Joint
15. Stucco Column
16. Scored Stucco



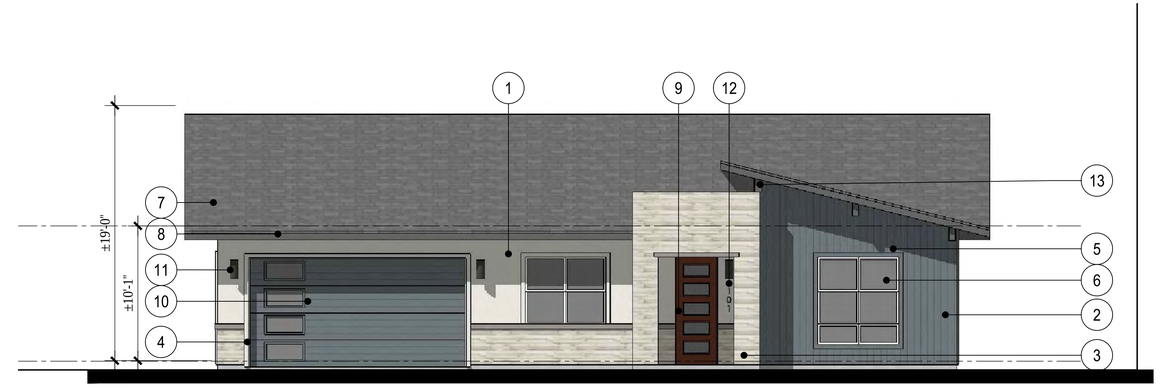
PLAN 2A

CONTEMPORARY RANCH



PLAN 2B

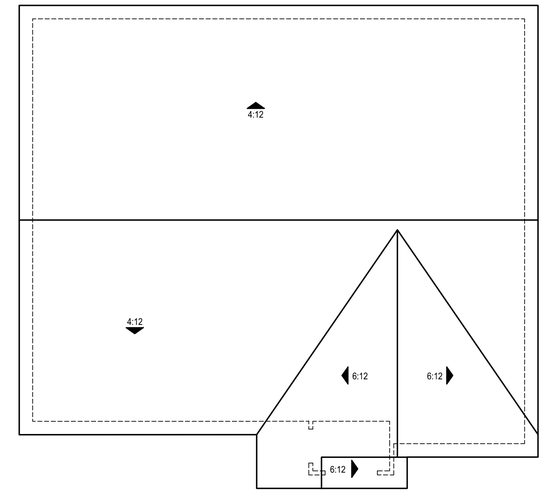
MODERN PRAIRIE



PLAN 2C

MID-CENTURY MODERN

RIGHT ELEVATION



ROOF PLAN

SCALE: $\frac{1}{8}$" = 1--0"

REAR ELEVATION

LEFT ELEVATION

EXTERIOR GRADE DOOR

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DEER VALLEY ESTATES
ANTIOCH, CA # 2019-0072

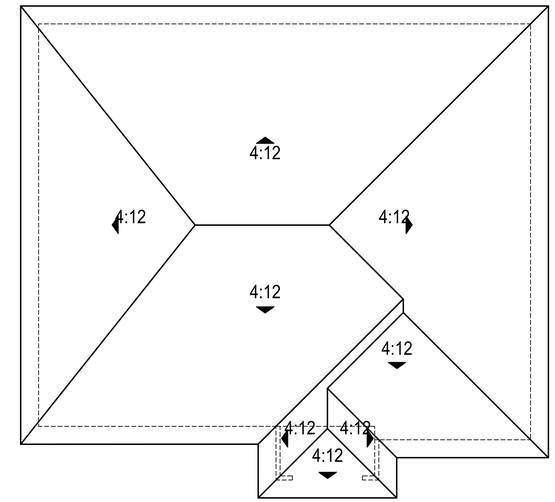
0 8' 16' 24'

PLANNING SUBMITTAL
05/01/2020

PLAN 2 - STYLE 'A' - EXT. EL. & ROOF PLAN

A2-22

RIGHT ELEVATION



ROOF PLAN

SCALE: $\frac{1}{8}$" = 1--0"

REAR ELEVATION

LEFT ELEVATION

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DEER VALLEY ESTATES
ANTIOCH, CA # 2019-0072

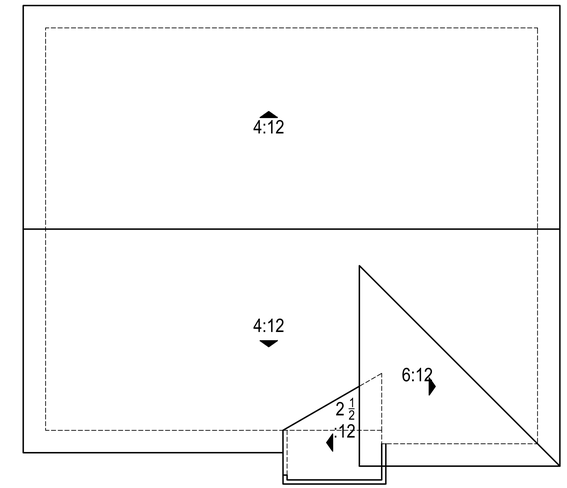
0 8' 16' 24'

PLANNING SUBMITTAL
05/01/2020

PLAN 2 - STYLE 'B' - EXT. EL. & ROOF PLAN

A2-23

RIGHT ELEVATION



ROOF PLAN

SCALE: $\frac{1}{8}$" = 1--0"

REAR ELEVATION

LEFT ELEVATION

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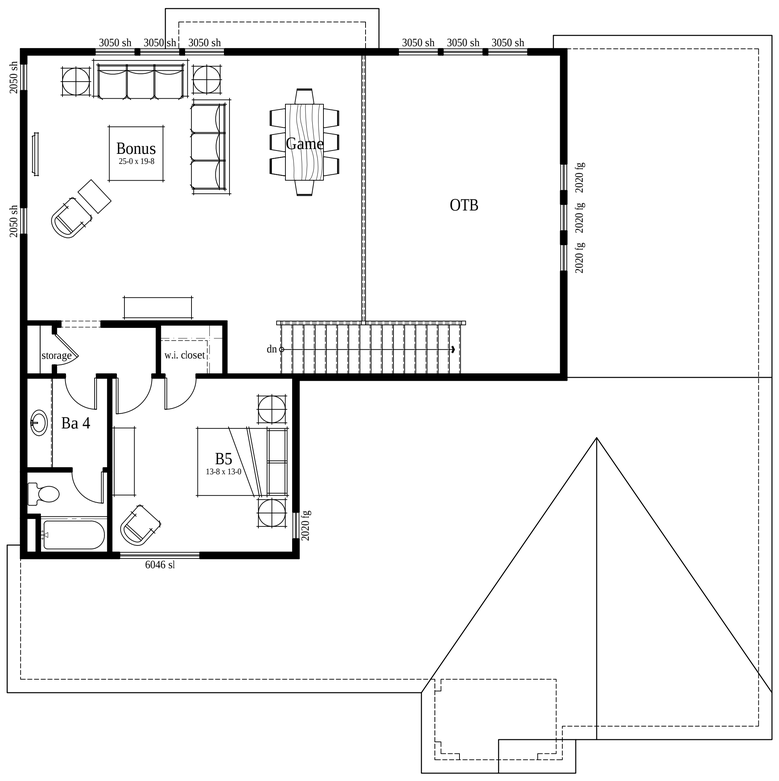
DEER VALLEY ESTATES
ANTIOCH, CA # 2019-0072

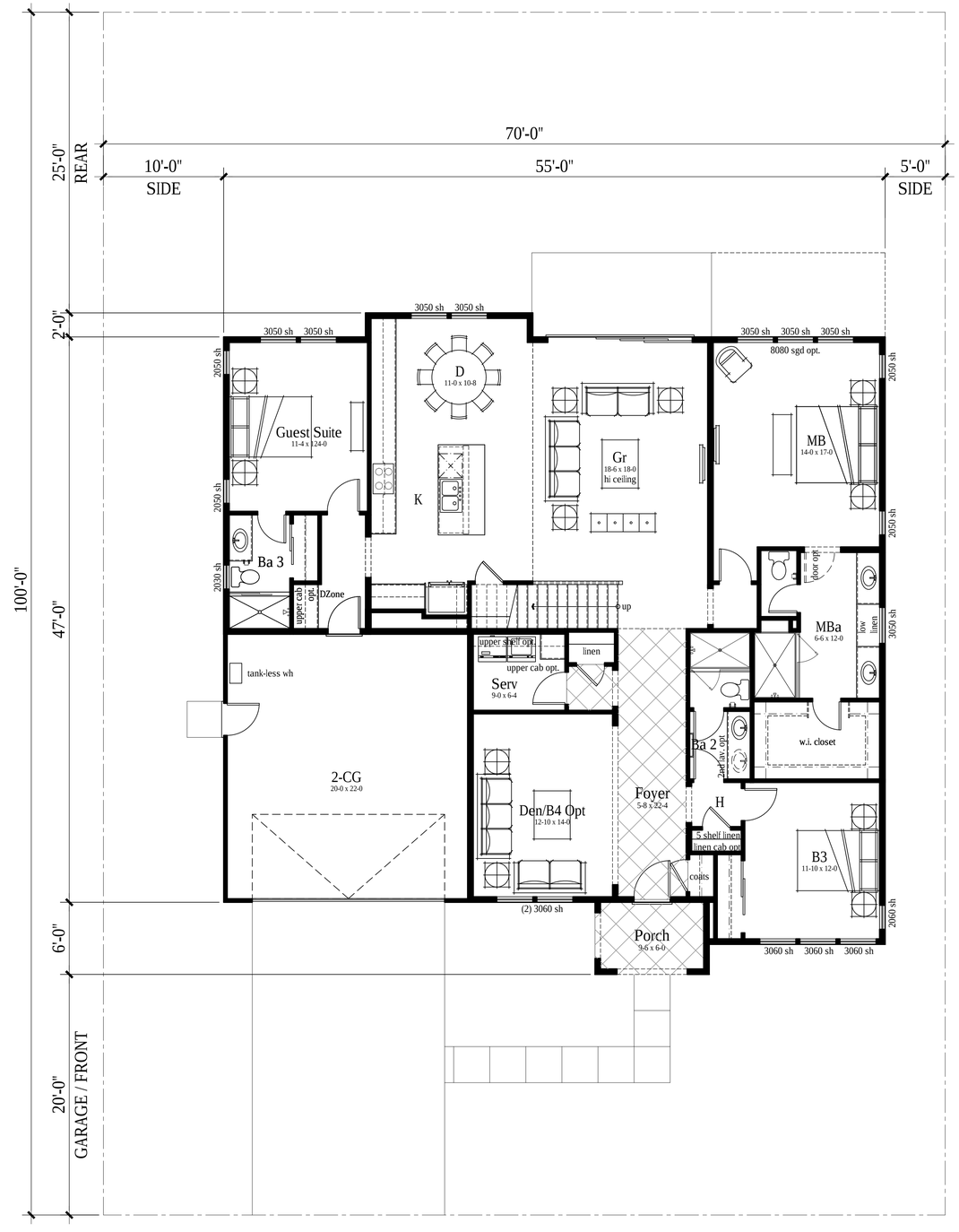
0 8' 16' 24'

PLANNING SUBMITTAL
05/01/2020

PLAN 2 - STYLE 'C' - EXT. EL. & ROOF PLAN

A2-24





SQUARE FOOTAGE SUMMARY	
PLAN 2X	
FIRST FLOOR	2,213 S.F.
SECOND FLOOR	899 S.F.
TOTAL	3,112 S.F.
TOTAL LOT COVERAGE	2,722 S.F.
PORCH	57 S.F.
2-CAR GARAGE	452 S.F.
2ND FLOOR DECK OPT.	-162 S.F.

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Vacaville, CA 95688

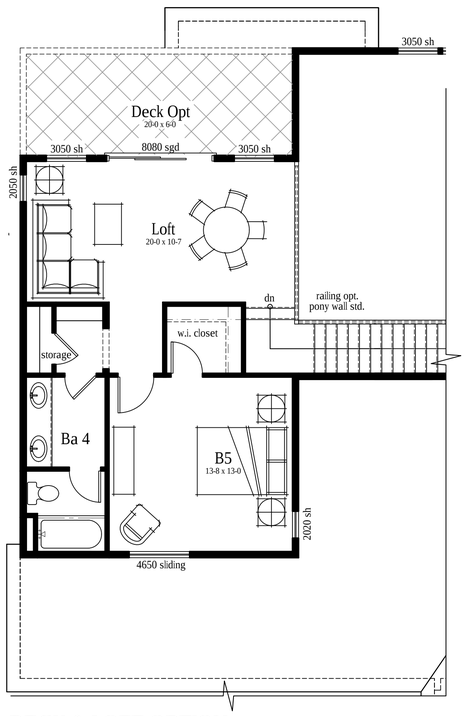
DEER VALLEY ESTATES
ANTIOCH, CA # 2019-0072

0 4' 8' 12'

PLANNING SUBMITTAL
05/01/2020

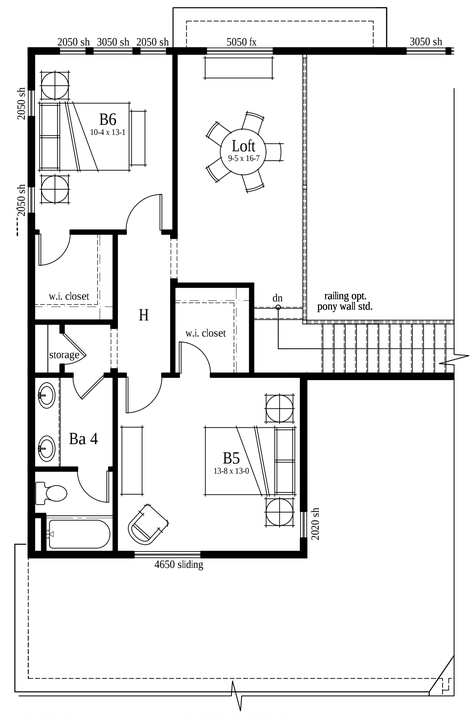
PLAN 2X - STYLE 'A' - FIRST AND SECOND FLOOR PLAN

A2X-10



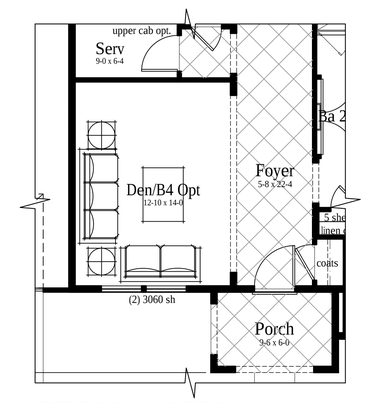
DECK & LOFT OPTION

IN LIEU OF BONUS



BEDROOM 6 & LOFT OPTION

IN LIEU OF BONUS



BEDROOM 4 OPTION

IN LIEU OF DEN

SQUARE FOOTAGE SUMMARY	
PLAN 2X	
FIRST FLOOR	2,213 S.F.
SECOND FLOOR	899 S.F.
TOTAL	3,112 S.F.
TOTAL LOT COVERAGE	2,722 S.F.
PORCH	57 S.F.
2-CAR GARAGE	452 S.F.
2ND FLOOR DECK OPT.	-162 S.F.

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DEER VALLEY ESTATES
ANTIOCH, CA # 2019-0072

0 4' 8' 12'

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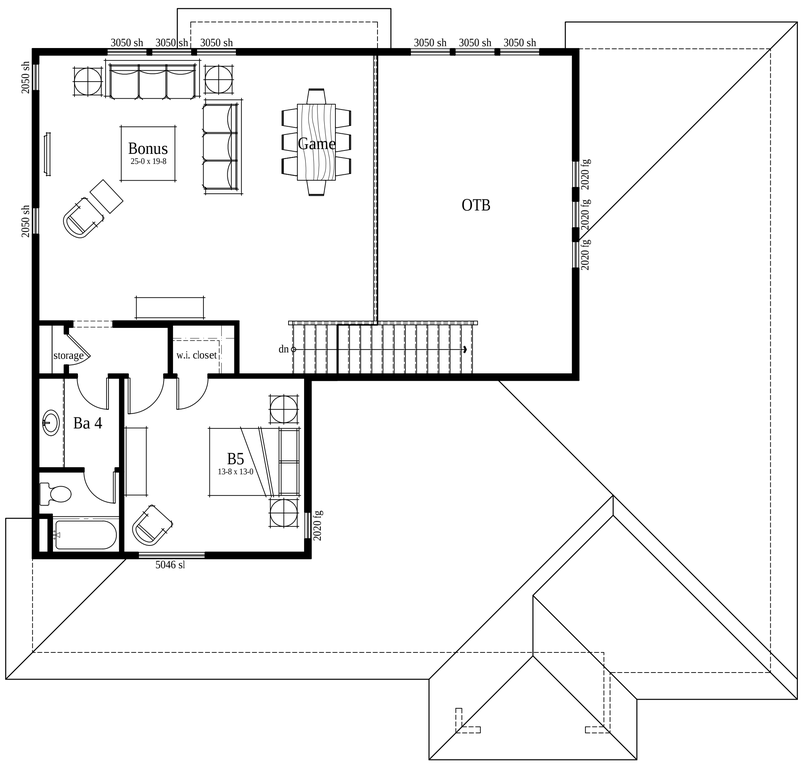
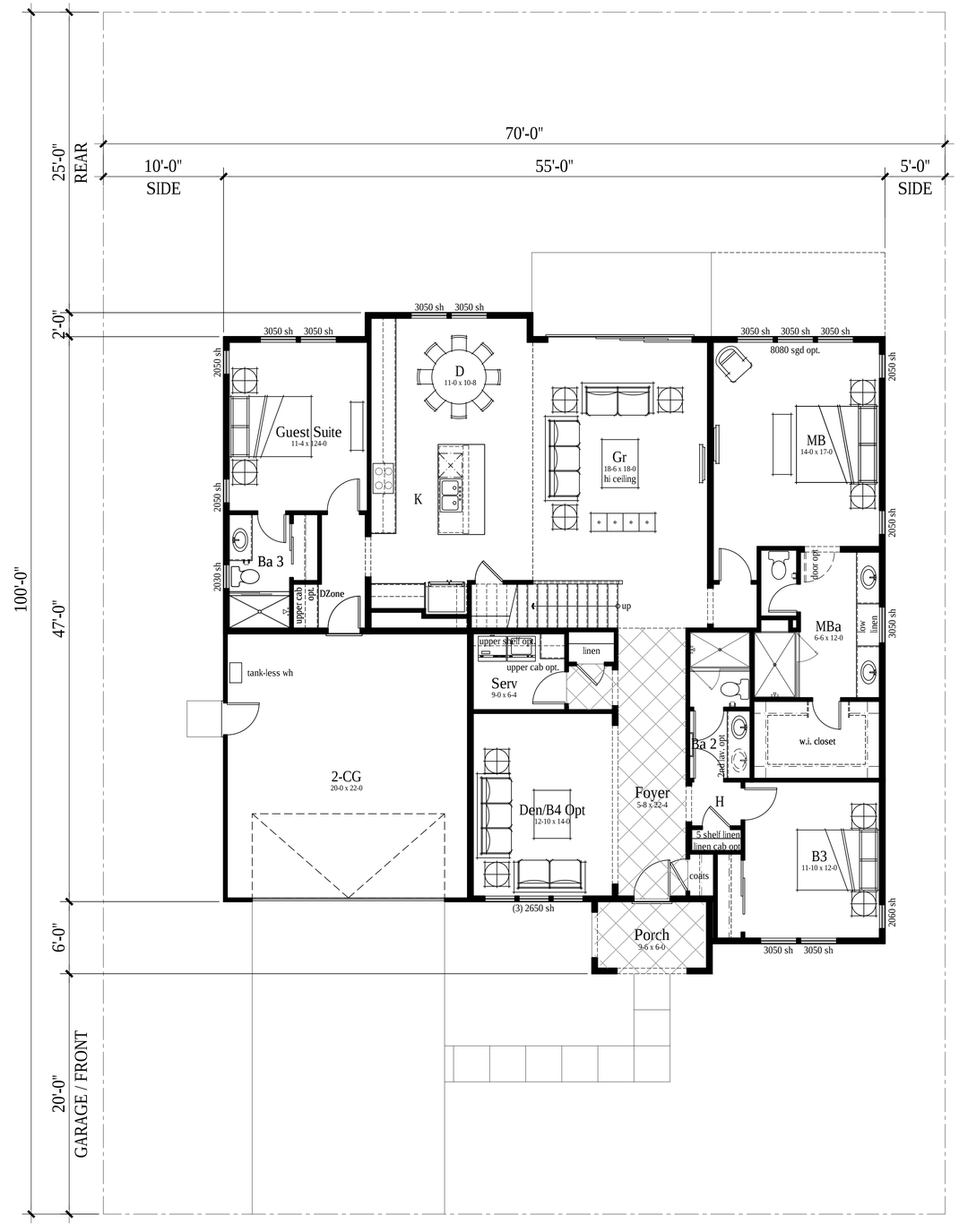
PLAN 2X - FLOOR PLAN OPTIONS

A2X-11





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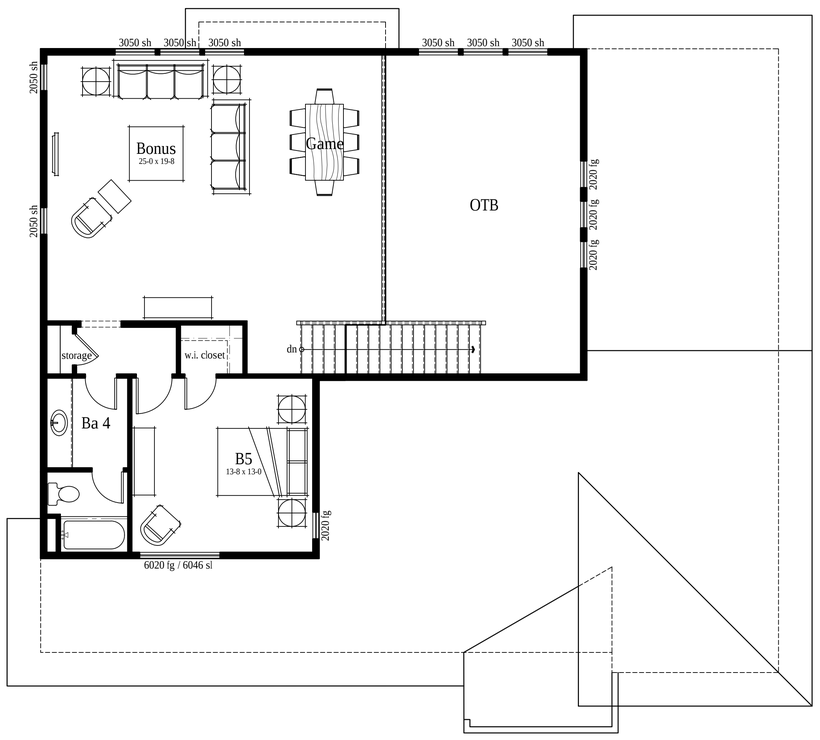
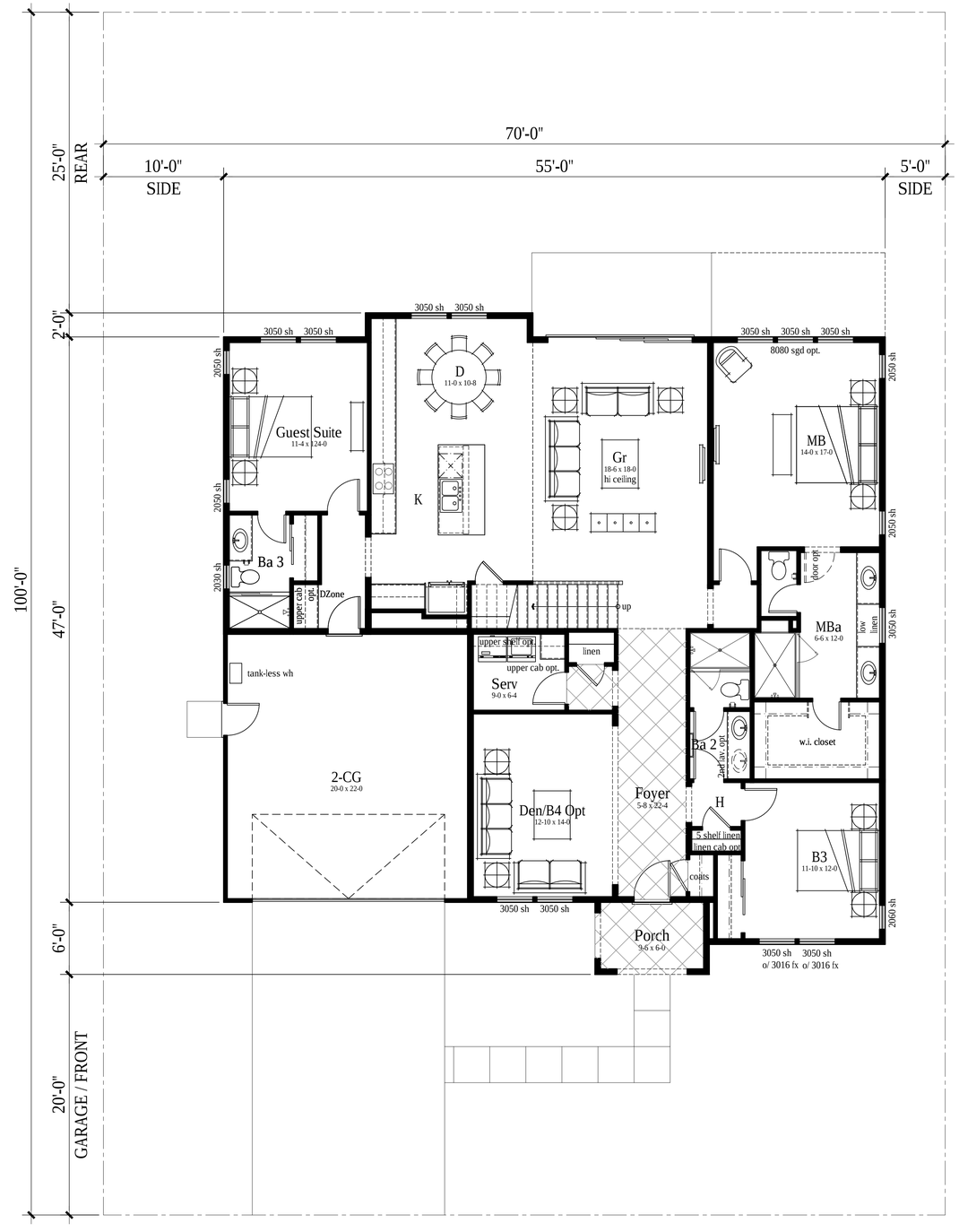
PLAN 2X - STYLE 'B' - FIRST AND SECOND FLOOR PLAN

A2X-12



Second Floor Plan 2X



SQUARE FOOTAGE SUMMARY	
PLAN 2X	
FIRST FLOOR	2,213 S.F.
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PLAN 2X - STYLE 'C' -FIRST AND SECOND FLOOR PLAN

A2X-13

PLAN 2XA

CONTEMPORARY RANCH

PLAN 2XB

MODERN PRAIRIE

PLAN 2XC

MID-CENTURY MODERN

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PLAN 2X - PERSPECTIVES

A2X-20

PLAN 2XA

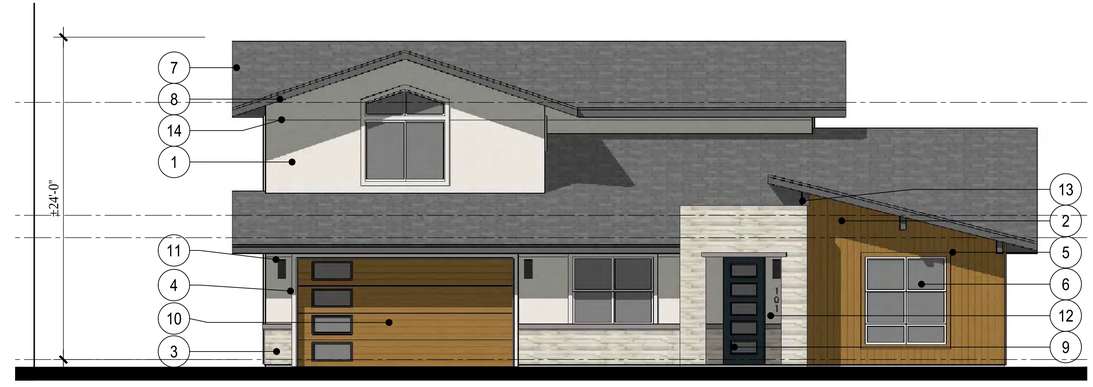
CONTEMPORARY RANCH

Building Materials List

1. Stucco
2. Fiber Cement Lap Siding
3. Stone Veneer
4. Stucco Trim
5. Fiber Cement Trim
6. Vinyl Windows
7. Concrete Tile Roof
8. Fascia Board
9. Entry Door
10. Metal Garage Door
11. Exterior Light Fixture
12. Unit Address
13. Wood Corbel
14. Stucco Control Joint
15. Stucco Column
16. Scored Stucco

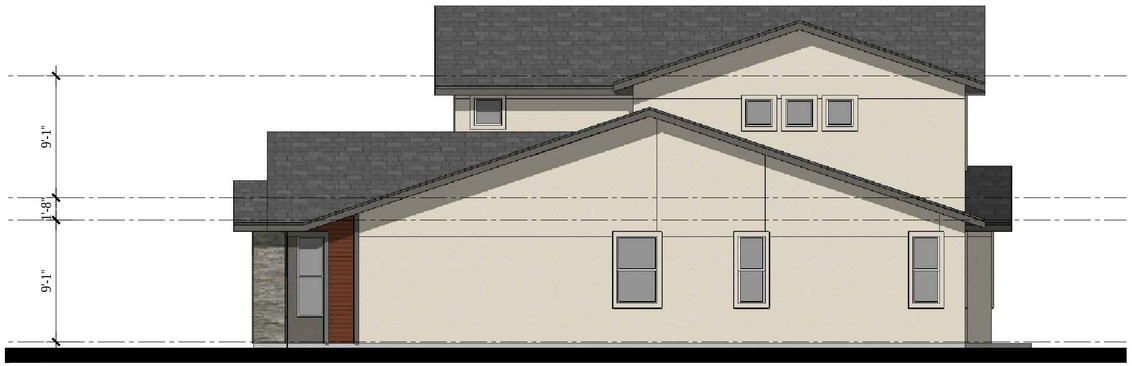
PLAN 2XB

MODERN PRAIRIE

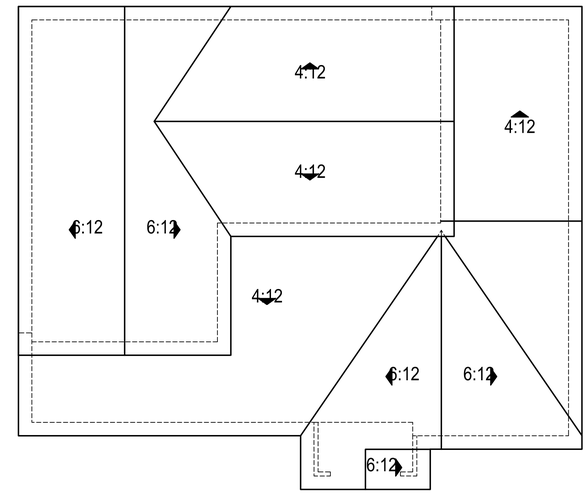


PLAN 2XC

MID-CENTURY MODERN



RIGHT ELEVATION



ROOF PLAN

SCALE: $\frac{1}{8}$" = 1--0"

REAR ELEVATION

LEFT ELEVATION

EXTERIOR GRADE DOOR

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0 8' 16' 24'

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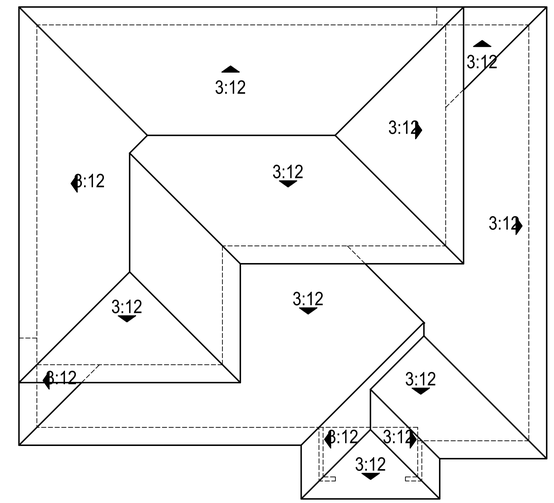
PLAN 2X - STYLE 'A' - EXT. EL. & ROOF PLAN

A2X-22

RIGHT ELEVATION



ROOF PLAN

SCALE: $\frac{1}{8}$" = 1--0"

REAR ELEVATION

LEFT ELEVATION

EXTERIOR GRADE DOOR

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0 8' 16' 24'

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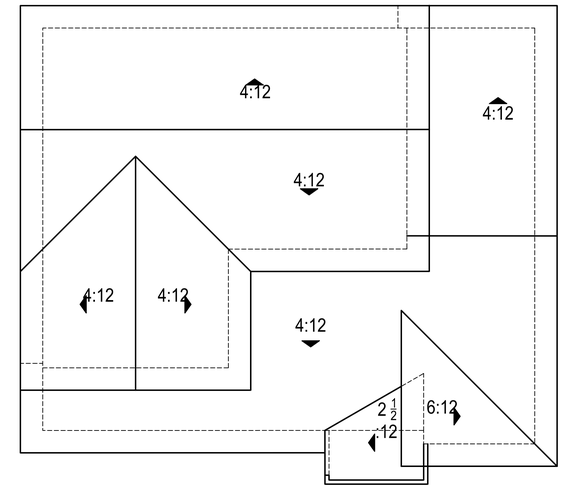
PLAN 2X - STYLE 'B' - EXT. EL. & ROOF PLAN

A2X-23

RIGHT ELEVATION



ROOF PLAN

SCALE: $\frac{1}{8}$" = 1--0"

REAR ELEVATION

LEFT ELEVATION

EXTERIOR GRADE DOOR

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PLAN 2X - STYLE 'C' - EXT. EL. & ROOF PLAN

A2X-24

STYLE C

STYLE B

STYLE A

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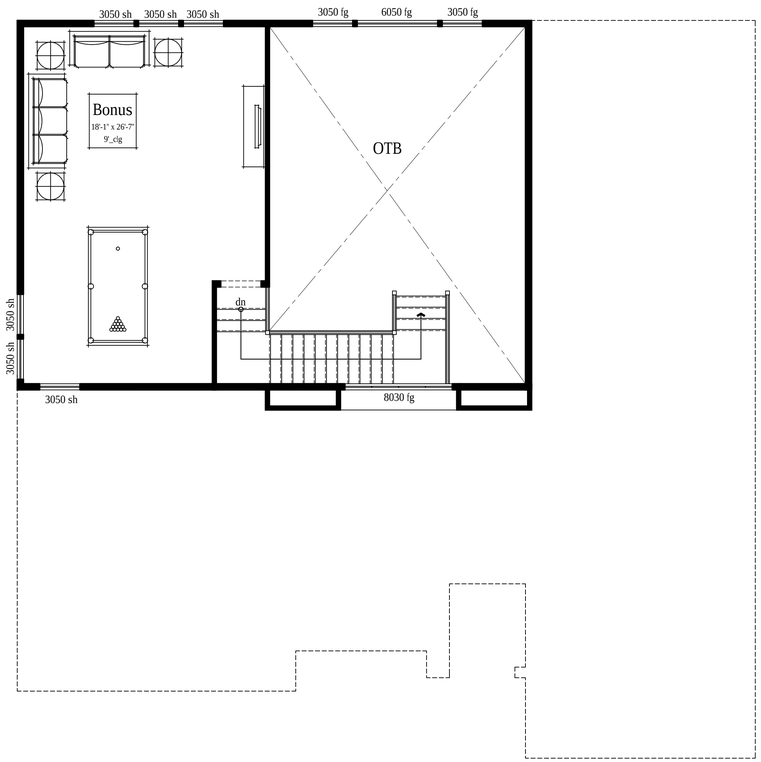
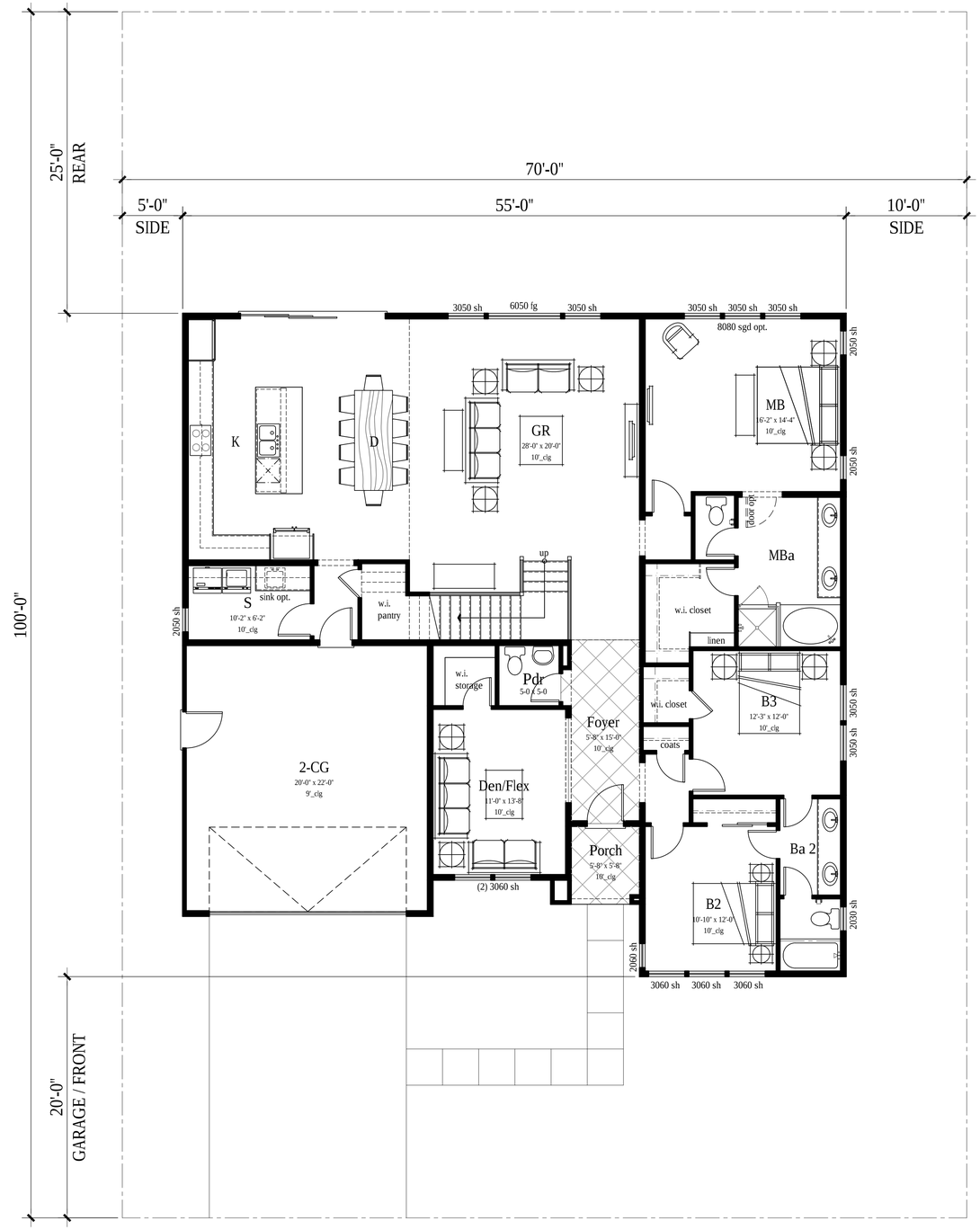
PLAN 2X - OPTIONAL DECK

A2X-25





SQUARE FOOTAGE SUMMARY	
PLAN 3	
FIRST FLOOR	2,302 S.F.
SECOND FLOOR	518 S.F.
TOTAL	2,820 S.F.
TOTAL LOT COVERAGE	2,796 S.F.
PORCH	37 S.F.
2-CAR GARAGE	457 S.F.

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0 4' 8' 12'

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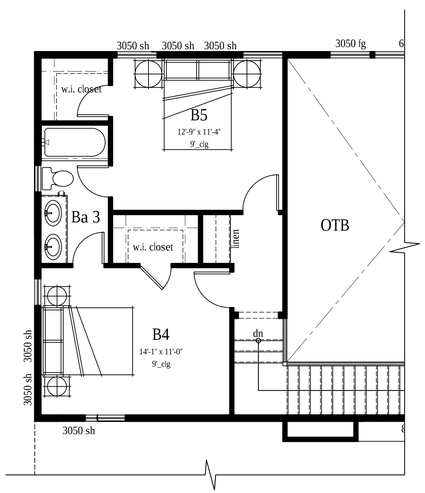
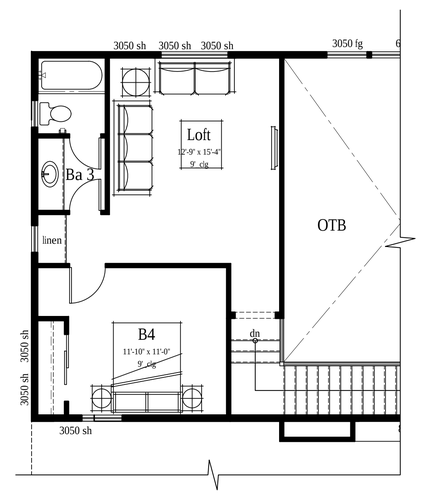
PLAN 3 - STYLE 'A' - FIRST AND SECOND FLOOR PLAN

A3-10



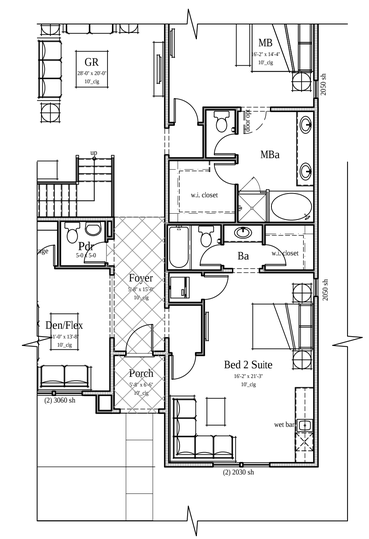
BEDROOMS 4 & 5 OPTION

IN LIEU OF BONUS



LOFT & BEDROOM 4 OPTION

IN LIEU OF BONUS



BEDROOM 2 SUITE OPTION

IN LIEU OF BEDROOMS 2 & 3

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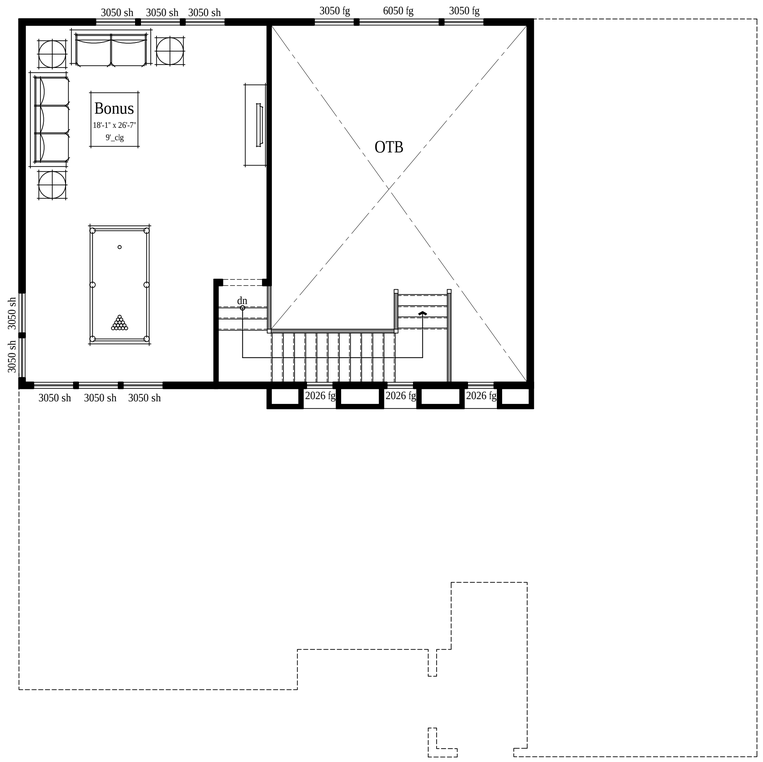
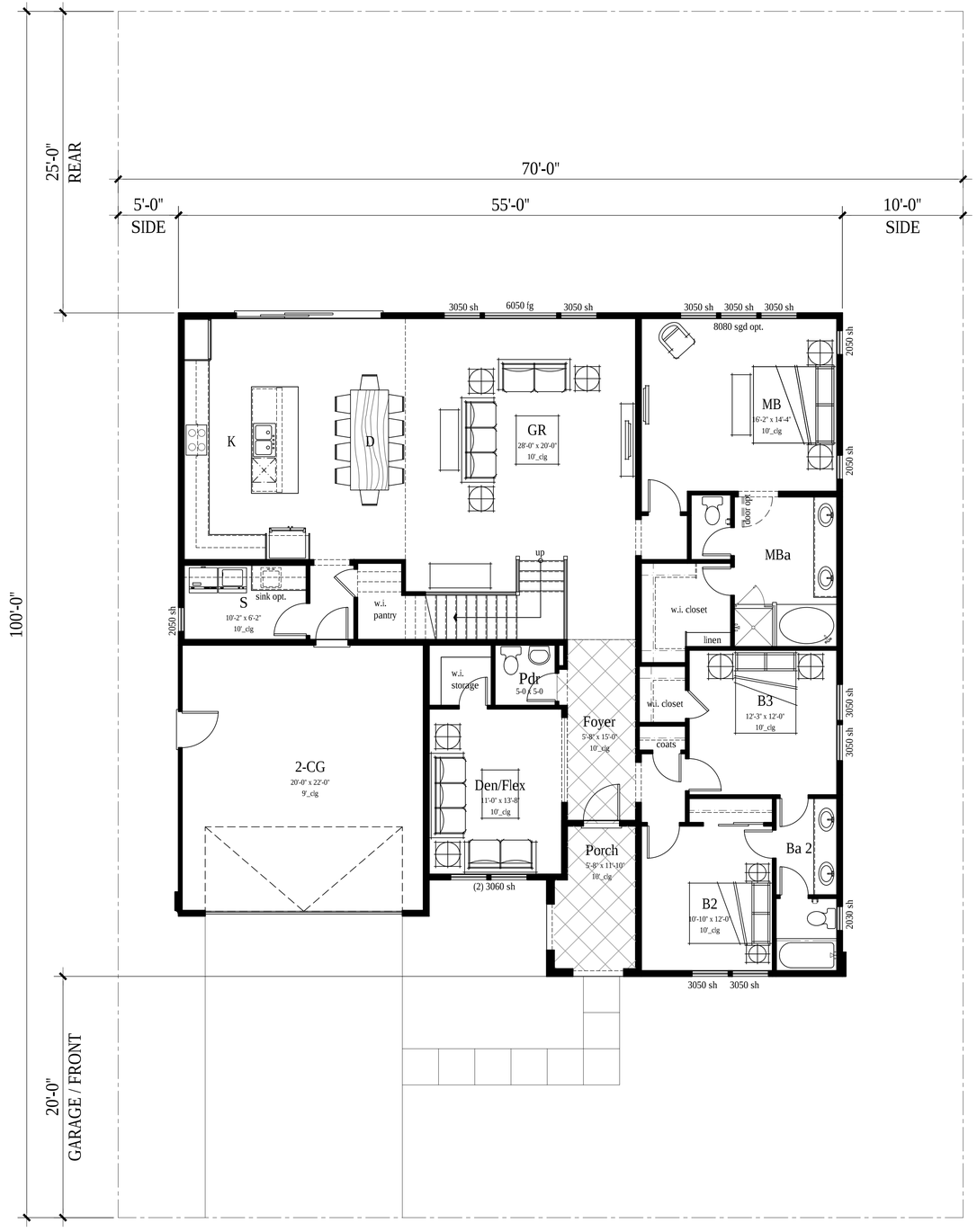
PLAN 3 - FLOOR PLAN OPTIONS

A3-11





SQUARE FOOTAGE SUMMARY	
PLAN 3	
FIRST FLOOR	2,302 S.F.
SECOND FLOOR	518 S.F.
TOTAL	2,820 S.F.
TOTAL LOT COVERAGE	2,843 S.F.
PORCH	84 S.F.
2-CAR GARAGE	457 S.F.

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0 4' 8' 12'

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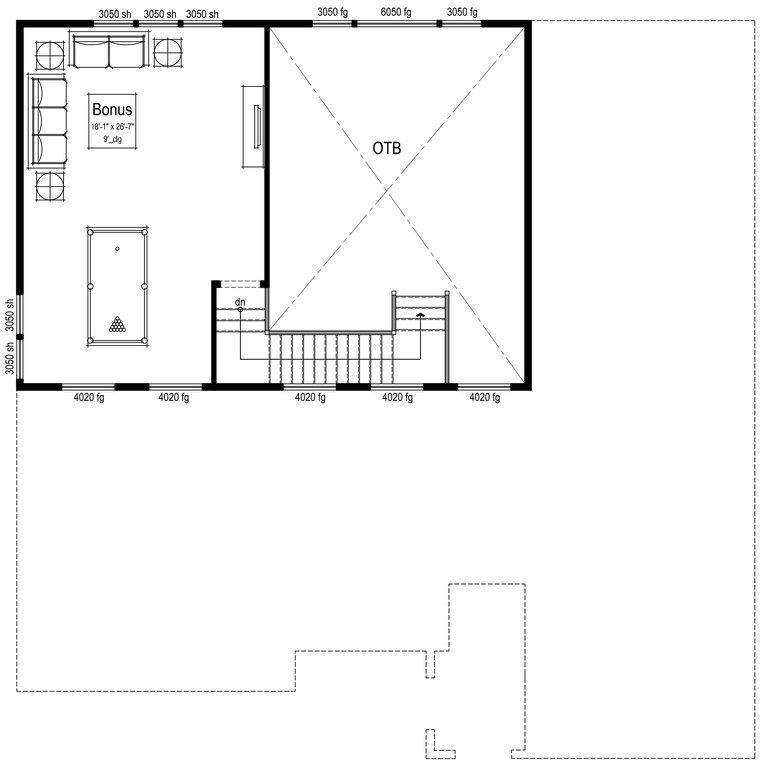
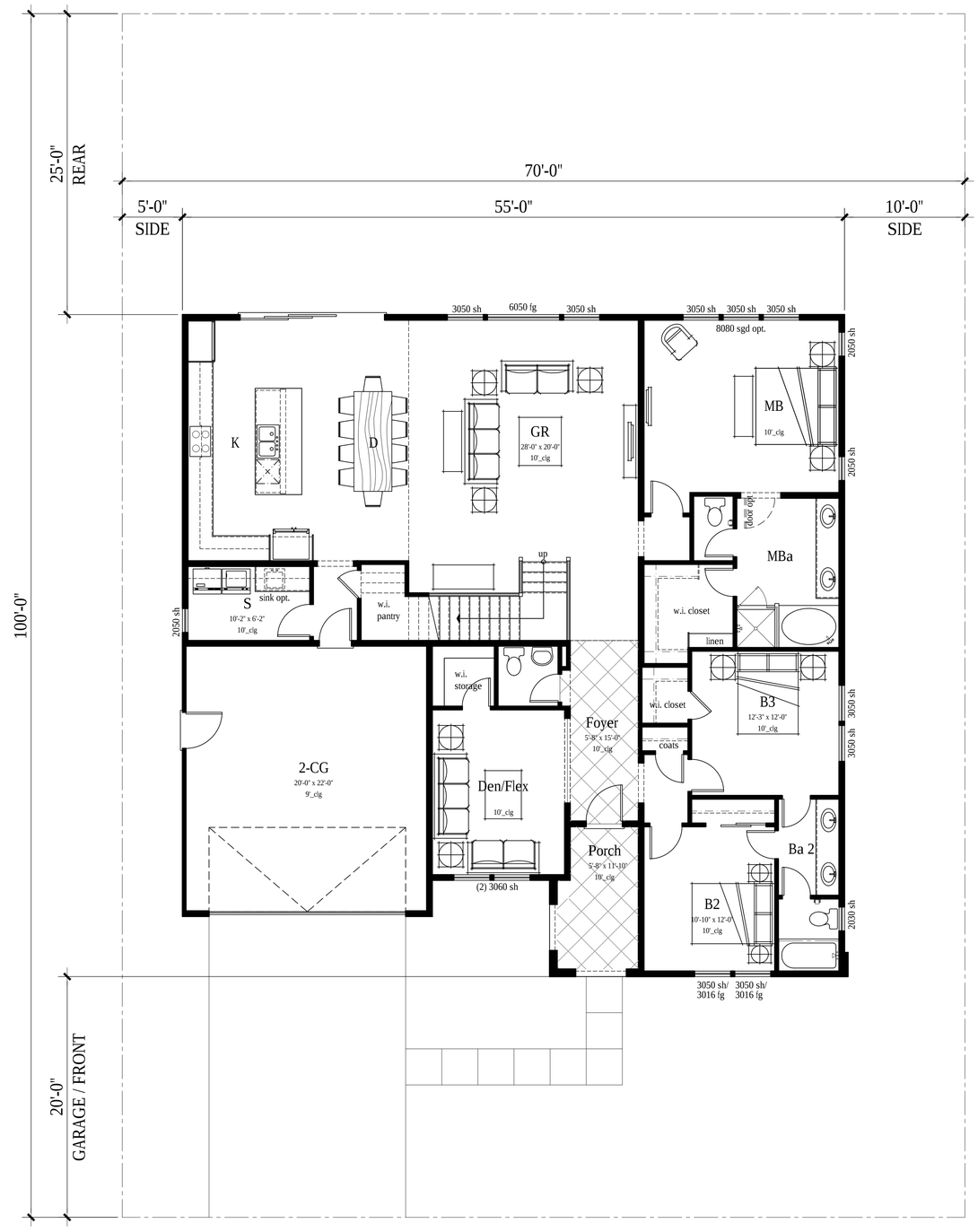
PLAN 3 - STYLE 'B' - FIRST AND SECOND FLOOR PLAN

A3-12





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0 4' 8' 12'

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PLAN 3 - STYLE 'C' -FIRST AND SECOND FLOOR PLAN

A3-13

PLAN 3A

CONTEMPORARY RANCH

PLAN 3B

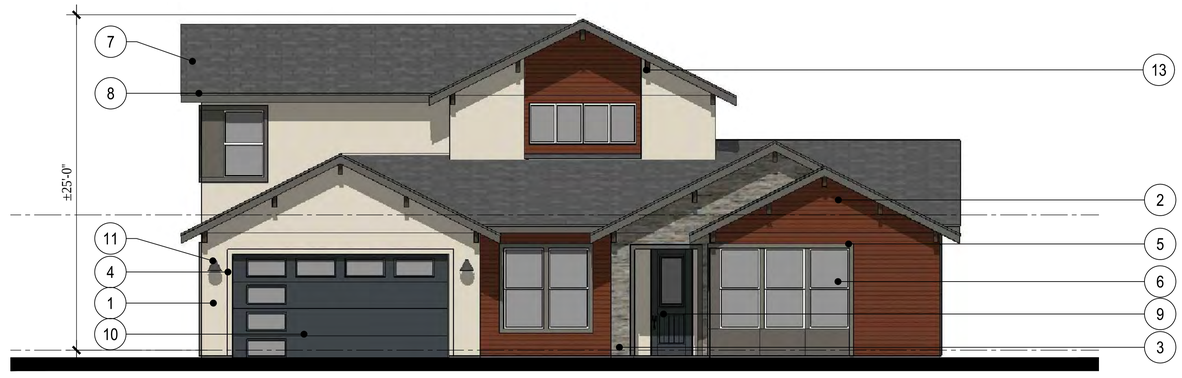
MODERN PRAIRIE

PLAN 3C

MID-CENTURY MODERN

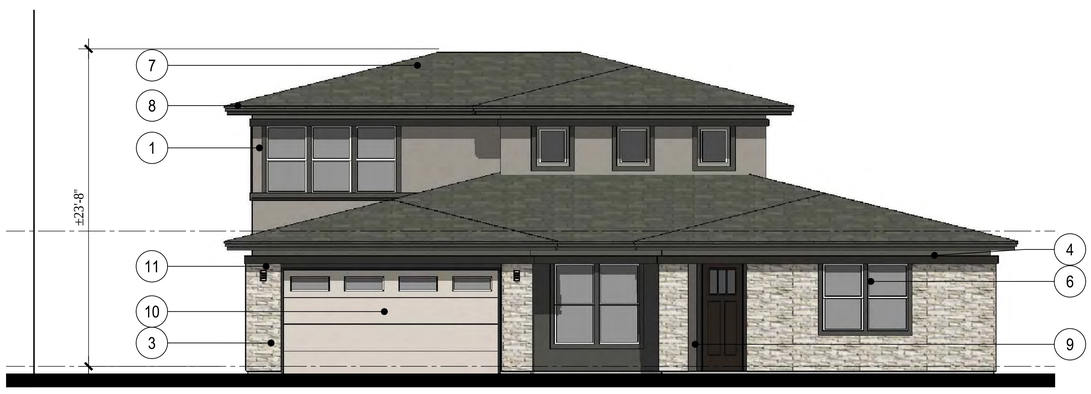
Building Materials List

1. Stucco
2. Fiber Cement Lap Siding
3. Stone Veneer
4. Stucco Trim
5. Fiber Cement Trim
6. Vinyl Windows
7. Concrete Tile Roof
8. Fascia Board
9. Entry Door
10. Metal Garage Door
11. Exterior Light Fixture
12. Unit Address
13. Wood Corbel
14. Stucco Control Joint
15. Stucco Column
16. Scored Stucco



PLAN 3A

CONTEMPORARY RANCH



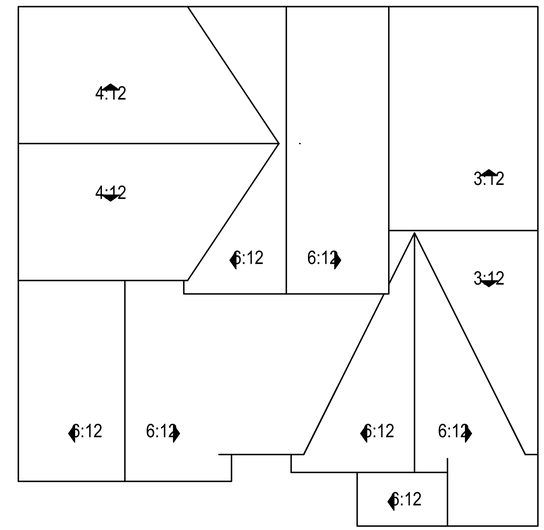
PLAN 3B

MODERN PRAIRIE

PLAN 3C

MID-CENTURY MODERN

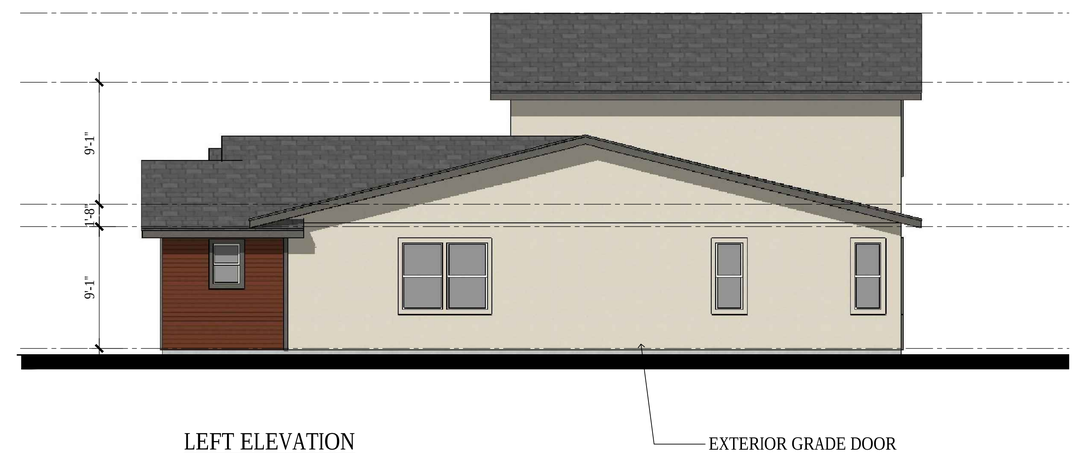
RIGHT ELEVATION



ROOF PLAN

SCALE: $\frac{1}{8}$" = 1--0"

REAR ELEVATION



LEFT ELEVATION

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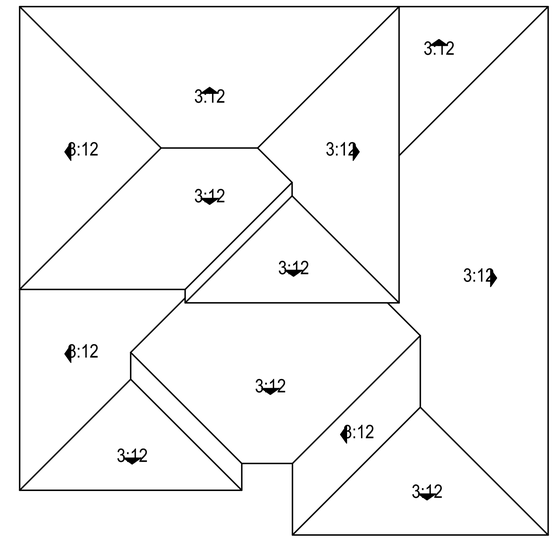
PLAN 3 - STYLE 'A' - EXT. EL. & ROOF PLAN

A3-22

RIGHT ELEVATION



ROOF PLAN

SCALE: $\frac{1}{8}$" = 1--0"

REAR ELEVATION

LEFT ELEVATION

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0 8' 16' 24'

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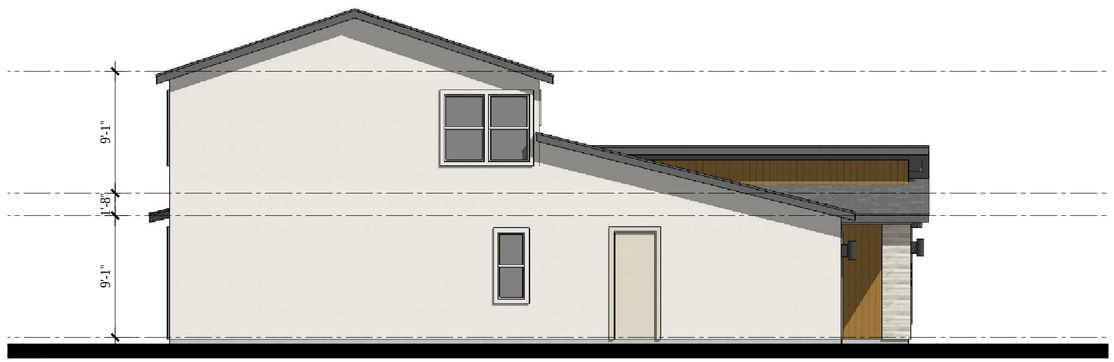
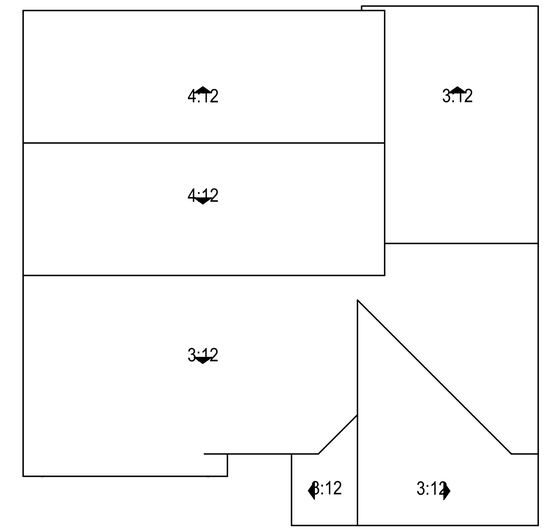
PLAN 3 - STYLE 'B' - EXT. EL. & ROOF PLAN

A3-23



RIGHT ELEVATION



ROOF PLAN

SCALE: $\frac{1}{8}$" = 1--0"

REAR ELEVATION

LEFT ELEVATION

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0 8' 16' 24'

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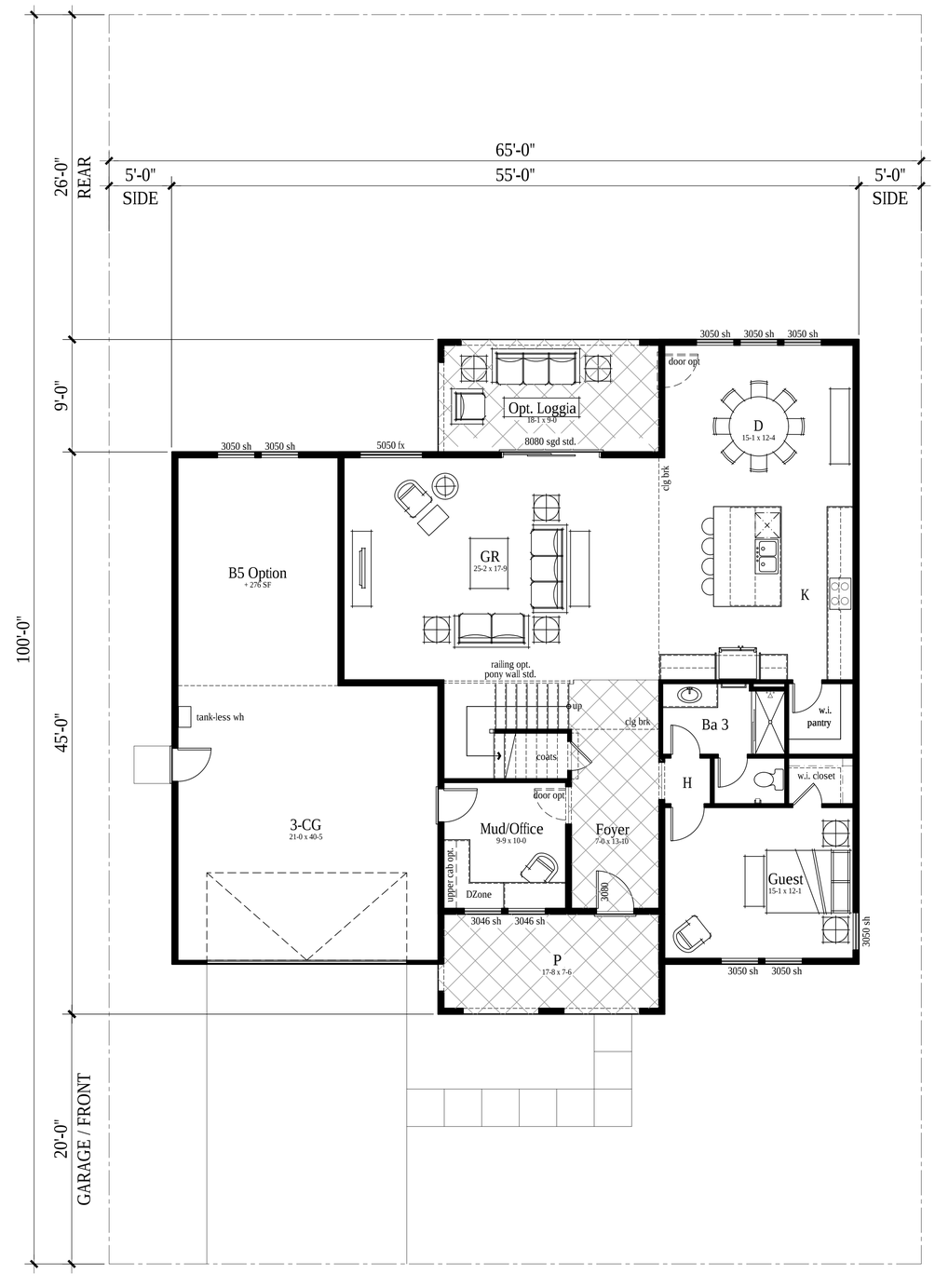
PLAN 3 - STYLE 'C' - EXT. EL. & ROOF PLAN

A3-24



SQUARE FOOTAGE SUMMARY

PLAN 4	
FIRST FLOOR	1,603 S.F.
SECOND FLOOR	2,176 S.F.
TOTAL	3,779 S.F.
TOTAL LOT COVERAGE	2,469 S.F.
PORCH	141 S.F.
2-CAR GARAGE	476 S.F.
STORAGE @ GARAGE	249 S.F.
BEDROOM 5 OPT.	+249 S.F.
LOGGIA OPT.	159 S.F.
2ND FLOOR DECK OPT.	159 S.F.

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0 4' 8' 12'

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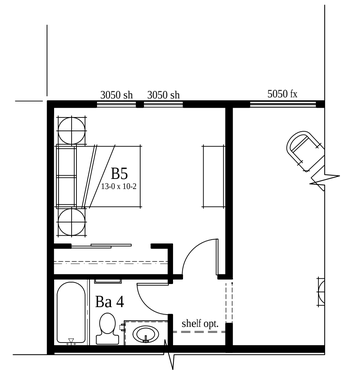
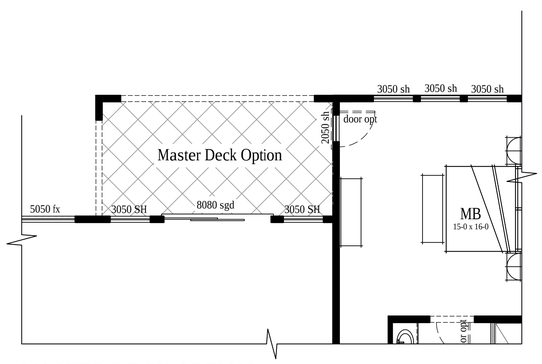
PLAN 4 - STYLE 'A' - FIRST AND SECOND FLOOR PLAN

A4-10

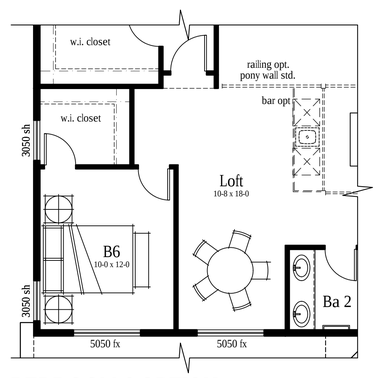


FLEX OPTION

IN LIEU OF STORAGE

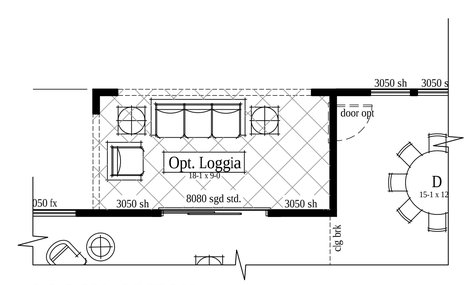


MASTER DECK OPTION

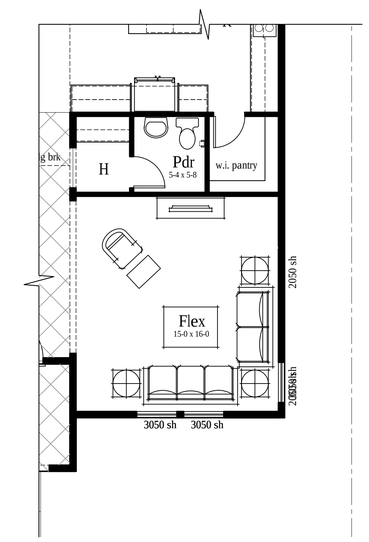


BEDROOM 6 OPTION

IN LIEU OF BONUS



LOGGIA OPTION



FLEX OPTION

IN LIEU OF GUEST BEDROOM

SQUARE FOOTAGE SUMMARY	
PLAN 4	
FIRST FLOOR	1,603 S.F.
SECOND FLOOR	2,176 S.F.
TOTAL	3,779 S.F.
TOTAL LOT COVERAGE	2,469 S.F.
PORCH	141 S.F.
2-CAR GARAGE	476 S.F.
STORAGE @ GARAGE	249 S.F.
BEDROOM 5 OPT.	+249 S.F.
LOGGIA OPT.	159 S.F.
2ND FLOOR DECK OPT.	159 S.F.

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ANTIOCH, CA # 2019-0072

0 4' 8' 12'

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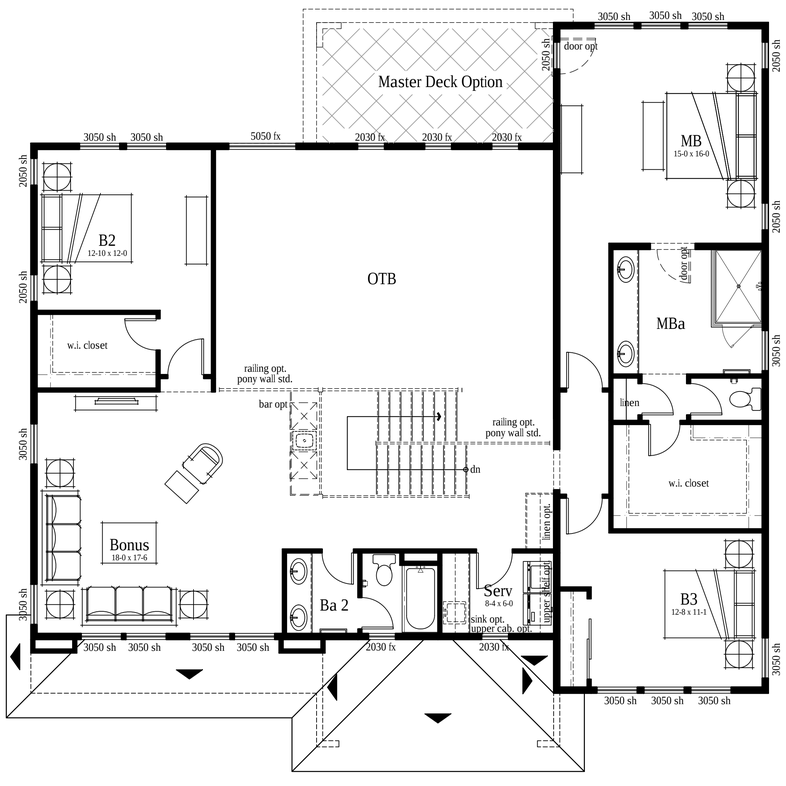
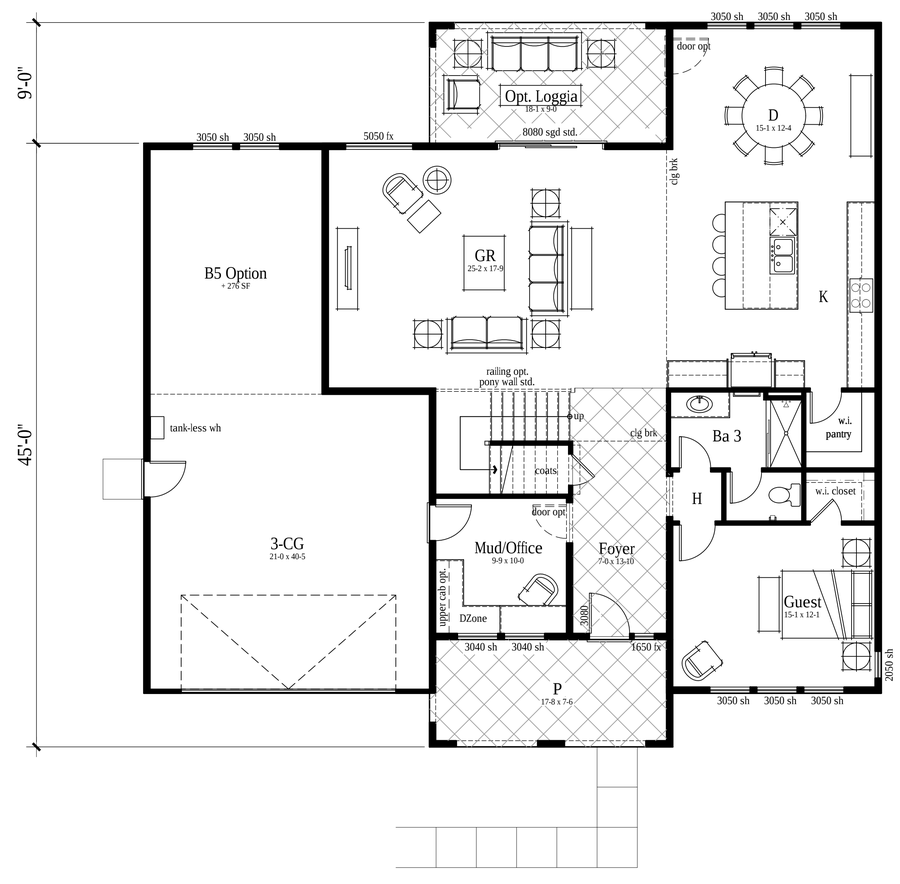
PLAN 4 - FLOOR PLAN OPTIONS

A4-11





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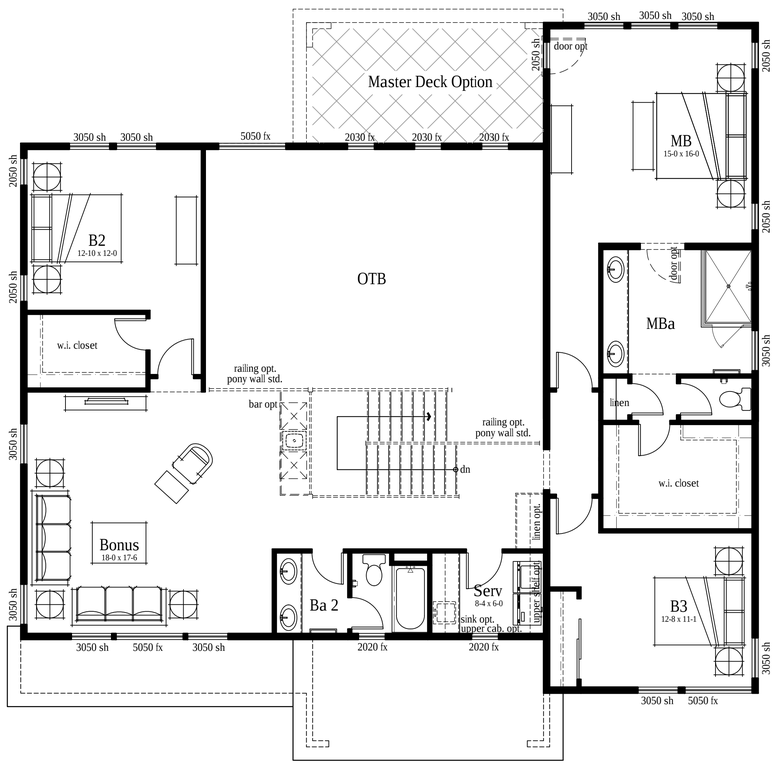
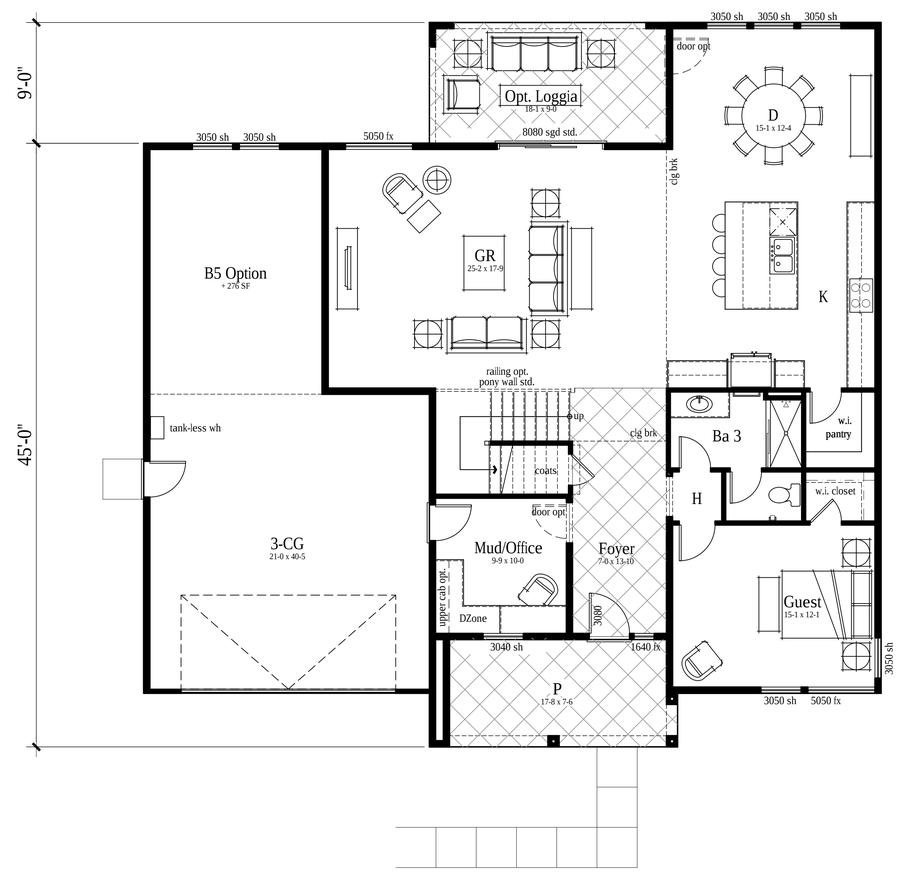
PLAN 4 - STYLE 'B' - FIRST AND SECOND FLOOR PLAN

A4-12





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PLAN 4 - STYLE 'C' - FIRST AND SECOND FLOOR PLAN

A4-13

PLAN 4A

CONTEMPORARY RANCH

PLAN 4B

MODERN PRAIRIE

PLAN 4C

MID-CENTURY MODERN

PLAN 4A

CONTEMPORARY RANCH

PLAN 4B

MODERN PRAIRIE

PLAN 4C

MID-CENTURY MODERN

Building Materials List

1. Stucco
2. Fiber Cement Lap Siding
3. Stone Veneer
4. Stucco Trim
5. Fiber Cement Trim
6. Vinyl Windows
7. Concrete Tile Roof
8. Fascia Board
9. Entry Door
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12. Unit Address
13. Wood Corbel
14. Stucco Control Joint
15. Stucco Column
16. Scored Stucco

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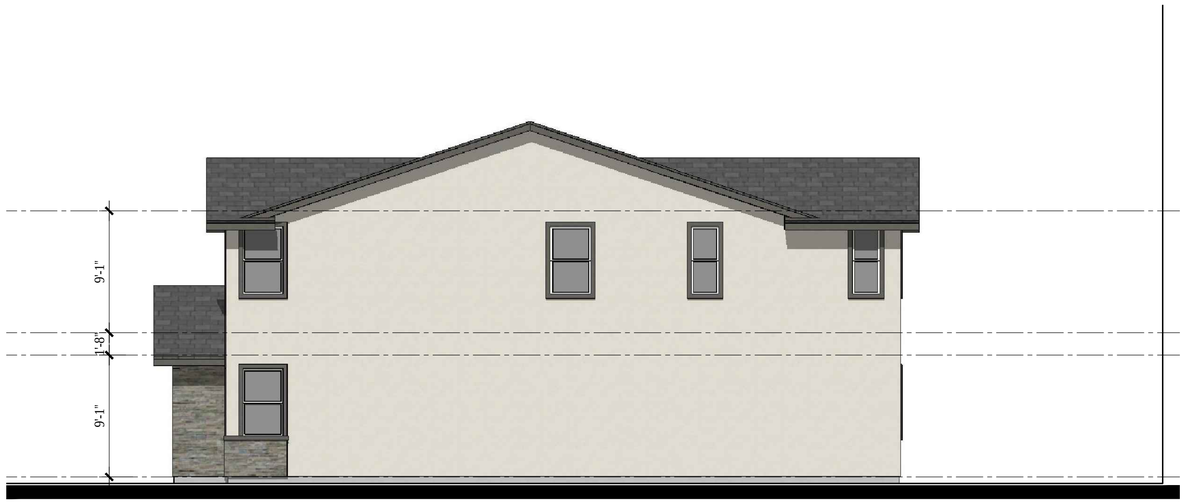
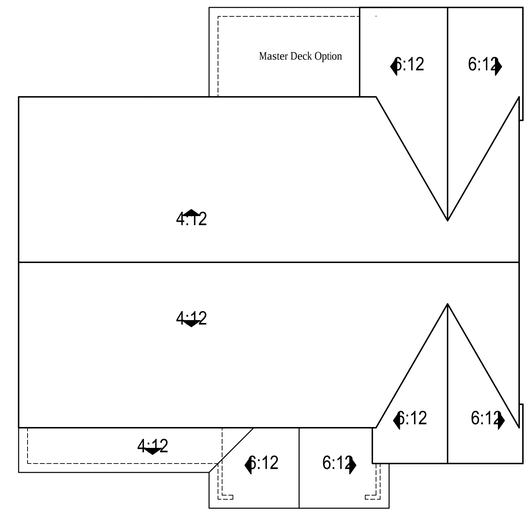
PLAN 4 - FRONT ELEVATIONS

A4-21



RIGHT ELEVATION



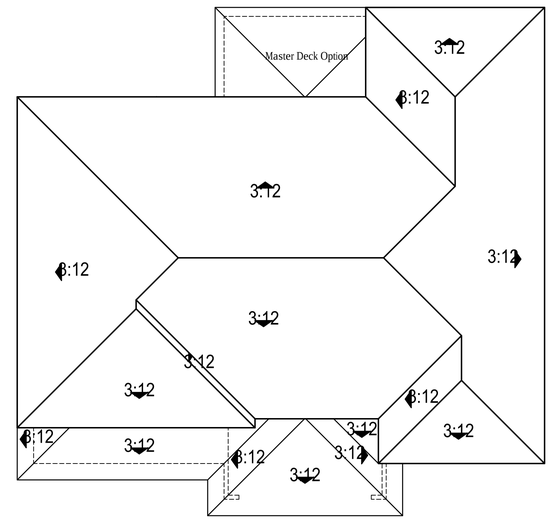
ROOF PLAN

SCALE: $\frac{1}{8}$" = 1--0"

REAR ELEVATION

LEFT ELEVATION

RIGHT ELEVATION



ROOF PLAN

SCALE: $\frac{1}{8}$" = 1--0"

REAR ELEVATION

LEFT ELEVATION

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0 8' 16' 24'

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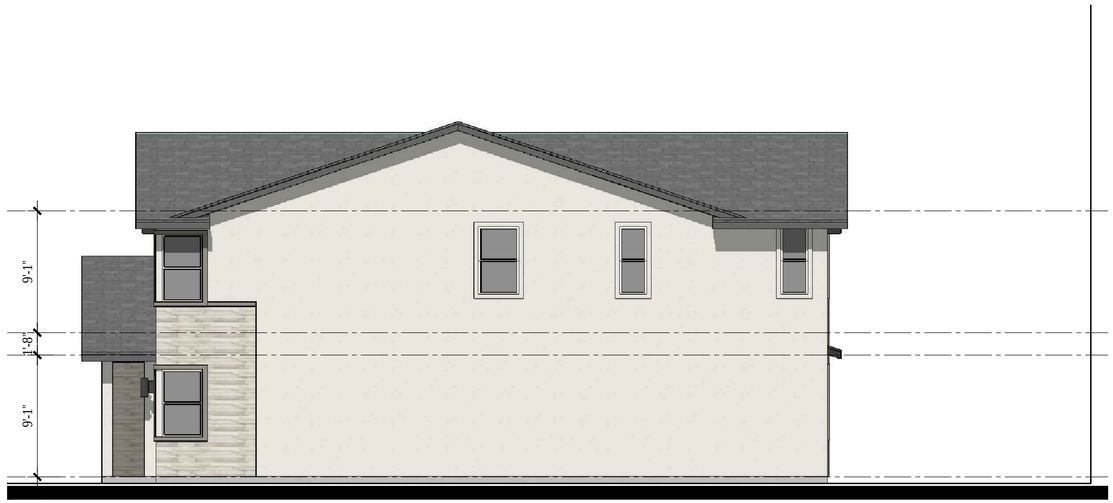
PLAN 4 - STYLE 'B' - EXT. EL. & ROOF PLAN

A4-23



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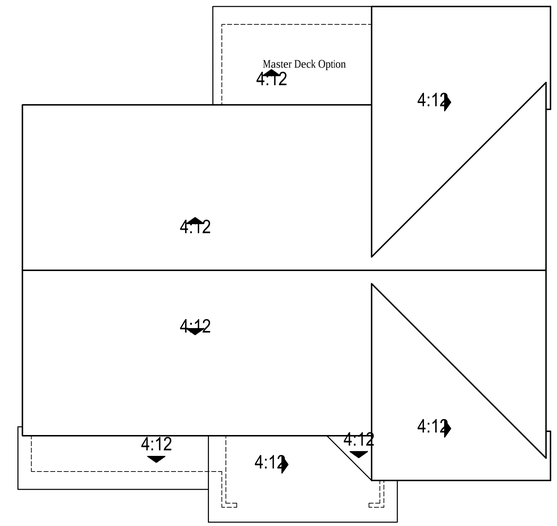

ROOF PLAN

SCALE: $\frac{1}{8}$" = 1--0"

REAR ELEVATION

LEFT ELEVATION

EXTERIOR GRADE DOOR

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PLAN 4 - STYLE 'C' - EXT. EL. & ROOF PLAN

A4-24

STYLE C

STYLE B

STYLE A

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PLAN 4 - OPTIONAL LOGGIA

A4-25

STYLE C

STYLE B

STYLE A

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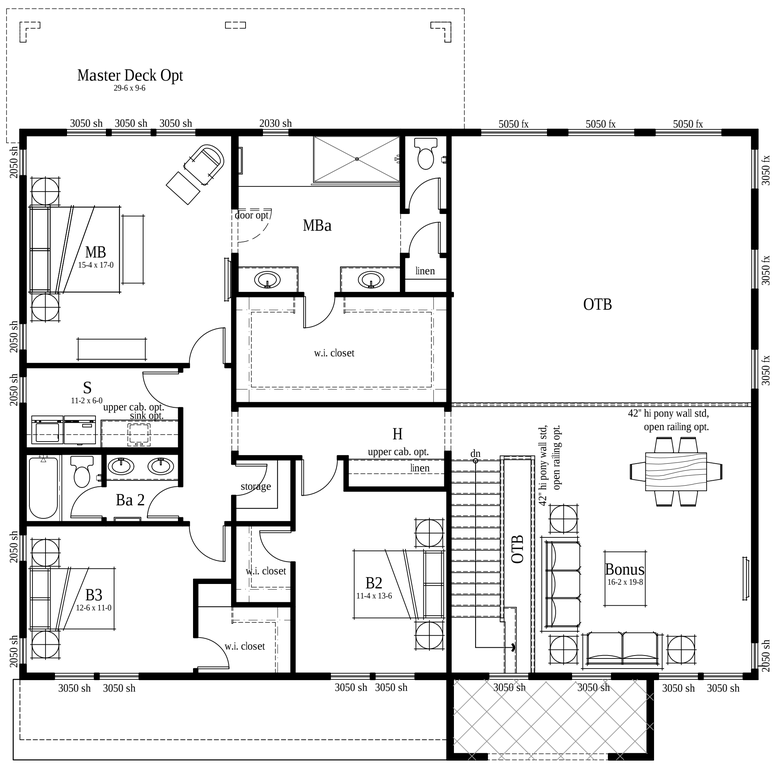
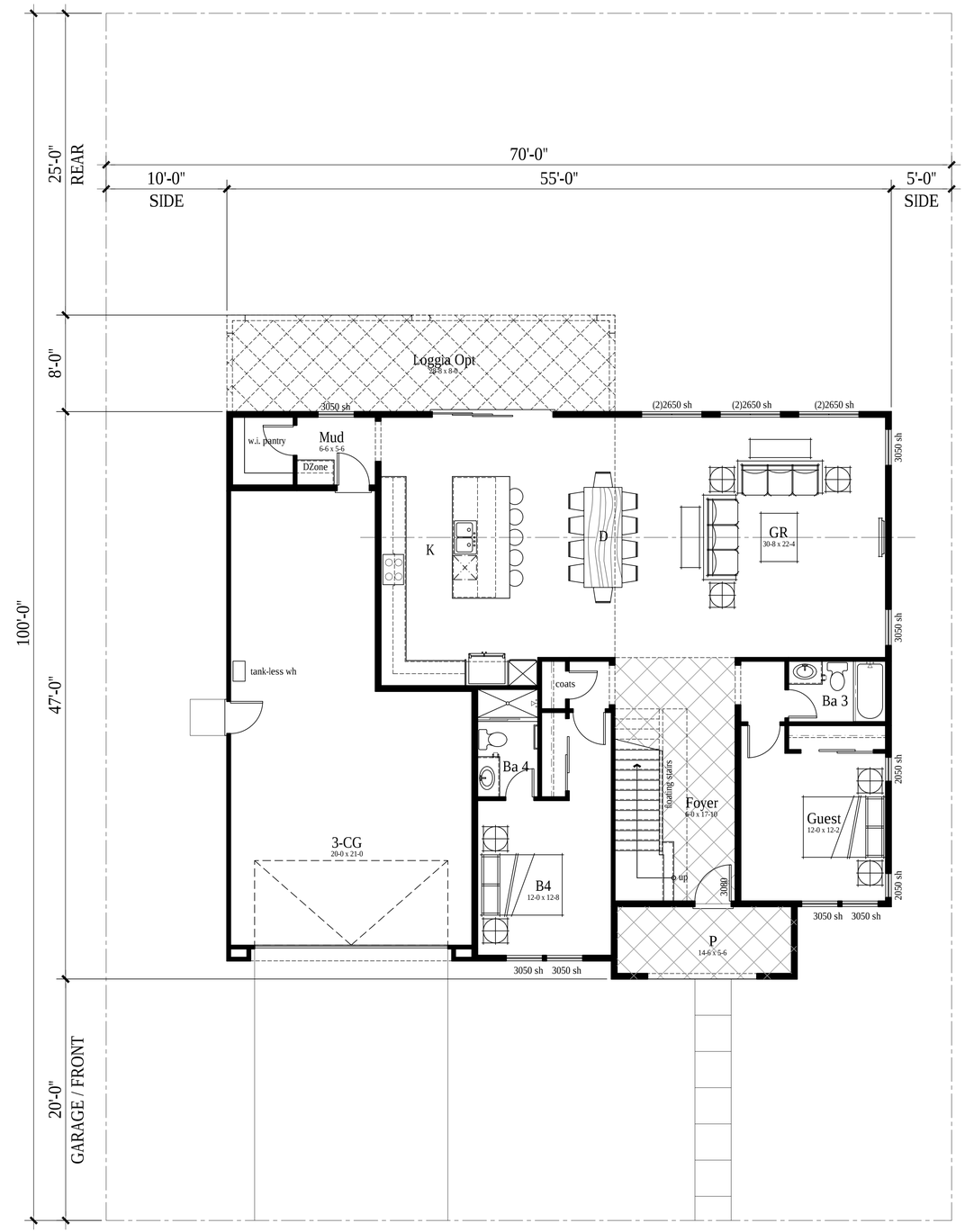
PLAN 4 - OPTIONAL DECK

A4-26





SQUARE FOOTAGE SUMMARY

PLAN 5	
FIRST FLOOR	1,743 S.F.
SECOND FLOOR	1,702 S.F.
TOTAL	3,445 S.F.
TOTAL LOT COVERAGE	2,496 S.F.
PORCH	90 S.F.
3-CAR GARAGE	663 S.F.
LOGGIA OPT.	257 S.F.
2ND FLOOR DECK OPT.	230 S.F.

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0 4' 8' 12'

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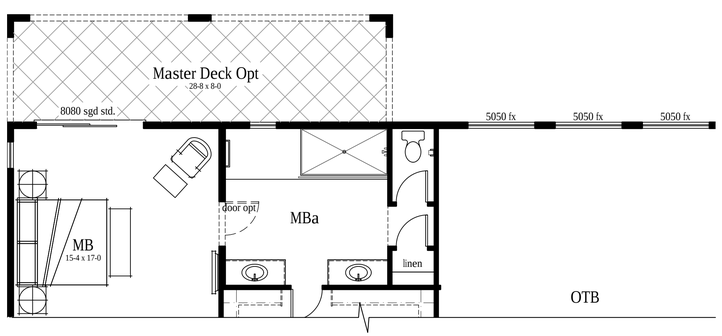
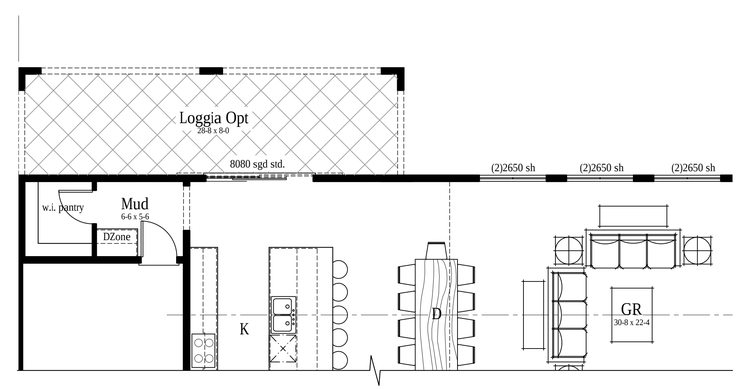
PLAN 5 - STYLE 'A' - FIRST AND SECOND FLOOR PLAN

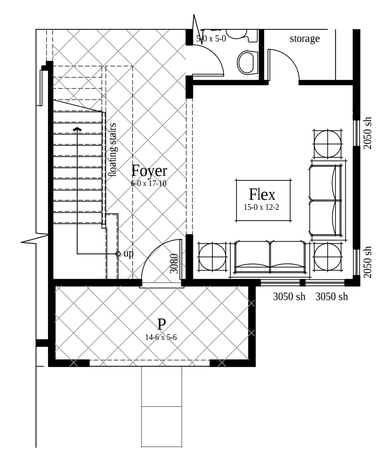
A5-10



MASTER DECK OPTION



LOGGIA OPTION



FLEX OPTION

IN LIEU OF GUEST BEDROOM

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0 4' 8' 12'

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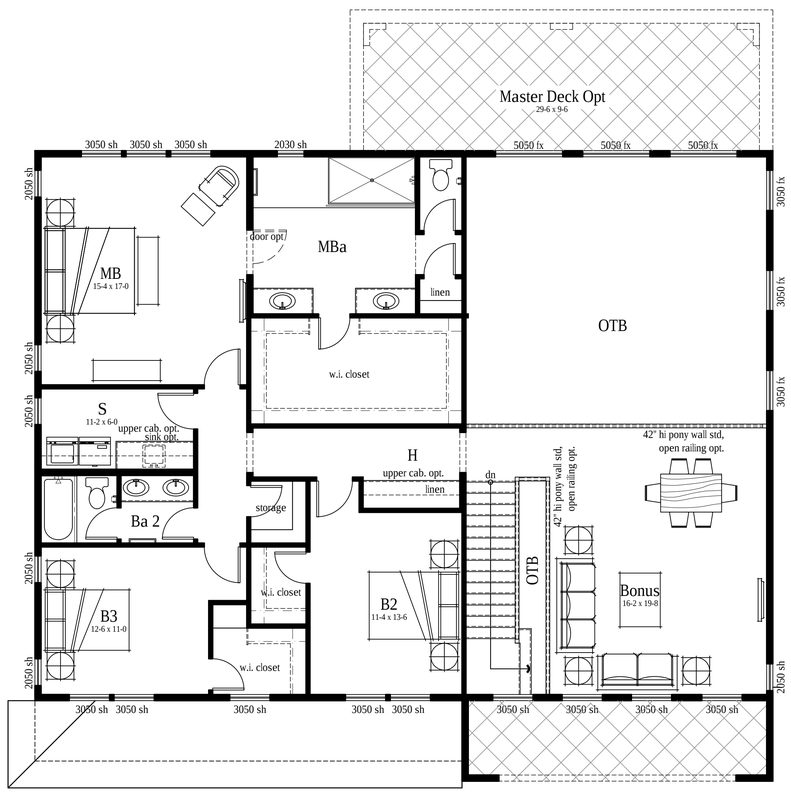
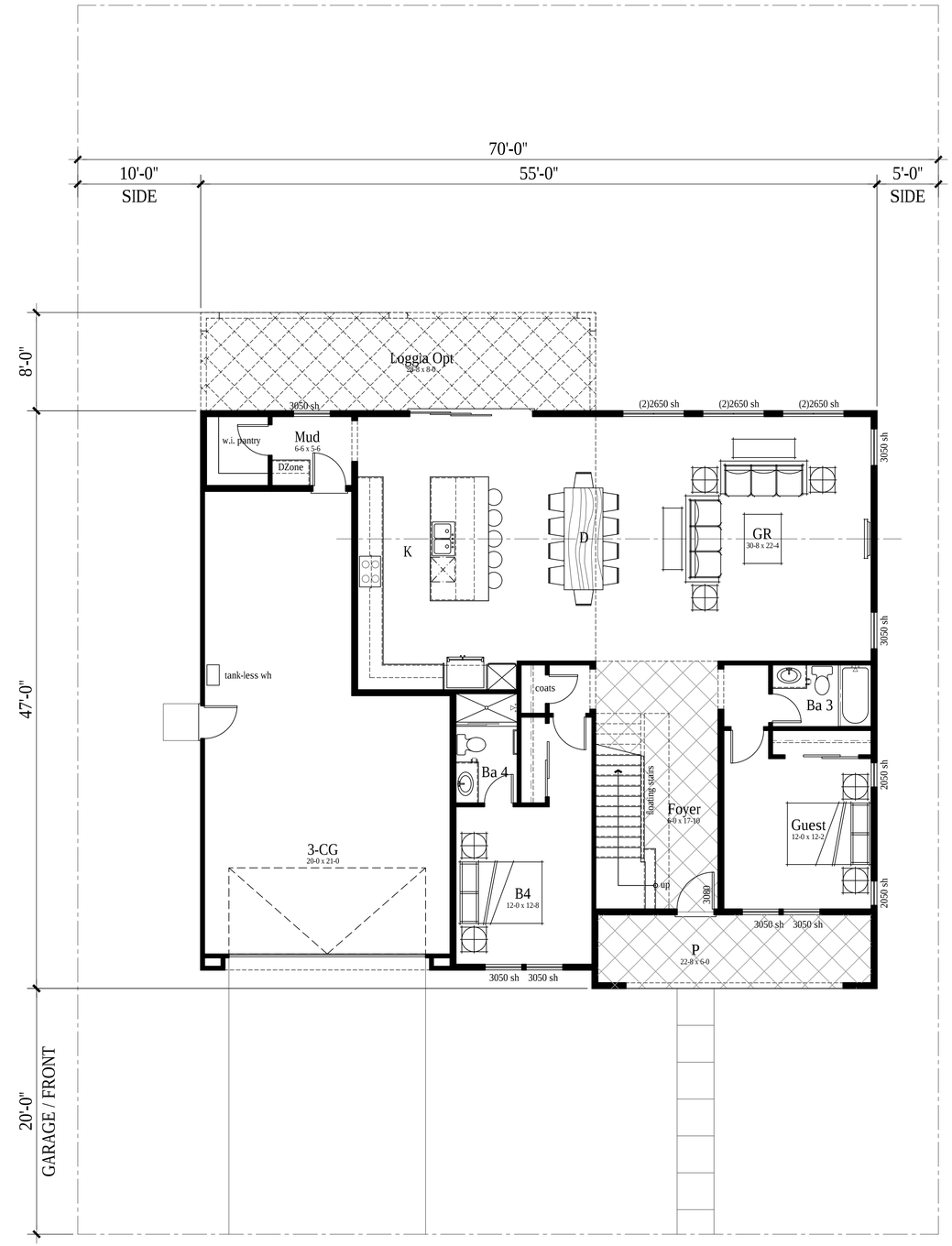
PLAN 5 - FLOOR PLAN OPTIONS

A5-11





SQUARE FOOTAGE SUMMARY

PLAN 5	
FIRST FLOOR	1,743 S.F.
SECOND FLOOR	1,702 S.F.
TOTAL	3,445 S.F.
TOTAL LOT COVERAGE	2,543 S.F.
PORCH	137 S.F.
3-CAR GARAGE	663 S.F.
LOGGIA OPT.	257 S.F.
2ND FLOOR DECK OPT.	230 S.F.

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0 4' 8' 12'

PLANNING SUBMITTAL
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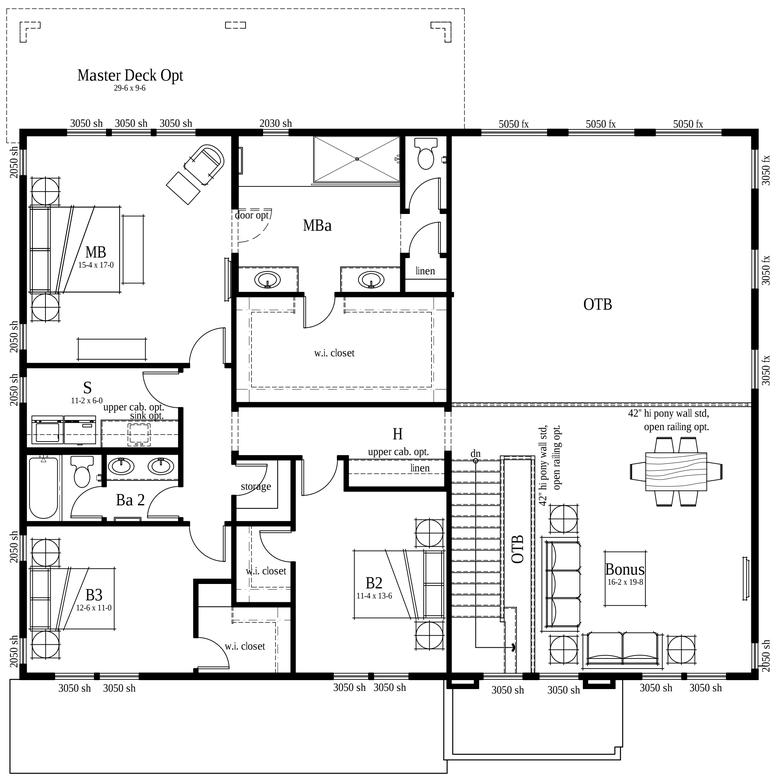
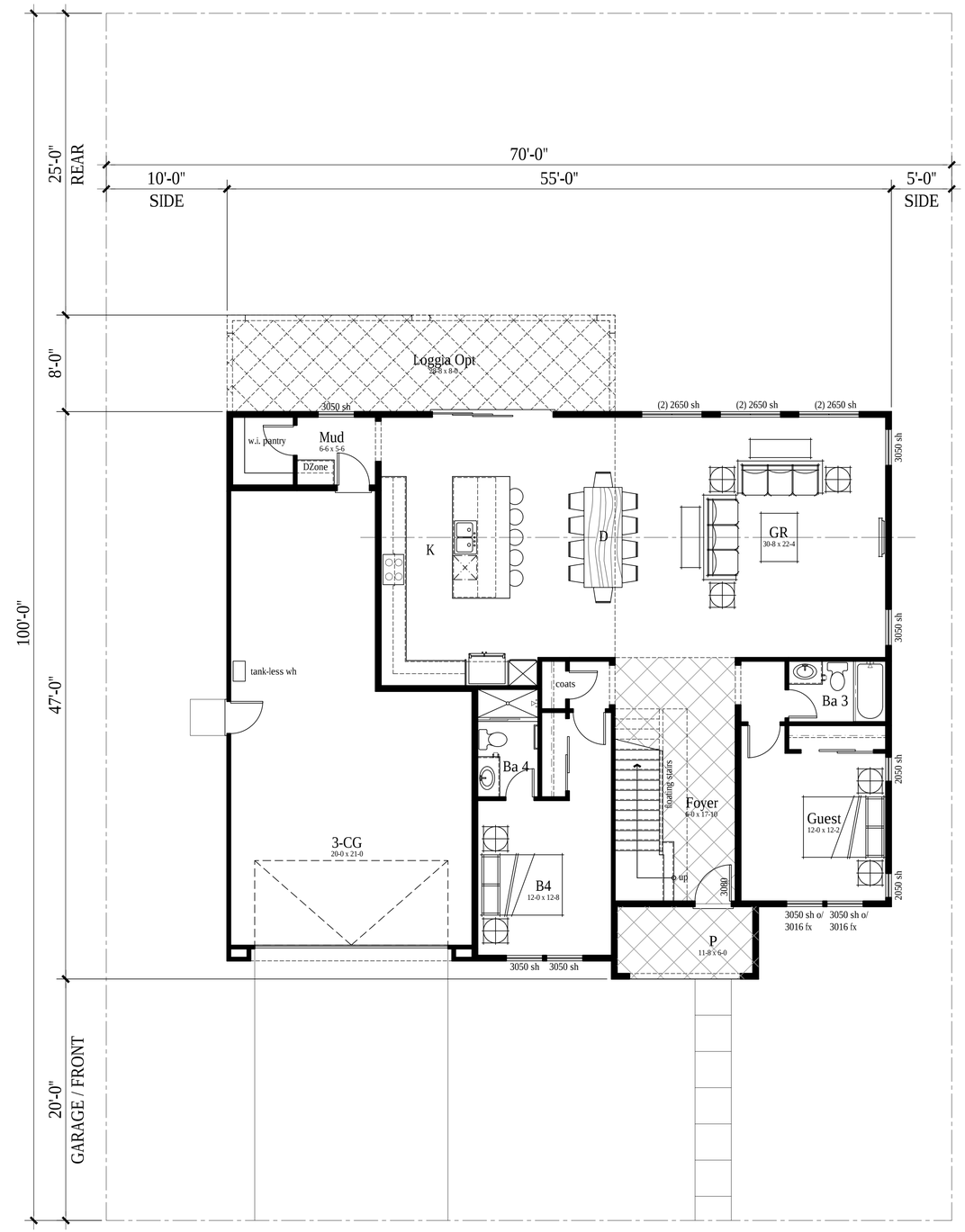
PLAN 5 - STYLE 'B' - FIRST AND SECOND FLOOR PLAN

A5-12





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0 4' 8' 12'

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PLAN 5 - STYLE 'C' - FIRST AND SECOND FLOOR PLAN

A5-13

PLAN 5A

CONTEMPORARY RANCH

PLAN 5B

MODERN PRAIRIE

PLAN 5C

MID-CENTURY MODERN

Building Materials List

1. Stucco
2. Fiber Cement Lap Siding
3. Stone Veneer
4. Stucco Trim
5. Fiber Cement Trim
6. Vinyl Windows
7. Concrete Tile Roof
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14. Stucco Control Joint
15. Stucco Column
16. Scored Stucco

PLAN 5A

CONTEMPORARY RANCH

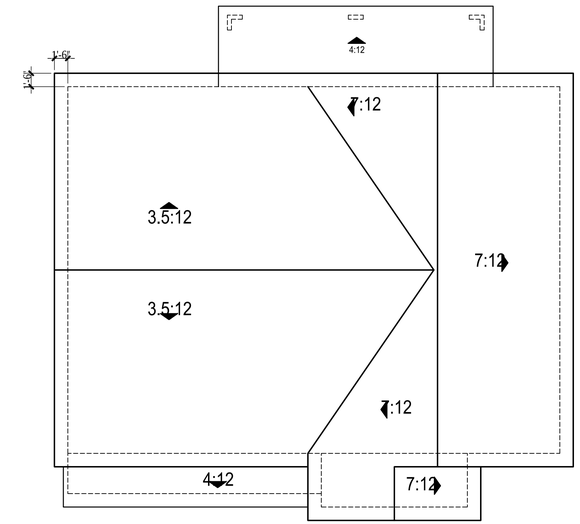
PLAN 5B

MODERN PRAIRIE

PLAN 5C

MID-CENTURY MODERN

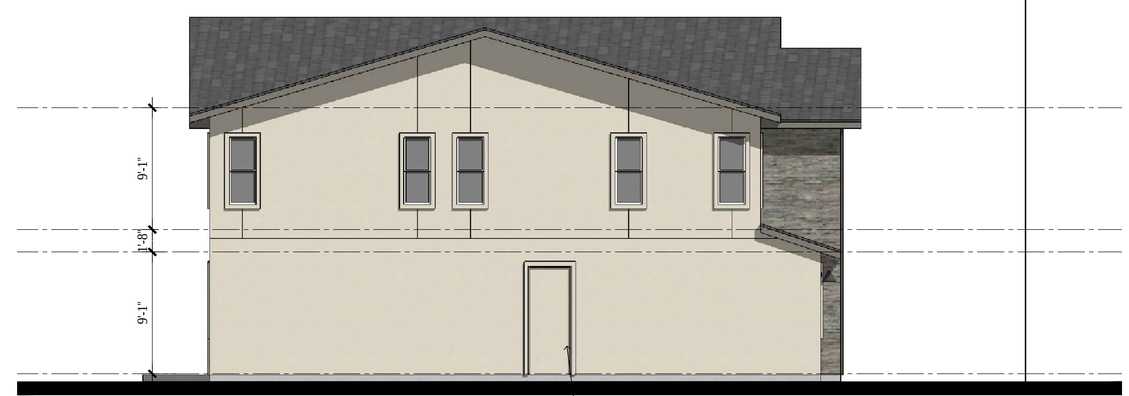
RIGHT ELEVATION



ROOF PLAN

SCALE: $\frac{1}{8}$" = 1--0"

REAR ELEVATION



LEFT ELEVATION

EXTERIOR GRADE DOOR

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0 8' 16' 24'

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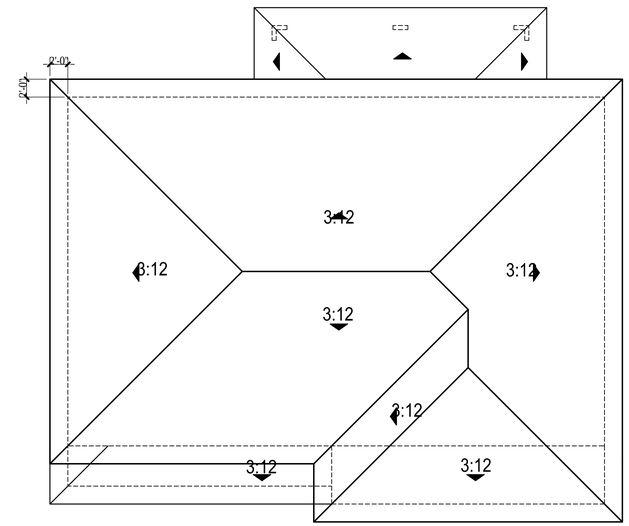
PLAN 5 - STYLE 'A' - EXT. EL. & ROOF PLAN

A5-22

RIGHT ELEVATION



ROOF PLAN

SCALE: $\frac{1}{8}$" = 1--0"

REAR ELEVATION

LEFT ELEVATION

EXTERIOR GRADE DOOR

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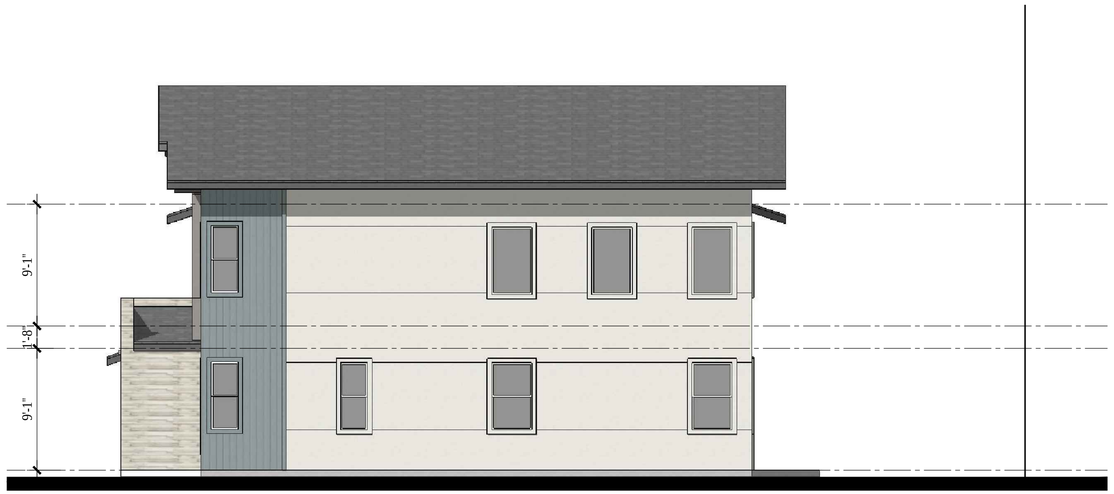
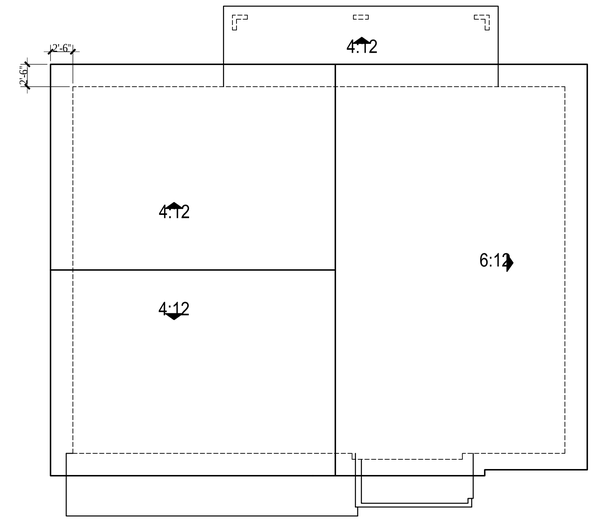
PLAN 5 - STYLE 'B' - EXT. EL. & ROOF PLAN

A5-23



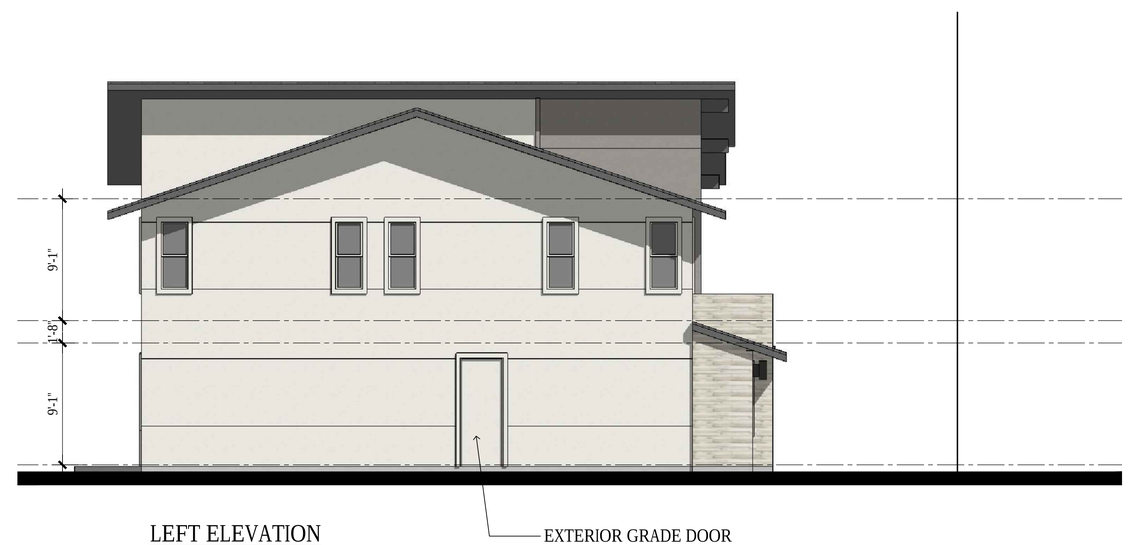
RIGHT ELEVATION



ROOF PLAN

SCALE: $\frac{1}{8}$" = 1--0"

REAR ELEVATION



LEFT ELEVATION

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0 8' 16' 24'

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PLAN 5 - STYLE 'C' - EXT. EL. & ROOF PLAN

A5-24

STYLE C

STYLE B

STYLE A

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PLAN 5 - OPTIONAL LOGGIA

A5-25

STYLE C

STYLE B

STYLE A

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ANTIOCH, CA # 2019-0072

0 8' 16' 24'

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PLAN 5 - OPTIONAL DECK

A5-26

ATTACHMENT D

Project Description

Exhibit A
Deer Valley Estates Antioch
Detailed Project Description

Owner/Applicant		
Property Owner	Western State Company a CA LP Attn: Carl Zocchi 5075 Commercial Circle, Suite A, Concord, CA 94520 csz@zcproperties.com	
Applicant/Developer	Blue Mountain Communities Attn: Mike Howl or Carlos Yanez 707 Aldridge Road Suite B Vacaville, CA 95688 707-471-7479	
Design Team		
Engineer	Carlson, Barbee & Gibson, Inc Attn: Andrea Bellanca 2633 Camino Ramon, Suite 350 San Ramon, CA 94583 925-866-0322	
Soils Engineer	Engeo, Inc 17278 Golden Valley Parkway Lathrop, CA 95330 209-835-0610	
Architect	KTGY Architecture + Planning Attn: Jonathan Jaeger 1814 Franklin St, Suite 400 Oakland, CA 94612 510-463-2064	
Landscape Architect	Ripley Design Group Attn: Annika Carpenter 1615 Bonanza St, Suite 314 Walnut Creek, CA 94596 925-938-7377	

Site Info			
Address	1600 Deer Valley Road, Antioch, California Contra Costa County		
APN	057-022-013 and 055-071-026		
Area	37.56 Acres		
General Plan	Existing	055-071-026	Medium Low Density Residential
		057-022-013	Sand Creek Focus Area Low Density Residential
	Proposed	Sand Creek Focus Area Low Density Residential	
Zoning	Existing	PD- Planned Development	
	Proposed	PD- Planned Development	

PROJECT SITE CHARACTERISTICS:

The project site consists of 37.56 acres of primarily undeveloped gently sloping land. Currently, the site includes a limited cattle-grazing operation. Historical uses of the site include grazing and limited natural gas exploration. The site is traversed by several gas line easements which are all retained in open space.

Proposed Use: Construction of 121 single family detached homes on minimum 7,000 square foot lots, plus public streets, and private open space composed of park, playground, dog park, walkways, and detention basin. The proposed density is 3.2 dwelling per acre.

Existing streets are proposed to be extended completing existing dead ends in the community to the north. They would be built to city standards and deeded to the City. Deer Valley green way adjoining the parcel, internal park, walkways and retention basin would be maintained by a new HOA to be formed for the community. The main entry into the project is proposed to be at a widened Wellness Way at the south side of the project across from the main entry into the Kaiser Hospital complex.

Surrounding land uses are:

North: single family homes,
East: single family homes approved and under construction.
South: Kaiser Hospital and PG&E substation.
West: Deer Valley Road and open space approved for mixed use development per the Sand Creek Focus Area plan

Entitlement Requested:

General Plan Amendment: The smaller of the two parcels, 055-071-026 has a general plan designation of Medium Low Density Residential. The large parcel has a general plan designation of Sand Creek Focus Area Low Density Residential. Applicant seeks a General Plan Amendment to make the smaller parcel consistent with the larger parcel. So both would have the same general plan designation of Sand Creek Focus Area Low Density Residential.

Tentative Map: Application seeks approval of a vesting tentative map

Final Development Plan: The development plan includes 4 hours plans each with three unique elevations. The homes would be a mix of 1 and 2 story raging in size from 2,799 square foot 3 bedroom 2 bath to a 3,363 square foot 5 bedroom 4 bath home. All set backs, lot coverage and other lot requirements are met. Masonry walls will be built to surround the project. Stormwater retention is on site.

Public Facilities and Amenities
Proposed public facilities and recreational amenities, including open space and trails, and park.

• **Deer Valley Road:** The project fronts on Deer Valley Road and would create an extension of the Deer Valley parkway landscape design.

• **Open Space and Trails:** In addition to the Deer Valley Road parkway improvements the project would include a landscaped and trail improvements over existing gas line pipelines. Setting aside approximately 1.5 acres as open space.

• **Parks and Landscape Areas.** The proposed project would include a 1.12 acre neighborhood park. Landscaped areas would also be provided throughout the development.

• **Retention Basin.** The proposed project includes a 1.51 acre stormwater control retention basin.

Design Review: The architecture for Deer Valley Estates springs from an intention to create a community that is rooted in tradition and at the same time is looking to the future. Residential design in the 20th century took many shapes and forms, and 3 innovative styles that enjoyed popularity and success were Prairie Style, Ranch Style, and Mid-Century Modern. These three styles have distinct characters, but also share some common attitudes in their emphasis on horizontality, connection to the land, and an honest use of materials. The homes at Deer Valley Estates take these three styles as inspiration and reinterpret them with an eye towards today's lifestyles and contemporary materials.

The Modern Prairie style is inspired by the hipped roofs, broad eaves, horizontal banding, and alternating rhythm of piers and glazing typical of the original Prairie Style reinterpreted using horizontal stone veneer, strong horizontal banding, and broad hipped roofs.
The Contemporary Ranch style is an updated take on ranch style homes with a mix of gable and shed roofs, exposed beams, stone accents, and a warm color palette.
The Mid-Century Modern style is a 21st century take on classic 1950's residential design, employing strong shed roof forms, larger groupings of glazing, exposed beams, cooler tones, and pops of color.

ATTACHMENT E

Master Development Plan City Council Staff Report and Minutes (February 26, 2008)

STAFF REPORT TO THE CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF FEBRUARY 26, 2008

Prepared by: Brenda Gillarde, Planning Consultant

Reviewed by: Tina Wehrmeister, Deputy Director of Community Development

Approved by: Joseph Brandt, Director of Community Development

Date: February 21, 2008

Subject: Deer Valley Estates Master Development Plan (MDP), Planned Development Rezone and Mitigated Negative Declaration

RECOMMENDATION

It is recommended that the City Council take the following actions:

1. Motion to approve the resolution adopting the Deer Valley Estates Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

2. Motion to introduce the ordinance by title only.

3. Motion to Introduce the ordinance rezoning the project site from Study Zone (S) to Planned Development District (PD); and

4. Provide recommendations on the Deer Valley Estates Master Development Plan.

REQUEST

Allied Investments requests review of a Master Development Plan and approval of a Planned Development Rezone, for the development of a 136 unit single family home subdivision on an approximately 38 acre parcel. The project site is located in the southern portion of the City of Antioch and is bound by Deer Valley Road to the west, single-family residential development to the north; grazing land to the east; and Wellness Way and the Kaiser Hospital medical facilities to the south.

BACKGROUND INFORMATION

The proposed project is located in the Sand Creek Focus Policy Area of the General Plan. In 2004 the City Council decided to cease the processing of a Specific Plan for the Focus Area. The General Plan requires that either a Specific Plan be prepared or an alternative planning process be created for the area. Since a specific plan was not adopted, the City Council adopted an alternative planning process in 2005. This planning process requires all projects seeking development entitlements to submit an application to rezone the subject property from "S" Study Zone to a Planned

Development (PD) zone. The process also requires that a Master Development Plan (MDP) be submitted concurrently with the PD Rezoning application. The Deer Valley Estates application is the first PD rezone and Master Development Plan to be processed in the Focus Area. A chart that describes the planning process for the Sand Creek Focus Area is provided as Attachment "D".

The adopted alternative planning process for the Sand Creek Focus Policy Area describes the Master Development Plan as more conceptual in nature than a Final Development Plan, but that the Master Development Plan should provide the framework for subsequent development entitlements for the subject property. The proposed PD Rezone sets the development standards for the project site, including the maximum density, maximum number of units, minimum lot size, lot coverage, maximum building height and landscape requirements.

The PD rezone required by the alternate planning process requires CEQA review. A draft Mitigated Negative Declaration was prepared for this project. The following section provides additional discussion of the environmental review process.

The Planning Commission conducted a public hearing on this application on January 16, 2008. One member of the public spoke against the project. The Commission recommended City Council adoption of the Mitigated Negative Declaration, the Mitigation Monitoring and Reporting Program and the ordinance rezoning the property. The Commission's recommendations for the Master Plan are listed in this staff report at the end of the section entitled "Issue #4: Master Development Plan." Minutes from the Planning Commission meeting are included as Attachment "E".

ENVIRONMENTAL

A Draft Mitigated Negative Declaration (MND) with a Mitigation Monitoring and Reporting Program (MMRP) was prepared for the Deer Valley Estates project in conformance with the California Environmental Quality Act. The public review period of 30 days was from November 8, 2007 to December 7, 2007. The Planning Commission and City Council received the MND on November 14, 2007. No comments were received on the MND. The MMRP was prepared separately from the draft MND and is attached to this staff report for the Council's review and approval.

The MND determined that all potential environmental effects could be mitigated to a less-than-significant level. Refer to the MMRP (attached) for a complete list of all recommended mitigations.

Additional environmental review may be required for the Final Development Plan/Tentative Map submittal. The need for additional environmental review at subsequent entitlement stages will depend in part upon the lapse of time since certification of the MND for the PD rezone/MDP, any new information that may be available that might affect the conclusions contained in the MND, and the scope of any changes to either the project or parcels surrounding the project.

ANALYSIS

Issue #1: Project Overview

The proposed project is a single family subdivision consisting of 136 units and a 1.7 acre park. The project site is on the east side of Deer Valley Road, south of an existing residential subdivision and immediately north of the Kaiser Medical Facility. The property is relatively long and narrow and is crossed by large easements for a petroleum pipeline and two 72-inch storm drain lines. The project's main entrance is from Wellness Way, which is on the project's southern boundary. A second access is proposed from the north via Oneida Way.

Internal circulation would be provided by several roadways, three of which terminate in cul de sacs. Internal streets would be sufficiently wide to accommodate on-street parking and sidewalks on both sides. The stormwater drainage system would incorporate vegetated swales that would lead to two existing 72-inch storm mains. To reduce noise impacts, sound walls would be constructed along the property lines bordering Deer Valley Road and Wellness Way.

Issue #2: General Plan Consistency

The project site is located within the Sand Creek Focus Area as shown on the City of Antioch General Plan Land Use Map. Development in this area is intended to function as a large-scale planned community providing housing and employment opportunities within this region of the City. Because the previously prepared Specific Plan for the Focus Area was not adopted, the General Plan land use and policy guidelines govern uses on the project site.

The General Plan designates the project site as Low Density Residential, which allows 4 dwelling units per gross developable acre. Development under this designation is characterized by single-family homes in traditional subdivisions on lots ranging from 7,000 to 10,000 square feet.

The proposal for the project site would subdivide the 38-acre parcel into 136 lots ranging in size from 7,000 to 7,500 square feet with an average density of 3.6 dwelling units per acre. The proposed subdivision of the property and its use for a single-family development would be consistent with the General Plan designation for the site. One minor note is the fact that the General Plan range of lot sizes is between 7,000 and 10,000 square feet, which suggests that perhaps a mix of lot sizes was desired in this area, to provide more diversity in housing type. The proposed lot pattern would provide for essentially one type of housing product – standard-sized single family homes.

Issue #3: Zoning and Planned Development (PD) Standards

The project site is presently zoned Study District (S) on the City of Antioch Zoning Map, which is intended as an interim designation until all necessary detailed land use studies are completed for a given area.

The PD district allows site-specific development standards to be established for a given site. The chart below contains the proposed development standards for the Deer Valley Estates PD District. For comparison, the standards of the R-4 zone are included. As indicated in the chart, the proposed PD district would provide for a larger minimum lot size, slightly larger rear yard setbacks, more generous side yards on certain lots, and slightly lower structure height.

Development Standards for the Proposed Deer Valley Estates Planned Development District

Standard	Standard R-4 Zoning	Proposed PD Zoning
Maximum Density	4 dwelling units per gross developable acre	3.8 dwelling units per gross developable acre
Maximum Number of Units	143 units	136 units
Minimum Lot Size	6,000 sq. ft.	7,000 sq. ft.
Minimum Lot Width	Interior lot: 60 feet Corner lot: 65 feet	Same as R-4 zoning district.
Minimum Front Yard Setbacks	20 ft (reserved for landscaping only, excluding driveways)	At garage door: 20 feet At living space: 20 feet
Minimum Side Yard Setbacks	Interior lot: 5 feet Corner lot: 10 feet (reserved for landscaping only) For at least 25% of the lots in a given subdivision, one side yard of an interior lot shall be 10 feet in width and the other side yard can be five feet. The 10 foot side yard area shall remain as unrestricted open area. This shall also apply to 100% of the two-story single-family residential lots.	Same as R-4 zoning district.
Minimum Rear Yard Setbacks	20 feet	Interior lot: 25 feet Adjacent to Deer Valley Road / Wellness Way: 30 feet
Accessory Structure Setbacks	Interior lot: side yard and rear yard setback is zero (unless double frontage lot). Corner lot: street side yard is 20 feet and rear /interior side yard is zero Double frontage lot: 10-foot rear yard.	Same as R-4 zoning district.
Maximum Building Height	35 feet	32 feet
Maximum Lot Coverage	40%	Same as R-4 zoning district.
Parking and Driveways	20-foot setback to garage provides off-street parking (at least two spaces). One on-street parking space must be provided in front of each house (at least 20 feet of vertical curb with exceptions for cul de sacs).	Same as R-4 zoning district.

Standard	Standard R-4 Zoning	Proposed PD Zoning
Interior Roads	56-foot right of way 36 feet curb	Same as R-4 zoning district.
Cul de Sacs	45-foot radius per Fire District standards	Same as R-4 zoning district.
Wellness Way	88-foot right of way 68 feet curb to curb	Same as R-4 zoning district.
Landscape Requirements	30-foot landscaped setback on arterial street (Deer Valley Road)	35-foot landscaped setback on Deer Valley Road.

At the Planning Commission's public hearing the applicant requested that the maximum number of units (136) be stricken but the 4 units per gross developable acre remain. Under that density factor, 143 units could be built on the project. However the Planning Commission recommended that the 136 unit maximum remain. To enforce a cap of 136 units, the density factor would need to be reduced to 3.8 units per gross developable acre, slightly below but consistent with the General Plan designation for the site (Low Density Residential, up to 4 units per gross developable acre). The lower density would be in keeping with the Plan's vision that lot sizes in this area should range from 7,000 to 10,000 square feet. The proposed lots on the site currently range from 7,000 to 7,500 square feet.

The Council is requested to provide direction on whether the unit cap should remain at 136 with commensurate density at 3.8 units per gross developable acre, or whether the density factor should be up to 4 units per gross developable acreage, which increases the maximum number of units permitted on the site to 143.

The proposed development standards in the above chart will work in tandem with the City's Zoning Ordinance to regulate the type of development allowed on the site. The final development plan/tentative map will have to comply with the standards contained in the approved PD District for the project. Alternatively, the applicant will need to request a variance or request another rezone of the property. The proposed PD District standards in the chart have been incorporated into the Ordinance attached to this staff report.

Issue #4: Master Development Plan

Under the Sand Creek Focus Area, alternative planning process properties are required to subsequently submit a Final Development Plan/Tentative Map. The following paragraphs describe various aspects of the proposed Deer Valley Estates MDP for the applicant to consider when preparing subsequent applications.

Site Layout

The project layout is a typical suburban subdivision with homes facing each other along medium length residential streets. On the western portion of the project, three of the internal streets dead end into cul de sacs thereby providing minimal connectivity to the rest of the neighborhood or the park that is located in this portion of the project. The eastern portion of the project is divided into smaller

blocks that are partially laid out on a grid-type street pattern. This provides for greater connectivity between residences. However, the park's location in the far western portion of the project reduces its pedestrian accessibility from the eastern portion of the project. Consideration should be given to relocating the park to a more central location so that it is readily accessible by all residents of the project.

Homes backing up to Deer Valley and Wellness Way indicate rear yard setbacks varying from 15 to 43 feet. To offset potential noise impacts from these two roadways and to provide visual relief from the roadways, the lots and/or placement of homes would need to be revised to meet the minimum 35-foot setback stipulated in the Development Standard chart.

Several lots, particularly those along the northwest portion of the site, have pipeline easements in the backyard. This poses a public safety risk in staff's opinion. In many cases the homes are shown as built up to the easement line preventing certain rear yard improvements typically desired in a single family neighborhood, such as swimming pools and accessory structures. This situation impacts lots 27 through 31 most significantly. The easements are also located in other lots but they have more yard space free of easements to accommodate yard improvements. Staff recommends that the developer work with the City and the easement holder to address this issue. Alternatives include but are not limited to site plan modifications and pipeline relocation.

A soundwall is indicated on the southern property line between the developer's property and the Kaiser property. The project plans indicate that Kaiser is responsible for the cost and construction of 1,901 linear foot of this masonry soundwall. However, there were no requirements placed on the Kaiser project to build a masonry wall in this location. That aside, Kaiser has indicated a willingness to construct a portion of this wall adjacent to their developed property if future grading issues can be resolved to the City's satisfaction.

Architecture

The proposed project will consist of single and two-story dwellings; presently the conceptual plan indicates four different model types. Three of the model types have the garage fronting the street; one appears to locate it to the rear of the lot. The Design Review Board will review the architectural details of the project when the applicant submits the Final Development Plan/Tentative Map.

Regarding visual impacts of the project, the MND found that the project would not adversely affect public view corridors and that it would be similar in scale to existing residential development to the north. While some views of the surrounding foothills would be partially blocked by the project, views would still be possible from the roadway, resulting in a less-than-significant impact.

Landscaping

Per the MDP, the project entrance and internal roadways would be lined with street and accent trees, with additional landscaping at the entrance. A single row of trees is indicated along the entire perimeter of the site, with an expanded landscaped area along Deer Valley Road. The project will also include vegetated swales that will convey stormwater runoff in compliance with C3 requirements. The Design Review Board will evaluate the adequacy of the landscaping when it reviews the Final MDP and Tentative Map at a future date.

Parks

The project proposes to provide a 1.69 acre neighborhood park at the center of the western portion of the site. The park would include a circular pathway, trees and lawn areas. The applicant proposes to dedicate the park to the City; however it does not meet the minimum size for dedication. The park will, therefore, need to be maintained privately through a Homeowners Association or similar entity.

In addition to the construction of the proposed park, the developer will be responsible for payment of current park-in-lieu fees. Credit for a portion of those fees may be available, even though the park is privately maintained, as defined in the Municipal Code.

The following is a list of items that should be incorporated into the Final Development Plan/Tentative Map. The list is based on staff's assessment of the Master Development Plan and additional recommendations made by the Planning Commission at their January 16, 2008 hearing.

- The project's site plan should be rethought. It is disappointing and does not exhibit a lot of imagination.
- The lot design should contain more varied lots to eliminate the present 'cookie cutter' pattern.
- The lots should have varied setbacks so that the houses are staggered, versus the linear lineup now provided by the site layout.
- More diversity is needed in the housing product provided by the project.
- The project's internal circulation should be rethought. Traffic should be dispersed more evenly throughout the project, rather than funneling onto a few streets. The internal roadway system should reflect a more natural traffic calming design.
- The interior noise mitigation for future homeowners needs additional attention.
- The noise issues with the Kaiser Medical Facility must be addressed, but they should not be cause to preclude development of the site.

- The applicant must submit documentation confirming that outdoor ambient noise levels on the project site comply with the noise standards in the City's General Plan.
- The developer shall work with the City and the easement holder to address the public safety concerns associated with the petroleum pipeline easement.
- The landscaped setback on Deer Valley Road should be 35 feet to match the property and the setback to the north.
- The developer should provide a number of lots that can accommodate RV parking in excess of the minimum 25% required by Code.
- Payment of the pro-rata share of the Mello-Roos 89-1 fee for community parks, or payment of a proposed City Regional Park fee will be required.
- If an HOA is not implemented and the park is less than 5 acres, the park should be eliminated.
- If a park is provided, to facilitate pedestrian access by all project residents, it should be relocated to a more central location within the project.
- The project will be required to participate in the funding source for infrastructure serving the Sand Creek Focus Area.
- The project entrance on Wellness Way should be moved east to align with the Kaiser driveway.
- Dimensions for street sections/setbacks should be those that were developed for the FUA 1 Specific Plan.
- A hold harmless agreement regarding the former Antioch Fault line will be required, approved as to form by the City Attorney.
- The project must demonstrate compliance with the City's residential Design Guidelines, once they are adopted.
- The project shall provide a distinctive entry feature on Deer Valley Road.
- Crow and Miwok intersection as shown may not meet the project's PD standards.
- The signal at Wellness Way will need to be relocated to the curb returns constructed by this project.

Issue #5: Public Comments

The public review period for the Mitigated Negative Declaration was November 8, 2007 to December 7, 2007. No comments were received on the document.

Two letters were received from the public about the project itself (see attached). Staff comments on the two letters are provided below.

The first letter (from K. Jakabcin) poses several questions. The first raises concerns about whether the project should be built, given current market conditions. This is an economic decision the applicant will make and is not something the City evaluates or comments on. The second and third questions raise issues with internal and external circulation. At the meeting Ms. Jakabcin spoke and requested a copy of the displayed map. She also felt that a resolution could be reached between the City's Public Works and Engineering Departments regarding her concerns.

The second letter (from J. Cleese) identified a concern with noise emanating from the Kaiser facility and its impact on the project. The MND discussed potential impacts from stationary noise impacts (page 58 of the draft MND). To abate noise from the power generation facilities located on the northern portion of the Kaiser facility, Kaiser was required (by the EIR for that project) to ensure that the hourly average noise level during daytime (7:00 a.m. to 10:00 p.m.) was no higher than 50 dBA and during the nighttime (10:00 p.m. to 7:00 a.m.) was no higher than 45 dBA (Kaiser EIR Mitigation D-4). Kaiser constructed a sound wall around the central utilities plant to aid in meeting this mitigation requirement. The MND for the Deer Valley Estates project assumed that if this mitigation were correctly implemented, there would be no significant impacts on adjacent properties from stationary noise.

Mr. Cleese raises the possibility that the noise emanating from Kaiser might not be properly mitigated. Staff will investigate and address with Kaiser if appropriate.

ATTACHMENTS

A. Mitigation Monitoring and Reporting Program, dated December 2007
B. Comment letter from K. Jakabcin, December 5, 2007
C. Comment email from J. Cleese, December 11, 2007
D. Planning Process Chart
E. Planning Commission Meeting Minutes, January 16, 2008

RESOLUTION NO. 2008/**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH ADOPTING THE DEER VALLEY ESTATES MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE DEER VALLEY ESTATES PROJECT (APN 057-022-013)

WHEREAS, the City of Antioch did receive an application from Allied Investments for approval of a Master Development Plan to rezone 38 acres (APN 057-022-013), located on the east side of Deer Valley Road, directly north of the newly constructed Kaiser Medical Facility to the Planned Development District (PD) (MDP-06-02); and

WHEREAS, a Mitigated Negative Declaration was prepared in conformance with the California Environmental Quality Act, was duly circulated for purposes of public comment for a period of 30 days from November 8 to December 7, 2007, and a Mitigation Monitoring and Report Program was subsequently prepared and considered by the City Council on January 16, 2008; and

WHEREAS, this project is consistent with the City of Antioch General Plan and does not create additional impacts that were not evaluated in the Mitigated Negative Declaration prepared for the project; and

WHEREAS, on January 16, 2008, the Planning Commission held a duly noticed public hearing on the matter, received and considered evidence, both oral and documentary, and recommended City Council approval of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and

WHEREAS, on February 26, 2008, the City Council held a duly noticed public hearing on the matter, and received and considered evidence, both oral and documentary; and

WHEREAS, the City Council of the City of Antioch finds that the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program were prepared in conformance with the requirements of the California Environmental Quality Act, that all potential impacts were identified and mitigated to a less-than-significant-level, and that no public comments were received on the Mitigated Negative Declaration.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Antioch adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Deer Valley Estates project (APN 057-022-013).

* * * * * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch, at a regular meeting thereof, held on the 26th day of February 2008 by following vote:

AYES:

NOES:

ABSENT:

L. JOLENE MARTIN, City Clerk

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH TO REZONE APPROXIMATELY 38 ACRES, COMPRISING THE DEER VALLEY ESTATES PROJECT SITE (APN 057-022-013), FROM STUDY ZONE (S) TO THE PLANNED DEVELOPMENT DISTRICT (PD)

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

SECTION 1:

The City Council determined on February 26, 2008 that, pursuant to Section 15074 of the Guidelines of the California Environmental Quality Act, and after full consideration of the Initial Study prepared for the project, and on the basis of the whole record before it, the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Deer Valley Estates project should be adopted.

SECTION 2:

At its regular meeting of January 16, 2008, the Planning Commission recommended that the City Council adopt the Ordinance to rezone the subject property from Study Zone (S) to Planned Development District (PD).

SECTION 3:

The real property described in Exhibit A, attached hereto, is hereby rezoned from Study Zone (S) to Planned Development District (PD), and the zoning map is hereby amended accordingly.

SECTION 4:

The development standards, as defined below, for the subject property (APN 057-022-013), known as the Deer Valley Estates Project, are herein incorporated into this ordinance, and are binding upon said property.

Development Standards for the Deer Valley Estates Planned Development District

Standard	Planned Development District Requirement
Maximum Density	3.8 dwelling units per gross developable acre
Maximum Number of Units	Up to 136
Minimum Lot Size	7,000 sq. ft.
Minimum Lot Width	Interior lot: 60 feet Corner lot: 65 feet
Minimum Front Yard Setbacks	At garage door: 20 feet At living space: 20 feet
Minimum Side Yard Setbacks	Interior lot: 5 feet Corner lot: 10 feet (reserved for landscaping only) For at least 25% of the lots in a given subdivision, one side yard of an interior lot shall be 10 feet in width and the other side yard can be five feet. The 10 foot side yard area shall remain as unrestricted open area. This shall also apply to all two-story single-family residential lots.
Minimum Rear Yard Setbacks	Interior lot: 25 feet Adjacent to Deer Valley Road / Wellness Way: 30 feet
Accessory Structure Setbacks	Interior lot: side yard and rear yard setback is zero (unless double frontage lot). Corner lot: street side yard is 20 feet and rear /interior side yard is zero Double frontage lot: 10-foot rear yard.
Maximum Building Height	32 feet
Maximum Lot Coverage	40 %
Parking and Driveways	20-foot setback to garage provides off-street parking (at least two spaces). One on-street parking space must be provided in front of each house (at least 20 feet of vertical curb with exceptions for cul de sacs).
Interior Roads	56-foot right of way 36 feet curb
Cul de Sacs	45-foot radius per Fire District standards
Wellness Way	88-foot right of way 68 feet curb to curb
Landscape Requirements	35-foot landscaped setback on Deer Valley Road.

SECTION 5:

The City Council finds that the public necessity requires the proposed zone change, that the subject property is suitable to the use permitted in the proposed zone change that said permitted use is not detrimental to the surrounding property, and that the proposed zone change is in conformance with the Antioch General Plan.

SECTION 6:

This ordinance shall take effect and be enforced thirty (30) days from and after the date of its adoption and shall be published once within fifteen (15) days upon passage and adoption in a newspaper of general circulation printed and published in the City of Antioch.

* * * * * * *

I HEREBY CERTIFY that the foregoing ordinance was introduced at a regular meeting of the City Council of the City of Antioch, held on the 26th day of February and passed and adopted at a regular meeting thereof, held on the ____ day of _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____
Mayor of the City of Antioch

ATTEST:

_____
City Clerk of the City of Antioch

E14

EXHIBIT A
LEGAL DESCRIPTION

ATTACHMENT "A"

APPENDIX F

MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) was formulated based on the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the Deer Valley Estates Master Plan. This MMRP is in compliance with Section 15097 of the *CEQA Guidelines*, which requires that the Lead Agency "adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects." The MMRP lists mitigation measures recommended in the IS/MND and identifies mitigation monitoring requirements.

Table 1 presents the mitigation measures identified for the proposed project. Each mitigation measure is numbered according to the topical section to which it pertains in the IS/MND. As an example, Mitigation Measure AES-1 is the first mitigation measure identified in the IS/MND.

The column entitled "Mitigation Responsibility" identifies the party responsible for carrying out the required actions. The columns entitled "Monitoring/Reporting Agency and "Monitoring Schedule" identify the party ultimately responsible for ensuring that the mitigation measure is implemented and the approximate timeframe for the oversight agency to ensure implementation of the mitigation measure. The column entitled "Verification of Compliance" will be used by the lead agency to document the person who verified the implementation of the mitigation measure and the date on which this verification occurred.

Table V-1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule	Verification of Compliance
I. Aesthetics				
AES-1: Outdoor lighting shall be designed to minimize glare and spillover to surrounding properties. The proposed project shall incorporate non-mirrored glass to minimize daylight glare.	Project Applicant	City of Antioch Community Development Department	Prior to issuance of a building permit	*Verified by:* *Date:*
II. Agricultural Resources				
No mitigation required				
III. Air Quality				
AIR-1: Consistent with guidance from the BAAQMD, the following measures shall be implemented on the project site during the construction period: • Water all active construction areas at least twice daily. • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard. • Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites. • Sweep daily (preferably with water sweepers) all paved access roads, parking areas and staging areas at construction sites. • Sweep streets daily (preferably with water sweepers) if visible soil material is carried onto adjacent public streets.	Construction Manager	City of Antioch Public Works Department	During grading and construction activities	*Verified by:* *Date:*
IV. Biological Resources				
BIO-1a: Prior to issuance of grading or construction permits for the proposed project, a qualified biologist shall conduct protocol level surveys to determine the presence or absence of vernal pool fairy shrimp, vernal pool tadpole shrimp, and California tiger salamander on the project site. These surveys shall be conducted in consultation with the appropriate regulatory agencies to determine under what conditions surveys could occur. Some protocol level surveys may take up to two years to conduct. If these species are determined to be absent from the site, no further mitigation would be required. If suitable conditions do not exist for protocol level surveys prior to grading or construction activities, these species must be assumed present on the project site.	Project Applicant/ Project Biologist	City of Antioch Community Development Department	Prior to issuance of a grading or construction permit	*Verified by:* *Date:*
BIO-1b: If vernal pool fairy shrimp and/or vernal pool tadpole shrimp are identified on the project site, or are assumed present due to the absence of protocol level surveys, the seasonal wetland located on the site shall be avoided. If the seasonal wetland is avoided, all development shall be setback at least 250-feet from the edges of the wetland. Siltation fencing should be erected between the wetland and the development area.	Project Applicant/ Project Biologist	City of Antioch Community Development Department	Prior to issuance of a grading or construction permit	*Verified by:* *Date:*

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Table 1 *continued*

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule	Verification of Compliance
BIO-1c: If vernal pool fairy shrimp, vernal pool tadpole shrimp, or California tiger salamander are identified on the project site, or are assumed present due to the absence of protocol level surveys, and avoidance is not feasible, the project applicant shall mitigate for the loss of habitat. Authorized take permits may be required by the U.S. Fish and Wildlife Service for incidental take of individuals that may be present. If avoidance of the seasonal wetland is not feasible, the project applicant shall purchase lands at an approved off-site mitigation bank or other lands approved by the applicable resources agencies and the City of Antioch (e.g., in fee-title or through conservation easement). Mitigation would be required at a replacement to loss ratio of 2:1 and a creation to loss ratio of 1:1 (a total mitigation ratio of 3:1) for vernal pool fairy shrimp and/or vernal pool tadpole shrimp (these are standard mitigation ratios accepted by the U.S. Fish and Wildlife Service for impacts to these species). The project applicant shall preserve 0.74 acres of known vernal pool fairy shrimp and/or vernal pool tadpole shrimp habitat and create another 0.37 acres of suitable habitat for each species, as applicable. These acreages are based on an estimated 0.37 acres of seasonal wetland habitat located on the project site; verification of the correct acreage is required by Mitigation Measure BIO-5a. The Elsie Gridley Multi-Species Conservation Bank includes Antioch within its service area and offers preservation habitat for $140,000 per acre, and creation habitat for $165,000 per acre. Loss of California tiger salamander habitat should be mitigated at a 1:1 mitigation to loss ratio (38 acres) at a suitable site that is known to support a breeding population. Because the project site supports low value California tiger salamander habitat, purchasing high quality, known breeding habitat would duly compensate for the loss of low quality habitat, especially if the site acquired is either in fee-title or via a conservation easement that preserves and enhances breeding and estivation habitat or preserves and enhances suitable estivation habitat adjacent to a known, protected breeding site. Enhancement shall include a controlled grazing regime, limited public access, fencing, or other appropriate measure. The Elsie Gridley Multi-Species Conservation Bank offers California tiger salamander habitat for $8,500 per acre. These 38 acres may also accommodate the potential loss of burrowing owl and San Joaquin kit fox habitat, as applicable.	Project Applicant/ Project Biologist	City of Antioch Community Development Department and U.S. Fish and Wildlife Service	Prior to issuance of a grading or construction permit	*Verified by:* *Date:*

E19A4

Table 1 *continued*

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule	Verification of Compliance
BIO-2a: Protocol level burrowing owl surveys shall be conducted during the height of the breeding season (April 15 to July 15) to determine the number of both individuals and breeding pairs present on the site. Preconstruction surveys shall also be conducted for burrowing owls prior to site preparation, grading, and construction. All surveys shall conform to the survey protocol established by the California Burrowing Owl Consortium.[1] Preconstruction surveys shall be conducted no more than 30 days prior to the initiation of construction activities and at 30-day intervals if construction activities have not been initiated in an area.	Project Applicant/ Project Biologist	City of Antioch Community Development Department	Protocol level surveys shall occur during the height of the breeding period (April 15 to July 15) Preconstruction surveys shall occur no more than 30 days prior to initiation of construction activities in any given area	*Verified by:* *Date:*
BIO-2b: For grading and construction activities occurring during the non-breeding season (September 1 through January 31), burrowing owls may be evicted from the entire construction area using passive relocation techniques. One-way doors shall be installed in all suitable burrows (approximately 4 inches in diameter), left in place for a minimum of 48 hours, and monitored daily to evaluate the exclusion of owls from burrows and to maintain the one-way doors in good repair. Burrows shall then be excavated, using hand tools. Sections of flexible plastic pipe shall also be inserted into burrows during excavation to maintain an escape route for any animals inside the burrow. Once excavation is completed and no owls remain on-site, burrows shall be refilled to prevent reoccupation, or the entire site shall be disced and managed until construction activities begin.	Project Applicant/ Project Biologist	City of Antioch Community Development Department	During the non-breeding season (September 1 through January 31)	*Verified by:* *Date:*
BIO-2c: For grading and construction activities occurring during the breeding season (February 1 through August 31), a 75-meter (250-foot) radius circular buffer shall be erected around each active burrow and a qualified biologist shall monitor construction activities to ensure effectiveness of the buffer area for breeding activities. Construction-related activity (e.g., site grading, staking, surveying) shall not occur within the exclusion zone until the burrows are confirmed to be unoccupied and/or juveniles from the nest are foraging independently and capable of independent survival. Only biologists familiar with burrowing owl behavior shall be permitted to determine whether juveniles are capable of independent survival. Once the burrows are unoccupied or the young are capable of independent survival, passive relocation	Project Applicant/ Project Biologist/ Construction Manager	City of Antioch Community Development Department	During the breeding season (February 1 through August 31)	*Verified by:* *Date:*

[1] California Burrowing Owl Consortium, 1997. Burrowing Owl Survey Protocol and Mitigation Guidelines. Appendix B, pp. 171–177 in Lincer, J.L. and K. Steenhof, eds. The Burrowing Owl, Its Biology and Management; Including the Proceedings of the First International Burrowing Owl Symposium. Raptor Research Report No. 9.

E20 A5

Table 1 *continued*

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule	Verification of Compliance
BIO-2c *Continued* techniques (as described above in Mitigation Measure BIO-2a) shall be implemented to evict the owls from the burrows. Burrows shall be excavated, using hand tools, and re-filled to prevent reoccupation prior to allowing construction within the exclusion zone, or the site shall be disced. Sections of flexible plastic pipe shall also be inserted into burrows during excavation to maintain an escape route for any animals inside the burrow. Due to the density of the burrowing owl population on the project site, it is possible that construction activities may not be able to avoid active burrows; in this case, construction activities shall not be permitted during the breeding season.				
BIO-2d: Removal of burrowing owls at the project site shall conform to the requirements of CDFG's *Staff Report on Burrowing Owl Mitigation*.[2] This shall entail establishing 6.5 acres of suitable habitat for each individual or pair of burrowing owls displaced from the project site. This may be accomplished through the purchase of credits at an established mitigation bank approved for this species or preservation of grassland habitat (through conservation easement, fee-title, or other applicable measure) at another suitable location within eastern Contra Costa County that currently supports a burrowing owl population. Habitat used for burrowing owl mitigation may also accommodate the potential loss of estivation habitat for California tiger salamander and San Joaquin kit fox habitat, as applicable.	Project Applicant/ Project Biologist	City of Antioch Community Development Department	Prior to issuance of a grading or construction permit	*Verified by:* *Date:*
BIO-3a: Pre-construction surveys for kit fox dens shall be conducted by a qualified biologist no less than 14 days or more than 30 days prior to any grading or construction activities on the project site. If an active den is detected within (or immediately adjacent to) the construction area, the U.S. Fish and Wildlife Service shall be immediately contacted to determine the best course of action. If no kit fox activity is detected, a written report shall be submitted to the U.S. Fish and Wildlife Service within 5 days of survey completion.	Project Applicant/ Project Biologist	City of Antioch Community Development Department and U.S. Fish and Wildlife Service	No less than 14 days or more than 30 days prior to grading or construction activities	*Verified by:* *Date:*
BIO-3b: If active dens are identified within (or immediately adjacent to) the construction area, the project applicant shall follow the U.S. Fish and Wildlife Service's *Standardized Recommendations for Protection of the Kit Fox Prior to or During Ground Disturbance* throughout the construction period. Specific measures are detailed in the Biological Evaluation prepared for the project site (see Appendix A).	Project Applicant/ Project Biologist/ Construction Manager	City of Antioch Community Development Department and U.S. Fish and Wildlife Service	During the construction period	*Verified by:* *Date:*

[2] California Department of Fish and Game (CDFG), 1995. Staff Report on Burrowing Owl Mitigation. California Department of Fish and Game. Sacramento, CA. 8 pp. October 17.

E21 A6

Table 1 *continued*

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule	Verification of Compliance
BIO-3c: If active dens are identified within (or immediately adjacent to) the construction area, the project applicant shall mitigate for the loss of San Joaquin Kit Fox habitat at a mitigation to loss ratio of 1:1 (38 acres). These 38 acres may also accommodate the potential loss of estivation habitat for California tiger salamander and burrowing owl habitat, as applicable.	Project Applicant/ Project Biologist	City of Antioch Community Development Department	Prior to the issuance of grading or construction permits	*Verified by:* *Date:*
BIO-4. If mitigation lands are purchased through conservation easements or in fee-title, the project applicant shall implement the Resource Management Plan prepared for the proposed project.	Project Applicant/ Project Biologist	City of Antioch Community Development Department	Prior to issuance of grading or construction permits	*Verified by:* *Date:*
BIO-5a: The project applicant shall conduct a formal wetland delineation to determine the extent of jurisdictional waters of the United States on the project site. Potential impacts to jurisdictional waters shall be avoided where feasible. The applicant shall submit the wetland delineation to the City of Antioch Community Development Department prior to the issuance of a grading permit.	Project Applicant/ Project Biologist	City of Antioch Community Development Department	Prior to the issuance of a grading permit	*Verified by:* *Date:*
BIO-5b: The project applicant shall obtain the appropriate federal and State permits authorizing the fill of any jurisdictional wetlands identified on the project site. The applicant shall provide proof to the City of Antioch Community Development Department of compliance with the terms and conditions of any required permits prior to issuance of the grading permit. All work in jurisdictional areas shall be in compliance with the terms and conditions of the federal and State permits.	Project Applicant/ Project Biologist	City of Antioch Community Development Department	Prior to the issuance of a grading permit	*Verified by:* *Date:*
BIO-5c: The project applicant shall preserve off-site seasonal wetlands at a mitigation-to-loss ratio of 1:1 (currently identified as approximately 0.37 acres), to mitigate for the loss of the seasonal wetland. The exact acreage shall be determined based on the final mapping results of the formal wetland delineation approved by the Corps. This may be accomplished through the purchase of credits at an established mitigation bank or preservation of seasonal wetland habitat (through conservation easement or other applicable measure) at another suitable location approved by the City of Antioch and the applicable resource agencies. Should the provision of off-site seasonal wetland habitat be required to mitigate the loss of special status species, a 2:1 or higher mitigation ratio may be required by the resource agencies. Preservation of 0.37 acres (or appropriate 1:1 ratio) or higher of off-site seasonal wetland habitat would off-set the loss of the seasonal wetland itself and no further mitigation would be required.	Project Applicant/ Project Biologist	City of Antioch Community Development Department	Prior to the issuance of a grading permit	*Verified by:* *Date:*

E22A

Table 1 *continued*

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule	Verification of Compliance
BIO-6: The 12 trees removed from the project site shall be replaced with 36 (a 3:1 mitigation to loss ratio) native trees indigenous to the region (e.g., native oaks adapted to the climate of Antioch). A 3:1 mitigation ratio is required to off-set the temporal loss of the mature trees. These trees shall be planted on-site using d-pots[3] from local stock. D-pots are recommended because smaller trees are more likely to establish a deep root system and out perform larger box trees. Replacement trees would require irrigation for 3 to 5 years to ensure an 80 percent survival rate. A landscape management plan shall be developed and shall specify when, where, and what trees are planted on-site, and how they would be cared for. The landscape management plan shall be submitted to the City for approval.	Project Applicant/ Project Landscape Architect	City of Antioch Community Development Department	Prior to final development plan approval	*Verified by:* *Date:*
V. Cultural Resources				
CULT-1: If deposits of prehistoric[4] or historic archeological materials are encountered during project activities, all work within 25 feet of the discovery shall be redirected and a qualified archeologist shall be contacted to assess the deposit finds and make recommendations. While deposits of prehistoric or historic archeological materials should be avoided by project activities, if the deposits cannot be avoided, they shall be evaluated for their California Register eligibility. If the deposits are not eligible for the California Register, avoidance is not necessary. If the deposits are eligible for the California Register, they shall be avoided. If avoidance is not feasible, project impacts shall be mitigated in accordance with the recommendations of the evaluating archaeologist and CEQA Guidelines Section 15126.4 (b)(3)(C), which requires implementation of a data recovery plan and avoidance of human remains. Upon completion of the archaeologist's assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the discovered archaeological materials. The report shall be submitted to the project applicant, the City of Antioch, and the Northwest Information Center (NWIC).	Project Applicant/ Construction Manager/ Qualified Archaeologist	City of Antioch Community Development Department	During all ground-disturbing activities and after resources are identified	*Verified by:* *Date:*

[3] A d-pot is a 2.5- to 3-inch diameter by 10- to 12-inch deep container (usually bound by plastic mesh) that houses the root system of sapling trees.

[4] Prehistoric materials include flaked-stone tools (e.g. projectile points, knives, choppers) or obsidian, chert, or quartzite toolmaking debris; culturally darkened soil (i.e., midden soil often containing heat affected rock, ash and charcoal, shellfish remains, and cultural materials); and stone milling equipment (e.g., mortars, pestles, handstones). Historical materials can include wood, stone, concrete, or adobe footings, walls and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, and other refuse.

E23-18

Table 1 *continued*

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule	Verification of Compliance
CULT-2: If paleontological resources[5] are encountered during site preparation or grading activities, all work within 25 feet of the discovery shall be redirected until a qualified paleontologist has assessed the discoveries and made recommendations. If the paleontological resources are found to be significant, adverse effects to such resources shall be avoided by project activities. If project activities cannot avoid the resources, the adverse effects shall be mitigated. Mitigation shall include data recovery and analysis, preparation of a final report, and the formal transmission or delivery of any fossil material recovered to a paleontological repository, such as the University of California Museum of Paleontology (UCMP). Upon completion of project activities, a final report documenting methods and findings of the mitigation shall be prepared and submitted to the project applicant, the City of Antioch, and a suitable paleontological repository.	Project Applicant/ Construction Manager/ Qualified Paleontologist	City of Antioch Community Development Department	During all ground-disturbing activities and after resources are identified	*Verified by:* *Date:*
CULT-3: If human remains are encountered, work within 25 feet of the discovery shall be redirected and the Contra Costa County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation and consult with the appropriate agencies. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to the project applicant, the City of Antioch, and the Northwest Information Center.	Project Applicant/ Construction Manager/ Qualified Archaeologist	City of Antioch Community Development Department and Contra Costa County Coroner	During ground disturbing activities and after resources are identified	*Verified by:* *Date:*

[5] Paleontological resources include fossil plants and animals, and evidence of past life such as trace fossils and tracks. Ancient marine sediments may contain invertebrate fossils such as snails, clam and oyster shells, sponges, and protozoa; and vertebrate fossils such as fish, whale, and sea lion bones. Vertebrate land mammals may include bones of mammoth, camel, saber tooth cat, horse, and bison. Paleontological resources may also include plant imprints, petrified wood, and animal tracks.

E24

Table 1 *continued*

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule	Verification of Compliance
VI. Geology and Soils				
GEO-1: Project design and construction shall be in conformance with, or exceed, current best standards for earthquake resistant construction in accordance with the California Building Code (Seismic Zone 4), applicable local codes, and in accordance with the generally accepted standards of geotechnical practice for seismic design in Northern California. In addition, project design shall follow the recommendations of a site-specific design level geotechnical investigation report to be prepared by a Certified Engineering Geologist or Geotechnical Engineer. The City Engineer shall approve all final design and engineering plans.	Project Applicant/ Project Geotechnical Engineer	City of Antioch Community Development Department	Prior to final development plan approval	*Verified by:* *Date:*
GEO-2: The applicant shall ensure that the requirements for worker health and safety as specified by the California Division of Occupational Safety and Health (DOSH) (which acts to protect workers from safety hazards through its California OSHA (Cal/OSHA)) are implemented. In particular, due to the caving proclivity of the soil types of the project site, shoring requirements for workers dealing with work in excavations, as specified in the California Code of Regulations, Title 8, Section 1540 et. al., Excavations, shall be observed.[6] This article applies to all open excavations made in the earth's surface (including trenches).	Project Applicant/ Construction Manager	City of Antioch Community Development Department	Prior to issuance of a grading permit and during the construction period	*Verified by:* *Date:*
GEO-3: The applicant shall incorporate all recommendations of a final site-specific design-level geotechnical investigation as prepared by a licensed Geotechnical Engineer and approved by the City of Antioch into all development plans submitted for the project, including recommendations for grading, placement of fill materials, pretreatment of expansive soils, and avoidance of settlement and/or differential settlement of infrastructure and buildings.	Project Applicant/ Project Geotechnical Engineer	City of Antioch Community Development Department	Prior to final development plan approval	*Verified by:* *Date:*
GEO-4: Implement the recommendations in the geotechnical report related to demolition/clearing, grading, drainage, foundations, post-tensioned slab foundation, concrete flatwork, and retaining walls.	Project Applicant/ Construction Manager	City of Antioch Community Development Department	Prior to issuance of a grading permit and during the construction period	*Verified by:* *Date:*

[6] Title 8, California Code of Regulations, Sections 1539-1543. Website: www.dir.ca.gov/Title8/sub4.html.

E25 A10

Table 1 *continued*

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule	Verification of Compliance
VII. Hazards and Hazardous Materials				
HAZ-1: Prior to the issuance of grading or construction permits for the project site, a qualified environmental professional shall conduct an environmental investigation at the project site in accordance with California Department of Toxic Substances Control (DTSC) Interim Guidance for Sampling Former Agricultural Fields (Interim Guidance).[7] As specified in the Interim Guidance, any detected organic compounds or metals above naturally-occurring concentrations must be evaluated in a risk assessment, and additional remedial action such as soils removal may be required, depending on the results of the environmental investigation and risk assessment. The investigation report and certification that required further actions have been completed shall be submitted to the City of Antioch for review and approval.	Project Applicant/ Qualified Environmental Professional	City of Antioch Community Development Department	Prior to issuance of grading or construction permits	*Verified by:* *Date:*
HAZ-2: Prior to the issuance of grading or construction permits for the project site, a Construction Risk Management Plan (CRMP) should be prepared to address potential hazardous material issues during construction of the project. The CRMP should include any available data from sampling conducted for the project, including the sampling specified in Mitigation Measure HAZ-1. The CRMP shall include provisions to protect construction workers and the nearby public from health risks from pipeline hazards and potential historic releases associated with oil and natural gas production in the project vicinity. The CRMP shall incorporate Best Practices defined by the Common Ground Alliance[8] to protect construction worker safety and prevent accidental releases from oil and natural gas pipelines. The CRMP shall also require site inspections during initial grading activities at the site; provide procedures to be undertaken in the event that previously unreported petroleum contamination or subsurface hazards are discovered during construction; incorporate construction safety measures for excavation and other construction activities; establish detailed procedures for the safe storage, stockpiling, use, and disposal of hazardous materials at the project site; provide emergency response procedures; and designate personnel responsible for implementation of the CRMP. The CRMP shall be submitted to the City of Antioch for review and approval.	Project Applicant/ Qualified Environmental Professional	City of Antioch Community Development Department	Prior to issuance of grading or construction permit	*Verified by:* *Date:*
VIII. Hydrology and Water Quality				
HYD-1: The project proponent shall prepare a SWPPP designed to reduce potential impacts to surface water quality through the project construction period. The SWPPP must be maintained on-site and made available to City inspectors and/or RWQCB staff upon request. The SWPPP shall include specific and detailed BMPs designed to mitigate construction-related pollutants. At minimum, BMPs shall include practices to minimize the contact of	Project Applicant/ Construction Manager	City of Antioch Community Development Department	Prior to approval of the grading plan	*Verified by:* *Date:*

[7] Department of Toxic Substances Control, 2002. Interim Guidance for Sampling Agricultural Fields for School Sites (Second Revision). August 26.

[8] Common Ground Alliance (CGA), 2004. Best Practices, Version 2.0. December.

E26 A11

Table 1 *continued*

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule	Verification of Compliance
HYD-1 *Continued* construction materials, equipment, and maintenance supplies (e.g., fuels, lubricants, paints, solvents, adhesives) with stormwater. The SWPPP shall specify properly designed centralized storage areas that keep these materials out of the rain. An important component of the stormwater quality protection effort is the knowledge of the site supervisors and workers. To educate on-site personnel and maintain awareness of the importance of stormwater quality protection, site supervisors shall conduct regular tailgate meetings to discuss pollution prevention. The frequency of the meetings and required personnel attendance list shall be specified in the SWPPP. The SWPPP shall specify a monitoring program to be implemented by the construction site supervisor, which must include both dry and wet weather inspections. RWQCB and /or City personnel, who may make unannounced site inspections, are empowered to levy considerable fines if it is determined that the SWPPP has not been properly prepared and implemented. BMPs designed to reduce erosion of exposed soil may include, but are not limited to: soil stabilization controls, watering for dust control, perimeter silt fences, placement of hay bales, and sediment basins. The potential for erosion is generally increased if grading is performed during the rainy season as disturbed soil can be exposed to rainfall and storm runoff. If grading must be conducted during the rainy season, the primary BMPs selected shall focus on erosion control; that is, keeping sediment on the site. End-of-pipe sediment control measures (e.g., basins and traps) shall be used only as secondary measures. Entry and egress from the construction site shall be carefully controlled to minimize off-site tracking of sediment. Vehicle and equipment wash-down facilities shall be designed to be accessible and functional during both dry and wet conditions. The City of Antioch Community Development Department shall review and approve the SWPPP prior to approval of the grading plan.				
HYD-1b: The project applicant shall design Best Management Practices into the project to reduce potential impacts to surface water quality associated with operation of the project. These features shall be included in the final development drawings. Specifically, the final design shall include measures designed to mitigate potential water quality degradation of runoff from all portions of the completed development, and to detain and treat 75 percent of the runoff from a major storm event. The design team for the development project shall review and incorporate as many concepts as practicable from *Start at the Source, Design Guidance Manual for Stormwater Quality Protection.*[9]	Project Applicant/ Project Engineer	City of Antioch Community Development Department	Prior to final development plan approval	*Verified by:* *Date:*

[9] Bay Area Stormwater Management Agencies Association, 1999. *Start at the Source, Design Guidance Manual for Stormwater Quality Protection.*

E27 A12

Table 1 *continued*

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule	Verification of Compliance
HYD-2: The City of Antioch Community Development Department shall review and approve the design-level stormwater control plan prior to approval of the grading plan. If it is determined by the City that the stormwater control plan for the proposed project does not include adequate measures to treat runoff to the maximum extent practicable in compliance with the County NPDES permit, then the applicant shall work closely with the City to revise the stormwater control plan so the Maximum Extent Practical (MEP) requirement is achieved.	Project Applicant/ Project Engineer	City of Antioch Community Development Department	Prior to approval of the final grading plan	*Verified by:* *Date:*
HYD-3: As a condition of approval of the final grading and drainage plans for the project, the project applicant shall demonstrate through detailed hydraulic analysis that implementation of the proposed drainage plans will not create potential hydromodification impacts downstream by implementing the following: The project applicant's licensed professional engineer shall work cooperatively with the City of Antioch and the RWQCB to incorporate BMPs into the final drainage plan that will result in a post-project runoff curve (i.e., storm water flow/duration graphs) that closely resembles the pre-project curve; Include drainage components that are designed in compliance with City of Antioch standards. The grading and drainage plans shall be reviewed for compliance with these requirements by the City of Antioch; and The project applicant shall establish a self-perpetuating drainage system maintenance program (to be managed by a homeowners association or similar entity) that includes annual inspections of detention basins, sedimentation basins, drainage ditches, swales, and drainage inlets. Any accumulation of sediment or other debris shall be promptly removed and necessary maintenance to insure continued efficient operation shall be performed.	Project Applicant/ Project Hydrologist	City of Antioch Community Development Department	Prior to approval of the final grading and drainage plans	*Verified by:* *Date:*
HYD-4: The project applicant's licensed professional engineer shall analyze the potential for the project to contribute to downstream flooding impacts. The final drainage plan shall include a design that, when implemented, would not increase peak flows or exacerbate downstream flooding. Properly implemented hydrograph modification mitigation (required under Mitigation Measure HYD-3) will also mitigate the potential for impacting downstream flooding impacts.	Project Applicant/ Project Hydrologist	City of Antioch Community Development Department	Prior to approval of the final drainage plan	*Verified by:* *Date:*
HYD-5: As required by Ordinance 90-74, the applicant shall contribute to the construction and maintenance of regional drainage infrastructure by paying applicable fees associated with the amount of new impervious cover proposed by the project.	Project Applicant	City of Antioch Community Development Department	Prior to issuance of a grading permit	*Verified by:* *Date:*
IX. Land Use And Planning				
No mitigation required				
X. Mineral Resources				
No mitigation required				

E28 A13

Table 1 *continued*

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule	Verification of Compliance
XI. Noise				
NOISE-1a: The construction contractor shall limit all noise producing construction related activities, including haul truck deliveries or warming up and idling of heavy construction equipment, to the hours of 8:00 a.m. to 5:00 p.m. on weekdays. No construction shall be allowed on weekends and public holidays.	Project Applicant/ Construction Manager	City of Antioch Community Development Department	During the construction period	*Verified by:* *Date:*
NOISE-1b: During all project site excavation and on-site grading, the construction contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.	Project Applicant/ Construction Manager	City of Antioch Community Development Department	During excavation and grading activities	*Verified by:* *Date:*
NOISE-1c: The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.	Project Applicant/ Construction Manager	City of Antioch Community Development Department	During grading and construction activities	*Verified by:* *Date:*
NOISE-1d: The construction contractor shall locate equipment staging in areas that will create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.	Project Applicant/ Construction Manager	City of Antioch Community Development Department	During grading and construction activities	*Verified by:* *Date:*
NOISE-1e: The construction contractor shall use temporary noise attenuation fences at least 6 feet in height to protect all sensitive receptors along the project site's northern property line that are not currently protected by a sound wall of at least 6 feet in height. Noise attenuation fencing shall consist of a solid, continuous fence (with no horizontal or vertical gaps) at least 6 feet in height and of equivalent mass as that of solid wood fencing boards (e.g., made of plywood of at least ¾ inch thickness).	Project Applicant/ Construction Manager	City of Antioch Community Development Department	Prior to and during grading and construction activities	*Verified by:* *Date:*
NOISE-2a: A sound wall a minimum of 6 feet in height (measured above the finished roadway elevation) shall be constructed along the project property line bordering Deer Valley Road. The sound wall must be constructed without gaps (including at the bottom) and must be at least 1 inch thick and have equivalent mass to that of solid wood fencing boards.	Project Applicant/ Project Engineer	City of Antioch Community Development Department	Prior to issuance of an occupancy permit	*Verified by:* *Date:*
NOISE-2b: A sound wall a minimum of 6 feet in height (measured above the finished roadway elevation) shall also be constructed along the project property line bordering Wellness Way. The sound wall must be constructed without gaps (including at the bottom) and must be at least 1 inch thick and have equivalent mass to that of solid wood fencing boards.	Project Applicant/ Project Engineer	City of Antioch Community Development Department	Prior to issuance of an occupancy permit	*Verified by:* *Date:*
XII. Population And Housing				
No mitigation required				
XII. Public Services				
No mitigation required				

E29 A14

Table 1 *continued*

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule	Verification of Compliance
XIII. Recreation				
No mitigation required				
XV. Traffic				
TRANS-1: The Deer Valley Road/Lone Tree Way intersection should be re-striped to a through-shared right-turn lane. Because the proposed project does not itself trigger the impact, but adds to the eastbound right queue, the project applicant shall pay a pro-rata fair-share cost of intersection improvements.	Project Applicant/ City of Antioch	City of Antioch Community Development Department	Prior to issuance of an occupancy permit	*Verified by:* *Date:*
TRANS-2: The Deer Valley Road/Prewett Ranch Drive southbound left-turn lane should be extended an additional 50 feet to a total length of 190 feet plus 120 feet of the deceleration and taper. The project applicant shall be responsible for the full cost of the modification to the intersection. This intersection improvement shall be completed prior to occupation of the proposed project.	Project Applicant/ City of Antioch	City of Antioch Community Development Department	Prior to issuance of an occupancy permit	*Verified by:* *Date:*
XVI. Utilities And Services				
No mitigation required				

E30 A15

ATTACHMENT "B"

RECEIVED
DEC 05 2007
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

5425 Piute Way
Antioch, CA. 94531

December 5, 2007

Planning Commission
City Hall
3rd & H Streets
Antioch, CA. 94509

Dear Sir,

Please read this 2-page letter into the minutes originally scheduled for the meeting @ 7:30pm this evening.

This is to put the City of Antioch on notice that I am against the Master Development Plan submitted in regards to MDP-06-02 – Deer Valley Estates for the following reasons:

1. I received conflicting information from your office just last week stating that the meeting scheduled for tonight has been moved to December 19, 2007, although your contact person Alexis Morris could not confirm this. If this meeting has been re-scheduled without notification to the existing residents, I would ask that it be held over until January 2008, allowing us to enjoy the holiday season which is upon us. If you truly engage the community's comments, then this issue should be postponed.

2. The first point to be made is why are we building another 135 homes, when our economy is at its worse state in years, that the foreclosure rate in Antioch is the largest in Contra Costa County, while there are many homes already available for purchase???

The foreclosures and state of our current economy has caused our home values to drop considerably in the past year. Adding 135 additional homes at this time would only cause our values to further decline. This land is not being wasted as it can still be used for grazing purposes, until a more appropriate time, where it is reasonably to build out.

3. I would like you to comment on the map of our existing neighborhood. You can see that there are 3 dead-ends in our neighborhood: Piute Way, Mojave Way & Oneida Way. To be fair to all existing residents, this future traffic should be spread evenly throughout our neighborhood and that requires opening up these three thoroughfares already in existence to this new neighborhood. On your map, you are planning to only build out Piute Way & Oneida, which will cause most of the traffic to head my way. Since my street is closest to the Diablo Vista Elementary School & Deer Valley High School, these new residents will be driving day and night on my street to drop off and pick up their kids, going to the grocery store, etc. This could be in excess of 270 cars per day, which allots for 2 cars per household and that's only 1 trip per day. So I'm asking that all thoroughfares in existence be built out to absorb the traffic and pollution equally.

4. Towards the South side of this proposed development, you only have one street dumping onto Wellness Way. Again, there needs to be multiple streets accessing Wellness Way to encourage people to avoid congesting our current neighborhood. Just because Kaiser built out this street doesn't mean that the citizens of this city cannot have access to it. The City approved the extension of this street, Wellness Way, knowing that another development would be built out someday. The developer can redesign their plans by taking out 3 homes to accommodate my suggestions. I have submitted two plans of my own to show how this could be done. We want our voices heard about the changes requested and want to be involved.

5. I do not like the tree barriers being suggested. Barriers are used to keep the traffic flowing. I would like to see stop signs, so people have to actually stop. There are too many kids located @ the end of Piute Way who play in the street and if these cars are not required to stop, someone could get severely hurt. If stop signs are not possible, then I would suggest "speed humps" as used throughout Brentwood. You have permission to put one in front of my house if this helps.

I can be reached anytime @ (925) 623-4336.

Thank you for your time.

Sincerely,

Kathy Jakabcin

SUGGESTED PLAN #1

MASTER DEVELOPMENT PLAN AND PLANNED DEVELOPMENT REZONE

SUBDIVISION 9146

CITY OF ANTIOCH

SCALE: 1"=100' AUGUST, 2006

DEER VALLEY ESTATES

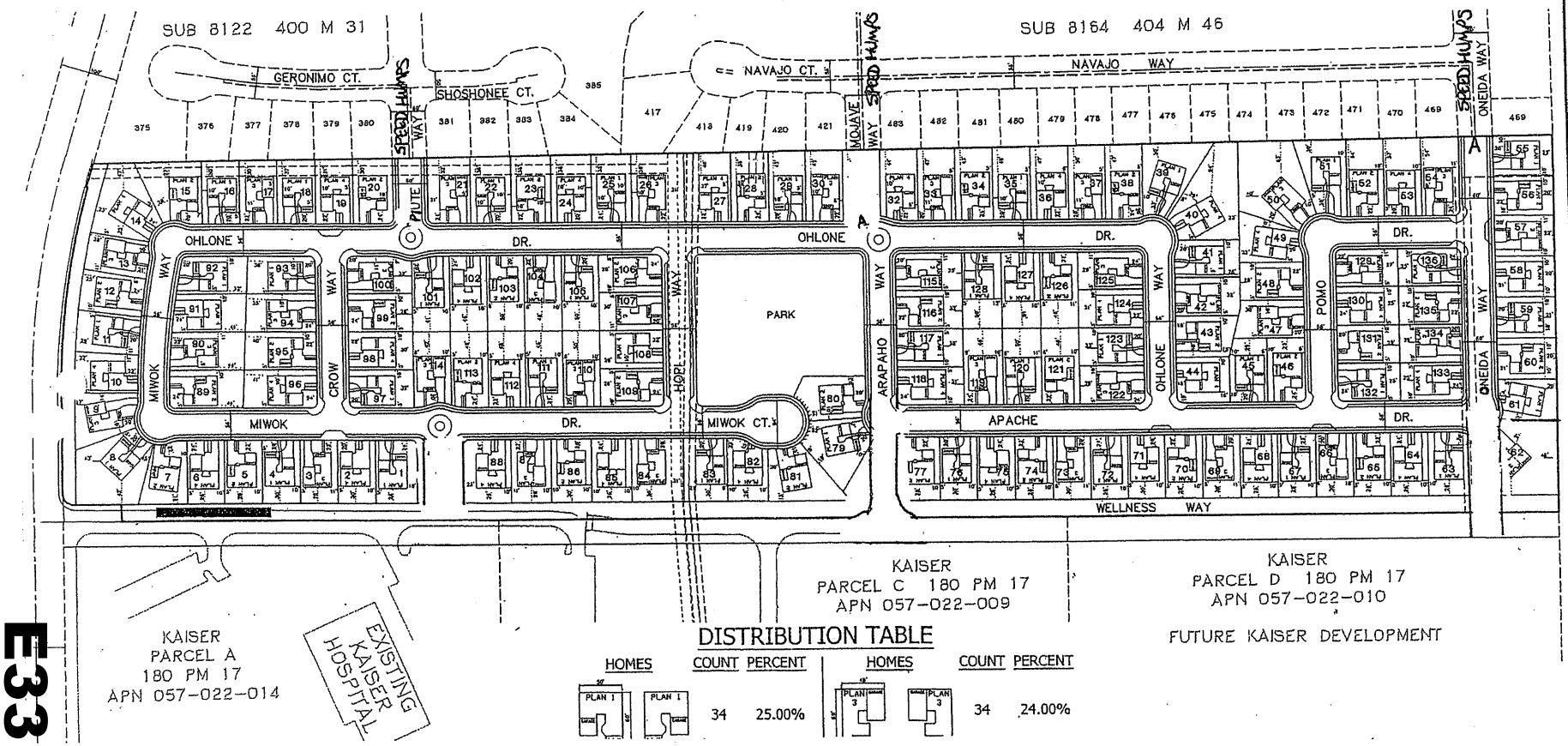
PARCEL A (139 PM 30)

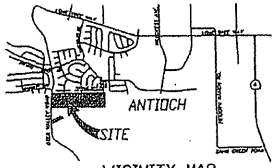
136

14,000

7,000 +

A: STOP SIGNS





DISTRIBUTION TABLE

HOMES	COUNT	PERCENT	HOMES	COUNT	PERCENT
PLAN 1	34	25.00%	PLAN 3	34	24.00%

VELOPMENT PLAN AND PLANNED DEVELOPMENT REZONE (SUB 9146) 08-30-2006

E33

B3

SUGGESTED PLAN #2

MASTER DEVELOPMENT PLAN AND PLANNED DEVELOPMENT REZONE

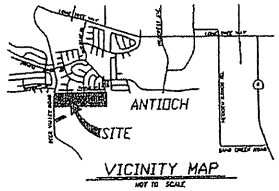
SUBDIVISION 9146

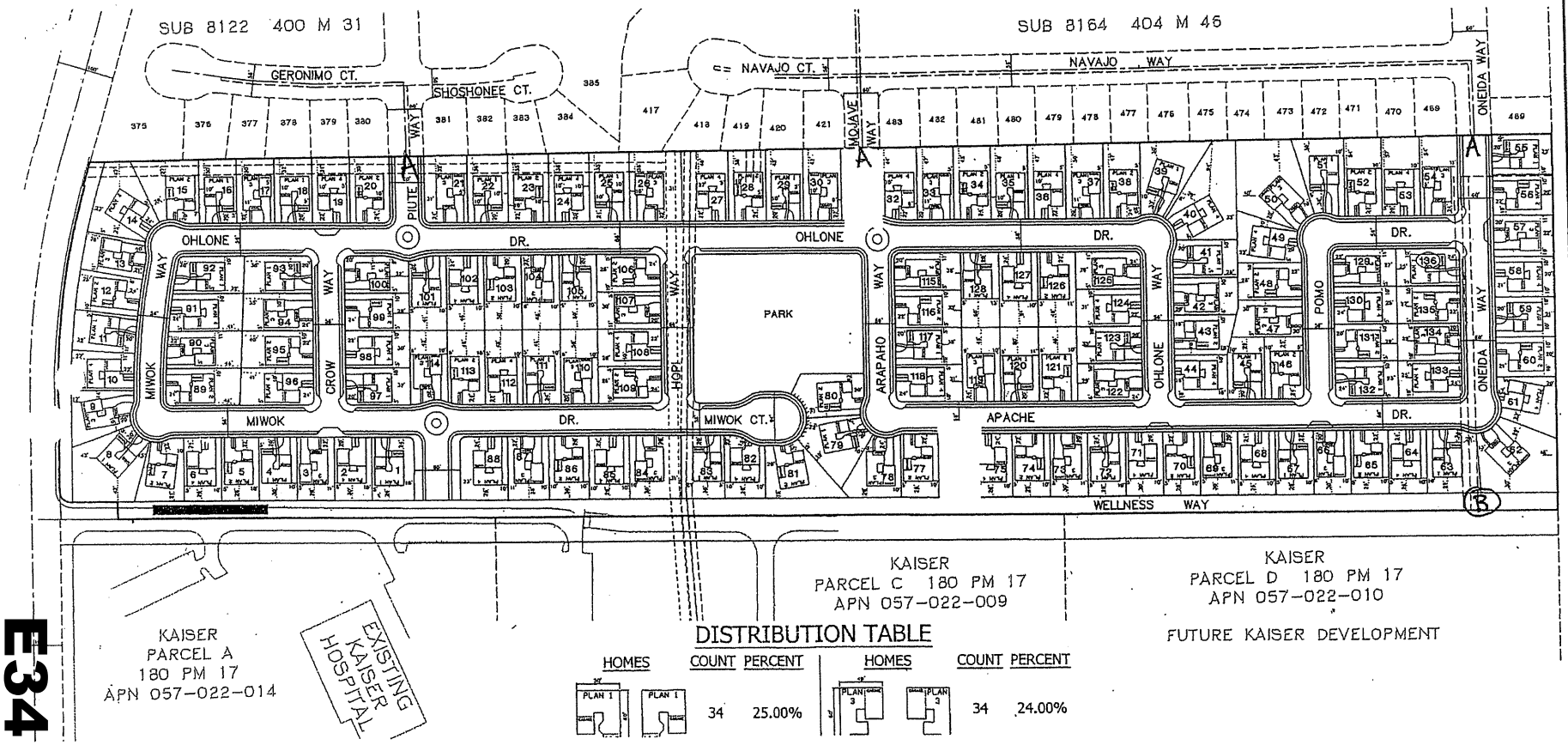
CITY OF ANTIOCH

SCALE: 1"=100' AUGUST, 2006

DEER VALLEY ESTATES

PARCEL A (139 PM 30)





KAISER
PARCEL A
180 PM 17
APN 057-022-014

EXISTING KAISER HOSPITAL

KAISER
PARCEL C 180 PM 17
APN 057-022-009

KAISER
PARCEL D 180 PM 17
APN 057-022-010

FUTURE KAISER DEVELOPMENT

DISTRIBUTION TABLE

HOMES	COUNT	PERCENT	HOMES	COUNT	PERCENT
PLAN 1, PLAN 1	34	25.00%	PLAN 3, PLAN 3	34	24.00%

136

14,000

7,000 +

A: STOP SIGNS OR SPEED HUMPS ON EXISTING ST. PIUTE WY MOJAVE WY. ONEIDA WY.

(B) CONSIDER OPENING UP ONEIDA TO WELLNESS WY. TO HELP ELEVIATE TRAFFIC IN NEIGHBORHOOD

VELOPMENT PLAN AND PLANNED DEVELOPMENT REZONE (SUB 9146) 08-30-2006

E34

134

ATTACHMENT "C"

To: Alexis Morris - City of Antioch, Department of Community Development
From: Jim Cleese - Resident of the City of Antioch
RE: Deer Valley Estates Project MDP-06-02
Date: December 10, 2007

Hi Alexis,

I am writing as a follow-up to our meeting and review on Monday 12/3/2007 of the new Deer Valley Estates construction project #MDP-06-02 which is currently in the planning phase. I had received the Notice of Public Hearing in my mail earlier and the notice provided me the opportunity to respond with any concerns.

The new Kaiser Hospital on Deer Valley Road is now up and in operation as of November 7, 2007. I have been aware of the construction of this new hospital since its beginning, since it is located on property about 1500 feet south of my residence. Over the past 6 months or more, at certain times I have noticed, and my neighbors adjacent to me have noticed, a very distinct and loud medium-to high-pitch tone that I believe originates from the hospitals HVAC (heating/air conditioning/ventilation system), most likely from the Northeast roof area of the hospital buildings. In the 2-3 months prior to the official opening of the hospital, the tone was very noticeable, and seemed to be coming from the facility many (but not totally all) days and hours, including nights and weekends. It seemed that the tone would be part of the regular operation of the hospital, probably depending of the air processing requirements of the facility at any given time. I and a few of my neighbors realized that if the tone would be a permanent part of operation of the hospital then something would likely need to be done to reduce the level of noise that we receive here in our neighborhood. The tone is of a pitch and frequency that it permeates through walls and structures easily, and through the backyards and even front yards of the neighborhood. It is a constant tone, and something that becomes irritating almost immediately when present, especially when it permeates into the household with all doors and windows closed.

My immediate concern is the noise (tone) from Kaiser. I have already been in contact in September and October 2007 with various representatives of Kaiser to discuss the situation, with the hope that a plan can be developed and implemented to reduce the noise. Since my discussions in September and October I have noticed that Kaiser has been running the facility in a manner that seems to reduce the tone and amount of noise coming from the HVAC systems. This appears to be helpful as a near-term solution, if indeed that is the case. It could be possible that the load on the HVAC system is reduced during winter months. I am definitely worried that when the warmer weather comes starting in about March April May June etc that the load will be much higher on the Kaiser HVAC systems and then the noise and tone will then become much louder and more of an immediate real issue. Also, when the warm weather is here everyone in the neighborhood likely will be leaving their windows and doors open.

The concern for the construction project of new homes close to Kaiser is of course that the new homes will be exposed to any Kaiser HVAC noise if nothing is done to change the situation. For me, and my neighbors, if new homes are constructed between us and the hospital, it may actually be better for us, as the new homes may insulate us from the sound. I realize that construction of the new homes will probably not happen for over a year, which provides some time for this situation to be addressed. For myself and my neighbors, though, we still have an immediate concern, especially as the new year starts, that as the warmer weather comes we will be forced to deal with finding a solution to the tone/noise coming from the Kaiser facility.

In the mean time I will be continuing my inquiries and discussions with all available parties to see how we all can work together on this issue as we move forward.

Below I am including the names and contact information for two of the persons that I have spoken with to-date regarding the Kaiser noise issue.

(Mr. Wetter below had mentioned in October 2007 that he believes that the City of Antioch Community Development Departments Mr. Joseph Brandt was also already aware of the Kaiser noise situation).

Mr. Ronald A. Wetter
Community & Government Relations Manager
Diablo Service Area
Kaiser Foundation Health Plan, Inc.
200 Muir Road, Hacienda Building
Martinez, CA 94553
(925) 372-1475
Ronald.Wetter@kp.org

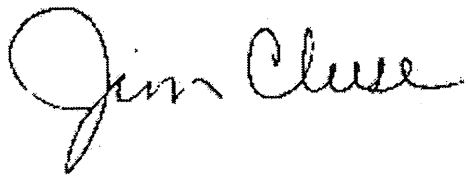
Kathy Villavicencio
Project Manager
NFS Capital Projects, Antioch Team
Kaiser Foundation Health Plan, Inc.
5601 Deer Valley Road
Antioch, CA 94531
(925) 813-6604
Kathy.Villavicencio@kp.org

Thank you so much for spending time with me on 12/3/2007 to review the construction plans for the new Deer Valley Estates housing project.

Please include a copy of this memo as part of the review record for this project #MDP-06-02.

You may contact me at any time if there are any questions.

Regards,
Jim Cleese



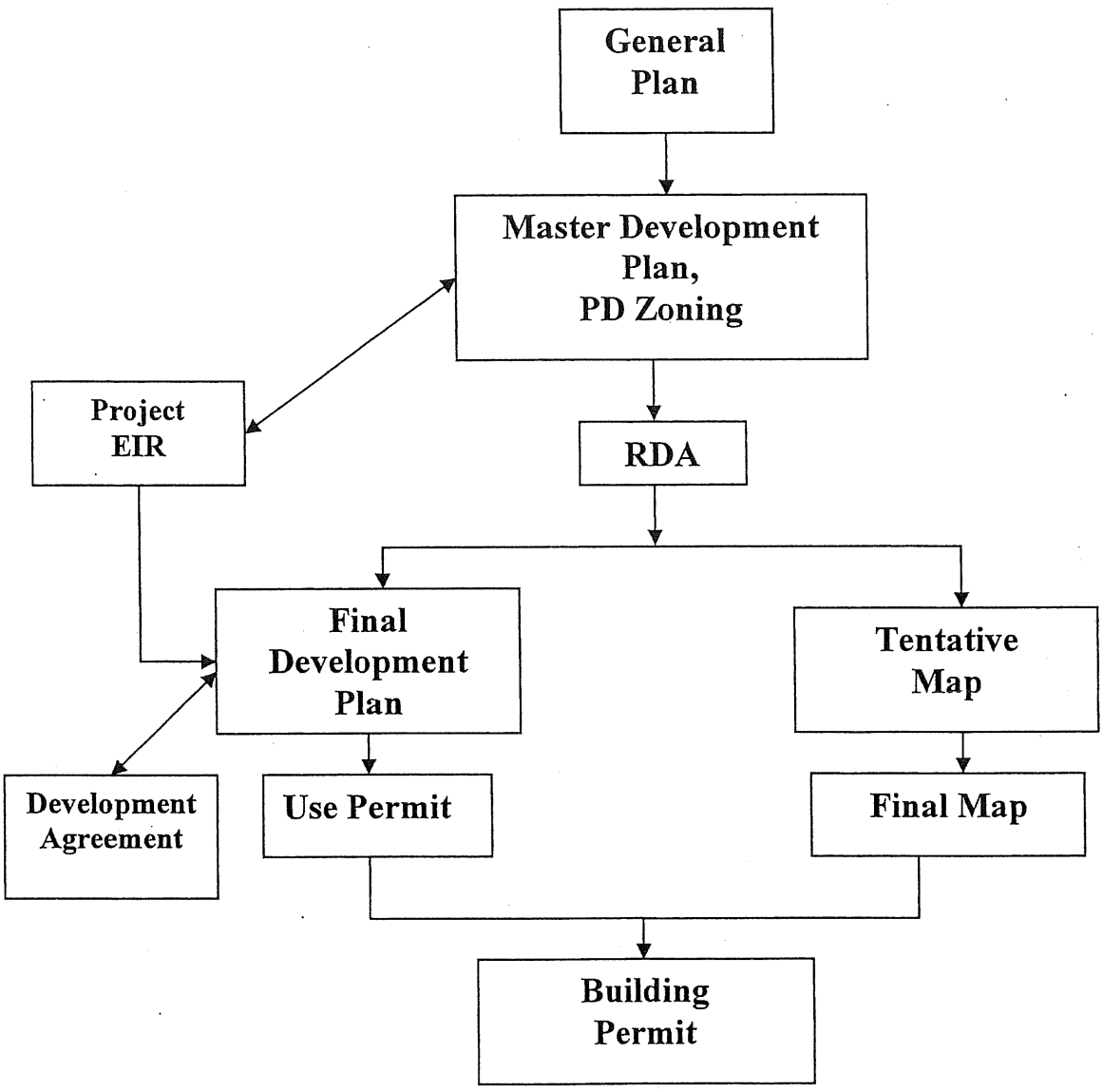
5419 Navajo Ct
Antioch, CA 94531
1-408-472-8632 Cell #
jcleese@comcast.net

- End -

ATTACHMENT "D"

ATTACHMENT A

Sand Creek Focus Area
Entitlement Process



END OF CONSENT CALENDAR

CONTINUED PUBLIC HEARINGS

2. **UP-07-16 – In Shape Health Club Exterior Pool Features – In Shape Health Club, Inc., requests approval of a Use Permit to install three exterior water features including two pool slides and a spray fountain at the existing health club. The project is located at 4065 Lone Tree Way (APN 072-012-212).**

Item No. 2 was pulled from the agenda and will be re-noticed when the applicant resubmits.

3. **MDP-06-02 – Deer Valley Estates – Allied Investments requests review of a Master Development Plan and a Planned Development Rezone for a 136 unit single family home subdivision on an approximately 38 acre parcel. The project site is located in the southern portion of the City of Antioch and is bounded by Deer Valley Road to the west and Wellness Way and the Kaiser Hospital medical facilities to the south.**

Planning Consultant Gillarde provided an overview of the Staff Report dated January 11, 2008, and referred to a displayed wall map that depicted the proposed project site. She further noted that the applicant has requested that a change be made to the Development Standards on page 4 of the Staff Report and that the maximum number of units of "Up to 136" be stricken. Staff has agreed with this request given that the density would remain at four dwelling units per acre, which is consistent with the General Plan.

OPENED PUBLIC HEARING

Paul Lopez, Allied Investments, representing the Applicant, stated that he agreed with staff and the Staff Report, in regards to the recommendations and changes that have been made. He further stated that the applicant would conform to City Standards, in terms of the streetscape, and that discussions are ongoing with the holder of the pipeline easement regarding its relocation. He requested that he reserve the right to address this issue at a later date, if discussions fail, but felt the applicant was on the correct path to having this issue resolved.

In responding to Commissioner Westerman regarding the storm drain, Mr. Lopez stated that the pipeline is already in place and is designed to meet the setbacks required by the City, with respect to gaining access to the storm drain, as well as street maintenance. Commissioner Westerman clarified that his main concern was to address the petroleum pipelines.

In response to Commissioner Brandt, Mr. Lopez stated that the applicant preferred not to have a Homeowner's Association (HOA), but this issue is being investigated and the applicant will do his due diligence to minimize the costs to the homeowners if an HOA is applied to the project. Commissioner Brandt felt this was important, in terms of the park. The applicant further addressed noise mitigation measures, in terms of daily hospital related noises, and noted that he was currently in discussions with Kaiser regarding the sound wall and would submit a copy of the agreement at the time an agreement is reached.

Commissioner Azevedo wanted to ensure that RV parking is addressed due to the recent City Ordinance passed by the City Council.

Kathy Jakabcin, resident, referred to her letter that was addressed and included within the Staff Report, dated December 5, 2007. She requested a copy of the displayed map and felt that a resolution could be reached between the City's Public Works and Engineering Departments regarding her concerns.

CLOSED PUBLIC HEARING

Commissioner Trail expressed a concern to the project being too close in proximity to the hospital, in terms of noise and activity and stated that she was not inclined to support the project.

Commissioner Brandt made the following comments on the Master Development Plan:

- The interior noise mitigation for future homeowners needed additional attention.
- The lot design should contain more varied lots to eliminate the present 'cookie cutter' pattern.
- The RV parking issue must be addressed.
- The landscaped setback on Deer Valley Road should be 35 feet to match the property and the setback to the north.
- If an HOA is not implemented and the park is less than 5 acres, the park should be eliminated.
- If the pipeline is not relocated, Lot Nos. 27-31 should be reconfigured to provide homeowners with the ability to construct a usable backyard.
- The project's internal circulation should be rethought; traffic should be dispersed more evenly throughout the project, rather than funneling onto a few streets.

Commissioner Azevedo made the following comments on the Master Development Plan:

- The project's site plan is disappointing and does not exhibit a lot of imagination.
- More diversity is needed in the housing product provided by the project.
- The lots should have varied setbacks so that the houses are staggered, versus the linear lineup now provided by the site layout.

- The roadway should be constructed to reflect a more natural traffic calming design.

Chairman Travers referred to a letter contained within the Staff Report from Mr. and Mrs. Cleese. He also made the following comments on the Master Development Plan:

- The setbacks for, and articulation of, the units should be staggered.
- If the pipeline remains, adequate easements for Lot Nos. 27-31 must be provided, as the backyards as proposed are useable. The easement cou ld be configured as a greenway.
- The noise issues with the Kaiser Medical Facility must be addressed, but they should not be cause to preclude development of the site.

RESOLUTION NO. 2008-XX

On motion by Commissioner Brandt, and seconded by Commissioner Johnson, the Planning Commission recommended adoption of the Deer Valley Estates Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and recommended approval of an Ordinance to rezone 38 acres, comprising the Deer Valley Estates Project Site (APN 057-022-013), from Study Zone (S) to Planned Development District (PD).

AYES: ***Brandt, Johnson, Azevedo, Delgadillo, Westerman and Travers***
NOES: ***Trail***

4. Z-07-01 – RDA Ordinance Update – The City of Antioch is requesting amendments to the City's Zoning Ordinance, Title 9, Article 40 "Residential Development Allocation" (RDA), to address several development allocation processing requirements.

Item No. 4 was continued to a date certain.

NEW PUBLIC HEARINGS

5. UP-07-13 – Antioch Armory – Allan Tong requests approval of a Use Permit for firearm sales. The project site is located at 625 West Third Street (APN 055-300-059).

Deputy Director Community Development (DDCD) Wehrmeister provided a summary of the Staff Report dated January 11, 2008.

Commission Trail excused herself, due to a conflict of interest.

OPENED PUBLIC HEARING

ANTIOCH CITY COUNCIL
ANTIOCH DEVELOPMENT AGENCY
ANTIOCH PUBLIC FINANCING AUTHORITY

Regular Meeting
7:00 P.M.

February 26, 2008
Council Chambers

5:30 P.M. - CLOSED SESSION

1. **CONFERENCE WITH LABOR COUNSEL – EXISTING LITIGATION** – This Closed Session is authorized by California Government Code §54956.9(a). Administrative Civil Liability Complaint No. R5-2006-0512 issued by the California Regional Water Quality Control Board - Central Valley Region to the City of Antioch and Somersville-Gentry, Inc.; SPPI-Somersville, Inc. et al. v. TRC Companies, Inc. et al, Case No. C04-2648 SI, United States District Court, Northern District of California.

2. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION.** Title: City Manager. This Closed Session is authorized by Government Code §54957.

3. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION.** Title: City Attorney. This Closed Session is authorized by Government Code §54957.

4. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – This Closed Session is authorized by California Government Code §54956.9(a): Whiteside Construction Corporation v. J.K. Mertz Construction, Inc., Antioch Public Golf Corporation and the City of Antioch, et al.; Davidson Plastering, Inc. v. J.K. Mertz Construction, Inc., Contra Costa Superior Court, Case No. Consolidated C06-00730, City of Antioch, Travelers Casualty and Surety Company of America, et al.; J.K. Mertz Construction, Inc., v. First Republic Bank, et al., San Francisco Superior Court, Case No. CGC06-454761

Mayor Freitas called the meeting to order at 7:11 P.M., He reported the City Council had been in Closed Session; there was no reportable action. City Clerk Martin called the roll.

Present: Council Members Kalinowski, Davis, Moore, Simonsen, and Mayor Freitas

PLEDGE OF ALLEGIANCE

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

Councilmember Kalinowski reported he had attended the Contra Costa Board of Supervisors meeting earlier in the day and by a vote of 5-0 they have agreed to have no further discussion or studies regarding locating a jail facility in Contra Costa County.

Mayor Freitas, on behalf of the City Council and community, thanked Councilmember Kalinowski, along with those who took the time to either attend the meeting, or sent emails to either the Antioch City Council or the Board of Supervisors, expressing their opposition to the location site of the proposed new jail.

PRESENTATION

War Dog Memorial Committee Contribution

The War Dog Memorial Committee, represented by the following Committee Members: Councilmember Davis, Barbara Herendeen, Bari Costello and Susan Davis, presented Public Works Administrators, Pat Scott, Frank Palmeri and Phil Harrington, with a monetary contribution, specifying the funds were to be used for the reconstruction of the cul-de-sac selected to house the War Dog Memorial.

Barbara Herendeen stated the contribution, an expression of the Committee's gratitude to the City for its support in this endeavor, urged other organizations with excess funds, to follow their example by choosing a specific project within the City, and donate any excess funds for the betterment of the project, which in turn would be to the betterment of the City.

PROCLAMATION

American Red Cross Month, March 2008

On motion by Councilmember Moore, seconded by Councilmember Simonsen, the Council unanimously approved the proclamations as presented.

With no representatives present to accept the proclamation, Mayor Freitas announced the proclamation would be sent to a representative of the Red Cross.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS - None

ANNOUNCEMENTS OF BOARDS AND COMMISSION OPENINGS

City Clerk Martin announced the following openings:

Parks and Recreation Commission – 3 expired and 1 unexpired terms, deadline to apply was March 21, 2008. Contact information was provided.

PUBLIC COMMENTS

Emil Stein, Antioch resident, questioned whether or not a new Senior Center was being planned for the Prewett Park Community Center? If so, would eastbound bus service be provided? He spoke in opposition to a jail facility being located in Antioch.

Lonnie Karste clarified there would not be a Senior Center at Prewett Park; however, the Community Center could certainly be used for senior programming. He further stated Tri-Delta Transit was planning to use the current bus stop across the street from Prewett Park for service in the eastbound direction.

Councilmember Moore invited Mr. Stein to attend the Tri-Delta Transit Board meeting on February 27, 2008 to make his public comments and stated he would insure access was provided for Seniors.

Ken Lee, Antioch resident, announced the Red Cross would be hosting a CPR class Saturday March 8, 2008 and discussed Black History Month. He questioned whether the City had reached the cap with regards to quarterly payments to the Antioch Auto Dealerships.

Gary Agopian, Antioch resident, thanked the City for the Mayor's letter and resolution opposing the proposed location of the Prison Facility in Antioch. Addressing the *Cigarettes for Less* store in Deer Valley Plaza, and its' proximity to the High School, he suggested the City consider an ordinance preventing the sale of products related to drug use.

Mayor Freitas reported the City Council had directed the City Attorney to look at the issue and report back to the City Council.

Manuel Flores, Antioch resident, speaking in support of the Prewett Park Community Center project, urged the City to enter into a Project Labor Agreement specifying a preference to hire local residents to build the project.

Councilmember Moore presented a proclamation proclaiming March 2008 as *American Red Cross Month* to a Red Cross Representative, who accepted the proclamation and thanked the City Council on behalf of the American Red Cross. He invited the public to attend the CPR class scheduled for Saturday, March 8, 2008 at Los Medanos College.

COUNCIL RESPONSE TO PUBLIC COMMENTS

Councilmember Moore reported he had met with Senior Leadership reps from Grace Bible Fellowship to discuss Black History in America. He thanked Mr. Lee and Mr. Flores for being active in the community and providing public comment this evening.

COUNCIL REGULAR AGENDA

3. PRESENTATION BY MARK DeSAULNIER RE: FUTURE LEGISLATIVE PLANNING (#202-01)

Assembly Member DeSaulnier provided the City Council with a packet and reviewed legislative action that took place last year and current planning for next year.

Councilmember Moore thanked Assembly Member DeSaulnier for his presentation and offered his support.

Councilmember Simonsen thanked Assembly Member DeSaulnier for the presentation and his support; soliciting his assistance in moving the Delta Trails project forward and in preserving water quality for Antioch.

Councilmember Kalinowski thanked Assembly Member DeSaulnier for the comprehensive update. He discussed the impacts of parolees being placed into lodging facilities and suggested a more formal regulated process be developed by the state or federal government.

Mayor Freitas thanked Assembly Member DeSaulnier for the presentation. He requested Assembly Member DeSaulnier's assistance in insuring East County retains their transportation funds and in addressing the municipal regional permit issue

Councilmember Davis thanked Assembly Member DeSaulnier for the presentation and expressed concern for language in SB900 as it pertains to convicted individuals being released on probation.

1. COUNCIL CONSENT CALENDAR

A. APPROVAL OF COUNCIL MINUTES FOR JANUARY 22, 2008 #301-02

B. APPROVAL OF COUNCIL WARRANTS #401-01

C. APPROVAL OF TREASURER'S REPORT FOR JANUARY 2008 #401-02

D. REJECTION OF CLAIM #704-07
1. Daniel Vasquez, #07/08-1750 (damage/theft of personal property)

E. REQUEST FOR OVERNIGHT TRAVEL (TWO NIGHTS) LEAGUE OF CALIFORNIA CITIES POLICY COMMITTEE MEETING #301-01

F. LEGISLATION AND ADVOCACY #701-04

G. *ORDINANCE 2010 C-S* AMENDING TITLE 5, CHAPTER 2, ARTICLES 1 AND 2 OF THE MUNICIPAL CODE, RELATED TO PROPERTY MAINTENANCE; ABANDONED, UNSECURED OR PARTIALLY CONSTRUCTED BUILDINGS; AND VACANT LOTS USED FOR ILLEGAL DUMPING #701-05

H. *ORDINANCE 2011 C-S* AMENDING SECTION 9-5.3802 AND ADDING SECTION 9-5.3804 OF THE ANTIOCH MUNICIPAL CODE RELATED TO THE EXISTING "S" STUDY ZONE AND OIL DRILLING AND OPERATING AN OIL/GAS WELL AS A TEMPORARY USE ON A 158 ACRE PARCEL LOCATED SOUTH OF THE EXISTING HOMES ON MAMMOTH WAY, WEST OF DEER VALLEY ROAD, AND EAST OF EMPIRE MINE (SUNSET EXPLORATION) #202-10

I. *ORDINANCE NO. 2012 C-S* JUVENILE PROTECTION CURFEW #701-05

J. *RESOLUTION NO. 2008/19* AGREEMENT WITH THE ANTIOCH BOCCE BALL FEDERATION REGARDING THE BOCCE BALL FACILITY AT CHICHIBU PARK #1402-03

K. REQUEST FOR PROPOSALS FOR COMPREHENSIVE CLASSIFICATION AND COMPENSATION STUDY #508-04

L. *RESOLUTION NO. 2008/20* ACCEPTING COMPLETED IMPROVEMENTS FOR SAND CREEK RANCH, UNIT 8 (SHEA HOMES, LIMITED PARTNERSHIP), TRACT NO. 8951 AND AUTHORIZING THE MAYOR TO SIGN A DEFERRED IMPROVEMENT AGREEMENT (PW 639-8) #802-02

M. *RESOLUTION 2008/21* CONTRACT WITH STATE ROUTE 4 BYPASS AUTHORITY TO PROVIDE LAW ENFORCEMENT SERVICES FOR SEGMENT 1 OF THE STATE ROUTE 4 BYPASS #1102-03

N. APPROVAL OF CHANGE ORDERS TO MCK SERVICES, INC. FOR ADDITIONAL ROADWAY REHABILITATION ON WEST LAKE DRIVE (P.W. 503-10 & 392-23) #1102-04

O. AMERICAN TOWER CORPORATION SITE LEASE FOR TELECOMMUNICATIONS FACILITIES ON CITY-OWNED PROPERTY AT 75 WALTON LANE (LONE TREE WATER TANK) #1001-05

P. *RESOLUTION NO. 2008/22* SUBMITTAL OF GRANT APPLICATIONS TO ABAG (ASSOCIATION OF BAY AREA GOVERNMENTS) AND MTC (METROPOLITAN TRANSPORTATION COMMISSION) REQUESTING FUNDING FOR PLANNING STUDIES UNDER THE STATION AREA PLANNING PROGRAM FOR: 1) THE RIVERTOWN/FERRY TERMINAL STATION AREA, AND; 2) THE HILLCREST EBART STATION AREA #1107-03

On motion by Councilmember Davis, seconded by Councilmember Simonsen, the Council unanimously approved the Council Consent Calendar with the exception of item J and N which were removed for further discussion.

Item J – In response to Councilmember Simonsen, Park Superintendent Palmeri stated park maintenance would be observing the Bocce Ball facility during routine maintenance of the park, for potential maintenance issues.

Karin King, President of Antioch Bocce Federation on behalf of the Board of Directors and players thanked the City of Antioch and Leo Fontana for their support of the renovation of the Bocce Courts.

On motion by Councilmember Simonsen, seconded by Councilmember Davis, the City Council unanimously approved Item J.

Item N – In response to Councilmember Moore, Director of Community Development Brandt speaking to the request from Mr. Parson for traffic calming on this street, clarified Mr. Parsons had informed him he does not believe it was an appropriate time to consider traffic calming

measures. Capitol Improvement Director Harrington added it was the final product for the completion of the infrastructure improvements and paving of the road.

On motion by Councilmember Moore, seconded by Councilmember Simonsen, the City Council unanimously approved item N.

PUBLIC HEARINGS

2. DEER VALLEY ESTATES / ALLIED INVESTMENTS REQUESTS REVIEW OF A MASTER DEVELOPMENT PLAN AND A PLANNED DEVELOPMENT REZONE FOR THE DEVELOPMENT OF A 136 UNIT SINGLE FAMILY HOME SUBDIVISION ON AN APPROXIMATELY 38 ACRE PARCEL BOUNDED BY DEER VALLEY ROAD TO THE WEST AND WELLNESS WAY AND THE KAISER HOSPITAL MEDICAL FACILITIES TO THE SOUTH. ON JANUARY 16, 2008 THE PLANNING COMMISSION VOTED 6-1 TO RECOMMEND ADOPTION OF THE MITIGATED NEGATIVE DECLARATION, MITIGATION MONITORING AND REPORTING PLAN, AND APPROVAL OF THE MASTER DEVELOPMENT PLAN AND REZONE. FILE: MDP-06-02 (#202-03)

Planning Consultant Gillarde presented the staff report dated February 21, 2008 recommending the City Council a) adopt the Deer Valley Estates Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; b) introduce the ordinance by title only; c) introduce the Ordinance rezoning the project site from Study Zone (S) to Planned Development District (PD); and d) provide recommendations on the Deer Valley Estates Master Development Plan.

Mayor Freitas opened the Public Hearing.

PROPONANT

Paul Lopez, speaking on behalf of Allied Investments gave a brief history of the project and conceptual land plan. He requested the table within the staff report on page 3 be amended to indicate the correct dwelling units per gross developable acre. He reported they had received a favorable response from Kinder Morgan and he anticipated they would come to an agreement on the relocation of the pipeline.

In response to Councilmember Moore, Mr. Lopez stated he was in agreement with the PD standards and requested staff clarify several bullet points on the list of items that should be incorporated into the Final Development.

GENERAL COMMENTS

Troy Bristol, representing Save Mt. Diablo, provided Council with a letter dated February 26, 2008 stating while they do not oppose the project they felt the mitigation measures do not sufficiently offset the negative impacts of the project.

Michelle Fitzer, Antioch resident, speaking on behalf of her neighbors stated they were supportive of connecting to the project only through Oneida Way and recommended the park be removed from the plan due to maintenance and after hours activity concerns.

REBUTTAL

Mr. Lopez stated they would work with the neighbors to discuss through traffic and park issues as the site plan moved forward. Secondly, with respect to the Save Mt. Diablo, he indicated he concurred with the findings of the mitigated negative declaration.

Mayor Freitas closed the Public Hearing.

Director of Community Development Brandt requested the Development Standards be amended to indicate 3.58 dwelling units per gross developable acre. In response to Mr. Lopez, he clarified several bullet points on the list of recommended items that should be incorporated into the Final Development. With regards to the road connections, he stated staff felt it was important for access from Oneida and Mohave Way.

Director of Community Development Brandt reported due to the history of Kinder Morgan common practice is to relocate pipelines going through residential properties. City Attorney Nerland added the relocation of the pipeline would be a policy issue for the City Council in the future.

RESOLUTION NO. 2008/23

On motion by Councilmember Simonsen, seconded Councilmember Moore the City Council approved a) adopt the Deer Valley Estates Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; b) introduce the ordinance by title only; c) introduce the Ordinance rezoning the project site from Study Zone (S) to Planned Development District (PD).

The motion carried by the following vote:

Ayes: Freitas, Davis, Simonsen, Moore

Noes: Kalinowski

Mayor Freitas declared a recess at 8:51 P.M. The meeting reconvened at 9:05 with all Councilmembers present.

COUNCIL REGULAR AGENDA - Continued

4. CONSIDERATION OF A YMCA AND THE BEDFORD CENTER COLLABORATIVE PROJECT TO BE LOCATED AT PREWETT PARK (#1402-01)

Project Manager Karste presented the staff report dated February 11, 2008 recommending the City Council: 1) direct staff to continue working with the two groups on the development of the conceptual plan phase and a project timeline, 2) request the YMCA and Bedford Center collaborative to develop a funding plan and timeline for the capital development of the site for

council review, and 3) direct staff to begin the development of a "draft" operating agreement between both agencies and the City of Antioch for council review.

Margo Dutton. representing the Bedford Center, gave a brief overhead presentation of their history and concept for programming at the Bedford Center

Mike Erwin, representing the YMCA, gave a brief overhead presentation of the service in Contra Costa County, including a concept for programming at the YMCA.

In response to Mayor Freitas, Mr. Erwin stated they must first take a project to the financiers, after which they could seek tax-exempt revenue bond financing, in addition to private donors. He noted the timeline would be approximately 3-4 years from concept to completion.

Mayor Freitas spoke in support of exploring the project option and underwriting it with staffing.

Councilmember Simonsen agreed and encouraged the CDBG committee to consider funding sources to facilitate the project.

On motion by Councilmember Kalinowski, seconded by Councilmember Simonsen the City Council unanimously approved: 1) direct staff to continue working with the two groups on the development of the conceptual plan phase and a project timeline; 2) request the YMCA and Bedford Center collaborative to develop a funding plan and timeline for the capital development of the site for council review; and 3) direct staff to begin the development of a "draft" operating agreement between both agencies and the City of Antioch for council review.

5. WATER AND WASTEWATER RATE STUDY: PRESENTATION OF FINDINGS (#1202-02)

Ann Bui, Black & Veatch, gave a brief overhead presentation and presented the staff report dated February 14, 2008 recommending the City Council: Motion to receive report on Revenue Requirements, Cost of Service Allocations, Rate Design, and Connection Fees for the Water and Wastewater Utilities, and provide direction to staff regarding any implementation of the report.

Mayor Freitas discussed the importance of the City of Antioch maintaining the pre-1914 water rights on the San Joaquin River, and also requested a review of the current fee schedule, including the methodology used to develop the connection fee.

Following discussion, the City Council agreed to receive the report and hold the item over for further review of the staff report.

On motion by Councilmember Kalinowski, seconded by Councilmember Moore, the City Council unanimously received the report.

6. MID-YEAR ADJUSTMENTS TO THE 2007/08 FISCAL YEAR BUDGET (#410-02)

Finance Director Merchant presented the staff report dated February 13, 2008 recommending the City Council adopt the resolution approving the updated revenues and appropriations for the 2007/08 fiscal year budget.

Councilmember Simonsen clarified the subsidy from the General Fund to Animal Control was actually approximately $800K.

Councilmember Kalinowski stated it was his understanding staff was aware of the need to ensure the Police Department positions were filled.

RESOLUTION NO. 2008/24

On motion by Councilmember Simonsen, seconded by Councilmember Davis, the City Council unanimously adopted the resolution approving the updated revenues and appropriations for the 2007/08 fiscal year budget.

Mayor Freitas adjourned to the Antioch Public Financing Authority with all Authority Members present.

PUBLIC FINANCING AUTHORITY

7. MID-YEAR ADJUSTMENTS TO THE 2007/08 FISCAL YEAR BUDGET (#410-02)

RESOLUTION NO. 2008/25

On motion by Authority Member Simonsen, seconded by Authority Member Davis, the Public Financing Authority unanimously adopted the resolution approving the updated revenues and appropriations for the 2007/08 fiscal year budget

Chairperson Freitas adjourned the Antioch Public Financing Authority and convened as the Antioch Development Agency with all Agency Members present.

8. AGENCY CONSENT CALENDAR

A. APPROVAL OF AGENCY WARRANTS (#401-01)

B. MID-YEAR ADJUSTMENTS TO THE 2007/08 FISCAL YEAR BUDGET (#410-02)

RESOLUTION NO. ADA-423

On motion by Agency Member Simonsen, seconded by Agency Member Davis the Agency unanimously approved the Agency Consent Calendar.

Chairperson Freitas adjourned as the Antioch Development Agency and convened as the City Council with all Councilmembers present.

PUBLIC COMMENTS - None

STAFF COMMUNICATIONS

City Manager Jakel announced the Quality of Life Forum was scheduled on Saturday, March 29, 2008, at the Nick Rodriquez Center.

COUNCIL COMMUNICATIONS

Following discussion it was the consensus of the City Council to write a letter in support of AB1111.

Councilmember Moore reported he had a scheduling conflict on March 29, 2008 and would not be able to attend the Quality of Life Forum.

With no further business, Mayor Freitas adjourned the meeting at 10:30 P.M. to the next regular Council meeting on March 11, 2008.

Respectfully Submitted

L. JOLENE MARTIN, CMC
City Clerk

Approved:

DONALD P. FREITAS, Mayor

Attest:

L. JOLENE MARTIN, CMC
City Clerk

ATTACHMENT F

Planned Development Ordinance (2013-C-S)

ORDINANCE NO. 2013-C-S

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH TO REZONE APPROXIMATELY 38 ACRES, COMPRISING THE DEER VALLEY ESTATES PROJECT SITE (APN 057-022-013), FROM STUDY ZONE (S) TO THE PLANNED DEVELOPMENT DISTRICT (PD)

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

SECTION 1:

The City Council determined on February 26, 2008 that, pursuant to Section 15074 of the Guidelines of the California Environmental Quality Act, and after full consideration of the Initial Study prepared for the project, and on the basis of the whole record before it, the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Deer Valley Estates project should be adopted.

SECTION 2:

At its regular meeting of January 16, 2008, the Planning Commission recommended that the City Council adopt the Ordinance to rezone the subject property from Study Zone (S) to Planned Development District (PD).

SECTION 3:

The real property described in Exhibit A, attached hereto (incorporated herein by reference), is hereby rezoned from Study Zone (S) to Planned Development District (PD), and the zoning map is hereby amended accordingly.

SECTION 4:

The development standards, as defined below, for the subject property (APN 057-022-013), known as the Deer Valley Estates Project, are herein incorporated into this ordinance, and are binding upon said property.

Development Standards for the Deer Valley Estates Planned Development District

Standard	Planned Development District Requirement
Maximum Density	3.8 units per developable acre (3.6 units per gross acreage)
Maximum Number of Units	Up to 136
Minimum Lot Size	7,000 sq. ft.
Minimum Lot Width	Interior lot: 60 feet Corner lot: 65 feet
Minimum Front Yard Setbacks	At garage door: 20 feet At living space: 20 feet
Minimum Side Yard Setbacks	Interior lot: 5 feet Corner lot: 10 feet (reserved for landscaping only) For at least 25% of the lots in a given subdivision, one side yard of an interior lot shall be 10 feet in width and the other side yard can be five feet. The 10 foot side yard area shall remain as unrestricted open area. This shall also apply to all two-story single-family residential lots.
Minimum Rear Yard Setbacks	Interior lot: 25 feet Adjacent to Deer Valley Road / Wellness Way: 30 feet
Accessory Structure Setbacks	Interior lot: side yard and rear yard setback is zero (unless double frontage lot). Corner lot: street side yard is 20 feet and rear /interior side yard is zero Double frontage lot: 10-foot rear yard.
Maximum Building Height	32 feet
Maximum Lot Coverage	40 %
Parking and Driveways	20-foot setback to garage provides off-street parking (at least two spaces). One on-street parking space must be provided in front of each house (at least 20 feet of vertical curb with exceptions for cul de sacs).
Interior Roads	56-foot right of way 36 feet curb
Cul de Sacs	45-foot radius per Fire District standards
Wellness Way	88-foot right of way 68 feet curb to curb
Landscape Requirements	35-foot landscaped setback on Deer Valley Road.

SECTION 5:

The City Council finds that the public necessity requires the proposed zone change that the subject property is suitable to the use permitted in the proposed zone change that said permitted use is not detrimental to the surrounding property, and that the proposed zone change is in conformance with the Antioch General Plan.

SECTION 6:

This ordinance shall take effect and be enforced thirty (30) days from and after the date of its adoption and shall be published once within fifteen (15) days upon passage and adoption in a newspaper of general circulation printed and published in the City of Antioch.

F2

* * * * * * *

I HEREBY CERTIFY that the foregoing ordinance was introduced at a regular meeting of the City Council of the City of Antioch, held on the 26th day of February and passed and adopted at a regular meeting thereof, held on the 11th day of March, 2008 by the following vote:

AYES: Council Members Kalinowski, Davis, Simonsen and Mayor Freitas

NOES: None

ABSENT: Council Member Moore

Mayor of the City of Antioch

ATTEST:

City Clerk of the City of Antioch

F3

ATTACHMENT G

Parks and Recreation Commission Staff Report and Meeting Minutes (November 19, 2020)

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE PARKS AND RECREATION COMMISSION

DATE: Regular Meeting of November 19, 2020

TO: Parks and Recreation Commission

SUBMITTED BY: Vicky Lau, Junior Engineer

APPROVED BY: John Samuelson, Public Works Director/City Engineer JS

SUBJECT: Deer Valley Estates Subdivision Determination of the Dedication of Land or Payment of Park-In-Lieu Fees

---

RECOMMENDED ACTION

It is recommended that the Parks and Recreation Commission forward to the Planning Commission a determination that the Deer Valley Estates Subdivision is subject to a payment of $181,500 of park land dedication park-in-lieu fees and condition the "Private Park" to meet all the City's park design standards.

BACKGROUND

The applicant proposes a new residential subdivision (Deer Valley Estates) that would create 121 new single-family residential lots on an existing undeveloped parcel on the north side of the existing Kaiser Hospital and east of Deer Valley Road.

The Subdivision Ordinance (Section 9-4.1002) requires the dedication of land for the development of parks or the payment of park-in-lieu fees or both for all new subdivisions creating five or more lots. The Code requires that the Parks and Recreation Commission forward a determination of the needed land dedication or fees to the Planning Commission for consideration with the proposed subdivision map.

The Code includes a formula for determining the required land dedication and the corresponding park-in-lieu fees. The City strives to provide 5.0 acres of land for each 1,000 persons. The number of persons per dwelling unit is determined by the code and is shown in the following table along with corresponding land dedication and park-in-lieu fee requirements.

Unit Category	Average Persons/Unit	Land Dedication/Unit	In-Lieu Fees/Unit
Single-Family, Detached	3.0	0.015 acres	$ 1,500
Single-Family, Attached	2.2	0.011 acres	$1,100
Duplexes	1.9	0.0095 acres	$950
Multi-Family	1.9	0.0095 acres	$950
Mobile Homes	1.9	0.0095 acres	$950

Agenda Item #

G1

Unit Category	Average Persons/Unit	Land Dedication/Unit	In-Lieu Fees/Unit
Senior Housing	1.5	0.0075 acres	$750

This project would ordinarily require a dedication of 1.815 acres (79,061 square feet) of land. However, Section 9-4.1005(B) states that subdivisions creating 50 dwelling units or more must dedicate land at the option of the City or pay the park-in-lieu fees. The project dedication and payment requirements are described in the following table:

	Persons	Land Dedication	In-lieu Fees
Per Unit	3 persons	0.015 acres	$ 1,500
Project Total	**363 persons**	**1.815 acres**	**$181,500**

In general when determining whether land should be dedicated, the Parks and Recreation Commission is directed to consider the General Plan; any applicable adopted Specific Plan; the topography, geography, access, and location of land in the subdivision available for dedication; the size and shape of the subdivision and the land available for dedication; the feasibility of dedication; the compatibility of dedication with the General Plan and/or Specific Plan; and the availability of previously acquired park property.

Based on the Tentative Vesting Map, Deer Valley Estates, Subdivision 9518 submitted, there is only 1.12 acres (48,787 square feet) dedicated as a park which falls short of the 1.815 acres required. Moreover, the park is deemed as a "Private Park" and will be maintained by the Home Owners Association (HOA) formed by this subdivision. As such there is zero dedication of park land and hence this subdivision will be required to pay the full park-in-lieu fees. Per Section 9-4.10.10(D)(6), this private park does not qualify for any fee credits as it is less than 2 acres.

Staff recommends that the Parks and Recreation Commission condition the "Private Park" to meet all the City's park design standards current at the time of construction of the park such as irrigation, benches, tables, play equipment, BBQs, garbage cans, dog park, etc. in the event that the HOA is dissolved and City has to take over the maintenance of the "Private Park".

SUMMARY

Staff recommends that the Parks and Recreation Commission forward to the Planning Commission a determination that the project is subject to a payment of $181,500 of park land dedication park-in-lieu fees and condition the "Private Park" to meet all the City's park design standards.

ATTACHMENTS

A. Resolution 2020/**
B. Vicinity Map
C. Preliminary Park Plan

ATTACHMENT "A"

RESOLUTION NO. 2020/**

RESOLUTION OF THE CITY PARKS AND RECREATION COMMISSION OF THE CITY OF ANTIOCH RECOMMENDING ACCEPTANCE OF PARK-IN-LIEU FEES TO MEET THE PARK LAND OBLIGATION OF THE DESERT VALLEY ESTATES SUBDIVISION

WHEREAS, the City of Antioch has received an application for the Deer Valley Estates project, a subdivision that includes 121 single-family dwelling units;

WHEREAS, the City requires that subdivisions that include residential development shall dedicate land or pay park-in-lieu fees or both;

WHEREAS, the total calculated park land obligation for the Project is 1.815 acres as established by the City of Antioch Municipal Code for purposes of park land dedication;

WHEREAS, the park-in-lieu fees for the Deer Valley Estates project has been calculated at $181,500 based on the requirements of the City of Antioch Municipal Code;

WHEREAS, the Subdivision Ordinance states that subdivisions creating 50 dwelling units or more must dedicate land at the option of the City of Antioch or pay the park-in-lieu fees or both; and

WHEREAS, the "Private Park" is conditioned to meet all the City's park design standards current at the time of park construction;

NOW, THEREFORE, BE IT RESOLVED, that the Park and Recreation Commission does recommend that the Deer Valley Estates project meet its park land dedication requirements through the payment of park-in-lieu fees; and

BE IT FURTHER RESOLVED that the Park and Recreation Commission does recommend that park-in-lieu fees in the amount of $181,500 be paid to the City of Antioch to meet the Project's park land dedication obligation.

* * * * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the Parks and Recreation Commission of the City of Antioch at a regular meeting thereof held on the 19th day of November 2020 by the following vote:

AYES:

NOES:

ABSTAINS:

ABSENT:

NANCY KAISER
CLERK TO THE PARKS AND RECREATION COMMISSION

ATTACHMENT "B"

Deer Valley Estates

By Blue Mountain Communities

Vicinity Map

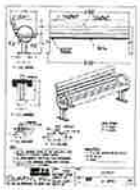
Park Location

ATTACHMENT "C"

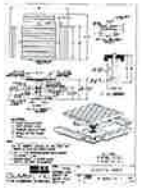
PLAYGROUND STRUCTURE

PLAYGROUND SWINGS

PLAYGROUND BENCH BOULDER

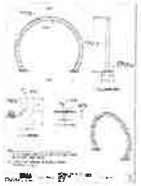


DUMOR BENCH



DUMOR PICNIC TABLE

STERNBERG LIGHT BOLLARD



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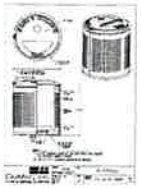
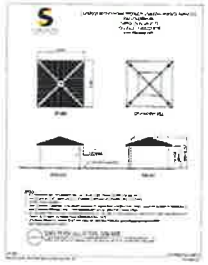


DUMOR TRASH RECEPTACLE

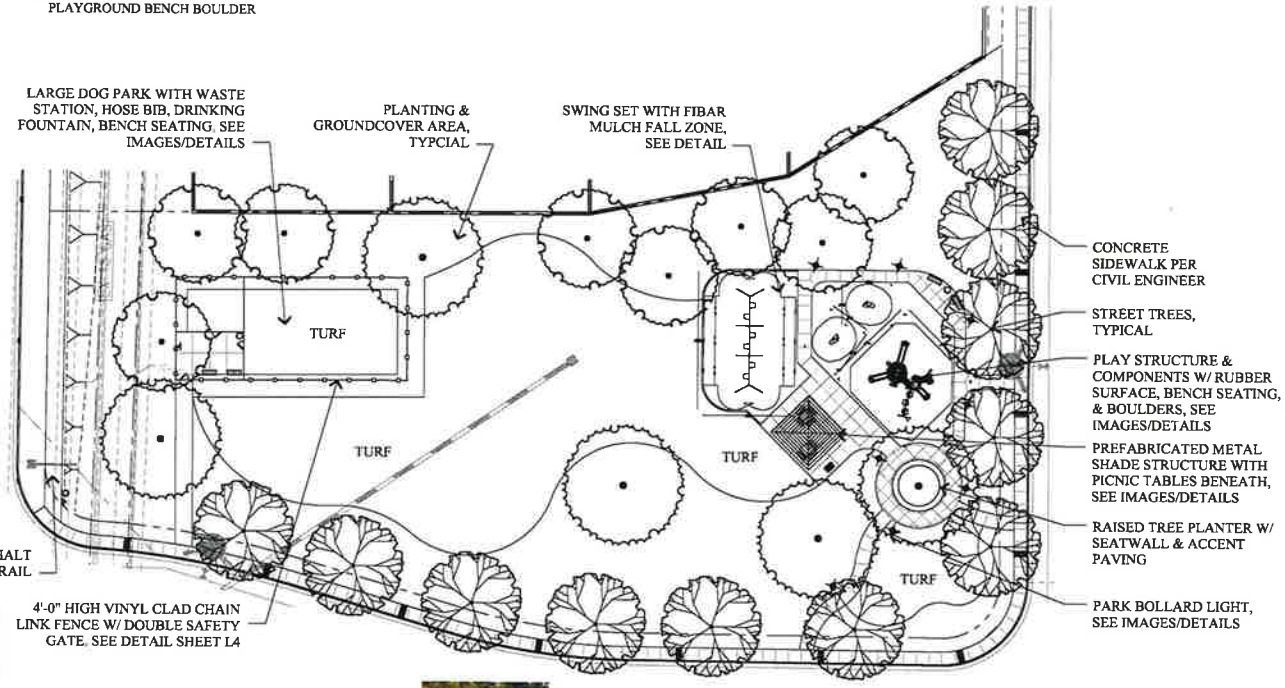
DRINKING FOUNTAIN W/ PET FOUNTAIN

SHADE STRUCTURE



NOTES:

1. SHADE STRUCTURE TO BE 16'X16' SINGLE TIER SQUARE STEEL FRAME SHELTER MODEL #S116, STANDARD POSTS, 24-GAUGE R-PANEL ROOF, W/OPTIONAL 'CIRCLE PATTERN' LATTICE TRIM ALL FOUR SIDES
2. AVAILABLE FROM SUPERIOR RECREATION PRODUCTS OR EQUAL
3. SRPSHELTER.COM (800) 327-8774
4. FRAME COLOR & POST COLOR TO BE POWDER COATED GREEN. ROOF COLOR TO BE EVERGREEN
5. INSTALL PER MANUFACTURER'S SPECIFICATIONS.



BARBEQUE STATION

WASTE STATION

DOG PARK RULES SIGN

G6

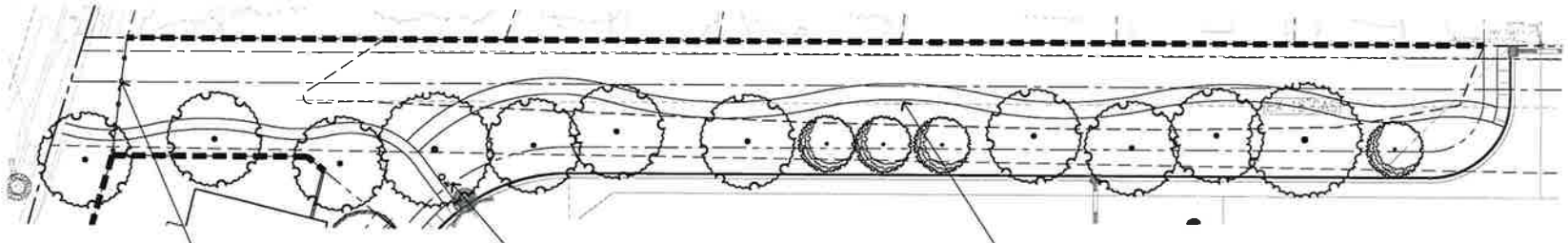
RIPLEY DESIGN
LANDSCAPE ARCHITECTURE
LAND PLANNING
1615 BONANZA STREET
SUITE 314
WALNUT CREEK, CA 94596
TEL: 925.938.7377
www.ripleydesign.com

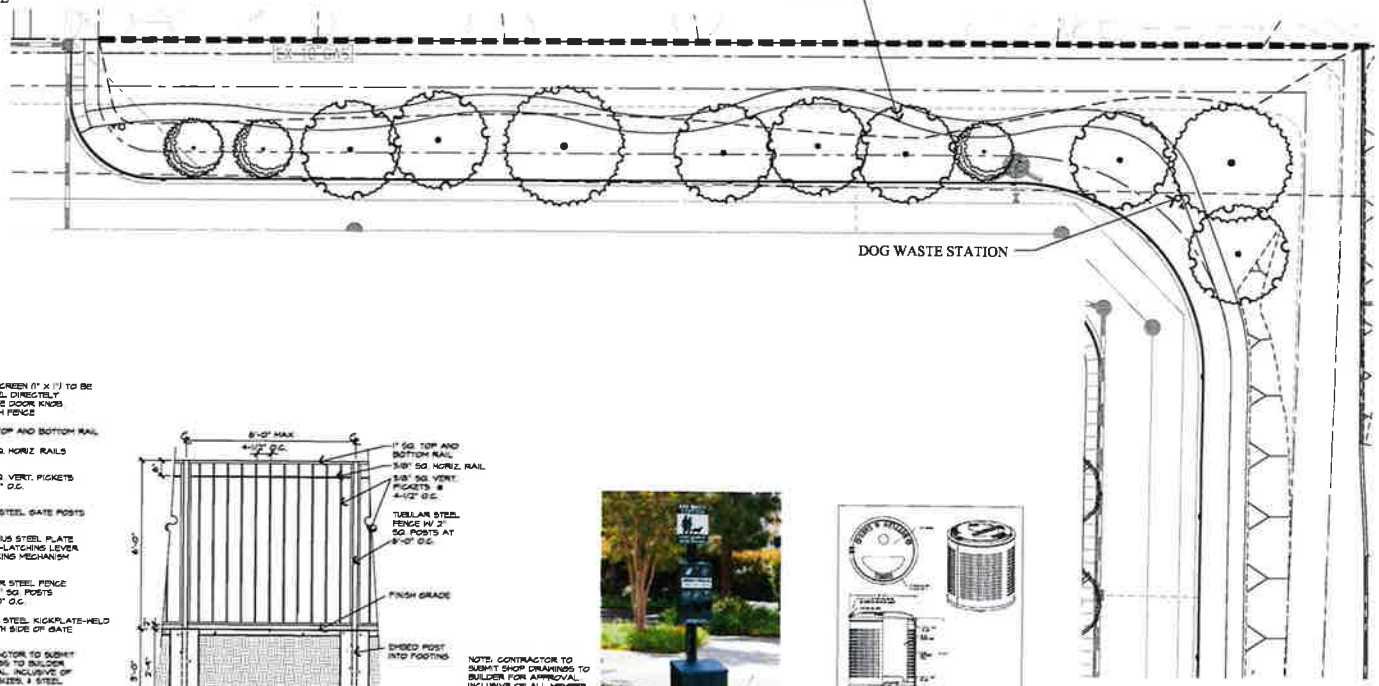
BLUE MOUNTAIN COMMUNITIES
707 Aldridge Road
Vacaville, Ca 95688
TEL: 707.451.8111

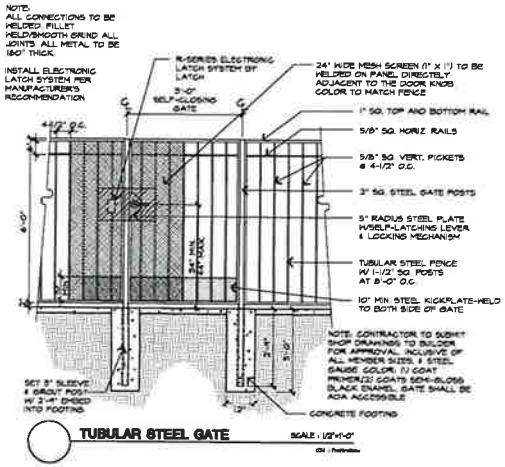
DEER VALLEY
Antioch, CA

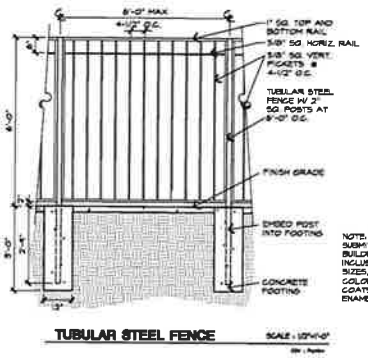
Preliminary Landscape Community Park Plan Enlargement

L2

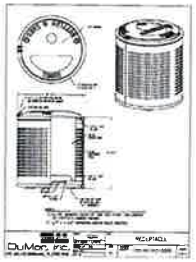








WASTE STATION



DUMOR TRASH RECEPTACLE

RIPLEY DESIGN
LANDSCAPE ARCHITECTURE
LAND PLANNING
1615 BONANZA STREET
SUITE 314
WALNUT CREEK, CA 94596
TEL: 925.938.7377
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BLUE MOUNTAIN COMMUNITIES
707 Aldridge Road
Vacaville, Ca 95688
TEL: 707.451.8111

DEER VALLEY
Antioch, CA

Preliminary Landscape Trail Plan Enlargement

L3

ANTIOCH
CALIFORNIA

PARKS & RECREATION COMMISSION MEETING

NOTE THE MEETING LOCATION CHANGE

Antioch Community Center
4703 Lone Tree Way
Antioch, CA 94531

Thursday
November 19, 2020
7:00 p.m.

ANNOTTATED AGENDA

I. CALL TO ORDER

Call to Order by Chair Arce at 7:00 pm

II. PLEDGE OF ALLEGIANCE

Chair Arce led the Pledge of Allegiance

III. ROLL CALL

Commissioners Present: Arce, Belche, Eubanks, Knight, McClelland, Peckenham
Commissioners Absent: Foster,
Staff Present: Nancy Kaiser, Parks and Recreation Director
John Samuelson, Public Works
Carlos Zepeda, Public Works

IV. PUBLIC COMMENTS

Residents are given the opportunity to address the Commission on Park and Recreation issues not on the regular agenda.

There were no public comments

V. APPROVAL OF MINUTES

Recommended Action:

1. Motion to approve annotated agenda minutes of the Parks and Recreation Commission meeting of November 19, 2020.

Motion to Approve Minutes for Meeting of November 19, 2020 *6 Yes / 0 No*
1 Absent

VI. BUSINESS

1. Deer Valley Estates Subdivision Determination of the Dedication of Land or Payment of Park-In-Lieu Fees

The meetings are accessible to those with disabilities. Auxiliary aides will be made available for persons with hearing or vision disabilities upon request in advance at (925) 779-7078 or TDD (925) 779-7081. Agenda and related writings provided to Commission members are available for viewing by the public during normal office hours at the Antioch Community Center, located at 4703 Lone Tree Way, Antioch, CA 94531, as well as at the Committee meeting. Individuals may view the agenda and related writings on the City of Antioch website: www.ci.antioch.ca.us

Public Works staff introduced the project. The Deer Valley Estates Subdivision is subject to park land dedication fees in the amount of $181,000. The subdivision application includes a private park, which must meet city park design standards. The Commission requested that the specific park design include all access surfacing, a color scheme soothing for children with visual sensitivities similar to Chichibu Park, and shade coverings over playground elements. The specific park design should come back to Commission for approval.

Motion to approve the Deer Valley Estates Subdivision Determination of the Park Land Dedication Park-in-Lier Fees, condition the private park to meet all City park design standards, and forward to Planning Commission for approval
6 Yes / 0 No
1 Absent

2. Resolution of Support for a Transportation Development Act Grant for the Pedestrian Safety Improvements, Phase II (P.W. 124-2)

The grant application requests funding for safety improvements near Turner Elementary and Fremont Elementary Schools.

Motion to Adopt the Resolution of Local Support for the Pedestrian and Bicycle Improvements Grant Application
6 yes / 0 No
1 Absent

3. Ratify Ban on Bounce Houses and Inflatables in Parks and Picnic Areas

Motion to support the ban on bounce houses and inflatables in parks and picnic areas per Antioch Municipal Code.
6 yes / 0 No
1 Absent

VII. COMMUNICATIONS (Announcements and Correspondence)

1. Staff Communication

Staff introduced Mr. Carlos Zepeda, newly appointed Deputy Public Works Director. Jacobsen and Marchetti Parks are scheduled next for playground improvements and will be submitted to Council for approval. Fall recreation programs concluded; they were successful and met all COVID requirements. Recreation and Police Departments are collaborating on safe Halloween events for youth and families. Winter Spring Guide is in production. MLK Day of Service will be the first program in 2021.

2. Commission Communication

Members of the Commission noted that organized team sports continue to play games in parks, citing that these activities are unfortunate because they are not allowed at this time. Commissioners noted that parks continue to play an important role in physical and mental health for all ages; requested that staff look into adding outdoor exercise equipment in key parks throughout the City.

VIII. ADJOURNMENT

The meeting adjourned at 7:50pm

The meetings are accessible to those with disabilities. Auxiliary aides will be made available for persons with hearing or vision disabilities upon request in advance at (925) 779-7078 or TDD (925) 779-7081. Agenda and related writings provided to Commission members are available for viewing by the public during normal office hours at the Antioch Community Center, located at 4703 Lone Tree Way, Antioch, CA 94531, as well as at the Committee meeting. Individuals may view the agenda and related writings on the City of Antioch website: www.ci.antioch.ca.us

ATTACHMENT H

Contra Costa Fire Protection District Letter
(August 25, 2020)

Contra Costa County Fire Protection District

August 25, 2020

Ms. Meredith
City of Antioch
Community Development
PO Box 5007
Antioch, CA 94531-5007

Subject: Deer Valley Estates, Subdivision #9518
6100 Deer Valley Rd. Antioch
Project # PD-19-03
CCCFPD Project No.: P-2020-03694

Dear Ms. Meredith:

We have reviewed the development plan application to establish a 121 lot single family home subdivision at the subject location. The following is required for Fire District approval in accordance with the 2019 California Fire Code (CFC), the 2019 California Building Code (CBC), the 2019 California Residential Code (CRC), and Local and County Ordinances and adopted standards:

1. ***A Community Facilities District (CFD) for fire protection is required for the Fire District to support this project. Without the CFD, the Fire District opposes this project. The applicant should contact the Office of the Fire Chief for specific details on the CFD.***

2. Access shall comply with Fire District requirements.

   Provide emergency apparatus access roadways with all-weather (paved) driving surfaces of not less than 20-feet unobstructed width, and not less than 13 feet 6 inches of vertical clearance, to within 150 feet of travel distance to all portions of the exterior walls of every building. Access shall have a minimum outside turning radius of 45 feet, and must be capable of supporting the imposed fire apparatus loading of 37 tons. Access roadways shall not exceed 20% grade. Grades exceeding 16% shall be constructed of grooved concrete per the attached Fire District standard. (503) CFC

3. Access roadways of **less than 28-feet** unobstructed width shall have signs posted or curbs painted red with the words ***NO PARKING – FIRE LANE*** clearly marked. (22500.1) CVC, (503.3) CFC

   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. (22500.1) CVC, (503.3) CFC

4. Turnarounds shall comply with Fire District requirements.

5. The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 1000 GPM. Required flow must be delivered from not more than 1 hydrant flowing for a duration of 120 minutes while maintaining 20-pounds residual pressure in the main. (507.1), (B105) CFC

6. The developer shall provide hydrants of the East Bay type in compliance with Chapter 5 and Appendix D of the California Fire Code. (C103.1) CFC

7. The developer shall submit a minimum of two (2) copies of full size, scaled site improvement plans indicating:
All existing or proposed hydrant locations
Fire apparatus access
Size of building and type of construction
Striping and signage plan

This is a separate submittal from the building construction plans. These plans shall be approved prior to submitting building plans for review. (501.3) CFC

8. ***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

Note: A temporary aggregate base or asphalt grindings roadway is not considered an all-weather surface for emergency apparatus access. The first lift of asphalt concrete paving shall be installed as the minimum roadway material and must be engineered to support the designated gross vehicle weight of 37 tons.

9. The homes as proposed shall be protected with an approved automatic fire sprinkler system complying with the 2019 edition of NFPA 13D or Section R313.3 of the 2019 California Residential Code. Submit a minimum of two (2) sets of plans to this office for review and approval prior to installation. (903.2) CFC, (R313.3) CRC, Contra Costa County Ordinance 2019-37.

10. The developer shall provide traffic signal pre-emption systems (Opticom) on any new or modified traffic signals installed with this development. (21351) CVC

11. Flammable or combustible liquid storage tanks shall ***not*** be located on the site without obtaining approval and necessary permits from the Fire District. (3401.4) CFC

12. The owner shall cut down and remove all weeds, grass, vines, or other growth that is capable of being ignited and endangering property. (304.1.2) CFC

13. Development on any parcel in this subdivision shall be subject to review and approval by the Fire District to ensure compliance with minimum requirements related to fire and life safety. Submit three (3) sets of plans to the Fire District prior to obtaining a building permit. (501.3) CFC

14. The owner or the owner's authorized agent shall be responsible for the development, implementation and maintenance of a written plan establishing a fire prevention program at the project site applicable throughout all phases of the construction. The plan shall be made available for review by the fire code official upon request. (Ch.33) CFC

15. The fire prevention program superintendent shall develop and maintain an approved prefire plan in cooperation with the fire chief. The fire chief and fire code official shall be notified of

changes affecting the utilization of information contained in such prefire plans. (Ch.33) CFC

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,

Todd Schiess
Fire Inspector

cc: Blue Mountain Communities
Carlos Yanez
707 Aldridge Rd. Ste B
Vacaville, CA 95688
cyanez@bluemountaininc.com

File: 6100 DEER VALLEY RD-SUB 9518-PLN-P-2020-03694

H3

ANTIOCH
CALIFORNIA

PROJECT REFERRAL – REQUEST FOR COMMENTS/CONDITIONS

July 29, 2020

RECEIVED
JUL 31 2020
CONTRA COSTA FIRE DISTRICT

PROJECT NAME: Deer Valley Estates, 6100 Deer Valley Road, PD-19-03

The City of Antioch Planning Division is requesting that your agency review these plans and provide your feedback on availability of services, potential design or code conflicts, requirements for additional permits, and recommended conditions of project approval. **Please submit your comments no later than August 20, 2020 to Zoe Merideth** via e-mail at zmerideth@ci.antioch.ca.us. If you have any questions regarding this project, please contact Zoe Merideth.

Development plans and related information for the project identified above, can be accessed at:

https://www.antiochca.gov/fc/community-development/planning/ProjectDOCs/PDP-19-03.pdf

Or at the current projects list at: www.antiochplanning.com

Project No: PD-19-03 **Address: 6100 Deer Valley Road**	**Application Type: Planning Development**
Project Description: Blue Mountain Communities is requesting Final Planned Development, Use Permit, and Design Review and Vesting Tentative Map approvals for a 121-unit single family home development with associated improvements, landscaping, and home architecture for the Deer Valley Estates project. The site was rezoned to Planned Development and went through a Master Development Plan process in 2008. The project site is located at the northeast corner of Deer Valley Road and Wellness Way.	
Applicant: Carlos Yanez, Blue Mountain Communities	
Mailing Address: 707 Aldridge Rd, Suite B, Vacaville, CA 95688	
Phone: (707) 471-7479	**E-mail: cyanez@bluemountaininc.com**

****Please contact Cheryl Hammers at chammers@ci.antioch.ca.us if your agency would like to receive an e-mail only version of project referrals from the City of Antioch.**

P-2020-03694 H4

Nazareta, Lynnea

From: Hammers, Cheryl <chammer@antiochca.gov>
Sent: Friday, July 31, 2020 8:29 AM
To: Fire; eileenalterman@antiochschools.net; jessicaromeo@antiochschools.net; ishanirasanayagam@antiochschools.net; 'sajeevmadharan@antiochschools.net'; Ughe, Steven; 'doggrnothern@conservation.ca.gov'
Subject: Deer Valley Estates Project Referral
Attachments: Deer Valley Estates Zocchi PD-19-03 7-29-20.pdf

Categories: Green Category

Attached, please find a Project Referral – Request for Comments/Conditions for the Deer Valley Estates project located at 6100 Deer Valley Road for your information.

Thank you,

Cheryl Hammers
Community Development Technician

Main: (925) 779-7035
Desk: (925) 779-6108
Fax: (925) 779-7034
Web: www.antiochca.gov

City of Antioch | P.O. Box 5007, Antioch, CA 94531-5007

ANTIOCH
CALIFORNIA
OPPORTUNITY LIVES HERE

H5

Exhibit A
Deer Valley Estates Antioch
Detailed Project Description

Owner/Applicant	
Property Owner	Western State Company a CA LP Attn: Carl Zocchi 5075 Commercial Circle, Suite A, Concord, CA 94520 csz@zcproperties.com
Applicant/Developer	Blue Mountain Communities Attn: Mike Howl or Carlos Yanez 707 Aldridge Road Suite B Vacaville, CA 95688 707-471-7479
Design Team	
Engineer	Carlson, Barbee & Gibson, Inc Attn: Andrea Bellanca 2633 Camino Ramon, Suite 350 San Ramon, CA 94583 925-866-0322
Soils Engineer	Engeo, Inc 17278 Golden Valley Parkway Lathrop, CA 95330 209-835-0610
Architect	KTGY Architecture + Planning Attn: Jonathan Jaeger 1814 Franklin St, Suite 400 Oakland, CA 94612 510-463-2064
Landscape Architect	Ripley Design Group Attn: Annika Carpenter 1615 Bonanza St, Suite 314 Walnut Creek, CA 94596 925-938-7377

RECEIVED
JUL 31 2020
CONTRA COSTA FIRE DISTRICT

Site Info			
Address	1600 Deer Valley Road, Antioch, California Contra Costa County		
APN	057-022-013 and 055-071-026		
Area	37.56 Acres		
General Plan	Existing	055-071-026	Medium Low Density Residential
		057-022-013	Sand Creek Focus Area Low Density Residential
	Proposed	Sand Creek Focus Area Low Density Residential	
Zoning	Existing	PD- Planned Development	
	Proposed	PD- Planned Development	

P-2020-03694 PLN

H6

PROJECT SITE CHARACTERISTICS:

The project site consists of 37.56 acres of primarily undeveloped gently sloping land. Currently, the site includes a limited cattle-grazing operation. Historical uses of the site include grazing and limited natural gas exploration. The site is traversed by several gas line easements which are all retained in open space.

Proposed Use: Construction of 121 single family detached homes on minimum 7,000 square foot lots, plus public streets, and private open space composed of park, playground, dog park, walkways, and detention basin. The proposed density is 3.2 dwelling per acre.

Existing streets are proposed to be extended completing existing dead ends in the community to the north. They would be built to city standards and deeded to the City. Deer Valley green way adjoining the parcel, internal park, walkways and retention basin would be maintained by a new HOA to be formed for the community. The main entry into the project is proposed to be at a widened Wellness Way at the south side of the project across from the main entry into the Kaiser Hospital complex.

Surrounding land uses are:

North: single family homes,
East: single family homes approved and under construction.
South: Kaiser Hospital and PG&E substation.
West: Deer Valley Road and open space approved for mixed use development per the Sand Creek Focus Area plan

Entitlement Requested:

General Plan Amendment: The smaller of the two parcels, 055-071-026 has a general plan designation of Medium Low Density Residential. The large parcel has a general plan designation of Sand Creek Focus Area Low Density Residential. Applicant seeks a General Plan Amendment to make the smaller parcel consistent with the larger parcel. So both would have the same general plan designation of Sand Creek Focus Area Low Density Residential.

Tentative Map: Application seeks approval of a vesting tentative map

Final Development Plan: The development plan includes 4 hours plans each with three unique elevations. The homes would be a mix of 1 and 2 story raging in size from 2,799 square foot 3 bedroom 2 bath to a 3,363 square foot 5 bedroom 4 bath home. All set backs, lot coverage and other lot requirements are met. Masonry walls will be built to surround the project. Stormwater retention is on site.

Public Facilities and Amenities
Proposed public facilities and recreational amenities, including open space and trails, and park.

• **Deer Valley Road:** The project fronts on Deer Valley Road and would create an extension of the Deer Valley parkway landscape design.

• **Open Space and Trails:** In addition to the Deer Valley Road parkway improvements the project would include a landscaped and trail improvements over existing gas line pipelines. Setting aside approximately 1.5 acres as open space.

• **Parks and Landscape Areas.** The proposed project would include a 1.12 acre neighborhood park. Landscaped areas would also be provided throughout the development.

• **Retention Basin.** The proposed project includes a 1.51 acre stormwater control retention basin.

Design Review: The architecture for Deer Valley Estates springs from an intention to create a community that is rooted in tradition and at the same time is looking to the future. Residential design in the 20th century took many shapes and forms, and 3 innovative styles that enjoyed popularity and success were Prairie Style, Ranch Style, and Mid-Century Modern. These three styles have distinct characters, but also share some common attitudes in their emphasis on horizontality, connection to the land, and an honest use of materials. The homes at Deer Valley Estates take these three styles as inspiration and reinterpret them with an eye towards today's lifestyles and contemporary materials.

The Modern Prairie style is inspired by the hipped roofs, broad eaves, horizontal banding, and alternating rhythm of piers and glazing typical of the original Prairie Style reinterpreted using horizontal stone veneer, strong horizontal banding, and broad hipped roofs.
The Contemporary Ranch style is an updated take on ranch style homes with a mix of gable and shed roofs, exposed beams, stone accents, and a warm color palette.
The Mid-Century Modern style is a 21st century take on classic 1950's residential design, employing strong shed roof forms, larger groupings of glazing, exposed beams, cooler tones, and pops of color.

H9

Deer Valley, Antioch

RECEIVED
JUL 31 2020
CONTRA COSTA FIRE DISTRICT

Response to 2nd Incomplete letter

6 pages Civil: CBG VTM, Site Plan, Grading, Utility, Storm Water and Development Plan Dated 05/04/2020
8 pages Landscape: Ripley Design: Preliminary Landscape Site Plan date 05/07/2020
58 pages Architecture: KTGY Planning Submittal dated 05/01/2020

BLUE MOUNTAIN COMMUNITIES
707 Aldridge Ave, Vacaville, CA 95688

cbg CARLSON, BARBEE & GIBSON, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS

ktgy Architecture + Planning
888.456.5849
ktgy.com

RIPLEY DESIGN GROUP
LANDSCAPE ARCHITECTURE
LAND PLANNING
1615 BONANZA STREET
SUITE 314
WALNUT CREEK, CA 94596
TEL: 925.938.7377
www.ripleydesign.com

P-2020-03694 PLN

ATTACHMENT I

Letter from Blue Mountain Communities
(dated May 13, 2021, received May 19, 2021)

BLUE MOUNTAIN
COMMUNITIES

May 13, 2021

City of Antioch
Planning Commission
200 H Street
Antioch CA 94509

SUBJECT: DEER VALLEY ESTATES PROJECT (PD-19-02, UP-19-12, AR-19-19)

Dear Planning Commission,

My name is Michael Harlan and I work for Blue Mountain Communities. We are pleased to bring our Deer Valley Estates project to the Commission for review and approval. Additionally, we would like to thank staff for their efforts with bringing this plan to you. As you may know, this project was originally proposed and approved in 2008 with MPP-06-02. For economic reasons, this project was not able to move forward until recently. The project has been revised and now consists of 121 single family homes, park/trail, and detention basin on approximately 38-acres. The table below summarizes land uses:

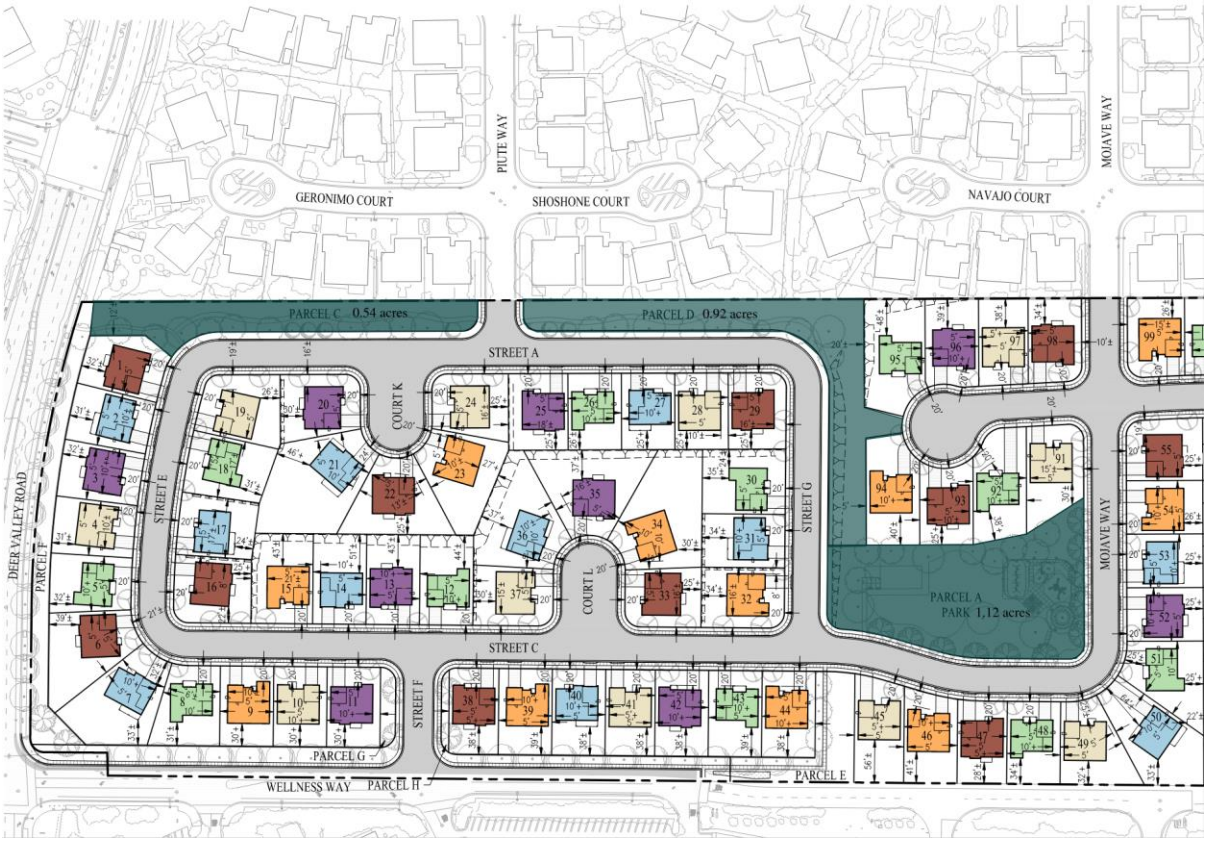
LAND AREA SUMMARY	Acres
Residential Lot Area	22.08
Private Open Space (Parks) Parcels A, C, & D	2.41
Private Landscape Parcels E-H	0.65
Water Quality/Detention	1.51

We have reviewed the staff report, conditions of approval, and CEQA and have the following comments:

STAFF REPORT:

Private Park: Page 6 of the staff report discusses the November 19, 2020 Park Recreation Commission hearing where it was recommended this project pay parkland dedication park-in-lieu fees in the amount of $181,500. Further, the proposed park should be developed to meet all City standards. The Park Recreation Commission Staff Report identified that 1.815 acres of land dedication would be required of this project to be exempt from the in-lieu fee payment. The report states that only 1.12 acres where proposed as park. The report does not discuss the linear park areas contained on parcels C & D on the tentative map. These additional areas are 0.54 and 0.92 acres, respectively. When considering these additional parcels, the total potential park area is 2.58 acres.

The existing residential community directly north of this project will undoubtably use the proposed park facilities. Even though these facilities are technically private, they are not fenced and therefore available to the public. Parcels C, D, & A are effectively contiguous and with minor changes could meet the criteria for credits for private recreation improvements as described in the City's municipal code.



Title 9, Article 10 (9-4.1010 Credit for Private Recreation Improvements) of the City of Antioch's municipal allows fee credits for private park facilities provided that a minimum of 2 acres are provided and a minimum of the 4 criteria below are met:

Criteria List		***Acres***
	Minimum	***Maximum***
Children's play apparatus areas	*.50*	*.75*
Family picnic areas	*.25*	*.75*
Landscape park-like and quiet areas	*.50*	*1.00*
Game court areas	*.25*	*.50*
Turf playfields	*1.00*	*3.00*
Swimming pools with adjacent deck and lawn areas	*.25*	*.50*
Recreation center buildings	*.15*	*.25*

There is a real opportunity to provide recreation value to the community, including existing communities to the north.

Request
We request the Planning Commission consider the application of Title 9 Article 10 (9-4.1010) Credit for Private Recreation Improvements to this project applying a fee credit in the amount of $181,500 for the park-in-lieu fee for this project. Alternatively, a credit to the park and recreation impact fee in the same amount is acceptable.

Traffic Study: The traffic study for this project recommends that this project pay its fair share for traffic signal improvements at the following intersections

- Deer Valley Road & Prewett Ranch Drive……..3.79%
- Deer Valley Road & Lone Tree Way …….2.94%

The report determined that installation of improvements at the Deer Valley Lone Tree intersection were not possible due to right of way constraints.

Condition No. 33.a requires this project comply with the traffic study with respect to the Deer Valley/Prewett intersection prior to the issuance of the 1st building permit. It is our understanding that this project would contribute its fair share of 3.79% as identified in the traffic study.

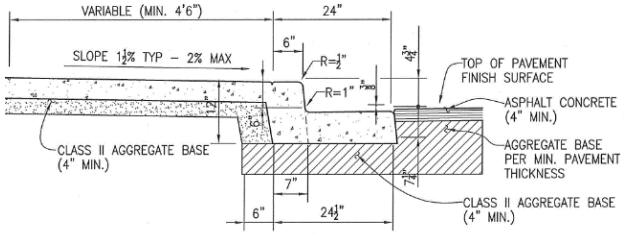
Request: We request that condition No. 33 be modified so that it reflects the applicant shall contribute its fair share of 3.79% towards the traffic signal improvement.

Architecture: The staff report and conditions of approval discuss architecture. Specifically, that a condition of approval be included that requires plans 4 & 5 entry features be revised to align with Citywide Design Guidelines.

Request: We may want to explore minor changes to other plans included with this project and ask a condition be included that staff will work with applicant on modifications of plans.

CONDITIONS OF APPROVAL:

F. Site and Product Design Condition No.7: This condition requires all public right of way be extend 10 feet behind face of curb. There is a constraint in the area of the detention basin that makes it difficult to comply with the condition. To meet the engineering design requirements for the detention basin, the right of way would need to be reduced to 5 feet from back of curb adjacent to the detention basin.



Request: We request that condition F. 7 be modified to allow the right of way be 5 feet from back of curb and a monolithic sidewalk be installed adjacent to the detention basin. City's construction detail ST-4 above represents approved monolithic sidewalk design.

<u>F. Site and Product Design Condition No. 25:</u> This condition requires that the open space and associated improvements be constructed and completed by the 45th building permit. As you may be aware, there is considerable upfront costs in developing communities. Revenue critical to remain a vibrant company is essential. The ability to receive revenues as early as possible is important.

Request: We request that this condition be modified to allow building permit issuance up to the 75th permit. It is likely that the park on Parcel A could be completed prior the 75th permit, however, other portions of the parks/trails on Parcels C & D require additional time.

<u>G. Utilities Condition No. 7:</u> The detention basin and associated improvements shall be constructed prior to the issuance of the 1st building permit for residential structures.

Request: We request additional flexibility be incorporated into this condition. As discussed above, revenue critical to remain a vibrant company is essential. We believe that there is opportunity to manage the situation so that potential issues are mitigated.

Our typical build time is 5 months. At the point permits are issued there is 5 months' time to complete the facilities. We believe that a limited number of permits (15 permits) could be issued prior to the completion of the facility and therefore, request that prior to the issuance of the 16th building permit that the detention facilities be completed.

<u>J. Fees Condition No. 1:</u> The developer shall pay all City fees established by the City Council and required by the Municipal code.

Request: We request this condition be modified so that the Developer may apply for financing of Impact Fees deemed eligible through Statewide Community Infrastructure Program (SCIP).

The SCIP was adopted by the City Council March 14, 2017 allows for financing of certain impact fees related to infrastructure with no fiscal impact to the City.

P. Project Specific Conditions Condition 20: This requirement discusses street and right of way widths. As discussed above in F. Site and Product Design Condition No.7, there is a constraint in the area of the detention basin. To meet the engineering design requirements, the right of way would need to be reduced to 5 feet from back of curb in the areas directly adjacent the detention basin.

Request: We request that the condition be modified to allow the right of way be 5 feet from back of curb with a monolithic sidewalk installed adjacent to the detention basin.

P. Project Specific Conditions Condition 23: This condition requires that Wellness Way be completely constructed prior to the issuance of the 1st building permit. Staff suggests that this is the construction access point. However, we believe a limited amount of access from existing connecting streets to the north (Oneida, Mojave, Piute) is possible.

Request: We request that the condition be modified to allow 15 building permits be issued prior to completion of Wellness Way provided that an acceptable access and fire protection plan is submitted by the applicant and approved by the City Engineer and the Fire Marshall.

P. Project Specific Conditions Condition 24: The condition requires that prior to the issuance of the 7th building permit the applicant complete the landscape improvements along Deer Valley Frontage.

Request: We request this condition be modified to require these improvements be completed by the 25th building permit. It's our understanding this is acceptable to Staff.

P. Project Specific Conditions Condition 32: This condition requires the payment of park-in-lieu fees as was recommended at the Parks and Recreation Hearing in November of 2020. As discussed above, we believe that opportunity should be made available to receive fee credits.

Request: We request the Planning Commission consider the application of Title 9 Article 10 (9-4.1010) Credit for Private Recreation Improvements to this project applying a fee credit in the amount of $181,500 for the park-in-lieu fee for this project. Alternatively, a credit to the park and recreation impact fee in the same amount is acceptable.

P. Project Specific Conditions Condition 33.a: The condition requires the developer to comply to the traffic impact analysis prior to the issuance of the 1st building permit.

Request: We request that condition No. 33.a be modified so that it reflects the applicant shall contribute its fair share of 3.79% towards the traffic signal improvement.

BLUE MOUNTAIN
COMMUNITIES

CEQA

3.4 Biological Resources:

Mitigation Measure BIO-1a*:* requires protocol level survey for several listed species including Vernal Pool and Tadpole fairy shrimp.

We believe this requirement omits a critical step which could negate the requirement for protocol surveys for these species. As discussed, this project was initially approved in 2008. The original biological assessment identified 0.37acres of potential marginal wetland. No map of this area was produced and thus the exact location of this feature cannot be established. More recently, a wetland delineation was conducted by LSA in December of 2019 with a follow up reconnaissance survey in April of this year. These assessments were unable to identify wetlands or vernal pools within the project site.

Request: We request that this specific mitigation measure be modified such that if the presence of wetlands or vernal pools habitat cannot be verified to exist within the project area the need for protocol surveys for Vernal Pool Fairy Shrimp and Vernal Pool Tadpole Shrimp is not required.

Further, if it is determined through the verification process that the wetland or vernal pool habitat do not exist, mitigation for these species will not be required.

Mitigation Measure BIO-2d: identifies mitigation measures for burrowing owls via the purchase of burrowing owl habitat and/or habitat credits. Such credits must be within 210 meters of an active breading colony. We are concerned that such habitat with active breading owls may be difficult to obtain.

Request: Therefore, we request that the condition be modified to eliminate the requirement for an active breading colony within 210 meters to the applicant shall obtain owl habitat preserve credits.

Again, we want to thank the Planning Commission and Staff for working with to bring this project forward. We respectfully request your approval of this project with our proposed amendments. Should there be any questions I can be reached 707-471-7479 in the office or on my mobile number at 916-276-5501.

Sincerely,

Michael Harlan
Director of Forward Planning

ATTACHMENT J

Written Comments from Kathleen Jakabcin
(Received via Email May 19, 2021)

From: Kathy Jakabcin
To: Planning Division
Subject: Deer Valley Estates EIR status
Date: Wednesday, May 19, 2021 7:28:45 AM

I would like these questions addressed prior to approving the EIR.
1. We began our negotiations about this property development back in 2003. In 2007, we agreed to the following:

a. Moving the gas pipeline running behind the homes on Geronimo Court before building new homes backing up to them.

b. Having Piute Way permanently closed with a solid closure constructed. Oneida and Mojave were the only open streets into this new development.

c. Who in the City staff, asked Blue Mountain development to redo the housing plans previously approved more than 12 years ago, because they didn't like ours?

d. Why can't the traffic light from Mammoth Way be extended over to the other side of Deer Valley Road just behind the houses behind Geronimo Court instead of a walking path? Your current plans are applying the heavy traffic patterns through our neighborhood in an unfair manner. We already are having difficulty exiting our development when the locals schools are in session. The schools are already overcrowded. How did the EIR address these concerns?

e. Why is the EIR being rushed through without adequate time for the Community to respond? Our concerns from the last meeting, last year, need to be addressed completely before moving forward with this development. It appears that the EIR approval is already a done deal, as someone already marked up our City street water lines, after turning off our water without notice, and we lost power twice since for a short period of time. This Planning Commission must go back to our original agreement 12 years ago. Please do NOT approve the EIR completed during the pandemic, when real traffic numbers and school numbers were not available on how that impacts the whole Deer Valley Estate development.

Sincerely,
Kathleen Jakabcin
5425 Piute Way
Antioch, CA 94531
925-783-1352

Sent from Yahoo Mail on Android

J1

From: Kathy Jakabcin
To: Merideth, Zoe
Subject: RE: Deer Valley Estates EIR status
Date: Wednesday, May 19, 2021 3:00:17 PM
Attachments: image001.png

Please forward my questions for the Planning Commission as scheduled tonight. I'm sure you were not at the previous meetings back in 2093 and 2007, and you have misread my comments.
1. What was approved in 2007 was lot sizes, number of homes and access points into this development. Why are the access points now being changed? We should have more of an opportunity for a discussion instead of going behind our backs with a new developer just to put another buck in the City coffers. Your comments about the style of home in 2007 was never discussed, other than being in similar size of our neighborhood.

2. The Planning Commission also stated that the gas line behind Geronimo would be moved. This is dangerous being so close to our homes and should be moved. Why now are we bending over backwards try to save the developer money?

3. Piute Way was suppose to remain closed. The access points being proposed will add an extreme amount of traffic through our streets, schools overcrowded, more crime with less policing. ing the streets now which will only be exasperated after new construction.

4. The EIR was conducted during the pandemic days when traffic is much less as people were sheltering, etc.

Please pass on my initial questions and comments for discussion.
Thank you

Sent from Yahoo Mail on Android

On Wed, May 19, 2021 at 1:16 PM, Merideth, Zoe <zmerideth@antiochca.gov> wrote:

> Ms. Jakabcin,
>
> The project approvals of 2007 were for a Master Development Plan and a rezone that established the zoning standards for the project (lot sizes, setbacks, etc.). The project before the Planning Commission tonight is the second iteration of a project at this site and only the zoning standards carried over from the 2007 project. Home styles, for example, have changed since 2007, and the 2007 project did not approve specific home architecture. A traffic study was performed for this project and is linked in the staff report to the project. The EIR also addresses traffic. If you would like specific concerns addressed, you may provide comments directly to the Planning Commission at the meeting this evening or in writing to planning@antiochca.gov prior to 3:00 this afternoon. This project will also be considered by the City Council at a future meeting. Finally, please note that the EIR was properly noticed and a public review period was provided in accordance with State law.

Zoe Merideth

Associate Planner

☎: 925-779-6159 (Main)

☎: 925-779-6122 (Direct)
💻: www.antiochca.gov

City of Antioch | P.O. Box 5007, Antioch, CA 94531-5007

From: Kathy Jakabcin <kathyljake@yahoo.com>
Sent: Wednesday, May 19, 2021 7:27 AM
To: Planning Division <Planning@ci.antioch.ca.us>
Subject: Deer Valley Estates EIR status

I would like these questions addressed prior to approving the EIR.

1. We began our negotiations about this property development back in 2003. In 2007, we agreed to the following:

a. Moving the gas pipeline running behind the homes on Geronimo Court before building new homes backing up to them.

b. Having Piute Way permanently closed with a solid closure constructed. Oneida and Mojave were the only open streets into this new development.

c. Who in the City staff, asked Blue Mountain development to redo the housing plans previously approved more than 12 years ago, because they didn't like ours?

d. Why can't the traffic light from Mammoth Way be extended over to the other side of Deer Valley Road just behind the houses behind Geronimo Court instead of a walking path? Your current plans are applying the heavy traffic patterns through our neighborhood in an unfair manner. We already are having difficulty exiting our development when the

locals schools are in session. The schools are already overcrowded. How did the EIR address these concerns?

e. Why is the EIR being rushed through without adequate time for the Community to respond? Our concerns from the last meeting, last year, need to be addressed completely before moving forward with this development. It appears that the EIR approval is already a done deal, as someone already marked up our City street water lines, after turning off our water without notice, and we lost power twice since for a short period of time. This Planning Commission must go back to our original agreement 12 years ago. Please do NOT approve the EIR completed during the pandemic, when real traffic numbers and school numbers were not available on how that impacts the whole Deer Valley Estate development.

Sincerely,

Kathleen Jakabcin

5425 Piute Way

Antioch, CA 94531

925-783-1352

Sent from Yahoo Mail on Android

ATTACHMENT K

Revised Letter from Blue Mountain Communities (May 20, 2021)

BLUE MOUNTAIN
COMMUNITIES

May 20, 2021

City of Antioch
Planning Commission
200 H Street
Antioch CA 94509

SUBJECT: DEER VALLEY ESTATES PROJECT (PD-19-02, UP-19-12, AR-19-19)

Dear Planning Commission,

My name is Michael Harlan and I work for Blue Mountain Communities. We are pleased to bring our Deer Valley Estates project to the Commission for review and approval. Additionally, we would like to thank staff for their efforts with bringing this plan to you. As you may know, this project was originally proposed and approved in 2008 with MPP-06-02. For economic reasons, this project was not able to move forward until recently. The project has been revised and now consists of 121 single family homes, park/trail, and detention basin on approximately 38-acres. The table below summarizes land uses:

LAND AREA SUMMARY		Acres
	Residential Lot Area	22.08
	Private Open Space (Parks) Parcels A, C, & D	2.41
	Private Landscape Parcels E-H	0.65
	Water Quality/Detention	1.51

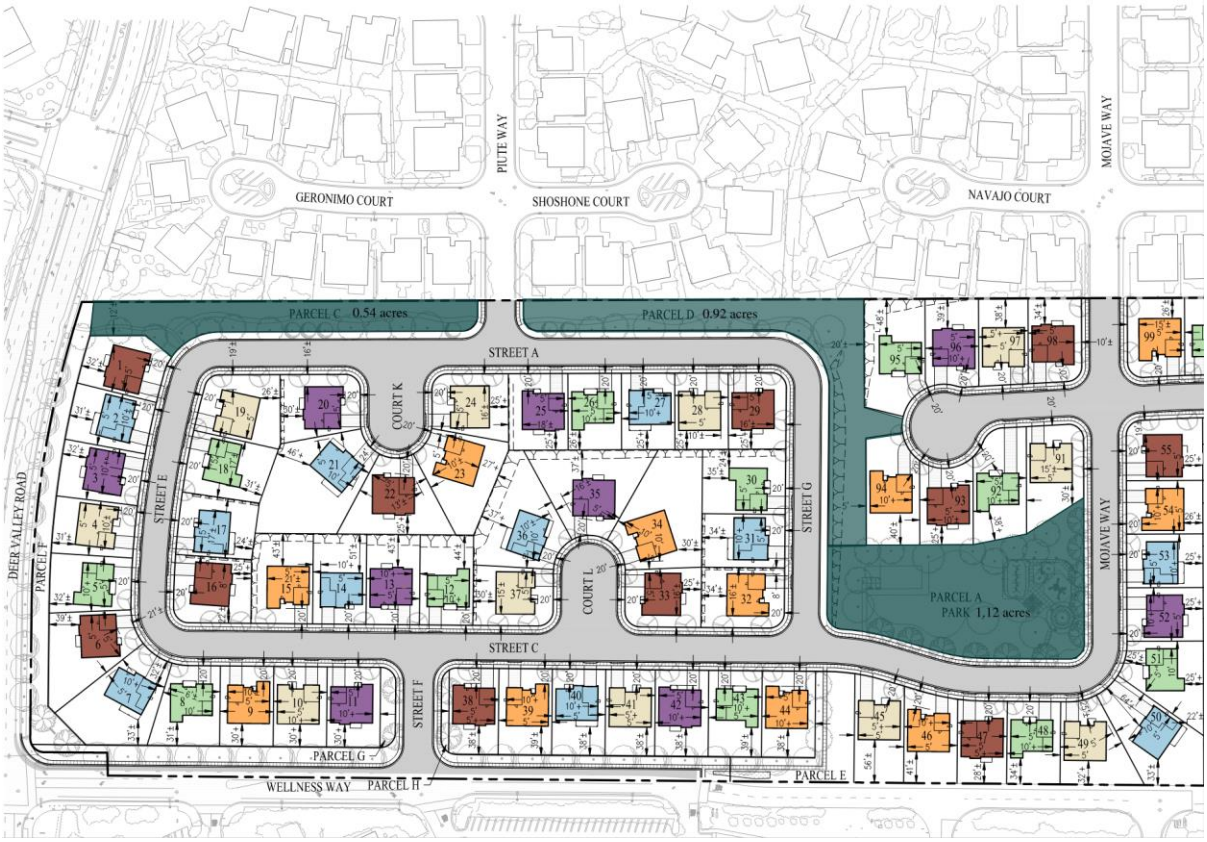
We have reviewed the staff report, conditions of approval, and CEQA and have the following comments:

STAFF REPORT:

Private Park: Page 6 of the staff report discusses the November 19, 2020 Park Recreation Commission hearing where it was recommended this project pay parkland dedication park-in-lieu fees in the amount of $181,500. Further, the proposed park should be developed to meet all City standards. The Park Recreation Commission Staff Report identified that 1.815 acres of land dedication would be required of this project to be exempt from the in-lieu fee payment. The report states that only 1.12 acres where proposed as park. The report does not discuss the linear park areas contained on parcels C & D on the tentative map. These additional areas are 0.54 and 0.92 acres, respectively. When considering these additional parcels, the total potential park area is 2.58 acres.

BLUE MOUNTAIN
COMMUNITIES

The existing residential community directly north of this project will undoubtably use the proposed park facilities. Even though these facilities are technically private, they are not fenced and therefore available to the public. Parcels C, D, & A are effectively contiguous and with minor changes could meet the criteria for credits for private recreation improvements as described in the City's municipal code.



Title 9, Article 10 (9-4.1010 Credit for Private Recreation Improvements) of the City of Antioch's municipal allows fee credits for private park facilities provided that a minimum of 2 acres are provided and a minimum of the 4 criteria below are met:

Criteria List		***Acres***
	Minimum	***Maximum***
Children's play apparatus areas	*.50*	*.75*
Family picnic areas	*.25*	*.75*
Landscape park-like and quiet areas	*.50*	*1.00*
Game court areas	*.25*	*.50*
Turf playfields	*1.00*	*3.00*
Swimming pools with adjacent deck and lawn areas	*.25*	*.50*
Recreation center buildings	*.15*	*.25*

There is a real opportunity to provide recreation value to the community, including existing communities to the north.

Request
We request the Planning Commission consider the application of Title 9 Article 10 (9-4.1010) Credit for Private Recreation Improvements to this project applying a fee credit in the amount of $181,500 for the park-in-lieu fee for this project. Alternatively, a credit to the park and recreation impact fee in the same amount is acceptable.

Traffic Study: The traffic study for this project recommends that this project pay its fair share for traffic signal improvements at the following intersections

- Deer Valley Road & Prewett Ranch Drive……..3.79%
- Deer Valley Road & Lone Tree Way …….2.94%

The report determined that installation of improvements at the Deer Valley Lone Tree intersection were not possible due to right of way constraints.

Condition No. 33.a requires this project comply with the traffic study with respect to the Deer Valley/Prewett intersection prior to the issuance of the 1st building permit. It is our understanding that this project would contribute its fair share of 3.79% as identified in the traffic study.

Request: We request that condition No. 33 be modified so that it reflects the applicant shall contribute its fair share of 3.79% towards the traffic signal improvement.

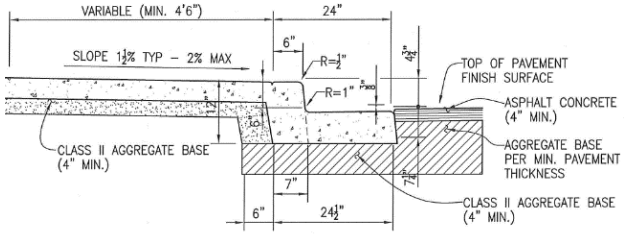
Architecture: The staff report and conditions of approval discuss architecture. Specifically, that a condition of approval be included that requires plans 4 & 5 entry features be revised to align with Citywide Design Guidelines.

Request: We may want to explore minor changes to other plans included with this project and ask a condition be included that staff will work with applicant on modifications of plans.

CONDITIONS OF APPROVAL – ATTACHMENT B:

F. Site and Product Design Condition No.7: This condition requires all public right of way be extend 10 feet behind face of curb. There is a constraint in the area of the detention basin that makes it difficult to comply with the condition. To meet the engineering design requirements for the detention basin, the right of way would need to be reduced to 5 feet from back of curb adjacent to the detention basin.

BLUE MOUNTAIN
COMMUNITIES



Request: We request that condition F. 7 be modified to allow the right of way be 5 feet from back of curb and a monolithic sidewalk be installed adjacent to the detention basin. City's construction detail ST-4 above represents approved monolithic sidewalk design.

<u>F. Site and Product Design Condition No. 25:</u> This condition requires that the open space and associated improvements be constructed and completed by the 45th building permit. As you may be aware, there is considerable upfront costs in developing communities. Revenue critical to remain a vibrant company is essential. The ability to receive revenues as early as possible is important.

Request: We request that this condition be modified to allow building permit issuance up to the 75th permit. It is likely that the park on Parcel A could be completed prior the 75th permit, however, other portions of the parks/trails on Parcels C & D require additional time.

<u>G. Utilities Condition No. 9:</u> The detention basin and associated improvements shall be constructed prior to the issuance of the 1st building permit for residential structures.

Request: We request additional flexibility be incorporated into this condition. As discussed above, revenue critical to remain a vibrant company is essential. We believe that there is opportunity to manage the situation so that potential issues are mitigated.

Our typical build time is 5 months. At the point permits are issued there is 5 months' time to complete the facilities. We believe that a limited number of permits (15 permits) could be issued prior to the completion of the facility and therefore, request that prior to the issuance of the 16th building permit that the detention facilities be completed.

<u>J. Fees Condition No. 1:</u> The developer shall pay all City fees established by the City Council and required by the Municipal code.

Request: We request this condition be modified so that the Developer may apply for financing of Impact Fees deemed eligible through Statewide Community Infrastructure Program (SCIP).

The SCIP was adopted by the City Council March 14, 2017 allows for financing of certain impact fees related to infrastructure with no fiscal impact to the City.

P. Project Specific Conditions Condition 20: This requirement discusses street and right of way widths. As discussed above in F. Site and Product Design Condition No.7, there is a constraint in the area of the detention basin. To meet the engineering design requirements, the right of way would need to be reduced to 5 feet from back of curb in the areas directly adjacent the detention basin.

Request: We request that the condition be modified to allow the right of way be 5 feet from back of curb with a monolithic sidewalk installed adjacent to the detention basin.

P. Project Specific Conditions Condition 23: This condition requires that Wellness Way be completely constructed prior to the issuance of the 1st building permit. Staff suggests that this is the construction access point. However, we believe a limited amount of access from existing connecting streets to the north (Oneida, Mojave, Piute) is possible.

Request: We request that the condition be modified to allow 15 building permits be issued prior to completion of Wellness Way provided that an acceptable access and fire protection plan is submitted by the applicant and approved by the City Engineer and the Fire Marshall.

P. Project Specific Conditions Condition 24: The condition requires that prior to the issuance of the 7th building permit the applicant complete the landscape improvements along Deer Valley Frontage.

Request: We request this condition be modified to require these improvements be completed by the 25th building permit. It's our understanding this is acceptable to Staff.

P. Project Specific Conditions Condition 32: This condition requires the payment of park-in-lieu fees as was recommended at the Parks and Recreation Hearing in November of 2020. As discussed above, we believe that opportunity should be made available to receive fee credits.

Request: We request the Planning Commission consider the application of Title 9 Article 10 (9-4.1010) Credit for Private Recreation Improvements to this project applying a fee credit in the amount of $181,500 for the park-in-lieu fee for this project. Alternatively, a credit to the park and recreation impact fee in the same amount is acceptable.

P. Project Specific Conditions Condition 33.a: The condition requires the developer to comply to the traffic impact analysis prior to the issuance of the 1st building permit.

Request: We request that condition No. 33.a be modified so that it reflects the applicant shall contribute its fair share of 3.79% towards the traffic signal improvement.

BLUE MOUNTAIN
COMMUNITIES

CEQA

Table A - 3.4 Biological Resources:

Mitigation Measure BIO-1a*:* requires protocol level survey for several listed species including Vernal Pool and Tadpole fairy shrimp.

We believe this requirement omits a critical step which could negate the requirement for protocol surveys for these species. As discussed, this project was initially approved in 2008. The original biological assessment identified 0.37acres of potential marginal wetland. No map of this area was produced and thus the exact location of this feature cannot be established. More recently, a wetland delineation was conducted by LSA in December of 2019 with a follow up reconnaissance survey in April of this year. These assessments were unable to identify wetlands or vernal pools within the project site.

Request: We request that this specific mitigation measure be modified such that if the presence of wetlands or vernal pools habitat cannot be verified to exist within the project area the need for protocol surveys for Vernal Pool Fairy Shrimp and Vernal Pool Tadpole Shrimp is not required.

Further, if it is determined through the verification process that the wetland or vernal pool habitat do not exist, mitigation for these species will not be required.

Mitigation Measure BIO-2d: identifies mitigation measures for burrowing owls via the purchase of burrowing owl habitat and/or habitat credits. Such credits must be within 210 meters of an active breading colony. We are concerned that such habitat with active breading owls may be difficult to obtain.

Request: Therefore, we request that the condition be modified to eliminate the requirement for an active breading colony within 210 meters to the applicant shall obtain owl habitat preserve credits.

Again, we want to thank the Planning Commission and Staff for working with to bring this project forward. We respectfully request your approval of this project with our proposed amendments. Should there be any questions I can be reached 707-471-7479 in the office or on my mobile number at 916-276-5501.

Sincerely,

Michael Harlan
Director of Forward Planning

ATTACHMENT L

Email from Kathleen Jakabcin
(Received June 17, 2021)

From: Kathy Jakabcin
To: Planning Division
Subject: Traffic for the Blue Mountain development
Date: Thursday, June 17, 2021 7:49:14 AM

Dear Planning Commission,
I still can't believe that after 1 meeting with the Deer Valley Estate residents and Blue Mountain developer in August 2019, when they said that they were just showing interest in purchasing this piece of property, their project is approved by the Planning Commission, after we've been involved in this construction area since 2003.

As there are 3 access roads to the North, to be fair to everyone, all 3 streets should be opened up to absorb the traffic generated from this new subdivision, just not 2 out of the 3 streets. My street, Piute Way, now has to absorb several hundred cars daily going to the Elementary or High School. This is so unfair!! The traffic report is a joke as it can say whatever the contractor wants. There are no numbers to prove their details as fact, that only 5% of the traffic will enter/exit through the northern neighborhood. This is absurb!! The developer should have to make use of all access roads previously approved by the Planning Commission or we end up with some stupid looking deadends like the one at the end of Equestrian, down the street off Prewett Ranch just before Hillcrest. As the vision for this development changed, the details agreed upon in the past with its residents should NOT! (Educate yourselves and read all the minutes since 2003, not just what Zoe is telling you as fact.) You have ruined our neighborhood, my close net community and street forever with your actions taken last night.

Kathy Jakabcin

Sent from Yahoo Mail on Android

ATTACHMENT M

Planning Commission Meeting Minutes
from May 19, 2021

CITY OF ANTIOCH
PLANNING COMMISSION
REGULAR MEETING

Regular Meeting **May 19, 2021**
6:30 p.m. **Meeting Conducted Remotely**

The City of Antioch, in response to the Executive Order of the Governor and the Order of the Health Officer of Contra Costa County concerning the Novel Coronavirus Disease (COVID-19), held Planning Commission meetings live stream (at https://www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/.). The Planning Commission meeting was conducted utilizing Zoom Audio/Video Technology.

Chairperson Schneiderman called the meeting to order at 6:30 P.M. on Wednesday, May 19, 2021. She announced that because of the shelter-in-place rules issued as a result of the coronavirus crisis, tonight's meeting was being held in accordance with the Brown Act as currently in effect under the Governor's Executive Order N-29-20, which allowed members of the Planning Commission, City staff, and the public to participate and conduct the meeting by electronic conference. She stated anyone wishing to make a public comment, may do so by submitting their comments using the online public comment form at www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/. Public comments that were previously submitted by email have been provided to the Planning Commissioners.

ROLL CALL

Present: Commissioners Motts, Barrow, Riley, Gutilla, Vice Chairperson Martin and Chairperson Schneiderman
Absent: Commissioner Parsons

Staff: City Attorney, Thomas Lloyd Smith
Director of Community Development, Forrest Ebbs
Captain, Tony Morefield
Associate Planner, Kevin Scudero
Associate Planner, Zoe Merideth
Project Manager, Scott Buenting
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS - None

CONSENT CALENDAR

1. Approval of Minutes: February 17, 2021
April 7, 2021

On motion by Vice Chair Martin, seconded by Commissioner Motts the Planning Commission approved the minutes of February 17, 2021 and April 7, 2021, as presented. The motion carried the following vote:

AYES: ***Motts, Barrow, Martin and Chairperson Schneiderman***
NOES: ***None***
ABSTAIN: ***Riley, Gutilla***
ABSENT: ***Parsons***

NEW PUBLIC HEARINGS

2. Deer Valley Estates Project (PD-19-03, UP-19-12, AR-19-19) -- The applicant, Blue Mountain Communities, requests certification of an Environmental Impact Report and approval of the following entitlements: Vesting Tentative Map, Final Development Plan, Use Permit, and Design Review for the Deer Valley Estates Project. The project would subdivide two undeveloped parcels totaling 37.56 acres to construct 121 new single family homes along with new infrastructure, parking, detention basins, lighting, landscaping, and a private park. The Project is located at 6100 Deer Valley Road (APNs 055-071-026 and 057-022-013). An Environmental Impact Report (EIR) has been prepared pursuant to the California Environmental Quality Act (CEQA).

Associate Planner Merideth presented the staff report dated May 19, 2021. She explained that staff and the Commission had received an email from the project applicant with several complex issues so therefore staff was recommending the Planning Commission open the public hearing, receive public comment and continue the public hearing to June 16, 2021 to allow staff the opportunity to respond to the applicant and republish the staff reports.

Chairperson Schneiderman opened the public hearing.

The following public comments were made by individuals utilizing Zoom Audio/Video Technology.

Mike Harlan, Project Applicant, thanked staff and spoke in support of continuing the public hearing in anticipation of resolving the outstanding issues with staff.

Chairperson Schneiderman commented that she believed the homes were well laid out and she was pleased to see the larger lots.

James, Antioch resident, stated his backyard was adjacent to the project. He noted that due to grading in the area a 6-foot wall behind the homes would not be sufficient and he proposed the wall be extended to 6-feet above the property line.

Bree, Antioch resident, stated that her backyard would be directly affected by this construction site. She commented that current police services were insufficient to protect the City and these homes would intensify that issue. She noted there were neighbors who were concerned regarding the pipeline in the area and the proposal to open Piute Way to through traffic. She agreed with the previous speaker regarding extending the wall to 6-feet above the property line. The following public comment was read into the record by Community Development Technician Brown.

Kathleen Jakabcin provided written comment asking for the following items to be addressed prior to the approval of the EIR: relocation of the gas pipeline, permanent closure of Piute Way, why was the City not moving forward with the previous approvals for this project, traffic and school impacts and why was the EIR was being rushed without adequate time for the community to respond. She requested the City revert back to the original agreement and that the Planning Commission not approve an EIR that was conducted during a pandemic.

The following public comment was made by an individual utilizing Zoom Audio/Video Technology.

James reported that helicopters flew over this area when landing at Kaiser Hospital and he felt they would negatively impact the residents in the project area.

Chairperson Schneiderman closed the public hearing.

In response to Vice Chair Martin, Associate Planner Merideth stated staff would be updating the staff report. Director of Community Development Ebbs explained that some of the issues brought up this evening would be addressed; however, he explained that the 2007 proceedings expired because it was not acted on, so the City lost their right to impose those conditions. He encouraged the speakers to contact staff before the item comes back to the Commission so more information could be provided.

A motion was made by Vice Chair Martin to continue Deer Valley Estates Project (PD-19-03, UP-19-12, AR-19-19) to June 16, 2021.

In response to Commissioner Barrow, Chairperson Schneiderman suggested the Planning Commission postpone discussion of this item until it returned to the Planning Commission with the updated staff report.

Commissioner Motts seconded the motion to continue the public hearing to June 16, 2021.

Commissioner Gutilla stated she believed several of the conditions of approval listed in the correspondence from Blue Mountain Communities were identified incorrectly. She requested those items be clarified when the item returned to the Commission.

Director of Community Development Ebbs stated staff would respond to that request.

In response to Commissioner Barrow, Director of Community Development Ebbs clarified that it was his recommendation to continue the public hearing to allow additional time for staff to respond to the applicant.

A vote on the previous motion to continue the Deer Valley Estates Project (PD-19-03, UP-19-12, AR-19-19) to June 16, 2021 carried the following vote:
AYES: ***Motts, Barrow, Riley, Gutilla, Martin and Chairperson Schneiderman***
NOES: ***None***
ABSTAIN: ***None***
ABSENT: ***Parsons***

3. **UP-20-10, AR-20-12, V-20-02 – Radix Growth** – Hans Benson requests approval of a use permit, design review and variance to operate a cannabis facility that consists of indoor cultivation, distribution, non-volatile manufacturing, and retail dispensary at 3625 East 18th Street (APN: 051-052-094). This project has been found to be Categorically Exempt from the requirements of the California Environmental Quality Act.

Associate Planner Scudero presented the staff report dated May 19, 2021 recommending the Planning Commission adopt the resolution recommending that the City Council approve a Use Permit, Variance and Design Review application (UP-20-10, V-20-02, AR-20-16) for a cannabis facility with indoor cultivation, distribution, non-volatile manufacturing, and retail dispensary with delivery.

Commissioner Barrow spoke in support of tabling this matter until the minor design review study was completed and reviewed by staff. He commented that he expected exterior improvements to be attractive and discussed the current blighted condition of the property.

In response to Commissioner Motts, Associate Planner Scudero explained the parking area was more than sufficient for the proposed use and their expectation was that it be restored or replaced prior to any operation. He noted he did not know the feasibility of taking out parking for additional landscaping because there were vacant parcels in the center that could be impacted once developed.

Commissioner Motts recommended additional parking lot landscaping be considered wherever feasible.

Director of Community Development Ebbs commented that if the Planning Commission wanted to, they could add a condition of approval recommending additional landscaping in lieu of some of the surplus parking, wherever feasible.

In response to Chairperson Schneiderman, Associate Planner Scudero explained when the city adopted the Ordinance for the Cannabis Overlay District, this area allowed for all cannabis uses.

Chairperson Schneiderman expressed concern regarding the close proximity of the residential area from a cannabis business.

Associate Planner Scudero explained the business met the City's 600-foot separation requirement; however, the property boundary did not which was why the variance was being requested. He reiterated that this was an area the City Council chose to place the overlay district.

Commissioner Gutilla stated she was pleased the applicant had worked with Antioch Police Department to develop a security plan for the site. She agreed that it would be appropriate for the Planning Commission to review their landscape and renovation plans prior to moving the item forward.

In response to Commissioner Gutilla, Director of Community Development Ebbs explained that the City did not have a condition regarding solar requirements; however, that item may be able to be addressed in their Operating Agreement.

City Attorney Smith added that if this matter were tabled staff could research and provide more information on the legality of a condition requiring solar.

Associate Planner Scudero explained that if the Commission wanted to see the landscape plans and building façade improvements, they could add a condition that those items must come back to the Planning Commission for consideration while still allowing the use permit to move forward.

Commissioner Barrow commented that solar could be extremely expensive and he did not want to put that burden on the applicant. He reiterated his request that the applicant's submittal of the design review be subject to the review and approval of the Planning Commission.

In response to the Commission, Captain Morefield reported that the Antioch Police Department had reviewed the application and the applicant had been fully cooperative in meeting all the standards requested. He noted with respect to equity, he would not require anything more of this project than any other project along Wilbur Avenue. He further noted the average response time for priority 1 calls was just below 8-minutes.

In response to Commissioner Riley, Associate Planner Scudero reported the applicant had provided a waste management plan.

Chairperson Schneiderman opened the public hearing.

Sufyan Hamouda, Compliance Consultant, thanked Planning staff for their assistance with the application and the Planning Commission for their review of the project.

Hans Benson, President of Radix Growth, thanked the City for the allowing them the opportunity to apply for their cannabis business license and operate in the community. He provided a brief background of his experience in the cannabis industry. He reported they had every intention of making this project the most beautiful property and cannabis space.

Sufyan Hamouda, Compliance Consultant, commented that their plan included landscaping improvements prior to the business opening. He reported that they intended to transition to solar in the future; however, due to upfront costs it was not included in the initial project. He

commented that they had worked closely with the Antioch Police Department to create a security plan.

In response to Commissioner Barrow, Mr. Hamouda explained that some of the landscaping and lighting was addressed in the site plans provided in the staff report. He noted they had not yet planned for the exterior paint; however, they could submit those plans within 2-weeks. He clarified that they planned to restripe the entire parking lot, which was outlined on the final landscaping sheet provided. He commented that the parking stalls would be common use.

Mr. Benson added that they were completely independent of other operations in Antioch, and they were based out of San Francisco.

Commissioner Motts stated he understood the constraints on landscaping but encouraged the applicant to work with the owners of adjacent parcels to include additional trees into the landscaping plan.

In response to Vice Chair Martin, Mr. Hamouda explained their two-tiered growth system.

Outside Legal Counsel Ziegler explained the cannabis license types proposed for this project.

Mr. Benson explained that they would like to sell most of their product through their own retail; however, there were opportunities to develop brands to distribute to other retail businesses.

In response to Commissioner Riley, Mr. Hamouda explained a large portion of their organic waste would be transported offsite and there would be no hazardous waste. He clarified that they would be utilizing drip irrigation.

Mr. Bensen added that all their cultivation practices were organic and with filters and reverse osmosis they recycled a lot of the water.

In response to Commissioner Gutilla, Mr. Hamouda commented there was an area designated for organic waste for composting and they would be reutilizing the soil.

In response to Commissioner Riley, Mr. Hamouda explained their spill containment mitigation plan.

Chairperson Schneiderman closed the public hearing.

Commissioner Motts stated that he believed the findings supported the variance and voiced his support for the design review and landscape plan to return to the Planning Commission for review and approval. He stated he was also interested in the solar plan for this project.

City Attorney Smith stated there were two options for solar, one being condition of approval and the other being a stipulation in the operating agreement. He noted if the Planning Commission wanted it as a condition of approval, staff would investigate the legality of the issue.

Commissioner Motts commented that he would like the City to move forward in a more general direction towards solar requirements.

Commissioner Gutilla mentioned that the project applicant had commented that it was their intension to add solar and she questioned what their milestones would be to move that direction. She noted with the applicant's input it may be feasible to frame a project specific condition to address this issue.

Outside Legal Counsel Ziegler responded with the flexibility of the Conditional Use Permit, it could be included; however, the challenge may be enforcement if there was non-compliance. She noted it could be included in the terms of an Operating Agreement.

Commissioner Barrow made a motion to table the resolution recommending that the City Council approve a Use Permit, Variance (UP-20-10, V-20-02, AR-20-16) until the minor design review was completed, reviewed by staff, and brought back to the Planning Commission for consideration. The motion died for the lack of a second.

On motion by Commissioner Gutilla, seconded by Vice Chair Martin the Planning Commission adopted the resolution recommending that the City Council APPROVE a Use Permit, Variance (UP-20-10, V-20-02, AR-20-16) for a cannabis facility with indoor cultivation, distribution, non-volatile manufacturing, and retail dispensary with delivery and requiring staff to bring back the Design Review and landscape plan to the Planning Commission for approval. The motion carried the following vote:

AYES:	***Motts, Riley, Gutilla, Martin and Chairperson Schneiderman***
NOES:	***Barrow***
ABSTAIN:	***None***
ABSENT:	***Parsons***

4. Antioch Municipal Code Amendment to Section 9-5.901, Home Occupations – The City of Antioch proposes the repeal and replacement of Section 9-5.901 regarding home occupations. Specifically, the City proposes to eliminate existing permit requirements and other changes to streamline and clarify the approval process and ensure the acceptable operation of home-based businesses (home occupations).

Director of Community Development Ebbs presented the staff report dated May 19, 2021 recommending the Planning Commission adopt the resolution recommending that the City Council adopt the ordinance repealing and replacing Section 9-5.901 of the Antioch Municipal Code regarding Home Occupation Use Permits (HOUP).

In response to Commission Motts, Director of Community Development Ebbs explained that this process involved a simple affidavit that went along with the business license. He noted problem businesses would be addressed through Code Enforcement efforts.

In response to Vice Chair Martin, Director of Community Development Ebbs clarified that they streamlined the review process and tightened and clarified standards.

In response to Commissioner Gutilla, Director of Community Development Ebbs explained that the application fee reflected costs for noticing neighbors, maintaining, and logging permits as well as staff time associated with the permitting process. He stated the rules that applied to backyards basically addressed converting the area into storage or a manufacturing facility.
In response to Chairperson Schneiderman, Director of Community Development Ebbs stated upon receiving a complaint Code Enforcement visited the property, determined if there was a business license and if the operation were noncompliant, it would be documented, and they would advise the businessowner/homeowner/tenant of the violations and instruct them on how to correct the violations.

On motion by Commissioner Gutilla, seconded by Commissioner Motts the Planning Commission adopted the resolution recommending that the City Council adopt the ordinance repealing and replacing Section 9-5.901 of the Antioch Municipal Code regarding Home Occupation Use Permits (HOUP). The motion carried the following vote:

AYES:	***Motts, Riley, Gutilla, Martin and Chairperson Schneiderman***
NOES:	***Barrow***
ABSTAIN:	***None***
ABSENT:	***Parsons***

5. Determination of the 2021-2026 Capital Improvement Program Consistency with the Antioch General Plan, P.W. 150-21 – The Capital Improvement Program (CIP) outlines the 2021-2026 expenditure and revenue projections provided for planning purposes only. Any California Environmental Quality Act (CEQA) requirements will be determined on a project-by-project basis prior to final approval and construction of each project. As required by Section 65401 of the California Government Code, the Planning Commission is asked to determine whether the projects included in the Five-Year Capital Improvement Program (CIP) are consistent with the current Antioch General Plan.

Project Manager Buenting presented the staff report dated May 19, 2021 recommending the Planning Commission determine the 2021-2026 Capital Improvement Program to be consistent with the Antioch General Plan, which includes a determination that any acquisition or disposition of property identified in the project description is consistent with the General Plan.

In response to Commissioner Gutilla, Project Manager Buenting explained the “L” Street widening may require purchase of right of way from the State Agriculture District for the fairground’s property and there would be no disposition of property.

In response to Commissioner Barrow, Director of Community Development Ebbs stated that he concurred with the findings.

Chairperson Schneiderman expressed concern regarding traffic congestion on Contra Loma Blvd at the freeway exit.

Director of Public Works/City Engineer Samuelson stated he was familiar with the intersection at Contra Loma Blvd and St. Francis Drive. He stated he would ask the traffic engineering to look at the issue.

Vice Chair Martin agreed with Chairperson Schneiderman noting that the state changed the intersection and created an issue with circulation in the area. He encouraged the traffic engineer to investigate the issues. He commended staff on organizing the CIP in a way that enhanced reading of the document.

In response to Vice Chair Martin, Project Manager Buenting reported the removal of the Amtrak station was funded by the San Joaquin Transportation Authority. He noted the Amtrak Station Improvement Project 7928 was related to cleaning up, landscape and hardscape in the area. With regards to Project 7937, Project Manager Buenting stated City funds were paying for the Pittsburg/Antioch Water Intertie Project because if there was an issue Antioch would have to install a pump station to adequately move water from Pittsburg into the City of Antioch. He explained the project was to improve the ability for Antioch to share water with neighbors. Speaking to Project 7958 Overhead Utility Undergrounding, Project Manager Buenting commented that they planned to utilize Rule 20 A funds to complete the project.

Chairperson Schneiderman stated that she appreciated how well the CIP was outlined.

On motion by Commissioner Motts, seconded by Commissioner Barrow the Planning Commission determined the 2021-2026 Capital Improvement Program to be consistent with the Antioch General Plan, which includes a determination that any acquisition or disposition of property identified in the project description for each project in the Capital Improvement Program is consistent with the General Plan. The motion carried the following vote:

AYES:	***Motts, Barrow, Riley, Gutilla, Martin and Chairperson Schneiderman***
NOES:	***None***
ABSTAIN:	***None***
ABSENT:	***Parsons***

ORAL COMMUNICATIONS

Commissioner Motts welcomed the new Commissioners. He questioned if there was an estimated timeline for returning to in-person meetings and asked for an update on the Council Chambers renovation project.

City Attorney Smith explained that there were no plans at this time for returning to in-person meetings.

Director of Community Development Ebbs added that staff was waiting for an announcement from the Governor regarding in-person meetings.

Director of Public Works/City Engineer Samuelson announced the Council Chambers project was completed.

WRITTEN COMMUNICATIONS – None

COMMITTEE REPORTS

Commissioner Motts reported that the TRANSPLAN meeting had been cancelled.

ADJOURNMENT

On motion by Martin, seconded by Riley the Planning Commission unanimously adjourned the meeting at 8:37 P.M. The motion carried the following vote:

AYES:	***Motts, Barrow, Riley, Gutilla, Martin and Chairperson Schneiderman***
NOES:	***None***
ABSTAIN:	***None***
ABSENT:	***Parsons***

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk

ATTACHMENT N

Planning Commission Meeting Minutes
from June 16, 2021

CITY OF ANTIOCH
PLANNING COMMISSION
REGULAR MEETING

Regular Meeting **June 16, 2021**
6:30 p.m. **Meeting Conducted Remotely**

The City of Antioch, in response to the Executive Order of the Governor and the Order of the Health Officer of Contra Costa County concerning the Novel Coronavirus Disease (COVID-19), held Planning Commission meetings live stream (at https://www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/.). The Planning Commission meeting was conducted utilizing Zoom Audio/Video Technology.

Chairperson Schneiderman called the meeting to order at 6:30 P.M. on Wednesday, June 16, 2021. She announced that because of the shelter-in-place rules issued as a result of the coronavirus crisis, tonight's meeting was being held in accordance with the Brown Act as currently in effect under the Governor's Executive Order N-29-20, which allowed members of the Planning Commission, City staff, and the public to participate and conduct the meeting by electronic conference. She stated anyone wishing to make a public comment, may do so by submitting their comments using the online public comment form at www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/. Public comments that were previously submitted by email have been provided to the Planning Commissioners.

ROLL CALL

Present: Commissioners Motts, Parsons, Riley, Gutilla, Vice Chairperson Martin and Chairperson Schneiderman
Absent: Commissioner Barrow (arrived at 6:38 P.M.)

Staff: City Attorney, Thomas Lloyd Smith
Associate Planner, Kevin Scudero
Associate Planner, Zoe Merideth
Associate Planner, Jose Cortez
Community Development Technician, Hilary Brown
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS - None

CONTINUED PUBLIC HEARING

2. **Deer Valley Estates Project Deer Valley Estates Project (PD-19-03, UP-19-12, AR-19-19) --** The applicant, Blue Mountain Communities, requests certification of an Environmental Impact Report and approval of the following entitlements: Vesting Tentative Map, Final Development Plan, Use Permit, and Design Review for the Deer Valley Estates Project. The project would subdivide two undeveloped parcels totaling 37.56 acres to construct 121 new single family homes along with new infrastructure, parking, detention basins, lighting, landscaping, and a private park. The Project is located at 6100 Deer Valley Road (APNs 055-071-026 and 057-022-013). An Environmental Impact Report (EIR) has been prepared pursuant to the California Environmental Quality Act (CEQA).

Associate Planner Merideth presented the staff report dated June 16, 2021 recommending 1) Adopt the resolution in Attachment A recommending certification of the Deer Valley Estates Project Environmental Impact Report, adopting findings of fact and statement of overriding considerations, and adopting the mitigation monitoring and reporting program. 2) Approve the resolution recommending that the City Council approve a Vesting Tentative Subdivision Map, Final Development Plan, Use Permit, and Design Review subject to conditions of approval (PD-19-03, UP-19-12, AR-19-19).

In response to Vice Chair Martin Associate Planner Merideth stated that the applicant may be able to describe what was in the pipelines and noted easements were called out on the project plans. She commented when this item was before Council previously, it was noted in the minutes that they were working to relocate the pipelines; however, there were no entitlements or conditions for this project that would require the pipeline to be moved. She explained that there were conditions of approval that Wellness Way would be used as the construction route for this project as opposed to the neighborhood streets. Additionally, there was a condition of approval that improvements to Wellness Way needed to be completed prior to the first building permit for this project. She confirmed the applicant would be installing a wood fence because it was on a property line with existing fences.

Commissioner Barrow arrived at 6:38 P.M.

In response to Commissioner Parsons, Associate Planner Merideth explained the main entrance to the project was on Wellness Way.

In response to Commissioner Gutilla, Associate Planner Merideth explained the alternate planning process was a twostep process where the applicant goes through the master development plan/planned development rezone and then they come back for the final development plan. She added the General Plan designation for this site was low density housing and this application maintained that zoning.

Commissioner Gutilla mentioned if the density did not change maybe the City should have addressed some of the affordability goals by keeping the density and requiring a certain percentage of the homes to be duplexes or zero lots and she believed an HOA community was a good opportunity to implement some of these types of homes.

In response to Commissioner Gutilla, Theresa Wallace, LSA, confirmed there was a bike lane on the east bound direction of Wellness Way. Ambarish Mukherjee, LSA, Traffic Consultant, added that this project would be constructing a bike lane on their side. He noted they looked at the queues for the driveways for Kaiser and the project and determined they would operate satisfactorily. He further noted that 90% of traffic would use Wellness Way onto Deer Valley Road for access to the project and the remaining 10% would use the residential streets to travel to the school. He stated bicyclist would be able to maneuver safely into the development. He explained that traffic at Lone Tree Way and Deer Valley Road would operate at an unsatisfactory level even if the project were not built and the only thing that could improve the situation would be improving the signal timing. He agreed that traffic calming measures could be utilized to deter the use of the residential streets for access to this neighborhood; however, it would require a collaborative effort between the applicant, City, and residents in the area.

Commissioner Gutilla believed there should be a congruent naming system for the streets with the existing neighborhood and questioned why they were changed from the Native American theme previously proposed.

In response to Commissioner Gutilla, Associate Planner Merideth explained the applicant proposed the names and they were reviewed by engineering staff who sent it to outside agencies for review to ensure they are not duplicated and easy to understand for emergency radio traffic. She noted this was a separate neighborhood from the one to the north and they were independent names. She reported the previous project for this site had the pipeline running through in backyards and the plan now had a trail over the pipeline. She explained that there was not an entitlement that stated the pipeline must be removed and the past meeting minutes, which was the record they have for the previous project, indicated that the applicant was in discussions with removing the pipeline; however, it did not indicate that an agreement had been made. She added that a CEQA document reviewed environmental concerns for the project and there were safety measures in place from a state and federal level regarding the pipelines. She noted the gate at the park was added to increase privacy for the neighborhood. She further noted there were conditions of approval regarding the maintenance of the common areas owned by the HOA.

In response to Commissioner Motts, Associate Planner Merideth confirmed that all of the streets to the north connect through to the proposed site and the majority of the traffic would be on Wellness Way. She noted they looked at access and street design as part of the review of this project.

Commissioner Motts suggested speed tables for the neighborhood to the north to prevent traffic from filtering through the existing neighborhood.

Chairperson Schneiderman opened the public hearing.

Mike Harlan, Deer Valley Estates, gave a PowerPoint presentation which included; Deer Valley Estates Area Map, Site Plan, Setback Program, Architectural Overview, Proposed Park Redesign, Park Design Comparison, Response to Neighbor Comments and Traffic Study.

In response to Chairperson Schneiderman, Mr. Harlan stated that he believed these houses would be attractive to 60% mature buyers and 40% being mid-thirties to mid-forties. He noted their target would be hospital employees and currently they projected the price starting just under $700k.

Chairperson Schneiderman stated she liked the larger lots and layout of the project.

In response to Commissioner Gutilla, Mr. Harlan explained that the park design was revised after the Parks and Recreation Commission provided their review and prior to his involvement in the project. He noted the people previously involved did not understand the City ordinance and he felt there was an opportunity to improve the park design by bringing elements that would qualify it for fee credits and make it more valuable to the community. He confirmed the new design eliminated the trail. He stated if the City wanted a gate installed it could be explored with staff.

Commissioner Gutilla stated that she preferred that there be no gate to eliminate foot traffic in the area.

In response to Commissioner Gutilla, Associate Planner Merideth confirmed that Wellness Way dead ends at the Kaiser property, which was why there was one entrance to the property. She noted there was an easement so the Oneida Way option was available should it become necessary in the future. She further noted the project on the backside of Kaiser would not connect through to Wellness Way.

Commissioner Gutilla expressed concern regarding plants proposed in the landscaping plan because they were listed as invasive species or had a high potential for being invasive.

Mr. Harlan explained that they were at the conceptual stage of the project and would be open to suggestions for the landscape plan. He reported homeowners could purchase or rent solar systems and they would be included and would be orientated to capture as much of the sun as possible. He stated they do not install gray water diversion due to warranty issues and potential contamination. He noted they typically offered EV charging as an option. He further noted they did not plan the project to be electric only and they preferred not to revise their plans to eliminate gas. He commented that these homes would not have fireplaces.

Commissioner Parsons stated she believed there should be another access point to the project from Wellness Way.

David Yatabe, Consultant Traffic Engineer, explained that the Oneida Way easement was the potential option for the second connection to Wellness Way.

Jon Crawford, Consultant Traffic Engineer, reported there was a concern that if they opened access from Oneida Way to Sand Creek, people would use it and cut-through the Kaiser project. He noted there was no safety concerns related to one access to the project from Wellness Way since there would be areas to the north to exit in the event of an emergency.

In response to Commissioner Parsons, Mr. Harlan stated he believed natural gas was flowing through the pipelines.

Commissioner Parsons expressed concern that the pipeline had not been moved.

Mr. Harlan responded that they designed the site so it would not be impactful to people immediately adjacent to the pipeline.

Vice Chair Martin expressed concern that the pipeline belonged to Kinder Morgan who had a reputation for not maintaining pipelines in neighboring cities. He stated he was not happy they had an easement through this project and there was natural gas in the pipeline. He noted there was a potential for a catastrophic failure within the area. He questioned if the applicant was willing to work with them to relocate the pipeline. He reported part of the consideration of this project related to the health and safety of the community and this issue was a concern.

Mr. Harlan explained that typically the pipelines were owned by the company, and they were happy with their location so if the Planning Commission wanted them relocated, Blue Mountain Communities would be financially responsible, and it would probably require tearing up Deer Valley Way, Wellness Way and could potentially impact Kaiser property. He stated he believed they designed a project to mitigate the situation and he understood the Commission's concerns and noted they would be careful. He offered to discuss relocating the pipeline with the owners and noted that he could not commit to relocating the pipelines.

Vice Chair Martin commented that lot #96 had a pipeline that terminated halfway through the lot so a house would be located on an easement.

In response to Vice Chair Martin, Mr. Harlan stated that they would inform perspective homeowners that ambulances utilized Wellness Way and Kaiser had a heliport. He responded that the easement on lot 96 was to be quitclaimed and go away.

Associate Planner Merideth agreed that the easement would be quitclaimed, and it would not exist when the homes were developed.

In response to Commissioner Riley, Associate Planner Merideth confirmed that Kaiser owned the property where Wellness Way ended.

Commissioner Parsons stated if the City wanted a subdivision behind Kaiser, staff needed to request Kaiser extend Wellness Way. She noted she could not vote to approve the project because she believed there were not enough access points to be safe.

Mr. Harlan responded there was also a 25-foot easement and a 60-foot-wide offer of dedication for Oneida Way to go through should Kaiser continue Wellness Way and there were four connections to the north and one connection to the south. He noted there were many ways to get into the project in the event of an emergency and staff had looked at that in detail and it was their conclusion as well.

The following public comment was made by an individual utilizing Zoom Audio/Video Technology.

Bree Simonsen stated that if Piute Way was opened up, she believed speed bumps would be necessary to deter traffic. She voiced her support with having no homes or walking paths behind her residence. She reported many residents in her neighborhood attended a community meeting in 2019 and they voted in support of a soundwall to be built and noted they had concerns regarding the wall height because their homes stand taller than the current ground level behind their houses. She questioned who was responsible for installing the fence/soundwall and noted the majority of concerns were related to security and durability. She noted they were concerned these homes would block their current views decreasing their property values. She expressed concern that they would be constructing homes adjacent to the pipeline which could be hit during the process.

Kathy read her email asking the Planning Commission to vote no in regard to approving the EIR conducted during a pandemic, noting the results were inaccurate due to individuals required to stay home with their children.

Chairperson Schneiderman closed the public hearing.

In response to Commissioner Gutilla, Associate Planner Merideth reported staff had not changed the mitigation measures for the biological resources requested by the applicant in their letter dated May 20, 2021.

On motion by Vice Chair Martin, seconded by Commissioner Motts the Planning Commission adopted the resolution recommending certification of the Deer Valley Estates Project Environmental Impact Report, adopting findings of fact and statement of overriding considerations, and adopting the mitigation monitoring and reporting program. The motion carried the following vote:

AYES:	***Motts, Barrow, Martin and Chairperson Schneiderman***
NOES:	***Parsons, Gutilla***
ABSTAIN:	***Riley***
ABSENT:	***None***

Commissioner Motts stated that he believed removal of the pipeline was a bigger discussion for cities and regions and not an issue that could be addressed by the developer. He noted they could recommend Council look at this issue within purview of this project.

Vice Chair Martin expressed concern that the pipeline issue was brought forward in 2007 and nothing had resulted. He stated he believed this project with a pipeline running it through had the potential to be a detriment to the health and welfare of the City of Antioch and houses should never be built around pipelines. He noted that he believed a second access point for this project was necessary and the potential future access off Oneida Way was problematic. He stated he liked the design and variety of the houses being proposed. He noted this area was zoned for

single family residential so views for the existing neighborhood would be impacted. He further noted the City was required by the State to produce a certain number of units.

Commissioner Motts stated he believed the City needed to address the location of pipelines in Antioch and noted with the movement to renewable energy the pipelines would not need to carry natural gas. He reiterated that he would support recommending the City Council review where the transmission lines were located and how they could be changed going forward. He noted traffic calming measures may slow emergency response; however, he felt they may be necessary to prevent sideshow and speeding through the neighborhoods.

Commissioner Parsons stated there were concerns in 2003 regarding the pipelines and something should have been done to better protect residents. She noted that she did not want the pipeline built on and it needed to be revisited. She reiterated that the project needed two access points from Wellness Way for the safety of the residents.

Chairperson Schneiderman stated she did not know how to evaluate the safety of the pipelines and suggested staff research and assess the risk.

Mr. Harlan commented that he had looked into the pipelines and it looked like it was not natural gas but an oil pipeline.

Chairperson Schneiderman stated she believed the subdivision was well laid out and the designs were beautiful and there were large lots. She suggested the Parks and Recreation Commission, or staff review the revised park design proposed this evening.

Commissioner Gutilla stated she wanted to know what the pipelines were for and whether they were active.

City Attorney Smith explained that the Planning Commission could motion to table and then describe the information they wanted staff to bring back to the Commission.

A motion was made by Commissioner Gutilla and Commissioner Parsons seconded the motion to table the Deer Valley Estates Project until staff returned with a report on the following items:

- Make certain the Maidenhair Trees are male only ginkgo trees
- Remove and replace Dwarf fountain grass, red fountain grass, Berkley sedge and cotoneaster plants
- Remove and replace Chinese Elm, Chinese pistache and London plane trees
- Traffic Calming Measures to discourage through traffic for the existing subdivision
- The addition of a condition of approval addressing Solar
- Move the homes to electric and solar only
- Park amenities included in the final plans for the project

Discussion ensued regarding the previous motion with Associate Planner Scudero responding that solar on homes was a California building code requirement.

Commissioner Gutilla responded that Sacramento was finding ways for developers to work around that by providing community-based solar which did not save homeowners as much money.
Associate Planner Scudero responded that if a developer proposed community solar it would have to be approved by the Planning Commission and he did not believe this applicant was proposing that option. Secondly, traffic calming in the new development could be looked at by the engineering staff; however, the City had a traffic calming policy so he did not believe it could be required through this process because it required consent of homeowners.

Commissioner Gutilla suggested looking at traffic calming at the connection points on the new development side of Piute Way, Mojave Way and Oneida Way.

Associate Planner Scudero responded staff could look into that option. With regards to landscaping, he noted the Planning Commission had the discretion to revise the landscape plan.

Associate Planner Merideth commented that the park plan proposed this evening by the applicant was not part of the project plans. She noted the project plans as proposed went through the process outlined in the Municipal Code and were included in the staff report this evening. Furthermore, there were recommended conditions of approval that the design of the park and the park in-lieu fee return to the Parks and Recreation Commission prior to obtaining a building permit.

Commissioner Gutilla withdrew her motion and Commissioner Parsons withdrew her second.

On motion by Commissioner Gutilla, seconded by Commissioner Parsons the Planning Commission unanimously tabled the matter and directed staff to return to the Commission with reports on the following:

- ***Pipeline concerns***
- ***Traffic calming measures***
- ***Landscape revisions – to include only male gingko Maidenhair Trees and eliminate dwarf fountain grass, red fountain grass, Berkley sedge or cotoneaster, Chinese elm, Chinese pistache and London plane trees***
- ***Solar requirement as a condition of approval***
- ***Switching the project from natural gas to electric***
- ***Requiring two entrances to the project from Wellness Way***

The motion carried the following vote:

AYES:	***Motts, Parsons, Barrow, Riley, Gutilla, Martin and Chairperson Schneiderman***
NOES:	***None***
ABSTAIN:	***None***
ABSENT:	***None***

<u>NEW PUBLIC HEARING</u>

2. **UP-20-01, AR-20-01 – Natural Supplements** – The Applicant, JKC3H8 requests approval of an Initial Study/Mitigated Negative Declaration, a Use Permit, and a Design Review for the development of a new cannabis operations facility. The proposed project would be developed on a 3.96-acre site that is currently undeveloped and is primarily a dirt lot with trees and other foliage. The subject property is located at 2100-2300 Wilbur Avenue (APN 051-100-028).

Associate Planner Cortez presented the staff report dated June 16, 2021 recommending the Planning Commission take the following actions: 1. Adopt the resolution approving the Natural Supplements Initial Study/Mitigated Negative Declaration (IS/MND) and adopting the Mitigation Monitoring and Reporting Program (MMRP); 2. Adopt the resolution approving a Use Permit, and Design Review (UP-20-01, AR-20-01) for a cannabis operations facility, subject to conditions of approval.

In response to Vice Chair Martin, Associate Planner Cortez explained the approval process for the septic system.

Associate Planner Scudero added that Contra Costa County Environmental Health regulated and approved all septic tanks in Antioch.

Vice Chair Martin commented the zoning for this site was planned business center which indicated no raw materials processing or bulk handling. He questioned how bulk cannabis processing was allowed.

Associate Planner Cortez explained that overlay zones were outlined by City Council as being appropriate for these types of uses. He confirmed the overlay zone was overriding from the standard baseline zoning.

Vice Chair Martin expressed concern that project specific condition #17 did not require 24-hour on-site security, which was a typical condition for all cannabis businesses.

Associate Planner Cortez responded that the condition could be modified to have wording that has been applied to all other cannabis projects.

Vice Chair Martin stated he was interested in hearing why the project specific condition had been changed and noted his recommendation would be to modify the condition to be consistent with other approvals.

Associate Planner Scudero stated that the Antioch Police Department was not present this evening to respond; however, it may have been copied from a previous template of conditions.

Brett Jolley, Land Use Counsel for Natural Supplements, 3031 W. March Lane, Stockton, stated he was presenting the project this evening. He commented that there had been extensive work on project design, security, environmental review, mitigation measures, neighborhood responsibility plan and ensuring this was a project for the City of Antioch. He highlighted the

project overview as detailed in the staff report. He clarified the septic had been engineered for the site and required approval from the Contra Costa County Environmental Health. He noted it was only for standard septic and sewer waste. He further noted it would not include waste from irrigation or processing, which would be contained in a separate containment. He stated they would agree to having one (1) security guard stationed afterhours and two (2) during business hours. He highlighted the following benefits of the project: first, improvements to Wilbur Avenue and an architectural appealing facility to encourage further development, secondly, economic growth and employment opportunities and lastly, increased security and desirability in the surrounding area as well as increased revenue through the Operating Agreement. He requested the Planning Commission adopt the staff recommendation.

In response to Chairperson Schneiderman, Mr. Jolley responded if it were cost effective and beneficial, they would install solar. He noted this was their first cannabis business.

In response to Commissioner Motts, Mr. Jolley explained that the focus was recreational, medical and health related cannabis products.

In response to Commissioner Gutilla, Associate Planner Scudero clarified that the City did not have an Ordinance requiring solar for commercial projects.

In response to Commissioner Gutilla, Mr. Jolley stated delivery drivers carried a limited amount of cash and it was kept in a lockbox compartment in the rear of the vehicle. He commented the bike racks would be included as part of the retail location. He confirmed that there was a typographical error on page 13 of the report and it should state the facility is geared toward the production of flowering plants. He explained that whatever was required of OSHA would be incorporated into the facility. He noted they would be using all organic fertilizers. He confirmed there were typographical errors in the staff report page D14, and there were actually five (5) 4x40 square foot rolling tables and thirty-six (36) lights per room.

Commissioner Gutilla agreed with Chairperson Schneiderman regarding her support for solar being installed for this project.

Mr. Jolley responded that they intended to investigate solar.

In response to Commissioner Gutilla, Associate Planner Scudero explained that solar requirements were a City Council policy issue.

City Attorney Smith added that a solar requirement for commercial businesses would require an ordinance and the process would be getting a Councilmember interested in bringing the item forward to the City Council who could provide direction to City Attorney Smith to research the item.

In response to Commissioner Riley, Mr. Jolley stated they estimated return on investment in approximately 3-5 years.

Commissioner Riley commented that the return on investment for solar panels was in the 3–5-year range. He encouraged the applicant to move forward.

Mr. Jolley agreed that solar was preferable and they wanted to have a project that was beneficial both economically and environmentally. He noted there would be serious consideration to how much and what type of energy conservation measures and solar were put into the project.

In response to Vice Chair Martin, Mr. Jolley stated they anticipated 75-100 customers per day for retail which was minimal from a traffic standpoint. He noted there would be 36 full-time employees with staggered schedules. He explained that this business was intended primarily to be a vertically integrated system with cultivation processing and sales to customers on site.

Chairperson Schneiderman opened and closed the public hearing with no members of the public requesting to speak.

Commissioner Motts spoke in support of the project and suggested that City Council consider expansion of the overlay district. He stated he hoped that the Wilbur Avenue corridor would be developed with heavy industry.

City Attorney Smith responded that expansion of the overlay had been discussed by staff and the Cannabis Standing Committee and it would be coming to Council for consideration in the near future.

Chairperson Schneiderman spoke in support of the project and discussed the issue of saturation in Antioch. She suggested the applicant benefit the Antioch Youth Sports Complex. She also spoke in support of the applicant moving forward with solar for the project.

On motion by Vice Chair Martin, seconded by Commissioner Barrow the Planning Commission unanimously adopted the resolution approving the Natural Supplements Initial Study/Mitigated Negative Declaration (IS/MND) and adopting the Mitigation Monitoring and Reporting Program (MMRP). The motion carried the following vote:

AYES:	***Motts, Barrow, Riley, Gutilla, Martin and Chairperson Schneiderman***
NOES:	***None***
ABSTAIN:	***None***
ABSENT:	***Parsons***

On motion by Vice Chair Martin, seconded by Commissioner Gutilla the Planning Commission unanimously adopted the resolution approving a Use Permit, and Design Review (UP-20-01, AR-20-01) for a cannabis operations facility, subject to conditions of approval with project specific condition #17 revised to require 24-hour onsite security with two (2) security on site during business hours and one (1) security on site afterhours. The motion carried the following vote:

AYES:	***Motts, Barrow, Riley, Gutilla, Martin and Chairperson Schneiderman***
NOES:	***None***

ABSTAIN: ***None***
ABSENT: ***Parsons***

ORAL COMMUNICATIONS

In response to Commissioner Motts, City Attorney Smith confirmed that the City was not opening to in-person meetings at this time; however, they it may occur in the September timeframe.

WRITTEN COMMUNICATIONS – None

COMMITTEE REPORTS

Commissioner Motts reported on his attendance at the TRANSPLAN meeting.

ADJOURNMENT

On motion by Commissioner Motts, seconded by Commissioner Barrow the Planning Commission adjourned the meeting at 9:33 P.M. The motion carried the following vote:

AYES: ***Motts, Barrow, Riley, Gutilla, Martin and Chairperson Schneiderman***
NOES: ***None***
ABSTAIN: ***None***
ABSENT: ***Parsons***

Respectfully submitted:

Kitty Eiden
KITTY EIDEN, Minutes Clerk

ATTACHMENT O

Email from Bree Simonson
(Received July 17, 2021)

From: bree.simonson
To: Planning Division
Subject: Deer Valley Estates project
Date: Sunday, July 18, 2021 5:27:05 PM

When the planners had a meeting with the current neighbors next to this location they asked if we would prefer a wood fence or sound wall. All 30ish residents agreed that we wanted a TALL sound wall.

At the last meeting the developers made it clear that they would put up a wood fense. Their main reason was due to "Thats whats already being used around the neighborhood." This is an untrue statement. I only assume it is the cheapest option.

If you drive around our neighborhood you will see soundwalls everywhere. Especially next to main streets and paths. If you are planning to have a park and walking path we would much rather have a sound wall due to the new traffic, both foot and cars and for the park that will be pretty close to our homes.

I have attached pictures of the sound walls around our current Deer valley neighborhood.

I have also attached a picture of another park with bocce ball in a nearby neighborhood. This shows how much better it would look with that type of wall. You can see most people would not attempt to jump over these walls vs fenses.

We want this sound wall for esthetic purposes, security, sound and durability.

We do not want to have to worry about the new path that will be behind our homes with the new foot and car traffic.

Again if this does get approved. We would also like to ask the city to do a survey within the current neighborhood where you will be opening up the streets to install speedbumps to discourage through traffic. We want to protect our kids.

And last but not least we would like to ask the city to review the pipeline. Have a inspection done to make sure that it is safe and up to code.

Thank you for truley looking into these matters. We appreciate your time and efforts in making our city a better and safer place.

The Simonsons

st Ave
OBJECTS IN MIRROR ARE CLOSER THAN THEY APPEAR

ODOMETE
53605 M
P R
MPH

Deer Valley Rd
Prewett Ranch Dr

Prewett Ranch

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of August 10, 2021

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Brad Helfenberger, Parks and Recreation Director

SUBJECT: Parks and Recreation Commission Appointment for One (1) Vacancy Expiring March 2024

RECOMMENDED ACTION

It is recommended that the City Council adopt a resolution approving the Mayor's nomination of Dominique L. King for appointment as a member of the Parks and Recreation Commission for a vacancy expiring March 2024.

FISCAL IMPACT

Administering the Parks and Recreation Commission is a budgeted function of the Parks and Recreation Department. There is no additional fiscal impact. Commissioners serve in a voluntary role.

DISCUSSION

In March 2020, the terms for three members of the Parks and Recreation Commission expired and the City Clerk posted the position openings as outlined in City policies and procedures. One opening was filled by an incumbent in July 2020. The Clerk has since received two additional applications. Mayor Lamar Thorpe interviewed both applicants. One applicant, Dominique L. King, is being nominated for appointment to the Parks and Recreation Commission. The term for this appointment expires March 2024.

ATTACHMENTS

A. Resolution
B. Application

ATTACHMENT A

RESOLUTION NO. 2021/**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPOINTING *[INSERT NAME OF APPOINTEE AFTER APPOINTMENT]* TO THE PARKS AND RECREATION COMMISSION FOR THE FULL-TERM VACANCY, ENDING IN MARCH 2024

WHEREAS, there are currently (2) two full-term vacancies on the Parks and Recreation Commission ending in March 2024;

WHEREAS, the City Clerk's Office made announcement of the vacancies and solicited applications for the (2) two full-term vacancies;

WHEREAS, Mayor Lamar Thorpe considered the applications received and interviewed the interested applicants;

WHEREAS, Antioch Municipal Code Section 2-5.201 requires that the Mayor nominate candidates for membership on all boards and commissions and requires that the City Council approve, by a majority vote, the appointments of said nominees; and

WHEREAS, Mayor Lamar Thorpe has nominated *[insert name of appointee after appointment)* to the Parks and Recreation Commission.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Antioch hereby approves the Mayor's nomination for appointment of *[insert name of appointee after appointment]* to serve on the Parks and Recreation Commission, as a Commissioner with a term ending in March 2024.

* * * * * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 10th day of August 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____

ELIZABETH HOUSEHOLDER
CITY CLERK OF THE CITY OF ANTIOCH

ATTACHMENT B

RECEIVED

MAY 30 2021

CITY OF ANTIOCH
CITY CLERK

***APPLICATION DEADLINE DATE:* 5:00 p.m. Friday, June 4, 2021**

APPLICATION FOR COMMUNITY SERVICE

PARKS & RECREATION COMMISSION

Two (2) Full-term vacancies expiring March 2024

Print your name Dominique L. King

Address Osprey Drive City Antioch

ZIP Code 94509 Phone (H)_ _____(W)_____ (C) __

E-mail address _____

Employer Self employed

Address ____ Osprey Drive City Antioch

Occupation Founder/ Strategist Lean In With The Kings

How long have you lived in Antioch? 7 years

List the three (3) main reasons for you interest in this appointment:

Preservation, maintenance, and growth of Antioch Parks and Recreation.

Increasing Community interest in health and wellness, and strengthening Antioch's push to unify our community.

Establishing programs to creating safe spaces and activities for Antioch's youth.

Have you attended any meetings of this commission? No

Have you had any previous city community service on this commission? (If yes, please explain) No

What skills/knowledge do you have that would be helpful in serving on the Parks & Recreation Commission? I have great communication skills. Thrive in a team environment, and can work efficiently alone. I am able to strategize, explain and implement plans concisely and effectively. My ability to foster working relationships with people, and businesses offers an advantage to advancing the goals of the Commission Board. I have extensive knowledge of Antioch's Recreation as my current business is centered around highlighting Antioch's outdoor attractions. Finally, my ability to build and maintain outdoor health and wellness programs.

Please indicate any further information or comments you wish to make that would be helpful in reviewing your application.

Antioch outdoor recreation should be highlighted and celebrated. There is an opportunity to bring the community together in a healthy and active way. We can create active programs to serve our youth of varying economic back rounds. There is also potential to create revenue through tourism and partnerships with sporting vendors. I believe if I am able to be apart of the Board I will bring not just my experience but my aligned values and vision to uplift and improve our town of Antioch.

Please read the attached general information regarding boards and commission so you are aware of the duties, time and frequency of meetings. Can you attend meetings for this commission at the designated times? Yes

PLEASE ATTACH YOUR RESUME *(Recommended to enhance your application).*

PLEASE NOTE THIS COMPLETED APPLICATION IS AVAILABLE FOR PUBLIC REVIEW.

Email completed application with resume to: cityclerk@ci.antioch.ca.us. You can also mail/deliver to:

Office of the City Clerk
200 "H" Street
P.O. Box 5007
Antioch, CA 94531-5007

Signature

05.29.2021

Date

DOMINIQUE KING

Antioch Parks and Recreation Commission Board
May 29, 2021

To whom it may concern,

I am writing this letter of interest and submitting my resume for consideration to fill a seat on the Parks and Recreation Board of Commissions. I am a Resident of Antioch, California. I have a passion for maintaining and improving the outdoor recreation the city of Antioch has to offer. I believe my experience and knowledge of Antioch's Parks and Recreation and a drive to improve our community would make me a great candidate for the position.

I would like to highlight the areas of my skills and achievements in my most relevant background. I am the founder of Lean In With The Kings, a social platform that highlights Antioch's Parks and Recreation through running and family activities. As an Ambassador for Oakland Marathoners, one of my goals is to foster partnerships to hopefully bring revenue through races to the city of Antioch. Working with magazines, podcasts, and other run organizations to bring awareness to Antioch's unique layout of available outdoor activities. Finally, creating Grow Up Wild a non-profit geared towards youth outdoor programs.

I have excellent communication skills, I am well organized, and I have superior work habits. Additionally, Parks and Recreation Commissions Board would benefit from my positive, professional attitude and ability to interact effectively with individuals at all levels. I have a strong desire to work hard, develop my knowledge. Additionally, I thrive on teamwork and collaboration.

I am excited to arrange a time to speak with you about how my experience and skills. I can be reached by email or telephone. I look forward to hearing from you. Thank you for your time and consideration.

Sincerely,

Dominique King

Dominique King

Osprey Drive, Antioch CA 94509

Highly dedicated to community service. Experience with public involvement and conflict resolution. Enjoy finding beneficial solutions for community growth.

EDUCATION:

Los Medanos College, Pittsburg, CA
Associates of Science, Psychology **(Expected December 2021)**

EXPERIENCE:

Lean in With the King, Antioch, CA **March 2018 - Current**
Founder and CEO

- Founded and defined brand identity
- Conduct community outreach for health and wellness
- Create and execute running programs for youths and adults
- Develop marketing strategies by identifying key trends
- Collaborated with external organizations such as nonprofits

2Spoons, Brentwood, CA **June 2015- December 2017**
Founder and CEO

- Established and managed all aspects of business, financial and creative operations
- Developed all recipes based on market demand and culinary trends
- Recruited, trained, scheduled, and supervised all staff
- Supervised all aspects of operations such as: client tasting, booking, to final delivery
- Monitored levels of perishables and non- perishables inventory to minimize cost and increase profit margins

United Airlines, San Francisco, CA **June 2007- July 2009**
Flight Attended

- Provided customer service and conflict management
- Ensured passengers safety by demonstrating safety equipment and procedures
- Assisted passengers in boarding and deboarding
- Problem solving and administering care in an emergency
- Attended to passenger needs throughout flight duration

SKILLS:

- Effective communication skills
- Capacity to make decisions
- Problem Solving
- Holistic Thinking
- Cross- Culture Awareness
- External Stakeholder Relationship Management

ACHIEVEMENTS:

Ambassador for Oakland Marathoners **May 2021- Current**
Featured in Mid Strike Magazine **June 2021**
Podcast "Runners Lounge" ranked top 10 on Clubhouse **April 2021**

INTERESTS:

Trail Running, Outdoor Activities, and Community Outreach

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of August 10, 2021

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: John Samuelson, Public Works Director/City Engineer JS

SUBJECT: Economic Revitalization Priority Areas

RECOMMENDED ACTION
It is recommended that the City Council discuss and provide direction to City staff.

FISCAL IMPACT
This recommended action has no direct fiscal impact at this time.

DISCUSSION
City Council requested a discussion on revitalizing priority streets in the City. These streets have been identified as:

A. Somersville Road between Highway 4 and Buchanan Road
B. Delta Fair Boulevard between Fairview Drive and Buchanan Road
C. L Street between Highway 4 and the Marina
D. A Street between Highway 4 and 10th Street
E. 18th Street between A Street and Hillcrest Avenue
F. 10th Street between A Street and L Street

This item is solely for the City Council's discussion.

ATTACHMENTS
None.

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of August 10, 2021

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Forrest Ebbs, Community Development Director FE

SUBJECT: Strategic Housing and Infill Study

RECOMMENDED ACTION

It is recommended that the City Council receive the presentation and offer any questions or suggestions.

FISCAL IMPACT

There is no fiscal impact associated with this update.

DISCUSSION

The City of Antioch's General Plan was adopted in 2003 and provides very limited opportunity for residential development in commercial designations. Similarly, the City's Zoning Ordinance does not offer zoning designations or standards applicable to infill, high-density housing. Rather, the City's General Plan and zoning policies support single-use suburban-style development in most commercial and residential zones.

The City has a number of notable undeveloped, underdeveloped, or underperforming commercial sites where residential redevelopment may be appropriate. Under the current policy, a proponent of a high-density residential project on one of these sites would be required to apply for a General Plan update and rezone of the site to accommodate the project. This process is expensive and can take over a year to complete. It also provides minimal assurance that it may even be approved due to the highly-discretionary nature of the request.

In 2020, the City of Antioch was awarded a $310,000 grant from a program authorized by Senate Bill (SB) 2, the Building Homes and Jobs Act. The purpose of the grant is to fund efforts that would promote the development of much-needed housing in the State of California. City staff proposed to use this funding to create General Plan and zoning policies to support high-density residential development of underutilized commercial sites. A request for proposal was issued and PlaceWorks was selected to complete the project.

10
Agenda Item #

The completed project will include new General Plan policies that will allow the use of commercial properties for residential use in certain circumstances. Specifically, the project will include a survey and study of ten identified commercial sites throughout the City of Antioch that would be candidates for development or redevelopment as high-density residential sites. A map of the sites is included in Attachment A.

The project also includes objective design and zoning standards that would facilitate the development of these projects without discretionary review. The development of objective standards is a condition of the grant funding and is intended to eliminate the uncertainty and risk associated with highly discretionary processes that often result in project denials. Though the City of Antioch has not historically objected to residential projects, especially infill projects, these developments are highly controversial in other cities and are often denied as a result of public outcry. These objective standards will be supported by a feasibility study that considers the many factors such as density, construction costs, and rents that determine whether an infill project is viable.

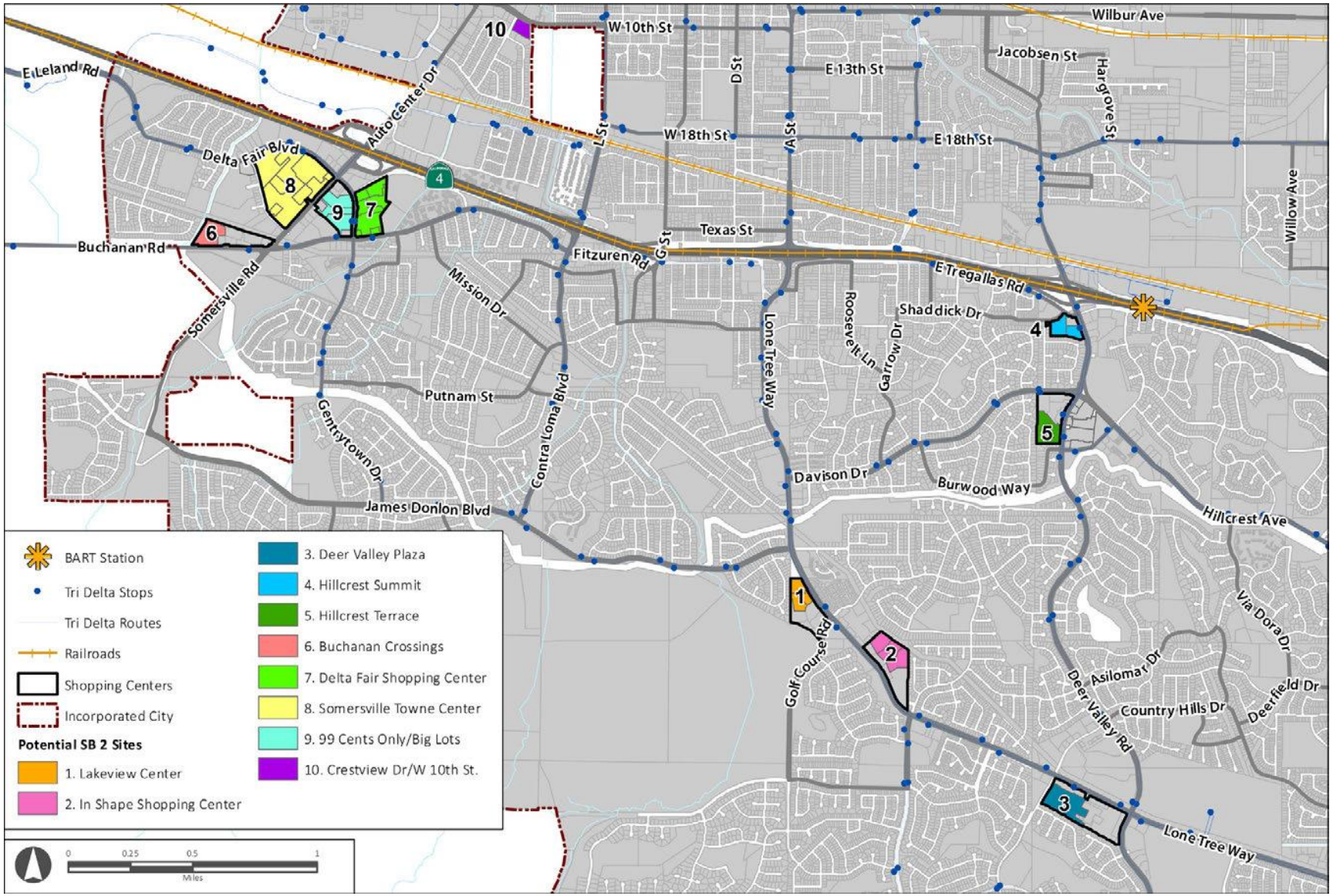
PlaceWorks will offer a presentation to the City Council and public describing the efforts completed so far, including the Opportunities and Constraints Memo and Financial Feasibility Analysis. The Memo is available here: https://www.antiochca.gov/fc/community-development/planning/pc-housing/Antioch-Strategic-Housing-Opps-Constraints-Combined.pdf. The Analysis is available here: https://www.antiochca.gov/fc/community-development/planning/pc-housing/Antioch-Infill-Housing-Financial-Feasibility-Analysis.pdf. The City Council and public are encouraged to offer questions or suggestions to improve the product. No action is requested at this time. A similar presentation was offered to the Planning Commission on July 21, 2021.

The City Council is asked to receive the presentation and offer meaningful feedback to staff. The Council may also wish to discuss expanding the use of the objective design standards beyond the ten studies sites to incentivize new development or redevelopment of struggling commercial areas elsewhere in the City of Antioch. Such a direction could readily be included in the final policy recommendations that will be delivered at a future date.

ATTACHMENTS

A. Map of Study Sites
B. Placeworks PowerPoint Presentation

Map of Study Sites



ATTACHMENT A

Antioch Strategic Infill Housing Study

Presentation before Planning Commission

July 21, 2021

ATTACHMENT B

Introduction

ANTIOCH CALIFORNIA

Forrest Ebbs
Community Development Director

Zoe Merideth
Associate Planner

PLACEWORKS

Bruce Brubaker
Architect, Principal

Cliff Lau
Associate

bae

Matt Fairris
MCP, Senior Associate

Matt Kowta
MCP, Managing Principal

B2

Agenda

1. Introduction (by City)
2. Project Goals and Timeline (PlaceWorks)
3. Study Sites and Criteria (PlaceWorks)
4. Feedback from Stakeholder Meeting 1 (PlaceWorks)
5. Opportunities and Constraints (PlaceWorks)
6. Draft Feasibility Report (BAE)
7. Discussion and Comment

B3

Project Goals and Timeline

B4

Project Goals

- City of Antioch was awarded SB 2 grant funding to study feasibility of providing infill, high-density residential development on underutilized and vacant commercial sites
- Project seeks to identify General Plan and Zoning amendments to streamline and provide opportunities for multi-family residential development in Antioch
- Project seeks to create objective design standards to help expedite review processes of proposed projects

Planning Process

B6

Project Timeline

- Stakeholder Meeting #1 – January 27, 2021
- Existing Conditions and Opportunities and Constraints Report – January to April 2021
- Draft Multifamily Residential Feasibility Study – May to July 2021
- **Planning Commission Meeting – July 2021 (this meeting)**
- City Council Study Session – August 2021
- Draft General Plan and Zoning Amendments, Draft Objective Design Standards – Fall 2021
- Seek Adoption – Winter 2021

Study Sites and Criteria

B8

Context

- City has significant number of partially built or underutilized commercial properties
- Overall commercial vacancies are relatively high throughout city

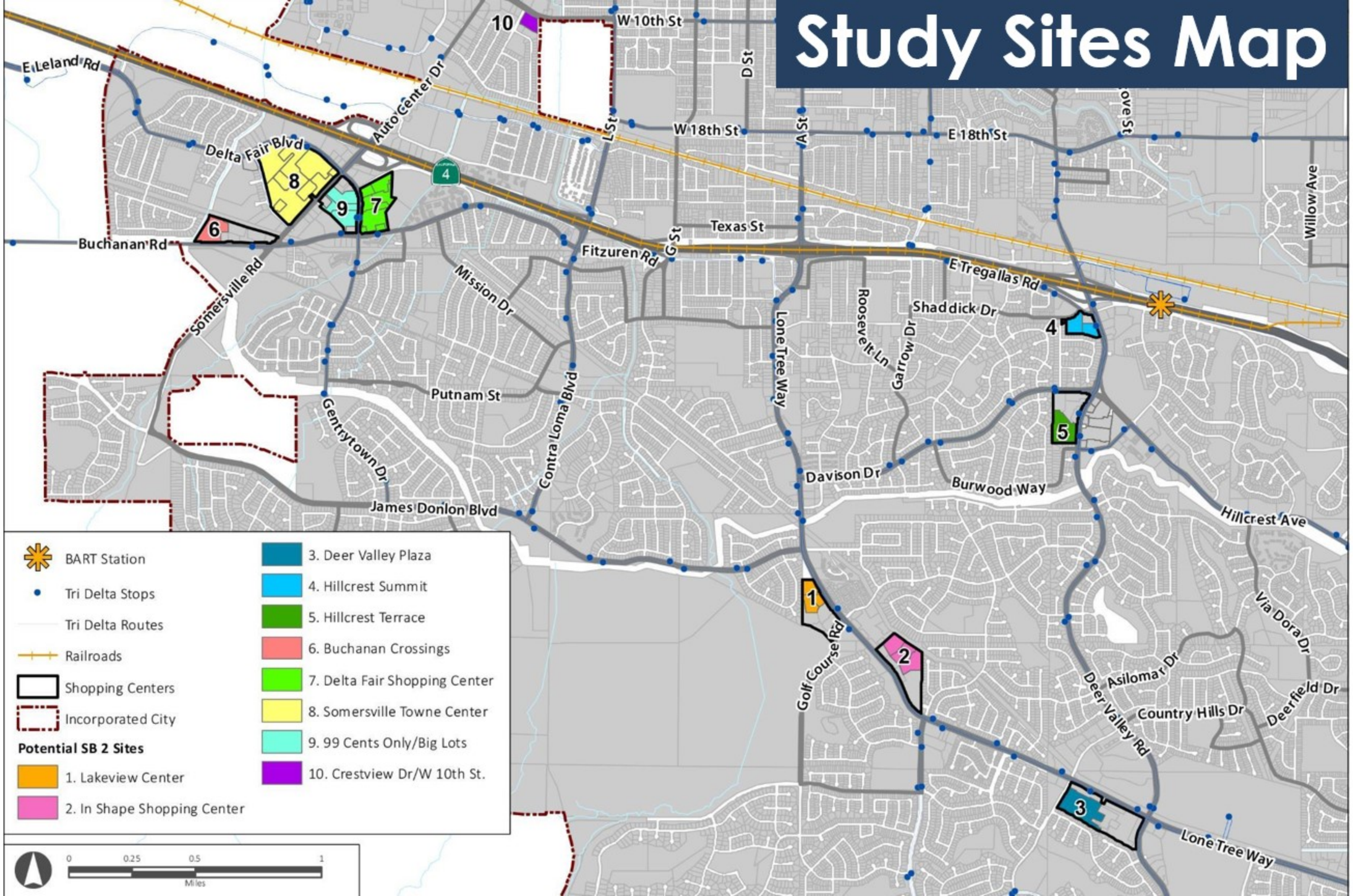
B9

Context

- The City regularly receives inquiries regarding constructing multi-family developments in commercial centers in commercial zoning designations
- Current General Plan and Zoning do not permit residential development in commercial zoning designations

B10

Study Sites Map



Study Site Criteria

- **Existing Land Use:** Commercial or shopping center zoning only; not employment-generating use such as office or industrial.
- **General Plan:** Sites that are currently classified as Regional Commercial or Neighborhood Commercial land uses
- **Utilization:** We included underutilized or vacant commercial sites with high potential for redevelopment.
- **Size:** Larger sites wherever possible.
- **Ease of Development:** Sites with mostly flat topography and adequate utilities.
- **Access:** Sites with access to major arterials.

Stakeholder Meeting in January: What We Heard

B13

Feedback from January Stakeholder Meeting

- In general, the market for new retail in Antioch is not strong.
- For mixed-use development, allow retail to be built separately from residential for flexibility in development.
- Desire for City assistance in CEQA process or overlay to expedite and/or streamline.
- Residential development at densities above 60 units per acre may be difficult in East Contra Costa. Densities closer to 20 to 30 units per acre are more feasible.
- Expressed concern about parking requirements for multi-story residential.

Opportunities and Constraints

B15

Opportunities and Constraints Analysis

» PlaceWorks, BAE, and W-Trans assessed development conditions of each site according to physical characteristics, economic feasibility, and transportation.

» Three typologies were identified for grouping the sites:

A. Vacant/greenfield

B. Undeveloped land within an existing commercial center.

C. Redevelopment of existing commercial center.

A. Vacant/Greenfield Sites

#4 Hillcrest Summit

#5 Hillcrest Terrace

#10 Crestview Drive & West 10th

B. Undeveloped Land within Existing Commercial Center

#1 Lakeview Center

#2 In-Shape Shopping Center

#6 Buchanan Crossings

C. Existing Commercial Center

#3 Deer Valley Shopping Center

#7 Delta Fair Shopping Center

C. Existing Commercial Center

#8 Somersville Towne Center

#9
99 Cents Only / Big Lots

Opportunities and Constraints General Findings

- The existing zoning of all sites considered is restrictive or prohibitive of residential development.
- Except for a few vacant/greenfield sites, multi-family residential development may encounter potential compatibility issues either with existing residential or existing shopping centers.
- Except for the Hillcrest Summit site, near the BART station, the sites are not transit-oriented.

Opportunities and Constraints Site-Specific Findings

- Vacant/greenfield commercial sites present good opportunities for multi-family residential, although selected sites are smaller than other sites.
- Undeveloped lands within existing commercial centers also present good development opportunities for multi-family residential, although compatibility with nearby residential is an issue in some cases.
- Sites that are existing commercial centers present challenges including potential demolition of existing structures and providing site designs that feel “livable” in a commercial environment.

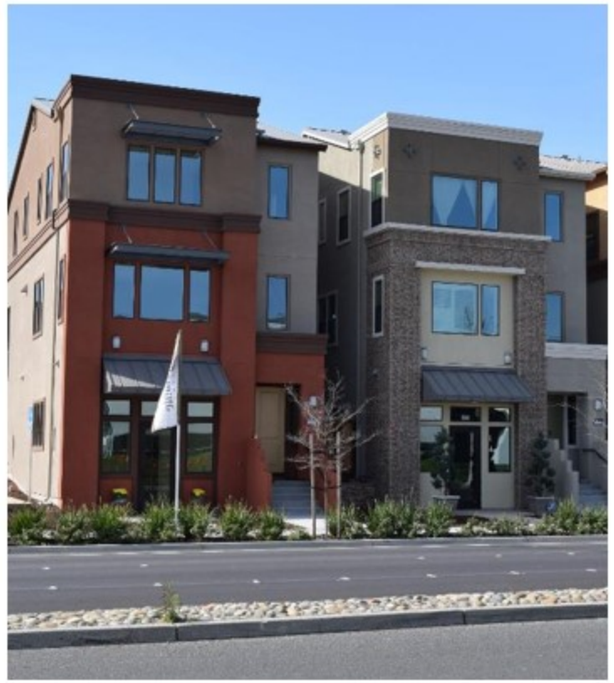
B23

Draft Feasibility Study

Draft Feasibility Study

» BAE assessed the financial feasibility of three residential prototypes

For-Sale Townhomes



120 Units
1,800 Square Feet
Attached 2-car Garages

Garden-Style Stacked Flats

150 Units
Primarily 1 and 2 Bedroom Units
240 on-site surface parking spaces

High-Density Podium

195 Units
Primarily 1 and 2 Bedroom Units
312 parking spaces (half in the parking podium)

B24

Townhome Feasibility

- $70.5 Million Total Cost
- $67.6 Million Sales Proceeds
- $2.9 Million Feasibility Gap

Project Financials	Townhome Project
Total Project Cost	**$70,543,914**
Cost per Unit	*$587,866*
Cost per Square Foot	*$327*
Total Sale Proceeds	**$67,620,000**
Price per Unit	*$575,000*
Residential Feasibility	**($2,923,914)**
Feasibility Gap Per Unit	*($24,366)*

Stacked Flats Feasibility

- $59.2 Million Total Cost
- $2.7 Million of annual income -->
- $53.4 Million of capitalized project value
- $5.8 Million Feasibility Gap

Unit Type	Unit Count	Unit Size (sf)	Monthly Rent
1 Bedroom	98	700	$2,275
2 Bedroom	37	1,000	$2,750
3 Bedroom	15	1,250	$2,938

Project Financials	Stacked Flats Project
Total Project Cost	**$59,207,555**
Cost per Unit	*$394,717*
Cost per Net Square Foot	*$476*
Rental NOI	**$2,670,578**
Cap Rate	5.0%
Capitalized Project Value	**$53,411,561**
Residential Feasibility	**($5,795,995)**
Feasibility Gap Per Unit	*($38,640)*

B26

High-Density Podium Feasibility

- $87.9 Million Total Cost
- $3.7 Million of annual income -->
- $73.2 Million of capitalized project value
- $14.6 Million Feasibility Gap

Unit Type	Unit Count	Unit Size (sf)	Monthly Rent
1 Bedroom	127	700	$2,275
2 Bedroom	49	1,000	$2,750
3 Bedroom	19	1,250	$2,938

Project Financials	High-Density Podium
Total Project Cost	**$87,885,917**
Cost per Unit	*$450,697*
Cost per Net Square Foot	*$544*
Rental NOI	**$3,662,326**
Cap Rate	5.0%
Capitalized Project Value	**$73,246,511**
Residential Feasibility	**($14,639,406)**
Feasibility Gap Per Unit	*($75,074)*

B27

Draft Feasibility Study

- **Project Sensitivities**
  - High hard construction costs are the most significant hurdle to feasibility
  - City policies can improve feasibility (impact fees, parking ratios, allowed density, etc.)
  - Market demand shifts can improve feasibility (requires 5% sale price increase or 12% rent growth)
- **Site Specific Feasibility Assessment**
  - Site characteristics can improve feasibility
    - Vacant site, flat topography, existing infrastructure, etc.
    - Prevailing high retail vacancy and/or low retail rents could encourage redevelopment
  - Localized market conditions can improve feasibility
    - Potential sale price increases due to neighborhood factors
    - Potential rental rate premiums due to proximity to amenities (BART, shopping, etc.)

Comments and Discussion